



## FINDING OF NO SIGNIFICANT IMPACTS

### Antietam National Battlefield Sharpsburg, Maryland

The National Park Service (NPS) prepared an Environmental Assessment (EA) to analyze the potential impacts of the proposed Visitor Access and Circulation Plan (the Plan) for Antietam National Battlefield (the Battlefield). The Plan is needed to improve visitor access to, and circulation within, the Battlefield to enhance visitor experiences and increase opportunities to connect with Battlefield resources. The Plan also serves to amend the Battlefield's 1992 General Management Plan (GMP) as it pertains to visitor circulation, the visitor center, Battlefield tour roads, and tour stops.

The EA was prepared in accordance with the National Environmental Policy Act of 1969 (NEPA), the regulations of the Council on Environmental Quality (CEQ) for implementing NEPA (40 Code of Federal Regulations [CFR] 1500-1508), and NPS Director's Order (DO) 12, Conservation Planning, Environmental Impact Analysis, and Decision-making. The statements and conclusions reached in this finding of no significant impact (FONSI) are based on documentation and analysis provided in the EA and associated decision file. To the extent necessary, relevant sections of the EA are incorporated by reference below.

#### **SELECTED ALTERNATIVE**

Based on the analysis presented in the EA, the NPS selected Alternative B: Proposed Action Alternative (page 19 of EA) for implementation. The Plan will improve visitor access to, and circulation within, the Battlefield in order to enhance visitor experience and increase opportunities to connect with Battlefield resources. The Plan will reposition and reconfigure certain tour stops to improve accessibility and interpretation and develop a comprehensive trail system that enhances understanding of the Battlefield and its legacy. This plan would also serve as an amendment to 1992 Antietam National Battlefield GMP. The GMP originally called for the removal of the visitor center as well as Starke Avenue, Cornfield Avenue, the surviving remnant of Confederate Avenue, and the section of Richardson Avenue paralleling Bloody Lane. In recognition of the historic significance and functional importance of these facilities, the Battlefield will retain the visitor center and existing road alignments, which necessitates amending the 1992 GMP.

The selected alternative will improve three tour stop locations to enhance visitor interpretive opportunities. At East Woods (tour stop 3), the existing pull-off located on the north side of Cornfield Avenue will remain in place for visitor use, and a new tour stop will be constructed a short distance to the north in the East Woods, on the west side of Smoketown Road. The new stop will create a more immersive Battlefield experience for visitors and provide a visual connection to the Mansfield Monument, enhancing interpretive opportunities at the East Woods. The Mumma Farm (tour stop 6) will be relocated from its current location at the Mumma cemetery closer to the Mumma farmstead buildings to improve access to this site. The Cornfield (tour stop 4), which offers 360-degree views of the Miller Pasture will be expanded to include an interpretive plaza and additional parking. The tour stop infrastructure (e.g., curb cuts, sidewalks, and vehicular parking) will be designed to be Universal accessible and compliant with the Architectural Barriers Act Accessibility Standards (ABAAS). In addition, to create a consistent visitor experience, any improvements to address universal access or relocation of tour stops will be designed in a similar size, scale, and mass as existing tour stops found on the Battlefield interpretive tour route. More detailed descriptions of the proposed changes are provide on page 20 of the EA.

Under the Plan, a comprehensive trail system will be developed to realign existing trails and add new trails to create a variety of visitor opportunities for exploring the Battlefield and its natural environment. Building on approximately 13.0 miles of existing trails, an additional 6.0 miles of new trails will be constructed, while 2.6 miles of existing trails will be removed and rehabilitated to reflect the existing landscape. The additional trails will be designed to have a similar look and feel as existing Battlefield trails, ranging in width from 18 inches to 24 inches and following sustainable trail construction guidelines. Additional mowed pathways will not involve ground disturbance. The construction of maintained dirt trails will involve vegetation clearance and minimal ground disturbance as required by the terrain. The comprehensive trail system, outlined in the selected alternative, will create an additional 5.6 miles of mowed pathways and 0.4 mile of maintained dirt trails, with no new gravel or paved trails. This comprehensive trail system will include both a perimeter trail as well as a series of shorter battle action looping trails.

Comprised of existing trails and additional new trail segments, an 11-mile perimeter trail will allow visitors to hike the entire circumference of the Battlefield, starting and ending at the Battlefield visitor center. One segment of the perimeter trail will cross over the modern Boonsboro Pike (State Route 34) at the same location used by visitors to the National Cemetery. Another segment of the perimeter trail will use the Rodman Avenue bridge crossing over the modern Burnside Bridge Road. This bridge also forms part of the Battlefield's interpretive tour route and special consideration will be given to appropriate signage and guardrail height to ensure pedestrian safety, while minimizing impacts to the character-defining features of this historic Mission 66-era bridge. Stairs will also be installed on the slope near the Otto farmstead as part of the perimeter trail and will provide a connection to the Final Attack Trail on the southern half of the Battlefield. The stairs will be screened by vegetation and located so that they will not be visible from the Otto farmstead landscape.

The development of battle action looping trails will provide shorter immersive experiences at key tour stops throughout the Battlefield. These shorter battle action looping trails focus on specific locations where significant events of the battle unfolded and will give visitors a range of options to get out of their vehicle to explore and contemplate the key moments of the battle.

Adjacent to the Battlefield visitor center, the 0.25-mile Antietam Remembered walking trail loop will be modified to meet ABAAS for width, materials, and slope to allow universal access. This will also apply to the paved walkway leading to the entrance of Dunker Church, which currently does not meet the width and slope requirements for ABAAS. Where possible, the proposed Battle Action looping trails will be designed to be universally accessible, to be determined on a case-by-case basis depending on the terrain and slope conditions of these locations.

## **RATIONAL FOR DECISION**

The NPS selected Alternative B: Proposed Action Alternative for implementation because it best supports the Battlefield's purpose, which is to preserve, protect, restore, and interpret resources associated with the Battle of Antietam and its legacy, as stated on page 1 of the EA, and it provides opportunities for visitors to understand and appreciate the significance of the battle. The NPS determined that Alternative B: Proposed Action Alternative best meets the purpose and need of the Visitor Access and Circulation Plan, as it provides opportunities that promote public access to and understanding of the Battlefield, while continuing to provide resource protection and management and minimizing adverse impacts on Battlefield resources.

## **MITIGATION MEASURES**

The selected alternative incorporates the mitigation measures listed in Appendix A of this document.

## **FINDING OF NO SIGNIFICANT IMPACTS**

As documented in the EA (see pages 31-52 in the EA), the selected alternative will result in direct beneficial impacts on visitor use and experience as a result of the increased trail opportunities and enhanced connectivity, improved ABAAS at multiple tour stops, and increased interpretation and opportunities for immersive experiences throughout the Battlefield for visitors of all abilities.

The Plan may have the potential to affect historic properties and/or their contributing features, because each element will be implemented in strict accordance with the Plan and the guidance set forth by the Secretary of the Interior's Standards for the Treatment of Historic Properties, and in close consultation with the Maryland Historical Trust – state historic preservation officer (SHPO), these potential impacts will be avoided or minimized. As a result, the NPS has determined that the overall implementation of the Plan will have no adverse effect on historic properties conditioned on the fact that, as laid out in the 2008 NPS programmatic agreement, each element of the Plan as it is implemented will undergo consultation. In May 2018, as part of Section 106 of the National Historical Preservation Act, the SHPO concurred with the NPS' determination. As funding becomes available to implement the Plan, each project may be subject to additional section 106 consultation with the Maryland SHPO, as needed, understanding that some projects may be undertaken as outlined in the NPS nationwide 2008 programmatic agreement.

**CONCLUSION**

As described above, the selected alternative does not constitute an action meeting the criteria that normally requires preparation of an environmental impact statement (EIS). The selected alternative will not have a significant effect on the human environment in accordance with Section 102(2)(c) of NEPA.

Recommended: Susan Trail June 27, 2018  
Date  
Susan Trail  
Superintendent  
Antietam National Battlefield  
National Capital Region

Approved: Lisa A Mendelson-Ielmini June 29, 2018  
Date  
Lisa A. Mendelson-Ielmini  
Acting Regional Director  
National Capital Region

Documents appended to the FONSI include:

- Appendix A: Mitigation Measures;
- Appendix B: Non-impairment Determination;
- Appendix C: Response to Public Comments;
- Appendix D: Errata Indicating any Text Changes to EA; and
- Appendix E: Section 106 Coordination Letter

## **APPENDIX A: MITIGATION MEASURES**

### **Cultural Resources**

- Before any ground-disturbing action by the National Park Service, a phase I archeological investigation of the areas planned for construction or other ground-disturbing development would be conducted in compliance with Archaeological Resources Protection Act of 1979, as amended (ARPA) and National Historic Preservation Act. The survey would determine the presence or absence of archeological deposits in the footprint of disturbance. Any National Register of Historic Places (NRHP)-eligible archeological resources discovered would be evaluated for effect before construction and in consultation with the Maryland Historical Trust. The National Park Service would avoid adverse effects to NRHP-eligible archeological resources discovered during pre-construction survey by changing or shifting activities or by sensitively designing those activities.
- If previously unknown archeological resources were discovered during subsurface ground-disturbing activities, the National Park Service would suspend operations at the site and immediately contact the appropriate qualified cultural resource professional, who would arrange for a determination of eligibility in consultation with the Maryland Historical Trust and, if necessary, would develop a recovery plan.
- In the unlikely event that human remains, funerary objects, or objects of cultural patrimony are discovered during construction activities, applicable provisions of the Native American Graves Protection and Repatriation Act of 1990 (Public Law 101-601) and its implementing regulations would continue to be followed.
- Cultural landscape inventories and cultural landscape reports would be completed as necessary to inform any alterations to cultural landscapes that may impact contributing features.

### **Visitor Use and Experience**

- Mitigation measures would be implemented to reduce adverse effects of construction activities on visitor use and experience. These measures may include, but are not limited to, phasing construction, temporary closures, noise abatement, visual screening, providing information on the purpose and need for construction to visitors, and directional signage to help visitors avoid construction activities.

## APPENDIX B: NON-IMPAIRMENT DETERMINATION

NPS Management Policies 2006 require an analysis of potential effects to determine whether or not actions would impair park resources. Section 1.7, explains the prohibition on impairment of park resources and values: "While Congress has given the Service the management discretion to allow impacts within parks, that discretion is limited by the statutory requirement (generally enforceable by the federal courts) that the Park Service must leave park resources and values unimpaired unless a particular law directly and specifically provides otherwise. This, the cornerstone of the Organic Act, establishes the primary responsibility of the National Park Service. It ensures that park resources and values will continue to exist in a condition that will allow the American people to have present and future opportunities for enjoyment of them."

According to *NPS Management Policies, 2006*, Section 1.4.5, *What Constitutes Impairment of Park Resources and Values*, impairment is "an impact that, in the professional judgment of the responsible National Park Service Manager, would harm the integrity of park resources or values, including the opportunities that otherwise would be present for the enjoyment of those resources or values." It also states that an impact to any park resource or value may, but does not necessarily, constitute impairment. An impact would be more likely to constitute impairment to the extent that it affects a resource or value whose conservation is:

- necessary to fulfill specific purposes identified in the park's establishing legislation;
- key to the natural or cultural integrity of the park or to opportunities for enjoyment of the park; or
- identified in the park's management plan or other relevant NPS planning documents as being of significance.

An impact would be less likely to constitute an impairment if it is an unavoidable result of an action necessary to preserve or restore the integrity of park resources or values and it cannot be further mitigated.

Per section 1.4.6 of *Management Policies 2006*, park resources and values that may be impaired include:

- The park's scenery, natural and historic objects, and wildlife, and the processes and conditions that sustain them, including, to the extent present in the park: the ecological, biological, and physical processes that created the park and continue to act upon it; scenic features; natural visibility, both in daytime and at night; natural landscapes; natural soundscapes and smells; water and air resources; soils; geological resources; paleontological resources; archeological resources; cultural landscapes; ethnographic resources; historic and prehistoric sites, structures, and objects; museum collections; and native plants and animals;
- appropriate opportunities to experience enjoyment of the above resources, to the extent that can be done without impairing them;
- the park's role in contributing to the national dignity, the high public value and integrity, and the superlative environmental quality of the national park system, and the benefit and inspiration provided to the American people by the national park system; and
- any additional attributes encompassed by the specific values and purposes for which the park was established.

Section 1.4.7 of *Management Policies 2006* states, "in making a determination of whether there would be an impairment, an NPS decision maker must use his or her professional judgment. This means that the decision-maker must consider any environmental assessments (EAs) or environmental impact statements (EISs) required by the National Environmental Policy Act of 1969 (NEPA); consultations required under Section 106 of the National Historic Preservation Act (NHPA); relevant scientific and scholarly studies; advice or insights offered by subject matter experts and others who have

relevant knowledge or experience; and the results of civic engagement and public involvement activities relating to the decision.

NPS Management Policies 2006 further define "professional judgment" as "a decision or opinion that is shaped by study and analysis and full consideration of all the relevant facts, and that takes into account the decision maker's education, training, and experience; advice or insights offered by subject matter experts and others who have relevant knowledge and experience; good science and scholarship; and, whenever appropriate, the results of civic engagement and public involvement activities relating to the decision."

This determination on impairment has been prepared for Alternative B: Proposed Action Alternative (Selected Alternative) described in Chapter 2 of the Antietam National Battlefield Visitor Access and Circulation Plan EA. Impairment findings are not necessary for visitor use and experience because impairment findings relate back to park resources and values, and these impact areas are not generally considered to be park resources or values according to the Organic Act, and cannot be impaired in the same way that an action can impair park resources and values. An impairment determination is made for all other resource impact topics analyzed for the preferred alternative.

### **Historic Structures**

One historic structure, the Battlefield visitor center, has the potential to be impacted by the actions proposed in the Selected Alternative. Opened in 1963, the visitor center is eligible for listing in the National Register of Historic Places for its contributions to the use of modern architecture during the NPS "Mission 66" initiative. Although there are many other historic structures at the Battlefield, these structures would not be impacted by the Selected Alternative. Also, for the purpose of this environmental assessment, the historic Battlefield tour roads and associated bridges are described and analyzed under the cultural landscapes resource topic.

The Selected Alternative formalizes the decision to retain the visitor center. Because no actions would be taken, there would have no impacts to historic structures. Therefore, there will be no impairment to resources related to historic structures because no adverse impacts to those resources would occur from implementation of the Selected Alternative.

### **Cultural Landscapes**

The implementation of the Plan has the potential to result in indirect and direct adverse effects to Cultural landscapes caused by the addition of new trail segments and small-scale visitor infrastructure along the Battlefield tour road. Cultural landscapes potential effected by the Selected Alternative (see Selected Alternative description) are the 1862 Battlefield landscape, Antietam National Cemetery, the commemorative landscape (all three defined by the 2013 Antietam National Battlefield Foundation Document), and the Mission 66 landscape (defined in a 2017 NRHP nomination update). Such impacts would be localized in the immediate environment of the new trails. The new trails segments would not alter the significant character-defining features of the landscape, such as topographic features, fence lines, planted fields, historic paths, or small features. Approaches to trail design and use would minimize potential adverse effects to the historical integrity of the cultural landscapes where the new trails are added.

The Selected Alternative would also have a beneficial impact from the removal of some trail segments and the subsequent restoration of the 1862 Battlefield landscape in those locations. Therefore, there will be no impairment to the Battlefield's resources related to cultural landscapes because no major, long-term, adverse effects to those resources would occur from implementation of the Selected Alternative.

## APPENDIX C: RESPONSE TO PUBLIC COMMENTS

The Antietam National Battlefield Visitor Use and Access Plan Environmental Assessment was released for public review on April 23, 2018, and was available via the park's Planning, Environment, and Public Comment (PEPC) website (<http://parkplanning.nps.gov/ANTICirculationPlan>). An open public comment period was held from April 23, 2018 through May 23, 2018. During the comment period, a total of nine comments were received on the Environmental Assessment (EA) and 47 comments were received on the Assessment of Effect (AOE) report. Public comments provided the AOE report that were relevant to the EA were consolidated and analyzed together. The response to public comments table, below, reflects comments received on both the AOE and EA.

According to NPS policy, substantive comments are those that 1) question the accuracy of the information in the EA, 2) question the adequacy of the environmental analysis, 3) present reasonable alternatives that were not presented in the EA, or 4) cause changes or revisions in the proposal. The discussion below includes concern statements expressed in the comments and topical responses to those concerns. Changes made to the EA based on these comments are included in an errata list following the summary of comments and responses.

Topic	Concern Statements	Response
Support for Alternative B: NPS Preferred Alternative	Three commenters expressed support for alternative B's proposed actions, while stressing the importance of minimizing improvements or changes to the landscape so that the visitor experience qualities of peace and solitude are preserved.	Comments noted.
Alternative B: Equestrian use	Many commenters suggested the park increase the number and mileage of trails that would allow equestrian trails. Specifically, commenters suggested the proposed perimeter trail be multiple use including equestrian riders. Some commenters also suggested changes to support horse trailer parking.	The Battlefield Compendium states that horseback riding is limited to groups of 5 or less and is allowed on Battlefield tour road shoulders and the Final Attack Trail. Any group larger than 5 horses needs a Special Use Permit. In the 1992 GMP, the park stated that equestrian use would be allowed under special use permit because of safety concerns (conflicts with pedestrians, farm equipment, etc.) and potential damage to resources. After receiving comments on this statement during the development of the 1992 GMP, the park response stated that the safety concern is real and the purpose of the park is to preserve, protect, restore, and interpret for the benefit of the public the resources associated with the Battle of Antietam and its legacy. The Battlefield permits equestrian use on Battlefield tour road shoulders and the Final Attack Trail on a limited basis



Topic	Concern Statements	Response
		and considers these locations to be the trail system opportunities that are appropriate for equestrian use. The park also noted within the body of the 1992 GMP that horseback riding is regulated, not prohibited.
Alternative B: Improve interpretation and wayfinding through technology	One commenter suggested ways to better engage visitors, including children, such as embracing technology for the park's on-site interpretation, and by offering alternatives to walking the length of the entire Battlefield, such as using GPS-enabled golf carts or a trolley system to transport visitors.	<p>Suggestions for adapting technology to interpretive methods and tools to improve and enhance the Battlefield's interpretation are noted and will be considered during future updates to its interpretive program.</p> <p>While motorized vehicles are permitted on the paved roadways and tour stops throughout the Battlefield, most of trails are reserved for pedestrian access only to preserve and maintain the Battlefield's fundamental value of solemnity and commemoration. Therefore, the Battlefield offers appropriate recreational opportunities that support that value. Additionally, the Battlefield's trails are narrow to minimize their visual and physical impact on the Battlefield's many historic landscapes. These narrow trails would not be able to physically accommodate vehicles without negative impacts to resources and visitor experiences overall. These are just some of the reasons that motorized vehicles are not permitted on the hiking trails.</p>
Alternative B: Tour stops	Reconsider adding a new tour stop west of Route 65 and near the Newcomer House to interpret significant battle events that happened in those areas.	Placement of a tour stop on the Alfred Poffenberger farmstead on the west side of Sharpsburg Pike (State Route 65) was evaluated but dismissed due to visitor safety concerns, vehicular speeds, and potential impacts to Battlefield resources (see page 30 of the plan). In the future, if additional lands within the legislated boundary are added to the Battlefield then a more suitable location for access to the west side of the Battlefield may be identified and considered.

Topic	Concern Statements	Response
		<p>The NPS encourages visitors to stop at other historic sites on the Battlefield outside of the tour stops, including the Newcomer House, where additional interpretation is offered.</p>
<p>Alternative B: Trail removal – Bloody Lane</p>	<p>Two commenters oppose Alternative B’s proposed removal of the trail segment that connects the Visitor Center to the Roulette Farm with the Confederate position on Bloody Lane because walking this trail evokes key events of the 1862 battle in this area. Likewise another comment opposed the removal of other segments of the Bloody lane trail.</p>	<p>Approximately 1,800 linear feet of the existing Bloody Lane Trail would be removed and restored to reflect the existing landscape, and would be replaced with a reconfigured trail to allow visitors to walk the Confederate position along Bloody Lane and then loop around to explore the advancing Union line. Rerouting this trail, which would involve removing this segment, will ultimately enhance the experience of the Battlefield landscape by allowing this portion to be managed as a meadow that would reflect an open field appearance similar to the time of the battle, while allowing for more public access to explore the Union approach.</p>
<p>Alternative B: Trail removal – West Woods Trail</p>	<p>One commenter opposes Alternative B’s proposed removal of the section of the West Woods Trail to Starke Avenue because this area of the battlefield receives less attention and this change would result in fewer visitors to it. The commenter asked whether the West Woods trail would be located along the ravine where a Battle counterattack occurred.</p>	<p>Approximately 3,300 linear feet of West Woods Trail would be removed and replaces with a circular trail that allows visitors to explore the West Woods area of the Battlefield. Rerouting this trail, which will involve removing certain segments, would ultimately enhance the experience of the Battlefield landscape by restoring this portion of the West Woods to appear closer to its 1862 appearance. The exact route of the reconfigured West Woods Trail has not yet been determined and we will take this comment in account when we do so.</p>
<p>Alternative B: Trail removal – Cornfield Trail</p>	<p>A number of commenters oppose removal of the Cornfield trail due to the ability to understand Battle positions that this trail affords as well as the ability to follow in the footsteps of soldiers who fought and died in this location.</p>	<p>Approximately 1,170 linear feet of the existing trail that bisects the Cornfield would be removed, allowing the field’s restoration to its historically significant appearance. This restoration effort to return the Cornfield landscape closer to its 1862 appearance would ultimately</p>

Topic	Concern Statements	Response
		benefit the visitor experience.
Visitor Center – Removal	A few commenters expressed a preference to remove post-1862 “modern” cultural resources in an effort to restore the Battlefield’s 1862 appearance, citing Gettysburg National Battlefield as a precedent for this approach.	Many cultural resources that have been built or added to the Battlefield since the 1862 Battle of Antietam, such as historic structures, monuments, memorials, and landscape features, have been determined to have historical significance in their own right and are listed or determined eligible to be listed in the National Register of Historic Places. They also contribute to the overall historical significance of the Battlefield and reflect significance stages of its evolution over time. As such, these resources are retained in Alternative B to be managed as cultural resources at Antietam National Battlefield in accordance with National Historic Preservation Act and NPS policy.
Visitor Center - Retain	One commenter noted that the visitor center and its location works well, and supports alternative B’s retention of the building, but that the interior exhibits need updating.	Comment noted. Updating the interior of the Visitor Center, including its exhibits, is outside of the scope of this plan and will be addressed in a separate, future planning effort.
Adjacent lands	One commenter noted that various preservation easements that preserve the Battlefield’s viewsheds exist on lands surrounding the Battlefield’s boundary.	Comment noted.
Support for Alternative A: No Action	Two commenters stated that the Battlefield works well as-is and requests that no actions to expand be taken.	Comment noted. However, the no action alternative does not improve upon the planning issues and concerns noted in Chapter 1 and addressed by Alternative B.
Actions Considered but Dismissed	Commenters noted the need to address/improve Tour Stop 10: Final Attack.	Because of the narrow corridor along Branch Avenue and the sloping landscape, as well as the need for tour stop 10 to provide a key vantage point for viewing the Battlefield landscape, no preferred location for this tour stop could be identified at this time. Land acquisitions in the future may provide an opportunity to revisit the location of this tour stop.

Topic	Concern Statements	Response
<p>Actions Considered but Dismissed</p>	<p>Commenters noted the need to provide access to the Alfred Poffenberger farmstead.</p>	<p>Sharpsburg Pike (State Route 65) and vehicle speeds present a significant barrier to providing safe access to this location. A number of alternatives were considered for improving access to these properties, including the development of an off-street parking area and at-grade pedestrian crossing over Sharpsburg Pike (State Route 65), a pedestrian bridge, or even a tunnel under the road. None of the options were considered feasible given visitor safety concerns, vehicular speeds, and potential impacts to Battlefield resources. Land acquisitions in the future may provide an opportunity to revisit this issue.</p>

## APPENDIX D: ERRATA TO THE EA

The following changes have been made to the Antietam National Battlefield Visitor Access and Circulation Plan Environmental Assessment (March 2018) Finding of No Significant Impacts (FONSI) to correct minor statements of facts and update information. Additions to the text are identified by underlines and deletions are marked by strikeout unless otherwise noted.

### **Cultural Landscapes, Impacts of Alternative B: Proposed Action Alternative, Page 40**

- Of these, ~~4.8~~ 5.6 miles of trail would consist of mowed pathways and ~~4.0~~ 0.4 miles would be a maintained dirt trail.
- The addition of ~~4.8~~ 5.6 miles of mowed pathways would be visible up close but not detectable outside the trail's immediate environment, thus minimizing the impact to the vegetation patterns associated with the cultural landscapes in which they would be added.
- For the ~~1.0~~ 0.4 mile of new dirt trails, careful design would minimize the physical and visual impacts of the introduction of these trails on cultural landscapes.

### **Description of Alternatives, Alternative A: No Action, Trail System, Page 16**

- ~~Horse use would continue to be allowed by permit on the tour roads. Horses would also continue to be permitted on the Final Attack Trail on a limited basis. Equestrian use would continue to be allowed as stated in the Battlefield Compendium. Horseback riding is limited to groups of 5 or less and is allowed on Battlefield tour road shoulders and the Final Attack Trail. Any group larger than 5 horses needs a Special Use Permit.~~

### **Alternative B: Proposed Action Alternative (NPS Preferred Alternative), Table 3. Alternative B: Enhancements Under the Proposed Action, West Woods Trail, Page 24**

- Approximately 2,400 linear ft of mowed path trail would be developed, while approximately ~~5,200~~ 3,300 linear ft of trail would be removed.

### **Appendix D: Capacity Determination for Antietam National Battlefield, Step 1: Determine the Analysis Area, Page 66**

- ~~Equestrian use will continue to be allowed on the Final Attack Trail, along the tour road, and also by permit for groups over 10 riders. Equestrian use will continue to be allowed as stated in the Battlefield Compendium. Horseback riding is limited to groups of 5 or less and is allowed on Battlefield tour road shoulders and the Final Attack Trail. Any group larger than 5 horses needs a Special Use Permit.~~

**APPENDIX E: SECTION 106 COORDINATION LETTERS**



Larry Hogan, Governor  
Boyd Rutherford, Lt. Governor

Wendi W. Pelers, Secretary  
Ewing McDowell, Deputy Secretary

January 20, 2017

Susan Trail, Superintendent  
Antietam National Battlefield  
National Park Service  
P.O. Box 158  
Sharpsburg, Maryland 21782-0158

Re: Area of Potential Effect for Visitor Access and Circulation Plan  
Antietam National Battlefield, Washington County, Maryland

Dear Superintendent Trail:

Thank you for your recent letter, dated January 6, 2017, regarding the above-referenced project. The Maryland Historical Trust (Trust), Maryland's State Historic Preservation Office, is reviewing the proposed undertaking to assess its effects on historic properties, pursuant to Section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended. We offer the following comments.

The Trust concurs with the Area of Potential Effect (APE) proposed in your letter. The APE, encompassing the area defined by the legislated park boundary, will contain all direct and indirect effects to historic properties.

We look forward to ongoing consultation with NPS regarding the development of the visitor access and circulation plan and environmental assessment. If you have questions or require further assistance, please contact me (regarding archeology) 410-514-7631 / [beth.cole@maryland.gov](mailto:beth.cole@maryland.gov) or Natalie Loukianoff (regarding historic structures and landscapes) at 410-514-7636 / [natalie.loukianoff@maryland.gov](mailto:natalie.loukianoff@maryland.gov). Thank you for providing us this opportunity to comment.

Sincerely,

Beth Cole  
Administrator, Project Review and Compliance

EJC/NSL/201700146

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Maryland Historical Trust • 100 Community Place • Crownsville • Maryland • 21032

Tel: 410.514.7600 • TTY users: Maryland Relay • [MHT.Maryland.gov](http://MHT.Maryland.gov)

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United States Department of the Interior

NATIONAL PARK SERVICE  
Antietam National Battlefield  
P.O. Box 158  
Sharpsburg, MD 21782-0158



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NPS  
NSL/EST



April 17, 2018

Elizabeth Hughes  
State Historic Preservation Officer  
Maryland Historical Trust  
100 Community Place, 3<sup>rd</sup> Floor  
Crownsville, Maryland 21032-2023

Subject: Antietam National Battlefield Visitor Circulation and Access Plan and Environmental Assessment, and Assessment of Effects

WA 63

Dear Ms. Hughes:

The National Park Service's (NPS) Antietam National Battlefield has prepared an Environmental Assessment (EA) and Assessment of Effects (AOE) to analyze the potential impacts of two alternatives, including a no-action alternative, for the proposed Visitor Circulation and Access Plan (Plan). Enclosed, please find a copy of the combined Plan/EA and the AOE.

The purpose of the Plan/EA is to develop a comprehensive plan to improve visitor access to, and circulation within, the Battlefield in order to enhance visitor experience and increase opportunities to connect with Battlefield resources. The plan also serves to amend the Battlefield's 1992 general management plan as it pertains to visitor circulation, the visitor center, Battlefield tour roads, and tour stops.

As a federal undertaking, the project is subject to historic preservation consultation in compliance with 36 CFR 800 and Section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended. The National Park Service initiated Section 106 consultation with the Maryland Historical Trust in a letter dated January 6, 2017. NPS and MHT staff met on January 18, 2017, and discussed the plan's purpose, the area of potential effect, and the historic properties within the area of potential effect. The National Park Service received concurrence with the proposed APE boundary in MHT's letter of response dated January 20, 2017. The Plan/EA also incorporates public input and feedback, as described in the "Consultation and Coordination" section of the plan.

The implementation of individual elements of the Visitor Access and Circulation Plan may have the potential to impact historic properties and/or their contributing features. However, because each element will be implemented in strict accordance with the Plan and the guidance set forth by the Secretary of the Interior's Standards for the Treatment of Historic Properties, and in close consultation with the Maryland Historical Trust – state historic preservation officer (SHPO), potential impacts will be avoided or minimized. As a result, the National Park Service has determined that the overall implementation of the Visitor Access and Circulation Plan (alternative B) will have no adverse effect on

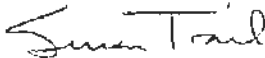
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historic properties conditioned on the fact that, as laid out in the 2008 NPS programmatic agreement, each element of the Plan as it is implemented will undergo consultation. As funding becomes available to implement the Plan, each project may be subject to additional section 106 consultation with the Maryland SHPO, as needed, understanding that some projects may be undertaken as outlined in the NPS nationwide 2008 programmatic agreement.

The NPS seeks your concurrence with this finding as summarized above and detailed in the enclosed AOE. I am happy to meet with you to discuss the details of the plan and answer any questions prior to your office completing your review. Please contact me at 301-432-7648 or [susan\\_trail@nps.gov](mailto:susan_trail@nps.gov) or Jane Custer at 301-432-7893 or by email at [jane\\_custer@nps.gov](mailto:jane_custer@nps.gov) to set up a time to meet or to discuss questions or concerns.

Sincerely,



Susan Trail  
Superintendent  
Antietam National Battlefield

I concur that the above-described project will not have an adverse effect on properties located upon Antietam National Battlefield.

  
\_\_\_\_\_  
State Historic Preservation Officer

12/10/2018  
\_\_\_\_\_  
Date

Enclosures: Antietam National Battlefield Visitor Circulation and Access Plan and Environmental Assessment, and Assessment of Effects