National Capital Planning Commission
401 9th St NW, #500N
Washington, DC 20004

June 26, 2024

Dear National Capital Planning Commissioners and Staff,

Thank you for voting to allow more time to come to consensus on the Rock Creek Park Golf Course plan. Thank you, also, for participating in most of the formal meetings that have happened since. We appreciate that NCPC is following this important matter closely and with the attention needed.

Over the month and a half since NCPC's decision to postpone final approval of the rehabilitation project, community members and organizations have engaged multiple stakeholders in a number of different ways (see Appendix A). Members of our network met with NPS/NLT to discuss golf course lighting, but no agreement has been reached to date. We were unable to meet with NLT when given only a half-day's notice, and we were then simply advised to attend the public informational meeting on June 12 instead (see email correspondence in Appendix D). On June 24, we were asked for a meeting by NPS.

During several weeks of research, we have learned a significant amount about 1) the environmental impacts of the current plan, 2) the flaws in both the public engagement and environmental review processes, and 3) most importantly, greater insight into what the community really needs and wants.

Some of the main findings are:

1. **Public engagement under NEPA has been insufficient**
2. **Factually incorrect representations during the NEPA process**
3. **Protection of an Endangered Species is Imperiled**
4. **Lack of compliance with DOI Secretarial Order 3399 and Departmental Manual 523 Chapter 1**
5. **Further misleading information by NPS/NLT**
6. **Critical gaps in requirements to address deferred maintenance**
7. **Changes made since FONSI are not a legal obligation on NLT's part**

Each of these findings is addressed in detail following and in the appendices.

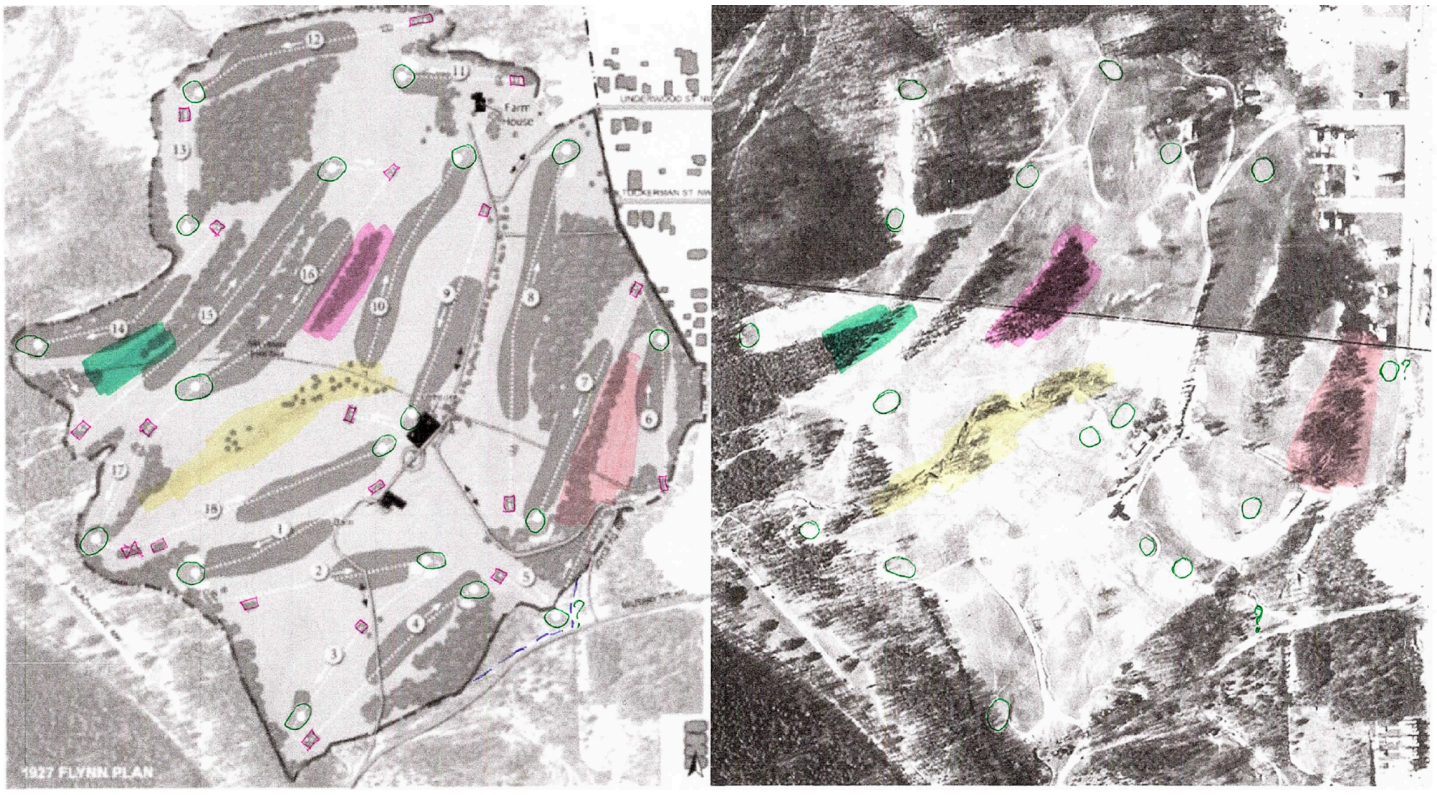
1. **Public engagement under NEPA has been insufficient**
   A review of Exhibit D of the 2020 lease agreement (see Appendix E of this letter) between NPS and NLT shows that NPS and NLT had already entered into an agreement to:
   - Construct a new practice area, featuring a new lighted driving range at ROCR
   - Rebuild ROCR maintenance facility
   - Redevelop ROCR clubhouse, including space for First Tee and educational programming
   - Construct a 9-hole regulation length golf course that recaptures as many features as possible from holes that were a part of the original 18-hole William Flynn design on the site at ROCR
   - Construct a high quality 9-hole Par 3 courses utilizing the space generally occupied by the existing back nine at ROCR

   Aside from the question of whether NPS was at liberty to enter into such an agreement without going through the NEPA process, this agreement predetermined the subsequent NEPA engagement process by influencing NPS not to explore other meaningful alternatives such as no driving range or only 9 holes that could have achieved the purpose and need for the project. The "selected" alternative was always going to be the one that NPS had agreed to four years ago in the 2020 Lease Agreement. As a result, the opportunity for public comment appears, in practice, to have been engineered to favor a preordained outcome.

2. **Factually Incorrect Representations During NEPA Process**
   A number of misrepresentations were made during the NEPA process, including to the NCPC and the US Commission of Fine Arts, and were restated in the FONSI.

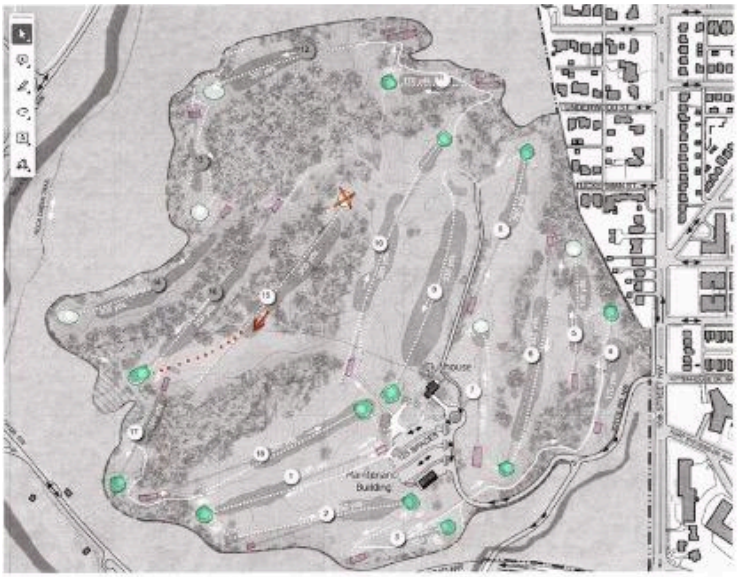
   Some examples include:
   a. What was presented as the original William Flynn plan significantly underrepresented the trees that were actually part of the original plan. The side-by-side image below compares what was presented to NCPC on page 6 of file 8428 as the "1927 Flynn Plan" and an aerial picture from 1929. Areas highlighted in various colors show the discrepancy between what was shown as existing vegetation in 1927 versus what actually existed in 1929. This misrepresentation is

consequential because NPS/NLT are stating that a number of trees are being removed because they were not part of the original design. In reality, most of those trees were part of the original design. In fact, in its Analysis & Evaluation of Integrity on page 69, the Cultural Landscapes Inventory states that “The incorporation of mature trees was a hallmark of William Flynn’s design, and *the original 1926 tree stands along fairways, especially on the back-nine, and around the course’s perimeter, are intact and retain integrity. Conversely, the more open front nine, which is comparatively free of trees between fairways, is another hallmark of Flynn’s original landscape design and is still intact.”* [italics added] Removing mature trees to return to a design that has mature trees as its hallmark is nonsensical. For orientation purposes, the greens are circled in green in both images.



b. The rationale and benefits of the current plan as represented to agencies and to NCPC on page 3 of the FONSI (“Establishment of a 9-hole regulation course that preserves golf course architect William Flynn’s parkland-style course and corridors from both Flynn’s more open front 9 and more wooded back 9, and incorporates many of Flynn’s original greens” and “Construction of a 9-hole par-3 course that incorporates many of Flynn’s original greens”) are factually

incorrect. As shown in the images below where the original greens are highlighted in green, the proposed plan incorporates only 8 of the original greens of the Flynn design. By contrast, the existing layout incorporates 12 of the original greens of the Flynn design. And that is not including the 3 of the 4 greens which are no longer being played which are also the original greens. Most blatantly, the new 9-hole par-3 course incorporates only one of Flynn's original greens, not "many."





c. The FONSI on page 3 states "The NPS has identified alternative 2, the proposed action, as the selected alternative because it will best address deferred maintenance, increase playability, broaden course appeal to the local community, and achieve financial stability for the operation of the course *while also restoring some of the historic design and character of the course*." On page 4 it again states "Many operational updates will be made to create an environmentally sustainable course *while prioritizing the historic significance and integrity of the original William Flynn-designed golf course*." On page 5 it states again "Although changes to Flynn's 1924–26 design will occur, the proposed changes to the course *will restore and incorporate many of Flynn's original tees, greens, and fairways.*" [italics added] This is false, since the proposed course design incorporates far fewer of the original greens than currently exist, and the new driving range obliterates two of the most dramatic Flynn-designed original fairways on the front nine, destroying more than it restores.

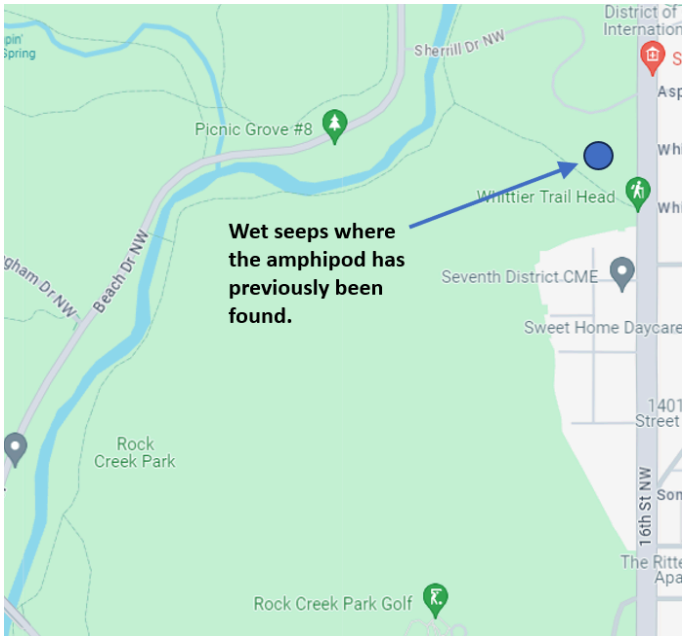
d. The image presented as “Existing conditions” on page 256 of the FONSI incorrectly shows the 15th fairway as going in the opposite direction to what actually is the case. Despite going in the opposite direction, the 15th fairway is currently using one of Flynn’s original greens (that of fairway 16, which is currently closed).



3. Protection of an Endangered Species is Imperiled

There is evidence that the federally endangered Hay’s Spring Amphipod lives in seeps adjacent to the golf course. (See map.) These seeps are typically well above the floodplain of Rock Creek and the best sites are ones with the highest tree cover and farthest from an edge. As seeps dry up, the amphipods burrow in clay, and re-emerge in wetter seasons.

This system is a metapopulation with pockets of amphipod populations scattered across the landscape. Individual amphipods move across the landscape to other populations across “habitat matrices”, thus enabling gene-flow, rendering resilience of the species through maintaining genetic diversity. Therefore, “empty” seeps are likely to play a critical role in the persistence and distribution of the species. Furthermore, canopy cover reduces temperature stress on amphipods. Leaf litter and detritus from the tree canopy provide sustenance to the amphipods and maintain moisture levels necessary for amphipod movement across the landscape.



Regulations authorized under the Endangered Species Act address actions that "reduce appreciably the likelihood of both the survival and recovery of a listed species in the wild by reducing the reproduction, numbers, or distribution of that species." Furthermore, "[e]ffects… may occur later in time and may include consequences occurring outside the immediate area involved in the action" (50 CFR § 402.02), which strongly suggests that it would be negligent to ignore future weather patterns under a changing climate regime.

According to American University Adjunct Professor of Environmental Science David C. Culver, who has authored multiple peer-reviewed scientific papers on the amphipod, "the planned cutting of trees for the golf course is a disaster and should be stopped." The EA and FONSI state that the NPS had initiated informal consultations (50 CFR § 402.13) with the USFWS, and that "standard erosion and sediment controls" would be implemented to ameliorate the impacts of land grading and canopy removal. The NPS has failed to demonstrate how these "standard erosion and sediment control" remediations hold up under extreme weather conditions. It is incumbent upon the NPS to show that the area under construction is not part of the habitat matrix used by amphipods to maintain gene flow between populations. Furthermore, the proposed canopy removal in areas that may be used by amphipods to migrate to other populations will further stress population resilience given the effects of extended hot spells under scenarios of climate change. Given the level of public scrutiny and potential deleterious impacts to this endangered species, the NPS should have, at minimum, initiated formal consultations (50 CFR § 402.13) with the USFWS instead of relying on an informal consultation.

4. **Lack of compliance with DOI Secretarial Order 3399 and Departmental Manual 523 Chapter 1.**
    a. Secretarial Order 3399 requires that DOI bureaus identify "important interactions between a changing climate and the environmental impacts of a proposed action in NEPA documents" in order to "contribute to protecting communities from the climate crisis." There is no evidence that the NPS has taken climate change weather hazards (e.g. extreme heat events) into account in the redesign of the golf course. These hazards are already apparent and will extend into the future.
    b. Departmental Manual 523 Chapter 1 (523 DM 1) section 1.5 (A)(1)(f) states that it is DOI policy to "Identify and avoid investments that are likely to be undermined by climate change impacts." Furthermore, 523 DM 1 section 1.5 (A)(1)(e) states that it is DOI policy to "Plan and manage for climate change and environmental response, including both current and anticipated future conditions, and not just persistence of historical environmental conditions, as climate change will continue to drive environmental conditions beyond the bounds of historical variability." It is not evident that the NPS/NLT has sufficiently consulted users of the golf course about how extreme weather events may modify their golfing behavior. The proposed rehabilitation represents a significant financial investment, and its effects will persist for decades. If NPS/NLT fail to reasonably take into account likely changes in golfing behavior in their redesign of the golf course, this long-term investment may be jeopardized by loss of revenue.

5. **Further misleading information by NPS/NLT** Over the month and a half since the NCPC's decision, NPS/NLT have continued to publicly make misleading and confusing statements. This is unhelpful for efforts to arrive at a meaningful outcome.

    For example:
    a. "Grass cannot be grown on the four holes currently not in use." Several golfers have testified stating that grass has grown there for the last 30 years and that they played those holes until 2019 (when the previous concessionaire stopped maintaining the cart paths and the fairways).
    b. "Reopening the back 4 holes would require cutting 600-800 trees" as stated by NPS repeatedly. Several golfers have testified publicly stating

that those holes were playable until 2019 (when the previous concessionaire stopped maintaining the cart paths and the fairways). Trees were not the issue; lack of maintenance was.

c. Nick Bartolomeo stated that Rock Creek Park Golf Course makes only 9% of the total combined revenues of Langston and East Potomac Courses" at the Urban Forestry Advisory Council meeting on June 20th. This statement leads the public to believe that Rock Creek Park Golf Course is deficient. The number that matters is not how much revenue Rock Creek Park Golf Course makes in comparison to another golf course but whether it produces sufficient revenue to pay for the maintenance and address deferred maintenance. That number should be expressed as "in 2023, income from Rock Creek Park Golf Course was $X and expenses were $Y; therefore revenue/loss was $Z." The economics of Langston or East Potomac are not and do not need to be the economics of Rock Creek Park Golf Course.
d. "Lighting the driving range at Rock Creek Park Golf Course is critical for the sustainability of the course as it represents 25% of income." As stated on June 12, income from nighttime play (i.e., driving range use) accounts for 25% of the 20% of driving range income from the three courses' total revenues, and therefore only 5% of total projected revenues.
e. "Tree removal is necessary to return the site to its historical significance as mentioned in the 2017 report" Nick Bartolomeo of NPS has stated. However, in its Analysis & Evaluation of Integrity, The 2017 Cultural Landscapes Inventory on page 71 states that "Rock Creek's continued use as a public golf course, and *the preservation and restoration of various elements of Flynn's original design, contribute to the integrity of feeling at Rock Creek Golf Course*. Despite the introduction of a few modern amenities, like golf carts, and the construction of a new clubhouse, *player experience at Rock Creek Course remains much the same as it was during the first period of significance*. The course was built to accommodate golfers of all skill levels and serve local DC residents. It continues to attract novices and experienced golfers alike, and most players are Washington DC residents who live in the surrounding neighborhoods. The course *retains integrity of feeling to the first period of significance.*" [italics added]

6. **Critical gaps in requirements to address deferred maintenance**
   It is unclear why addressing the deferred maintenance has not yet begun. The 2020 NLT lease agreement mentions an 8-year period by which deferred maintenance needs to be addressed. The lease is missing Exhibits E and F, the

Maintenance Plan and the Preservation Maintenance Plan. These plans were due within 30 days of the commencement of the lease. On June 25, 2024 NPS stated that “currently, the draft plans are undergoing environmental compliance before final approval.” NPS claims that “during this interim period preservation and maintenance has been conducted according to NPS and industry best management practices.” This claim is easily proven untrue with a trip to the golf course. Since 2020 when the concession was granted, the condition of the trees on the golf course has deteriorated significantly due to invasive vines that have not been removed. This does not bode well for the future maintenance of the site. Additionally, Section 10.4, concerning the Maintenance Reserve Account, was deleted, so we question NPS’ ability to enforce NLT’s maintenance obligations.

7. **Changes made since the FONSI are not a legal obligation on NLT’s part.** On their website, NLT make a number of representations as to the mitigations. However, because they are not part of the FONSI, they may not be legally enforceable. This is particularly relevant to NLT’s obligations under the tree replacement regulations in the Comprehensive Plan, Federal Elements, Federal Environment Element Section G.

We have developed a set of proposals, described in more detail in the “Reimagining Rock Creek Park Golf Course” presentation.

Thank you for your kind attention,

Rock Creek Park Golf Course For All

Appendix A: Engagement by Rock Creek Park Golf Course for All

- We polled 50 golfers golfing at Rock Creek Park golf course.
- We held five community meetings on the golf course on Thursday evenings engaging approximately 200 people.
- We attended four community meetings:
    - ANC4A
    - Brightwood Community Association (where we offered to have a discussion in a more meaningful round table format that was not accepted by NPS/NLT)
    - 16th Street Heights Community Association meeting
    - Urban Forestry Advisory Council meeting
- We reached out to Rock Creek Park Golf Course designer Gil Hanse to discuss an alternative but did not hear back (see Appendix G). **NOTE: At the time we sent this letter, we did not know that under Exhibit D of the Lease Agreement NLT had agreed to engage Gil Hanse not only for the design but also for the construction of the new courses which, in the budget presented to NCPC, amounts to $9M. We never heard back.**
- We reached out to the First Tee of Greater Washington Executive Director Clint Sanchez who replied saying “At this point in time, I think it is best for you to continue to reach out to the National Parks Service with any environmental impact concerns about the project.”
- We visited Sligo Creek and engaged in correspondence with Wayne Rohauer from Montgomery County Revenue Authority to better understand and compare Sligo Creek golf course and Rock Creek Park Golf Course (see Appendix B).
- We engaged the public in an open letter to Deb Haaland signed by over 1,900 people asking for the FONSI to be retracted and an alternative plan to be developed. (see Appendix C)
- We engaged the press through 2 press releases which resulted in:
    - Attached article in the Washington Post raising awareness about this project and its environmental impacts
    - Podcast “I Hate Politics” raising awareness about this project
- On June 22nd, we organized a screening of “Bird Walk,” a documentary about RedGate Park and Amphitheatre in Rockville, MD, where a community-led process transformed a former golf course into a nature preserve, to learn about the participatory processes implemented by our neighbors at the City of Rockville. The event was attended by 60 people.
- On June 23rd this coalition’s youth leaders reached out to several board members of NLT to express their concern for the proposed plan and ask for a meeting.

Appendix B: Correspondence with Wayne Rohauer Director of Operations at Montgomery County Revenue Authority (MCRA). MCRA provides recreational opportunities through the operation of nine public golf courses. The courses operate under the MCG Golf brand, offering activities and programs for golfers of all ages and abilities.

Sligo Creek Golf Course is a par 68 nine holes course (seven par 4 and two par 3). The facility is open only during daylight hours and has no driving range. Like Rock Creek Park golf course, Sligo Creek Golf Course is a challenging 9-hole course, the oldest 9-hole course that the county has to offer, and although the terrain is hilly, many golfers enjoy walking this park-like setting golf course. Unlike Rock Creek Park golf course, it is very well maintained, and the clubhouse features a pro shop and full service snack bar.

Question: What makes Sligo golf so attractive?
Answer: The location is one since it lies inside the beltway (I-495) and is easily accessible; it is also located in the Parkway area of Sligo Creek and very accessible for the close community. The neighborhood also enjoys it as “their course” and supports it very well.

Question: How many people play per year and what is the demographic of your clients?
Answer: Rounds total for 2023 was 34,000. In general the demographic is the local players, along with a good amount of senior play and new players to the game.

Question: Does Sligo Creek golf break even?
Answer: Yes, Sligo is profitable.

Question: How does the snackbar factor into revenues and expenses?
Answer: The snackbar contributes 25% of overall revenue and 21% expenses.

Question: How many people does Sligo employ? How many of them maintain the grounds?
Answer: In-season there are 12 golf employees and 5 grounds crew. Sligo is also closed Dec – Feb, when staffing goes to 2 in the golf side and 2 in the grounds crew.

Question: Does Sligo engage in community outreach?
Answer: Yes, in several ways. We host local charity events for neighborhood groups, contribute to various local events, First Tee, we also have free concerts every Friday June – October which draw in excess of 400-500 people. For these events we have pop- up F&B areas and invite local vendors as well.

Question: Can you confirm whether Sligo receives any funding from the county or other government funding?
Answer: We do not receive any funding from the county for the operation of Sligo. Any CIP projects are the responsibility of the county and all operational expenses are our responsibility.

Question: Where could we find the CIP projects funded by the county over the last 10 years? Was the course ever in need of a complete overhaul or a backlog in deferred maintenance?
Answer: The parking lot improvements were in the mid-$20k area. All other improvements were under $5k per project.

Appendix C: Letter to Secretary of Interior Deb Haaland

Subject: Protect Rock Creek Park's trees, wildlife, and nearby communities

Dear Secretary of the Interior Haaland,

I appeal to you as a defender of our public lands to halt the environmental disaster about to happen in Rock Creek Park, a crown jewel of our National Park System.

The Rock Creek Park Golf Course renovation plan just approved by the National Park Service foresees the removal of over 1,200 trees, including hundreds of large canopy and heritage trees, and trees from 33 different native species, amounting to a third of the trees on the course. The plan includes the addition of a 50-bay driving range that will be artificially illuminated into the night and use of groundwater for irrigation, each of which would further disrupt wildlife and delicate ecosystems.

The environmental community and the Justice 40 communities surrounding the course are reeling. They are not alone. Over 90% of the 3,212 people who commented to NPS about the plan are vehemently opposed to it, including a majority of golfers and the youth whom the "rehabilitation" is supposed to benefit.

We are in the midst of a climate emergency. We need all the carbon sequestration, cooling effect, stormwater retention, and wildlife habitat these trees and the natural environment of the Park provide. We must do everything in our power to protect our air, water, and wildlife.

Please use your authority to withdraw the Finding of No Significant Impact (FONSI) and direct the National Park Service to meaningfully engage the public to develop a more environmentally sensitive plan to rehabilitate this historic course preserving it as a place of natural wonder, a haven for wildlife, and a place for recreation and enjoyment for all.

At a minimum, the alternative plan must: include removal of invasive vegetation and reassessment before any trees are cut, limit the overall tree removal to invasive trees and those trees at odds with the construction of the clubhouse, preserve Heritage Trees, exclude artificial lighting, and contain binding commitments to ensure environmental preservation obligations are met.

You can find more information on community concerns at rockcreekparkgolfcourseforall.org. Thank you for protecting our public lands,

Appendix D: Correspondence with NLT



Andrew Szunyog Inbox -...onal (Yahoo!) May 31, 2024 at 4:09 PM
Re: Rock Creek Park Golf Course Rehabilitation Plans...
To: Vanessa Bertelli, Cc: Damian Cosby, Mike McCartin Details

Vanessa, thank you for your patience. I haven't been able to identify any available dates or times next week for a meeting. However, I would like to direct you to the NPS's public engagement meeting scheduled for 6:00pm on June 12th, HERE is the link to register for the meeting.

Best,

Andrew Szunyog
Director of Sustainability
aszunyog@nationallinkstrust.com
352-281-3958

On Thu, May 30, 2024 at 9:31 AM Vanessa Bertelli <vbertelli@yahoo.com> wrote:

> Hi Andrew,
>
> Unfortunately I cannot meet at such short notice. Can you provide and a couple of times that work for NLT and NPS next week? Once I have those I will check with a few members of the coalition to ensure their availability.
>
> Please confirm your team has had a chance to review the Technical Letter sent to NPS and NLT yesterday morning (attached below) and is ready to discuss the issues raised to ensure the meeting is as productive as possible.
>
> We look forward to discussing an alternative plan for the golf course that meets the needs of the golfers and of those of our children. We have been talking to golfers about their needs and suggestions for improving the facility and would be happy to share that input with you.
>
> Best,
>
> Vanessa
>
> > On May 29, 2024, at 3:24 PM, Andrew Szunyog <aszunyog@nationallinkstrust.com> wrote:
> >
> > Good afternoon, Vanessa.
> >
> > I'm reaching out this afternoon to facilitate a meeting for tomorrow, Thursday, May 30th between you and NPS to discuss the Rock Creek Park Rehabilitation plans. Can you please share with me your availability?
> >
> > Thank you and I look forward to your prompt response.
> >
> > **Andrew Szunyog**
> > Director of Sustainability
> > aszunyog@nationallinkstrust.com
> > 352-281-3958

Appendix E: Exhibit D to the Lease Agreement between NPS and NLT

EXHIBIT D

INITIAL IMPROVEMENTS

If otherwise granted approval by the Lessor under the terms of this Lease, the Lessee hereby agrees to commence and engage diligently in the construction of the Initial Improvements described below in accordance with the listed schedule (timeframes are general and subject to change due to compliance timeframes or other circumstances) and the Construction Documents approved by Lessor.

Initial Improvements (subject to Lessor approval):
- 11/2020 – 12/2020
o Baseline improvements to facilities at East Potomac and Langston
o Short-term fixes to infrastructure and vegetation management at Langston
- 01/2021 – 06/2022
o Construct a new practice area, featuring a new lighted driving range at ROCR
o Rebuild ROCR maintenance facility
o Redevelop ROCR clubhouse, including space for First Tee and educational programming
o Construct a 9-hole regulation length golf course that recaptures as many features as possible from holes that were a part of the original 18-hole William Flynn design on the site at ROCR
o Construct a high quality 9-hole Par 3 courses utilizing the space generally occupied by the existing back nine at ROCR
o Construct 18 hole putting course at ROCR
o Where appropriate, develop public hiking trails that connect the ROCR clubhouse to existing trail networks in Rock Creek Park.
o Engage Gil Hanse to provide golf course design and construction services at ROCR
[...]
- 10/2020 – 10/2028
o NLT commits to address the 317 initial deferred maintenance items identified by the National Park Service in Attachment D to the Request for Proposal during the first eight years of the Master Lease. Working with Troon Golf, LLC, NLT will track its efforts to address the deferred maintenance by implementing a Computerized Maintenance Management System (CMMS) with features and functionality that are generally equivalent to those used in National Park Service concession contracts for large operations.

Appendix F: Request for information from NPS 6.19.2024

Questions for the National Park Service in relation to the Rock Creek Park Golf Course rehabilitation plan

Financial data requests:

1. **NLT revenues** from Rock Creek Park Golf Course for 2022, 2023, and 2024 to date, broken down by category: greens fees, golf cart rentals, disc golf, retail, golf lessons, vending machines, and any other revenues
2. **Number of tees played** at Rock Creek Park Golf Course in 2022, 2023 and 2024, broken down by front nine and back five holes
3. **NLT's maintenance expenditures** for Rock Creek Park Golf Course for 2022, 2023, and 2024 to date, broken down by buildings/infrastructure and invasive plant removal
4. **Dollar amounts transferred from East Potomac and Langston** golf course accounts in 2022, 2023, and 2024 to date, to cover costs at Rock Creek Park Golf Course in 2022 and 2023, and 2024, if any
5. **Projected capital improvement cost** for each of NLT's proposed programmatic elements: driving range, new clubhouse, cart barn, regulation course, par 3 course, short game practice area, "Himalayan" putting green, picnic pavillion, irrigation pond (including drilling and pump installation), new maintenance building relocation/construction, hiking trail, pollinator meadows, and bike path
6. **Projected increase in annual revenues or decrease in annual expenses** resulting from each of the proposed Rock Creek Park Golf Course programmatic elements: driving range, new clubhouse, cart barn, regulation course, par 3 course, short game practice area, "Himalayan" putting green, picnic pavillion, irrigation pond (including drilling and pump installation), new maintenance building relocation/construction, hiking trail, pollinator meadows, and bike path
7. **Projected yearly maintenance costs** for each of the proposed Rock Creek Park Golf Course programmatic elements: driving range, new clubhouse, cart barn, regulation course, par 3 course, short game practice area, "Himalayan" putting green, picnic pavillion, irrigation pond (including drilling and pump installation), new maintenance building relocation/construction, hiking trail, pollinator meadows, and bike path
8. **Projected yearly debt servicing costs** relating to proposed Rock Creek Park Golf Course programmatic elements
9. **Projected tree removal mitigation costs**, *including on-going maintenance expenses until the trees are fully established*: 2.5" caliper replacement canopy

saplings, with maintenance watering and fertilizing, and replacement of saplings that fail

10. **Projected amount of yearly operation and management contract** with Troon or other operator for Rock Creek Park Golf Course
11. **Projected number and average annual salary of any employees not included in the Troon contract**
12. **NLT audited accounts for FY2022 and FY2023 and year-to-date accounts for 2024**

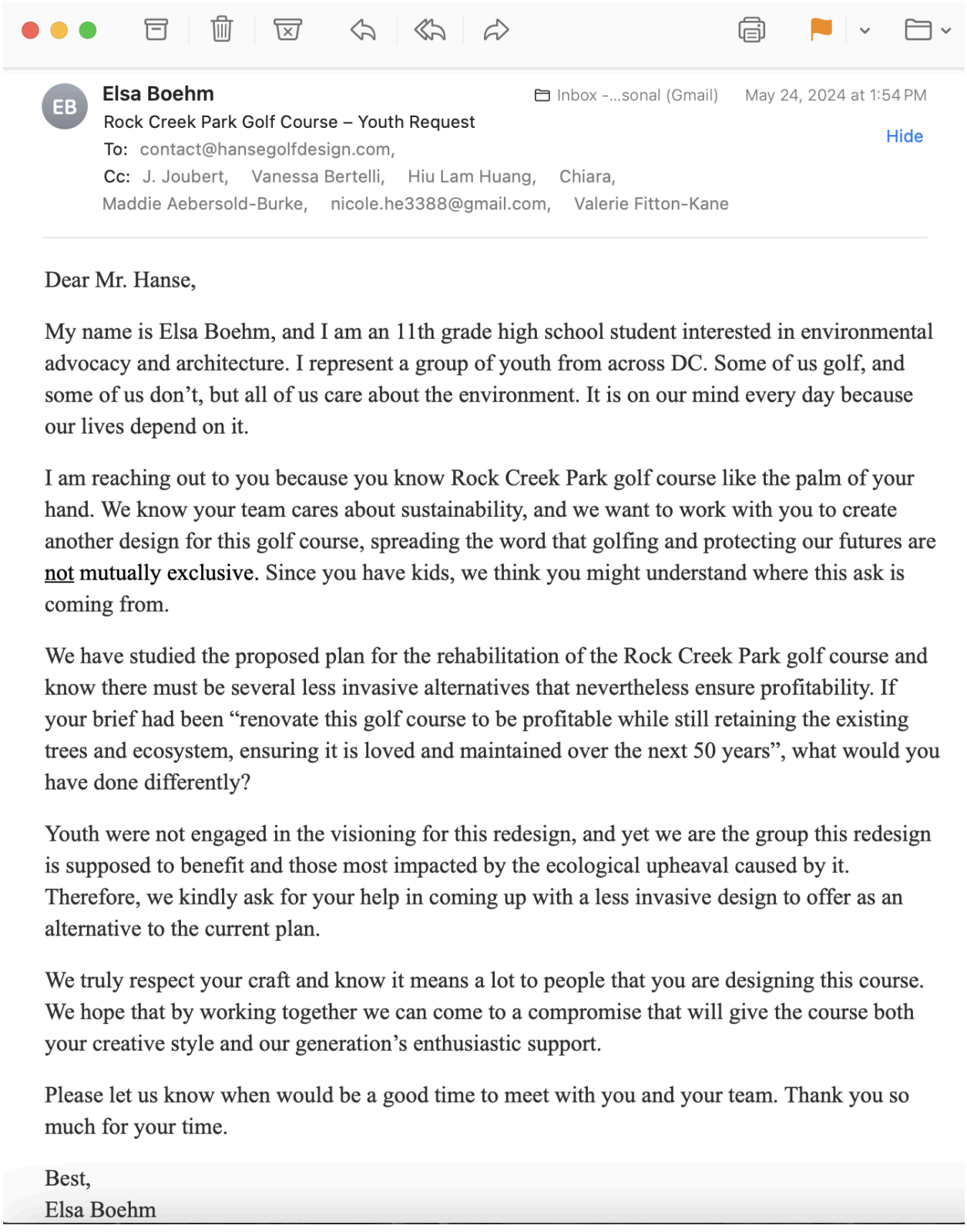
Environmental impacts:

1. Please provide any studies that have been conducted to assess environmental impacts on **water quality** for the proposed irrigation pond, feasibility studies for the pond's location, and details about the source of hydrology.
2. Please provide any studies of potential **fertilizer and pesticide runoff** into the Rock Creek Park watershed, noting that there are two USGS stream gauge stations bracketing the golf course.
3. Please provide any studies used to inform NPS of the impact of **neonicotinoids** ("neonics") and use of other pesticides on golf course pollinators.
4. Please provide any studies conducted on the effect of the **destruction of habitat** associated with the golf course project as a result of removing dead trees (woodpecker habitat), elimination of nesting sites for great horned owls, and disturbance of the wood frogs vernal pool breeding area.
5. Please provide any studies available on the impact on **birds and other wildlife** by the current **lighting** design, components, and installation proposed for the site, including the driving range.
6. Please provide any studies conducted that predict impacts on the **surrounding neighborhoods** regarding air quality (dust, diesel exhaust) and noise from construction, grading, and tree removal, and increased traffic.
7. NPS/NLT continues to revise the "reforestation" (tree removal mitigation) plan. (7.1 acres? 3:1 tree replacement?) Please provide details about the plan including which species, what planting density, and what tree caliper size for the replacements. Procedures should comply with the NCPC Comprehensive Plan: Federal Elements/Environment Element, Section G. Please explain the outcome of the mitigation effort if there is not sufficient income from course operations.
8. Please provide an estimate of how many trees with a diameter of 4" and smaller (but larger than any of the trees that will be planted as mitigation) will be removed as part of the proposed plan.
9. Please provide any study conducted on how the proposed tree removal will impact the neighborhood tract surrounding the golf course, which is identified as having a high heat sensitivity in the Keep Cool DC report by the DC Department

of Energy and Environment. Please share how that report's recommendations have been taken into consideration in your planning process.

10. Please provide evidence of how NLT/NPS are planning to protect the golfing community from extreme weather events, such as heat waves, that are projected to be increasingly normal in a climate-stressed world. Such adaptation measures are required under DOI Secretarial Order 3399, which states that DOI bureaus need to identify "important interactions between a changing climate and the environmental impacts of a proposed action in NEPA documents" in order to "contribute to protecting communities from the climate crisis." As well, NPS must comply with DOI climate change policy 523 DM 1 by avoiding investment in a golf course redesign that will result in diminished use and enjoyment of the facility due to climate impacts (e.g., the loss of shade during periods of increasing heat while replacement saplings mature).
11. Please provide evidence of how NLT/NPS have adhered to DOI policy to identify and avoid investments that are likely to be undermined by climate change impacts, such as planting or introducing species, populations, or genotypes vulnerable to changes in temperature or precipitation patterns, according to DOI climate change policy; see 523 DM 1 section 1.5 (A)(1)(f).
12. A 2017 study titled "Evaluation of eDNA for groundwater invertebrate detection and monitoring: a case study with endangered Stygobromus (Amphipoda: Crangonyctidae)" by Niemiller, et. al. found evidence of the endangered Hay's Spring amphipod at four locations clustered around the NPS Park Police station. The Park Police station is just downstream, and downhill, of the golf course. Without a detailed groundwater and geological study, it is impossible to state that the planned rehabilitation of the golf course will not affect the biogeochemistry of the underground water at the golf course that is highly likely connected to locations downstream and downhill of the golf course. Please provide evidence that the proposed golf course rehabilitation actions will not threaten this federally listed endangered species.

Appendix G: Letter to Gil Hanse from Elsa Bohem



Elsa Boehm Inbox -...sonal (Gmail) May 24, 2024 at 1:54 PM

Rock Creek Park Golf Course – Youth Request

Hide

To: contact@hansegolfdesign.com,

Cc: J. Joubert, Vanessa Bertelli, Hiu Lam Huang, Chiara, Maddie Aebersold-Burke, nicole.he3388@gmail.com, Valerie Fitton-Kane

Dear Mr. Hanse,

My name is Elsa Boehm, and I am an 11th grade high school student interested in environmental advocacy and architecture. I represent a group of youth from across DC. Some of us golf, and some of us don't, but all of us care about the environment. It is on our mind every day because our lives depend on it.

I am reaching out to you because you know Rock Creek Park golf course like the palm of your hand. We know your team cares about sustainability, and we want to work with you to create another design for this golf course, spreading the word that golfing and protecting our futures are not mutually exclusive. Since you have kids, we think you might understand where this ask is coming from.

We have studied the proposed plan for the rehabilitation of the Rock Creek Park golf course and know there must be several less invasive alternatives that nevertheless ensure profitability. If your brief had been "renovate this golf course to be profitable while still retaining the existing trees and ecosystem, ensuring it is loved and maintained over the next 50 years", what would you have done differently?

Youth were not engaged in the visioning for this redesign, and yet we are the group this redesign is supposed to benefit and those most impacted by the ecological upheaval caused by it. Therefore, we kindly ask for your help in coming up with a less invasive design to offer as an alternative to the current plan.

We truly respect your craft and know it means a lot to people that you are designing this course. We hope that by working together we can come to a compromise that will give the course both your creative style and our generation's enthusiastic support.

Please let us know when would be a good time to meet with you and your team. Thank you so much for your time.

Best,
Elsa Boehm

National Capital Planning Commission
401 9th St NW, #500N
Washington, DC 20004

August 7, 2024

RE: Rock Creek Park Golf Course Rehabilitation, NCPC File Number 8428

Dear National Capital Planning Commissioners and Staff,

We would like to thank Diane Sullivan and Jamie Herr for attending our meeting with National Park Service staff on July 25th. We appreciate the careful attention that NCPC has paid to matters of significant concern to our coalition.

We are formally asking that a decision on the Rock Creek Park Golf Course rehabilitation project not be calendarized for NCPC's September meeting, because:

1. Critical information is still missing, especially on financials and tree health;
2. Formal consultation by US Fish & Wildlife Service is needed;
3. NPS revised plan has not been made public;
4. In engaging the community, NPS/NLT have not met the spirit of NCPC's request;
5. Issues raised during the 7/25 meeting with NPS deserve further consideration;
6. A meeting with the NPS Regional Director has not yet been scheduled.

1. Critical information is still missing

Information we requested from NPS is still missing (see Appendix). This impacts the ability of NCPC to evaluate NPS's compliance with tree replacement requirements under the The Comprehensive Plan for the National Capital: Federal Elements: Federal Environment Element, Section G. In particular:

- **Tree condition**

Mitigation is based on the number of healthy trees removed, and there are significant discrepancies between the condition described in the tree inventory shared by NPS and the actual condition of a number of the trees. For example, the flowering dogwood pictured below is listed as being in poor condition, which is obviously not the case.





- **Financial picture**

NCPC cannot have reasonable assurance that the extensive mitigation will actually take place without the financial information NLT/NPS declined to share. The extent of tree removal as proposed by NLT is indefensible from an environmental perspective. Replacing mature trees with saplings does not alter that fact, since only about 50% of the newly planted trees will survive, and decades will pass before the young trees that do survive will reach the size and cooling/carbon offsetting power of the canopy that the existing trees provide. However, the biggest issue with the mitigation measures proposed is that there is no budget associated with this activity that the public has been able to review. Furthermore, NPS eliminated the requirement for a Maintenance Reserve Account in its 50-year lease with NLT. This is a serious concern given NLT's lack of track record combined with the exorbitant scale of the proposed project and the lack of market research, particularly among local golfers. If the past is indication of the future, NCPC should ask for stringent guarantees regarding the mitigations, since,

despite having made ~$1.5M in revenues in 2022 and ~$4.4M in 2021,[1] NLT chose not to address invasive vines, resulting in further damage to trees over the four years it has managed the golf course.

Financial information also matters because the main impetus for the proposed environmental and historical destruction is the alleged lack of profitability of the course and the alleged revenue from the proposed plan. If NPS does not have accurate information on income and expenses for the last four years (since NLT started managing) how does the agency know that the Rock Creek Park golf course is “not profitable” as is alleged? If NPS does not know by how much the course is in the red and does not have the projected cost and projected income of the proposed programmatic elements, how did the agency determine that the environmental and historical destruction were warranted?

Last but not least, there is a significant conflict of interest that NCPC should be mindful of. Troon, which has invested heavily in NLT, has staff strategically placed within NLT, stands to benefit from this deal, and has already advertised the properties as "Troon courses." Troon would surely prioritize that the use of golf course operations revenue goes to management rather than mitigations.

2. **Formal consultation by US Fish & Wildlife Service is needed**

It is premature for NCPC to decide on the current NPS plan because the US Fish & Wildlife Service is still investigating the existence of endangered species in the immediate area, whose presence merits formal consultations including a biological opinion. As experts at American University (Dr. David Culver) and within the US Fish & Wildlife Service know, the anticipated tree removal and land grading will irrevocably imperil the endangered species (the Hay's Spring amphipod and several species of bats) on and around the course. NLT/NPS's stated accommodations and assurances concerning endangered species protection as the project progresses are not sufficient, which is why the Fish & Wildlife Service needs to require formal consultations with a biological opinion.

3. **NPS’s revised plan has not been made public**

NPS stated that they have made several changes to the plan presented in the FONSI, but the alleged changes have not been made publicly available to date. Therefore, insufficient time remains before the September 5 meeting for NCPC or the public to be able to assess these changes.

[1] According to their Form 990 for 2022, NLT received $7,506,371 in revenue from program services (i.e. revenue from people paying to play on NPS courses/driving ranges); $793,557 from net inventory sales (pro shops across the three courses); $1,814,015 in donations

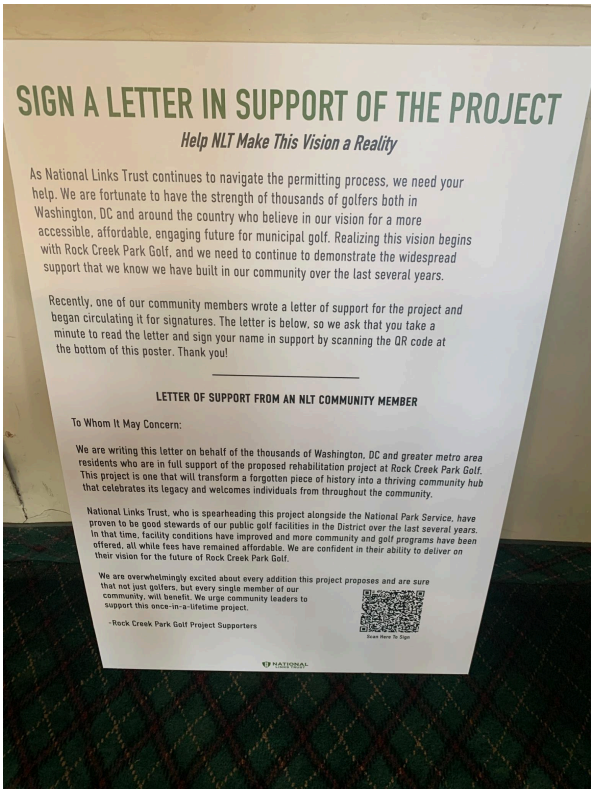
As an example of one of these changes, since issuing the FONSI—in which NPS states that all lighting will be International DarkSky compliant—NPS has walked back this commitment. Because complete details of the new lighting plan have not been made public, it is impossible for NCPC and the public to determine whether the proposed alternative is appropriate within a national park that goes dark at sundown, that is inhabited by endangered bat populations, and that is so close to the Planetarium.

Additionally, any revisions to the plan must be formally incorporated into the FONSI to ensure they are binding and legally enforceable.

4. **In engaging the community, NPS/NLT have not met the spirit of NCPC's request**

Continued misinformation of the public, including key decision makers, on the part of NLT/NPS about the proposed renovation is not in the spirit of what NCPC requested in its decision of May 2nd. In its weekly emails to golfers, NLT has continued asking for signatures in support of its project without mentioning the tree removal. In its posters at Rock Creek Park, Langston, and East Potomac Golf Courses, NLT falsely refers to widespread community support.





While NLT and NPS have ample financial resources and staff whose job it is to communicate to and influence the public and decision makers, our citizens' group does

not have similar resources. Therefore, NLT and NPS have an unfair advantage with messaging and influence.

5. **A meeting with NPS Regional Director has not yet been scheduled**

Due to the retirement of the former NPS Regional Director, a meeting with the new NPS Regional Director has not yet been scheduled.

6. **Issues raised during the 7/25 meeting with NPS deserve further consideration**

The coalition's suggestions for changes to the golf course design were mostly met with counter-arguments from NPS which, overall, betrayed the agency's resistance to considering a different approach that would lessen the negative environmental impact of the project and make it more cost-effective. NPS's approach during the 7/25 meeting indicated no true willingness to engage with the community on more environmentally friendly and cost efficient alternatives.

- NPS suggested that driving range nets won't get US Commission of Fine Arts (CFA) approval. While the CFA might need to weigh in on nets, if NPS was able to convince the Commission to approve a new double-decker driving range in the middle of one of the most beautiful landscapes on the golf course, it is unlikely NPS could not persuade the CFA about the nets, especially if they obviate the need for the double decker in the middle of the landscape. (See image below of nets at University of Maryland golf course.)





- ADA accessibility: NPS suggested that the only or most cost-effective way to ensure ADA accessibility of the existing clubhouse is to demolish it and rebuild at an expense of $6M. An ADA-accessible all-genders bathroom can be outfitted directly above the existing restroom facilities with minimal expense, and the addition to the existing building can more than accommodate ADA needs.
- NPS suggested it had taken into consideration 523 DM 1 section 1.5 (A)(1)(e) which mandates to "Plan and manage for climate change and environmental response, including both current and anticipated future conditions, and not just persistence of historical environmental conditions, as climate change will continue to drive environmental conditions beyond the bounds of historical

variability," by providing shaded driving range stalls. This is preposterous. It is not evident that the NPS/NLT has sufficiently consulted users of the golf course about how extreme weather events may modify their golfing behavior. The proposed rehabilitation represents a significant financial investment, and its effects will persist for decades. If NPS/NLT fail to reasonably take into account likely changes in golfing behavior in their redesign of the golf course, this long-term investment may be jeopardized by loss of revenue. (See the enlarged picture below of golfers at Rock Creek Park sheltering in the shade on July 6, 2024, one of the many scorching days we have experienced this year.) We need more trees, not fewer.





- NPS deflected the question of how the proposed tree removal affects the underserved populations neighboring Rock Creek Park Golf Course—who have less access to residential cooling and are impacted by the urban heat island effect. (See 2022 “Keep Cool DC” report and picture of a Latino family seeking evening respite on the golf course on June 13th because of the cooler temperatures there.) The excessive tree removal to make way for NLT’s new golf course design will contribute to a reduced capacity for the District to mitigate extreme heat due to tree canopy loss.



- The meeting did not provide enough time to discuss how a more moderate, phased plan for Rock Creek Park Golf Course would allow much needed improvements at Langston Golf Course to happen sooner.
- The Langston community was not engaged in the visioning for the plan there, and the same approach by NPS will likely result in the same issues. It is important to get the plan at Rock Creek Park Golf Course right so as not to set a bad precedent. Just because, as it noted, NPS "doesn't have to" directly involve the community as the agency develops its plans does not mean that is not the right thing to do.

Additionally, the points raised in our previous letter to NCPC of June 26 remain unaddressed.

1. **NEPA process was flawed**
2. **Factually incorrect representations during the NEPA process**
3. **Protection of more than one endangered species is imperiled**
4. **Lack of compliance with DOI Secretarial Order 3399 and Departmental Manual 523 Chapter 1**
5. **Further misleading information by NPS/NLT**
6. **Critical gaps in requirements to address deferred maintenance**
7. **Changes made since FONSI are not a legal obligation on NLT's part**

As you can see from the coalition's golf course proposal (attached), the need for tree removal can be almost eliminated if the project is right-sized and redesigned. We are not insisting that our plan is the only alternative that would reduce the loss of vital tree canopy on the Rock Creek Park Golf Course, but rather that this is *possible*—while still improving playability, increasing golf course appeal to the local community, and achieving financial sustainability. Our coalition supports a sensible plan for renovation of the golf course that puts golfers' and community members' and environmental priorities first—not those of large corporate interests.

We urge NCPC not to calendarize a decision on Rock Creek Park Golf Course until NPS/NLT have come up with a more environmentally sustainable, community-driven plan.

Thank you for your kind attention,

Rock Creek Park Golf Course For All

Appendix: Information requested from NPS and NLT that has not been provided

I. **<u>Financial data requests</u>:**

1. **NLT revenues** from Rock Creek Park Golf Course for 2022, 2023, and 2024 to date, broken down by category: greens fees, golf cart rentals, disc golf, retail, golf lessons, vending machines, and any other revenues
2. **Number of tees played** at Rock Creek Park Golf Course in 2022, 2023 and 2024, broken down by front nine and back five holes
3. **NLT's maintenance expenditures** for Rock Creek Park Golf Course for 2022, 2023, and 2024 to date, broken down by buildings/infrastructure and invasive plant removal
4. **Dollar amounts transferred from East Potomac and Langston** golf course accounts in 2022, 2023, and 2024 to date, to cover costs at Rock Creek Park Golf Course in 2022 and 2023, and 2024, if any
5. **Projected capital improvement cost** for each of NLT's proposed programmatic elements: driving range, new clubhouse, cart barn, regulation course, par 3 course, short game practice area, "Himalayan" putting green, picnic pavillion, irrigation pond (including drilling and pump installation), new maintenance building relocation/construction, hiking trail, pollinator meadows, and bike path
6. **Projected increase in annual revenues or decrease in annual expenses** resulting from each of the proposed Rock Creek Park Golf Course programmatic elements: driving range, new clubhouse, cart barn, regulation course, par 3 course, short game practice area, "Himalayan" putting green, picnic pavillion, irrigation pond (including drilling and pump installation), new maintenance building relocation/construction, hiking trail, pollinator meadows, and bike path
7. **Projected yearly maintenance costs** for each of the proposed Rock Creek Park Golf Course programmatic elements: driving range, new clubhouse, cart barn, regulation course, par 3 course, short game practice area, "Himalayan" putting green, picnic pavillion, irrigation pond (including drilling and pump installation), new maintenance building relocation/construction, hiking trail, pollinator meadows, and bike path
8. **Projected yearly debt servicing costs** relating to proposed Rock Creek Park Golf Course programmatic elements
9. **Projected tree removal mitigation costs**, *including on-going maintenance expenses until the trees are fully established*: 2.5" caliper replacement canopy saplings, with maintenance watering and fertilizing, and replacement of saplings that fail
10. **Projected amount of yearly operation and management contract** with Troon or other operator for Rock Creek Park Golf Course

11. **Projected number and average annual salary of any employees not included in the Troon contract**
12. **NLT audited accounts for FY2022 and FY2023 and year-to-date accounts for 2024**

NPS response 7.18.2024: “The NPS does not share or typically have access to lessee’s financial information.”
On 7.25.2024, NLT sent a narrative via Representative Norton’s office comparing revenues among the three golf courses, but providing none of the revenue/expense data for Rock Creek Park that was asked for. Without this information, it is difficult to know the amount of operations income needed to make Rock Creek Park Golf Course profitable.

II. <u>Missing from NPS’s lease agreement with NLT, dated October 2020</u>

a. **Exhibit E 10.2 Maintenance Plan**
b. **Exhibit F 10.3 Preservation Maintenance Plan**

NPS response 6.25.204: “The lessee has submitted draft plans as referenced in Exhibits E and F. Since submittal, the plans have been undergoing NPS review and revisions as the lessor. Currently, the draft plans are undergoing environmental compliance before final approval. During this interim period preservation and maintenance has been conducted according to NPS and industry best management practices.” *Note that according to the lease agreement, draft plans were to have been submitted within 30 days of NPS’s signature on the 2020 lease.*

c. **10.4 Maintenance Reserve Account** NPS chose to delete this section of the lease entirely, so there is no requirement for NLT to provide maintenance reserve funds.

III. <u>Additional planning documents</u>

a. **Golf Course Forest Management Plan, Rock Creek Park Golf Course**
b. **Vegetation Management Plan, all three public golf courses**

NPS response: “Most states have their own [sustainable golf course turf management] guidance; unfortunately, the District does not currently have such guidance. Looking at the guidance from Maryland and Virginia, the CLR indicated that the NPS should follow the guidance from Virginia…” “...NLT is developing a specialized vegetation management plan to complement NPS efforts.”

c. **Hard copy, granular maps detailing tree inventory at Rock Creek Park Golf Course for site-based surveys and assessments.** *Common sense dictates that hard copy maps are available for NPS's own use and are necessary due to poor internet service on the golf course site. The coalition has made two requests and has been told that NPS uses their ArcGIS system with electronic tablets when on the golf course, and that there are no such maps*.

NPS response 8.05 2024: “The tree data lives in ArcGIS online, which they have visibility to through the online dashboard that we have shared. The data used for the project internally is the same data reflected in the dashboard, which is being shared publicly and not confidential. When we are onsite, we will be using GIS and sub-meter location antennas on tablets, not hard copy maps.”

The initial tree survey performed by Coastal Resources has not been made public. The coalition is currently asking for this information.
NPS response 8.06.2024 “…The ROCR Golf Course Tree Inventory April 2024 document and the GIS dashboard is from the data collected during the Coastal Resources, Inc. tree inventory.”

At the meeting with NPS, the coalition was told that changes have already been made to the plan (such as slightly moving the location of the new maintenance building) and gave assurance that any changes will be publicly available on the PEPC website. We are still waiting for these updates, which would better inform our interactions with NPS.
NPS response: “We also understand that there have not been recent updates posted to the project website. But this is the way that information will be communicated to all stakeholders and those interested in the project. Specifically, design changes are not something that happen quickly as input from the community and additional subject matter experts have to be analyzed and workshopped. This is also the case for consultation as well. We expect updates for design and consultation in the near future and it will be shared as we have mentioned so it is available to everyone.”