


National Park Service
U.S. Department of the Interior

Cedar Creek and Belle Grove National Historical Park
Middletown, Virginia

General Management Plan and Environmental Impact Statement

Record of Decision

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UNITED STATES DEPARTMENT OF THE INTERIOR

NATIONAL PARK SERVICE

RECORD OF DECISION

GENERAL MANAGEMENT PLAN

ENVIRONMENTAL IMPACT STATEMENT

Cedar Creek and Belle Grove National Historical Park

Virginia

The United States Department of the Interior, National Park Service, has prepared this Record of Decision for the *Final General Management Plan and Environmental Impact Statement* for Cedar Creek and Belle Grove National Historical Park (NHP). This Record of Decision (ROD) includes: the project background; a statement of the decision made; a description of the alternative selected for implementation, a listing of measures to minimize and/or mitigate environmental harm, a synopsis of other alternatives considered, the basis for the decision, findings on impairment of park resources and values, a description of the environmentally preferred alternative, and a summary of public and agency involvement in the decision-making process.

PROJECT BACKGROUND

Cedar Creek and Belle Grove NHP is a partnership park, currently with limited property in federal ownership, that works collaboratively with other entities including Belle Grove, Inc., the Cedar Creek Battlefield Foundation, the National Trust for Historic Preservation, Shenandoah County, and the Shenandoah Valley Battlefields Foundation. These legislated Key Partners provide the foundation for protecting, preserving, and interpreting park resources by virtue of their ownership of significant acreage within the park, their commitment to a shared preservation ethic, their willingness to provide visitor services and public access, and their consent to manage their property as part of the national historical park. The National Park Service (NPS) also cooperates with its community partners – the towns of Middletown and Strasburg, and the counties of Frederick, Shenandoah, and Warren – to further the purposes of the park. As a partnership park, the success of this plan is not solely determined by the NPS; instead, the plan’s success depends upon the will, perseverance, and cooperation of all those who have the authority and desire to implement it and ascribe to a unified vision for managing the park. It is incumbent upon the NPS, the Key Partners, and the surrounding communities to engage each other in the management of the

park to protect landscapes and viewsheds, maintain the rural character of the area, and manage the park as a contiguous whole rather than islands of resources.

A general management plan is a policy-level document that provides a framework for more detailed implementation and technical plans. The NPS seeks to have all parks operate under approved general management plans to ensure that park managers carry out as effectively and efficiently as possible the mission of the National Park Service:

The National Park Service preserves unimpaired the natural and cultural resources and values of the national park system for the enjoyment, education, and inspiration of this and future generations. The service cooperates with partners to extend the benefits of natural and cultural resource conservation and outdoor recreation throughout this country and the world.

This is the first general management plan (GMP) for Cedar Creek and Belle Grove NHP; it is intended to be a useful, long-term decision-making tool, providing a logical and trackable rationale for decisions about protection and public use of park resources. The GMP provides the NPS and the Key Partners with the necessary framework to guide the management of the park for the next 15 to 20 years. The plan describes the resource conditions and visitor experiences that are to be achieved and maintained. The clarification of what must be achieved according to law and policy is based on a review of the park's purpose, significance, and mission.

The *Final General Management Plan and Environmental Impact Statement* presented and evaluated a range of alternatives for the management, use, and development of Cedar Creek and Belle Grove NHP, including the no action alternative, which continues current management, and three "action" alternatives; all alternatives were intended to protect natural and cultural resources while serving the needs of park visitors.

It is important to note that under all alternatives, the private landowners within the park would retain the same rights and responsibilities as their counterparts outside the park's legislated boundary. The GMP does not in any way abrogate or take the property rights of private landowners or nonprofit organizations. The GMP alternatives were developed around the need to define an appropriate role for the NPS at the park and presented differing visions for how the NPS and the Key Partners would manage the park.

DECISION (SELECTED ACTION)

The National Park Service will implement the agency's preferred alternative, action Alternative D, as described and analyzed in the *Final General Management Plan and Environmental Impact Statement (Final GMP/EIS)*. The selected alternative also incorporates a set of elements that were identified in the Final GMP/EIS (Section 2.3) as common to all of the action alternatives.

Description of the Selected Alternative

In the alternative selected for implementation, Alternative D, the park's cultural heritage and natural history stories will be told at a central location with a unified message. This central hub will orient visitors to the park, the operations of the NPS and the Key Partners, and the National Historic

District; this hub will support educational programs, research, and other activities that help the park realize its special mandates for resource conservation. Focal areas within protected cultural landscapes elsewhere in the park will provide immersion experiences where stories will be told in more depth. Focal areas will include the existing Key Partner sites at Belle Grove Plantation, the Cedar Creek Battlefield Foundation Headquarters, Harmony Hall, and the Keister Tract. Several additional focal areas will be added as historically significant sites and adjoining cultural landscapes are acquired. Visitors will travel to focal areas via auto routes with wayfinding signage, wayside pull-offs, and supporting interpretive materials made available at NPS and Key Partner sites as well as through the internet. Visitors will also explore the park on trails that connect lands owned by the Key Partners and the NPS, that follow the course of the Battle of Cedar Creek and the historic mill road network, and that connect to the towns of Middletown and Strasburg and the George Washington National Forest. All of the park's stories will be told at sites throughout the park.

Visitors will perceive the park as a unit of the national park system. NPS rangers will offer interpretive programs and activities at its visitor's center and at NPS-owned focal areas, and at Key Partner sites and other properties in and outside the Park, as may be requested. The NPS will provide technical assistance to the Key Partners, the Community Partners, and private landowners regarding preservation of historic and natural resources within and in proximity to the park, as well as protection of the park's viewsheds and related resources outside the park boundary. The NPS will rehabilitate and adaptively reuse the farmhouse and barn at the Hite-Whitham Farm for visitor interpretation and park operations. NPS park offices will be located within a visitor center and perhaps at 8693 Valley Pike.

The NPS and the Key Partners will develop a coordinated interpretive program that will utilize the primary interpretive themes and their related stories, as well as identify places in the park where those stories will be told. There will be a formal relationship among the NPS and the Key Partners regarding resource management, interpretive programs, and park operations. Additionally, other non-profit preservation organizations and land trusts will advocate for the park and assist the NPS in accomplishing its mission.

Protection of the park's resources will emphasize acquisition from willing sellers of cultural landscapes, sensitive natural resources, and connections between lands owned by the NPS and Key Partners.

Key Components:

Partnerships - *The NPS and the Key Partners will have a formalized relationship.*

The NPS and the Key Partners will enter into a formal relationship that defines a division of labor for various programs, events, and park operations.

Land Protection - *The NPS and the Key Partners will acquire land and interests in land in a phased approach based on land protection plan priorities. The highest priority or first phase will be cultural landscape and natural resource protection and providing connectivity between land owned by the Key Partners and the NPS.*

The NPS and Key Partners will seek to acquire substantial acreage within the park, actively acquiring land or interests in land by donation or from willing sellers using appropriated funds. A land protection plan will be developed in consultation with the Key Partners and other interested stakeholders in which the top priority will be protecting the park's cultural landscapes and sensitive natural resources, and providing connectivity between parcels of land owned by the Key Partners and the NPS. These landscapes will be purchased in a phased approach with both the NPS and the Key Partners seeking to acquire land or interests in land. Land acquisition will be a high priority program for the NPS. Lands within the Contemporary Settlement and Town and Countryside zones will be the lowest priority for acquisition, and will likely not be acquired, unless warranted by special circumstances. Assuming availability of funding, the NPS and the Key Partners will acquire approximately 2,000 additional acres of land or interests in land within the park over the life of the GMP. The NPS and the Key Partners will work together to acquire these lands and may collaborate on funding.

Resource Management

- *Cultural Resource Management* - The NPS will manage the historic property that it owns in the park - Hite-Whitham Farm (c. 1840) – as well as all other cultural resources that it acquires in accordance with *NPS Management Policies* (NPS 2006d) and *NPS Cultural Resource Management Guidelines* (NPS 1998). Within the timeframe of the GMP, the NPS will rehabilitate and adaptively reuse the Hite-Whitham House (c. 1840) and farm-related outbuildings to support park operations and visitor interpretation. All management actions at Hite-Whitham Farm will be completed in accordance with the mitigation measures summarized below in Section 2.11.

The NPS will extend its technical assistance to private owners of cultural resources in the park, helping them to understand the historic significance of their property, treatment options, historic preservation tax incentives, and the overall economic benefits of historic preservation. Technical assistance will include assistance with National Register nominations to owners of significant properties. The NPS will also educate private landowners regarding the need to protect collections and accept collections related to park resources from willing donors.

The NPS will acquire cultural landscapes as well as the significant historic sites in the park. Implementation of cultural resource management actions for these properties will require significantly increased operational support from the NPS. The Key Partners will also seek to acquire broader landscapes and historic sites. The NPS will provide technical assistance to the Key Partners in meeting the increased cultural resource management needs for these properties and in seeking financial support for their documentation, treatment, and long-term protection.

The NPS will inventory the park's cultural landscapes and assess impacts both within and outside the park that compromise their integrity. Strategies will be developed to mitigate adverse impacts on the park's cultural landscapes.

- *Natural Resource Management* - The NPS will continue to manage natural resources at NPS owned properties in accordance with the *NPS Management Policies*. Development of new park

facilities will be subject to environmental compliance requirements of NEPA and other applicable state and federal legislation. All management actions on park property will generally be completed in accordance with *NPS Management Policies* and the mitigation measures summarized below.

The NPS will acquire land within the park, as funding allows. Acquired properties will be managed in accordance with *NPS Management Policies* and other relevant NPS guidelines. Natural resources on NPS property will be managed to generally protect natural processes and population diversity. The types of management actions that will occur include the following:

- invasive plants that are not significant elements in the cultural landscape will be removed
- riparian habitat associated with Cedar Creek, the North Fork of the Shenandoah River, and their major tributaries in the park will be restored
- shale barrens will be protected from livestock grazing and visitor use impacts
- wetlands will be delineated and protected
- significant karst features will be surveyed and protected
- paleontological resources will be surveyed and protected
- unique habitats and plant assemblages will be protected
- special status species and their habitat will be surveyed and protected
- scenic views and associated vantage points will be identified and managed or protected, where appropriate
- the scenic qualities of Cedar Creek and the North Fork of the Shenandoah River that potentially qualify the streams for inclusion in the state's scenic river system will be identified and managed for enhancement, where appropriate
- consideration will be given to removing livestock from areas where the management goal is protecting native plants, preventing the introduction of exotic species, and improving water quality
- best management practices for agriculture will be used on lands leased for agriculture, particularly where prime farmland soils occur
- significant forested areas will be identified and managed in accordance with forest management plans

The NPS will extend its technical assistance to private owners of significant natural resources in the park, helping identify resources, conveying information about their significance, and providing assistance with resource management.

Visitor Experience, Interpretation, and Education - *Visitors will be oriented to the park at a central location with a unified message. Then they could explore – by vehicle or on trails – protected sites where the park's stories and those of the Shenandoah Valley Battlefields National Historic District will be told. Educational programs will be offered for school groups and others.*

The NPS, the Key Partners, and others will develop and implement a coordinated interpretive plan and programs throughout the park; interpretation will occur at a visitor center, on NPS- and Key Partner-owned lands, and on private lands owned by those willing to participate in the park's interpretation program. The NPS will provide interpretative media and sponsor occasional programs at selected sites in the National Historic District to assist in conveying the meaning of the park's resources and values as they relate to sites in the district. The NPS will provide information to visitors through a system of electronic media, which could include a web-based orientation, AM radio broadcasts, cell phone tours, CD rentals, MP3/iPod downloads, etc. Publicly accessible visitor focal areas will offer interpretive and educational opportunities.

Park Facilities - *Park facilities will be provided by the NPS and the Key Partners.*

A new visitor center will orient visitors to the park and the National Historic District, tie the park together with a unified message, and support educational programs, research, and other activities that help the park realize its special mandates for resource conservation. The new facility will be built, maintained, and operated by the NPS, one of the Key Partners, or through a partnership between the NPS and one of more of the Key Partners.

The visitor center will be located within or near the park. Site selection criteria will include:

- road access that can accommodate visitors and park operations without adversely impacting local travel patterns
- access to utilities
- location away from significant natural or historic resources
- site conditions suitable for development without major adverse impacts on cultural, natural, and scenic resources
- location where the potential is low for inducing unsuitable private development within the park

Per Executive Order 13423 on sustainable practices, the visitor center will be designed to be energy efficient, reduce enclosed space, and when practical, export interior functions to exterior locations. The visitor center will attempt to meet Leadership in Energy and Environmental Design (LEED) standards for design, construction, and operation of high-performance green buildings. Re-use of an existing structure to serve as a park visitor center has not been ruled out, but at this time, a suitable facility has not been found. The Hite-Whitham Farm, owned by NPS, fails to meet several of the criteria for a visitor center outlined above.

Visitor contact facilities will be provided by the Key Partners at Belle Grove, the Cedar Creek Battlefield Foundation Headquarters, Harmony Hall, and the Keister Tract. The NPS and the Key Partners will collaborate to develop auto touring routes on existing roads and a trail system on land owned by the Key Partners, the NPS, and on rights-of-way acquired from willing sellers. Multiple miles of trail, with an appropriate number of trailheads, will be developed and maintained. Park signage will guide visitors to appropriate sites. Several interpretive waysides will be developed.

Ancillary facilities will be guided by the zone prescriptions under “Appropriate Types of Visitor Facilities and Services” which were presented in Table 2.3 in the *Final GMP/EIS*.

Transportation, Access, and Circulation - *Park access will be largely vehicular, supplemented by a well-developed system of trails that provides connections to adjacent communities and regional trails. Wayfinding will assist visitors with accessing the park’s focal areas and rural countryside.*

Park vehicular access will be along state and county roads, and Valley Pike (Route 11). The park will develop auto touring routes along these roads, guiding visitors throughout much of the park. The park will develop a trail network that provides access to interpretation and recreation opportunities, that follows the course of the battle and the historic mill road network, and that connects to regional trails outside the park.

Interstate 81 and Valley Pike (Route 11) will provide regional access to the park. Once in the local area visitors will travel through the park on Valley Pike (Route 11) to access the park’s visitor center and the network of rural county roads that will take them to the visitor contact facilities at the Key Partners’ properties.

Visitors interested in exploring the park beyond the contact facilities of the Key Partners will do so via private vehicles following auto touring routes along Valley Pike (Route 11) and the park’s rural county roads. Wayfinding signage will be installed to help visitors find attractions along the tour routes.

The park and the Key Partners will cooperate to develop trails on land owned by the NPS, the Key Partners, and possibly on rights-of-way acquired from willing sellers. These trails will (1) follow the course of the Battle of Cedar Creek and the historic mill road network (2) connect properties owned by the NPS and the Key Partners, and (3) connect to the towns of Middletown and Strasburg and the George Washington National Forest.

Park Operations and Staffing - *Park staff and operations will focus on managing a visitor center, protecting and maintaining park lands and facilities, developing and implementing interpretive and educational programs, and providing technical assistance.*

The NPS will manage a visitor center and have the largest amount of acres to manage among the alternatives; therefore, the selected alternative calls for the largest NPS staff. The NPS will employ approximately 14 full-time employees, including the park superintendent, an historical landscape architect, a volunteer coordinator, a natural resource specialist, a cultural resource specialist, an historian, a visitor services and interpretation division (5 staff), a maintenance division (2 staff), an administrative officer, and seasonal employees. These positions will be phased in over the 20-year life of the plan as increased land holdings and facilities create the need for more staff. NPS staff will focus on protecting natural and cultural resources, managing a visitor center, maintaining park lands and facilities, providing interpretive media and programs, providing educational programs, and providing technical assistance to communities and the Key Partners. The park will utilize NPS systemwide technical assistance from the NPS Regional and Washington Offices. Volunteers will play a substantial role in staffing the visitor center, providing administrative assistance to the NPS,

and assisting with park programs. The staffing of the Key Partner organizations will not be expected to change substantially from its current levels.

The NPS administrative offices will be located in the NPS-managed visitor center, and possibly at the recently-acquired 8693 Valley Pike site.

Technical Assistance - *The NPS and the Key Partners will provide technical assistance with protection of the park's resources, viewsheds, and thematically related resources outside the park boundary to one another, to private landowners, and to nearby communities.*

The NPS and the Key Partners will provide technical assistance to one another, to private landowners, and to nearby communities to protect resources within the park boundary, important views from the park, and thematically related resources in proximity to the park and within the Shenandoah Valley Battlefields National Historic District. The NPS will also provide technical assistance to the Key Partners with property management, including resource protection, land stewardship, and use of best management practices.

Related Resources - *The NPS and the Key Partners will develop proactive strategies to protect resources outside the park boundary that are functionally or thematically related to the park.*

Resources of interest outside the boundary include scenic resources that provide the visual setting for the park, cultural resources that are thematically related to the park, and natural resources – such as hydrologic resources – that are functionally related to the park. Proactive strategies will include, but not be limited to, protection of adjacent lands with conservation easements, consultation with local governments and businesses, working with conservation and preservation organizations, and consideration of a future park boundary adjustment.

The following management elements, which were common to all action alternatives evaluated in the *Final GMP/EIS*, are incorporated into the selected alternative:

Management Element 1. The NPS and the Key Partners will respond to opportunities to protect the park's resources and values.

The NPS and the Key Partners will proactively collaborate with one another, with local communities, and with other interested parties to protect park resources. The NPS and the Key Partners will establish priorities for cultural and natural resource protection; of particular concern are those sites at risk from land development and subdivision. Protection strategies will include, but not be limited to the following:

- encouraging preservation of the historic, natural, and scenic resources within the park by landowners, local governments, organizations, and businesses
- encouraging preservation of the historic, natural, and scenic resources in proximity to the park by landowners, local governments, organizations, and businesses
- acquiring and/or maintaining (by the NPS) the park's three memorials, including the Vermont Monument, the New York Monument, and the Ramseur Monument

- providing technical assistance to local governments in cooperative efforts which complement the values of the park (pursuant to Section 10 of the park's enabling legislation)
- maintaining collaborative relationships with private landowners to promote resource stewardship and conservation-based land use planning
- providing technical expertise regarding important cultural and natural resources within the park
- acquiring fee-title ownership and conservation easements from willing landowners
- assisting local governments, as requested, in adopting comprehensive plans and growth management tools that recognize park resources
- providing technical assistance, as requested, in reviewing subdivision and land development applications that may impact the park
- monitoring and evaluating land use and other trends impacting park resources

Additionally, Section 10 of the enabling legislation mandates that any federal entity conducting or directly supporting activities directly affecting the park shall coordinate its activities in a manner that is consistent with this general management plan, is not likely to have an adverse effect on park resources, and will provide for full public participation to consider all views.

Management Element 2. The NPS and the Key Partners will acquire land and interests in land as opportunities arise and funding allows.

Land protection within the park will occur through donation of lands or fee-simple acquisition from willing sellers. In the event that landowners are not interested in land donation or sale, conservation easements could also be donated by or purchased from willing sellers. Per Section 6 of the enabling legislation, viewshed protection outside the park on adjacent parcels will occur through the use of conservation easements that are either donated by landowners or acquired from willing sellers. While there is no limit to the amount of land that could be purchased, the focus and extent of land protection actions will vary among the alternatives as described below. For lands that are not acquired, the NPS and the Key Partners will work with private landowners to foster a resource preservation ethic and to encourage appropriate stewardship of natural and cultural resources. Land trusts will assist the NPS in working with landowners to accomplish private land stewardship goals.

Management Element 3. The NPS and the Key Partners will collaborate in providing multiple opportunities to experience all of the park's interpretive themes and stories.

Six (6) primary interpretive themes are proposed (see Section 1.6.4 above). All stories related to these themes will be told in the park wherever appropriate, including sites managed by the NPS as well as those managed by the Key Partners. The Key Partners will be encouraged to interpret all themes and to provide information on the interpretive programs of the other Key Partners and the NPS. Interpretive programs of the NPS and the Key Partners may require visiting one another's sites in order to tell various park stories.

Management Element 4. The existing visitor facilities in the park – the Cedar Creek Battlefield Headquarters and Belle Grove Manor House -- will remain open to the public, Harmony Hall will be open for occasional group tours, and new visitor facilities will be developed at the Keister Tract as proposed in the master plan for that site.

Area-specific desired conditions and management actions for the existing facilities owned by the park's Key Partners as well as land owned by the NPS are described in Section 2.5 of the Final GMP/EIS.

Management Element 5. The park will serve as a focal point for important historical events and geographic locations within the Shenandoah Valley Battlefields National Historic District; interpretive media on the National Historic District will be accessible in the park.

The NPS and the Key Partners will make available interpretive media on the important connections between the Shenandoah Valley's Civil War Battlefields and will provide information on heritage tourism sites throughout the National Historic District. The intent will be to provide information that complements interpretive programs and facilities throughout National Historic District so that visitors are inspired to seek out and visit these other sites.

Management Element 6. The NPS and the Key Partners will develop written, shared strategies for implementing the general management plan and policies for operating the park.

Upon completion of the GMP, the NPS and the Key Partners will collaborate to develop the following:

- branding, signage, and messaging plan (including the development of an appropriate park logo)
- land protection plan (which outlines priorities for land acquisition and conservation easements from willing sellers only)
- comprehensive interpretive plan
- Cedar Creek Battlefield preservation plan
- trails plan
- design guidelines for new park facilities

Additionally, NPS and the Key Partners will develop written, shared strategies for managing the park's natural and cultural resources, including historic structures, cultural landscapes, soil, water, vegetation, wildlife habitat, and scenic resources. These will incorporate strategies for complying with legally mandated environmental reviews. They will also include mitigation measures and best management practices that will generally be applied to avoid or minimize potential impacts from implementation of future management actions in the park.

Management Element 7. The NPS and the Key Partners will provide auto touring and non-motorized trail routes for visitors.

Auto touring routes will be developed on existing roads. Trails will be developed on land owned by the NPS and the Key Partners, and on rights-of-way acquired from willing sellers. The goal is to provide a trail system that allows visitors to access and better understand park resources while providing protection of these resources.

In the future, a trails plan will be prepared for the park that will address where trails will be located, how they will be designed, and the types of permitted uses. In general, trails will be designed for low impact use, maximum protection of resources, and no motorized vehicles. In accordance with NPS systemwide policies, recreational use of ATVs on trails will not be permitted within the park on lands that are owned by the NPS and the Key Partners.

Management Element 8. The NPS and the Key Partners will continue to foster their collaborative relationship to further the purposes of the park, with the NPS serving in a coordination and facilitation capacity for land and resource protection, and other shared goals.

The NPS and the Key Partners will continue to collaborate to protect the park's natural and cultural resources and values, to provide appropriate and satisfying experiences for park visitors, and to address threats to park resources. The NPS will serve as a coordinator for resource and planning issues about which the agency has particular expertise or experience.

Management Element 9. The NPS and the Key Partners will provide technical assistance to one another, to private landowners, and to nearby communities in support of goals that further the purposes of the park.

The park will partner with federal, state, and local entities to provide technical assistance to support resource protection and visitor use of the park. The types of technical assistance could include, but will not be limited to, the following:

- adjacent community planning
- rural land-use planning
- review of development applications within the park
- voluntary land conservation for private landowners
- documentation of historic properties and preparation of treatment plans
- agricultural best management practices
- design and implementation of mitigation measures to minimize resource and visitor experience impacts
- ecological restoration
- forest management
- interpretive programming and design of interpretive media
- educational programs

- park facility planning and design
- wayfinding signage design
- collections management
- grant writing and assistance seeking funding
- establishing an archeological site stewardship program
- financial assistance per cooperative agreements

The NPS will establish priorities for how technical assistance will be allocated. The first priority will be to support protection of the park's resources, followed by assistance with protection of park viewsheds and related resources near the park.

Management Element 10. The NPS may form a friends group. Other nonprofit organizations will engage in furthering the purposes of the park.

A nonprofit friends group may be established to assist NPS with accomplishing its mission at the park. This action will be optional and will occur at the discretion of the NPS. The friends group will benefit the park by providing volunteer services, assisting with resource management and preservation, conducting fundraising efforts, publicizing important issues, and other functions. The friends group will be chartered so as not to compete with the priorities or funding for the Key Partners. Any fundraising activities via a park friends group will be constituted and promoted so as not to cause confusion regarding the activities, needs and goals of the various Key Partner and public interest organizations.

Additionally, other non-profit preservation organizations and land trusts will advocate for the park and assist the NPS in accomplishing its mission.

Mitigating Measures/Monitoring

Future resource management and development of visitor facilities at Cedar Creek and Belle Grove NHP will be undertaken by the NPS in accordance with its congressional mandate to manage the lands under its stewardship "in such manner and by such means as will leave them unimpaired for the enjoyment of future generations" (NPS Organic Act, 16 USC 1).

To ensure that implementation of actions associated with the selected alternative protect, unimpaired, the park's natural and cultural resources and the quality of the visitor experience, a consistent set of mitigation measures will be applied to all management actions in the park. These will be implemented by the NPS on lands that it owns anywhere within the park. Collaboration and agreements between the NPS and the Key Partners will seek to encourage that such mitigation measures are also implemented on lands owned by the Key Partners. The NPS will provide technical assistance to the Key Partners with meeting their responsibilities to mitigate resource and visitor experience impacts on non-NPS property within the park. The NPS and the Key Partners will avoid, minimize, and mitigate adverse impacts of management actions when practicable. The mitigation measures and best management practices that will generally be applied to avoid or

minimize potential impacts from implementation of future management actions in the park are summarized below.

Cultural Resources

- All projects with the potential to affect historic properties and cultural landscapes will be carried out to ensure that their effects are adequately addressed. All reasonable measures will be taken to avoid, minimize, or mitigate adverse effects in consultation with the Virginia State Historic Preservation Officer and, as necessary, the Advisory Council on Historic Preservation and other concerned parties.
- All areas selected for construction will be surveyed to ensure that cultural resources (i.e., archeological, historic, ethnographic, and cultural landscape resources) in the area of potential effects are adequately identified and protected. Compliance with the Native American Graves Protection and Repatriation Act of 1990 (NAGPRA) will apply in the unlikely event that human remains believed to be Native American will be discovered during pre-project surveys or inadvertently during construction. Archeological documentation will be done in accordance with the *Secretary of the Interior's Standards for Archeological Documentation*.
- New facilities will be constructed in previously disturbed areas whenever possible (note: some previously disturbed areas may contain historic resources and may not be appropriate locations for new facilities). Archeological surveys and/or monitoring, as appropriate, will precede any construction to ensure that potential impacts to archeological resources will be avoided or minimized to the greatest extent. Should construction unearth previously unknown archeological resources, work will stop in the area of discovery until the resources were properly recorded by the NPS and evaluated appropriately. Data recovery excavations and/or other mitigating measures will be carried out where site avoidance is not possible.
- New construction or alterations and rehabilitation of historic structures will be sensitively carried out in accordance with the *Secretary of the Interior's Standards for Treatment of Historic Properties* and the *Secretary of the Interior's Standards for Archeology and Historic Preservation* to ensure that character-defining features are protected.
- Vegetation screening and sensitive topographic or other site selection criteria will be used to minimize the visual intrusion of new construction on historic viewsheds or in historic areas.
- Ethnographic resources will be protected, and access will be maintained for recognized groups to traditional, spiritual/ceremonial, or resource gathering and activity areas.
- Cultural landscape rehabilitation measures might include vegetation thinning, removing exotic species, removing noncontributing or nonhistoric structures and landscape features, and incorporating compatible designs for new construction.
- Further background research, resource inventories, and National Register of Historic Places evaluation of historic properties will be carried out where management information is lacking.
- All options for preserving historic properties will be considered and evaluated.

- A user-capacity framework will be implemented to minimize and mitigate impacts to cultural resources from visitor use.
- Visitors will be educated on the importance of protecting the park’s historic properties and leaving these undisturbed for the enjoyment of future visitors.
- Museum collections will be accessioned, catalogued, protected, and preserved in accordance with appropriate standards.

Natural Resources

- Cedar Creek and Belle Grove National Historical Park’s resources, including air, water, soils, vegetation, and wildlife, will be periodically inventoried and monitored to provide information needed to avoid or minimize impacts of future development.
- Whenever possible, new facilities will be built in previously disturbed areas or in carefully selected sites with as small a construction footprint as possible. During design and construction periods, NPS staff will identify areas to be avoided.
- Fencing or other means will be used to protect sensitive resources adjacent to construction areas.
- Construction activities will be monitored by resource specialists as needed. Construction materials will be kept in work areas, especially if the construction takes place near streams, springs, natural drainages, or other water bodies.
- A user-capacity framework will be implemented to minimize and mitigate impacts to natural resources from visitor use.
- Visitors will be informed through signage, brochures, ranger contacts, and other media, of the importance of protecting the park’s natural resources and leaving these unimpaired for enjoyment of future generations.
- A dust abatement program will be implemented. Standard dust abatement measures could include watering or otherwise stabilizing soils, covering haul trucks, employing speed limits on unpaved roads, minimizing vegetation clearing, and revegetating after construction.
- To prevent water pollution during construction, erosion control measures will be used, discharges to water bodies will be minimized, and construction equipment will be inspected for leaks of petroleum and other chemicals.
- Best management practices, such as the use of silt fences, will be followed to ensure that construction-related effects were minimal and to prevent long-term impacts on water quality, wetlands, and aquatic species.
- For new facilities, and to the extent practicable for existing facilities, stormwater management measures will be implemented to reduce nonpoint source pollution discharge from parking lots and other impervious surfaces. The park will keep the creation of impervious surfaces to a minimum.

- A park spill prevention and pollution control program for hazardous materials will be developed, followed, and updated on a regular basis.
- Wetlands potentially affected by new facilities will be delineated by qualified NPS staff or certified wetland specialists and marked before construction work. All new facilities will be sited to avoid wetlands or, if that is not practicable, to otherwise comply with Executive Order 11990, “Protection of Wetlands”; regulations of the Clean Water Act; and NPS 77-1: *Wetlands Guidance*.
- New facilities will be built on soils suitable for development. Soil erosion will be minimized by limiting the time soil is left exposed and by applying other erosion-control measures such as erosion matting, silt fencing, and sedimentation basins in construction areas to reduce erosion, surface scouring, and discharge to water bodies. Once work was completed, construction areas will be revegetated with native plants in a timely period.
- Proposed sites for new facilities and trails will be surveyed for sensitive and special status plant and animal species before construction. If sensitive species were present, new developments will be relocated to avoid impacts, and appropriate consultations conducted.
- Best management practices will be devoted to preventing the spread of noxious weeds and other nonnative plants.
- Construction activities will be timed to avoid sensitive periods for wildlife, such as nesting or spawning seasons. Ongoing visitor use and NPS operational activities could be restricted if their potential level of damage or disturbance warranted doing so.
- Surveys will be conducted for special status species, including rare, threatened, and endangered species, before deciding to take action that might cause harm. In consultation with the U.S. Fish and Wildlife Service, Virginia Department of Game and Inland Fisheries, and the Virginia Department of Conservation and Recreation, appropriate measures will be taken to protect any sensitive species whether identified through surveys or presumed to occur.
- Facilities will be designed, sited, and constructed to avoid or minimize visual intrusion into the natural environment and/or landscape.
- Vegetative screening will be provided, where appropriate.

OTHER ALTERNATIVES CONSIDERED

Alternative A (Continuation of Current Management)

Under Alternative A, current management practices would generally continue as they are today and visitors would experience the park as they do today with few management changes. Belle Grove Plantation and the Cedar Creek Battlefield Foundation Headquarters would be the primary destinations within the park. Occasional small group tours would be offered at Harmony Hall.

Visitors would visit these sites and learn the stories of the Battle of Cedar Creek and antebellum plantation life. Some visitors would be interested in exploring the park, which they would do on their own using information obtained from sources other than the NPS. No wayfinding would be

provided and because most land would remain in private ownership, visitors would not be able to view sites other than from public rights-of-way.

Visitors would generally not perceive the park as a unit of the national park system. The NPS would continue to minimally staff the park and maintain a small administrative office. The primary role of the NPS would be to provide technical assistance to the Key Partners, the Community Partners, and private landowners regarding preservation of historic and natural resources.

The Key Partners would independently assume responsibilities for interpretation, resource protection, and visitor services, and would maintain visitor contact facilities on their properties.

While there would be no limit to land acreage that could be acquired under this alternative (or any of the other alternatives), it is not expected that there would be a significant change in the amount of park land owned by the Key Partners or by the NPS.

Alternative B

In Alternative B, the cultural heritage and natural history stories of the park would be told through interpretive media and programs offered by the Key Partners and the NPS at existing sites, with opportunities for visitors to explore rural areas of the park on interpretive self-guided auto routes. Belle Grove Plantation, the Cedar Creek Battlefield Foundation Headquarters, and the Keister Tract would be the primary destinations within the park. Regular small group tours would be offered at Harmony Hall. Auto routes in the park's rural areas would have wayfinding signage, a wayside pull-off, and supporting interpretive materials made available at the Key Partner sites as well as through the internet. Visitors would also explore Belle Grove Plantation and lands owned by the Cedar Creek Battlefield Foundation on non-motorized trails. All of the park's stories would be told at sites throughout the park.

Most visitors would perceive the park as a unit of the national park system. NPS rangers would offer interpretive programs and activities at the Key Partner sites and possibly other properties in the park, as requested. The NPS would provide technical assistance to the Key Partners, the Community Partners, and private landowners regarding preservation of historic and natural resources within the park. The NPS would rehabilitate and adaptively reuse the farmhouse and barn at the Hite-Whitham Farm. NPS park offices would be located outside the park or perhaps at 8693 Valley Pike.

The NPS and the Key Partners would develop a coordinated interpretive program that would identify the primary interpretive themes and their related stories, as well as places in the park where those stories would be told. There would be an informal collaborative relationship regarding natural and cultural resource protection. Written agreements would be entered into for special projects and management programs. Additionally, other non-profit preservation organizations and land trusts would advocate for the park and assist the NPS in accomplishing its mission.

While the Key Partners would continue to purchase high-priority tracts of land, the current land status – about a third of the park owned and protected from development by the Key Partners – would not be expected to change significantly under Alternative B.

Alternative C

In Alternative C, the park's cultural heritage and natural history stories would be told at a central location with a unified message; this central hub would orient visitors to the park, the operations of the NPS and the Key Partners, and the National Historic District. Focal areas elsewhere in the park would provide immersion experiences where stories would be told in more depth. Focal areas would include the existing Key Partner sites at Belle Grove Plantation, the Cedar Creek Battlefield Foundation Headquarters, Harmony Hall, and the Keister Tract. Several additional focal areas would be added as historically significant sites are acquired. Visitors would travel to focal areas via auto routes with wayfinding signage, several wayside pull-offs, and supporting interpretive materials made available at the Key Partner sites as well as through the internet. Visitors would also explore the park on trails that connect lands owned by the Key Partners and the NPS and that follow the course of the Battle of Cedar Creek and the historic mill road network. All of the park's stories would be told at sites throughout the park.

Visitors would perceive the park as a unit of the national park system. NPS rangers would offer interpretive programs and activities at its visitor's center and at NPS-owned focal areas, and at Key Partner sites and other properties in the Park, as may be requested. The NPS would provide technical assistance to the Key Partners, the Community Partners, and private landowners regarding preservation of historic and natural resources within and in proximity to the park, as well as its viewsheds. The NPS would rehabilitate and adaptively reuse the farmhouse and barn at the Hite-Whitham Farm for visitor interpretation and park operations. NPS park offices would be located at a visitor center and perhaps at 8693 Valley Pike.

The NPS and the Key Partners would develop a coordinated interpretive program that would utilize the primary interpretive themes and their related stories, as well as identify places in the park where those stories would be told. There would be an informal collaborative relationship regarding natural and cultural resource protection. Written agreements would be entered into for special projects and special management programs. Additionally, other nonprofit preservation organizations and land trusts would advocate for the park and assist the NPS in accomplishing its mission.

The NPS and Key Partners would acquire land from willing sellers, providing resource protection at key historic sites that would become visitor focal areas.

BASIS FOR DECISION

The following section documents the rationale for the decision to select Alternative D for implementation. In arriving at this decision, the planning team evaluated how well each of the alternatives met the parks' goals and compared the potential environmental impacts of the alternatives on cultural and natural resources, the visitor experience, park operations, and the socioeconomic environment. Based on this evaluation, the NPS determined that Alternative D conveys the greatest number of beneficial results in comparison with the other alternatives. A summary of the rationale for selection is provided below.

The NPS determined that the selected alternative best fulfills the NPS statutory mission and responsibilities at the park and would be advantageous when compared to Alternatives A, B, and C. With respect to protecting the park's natural and cultural resources, Alternative D provides the highest degree of land and resource protection within the park and related lands protection outside the park. In regard to enhancing interpretation, education, and understanding, Alternative D best enables interpretation of the park's themes and the orientation of visitors to the park and the National Historic District. In terms of enhancing public use and enjoyment of the park, Alternative D provides the greatest opportunities for visitors to explore and move about the park while learning its stories. Visitor services are also most likely to be improved under Alternative D. With respect to effectively managing the park, the selected alternative provides the greatest collaborative opportunities between the NPS and the Key Partners. Finally, in providing effective technical assistance, Alternative D has the most extensive technical assistance between the NPS and Key Partners and for private landowners and nearby communities.

FINDINGS ON IMPAIRMENT OF PARK RESOURCES AND VALUES

By enacting the NPS Organic Act of 1916 (Organic Act), Congress directed the U.S. Department of Interior and the NPS to manage units "to conserve the scenery and the natural and historic objects and wildlife therein and to provide for the enjoyment of the same in such a manner and by such a means as will leave them unimpaired for the enjoyment of future generations" (16 USC § 1). Congress reiterated this mandate in the Redwood National Park Expansion Act of 1978 by stating that NPS must conduct its actions in a manner that will ensure no "derogation of the values and purposes for which these various areas have been established, except as may have been or shall be directly and specifically provided by Congress" (16 USC 1a-1).

NPS Management Policies 2006, Section 1.4.4, 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 Nation 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."

The NPS has discretion to allow impacts on Park resources and values when necessary and appropriate to fulfill the purposes of a Park (NPS 2006 sec. 1.4.3). However, the NPS cannot allow an adverse impact that would constitute impairment of the affected resources and values (NPS 2006 sec 1.4.3). An action constitutes an impairment when its impacts "harm the integrity of Park resources or values, including the opportunities that otherwise would be present for the enjoyment of those resources or values" (NPS 2006 sec 1.4.5). To determine impairment, the NPS must evaluate "the particular resources and values that would be affected; the severity, duration, and timing of the impact; the direct and indirect effects of the impact; and the cumulative effects of the impact in question and other impacts" (NPS 2006 sec 1.4.5).

The NPS has determined that the selected alternative will not result in impairment of any park resources or values. A final determination on impairment for the selected alternative is attached to this Record of Decision.

ENVIRONMENTALLY PREFERRED ALTERNATIVE

The Council on Environmental Quality (CEQ) regulations require federal agencies to identify the Environmentally Preferred Alternative in a Record of Decision (40 CFR 1505.2). The Environmentally Preferred Alternative is defined by CEQ as "the alternative that will promote the national environmental policy as expressed in the National Environmental Policy Act [Section 101(b)]." CEQ further clarified the identification of the Environmentally Preferred Alternative in their *NEPA's 40 Most-Asked Questions* as "the alternative that causes the least damage to the biological and physical environment and that best protects, preserves, and enhances historic, cultural, and natural resources (Q6a)."

Based on the analysis presented in the Final GMP/EIS, the NPS has determined that the Environmentally Preferred Alternative is Alternative D, the selected alternative. Compared to the other alternatives evaluated in the Final GMP/EIS, the selected alternative holds the greatest potential for protection of resources because the NPS and its Key Partners will own more land within the boundary of the park and will develop additional proactive strategies for resource protection outside of park boundaries; i.e.:

- The selected alternative places an emphasis on the NPS and Key Partners actively seeking to acquire property from willing sellers of cultural landscapes, sensitive natural resources, and connections between lands owned by the NPS and Key Partners.
- The selected alternative will improve the management of cultural and natural resources by working closely with Key Partners, outside conservation groups, and landowners.
- The selected alternative will provide the greatest opportunity for preservation as the NPS and Key Partners actively seek to acquire additional property within the park and provide technical assistance to adjacent property owners to protect important viewsheds.
- The addition of staff members and a visitor center provides greater opportunity for education and research activities in resource conservation.

PUBLIC AND AGENCY INVOLVEMENT

The planning process for the GMP/EIS was conducted with extensive public and agency involvement that included meetings, workshops, briefings, wide distribution of planning newsletters, email announcements, and a formal public comment process. These activities are briefly summarized below and a detailed discussion is presented in Part Five of the Final GMP/EIS.

Scoping

During 2005 and 2006, the planning team held meetings with the Park Advisory Commission, the Key Partners, NPS staff, the local towns and counties and other public agencies, and the general public. In addition, the NPS distributed a newsletter in February 2006, which outlined the management alternatives under consideration and included a mail-back response form with a

series of questions designed to elicit public comment on the alternatives. The newsletter was also posted on the NPS Planning, Environment, and Public Comment (PEPC) website. The PEPC website provided the public the opportunity to review documents, become aware of upcoming events, and to submit comments via the internet.

Public Comment

In November 2008, the NPS distributed the Draft GMP/EIS. The draft document was available for public and agency review from November 6, 2008 through February 27, 2009. The draft document was posted on the National Park Service (NPS) Planning, Environment, and Public Comment (PEPC) website (<http://parkplanning.nps.gov/cebe>). The NPS and the park's Federal Advisory Commission held three open-house meetings on January 28, 2009 in Strasburg, VA, January 29, 2009 in Front Royal, VA, and February 4, 2009 in Middletown, VA. The purpose of the meetings was to provide an opportunity for the public to meet with NPS staff and the Federal Advisory Commissioners to discuss the Draft GMP/EIS, ask questions, and provide comments. The NPS announced dates, times, and locations of public meetings in a post card that was mailed to approximately 500 recipients and through a news release issued to 60 media sources. News articles featuring the public meetings and release of the Draft GMP/EIS were published in the *Winchester Star* and the *Northern Virginia Daily*.

NPS received 35 pieces of correspondence containing comments on the Draft GMP/EIS, including letters, e-mails, faxes, comment forms, transcripts of public meeting comments, and electronic comments submitted through the NPS PEPC web site. All comments received or postmarked through the close of the comment period on February 27, 2009 are included in the official record and were reprinted in Appendix E of the Final GMP/EIS. . Following the closing period, the park received five letters from individuals, two letters from a member of the park's congressional delegation, and a petition containing 304 names. The correspondence received after the close of the comment period has been entered into the official record but was not reprinted in Appendix E of the Final GMP/EIS.

All the public comments received on the Draft GMP/EIS were read and analyzed by the NPS GMP planning team, including the correspondence that was received after the close of the comment period. The analysis of the public comments received and NPS responses are provided in Appendix F of the Final GMP/EIS. All substantive comments received a response from the NPS. Also included are a number of non-substantive comments that were raised with some frequency. These non-substantive comments were included in order clarify both the plan and the legal mandates that NPS is required to follow in managing the park.

Alternative D (the Preferred Alternative) was most commonly identified as the preferred management option. Many commenters stated support for particular components of the Preferred Alternative. Topics that received the most comments included requests for a boundary study and comments supporting strong partnerships and collaboration to ensure the success of the park. Other topics on which multiple comments were received included: support for non-motorized trail systems, support for an NPS developed and managed visitor center, and support for the use of management zones as a way to ensure protection of resources.

No changes were made to the alternatives or to the impact analysis as a result of public comments; however, as noted above, the comments received on the Draft GMP/EIS warranted corrections and clarifications to the document to avoid confusion. These changes are documented in Appendix F of the Final GMP/EIS. Briefly, the Preferred Alternative was changed to state that fundraising by friends groups should be constituted so as not to cause confusion among the various Key Partner organizations; to reiterate and reaffirm protections for private property rights; to address the issue of livestock in Sensitive Resource Zones; to clarify that Key Partners are not required to conduct fundraising on behalf of the National Park Service; to highlight the educational and interpretive functions of the annual reenactment of the Battle of Cedar Creek; and to acknowledge the importance of partnerships with other organizations, in addition to the Key Partners. These changes have been incorporated into the selected alternative described in this Record of Decision.

Section 106 Consultation

On September 29, 2006 Cedar Creek and Belle Grove NHP initiated consultation with the Virginia State Historic Preservation Officer and the Advisory Council on Historic Preservation. On March 22, 2007 the park met with representatives from the Virginia Department of Historic Resources to discuss the planning process, cultural resources studies underway at the park, and the Section 106 consultation process with Native American groups. Copies of the Draft General Management Plan/EIS were forwarded to both the Virginia SHPO and the Advisory Council on Historic Preservation. On February 27, 2009, the VA SHPO submitted comments on the Draft GMP/EIS indicating that the agency is in support of the NPS preferred alternative, Alternative D.

Tribal Consultation

Section 106 also requires federal agencies to initiate consultation with Indian Tribes when an undertaking may potentially affect historic properties of significance to such groups. The park initiated consultation with several groups: Catawba Indian Nation, Cherokee Nation, Eastern Band of Cherokee Indians, Eastern Shawnee Tribe of Oklahoma, Shawnee Tribe, Shawnee Tribe of Indians of Oklahoma, Tuscarora Nation, Monacan Indian Nation, and Virginia Council on Indians. Consultation and coordination with the tribes will continue through implementation of the plan, as needed. This effort will also be continued through the Section 106 compliance process as specific actions are taken under the selected alternative.

Section 7 Consultation

On October 25, 2006 Cedar Creek and Belle Grove NHP initiated consultation with the Virginia Field Office of the U.S. Fish and Wildlife Service (US FWS), the Virginia Department of Conservation and Recreation (VDCR), and the Virginia Department of Game and Inland Fisheries (VDGIF) to initiate consultation and request information about special status species within the park. The U.S. Fish and Wildlife Service responded on December 20, 2006 stating that the proposed action would not adversely affect federally listed species or federally designated critical habitat because no federally listed species are known to occur in the project area.

VDCR responded on November 28, 2006 identifying a number of natural heritage occurrences within or near the park including: the North Fork of the Shenandoah River-Strasburg Stream Conservation Unit, the Panther Conservation Unit, a section of Cedar Creek and Meadow Brook that has been designated “Threatened and Endangered Species Water” for Wood Turtle, a section of the North Fork of the Shenandoah River that has been designated “Threatened and Endangered Species Water” for Brook Floater, and a well-developed karst landscape typical of the Shenandoah Valley (including at least one significant cave). VCDR recommended avoidance of actions with the potential to adversely impact documented natural heritage resources and surveying for various species within the designated conservation units.

VDGIF responded on November 20, 2006 stating that waters within and adjacent to the park are inhabited by the federal species of concern and state endangered brook floater and state designated threatened wood turtle. VDGIF also stated that a number of other species identified in the Virginia Wildlife Action Plan as species of greatest conservation need are likely to occur in and around the park, if suitable habitat exists. A number of general management actions were recommended to enhance existing habitat and to provide additional habitat. Actions were also recommended to mitigate potential impacts associated with future park development related to stormwater management, erosion and sedimentation control, in-stream construction, and trail development.

CONCLUSION

The above factors and considerations warrant implementing the Preferred Alternative, Alternative D, including the elements common to all alternatives, as described and analyzed in the Draft and Final GMP/EIS for Cedar Creek and Belle Grove National Historical Park and this Record of Decision. All practical means to avoid and minimize environmental harm from implementation of the selected alternative have been incorporated, as described in the Final GMP/EIS and this Record of Decision. The alternative selected for implementation will not impair park resources or values and will allow the NPS to preserve park resources and provide for their enjoyment by future generations.

ATTACHMENT A

FINAL IMPAIRMENT DETERMINATION FOR THE SELECTED ALTERNATIVE

Cedar Creek and Belle Grove National Historical Park General Management Plan/EIS

THE PROHIBITION ON IMPAIRMENT OF PARK RESOURCES AND VALUES

NPS *Management Policies 2006*, Section 1.4.4, 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 Nation 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.

WHAT IS IMPAIRMENT?

NPS *Management Policies 2006*, Section 1.4.5, *What Constitutes Impairment of Park Resources and Values*, and Section 1.4.6, *What Constitutes Park Resources and Values*, provide an explanation of impairment.

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.

The NPS has discretion to allow impacts on Park resources and values when necessary and appropriate to fulfill the purposes of a Park (NPS 2006 sec. 1.4.3). However, the NPS cannot allow an adverse impact that would constitute impairment of the affected resources and values (NPS 2006 sec 1.4.3).

Section 1.4.5 of *Management Policies 2006* states:

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 establishing legislation or proclamation of the park

- Key to the natural or cultural integrity of the park or to opportunities for enjoyment of the park, or
- Identified as a goal in the park's general 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 condition 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, structure, 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.

Impairment may result from NPS activities in managing the park, visitor activities, or activities undertaken by concessionaires, contractors, and others operating in the park. Impairment may also result from sources or activities outside the park, but this would not be a violation of the Organic Act unless the NPS was in some way responsible for the action.

HOW IS AN IMPAIRMENT DETERMINATION MADE?

Section 1.4.7 of *Management Policies 2006* states, "[i]n 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 or environmental impact statements 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.

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 relation to the decision.

Impairment Determination for the Selected Alternative

This determination on impairment has been prepared for the alternative selected for implementation as the approved General Management Plan for Cedar Creek and Belle Grove National Historical Park, as described in this Record of Decision. An impairment determination is made for all resource impact topics analyzed for the selected alternative in the *Draft GMP/EIS* and *Final GMP/EIS*. An impairment determination is not made for visitor use and experience, park operations and facilities, or the socioeconomic environment 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.

Based on the environmental impact analysis for cultural resources, consisting of archeological resources, ethnographic resources, historic structures, cultural landscapes, and museum collections, the NPS determined that there are no identified permanent major negative impacts on a resource or value whose conservation (1) would be necessary to fulfill specific purposes identified in the establishing legislation or proclamation of the park, (2) is key to the natural or cultural integrity of the park or to opportunities to enjoy it, or (3) has been identified as a goal in the park's general management plan or other relevant NPS planning documents. Thus, implementing the selected action will not constitute an impairment of cultural resources.

Based on the environmental impact analysis for natural resources, consisting of scenic/visual resources/viewsheds, soils, groundwater, surface water quality, and vegetation, the NPS determined that there are no identified permanent major negative impacts on a resource or value whose conservation (1) would be necessary to fulfill specific purposes identified in the establishing legislation or proclamation of the park, (2) is key to the natural or cultural integrity of the park or to opportunities to enjoy it, or (3) has been identified as a goal in the park's general management plan or other relevant NPS planning documents. Thus, implementing the selected action will not constitute an impairment of natural resources.