

June 15, 2006

To: Kevin Brandt, Superintendent
Chesapeake & Ohio Canal NHP – Suite 100
1850 Dual Highway
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From: Carl A. Linden
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Re: Project: GU Boathouse Project (ID 15645)
Document: GU Boathouse (ID 14911):

Conclusions and Recommendation: 1) The premise on which the EA rests is indefensible. 2) The process leading up to and including the EA is flawed. and 3) The NPS is failing to follow it's own guidelines for initiating an EIS. The choice of the "No Action" alternative is the necessary prelude to initiating a comprehensive EIS on the planning for a Georgetown waterfront park.

Part 1: The Indefensible Premise of the EA.

The EA rests on an indefensible premise; to wit, that the Park Service is free to trade away national park land to a private University for its exclusive use. National park land is for *public* use! To preserve and protect that land for the benefit of the public is the main *mission* of Park Service.

The legislation establishing the C&O Canal NHP states that among the Park's purposes is development of its potential for "public recreation." At no point does the legislation countenance the notion that a prime parcel of the Park's land may be given to a private institution for its use. Yet the EA favors construction of a boathouse within the Park's confines for GU's exclusive use and ownership and is unabashed in its promotion of GU's rowing program. Why such a program must necessarily be based in the Park is not made clear. Further it is not at all clear how the rowing program would serve the Park's purpose as defined in its enabling legislation "to preserve and interpret the historic and scenic features" of the canal and its environs.

The three "alternatives" the EA sets out are nominal, not substantial. They all would result in the same thing; namely, the placement of an oversized boathouse at the same site within the confines of the national park. Only the roof height would vary. The interior square footage is far larger than needed for boat storage—two top 18,000 sq. ft. and the third 15,000 sq. ft., Only about a quarter of the space would be for boat storage and the rest of the space for other uses. Rowing machines take up space, though they could be easily kept at athletic facilities at the main University. However, they could be pushed aside to make room for various social functions. Some have suggested that the

designers have in mind a large social hall as well as a boathouse—a hall with fine views of the Potomac and the Key Bridge.

While GU is intent on obtaining this site in the Park, the convenience of its proximity to the University proper is illusory. Access to the site along the Crescent Trail would be constricted in the narrow space that would be formed between the canal wall and the walls of the Washington Canoe Club and the GU Boathouse. Very limited parking would be available at the site. Trucking sixty foot rowing shells to and from the structure will produce congestion on the heavily traveled Crescent Trail. Vehicular and river access below Key Bridge is far superior and argues for a downstream site for the boathouse.

The EA displays an unmistakable bias in favor of the interests of Georgetown University. The EA effectively supports only one option, namely, permitting the University to appropriate national park land for the construction of its boathouse directly below the university. Alternative sites downstream in the waterfront boating activity zone are excluded from consideration. George Washington can have its boathouse there, but not GU. No compelling reasons are offered why this must be the case. The NPS owns sufficient land in the zone for several boathouses.

The EA observes that boathouses along the Georgetown waterfront were a feature of the town's past history, but this point supports the proposition that the boathouse zone belongs downstream outside the Park. With the exception of a rickety, one-story structure on pilings that lasted for a year and then was washed away, these boathouses were downstream and not near the proposed site for a GU Boathouse jammed against the canal wall and the Crescent Trail. In any case, recreational rowing has little in common with the hard life on a working canal and has no relevance to the story of the historic canal.

It needs to be noted that the NPS is not permitted under the general legislation for the National Park System to introduce activities into the environs of a national park out of tune with the purposes and values of a particular national park. The EA's support of the introduction of a very large boathouse and a collegiate rowing program into the C&O Canal National Historical Park clashes with its stated purposes and values, especially its historical character and natural habitat. Under the legislation the promoters of such a project must obtain the specific authorization of Congress to carry it out. No attempt has been made to do so regarding the Georgetown boathouse proposal.

Part 2: A flawed process & a flawed EA

From the outset the story of the proposed GU Boathouse proponents have employed questionable means and tactics, deception and erroneous information in the process of attempting to advance the project's cause.

That process begins with the proposal of a land swap. Under the guise of an ostensibly equitable exchange of the national park parcel for a strip of former CSX right-of-way up river owned by Georgetown University is being proposed. It is self-evident to any one comparing the two properties that there is no equivalency in value of the two sites. GU's upstream property does not come close in value to the prime parcel of park land that GU wants to have just below the University.

An appraiser the NPS engaged concluded that the GU property was “unbuildable” both in terms of its challenging topographic configuration and poor accessibility. In any case, the NPS rejected the appraisal with little explanation and did not go to the trouble of seeking another appraisal. Thus no professional comparison of relative value has been performed. Is the NPS apprehensive that another appraisal would have produced the same conclusion? Also, it is clear that GU early on rejected its own site as not suitable for a boathouse, if, in fact, it ever considered to be feasible.

The few preliminary sketches of a structure on GU’s property does not amount to a “feasibility study,” despite assertion to the contrary. At all events it has been long apparent that GU has been dedicated to obtaining for itself the park land just below the University. It needs to be noted also that Georgetown University is paying for the EA which supports its case for placing its proposed boathouse within the national park.

From the introduction of the land swap idea to the issuance of the EA the process the proposal has undergone appears to have been tainted by the NPS-GU pursuit of a preordained goal rather than the conduct of a disinterested investigation free of prejudice of what will best serve the public interest in the creation of a waterfront park along the Georgetown shoreline. That process has been characterized by questionable means, tactics, deceptions, and dissimulations. Beyond the dubious land swap, these include: deceptive illustrations of the proposed boathouse making it appear far smaller than it would be, failure to reveal the steady expansion of the size of the structure from an original 4,000 square feet to between 15,000 to more than 18,000 square feet, implausible denials that the great hall of the boathouse would be a site for receptions, parties, and other gatherings serving the university’s purposes, the unheard of zoning of national park property before any transfer of that property into private hands has occurred, failure to keep the C&O Canal Commission advised on project developments and submitting incorrect data on the project to the Commission, making the claim that the Commission had approved these changing plans when it had not been given, not publicly acknowledging, even in the EA, that the Commission unanimously opposed the project and had formally declared it “inappropriate” for the C&O Canal National Historical Park, establishing a Waterfront “Commission” that was not duly authorized by governing authority but was simply an NPS appointed committee to promote the waterfront park project, the failure to take into account, even in the EA, the vigorous opposition to the project by more than a score of well known civic associations concerned with the environment, outdoor activities, and protection of park lands and who normally are strong supporters of the NPS mission,¹ and, finally, a general failure to keep interested parties and the public properly informed of the ever growing scale of the project.

¹ **The Defenders of Potomac River Parkland coalition includes: American Canoe Association, American Hiking Society, American Whitewater Association, Audubon Naturalist Society, Canoe Cruisers Association, Citizens Committee to Save Laurel Lakes, C&O Canal Association, Coalition for the Capital Crescent Trail, Dupont Circle Conservancy, East Coast Greenway Alliance, Friends of the Earth, League of Women Voters of DC, Montgomery Sycamore Island Club, National Parks Conservation Association, Potomac Appalachian Trail Club, Potomac Conservancy, Potomac Heritage Trail Association, Potomac Peddlers Touring Club, Rails to Trails Conservancy, Sierra Club of DC, Washington Canoe Club.**

The inadequacies and flaws in the process and the EA culminating that process in itself justifies going over to an EIS for the whole Georgetown waterfront.²

Part 3: NPS Failure to Follow Guidelines for an EIS

It appears that the NPS officials working on the GU Boathouse proposal have brushed aside the NPS's own guidelines, namely the DO-12 directive in the NPS Handbook, indicating when an EIS should be initiated. The EA consistently underplays the impacts the proposed boathouse would have on the C&O Canal National Historical Park, the Capital Crescent Trail, and the entire waterfront. The GU boathouse proposal implicates every one of the "Criteria" (1 – 7) identified in DO-12 which point to the need for an EIS. The very magnitude of the proposed structure entails (1) "significant adverse impacts" on the C&O Park and Crescent Trail--the effect on the park's view shed and public usage of the trail--to name only two. The safety (2) of the narrow Crescent Trail thoroughfare jeopardizes the safe passage of the walking, hiking, cycling, and skating public in encounters with motor vehicles going to and from the structure and vehicles pulling boat trailers in and out of the boathouse. The size of the structure cannot help but significantly affect (3) the historic features, the "wild and scenic" Potomac, Park ecology, and the floodplain in the Canal Park. The "controversy" (4) that has been stirred by the GU Boathouse is clearly significant. The criticism from official bodies, civic organizations, and many informed citizens has been extensive and intense. The GU Boathouse proposal, if realized, will establish a major precedent (6) not only for the Canal Park but the National Park System as a whole. Other projectors can demand that other locations and parcels of the Canal Park or other national parks be traded away for private development. The impact of the GU Boathouse project is not simply localized to the proposed site in the Canal Park but, necessarily, is related intimately with the whole concept and planning of a Georgetown Waterfront Park (7) and cannot help significantly affect the latter.

In conclusion, The EA's unabashed promotion of the GU's collegiate rowing program to the cost of national park land is clearly at odds with the Park Service's duty to serve the public, not private interests. For this reason alone it behooves the NPS to choose the "No Action" alternative and initiate an impartial EIS process that allows an objective evaluation of all aspects of the planning for a Georgetown Waterfront Park. The honor and integrity of the Park Service is at stake. Only an impartial EIS evaluation of the whole Waterfront Park concept can protect the Service from the unavoidable imputation of favoritism toward an influential private institution.

² A more extensive and detailed discussion of the specifics of the above critique can be found in the comments of Robert B. Norris (letters dated 12 June, 2006) and the commentary of Frederick Mopsik (dated 15 June, 2006) addressed to the Superintendent of the C&O Canal National Historical Park.