



United States Department of the Interior

National Capital Parks-East
NATIONAL PARK SERVICE
National Capital Region
1900 Anacostia Drive, S.E.
Washington, D.C. 20020

IN REPLY REFER TO:
I.I.B. (NCR-NACE)

Record of Determination for a Temporary Closure of the Center Panel of Lincoln Park

Pursuant to 36 C.F.R. § 1.5, the National Park Service is imposing a temporary closure of certain parkland within National Capital Parks-East, specifically the center panel of Lincoln Park. These areas will be closed for remediation and the associated turf recovery for the following period of time:

Periods of Closure:

Central turf panel in Lincoln Park will be closed to all visitors for the period of May 3, 2024, through July 8, 2024.

This temporary closure is necessary for the protection of cultural and natural resources in Lincoln Park, as well as to ensure the greatest opportunity for the grass to become established. Less restrictive measures will not suffice because such measures employed heretofore have proven inadequate to curtail the high volume of pedestrian traffic traversing through the space when restoration efforts have occurred in the past. Additionally, the remainder of Lincoln Park will remain open to the public.

This temporary and partial closure is not of a nature, magnitude and duration that will result in a "significant alteration in the public use pattern." Indeed, other nearby park areas will remain open to the public. The closure will not adversely affect the park's natural, aesthetic, or cultural values; nor require significant modification to the resource management objections; nor is it of a highly controversial nature.

Accordingly, the National Park Service determines that publication as rulemaking in the Federal Register, is unwarranted per 36 C.F.R. § 1.5(c). This is consistent with hundreds of earlier partial and temporary park closures, the legal opinion of the Office of the Solicitor, and judicial adjudications. *Picciotto v. United States*, No. 99-2113 (D.D.C.); *Picciotto v. United States*, No. 94-1935 (D.D.C.); *Picciotto v. Lulan*, No. 90-1261 (D.D.C.); *Picciotto v. Hodel*, No. 87-3290 (D.D.C.); *Spiegel v. Babbitt*, 855 F.Supp. 402 (D.D.C. 1994), *aff'd in part w/o op.* 56 F.3d 1531 (D.C. Cir. 1995). Pursuant to 36 C.F.R. § 1.7, notice of this temporary and partial closure will be made through the posting of signs at conspicuous locations in the affected park area. Finally, pursuant to 36 C.F.R. § 1.5(c), this determination is available to the public upon request.

Tara D. Morrison
Superintendent, National Capital Parks-East

April 24, 2024
Date