

**STATEMENT OF CAM SHOLLY, ASSOCIATE DIRECTOR, VISITOR AND RESOURCE PROTECTION, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE HOUSE SUBCOMMITTEE ON NATIONAL PARKS, FORESTS AND PUBLIC LANDS, OF THE COMMITTEE ON NATURAL RESOURCES, CONCERNING H.R. 1513, TO REVISE THE BOUNDARIES OF THE GETTYSBURG NATIONAL MILITARY PARK TO INCLUDE THE GETTYSBURG TRAIN STATION AND CERTAIN LAND ALONG PLUM RUN IN CUMBERLAND TOWNSHIP, TO LIMIT THE MEANS BY WHICH PROPERTY WITHIN SUCH BOUNDARIES MAY BE ACQUIRED, AND FOR OTHER PURPOSES.**

**June 6, 2013**

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Mr. Chairman, members of the subcommittee, thank you for the opportunity to present the views of the Department of the Interior on H.R.1513, a bill to revise the boundaries of the Gettysburg National Military Park to include the Gettysburg Train Station and certain land along Plum Run in Cumberland Township, to limit the means by which property within such boundaries may be acquired, and for other purposes.

The Department supports this legislation with amendments described later in this statement.

H.R. 1513 would revise the boundary of Gettysburg National Military Park to include two distinct sites: the historic Gettysburg Train Station, and 45 acres of an environmentally important tract of land at the base of Big Round Top. The bill would require the written consent of the owners to include the properties in the boundary, and it would allow acquisition of the properties by the National Park Service only by donation.

Gettysburg National Military Park protects major portions of the site of the largest battle waged during this nation's Civil War. Fought in the first three days of July 1863, the Battle of Gettysburg resulted in a victory for Union forces and successfully ended the second invasion of the North by Confederate forces commanded by General Robert E. Lee. Historians have referred to the battle as a major turning point in the war - the "High Water Mark of the Confederacy." It was also the Civil War's bloodiest single battle, resulting in over 51,000 soldiers killed, wounded, captured, or missing.

The Soldiers' National Cemetery within the park was dedicated on November 19, 1863, when President Abraham Lincoln delivered his immortal Gettysburg Address. The cemetery contains more than 7,000 interments including over 3,500 from the Civil War. The park currently includes nearly 6,000 acres, with 26 miles of park roads and over 1,400 monuments, markers, and memorials.

Gettysburg's Lincoln Train Station was built in 1858 and is listed on the National Register of Historic Places. The station served as a hospital during the Battle of Gettysburg, and the wounded and the dead were transported from Gettysburg through this station in the aftermath of battle. President Abraham Lincoln arrived at this station when he visited to give the Gettysburg Address.

Gettysburg National Military Park's 1999 General Management Plan called for expanding cooperative relationships and partnerships with the Borough of Gettysburg and other sites "to ensure that resources closely linked to the park, the battle, and the non-combatant civilian involvement in the battle and its aftermath are appropriately protected and used." In particular, the plan stated that the National Park Service would initiate "cooperation agreements with willing owners, and seek the assistance of the Borough of Gettysburg and other appropriate entities to preserve, operate and manage the Wills House and Lincoln Train Station."

The Borough of Gettysburg Interpretive Plan called for the Lincoln Train Station to be used as a downtown information and orientation center for visitors – where all park visitors would arrive after coming downtown – to receive information and orientation to downtown historic attractions, including the David Wills House. This is the house where Lincoln stayed the night before delivering the Gettysburg Address. The Interpretive Plan also called for rehabilitation of the Wills House, which was added to the park's boundary through Public Law 106-290 in October 2000, and is now a historic house museum in the borough and an official site within Gettysburg National Military Park. Through a Memorandum of Understanding, the David Wills House is operated by Main Street Gettysburg at no cost to the National Park Service.

The Lincoln Train Station is next to the downtown terminus of Freedom Transit, Gettysburg's shuttle system, which started operations in July 2009 with a grant from the Federal Transit Administration in the Department of Transportation.

In 2006, the Borough of Gettysburg completed rehabilitation of the Lincoln Train Station with funds from a Commonwealth of Pennsylvania grant. Due to a lack of funds, however, the borough has been unable to operate a visitor information and orientation center there. Through formal vote of the Borough Council, the Borough of Gettysburg has asked the National Park Service to take over the ownership and operations of the train station. While the borough originally intended to sell the train station to the National Park Service, the Gettysburg Foundation is currently in negotiations to acquire the property, which would in turn be donated from the Foundation to the NPS.

The park has a preliminary commitment from the Gettysburg Convention and Visitor Bureau (CVB) to provide all staffing requirements for operations of an information and orientation center in the train station, thereby avoiding staff costs for the park. Anticipated NPS operating costs for the train station are limited to utilities; the rest would be paid by the Gettysburg CVB. In the event that the Gettysburg CVB is unable to provide staffing and funding for operations, the NPS would seek another park partner to cover these costs and requirements.

This legislation would also add 45 acres near Big Round Top along Plum Run in Cumberland Township, Pennsylvania, to the boundary of the park. The 45-acre tract of land is adjacent to the Gettysburg National Military Park and is within the Battlefield Historic District. The land is at the southern base of Big Round Top at the southern end of the Gettysburg battlefield. There were cavalry skirmishers in this area during the Battle of Gettysburg in July 1863, but the real significance is environmental. The tract contains critical wetlands and wildlife habitat related to Plum Run. Wayne and Susan Hill donated it to the Gettysburg Foundation in April 2009. The

Gettysburg Foundation plans to donate fee title interest in the parcel to the National Park Service once it is within the park boundary. It abuts land already owned by the National Park Service.

The Department recommends that the bill be amended to address the bill's park boundary and buffer zone provisions:

As introduced, H.R. 1315 makes the establishment of the expanded boundary subject to the written consent of the owners of properties that would be included within the new boundary. This places landowners, rather than Congress or the Administration, in the position of determining the boundary of a federal park, which we believe is inappropriate. This provision has the potential to create legal and practical confusion over the boundary since it is possible that a landowner could give consent, then change his or her mind and withdraw consent or convey the property to another owner who withdraws consent.

If it is the desire of the bill's sponsor and the committee to ensure that no land is included within the park boundary without the consent of the landowner, we recommend that the bill be amended to provide that the park boundary shall not be adjusted unless and until a specified property is acquired for the park. By waiting to include land in the boundary until it is acquired by the federal government, this approach avoids entirely the potential problems we see with the approach used in the bill. Our recommended approach has precedent in other park laws.

The bill also includes language that says that an activity outside the boundary shall not be precluded because it can be heard or seen inside the park boundary. The Department has concerns about this language. It suggests that the National Park Service may have authority to preclude activities outside the boundaries, which it does not, so it is misleading. Of even greater concern, however, is that the language could discourage park managers from addressing threats to park resources from external sources. Even though the National Park Service does not control what happens outside of its boundaries, park managers have a responsibility under the National Park Service Organic Act and other laws to work with owners of properties outside of park boundaries to resolve problems that could negatively impact the resources the National Park Service is responsible for protecting.

In addition, we would recommend providing the usual language requiring that the map referenced in the bill be on file and available for inspection in the appropriate offices of the National Park Service.

We would be happy to work with the committee to develop language for our recommended amendments.

Mr. Chairman, that concludes my testimony. I would be pleased to answer any questions you or members of the committee may have.