

February 6, 2020

To: NPS Washington Administrative Program Center
Attention: Correspondence Control Unit (CCU)
1201 Eye Street
NW Washington, DC 20005

Ms. Doris Lowery
doris_lowery@nps.gov

From: Marian Dombroski
Anacostia Watershed Community Advisory
Committee, Vice Chair
mdombros@gmail.com
301 775 1191
301 773 8465

PER: DIRECTOR'S ORDER #11B "Complaint About Information Quality"

**RE: FORMAL COMPLAINT SEEKING CORRECTION OF INFORMATION DISSEMINATED BY
THE NATIONAL PARK SERVICE CONCERNING NCPC 7936 Arboretum Bridge**

WRITTEN STATEMENT

The Anacostia Watershed Community Advisory Committee (AWCAC) serves as the community arm of the Anacostia Watershed Restoration Partnership. Members connect their communities with the Partnership to ensure that public interests are represented in all restoration activities and projects which impact the Anacostia River and its watershed. Members include steward groups working in tributary watersheds and the main stem of the Anacostia as well as non-profit organizations focused on water quality issues in the Anacostia Watershed. We are supported and advised by several agencies within the three Anacostia Jurisdictions and sponsored and staffed by the Metropolitan Washington Council of Governments. The concerns of our members and associates continue to go unmet by the team responsible for this project.

We are writing with concerns regarding information contained in the both the Environmental Assessment and the public presentation of 30% Design for the National Arboretum Bridge and Trail. Given the scale and impact of this project on the Anacostia River and in light of the minimal outreach to stakeholders undertaken by the project team, it is imperative that accurate and complete information regarding this project is provided to the public. Inaccurate, misleading and incomplete information has been distributed by the project team, therefore we formally request that this information be corrected for the record and the correct information be distributed to all members of the public who participated in meetings and presentations regarding the project, distributed to all agencies having jurisdiction within the Anacostia Watershed, and be posted on NPS and Department of Transportation websites. Members of the project team also provided inaccurate and misleading information in publications, including the Washington Post (Metro Section - August 17, 2019: DC Bridge Plan Causes a Row) and Greater Greater Washington (<https://ggwash.org/view/72579/will-the-arboretum-kenilworth-park-bridge-make-ward-7-more-accessible>), therefore, we request that the Project Team provide corrected information to these publications and insure that accurate information appears in print.

1. The Environmental Assessment (EA) for this project is incomplete. It must be updated to include remediation projects in progress which are essential to the restoration of the Anacostia River. The EA must also include coordination with plans for future use of the River and adjacent park land.

As a result of these omissions, which include landmark planning and restoration efforts, construction of the bridge and trail as proposed bridge will complicate restoration and planning efforts. The 2011 EA modifies the earlier EA produced for an extension of the Anacostia River Walk Trail through Kenilworth Park. The 2011 Assessment is titled a "re-alignment". This characterization grossly understates the scale of this project and its impact on the main stem of the Anacostia, a bridge over which was not part of the original project. The introduction of a bridge crossing will have major impacts on the Anacostia River. This is a new project requiring deeper investigations and, likely, a full Environmental Impact Statement. Among items omitted from the 2011 Environmental Assessment are the following:

- **Anacostia River Sediments Project**: Final recommendations are currently being determined. Bridge design has not been coordinated with and will likely impede execution of remediation activities as well as future river use.

- **Remedial Investigations at Kenilworth Park and NRDA Process:** Final remedial actions have not been published and it has not been demonstrated that the bridge proposal is coordinated with these efforts. Remediation of contaminated soils in the former landfill and burning dump will be a long term effort. Bridge and trail location and design will potentially impede execution of the required remediation. The trail is designed to be constructed on a berm which makes it difficult to grade or build on the adjacent land. The Bridge design depends on piers in the River for support because NPS has not fulfilled its obligation to remediate the landfill prior to construction of the bridge. The result of grading for this project will damage both the park land and the River and will transfer responsibility for remediation of contaminated soils to the District of Columbia. These facts were obfuscated in the EA and subsequent project materials. Failure to remediate the site makes it difficult to build a clear span bridge. It is not the nature of the structure itself which creates the difficulty. By dismissing the option of a clear span bridge NPS ignores safety issues related to use of river and undermines efforts to remediate sediments in the riverbed (ARSP) as well as soils and water impacted by the former landfill.

Kenilworth Park is the location of 2 of the 8 remediation sites identified in the Anacostia River Sediments Projects. The remediation plan has not yet been published or approved.



The proposed bridge piers will interfere with future remediation projects mandated by the ARSP.

Cleanup Projects on the Anacostia River
 THE ANACOSTIA RIVER SEDIMENT PROJECT
 KENILWORTH LANDFILL
 PEPCO BENNING SERVICE CENTER



- **Kenilworth Park Programming:** programming of this important and vast parkland is in the early stages. By virtue of transfer of administration, this will become the responsibility of the District of Columbia. Currently planning efforts for the bridge and trail are not coordinated with programming of the Park, including remediation required to execute future plans by the District to provide new activities within Kenilworth Park. This information has not been acknowledged by the design team and is not mentioned in the Environmental Assessment or Finding of No Significant Impact. By omission, this is another instance of misinformation. Kenilworth Park is a large and important parcel. It is the last large area of land available for large scale remediation efforts. It is also a prime area available for development of facilities for water dependent activities such as fishing, wading, swimming and boating. The Environmental Assessment for this project specifically listed a boat dock and an element to be included. No boat dock is included in the plans. In fact, the project locates the bike trail directly on the river bank. This will make it impossible to construct facilities for boating, wading, swimming and fishing.
- **Anacostia Pool Project:** Kenilworth Park has been identified as a site for the Anacostia Pool Project. Bridge and Trail plans must be coordinated with this important initiative which is only possible due to the decades of work and millions of project dollars expended to make the Anacostia River swimmable and fishable - mandated by the Clean Water Act - by 2025. Current plans show the trail directly adjacent to the river bank which will restrict access to the river and create a safety hazard for visitors desiring access to the river for river dependent activities such as swimming, fishing, and boating.
- **Stabilization and restoration of Watts Branch and Hickey Run:** The Watts Branch Watershed is at high risk for flooding. The stream, already in a highly degraded condition, will be further damaged by trail work. Hickey Run, flows through the Arboretum and joins the Anacostia just south of the proposed bridge and in the path of the proposed trail segment on the west bank. Spring House Run, a tributary of Hickey Run, was recently restored with excellent results. Restoration of Hickey Run will follow. Restoration of Watts Branch and Hickey Run must be coordinated with the Bridge and Trail proposal.
- **Resilient DC:** Kenilworth Park is the last large tract of land available for restoration. Formerly a wetland which contributed to the health of this unique urban estuary, this function should be restored, as was the wetland at the former Bladensburg landfill (ANA 11) north of New York Avenue Bridge on the Anacostia.



- Project Benefits**
- Provide a safe and more natural Anacostia River experience
 - Feature connection between east and west trail network
 - Bridge as place for both trail and river users
 - Extension of US National Arboretum / NPS educational opportunities and programs

2. **Presentation Materials contain inaccurate and misleading information.** (Selected slides from the presentation shown at the Public Meetings held May 20 and 21st are included to illustrate our concerns. The presentation was subsequently posted <https://www.fona.org/wp-content/uploads/2019/06/Arboretum-Bridge-and-Trail-Public-Meeting-Presentation-May-2019.pdf> .) The statement of Project Benefits raise concerns which are discussed following.

This proposal **does not** provide safe or natural Anacostia River Experience. The proposal introduces a heavily engineered structure (similar in appearance to the Benning Road vehicle bridge) into the longest uninterrupted vista remaining on the Anacostia River. According to operators of pontoon tour boats, which carry thousands of visitors from the Bladensburg Waterfront Park to experience the natural beauty of the upper part of the Anacostia River, the presence of concrete piers in the river channel present both a safety hazard and a detriment to the enjoyment of visitors who expedience the Anacostia River from the water.

Safety was not considered an evaluation criteria

Bridge Alternatives Matrix

Evaluation Criteria (Developed by NPS & DDOT)	Alt.1: 4-Span Twin I-Girder (Previous Concept)	Alt.1a: 3-Span I-Girder	Alt.2: Prefabricated Steel Truss	Alt.3: 4-Span I-Girder w/Haunch	Alt.3a: 3-Span I-Girder w/Haunch	Alt.4: 5-Span I-Girder w/ Frame Piers
Schematic						
River User Experience	Moderate	Open	Open	Moderate	Open	Open
Bike/Ped User Experience	Open	Open	Confined	Open	Open	Open
Superstructure Depth	Shallow	Moderate	Deep	Moderate	Deep	Shallow
Bridge Profile	Low	Moderate	Low	Moderate	High	Low
Longest Span Length	≈120 ft	≈180 ft	≈180 ft	≈120 ft	≈180 ft	≈180 ft
Pier Footprint	Small	Small	Large	Small	Small	Moderate
Constructability	Basic	Moderate	Complex	Moderate	Moderate	Moderate
Aesthetics	Non-intrusive	Non-intrusive	Prominent	Non-intrusive	Non-intrusive	Non-intrusive
Maintenance	Low	Low	High	Low	Low	Moderate
Construction Costs	Moderate	Moderate	High	Moderate	Moderate	High

Information including the number and type of watercraft and boaters using the impacted river reach has been provided to the design team by staff of the Bladensburg Waterfront Park and by leadership of the many teams which have rowed on the Anacostia for decades. These professionals have first hand knowledge of hazards to boaters due to shallow water depth and other characteristics of the Anacostia. They reported to the design team that the proposed bridge configuration is unsafe for current conditions and use. They advised that a clear span bridge is the safest option for this location. They also sug-

gested alternate locations which would maximize safety of river users.

Safety of river users was not considered a selection criterion to evaluate design options.

The Bridge Alternatives Matrix was developed by the design team to justify selection of a bridge which requires piers to be located in the river, limiting the navigable channel. The matrix does not list safety as criteria for evaluation of design options. It does not acknowledge that the proposal diminishes the safety and enjoyment of river dependent activities. By admission of the design team, boaters were overlooked and omitted from outreach efforts. Concerns for the safety and experience of the thousands of visitors who visit the Anacostia by boat and use the river regularly were disregarded by the design team. Minimal effort was expended by the design team to address the concerns of visitors who engage in river dependent activities. Instead, transportation concerns, logistics and cost were the only considerations. This property acquired under the Capper-Cramton Act was set aside to ensure the protection and preservation of the region’s valuable watersheds and parklands. This land was not set aside to address transportation needs. While transportation elements can be included in plans for this property, the design of this project undermines protection of



aquatic resources and impedes provisions for river depended recreational activities and is inappropriate for the site.

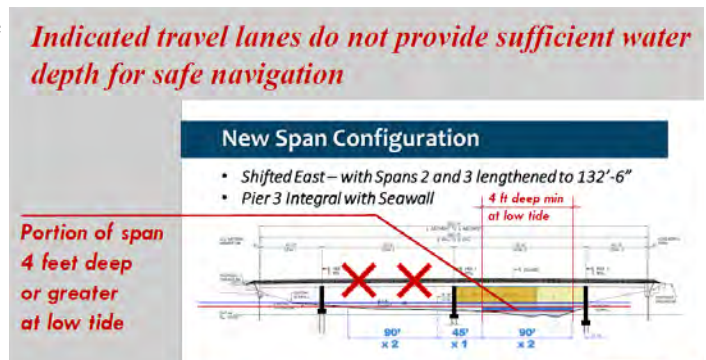
The proposed design **does not create a** connection between the east and west trail networks.

The proposal creates dead ends on the east and west bank of the River. It does not provide paved access to the Arboretum. It does not provide alternate routes when the Arboretum is closed. While

future projects may create such routes, it is imperative that it is clear to the public that this project will not provide a connection between the East and West Trail sections nor will it provide paved or after hours access to the United States National Arboretum.

The proposal **does not** create a place for river users. Instead, the bridge design limits access to the river for people seeking to boat, fish, and swim - activities which are river dependent. This project and the next phase of trail construction will limit river front to transportation activities and create a barrier to water dependent activities. Page 18 of the Environmental Assessment includes a description of dock for the use by small water craft. The project Fact Sheet refers to this as a new floating dock and kayak launch. This element is absent from the proposal.

The bridge design does not provide adequate lanes for navigation. The design team asserts that the proposed bridge will accommodate four lanes of boat traffic - one span in each direction accommodating 2 boats each. This is not possible given the existing conditions as is clearly indicated by the drawings presented by the project team. The drawings at right has been annotated (by the author) to highlight the water depth which is insufficient to accommodate boat traffic in the north bound span. Therefore, the proposed design necessitates use of a single span by boats in both directions. This drawing and the following contains false information which must be corrected. These drawings and statements repeated multiple times, including in print, give the false impression that the design preserves boater safety.



A member of the design team erroneously asserted at the public meeting that two coaches who had been involved in discussions with the project team had agreed that a minor revisions to the design, which was then presented at the public meeting, satisfied the safety concerns of the boating community. That is absolutely not the case. Verbal and written complaints to NPS staff members regarding this matter have gone unanswered and unsatisfied. These false statements made at the public meeting gave attendees the impression that the design proposal satisfied the safety concerns of the many coaches responsible for the safety of rowers of all ages, hundreds of whom learn boating skills on this section of the river.

This proposal **does not** extend educational programs for the US National Arboretum. The Arboretum has not announced changes to their mission or programs. The proposal does not provide a continuous trail into the Arboretum. Location of the Bridge is not coordinated with an entrance to this important facility. The Environmental Assessment fails to mention coordination with planning efforts on the part of the US National Arboretum. The Bridge proposal must be coordinated and developed concurrently with programmatic changes by this important research facility and regional treasure. The design team must articulate the specifics of this assertion. This statement gives the false impression that plans for the bridge have been coordinated with program planning being undertaken by the National Arboretum. This has not been demonstrated.

The impact of this project will be extensive and permanent. While connection of the east and west trail segments and provision of access to the US National Arboretum are necessary, this design will not achieve these goals in a safe and responsible manner, respective of the resources, both cultural and natural. As we enter the final phase of the Anacostia Watershed Implementation Plan, focus shifts to the future use and resiliency of this important estuary. It is essential that all projects and plans impacting the Anacostia be coordinated to protect the enormous investment we have made and the people who live in the watershed, and to fulfill legal mandates.

The dissemination of incomplete and inaccurate information and false statements regarding this project create expectations which will go unfulfilled. The project team consistently dismisses concerns of vulnerable stakeholder groups, characterizing them as special interests. Dismissing serious concerns presents a distorted view of the project and makes it impossible to address issues and evaluate the proposal. Despite numerous requests, the Design Team has not provided details regarding the review process and follow-up to comments provided following the presentation of the 30 Percent Design in May 2019. Over 300 comments were submitted following presentation of 30 Percent Design. Only 13 were received during the first comment period. This demonstrates the incomplete outreach efforts on the part of the Project Team and makes essential a formal response to all comments.

As steward of the vast majority of its shoreline, the National Park Service will leave an indelible mark on the Anacostia. The Anacostia River Sediments Project and the Remedial Investigation and Plans for Kenilworth Park place a large burden on this agency. Plans for meeting these obligations must be clearly and thoroughly studied and detailed before any trail or bridge design or construction can move forward. Project materials fail to acknowledge and inform the public of the impacts of this design on the future use and remediation of the Anacostia River and adjacent land. It is essential that communications and dissemination of information regarding planning efforts and their implications be forthright, thorough and well considered. The National Park Service, which is conducting remedial investigations is also the potentially responsible party (PRP). The impact of this project on current and future use of the Anacostia River has not been given adequate consideration or study. This project must be halted, reevaluated and integrated into larger plans for the Anacostia River and adjacent parkland. Ongoing planning efforts may make it unnecessary.

HOW AWCAC MEMBERS ARE ADVERSELY AFFECTED BY THE INFORMATIONAL ERRORS

AWCAC members connect their communities with the Restoration Partnership and are committed to the restoration of the Anacostia. False representation by the project team places a burden on our membership to provide accurate information to their communities.

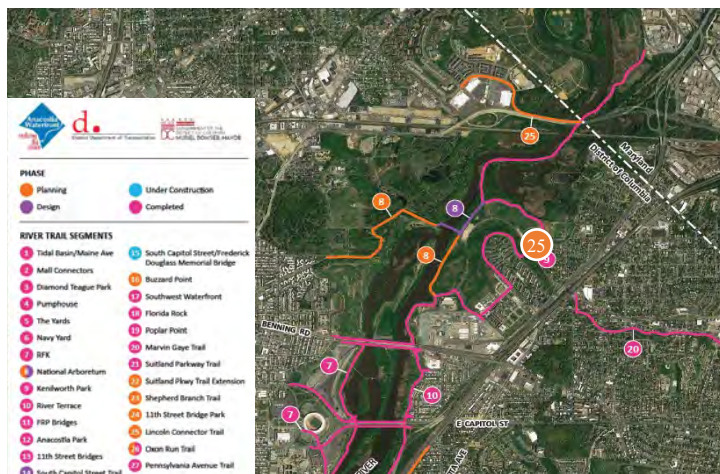
AWCAC members and members of the communities they represent recreate on the Anacostia, its tributaries and adjacent natural areas. Further, they provide opportunities for others to enjoy the opportunities afforded by this unique environment and important regional resource. They have spent years developing recreational programs bringing thousands of people every year to the Anacostia. By concealing the fact that this project creates a new and unnecessary hazard on this heavily used portion of the river, the safety of our members and that of the many river visitors they represent is compromised. As a result, recreational programs which have taken many years to build are undermined and future use and enjoyment of the river will be diminished.

AWCAC members engage and create opportunities for others to engage in stewardship activities. This is our contribution to the larger effort to restore the Anacostia River. We also advocate for and contribute to efforts to undertake larger projects to restore the Anacostia. The remediation of the Kenilworth Landfill is an important component of the restoration of the Anacostia. Lack of coordination of this project with remediation efforts creates a serious setback to restoration efforts and may, among other things, have adverse impacts on the health of park and river users and of the River itself.

AWCAC members support efforts which will make the Anacostia swimable within the decade. Unfortunately, a fishable Anacostia has been hampered by the toxic soils which are located adjacent to the 8 legacy sites identified by the Anacostia River Sediments Project. Two of those sites are located adjacent to Kenilworth Park. Construction of a bridge with piers in the River will complicate remediation efforts which must be undertaken as prescribed by the ARSP. This efforts will likely take years. By failing to acknowledge this conflict the design team jeopardizes the

success of this project undermining efforts to remove toxics which make it unsafe for consumption of fish. Many members of our communities already eat fish they catch in the Anacostia. By complicating remediation efforts, this project undermines efforts to safeguard the health of members of our community.

This design detracts from the natural beauty of one of the most iconic and beautiful locations on the Anacostia River - the last unobstructed vista. It detracts from the importance of the US National Arboretum by providing a utilitarian bridge which drops off visitors at a non-descript location. The Arboretum and the Anacostia River are regionally significant and irreplaceable assets and should not be diminished by treating this important work as transportation infrastructure. The Anacostia is currently crossed by 11 bridges. In the developed sections of the river, these bridges continue the grid of the city and can provide important connections for residents. If well designed, they can be a beautiful component in the urban environment. Bridges in natural areas disrupt and disconnect habitat. They compartmentalize the river, undermining its most important feature - its continuity. Clustering bridges minimizes these negative impacts. Locating this bridge adjacent to NY Avenue and AMTRAK Bridges, as proposed in the Lincoln Center Connector (refer to map item 25, at right), would provide a direct link between the Kenilworth Aquatic Gardens and the National Arboretum with less negative impact on the river and riparian area. This option has not been offered, nor has any other except the “no build” option. Consideration must be given to a location which provides a crossing useful to more communities and, at the same time, protects natural resources and enhances recreational use of the Anacostia River.



The environmental assessment mentions the probable presence of historical and cultural artifacts on the site. This would be a very significant finding which should be investigated prior to design of this project, otherwise this important history will be erased from the site.

RECOMMENDATIONS FOR CORRECTIVE ACTION

1. Stop work on the project until these matters are fully addressed.
2. Schedule a meeting including representatives of the National Park Service, the National Capital Planning Commission and the Anacostia Restoration Partnership to discuss these concerns and plans moving forward.
3. Publish corrections in print including the Washington Post and Greater Greater Washington.
4. Provide corrected and complete information to stakeholders identified at all stages of the project including all those who submitted comments to 30 Percent Design.
5. Conduct a thorough Environmental assessment and Environmental Impact Statement if appropriate.
6. Respond to comments submitted for 30 Percent Design.

We thank you for the opportunity to bring these matters to your attention and await your reply.

<p>cc: Tara Morrisson, Superintendent National Capital Parks East Dr. Richard Olsen, Director US National Arboretum Bryan Barnett-Woods, MNCPP - Planning Joseph P Gill, Director PGC DOE Tom Wells, Director District DoEE Michael Alvino, District DOT Michael Commisso, National Capital Parks East Daniel Schaible, DSS, NPS Senator Chris Van Hollen, US Senate, State of Maryland Matthew Flis, NCPC Urban Design Julia Koster, NCPC Secretary to Commission</p>	<p>tara_morrisson@nps.gov dr_richard.olsen@ars.usda.gov Bryan.Barnett-Woods@ppd.mncppc.org JPGill@co.pg.md.us tommy.wells@dc.gov michael.alvino@dc.gov michael_commisso@nps.gov daniel_schaible@nps.gov brent_girard@vanhollen.senate.gov mike_matthew.flis@ncpc.gov julia.koster@ncpc.gov</p>
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