



January 18, 2008

Mr. Kevin Brandt  
Superintendent  
C&O Canal National Historical Park  
1850 Dual Highway, Suite 100  
Hagerstown, MD 21740-6620

Re: Georgetown University Boathouse Environmental Impact Statement - Scoping

Dear Mr. Brandt:

This letter is the Potomac Conservancy's response to the National Park Service's proposed Environmental Impact Statement (EIS) and scoping analysis for the proposed Georgetown University (University) boathouse within the Chesapeake and Ohio Canal National Historical Park (C&O Canal NHP). Since 1993, the Potomac Conservancy has been protecting the health, beauty, and enjoyment of the Potomac River and its tributaries. The Potomac Conservancy seeks to provide comprehensive solutions to the complex challenges facing the Potomac River and its watershed lands.

We have reviewed the proposed EIS scoping and concluded that it is lacking in several important respects. Most importantly, it fails to adequately consider all of the available alternatives to the construction of a private boathouse on land that is currently within the C&O Canal NHP. Without a more complete and accurate study, the Park Service cannot make a fully informed decision regarding the proposed boathouse, as required by the National Environmental Policy Act (NEPA). Therefore, the Potomac Conservancy requests that the EIS scoping analysis be expanded.

In addition, the Potomac Conservancy would like to express its concern regarding the inappropriate and irresponsible boathouse plans in several of the proposed alternatives. While the Potomac Conservancy recognizes the need for more and better river access for rowers, and is a strong advocate for recreation on the river, all of the currently proposed alternatives within the C&O Canal NHP are poorly sited and scaled. The National Park Service needs to evaluate boathouse alternatives in a way that is context sensitive and that prioritizes the public benefit.

The Potomac Conservancy has been working with the National Park Service to address the myriad of challenges the C&O Canal NHP is facing, most notably the accelerating number of encroachments onto public park land. The Office of Inspector General and U.S. Congress have also taken note of ongoing privatization problems. These impacts, when taken alone, may seem to do little harm to the integrity of the park environment and experience, yet when considered cumulatively, the implications for the park are grave. The proposed land swap and private

boathouse represent the largest single insult to this world-class, but increasingly threatened landscape.

We have divided our comments into three sections. In the first section, we lay out other factors that need to be considered in the EIS regarding the size of the proposed boathouse. In the second section, we provide a real range of alternatives, as opposed to the present “all-or-nothing” approach taken in the proposed EIS. In the third section, we detail the most significant issues in need for attention for all potential alternatives.

**I. NPS must conduct a thorough and fact-driven evaluation of the size of boathouse reasonably needed.**

NPS must commit to evaluating a full range of reasonable alternatives in the EIS, instead of the “all of nothing” alternatives currently proposed. In order to identify a reasonable range of boathouse sizes, and therefore also potential locations, NPS should study both other programs’ boathouse facilities and the potential for off-site boat storage.

- A. The EA did not question Georgetown University’s claims regarding how large a boathouse it needs, and thereby unreasonably limited the alternatives examined.

The EA conducted in 2006 provided no independent fact-checking regarding the reasonableness of the size and type of facilities Georgetown University is requesting for its boathouse. In reality, what Georgetown proposed was one of the largest boathouses in the country, to be built entirely within a national park. The square footage needed to build such an enormous boathouse prompted the quick dismissal of multiple alternative sites outside the national park. This dismissal was unnecessary and improper, and should not be repeated in the EIS.

- B. To determine what size boathouse may be appropriate, and therefore what alternatives to examine, NPS should provide a comparative analysis of comparable university rowing programs.

Further analysis needs to take place in order to determine what size boathouse could satisfy the University’s needs. To do this, NPS should review the boathouse facilities of the top 15 university rowing programs and compare those with the facility requested for approval by the University. Specifically, the Park Service should analyze comparative programs to determine: (1) whether their boathouses are shared, (2) whether there are rowing tanks on-site, (3) how many ergometers are kept in the boathouse, (4) how many boats are stored in the boathouse, (5) what other facilities are typically housed in the boathouse, and (6) the range of other boathouse sizes.

- C. In addition, NPS needs to consider the potential for off-site boat storage in order to limit the size of the proposed Georgetown University boathouse.

All of the boathouse alternatives currently proposed could also be made smaller by reducing the number of boats stored on site. Therefore, NPS needs to determine the potential for

offsite boat storage, as well as the number of boats actively used by a typical rowing team. Even if it is not feasible to store all the shells off-site, it may be possible to store on-site only the boats actively used by the team for practice. This could limit the size boathouse needed, or allow multiple teams to share a single facility.

Based on the above-identified analysis, NPS should identify and examine a more reasonable range of boathouse size and locations in the EIS.

## **II. A real range of alternatives for the proposed boathouse.**

- A. The “all-or-nothing” approach taken in the proposed EIS ignores viable alternatives to the proposed boathouse location and does not serve the public interest.

The scope of the Environmental Assessment was too narrow. The EIS must fully examine build alternatives outside the C&O Canal National Park. Without a meaningful evaluation of other alternatives the Park Service cannot make a fully-informed decision about the boathouse, as the law requires.

Build alternatives located outside the national park would eliminate most of the boathouse’s major impacts, but were summarily rejected in the EA because they would necessitate a smaller boathouse that would not meet Georgetown University’s stated needs. However as noted above, the “needs” identified by Georgetown are simply a wishlist, and have not been examined for reasonableness in any meaningful way. This all-or-nothing approach also fails to fully examine which of the possible alternatives best serves the Park Service’s, and by extension, the public’s interest, which is the purpose of performing an EIS in the first place. The Park Service’s sole interest in the boathouse project is, or should be, the protection and conservation of the C&O Canal National Historical Park.

Therefore, the Potomac Conservancy requests that the Park Service perform a full EIS that considers multiple boathouse alternatives, including out-of-park and shared locations, discussed in further detail below.

- B. NPS needs to determine whether the upstream lot owned by the University is actually buildable in order to correctly perform the “No Action” impacts analysis.

Failure to determine the actual development potential of Georgetown’s upstream parcel called into question the validity of the entire “No Action” impacts analysis in the EA, and this problem must be corrected in the EIS. The “no action” alternative is premised on the potential development of the upstream site, either as a boathouse or for commercial/light industrial purposes. Although both types of development are theoretically possible, the proposed EIS must determine whether either is actually feasible and/or practical.

The EA’s presumption that the upstream parcel could be developed with a boathouse appears to be based on a “feasibility study” performed by Georgetown University’s architects, but thus far the public has seen no verifiable studies showing the feasibility of developing the

site. Environmental conditions and physical limitations could easily make boathouse development on the site unfeasible or impractical. In reality, zoning is one of the least important factors in determining if commercial/industrial development is possible and feasible on the site. Park Service requirements, environmental laws, Corps of Engineers regulations, and a myriad of other factors would come into play. Unless the Park Service knows based on a factual investigation if and to what extent the upstream parcel could be developed, all of the “no build” impacts attributed to such development are pure speculation and inappropriate for inclusion in the proposed EIS.

Therefore, the Potomac Conservancy requests that the Park Service perform a thorough, factual investigation into the actual development potential of Georgetown’s upstream lot. This should include providing the public with copies of Georgetown’s previously-conducted feasibility study, as well as an independent, written investigation into the factors affecting development on the upstream lot. A professional appraisal of the parcel would be a substantial step towards making such an investigation, as a good appraisal will consider the actual development potential of the parcel. The Potomac Conservancy furthermore requests that after this study is complete, the impacts associated with the “No Action” alternative be examined in light of the actual, not speculative, development potential of the upstream site.

- C. NPS needs to examine the possibility of a smaller boathouse, whose lesser size would expand the range of possible alternative locations.

According to the EA, it is the size of the boathouse that is driving its proposed location. Presumably, therefore, reducing the size of the boathouse would open up other possible sites, simultaneously solving both the poor siting and scaling problems of the current proposal. The EA justifies its failure to consider smaller sites and designs based entirely on Georgetown University’s assertion that anything smaller will not satisfy its rowing program’s needs. However, as noted above, this assertion is not necessarily true.

In the EA, the University admits that the athletes would either have to walk or be shuttled to the boathouse. This demonstrates that an alternative location would be feasible for off-water training facilities such as the ergometer exercise room, the weight room, and the rowing tank. The overall size of the boathouse could be reduced by half of what is currently proposed by placing these facilities in a location other than the boathouse itself. For example, Preferred Alternative C of the EA lists a space requirement for the exercise room at 2,820 square feet, the weight room at 427 square feet, and the rowing tank at 3,604 square feet. Placing these facilities elsewhere would reduce the size of the boathouse by nearly 7,000 square feet and open up a range of other siting locations.

Other compromises are also possible to reduce the size of the boathouse. Georgetown asserts that any boathouse smaller than the Preferred Alternative C is not large enough to meet its needs, but an examination of the university’s current program and other comparable programs belies that assertion. Georgetown currently owns 20 shells for its teams’ use, of which only 16 are actually used.<sup>1</sup> The current boathouse proposal, however, demands storage space for no less than 40 shells. Alternative C would require 8,706 square feet of storage space. Halving the

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<sup>1</sup> As explained by a representative of Georgetown University, at the May 19, 2003 zoning hearings.

space to about 4,300 square feet would store the shells that the team owns and further reduce the size of the proposed boathouse. Additional shells could also be stored at off-site locations. Together with the relocated exercise facilities, these changes could reduce the size of the boathouse by more than 11,000 square feet and provide increased siting options.

The Park Service should not unquestioningly make national parkland available to accommodate Georgetown's desire for a boathouse. The Park Service needs to take a critical look at exactly what compromises might be made both with regards to the siting and scale of the proposed boathouse before it moves forward with any plans.

- D. The Park Service needs to consider shared or adjoining boathouse options, which were rejected from consideration in the EA unnecessarily and without justification.

There are several alternative proposals, addressed in detail in the Defenders of Potomac River Parkland (Defenders) EIS Scoping Comments, which Potomac Conservancy agrees should be included as fully-analyzed alternatives in the EIS. One alternative is for Georgetown and George Washington universities to build one joint boathouse at 34<sup>th</sup>/K Sts. that both rowing programs could share. In addition, the Park Service could encourage both Georgetown and George Washington universities to invest in expanding and updating Thompson's Boat Center. Further, the Park Service could consider placing both boathouses on adjacent sites in order to minimize overall disturbance.

- E. The Park Service needs to consider alternative sites located outside of the C&O Canal National Historical Park.

There are alternative boathouse sites located on the Anacostia River or Virginia side of the Potomac River, as described in the Defenders' EIS Comments. The Jack's Boathouse option mentioned in the EA is another siting option. These sites are located outside of the C&O Canal NHP and could act as rowing facilities for other programs, such as high school teams, which is part of the University's justification for a new boathouse.

### **III. The most significant issues for all alternatives.**

- A. NPS must consider cumulative impact of privatization of public parkland.

The cumulative impacts analysis, Section 4.6 of the EA, is inadequate because it fails to consider any cumulative effects that are not associated with immediately related projects. The EIS must include a full analysis of the cumulative impact of privatization of public parkland. The EA correctly states that CEQ regulations require an assessment of "connected, cumulative, and similar" impacts. However, it identifies only three actions as relevant to the cumulative impacts analysis—the Arlington County and GWU boathouses, and the Georgetown Waterfront Park. While these are the most "connected" and "similar" projects to the proposed boathouse, they are not the only actions that would result in "cumulative" impacts as defined by the CEQ regulations, which require analysis in the EIS.

In other words, the CEQ regulations require a much broader examination of cumulative impacts than the highly constricted analysis the EA provides. For example, the EA fails to consider the “incremental impacts” of increasing shoreline development along both sides of the Potomac, and the collective impact it has on water quality, shoreline habitat, viewsheds, and more. The EA also fails to consider cumulative impacts specific to the C&O Canal National Historical Park. For example, the recent tree cutting incident at the Dan Snyder property resulted in a great loss of trees and habitat, and other, similar incidents in the future are certainly foreseeable. Similarly, the proposed boathouse would clear-cut a large shoreline parcel of land within what is now land protected within the Park, also resulting in tree and habitat loss.

Likewise, the EIS must consider the cumulative parkland loss associated with privatization, both past a foreseeable future. How many private inholdings does the NHP encompass, and where are they located? How much private land lies within the boathouse zone? Are there long-term plans to trade all public land in the boathouse zone for private land elsewhere? How many, if any, actions that privatized public land have occurred within the boathouse zone since its designation and within the NHP since its creation? What other exchanges are planned in the project area in the future? Would allowing a land exchange in this case create a landslide of similar land exchanges in the C&O Canal NHP, given the number of existing, nonconforming private uses?

The recent OIG and Congressional investigations into this privatization issue demonstrates the importance of the privatization problem. The EIS must consider the effects that the boathouse would have on public access. Construction in the proposed location would eliminate public access to the C&O Canal, canal towpath, and Capital Crescent Trail (CCT) from the waters edge at the boathouse site. Further, it would eliminate shoreline access for boaters and anglers. And as pointed out above, allowing a landswap in this case could foreseeably justify many similar landswaps in the future, generating a substantial cumulative impact to the park.

Finally, the C&O Canal NHP currently does not have an accurate survey of its boundaries, and as a result, the Park Service believes that some of the adjacent private landowners have been encroaching on park property and assuming it for their own use. The EA fails to consider this larger pattern of private encroachment eliminating public parkland in its cumulative impacts analysis. This narrow analysis must be rectified in the EIS in order to satisfy regulatory requirements.

- B. The Park Service needs to determine whether or not the proposed land swap is a fair and equal trade, as well as address the concern that turning public parkland into private land would conflict with the missions of both the National Park Service and the C&O National Historical Park.

As far as the Potomac Conservancy is aware, the Park Service has provided no evidence that the proposed land-swap is a fair and equal trade. The EA refers to it only as a “one-for-one” trade. This is true if one equates one-for-one with area-to-area, since the NPS-owned parcel and Georgetown University-owned parcel are roughly the same size. However, the proper basis for valuing land is its fair market value, not square footage. It does not appear that the Park Service

has obtained an appraisal for either parcel of land, and if it has, it has not shared those appraisal values with the public. Without an appraisal of the fair market value of the properties, there is no way for the Park Service or the public to judge whether the proposed land swap is in fact a fair deal. Therefore, the Potomac Conservancy requests that the Park Service retain an experienced real estate appraiser to provide it with reliable estimates of the value of both parcels at issue in this case.

Also of concern, the proposed boathouse is in direct conflict with the mission of the National Park Service in general, and the C&O Canal Historical Park particularly. One of the basic principles of our national park system is that the resources under NPS stewardship belong to all Americans. Thus, by definition, recreational resources located in national parks should be freely accessible to the public. The proposed boathouse, in contrast, would be located on what would otherwise have been national parkland, but would belong solely to Georgetown University. It would provide absolutely no public recreation or services, thereby eliminating the possibility of using this location for its intended purpose. This directly conflicts with the Park Service's duty to conserve national parklands for the enjoyment of the public, as mandated in the National Parks Organic Act, 16 U.S.C. § 1 (2000).

In addition, the boathouse proposal directly conflicts with the mission of the C&O Canal National Historical Park. Congress created the park in order to “preserve and interpret the historic and scenic features of the Chesapeake and Ohio Canal, and to develop the potential of the canal for public recreation.” 16 U.S.C. § 410y (2000). The proposed boathouse, however, would provide only private recreation, would destroy over 200 feet of natural shoreline, would compromise the historic context of the eastern end of the C&O Canal park, and would block scenic views of the river from the towpath and CCT.

Ignoring these concerns would create a dangerous precedent. Accordingly, we request that the Park Service more sufficiently consider the effects of turning the parcel of public parkland into a private boathouse.

- C. The Park Service needs to consider the historic and scenic impacts of building the proposed boathouse, especially given the proposed size and scale of the facility.

The proposed boathouse is poorly sited and scaled given the context of the C&O Canal NHP. To site the boathouse in the proposed location would ignore its impacts on the historic character of the area and the scenic views.

The EA unfairly minimizes the potential for finding impacts by downplaying or ignoring the non-urbanized, natural historic setting immediately adjacent to the proposed boathouse. For example, two of the three historic areas specifically identified as affected in the EA are best qualified as scenic, forested areas: the Potomac Gorge and the Chesapeake and Ohio Canal National Historical Park. Despite this, the EA only analyzes historic resource impacts to two heavily urbanized areas: the Georgetown Waterfront, and the Georgetown University Campus. In reality, the proposed boathouse would stand at a critical transition point between the urbanized Georgetown Waterfront area to the east, and the vegetated shoreline of the C&O Canal National Park and natural cliffs of the Palisades above and to the west. As such, the proposed boathouse

would affect urbanized and non-urbanized historic resources equally, and the EIS analysis should reflect that fact.

However, even if the siting of the boathouse were acceptable, the size of the two largest alternatives (18,000 and 15,000 square feet respectively) is not. First, it is utterly out of scale with the rest of the surroundings. The photo simulations contained in Chapter 4 of the EA make it clear that the proposed boathouse, regardless of the build alternative selected, would dwarf the historic Washington Canoe Club (WCC), its immediate neighbor. This is inappropriate from both an aesthetic and an historic preservation viewpoint. The only buildings of comparable size in the immediate area are located high up on the hillside, and are partially concealed by the treeline along the C&O Canal. Second, the proposed boathouse is so large that it would become the predominant feature of a shoreline that is currently characterized by the natural vegetation of the C&O Canal National Historical Park, the relatively small, historic WCC building, and the tiny lockhouses along the canal. The proposed 75 foot long dock paralleling the shoreline would only exacerbate this problem. Third, the boathouse would block views of the Potomac River for almost the length of a football field and destroy a natural wooded environment in exchange for a built one. The public flocks to the CCT and towpath trails specifically for their natural environment, making the visual integrity of the trails of key importance.

- D. The Park Service needs to consider the impacts of increased traffic to trail users in the area around the proposed University boathouse.

The proposed boathouse would result in increased vehicular traffic in an area heavily frequented by pedestrians and bike riders. Trail users would be interrupted with the delivery of boats on long 60-ft motorized trailers. Further, trail users would have to contend with catering trucks and visitor vehicles if the boathouse is used as an entertainment complex as the University hopes.

- E. The Park Service needs to more adequately consider the water quality impacts that constructing the boathouse would have on the Potomac River.

The Environmental Assessment underestimates water quality impacts, impermissibly disregards hydrologic impacts, and altogether fails to study potential flood-related impacts. First, the EA characterizes increased runoff from impervious surface coverage as having “minimal” impacts. However, the proposed boathouse would cover 42 percent of the parcel. In Maryland, impervious surface coverage on land near tidal waters is limited to 15 percent. The boathouse would result in nearly three times that amount of impervious surfaces. Logic dictates that this would in fact not be a “minimal” impact. Second, the EA itself demonstrates an increased flow velocity of 40-100 percent (Table 3 in Appendix P), yet goes on to conclude that there are no hydrological impacts. This is an unacceptable reading of the data that needs to be rectified in the EIS. Third, the EIS must examine the risks imposed to the canal embankment by both the increased waterflow around the boathouse in a flood event, as well as impacts related to boathouse construction.

## **Conclusion**

If you have any questions regarding the Potomac Conservancy's comments, or would like to discuss them in person, please do not hesitate to contact us. We look forward to the full EIS, and request that the EIS contain a more thorough analysis and broader range of alternatives than contained in the EA or in the proposed scoping notice.

Sincerely,

Anne Merwin  
Director of Policy