



U.S. Army Corps
of Engineers
Baltimore District

Public Notice

In Reply to Application Number: CENAB-OPR-M
NAB-2017-01880 (FORT LESLEY J. McNAIR/RESTRICTED
AREA)

PN20-64

Comment Period: October 13, 2020 to November 13, 2020

THE PURPOSE OF THIS SPECIAL PUBLIC NOTICE IS TO SOLICIT COMMENTS FROM THE PUBLIC ABOUT THE ACTION DESCRIBED BELOW. AT THIS TIME, NO DECISION HAS BEEN MADE AS TO WHETHER OR NOT THE ACTION WILL BE GRANTED.

The Baltimore District has received a request from Fort McNair for the establishment of a permanent restricted area as described below:

APPLICANT: Commander, JBM-HH, IMM-H-ZA
204 Lee Avenue, Building 59
Fort Myer, Virginia 22211

LOCATION: Washington Channel and Anacostia River, in the vicinity of Fort McNair, Washington, DC.

ACTION: On August 8, 2019, the Corps of Engineers proposed to establish a permanent restricted area for establish a restricted area in the Washington Channel adjacent to Ft. McNair. Ft. McNair is the headquarters of the Army's Military District of Washington and home of the National Defense University as well as the official residence of the U.S. Army's Vice Chief of Staff. Ft. McNair requested a restricted area to fulfill Joint Base Myer-Henderson Hall (JBM-HH) security needs including Marine Helicopter Squadron (HMX) missions and security needs at Ft. McNair including protection of VIP quarters. In response to the issuance of the Federal Register Notice, comments were received from the public stating that the Washington Channel is increasingly utilized for regional transportation, water recreation, and cultural activities like the District's Holiday Boat Parade and the Blessing of the fleet. Commenters expressed concern that the proposal would affect the ability of residents and visitors to enjoy these activities in the restricted area. The commenters including Congresswoman Eleanor Holmes Norton and Congressman Peter A. DeFazio, also expressed concerns that restriction of the channel would significantly narrow the waterway creating unsafe navigation conditions by forcing paddle boats, kayakers, sail and motor boaters into the same space as water taxis and river cruise ships. In response to the public comments, representatives from Ft. McNair and Baltimore District Regulatory Branch, Army Corps of Engineers met with Representative Holmes on October 2, 2019 to discuss an alternative restricted area proposal that would provide greater flexibility for mariners than the original proposal. The revised proposal would allow transient traffic offshore of

Fort McNair at all times with the exception of periods of National Security Special Events such as the State of the Union Address, State Funerals, and Presidential Inaugurations, and Marine Helicopter Squadron (HMX) missions. Water craft would be able to transit, but must not anchor, moor or loiter in, the "Restricted Area" unless approved by the Commander, JBM-HH/Fort McNair or his/her designated representatives.

**§334.225 Washington Channel, Fort Lesley J. McNair, Washington, D.C.;
Restricted Area.**

(a) The area. The Fort Lesley McNair Restricted Area shall encompass all navigable waters of the Washington Channel extending approximately 75-150 meters from the high water mark on the shoreline of Fort McNair United States as defined at 33 CFR Part 329, within the area bounded by a line connecting the following coordinates:

Latitude 38° 52'18.776" N, longitude 077° 1'9.436" W (Point 1); thence to,
Latitude 38° 52'17.696" N, longitude 077° 1'13.345" W (Point 2); thence to
Latitude 38° 52'12.798" N, longitude 077° 1'12.114" W (Point 3); thence to
Latitude 38° 52'12.559" N, longitude 077° 1'9.706" W (Point 4); thence to
Latitude 38° 51'43.667" N, longitude 077° 1'9.771" W (Point 5); thence to
Latitude 38° 51'41.135" N, longitude 077° 1'9.45" W (Point 6); thence to
Latitude 38° 51'38.723" N, longitude 077° 1'6.921" W (Point 7); thence to
Latitude 38° 51'38.257" N, longitude 077° 1'3.101" W (Point 8); thence to
Latitude 38° 51'40.069" N, longitude 077° 0'57.895" W (Point 9); thence to
Latitude 38° 51'41.708" N, longitude 077° 0'54.969" W (Point 10); thence to
Latitude 38° 51'41.918" N, longitude 077° 0'53.911" W (Point 11); thence to
Latitude 38° 51'43.571" N, longitude 077° 0'55.143" W (Point 12); and
thence along the shoreline to the point of origin.

(b) The regulations:

(1) All persons, vessels, or other craft are prohibited from anchoring, mooring or loitering within the "Restricted Area" without the permission of the Commander, Joint

Base Myer Henderson Hall/Fort McNair or his/her designated representatives. The restriction will be in place 24 hours a day, 7 days a week. During National Special Security Events (NSSEs) and other periods of increased security, all persons, vessels, or other craft are prohibited from anchoring, mooring, loitering, or transiting the "Restricted Area". At other times, all persons, vessels, or other craft can transit, but must not anchor, moor or loiter in, the "Restricted Area" unless approved by the Commander, JBM-HH.

(1) The boundary of the "Restricted Area" will be demarcated with marker buoys and warning signs located at all or some of the coordinates at approximately 75-150 meters from the shoreline of Fort McNair listed in paragraph (a).

(2) Closure notification. During temporary closures for known events, boaters will be notified of closure of the Restricted Area to transit by Local Notices to Mariners (LNMs). For unforeseen events requiring closure, Broadcast Notices to Mariners (BNMs), Safety Marine Information Broadcasts (SMIBs), or direction from shore, or any combination of these, will be used to alert boaters.

(c) Enforcement. The "Restricted Area" will be jointly enforced by the Commander, Joint Base Myer Henderson Hall (JBM-HH)/Fort McNair or any such agencies he/she designates and the Metropolitan Harbor Patrol. The US Coast Guard also has enforcement authority under Title 14, United States Code, Section 522. During NSSEs and other periods of increased security, all persons, vessels, or other craft are prohibited from anchoring, mooring, loitering, or transiting the "Restricted Area". At other times, all persons, vessels, or other craft can transit but must not anchor, moor or loiter in the "Restricted Area" unless approved by the Commander, JBM-HH. The areas identified in paragraph (a) of this section will be monitored 24 hours a day, 7 days a week. If any person or vessel encroaching within the areas identified in paragraph (a) of this section is directed to immediately leave the "Restricted Area" and fails to do so, such failure to comply could result in forceful removal and/or criminal charges.

(d) Exceptions. Fishermen may be authorized controlled access to the restricted area after registering with JBM-HH/Ft. McNair officials and following specific access notification procedures. Exceptions. Fishermen may be authorized controlled access to the "Restricted Area" after registering with Joint Base Myer Henderson Hall/Fort McNair officials and following specific access notification procedures.

The decision whether to establish the requested restricted area will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to

accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, and, in general, the needs and welfare of the people.

Comments are being solicited from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to grant, modify, condition or deny authorization for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above.

Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

It is requested that you communicate the foregoing information concerning the proposed work to any persons known by you to be interested and not being known to this office, who did not receive a copy of this notice.

Written comments concerning the action described above may be submitted directly to the District Engineer, U.S. Army Corps of Engineers, Baltimore District, Attn: Mr. Steve Harman, Regulatory Branch, CENAB-OPR-MS, 2 Hopkins Plaza, Baltimore, Maryland 21201, within the comment period as specified above to receive consideration. If you have any questions concerning this matter, please contact Mr. Steve Harman at 410.962.6082 or steve.harman@usace.army.mil.

The proposed rulemaking has also been posted in the Federal Register for public comments for 30 days beginning October 13, 2020, Docket Number COE-2019-0010. This public notice is issued by the Chief, Regulatory Branch.



DEPARTMENT OF THE ARMY
JOINT BASE MYER-HENDERSON HALL
204 LEE AVENUE, BUILDING 59
FORT MYER, VIRGINIA 22211-1199

Map of Proposed JBM-HH/Fort Lesley J. McNair Restricted Area

