

## **Categorical Exclusion Form**

Project: Issue Commercial Use Authorization for Pedicabs

PEPC Project Number: 41383

**Project Description:** 

The National Mall and Memorial Parks (NAMA) proposes to issue a Commercial Use Authorization (CUA) for pedicab transportation on NAMA-authorized park areas located between memorials within the park and to or from other locations within the District of Columbia. The National Mall plan refers to the operation of pedicabs as a mode of transportation under numerous alternatives and considered pedicabs as a part of the preferred alternative. As defined in the superintendent's compendium, a pedicab is a bicycle with two rear wheels and one front wheel designed to be ridden by one or more person and that can transport passengers on attached rear seats. Pedicabs are an increasingly common form of transportation on the National Mall, and are allowed on park roads. A CUA is required for pedicab operators to collect payment for services within the jurisdiction of the park.

Currently, pedicabs are not allowed anywhere other than park roads, due to their large dimensions and concerns for pedestrian safety. The proposed CUA would continue this policy, with the exception of the sidewalk west of the Lincoln Memorial. The CUA would change current pedicab operations in the following ways:

(1) Safety requirements. In order to address safety and other procedures for this form of transportation, the District promulgated pedicab regulations in July of 2012. The proposed CUA incorporates many of these safety requirements, as well as additional, park-specific requirements. (2) Establishment of pedicab standing areas. Pedicabs are only allowed to stage/wait for passengers in those locations that are signed as a "Pedicab Stand." At all other times and locations, except while parked in a legitimate parking spot or negotiating a fare, pedicabs must be in the active process of transporting passengers, loading or unloading passengers or otherwise traveling with traffic.

The CUA would not authorize any structures or changes to park resources. Visitors may benefit from the safety requirements. Visitor use would not change from the current use of pedicabs, except through clarification of the pedicab standing areas.

On April 11, 2012, NAMA initiated a public comment period in order to solicit input from the community with regard to the proposal. During a three-week comment period, NAMA received 87 submissions. Several comments note the benefits that pedicabs provide to the public, including those who are mobility-impaired, lost, tired, or looking for a unique and personalized

transportation experience. Several also cite benefits to the environment since pedicabs are a non-fossil fuel-based mode of transportation and help to reduce air emissions, noise, and congestion. The park agrees that these are benefits and considers pedicabs a valuable component of the regional transportation system. Some comments support pedicab regulations. The majority of the remaining comments were from members of the pedicab operator community and oppose details of the CUA requirements, concerning safety, insurance, the discretionary authority of the park superintendent, accounting requirements, locations for standing and loading or unloading passengers, width of standing areas, use of sidewalks (including the west side of the Lincoln Memorial, the gravel pathways on the National Mall, and other locations), lack of no smoking policy, use of legal parking spaces, application fee, redundancy with DC regulations, additional requirements beyond DC regulations, or the general regulatory burden of a CUA program on the industry. All public comments may be viewed at <a href="http://parkplanning.nps.gov/pedicabCUA">http://parkplanning.nps.gov/pedicabCUA</a>.

In response to public comments, NAMA will make the following changes to the CUA requirements: the CUA will allow pedicabs to park in legal parking spaces within the park subject to the signed limitations; a stand at the World War II Memorial will be provided; the stand at the Jefferson Memorial will be shifted closer to the concession kiosk; stands in West Potomac Park, at the Tidal Basin, by Constitution Gardens, and near the memorial parking lots will not be included in the CUA, based on comments that stands at these locations would not be used; the stand on the south side of the Lincoln Memorial will be shifted closer to the memorial in order to be better accommodate the flow of pedestrian traffic; and the CUA will allow pedicabs to travel from north to south on the sidewalk west of the Lincoln Memorial. Regarding information sharing by the operators to the public, permit holders will be encouraged, rather than required, to provide information consistent with the park website (http://www.nps.gov/nama). Public input has supported the park's intention to include pedicab standing areas outside of many of the Smithsonian museums and at the Martin Luther King, Jr., Memorial. Regarding the remaining comments, the park has determined details of CUA requirements to be consistent with National Park Service policy and fair business practices; to be consistent with DC regulations where possible; to protect the health and safety of park visitors and pedicab operators; and to protect park resources. Comments that were outside the scope of this CUA were not addressed.

NPS finds that the proposed project would not have significant environmental impacts, would not be controversial due to environmental issues and therefore warrants this Categorical Exclusion from further analysis under the National Environmental Policy Act.

Project Locations:				
Location				
City:	Washington	District:	DC	

## Mitigation(s):

• No mitigations identified. NAMA will adjust certain of the draft CUA conditions based on public comment, as described above.

Describe the category used to exclude action from further NEPA analysis and indicate the number of the category (see Section 3-4 of DO-12):

A.6 Commercial use licenses involving no construction.

On the basis of the environmental impact information in the statutory compliance file, with which I am familiar, I am categorically excluding the described project from further NEPA analysis. No exceptional circumstances (e.g. all boxes in the ESF are marked "no") or conditions in Section 3-6 apply, and the action is fully described in Section 3-4 of DO-12.

Superintendent:

**NPS Contact:** 

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