



## United States Department of the Interior

**NATIONAL PARK SERVICE**  
George Washington Memorial Parkway  
c/o Turkey Run Park  
McLean, Virginia 22101

### **RECORD OF DETERMINATION FOR THE PUBLIC USE GUIDELINES FOR PEDESTRIAN AND CYCLING SPECIAL EVENTS WITHIN THE GEORGE WASHINGTON MEMORIAL PARKWAY**

Pursuant to 36 C.F.R. §§ 1.5, 7.96(g),(1)(ii),(5)(vi), (xiii) the George Washington Memorial Parkway issues this public use limitation guidelines for special event races and organized runs in the George Washington Memorial, Clara Barton and Spout Run Parkways; Mount Vernon Trail; Arlington Ridge Park (United States Marine Corps War Memorial and Netherlands Carillon); Arlington Memorial Bridge; Memorial Avenue; Fort Hunt Loop Road; Great Falls Park, Virginia and all other sites under the administration of the George Washington Memorial Parkway. In this policy, the public use limitation is intended to more fully define what is "reasonably suited" for these park areas, by imposing a "public use limitation" on the number and duration of pedestrian and cycling special events in order to minimize any negative impact on resources, visitor services, access to and egress from park concessionaires, normal park visitor usage and other permitted activities. Permit applications for pedestrian and cycling race special events runs within George Washington Memorial Parkway will be administered in accordance with this Record of Determination, 36 CFR 7.96 and all applicable National Park Service special event policies and requirements.

The Park Service is committed to providing appropriate, high-quality opportunities for visitors to enjoy the parks. In exercising its discretionary authority, the Service will allow only special uses that are appropriate to the purpose for which the park was established and that can be sustained without causing unacceptable impacts to park resources and values. One factor for unacceptable impacts would be a special use that creates an unsafe or unhealthy environment for visitors or employees. Another factor would be if the special use diminishes opportunities for visitors to enjoy, learn about, or be inspired by park resources or values, or if it unreasonably interferes with appropriate use.

We believe the policy outlined herein appropriately balances pedestrian and cycling special events with the other concession and public uses, while maintaining a safe and enjoyable experience for all visitors. The restrictions address how park management addresses the various challenges due to trail congestion with concession and other public uses. According to a 2004 park memorandum, "The trail receives heavy public use and is so congested, particularly on weekends in the spring and fall, that a timed foot race presents a serious safety hazard to trail users."

Data collected in 2009 reveals peak weekend visitation is nearly 4,000 trips per day in northern section.

In addition to the wide range of recreational activities on the Mount Vernon Trail; the George Washington Memorial, Clara Barton and Spout Run Parkways serve as major commuter routes. While maintaining the background for a scenic, historical and cultural setting, the Parkways must also minimize its recreational usage.

Furthermore, the George Washington Memorial, Clara Barton and Spout Run Parkways consist of 32.6 miles of scenic parkways which annually has over 29,177,902 motor vehicles per year. One of the George Washington Memorial Parkway's purpose is to protect and manage the natural, cultural, and recreational resources and scenic values in light of its major commuter route. *Superintendents will set, enforce, and monitor carrying capacities to limit public visitation to or use of cultural resources that would be subject to adverse effects from unrestricted levels of visitation or use.* (Management Policies 2006, 5.3.1.6 Visitor Carrying Capacity).

The following data collected in 2009 reveal vehicular visits throughout the four seasons along the George Washington Memorial Parkway: Spring (March, April and May) – 7,716,798; Summer (June, July and August) – 7,576,082; Autumn (September, October and November) – 7,305,904 and Winter (December, January and February) – 6,579,118. The George Washington Memorial Parkway links the Clara Barton and Spout Run Parkways to a variety of experiences to millions of people each year. Through prescribing indicators and specific standards for acceptable and sustainable visitor use along the George Washington Memorial, Clara Barton and Spout Run Parkways, recommendations are made to enforce and monitor carrying capacities for pedestrian and cycling events. While providing for enjoyment of the parks, the Parkways must be sustained without causing unacceptable impacts to park resources or values.

As managers of the Mount Vernon Trail (MVT), we are often challenged to balance a wide range of uses and the timing of event on the multi-use trail. It is also critical to understand the trail is nine feet wide, portions of which are located within just a few feet of the George Washington Memorial Parkway. The close proximity of the trail and roadway contributes to congestion and concerns for the safety of all visitors. Weekend congestion on this narrow trail is typically recorded as 400-450 people per hour in the afternoon. Morning use on the weekend is also high, at 300 people per hour observed during 8am to 10am time period. It's also important to note that congestion persists throughout the week due to a combination of transportation and recreation use. With this policy, our goal is to make the MVT available to as many visitors and users as possible, while ensuring a safe and enjoyable experience for all parties involved.

Permit applications for pedestrian and cycling events on the George Washington Memorial, Clara Barton and Spout Run Parkways; Mount Vernon Trail; Arlington Ridge Park (United States Marine Corps War Memorial and Netherlands Carillon); Arlington

**Memorial Bridge; Memorial Avenue; Fort Hunt Loop Road; Great Falls Park, Virginia and all other sites under the administration of the George Washington Memorial Parkway. Administered in accordance with this Record of Determination, 36 CFR 7.96 and all applicable National Park Service special event policies and requirements, the park issues the following guidelines:**

- A. Consistent with 36 CFR 7.96(g), applications for pedestrian and cycling special events will be accepted on a first-come, first served basis, up to one (1) year in advance of the proposed race date, which includes pre-event set up and post-event take down.**

**Races requiring road closures will not be conducted on sites/areas under the administration of the George Washington Memorial Parkway from Memorial Day Weekend through Labor Day Weekend.**

- B. Pedestrian and cycling special events on the George Washington Memorial, Clara Barton and Spout Run Parkways – maximum of three per year (except the Marine Corps Marathon and the Parkway Classic)**
- 1. Will be allowed between Labor Day weekend and Memorial Day weekend;**
  - 2. Must begin no later than 8:00 a.m.;**
  - 3. Parkways must be cleared for reopening by 9:30 a.m.;**
  - 4. Maximum participation will not exceed 5,000;**
  - 5. Events requiring road closures will not be permitted on Thanksgiving Day, Christmas Day and New Year's Day;**
- C. Pedestrian and cycling special events at Arlington Ridge Park (United States Marine Corps War Memorial and the Netherlands Carillon) with the exception of the Marine Corps Marathon**
- 1. Will be allowed between Labor Day weekend and Memorial Day weekend;**
  - 2. Must begin no later than 8:00 a.m.;**
  - 3. Must be cleared by 9:30 a.m.;**
  - 4. No activities are permitted on the parade field, reviewing platform and plaza levels;**
  - 5. No events are permitted the second Tuesdays of June, July and August and Veteran's Day;**
  - 6. No events are permitted Memorial Day, Saturdays of June, July, August, Labor Day, and Independence Day,**
  - 7. Races requiring road closures will not be permitted on Thanksgiving Day, Christmas Day and New Year's Day;**

**D. Pedestrian and cycling special events along Arlington Memorial Bridge and Memorial Avenue (except the Marine Corps Marathon, Rolling Thunder, Army Ten-Miler, and Cherry Blossom)**

1. Only permitted on the weekends between Labor Day weekend and Memorial Day weekend;
2. Must begin no later than 8:00 a.m.;
3. Must be cleared by 9:30 a.m.;
4. Events requiring road closures will not be permitted on Thanksgiving Day, Christmas Day and New Year's Day;

**E. Pedestrian and cycling special events on the Mount Vernon Trail (MVT) – maximum of two per month**

1. Will be allowed November 1 through the third weekend in April with a maximum number of 300 participants;
2. Between the fourth week in April – October 31 with a maximum number of 100 participants;
3. Must begin no later than 8:00 a.m.;
4. Must be cleared by 9:30 a.m.;
5. For event starting on park property, must maintain a dispersal start with a maximum of 15 participants at a time entering the MVT in 4 minute intervals;
6. Participants shall maintain adequate dispersal while entering and traveling along the MVT in order to share the trail with the general public;
7. Must maintain a maximum of 15 single file participants per group at a time on the MVT;
8. Events requiring road closures will not be permitted on Thanksgiving Day, Christmas Day and New Year's Day;

**F. Pedestrian and cycling special events on the Fort Hunt- Fort Hunt Loop Road**

1. Year round events are permitted at Fort Hunt Park. If the event occurs during the Fort Hunt Park reserved picnic season, permittee must also obtain a picnic permit for one of the reserved areas. Visit the website <http://www.recreation.gov/> for more information and to make a reservation.
2. Events must begin no later than 8:00 a.m.;
3. All roads must be cleared no later than 9:30 a.m.;
4. Maximum participation will not exceed the carrying capacity of the reserved area(s);
5. Must maintain a dispersal start with a maximum of 25 participants at a time entering the Fort Hunt Loop Road in 4 minute intervals;
6. Participants shall maintain adequate dispersal while traveling along the inner lane of Fort Hunt Loop Road in order to share the inner lane with the general public;
7. Participants must run single file clockwise in the inner lane of Fort Hunt Loop Road;

8. The outer lane of Fort Hunt Loop is reserved for police, emergency, and general public vehicles;
  9. Events requiring road closures will not be permitted on Thanksgiving Day, Christmas Day and New Year's Day;
- G. Pedestrian and cycling special events at Great Falls Park, Virginia**
1. Will be allowed between September – March;
  2. Must remain on official established trails;
- H. Pedestrian and cycling special events will be allowed under the following conditions:**
1. Permittee must provide for and require all participants and support staff to be clearly identified. Participants must be clearly identified through clothing items or bibs. Support staff must be clearly identified through t-shirts naming the event. Marshals must wear reflective vests and be stationed at every intersection.
  2. At a pre-determined "Off the Course" time, permittee is responsible for directing all participants to conclude their race on the course and provide a vehicle to pick-up participants who have not finished the course by the off the course time limit.
  3. The permittee is required to make an announcement to all participants at the start of the foot race, the walk, and/or the bike ride that they are required to abide by the following while on the Mount Vernon Trail:
    - \*Participants may run only in the right lane, except when passing. When passing in the left lane, runners must yield to any oncoming trail traffic.
    - \*Participants are prohibited from impeding or preventing the general public from using any part of the Mount Vernon Trail.
    - \*When crossing roads, participants must stay within the boundaries of the painted crosswalks.
- I. Pursuant to 36 C.F.R. § 4.30(a) the use of a bicycle is prohibited except on park roads, in parking areas and on routes designated for bicycle; provided, however, the Superintendent may close any park road or parking area to bicycle use pursuant to the criteria and procedures of § 1.5 and 1.7 of this chapter. Routes may only be designated for bicycle use based on a written determination that such use is consistent with the protection of a park area's natural, scenic and aesthetic values, safety considerations and management objectives and will not disturb wildlife or park resources. Any bike race special event that is allowed, either separately or as part of a biathlon/triathlon only, may occur under the following conditions:**
1. Permittees must provide for and require all participants to exercise all normal and reasonable safety precautions including observance of all applicable bike course safety notices and the wearing of personal

- protection equipment such as helmets.
2. Permittee must provide and adequately maintain suitable protective safety devices such as barricades, heavy duty plastic surfaces and fences for the safety of staff, volunteers and participants. Placement of such devices requires the prior written approval of the National Park Service.
  3. For filming on the race/bike course, only one motor vehicle will be allowed and must be located behind a United States Park Police cruiser leading the runners/bikers and must continue moving with the cruiser throughout the race/bike route.
  4. The "transition area," must be finished with adequate lighting, entrances and egress points. The fencing design must provide for the safety of participants entering and exiting the transition area as well as for spectators viewing the event from this location.
- J. No fees (including electronic transactions) or charges may be collected on park land and the special event permittee may not engage in or solicit any business on park land. All participants must be pre-registered.
- K. The permittee/sponsor for special event races requiring road closures must procure public and employee liability insurance from a responsible United States based company with a minimum limitation of \$1 million per person for any one claim and an aggregate limitation of \$3 million for any number of claims arising from any one incident. The United States of America shall be included as an additional named insured on all such policies and a copy of the insurance rider must be provided to the National Park Service.
- L. Permittee will be required to reimburse any costs incurred by the National Park Service and the United States Park Police in support of these activities.
- M. The Permittee will be held liable for any damage to park property coincident to this permit. The Permittee is responsible for all reimbursement costs, including work performed by park staff, to correct or repair damages to park property (i.e. ruts, damages to drains, curbing and/or road surfaces, injuries to vegetation and turf, etc.) incurred as a result of the activity permitted.
- N. The National Park Service will not be held responsible for any specific roadway maintenance requirements in support of footrace events, above and beyond regular routine maintenance.
- O. Marking of race course must be by flour, real estate type signs, or similar material only, but must first be approved in writing by the National Park Service and is to be removed immediately after the event.

P. Unbudgeted expenditures incurred by the National Park Service and/or U.S. Park Police include personnel services, maintenance supplies and materials as well as maintenance clean-up following the event.

The Permittee will take special care to prevent damage to park resources. The Permittee will be held liable for any damages to park property coincident to this permit. In addition, the Permittee is responsible for the immediate cleanup of any debris deposited on park lands and roads. Permittee is responsible for reimbursing the National Park Service and United States Park Police for all personnel costs associated with this activity.

Lesser restrictive measures will not suffice in order to effectively balance and avoid conflicts between race and organized run activities with other visitor use and services activities equitably allocated park areas and facilities, access to and egress from park concessionaires, and concession operations. The public use limitation enhances park resources and values and is not of a nature, magnitude and duration that will result in a significant alteration in the public use pattern. Further, it will not adversely affect the park's natural, aesthetic or cultural values and is not of a highly controversial nature, given that these guidelines have been developed for past races in Rock Creek Park. Accordingly, pursuant to 36 C.F.R. §1.5(b) publication as rulemaking in the Federal Register is unnecessary and unwarranted. This is consistent with hundreds of past park closures or public use limitations, the legal opinion of the Office of the Solicitor, and past judicial adjudications. Mahoney v. Norton, No.02-1715 (D.D.C. August 29, 2002), plaintiffs' emergency motion for injunction pending appeal denied Mahoney v. Norton, No.02-5275 (D.C.Cir. September 9, 2002)(per curiam); Spiegel v. Babbitt, 855 F.Supp. 402 (D.D.C. 1994), aff'd and vacated in part 1995 US App. LEXIS 15200 (D.C. Cir. May 31, 1995); Picciozzo v. United States, No. 99-2113 (D.D.C. August 6, 1999); Picciozzo v. United States, No. 94-1935 (D.D.C. September 9, 1994); Picciozzo v. Lujan, No. 90-1261 (D.D.C. May 30, 1990); Picciozzo v. Hodel, No. 87-3290 (D.D.C. January 26, 1988).

Pursuant to 36 C.F.R. § 1.7, notice of any closure will be made by posting, by officers' direction, or outlined in the permit. Pursuant to 36 C.F.R. § 1.5 (c), this Record of Determination is also available to the public upon request.

D.P. Marshall 3-31-10  
Superintendent, George Washington Memorial Parkway

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Date