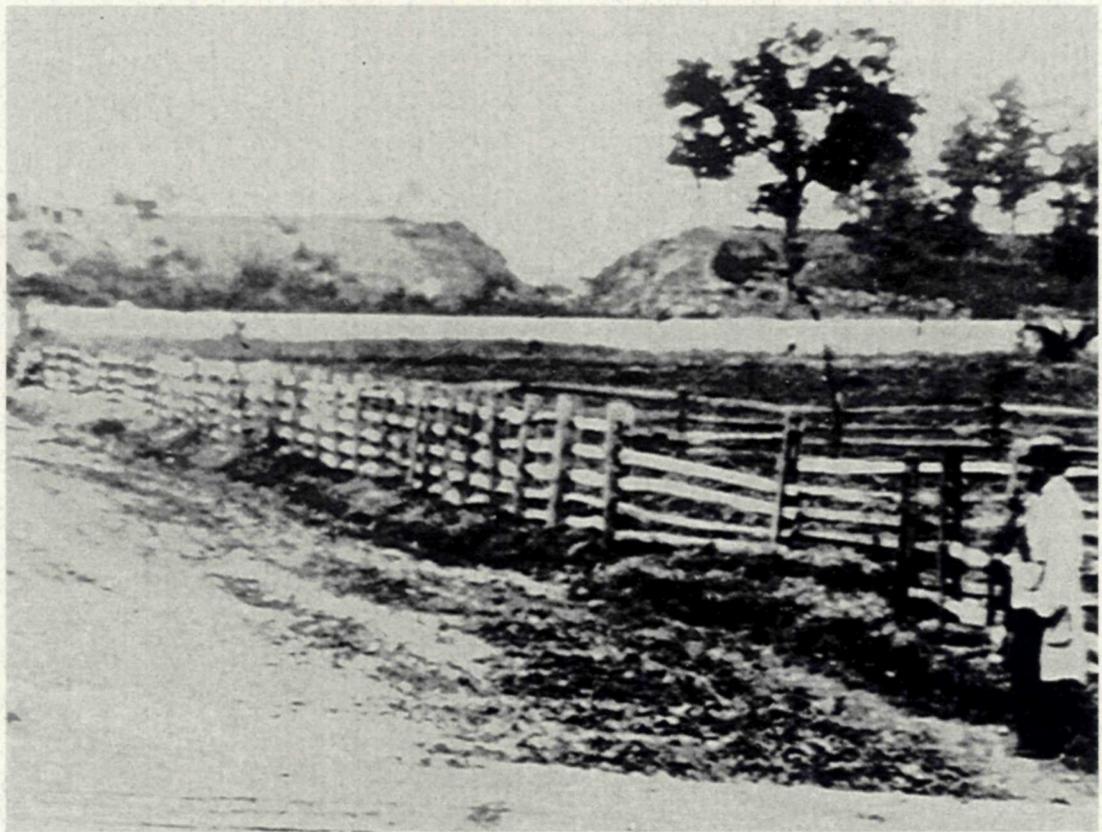


GETTYSBURG COLLEGE - NATIONAL PARK SERVICE
LAND EXCHANGE
STUDY OF ALTERNATIVES/ENVIRONMENTAL ASSESSMENT



GETTYSBURG
National Military Park • Pennsylvania

This document has not been cleared by the Department of the Interior or the Office of Management and Budget and does not necessarily reflect the recommendation of the Secretary of the Interior.



United States Department of the Interior



NATIONAL PARK SERVICE

P.O. Box 37127

Washington, D.C. 20013-7127

IN REPLY REFER TO

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MAY 2 1995

Dear Friends:

On May 9, 1994, I testified before the U.S. House of Representatives, Committee on Government Operations, Subcommittee on Environment, Energy and Natural Resources about the Gettysburg National Military Park land exchange between the National Park Service and Gettysburg College which resulted in the inadvertent destruction of a portion of Oak Ridge. At the hearing I committed to a thorough review of the Service's land exchange guidelines and to initiate a study to determine what actions the National Park Service could take to mitigate the damage to Oak Ridge.

I am now reporting that the National Park Service issued revised land exchange guidelines in January 1995. These guidelines commit to open dialogue and review by park staff, constituents, neighbors and partner organizations prior to agreeing to any future land exchanges.

The National Park Service is releasing the final study, which benefitted from hundreds of written comments and input from interested parties at two public meetings. Alternative #2, landscape mitigation, has been selected as our preferred course of action.

Gettysburg College has agreed to fund a significant portion of the landscaping, site improvements and maintenance activities which are designed to mitigate the physical damage of the railroad cut and relocation. The National Park Service is finalizing that scope of work and will soon oversee plan implementation.

We appreciate your interest in our efforts at Gettysburg National Military Park and our overall land exchange guidelines.

Sincerely,

Roger G. Kennedy
Director

Final Report
Gettysburg College - National Park Service Land Exchange
Study of Alternatives/Environmental Assessment

May 1995

GETTYSBURG
National Military Park • Pennsylvania

Contents

SUMMARY	1
INTRODUCTION	3
STUDY OVERVIEW	3
LOCATION	4
PURPOSE AND NEED FOR THE STUDY	7
STUDY PROCESS AND PUBLIC INVOLVEMENT	9
SIGNIFICANCE AND HISTORY	11
PARK SIGNIFICANCE AND PURPOSE	11
HISTORY OF OAK/SEMINARY RIDGE PRIOR TO 1863	11
HISTORY AND SIGNIFICANCE DURING AND AFTER THE BATTLE	15
FEDERAL COMPLIANCE	20
NATIONAL ENVIRONMENTAL POLICY ACT	20
FINDING OF NO SIGNIFICANT IMPACT	20
SECTION 106 - NATIONAL HISTORIC PRESERVATION ACT	21
MAJOR ISSUES	22
STUDY GROUND RULES	22
LAND EXCHANGE ISSUES	23
SELECTED ALTERNATIVE	26
SOURCES OF INFORMATION	52
STUDY PARTICIPANTS	53

Appendices

ALTERNATIVES CONSIDERED AND REJECTED	29
PUBLIC PARTICIPATION AND COMMENTS	31
SECTION 106 COMPLIANCE CORRESPONDENCE	41
1990 BOUNDARY LEGISLATION	48

Maps and Figures

STUDY AREA CONTEXT MAP	5
SITE LOCATION MAP	6
OAK RIDGE TROOP POSITIONS - BATCHELDER 4:00 PM MAP	17
ALTERNATIVES COMPARISON CHART	30

SUMMARY

This final report on the Gettysburg College - National Park Service land exchange at Oak Ridge represents the culmination of a planning process that began last summer. The decision by the Director of the National Park Service to select alternative #2, *Landscape Mitigation*, as the preferred alternative is done so with the knowledge that this decision is not a perfect solution. Like each of the alternatives considered it has its merit as well as its shortcomings.

The passionate views expressed by the public weighed heavily in the decision making. Our decision represents the most viable solution to a most difficult situation.

The difficulties of the selection center on the fact that a significant park resource was destroyed and it can never be replaced. Landscaping the site, although helping to improve the visual and interpretive conditions of the railroad cut, falls short in conveying the physical dimensions of the area that were eliminated in 1991. Neither will landscaping allow the visitor to fully understand the topographic features of the land that influenced the events of July 1 - 4, 1863.

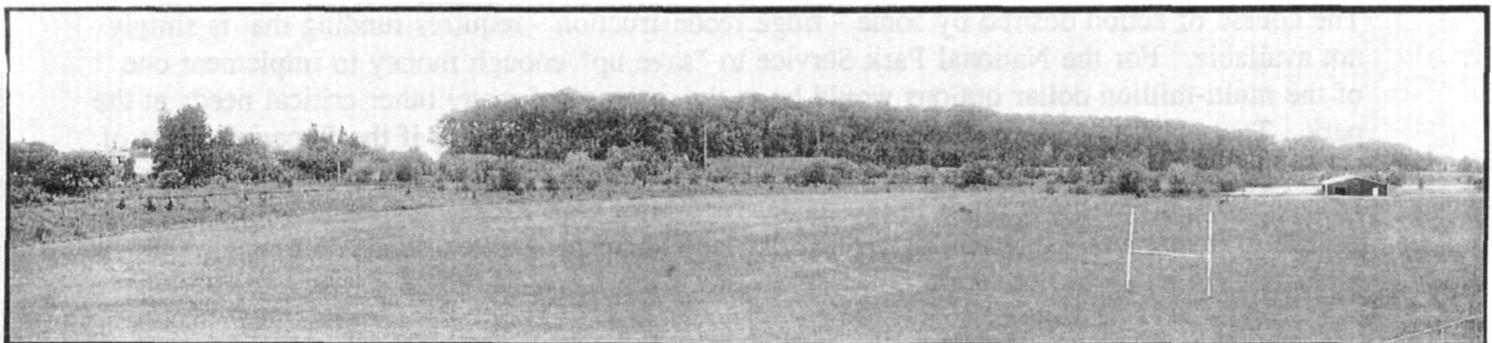
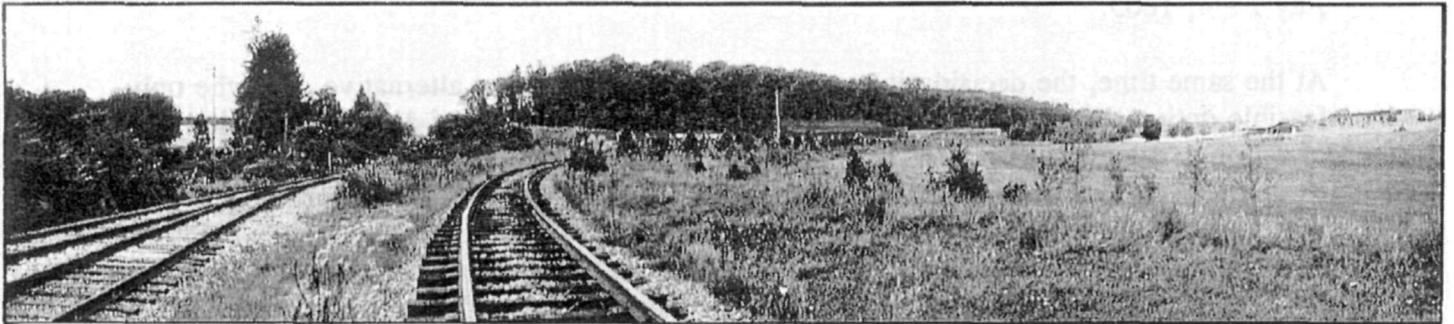
At the same time, the decision is made with the realization that alternative #2 is the only feasible option that can be pursued at this time. In the analysis of determining what course of action to pursue, other priorities confronting Gettysburg National Military Park could not be ignored. In addition, the realities of current political and economic conditions in Washington weighed considerably in determining how to get the most out of dwindling resources and uncertain funding appropriations. In different times these factors would not have been such a concern, but in 1995 and for the foreseeable future, they are of utmost concern. Pursuit of funds through the legal system was not considered viable.

The course of action desired by some - ridge reconstruction - requires funding that is simply not available. For the National Park Service to "save up" enough money to implement one of the multi-million dollar options would be at the expense of many other critical needs at the park. That choice is one that could not be rationalized. Simply put, if the Superintendent of Gettysburg National Military Park were given several million dollars in unrestricted funds, he would not invest those funds in the reconstruction of Oak Ridge. He would choose instead to invest that money in higher-priority land acquisition and resource protection projects.

As part of the rationale for recommending alternative #2 the National Park Service is committed to significantly increasing its financial support of Gettysburg National Military Park in order to adequately address the park's many urgent needs. This increased commitment will be in the form of a special appropriation request in FY 1997 (the year beginning October 1, 1996). The funds would be used to help the park meet its primary goals. The Park Service will work closely with the Congress, doing all it can to make certain that this appropriation becomes a reality.

Gettysburg College has committed to fund a significant portion of alternative #2. The National Park Service is negotiating with Gettysburg College on the details of the landscape plan and the conditions for management of the site. Many of the ideas received from the public relative to the future use and appearance of the site will be considered in our negotiations and in the implementation.

We should all carry from this episode the understanding that as a result of this land exchange and the subsequent congressional hearing the National Park Service has instituted procedures to make sure a similar error never happens again in Gettysburg or anywhere else in the national park system. There is no doubt this assurance comes at an extremely high price. Nonetheless, for the many generations that will follow us, this idea should be an important message to remember.



Visual simulation of Oak Ridge after landscape mitigation. (views are from along CSX and Gettysburg RR lines, and from Gettysburg College Stadium, respectively)

INTRODUCTION

STUDY OVERVIEW

The National Park Service (NPS), together with organizations and individuals with a strong interest in the activities at Gettysburg National Military Park, developed this *Study of Alternatives/Environmental Assessment* as a follow up to the results of the May 9, 1994, Congressional hearing concerning the 1990 Gettysburg College - NPS land exchange at Oak Ridge. At the hearing NPS Director Roger Kennedy stated that what occurred at Oak Ridge as a result of the exchange was "a mistake," and "its consequences are very sad."

After testimony to the House of Representatives' Government Operations sub-committee on the Environment, it was agreed that the Park Service would prepare a study to respond to the concerns expressed at the hearing and would determine what mitigation, if any, should now happen at Oak Ridge.

The general concept for the land exchange described in the 1988 Boundary Study (approved by Congress in 1990 as Public Law 101-377) was not controversial: A portion of the Gettysburg Railroad that cut through the Gettysburg College (college) campus was to be relocated to a parcel of land deleted from Gettysburg National Military Park (park) along the park/college boundary. In exchange, the park would acquire an easement on 47 acres of college land within the newly established park boundary.

The Gettysburg College - NPS land exchange at Oak Ridge occurred on September 26, 1990. The exchange provided the park with a conservation easement over 47 acres of 1st day battle lands, now used as playing fields by Gettysburg College. The park conveyed to the college 7.5 acres at the base of (and as it turned out, a portion of) Oak Ridge. The 7.5 acres would be used to relocate the Gettysburg Railroad from its location through the athletic fields of the college to this site at the college's western boundary.

In the winter of 1990-1991, several months after the land exchange took place, construction for the new rail line began. In order to accommodate the tracks, including a west spur connection to the existing CSX tracks, a portion of the southeastern corner of Oak Ridge (about 3 acres) was excavated. Nearly four acres of woods, (some of which represented the 1863 battle topography), parts of Civil War earthworks sites, the position of battle troop positions by both armies, and several hundred yards of ridge and the resultant historic landscape, were altered or destroyed. Controversy erupted as a result.

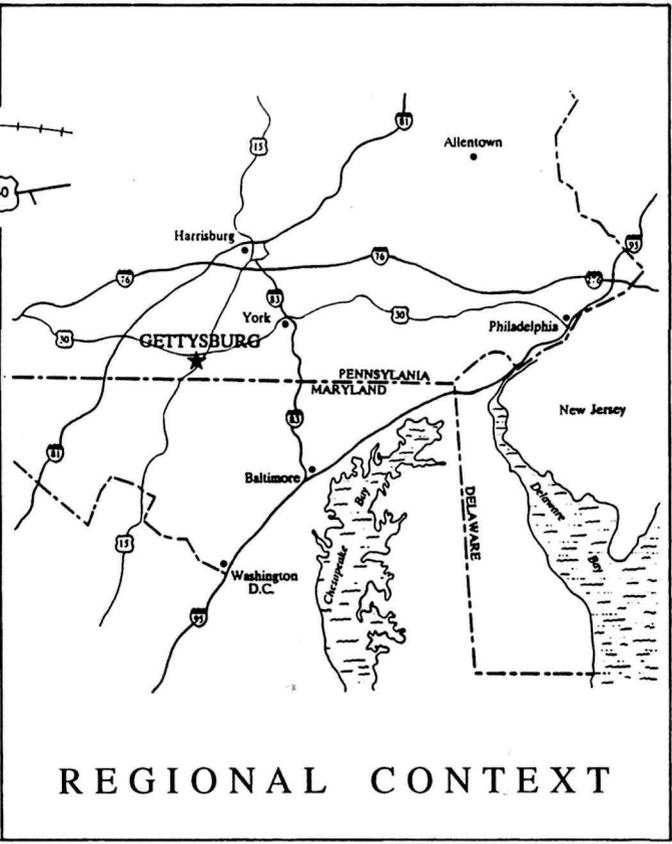
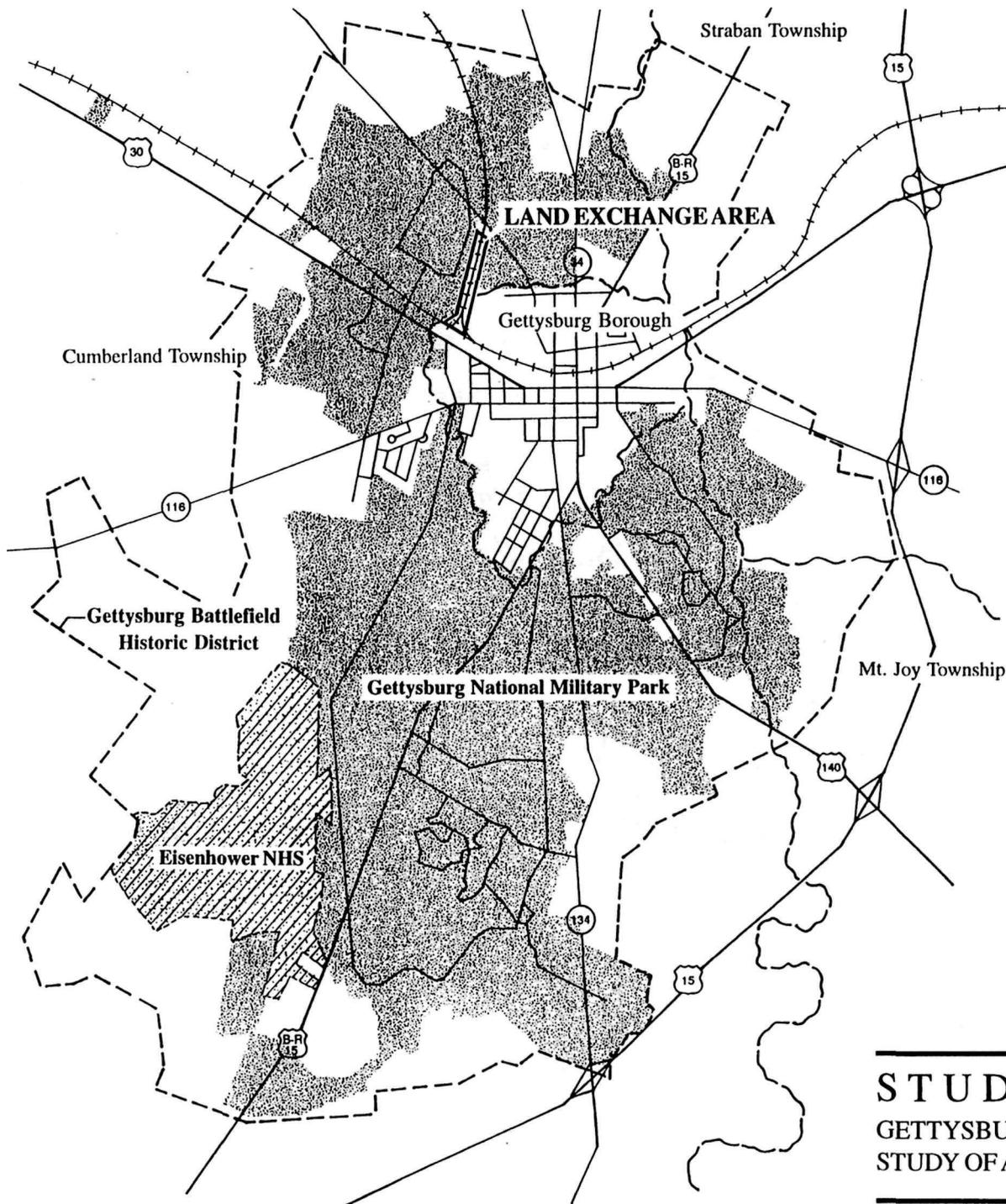
Nearly four years later this dispute continues. The National Park Service carried out a planning process, involving the public throughout, that culminated with this *Study of Alternatives/Environmental Assessment*, to determine the best use and appearance for the land exchange site. The study has helped to determine the remedial action which reflects the best

interests of the historic resources, the park, the agency, the local community, and the park's national constituency.

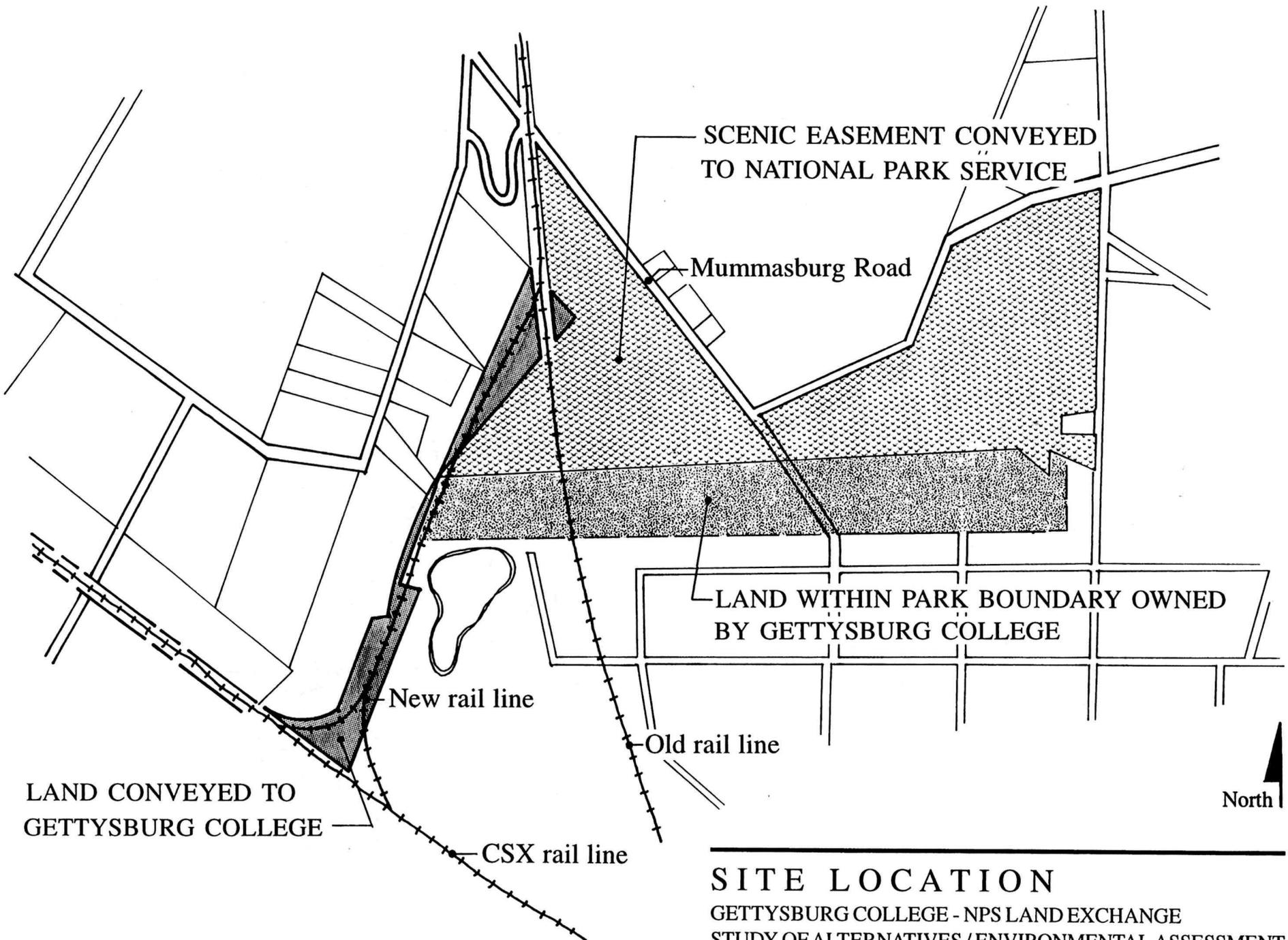
LOCATION

Gettysburg National Military Park is located in south central Pennsylvania, 40 miles southwest of Harrisburg, in the 19th Congressional District. The 5,733-acre park (see map on page 5) nearly surrounds the borough of Gettysburg, the seat of government for Adams County. The park is within a three-hour drive of Philadelphia (140 miles), Baltimore (55 miles) and Washington, D.C. (80 miles).

Both the 7.5-acre parcel transferred to Gettysburg College and the 47-acre conservation easement area acquired by the National Park Service (see map on page 6) are located in the northern portion of the battlefield. This location was a critical area in the first day's fighting at Gettysburg. Fighting enveloped this area surrounded by Oak/Seminary Ridge, the Chambersburg Pike, and Mummasburg Road.



STUDY AREA CONTEXT
 GETTYSBURG COLLEGE - NPS LAND EXCHANGE
 STUDY OF ALTERNATIVES / ENVIRONMENTAL ASSESSMENT



SITE LOCATION

GETTYSBURG COLLEGE - NPS LAND EXCHANGE
 STUDY OF ALTERNATIVES / ENVIRONMENTAL ASSESSMENT

PURPOSE AND NEED FOR THE STUDY

The park's 1895 enabling legislation did not define exact boundaries or place specific limits on park acreage to be acquired. In the 1980s Congress had become concerned about the manner in which lands were being acquired. In 1987, Congressional interest centered on the need to adequately protect the battlefield resources then outside the park jurisdiction and to define a permanent boundary for the park. Public Law 100-132 was enacted, directing the National Park Service to conduct a "Boundary Study" of Gettysburg National Military Park and to submit a report to Congress with recommendations for the park's final boundary.

The Boundary Study was initiated in 1987. Public involvement played a critical role in the planning process. Four public workshops and numerous consultations focused on: identifying key issues and concerns, evaluating the significance and condition of battle-related resources in the Gettysburg area, examining alternatives for the boundary and for protecting historic resources, developing a boundary concept, and preparing a final boundary recommendation. The Boundary Study was completed in August 1988 and a final public meeting was held in September 1988.

The Boundary Study was then forwarded to Congress. The report identified the need for a legislated park boundary. The proposed boundary concept outlined a number of recommendations which involved the addition of 14 outstanding historic resource areas (approximately 2,000 acres) to the park and the deletion of eight small tracts which for management considerations or loss of site integrity were deemed eligible for deletion. The park/college boundary tract was one of the eight recommended for deletion, and was to "provide for rerouting of Gettysburg Railroad tracks along the current park boundary" (page 37 of the Boundary Study).

Following consideration of the report's recommendations, Congress enacted Public Law 101-377, "An Act to revise the boundary of Gettysburg National Military Park...", on August 17, 1990. The boundary concept enacted by Public Law 101-377 varied only slightly from that proposed in the study. Public Law 101-377 and the park boundary map identified eight areas, eventually totaling about 25 acres that were to be deleted from the park boundary, including the park/college boundary tract.

The 7.5-acre tract was transferred to Gettysburg College on September 26, 1990, in exchange for a 47-acre conservation easement on Gettysburg College playing fields. This transaction was designed to benefit both the park and the college. The 47-acre easement acquired by the park would ensure that this critical portion of the battlefield would remain permanently in open space. The land acquired by the college would provide the opportunity to relocate a portion of the Gettysburg Railroad tracks running through the college campus to an area along the college's western boundary. Pages 36 and 37 of the Boundary Study provided the following information:

Park/College Boundary

A possible re-routing of 3,600 feet of the Gettysburg Railroad line from its current location on the Gettysburg College campus to one along the park/college boundary would require minor park boundary alterations. This change would provide benefits for the college and would not have an adverse impact on known historic resources.

Objective:

Provide for re-routing of Gettysburg Railroad tracks along current park boundary.

After initial surveys by the railroad, the college submitted a proposal in to the National Park Service in 1989 that required that the park delete 7.5 acres in order to meet the railroad's needs for construction and relocation of the line. The Gettysburg Railroad tracks south of Mummasburg Road were to be rerouted from the college's athletic fields to the 7.5-acre tract.

In January and February 1991, in the process of relocating tracks and facilities, a portion of Oak Ridge was excavated. Although a number of agencies, preservation organizations, and citizens raised concerns immediately, the work continued. The ultimate impact of the railroad relocation was more damaging and quite different than what was envisioned by those that participated in the Boundary Study planning process. These concerns have been expressed for the past four years now, and ultimately led to the Congressional hearing on May 9, 1994.

This document, developed with ongoing public input:

- identifies the circumstances surrounding the land exchange

- discusses the need for the study, its purpose and process

- describes the historical significance of the 7.5-acre site and its surroundings

- identifies major issues in the decision making process

- outlines six alternatives, including the recommended alternative

The general concept of the land exchange proposed in the Boundary Study has never been the issue. If the exchange had occurred as it was described in that document there would be no controversy. The problem was in the details of the exchange that became known after the Boundary Study and in the implementation. The extensive damage that resulted is still visible today: the 300-foot-long gabion wall, the currently vacated, debris-filled railroad wye, the elevated berm on which the engine house access road and the tracks lie, and the engine

house. These features are most visible from the Gettysburg College campus, and are less prominent from other locations in and around the park.

The decisions and actions of the past cannot be reversed. The historic resources lost during the excavation and railroad relocation cannot be regained. Under several of the alternatives considered an approximate reconstruction of Oak Ridge and other landscape features would occur to varying degrees. Any reconstruction of Oak Ridge would take place primarily for interpretive and aesthetic reasons—it would facilitate the public's understanding of the events of the first day's battle. Through an extensive landscaping plan the site's visible "scars" could be camouflaged from distant locations in the park and the borough at relatively little cost when compared to the reconstruction options. None of the alternatives would restore the historic integrity, resources, and site-related sacredness which was inherent to the original undeveloped tract.

STUDY PROCESS AND PUBLIC INVOLVEMENT

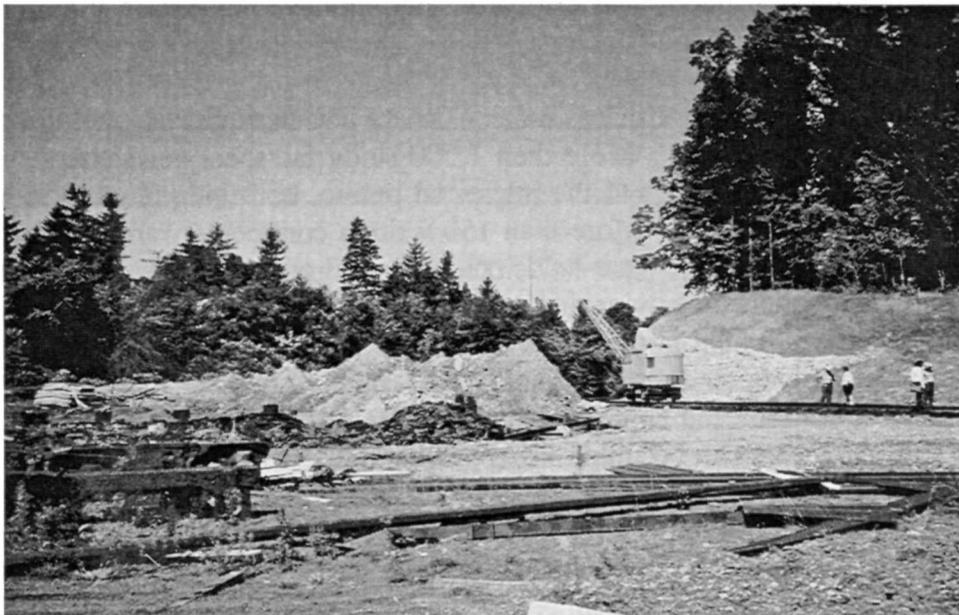
The National Park Service committed to Congress and to the American people that it would undertake this study in a way that involved meaningful public debate and input into the decision making process. The primary focus in developing this report has been to bring together as many of the key park constituent groups, resource and history experts, and the other needed disciplines, in order to fully understand the range of options available. This collaborative approach guided the process to determine the solution that reflects what is best for the park's historic resources, interpretive goals, management, and that represents the best interests of the agency, the Gettysburg community and the park's national constituency. Involvement by the general public was critical in guiding development of alternatives and in fully understanding the issues and concerns.

In addition to the frequent news articles in daily papers and periodicals, public input occurred at several key points in the study. More than 1,500 study factsheet newsletters/questionnaires were made available to the interested public, both individuals and organizations in September 1994. More than 150 written comments were received. Two constituent organization meetings were held, on August 23 and September 28, 1994, to discuss the study and solicit the advice and ideas of community and national organizations. Two public meetings were held at the park. The September 28, 1994, meeting focused on the preliminary alternatives, and attracted about 60 people. The December 14, 1994, meeting addressed questions and comments on the draft study report. Information on public involvement and comments can be found in Appendix B.

To help better understand the implications of the alternatives, visual simulation photographs depicting how Oak Ridge would likely look after implementation of each of the alternatives were developed to facilitate a discussion.

This final report has been revised incorporating comments received throughout the study process, including the public review period, and based on factors related to the selected alternative.

The public planning process has been carried out in compliance with all applicable laws and regulations including the National Environmental Policy Act and the National Historic Preservation Act (NHPA), as amended. NHPA Section 106 compliance has been carried out in coordination with the Pennsylvania State Historic Preservation Officer and the Advisory Council on Historic Preservation. Additional Section 106 compliance will be addressed during implementation.



Photographs of land exchange site, June, 1994.

SIGNIFICANCE AND HISTORY

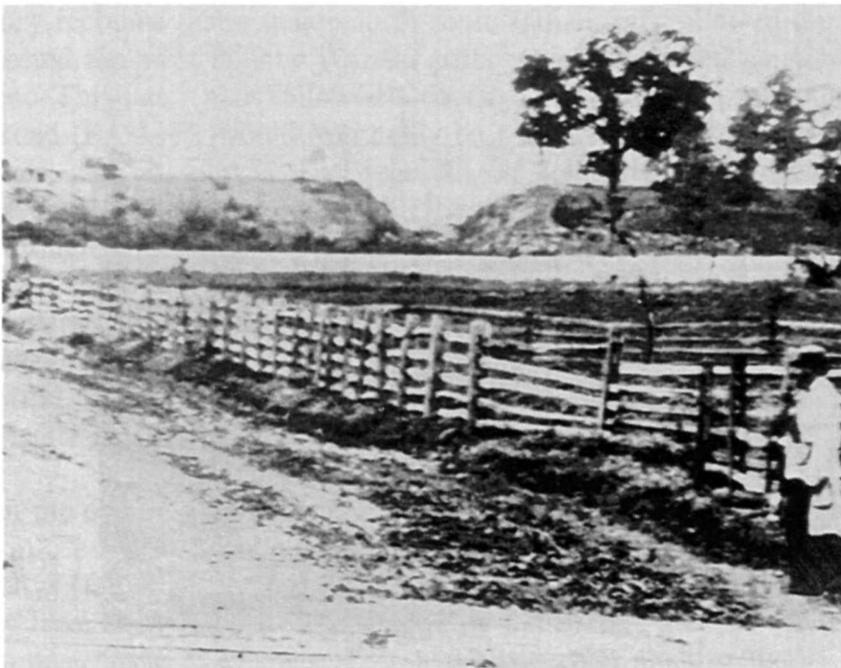
PARK SIGNIFICANCE AND PURPOSE

The Battle of Gettysburg, fought July 1-3, 1863, is significant as the last major Confederate invasion of the North. Gettysburg National Military Park was established on February 11, 1895, to preserve and mark the lines of battle of troops engaged in the Battle of Gettysburg, to provide convenient access to its monuments and grounds, to acquire lands upon which the battle was fought, and to establish and enforce necessary regulations for protection of park resources and property. The purpose of the park is to preserve the battlefield in order to interpret its significance as the site of one of the most critical battles of the American Civil War.

HISTORY OF OAK/SEMINARY RIDGE PRIOR TO 1863

Although many may believe that the significance of Oak/Seminary Ridge was, and is, limited to its role as a battle site in a major and decisive conflict of the Civil War, the ridgeline has a significance that spans eons and extends into this century.

As a geologic feature, Oak/Seminary Ridge is one of two nearly parallel intrusive dikes unique to this portion of the Triassic Lowlands (the other comprising Herr Ridge). These



Oak/Seminary Ridge railroad cut from town of Gettysburg, 1863.



Photograph of railroad tracks and Oak Ridge, November, 1971.



Oak Ridge excavation, April, 1991. (note the telephone poles in both photographs)

two diabase dikes, composed of hardened magma, originally crystallized below the surface but now rise above those softer shale formations that eroded around them and are now the setting for agricultural farmed fields and borough development. The diabase dike of Oak/Seminary Ridge is among the youngest of rock sequences or formations in the state; it was therefore the site of some of the most recent subterranean magma flows in the area, perhaps less than 200 million years ago.

This unique geologic composition was made visually clear in the late 1830s after it was exposed by blasting and grading for a proposed railroad line. It would be used as a study site for geologists throughout the state and the larger scientific community. The exposed vertical faces of the bisected ridgeline showed clearly the visible transition and physical transmutation of the original rock composition by the intrusive diabase dike. Readily apparent layers of the original unaltered shale, a partially metamorphosed shale (argillite), and a baked shale (hornfels) sandwiched the diabase dike itself.

The geology of this long and slender dike, which extends along the entire length of Oak/Seminary Ridge, would influence later settlement and circulation patterns by prehistoric and historic cultures associated with Gettysburg. Because the granitic soil of the ridgeline was more porous and accommodating to vegetation than the surrounding shale soils, the ridgeline has been especially hospitable to tree growth, which characterizes almost the entire length of this ridge from the Carlisle Road north of the town to the Emmitsburg Road south of the town. The presence of a protective wooded cover, combined with the high and dry nature of the ridge's granitic soil, made this ridgeline ideal for regular pedestrian purposes as a trading and travelling trail route.

Local history recounts that a major north-south Indian trail followed the ridgeline. That the trail intersected the most famous Warrior path, which connected the Six Nations, is no coincidence. This latter path followed a course westward along the route of the present Fairfield Road (PA 116), would eventually be used by eighteenth-century settlers in reaching western lands, and was part of the Great Wagon Road which brought tens of thousands of emigrants from Philadelphia to open up the west and the deep South. It was these Indian trails that brought the area's first white pioneer settlers to the area, to settle the Marsh Creek, Rock Creek, and Gettysburg communities. Indeed, it may not just be coincidental that the boundaries of the earliest individual land claims abut each other at the crest of Oak/Seminary Ridge for this portion of the Penns' "Manor of Maske," all along the route of the Indian trail to the Wagon Road. The crest of the ridge and the well-worn trail may have provided visible landmarks for delineating adjoining boundaries.

Throughout the early colonial period, however, there appears to have been no development or change in use to the ridgeline—particularly to its eastern slopes, which were owned by Samuel Gettys (father of the town's founder) and Alexander Cobean. At most, harvestable timber may have been taken from the ridge by the owners and the woods treated as woodlot for consumptive purposes of the owners and prospective clients.

The first major change to the natural topography of the ridge was the construction of the Black's Gap or Mummasburg Road (1767-1770). Some minimal grading was undertaken in this construction, as it was referred to as a "sunken road" in nineteenth-century recollections. The next major alteration was the outcome of Gettysburg's growing prosperity and its desire to reach other major markets. A turnpike company which had been organized to improve a toll road southward from the town decided to undertake a western extension in 1809-1811, and thus the Chambersburg Pike was constructed.

Neither of these roads was to physically alter the ridge as drastically as a scheme by local lawyer and speculator Thaddeus Stevens to construct a railroad which was purported to connect Philadelphia's markets with those to the west. It was also expected that this rail line would connect with the Baltimore & Ohio Railroad near Clear Spring, and to the Chesapeake & Ohio Canal near Harpers Ferry in the Potomac Valley. It is a matter of debate as to whether the twisting, winding, and circuitous 63-mile route of the proposed and partially-constructed line was the reason for its early familiar name, the "Tapeworm Railroad." Cost over-runs, poor engineering, shoddy construction, and irregularities in bookkeeping led to an investigation by the Pennsylvania Assembly in 1839. At that time 23 miles of the road had undergone some kind of excavation or construction at a cost approximating \$600,000, and it was estimated that another \$4 million would be needed to complete the 63-mile track. State appropriations dried up soon after the investigation committee reported that of all the works of "doubtful expediency constructed by the state, in the opinion of the committee, there is none so useless, so expensive, or of as little value as the Gettysburg rail road. It was commenced by fraud and intrigue and will end in disgrace and loss to the commonwealth."

Because the sequence of construction followed the route of the line from the town of Gettysburg westward, the removal of the first major obstruction of grade had occurred at Oak Ridge. But, as public and legislative interest in the venture waned, the cut through the ridge remained in an unfinished state even up to the time of the Battle of Gettysburg, some 25 years after its preliminary excavation. An elevated embankment for the rail bed met the rail bed in the ridge's cut at its eastern slope and terminated within the town. The line extending westward from this Oak/Seminary Ridge cut was either at grade or below natural grade until its approach to the bottomlands along Willoughby's Run.

All of these major, but useless and non-functioning, railway construction features dominated the landscape of the western fringes of the town for more than two decades. As the first promise of rail connection with its growing neighbors was snatched from Gettysburg's grasp, it also took the fortunes and reputations of several community leaders who had organized the rail movement with it.

It was not until 1858 that any rail connection to Gettysburg transpired, and the connection was to its eastern neighbor at Hanover and beyond to Hanover Junction instead of to the west or southwest. The construction already undertaken remained unchanged, waiting for the day when another company could complete it. In the meantime, the excavations and elevated roadbeds at the ridge, as well as east and west of it, continued to be an inconvenience to the

property owners through whose farms it intruded. The beneficial influence that the rail line was to have on the community had not yet been realized at the outbreak of the Civil War. A far different kind of influence would be effected by the incomplete rail line, as well as by the wooded ridge through which it cut, when the two contending armies of Generals Meade and Lee collided at Gettysburg on July 1, 1863.

HISTORY AND SIGNIFICANCE DURING AND AFTER THE BATTLE

Throughout most of the first day of the battle, the ridge line between the Chambersburg Pike and the Mummasburg Road remained in Union hands as a defensive position. It served that purpose well, its topography naturally lending itself to military defense. The majority of the ridge north of the railroad cut was a woodlot for the McPherson and Wills farms, and was thus quite grove-like in appearance with little or no understory. It therefore did not unduly inhibit troop movement. Because the woods extended down both the slopes from the crest, the tree canopy could also provide a partial screen to military movements. And, because it was easier to mount a strong defense from an elevated position, where the enemy must exert itself to climb to the defensive line, the Oak/Seminary Ridge line offered ideal tactical grounds to defend against any attack from the west.

Thus, from the outset of the battle on the morning of July 1, dismounted Federal cavalry first held the ridge, deploying its battle line along its western slope with its right flank resting on the Mummasburg Road and its left at the Chambersburg Pike. Engaged since dawn, Union skirmishers rejoined their own brigade at the ridge as Davis' Confederate Brigade of infantry deployed on their front west of Willoughby's Run. The opportune arrival of Union infantry from the First Corps as Davis was mounting his attack relieved the long-pressed cavalry. The lead brigade, that of General Lysander Cutler, was rushed into action, two regiments remaining south of the Chambersburg Pike to face a threat in that direction, and three regiments moving north of the pike to face Davis. Soon outflanked by the longer Confederate line, these regiments were compelled to retire to the comparative safety of the eastern slopes of Oak/Seminary Ridge, but only after suffering staggering losses. This was particularly true for the 147th New York Regiment, which had been in an isolated and advanced position to protect a Union battery and had been nearly surrounded before survivors made their desperate flight to, and beyond the ridge. A Union counterattack by Cutler's two remaining regiments and the 6th Wisconsin effectively stopped the Confederate attack allowing the First Corps defenders to regroup and make provisions to meet additional Confederate advances.

Cutler's Brigade, now reinforced by the 6th Wisconsin, came under an enfilade fire from a Confederate battery while reforming just below the east side of Oak/Seminary Ridge, near the railroad embankment. This enfilade fire from Confederate guns on Oak Hill, north of the Mummasburg Road, announced the arrival of General Lee's army. Cutler was once again ordered to resume his original position on the other side of Oak/Seminary Ridge while Baxter's Brigade was also ordered towards the north end of the ridge to meet this new threat,

he advancing up the eastern slope to take position on Cutler's right flank. Successive attacks by General Robert E. Rodes' Division incurred heavy casualties on both sides, but did not succeed in driving the two Union brigades from the ridge. Only when Baxter's Brigade ran out of ammunition did it yield its place in line to Gabriel Paul's Brigade which, as the last reserve brigade, was taken from the breastworks in front of the seminary building to relieve Baxter's regiments. As Baxter's force replenished ammunition and regrouped on the east slope of Oak/Seminary Ridge, just north of the railroad bed, the Confederate attack was resumed all along the lines.

General A. P. Hill's Confederate Corps, reinforced by the arrival of Pender's Division, advanced once again across Willoughby's Run against the left and center of the First Corps line. Rodes' Division proved a particular threat to the exposed right flank of the First Corps at the northern end of Oak/Seminary Ridge. Both brigades of Baxter and Paul were compelled in turn to bend back their lines to form an angle to face Confederate troops advancing from the northwest and from the northeast. Ultimately, it would be those regiments who were to guard this extreme right flank which suffered among the highest casualties in the First Corps. Their task was made more difficult by the fact that they were outnumbered and because there was a vulnerable gap of several hundred yards between the right flank of the First Corps and the left flank of the Eleventh Corps. In addition, there was no Union artillery on the northern end of the ridge which could have enfiladed Rodes' brigades as they advanced across the Federal front.

The only Union artillery on that part of the ridge defined by the Mummasburg Road and the railroad line was a two-gun section of 12-pounder Napoleons under the personal direction of Captain James Stewart, commander of Battery B, 4th U.S. Artillery. Stewart's guns, however, were at the extreme southern end of the ridge and were separated from his other section nearer to the turnpike by the railroad cut itself. All of Stewart's energies and fire were concentrated on his own front, keeping Hill's Corps at bay. He could not even respond to the Confederate guns of Carter's Battalion on Oak Hill which occasionally threw shot his way, so pressured was he to keep Hill's infantry contained. As the left of the First Corps battle line collapsed on McPherson's Ridge, falling back to the seminary line, the corps faced its crucial trial of the day.

The Eleventh Corps, outflanked and dislodged from its indefensible position, abandoned the field and retreated southward to and through the town. This resulted in leaving the First Corps on its own to fend off overwhelming numbers, descending upon it on its front from the west, on its right flank from the north, and soon upon its rear from the east as the Eleventh Corps was driven from its position. It would fall to the lot of those Union soldiers on Oak/Seminary Ridge to first suffer the consequences of the collapse of the Eleventh Corps. Regiment after regiment in Paul's, Baxter's, and Cutler's Brigades were compelled to change battle front as they were attacked simultaneously from west and north. To prevent complete encirclement by Confederates from the east, in the level ground below them, one after another these regiments would be compelled to retire south along the eastern slope of the ridge in hopes of returning to their original positions held at the seminary.

The 16th Maine Volunteers of Paul's Brigade was ordered to remain as the last regiment on the right flank, to put up as spirited a fight as possible and to "hold at all costs" against Rodes until the others could get safely back behind the ridge in the direction of the seminary. After suffering heavy casualties, they too would be the last to repeat the dogged retreat along the lower slope of the ridge. Few, if any, Union regiments retreated along the western slope or crest of Oak/Seminary Ridge because these were under attack by Ramseur's and Daniel's brigades at the moment of the retreat. What they found when they reached the railroad line was confusion everywhere. The 6th Wisconsin, in the railroad cut itself, was desperately trying to lay down a destructive infantry fire to keep Confederate attackers from gaining Stewart's battery position(just north of the railroad cut). Others of Cutler's Brigade were supporting the other two guns of the battery south of the cut. The remainder of the First Corps batteries were limbering up and competing for road space with the infantry as they retreated headlong towards the town. Stewart's section would be the last to fall back, he bringing them down the east slope just north of the cut under a fire from several directions, barely escaping capture. Stewart, mounted and with revolver in hand, was reputed to be the last Union man off of the ridge. Because the Chambersburg Pike was choked with all of the imaginable flotsam of a fleeing army, most of the units that escaped from Oak/Seminary Ridge elected to use the railroad bed as their route to the town.

For the remainder of the battle, the ridge was in the hands of the Confederates. Because it was outside the regular line of battle for General Lee's army during the subsequent two days of the battle, its crest and eastern slope did not play a role in the later phases of the fighting. It was only when Lee's defeated army prepared its own retreat that the ridge was again impressed into use for defensive purposes. The crest was entrenched by men of Ewell's Corps on July 4 in anticipation of a Union attack, and a Confederate battery resumed the position held by Stewart's section on July 1. This time the guns were aimed towards the town, but there was no attempt by the Union army to recapture the ridge and Lee's force began the retreat that night.

Today, historians disagree where particular dramatic incidents occurred, just as members of the regiments who fought here often disagreed in their recollections of events and locations. Although some believe that the 16th Maine was captured in the railroad cut, and there tore its regimental colors in pieces to prevent its falling into Confederate hands, others examine the same historic records and believe the event occurred in the woods north of the cut and on the eastern slope of the ridge.

Nonetheless, no one can dispute that the desperate defense by the infantry of the First Corps and by the gunners of Stewart's half-battery extended in the last moments to the eastern slopes of this ridge. Here on this slope was testimony of the grit and valor of the Old First Corps; where men defiantly determined to halt an exorable foe, where they fell wounded or maimed or dead in a last effort to protect their retreating comrades, where some were surrounded and yielded to a fate of imprisonment and disease, and where a grateful nation would later act to preserve the grounds so dearly purchased.

In the following decades, the ridge would continue to exhibit the effects of this great Civil War battle. Another rail line, the Gettysburg & Harrisburg Railroad, was completed in 1885. This line skirted the eastern slope at the northern end of Oak/Seminary Ridge and then made a graceful arc to the southeast away from the ridge to a new train station in the town on Washington Street. At the time of its completion, there was already presentiment that the new railroad would "afford an excellent opportunity to visit the great historic spot" of the Civil War. The number of persons visiting the battlefield was estimated at 10,000 for that first Memorial Day after the line opened; the G&H Railroad brought 19 passenger cars loaded to capacity. Excursions by rail to the battlefield increased steadily and this growing interest in visiting the site was vital in stimulating its memorialization by battle veterans who wanted future generations to remember their services and sacrifices.

When the memorialization fervor captured the hearts and spirit of the Union battle veterans, granite and bronze monuments were erected along the lines of battle shared by Cutler, Baxter, and Paul. These monuments could mark only one specific line, one blood-soaked spot, where a regiment had stood to exchange such deadly blows with its foe. But the extent of the conflict on July 1, resulted in multiple lines of battle, of hastily organized lines of battle, of solitary lines of battle, where each individual soldier made his personal commitment to their battle cry, "We've come to stay." It was impossible to mark each of these lines with tablets of stone, so a grateful nation purchased the ridge itself as the only fitting memorial to all of those First Corps veterans who could not have monuments on their personal battle lines. The ridge itself was to echo the meaning of the granite monuments atop its crest and the words of dedication of a granite monument can be just as relevant to that ridge on which the monument stands:

[It] stands as a memorial for the blood shed by . . . officers and men here slain; for the agony of those here mangled who survived; for the worse torture of those here taken to become victims of Rebel prisons; and for the valor and endurance of the remnant that remained. It tells how with lion courage they met the enemy, and when overborne by numbers, fell back inch by inch, fighting, falling, dying, cheering the men, succumbed to the inevitable. The valor and sacrifices of the first day made the more equal contest of the second day, and the victory of the third possible.

FEDERAL COMPLIANCE

NATIONAL ENVIRONMENTAL POLICY ACT

This document has been prepared in accordance with the requirements of the National Environmental Policy Act. Based on the alternative selected the National Park Service has determined that this action represents a finding of no significant impact (FONSI).

The National Park Service prepared an environmental assessment (EA) on the land exchange to determine the best use and appearance of the 7.5-acre site. The draft study considered six alternatives. The draft document was on public review from November 28, 1994 through January 6, 1995.

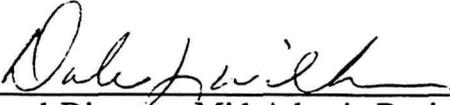
ENVIRONMENTAL CONSEQUENCES OF THE PROPOSAL

Under the selected alternative extensive landscaping and related site improvements would occur within the land exchange site. The activity would reflect a non-historic treatment of a compromised site. Before any ground disturbing activities are taken, consultation necessary for compliance with the National Historic Preservation Act will be completed.

During implementation of the selected alternative the necessary archeological monitoring at the site will take place.

FINDING OF NO SIGNIFICANT IMPACT

The selected alternative as described in this Study of Alternatives/Environmental Assessment does not constitute a major federal action that will significantly affect the quality of the human environment as defined in section 102(2)(c) of the National Environmental Policy Act of 1969. Therefore, the National Park Service will not prepare an environmental impact statement (EIS).



Regional Director, Mid-Atlantic Region

5/8/95
Date

SECTION 106 - NATIONAL HISTORIC PRESERVATION ACT

The *Study of Alternatives/Environmental Assessment* is subject to Section 106 of the National Historic Preservation Act, as amended, under the terms of the 1990 Programmatic Agreement among the National Park Service, the Advisory Council on Historic Preservation, and the National Conference of State Historic Preservation Officers.

Under the terms of the 1990 Programmatic Agreement, "the Regional Director, in consultation with the State Historic Preservation Officer (SHPO), will make a determination about which undertakings are programmatic exclusions under C.1, and for all other undertakings, whether there is sufficient information about resources and potential effects on those resources to seek review and comment under 36 CFR Part 800.4-6 during the plan review process."

In October 1994, the National Park Service formally initiated Section 106 compliance with the Pennsylvania SHPO and the Advisory Council on Historic Preservation. Now that an alternative has been selected, the National Park Service will consult with the SHPO on the individual undertakings that are recommended as part of the preferred alternative.

Correspondence regarding Section 106 compliance including written comments received from the Pennsylvania SHPO can be found in Appendix C.

MAJOR ISSUES

Since January 1991, when relocation of the Gettysburg Railroad began in earnest, controversy and strong differences of opinion have dominated almost all discussions. Much of the dialogue has focused on who was to blame; who knew what, and when; and how this could have happened at such a historic and significant location. Others have asked what all the fuss is about; after all, few if any, ever visit the site during their battlefield tours; it is impossible to preserve every piece of land where soldiers fought and marched; and there are much greater priorities at Gettysburg that need to be addressed.

In carrying out this study certain ground rules were established, not to limit debate or steer the study in any particular direction, but to make the study process meaningful by providing a forum that allowed the public to fully understand the issues and factors associated with the land exchange, as well as the historic events that occurred there on July 1-4, 1863. After all, the study was designed to guide the decision making process to determine the best use and appearance of the site, consistent with the mandates for the park, "... to preserve the important topographic features of the battlefield" (park's establishing law) and, "... to assure the use of the property in a manner which, in the judgment of the Secretary, will protect the park and the Gettysburg Battlefield Historic District" (Public Law 101-377).

Determining the best solution has not been easy. The issues identified are those areas of question and concern that have been raised during the study process. The ground rules identified were "givens". The issues presented helped to focus on the critical factors affecting the decision making process.

STUDY GROUND RULES

- Recognize that all land in the park boundary, including the parcels involved in the land exchange, are significant. There should be no debate over the value of one parcel in comparison with another. Both parcels affected by the NPS-College land exchange share a mutual significance as part of the battlefield and were both important topographic features and battle positions in that Civil War event.
- This planning process was not undertaken to look for guilty parties or to assign blame. The National Park Service has acknowledged its lack of vigilance in negotiating the exchange. The study process focused on arriving at a decision which will address the interpretive, resource, and visual needs of the site.
- Important battle-related resources and landscapes, as well as site integrity, were destroyed in the process of relocating the railroad. Although these resources and the integrity of the site cannot be regained, it is possible to modify the site or closely replicate the former appearance of the site for interpretive and aesthetic reasons. The selected alternative balances that decision against park management needs and fiscal considerations.

- This study did not address the use of the legal system in reaching a decision. The study process included herein represents the best effort of the National Park Service and the public to determine the best course of action. Whether or not the federal government chooses to resort to the legal system to seek funding for all or a portion of the recommended solution is beyond the scope of this study.

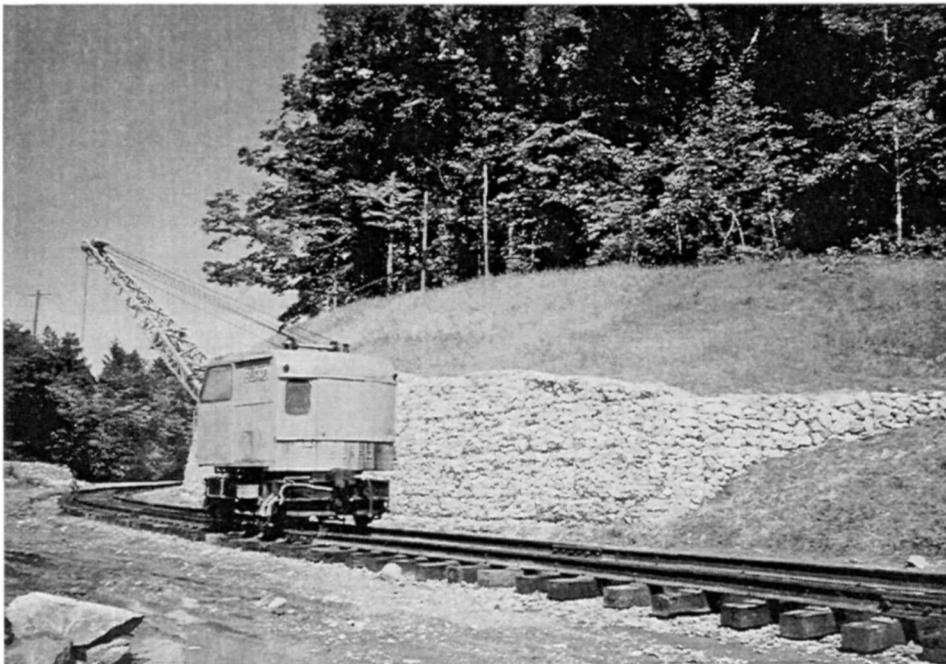
LAND EXCHANGE ISSUES

The following section highlights areas of question or concern raised during the study process. As appropriate, each will be considered during implementation.

Present Site Condition

The 7.5-acre site, particularly the railroad wye area, is in poor condition and requires prompt attention. The railroad wye area is full of railroad-related and miscellaneous debris. Immediate remedy is needed.

Erosion near the excavated slope has been corrected. However, erosion is still a problem along the base of the ridge north of the engine house, which is within the park boundary. This area needs to be addressed or the situation will continue to worsen.



View of west spur and gabion wall, June, 1994.

Site Management and Maintenance

The National Park Service will negotiate with Gettysburg College to ensure that the site is managed and maintained appropriately in perpetuity.

Use of the Site

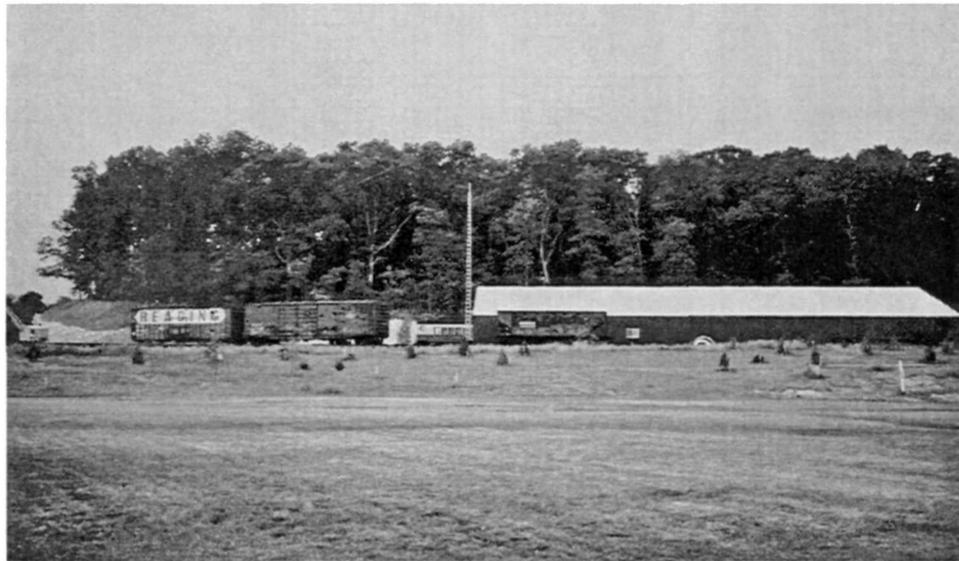
Under present conditions, the property is in private ownership with no public use or access allowed. The Park Service will negotiate with Gettysburg College regarding public access and use opportunities, as appropriate.

West Spur - CSX Connection

The Gettysburg Railroad's west spur has never been connected to the CSX tracks. The required permits from CSX have not been granted. The CSX Corporation has indicated that they will delay any action on the connection until this study process has been completed.

The Future of the 47-Acre Conservation Easement

The 47-acre easement on the college campus will remain in place. There would be no action that would affect the 47 acres that are within the legislated park boundary.



View of engine house and elevated berm that the railroad sits on top of, June, 1994.

Funding

The National Park Service budget does not have funds for implementation. Gettysburg College has committed to enter into a memorandum of understanding (MOU) with the National Park Service to the selected alternative.

Resource Protection

Many of the site's resources have already been destroyed. By enforcing the terms of existing deed or by crafting a new agreement among the Park Service, the college, and the railroad, the remaining historic resources can be protected.

Interpretation

Although the land exchange area is not now a heavily-visited location, that does not preclude its usefulness as an interpretive site of the battle in the future.

Since the land exchange site is now private property, interpretation must occur off site. Some form of public access would facilitate improved interpretive opportunities. At present, interpretation can take place from several nearby locations in the park or from the Gettysburg College campus. If appropriate, the park will examine the feasibility and extent of on-site interpretation.

SELECTED ALTERNATIVE

Alternative #2, *Landscape Mitigation*, was selected from among six alternatives that were outlined in the draft study report, and another alternative that was endorsed by the Gettysburg National Military Park Advisory Commission (see Appendix B).

As stated earlier in this document, the National Park Service determined that although ridge reconstruction may be a desirable solution it was not considered feasible at this time. The implementation of alternative #2 does not preclude the implementation of a more cost-intensive solution in the future.

The cost estimate to implement alternative #2 is between \$274,500 and \$480,200. This estimate is based on a preliminary Class C cost estimate prepared by the National Park Service in August 1994. Most of the implementation will be accomplished by Gettysburg College.

During negotiations between the National Park Service and Gettysburg College there will be a comparison of the scope of work recommended by the Park Service (which the above cost estimate is based on) and the scope of work contained in the landscape plan previously prepared for Gettysburg College. A final decision on the scope of work and the college's funding commitment will be determined at that time.

ALTERNATIVE #2 - LANDSCAPE MITIGATION

Proposed Site Condition

The goal of alternative #2, *Landscape Mitigation*, is to create a landscaped setting at the land exchange site that minimizes the visual impact created by the railroad relocation and ridge excavation. Through extensive plantings, views of the site from locations in the park and the borough would blend with the surrounding woods and open space.

Landscaping would be designed to serve as a buffer and screen to soften the view of the ridge cut, the gabion wall, and railroad structures from locations in the borough and the park. Vegetative buffers would provide year-round screening. An earthwork-berm would be constructed and vegetated in the center of the railroad wye with trees, shrubs and grasses, to help replicate the views of the site seen prior to 1991.

The engine house roof would be treated to take on a darker earth-tone color and lessen its visual impact when viewed against the backdrop of the ridge. The gabion wall would be painted and vegetated to soften its appearance and minimize its visual intrusion on the landscape.

The existing railroad would continue its operation, possibly with the west spur connection to the CSX line.

No acquisition costs would be incurred under alternative #2 and no change to the park boundary would be required.

The National Park Service would enforce the terms and conditions of the existing deed and prepare a memorandum of understanding (MOU) with Gettysburg College regarding implementation of alternative #2, and future management and maintenance of the site.

It is anticipated that the MOU could be finalized within 90 days. Implementation should be completed by the end of 1995.

Resource Considerations

This alternative, from locations in the borough and the park, provides visual relief from the hard engineering qualities of the railroad and facilities. Because the railroad line remains, the historic topography would continue to be compromised. In addition, this alternative introduces nonhistoric vegetation.

The planting of trees and shrubbery on top of the ridge would result in minimal new ground disturbance. However, assuming that no historic features were located by archeological testing, it would require archeological monitoring. Plantings elsewhere on the site would not result in new ground disturbance and would not require an archeological response. Construction of the berm within the wye must be constructed of imported materials, otherwise archeological survey of the on-site source of the material would be required. Landscaping must occur in areas of previous disturbance.

Interpretive Considerations

The addition of nonhistoric vegetation to obscure nonhistoric excavations and development would not offer much improvement to effectively interpret the site and the events that occurred there on July 1-4, 1863. Greater opportunity for interpretation would occur in the future through improved access near, or to the site. Screening and buffers perform an aesthetic service but hinder interpretive views to and from historic sites.

Impacts

The landscape mitigation alternative lessens the visual impact of the developed site from locations in the borough and the park. The berm, the landscaping throughout the site, and the engine house roof treatment help minimize the visual impacts, particularly when viewing the site from beyond the Gettysburg College campus.

This alternative introduces nonhistoric landscape elements to the site. It does not directly address the major problems associated with the land exchange; the landscape features and cultural resources that were adversely impacted by the railroad relocation.

Since no federal funds would be expended available funds can be directed to the highest park priorities.

The continued safety of pedestrians on the Gettysburg College campus relative to the railroad tracks would be assured.

Effective interpretation would be difficult, particularly in the years immediately following implementation. In addition, the nonhistoric landscaping added to the site would hinder the interpretive scene.

APPENDIX A

ALTERNATIVES CONSIDERED AND REJECTED

As discussed previously, alternative #2, *Landscape Mitigation*, is the selected course of action that will be pursued. Other alternatives considered are summarized in the chart on the next page. The recommendation of the Gettysburg National Military Park Advisory Commission (alternative #7) is presented in Appendix B. More detailed information on the other alternatives was presented in the draft *Study of Alternatives/Environmental Assessment*.

The no action alternative (alternative #1) was used as a benchmark for comparison to the other alternatives designed to improve the land exchange site. Given the controversy surrounding the land exchange maintaining the status quo was not a viable option. Alternative #1 was rejected because letting the site remain in the condition that exists today fails to acknowledge the consequences of the damage to Oak Ridge.

As previously discussed, the decision to select *Landscape Mitigation* as the course of action was considered not in isolation, but in the context of all priorities that confront Gettysburg National Military Park. Since the political and budgetary climate of the day could not be ignored, the multi-million dollar options supported by some could not be justified. After carefully considering what the Congress would support as well as what was best for the overall goals of Gettysburg National Military Park, the agency determined that any action more costly than alternative #2 could not be rationalized at this time. Consequently, alternatives #3 through #7 were rejected because in 1995 they are not feasible solutions. The funding required to implement any of these alternatives is not available to the National Park Service.

The Park Service is working actively with the Congress to secure a special appropriation for Gettysburg National Military Park to meet the park's highest priorities for acquisition and resource preservation. Success in this effort will do much to enhance the overall preservation and management of the park.

ALTERNATIVES COMPARISON CHART

Alternative	Title	Scope of Work	Total Cost
1	No Action	No additional work is performed.	zero
2	Landscape Mitigation	Landscaping and site work designed to create a greening of the area and to minimize the view of the gabion wall from locations throughout Gettysburg. A berm is created within the wye formed by the tracks to help screen the wall. The gabion wall is stained to blend with the surrounding area. Trees, shrubs, vines, and grasses are planted around the tracks and on the gabion wall. The engine house roof is painted or replaced to blend in better with the surrounding area. There is no removal or relocation of railroad tracks or facilities.	\$274,500 to \$480,200
3	Partial ridge reconstruction/west spur removal	Major emphasis is on reconstructing as much of the ridge as possible after the western spur is removed. NPS may reacquire all or a portion of the land transferred to Gettysburg College. There is extensive landscaping throughout the site. The engine house roof is either painted or replaced to blend with the surrounding area.	\$2,540,600 to \$3,005,000
4	Complete ridge reconstruction/west spur and engine house removal	This alternative differs from #3 in that it allows for full ridge reconstruction because the engine house as well as the western spur is removed (the engine house may be relocated outside the park). NPS may re-acquire all or a portion of the land transferred to Gettysburg College. There is extensive landscaping throughout the site.	\$3,359,700 to \$3,643,700
5	Complete site reconstruction/railroad facilities relocation	All railroad tracks and facilities are removed and relocated (relocation site is unknown). The ridge and the ground beneath the relocated tracks is completely reconstructed. NPS reacquires land transferred to Gettysburg College. All disturbed land within the 7.5 acres is rehabilitated to its pre-1990 condition, as accurately as possible. There is extensive landscaping throughout the site.	\$3.9 to \$6.3 million (includes real property acquisition costs of \$1 million to \$3 million)
6	Complete site reconstruction/railroad facilities removal	The scope is same as #5, except the railroad is not relocated. As a result, compensation to Gettysburg Railroad on real property acquisition costs is greater.	\$5.9 to \$6.3 million (includes real property acquisition costs up to \$3 million)
7	Advisory Commission recommendation	Alternative #3 would be implemented (with funding sought from private parties deemed responsible for excavation) contingent upon up to \$6.3 million (the cost of alternative #6) provided for park acquisition and preservation projects. If no funds are provided alternative #5 should be implemented.	\$3.9 to \$6.3 million.

APPENDIX B

PUBLIC PARTICIPATION AND COMMENTS

Soliciting the ideas and advice from the public, park advocates and the Civil War community was an important aspect of the entire study process. As discussed on page nine, the public was provided with two opportunities to provide written comments; during the preliminary alternatives development phase (a copy of the September 1994 factsheet/questionnaire was printed in the draft study report) and after release of the draft study report. More than 1500 copies of each were distributed to individuals and organizations on a mailing list that included park and Civil War interests from across the nation as well as those that have written to the National Park Service on land acquisition issues at Gettysburg National Military Park or specifically about the land exchange.

In addition, many articles were written in local, regional and national publications discussing the study and how input could be provided. Meetings with park constituency groups took place last summer, and public meetings were held in September and December 1994, in order to find out the concerns of the public and answer questions on the issues related to the land exchange.

The results from these public involvement opportunities are summarized below. The findings are not presented as being scientifically accurate or statistically valid. Again, the audience that received the mailings included people with a specific interest in Gettysburg National Military Park. What the information does show is that based on the responses received and the comments expressed at the public meetings, there was truly a full range of views on the appropriate course of action that the National Park Service should take, from doing nothing else to completely reconstructing Oak Ridge and the 7.5-acre site. This wide range of expression is consistent with the National Park Service's conclusion that, "this decision (landscape mitigation) is not a perfect solution... [it] represents the most viable solution to a most difficult situation."

Summary of Written Comments on Factsheet/Questionnaire (September 18, 1994)

The purpose of developing the factsheet/questionnaire was to explain early in the study process why and how the study was being conducted, the timeframe for completion, the NPS decision making process, how the public could participate, and to get a general sense from people of what they thought should be done at the land exchange site. Background information and six preliminary alternatives were presented in a four-page mailback document.

Of the 1500 copies mailed or distributed during the week of September 18, 1994, 169 responses were received. This unscientific survey indicated that respondents had a wide range of views on the remedy for the land exchange site.

<u># responses</u>	<u>Alternative # - Proposed course of action</u>
53	1 - No action
24	2 - Landscape mitigation
14	3 - Partial ridge reconstruction/west spur removal
20	4 - Complete ridge reconstruction/west spur and engine house removal
31	5 - Complete ridge reconstruction/railroad relocation
23	6 - Complete ridge reconstruction/railroad removal
4	Commented but offered no preference on the alternatives

A sample of comments received on each alternative:

Alternative #1	No more tax dollars should be spent there The NPS should spend the money to buy the Tower Money should be used to buy more land for the park
Alternative #2	This should be paid for by the College and Railroad Landscaping will improve the site and cost the government the least amount of money Along with landscaping an on-site display should explain the land exchange situation
Alternative #3 and #4	These are fair compromises Although alternative #5 or #6 was appropriate they are too expensive These are an expensive yet realistic way to resolve this
Alternative #5	This is the only way for NPS and Gettysburg College to rectify the mistakes The expenditure of these funds for reconstruction would set an example for the future The park and the college should share the costs
Alternative #6	This is fair retribution for the damage done This is what should be done but realistically it is too expensive

Summary of Public Meeting Comments and Questions (September 28, 1994)

This meeting followed immediately after the factsheet/questionnaire mailing. It provided an opportunity to more thoroughly explain the study process and to answer questions and concerns in a more personal manner. The meeting allowed for the approximately 60 people

in attendance to express their views on all issues related to the land exchange.

After the initial overview presentation by the National Park Service the discussion raised the following issues and comments. Statements in bold were made by members of the audience.

Would the NPS be required to re-acquire the land under options 3 through 6? The Park Service may acquire all or a portion of the land, that has not been determined yet.

Can restoration occur without NPS re-acquisition? Yes, it is possible, but ownership would be likely for alternatives #3 through #6.

Where will the money come from to pay for this? This is uncertain; there are currently no federal funds available.

Will NPS or Gettysburg College pay for it? That has not yet been determined.

Is there any consideration to suing the College? NPS is not looking at the legal aspects of this process, that may come later; it is only trying to determine the best solution. Any decision on legal action would come from the highest levels in the Department of the Interior and the Department of Justice.

There was a lack of information publicizing this meeting beyond Gettysburg. The NPS tried to get the word out to local, regional and Civil War publications. A better effort will be made next time.

Figuring out how to pay for improvements to the site should come before deciding what should be done. The Director of the NPS has asked to provide him with a recommendation on the best solution.

How might funding occur? Money may come from an NPS appropriation, the Director would have to convince the Congress to provide the funding. At the right time the Park Service will sit down with Gettysburg College to discuss the financing.

A reference was made to Congressman Goodling saying that he was satisfied with how things were, and would not support tax dollars being used for this project.

Someone who said they are at the site every day and have never seen a tourist visit or a tour guide take people to the site; no money should be spent.

A guide said people are taken to the site and the reason it does not happen more frequently is because there is a lack of access to it.

Someone mentioned that the College should be sued in order to get the money to pay for restoring the cut.

Is it possible to condemn the land? It is possible but that decision comes way down the road.

Will the College retaliate and build things on the 47 acres? The 47-acre easement will remain with the NPS.

Anything but full restoration hides the problem, other options are not acceptable since NPS said a mistake was made.

What is the cost of the planning study? About \$50,000 to \$70,000.

How will the decision and implementation occur? Once the Director makes a decision, funds will be sought. Implementation may not occur until the next Administration.

Is there a mandate to follow through if a new Administration? Yes, if the dollars are appropriated, otherwise nobody knows what will happen in the future.

What about the possible failure of the gabion wall? The life expectancy is unknown and needs to be researched more.

The public outreach includes the arrogance of the College; NPS should consider a deal with them for \$2 to \$3 million to be used for park purposes. This would benefit the park, mend some wounds, money could be used for good purposes, and the College would show good will. This is a good idea that will be looked at during the study.

How will land be acquired? It could occur through a minor administrative boundary adjustment, or if it is most or all 7.5 acres, through revised boundary legislation. The land could be donated or purchased.

It would be a waste of tax dollars to correct the damage.

Are there plans to open up access, otherwise why spend the dollars? Increased access in the future is a possibility, although none is planned now.

Someone made the point that significance is based on what happened at the site, not how many people visit it.

There was a question on compliance with NEPA and Section 106 since they felt that PHMC did not undertake proper 106 compliance initially, and would the state put some money up since they were partially to blame? Proper compliance was initiated as this study began and the PHMC-SHPO office has been involved in meetings and discussions on the project.

The College stated that they followed proper procedures and support the landscaping alternative. They are willing to proceed with a landscaping plan.

Congressman Synar said partial restoration options are not acceptable, why are they back in the study? The Director has asked for a study that considers all alternatives.

The Gettysburg Battlefield Preservation Association (GBPA) said they pleaded with the College and NPS to stop the excavation, the borough said something wrong was happening; had both sides listened this problem would not have happened. The National Historic Preservation Act, the National Environmental Policy Act, the Boundary legislation were all violated. Four reviews should have occurred prior to action - NPS, PHMC, borough planners, and the public. Land should not have been given away without review.

One option should be to let a court mandate what the appropriate solution is.

The land exchange deal should be rescinded, with the land restored and the College paying for it.

Will all land including the 47 acres be restored? No, only the 7.5 acres, not the easement site.

What conditions are on the 47-acre easement, does it include restoration? Not likely, but this will be researched.

The view from the west used to be just the tracks, now you can see a more open view, including College buildings. Other visual simulations will be done and this will be considered as the study proceeds.

The James Walker painting and the Batchelder notes show the collapse of the 11th Corps.

Summary of Public Meeting Comments and Questions (December 14, 1994)

This meeting was held about two weeks after release of the draft *Study of Alternatives/ Environmental Assessment* and provided the public with the opportunity to ask questions on the draft report and express their views on what decision should be made regarding the future of the land exchange site. Written comments were due by January 6, 1995.

Park Service staff highlighted the major points of the report, the alternatives and the additional visual simulations prepared for the meeting.

The GBPA reported that at their monthly meeting they discussed some glaring deficiencies in the draft, the major ones in the background and history sections. The GBPA made a number of editorial and fact-related comments regarding the timeline of events on the Boundary Study and land exchange that are not specifically detailed here, but that have been incorporated into the final report.

Other GBPA comments related to the number of times financial aspects of implementation were mentioned. The factsheet survey, they pointed out, was not scientific. The comments from the September 28 meeting were not specifically identified in the draft report. The new visual simulations were not an accurate reflection of how the site looked in the past. Congressman Goodling voted yes to ridge restoration on July 1, 1994. These issues have all been addressed in the final report. The Goodling vote, according to an article in the Gettysburg Times, does not specify funds for ridge restoration.

Gettysburg College clarified information on alternative #2. They agreed to pay for the landscaping plan prepared before this study, not necessarily the landscaping called for in alternative #2. The final report reflects that distinction.

Someone concurred with the comments expressed by GBPA.

The taxpayers should not pay for implementation; mistakes were made by the NPS. This study is doing what the Director asked. The Director will not search for blame in the NPS; if we could do this over again this mistake would not happen. Changes that have resulted are the park's reorganization and new NPS land exchange guidelines.

What about legal action? If the legal system is used it will happen at the highest levels within the Department of the Interior and Department of Justice. The job of the Park Service is to protect the resources. Unfortunately, prior to the exchange the right people did not have the right information at the right time.

If GBPA had committed such an act they would be in jail. NPS promoted those involved, the cover up continues. What has been done wrong must be righted. This is the best effort to accomplish that goal.

GBPA does not enjoy this type of activity. What happened here sends a telling message that if this could happen at Gettysburg it could happen anywhere. To do less than full restoration would send a message that deception wins out.

The College cannot document that in 1990 it officially approved the exchange, it did so this past May in a special vote by the Board of Trustees. This shows that it was never legally approved in 1990.

The College should come forward and admit its error. Unless they do we will never reach closure on this matter.

The previous Superintendent should not be blamed. When he came to the park he was told everything on the land exchange was in order.

The geology of the site is significant. When looking at the alternatives try to preserve the geology as much as possible.

The cut is very steep. Sufficient grading will be required to stop the erosion.

The junkyard on the site still is there today. The College should take the initiative to clean it up. The building and maintenance yard could be relocated between Gettysburg and Biglerville.

When the public comment period is over who will be responsible for the decision? The Director will hold a meeting in January to discuss the NPS findings and recommendations.

In the final report include comments, not just votes for each alternative. The final report includes comments. The NPS does not count votes to determine what to do. The information is used just to get a sense of what people are saying and thinking.

The final recommendation does not involve the College, right? The park will meet with the Director to present the findings and discuss the recommendation. The park will meet with the College prior to going to Washington to take any message the College wants the Director to hear. The Director will then have discussions with Congress to deliver the report.

Can the park also meet with GBPA? Yes, the park and GBPA will meet before the Washington visit.

The simulations were done in summer, the appearance will change with the seasons.

The park-side is not shown from any simulation; the corridor looking west to east should be narrowed.

Since the College and the government won't pay for reconstruction the solution is to narrow the corridor.

We know laws were violated. Somebody must take a stand for our children and their children. We must do the right thing. The number one part of the solution is to make sure this never happens again.

Summary of Written Comments on the Draft Report (January 6, 1995)

Fifty-five written comments were received by Gettysburg National Military Park during the five-week public comment period. This was from a distribution of 1500 copies of the report. The responses, though unscientific, are presented below.

<u># responses</u>	<u>Alternative # - Proposed course of action</u>
3	1 - No action
16	2 - Landscape mitigation
12	3 - Partial ridge reconstruction/west spur removal
3	4 - Complete ridge reconstruction/west spur and engine house removal
26*	5 - Complete ridge reconstruction/railroad relocation
	6 - Complete ridge reconstruction/railroad removal
3**	7 - Park Advisory Commission recommendation (see page 39)

* This represents the combination for alternative #5 and #6. Many of the written comments did not distinguish between the two options.

** In addition to the Advisory Commission, the Friends of the National Parks at Gettysburg and Congressman Synar recommended alternative #7.

Gettysburg College in writing and at the public meetings stated its preference for alternative #2.

The GBPA through its statements at the public meetings called for complete ridge reconstruction.

The Pennsylvania Historical and Museum Commission recommended alternative #3 and encouraged the removal and/or relocation of the engine house (see Appendix C).

The Civil War Roundtable Associates urged that 7.5 acres be, "...reacquired by the National Park Service and be restored as closely as possible to its pre-1990 condition... It is only fitting that the College be responsible for restoration..."

The National Parks and Conservation Association endorsed alternative #4. "...it is necessary to reconstruct the landscape as closely as possible to its historic topographic profile... Given the choice between resource protection and remediation, the park's priority should be protection. Ultimately, however, the NPS and the parties involved...should make every effort to reconstruct the landscape..."

RESOLUTION AND RECOMMENDATION
OF THE GETTYSBURG NATIONAL MILITARY PARK
ADVISORY COMMISSION TO THE SECRETARY
OF THE UNITED STATES DEPARTMENT OF THE INTERIOR

WHEREAS the land exchange and resulting excavation of the Oak Ridge railroad cut has raised significant issues relating to the restoration of the site and land protection at the Gettysburg National Military Park; and

WHEREAS the National Park Service has released a study thereon, referred to as the "Gettysburg Land Exchange Study of Alternatives", detailing six (6) alternatives which may be used to restore the site; and

WHEREAS the Gettysburg National Military Park Advisory Commission has studied the excavation and current stabilization of the Oak Ridge railroad cut and the aforesaid six (6) alternatives addressed in the "Gettysburg Land Exchange Study of Alternatives".

NOW, THEREFORE, the Gettysburg National Military Park Advisory Commission, by virtue of its authority set forth in P.L. 101-377, unanimously RESOLVES, and hereby RECOMMENDS to the Secretary of the United States Department of the Interior, the following:

The Gettysburg National Military Park Advisory Commission supports and recommends the implementation of "Alternative Three (3)" (\$2.5 million) in the "Gettysburg Land Exchange Study of Alternatives" contingent only upon an amount of funds equal to complete the total and optimal restoration of the Oak Ridge railroad cut, referenced in "Alternative Six (6)" (\$6.3 million), being dedicated or appropriated to the Gettysburg National Military Park for land acquisition and resource preservation. If this RESOLUTION and RECOMMENDATION of the Gettysburg National

Military Park Advisory Commission is accepted by the Secretary of the United States Department of the Interior, and the funds estimated for "Alternative Six (6)" are dedicated or appropriated to the Gettysburg National Military Park for land acquisition and resource preservation, the Gettysburg National Military Park Advisory Commission strongly RESOLVES and RECOMMENDS that the Secretary of the United States Department of the Interior use all means at his disposal to secure funding for the implementation of "Alternative Three (3)" from those private parties deemed responsible for the excavation by the Secretary so that the maximum amount of the \$6.3 million may be used for land acquisition and resource preservation. Should such funds not be dedicated or appropriated to the Gettysburg National Military Park as resolved and recommended hereinabove, then the Gettysburg National Military Park Advisory Commission RESOLVES and RECOMMENDS to the Secretary of the United States Department of the Interior the implementation of "Alternative Five (5)" in the "Gettysburg Land Exchange Study of Alternatives" for site restoration of the Oak Ridge railroad cut.

Dated: November 3, 1994



Kent Masterson Brown, Chairman

APPENDIX C

SECTION 106 COMPLIANCE



IN REPLY REFER TO

United States Department of the Interior

NATIONAL PARK SERVICE

Mid-Atlantic Region
143 South Third Street
Philadelphia, PA 19106

H30(MAR-PRP)

OCT 26 1994

Brenda Barrett
Director, Bureau for Historic Preservation
Pennsylvania Historical and Museum Commission
P.O. Box 1026
Harrisburg, Pennsylvania 17108

Dear Ms. Barrett:

Under the terms of Stipulation E of the 1990 Programmatic Agreement among the National Park Service, the Advisory Council on Historic Preservation, and the National Conference of State Historic Preservation Officers, the National Park Service is notifying you of a planning activity currently underway at Gettysburg National Military Park. Gettysburg NMP is located in Adams County, Pennsylvania and is listed on the National Register of Historic Places.

The National Park Service is in the process of preparing a planning document entitled "Gettysburg Land Exchange Study of Alternatives/Environmental Assessment." This study will examine alternatives for the possible mitigation of a land exchange that was consummated between Gettysburg NMP and Gettysburg College on September 26, 1990. Under the terms of the exchange Gettysburg College received a 7.5 acre parcel from the National Park Service located along the boundary of the park and college. In return Gettysburg NMP received an easement on 47 acres of the college's property. Within the 7.5 acre parcel was located a portion of Oak Ridge, the site of pivotal battle action between Union and Confederate soldiers on July 1, 1863. Subsequent to the exchange, Gettysburg College undertook a construction project that included the excavation of approximately 4 acres of the parcel, resulting in the removal of a portion of Oak Ridge. In addition, railroad tracks that had been previously located on the college campus were realigned so they are now located on the 7.5 acre parcel. In addition, the College had a gabion wall as well as an engine house constructed on the parcel.

The purpose of this study is to develop alternatives for the possible mitigation of the land exchange, and to examine the feasibility and cost of implementing each of the alternatives. The alternatives will range from "no action," to mitigation, to full restoration or reconstruction. Eventually a "preferred alternative" will be chosen that will be presented to the Director of the National Park Service with a recommendation to implement.

In the coming months you will receive of copies of the draft plan for comment. In the meantime, enclosed is a copy of the Task Directive for the plan. Should you have any questions regarding our planning activities, please contact Dr. John Latschar, Superintendent, Gettysburg NMP at (717) 334-1124. Please continue to direct your Section 106 comments and concerns to this office, Attention: Diann Jacox. Ms. Jacox can be reached at (215) 597-6524.

Thank you for your sustained support and participation in our preservation program.

Sincerely,



for

B. J. Griffin (Ms.)
Regional Director
Mid-Atlantic Region

Enclosure

cc:
Superintendent, Gettysburg NMP



IN REPLY REFER TO

United States Department of the Interior

NATIONAL PARK SERVICE

Mid-Atlantic Region
143 South Third Street
Philadelphia, PA 19106

H30(MAR-PRP)

OCT 26 1994

Robert D. Bush
Executive Director
Advisory Council on Historic Preservation
Old Post Office Building
1100 Pennsylvania Avenue, NW, #809
Washington, DC 20004

Dear Dr. Bush:

Under the terms of Stipulation E of the 1990 Programmatic Agreement among the National Park Service, the Advisory Council on Historic Preservation, and the National Conference of State Historic Preservation Officers, the National Park Service is notifying you of a planning activity currently underway at Gettysburg National Military Park. Gettysburg NMP is located in Adams County, Pennsylvania and is listed on the National Register of Historic Places.

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Your office has been kind enough to attend some of the meetings related to this planning activity, and undoubtedly understand the National Park Service's goal in undertaking this plan. In the coming months you will continue to receive notifications of meetings, as well as copies of draft documents for comment. In the meantime, enclosed is a copy of the Task Directive for the plan. Should you have any questions regarding our planning activities, please contact Dr. John Latschar, Superintendent, Gettysburg NMP at (717) 334-1124. Please continue to direct your Section 106 comments and concerns to this office. Attention: Diann Jacox. Ms. Jacox can be reached at (215) 597-6524.

Thank you for your sustained support and participation in our preservation program at Gettysburg NMP.

Sincerely,



B. J. Griffin (Ms.)
Regional Director
Mid-Atlantic Region

Enclosure

cc:
Superintendent, Gettysburg NMP



United States Department of the Interior

NATIONAL PARK SERVICE

Mid-Atlantic Region
143 South Third Street
Philadelphia, PA 19106

IN REPLY REFER TO:

H30(MAR-PRP)

January 9, 1995

Robert D. Bush
Executive Director
Advisory Council on Historic Preservation
Old Post Office Building
1100 Pennsylvania Avenue, NW, #809
Washington, DC 20004

Dear Dr. Bush:

Several weeks ago a draft copy of the document entitled "Gettysburg College - National Park Service Land Exchange: Study of Alternatives/Environmental Assessment" was forwarded to your office for comment and review under the provisions of Stipulation E of the 1990 Programmatic Agreement. This document, which was developed in partnership with organizations and citizens interested in Gettysburg National Military Park, examines alternatives for the possible mitigation of the September 1990 land exchange between Gettysburg NMP and Gettysburg College.

So as to ensure that the concerns of your office are reflected in the final document, we would very much like to receive your written comments. Enclosed, once again, is a draft of the document, and we request your written comments at your earliest possible convenience, but no later than January 27, 1995.

Should you have any questions regarding our planning activities, please contact Dr. John Latschar, Superintendent, Gettysburg NMP at (717) 334-1124. Please continue to direct your Section 106 comments and concerns to this office, Attention: Diann Jacox. Ms. Jacox can be reached at (215) 597-6524.

Sincerely,

B. J. Griffin (Ms.)
Regional Director

Enclosure

cc:
Superintendent, Gettysburg NMP



United States Department of the Interior

NATIONAL PARK SERVICE

Mid-Atlantic Region
143 South Third Street
Philadelphia, PA 19106

IN REPLY REFER TO:

H30(MAR-PRP)

January 9, 1995

Brenda Barrett
Director, Bureau for Historic Preservation
Pennsylvania Historical and Museum Commission
P.O. Box 1026
Harrisburg, Pennsylvania 17108

Dear Ms. Barrett:

Several weeks ago a draft copy of the document entitled "Gettysburg College - National Park Service Land Exchange: Study of Alternatives/Environmental Assessment" was forwarded to your office for comment and review under the provisions of Stipulation E of the 1990 Programmatic Agreement. This document, which was developed in partnership with organizations and citizens interested in Gettysburg National Military Park, examines alternatives for the possible mitigation of the September 1990 land exchange between Gettysburg NMP and Gettysburg College.

As a member of the Gettysburg NMP Advisory Commission you have actively participated in a number of constituency group meetings, which we very much appreciate. So as to ensure that the concerns of your office are reflected in the final document, we would very much like to receive your written comments. Enclosed, once again, is a draft of the document, and we request your written comments at your earliest possible convenience, but no later than January 27, 1995.

Should you have any questions regarding our planning activities, please contact Dr. John Latschar, Superintendent, Gettysburg NMP at (717) 334-1124. Please continue to direct your Section 106 comments and concerns to this office, Attention: Diann Jacox. Ms. Jacox can be reached at (215) 597-6524.

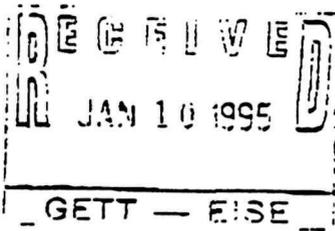
Thank you for your sustained support and participation in our preservation program at Gettysburg NMP.

Sincerely,

B. J. Griffin (Ms.)
Regional Director

Enclosure

cc:
Superintendent, Gettysburg NMP



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA HISTORICAL AND MUSEUM COMMISSION
P. O. Box 1026, HARRISBURG, PENNSYLVANIA 17108-1026

EXECUTIVE DIRECTOR

January 5, 1995

John Latschar
Superintendent
Gettysburg National Military Park
97 Taneytown Road
Gettysburg, PA 17325

RE: ER 95-0557-001-A
Cumberland Township, Adams County
National Park Service: Gettysburg National Military Park
Gettysburg College-National Park Service Land Exchange
Study of Alternative/Environmental Assessment

Dear Mr. Latschar:

The Pennsylvania Historical and Museum Commission has reviewed the six alternatives presented as remedial action for the land exchange between Gettysburg College and the National Park Service. Based upon our review of the alternatives, and the recommendation of the Gettysburg National Military Park Advisory Commission, we support the adoption of Alternative 3; that is, partial ridge reconstruction and removal of the west spur.

Additionally, we encourage the Park Service to consider the removal and/or relocation of the engine house. While this action is not currently proposed under Alternative 3, we would support the expansion of Alternative 3 to include this activity.

If you need further information on our comments, please contact Brenda Barrett, Director of the Bureau for Historic Preservation at (717) 783-8946.

Sincerely,

Brent Glass

APPENDIX D

1990 BOUNDARY LEGISLATION

104 STAT. 464

PUBLIC LAW 101-377—AUG. 17, 1990

Public Law 101-377
101st Congress

An Act

Aug. 17, 1990
[H.R. 3248]

To revise the boundary of Gettysburg National Military Park in the Commonwealth of Pennsylvania, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled.

16 USC 430g-4.

SECTION 1. GETTYSBURG NATIONAL MILITARY PARK BOUNDARY REVISION.

Public information.

(a) **LANDS INCLUDED IN THE PARK.**—In furtherance of the purposes of the Act entitled “An Act to establish a national military park at Gettysburg, Pennsylvania”, approved February 11, 1895 (16 U.S.C. 430g et seq.), the Gettysburg National Military Park (hereafter in this Act referred to as the “park”) shall hereafter comprise the lands and interests in lands within the boundary generally depicted as “Park Boundary” on the map entitled “Gettysburg National Military Park Boundary Map”, numbered NPS 305/80034-B, and dated March 1990, which shall be on file and available for public inspection in the Office of the Director of the National Park Service, Department of the Interior.

(b) **LANDS EXCLUDED FROM THE PARK.**—Lands and interests in lands outside of the boundary so depicted as “Park Boundary” on the map referred to in subsection (a) are hereby excluded from the park and shall be disposed of in accordance with the provisions of section 2(c).

16 USC 430g-5.

SEC. 2. ACQUISITION AND DISPOSAL OF LANDS.

Gifts and property.

(a) **GENERAL AUTHORITY.**—The Secretary is authorized to acquire lands and interests in lands within the park by donation, purchase with donated or appropriated funds, exchange, or otherwise. In acquiring lands and interests in lands under this Act, the Secretary shall acquire the minimum Federal interests necessary to achieve the objectives identified for specific areas and the park.

(b) **AUTHORITY TO CONVEY FREEHOLD AND LEASEHOLD INTERESTS WITHIN PARK.**—The Secretary may convey lands and interests in lands within the park authorized in accordance with subsection (a) of the Act of July 15, 1968 (16 U.S.C. 4601-22), except that, notwithstanding subsection (d) of that section, the net proceeds from any such conveyance may be used, subject to appropriations, to acquire lands and interests within the park.

(c) **CONVEYANCE OF LANDS EXCLUDED FROM PARK.**—(1) The Secretary is authorized, in accordance with applicable existing law, to exchange Federal lands and interests excluded from the park pursuant to section 1(b) for the purpose of acquiring lands within the park boundary.

(2) If any such Federal lands or interests are not exchanged within five years after the date of enactment of this Act, the Secretary may sell any or all such lands or interests to the highest bidder, in accordance with such regulations as the Secretary may prescribe.

but any such conveyance shall be at not less than the fair market value of the land or interest, as determined by the Secretary.

(3) All Federal lands and interests sold or exchanged pursuant to this subsection shall be subject to such terms and conditions as will assure the use of the property in a manner which, in the judgment of the Secretary, will protect the park and the Gettysburg Battlefield Historic District (hereafter in this Act referred to as the "historic district"). Notwithstanding any other provision of law, the net proceeds from any such sale or exchange shall be used, subject to appropriations, to acquire lands and interests within the park.

(d) **RELINQUISHMENT OF LEGISLATIVE JURISDICTION TO PENNSYLVANIA.**—With respect to any lands over which the United States exercises exclusive or concurrent legislative jurisdiction and which are excluded from the park pursuant to section 1(b), the Secretary may relinquish to the State of Pennsylvania such exclusive or concurrent legislative jurisdiction by filing with the Governor a notice of relinquishment to take effect upon acceptance thereof, unless otherwise provided by the laws of the State.

SEC. 3. AGREEMENTS WITH RESPECT TO MONUMENTS AND TABLETS LOCATED OUTSIDE PARK BOUNDARY.

16 USC 430g-6.

The Secretary is authorized to enter into agreements with the owners of property in proximity to but outside the boundary of the park on which historic monuments and tablets commemorating the Battle of Gettysburg have been erected on or before January 1, 1990. The Secretary may make funds available, subject to appropriations, for the maintenance, protection, and interpretation of such monuments and tablets pursuant to such agreements. In addition, within the area depicted as the "Gettysburg Battlefield Historic District" on the map referred to in section 1(a), or in proximity thereto, the Secretary may, with the consent of the owner, acquire, by donation, purchase, or exchange, lands and interests comprising such monuments and tablets together with lands and interests necessary to provide adequate public access thereto.

SEC. 4. CONSERVATION WITHIN GETTYSBURG BATTLEFIELD HISTORIC DISTRICT.

16 USC 430g-7.

(a) **ENCOURAGEMENT OF CONSERVATION.**—The Secretary shall take appropriate action to encourage conservation of the historic district by landowners, local governments, organizations, and businesses.

(b) **PRIORITIZATION OF GRANTS.**—Within the historic district, the Secretary shall give priority in making grants under section 101(d), and in providing technical assistance, information, and advice under section 101(h), of the National Historic Preservation Act (16 U.S.C. 470a(d), (h)) to those programs and activities in the historic district that will assure development and use of natural and cultural resources in a manner that is consistent with the conservation and maintenance of the district's historic character.

(c) **PROVISION OF TECHNICAL ASSISTANCE.**—The Secretary may provide technical assistance to assist local governments in cooperative efforts which complement the values of the park and the historic district and to help landowners prepare individual property plans which meet landowner and conservation objectives in the historic district.

(d) **REIMBURSEMENT OF PLANNING COSTS.**—The Secretary, under such terms and conditions as the Secretary may prescribe and at the request of any local or county government within the historic

district, shall provide matching reimbursements for up to 50 percent of the planning costs incurred by such government in the development of comprehensive plans and land use guidelines which are consistent with conserving the historic character of the historic district. Reimbursements may only be provided under this subsection to the extent or in such amounts as are provided in appropriation Acts.

(e) **ACCEPTANCE OF EASEMENT DONATIONS.**—The Secretary, upon recommendation from the Director of the National Park Service, in consultation with the Advisory Commission established under section 5, is authorized to accept donations of conservation easements on land located within the historic district.

(f) **FEDERAL CONSISTENCY.**—(1) Any Federal or federally assisted activity or undertaking in the historic district, shall be consistent to the maximum extent possible with the purposes of the preservation of the historic district, including its rural, agricultural, and town elements, and shall also comply with the National Historic Preservation Act and other applicable laws.

(2) The head of any Federal agency (hereafter in this subsection referred to as the "agency") having direct or indirect jurisdiction over a proposed Federal or federally assisted undertaking in the historic district, and the head of any Federal agency having authority to license or permit any undertaking in such area, shall at the earliest feasible date prepare a detailed analysis of any proposed action and submit it to the Secretary.

(3) The Secretary shall review the analysis and consult with the agency. If after such review and consultation, the Secretary finds that the proposed action is not consistent with the purposes identified in this subsection, the agency shall not proceed with the action until after a justification for the action has been submitted to the appropriate committees of Congress with adequate time allowed for Congressional comment. Such justification shall include the following elements: the anticipated effects on the historic and commemorative character of the historic district, the social and economic necessity for the proposed action, all possible alternatives to the proposed action, the comparative benefits of proposed alternative actions, and the mitigation measures outlined in the proposed action.

16 USC 430g-8.

SEC. 5. ADVISORY COMMISSION.

(a) **ESTABLISHMENT.**—There is hereby established the Gettysburg National Military Park Advisory Commission (hereafter in this Act referred to as the "Advisory Commission"). The Advisory Commission shall be composed of eleven members, as follows:

(1) One member representing each of the local governments from the four townships surrounding the park and the Borough of Gettysburg, appointed by the Secretary.

(2) One member representing the Adams County, Pennsylvania government, appointed by the Secretary.

(3) One member representing the State Historic Preservation Office of the State of Pennsylvania, appointed by the Secretary.

(4) Two members who are residents of Adams County and who are knowledgeable about the park and its resources, appointed by the Secretary, one of whom shall own land or interests in land within the park boundary.

(5) One member with expertise in local historic preservation, appointed by the Secretary.

(6) The Director of the National Park Service or his designee, *ex officio*.

Members shall be appointed for staggered terms of three years, as designated by the Secretary at the time of the initial appointments. Any member of the Advisory Commission appointed for a definite term may serve after the expiration of his term until his successor is appointed. The Advisory Commission shall designate one of its members as Chairperson. Six members of the Advisory Commission shall constitute a quorum.

(b) **MANAGEMENT AND DEVELOPMENT ISSUES.**—The Secretary, or his designee, shall from time to time, but at least semiannually, meet and consult with the Advisory Commission to coordinate the management of the park and the historic district with local jurisdictions.

(c) **MEETINGS.**—The Advisory Commission shall meet on a regular basis. Notice of meetings and agenda shall be published in local newspapers which have a distribution which generally covers the area affected by the park. Advisory Commission meetings shall be held at locations and in such a manner as to ensure adequate public involvement.

Public
information.

(d) **EXPENSES.**—Members of the Advisory Commission shall serve without compensation as such, but the Secretary may pay expenses reasonably incurred in carrying out their responsibilities under this Act on vouchers signed by the Chairperson.

(e) **CHARTER.**—The provisions of section 14 of the Federal Advisory Committee Act (5 U.S.C. App.) are hereby waived with respect to this Advisory Commission.

SEC. 6. INTERPRETATION.

16 USC 430g-9.

In administering the park, the Secretary shall take such action as is necessary and appropriate to interpret, for the benefit of visitors to the park and the general public, the Battle of Gettysburg in the larger context of the Civil War and American history, including the causes and consequences of the Civil War and including the effects of the war on all the American people.

SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

16 USC 430g-10.

There are authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act.

Approved August 17, 1990.

LEGISLATIVE HISTORY—H.R. 3248 (S. 1594):

HOUSE REPORTS: No. 101-467 (Comm. on Interior and Insular Affairs).

SENATE REPORTS: No. 101-229 accompanying S. 1594 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 136 (1990):

Jan. 24, S. 1594 considered and passed Senate

May 1, H.R. 3248 considered and passed House.

Aug. 3, considered and passed Senate.

SOURCES OF INFORMATION

Boundary Study, Gettysburg National Military Park, 1988.

Statement for Management, Gettysburg National Military Park, 1991.

Land Protection Plan, Gettysburg National Military Park, 1993.

The Road to Richmond, University of California Press, 1959.

Photographs provided by the Gettysburg Battlefield Preservation Association.

PARTICIPANTS IN STUDY MEETINGS FOR PARK CONSTITUENCY GROUPS

August 23, 1994 Meeting

Fred Herling	National Park Service, Mid-Atlantic Regional Office
Dr. Walter L. Powell	Gettysburg Battlefield Preservation Association
Elwood W. Christ	Association of Licensed Battlefield Guides
Jerry Bennett	GNMP Advisory Commission
Pete Tartline	Congressman Bill Goodling, US House of Representatives
Jean E. Simpson	Gettysburg Borough
Bill Walker	Gettysburg College
John McAndrew	Gettysburg College
Edwin Root	Civil War Round Table of Eastern PA, Inc.
Sally Rodgers	Gettysburg Battlefield Preservation Association
Dean S. Thomas	Gettysburg Battlefield Preservation Association
Gerald L. Kirwan	National Park Service, Mid-Atlantic Regional Office
Vickie Greenlee	Friends of the National Parks at Gettysburg
Harris W. Sacks	President, Gettysburg Civil War Round Table
Kathleen G. Harrison	National Park Service, Gettysburg National Military Park
Jim Roach	National Park Service, Gettysburg National Military Park
Kent Schwarzkopf	National Park Service, Gettysburg National Military Park
Katie Lawhon	National Park Service, Gettysburg National Military Park
Brenda Barrett	Pennsylvania Historical & Museum Commission
John Latschar	National Park Service, Gettysburg National Military Park
Sean Kirkendall	Senator Spector's Office, United States Senate
Tom Bowman	Senator Spector's Office, United States Senate
Buena Carwithen	National Park Service, Gettysburg National Military Park

September 28, 1994 Meeting

Fred Herling	National Park Service, Mid-Atlantic Regional Office
Dr. Walter L. Powell	Gettysburg Battlefield Preservation Association
Jerry Bennett	GNMP Advisory Commission
Pete Tartline	Congressman Bill Goodling, US House of Representatives
Francis Linn	Gettysburg Borough
Bill Walker	Gettysburg College
John McAndrew	Gettysburg College
Sally Rodgers	Gettysburg Battlefield Preservation Association
William Frassanito	Gettysburg Battlefield Preservation Association
Kathleen G. Harrison	National Park Service, Gettysburg National Military Park
Jim Roach	National Park Service, Gettysburg National Military Park
Kent Schwarzkopf	National Park Service, Gettysburg National Military Park
Katie Lawhon	National Park Service, Gettysburg National Military Park
Brenda Barrett	Pennsylvania Historical & Museum Commission
John Latschar	National Park Service, Gettysburg National Military Park
Tom Bowman	Senator Spector's Office, United States Senate
Dean Thomas	Gettysburg Battlefield Preservation Association
Mac Heebner	National Park Service, Gettysburg National Military Park

NPS STUDY PARTICIPANTS

This document was prepared by the National Park Service, Mid-Atlantic Regional Office, Division of Park and Resource Planning, together with Gettysburg National Military Park. The Denver Service Center assisted in the feasibility analysis and visual simulations.

We would like to acknowledge the valuable information and insight offered throughout the study by the many individuals and organizations that participated in the meetings and submitted comments.

Gettysburg National Military Park

Dr. John Latschar, Superintendent
Katie Lawhon, Public Affairs Officer
Kathy Harrison, Chief Historian
Dave Dreier, Chief of Maintenance

Mid-Atlantic Regional Office

Marie Rust, Regional Director
B. J. Griffin, former Regional Director
Kate Stevenson, former Associate Regional Director, Planning and Resource Preservation
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As the nation's principal conservation agency, the Department of the Interior has responsibility for most of our nationally owned public lands and natural and cultural resources. This includes fostering wise use of our land and water resources, protecting our fish and wildlife, preserving the environmental and cultural values of our national parks and historical places, and providing for the enjoyment of life through outdoor recreation. The department assesses our energy and mineral resources and works to ensure that their development is in the best interests of all our people. The department also promotes the goals of the Take Pride in America campaign by encouraging stewardship and citizen responsibility for the public lands and promoting citizen participation in their care. The department also has a major responsibility for American Indian reservation communities and for people who live in island territories under U.S. administration.

