



Star-Spangled Banner National Historic Trail  
Feasibility Study and Environmental Impact Statement

Northeast Region  
National Park Service  
200 Chestnut Street  
Philadelphia PA 19106



Northeast Region  
March 2004

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## Feasibility Study & Final Environmental Impact Statement

### ABSTRACT

Produced by the Northeast Region  
National Park Service  
U.S. Department of Interior  
March 2004

The purpose of this study is to evaluate the feasibility and desirability of designating the routes used by the British and Americans during the 1814 Chesapeake Campaign of the War of 1812 as a National Historic Trail (NHT) under the study provisions of the National Trails System Act (Public Law 90-543, 16 USC 1241, et seq.). This report is intended to provide information necessary for the evaluation of national significance and the potential designation of a NHT. The proposed NHT would commemorate the Chesapeake Campaign of the War of 1812, which includes the British invasion of Maryland, Battle of Bladensburg, burning of the White House and the Capitol, and the Battle for Baltimore in the summer of 1814. Eight potential land and water trail segments trace the historic routes of the British and American forces and the battles that inspired the writing of the poem that became the National Anthem. The routes taken by President Madison and the First Lady when fleeing Washington, the route to move important national documents to safety, and the route taken by the American forces to defend Baltimore are also studied and analyzed.

The history, background, integrity, and national significance of the proposed Star-Spangled Banner National Historic Trail have been researched and analyzed. The criteria for national trails, set forth in the National Trails Systems Act, have been applied, and five of the eight trail segments meet all three criteria. National Historic Landmark criteria for national significance have also been applied and have been met by the proposed trail. Alternatives, and the environmental consequences of those alternatives, for the management and use of the proposed trail have also been developed and are presented in this report.

Alternative A, the no action alternative, continues the existing management policies and authorities. There would continue to be piecemeal interpretation of the events of 1814 and no single organization or entity would be designated to oversee interpretation or development of a trail. This alternative will not result in any greater education or interpretation. Cultural and natural resources would not be protected or interpreted beyond current efforts.

Alternative B, the preferred alternative, takes advantage of the regional nature of the trail and the many organizations interested in and associated with the history of the Chesapeake Campaign. This alternative calls for a joint partnership between federal, state, and local governments, a dedicated trail organization, and site managers to administer and maintain a federally-designated commemorative trail along the historic routes of the Chesapeake Campaign. Because of its emphasis on partnerships, this alternative provides the greatest flexibility for resource protection while creating a framework for interpretation and visitor experience.

Alternative C recommends further study to determine eligibility for establishment of a Heritage Area and relies on the state governments for designation and management of a commemorative trail with only limited coordination through the federal government when federal property is involved. Similar to Alternative B, this alternative calls for federal management of all aspects of the trail with active federal management, and acquisition of properties when appropriate. This alternative has similar advantages to Alternative B but would require more federal funding, time, and staff for the administration and interpretation of the trail.

Questions should be directed in writing to the Project Manager, Bill Sharp, NPS Philadelphia Support Office, 200 Chestnut Street, Philadelphia, Pennsylvania 19106. For further information regarding this document, please contact Bill Sharp at the address listed above, or by phone at 215-597-1655.

# SUMMARY

This is a summary of the Feasibility Study and Environmental Impact Statement for the proposed Star-Spangled Banner National Historic Trail, in which an evaluation of national significance and trail feasibility and three alternatives for the management of the proposed trail are presented.

The proposed NHT would commemorate the events leading up to the writing of the “The Star-Spangled Banner” during the Chesapeake Campaign of the War of 1812. These events include the British invasion of Maryland, Battle of Bladensburg, burning of the White House and the Capitol, the burning of the Washington Navy Yard, and the Battle for Baltimore in the summer of 1814. The route of the invasion is known and documented, and the proposed trail would follow it as closely as practical.

During the campaign, other events occurred that are significant to the United States' national heritage, particularly the writing of the poem commemorating a key battle. The poem celebrated the flag that became known as the Star-Spangled Banner and led to the flag's establishment as an American icon. The words of the poem became the National Anthem in 1931.

## PURPOSE AND NEED FOR ACTION

Providing protection, public access and interpretation of the historic route and its resources has been a growing focus of both public and private initiatives in recent years, as the bicentennial of the War of 1812 approaches. In Maryland, a grass-roots initiative was undertaken to raise public awareness of the important events that occurred in the Chesapeake region in the summer of 1814 during the War of 1812. Historians and regional groups, represented by the Maryland Statewide War of 1812 Initiative, recognized the untold stories and legacy of the events of the Chesapeake Campaign and the need for protection and interpretation of these historical resources.

In 1999, Senator Paul Sarbanes recognized these efforts and introduced legislation: the Star-Spangled Banner National Historic Trail Study Act of 1999 (Public Law 106-135). The study was authorized as an amendment to the National Trails System Act. Congress directed the Secretary of the Interior to study the route of the proposed Star-Spangled Banner National Historic Trail. During the study period, the events of September 11, 2001 and the War on Terrorism have stimulated an increased interest in and appreciation of the nation's flag and its meaning. Thus the story of the Star-Spangled Banner is especially poignant today.

The purpose of this study is to evaluate the feasibility and desirability of designating the routes used by the British and Americans during the Chesapeake Campaign of the War of 1812 as a National Historic Trail (NHT) under the study provisions of the National Trails System Act (Public Law 90-543, 16 USC 1241, et seq.). This report is intended to provide information necessary for the evaluation of national significance and the potential designation of a NHT. Encroaching development patterns, population growth, and an increased national interest in understanding the history of the nation have also created a need for a commemorative trail. This study provides the background to decision-makers for designation and development of a management framework for the proposed Star-Spangled Banner NHT.



## **EVALUATION OF NATIONAL SIGNIFICANCE, FEASIBILITY, AND SUITABILITY**

Based on Criterion One for National Historic Trails, six of the eight studied trail segments are found to retain integrity sufficient to result in a recommendation for their designation as a national historic trail. The proposed trail had a historic use and is significant as a result of that use. The proposed trail would include both the water and terrestrial routes that were strategically chosen by the British military as a means of reaching the nation's capital and the City of Baltimore. The 1814 route segments survive and are widely known and documented as the route of the Chesapeake Campaign. The impacts of this invasion were long lasting and the effects on American culture are still evident and meaningful.

Based on Criterion Two, all segments of the proposed NHT are found to be nationally significant. The War of 1812 in general and the Chesapeake Campaign of 1814 had long-lasting and far-reaching effects on the United States. Several themes emerged that had broad and lasting impacts on American culture, including the test of democracy, the role of slaves and civilians, the formation of a national identity, and the importance of a military defense. During the campaign, other events occurred that are significant to the United States' national heritage, particularly the writing of the poem commemorating a key battle, the Battle for Baltimore. The poem celebrated the flag that became known as "The Star-Spangled Banner" and led to the flag's establishment as an American icon. The words to the poem became the National Anthem in 1931.

Based on Criterion Three, the proposed NHT has significant potential for public recreational use and historical interpretation, as well as aesthetic appeal and patriotic appreciation. This study concludes that five of the trail segments that meet Criterion One also present high potential for public use and enjoyment. These trail segments cross many natural and cultural landscapes that retain integrity, including the Chesapeake Bay, and the Potomac and Patuxent Rivers. There is an opportunity for interpretation both from the water and from the scenic, and substantially protected, shoreline. A number of museums, parks, and historic sites protect resources and provide public access and interpretation of the War of 1812 and related historic themes.

The NPS finds that five of the eight studied trail segments fully meet the criteria for National Historic Trails and recommends designation.

The study team also assessed the trail based on the National Historic Landmark (NHL) criteria for national significance. The proposed trail was found to meet three NHL criteria by the National Park System Advisory Board.

## **ALTERNATIVES FOR MANAGEMENT AND USE**

Three alternatives for the management and use of the proposed Star-Spangled Banner National Historic Trail are presented, including a "No Action" alternative that would continue current management practices and policies and two action alternatives (Alternatives B and C). These action alternatives explore different methods of achieving the vision and managing the proposed trail.

### **Alternative A: No Action**

Alternative A, the no action alternative, continues the existing management policies and authorities. There would continue to be piecemeal interpretation of the events of 1814 and no single organization or entity would be designated to oversee interpretation or development of a trail. This alternative will result in only modest or sporadic increases in education or interpretation.

Management, development, interpretation, use, trail marking, maintenance, and enforcement would occur in piecemeal fashion, if at all, in the hands of interested agencies, groups, and property owners. It is anticipated that public access would be limited to those sites in public ownership and few additional easements might be acquired. Existing preservation mechanisms would remain in place but piecemeal new actions would be taken to protect other significant resources. Existing trends in development would continue, compromising the integrity of the trail and its associated resources. State and county laws for historic preservation, shoreline protection, and private property rights would apply. County-level planning would continue to balance preservation of historic and cultural resources with the realities of development and shoreline access.

Existing interpretive programs at Fort McHenry NMHS, Jefferson Patterson Park and Museum, Calvert Marine Museum, and other sites would continue. The State of Maryland Office of Tourism Development would continue its implementation of waysides and interpretive programs as funding and priorities permit. Funding for additional research and assessment of War of 1812 sites would cease at the project's completion. There would be no additional federal funding for this alternative.

#### **Alternative B (Preferred Alternative): National Historic Trail Designation with Partnerships for Management**

Under this alternative, the proposed Star-Spangled Banner National Historic Trail would be established by Congress as a national historic trail with a commemorative recreation and driving route and water trails. A non-profit trail organization would be established and, in coordination with the federal government, states, and counties, would be committed to the long-term planning, management, oversight, interpretation, resource protection, and development along the historic routes. This alternative would create roles for the National Park Service, state, and local agencies in a shared management scheme with the dedicated trail group. The federal role would be primarily to provide coordination, administration, oversight, and the provision of limited financial assistance. Given the organizational capacity, location, nature of existing programs, and efforts to date, Fort McHenry NMHS would be the lead park unit for trail operations. Over time, the routes would be marked as continuous segments on the ground and at water access points. Wherever feasible, modern roads that follow the historic routes would be marked for travel. In cases where the original routes have been lost to development, degradation, neglect, or vegetative overgrowth, or other causes, they could be interpreted through waysides as appropriate and feasible. When necessary for continuity and public safety, modern roads would be used as deviations from the original travel routes.

Initial federal costs to develop the comprehensive management plan required by this alternative and an initial interpretive brochure are estimated to be \$325,000. Phased costs such as archaeological surveys, trail segment restoration, access site development, and interpretive sign development and installation are estimated at \$1,750,000 (additional costs to be shared by trail partners). No federal fee-simple acquisition of trail-related sites is envisioned. Annual operating costs are estimated at \$375,000.

#### **Alternative C: The Star-Spangled Banner Heritage Area and Commemorative Trail Designation**

Under this alternative, the Star-Spangled Banner Trail route would be studied for eligibility as a Heritage Area and the trail would be given a commemorative designation, but not as part of the National Trails System. The trail and its resources would be owned and managed by state and local governments or private entities, not the federal government. A local management entity would be created and would develop a comprehensive plan, including strategies for natural and cultural resource protection, plans for interpretation, and implementation. Given current state budget constraints, Maryland, Virginia and the District of Columbia will be reluctant to undertake a major initiative without federal support.

## **IMPACTS OF ALTERNATIVES**

There are many types of changes, both positive and negative, associated with the management alternatives proposed in this study. Most of the negative impacts are minor and easily mitigated. This summary highlights the more significant impacts and the major differences among alternatives. In many cases, actions and development proposals related to the trail designation will need to be further evaluated and the impacts assessed accordingly, prior to implementation.

### **Major Impacts of the Action Alternatives**

#### ***Cultural Resources***

Cultural resources could be degraded by trail use and development if research and protection measures are inadequate. Resources could be degraded in a number of ways including: inadequate protection of collections, artifacts, standing historic structures, and known archeological sites; inadequate research and scholarship regarding the importance, location, and integrity of resources through development as land uses change and resources are compromised; and inadvertent damage from unknowing trail users. Threats from trail use relate to the inadvertent damage caused by users. Alternative B provides funding from a variety of sources and partners allowing for enhanced resource protection and acquisition if necessary.

#### ***Natural Resources***

Surface waters and wildlife would be the natural resources affected the most by the proposed actions, though such impacts are regarded as minimal. The many rivers and creeks that compose the study area and actual segments of the proposed trail may be degraded by erosion and sedimentation; development and land use changes, which may result in a loss of resources; over-use by recreational users; and inadvertent damage from uninformed trail users. No action would continue this degradation. However, increased public use of a designated trail, by vehicles, pedestrians, or watercraft, could cause additional dumping of rubbish into the waterways and onto the land. Threats may also involve the trampling of native species and the contamination of water or soil by human waste. Other adverse impacts may result from increased motorized and non-motorized watercraft use. Disturbance to fish and other fauna and the shoreline vegetation may occur at points of increased visitor access between the water and land and from the watercraft motors. For all action alternatives, a trail management plan would identify measures for resource protection.

#### ***Socio-economic Conditions***

Under all action alternatives, there would be a neutral to positive effect on the local economy. Any actions related to trail use and management would be spread out over time and over the geographic area of the trail, limiting the beneficial effects to one area at any one time. Efforts to protect, develop, main-

tain, and manage the trail would enhance local spending, potential jobs and tax revenue. Expenditures for labor and materials would be minor in the short-term and would accrue to a few firms or individuals. The communities along the trail may benefit from increased tourism and spending as trail use is promoted. Increased trail use would not be expected to affect the profitability of area businesses. Local landowners and business owners could benefit from their proximity or association with the trail. Property values could increase if permanent preservation methods are employed to protect open lands and landscapes. All such impacts are regarded as minimal.

Promotion of the trail and its associated resources would result in more visitors to the trail. Users would be provided multiple itineraries and access points and would benefit from interpretive, educational, and recreational opportunities. Higher levels of use would be expected where resources are clustered or in the population centers. A carrying capacity analysis should be included in the trail management plan. Perceived or real crowding along the trail would have an adverse effect on user experience.

### ***Transportation and Access***

Any trail designation or plans for use and management that create the need for additional roadways or that burden existing roads and waterways would be considered to have an adverse impact. Traffic may increase as a result of national designation and increased visitation and travel along the trail. Traffic and transportation studies should be part of the general management plan for the trail. Improved access to and circulation around trail resources may be necessary if crowding occurs. Alternative modes of transportation and group tours may mitigate some impacts of increased visitation on the environment by encouraging alternatives to automobile use.

### ***Operations and Administration***

Any trail designation that relies on one agency or entity for operation and administration and creates the need for increased funding and staff resources from one source would be considered an adverse impact. This reliance on federal funding and management could result in fewer resources and different programming than would be possible through a management partnership. Existing programs competing for funding and staff could be affected by the addition of the trail. With federal designation and oversight by the National Park Service, a management entity dedicated to the interpretation, protection, and management of the trail could benefit the trail and improve coordination between managing entities. Individual resources and the federal, state, and local governments could benefit by sharing responsibility for the trail. By having a coordinated partnership, the National Park Service would maintain oversight through a lead unit, Fort McHenry NMHS, but would not have the sole responsibility of maintaining, funding, and staffing.

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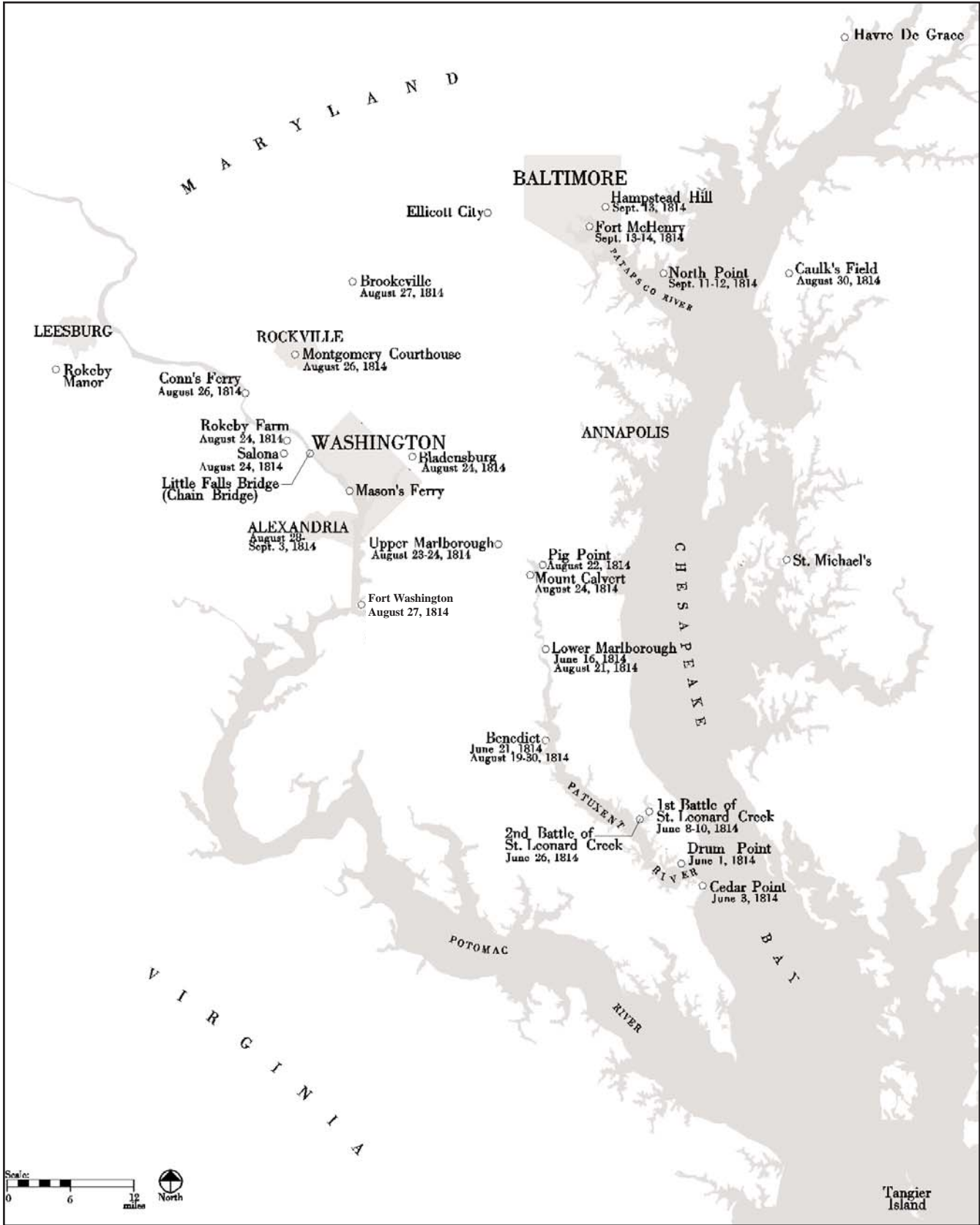
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Map 1: Overview of the Chesapeake Region and Events of the Chesapeake Campaign



# 1.0 PURPOSE AND NEED FOR ACTION

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*The proposed trail would commemorate and interpret political and social stories, including the changing role of the federal government, the growing controversy over American slavery, the country's ongoing struggle for independence and unity, the celebration of the flag that became known as "The Star-Spangled Banner," and the writing of the poem that would later become the National Anthem.*

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## PURPOSE

The purpose of this study is to evaluate the proposed Star-Spangled Banner Trail against criteria for National Historic Trail (NHT) designation as established in the National Trails System Act (NTSA) (PL 90-543; 16 USC 1241 et seq.) (see Appendix A). This information is provided to the Secretary of the Interior's National Park Service Advisory Board, the public, and ultimately Congress.

To help assess feasibility and desirability, this study outlines three alternative strategies for the protection, interpretation, and management of the proposed trail and assesses the impacts and benefits of each alternative. This report is intended to provide information necessary for the assessment of national significance and determination of the historic route's potential as a NHT. It is not a definitive trail guide or management plan. This study does not provide detailed description of the trail itself or the associated resources. In some cases, resources are privately owned and not available for public use. For purposes of this study, the trail is diagrammed conceptually.

While this study evaluates different management alternatives for feasibility, this study is not a management plan and does not provide detailed management programs. Management guidance and further environmental assessments of the preferred actions would be provided through subsequent planning as required by the NTSA, if the trail is designated as a federal trail, or by state statutes, if the trail is designated as a state trail.

## BACKGROUND

The proposed NHT would commemorate the Chesapeake Campaign of the War of 1812, which includes the British invasion of Maryland, the Battle of Bladensburg, the burning of the White House, the Capitol, the Washington Navy Yard, and other public buildings in Washington, DC, and the Battle for Baltimore in summer 1814. The route of the invasion is known and documented, and the proposed trail would follow it, as closely as practical. Map 1 shows the overall study area as described in the study's legislation.

During the campaign, other events occurred that are significant to the United States' national heritage, particularly the writing of the poem commemorating a key battle. The poem celebrated the flag that became known as the Star-Spangled Banner and led to the flag's establishment as an American icon. The words of the poem became the National Anthem in 1931.

Providing protection, public access and interpretation of the historic route and its resources has been a growing focus of both public and private initiatives in recent years, as the bicentennial of the War of 1812 approaches. In Maryland, a grass-roots initiative was undertaken to raise public awareness of the important events that occurred in the Chesapeake region during the War of 1812. Historians and regional groups, represented by the Maryland Statewide War of 1812 Initiative, recognized the untold stories and legacy of the events of the Chesapeake Campaign and the need for protection and interpretation of these historical resources.

In 1999, Senator Paul Sarbanes recognized these efforts and introduced legislation: the Star-Spangled Banner National Historic Trail Study Act of 1999 (Public Law 106-135) (see Appendix B). The study was authorized as an amendment to the National Trails System Act. Congress directed the Secretary



**Figure 1: Chronology  
of the War of 1812,  
1807-1815**

22 June 1807:	Chesapeake Affair
4 October 1807:	Gin Riot, Hampstead Hill, Baltimore, Maryland
18 June 1812:	War declared on England
13 October 1812:	Battle of Queenston Heights, Ontario, Canada
27 April 1813:	Americans capture York (now Toronto, Canada)
29 April 1813:	Skirmish of Elkton, Cecil County, Maryland
29 April 1813:	Skirmish of Frenchtown, Cecil County, Maryland
3 May 1813:	Skirmish of Havre de Grace, Harford County, Maryland
5 May 1813:	Skirmish of Fredericktown and Georgetown, Cecil and Kent Counties, Maryland
10 August 1813:	Battle of St. Michaels, Talbot County, Maryland
13 August 1813:	Repulsed raid of Queenstown, Queen Anne's County, Maryland
26 August 1813:	Skirmish of St. Michaels, Talbot County, Maryland
10 September 1813:	Oliver H. Perry's victory on Lake Erie
June 1814:	Raid of Graham Landing, Calvert County, Maryland
1 June 1814:	Raid of St. Jerome's Creek, St. Mary's County, Maryland
3 June 1814:	Naval Skirmish off Cedar Pt., St. Mary's County, Maryland
8-10 June 1814:	First Battle of St. Leonard Creek, Calvert County, Maryland
9 June 1814:	Raid of Rousby Hall, Calvert County, Maryland
10 June 1814:	Raid of Sotterley, St. Mary's County, Maryland
12 June 1814:	Raid of Broomes Island, Calvert County, Maryland
14 June 1814:	Raid of Sotterley, St. Mary's County, Maryland
16 June 1814:	Skirmish of Hall's Creek, Calvert County, Maryland
16 June 1814:	Raid of Lower Marlborough, Calvert County, Maryland
17 June 1814:	Raid of Magruder's Landing, Prince George's County, Maryland
18 June 1814:	Raid of Coles Landing, St. Mary's County, Maryland
18 June 1814:	Raid of Ballard's Landings (Lower Marlborough), Calvert County, Maryland
19 June 1814:	Skirmish of Benedict, Charles County, Maryland
26 June 1814:	Raid of Point Patience, Calvert County, Maryland
26 June 1814:	Second Battle of St. Leonard Creek, Calvert County, Maryland
5 July 1814:	Battle of Chippewa, Canada
25 July 1814:	Battle of Lundy's Lane, Canada
2 August 1814:	Raid of Brenton Bay, St. Mary's County, Maryland
4 August 1814:	Raid of Slaughter Creek, Dorchester County, Maryland
11-12 August 1814:	Raid of St. Mary's River, St. Mary's County, Maryland
18 August 1814:	Raid of Eastern Bay, Talbot County, Maryland
20 August 1814:	Raid of Rock Hall, Kent County, Maryland
20 August 1814:	Raid of Worton Creek, Kent County, Maryland
21 August 1814:	Nottingham occupation, Prince George's County, Maryland
22 August 1814:	Skirmish at Pig Point, Anne Arundel County, Maryland
24 August 1814:	Mt. Calvert occupation, Prince George's County, Maryland
24 August 1814:	Battle of Bladensburg, Prince George's County, Maryland
27 August 1814:	Destruction of Ft. Washington, Prince George's County, Maryland
28, 30 August 1814:	Raid of Fairlee Creek, Kent County, Maryland
28 Aug.-3 Sept. 1814:	British occupation of Alexandria, Virginia
30 August 1814:	Battle of Caulk's Field, Kent County, Maryland
Summer 1814:	Occupation of Blackistone Island, St. Mary's County, Maryland
3-6 September 1814:	White House skirmish (Belvoir Mansion), Fairfax County, Virginia
5 September 1814:	Indian Head skirmish, Charles County, Maryland
11 September 1814:	Battle of Plattsburg, Lake Champlain
12 or 13 Sept. 1814:	Raid of Sollers House, Sollers Point, Baltimore County, Maryland
12-15 Sept. 1814:	Battle for Baltimore
18-19 Sept. 1814:	Drum Point events, Calvert County, Maryland
19 October 1814:	Raid of Castle Haven, Dorchester County, Maryland
27 October 1814:	Tracys Landing skirmish, Anne Arundel County, Maryland
8 January 1815:	Battle of New Orleans
12 January 1815:	Raid of Lakes Cove, Dorchester County, Maryland
7 February 1815:	Skirmish of Taylor's Island, Dorchester County, Maryland
17 February 1815:	Treaty of Ghent signed by Madison at Octagon House

**Figure 2: The American and British Vessels**

*Courtesy of Calvert Marine Museum*

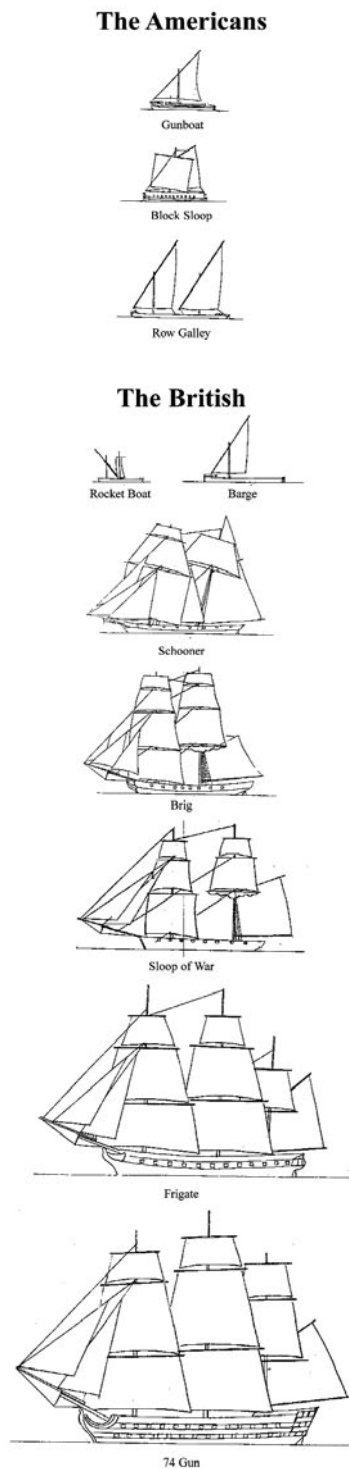


Figure 2 depicts the disparity between the American fleet defending the Chesapeake in 1814 and the invading ships of the Royal Navy.

of the Interior to study the route of the British invasion of Maryland and Washington, DC, and of the American defense during the War of 1812.

National historic trails must be nationally and historically significant. They generally consist of remnant sites and trail segments and are not necessarily continuous. Their purpose is to identify, preserve, and offer interpretive opportunities to the public. This proposed trail would commemorate and interpret political and social stories, including the changing role of the federal government, the growing controversy over American slavery, the country's ongoing struggle for independence and unity, the celebration of the flag that became known as the Star-Spangled Banner, and the writing of the poem that would later become the National Anthem.

In a separate authorization, Congress directed the National Park Service (NPS) to study Revolutionary War and War of 1812 resources nationwide. The NPS American Battlefield Protection Program (ABPP) joined with the Maryland Tourism Development Board and the Maryland Historical Trust in 2000 to launch a pilot project to identify and assess Maryland War of 1812 resources. That study resulted in an inventory of 336 War of 1812 sites, including battlefields, skirmish sites, and other war-related resources in Maryland. The complete inventory also served as a foundation for this NHT study.

In a separate initiative, the Maryland Statewide Partnership for the War of 1812 designated a "Star-Spangled Banner Trail and Sites Network" as part of the Maryland Destinations program, run through the Maryland Office of Tourism Development. Aimed primarily at tourism development and economic development, the state's assessment is cognizant of, but not bounded by, the requirements of the National Trails System Act.

## HISTORIC CONTEXT

The Chesapeake Campaign of the War of 1812 comprised the four-month military campaign of the British during 1814, the last full year of the war. The events of the campaign are significant to American history because of their pivotal effect on the outcome of the War of 1812 and their effect on far-reaching aspects of American society, including the nation's identity.

## The War of 1812

The War of 1812 affected the international political framework and represents what many see as the definitive end of the American Revolution. Although 30 years had passed since the Americans had won freedom from Britain, the young nation continued to be plagued by British occupation of American territory along the Great Lakes; highly unfavorable trade restrictions; the impressment (forcing into service) of American sailors by the British; and the suspicion that the British were backing Indian raids on the frontier. It seemed that Britain continued to regard America as a set of troublesome colonies, rather than a nation of equal standing to Britain. Figure 1 depicts the chronology of war-related events.

President James Madison, embroiled in a tight campaign for re-election, acquiesced to Congressional "war hawks" from the south and west and declared war on Britain in June 1812. Americans were emboldened by the fact that the British were deeply committed to a war with Napoleon Bonaparte that strained the resources of the crown. There was little acknowledgement in Washington that what passed for a standing army was only about half the size of Britain's and stationed in widely scattered outposts; that the American navy totaled about 50 ships to Britain's more than 850; that coastal defense infrastructure was limited at best; and that there was no core of trained military officers to lead the poorly

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*The Chesapeake Bay region was a center of trade, commerce and government during the eighteenth and nineteenth centuries. As such, it became a target of British military strategy during the War of 1812. With most of the regular U.S. Army on the Canadian border, the defense of the Chesapeake and the capital fell largely to poorly trained and inexperienced militia.*

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trained troops and militia. Figure 2 depicts the disparity between the American fleet defending the Chesapeake and the invading ships of the Royal Navy in 1814. The British ships were much larger than their American counterparts.

Commercial and political interests in New York and New England, concerned about the potential destruction of shipping, opposed the war and in fact, continued to supply the British until the naval blockades were extended. Similarly, Britain saw America as an important market and supplier and only reluctantly responded to the declaration of war.

In the summer of 1812, American troops attempted to invade and conquer Canada. The poorly planned campaign ended in defeat and the withdrawal of the Americans. However, two American frigates, the *USS Constitution* and the *USS United States*, gained victories in naval battles, boosting American morale and contributing to President Madison's re-election.

In response, the British gradually established and tightened a blockade of the American coast south of New York, impairing trade and undermining the American economy.

The attempts to invade Canada during the spring and summer of 1813 were somewhat more successful than the previous year's, yet they ended in stalemate. By the end of the season, the British blockade had extended north to Long Island.

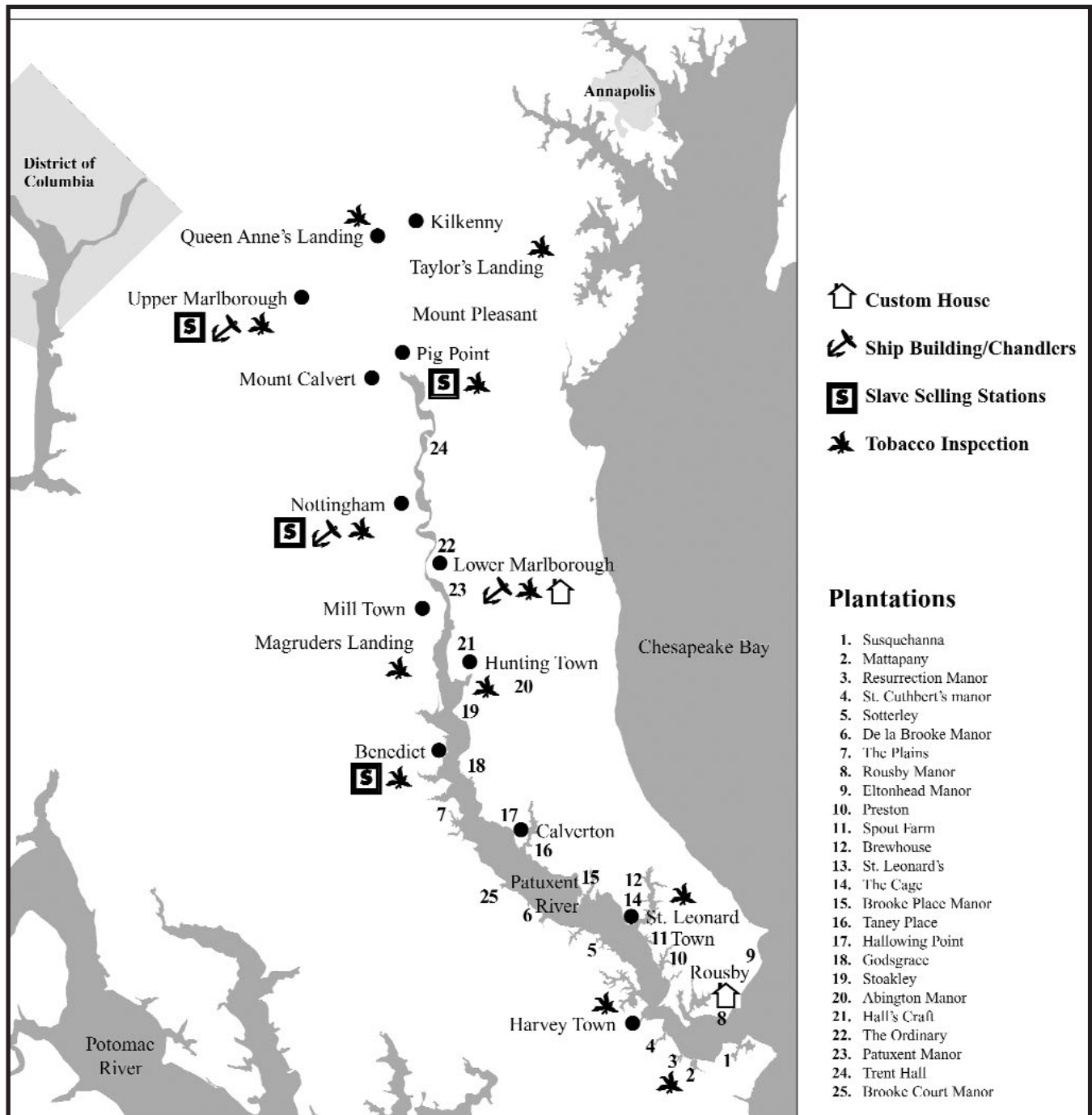
In April 1814, Napoleon was overthrown, freeing some 14,000 experienced British troops for battle in America. The British who were sent to America planned a three-pronged strategy: 1) to attack New York along the Hudson River and Lake Champlain in order to divide New England from the rest of the country; 2) to attack the Chesapeake region - the center of government and pro-war sentiment; and 3) to attack New Orleans to block and control the Mississippi River. The situation was grave: no one believed that America could defend itself against the full force of the British; the country faced insolvency due to the blockade of trade routes and the costs of the war; and in New England, opponents of "Mr. Madison's war" met in political convention to discuss secession.

Remarkably, the young nation prevailed despite a long summer in the Chesapeake region. The British harassed citizens, burned towns and farms, and overwhelmed the scant American naval forces and militia. With the Americans distracted and largely unprepared, the British entered the nation's capital and burned several public buildings, causing the President, his family and Cabinet to flee Washington. In September, however, an all-out land and sea defense of Baltimore forced the withdrawal of the British from the Chesapeake region. The same month, the British fleet in Lake Champlain was destroyed, leading to the British retreat into Canada. This defeat convinced the British to agree to a peace treaty, known as the Treaty of Ghent, with very few conditions. In January 1815, with neither side aware that the treaty had been signed the previous month, the British decisively lost the Battle of New Orleans. David had defeated Goliath.

### **The Chesapeake Bay Region**

The Chesapeake Bay region was a center of trade, commerce and government during the eighteenth and nineteenth centuries. As such, it became a target of British military strategy during the War of 1812.

**Map 2: Commerce and Industry Along the Patuxent River Around 1800**

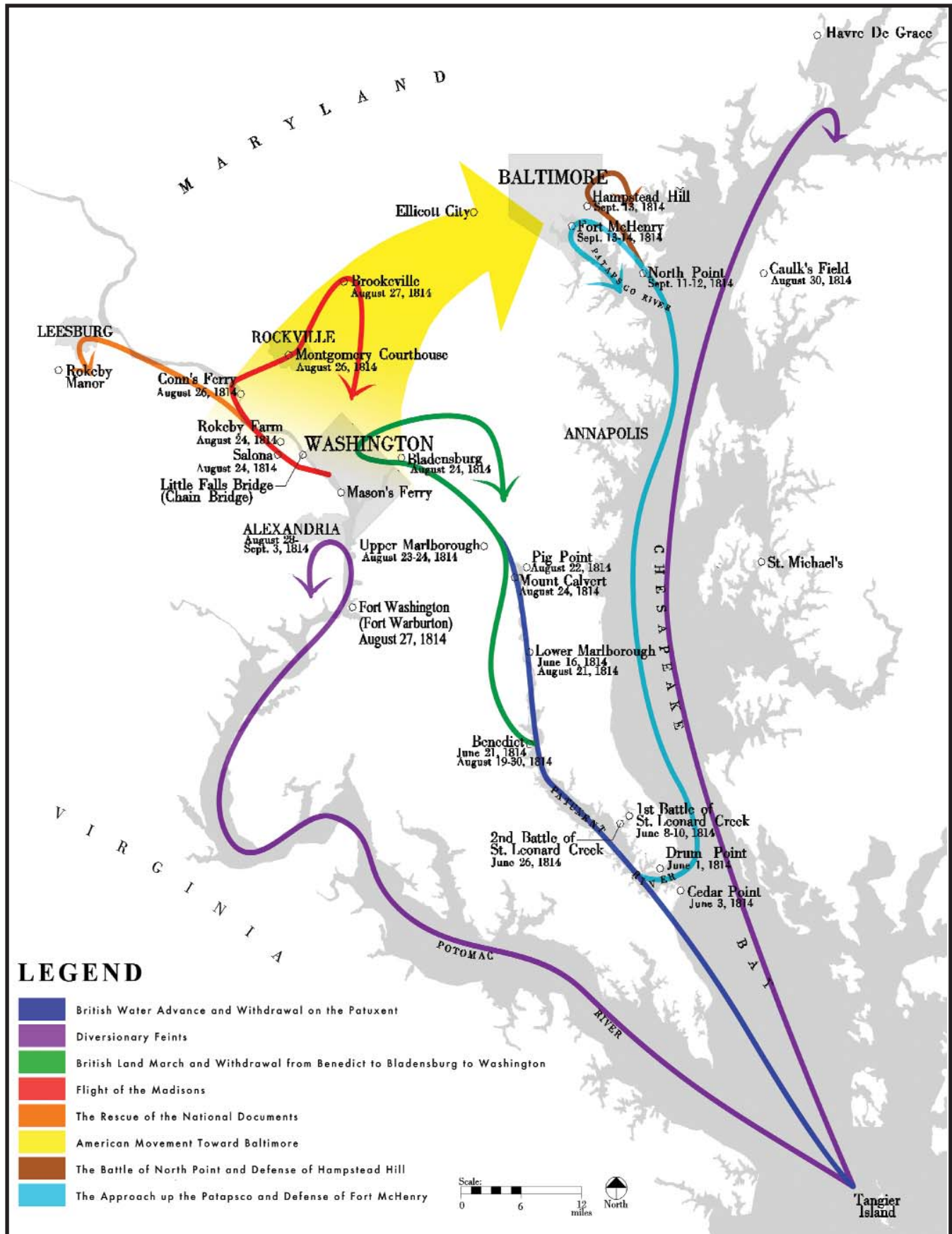


Map courtesy of Calvert Marine Museum; recreated by HNTB.

Map 2 shows the degree of commerce and industry along the Patuxent River around 1800. It is indicative of the type of development common throughout the Chesapeake Bay region during that time. These economic resources were the target of the British invasion and raids before and during the Chesapeake Campaign.



Map 3: American and British Routes during the Chesapeake Campaign



Prior to the British blockades of 1813, the Chesapeake region played an important role in international trade, shipbuilding and maritime-related commerce. In addition, the excellent soil, favorable climate and extensive navigable waters were the foundation of an agricultural and slave economy based on tobacco. Map 2 illustrates the nature and extent of this development along one tributary of the bay - the Patuxent River. The level of commerce and development along the Patuxent made the river a primary target of the British invasion.

Shipbuilding, maritime-related commerce and trade contributed to the growth of such hubs as Baltimore, a major deep-water port. Free blacks established themselves in the Baltimore area and enslaved Africans also were brought there, often in exchange for tobacco. With a growing population and the second largest number of blacks in the country, Maryland found itself torn between the slave-based economy and the free states to the north.

The growing city of Baltimore also developed an international reputation as a nest of pirates. These pirates were perfectly legal: they operated privateers, private vessels licensed to attack enemy ships. Many privateers were built in Baltimore shipyards and, because of their significant presence, the British viewed them -- and the city -- as a military threat.

The Chesapeake region was well established as the political and governmental center of the country. English settlers in the region exercised an unusual amount of political power before and after the Revolution. The region was selected for the nation's capital, which was relocated to Washington, DC in 1800. The Chesapeake region was viewed by the British as the central hub of decision-making, political power and belligerence.

## **OVERVIEW OF THE CHESAPEAKE CAMPAIGN**

The Chesapeake Campaign represents the only time in American history when the nation's capital was invaded by a foreign power. The campaign was made up of two military initiatives led by British Rear Admiral George Cockburn during the summer of 1814: first, the assault on Washington including the Battle of Bladensburg, the burning of the White House, the Capitol, the Navy Yard, and other public buildings in Washington, DC, and diversionary feints along the region's waterways; and second, the Battle for Baltimore. With most of the regular U.S. Army on the Canadian border, the defense of the Chesapeake and the nation's capital fell largely to poorly trained and inexperienced militia. Map 3 shows the events of the Chesapeake Campaign of 1812 and timeline.

### **The Assault on Washington, DC**

British Rear Admiral Cockburn conceived a plan that would involve the capture of the capital (in retribution for the burning of York [now Toronto] by the Americans the previous year), and a subsequent attack on Baltimore. Cockburn outlined the British plan to capture Washington in 1814: Vice Admiral Sir Alexander Cochrane would command the naval forces and Major General Robert Ross would command the land forces. Cockburn convinced Cochrane and Ross to first advance on Washington in order to catch the government and military off guard. They believed that if Baltimore were the first target, the government in Washington would have ample time to establish a defense.

The Americans, however, believed that the British were headed first for Baltimore, a major port for privateers, and underestimated the threat to Washington. Thus, the American Secretary of War felt it unnecessary to defend the capital.



This non-contemporary painting from the 1890s portrays the First Battle of St. Leonard Creek.



This image portrays the British burning of the White House, following their defeat of the Americans at the Battle of Bladensburg.

American Commodore Joshua Barney and the U.S. Chesapeake Flotilla sailed south from Baltimore to engage the British at their naval base on Tangier Island, but encountered superior British naval forces near the mouth of the Potomac River. After a brief engagement, referred to as the Battle of Cedar Point, Barney withdrew into the protection of St. Leonard Creek on the Patuxent River. During June 8, 9, and 10, 1814, British naval forces attacked Barney's flotilla without success. These engagements have become known as the First Battle of St. Leonard Creek. To draw Barney from his well-protected lair, the British conducted raids up and down the Patuxent River. They hit hard at civilians by impounding provisions, livestock, and tobacco; and burning property, including warehouses, plantations, and public buildings. Finally on June 26, 1814, in a coordinated land and naval attack, the Americans engaged the blockading British force. In this Second Battle of St. Leonard Creek, Barney was able to flee the creek and sail up the Patuxent. These engagements on the Patuxent allowed the British to disguise their real objective.

In July, the British launched a three-pronged attack. The main thrust of the British fleet ascended the Patuxent River and landed forces at Benedict to march over land to Washington. The U.S. Chesapeake Flotilla would be used as the pretext for this movement up the Patuxent.

A smaller British fleet entered the Potomac River, in part to make the Americans think that was the direction of the invasion but also to take Fort Warburton (now Fort Washington Park) and provide a water retreat route from Washington if needed by the British land forces. A second feint ascended the Chesapeake to raid the upper Bay north of Baltimore and to further confuse and divert American forces.

At the town of Benedict on the Patuxent River, the British reached the head of navigation for the larger vessels, and by August 20, more than 4,100 troops and marines disembarked to begin their march to Washington. Meanwhile, smaller British warships moved upriver to again engage Barney's flotilla. Under order of the Secretary of the U.S. Navy, Barney destroyed his flotilla near Pig Point when pressured by the British approach. Barney's men were sent to the Washington Navy Yard and participated later in the Battle of Bladensburg.

With the route to Washington largely undefended, the British easily advanced, covering the 30 miles in three days. They chose a route through the town of Bladensburg, as it offered the nearest fordable point across the Eastern Branch of the Potomac (now known as the Anacostia River), and would be crossable if the Americans had burned any bridges.

The Americans set up three defensive lines on the west side of the eastern branch of the Potomac at Bladensburg. The poorly deployed troops, with the exception of the Marines and sailors, were routed and fled in a disorderly manner; the British proceeded into Washington. On August 24-25, the British marched down Pennsylvania Avenue and burned many of the public buildings, including the Capitol and the White House. The printing presses at *The National Intelligencer* building also were destroyed by the British.

Having observed the disastrous Battle of Bladensburg, President Madison and his Cabinet took the British threat seriously and fled the capital. At the White House, Dolley Madison quickly arranged to secure and remove what docu-

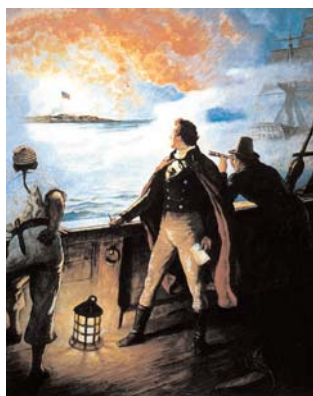


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*"As the last [British] vessel spread her canvas to the wind, the Americans hoisted a most splendid and superb ensign on their battery, and at the same time fired a gun of defiance."*

*--Midshipman Robert Barrett, HMS Hebrus*

Wyeth painting courtesy of Jefferson Patterson Park and Museum



This early 20th-century painting by Nathaniel C. Wyeth depicts Francis Scott Key watching the flag raised above Fort McHenry. Key, the flag, and the poem, "The Star-Spangled Banner," have become American icons.

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*"At dawn on the 14th, our morning gun was fired, the flag hoisted, Yankee Doodle played, and we all appeared in full view of a formidable and mortified enemy, who calculated upon our surrender in 20 minutes after the commencement of the action."--Isaac Munroe, Baltimore Fencibles, U.S. Volunteers, September 17, 1814*

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ments and treasures she could, among them a portrait of President Washington. Important documents such as the Declaration of Independence and the Constitution were rushed by cart from the State Department in Washington to safety in Virginia.

As the government fled the city, and exhausted American combatants straggled to Baltimore over many routes, the British land forces turned south and rejoined the fleet at Benedict. The fleet sailed down the Patuxent and then northward up the Chesapeake Bay to begin an attack on Baltimore.

During the British return through Upper Marlboro, a few deserters began plundering nearby farms. Dr. William Beanes and other American civilians seized six or seven of the deserters and confined them to a local jail. When one escaped and informed his superiors of the arrest, a contingent of British marines returned to Upper Marlboro and arrested Beanes and the others, and held them in exchange for the release of the British prisoners. The Americans were subsequently released except Beanes, who was considered the instigator of the incident. In violation of the existing rules of war, he was placed in confinement aboard *HMS Tonnant*.

Francis Scott Key, U.S. Attorney for the District of Columbia, was urged to seek Beanes' release, as his detainment was a violation of the existing rules of war. Key and the U.S. Agent for Exchange of Prisoners set sail on a truce ship to meet the British fleet, and boarded *HMS Tonnant* under a flag of truce. They showed the British officials the letters from wounded British soldiers left behind after the Battle of Bladensburg, giving testimony to the kindness and treatment given them by U.S. hands. This so moved British General Ross, who had ordered the arrest of Beanes, that he suggested to Cochrane that Beanes be released after the planned attack on Baltimore.

### The Battle for Baltimore

As events unfolded in Bladensburg and Washington, Baltimore's citizens, including free blacks, worked feverishly to establish defenses in Baltimore. More than a mile of earthworks stretched north from the harbor to protect the approach from the bay. Hulls were sunk as barriers to navigation. A chain of masts extended across the primary entry to the inner harbor. Fort McHenry, the star-shaped fort that protected the water approach to Baltimore, was seen as the cornerstone of the American defense.

On September 12, Americans observed in terror as the British fleet approached Baltimore at North Point near the mouth of the Patapsco River. About 4,500 British troops landed and began their 11-mile march to Baltimore. As the troops marched, the British warships moved up the Patapsco River toward Fort McHenry and the other defenses around the harbor. The ships opened a 25-hour bombardment of the fort, but failed to force its commander, Major George Armistead, and the other defenders to surrender. As the British fleet withdrew down the Patapsco, the garrison flag, now known as the Star-Spangled Banner, was raised over Fort McHenry, replacing the smaller storm flag that flew during the bombardment.

On land, after a skirmish referred to as the Battle of North Point, there were heavy British casualties including Major General Robert Ross. The British troops reached Baltimore's impressive defensive earthworks, manned by 15,000 Americans. Hearing of the failure to take Fort McHenry, the British prudently decided to withdraw. With this defensive victory for the Americans, the Chesapeake Campaign essentially ended.



Beanes and Key had witnessed the bombardment of Fort McHenry from onboard the truce vessel. Key was so moved by the scene of the battle that he composed a poem that eventually became the National Anthem. Key chose the tune, "To Anacreon in Heaven" by John Stafford Smith, because it was a popular American and British melody and he had previously adapted it to another poem.

Key, Beanes, and the other Americans were released as the British retreated, and that night Key worked on his poem. Handbills of the poem were quickly printed and copies distributed to every man who was at Fort McHenry during the bombardment. Key's poem was first printed on September 20, 1814, in the Baltimore *Patriot and Advertiser* under the title "The Defence [sic] of Fort McHenry." By the end of the year, the poem and the tune were printed across the country as a reminder of the American victory. In 1931, the U.S. Congress enacted legislation that made "The Star-Spangled Banner" the official National Anthem.

## **INTRODUCTION**

The National Trails System Act institutes a national system of recreation, scenic and historic trails. National historic trails (NHTs) are extended trails marking prominent past routes of travel, typically used for exploration, migration or military purposes. The study team applied the significance, suitability, and feasibility

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*The proposed Star-Spangled Banner NHT had an historic use and is significant as a result of that use. The 1814 route segments survive and are widely known and documented as the route of the Chesapeake Campaign. The impacts of this invasion were long lasting and the effects on American culture are still evident and meaningful.*

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## SECTION 2: EVALUATION OF NATIONAL SIGNIFICANCE, FEASIBILITY AND DESIRABILITY

criteria of the National Trails System Act. In addition, the historic significance of the proposed trail was assessed using National Historic Landmark Criteria.

To qualify as a national historic trail, a trail must meet three criteria defined in the National Trails System Act (see Appendix A). The criteria are set forth below along with an evaluation of how the proposed Star-Spangled Banner Trail meets all three. In addition, the Act requires the feasibility of designating a trail be determined on the basis of an evaluation of whether it is physically possible to develop a trail and whether the trail is financially feasible.

Additionally, the National Trails System Act states that national historic trails should generally be "extended trails" at least 100 miles long, but historic trails of less than 100 miles are permitted. The proposed Star-Spangled Banner National Historic Trail, with its eight trail segments, is comprised of more than 548 miles (339.8 km). The distance of the water trail up the Patuxent is more than 80 miles (49.6 km), and the land route to Washington is more than 60 miles (37.2 km). The two feints, one on the Potomac River and one on the Chesapeake Bay, are approximately 128 miles (79.4 km) and 80 miles (49.6 km) respectively. The routes of the Madisons and the national documents cover more than 65 miles (40.3 km). The portion of the route from the lower Bay to Baltimore is more than 85 miles (52.7 km). The Americans covered more than 50 miles (31 km) while retreating from Bladensburg en route to Baltimore.

### ELIGIBILITY CRITERIA FOR A NATIONAL HISTORIC TRAIL

**Criterion 1.** A proposed National Historic Trail (NHT) must be a trail or route established by historic use and must be historically significant as a result of that use. The route need not exist as a discernible trail to qualify, but its location must be sufficiently known to permit evaluation of the potential for public recreation and historical interest. A designated trail should generally follow the historic route but may deviate somewhat on occasion of necessity to avoid difficult routing or for more pleasurable recreation.

**Criterion 2.** A proposed NHT must be of national significance with respect to any of several broad facets of American history, such as trade and commerce, exploration, migration and settlement, or military campaigns. To qualify as nationally significant, the historic use of the trail must have had a far-reaching effect on broad patterns of American culture. Trails significant in the history of American Indians may be included.

**Criterion 3.** A proposed NHT must have significant potential for public recreational use or historical interest based on historic interpretation and appreciation. The potential for such use is generally greater along roadless segments developed as historic trails and at historic sites associated with the trail. The presence of recreation potential not related to historic appreciation is not sufficient justification for designation under this category.

### APPLICATION OF NATIONAL HISTORIC TRAIL CRITERIA

The proposed NHT would follow the route of the British invasion and the American defense during the 1814 Chesapeake Campaign of the War of 1812, the first time in the history of the United States that the capital was invaded by a foreign power. The trail would include the water and terrestrial components that were chosen by the British military as strategic means of reaching both the

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*Because much of the campaign was water-based, there is an opportunity for interpretation both from the water and from the scenic, and substantially protected, shorelines.*

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nation's capital and the city of Baltimore - the commercial center of the Chesapeake region - and related trail segments. The 1814 route segments survive and are widely known and documented as the route of the Chesapeake Campaign. The impacts of this invasion were long lasting and the effects on American culture are still evident and meaningful.

The invasion route is nationally significant with respect to many broad aspects of American history, including the military, social, economic, commercial, political, and settlement history of the United States. The historic events surrounding this campaign affected many aspects of American life from the latter part of the War of 1812 to the present day. The national significance of the proposed trail is explained in detail in the following section of this report.

Although the route is directly related to historic military events, the national significance of the proposed trail is further derived from the far-reaching effects of the campaign on the development of the United States. The American victory that ended the campaign contributed to the development of an American identity and inspired a surging spirit of nationalism that had not previously existed. This spirit included the recognition of the importance of the national flag and the writing of the poem that would later become the National Anthem.

In addition, the campaign contributed to the expansion of American military defenses and coastal fortifications, and the strengthening of the nation's international reputation. The young Republic and its multi-party democracy survived the challenge of a foreign invasion.

The proposed NHT has significant potential for public recreational use and historical interpretation, as well as aesthetic appeal and patriotic appreciation. It passes numerous historic structures and cultural sites, including the White House, the U.S. Capitol, and Fort McHenry National Monument and Historic Shrine.

The setting of the proposed trail also enhances its appeal. Much of the proposed trail crosses cultural and natural landscapes that have a great deal of integrity, including the Chesapeake Bay and the Potomac and Patuxent Rivers and their shorelines. Because much of the campaign was water-based, there is an opportunity for interpretation both from the water and from the scenic, and substantially protected, shorelines. A number of museums, parks, and historic sites protect resources and provide public access and interpretation of the War of 1812 and related historic themes.

On the following pages, the proposed trail is evaluated against the three criteria for National Historic Trails. A discussion of national significance (criterion 2) of the entire proposed trail is followed by a discussion of criteria one and three for each trail segment. As described in the following pages, five of the eight route segments considered in this study have retained integrity sufficient to result in a recommendation for their designation as a national historic trail. These same five segments possess high potential for public use and enjoyment. This section concludes with an evaluation of the proposed trail against the National Historic Landmarks (NHL) criteria. The proposed trail satisfies the three NHL criteria.

## **EVALUATION OF NATIONAL SIGNIFICANCE (CRITERION 2)**

Significance statements describe the importance of a trail to U.S. heritage. They describe why the trail and its resources are unique within a broader regional, national, and international context. The proposed Star-Spangled Banner NHT is nationally significant with respect to many broad aspects of American history, including the military, social, economic, commercial, and political history of the

United States.

The NPS study team and a group of independent scholars debated and documented the themes associated with the historic route and its national significance at two seminars, to which the public was invited. A draft statement of significance was developed and provided to the historians for review. The group concluded that the entire historic route is nationally significant. Further review of this document by the general public and the NPS Advisory Board will provide additional input and evaluation of national significance.

### **Significance: The Broader Context of the War**

A review of the broader context and significance of the War of 1812 is important in establishing the overall significance of events and the framework for the Chesapeake Campaign. Important themes emerged from the events of 1812 through 1815 that resonate through American history and that are still pertinent today.

### ***The International Political Framework***

The War of 1812 represents what many see as the definitive end of the American Revolution. A new nation, widely regarded as an upstart, successfully defended itself against the largest, most powerful navy in the world during the maritime assault on Baltimore and later at the Battle of New Orleans. America's victory over Great Britain confirmed the legitimacy of the Revolution; established clear boundaries between eastern Canada and the United States; set conditions for control of the Oregon Territory; and freed international trade from the constraints that had led to the war. America emerged from the war with an enhanced standing among the countries of the world.

### ***A Test of Democracy***

The war served as a crucial test for the U.S. Constitution and the newly established democratic government. In a bitterly divided nation, geographically influenced partisan politics led to the decision to declare war on Great Britain. Unprepared for war, under-financed, threatened by secession and open acts of treason, the multi-party democracy narrowly survived the challenge of foreign invasion.

### ***Myths, Stories, and Legends***

During the War of 1812 and in subsequent years, the reminiscences of veteran defenders and the popular American media prompted an outgrowth of myths, stories, and legends. Foremost among these are the stories of Francis Scott Key; the identification of the flag as "The Star-Spangled Banner;" the origin of the legend of "Uncle Sam," based on a New England military supplier named Samuel Wilson, who was called "Uncle" and put his initials, "U.S.," on the equipment he issued; the bestowing of the name "Old Ironsides" for the indomitable U.S. Frigate *Constitution*; the saving of the Gilbert Stuart portrait of George Washington; and the valiant rescue of government documents which were carried out of Washington in covered carts. All of these factual events became fused with legend and myth in the realm of American folklore. The events of the campaign have taken on a legendary quality that makes them memorable for many Americans.

American popular sentiment celebrated and mythologized the heroes, symbols and victories of the war. This sentiment became especially prominent during the 1914 centennial observance of the War of 1812 and is sure to be prominent at the bicentennial of the War of 1812 as well.

### **Significance: The 1814 Chesapeake Campaign**

The Chesapeake Campaign of 1814 is significant in and of itself and represents key





The Star-Spangled Banner flies high over Fort McHenry 24 hours a day by special order of the White House. It continues to evoke a special, patriotic feeling. When a star is added or if there is a new design for the flag, Fort McHenry is the first location to fly the new flag.



An artist's depiction of former slave Charles Ball, Landsman, U.S. Chesapeake Flotilla, who fought the British during the Chesapeake Campaign and later recounted his adventures in a published narrative.

turning points in American social and political history. The events of the invasion contributed to the preservation of a young nation and its Constitution.

### ***Nationalism/Patriotism***

The Chesapeake Campaign fueled a nascent sense of nationalism in many Americans. Americans took tremendous pride in their victory over the British at the Battle for Baltimore. The poem "The Star-Spangled Banner," written to commemorate the victory, was set to music and rapidly circulated. The flag and the song -- later the National Anthem -- came to symbolize the nation. They have retained their iconic status through the ongoing evolution of the country and remain important national symbols in the United States and the rest of the world. It was as a result of the Chesapeake Campaign that, for the first time, many Americans began to think about what it meant to be an American. After the Battle for Baltimore, Americans had a moment to take stock and recognize that this significant victory and the survival of the Republic were worth celebrating.

### ***The National Capital***

The Chesapeake Campaign took aim at the seat of the American government. The British blockaded the Chesapeake and invaded Washington, not only because it was the capital but also to take the war to the Virginia-based politicians whom the British held responsible for the war. By contrast, the northern states, largely opposed to the war, traded with and supplied the British until the naval blockade was extended.

The lack of defense of Washington, DC, the rout of the government, and the destruction of the capital were deeply embarrassing and demoralizing. This generated debate about moving the seat of government back to Philadelphia. Congress' narrow vote to keep the capital in Washington meant that the center of government would continue to be surrounded by slave states, rather than return to a northern city that had power in the anti-slavery movement. This fueled the intractable, sectional debate on the politics of slavery that loomed for many years to come.

### ***The National Flag***

Following the Chesapeake Campaign and the War of 1812, the American flag developed into a dominant national symbol. The flag flown from Fort McHenry, which came to be known as "The Star-Spangled Banner" as a result of Key's poem, assumed a meaning beyond local celebration. Sewn in Baltimore during the early stages of the war, this flag represents the broad ideals and values of the nation. Today, the American flag continues to evoke a special, patriotic feeling. In times of war, when returning from overseas, during space exploration, and at sporting events or other public gatherings, the American flag continues to represent freedom, democracy, and the intangible nature of "what it means to be an American."

### ***Slavery***

The campaign exposed the military and economic vulnerability of a nation dependent on slavery. An inconsistency in leadership between those protecting the institution of slavery and those fighting to abolish it existed in the United States. The British recognized this vulnerability and took advantage of it during the Chesapeake Campaign.

While the primary purpose of the American defense was to protect the country, a secondary and distracting purpose was to defend whites against potential slave insurrections. Although the militia tried to prevent slaves from defecting, the British were successful in recruiting a number of slaves into military service. The

British emancipated 4,000 slaves and used several hundred in their forces. After the war, these former slaves resettled in Canada and the West Indies, and later established a colony in Sierra Leone.

### ***Defense Policy***

In the summer of 1814, even though British expeditionary forces threatened the region, American leaders did not adequately prepare the defense of the region and made a series of miscalculations and poorly executed defensive measures. The Americans suffered a major defeat at Bladensburg; the government was evacuated from Washington; and the President, his family and his Cabinet were forced to flee. A number of public buildings, including the Capitol and the White House, were burned and the Secretary of War was forced to resign.

These events led to the recognition of the need for a sizable national military defense, particularly a navy and coastal fortifications. A major lesson learned on the Chesapeake was that, without adequate coastal defenses, the country was open to attack and blockading that would impair national and international trade. For the rest of the century, coastal defense dominated defense spending.

A second lesson of the campaign was that the country could not depend on militia, but needed a strong regular army. The campaign forced the young government to recognize the importance of central command and to adopt regulations that shaped the American military establishment for years to come.

### ***Trade and Commerce***

Baltimore's trade and commercial prowess made the region a target for the British invasion, affecting trade patterns and the future of Anglo-American commerce. In the first months of the war, the depredations of private armed vessels, or privateers, many from Baltimore shipyards, prompted the British Admiralty to declare the entire east coast under naval blockade. The British blockade of shipping, particularly on the Chesapeake Bay, forced the nation from its dependence on trade with foreign markets toward westward expansion to the interior of its own continent. Additionally, the American victory in the campaign forced other powerful countries to recognize and respect the United States' maritime rights.

### ***The Role of Baltimore's Civilians and Free Blacks***

During the summer of 1814, the term "citizen soldier" applied to nearly every citizen of Baltimore's mercantile and maritime trades. They rallied in an uncommon unity, whether for reasons of patriotism or profit. This turn of events prompted one citizen to comment, "All hearts and hands have cordially united in the common cause." Several individuals played nationally significant roles: Mary Pickersgill, a "maker of flags and pennants," was responsible for making the flag that became a national icon; Baltimore lawyer Francis Scott Key was the author of the poem that would later become the National Anthem; and Joseph H. Nicholson, a local judge and militia officer, was responsible for publishing "The Star-Spangled Banner." Also, for the first time in our nation's history, the U.S. Congress authorized black enlistment in the U.S. Navy. Women, free African-Americans, and other citizens contributed to Baltimore's efforts during the War and the defense of the Chesapeake.

### ***The Role of the First Lady***

During and after the Chesapeake Campaign, Dolley Madison's actions helped define the role of the First Lady. As the British approached Washington, Mrs. Madison exhibited great courage and helped to save a copy of the Declaration of Independence, cabinet papers, and the Gilbert Stuart portrait of George Washington. Returning to Washington, DC soon after the fires, the First Lady re-established her Wednesday evening "drawing rooms" (receptions) that were immensely popular with politicians, diplomats, and the citizenry. She brought

cheer and hope to a discouraged national government. She exerted strong influence over early American politics and the young nation during and after wartime.

### EVALUATION OF NATIONAL HISTORIC TRAIL CRITERIA ONE AND THREE

The proposed Star-Spangled Banner NHT follows the route of the Chesapeake Campaign of June to September 1814. This assessment of eligibility, feasibility and suitability evaluates: the water and land routes used by the British; the land route of the American defense; the land routes used by the President and First Lady; and the land route used to move important national documents to safety.

Criterion One for a national historic trail requires that a proposed trail follow as closely as possible the historic route. In most cases, the campaign followed roads that existed prior to 1814 and that still exist today. In a few places, the historic route is known but cannot be followed due to modern development patterns. Thanks to journals and contemporaneous maps, a majority of the routes used during the four-month campaign are known today and are described in detail below. There are numerous opportunities for the public to retrace the original route.

Criterion Three requires that a proposed national historic trail have significant potential for public recreational use or historical interest based on historic interpretation and appreciation. The potential recreational use and historic interest of the proposed Star-Spangled Banner NHT are derived from many factors, including the historic integrity of the setting of the trail and related historic events; the existence and integrity of historic sites linked to the campaign; and the presence of a number of partners and institutions that provide interpretation and visitor services. These are described in detail below.

For discussion and illustrative purposes, the historic routes have been divided into two categories: 1) The Assault on Washington (including the British approach up the Patuxent River, the Chesapeake Bay and Potomac River feints, the British land march from Benedict to Bladensburg to Washington and back,

**Figure 3: Summary of Eligibility Findings**

TRAIL SEGMENT	Criterion 1: Known Location of the Trail Route	Criterion 2: National Significance	Criterion 3: Recreational Use and Historical Interest
British Water Advance & Withdrawal on the Patuxent	●	●	●
The Diversionary Feints	●	●	●
The British Land March and Retreat	●	●	●
The Flight of the Madisons		●	
The Rescue of the National Documents	●	●	
The American Movement toward Baltimore		●	
Battle of North Point and Defense of Hampstead Hill	●	●	●
Approach up the Patapsco & Defense of Fort McHenry	●	●	●



Jefferson Patterson Park and Museum is a Maryland state museum of history and archeology. The terrestrial sites associated with the Second Battle of St. Leonard Creek are part of the park.

and the flight of the Madisons and movement of the national documents) and 2) The Battle for Baltimore (including the American route to Baltimore, the Battle of North Point and the defense of Hampstead Hill, and the approach up the Patapsco River and defense of Fort McHenry). A map related to each segment is referenced in each of the sections below.

### **The Assault on Washington**

#### ***The British Water Advance and Withdrawal on the Patuxent***

The United States Chesapeake Flotilla, under Commander Joshua Barney, sailed from Baltimore in an effort to attack the British Fort Albion at Tangier Island. The flotilla encountered superior British forces and on June 1, 1814, headed into the relative safety of the Patuxent River. When the British blockaded the mouth of the river and began to press up the Patuxent, the American flotilla sought the safety of St. Leonard Creek, which the British also quickly blockaded.

Skirmishing between the American flotilla and the British navy on June 8 to June 10, the First Battle of St. Leonard Creek, did not dislodge Barney and his flotilla. In an attempt to bring him from his well-protected lair, the British raided towns and several vessels up and down the Patuxent, taking or burning all the hogsheads of tobacco they could find. Finally, on June 26, in a surprise dawn attack supported by American land batteries, the flotilla was able to escape from the creek and move up the Patuxent in what has been called the Second Battle of St. Leonard Creek. These two battles are the largest naval engagements to be fought in Maryland waters. Barney retreated up the river to Pig's Point, where, on orders to scuttle the flotilla to avoid capture by the British, he commanded his men to destroy the fleet.

On August 19, 1814, a British expeditionary force of more than 4,100 men landed at Benedict to begin the march to Washington.

#### **Criterion 1: The location must be sufficiently known.**

As a water route, the Patuxent River trail segment retains integrity, is fully known and able to be traveled today.

#### **Criterion 3: The trail must have significant potential for public recreational use or historical interest.**

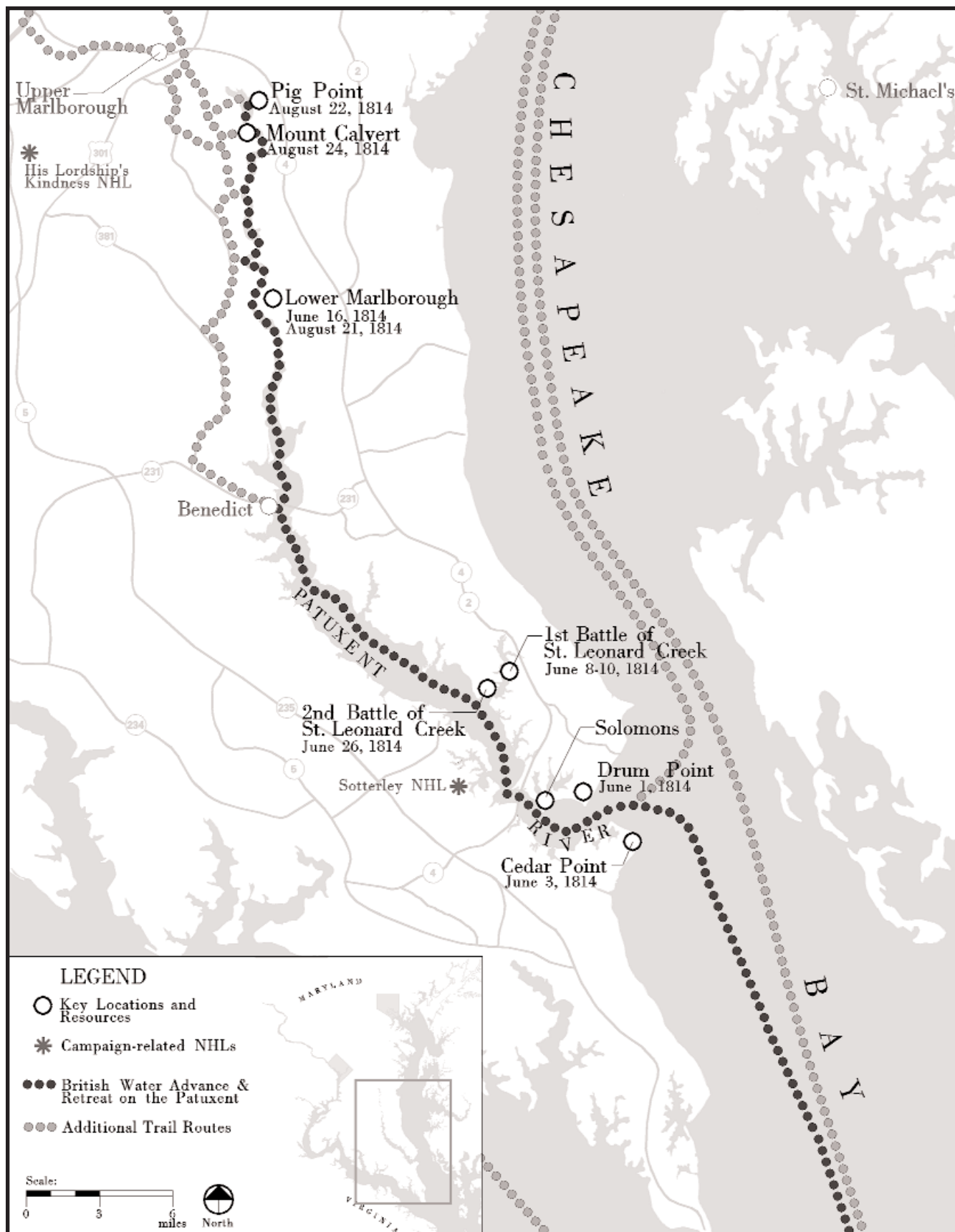
The setting--the shoreline of the Patuxent River--has maintained its integrity, with a majority of the river's shoreline in a similar condition to that of 1814. The shoreline is largely protected, inhibiting future degradation to the landscape and viewshed.

Each of the recommended water routes has potential for submerged archeological resources, especially the upper Patuxent River above Pig Point, where the Chesapeake Flotilla was scuttled and the remains of the fleet still lie undiscovered. Two American War of 1812 gunboats have been partially studied at the headwaters of St. Leonard Creek and one American war vessel was partially studied above Pig Point. At least 12 more war vessels and several merchant vessels remain to be discovered. A cursory survey recovered musket shot and canister remains at St. Leonard Creek, even though the American battery site at the mouth of the creek has not been located.

The potential for interpretation and public use is high, with public access points and several public parks and museums along the river. Some important resources along this segment of the proposed trail are:



**Map 4: The British Water Advance and Withdrawal on the Patuxent**





**Solomons Island:** Located at the confluence of the Patuxent River with the Chesapeake Bay and adjacent to the historic water route, it provides several historic resources and opportunities for interpretation.

**Tangier Island:** Site of a British stronghold in the lower Chesapeake Bay christened by them as "Fort Albion," the British established a temporary base on the island soon after arriving in the Chesapeake Bay (April 11, 1813). A year later, they re-occupied the island (April 14, 1814) and began to develop it as a base for the Royal Navy.

**The Calvert Marine Museum:** A public non-profit educational museum dedicated to the collection, preservation, research, and interpretation of the culture and natural history of Southern Maryland; it features resources from and interpretation of the War of 1812 in the Chesapeake region.

**Historic Sotterley Plantation:** A National Historic Landmark on the western shore of the Patuxent River in Hollywood, Maryland, dates to the early eighteenth century and was raided by the British during the campaign; today, depicts the way of life on a tobacco plantation.

**Jefferson Patterson Park and Museum (JPPM):** A Maryland state museum of history and archeology, it is operated by the Department of Housing and Community Development, with a mission to preserve, research, and interpret the diverse cultures of the Chesapeake Bay region. Located on 544 acres along the Patuxent River, JPPM contains more than 70 documented archeological sites and is listed on the National Register of Historic Places. The public can learn about the archeological, agricultural, and historical resources of the area through a wide range of exhibits, educational programs, and services. The state-of-the-art Maryland Archaeological Conservation Laboratory, a visitor center, and research library are available. The terrestrial sites associated with the Second Battle of St. Leonard Creek are part of the Park.

**The Maryland State Highway Administration, Maryland Scenic Byways Program--**Three driving routes overlap the historic routes of the proposed Star-Spangled Banner NHT. Trailblazing signs guide visitors "off the beaten path" to scenic drives that celebrate Maryland heritage and that are interpreted through tour brochures and at various public museums and venues along the way. The Calvert Maritime Tour takes a visitor on a 25-mile, self-guided trip from Benedict to Solomons to learn about the maritime, waterfront, military, and cultural history of the area. (Additional Scenic Byways are discussed with the relevant proposed trail sections.)

**Finding:** The National Park Service finds that this route segment fully meets

The shores of St. Leonard Creek in Calvert County Maryland



Photos courtesy of HNTB.



Fort Washington Park, formerly called Fort Warburton, is one of the National Park Service sites along the proposed trail.

the three criteria for designation as a national historic trail.

### ***The Diversionary Feints on the Potomac River and Chesapeake Bay***

To keep the American forces guessing as to the intent of the invading British army, two nearly simultaneous water feints were launched. While the main contingent of the Royal Navy proceeded up the Patuxent River and landed forces at Benedict, smaller naval contingents were sent up the Potomac River and the Chesapeake Bay. The purpose of the Potomac River feint was to capture Fort Washington and provide a means of evacuation for the invading land forces should they need assistance. The purpose of the Chesapeake Bay feint was to make the Americans think that Annapolis and/or Baltimore were the British objectives, thereby pulling potential American forces away from Washington.

In late August 1814, a Royal Navy squadron under the command of Captain Sir Peter Parker conducted a feint up the Chesapeake Bay to keep the Americans guessing as to where the British were going to attack and to divert forces from supporting Washington. The British landed at the confluence of Bodkin Creek and the Patapsco River on August 24 and burned the privateer, *Lion*. Annapolis and Washington were both threatened by this squadron though never attacked. Parker was mortally wounded during the feint at the skirmish at Caulk's Field.

The Potomac feint was riddled with bad luck as the hastily-prepared crews made their 120-mile passage up the winding, shoal-filled river. The ships anchored off Maryland Point on August 24, the same day that Ross and Cockburn completed their land march and burned Washington. Upon seeing the red glow from the flames in Washington and believing that the goal of capturing the capital had been met, the Potomac squadron made the command decision to proceed on its own. On August 26, the squadron passed Mount Vernon and came into view of Fort Washington, just 12 miles from Washington, D.C., and 6 miles from Alexandria.

The British attempted to attack the fort but the Americans blew it up themselves as ordered by the commanding officer, leaving the capital and the City of Alexandria undefended. The British squadron arrived in Alexandria and occupied the town from August 28 through September 3. During that time, the town capitulated and provided the squadron all its tobacco, grain, cotton, and flour.

Word came from the Chesapeake Bay that Americans were building batteries along the Potomac to contest the squadron's downriver return. The British encountered American batteries at Indian Head but the British squadron was able to make it safely to the open waters of the bay by September 9 with seven warships and the booty from Alexandria.

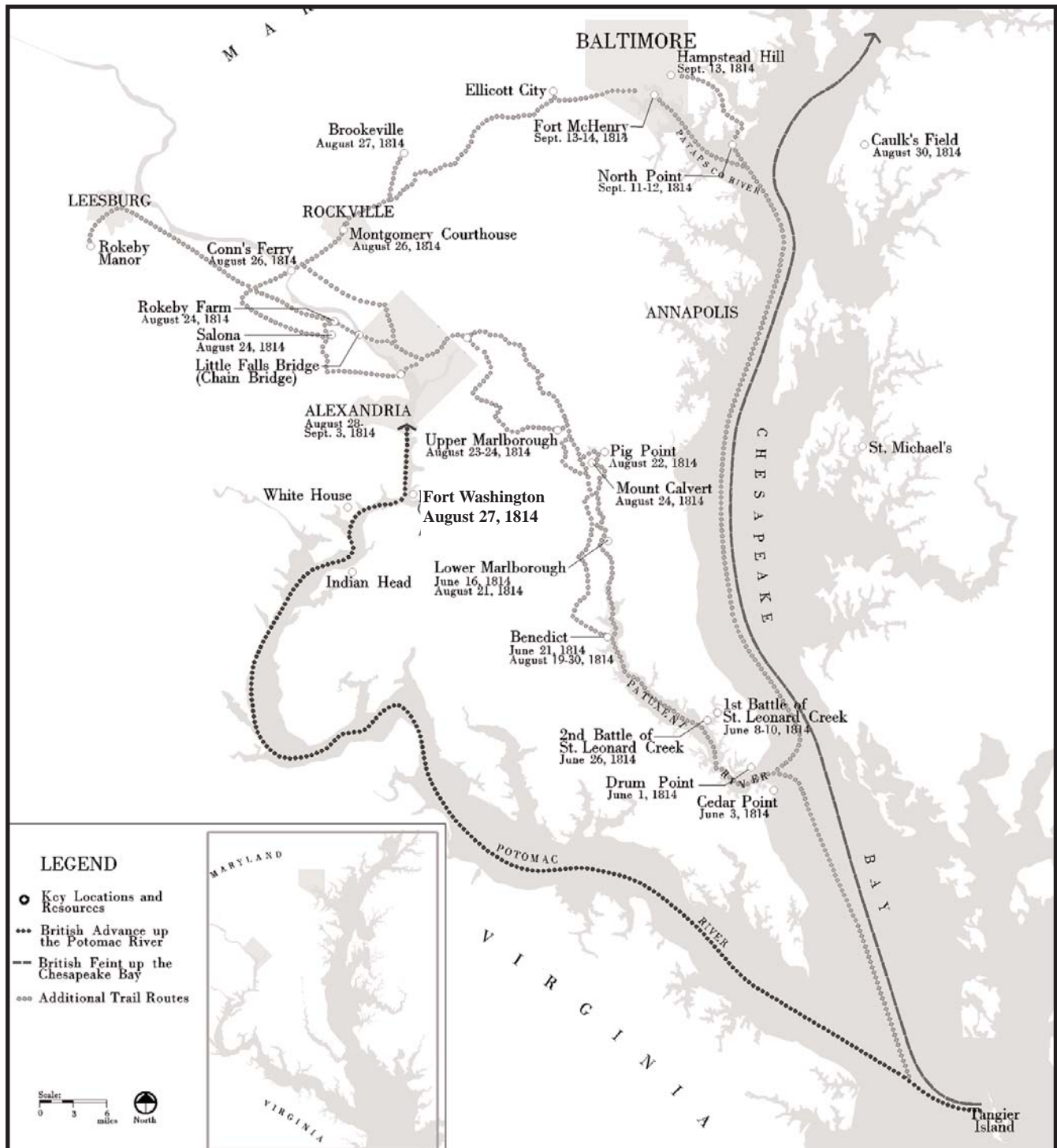
### **Criterion 1: The location must be sufficiently known.**

The route segments of the diversionary feints on the Potomac River and the Chesapeake Bay are fully known and able to be traveled today and retain their integrity.

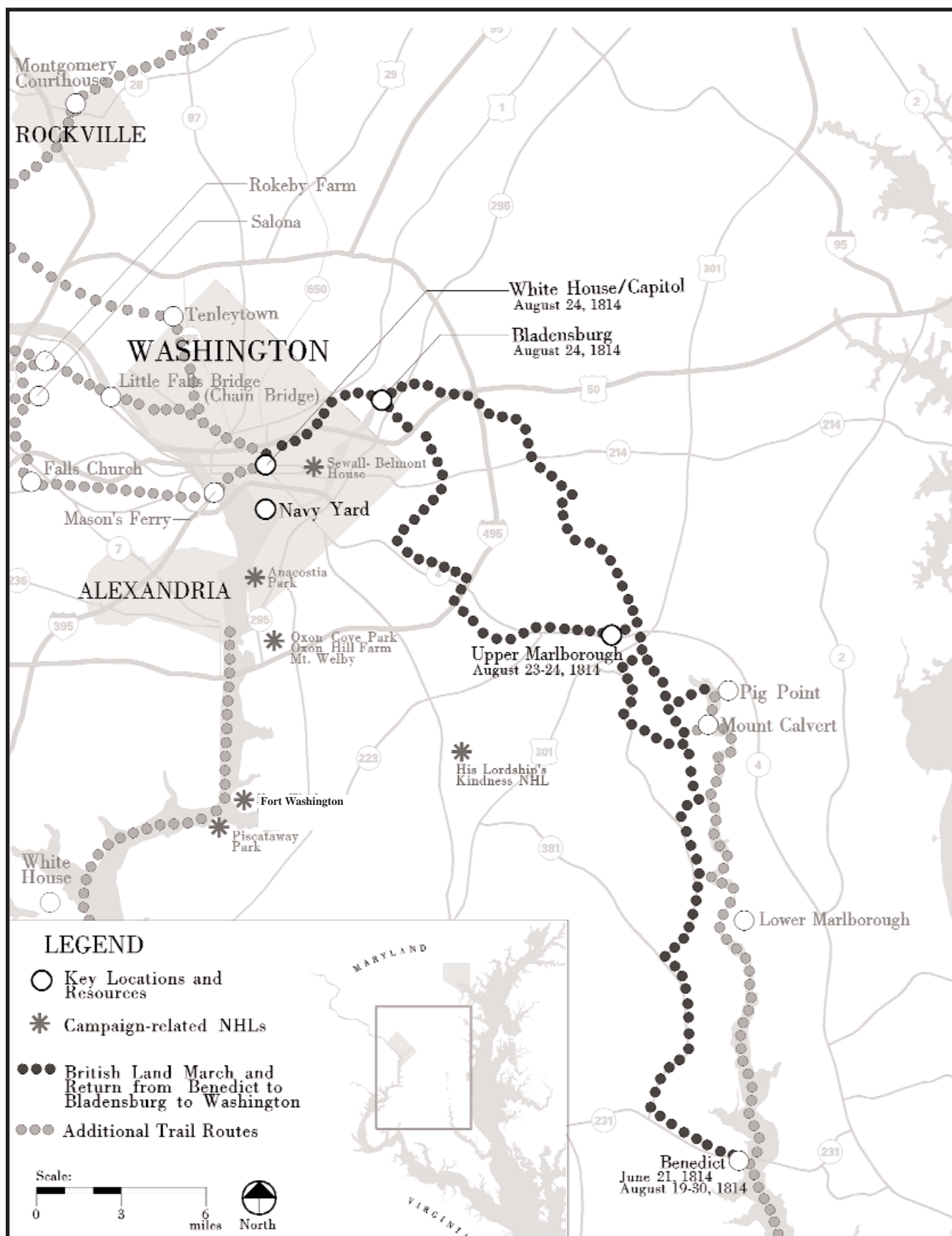
### **Criterion 3: The trail must have significant potential for public recreational use or historical interest.**

The settings of these water routes also retain a high degree of integrity. Changes have occurred along the shores of the Potomac River and the Chesapeake Bay; yet a majority of the conditions are similar to those of 1814. The lower and middle tidal portions of the Potomac River in particular have a high degree of integrity, with riparian forests, agricultural fields, and historic homes along the banks.

Map 5: The Diversionary Feints



**Map 6: The British Land March and Withdrawal from Benedict to Bladensburg to Washington**







The original road-cut on Fenno Road, the setting of which has changed very little since the British traversed it.



Bladensburg, looking west toward the Anacostia River, has been altered by development. Although the route itself has integrity, in some urban areas the setting is greatly altered.

Photos courtesy of HNTB

The routes along the Chesapeake Bay and the Potomac River pass many historic and archeological resources including forts and structural remains. The potential for public use and historical interest is high, with a number of public parks and museums and public access points along the water. It should be noted that there is limited public access from the water directly to the related resources and portions of these waterways are difficult to navigate. Important related resources include:

**Belvoir Mansion Ruins:** Destroyed in a fire, the remains of this National Register of Historic Places site were shelled by the British in 1814.

**Old Town Alexandria:** Capitulated to the British during the Potomac feint, Old Town is a National Register Historic District. Several warehouses sacked by the British still stand.

**Fort Washington Park:** Also known as Fort Warburton and blown up by the Americans to prevent capture by the British squadron during the Potomac feint, it is now a National Park Service site.

**Mount Welby Manor:** Home where Mrs. DeButts wrote letters describing the approaching British fleet and the firing of rockets; nearby at the confluence of Bodkin Creek and the Patapsco River where the Baltimore privateer *Lion* burned is an archeological site.

**Caulk's Field:** Site of battle during the Chesapeake feint that resulted in the death of Peter Parker, a promising young British officer, and boosted the American spirit before the Battle of Baltimore. The most intact 1812 battlefield in Maryland, this site is privately owned and not protected.

The Virginia Department of Conservation and Recreation manages 2,000 acres at Mason Neck State Park along the historic route. From the park, a visitor can view the Potomac River and Chesapeake Bay landscape in much the same way an onlooker would have in 1814.

The Maryland Department of Natural Resources' properties include Point Lookout State Park, located on the peninsula between the Chesapeake Bay and the Potomac River, with a visitor center and museum to interpret the history of the area, and Calvert Cliffs State Park, which follows the shoreline of the Chesapeake Bay and covers more than 1000 acres overlooking the British water routes.

**Finding:** The National Park Service finding is that these route segments fully meet the three criteria for designation as a national historic trail.

### ***The British Land March from Benedict to Bladensburg to Washington, DC and their Withdrawal***

After landing in Benedict, the British marched on to Bladensburg via Nottingham and Upper Marlboro. Advance pickets and flanking squads ensured the safety of the main troops as they advanced inland. Shallow draft British vessels paralleled the land troops along the Patuxent River as far as Mount Calvert, providing flanking protection and quick escape for the land forces if necessary. At Mount Calvert, Rear Admiral Cockburn disembarked some of his seamen to join the land troops on their march on Washington. Just north, across the Patuxent above Pig Point, the Americans destroyed their own Chesapeake Flotilla in order to





Mount Calvert, a pre-1812 mansion, owned by the Maryland-National Capital Parks and Planning Commission.



A commanding view of the Patuxent River from Mount Calvert.

Photos courtesy of HNTB

keep it out of British hands.

On August 20, Secretary of State James Monroe stood on a hill near Aquasco Mills, overlooking Benedict, reconnoitering the British fleet and troop strength. Monroe ordered dragoons (heavily armed mounted troops) to be placed every 12 miles between Aquasco Mills and Washington to expedite military-governmental communication of the British activities.

The British continued north along Croom Station Road and encamped near Upper Marlborough on their march to and during their return from Washington, August 22-23 and August 26-27, respectively. The Chesapeake flotillamen also assembled here after abandoning the flotilla and marched to defend Washington and Bladensburg.

As the land forces marched toward Washington from Benedict, their Commander, Major General Robert Ross, twice conducted feints. The first was near Bellefields, where the roads from Upper Marlborough and the Woodyard joined. It was believed that if the British advance went right (north toward Upper Marlborough), they were headed to the flotilla and possibly north to Baltimore; if they turned left (west), they were probably headed toward Fort Washington and the capital. As the British approached this fork, at about 8:30 a.m. on August 22, they saw American horsemen and swung left to attack. The Americans withdrew toward their camp at Long Old Fields.

General Ross halted his troops and then reversed his course and marched to Upper Marlborough. This confused the Americans, who thought the British were heading west toward Fort Washington and/or the capital via that route. As the British marched past the crossroads at Long Old Fields, only evacuated by the Americans a few hours earlier, Ross first marched west for a short distance, then again reversed himself and marched north toward Bladensburg. These feints so confused the Americans that the defenders of Fort Washington blew up the fort without firing a shot, believing they were about to be attacked by land forces on the unprotected east side of the fort, as well as by the naval forces on the river. These maneuvers by the British also kept the Americans guessing as to the actual approach the British would take toward Washington. As a result, the American forces were only assembled at Bladensburg at the last minute, with some troops arriving after the battle began.

On August 23rd and 24th, the British and Americans camped within two miles of one another near Upper Marlborough. The main British troops camped to the west of Mellwood, where Ross and other British officers invited themselves to dinner. The Americans were camped two miles to the southeast of Mellwood at Woodyard, a strategic crossroad leading to the capital. This was a key location for the Americans, who were in position to reach the banks of either the Potomac or the Patuxent Rivers within two hours.

When the Americans learned that the British were marching to Bladensburg, they proceeded to the river crossing there. General Tobias Stansbury's Maryland men, the first to reach this objective, took up a position to the west of the bridge between the advancing British troops and Washington, DC.

At Bladensburg, the American forces suffered from mismanagement in the placement of troops and a lack of leadership, despite the presence of President Madison and Secretary of State Monroe. The British troops crossed the river under heavy fire, causing the first two American lines to retreat. A third line, manned by Barney's flotillamen and Marines, fought courageously until they, too,

were forced to flee. This opened the way for the British to continue on Bladensburg Road to Maryland Avenue into Washington on the evening of August 24, 1814. There the British burned the Capitol and then marched up Pennsylvania Avenue and burned the White House. Along the way they burned many other government buildings including some at the Washington Navy Yard.

Returning to their ships in Benedict, the British used a slightly different route. From Bladensburg, they marched east and then south to Upper Marlborough. They then took the same route on which they had come. At Benedict, they re-embarked their ships and sailed back down the Patuxent.

**Criterion 1: The location must be sufficiently known.**

The British invasion route, from their landing point at Benedict to Washington, D.C., is clearly documented by contemporary maps and journals. A visitor can retrace this approximately 50-mile route (excluding side routes) by motor vehicle with the exception of six deviations (two of which are minor). These deviations, totaling about 12 miles, represent approximately 24 percent of the route. Most of these deviations are in the developed northern portion of the study area near Washington, while the southern, rural portion of the route is largely unaffected.

Deviation 1 is located approximately 24 miles from Benedict where, partially due to a railroad line, the original route is truncated. The route near St. Thomas Chapel, therefore, is diverted for about 4 miles onto Croom Road to Croom Airport Road to Crain Highway (US 301) to Chew Road, instead of turning right at Old Rectory Lane and joining up with Chew Road on the opposite side of the railroad. At this point the route rejoins the original route.

Deviation 2 is a minor diversion of less than 0.5 miles where Old Marlborough Pike is truncated by Maryland Route 4, forcing the route under the Route 4 overpass before rejoining Old Marlborough Pike.

Deviation 3 is located approximately 34 miles from Benedict and is caused by the presence of Andrews Air Force Base and the Washington Beltway. The route deviates about 2.5 miles before it again joins with Old Marlborough Pike. Coincidentally, every time Air Force One takes off and lands at Andrews Air Force Base, it crosses the route of the British invasion.

Deviation 4 is located approximately 41 miles from Benedict in District Heights. The route is deviated about 1.25 miles before the route joins Addison Road.

Deviation 5 is a minor diversion located approximately 43.5 miles from Benedict. Martin Luther King Jr. Highway forces Addison Road to jog left and immediately to the right back onto Addison Road. This deviation is about 0.1 miles.

Deviation 6, approximately 44.3 miles from Benedict, is due to the construction of US Route 50, I-295, Maryland Route 201 and a railroad line. The route deviates about 4.1 miles before it connects to Bladensburg Road and rejoins the British Invasion route. The deviation allows one to pass Cheverly Spring, which reportedly was used by the British to replenish their fresh water.

**Criterion 3: The trail must have significant potential for public recreational use or historical interest.**

The road from Benedict through Upper Marlborough retains historical interest, while other stretches of the route segment are known but are not in the same condition as they were in 1814. Fenno Road, north of Nottingham, is very narrow and bordered by woodlands on both sides. Although the modern road is paved, it follows a sunken colonial road that was traveled by the British. The description by British Lieutenant George Robert Gleig in his diary matches today's setting perfectly. Other portions of this segment, especially near Bladensburg and Andrews Air Force Base, have been altered by railroad, interstate, and commercial development. Still, approximately 70% of the British invasion route retains high historical interest.

This route segment has public access and the ability to be interpreted at many points, particularly in southern Maryland and Washington, DC. Some resources are not currently open to the public. Other protected natural areas, including the Wildlife Management Areas, do not offer any interpretation of the War of 1812. Important related resources include:

**Mount Calvert:** A pre-1812 mansion on the Patuxent River, this home is owned by MNCPPC (open to the public).

**Pig Point:** Located in the Patuxent Wetlands Park, historic point near to where Barney's flotilla was scuttled.

**Bellefields:** A private home where a skirmish occurred (not open to the public).

**Mellwood:** A private mansion where the British camped (not yet open to the public).

**His Lordship's Kindness (NHL):** An estate near the site of an American encampment (open to the public).

**Dueling Grounds and Spring House at Fort Lincoln cemetery in Bladensburg:** The site of the Battle of Bladensburg, the last line of defense for the Americans before the British invaded Washington; Joshua Barney was first taken to the Spring House to treat his wound after the Battle of Bladensburg (the cemetery is open to the public).

**Bladensburg Waterfront Park:** A public park with a good view of the bridge site where the British crossed and attacked the first line of American defenses

**Indian Queen Tavern:** A pre-1812 tavern where the British placed artillery (open to the public).

**Pennsylvania Avenue National Historic District:** During the British burning of the capital, the only direct street connecting one part of the city to the other. It was along this route that the British traveled from the Capitol to the White House and other government buildings (accessible to the public).

**The Sewall-Belmont House:** House where shots were fired at British soldiers, possibly by US Chesapeake flotillamen. The house was set on fire and is the only known private residence deliberately burned during British occupation. It is an NPS affiliated site now used for the museum and offices of the National Women's Party (open to the public).

**The Octagon House:** President James Madison's residence for six months after the White House was burned, it is the location where he signed the Treaty of Ghent that ended the war (open to the public)

**The U.S. Capitol:** The wings of the Senate and the House of Representatives, separated by a wooden bridge some 100 yards long, was burned by the British (open to the public)

**The White House:** The President's Mansion (open conditionally to the public )

**The White House Visitor's Center:** An NPS site, this visitors' center offers interpretation of the War of 1812 and the burning of the White House (open to the public).

**The Washington Navy Yard (and associated structures) (NHL):** Brig. Gen. William H. Winder and his troops retreated from Long Oldfields to this site in the face of the British advance. Also the place where Winder met with President Madison, his Cabinet and Secretary of War John Armstrong; structures were burned by both the British and American forces. (portions open to the public)

**Francis Scott Key Park:** An NPS site in Georgetown that memorializes Francis Scott Key and *The Star-Spangled Banner*.

The Maryland National Capital Parks and Planning Commission (M-NCPPC) maintains several trail-related culturally significant resources, including Billingsley and Darnall's Chance in Upper Marlborough, property in Nottingham along the waterfront, and Bladensburg Waterfront Park. Additionally, Patuxent River Park, buffering the shores of the Patuxent River, is made up of more than 6,000 acres under M-NCPPC purview, including the Jug Bay Natural Area and Aquasco Farm properties. M-NCPPC is a bi-county agency, empowered by the State of Maryland, to acquire, develop, maintain, and administer a regional system of parks in Montgomery and Prince George's Counties in Maryland, adjacent to the District of Columbia.

"The Lower Patuxent River Tour" (a Maryland Scenic Byway) is a 17-mile route through the area surrounding the Patuxent River from Upper Marlborough to Benedict. Much of this driving trail follows the route of the British in 1814, including their landing at Benedict and encampment in Nottingham.

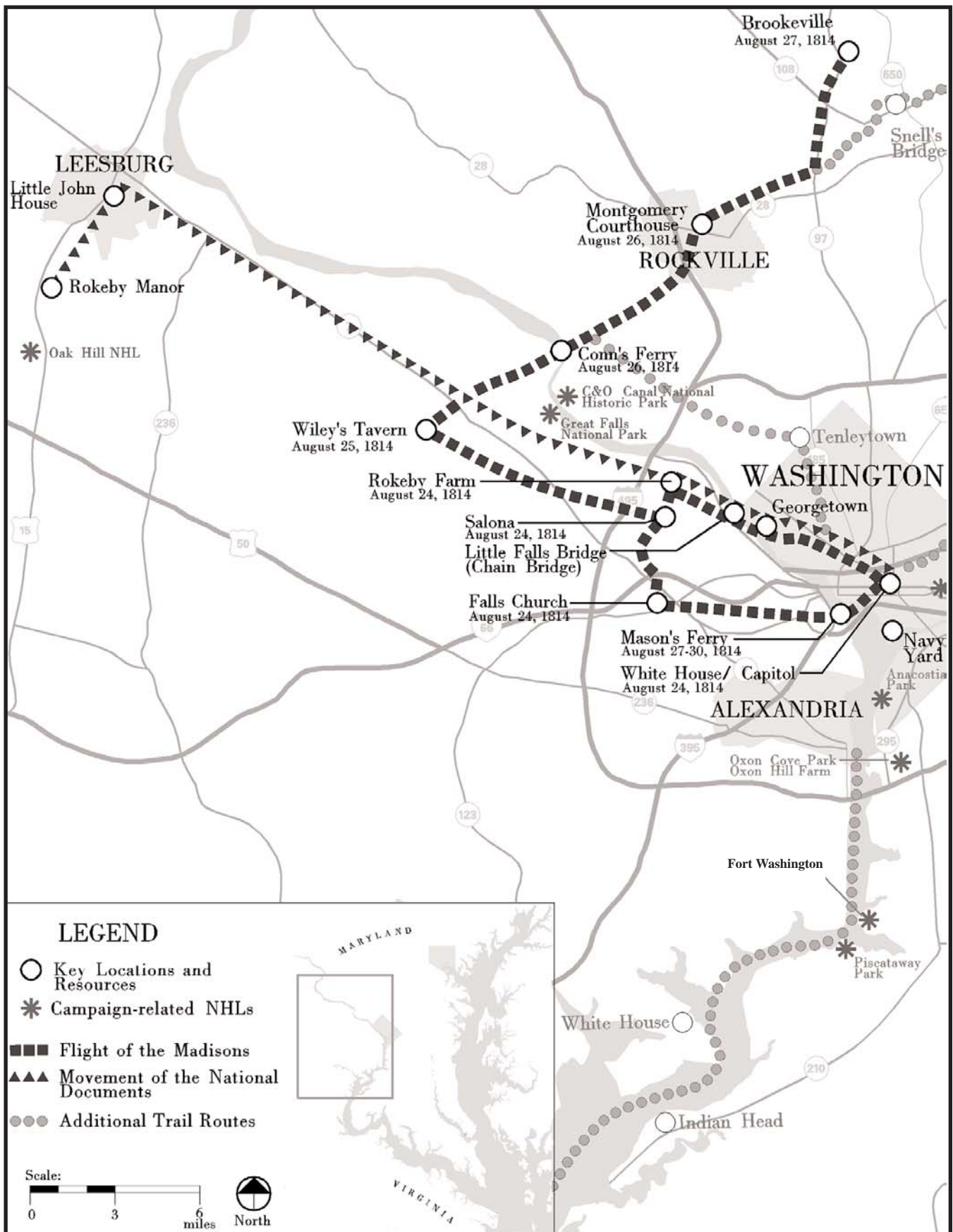
In Upper Marlborough, directly on the historic land and water routes, is the Merkle Wildlife Sanctuary, a wildlife sanctuary operated by MDDNR. The protected area includes the wildlife sanctuary and a visitor center. Other Wildlife Management Areas (WMA) associated with the historic route segments include the Bowen WMA, with 300 boat-accessible acres near Magruder's Landing, and South Marsh Island WMA, a 3,000-acre island located in the Chesapeake Bay.

The Star-Spangled Banner is in the collection of the Smithsonian Institution, National Museum of American History, which is conducting a three-year conservation project. The exhibit "Preserving the Star-Spangled Banner: The Flag That Inspired the National Anthem," deals with the flag's history and its conservation treatments. Visitors have the opportunity to see the conservators at work and handle a reproduction of wool bunting and 19th-century bombshell.

**Finding:** The National Park Service finding is that this route segment fully meets the three criteria for designation as a national historic trail.



**Map 7: The Flight of the Madisons and The Rescue of the National Documents**







A view over the Potomac River from Great Falls River Bend Park.



The Madison House in Brookeville was James Madison's last stop before returning to Washington.

### ***The Flight of the Madisons***

With the impending danger in the capital, President James Madison, First Lady Dolley Madison, and his Cabinet prepared to leave Washington.

On August 24, the President and the First Lady fled Washington separately, agreeing to meet at Salona, a friend's home in Virginia. Dolley Madison went first to Georgetown's Dunbarton House to strategize; she then crossed the Potomac at Little Falls Bridge (Chain Bridge) and stopped at Matilda Love's house, Rokeby Farm, in Fairfax County (as distinguished from Rokeby Manor, Leesburg), where she spent the night. President Madison left the capital via Mason's Ferry, stopping at Minor's Hill, Wren's Tavern, and Salona. The couple continued to look for each other while traveling northwest along Old Dominion Road toward Difficult Run. The couple finally met at Wiley's Tavern on August 25.

President Madison departed the next day, heading to Montgomery Courthouse to meet Brigadier General Winder and the troops. When President Madison missed Winder on August 27, he and his party went on to Brookeville, traveling east on Baltimore Road until it joined modern-day Route 28 east to Georgia Avenue. President Madison, Attorney General Richard Rush, General John T. Mason, State Department Chief Clerk John Graham, their servants and a guard of 20 dragoons occupied the Caleb Bentley House. They spent the night and returned to Washington after the British threat had abated.

**Criterion 1: The location must be sufficiently known.**

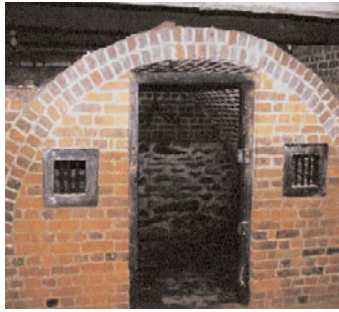
### **Dolley Madison Escape Route**

While the Dolley Madison Escape Route from the White House to Wiley's Tavern is known, the exact roads used by her in all cases are not precisely known, as journal entries are few and no maps were made of her route at the time. A potential visitor can follow this approximately 27-mile route (excluding side routes) by motor vehicle, retracing this route except for one deviation. This deviation of approximately 3 miles represents approximately 11 percent of the route length. The exact route the First Lady took from the White House to Dunbarton House is unknown but was most likely Pennsylvania Avenue across Rock Creek and up 28th Street to Q Street. From Dunbarton she probably traveled via M Street to what today is MacArthur Boulevard, where she crossed the Little Falls Bridge (Chain Bridge). From the bridge she traveled west on Georgetown Pike to Rokeby Farm, where she spent the first night (August 24). The next day, the First Lady continued west on Georgetown Pike and then southwest on Chain Bridge Road to meet James Madison at Salona in Lewinsville but the Madisons missed each other. From Salona, Mrs. Madison traveled west on Old Dominion Road to Wiley's Tavern where she spent the night (August 25) and then to Minor's Hill (probably via Leesburg Pike to Little Falls Road) where she spent the next two nights (August 26 and 27) before returning to Washington.

Deviation 1 is located between Chain Bridge Road (between Georgetown Pike and what today is Dolley Madison Boulevard) and Salona. Traces of the original route can be seen off Ballantra Lane.

### **James Madison Escape Route**

While the James Madison Escape Route from the White House to Brookeville is generally known, the exact roads used by him in all cases are not precisely known, as journal entries are few and no maps were made of his route at the time. A potential visitor can retrace this approximately 42-mile route (52 miles due to Conn's Ferry deviation, excluding side routes) by motor vehicle. There are two ferry deviations totaling approximately 11.5 miles, approximately 22 percent of the route length. From the White House, President Madison escaped



The basement vault at Rokeby Manor, a private residence where important national documents were safely stored during the burning of Washington.

Washington by crossing the Potomac River at Mason's Ferry in Georgetown. From the Virginia side of the river, he continued southwest probably on Wilson Boulevard to Falls Church. From there he traveled northwest probably on what today is Roosevelt Boulevard which becomes Sycamore Street, which becomes Williamsburg Boulevard to Old Dominion Road west to Salona (August 24). There he continued on Old Dominion Road to Wiley's Tavern to meet the First Lady (August 25). President Madison then proceeded north across Georgetown Pike to Conn's Ferry via River Bend Road; crossed the Potomac River (on the morning of August 26) for the second time and continued probably via Falls Road to Montgomery Courthouse (on the afternoon of August 26) and then east via Norbeck Road; north on Georgia Avenue to Brookeville (arriving approximately 6 p.m. August 26 and departing back to Washington approximately noon August 27).

Deviation 1 is a less than 1-mile diversion around the Mason Ferry via Key Bridge.

Deviation 2 is an approximately 10.5-mile deviation around Conn's Ferry via I-495 (Washington Beltway) to near the Maryland side of Conn's Ferry. Use of White's Ferry near Leesburg would be even longer.

**Criterion 3: The trail must have significant potential for public recreational use or historical interest.**

A modern-day traveler could follow the routes of the Madisons to the extent they are known. From Georgetown to Pimmit Run and along the Potomac River to Great Falls/River Bend, the area has retained much of the 1814 character. Apart from public parks that are located along the Potomac River and sites in Georgetown, the historic resources along this trail segment are not open to the public. Long stretches between Great Falls and Brookeville generally follow the historic travel route but minimally resemble historic conditions due to highway and commercial development and heavy traffic. Therefore, there is limited interpretation potential or public access.

Important related resources include:

**Dunbarton House:** Dolly Madison, accompanied by Charles Carroll, fled from the President's House to Dunbarton to meet with her husband and plan their routes of retreat, staying until late afternoon before fleeing across the Potomac River to the safety of Virginia (open to the public).

**The Falls Church:** This was the rallying point for Minor's Militia in Virginia; Francis Scott Key was a lay reader at the church (open to the public).

**Great Falls, Conn's Ferry:** The point of crossing over the Potomac for President Madison (accessible to the public at Great Falls River Bend Park).

**Wiley's Tavern:** No longer extant, the tavern was at Difficult Run in Great Falls.

**Rokeby Farm site:** The farm where Dolley Madison spent the night of August 24 (privately owned).

**Salona:** This home was the agreed-upon meeting spot for the Madisons after leaving Washington, but neither of the Madisons spent the night (private).

**Brookeville:** This private home was the last stop for the President prior to his

return to Washington (private residence).

Portions of C&O Canal Route Scenic Byway overlap with the C&O Canal National Historic Park and segments of the historic routes of the proposed Star-Spangled Banner NHT. The tour includes established interpretive areas and visitor centers and the C&O Canal, Georgetown, Great Falls, and Whites Ferry. The Dierssen WMA, with 40 acres between the C&O Canal and the Potomac River, is another public area in this trail segment.

**Finding:** The National Park Service finding is that this route segment does not fully meet the three criteria for designation as a national historic trail. However, the study team encourages the States of Maryland and Virginia, local governments, and individual site owners and operators to create side trails to interpret this route.

### ***The Rescue of the National Documents***

The Declaration of Independence, the Constitution, and other important documents were taken by cart across the Potomac to a gristmill at Pimmit Run and then to Leesburg, Virginia. In Leesburg, the documents were stored overnight at the Littlejohn House, home of Reverend Littlejohn. In search of a safer, long-term storage place, the Reverend suggested that his friend's house, Rokeby Manor, where a fireproof vault existed, be used. Rokeby Manor, a National Register property, is a fine example of distinguished mid-eighteenth-century Georgian architecture. The national documents were safely kept in the vault until the danger subsided.

### **Criterion 1: The location must be sufficiently known.**

The route used to save the national documents from possible harm is generally known. A potential visitor can follow this approximately 39-mile route (excluding side routes) by motor vehicle retracing this route. There are no vehicle deviations though one must walk from the southwest end of Chain Bridge to the site of Pimmit Run mill, as no road to it exists today. The documents traveled from the State Department near the White House to Pimmit Run via Little Falls Bridge (Chain Bridge). They were then taken to downtown Leesburg to the Littlejohn House and finally to Rokeby Manor outside of Leesburg.

### **Criterion 3: The trail must have significant potential for public recreational use or historical interest.**

Long stretches between Falls Church and Leesburg generally follow the historic travel route but minimally resemble historic conditions due to highway and commercial development and heavy traffic. Apart from public parks that are located along the Potomac River and sites in Georgetown, the historic resources along this trail segment are not open to the public. Most important related resources, such as the Littlejohn House and Rokeby Manor, are privately owned and not open to the public.

**Little Falls Mill at Pimmit Run (Chain Bridge):** Point of crossing and temporary stop for the national documents when they were taken from Washington (only accessible through the C&O Canal Towpath)

**Littlejohn House:** temporary holding place for the national documents while in Leesburg (private residence)

**Rokeby Mansion:** final storage place for the national documents after they were removed from Washington (private residence)



View from the Forth Howard Veteran's Administration Hospital, the site of the British landing of 4,500 troops at North Point.



A view from Hampstead Hill/Rodgers Bastion, now Patterson Park.

Photo courtesy of HNTB

**Finding:** The National Park Service finding is that this route segment does not fully meet the three criteria for designation as a national historic trail. However, the study team encourages the states of Maryland and Virginia, local governments, and individual site owners and operators to create side trails to interpret this route.

### **The Battle for Baltimore**

#### ***The American Movement Toward Baltimore***

Following the British invasion of the capital, the American forces were in disarray. American troops were instructed to regroup on Capitol Hill, but in the confusion and panic, many troops dispersed. Others, mostly regulars, retreated from Bladensburg via Washington, Georgetown, and Tenleytown to Montgomery Courthouse (present day Rockville), primarily traveling on the Georgetown-to-Frederick Road. Brigadier General William Winder unsuccessfully tried to regroup the troops at Montgomery Courthouse, from which they departed for Baltimore via Snell's Bridge and Ellicott Mills (Ellicott City). The primary route that is known is that of Brigadier General Winder but many other routes were taken as the Americans moved from Bladensburg and other locations in Maryland toward Baltimore.

#### **Criterion 1: The location must be sufficiently known.**

American forces were so disorganized and scattered after the Battle of Bladensburg there was no single retreat route to Washington; many Americans followed Bladensburg Road to Maryland Avenue, the same route the British used to march on Washington. Other American troops took the Georgetown Road north of Washington. Still others, particularly militia, went to the safety of their homes, some as far away as Baltimore. Winder first ordered his men to rally at Capitol Hill, but after council with Monroe and Armstrong, chose the heights of Georgetown. Many troops relied on word of mouth from bystanders to find the routes used by earlier arrivals. The retreat route is not sufficiently known.

#### **Criterion 3: The trail must have significant potential for public recreational use or historical interest.**

Due to urban development and modern transportation infrastructure, the scattered nature of the retreat from Bladensburg back to Washington and Baltimore, and the fact that few historic resources are open to the public, this segment has limited potential for public recreational use or historical interest.

Although the exact location of the route of the Americans from Washington and Bladensburg to Baltimore is not fully known, there are several places that the troops are known to have stopped and that mark the events of the historic period, including:

**Tenleytown:** Site where Brigadier General William H. Winder and parts of his exhausted retreating army stopped to rest; after seeing the glare of the burning capital Winder pressed his men on to Montgomery Courthouse

**Beall-Dawson House:** Was under construction in 1814 when the Americans camped nearby, now home to the Montgomery County Historical Society

**Brookeville Historic District:** Where the President and his staff met on August 26 and 27

**Montgomery County Courthouse Historic District:** Where Brigadier General Winder attempted to regroup his troops, the current Courthouse was built after





The earthworks at Hampstead Hill are now shadowed by a late 19th-century pagoda in the City of Baltimore's Patterson Park. Also in Baltimore, the American line of defense is marked by a monument and road marker. One acre, bounded by a wrought iron fence, is all that is preserved from the Battle of North Point.

the War of 1812

**Snell's Bridge:** The location where the Americans camped, the site of the encampment is protected but there is currently no public access.

**Ellicott's Mills Historic District (Ellicott City):** site where American forces passed through after the Battle of Bladensburg on the way to defend Baltimore

**Finding:** The National Park Service finding is that this route segment does not fully meet the three criteria for designation as a national historic trail. However, the study team encourages the States of Maryland and Virginia, local governments, and individual site owners and operators to create side trails to interpret this route.

### ***The Battle of North Point and Defense of Hampstead Hill***

As the Americans straggled north to Baltimore, the British fleet sailed down the Patuxent and up the Chesapeake Bay and landed approximately 4,500 troops at North Point, on the southernmost tip of the Patapsco Neck Peninsula. On September 12, the British Army and Royal Marines began their 10-mile march to Baltimore, traveling on Old Log Land, now known as North Point Road. Led by Brigadier General John Stricker, the American troops mortally wounded British Major General Robert Ross in a pre-battle skirmish.

The American line of defense was located between Bear Creek and Back River across North Point Road. The Battle of North Point, like the Battle of Bladensburg, was a British victory, with the American forces retiring to the protection of Hampstead Hill at the edge of Baltimore.

The British proceeded along North Point Road and then Philadelphia Road, where they reconnoitered the American troops positioned at Hampstead Hill. The American troops had been reinforced and were estimated to outnumber the British by three to one. Realizing the strength of the American defenses, the British attempted a flanking maneuver to the north, but were detected and repulsed by American cavalry. The British camped for the night near the American defenses, hoping that the Royal Navy's bombardment would open a water route and enable a combined attack on Baltimore. However, the bombardment of Fort McHenry and a night-time flanking maneuver by British barges were unsuccessful, causing the land forces to withdraw back to their ships at North Point. During their return march, the British burned the Todd House, an American courier station and headquarters for troops.

### **Criterion 1: The location must be sufficiently known.**

The British invasion route from the landing at North Point to the encampment below Hampstead Hill is clearly documented. A visitor can follow this approximately 10-mile route (excluding side routes) by motor vehicle retracing this route except for seven deviations (three of which are very minor) as outlined below. The total deviations represent less than 1.5 miles or 13 percent of the total route.

Deviation 1 is a minor diversion approximately 4 miles north of North Point to where North Point Road is truncated by I-695 (Baltimore Beltway), forcing the route to jog under the interstate before rejoining the original location of North Point Road. This deviation is less than 0.2 miles in length.

Deviation 2 is a minor diversion approximately 5 miles north of North Point where Old North Point Road has been realigned so it joins North Point Road



**LEGEND**

- Key Locations and Resources
- \* Campaign-related NHLs
- Winder's Route toward Baltimore
- ■ ■ The Approach up the Patuxent and Defense of Fort Mifflin
- ▲▲▲ The Battle of North Point and Defense of Hampstead Hill
- ○ ○ Additional Trail Routes

**Scale:** 0 3 6 Miles

**North**

**\*This is the route of Brig. Gen. William. Winder. Many other routes were taken by the American troops between Bladensburg, Washington, and Baltimore.**

perpendicularly instead of at an acute angle. This deviation is less than 0.1 miles in length.

Deviation 3 is a minor diversion approximately 6.25 miles north of North Point where Old North Point Road crosses North Point Road. As with Deviation 2, the road has been realigned so it joins North Point Road perpendicularly instead of at an acute angle. However, to rejoin Old North Point Road, one must follow a very short section of North Point Road northward thus creating a jog in the route, which in 1814 would have been straight. This deviation is less than 0.1 miles in length.

Deviation 4 is approximately 9.1 miles north of North Point where Old North Point Road is truncated by Eastern Avenue and a railroad line. Therefore, the route must temporarily follow Eastern Avenue to North Point Road where Old North Point Road rejoins. This deviation is about 0.9 miles in length.

Deviation 5 is approximately 11.1 miles north of North Point where I-895 and the Erdman-Pulaski cloverleaf is located. This deviation is less than 0.2 miles in length.

**Criterion 3: The trail must have significant potential for public recreational use or historical interest.**

While some development has changed the southern portion of the North Point Peninsula, the views from the road are much the same as they would have been during the period of significance. More extensive development has occurred on the upper peninsula between Wise Avenue, Eastern Boulevard and Hampstead Hill, where modern roads and development interfere with existing remnants of the historic landscape.

At Hampstead Hill/Rodgers Bastion (now Patterson Park) much of the area does not resemble the conditions of 1814, although the route itself has not been compromised. Surrounding development has changed the landscape, but panoramic views from the hill to the land and water sites of the Battle for Baltimore remain and provide an excellent opportunity to interpret the British invasion of Baltimore. Two earthen circular redoubts of the main defense line along Rodgers Bastion have survived and may represent rare surviving examples of earthwork from the War of 1812 in Maryland.

Although many of the resources along this segment have public access, many are surrounded by modern development or have not been preserved. Opportunities exist for interpretation at the tip of North Point along the water and at Patterson Park, the book-ends of this 10-mile segment.

Important related resources include:

**North Point Landing:** Now known as Fort Howard, the British landed in Old Roads Bay in preparation for their land assault on the City of Baltimore (grounds are open to the public).

**Todd House:** Used as an American signal/horse courier station to report British movements; the original house was burned by the British in 1814 (not open to the public).

**Shaw House site:** Location of the British meetings prior to the Battle of North Point, only the foundation survives (not open to the public)

**Gorsuch Farmhouse site:** Site of American headquarters during the Battle of North Point (no longer extant)

**Methodist Meeting House:** Site of Stricker's militia encampment before the Battle of North Point (no longer extant)

**Battle Acre:** Monument erected to mark the line of defense against the British at the Battle of North Point; open to the public

**Battle of North Point battlefield:** An open field surrounded by development that is threatened by commercial development (privately owned).

**Hampstead Hill/Rodgers Bastion earthworks:** Currently known as Patterson Park, this public park in the City of Baltimore has rare remains of earthworks from the War of 1812 in Maryland. This is also the site of the Baltimore "Gin Riot" of 1808 and the Baltimore Riot of 1812, preludes to the War of 1812.

**Finding:** The finding of the study team is that this route segment does meet the three criteria for designation as a national historic trail.

### ***The Approach up the Patapsco and Defense of Fort McHenry***

On September 12, as the British troops marched from North Point, the British fleet moved up the Patapsco River toward Fort McHenry and other defenses around the harbor. Blocked by the sunken merchant vessels, the ships opened a 25-hour bombardment of the fort but failed to overwhelm the American defense. As the British retreated from the harbor, the garrison flag, now known as the Star-Spangled Banner flag, was raised over Fort McHenry.

Onboard an American truce vessel, Francis Scott Key witnessed the bombardment of Fort McHenry and composed the poem that became the National Anthem.

### **Criteria 1: The location must be sufficiently known.**

The water route retains its integrity, is fully known and able to be traveled today via watercraft or parallel roads.

### **Criteria 3: The trail must have significant potential for public recreational use or historical interest.**

The setting of the route is the Patapsco River shoreline. Most of the shoreline between North Point and Fort McHenry NMHS is fully developed as a modern port. However, at Fort McHenry NMHS, a visitor can imagine the approach of British forces by water and the subsequent bombardment. The star-shaped fort and earthworks evoke the feeling of the period of significance and maintain high integrity.

The potential for public use and historical enjoyment of this route segment is high, with public access to and from the water at many points. Fort McHenry NMHS is the primary interpretive resource related to this segment.

Important related resources include:

**Fort McHenry National Monument and Historic Shrine:** The historic fort

used to defend the City of Baltimore during 1814. It is the location where the flag that inspired the National Anthem, was flown. This National Historic Landmark is an NPS site (open to the public)

**Star-Spangled Banner Flag House and Museum:** Now a museum, this is the site where the original flag was sewn (open to the public).

**Fells Point Historic District:** Site of shipyards where many privateers were built; (accessible to the public)

**Lazaretto Point:** Site of Baltimore headquarters of U.S. Chesapeake Flotilla, across from Fort McHenry, burned in 1837; today the location of private industrial uses.

**Circular Battery (now Leone Riverside Park):** Also known as Fort Lookout, this circular naval fort was commanded by Lieutenant George Budd, U.S. Navy. The site is a public park with a panoramic view of Fort McHenry, 2 miles to the south.

**Fort Covington:** A wedge-shaped masonry fort, built in 1813, defended the Ferry branch during a British naval offensive on the night of September 13, 1814 (the fort is no longer extant).

**Fort Babcock:** Site of American six-gun battery of 18-pound cannons, located west of Fort McHenry NMHS at the mouth of Ferry Branch; monument is visible to the public but a private business operates on site; fort is no longer extant.

**Finding:** The finding of the study team is that this route segment fully meets the three criteria for designation as a national historic trail.

#### **ADDITIONAL OPPORTUNITIES FOR PUBLIC USE AND ENJOYMENT**

The NPS, through its Chesapeake Bay Gateways Network program authorized by Public Law 105-391, has established a network of more than 125 cultural, natural and recreational sites. The sites are eligible for grants to enhance preservation, interpretation and public use. Three of the sites currently interpret the War of 1812.

The State of Maryland Department of Business and Economic Development's Office of Tourism Development has developed a series of itineraries throughout the state celebrating cultural heritage. The British Invasion Route takes a visitor on a multi-day driving tour through southern Maryland to Baltimore to commemorate the War of 1812. The itinerary guides a visitor through the land portion of the British invasion, with suggested stops at museums, parks and towns along the way.

If the proposed Star-Spangled Banner National Historic Trail is designated, a management plan could encourage additional private and multi-jurisdictional initiatives. Private owners of trail-related land and resources would have the opportunity to certify sites through voluntary partnerships or cooperative agreements that have the flexibility to meet landowners' needs while ensuring protection and appropriate public use. Certified trail properties would be non-federal historic sites, trail segments, and interpretive facilities that meet the standards of the administering agency for resource preservation and public enjoyment. Areas that do not have high interpretation potential could be added for public use and interpretation, as they are developed for these purposes.

## **NATIONAL HISTORIC LANDMARK CRITERIA**

While the proposed national historic trail is not nominated to be a National Historic Landmark (NHL), it satisfies the three NHL criteria.

**Criterion 1:** The proposed trail is associated with events, the Chesapeake Campaign of 1814 during the War of 1812, that made a significant contribution to broad patterns of U.S. history. Although the route is directly related to historic military events, the national significance of the proposed trail is further derived from the far-reaching effects of the campaign on the development of the United States. The British withdrawal at Baltimore that ended the campaign contributed to the American identity and inspired a surging nationalism that had not previously existed. This includes the recognition of the importance of the national flag and the writing of the poem that later became the National Anthem. In addition, the campaign resulted in the recognition that the nation needed strong coastal defenses and a strong standing military. It also proved that the young Republic and its multi-party democracy could survive the challenge of a foreign invasion, thus enhancing its international standing.

**Criterion 2:** The invasion and defensive routes are associated with the lives of nationally significant persons, in particular President James Madison and First Lady Dolley Madison, Francis Scott Key, and American Commodore Joshua Barney.

**Criterion 3:** The route and associated properties represent great American ideals related to a sense of patriotism and nationalism. Associated properties include Fort McHenry National Monument and Historic Shrine, the U.S. Capitol, the White House, and a total of five National Historic Landmarks, four NPS sites, and 37 National Register properties.

No other trail commemorates the 1814 Chesapeake Campaign or the War of 1812. Fort McHenry NMHS interprets the War of 1812 and the Battle for Baltimore. The proposed trail complements Fort McHenry NMHS by putting the fort in the context of the overall campaign and linking it to associated sites throughout the Chesapeake region and the rest of the United States.

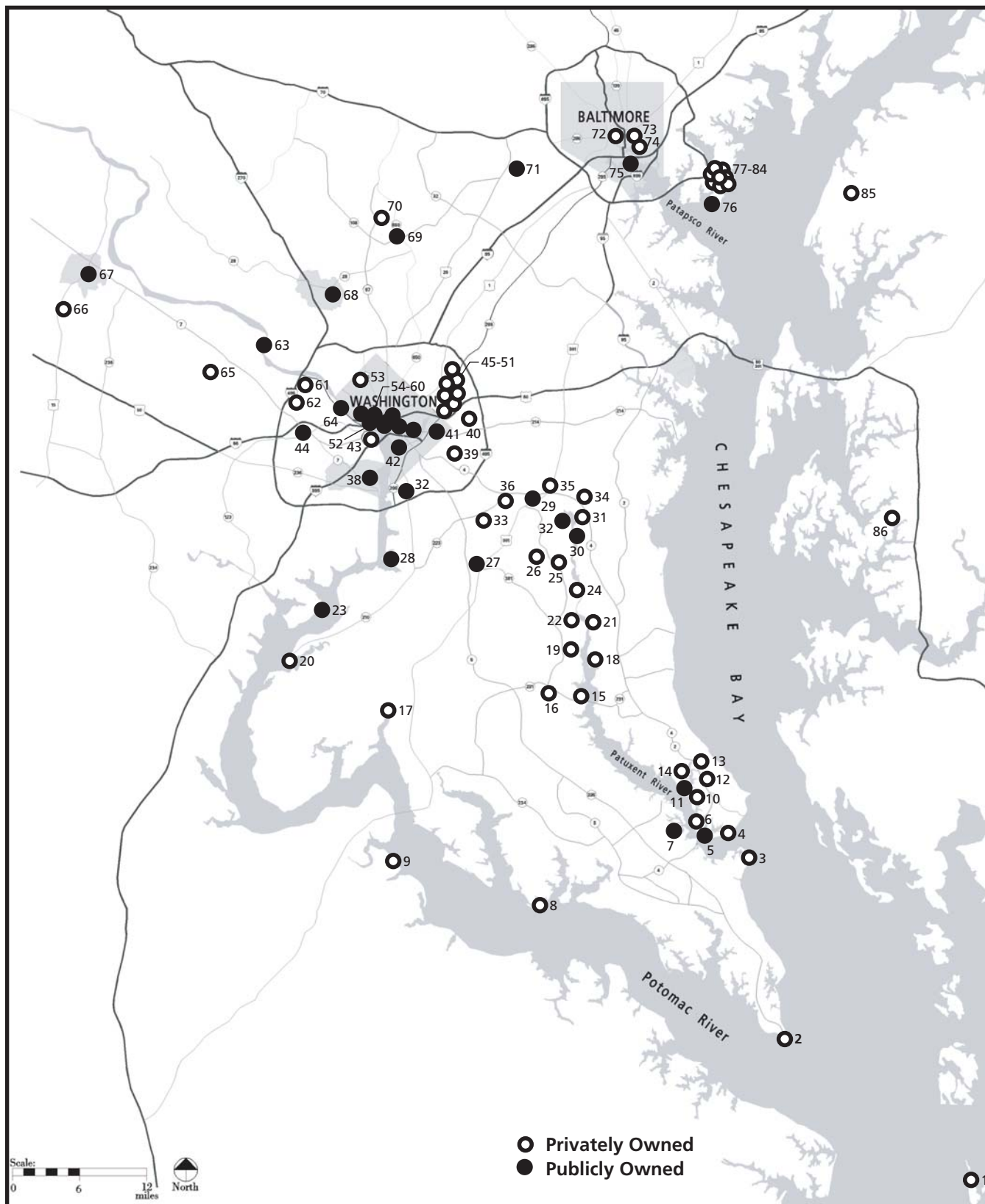




## Chesapeake Campaign and Star-Spangled Banner Trail-Related Public and Private Resources

- |     |                                     |     |   |
|-----|-------------------------------------|-----|---|
| 1.  | Tangier Island                      | 46. | Bostwick House  |
| 2.  | Point Lookout                       | 47. | Indian Queen Tavern   |
| 3.  | Cedar Point                         | 48. | Market Masters House  |
| 4.  | Drum Point                          | 49. | Fort Lincoln Cemetery   |
| 5.  | Solomons/Calvert Marine Museum      | 50. | Anacostia   |
| 6.  | Point Patience                      | 51. | Riversdale NHL  |
| 7.  | Sotterley Mansion NHL               | 52. | Smithsonian Institution                                       |
| 8.  | Blackstone Island (St. Clements)    | 53. | Tenleytown  |
| 9.  | Kettle Bottom                       | 54. | U.S. Capitol  |
| 10. | Spout Farm                          | 55. | The White House<br>(President's Mansion and Visitor's Center) |
| 11. | Jefferson Patterson Park and Museum | 56. | The Octagon House   |
| 12. | Fort Hill Battery Site              | 57. | Pennsylvania Avenue   |
| 13. | Leonard Town Site                   | 58. | Francis Scott Key Park  |
| 14. | Upper Battery Site                  | 59. | Georgetown  |
| 15. | Benedict                            | 60. | Dumbarton House   |
| 16. | Oldfields Chapel                    | 61. | Rokeby Farm   |
| 17. | Port Tobacco                        | 62. | Salona  |
| 18. | Hunting Town                        | 63. | Conn's Ferry  |
| 19. | Aquasco Mills                       | 64. | Little Falls Bridge   |
| 20. | Indian Head                         | 65. | Wiley's Tavern  |
| 21. | Lower Marlboro                      | 66. | Rokeby Manor  |
| 22. | Magruder's Landing                  | 67. | Littlejohn House  |
| 23. | White House site (Belvoir Mansion)  | 68. | Beall-Dawson House  |
| 24. | Nottingham                          | 69. | Snell's Bridge  |
| 25. | St. Thomas Church                   | 70. | Brookeville   |
| 26. | Bellefields                         | 71. | Ellicott City   |
| 27. | His Lordship's Kindness NHL         | 72. | Maryland Historical Society                                   |
| 28. | Fort Washington (Fort Warburton)    | 73. | Star-Spangled Banner Flag House and Museum                    |
| 29. | Dr. Beanes' Grave                   | 74. | Patterson Park (Hampstead Hill/Rodgers<br>Bastion)            |
| 30. | Mount Calvert                       | 75. | Fort McHenry National Monument Historic<br>Shrine NHL         |
| 31. | Pig Point/Patuxent Park             | 76. | North Point Landing   |
| 32. | Billingsley                         | 77. | Aquila Randall Obelisk  |
| 33. | Woodyard                            | 78. | Battle Acres  |
| 34. | Mt. Pleasant Landing                | 79. | Gorsuch Farmhouse   |
| 35. | Upper Marlboro                      | 80. | Methodist Meeting House                                       |
| 36. | Mellwood                            | 81. | Ridgely House   |
| 37. | Oxon Hill Farm/Mount Welby          | 82. | Shaw House Site   |
| 38. | Old Town Alexandria                 | 83. | Sterrett House  |
| 39. | Long Oldfields                      | 84. | Todd's Inheritance  |
| 40. | Addison Chapel                      | 85. | Caulk's Field   |
| 41. | Sewall-Belmont House                | 86. | St. Michael's   |
| 42. | Washington Navy Yard NHL            |     |   |
| 43. | Mason's Ferry                       |     |   |
| 44. | Falls Church                        |     |   |
| 45. | Bladensburg/Dueling Grounds         |     |   |

**Map 9: Chesapeake Campaign and Star-Spangled Banner Trail-Related Public and Private Resources**







## SECTION 4: MANAGEMENT ALTERNATIVES

### INTRODUCTION

From November 2000 through May 2002, the National Park Service (NPS) conducted a number of interviews, workshops, public meetings, and team meetings to develop a reasonable range of management alternatives for the administration, interpretation, resource management, and visitor use of the proposed Star-Spangled Banner National Historic Trail. These consultations and team meetings included groups with a range of interests in the trail: county, city, state, and federal agencies; politicians; historians; potential trail users; historic, natural, and cultural resource managers; and tourism officials. Through the process of developing the significance statement and trail purpose statement, the groups identified opportunities and constraints associated with trail designation and development. These issues were then synthesized by the study team into statements of desired condition, as mandated by legislation and NPS policy. These proposed management alternatives were presented to the public in the fall of 2002 and again during the public comment period in late 2003.

### Statement of Purpose for the Trail

A statement of purpose defines why a particular trail is recognized on the federal level. Alternatives for the trail's use and management should reflect and be consistent with this purpose. The authorizing legislation for the study, in Appendix B, and the statement of significance express this purpose:

The purpose of the proposed Star-Spangled Banner National Historic Trail is to commemorate the 1814 Chesapeake Campaign of the War of 1812, which includes the Battle of Bladensburg, the British invasion of Washington, DC and related diversionary feints, and the Battle for Baltimore. During the campaign, other events occurred that are significant to the United States' national heritage, particularly the writing of the poem commemorating a key battle. The poem celebrated the flag that became known as the Star-Spangled Banner and led to its establishment as an American icon. The words of the poem became the National Anthem in 1931.

The proposed trail traces: the arrival of the British fleet in the Patuxent River; the sinking of the Chesapeake Flotilla near Pig Point in Prince George's County and Anne Arundel County, Maryland; the landing of British forces at Benedict; the American defeat at the Battle of Bladensburg; the capture of the Nation's Capital; the British naval feint on the upper Chesapeake Bay leading to the Battle of Caulk's Field in Kent County, Maryland; the British naval feint up the Potomac River to the recapitulation of Alexandria, Virginia; the route of the American troops from Washington through Georgetown, the Maryland Counties of Montgomery, Howard, and Baltimore; the Battle of North Point; and the American victory at Fort McHenry on September 14, 1814. The proposed trail also investigates the historic routes taken by the President and First Lady while fleeing from Washington, as well as the routes by which important national documents were rushed to safety.

### Management Prescriptions

Throughout the scoping process, participants were asked to voice issues and concerns and describe their vision for the trail, with respect to its significance, integrity, and purpose. The following management prescriptions are statements that describe desired future conditions for the trail, including visitor experience, resource conditions, and management.

### ***Visitor Experience***

- The public gains an enhanced appreciation for the War of 1812, specifically the Chesapeake Campaign of 1814, and its long-standing effects on American society and international relations
- Resources associated with the Chesapeake Campaign of 1814 maintain their integrity and are protected and interpreted in perpetuity
- The Star-Spangled Banner National Historic Trail is primarily a commemorative driving trail comprised of existing road networks, but can accommodate multiple uses including vehicles, bikes, pedestrians, watercraft, and tour groups
- The Star-Spangled Banner National Historic Trail is both a land and water trail with opportunities for interpretation for individuals and organized groups alike
- The Star-Spangled Banner National Historic Trail has adequate and appropriate public use and interpretive facilities, and access points
- The Star-Spangled Banner National Historic Trail ties many historic and cultural resources together to interpret and commemorate the stories associated with it
- Several hubs along the trail serve as main interpretive and orientation points for visitors
- Resources along the trail receive special designation when they meet criteria established for the trail
- A coherent, well-designed information and interpretive signage program is effective in directing both pedestrian and vehicular users along the trail and in interpreting the stories
- A coherent, well-designed water trail guide provides interpretation and information for water trail users

### ***Resource Protection***

- Cultural and natural resources associated with the trail are protected and interpreted
- Ongoing research is conducted to explore the archeology and extant cultural resources associated with the trail
- A Cultural Landscape Report is prepared and informs implementation planning
- Linkages between land and water portions of the trail are made in an environmentally sensitive manner
- A coherent, well-designed information and interpretive signage program is effective in keeping trail users away from environmentally sensitive areas and fragile historic resources
- Unprotected resources that are found to be significant are appropriately protected through available preservation mechanisms at the local, state, and federal level

### ***Management***

- A partnership among the local communities, state government, and federal government is responsible for trail management
- A management entity is established to provide administrative and oversight duties

- Formalized agreements exist between the National Park Service and the authorities who hold jurisdiction over the roads and rights-of-way of the trail and associated resources
- Landowners and resource managers play an integral role in decision-making regarding trail use and development
- Identified funding and support mechanisms exist to implement the management plan
- Linkages between roads, water, and resources are created and maintained as much as possible through cooperative agreements, conservation easements, and other means

### ***Achieving the Vision***

To achieve the vision and the management prescriptions, the following management responsibilities would have to be assigned:

- Overall administration, coordination, and oversight
- Right-of-way protection for the trail and access points
- Ongoing inventory of resources
- Resource protection and monitoring
- Monitoring and adapting appropriate visitor use (carrying capacity, cultural and environmental sensitivity)
- Regulation of land uses and vigilant development review (public and private) to maintain integrity and visitor experience
- Interpretation of cultural and natural resources
- Development of facilities (physical improvements along the trail, parking, waysides, pull-offs, utilities, etc)
- Trail marking and signage
- Production, oversight, and administration of a trail map, site bulletin, and a trail management plan
- Maintenance of trail right-of-way, facilities, and exhibits
- Enforcement of resource protection standards and local laws
- Liability and indemnification of landowners

### **MANAGEMENT ALTERNATIVES**

This is a feasibility study, not a management plan, for the proposed Star-Spangled Banner National Historic Trail. Nevertheless, part of the feasibility and desirability assessment of a National Historic Trail concerns how and by whom it will be managed. This feasibility study evaluates various options for the administration of the proposed trail. The National Park Service planning process requires the development, analysis, and public review of different solutions, or “alternatives,” for accomplishing planning goals while minimizing negative impacts on the environment. A reasonable range of alternatives must be developed, including a baseline alternative, or “No Action Alternative.” This creates a baseline of existing conditions and impacts against which the impacts of the action alternatives can be compared. The action alternatives should examine potential federal involvement and other management concepts that achieve similar goals.

The project team considered two action alternatives: Designation of a National Historic Trail with Joint Management and Heritage Area Designation with a commemorative trail. These action alternatives and the no-action alternative are discussed below.

### **Measures Common to All Action Alternatives**

All of the action alternatives strive for the recognition and commemoration of the Chesapeake Campaign of 1814 and associated events leading up to the writing of the poem that inspired the National Anthem. The different alternatives focus on varying degrees of federal involvement and describe the implications for resource protection, interpretation, visitor experience and management and operations of the proposed national historic trail and its associated resources. The action alternatives seek to:

- Protect and interpret the historic routes and cultural resources associated with the historic routes, the American flag, and the National Anthem.
- Commemorate significant military, social, and governmental events and the individuals associated with those events.
- Recognize, interpret, and protect the sacred and endangered battlefields and other sites associated with the historic routes.
- Allow visitors to envision and experience the heritage and struggles that ensued during the Chesapeake Campaign of 1814 during the War of 1812.
- Recognize the patriots who fought against enemy invasion and bombardment to preserve the country's freedom and serve as a reminder of the importance of liberty.
- Protect private property rights.
- Provide interpretive and recreational opportunities for visitors to learn about the stories of the Chesapeake Campaign and the events leading up to the writing of the National Anthem.
- Provide a unique visitor experience through a commemorative driving route and recreational water route that explore many different themes.
- Provide resource protection and interpretation with minimal construction or site disturbance.
- Provide resource management and interpretation based on thorough professional research and scholarship.
- Encourage preservation of both private and public resources related to the history of the trail.

### **Alternative A: No Action (Continuation of Existing Policies and Authorities)**

Without designation of the proposed Star-Spangled Banner National Historic Trail as a national historic trail, existing actions of agencies, organizations, and individuals could continue to protect and interpret the fragmented resources associated with the Chesapeake Campaign. There would not be a single agency or private management entity directed to help coordinate, interpret, and protect resources and segments of the proposed trail. There would be no coordinated recognition or administration outside of Maryland of the more than 500-miles associated with the trail and within Maryland, the particular significance of the Chesapeake Campaign would be combined with other War of 1812 events. National recognition of significant national events involving the first foreign invasion of the nation's capital and the writing of the poem that



became the National Anthem would only be recognized in a piecemeal fashion.

The State of Maryland's War of 1812 Initiative and planned statewide "War of 1812 Trail and Sites Network" and "British Invasion Tour" would be the primary vehicles for telling the stories related to the trail and marketing the resources to the general public. The State would implement their trail and network focusing on the broad stories of the War of 1812 in Maryland. The primary focus of efforts managed by the State of Maryland's Office of Tourism Development would be tourism, interpreting War of 1812 resources in Maryland. The state's network would not be required to meet National Historic Trail criteria. Resources in Virginia and the District of Columbia would not be interpreted unless programs currently exist.

Management, development, interpretation, use, marking, maintenance, and enforcement would occur in piecemeal fashion, if at all, in the hands of interested agencies, groups, and property owners. It is anticipated that public access would be limited to those sites in public ownership and few additional easements would be acquired. Existing preservation mechanisms would remain in place but no new actions would be taken to protect other significant resources. Existing trends in development would continue, compromising the integrity of the trail and its associated resources. State and county laws for historic preservation, shoreline protection, and private property rights would apply. County-level planning would continue to balance preservation of historic and cultural resources with the realities of development and shoreline access.

Existing interpretive programs at Fort McHenry, Jefferson Patterson Park and Museum, Calvert Marine Museum, and other sites would continue. The State of Maryland Office of Tourism Development would continue its implementation of waysides and interpretive programs. Funding for additional research and assessment of War of 1812 sites would cease at the project's completion. There would be no additional federal funding for this alternative.

#### **Alternative B: National Historic Trail Designation (Joint Management) Preferred Alternative**

Under this alternative, the Star-Spangled Banner National Historic Trail would be established by Congress as a national historic trail. In addition, Congress would amend the authorizing legislation for the Fort McHenry National Monument and Historic Shrine (NMHS) to authorize the administration of the national trail and interpretation of the War of 1812 in the Chesapeake Bay area and establish a War of 1812 Bicentennial Commission to coordinate the 200th anniversary of the War of 1812. A non-profit trail organization would be established and, in coordination with the federal government, states, and counties, would be committed to the long-term planning, management, oversight, interpretation, trail and resource protection, and development along the historic routes. This alternative would provide the National Park Service, state, and local agencies a major role in a shared management scheme with the dedicated trail group. The federal role would be primarily to provide coordination, administration, oversight, and the provision of limited financial assistance. Fort McHenry NMHS would be the lead park unit for trail operations. While it is not the intention or plan of the federal government to acquire the trail or associated resources, it could acquire land and/or preservation easements through dedications, donation, or purchase from willing sellers to protect significant trail segments, viewsheds, and resources. A non-profit trail organization or other volunteer group would be encouraged to work with state and local agencies, landowners, and other site managers to coordinate, develop, operate, and maintain the trail. NPS, through the

comprehensive management and use plan, would determine more precisely the various jurisdictions' roles in right-of-way protection; resource inventory, protection and monitoring; enforcement; proper use; interpretation; facility development; and maintenance.

Over time, the routes would be marked as continuous segments on the ground and at water access points. Wherever feasible, modern roads that follow the historic routes would be marked for travel. In cases where the original routes have been lost to development, degradation, neglect, or vegetative overgrowth, or other causes, they could be interpreted through waysides as appropriate and feasible. When necessary for continuity and public safety, modern roads would be used as deviations from the original travel routes.

The federal government would not actively acquire the trail or any other resources; it would work with consenting owners should resources become available. Appropriate mechanisms at the state, local, and non-profit level would be put into place to protect significant trail segments and resources if willing sellers emerge. For the portions of the trail not owned by the state or federal government, NPS would encourage the trail management organization, state and local governments, and other private and non-profit entities to enter into cooperative agreements and/or obtain easements, rights-of-way, and land in fee for the protection and permanency of the trail. The federal agency would encourage cooperative agreements with landowners to certify trail segments and resources as a part of the national trail while maintaining private ownership. Certification would help assure the public that sites and trail segments are qualified historic sites and that protection, interpretation, and facilities meet the standards of significance and quality expected in a traditional National Park Service area. Private property owners and resource managers would be eligible for technical and financial assistance from the trail partnership organization and the National Park Service.

Certified resources along the trail, as well as the trail itself, would be marked with a uniform trail marker (established during the management planning process) and would be made accessible to the public. Federal, state, and local laws would apply. Portions of the trail that do not meet National Trail System Act (NTSA) criteria but are of significant public interest may be interpreted and managed as state or local jurisdiction side trails. These resources would not be precluded in the future from certification as part of the National Historic Trail should public access and ownership change or if new scholarship reveals new information about integrity and national significance.

Initial federal costs to develop the comprehensive management plan required by this alternative and an initial interpretive brochure are estimated to be \$325,000. Phased costs such as archaeological surveys, metes and bounds surveys, trail segment restoration, access site development, and interpretive sign development and installation are estimated at \$1,750,000 (additional costs to be shared by trail partners). No federal fee-simple acquisition of trail-related sites is envisioned. Annual operating costs are estimated at \$375,000 in 2003 dollars.

#### **Alternative C: The Star-Spangled Banner Heritage Area and Commemorative Trail Designation**

Under this alternative, the Star-Spangled Banner Trail route would be studied for eligibility as a Heritage Area and the trail would be given a commemorative designation, but not as part of the National Trails System. The trail and its resources would be owned and managed by state and local governments or

private entities, not the federal government. A local management entity would be created and would develop a comprehensive plan, including strategies for natural and cultural resource protection, plans for interpretation, and implementation.

The local management entities would be responsible for the long-term planning, management, oversight, interpretation, trail and resource protection, and development along the historic routes. A non-profit trail organization could be established and, in coordination with the states and counties, would assume responsibilities as necessary.

Over time, the routes would be marked as continuous trail segments on the ground and along the water's edge. Wherever feasible, modern roads that follow the historic routes would be marked for travel. In cases where the original routes have been lost to development, degradation, neglect, or vegetative overgrowth, or other causes, they could be interpreted through waysides, as appropriate and feasible. When necessary for continuity and public safety, modern roads would be used as deviations from the historic routes. No additional land or resources would be acquired for the trail. For the portions of the trail not owned by the state or federal government, state and local governments and other private entities would be encouraged to enter into cooperative agreements and obtain easements, rights-of-way, and land in fee for the protection and permanency of the trail. Responsible agencies would encourage cooperative agreements with landowners to certify trail segments and resources as a part of the trail while maintaining private ownership. Certification would help assure the public that sites and segments are qualified historic sites and that protection, interpretation, and facilities meet state standards.

Given current state budget constraints, Maryland, Virginia and the District of Columbia may be reluctant to undertake a major initiative without federal support.

#### **ALTERNATIVES CONSIDERED BUT REJECTED AS INFEASIBLE**

##### **Rejected Alternative 1: National Historic Trail Designation (Federal Acquisition)**

Under this alternative, the proposed Star-Spangled Banner National Historic Trail would be designated by Congress as a national historic trail. The federal government, through the National Park Service, would have primary responsibility for all aspects of the trail and would be committed to the long-term planning, management, oversight, interpretation, trail and resource protection, and development along the historic routes. The federal government would own the portions of the route not otherwise publicly owned, which is not deemed feasible or appropriate at this time.

##### **Rejected Alternative 2: The Star-Spangled Banner State Trail Designation**

Under this alternative, the Star-Spangled Banner Trail route would potentially be designated as a state trail by the States of Maryland and Virginia and the District of Columbia. The NPS role would be limited to the involvement of existing park units associated with the trail. The states would be responsible for the long-term planning, management, oversight, interpretation, trail and resource protection, and development along the historic routes. A non-profit trail organization could be established and, in coordination with the states and counties, would assume responsibilities as necessary. At this time, it is not feasible to preclude Federal involvement in a partnership with the states.

#### **SELECTION OF ENVIRONMENTALLY PREFERRED ALTERNATIVE**

Alternative B, Federal Designation as a National Historic Trail with Joint

Management, is the environmentally preferred alternative. This alternative provides the greatest degree of resource protection and enhanced visitor experience while allowing for individual property rights, diverse land uses, and balance between the existing population and the creation of a National Historic Trail.



**Figure 4: Summary of Alternatives**

<b>TOPIC</b>	<b>Alternative A: No Action</b>	<b>Alternative B: Federal Designation as National Historic Trail with Joint Management</b>	<b>Alternative C: Designation as a Heritage Area with Commemorative Trail</b>
<b>Concept</b>	<ul style="list-style-type: none"> <li>-- Baseline concept with the continuation of existing policies and authorities</li> <li>-- A disconnected series of resources with no linkages</li> <li>-- No single agency or management entity directed to coordinate, protect, and interpret the associated trail resources and segments</li> </ul>	<ul style="list-style-type: none"> <li>-- A federally-designated commemorative driving trail along the historic routes of the Chesapeake Campaign of 1814 that is planned for and managed through a joint partnership between the federal government, a trail organization, state and local governments</li> </ul>	<ul style="list-style-type: none"> <li>-- State-designated heritage areas with the trail and its resources owned and/or managed by state and local governments or private entities</li> <li>--A commemorative driving trail along the historic routes of the Chesapeake Campaign of 1814 that is designated and managed by the State of Maryland and Virginia and the District of Columbia</li> </ul>
<b>Resource Protection</b>	<ul style="list-style-type: none"> <li>--Piecemeal resource protection on a case-by-case basis as development or threats occur</li> <li>-- Reliance on state and local governmental authorities to monitor development and enforce regulations</li> </ul>	<ul style="list-style-type: none"> <li>-- National Park Service (NPS) oversight of certified resources and federal properties</li> <li>-- Dedicated trail organization oversees day-to-day activities, development concerns, and preservation</li> <li>-- Acquisition from donors or willing sellers possible</li> <li>-- Federal, state and local laws apply</li> <li>-- Technical assistance provided by NPS</li> </ul>	<ul style="list-style-type: none"> <li>--Authorization required by state legislation describing roles and responsibilities</li> <li>--Oversight by states potentially through cooperative agreements</li> <li>-- State and local laws apply</li> <li>--Resources are acquired and/or managed by state and local governments or private entities</li> </ul>
<b>Interpretation</b>	<ul style="list-style-type: none"> <li>-- No consistent or unified interpretation of the events commemorated by the proposed trail</li> <li>-- Continuation of State of Maryland wayside program as part of War of 1812 initiative</li> </ul>	<ul style="list-style-type: none"> <li>-- Provide coordinated interpretation through individual resources and the trail guide</li> <li>-- NPS works jointly with partners and trail organization to establish interpretative plan and themes</li> </ul>	<ul style="list-style-type: none"> <li>-- Primarily coordinated through local efforts with some financial support from the states</li> <li>-- Reliance on individual resources</li> <li>--Provide coordinated interpretation through individual resources</li> <li>--States work together to establish themes and interpretation</li> </ul>
<b>Visitor Experience</b>	<ul style="list-style-type: none"> <li>-- Facilities provided at existing public parks and museums</li> <li>-- No single itinerary for visitors; reliance on individual resources and State of Maryland</li> </ul>	<ul style="list-style-type: none"> <li>--The trail route is distinctively marked and waysides erected as appropriate on the basis of a plan for the entire trail</li> <li>-- Visitors are oriented at trail hub sites</li> <li>-- Certified resources and NPS properties are well-marked and distinguished as the backbone of the trail</li> </ul>	<ul style="list-style-type: none"> <li>--Visitors are oriented at sites established by the states</li> </ul>
<b>Administration and Management</b>	<ul style="list-style-type: none"> <li>-- State of Maryland coordination, management of the planned State of Maryland War of 1812 Sites and Trail Network</li> </ul>	<ul style="list-style-type: none"> <li>-- Federal government, through the NPS would administer, oversee, plan for, and provide limited financial assistance</li> <li>-- Non-profit trail organization dedicated to working with the federal, state, and local governments, landowners, and site managers to coordinate, develop, operate, and maintain the trail</li> <li>-- State and local agencies play a major role in a shared management scheme</li> <li>-- Fort McHenry NMHS would be designated as the lead NPS unit</li> </ul>	<ul style="list-style-type: none"> <li>--States of Maryland and Virginia and the District of Columbia would determine a joint management approach</li> </ul>



## SECTION 4: AFFECTED ENVIRONMENT

### INTRODUCTION

This chapter describes the existing environmental conditions in the study area. It provides the descriptive information necessary to understand current conditions and the context for comparing potential impacts caused by each alternative.

The proposed Star-Spangled Banner National Historic Trail is comprised of approximately 175 miles of land and 373 miles of water routes. The trail study area falls within the states of Maryland and Virginia and the District of Columbia. The jurisdictions in the study area include: the Maryland counties of Anne Arundel, Baltimore, Calvert, Charles, Howard, Montgomery, Prince George's, St. Mary's, and Baltimore City; The District of Columbia; and the Virginia independent jurisdictions of Alexandria, Fairfax, Falls Church, and Leesburg, and Arlington County, Fairfax County, King George County, Loudoun County, Prince William County, Stafford County, and Westmoreland County. The study area also includes the Patapsco, Patuxent, and Potomac Rivers, and the Chesapeake Bay.

### CULTURAL RESOURCES

Within the study area, there are many units of the National Park System, including all of the National Capital Area National Parks. Relevant to the events under study are Fort Washington Park, Sewall-Belmont House (NPS affiliate site), Fort McHenry NMHS, the White House, President's Park, the Capitol, the National Mall, C & O Canal, Potomac Heritage Trail, Oxon Cove Park and Oxon Hill Farm, Great Falls Park, Francis Scott Key Memorial Park, and Capitol Hill Parks. The National Park Service is also a partner in the Chesapeake Bay Gateways Network, which interprets many relevant topics including military history and the War of 1812.

#### Archeological Resources

War of 1812 related archeological resources dot the landscape throughout the study area. Several land and underwater archeological surveys have been conducted, coordinated through the Maryland Historical Trust. Terrestrial archeological investigation was conducted at the battlefields of North Point, Caulk's Field, St. Leonard Creek and Elkton. In addition two earthen forts were surveyed near Easton and Centreville, Maryland. Cannonballs, musket balls and miscellaneous artifacts were recovered from these sites.

Underwater archeological investigation was conducted at St. Leonard Creek, Patuxent River near Pig Point, lower Susquehanna River, and upper Elk River. Grape shot, musket balls, flints and miscellaneous artifacts were recovered from two gunboats located in the upper reaches of St. Leonard Creek. Numerous artifacts representing a full range of types were recovered from a Chesapeake Flotilla vessel in 1980.

Funding for much of this work was provided by the NPS American Battlefield Protection Program with matching funds from the Maryland Office of Tourism Development and in-kind match from the Maryland Historical Trust. All of the artifacts recovered from public lands were conserved and are housed in the Maryland Archeological Conservation Laboratory at Jefferson Patterson Park and Museum.



Five National Historic Landmarks in the District of Columbia, Maryland, and Virginia, are related to the War of 1812 and the Chesapeake Campaign. Shown above are Fort Mifflin National Monument and Historic Shrine, Sotterley Plantation, Riversdale Mansion, His Lordship's Kindness, and the Washington Navy Yard.

## Historic Resources

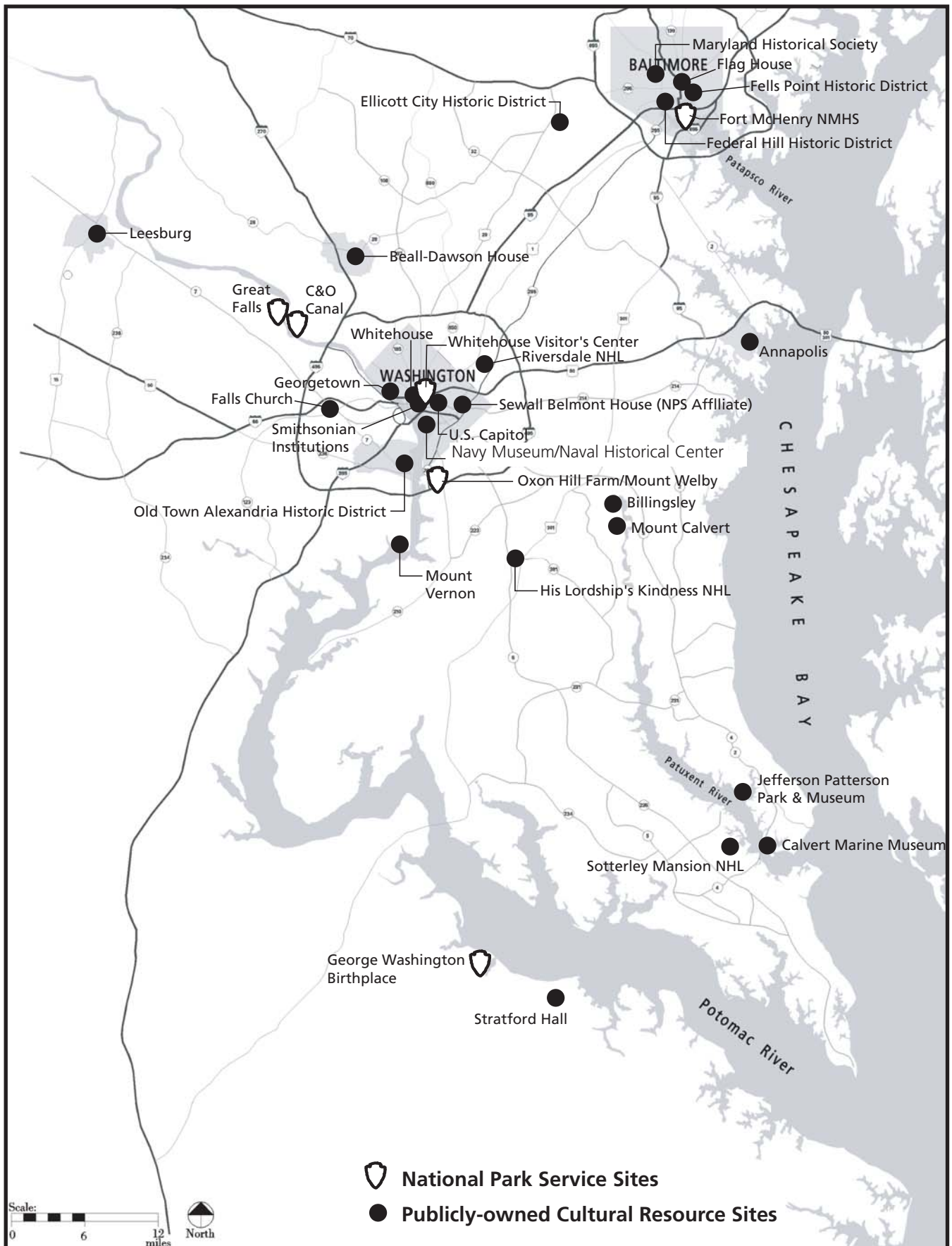
Several National Historic Landmarks and National Register of Historic Places properties are located along or near the trail corridors. There are five National Historic Landmarks, 37 National Register sites within the study area, and many more in state, county and municipal historic registers. The National Register is the official list of America's recognized historic and cultural resources.

Districts, sites, buildings, structures and objects of significance in American history, architecture, archaeology, culture and engineering on the national, state and local level are eligible for listing in the National Register. The resources vary in their association with the history of the Chesapeake Campaign of 1814 and the stories of the proposed Star-Spangled Banner National Historic Trail. In many cases, historic resources were extant and related to the events of the campaign, but have a significance that spans a longer period of time and relate more directly to themes other than those of the proposed Star-Spangled Banner National Historic Trail.

The NPS limited its assessment to National Register and ABPP/ Maryland War of 1812 Inventory-listed sites that are located within the study area and that contributed to the stories and themes commemorated by the proposed trail. From those resources, National Register sites and other historic resources were identified. Additional research may be necessary to more clearly establish the connection between additional properties and sites and the significant stories related to the proposed trail. The following is a list of selected historic resources along the proposed trail:

- Addison Chapel
- Battle Monument
- Beall-Dawson House
- Billingsley
- Brookeville
- Conn's Ferry
- Decatur House
- Falls Church
- Fells Point
- Fort Washington Park
- Indian Queen Tavern/Washington's House
- Jefferson Patterson Park and Museum
- Littlejohn House
- Magruder House
- Marine Barracks and Commandant's House
- Mellwood
- Mount Calvert
- Mount Pleasant Landing
- Octagon House
- Old Town Alexandria
- Oldfields Chapel
- Oxon Hill Farm/Mount Welby
- Pennsylvania Avenue
- Riversdale Mansion (Calvert Mansion)
- Rokeby Manor
- Salona
- Sewall-Belmont House
- U.S. Capitol
- The White House

**Map 10: Cultural Resources along the Proposed Trail Route**





The study area also contains a number of properties that have been designated as National Historic Landmarks (NHLs) by the Secretary of the Interior. NHLs are buildings, sites, districts, structures and objects that are determined to be nationally significant in American history and culture. These properties are exceptionally important and represent the federal government's highest designation of national significance for a historic property. There are 70 NHLs in Maryland, 72 in the District of Columbia, and 116 in Virginia. Of these 258 resources, five are related to the War of 1812 and the Chesapeake Campaign. These five resources are Sotterley Plantation, Fort McHenry National Monument and Historic Shrine, Riversdale Mansion, His Lordship's Kindness, and the Washington Navy Yard.

Most of the historic structures in the study area are not NHLs, but many are listed on the National Register or State Register. These resources range from sites such as Fort Washington and the White House to battlefield sites to graves of war veterans. The study team utilized the ABPP/State of Maryland survey, information provided by local historians, and anecdotal information provided by scholars' and preservation officers to select the key resources associated with the various segments of the proposed Star-Spangled Banner Trail.

### **Artifacts and Collections**

Educational, research, and commemorative resources related to the War of 1812, Chesapeake Campaign and the Star-Spangled Banner are also found in the study area. Seven major collections related to the proposed trail are at Fort McHenry NMHS, the Smithsonian Institution, Calvert Marine Museum, the Flag House, Jefferson Patterson Park and Museum, the Maryland Historical Society and the Naval Historical Center Department of Navy. Fort McHenry NMHS houses the largest photostat collection of primary documents related to the War of 1812 and the Chesapeake Campaign, "The Historical and Archeological Research Project (HARP), 1958-2002." The Smithsonian Institution's National Museum of American History is conducting a conservation project on the original Star-Spangled Banner. The museum also has an exhibit about the history of the flag and its past and current conservation treatments. The Calvert Marine Museum houses a collection of artifacts recovered from one of the scuttled Chesapeake Flotilla vessels. The Flag House and Star-Spangled Banner Museum contains artifacts related to the Battle of North Point and Mary Pickersgill. The Jefferson Patterson Park and Museum is home to the Maryland Archeological Conservation Laboratory where artifacts related to the battles of St. Leonard Creek are deposited. The Maryland Historical Society houses "The Star-Spangled Banner Sheet Music Collection," a collection containing 155 items and sheet music scores ranging in publication date from 1814 to 1943. The collection houses the earliest extant manuscript of "The Star-Spangled Banner" together with one of the two known copies of its earliest printing, the first printing of the song in magazine form and one of the earliest book publications. The Department of the Navy Naval Historical Center also maintains a bibliography of naval history including the War of 1812. A comprehensive listing of the artifacts and collections is located in Appendix F.

### **Cultural Landscapes**

Further study of the cultural landscapes within the proposed trail corridors would be conducted as part of a comprehensive management and use plan. Examples of segments that possess significance as cultural landscapes include the upper and lower portions of the Patuxent River, the lower portion of North Point Road, the viewshed from Fort Lincoln Cemetery to the location of the Battle of Bladensburg, and the viewshed to the location of the British encampment at Benedict. Also, the landscape at Fenno Road north of Nottingham

follows a sunken colonial road that matches the descriptions in a diary maintained by British Lieutenant George Robert Gleig in 1814.

## **NATURAL RESOURCES**

### **Physiography, Soils and Climate**

The proposed trail passes through three physiographic provinces known as ecoregions: Outer Coastal Plain Mixed Forest; Eastern Broadleaf Forest (Oceanic); and Southern Mixed Forest (USDA Forest Service, 1995); and two land resource regions: Northern Coastal Plain and Northern Piedmont (USDA Forest Service, 1981). The topography and landscape features have had an effect on settlement patterns and the rapid 20th-century development of the area. The coastal plain has nearly level to gently rolling topography with elevations from sea-level to 100 meters. Most of the region's numerous streams are sluggish; marshes, and swamps are numerous.

The inland area, the Northern Piedmont, has elevation ranges from 25-300 meters. The topography is gently sloping to sloping with steep slopes adjacent to drainageways.

The area is of generally moderate climate with four distinct seasons and an average annual temperature of 55.1 degrees Fahrenheit. High temperatures occur in July, with an average temperatures in the mid to upper 80s. Low temperatures occur in January with temperatures in the low to mid 20s. Average annual rainfall is 40.76 inches and snowfall is 20.6 inches.

Soils are mainly Ultisols, Spodosols, and Entisols. Ultisols are acid soils with low native fertility. They form under forest vegetation and are found typically on old, stable landscapes. Ultisols cannot be used for continuous agriculture without the use of fertilizer and lime. Spodosols are acid soils often occurring under coniferous forest in cool, moist climates. Entisols are soils of recent origin and are characterized by great diversity. The soils are derived mainly from coastal plain sediments ranging from heavy clay to gravel, with sandy materials predominant. Silty soils occur mainly on level expanses. Sands are prevalent in hilly areas.

### **Air Quality**

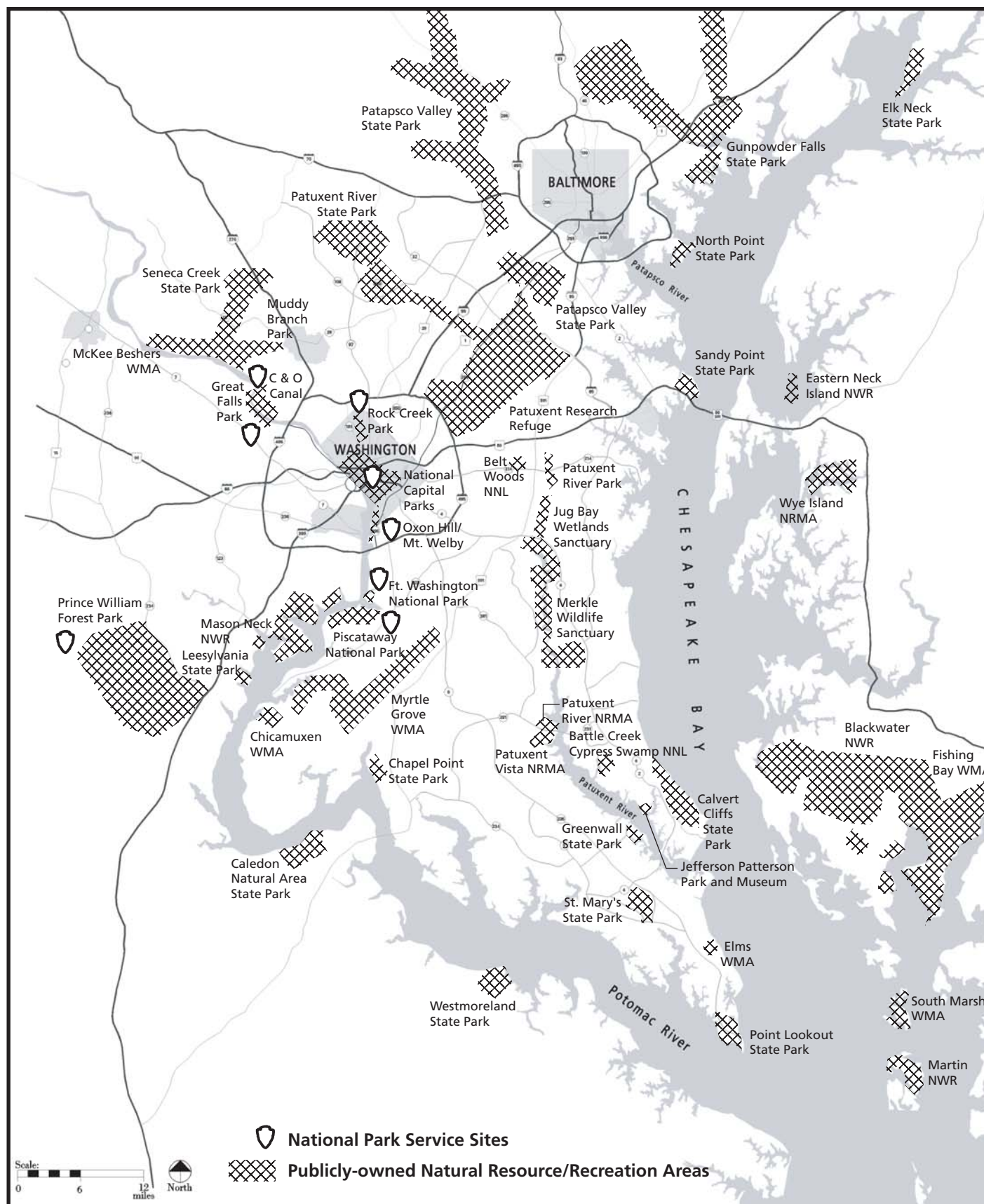
A majority of the study area is in a serious ground-level ozone non-attainment area (USEPA, 2002). Generally, the air quality has been improving as a result of improved fuels, emission standards, and regulations. The air quality is closely linked with the use of fossil fuels and energy consumption associated with urbanization. Exposure to high ozone levels, particularly in the summer, is widespread throughout the study area.

### **Surface Water Resources**

Water resources in the study area include the Chesapeake Bay, and the Patuxent, Patapsco, and Potomac Rivers. These major water bodies link the study area's cultural and historic resources and provide a variety of recreational opportunities. The resources and connections created by the waterways opened up the area for settlement and trade and were a major factor in the location of development through the study area.

The Chesapeake Bay consists of deep and shallow open salt waters and brackish waters of the lower tidal portions of the rivers. The freshwaters of the area's rivers and streams flow into the Bay making it 10 percent less salty than the ocean. The Chesapeake Bay, the nation's largest estuary, follows a narrow channel with a surface area of 2,500 square miles and an average water depth of twenty-one feet. According to the U.S. EPA, the concentrations of dissolved

### Map 11: Publicly-Owned Natural Resource/Recreation Areas along the Proposed Trail



inorganic nitrogen and phosphorus are higher than optimum in most of the rivers and upper bay. The benthic community conditions of the rivers and the edges of the Chesapeake Bay are listed as impacted or severely impacted. These unhealthy conditions indicate that anthropogenic and natural disturbances are affecting the ecosystem. (US EPA)

The Coastal Plain that borders the Bay is comprised of beaches, marshes, forests, and grasslands. This coastal area, often referred to as the tidewater since the waters along the shore rise and fall, tends to be flat and drained by salty and brackish waters. Along the western shore and interior portions of the region, low rolling hills and bluffs are drained by brackish or freshwater streams. The southern and northern Piedmont regions are comprised of mixed hardwood forests and softwood barren lands drained by freshwater rivers and streams, including the Patuxent, Potomac, and Patapsco Rivers.

The Patuxent River Tributary drains about 900 miles of land in portions of St. Mary's, Calvert, Charles, Anne Arundel, Prince George's, Howard, and Montgomery counties of Maryland. The Patuxent is the largest river which drains entirely within Maryland. Large water bodies include the Western Branch, Little and Middle Patuxent Rivers, and two large water supply reservoirs on the mainstem river above Laurel, which supply water for the Washington metropolitan area. The watershed supports more than 100 species of fish in its freshwater streams and brackish waters, including largemouth bass, chain pickerel, catfish, weakfish and bluefish. The Patuxent also supports an important commercial and recreational blue crab fishery. Nitrogen levels in the basin are fair to good, but poor where the river crosses Route 50 and Route 97. Nitrogen levels are improving in the lower tidal portions of the river but have become worse at the Laurel station. Phosphorus levels are generally fair to good, except at Route 50, where they are very poor. (MDNR)

The Patapsco/Back Rivers Basin drains about 630 square miles of land including all of Baltimore City and portions of Anne Arundel, Baltimore, Carroll, and Howard Counties. Larger waterbodies include Back River, Gwynns and Jones Falls, the North and South Branches of the Patapsco River, Lake Roland, Piney Run Reservoir, Liberty Reservoir, and Baltimore Harbor. The basin supports over 40 species of fish, including white and yellow perch, and large and small-mouth bass. The area also supports a commercially productive oyster bar just outside the river's mouth, in the mainstem of the Bay. In the Patapsco and Back Rivers, nitrogen levels are poor to very poor throughout the basin, except at Gwynns Falls (fair condition). Phosphorus levels vary from good to very poor. Algae levels are very poor in the Back River and fair in the Tidal Patapsco. Summer dissolved oxygen levels are good in the Back River, but poor in the tidal Patapsco. (MDNR)

The Middle Potomac Tributary Basin drains about 610 miles of land, including portions of Montgomery and Prince George's County. The mainstem river serves as a receiving tributary for upriver sources. Major tributaries include Seneca, Rock and Piscataway Creeks and the Anacostia River. The basin supports over 100 species of fish in its freshwater streams and brackish waters, including white and yellow perch, largemouth bass, and catfish. Nitrogen levels are fair in the basin, but good in Piscataway Creek, poor off Piscataway and very poor in Seneca Creek. Phosphorus levels range from very poor at Seneca Creek, to poor at White's Ferry (Maryland side), Rock Creek and Piscataway Creek, to fair at White's Ferry (Virginia side), Little Falls on the Anacostia River, to good at Cabin John Branch, Marshall Hall, and the station off Piscataway. Algae and dissolved oxygen levels are good at the station off Piscataway, and Marshall Hall. Bladensburg was once a colonial port on the



Anacostia River, but due to centuries of sedimentation, is no longer navigable except to small recreational watercraft. (MDNR)

The Lower Potomac River basin drains approximately 730 square miles of Charles, St. Mary's, and Prince George's counties. Within the Lower Potomac basin are eleven smaller watersheds, including the Mattawoman River, Wicomico River, Breton Bay, and St. Mary's River. More than 100 species of fish are supported in the basin's freshwater streams and brackish waters, including American and hickory shad, menhaden, and gizzard shad. The basin also supports one of the largest great blue heron rookeries on the East Coast. Phosphorus levels in the estuary are generally good and nitrogen levels are fair, except at Route 225 and Point Lookout, where they are good. Algae and dissolved oxygen levels are good at all stations except Mattawoman, where they are fair. Summer dissolved oxygen levels are good above Maryland Point, but are only fair or poor downstream. The Naval Surface Warfare Center at Indian Head has reduced their nitrogen emissions from 600 pounds per day to 20 pounds per day between 1991 and 1996. (MDNR)

### **Vegetation**

The study area support pine and hardwood forest vegetation along the coasts and through the southern portions of Maryland. Loblolly pine, Virginia pine, shortleaf pine, southern red oak, black oak, scarlet oak, pin oak, willow oak, northern red oak, black walnut, yellow-poplar, sweetgum, and red maple are dominant species. The inland portions of the study area, including northern Virginia and the District of Columbia, support deciduous hardwood forest vegetation. Chestnut oak, white oak, red oak, hickories, ash, American elm, and yellow poplar are major species. Black walnut and black cherry are common on the well-drained portions of floodplains. (ESSC)

### **Fish and Wildlife**

The region provides habitat for a wide variety of animals. Important mammals include the whitetail deer, black bear, bobcat, red fox, gray fox, gray squirrel, fox squirrel, eastern chipmunk, white-footed mouse, pine vole, short-tail shrew, and cotton mouse. Common small mammals include raccoons, opossums, rabbits, and numerous species of ground-dwelling rodents. The turkey, ruffed grouse, bobwhite, and mourning dove are the principal game birds. Migratory non-game bird species are numerous, as are migratory waterfowl. The most abundant breeding birds include the cardinal, tufted titmouse, wood thrush, summer tanager, red-eyed vireo, blue-gray gnatcatcher, and Carolina wren. Characteristic reptiles include the box turtle, common garter snake, and timber rattlesnake. (USDA Forest Service)

### **Threatened and Endangered Species**

According to the U.S. Fish and Wildlife Service, there are seven federally-listed threatened and endangered species of plant in Maryland and seven species in Virginia. There are nineteen animals federally listed as threatened and endangered in Maryland, 56 animals listed in Virginia, and three in the District of Columbia.

### **Natural Landmarks**

There are two National Natural Landmarks (NNLs) within the study area. Battle Creek Cypress Swamp is located in Calvert County, Maryland, and is at the northernmost limits for the natural range of bald cypress trees in the United States. This 100-acre nature sanctuary maintains its primeval beauty and is presumed to be a relict population from a former inter-glacial period in the last 10,000 years.



Belt Woods, the other NNL, is located in Prince George's County, 15 miles east of Washington, D.C. It is one of the few remaining old-growth upland forests in the Atlantic Coastal Plain and is a prime example of an upland hardwood forest dominated by tulip poplar and white oak.

In addition to these NNLs, there is the nationally-recognized Patuxent Wildlife Refuge, managed under the National Wildlife Refuge program of the U.S. Fish and Wildlife Service. The State of Maryland manages four Wildlife Management Areas within the study area: Bowen, South Marsh Island, Merkle Wildlife Sanctuary, and Dierssen.

## SOCIO-ECONOMIC CONDITIONS

### Population

The area around the proposed trail is a combination of dense metropolitan areas and low-density rural areas. The Year 2000 combined population of these areas is 7,094,000, up 12% from 1990. (U.S. Census). As indicated in Table 1, the most populous counties surround the two primary metropolitan centers, Washington D.C. and Baltimore. Between 1990 and 2000, Loudoun County saw its population nearly double; Calvert County, Maryland and Stafford County Virginia also experienced significant population growth. Baltimore County, Maryland, and Westmoreland County and Fairfax City, Virginia experienced the slowest growth. Both Baltimore City and the District of Columbia experienced population loss.

In 2000, the study area had an average annual employment of 3,269,500. The major employment centers in the study area sit on the outskirts of Washington in Fairfax County, Virginia, and Montgomery County, Maryland, and in Baltimore County. As shown in Table 2, the 2000 median household income

**Table 1: Population Trends by Jurisdiction**

Study Area Jurisdictions	2000 Population	1990 Population	% change 1990-2000
Anne Arundel County	489,656	427,239	15%
Baltimore County	754,292	692,134	9%
Calvert County	74,563	51,372	45%
Charles County	120,546	101,154	19%
Howard County	247,842	187,358	32%
Montgomery County	873,341	762,875	14%
Prince George's County	801,515	722,705	11%
St. Mary's County	86,211	75,974	13%
Baltimore City	651,154	736,014	-12%
District of Columbia	572,059	606,900	-6%
Arlington County	189,453	170,895	11%
Fairfax County	969,749	818,310	19%
King George County	16,803	13,527	24%
Loudoun County	169,599	86,185	97%
Prince William County	280,813	214,954	31%
Stafford County	92,446	62,255	48%
Westmoreland County	16,718	15,480	8%
Alexandria city	128,283	111,183	15%
Fairfax city	21,498	19,945	8%
Falls Church city	10,377	9,464	10%
Total	6,566,918	5,885,923	12%
Source: US Census Bureau, Census 2000 Summary File 1; 1990 County Population Estimates			

ranged from \$30,600 in Westmoreland County, Virginia, to \$79,900 in Howard County, Maryland. The average household income for the study area was \$57,428. The regional economy is fueled by employment in the following sectors: federal and local government, tourism, health services, business services, high-tech/telecommunications, retail trade, and public sector educational services.

### Tourism

The study area is a destination for local, regional, and out-of-state visitors. Over 10 million visitors reported visitation to the central, southern, and capital regions of Maryland in 2000 (Maryland Office of Tourism Development, 2001). The activity reported most often for these visitors was shopping, followed by visiting historic sites and museums. The State of Maryland reports that in 1999, tourism generated more than \$646 million in tax revenue, \$7.7 billion in expenditures, and more than 103,000 indirect jobs. In 2000, over 8.2 billion in direct domestic travel expenditures was reported (State of Maryland). Payroll paid by travel-related firms and directly attributable to domestic travel spending exceeded \$2.4 billion in 2000. In 2001, travelers in the state of Virginia spent \$12.9 billion, 47% of which was spent in the study area. The state estimates that over one billion dollars in tax revenue, 211,000 jobs, and \$4 billion in payroll are generated by the tourism industry (Virginia Tourism Corporation). Apart from visiting friends and family, visitors' activities were largely comprised of visiting parks and historic sites.

The District of Columbia is a destination for international and domestic tourists with 19.2 million visitors in 2000. According to the District of Columbia Convention and Tourism Corporation, visitors to Washington are

**Table 2: Population, Employment and Income by Jurisdiction**

Study Area Jurisdictions	2000 Population	2000 Average Annual Employment	2000 Median Household Income
Anne Arundel County	489,656	193,460	\$65,200
Baltimore County	754,292	358,129	\$52,200
Calvert County	74,563	51,372	\$65,200
Charles County	120,546	36,172	\$62,800
Howard County	247,842	128,633	\$79,900
Montgomery County	873,341	447,836	\$70,100
Prince George's County	801,515	303,132	\$56,900
St. Mary's County	86,211	33,343	\$57,400
Baltimore City	651,154	387,672	\$33,900
District of Columbia	572,059	262,800	\$39,369
Arlington County	189,453	110,494	\$57,244
Fairfax County	969,749	556,043	\$71,057
King George County	16,803	8,919	\$45,575
Loudoun County	169,599	94,053	\$67,455
Prince William County	280,813	146,703	\$59,080
Stafford County	92,446	48,343	\$58,005
Westmoreland County	16,718	7,051	\$30,597
Alexandria city	128,283	76,504	\$51,052
Fairfax city	21,498	12,826	\$61,099
Falls Church city	10,377	6,043	\$64,420
Total	6,566,918	3,269,528	57,428

Source: US Census Bureau, Census 2000 Summary File 1;  
Virginia Employment Commission  
Maryland Department of Planning  
District of Columbia, Department of Employment Services

twice as likely to visit a historical place or museum than travelers to other U.S. cities (WCTC 2000).

Within the study area, major destinations and attractions include the Baltimore Inner Harbor, Fort McHenry NMHS, museums and memorials on the Mall, the White House, Capitol, and President's Park in Washington.

#### Land Use

The area is a mosaic of high-density urban centers, suburban communities, and rural spaces characterized by croplands, pastures, and woodlands. The study area contains the major cities of Baltimore and the District of Columbia and their suburbs. Despite the high levels of development throughout the area, there is a wide variety of natural, scenic, and recreational resources.

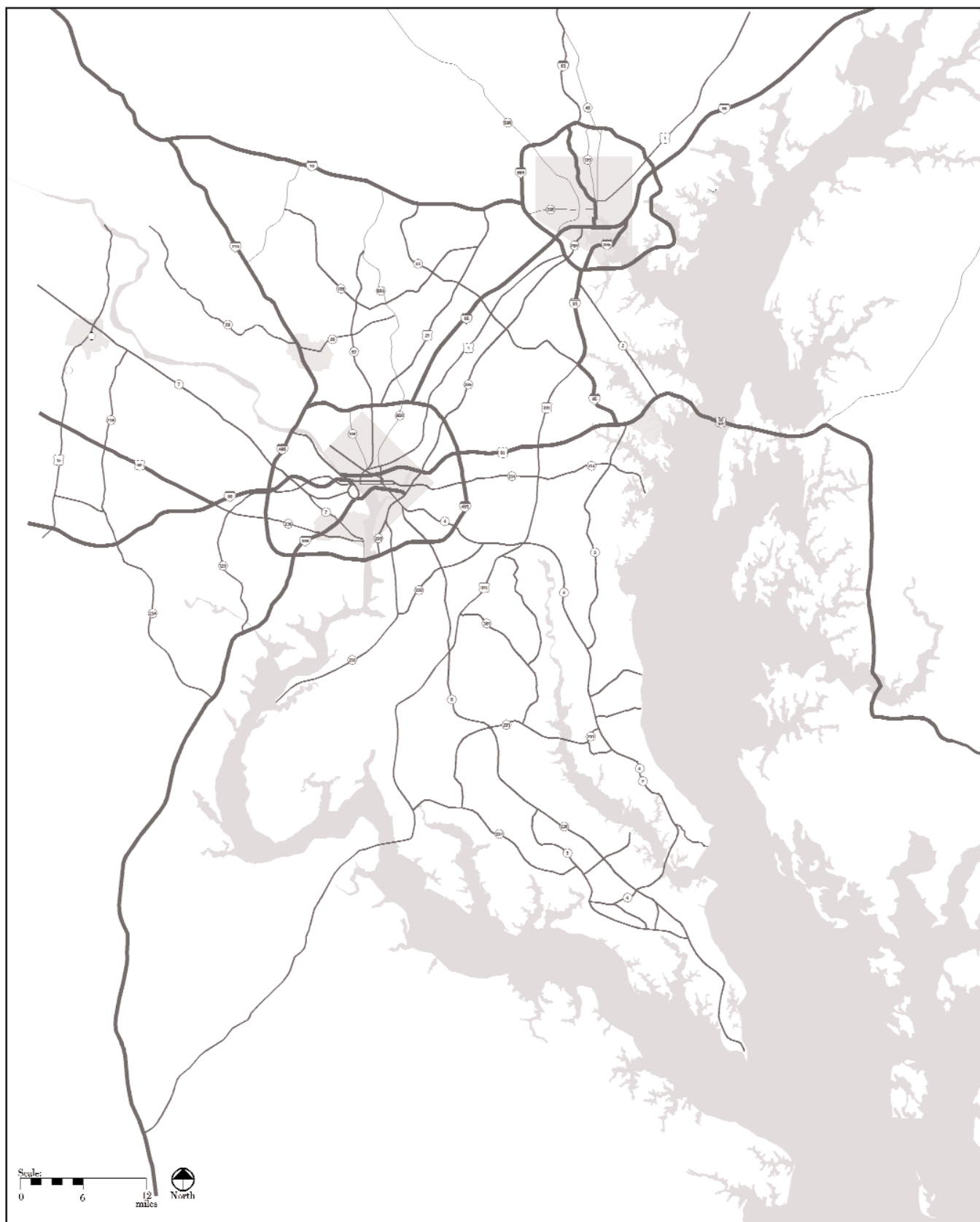
Approximately one-third of the study area, concentrated near the estuarine shoreline, has a land use/land cover designation of urban or urbanizing. The Maryland peninsula between the Chesapeake Bay and the Potomac River is less urbanized with a variety of woodlands, croplands, and pastures. In some parts of the region, forests are rapidly being replaced by agricultural and urban land. Forage crops and grains for dairy cattle, along with poultry, nursery stock, and sod farms, are important enterprises locally. Most woodland is in farm woodlots, but some is in large holdings. State forests and parks are

**Table 3: Economic Impacts of Tourism by County**

	<b>Expenditures (\$ millions)</b>	<b>Payroll (\$ millions)</b>	<b>Employment (thousands)</b>	<b>Receipts (\$ millions)</b>	<b>Receipts (\$ millions)</b>
<b>Maryland</b>					
Anne Arundel	2,377.45	751.25	24.73	60.47	66.49
Baltimore	624.92	159.26	7.04	31.76	24.12
Baltimore City	930.36	289.46	14.26	53.26	36.35
Calvert	47.43	12.02	0.60	2.30	3.21
Charles	61.01	15.94	0.81	3.34	2.98
Howard	396.75	116.87	4.74	15.90	13.03
Montgomery	1,041.48	319.35	14.94	57.48	41.23
Prince George's	638.61	163.84	8.26	35.48	23.37
Saint Mary's	50.55	18.09	0.71	2.35	3.00
<b>Sub-total Maryland</b>	<b>6,168.56</b>	<b>1,846.08</b>	<b>76.09</b>	<b>262.34</b>	<b>213.78</b>
<b>Virginia</b>					
Arlington County	2136.47	1016.75	37.50	81.59	61.52
Fairfax County	1571.86	477.66	28.50	80.59	28.42
King George County	10.14	1728.00	0.11	0.58	0.63
Loudoun County	737.39	36160.00	13.80	26.81	18.26
Prince William County	253.74	55245.00	3.33	11.16	3.77
Stafford County	53.43	11.46	0.86	2.96	1.46
Westmoreland County	38.57	5.83	0.38	1.87	4.44
Alexandria City	417.37	111.17	7.00	23.42	14.93
Fairfax City	80.31	19.25	1.40	4.32	2.03
Falls Church City	21.01	11.76	0.55	1.35	0.97
<b>sub-total Virginia</b>	<b>5320.29</b>	<b>94786.89</b>	<b>93.43</b>	<b>234.66</b>	<b>136.44</b>
<b>Total study area</b>	<b>11,488.85</b>	<b>96,632.97</b>	<b>169.52</b>	<b>497.00</b>	<b>350.23</b>

Information was not available for the District of Columbia. Maryland data is for the year 2000 as reported in a study prepared for the Maryland Office of Tourism Development by the Research Department of the Travel Industry Association of America, February 2002. Virginia data is for the year 1999 based on Travel Industry Association of America data published on the Virginia Tourism Corporation website, [www.vat.org](http://www.vat.org).

**Map 12: Major Transportation Routes Around the Proposed Trail Route**



extensive in places. A narrow band along the coast is intensively developed for recreation. Outside of the urbanized areas surrounding the District of Columbia, portions of Virginia in the study area are largely rural with pasture and woodland. It is expected that the amount of urban land will continue to increase across the region. (US EPA)

### **Recreation**

Many public use sites exist along the proposed trail corridor of the proposed Star-Spangled Banner Trail. The National Park Service, U.S. Fish and Wildlife Service, the States of Maryland and Virginia, the District of Columbia, local jurisdictions, and private operators have recreational resources within the study area. Many of these sites have a direct thematic relationship to the trail. Other sites, such as boat launches, rest stops, and visitor centers do not relate directly to the history of the trail but offer an opportunity for the public to appreciate and interpret the trail. The sites that interpret the events commemorated with this trail could provide opportunities for the public to learn about, see, and experience the events related to the Chesapeake Campaign of 1814 and the writing of “The Star-Spangled Banner.”

The Patuxent Regional Greenway is partially established through seven Maryland counties: Howard, Montgomery, Anne Arundel, Prince George's, Calvert, Charles, and St. Mary's. There is a canoe trail proposed for the Patuxent River. The proposed Patuxent River Water Trail would serve canoeists and extend the length of the Patuxent with numerous public access sites along the river. The Potomac River Greenways is a partially established, multi-jurisdictional and interstate greenway. The Potomac River Water Trail in Charles County is proposed along the Potomac River shoreline, as part of a larger bi-state effort to establish water trails on both sides of the tidal portion of the Potomac River.

### **TRANSPORTATION AND ACCESS**

Development in the study area has followed the waterways and transportation networks. Over time, the transportation network has grown to serve ever-changing land use needs and population growth.

The study area is served by three major airports: Baltimore-Washington International, Dulles International, and Reagan National. The highway system within the study area is comprised of interstate highways, US and state highways and local roads. The interstates (Interstate 66, 95, 495, 695, 70, and 270) connect Baltimore and Washington and their surrounding communities to the eastern seaboard. Interstate 95 is the primary north/south route; Interstates 495, 695, and 270 are beltways around the metropolitan areas; and Interstates 70 and 66 run east/west connecting the more rural parts of Maryland and Virginia to the metro areas. The federal and state highways that connect communities within the study area include Routes 2, 4, 5, 7, 40, 123, and 301. The local roads are by far the most numerous and provide access to sites within these communities.

Portions of the study area are served by bus and passenger rail. Service is provided by Amtrak, the Maryland Transit Administration (MTA), the Washington Metropolitan Area Transit Authority (WMATA), and Virginia Regional Express (VRE). While limited local train and bus service is available throughout the study area, the larger metropolitan areas and suburbs have the greatest concentration of public transportation.

The waterways throughout the study area provide another means of trans-



portation. Private watercraft, ferry/shuttle services, and tours are available in the area. A variety of power boats, sailboats, kayaks, and canoes are used for recreation in the waters of the study area, entering from numerous public access points. Water taxi shuttle service is available throughout the Baltimore Inner Harbor and along portions of the Potomac River. Also within the study area, many individual shuttles transport visitors to resources along the waterways.

#### **OPERATIONS AND ADMINISTRATION**

The public and private resources that contribute to the significance of the proposed trail are currently under a variety of management and ownership. While there are numerous publicly owned and/or publicly accessible lands and resources in the study area, no one entity coordinates the interpretation and protection of resources related to the War of 1812, the Chesapeake Campaign or the Star-Spangled Banner. Along with other stories and interpretive themes, Fort McHenry National Monument and Historic Shrine houses and interprets the Chesapeake Campaign and is a primary hub for visitors interested in the War of 1812.

The study team has documented substantial technical, financial and organizational commitments to the designation and implementation of the proposed Star-Spangled Banner Trail. The State of Maryland has made a financial and programmatic commitment to interpretation and trail development and additional activities related to the commemoration of the War of 1812 and the Star-Spangled Banner. Many local governments, tourism agencies, the District of Columbia, and the State of Virginia have indicated an interest in interpreting and preserving resources related to the trail. To date, no corporate sponsors or private donors have stepped forward and no formal organization has been established related specifically to the trail.

In addition to financial and programmatic commitments, staffing, maintenance, security, provision of facilities, resource protection, and interpretation must be considered during the management planning efforts for the trail. Fort McHenry NMHS and other resources that currently interpret the War of 1812 do not have staff dedicated to the stories specific to the Chesapeake Campaign. Individual resources have maintenance, security, and resource protection measures in place. There is no overarching maintenance or coordinating organization.

Many interpretive sites along the proposed trail have existing visitor facilities that include restrooms, drinking fountains, seating, and parking areas. In more densely populated urban areas such as Washington and Baltimore, these facilities are more prevalent.

## SECTION 5: ENVIRONMENTAL CONSEQUENCES

### INTRODUCTION

The National Environmental Policy Act (NEPA) is the national charter for environmental protection in the United States. Title I of the law requires that federal agencies plan and carry out their activities in a manner that protects and enhances the environment. The requirements of the act are fulfilled when there is extensive public involvement in the planning and development of any proposed federal action and consideration of potential impacts to the cultural, natural, and socioeconomic environment. The impacts are analyzed through the Environmental Impact Statement (EIS), described in sections four and five of this document. This EIS is essentially a programmatic statement, presenting an overview of potential impacts relating to the proposed program for each alternative. More detailed management and implementation plans will be developed subsequent to this plan. Any subsequent document associated with this Feasibility Study will be guided by the framework set by this programmatic statement. This relationship is known as tiering.

This chapter contains a description of the environmental consequences associated with each alternative concept described in this study. The management alternatives are conceptual in nature and do not include any development activities or any site specific actions. Therefore, the potential impacts are addressed accordingly. National Park Service (NPS) planning guidelines stipulate that an environmental impact statement (EIS) be prepared for all National Trail studies to evaluate the environmental implications of the management alternatives. This programmatic EIS will serve as the document from which subsequent NEPA documents are tiered. These alternatives establish broad management guidelines and their general nature requires that assessment of impacts also be general. The NPS can make a reasonable projection of some of the impacts, but these are based on assumptions that may not be accurate in the future. The discussion describes generalized measures to minimize potential impacts. The study does not intend to suggest that these measures would work for every site or should be applied without further study of specific sites.

Future actions must be preceded by site-specific compliance and consultation with the Environmental Protection Agency (EPA), U.S. Fish and Wildlife Service (USFWS), and State Historic Preservation Officers (SHPO), Advisory Council on Historic Preservation (ACHP), relevant American Indian tribes, and other state and federal agencies. It is anticipated that such documents would reflect a considerable shift in emphasis from qualitative to quantitative analysis. Under NEPA, a tiering process is recommended, working from broad, general EIS documents to more site-specific ones. More specific NEPA documents prepared in conjunction with the development plans are tiered or procedurally connected to the large-scale, broader NEPA document.

Environmental impact topics are based on federal laws, orders, and regulations, NPS management policies, and issues and concerns expressed during public scoping. Impact topics allow for a standardized comparison of the potential environmental consequences each alternative could trigger. Selected impact topics considered relevant to this study are cultural resources, natural resources, socioeconomic environment, operations and administration, unavoidable adverse environmental effects. NEPA requires consideration of context, intensity, duration of direct, indirect, and cumulative impacts plus measures to mitigate impacts.

This chapter is organized by impact topic with alternatives as subheadings

under each topic area. Following a brief description of the potential environmental consequences by topic is a brief discussion of the methodology used to determine the impacts (titled “Evaluation Criteria”), a discussion of the impacts of each alternative by topic area, and an outline of potential mitigation measures.

## **CULTURAL RESOURCES**

Cultural resources that may be affected by trail designation, development, and use are archeological resources, historic resources, artifacts and collections, and cultural landscapes.

### **Potential Adverse Impacts to Cultural Resources**

Cultural resources can be degraded by trail use and development if research and protection measures are inadequate. Resources could be degraded in a number of ways including: inadequate protection of collections, artifacts, and known archeological sites; inadequate research and scholarship regarding the importance, location, and integrity of resources; through development as land uses change and resources are compromised; and inadvertent damage from unknowing trail users. Threats from trail use might relate to the inadvertent damage caused by users.

### **Evaluation Criteria**

Any activities related to trail designation or use that harm important cultural resources could be considered a significant adverse impact. Potentially significant adverse impacts include movement, defacement, or deconstruction of artifacts, structural features, or through a reduction of resources, including landscapes and viewsheds, necessary to maintain the integrity and interpret the stories of the proposed trail. Cultural resources may benefit as the public's interest in the trail, its history, and the resources grows. Greater awareness and protective measures of currently unprotected resources would provide a beneficial effect.

### **Potential Measures to Minimize Adverse Impacts on Cultural Resources**

Protection of cultural resources can most successfully be managed on a case-by-case basis, but certain measures can be recommended for all portions of the trail under all action alternatives. Archaeological, historical, and cultural landscape surveys should be conducted in order to document features on public lands and private lands along the trail. These resources should be identified and documented in coordination with the State Historic Preservation Officers (SHPOs), which may already have information on some of these resources. These actions should be taken in order to fully document resources, understand their historic importance, and control visitor use when necessary to protect resource integrity.

Trail planning and design should carefully consider the location of facilities and waysides so that no cultural resources are disturbed. No trail segments should be promoted for public use (beyond the existing patterns of travel) until resources within that segment are documented and a management plan describing appropriate treatments for artifact and site preservation is prepared. The management plan should also specify the breadth of the survey area adjacent to each side of the trail based on segment conditions. Inventories should include landscapes whenever appropriate to guarantee that contextual components of the trail are adequately protected. This decision may be made on a case-by-case basis in consultation with the SHPO or by negotiating a programmatic agreement. Efforts to inventory and protect these resources should be combined with existing States of Virginia and Maryland and District of Columbia programs, including volunteer programs and estab-

lished War of 1812 research to ensure efficiency, compatibility, and eliminate redundant efforts. Curator programs could be established for specific sites requiring trained guides for visitor access and use. In some areas, the designated trail route may need to deviate from the historic route to avoid sensitive sites.

The trail management plan should incorporate the expertise of local residents, historians, archaeologists, cultural anthropologists, landscape architects, and natural scientists, among others representing the federal, state and local governments, in order to capture the broadest knowledge base and most current scholarship.

#### **Alternative A**

No protection beyond what is in place would result from this alternative. Limitations on public access to private lands may result in indirect resource protection. Cultural resources could be adversely impacted by incremental development on privately-held land.

#### **Alternative B**

This alternative would provide funding from a combination of federal, state, local, and private sources to administer the trail, creating broader potential for research, cultural resource inventories, assessments, protection, and maintenance. Compliance with the National Historic Preservation Act of 1996 would be required. The trail as a whole should be considered when development actions are proposed, leaving less opportunity for piecemeal development. The National Park Service may provide expertise and technical assistance for cultural resource protection and interpretation. Methods for minimizing impacts to cultural resources could be included in the general management plan and implemented over time. A Cultural Landscape Report and other cultural resource studies would be conducted prior to and used to inform the management plan. The National Park Service along with State Historic Preservation Officers and private interest groups would emphasize the importance of natural and cultural resources protection while providing for public enjoyment of the trail. Visitation and use have the potential to be higher than in Alternative A and D and therefore have a greater potential to adversely impact cultural resources. These adverse effects may be offset by a greater public awareness afforded by the larger audience this alternative could be expected to draw.

#### **Alternative C**

This alternative would have similar effects to Alternative B except funding and assistance for resource protection would be limited in time and quantity. Implementation of resource protection measures would be conducted by the state or local entities.

### **NATURAL RESOURCES**

Natural resources which may be affected by trail use and development are wetlands, surface waters, and fish and wildlife.

#### **Potential Adverse Impacts to Natural Resources**

The many rivers and creeks that run through the study area and actual segments of the proposed trail may be degraded by: erosion and sedimentation; development and land use changes, which may result in a loss of resources; over-use by recreational users; and inadvertent damage from unknowing trail users.

Increased public use of a designated trail, by vehicles, pedestrians, or water-

craft, could cause more fuel emissions and dumping of rubbish into the waterways and air, and onto the land. Threats may also involve the trampling of native species and the contamination of water or soil by human waste. Other adverse impacts may result from increased motorized and non-motorized watercraft use. Disturbance to fish and other fauna and the shoreline vegetation may occur at points of increased visitor access between the water and land and from the watercraft motors.

#### **Evaluation Criteria**

Any activity related to trail designation or use that reduces the survival or recovery of plant and animal species or reduces the natural function or appearance of habitat areas would be considered a significance adverse impact. The impacts assessment for natural resources was conducted in accordance with NPS 77: Natural Resource Management Guidelines, NPS Management Policies, Director's Order 2: Planning, and NPS 12: NPS Environmental Compliance. These documents provide general guidance for compliance with environmental laws, executive orders, and other regulations, including the National Environmental Policy Act of 1969 (NEPA), the Endangered Species Act, the Clean Air Act, the Clean Water Act, Executive Order 11988 (Floodplain Management), and Executive Order 11990 (Protection of Wetlands).

Due to the conceptual nature of the alternatives presented in this plan, more detailed impacts to natural resources will need to be assessed during more specific management planning. To determine the magnitude and extent of impacts, if any, baseline data would need to be gathered to establish the abundance and diversity of the area of potential effect and help determine actions and activities that may threaten resources. Once a baseline is established, a monitoring program could track changes in natural function and appearance of habitat. Natural resources, including the waterways, may benefit as the public's interest in the trail grows and greater emphasis is put on the significance and value of protecting natural resources. Greater awareness could also result from the public's increased understanding of the interrelationship between the natural landscape and historic events.

#### **Potential Measures to Minimize Adverse Impacts on Natural Resources**

Evaluation of human impacts on wetlands, water resources, plants, and animals depends on the species and type of development proposed and would have to be considered on a case-by-case basis. Measures to reduce impacts may range from complete avoidance of sensitive areas and rare species' habitat, to minimization of visitor access and development. Signage and interpretation should encourage users to stay on the trail. The management entity should encourage the establishment of a stewardship and protection program for the lands along the trail. Tree removal and the addition of impervious surfaces should be avoided in sensitive areas in order to minimize the indirect effects of increased run-off and degradation of water quality. Any actions that would affect potential habitat for rare species should be avoided.

The trail management plan should incorporate the expertise of natural resource specialists, biologists, landscape architects, and natural scientists, among others representing the federal, state and local governments.

Along with other existing programs to celebrate and conserve the Patuxent, Patapsco, and Potomac Rivers and the Chesapeake Bay, efforts related to the proposed trail may help minimize adverse affects on the natural environment. Natural resource education could be incorporated into trail interpretation.

#### **Alternative A**



No actions would be taken to further degrade or enhance the quality of wetlands, surface water resources, or habitats. Natural resource areas within the study corridors that are not already protected and monitored, could continue to degrade from unmanaged use. Access points to and from the rivers and creeks would remain unchanged. Recreational users may cause inadvertent harm to the natural resources.

#### **Alternative B**

Under this alternative, natural resource protection could benefit from the trail management plan, required by the National Trails System Act, as amended. Changing traffic patterns and increasing levels of visitor use and activity could have a moderately adverse impact on the natural resources in the area. Management protocol for waterways, natural habitats, and public access points could be determined as part of the management plan. With appropriate management measures in place, natural resources could benefit from greater protection as visitors are directed to appropriate trail areas and restricted from accessing fragile resource areas and ecosystems. The trail management plan could recommend measures to minimize negative impacts to the waterways, flora, and fauna, including interpretive signs, use restrictions, and monitoring. Trail partners and volunteers could provide labor and management of these efforts.

#### **Alternative C**

The effects of this alternative are similar to Alternative B except natural resource protection would be incorporated into the heritage area management plan.

### **SOCIO-ECONOMIC ENVIRONMENT**

Socioeconomic factors include the effects on the regional economy, on nearby communities, and the visitors' experiences.

#### **Evaluation Criteria**

Contributions to the local economy and nearby communities that are attributable to trail use and development would be a significant positive impact. Any activity related to trail use and development that degrades the user experience, such as the development of incompatible land uses or inappropriate visitor facilities, would be considered a negative impact. Users may be defined as residents, tourists, and other users of the proposed trail.

In this case, existing roads have capacity to move many vehicles and visitors through the study area. Therefore, the road right-of-way makes the carrying capacity of the trail itself high. However, the capacity of individual resources should be determined on a case-by-case basis. Use may need to be limited to protect cultural and natural resources and to protect the quality of experience. It is likely that national designation and recognition of the trail will generate increased visitation and carrying capacity of the trail will need to be assessed more thoroughly.

#### **Potential Measures to Minimize Adverse Impacts to User Experience**

A carrying capacity analysis should be incorporated into the trail management plan.

#### **Alternative A**

No effects to the socio-economic environment and nearby communities would result from this alternative. Users may unknowingly degrade the resources and trail segments. Increased traffic in the area may create crowded conditions. As development increases, an increased number of people would experience the

area and its resources without knowing or understanding the significance. Landowners would continue to experience whatever impacts of recreational use that occur now.

#### **Alternative B**

Designation of the trail as a National Historic Trail would have a neutral to positive effect on the local economy. Any actions related to trail use and management would be spread out over time and over the geographic area of the trail, limiting the beneficial effects to one area at one time. Efforts to protect, develop, maintain, and manage the trail would create new localized spending and potential jobs and tax revenue. Expenditures for labor and materials would be minor, in the short-term, and would accrue to a few firms or individuals. The communities along the trail may benefit from increased tourism and spending as trail use is promoted. Increased trail use would not be expected to affect the profitability of area businesses. Local landowners and business owners could benefit from their proximity or association with the trail. Property values could increase if permanent preservation methods are employed to protect open lands and landscapes.

Promotion of the trail and its associated resources would result in more visitors to the trail. Users would be provided multiple itineraries and access points and would benefit from interpretive, educational, and recreational opportunities. Higher levels of use would be expected where resources are clustered or in the population centers. A carrying capacity analysis should be included in the trail management plan. Perceived or real crowding along the trail would have an adverse effect on user experience.

#### **Alternative C**

Effects of this alternative would be similar to Alternative B.

### **TRANSPORTATION AND ACCESS**

Vehicular, pedestrian, bicycle and water-based transportation and access within the study area may be affected by trail use and development.

#### **Potential Impacts on Transportation and Access**

Any trail designation or plans for use and management that creates the need for additional roadways or that burdens existing road and waterway capacity, safety, or level of service would be considered an adverse impact.

Improvements to pedestrian and bicycle routes, water access points, and group transportation would be considered a positive impact.

#### **Significance Evaluation Criteria**

The transportation through the area and along the trail, and access points to the trail could be adversely affected if the level of service, circulation, and accessibility are degraded. A positive effect may be measured if visitation and access to the trail increase by way of alternative transportation, bicycling, water recreation, and foot traffic.

#### **Potential Measures to Minimize Adverse Impacts to Transportation and Access**

The trail management plan should assess baseline traffic counts and visitation figures for the trail area and individual resources and establish a schedule for reassessing these counts. Scheduled group tours and alternative transportation could be explored in the management and interpretive plans. Appropriate facilities for pedestrians, bicyclists, and watercraft users should be made available.

### **Alternative A**

Under this alternative, transportation and access in the area would continue, primarily in response to new regional development and traffic pressures unrelated to this planning effort. No improvements would be made directly related to the trail. State and local laws and Section 106 compliance would be required, but no new regulatory mechanisms would be put in place to review the impacts of transportation and access improvements in the area. Increased traffic in the area may create crowded conditions.

### **Alternative B**

Under this alternative, traffic may increase as a result of national designation and increased visitation and travel along the trail. Traffic and transportation studies should be part of the general management plan for the trail. Improved access to and circulation around trail resources may be necessary if crowding occurs. Alternative modes of transportation and group tours may have a positive effect on the environment by encouraging alternatives to automobile use.

### **Alternative C**

Effects would be similar to those under Alternative B.

## **OPERATIONS AND ADMINISTRATION**

Visitor experience, educational programs, shared resources, degree of coordination, and outreach to a diverse audience may be affected by the selected action alternative.

### **Potential Impacts on Operations and Administration**

Any trail designation or plans for use and management that create an opportunity for increased agency and stakeholder coordination, shared resources, and an enhanced visitor experience would be considered a beneficial impact. However, designation, use and management that impedes agency coordination and cooperation, limits the interpretive potential and audience, and limits shared resources would be an adverse impact.

### **Evaluation Criteria**

A positive effect may be measured if visitation increases and the diversity of the audience is enhanced. Also, if the visitor experience, through enhanced educational opportunities and outreach, is improved by coordination between agencies and resource managers, a positive effect can be measured. Negative impacts would be evaluated if the opportunities for visitor experiences and resource protection are degraded or limited.

### **Potential Measures to Minimize Adverse Impacts to Operations and Administration**

A trail organization should be established that is responsible for the management of the proposed trail with direct oversight by the federal government through the National Park Service. Funding and operations should be carried out in a joint partnership with funds derived from a variety of sources. These efforts should focus on outreach to a diverse audience through a variety of interpretive mechanisms. Measures should be taken to coordinate and share resources between stakeholder groups and the trail organization to provide a seamless and coordinated visitor experience with the greatest degree of resource protection possible.

### **Alternative A**

Under this alternative, there would be no coordinated management entity or organized interpretation of the trail. Individual groups and resource managers would continue to operate and administer their programs and resources as

they do today. No additional resources would be dedicated to interpreting or protecting the trail. Cultural and natural resources could be degraded if funding and enhanced programming are not prioritized and championed by a management entity.

#### **Alternative B**

With federal designation and oversight by the National Park Service, a management entity dedicated to the interpretation, protection, and management of the trail could benefit. Individual resources and the federal, state, and local governments would benefit by sharing responsibility for the trail. By having a coordinated partnership, the National Park Service would maintain oversight through a lead unit, possibly Fort McHenry NMHS. The trail organization would have the responsibility of maintaining, funding, and staffing while providing a high degree of coordination between trail stakeholders, resource managers, and interpretive staff. This enhanced level of coordination by the central trail organization and the National Park Service would create an opportunity for the greatest levels of funding for resource protection; promotion through a broad network of agencies and resource managers; and interpretation through a complimentary system of associated trail sites and a comprehensive interpretive program.

#### **Alternative C**

The federal government, along with the states and local governments, would establish a partnership based on the National Heritage Area guidelines and the management plan. Funding and primary support would be provided and leveraged by the local governments. Designation and federal involvement would be phased out after a determined period of time. The visitor experience would be affected by this alternative as the themes and resources would be much broader and more regional than with the National Historic Trail designation. Opportunities specifically related to the Chesapeake Campaign would be limited because the National Heritage Area would have a broader more regional scope for interpretation and resource protection. Resources specific to the Chesapeake Campaign would not experience the same degree of attention because of the more diffused and time-limited resources associated with a National Heritage Area.

### **ENVIRONMENTAL JUSTICE**

#### **All Alternatives Involving Federal Administration (Alternatives B)**

Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, requires that all federal agencies incorporate environmental justice into their missions. They are to identify and address disproportionately high and adverse human health or environmental effects of their programs and policies on minorities and low-income populations and communities. Designation of the Star-Spangled Banner National Historic Trail is not expected to have any direct or indirect adverse effects on human health or the environment regarding any minority or low-income population. However, if the trail is designated as a national trail and comes under federal administration, this Executive Order must be considered during preparation of the trail management plan or other action plans to ensure compliance.

### **UNAVOIDABLE ADVERSE ENVIRONMENTAL EFFECTS**

#### **Alternative A**

Trail fabric and associated cultural and natural resources would remain susceptible to natural deterioration, inadvertent human damage, and vandalism. It is

likely that some important resources would be lost during natural processes or through development. Increasing piecemeal development in proximity to the route could contribute to the loss of trail resources.

#### **Action Alternatives**

With proper planning and management, few long-term adverse impacts to trail resources would be anticipated from any of the action alternatives. The physical activities with potential for adverse effect would be installing route markers and interpretive exhibits in areas of public use; limited road construction and reconstruction; and facility development related to trail activities. These activities would have a long-term visual impact. With appropriate siting, these effects could be minimized, but not eliminated. Construction activity could result in short-term disturbance of wildlife near construction sites, but construction should be located so that there would be no permanent disturbance. Visitor use could result in temporary displacement of species when people are present. The extent of impacts to vegetation and wildlife would have to be determined on a site-specific basis and cannot be predicted at this time. However, none are foreseen.

#### **SHORT-TERM USES AND LONG-TERM PRODUCTIVITY**

NPS is required to describe actions in terms of the NEPA objective to maintain and enhance the long-term productivity of the environment. The feasibility study alternatives include elements that would either diminish or enhance the long-term productivity of the environment.

#### **No Action**

Negligent or insensitive uses or activities along the trail could damage or destroy trail segments and associated resources and negatively affect the long-term ability to interpret and protect the trail.

#### **Action Alternatives**

In the long-term, trail segments and associated cultural and natural resources would be protected. Any short-term use would contribute to this long-term effect. Recognition and interpretation of the trail would have a negligible effect on the long-term productivity of adjacent land. Short-term actions and uses that enhance the national recognition and understanding of trail resources will create greater opportunities for the protection of resources of War of 1812 and other resources surrounding the trail.

#### **IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES**

An irreversible commitment of resources is one that cannot be changed once it occurs. An irretrievable commitment of resources means that the resources cannot be recovered or reused.

#### **No Action**

There would be no commitment of resources under the no action alternative.

#### **Action Alternative**

The use of non-renewable energy resources, such as fuel to power construction equipment to build new facilities, would be an irreversible commitment of resources under any alternative. Although energy supplies are expected to be sufficient, once committed these resources are irretrievable. Under any of these action alternatives, limited amounts of non-renewable resources would be used for construction project--trail access points, parking and pull-off sites, visitor facilities, and restrooms; development and placement of wayside exhibits, directional signs, and other interpretive materials; and park operations. These non-renewable resources would include fossil fuel energy and



materials. Disturbance and/or destruction of non-renewable resources such as archeological resources is also part of all action alternatives. Even with mitigating measures, it is possible that some of archeological information could occur with the trail area. Some erosion could occur along the trail path because of trail development and use, which could result in irreversible loss of portions of these resources.

The funding, renewable resources, and park staff's time used to construct, operate, and maintain the trail and visitor facilities would be lost for other activities. This would constitute an irretrievable commitment of resources. Although proposed developments could be removed, these areas could not be restored to pre-development conditions.

Creation and expansion of interpretive programming for the Star-Spangled Banner Trail would also constitute an irreversible and irretrievable commitment of resources because of the use of funding, park staff, and renewable and limited non-renewable energy sources and materials. Once interpretive programs and partnerships are in place, it would be difficult to withdraw resources and support from them.

Cultural resources and landscape elements historically associated with the Star-Spangled Banner Trail and the events of the Chesapeake Campaign of 1814 exist on lands adjacent to NPS and NPS-partner properties. If memoranda of understanding, easements, or transfer of development rights are not implemented, adjacent lands owned by private property owners could be developed and would constitute an irretrievable loss of the acreage and cultural resources. The National Park Service, trail management entity, and local jurisdictions would cooperate with adjacent landowners and the local jurisdictions to protect the trail setting and cultural resources from possible incompatible development and encroachment. This would constitute an irretrievable commitment of resources because of the level of long-term support and commitment of park staff and resources that would be required to address adjacent lands issues.

## **IMPAIRMENT**

The study team finds that there would be no substantial impairment to park resources caused by the proposed creation of the Star-Spangled Banner National Historic Trail.

## SECTION 6: CONSULTATION & COORDINATION

### INTRODUCTION

This chapter describes the public involvement, agency coordination and required consultation procedures in compliance with NEPA. The Notice of Intent to prepare an Environmental Impact Statement and hold public meetings for the Star-Spangled Banner National Historic Trail Study was published in the Federal Register on December 21, 2000.

The draft environmental impact statement (DEIS) for this National Historic Trail Feasibility Study was on public review for 60 days following a Notice of Availability posting in the Federal Register on December 16, 2003. During this comment period, agencies and the public commented. Copies of the letters from federal, state, and local governmental agencies and non-governmental organizations are provided in Appendix H. This final environmental impact statement was then prepared to respond to or incorporate the public comments on the draft document. After a 30-day no-action period, a Record of Decision (ROD) will be prepared to document the selected alternative and set forth any stipulations for implementation, thus completing the requirements for the National Environmental Policy Act of 1969 (NEPA), as amended.

NEPA is the national charter for environmental protection. Title I of the law requires that federal agencies plan and carry out their activities "so as to protect and enhance the quality of the environment. Such activities shall include those directed to controlling pollution and enhancing the environment."

The requirements of the act are fulfilled when extensive public involvement in the planning and development of any proposed federal actions and consideration of potential impacts to the cultural, natural and socioeconomic environment have taken place. The latter is accomplished through the environmental impact statement (EIS) included in this document. This EIS is essentially a programmatic statement, presenting an overview of potential impacts relating to the proposed program for each alternative. More detailed plans will be developed for individual actions prior to implementation. Any document associated with these plans will be tiered to this programmatic statement. In addition, the requirements for this National Historic Trail Study will be completed when the ROD is signed by the NPS Regional Director, Northeast Region.

Informal consultation with the appropriate federal, state and local agencies has been conducted in the preparation of this document.

### PROJECT SCOPING

Since the beginning of this process in August 2000, this project has engaged the public, interested individuals and organizations. The study team conducted worksessions with project partners and stakeholders and hosted two roundtables of interdisciplinary experts in an effort to better understand what is historically significant about the proposed trail and how to best interpret and preserve these elements. The primary partners in this effort include the National Park Service's Northeast and National Capital regional offices, Fort McHenry NMHS, the State of Maryland, the American Battlefields Protection Program, and representatives of the National Park Service Mid-Atlantic Alliance. The study team conducted two trail tours to assess the resources and determine feasibility of travel and interpretation along the proposed routes. A website was maintained, newsletters were produced and public scoping meetings were

conducted to communicate with and solicit input from a broad public audience.

### **Public Involvement, Stakeholder Workshops and Team Meetings**

One set of three formal public meetings was conducted in January 2001 to communicate and solicit input from a broad public audience regarding the proposed trail and the trail feasibility study. At each meeting, the project team introduced the background and purpose of the project and gave a brief history of the Chesapeake Campaign in the context of the War of 1812. The team also presented preliminary resource conditions and trail routes, the planning process, and the tentative schedule. Following the team's presentation, the public was given the opportunity to identify issues and opportunities related to the project, their interest in the project, and any community resources and events related to the Chesapeake Campaign.

A second set of three public meetings was held in Fall 2002. Along with members of the general public, representatives from the NPS's Philadelphia Support Office, Fort McHenry NMHS, the State of Maryland, historians, and the planning consultants attended the meetings. Meeting notices were sent to individuals listed in a database of stakeholders that was compiled from previously existing mailing lists from Fort McHenry, the Chesapeake Bay Gateways Network, and other NPS resources. The final public meeting was conducted in December 2003 to go over the draft alternatives and recommendations during the public comment period. All meeting participants were added to the database, which in turn was used to inform interested parties of future meetings and other project-related information. Press releases were issued prior to each set of meetings.

The following is a listing of public outreach:

- Team meeting-October 4, 2000, Project Understanding
- Team Meeting-November 8, 2000, Overview of State of Maryland program and introduction to historic resources
- American Battlefield Protection Program, War of 1812 Tour-November 19, 2000
- Newsletter #1-December 2000
- Team meeting-December 19, 2000, National significance criteria and organization of public workshops
- Public Scoping Meeting #1-January 10, 2001, Fort McHenry National Monument and Historic Shrine Visitor Center Auditorium, Baltimore, Maryland
- Team meeting-January 17, 2001
- Public Scoping Meeting #2-January 17, 2001, Offices of HNTB, Washington, DC
- Public Scoping Meeting #3-January 24, 2001, Calvert County Public Library, Prince Frederick, Maryland
- Team meeting-January 25, 2001, Coordination of International Historians Workshop, National Significance
- Team meeting-February 5, 2001, International Historians Workshop, Local

## Historians Workshop, Resource Inventory

- Team meeting-March 1, 2001, International Historians Workshop, Local Historians Workshop, Resource Inventory, Tour of Maryland Historical Society
- Team meeting-April 6, 2001, Stakeholders
- International Scholars' Roundtable-April 7, 2001 (Appendix D)
- Team meeting-April 24, 2001
- Local Historians' Workshop-May 12, 2001 (Appendix C)
- Team meeting-May 16, 2001
- Test Tour-May 16, 2001, Baltimore
- Test Tour-June 4-6, 2001 Southern Maryland, Washington
- Test Tour-July 19, 2001, Virginia
- Team meeting-August 15, 2001, review of significance statement
- Team meeting-September 26, 2001, draft Significance Determination
- Regional Director's Briefing-January 24, 2002
- Team meeting-March 4, 2002, Management Alternatives
- Meeting with stakeholders-March 25, 2002
- Meeting with stakeholders- April 9, 2002
- Meeting with stakeholders-April 23, 2002
- Team meeting-May 29, 2002
- Submit Significance Determination to NPS Advisory Board, July 2002
- Meeting with stakeholders-July 18, 2002
- Team meeting-August 12, 2002
- Briefing with National Landmarks Advisory Board-October 16, 2002
- Newsletter #2-October 2002, Alternatives
- Team meeting-November 7, 2002
- Public meeting #4-November 7, 2002, Fort McHenry NMHS
- Public meeting #5-November 13, 2002, Calvert County, Maryland
- Public meeting #6-November 14, 2002, Washington DC
- Newsletter #3-Summer 2003, Project Update
- Public, Stakeholder and Agency review of draft plan/EIS--December. 2003 through February 2004

- Public meeting #7-December 2, 2003, Riversdale Mansion, Prince Georges County, Maryland
- Public, Stakeholder and Agency review of final plan/EIS--upon release

### **Interviews and Informational Sessions**

The study team has had ongoing discussions with local jurisdictions, War of 1812 interest groups, preservationists, tourism directors, and managers of related cultural resources. Each group has made a contribution providing the team with resource information, administrative/management recommendations and potential future roles; hosting meetings; and providing information to others who may be interested or concerned about this project. The State of Maryland has been particularly cooperative and has shared all of their mapping, data, and resource information.

The following is a list of individuals and agencies that were interviewed during this process:

1. Chuck Ives, Society of the War of 1812
2. Dennis Fiori, Maryland Historical Society
3. Andrew Murray, National Historic Seaport
4. Cindy Olsen, Star-Spangled Banner Flag House and Museum
5. Tim Dugan, Baltimore County
6. Kathleen Kotarba, City of Baltimore, Commission for Historical and Architectural Preservation
7. Robert Reyes, National Park Service Mid-Atlantic Council
8. Frank Faragasso, National Park Service, National Capital Region
9. Darwina Neal, National Park Service
10. Jennifer Spencer, Sewall-Belmont House
11. Lori Geiger, Sewall-Belmont House
12. Rick Busch, DC Heritage
13. Mike Lucas, Maryland National Capital Parks and Planning Commission
14. Chris Wagnon, Maryland National Capital Parks and Planning Commission
15. David Jurgella, MDNR, State Forests and Parks
16. Jean Federico, City of Alexandria, Historic Alexandria
17. Steve Shephard, City of Alexandria, Historic Alexandria
18. Jim MacKay, City of Alexandria, The Lyceum
19. Jonathan Doherty, Chesapeake Bay Gateways Network
20. Susan Creger, White House Visitor's Center, President's Park
21. Phil Walsh, White House Visitor's Center, President's Park
22. Chris Stevenson, Virginia Department of Historic Resources
23. Marci Ross, State of Maryland, Department of Business and Economic Development, Office of Tourism Development
24. Elaine Ward, State of Maryland, Department of Business and Economic Development, Office of Tourism Development
25. Herman Schieke, Calvert County Tourism
26. Carolyn Laray, St. Mary's County Tourism
27. Mike Humphries, St. Mary's County museum division
28. Phil Rollins, St. Mary's County Parks and Recreation
29. Mike Smolek, Jefferson Patterson Park and Museum
30. Barbara Stewart-Mogel, Jefferson Patterson Park and Museum
31. Baltimore Area Convention and Visitors Association



## **INTERAGENCY CONSULTATION**

All relevant local, state and federal agencies and regional institutions and tribal organizations have been notified of public meetings; invited to comment on material; and asked to provide input and information to inform the Environmental Impact Statement.

### **Consultation with the Advisory Council on Historic Preservation, Maryland Historical Trust, and the Virginia Department of Historic Resources**

Section 106 of the National Historic Preservation Act of 1966, as amended (16 USC 470, et seq.) requires that federal agencies that have direct or indirect jurisdiction take into account the effect of undertakings on national register properties and allow the Advisory Council on Historic Preservation (ACHP) and the State Historic Preservation Office (SHPO) the opportunity to comment. Toward that end, the NPS will work with the Maryland Historical Trust and the Virginia Department of Historic Resources and the Advisory Council to meet the requirements of 36 CFR 800 and the September 1995 programmatic agreement among the National Conference of State Historic Preservation Officers, the Advisory Council on Historic Preservation, and the NPS. This agreement requires the NPS to work closely with the SHPO and the ACHP in planning and design for new and existing NPS areas. The agreement also provides for their review of development projects during at least four stages - task directive, policy review draft, and draft and final documents. The SHPO and the ACHP will be invited to participate in the scoping process for development of any proposed facilities.

To ensure that any trail proposals that might affect properties listed or eligible for the national register comply with provisions of Section 106, the ACHP and the SHPO (Maryland Historical Trust and Virginia Department of Historic Resources) were invited to participate in the planning process. Representatives of the SHPO and ACHP have had an opportunity to provide input and will review and comment on the Draft EIS.

The September 1995 programmatic agreement also provides for a number of programmatic exclusions for specific actions that are not likely to have an adverse effect on cultural resources. These actions may be implemented without further review by the SHPO or the ACHP provided that NPS internal review finds the actions meet certain conditions and this review is documented with an assessment of effect. Undertakings, as defined in 36 CFR 800, not specifically excluded in the programmatic agreement must be reviewed by the SHPO and the ACHP during the planning and design stages and before implementation. Throughout the process there will be early consultation on all potential actions.

Prior to any ground-disturbing action by the NPS, a professional archeologist will determine the need for further archeological inventory or testing evaluation. Any such studies will be carried out in conjunction with construction and will meet the needs of the SHPO as well as the NPS. Any large-scale archeological investigations will be undertaken in consultation with the SHPO. Responsibility for protecting archeological resources is included under several laws mentioned earlier as well as the Archeological Resources Protection Act of 1979.

### **Consultation with American Indian Tribes**

Potentially relevant to the development and management of the proposed Star-Spangled Banner Trail are the various laws and regulations that deal with American Indian relationships and discovery of human remains. United

Indians of Virginia, Maryland Indian Affairs Commission, and the Virginia Indian Council will be contacted by letter to involve them in the planning process, to gain an understanding of tribal concerns, and to determine whether or not there might be ethnographically sensitive areas within the study area. The NPS Native American Liaison will also be contacted. The 1992 amendments to the National Historic Preservation Act and the Archeological Protection Act provide means whereby information about the character, location, or ownership of archeological sites, historic properties, and ethnographic sites, including traditional and cultural sites, might be withheld from public disclosure. This provision is especially important for archeological sites, where disclosure could risk harm to potential and actual resources. Throughout the planning process, and as additional archeological discoveries are made, protective measures will be taken to protect archeological resources.

The NPS will continue to consult with American Indian tribes on a government-to-government basis. This special legal relationship is outlined in the secretary's April 29, 1994 memorandum for the heads of executive departments and agencies. In keeping with this mandate and provisions of NEPA, the NPS will consult with Indian groups on planning and management activities that affect their historical connection with the Star-Spangled Banner Trail. The NPS will develop and accomplish their programs in a way that reflects the respect for the beliefs, traditions and other cultural values of the Indian tribes with ancestral ties to the area.

#### **Consultation with U.S. Fish and Wildlife Service**

Section 7 of the Endangered Species Act of 1973, as amended (16 USC 1531 et seq.) requires all federal agencies to consult with the U.S. Fish and Wildlife Service to ensure that any action authorized, funded or carried out by the agency does not jeopardize the continued existence of listed species or critical habitat.

Informal and formal consultations did not indicate that any rare, threatened or endangered species will be affected by the proposed trail. The NPS will continue to consult with the U.S. Fish and Wildlife Service regarding habitat requirements and management strategies for rare, threatened and endangered species before the implementation, design and construction phases of any proposed actions. The NPS will develop and implement measures in consultation with the U.S. Fish and Wildlife Service to ensure that protected federal listed species and their habitats will not be affected.

#### **Consultation with Maryland Department of Natural Resources, Maryland Department of Agriculture, Maryland Department of Environment, Virginia Department of Game and Inland Fisheries, Virginia Department of Agriculture and Consumer Services, and Virginia Department of Conservation and Recreation, Virginia Marine Resources, Department of Environmental Quality**

NPS Management Policies require cooperation with appropriate state conservation agencies to protect state-listed and candidate species of concern in the parks. The Virginia Department of Game and Inland Fisheries and the Maryland Department of Natural Resources are consulting agencies under the U.S. Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.), providing environmental analysis of projects or permit applications coordinated with the appropriate state and federal agencies.

The NPS consulted with the (Maryland and DC) Virginia Department of Game and Inland Fisheries to ascertain the presence of any state-listed or candidate rare, threatened or endangered species that could be affected by this project.

The Maryland Department of Agriculture and the Virginia Department of Agriculture and Consumer Services were consulted for additional information on the potential or confirmed presence of federally or state-listed rare, threatened and endangered species or candidate species of concern in or near the study area.

The Maryland Department of Natural Resources (MDNR) and the Natural Heritage Division of the Virginia Department of Conservation and Recreation (VA DCR) were contacted for information on the management of potential habitat for rare species. The NPS will continue to consult with MDNR, the VADGIF, the Virginia Department of Agriculture and Consumer Services, and the Virginia Department of Conservation and Recreation, Natural Heritage Division, regarding habitat requirements and management strategies for state-listed rare, threatened or endangered species or state species of concern before the design and construction phase of any proposed actions. The NPS will develop and implement measures in consultation with appropriate state agencies to ensure that protected state-listed species and their habitats will not be affected.

#### **PUBLIC/AGENCY REVIEW AND COMMENTS**

Availability of the Draft SRS/EIS was announced in the Federal Register on December 16, 2003. The official 60-day public review and comment period closed on February 15, 2004. Comments were made by federal, state, and local agencies, nongovernmental organizations, and private individuals. Public comment on the draft study was expressed in three ways:

- through written letters, electronic mail, or website comment forms submitted by individual citizens;
- through written letters, electronic mail, or website comment forms submitted by nongovernmental organizations or special interest groups;
- through written letters submitted by Federal, State, and local government agencies.

After the closure of the official comment period, the NPS planning team analyzed the content of the comments and all other written responses to the draft Study/EIS. The comments were categorized into three response categories:

1. out-of-scope
2. in-scope and substantive
3. in-scope but non-substantive

#### **Out-of-Scope Comments**

Concerns were classified as falling within the scope of decision making or falling outside the scope. The Council on Environmental Quality (CEQ) regulations define the "scope of decision making" as the range of connected, cumulative, or similar actions, the alternatives and mitigation measures, and the direct, indirect, and cumulative impacts to be considered in the EIS. Generally, concerns considered out-of-scope are those that:

- Do not address the purpose, need, or goals of the Study.

- Address issues or concerns that are already decided by law and policy.
- Suggest an action not appropriate for the current level of planning.
- Recommend only minor editorial corrections.

#### **In-Scope and Substantive Comments**

Concerns within the scope of decision-making were further classified as in-scope and substantive or in-scope but nonsubstantive. NPS policy and NEPA guidelines define substantive comments as those that:

- Question the reasonable basis, the accuracy or the information in the EIS.
- Question, with reasonable basis, the adequacy of the environmental analysis.
- Present reasonable alternatives other than those presented in the EIS.
- Cause changes or revisions to the proposal.

#### **In-Scope but Nonsubstantive Comments**

In-scope but nonsubstantive comments include those that simply state a position in favor of or against the proposed alternative, merely agree or disagree with NPS policy, or otherwise express an unsupported personal preference or opinion.

#### **RESPONSE TO COMMENTS**

The in-scope and substantive concerns were re-examined and appropriate responses prepared. Responses to in-scope and substantive comments often resulted in changes to the text of the Final Study/EIS, often for clarification purposes. NPS is required to respond only to in-scope, substantive comments. However, in some cases, responses were prepared for selected out-of-scope and in-scope but nonsubstantive concerns if the planning team thought providing a response enhanced public understanding of the decision-making process.

**1.Concern:** Any new construction or alterations to existing landscapes as a result of the designation of the historic routes as a national historic trail should involve precautions to mitigate the disturbance to natural communities and any air or water pollution effects. (Commonwealth of Virginia Department of Environmental Quality (DEQ) Review Comments)

**Response:** The National Park Service concurs with the DEQ that specific location plans, implementation plans, and construction take into account the protection of wildlife, forests, and trees and the mitigation of air and water pollution. NPS concurs that whenever possible pollution prevention principles should be employed during construction, demolition or land-clearing. Should these recommendations for the designation of this trail be accepted, the NPS will contact the appropriate local agencies regarding coordination and permitting.

**2.Concern:** NPS determined that the "Flight of the Madisons" and "The Rescue of the National Documents" trail segments did not meet the National Historic Trail Criteria. The Fairfax County Department of Planning and Zoning feels that these events were nationally significant and warrant commemoration. (Commonwealth of Virginia Department of Environmental Quality (DEQ) Review Comments and Fairfax County Department of Planning and Zoning (DPZ))

**Response:** The National Park Service concurs with the DEQ that the events related to the "Flight of the Madisons" and "The Rescue of the National Documents" trail segments are nationally significant. The entire study area and all proposed trail segments are deemed nationally significant (Criterion 2) in the study report. The chart on page 16 was previously incorrect and has been corrected to reflect this. However, this trail segment does not fully meet the Criteria 1 and 3 because of the number of privately-owned properties, limited integrity, and insufficient information regarding the exact routes that were taken. As indicated in the evaluation of trail segments, the NPS encourages the States of Maryland and Virginia, local governments and individual site owners and operators to create related side trails to interpret this route.

**3.Concern:** Technical errors pertaining to the location and exact names of resources and protection status of resources are documented by reviewers. (Department of Navy and Fairfax County Department of Planning and Zoning)

**Response:** As for the editorial comments in the Review Comments, the National Park Service has reviewed and incorporated the recommended changes into the Final Study/EIS, as appropriate and feasible.



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VA Department of Agriculture and Consumer Affairs

VA Marine Resources Commission

Potomac Office, Social and Water Conservation District

Maryland Commission of Indian Affairs

The Virginia Indian Council

The U.S. Army Corps of Engineers, Baltimore District

District of Columbia, Fisheries and Wildlife

VA Department of Forestry

Chesapeake Bay Local Assistance Department

Northern VA Regional Commission

VA counties of Arlington, Loudon, Fairfax, Prince William and Westmoreland

MD counties St. Mary's Anne Arundel, Prince George's, Baltimore

City of Arlington

City of Baltimore

The United States Capitol

The White House

Department of the Navy

# APPENDIX A: NATIONAL TRAILS SYSTEM ACT

## THE NATIONAL TRAILS SYSTEM ACT

(P.L. 90-543)

(16 U.S.C. 1241-1251) as amended through P.L. 106-509, November 13, 2000

### AN ACT

To establish a national trails system, and for other purposes.

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

### SHORT TITLE

SECTION 1. This Act may be cited as the "National Trails System Act".

### STATEMENT OF POLICY

#### SEC. 2. [16 USC 1241]

(a) In order to provide for the ever-increasing outdoor recreation needs of an expanding population and in order to promote the preservation of, public access to, travel within, and enjoyment and appreciation of the open-air, outdoor areas and historic resources of the Nation, trails should be established (i) primarily, near the urban areas of the Nation, and (ii) secondarily, within scenic areas and along historic travel routes of the Nation which are often more remotely located.

(b) The purpose of this Act is to provide the means for attaining these objectives by instituting a national system of recreation, scenic and historic trails, by designating the Appalachian Trail and the Pacific Crest Trail as the initial components of that system, and by prescribing the methods by which, and standards according to which, additional components may be added to the system.

(c) The Congress recognizes the valuable contributions that volunteers and private, nonprofit trail groups have made to the development and maintenance of the Nation's trails. In recognition of these contributions, it is further the purpose of this Act to encourage and assist volunteer citizen involvement in the planning, development, maintenance, and management, where appropriate, of trails.

### NATIONAL TRAILS SYSTEM

SEC. 3. [16 USC 1242] (a) The national system of trails shall be composed of the following:

(1) National recreation trails, established as provided in section 4 of this Act, which will provide a variety of outdoor recreation uses in or reasonably accessible to urban areas.

(2) National scenic trails, established as provided in section 5 of this Act, which will be extended trails so located as to provide for maximum outdoor recreation potential and for the conservation and enjoyment of the nationally significant scenic, historic, natural, or cultural qualities of the areas through which such trails may pass. National scenic trails may be located so as to represent desert, marsh, grassland, mountain, canyon, river, forest, and other areas, as well as landforms which exhibit significant characteristics of the physiographic regions of the Nation.

(3) National historic trails, established as provided in section 5 of this Act, which will be extended trails which follow as closely as possible and practicable the original trails or routes of travel of national historic significance. Designation of such trails or routes shall be continuous, but the established or developed trail, and the

acquisition thereof, need not be continuous onsite. National historic trails shall have as their purpose the identification and protection of the historic route and its historic remnants and artifacts for public use and enjoyment. Only those selected land and water based components of a historic trail which are on federally owned lands and which meet the national historic trail criteria established in this Act are included as Federal protection components of a national historic trail. The appropriate Secretary may certify other lands as protected segments of an historic trail upon application from State or local governmental agencies or private interests involved if such segments meet the national historic trail criteria established in this Act and such criteria supplementary thereto as the appropriate Secretary may prescribe, and are administered by such agencies or interests without expense to the United States.

(4) Connecting or side trails, established as provided in section 6 of this Act, which will provide additional points of public access to national recreation, national scenic or national historic trails or which will provide connections between such trails.

The Secretary of the Interior and the Secretary of Agriculture, in consultation with appropriate governmental agencies and public and private organizations, shall establish a uniform marker for the national trails system.

(b) For purposes of this section, the term 'extended trails' means trails or trail segments which total at least one hundred miles in length, except that historic trails of less than one hundred miles may be designated as extended trails. While it is desirable that extended trails be continuous, studies of such trails may conclude that it is feasible to propose one or more trail segments which, in the aggregate, constitute at least one hundred miles in length.

## NATIONAL RECREATION TRAILS

### SEC. 4. [16USC1243]

(a) The Secretary of the Interior, or the Secretary of Agriculture where lands administered by him are involved, may establish and designate national recreation trails, with the consent of the Federal agency, State, or political subdivision having jurisdiction over the lands involved, upon finding that--

(i) such trails are reasonably accessible to urban areas, and, or

(ii) such trails meet the criteria established in this Act and such supplementary criteria as he may prescribe.

(b) As provided in this section, trails within park, forest, and other recreation areas administered by the Secretary of the Interior or the Secretary of Agriculture or in other federally administered areas may be established and designated as "National Recreation Trails" by the appropriate Secretary and, when no Federal land acquisition is involved --

(i) trails in or reasonably accessible to urban areas may be designated as "National Recreation Trails" by the appropriate Secretary with the consent of the States, their political subdivisions, or other appropriate administering agencies;

(ii) trails within park, forest, and other recreation areas owned or administered by States may be designated as "National Recreation Trails" by the appropriate Secretary with the consent of the State; and

(iii) trails on privately owned lands may be designated 'National Recreation Trails' by the appropriate Secretary with the written consent of the owner of the property involved.

## NATIONAL SCENIC AND NATIONAL HISTORIC TRAILS

SEC. 5. [16USC1244] (a) National scenic and national historic trails shall be authorized and designated only by Act of Congress. There are hereby established the following National Scenic and National Historic Trails:

(1) The Appalachian National Scenic Trail, a trail of approximately two thousand miles extending generally



along the Appalachian Mountains from Mount Katahdin, Maine, to Springer Mountain, Georgia. Insofar as practicable, the right-of-way for such trail shall comprise the trail depicted on the maps identified as "Nationwide System of Trails, Proposed Appalachian Trail, NST-AT-101-May 1967", which shall be on file and available for public inspection in the office of the Director of the National Park Service. Where practicable, such rights-of-way shall include lands protected for it under agreements in effect as of the date of enactment of this Act, to which Federal agencies and States were parties. The Appalachian Trail shall be administered primarily as a footpath by the Secretary of the Interior, in consultation with the Secretary of Agriculture.

(2) The Pacific Crest National Scenic Trail, a trail of approximately two thousand three hundred fifty miles, extending from the Mexican-California border northward generally along the mountain ranges of the west coast States to the Canadian-Washington border near Lake Ross, following the route as generally depicted on the map, identified as "Nationwide System of Trails, Proposed Pacific Crest Trail, NST-PC-103-May 1967" which shall be on file and available for public inspection in the office of the Chief of the Forest Service. The Pacific Crest Trail shall be administered by the Secretary of Agriculture, in consultation with the Secretary of the Interior.

(3) The Oregon National Historic Trail, a route of approximately two thousand miles extending from near Independence, Missouri, to the vicinity of Portland, Oregon, following a route as depicted on maps identified as 'Primary Route of the Oregon Trail 1841-1848', in the Department of the Interior's Oregon Trail study report dated April 1977, and which shall be on file and available for public inspection in the office of the Director of the National Park Service. The trail shall be administered by the Secretary of the Interior.

(4) The Mormon Pioneer National Historic Trail, a route of approximately one thousand three hundred miles extending from Nauvoo, Illinois, to Salt Lake City, Utah, following the primary historical route of the Mormon Trail as generally depicted on a map, identified as, 'Mormon Trail Vicinity Map, figure 2' in the Department of the Interior Mormon Trail study report dated March 1977, and which shall be on file and available for public inspection in the office of the Director, National Park Service, Washington, D.C. The trail shall be administered by the Secretary of the Interior.

(5) The Continental Divide National Scenic Trail, a trail of approximately thirty-one hundred miles, extending from the Montana-Canada border to the New Mexico-Mexico border, following the approximate route depicted on the map, identified as 'Proposed Continental Divide National Scenic Trail' in the Department of the Interior Continental Divide Trail study report dated March 1977 and which shall be on file and available for public inspection in the office of the Chief, Forest Service, Washington, D.C. The Continental Divide National Scenic Trail shall be administered by the Secretary of Agriculture in consultation with the Secretary of the Interior. Notwithstanding the provisions of section 7(c), the use of motorized vehicles on roads which will be designated segments of the Continental Divide National Scenic Trail shall be permitted in accordance with regulations prescribed by the appropriate Secretary.

(6) The Lewis and Clark National Historic Trail, a trail of approximately three thousand seven hundred miles, extending from Wood River, Illinois, to the mouth of the Columbia River in Oregon, following the outbound and inbound routes of the Lewis and Clark Expedition depicted on maps identified as, 'Vicinity Map, Lewis and Clark Trail' study report dated April 1977. The map shall be on file and available for public inspection in the office of the Director, National Park Service, Washington, D.C. The trail shall be administered by the Secretary of the Interior.

(7) The Iditarod National Historic Trail, a route of approximately two thousand miles extending from Seward, Alaska, to Nome, Alaska, following the routes as depicted on maps identified as 'Seward-Nome Trail', in the Department of the Interior's study report entitled 'The Iditarod Trail (Seward-Nome Route) and other Alaskan Gold Rush Trails' dated September 1977. The map shall be on file and available for public inspection in the office of the Director, National Park Service, Washington, D.C. The trail shall be administered by the Secretary of the Interior.

(8) The North Country National Scenic Trail, a trail of approximately thirty-two hundred miles, extending from eastern New York State to the vicinity of Lake Sakakawea in North Dakota, following the approximate route depicted on the map identified as 'Proposed North Country Trail-Vicinity Map' in the Department of the Interior 'North Country Trail Report', dated June 1975. The map shall be on file and available for public inspection.

tion in the office of the Director, National Park Service, Washington, District of Columbia. The trail shall be administered by the Secretary of the Interior.

(9) The Overmountain Victory National Historic Trail, a system totaling approximately two hundred seventy-two miles of trail with routes from the mustering point near Abingdon, Virginia, to Sycamore Shoals (near Elizabethton, Tennessee); from Sycamore Shoals to Quaker Meadows (near Morganton, North Carolina); from the mustering point in Surry County, North Carolina, to Quaker Meadows; and from Quaker Meadows to Kings Mountain, South Carolina, as depicted on the map identified as Map 3--Historic Features--1780 in the draft study report entitled 'Overmountain Victory Trail' dated December 1979. The map shall be on file and available for public inspection in the Office of the Director, National Park Service, Washington, District of Columbia. The trail shall be administered by the Secretary of the Interior.

(10) The Ice Age National Scenic Trail, a trail of approximately one thousand miles, extending from Door County, Wisconsin, to Interstate Park in Saint Croix County, Wisconsin, generally following the route described in "On the Trail of the Ice Age--A Hiker's and Biker's Guide to Wisconsin's Ice Age National Scientific Reserve and Trail", by Henry S. Reuss, Member of Congress, dated 1980. The guide and maps shall be on file and available for public inspection in the Office of the Director, National Park Service, Washington, District of Columbia. Overall administration of the trail shall be the responsibility of the Secretary of the Interior pursuant to section 5(d) of this Act. The State of Wisconsin, in consultation with the Secretary of the Interior, may, subject to the approval of the Secretary, prepare a plan for the management of the trail which shall be deemed to meet the requirements of section 5(e) of this Act. Notwithstanding the provisions of section 7(c), snowmobile use may be permitted on segments of the Ice Age National Scenic Trail where deemed appropriate by the Secretary and the managing authority responsible for the segment.

(11) The Potomac Heritage National Scenic Trail, a corridor of approximately seven hundred and four miles following the route as generally depicted on the map identified as 'National Trails System, Proposed Potomac Heritage Trail' in 'The Potomac Heritage Trail', a report prepared by the Department of the Interior and dated December 1974, except that no designation of the trail shall be made in the State of West Virginia. The map shall be on file and available for public inspection in the office of the Director of the National Park Service, Washington, District of Columbia. The trail shall initially consist of only those segments of the corridor located within the exterior boundaries of federally administered areas. No lands or interests therein outside the exterior boundaries of any federally administered area may be acquired by the Federal Government for the Potomac Heritage Trail. The Secretary of the Interior may designate lands outside of federally administered areas as segments of the trail, only upon application from the States or local governmental agencies involved, if such segments meet the criteria established in this Act and are administered by such agencies without expense to the United States. The trail shall be administered by the Secretary of the Interior.

(12) The Natchez Trace National Scenic Trail, a trail system of approximately six hundred and ninety-four miles extending from Nashville, Tennessee, to Natchez, Mississippi, as depicted on the map entitled 'Concept Plan, Natchez Trace Trails Study' in 'The Natchez Trace', a report prepared by the Department of the Interior and dated August 1979. The map shall be on file and available for public inspection in the office of the Director of the National Park Service, Department of the Interior, Washington, District of Columbia. The trail shall be administered by the Secretary of the Interior.

(13) The Florida National Scenic Trail, a route of approximately thirteen hundred miles extending through the State of Florida as generally depicted in 'The Florida Trail', a national scenic trail study draft report prepared by the Department of the Interior and dated February 1980. The report shall be on file and available for public inspection in the office of the Chief of the Forest Service, Washington, District of Columbia. No lands or interests therein outside the exterior boundaries of any federally administered area may be acquired by the Federal Government for the Florida Trail except with the consent of the owner thereof. The Secretary of Agriculture may designate lands outside of federally administered areas as segments of the trail, only upon application from the States or local governmental agencies involved, if such segments meet the criteria established in this Act and are administered by such agencies without expense to the United States. The trail shall be administered by the Secretary of Agriculture.

(14) The Nez Perce National Historic Trail, a route of approximately eleven hundred and seventy miles extend-

ing from the vicinity of Wallowa Lake, Oregon, to Bear Paw Mountain, Montana, as generally depicted in 'Nez Perce (Nee-Me-Poo) Trail Study Report' prepared by the Department of Agriculture and dated March 1982. The report shall be on file and available for public inspection in the Office of the Chief of the Forest Service, Washington, District of Columbia. The trail shall be administered by the Secretary of Agriculture. No lands or interests therein outside the exterior boundaries of any federally administered area may be acquired by the Federal Government for the Nez Perce National Historic Trail. The Secretary of Agriculture may designate lands outside of federally administered areas as segments of the trail upon application from the States or local governmental agencies involved if such segments meet the criteria established in this Act and are administered by such agencies without expense to the United States. So that significant route segments and sites recognized as associated with the Nez Perce Trail may be distinguished by suitable markers, the Secretary of Agriculture is authorized to accept the donation of suitable markers for placement at appropriate locations. Any such markers associated with the Nez Perce Trail which are to be located on lands administered by any other department or agency of the United States may be placed on such lands only with the concurrence of the head of such department or agency.

(15) The Santa Fe National Historic Trail, a trail of approximately 950 miles from a point near Old Franklin, Missouri, through Kansas, Oklahoma, and Colorado to Santa Fe, New Mexico, as generally depicted on a map entitled "The Santa Fe Trail" contained in the Final Report of the Secretary of the Interior pursuant to subsection (b) of this section, dated July 1976. The map shall be on file and available for public inspection in the office of the Director of the National Park Service, Washington, District of Columbia. The trail shall be administered by the Secretary of the Interior. No lands or interests therein outside the exterior boundaries of any federally administered area may be acquired by the Federal Government for the Santa Fe Trail except with the consent of the owner thereof. Before acquiring any easement or entering into any cooperative agreement with a private landowner with respect to the trail, the Secretary shall notify the landowner of the potential liability, if any, for injury to the public resulting from physical conditions which may be on the landowner's land. The United States shall not be held liable by reason of such notice or failure to provide such notice to the landowner. So that significant route segments and sites recognized as associated with the Santa Fe Trail may be distinguished by suitable markers, the Secretary of the Interior is authorized to accept the donation of suitable markers for placement at appropriate locations.

(16) (A) The Trail of Tears National Historic Trail, a trail consisting of water routes and overland routes traveled by the Cherokee Nation during its removal from ancestral lands in the East to Oklahoma during 1838 and 1839, generally located within the corridor described through portions of Georgia, North Carolina, Alabama, Tennessee, Kentucky, Illinois, Missouri, Arkansas, and Oklahoma in the final report of the Secretary of the Interior prepared pursuant to subsection (b) of this section entitled "Trail of Tears" and dated June 1986. Maps depicting the corridor shall be on file and available for public inspection in the Office of the National Park Service, Department of the Interior. The trail shall be administered by the Secretary of the Interior. No lands or interests therein outside the exterior boundaries of any federally administered area may be acquired by the Federal Government for the Trail of Tears except with the consent of the owner thereof.

(B) In carrying out his responsibilities pursuant to subsections 5(f) and 7(c) of this Act, the Secretary of the Interior shall give careful consideration to the establishment of appropriate interpretive sites for the Trail of Tears in the vicinity of Hopkinsville, Kentucky, Fort Smith, Arkansas, Trail of Tears State Park, Missouri, and Tahlequah, Oklahoma.

(17) The Juan Bautista de Anza National Historic Trail, a trail comprising the overland route traveled by Captain Juan Bautista de Anza of Spain during the years 1775 and 1776 from Sonora, Mexico, to the vicinity of San Francisco, California, as generally described in the report of the Department of Interior prepared pursuant to the subsection (b) entitled 'Juan Bautista de Anza National Trail Study, Feasibility Study and Environmental Assessment' and dated August, 1986. A map generally depicting the trail shall be on file and available for public inspection in the Office of the Director of the National Park Service, Washington, District of Columbia. The trail shall be administered by the Secretary of Interior. No lands or interest therein outside the exterior boundaries of any federally administered area may be acquired by the Federal Government for the Juan Bautista de Anza National Historic Trail without the consent of the owner thereof. In implementing this paragraph, the Secretary shall encourage volunteer trail groups to participate in the development and maintenance of the trail.

(18) The California National Historic Trail, a route of approximately five thousand seven hundred miles, including all routes and cutoffs, extending from Independence and Saint Joseph, Missouri, and Council Bluffs, Iowa, to various points in California and Oregon, as generally described in the report of the Department of the Interior prepared pursuant to subsection (b) of this section entitled "California and Pony Express Trails, Eligibility/Feasibility Study/Environmental Assessment" and dated September 1987. A map generally depicting the route shall be on file and available for public inspection in the Office of the National Park Service, Department of the Interior. The trail shall be administered by the Secretary of the Interior. No lands or interests therein outside the exterior boundaries of any federally administered area may be acquired by the United States for the California National Historic Trail except with the consent of the owner thereof.

(19) The Pony Express National Historic Trail, a route of approximately one thousand nine hundred miles, including the original route and subsequent route changes, extending from Saint Joseph, Missouri, to Sacramento, California, as generally described in the report of the Department of the Interior prepared pursuant to subsection (b) of this section entitled "California and Pony Express Trails, Eligibility/Feasibility Study/Environmental Assessment" and dated September 1987. A map generally depicting the route shall be on file and available for public inspection in the Office of the National Park Service, Department of the Interior. The trail shall be administered by the Secretary of the Interior. No lands or interests therein outside the exterior boundaries of any federally administered area may be acquired by the United States for the Pony Express National Historic Trail except with the consent of the owner thereof.

[Related language from section 2, P.L. 102-328: The Secretary of the Interior (hereinafter referred to as the Secretary) shall undertake a study of the land and water route used to carry mail from Sacramento to San Francisco, California, to determine the feasibility and suitability of designation of such route as a component of the Pony Express National Historic Trail designated by section 1 of this Act. Upon completion of the study, if the Secretary determines such a route is a feasible and suitable addition to the Pony Express National Historic Trail, the Secretary shall designate the route as a component of the Pony Express National Historic Trail. The Secretary shall publish notice of such designation in the Federal Register and shall submit the study along with his findings to the Committee on Interior and Insular Affairs of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate.]

(20) The Selma to Montgomery National Historic Trail, consisting of 54 miles of city streets and United States Highway 80 from Brown Chapel A.M.E. Church in Selma to the State Capitol Building in Montgomery, Alabama, traveled by voting rights advocates during March 1965 to dramatize the need for voting rights legislation, as generally described in the report to the Secretary of the Interior prepared pursuant to subsection (b) of this section entitled "Selma to Montgomery" and dated April, 1993. Maps depicting the route shall be on file and available for public inspection in the Office of the National Park Service, Department of the Interior. The trail shall be administered in accordance with this Act, including section 7(h). The Secretary of the Interior, acting through the National Park Service, which shall be the lead Federal agency, shall cooperate with other Federal, State and local authorities to preserve historic sites along the route, including (but not limited to) the Edmund Pettus Bridge and the Brown Chapel A.M.E. Church.

(21) El Camino Real de tierra adentro --

(A) El Camino Real de Tierra Adentro (the Royal Road of the Interior) National Historic Trail, a 404 mile long trail from Rio Grande near El Paso, Texas to San Juan Pueblo, New Mexico, as generally depicted on the maps entitled 'United States Route: El Camino Real de Tierra Adentro,' contained in the report prepared pursuant to subsection (b) entitled 'National Historic Trail Feasibility Study and Environmental Assessment: El Camino Real de Tierra Adentro, Texas-New Mexico,' dated March 1997.

(B) MAP - A map generally depicting the trail shall be on file and available for public inspection in the Office of the National Park Service, Department of the Interior.

(C) ADMINISTRATION - The Trail shall be administered by the Secretary of the Interior.

(D) LAND ACQUISITION - No lands or interests therein outside the exterior boundaries of any federally administered area may be acquired by the Federal Government for El Camino Real de Tierra Adentro except with the consent of the owner thereof.



(E) VOLUNTEER GROUPS; CONSULTATION - The Secretary of the Interior shall --

(i) encourage volunteer groups to participate in the development and maintenance of the trail; and

(ii) consult with other affected Federal, State, local governmental, and tribal agencies in the administration of the trail.

(F) COORDINATION OF ACTIVITIES -The Secretary of the Interior may coordinate with United States and Mexican public and non-governmental organizations, academic institutions, and in consultation with the Secretary of State, the government of Mexico and its political subdivisions, for the purpose of exchanging trail information and research, fostering trail preservation and education programs, providing technical assistance, and working to establish an international historic trail with complementary preservation and education programs in each nation.

(22) Ala Kahakai National Historic Trail --

(A) IN GENERAL - The Ala Kahakai National Historic Trail (the Trail by the Sea), a 175 mile long trail extending from 'Upola Point on the north tip of Hawaii Island down the west coast of the Island around Ka Lae to the east boundary of Hawaii Volcanoes National Park at the ancient shoreline temple known as 'Waha'ula,' as generally depicted on the map entitled 'Ala Kahakai Trail,' contained in the report prepared pursuant to subsection (b) entitled 'Ala Kahakai National Trail Study and Environmental Impact Statement,' dated January, 1998.

(B) MAP - A map generally depicting the trail shall be on file and available for public inspection in the Office of the National Park Service, Department of the Interior.

(C) ADMINISTRATION - The trail shall be administered by the Secretary of the Interior.

(D) LAND ACQUISITION - No land or interest in land outside the exterior boundaries of any federally administered area may be acquired by the United States for the trail except with the consent of the owner of the land or interest in land.

(E) PUBLIC PARTICIPATION; CONSULTATION - The Secretary of the Interior shall --

(i) encourage communities and owners of land along the trail, native Hawaiians, and volunteer trail groups to participate in the planning, development, and maintenance of the trail; and

(ii) consult with affected Federal, State, and local agencies, native Hawaiian groups, and landowners in the administration of the trail.

(b) The Secretary of the Interior, through the agency most likely to administer such trail, and the Secretary of Agriculture where lands administered by him are involved, shall make such additional studies as are herein or may hereafter be authorized by the Congress for the purpose of determining the feasibility and desirability of designating other trails as national scenic or national historic trails. Such studies shall be made in consultation with the heads of other Federal agencies administering lands through which such additional proposed trails would pass and in cooperation with interested interstate, State, and local governmental agencies, public and private organizations, and landowners and land users concerned. The feasibility of designating a trail shall be determined on the basis of an evaluation of whether or not it is physically possible to develop a trail along a route being studied, and whether the development of a trail would be financially feasible. The studies listed in subsection (c) of this section shall be completed and submitted to the Congress, with recommendations as to the suitability of trail designation, not later than three complete fiscal years from the date of enactment of their addition to this subsection, or from the date of enactment of this sentence, whichever is later. Such studies, when submitted, shall be printed as a House or Senate document, and shall include, but not be limited to:

(1) the proposed route of such trail (including maps and illustrations);

(2) the areas adjacent to such trails, to be utilized for scenic, historic, natural, cultural, or developmental pur-



poses;

(3) the characteristics which, in the judgment of the appropriate Secretary, make the proposed trail worthy of designation as a national scenic or national historic trail; and in the case of national historic trails the report shall include the recommendation of the Secretary of the Interior's National Park System Advisory Board as to the national historic significance based on the criteria developed under the Historic Sites Act of 1935 (40 Stat. 666; 16 U.S.C. 461);

(4) the current status of land ownership and current and potential use along the designated route;

(5) the estimated cost of acquisition of lands or interest in lands, if any;

(6) the plans for developing and maintaining the trail and the cost thereof;

(7) the proposed Federal administering agency (which, in the case of a national scenic trail wholly or substantially within a national forest, shall be the Department of Agriculture);

(8) the extent to which a State or its political subdivisions and public and private organizations might reasonably be expected to participate in acquiring the necessary lands and in the administration thereof;

(9) the relative uses of the lands involved, including: the number of anticipated visitor-days for the entire length of, as well as for segments of, such trail; the number of months which such trail, or segments thereof, will be open for recreation purposes; the economic and social benefits which might accrue from alternate land uses; and the estimated man-years of civilian employment and expenditures expected for the purposes of maintenance, supervision, and regulation of such trail;

(10) the anticipated impact of public outdoor recreation use on the preservation of a proposed national historic trail and its related historic and archeological features and settings, including the measures proposed to ensure evaluation and preservation of the values that contribute to their national historic significance; and

(11) To qualify for designation as a national historic trail, a trail must meet all three of the following criteria:

(A) It must be a trail or route established by historic use and must be historically significant as a result of that use. The route need not currently exist as a discernible trail to qualify, but its location must be sufficiently known to permit evaluation of public recreation and historical interest potential. A designated trail should generally accurately follow the historic route, but may deviate somewhat on occasion of necessity to avoid difficult routing through subsequent development, or to provide some route variations offering a more pleasurable recreational experience. Such deviations shall be so noted on site. Trail segments no longer possible to travel by trail due to subsequent development as motorized transportation routes may be designated and marked onsite as segments which link to the historic trail.

(B) It must be of national significance with respect to any of several broad facets of American history, such as trade and commerce, exploration, migration and settlement, or military campaigns. To qualify as nationally significant, historic use of the trail must have had a far reaching effect on broad patterns of American culture. Trails significant in the history of native Americans may be included.

(C) It must have significant potential for public recreational use or historical interest based on historic interpretation and appreciation. The potential for such use is generally greater along roadless segments developed as historic trails and at historic sites associated with the trail. The presence of recreation potential not related to historic appreciation is not sufficient justification for designation under this category.

(c) The following routes shall be studied in accordance with the objectives outlined in subsection (b) of this section.

(i) Continental Divide Trail, a three-thousand-one-hundred-mile trail extending from near the Mexican border in southwestern New Mexico northward generally along the Continental Divide to the Canadian border in Glacier National Park.

- (2) Potomac Heritage Trail, an eight-hundred-and-twenty-five-mile trail extending generally from the mouth of the Potomac River to its sources in Pennsylvania and West Virginia including the one-hundred- and- seventy-mile Chesapeake and Ohio Canal towpath.
- (3) Old Cattle Trails of the Southwest from the vicinity of San Antonio, Texas, approximately eight hundred miles through Oklahoma via Baxter Springs and Chetopa, Kansas, to Fort Scott, Kansas, including the Chisholm Trail, from the vicinity of San Antonio or Cuero, Texas, approximately eight hundred miles north through Oklahoma to Abilene, Kansas.
- (4) Lewis and Clark Trail, from Wood River, Illinois, to the Pacific Ocean in Oregon, following both the out-bound and inbound routes of the Lewis and Clark Expedition.
- (5) Natchez Trace, from Nashville, Tennessee, approximately six hundred miles to Natchez, Mississippi.
- (6) North Country Trail, from the Appalachian Trail in Vermont, approximately three thousand two hundred miles through the States of New York, Pennsylvania, Ohio, Michigan, Wisconsin, and Minnesota, to the Lewis and Clark Trail in North Dakota.
- (7) Kittanning Trail from Shirleysburg in Huntingdon County to Kittanning, Armstrong County, Pennsylvania.
- (8) Oregon Trail, from Independence, Missouri, approximately two thousand miles to near Fort Vancouver, Washington.
- (9) Santa Fe Trail, from Independence, Missouri, approximately eight hundred miles to Santa Fe, New Mexico.
- (10) Long Trail extending two hundred and fifty-five miles from the Massachusetts border northward through Vermont to the Canadian border.
- (11) Mormon Trail, extending from Nauvoo, Illinois, to Salt Lake City, Utah, through the States of Iowa, Nebraska, and Wyoming.
- (12) Gold Rush Trails in Alaska.
- (13) Mormon Battalion Trail, extending two thousand miles from Mount Pisgah, Iowa, through Kansas, Colorado, New Mexico, and Arizona to Los Angeles, California.
- (14) El Camino Real from St. Augustine to San Mateo, Florida, approximately 20 miles along the southern boundary of the St. Johns River from Fort Caroline National Memorial to the St. August National Park Monument.
- (15) Bartram Trail, extending through the States of Georgia, North Carolina, South Carolina, Alabama, Florida, Louisiana, Mississippi, and Tennessee.
- (16) Daniel Boone Trail, extending from the vicinity of Statesville, North Carolina, to Fort Boonesborough State Park, Kentucky.
- (17) Desert Trail, extending from the Canadian border through parts of Idaho, Washington, Oregon, Nevada, California, and Arizona, to the Mexican border.
- (18) Dominguez-Escalante Trail, extending approximately two thousand miles along the route of the 1776 expedition led by Father Francisco Atanasio Dominguez and Father Silvestre Velez de Escalante, originating in Santa Fe, New Mexico; proceeding northwest along the San Juan, Dolores, Gunnison, and White Rivers in Colorado, thence westerly to Utah Lake; thence southward to Arizona and returning to Santa Fe.
- (19) Florida Trail, extending north from Everglade National Park, including the Big Cypress Swamp, the Kissimmee Prairie, the Withlacoochee State Forest, Ocala National Forest, Osceola National Forest, and Black

Water River State Forest, said completed trail to be approximately one thousand three hundred miles along, of which over four hundred miles of trail have already been built.

(20) Indian Nations Trail, extending from the Red River in Oklahoma approximately two hundred miles northward through the former Indian nations to the Oklahoma-Kansas boundary line.

(21) Nez Perce Trail extending from the vicinity of Wallowa Lake, Oregon, to Bear Paw Mountain, Montana.

(22) Pacific Northwest Trail, extending approximately one thousand miles from the Continental Divide in Glacier National Park, Montana, to the Pacific Ocean beach of Olympic National Park, Washington, by way of --

(A) Flathead National Forest and Kootenai National Forest in the State of Montana;

(B) Kaniksu National Forest in the State of Idaho; and

(C) Colville National Forest, Okanogan National Forest, Pasayten Wilderness Area, Ross Lake National Recreation Area, North Cascades National Park, Mount Baker, the Skagit River, Deception Pass, Whidbey Island, Olympic National Forest, and Olympic National Park in the State of Washington.

(23) Overmountain Victory Trail, extending from the vicinity of Elizabethton, Tennessee, to Kings Mountain National Military Park, South Carolina.

(24) Juan Bautista de Anza Trail, following the overland route taken by Juan Bautista de Anza in connection with his travels from the United Mexican States to San Francisco, California.

(25) Trail of Tears, including the associated forts and specifically, Fort Mitchell, Alabama, and historic properties, extending from the vicinity of Murphy, North Carolina, through Georgia, Alabama, Tennessee, Kentucky, Illinois, Missouri, and Arkansas, to the vicinity of Tahlequah, Oklahoma.

(26) Illinois Trail, extending from the Lewis and Clark Trail at Wood River, Illinois to the Chicago Portage National Historic Site, generally following the Illinois River and the Illinois and Michigan Canal.

(27) Jedediah Smith Trail, to include the routes of the explorations led by Jedediah Smith --

(A) during the period 1826-1827, extending from the Idaho-Wyoming border, through the Great Salt Lake, Sevier, Virgin, and Colorado River Valleys, and the Mojave Desert, to the San Gabriel Mission, California; thence through the Tehachapi Mountains, San Joaquin and Stanislaus River Valleys, Ebbetts Pass, Walker River Valley, Bald Mount, Mount Grafton, and Great Salt Lake to Bear Lake, Utah; and

(B) during 1828, extending from the Sacramento and Trinity River valleys along the Pacific coastline, through the Smith and Willamette River Valleys to the Fort Vancouver National Historic Site, Washington, on the Columbia River.

(28) General Crook Trail, extending from Prescott, Arizona, across the Mogollon Rim to Fort Apache.

(29) Beale Wagon Road, within the Kaibab and Cononino National Forests in Arizona; Provided, such study may be prepared in conjunction with ongoing planning processes for these National Forests to be completed before 1990.

(30) Pony Express Trail, extending from Saint Joseph, Missouri, through Kansas, Nebraska, Colorado, Wyoming, Utah, Nevada, to Sacramento, California, as indicated on a map labeled "Potential Pony Express Trail", dated October 1983 and the California Trail extending from the vicinity of Omaha, Nebraska, and Saint Joseph, Missouri, to various points in California, as indicated on a map labeled "Potential California Trail" and dated August 1, 1983. Notwithstanding subsection (b) of this section, the study under this paragraph shall be completed and submitted to the Congress no later than the end of two complete fiscal years beginning after the date of the enactment of this paragraph. Such study shall be separated into two portions, one relating to

the Pony Express Trail and one relating to the California Trail.

(31) De Soto Trail, the approximate route taken by the expedition of the Spanish explorer Hernando de Soto in 1539, extending through portions of the States of Florida, Georgia, South Carolina, North Carolina, Tennessee, Alabama, Mississippi, to the area of Little Rock, Arkansas, on to Texas and Louisiana, and any other States which may have been crossed by the expedition. The study under this paragraph shall be prepared in accordance with subsection (b) of this section, except that it shall be completed and submitted to the Congress with recommendations as to the trail's suitability for designation not later than one calendar year after the date of enactment of this paragraph.

(32) Coronado Trail, the approximate route taken by the expedition of the Spanish explorer Francisco Vasquez de Coronado between 1540 and 1542, extending through portions of the States of Arizona, New Mexico, Texas, Oklahoma, and Kansas. The study under this paragraph shall be prepared in accordance with subsection (b) of this section. In conducting the study under this paragraph, the Secretary shall provide for (A) the review of all original Spanish documentation on the Coronado Trail, (B) the continuing search for new primary documentation on the trail, and (C) the examination of all information on the archeological sites along the trail.

(33) The route from Selma to Montgomery, Alabama traveled by people in a march dramatizing the need for voting rights legislation, in March 1965, includes Sylvan South Street, Water Avenue, the Edmund Pettus Bridge, and Highway 80. The study under this paragraph shall be prepared in accordance with subsection (b) of this section, except that it shall be completed and submitted to the Congress with recommendations as to the trail's suitability for designation not later than 1 year after the enactment of this paragraph.

(34) American Discovery Trail, extending from Pt. Reyes, California, across the United States through Nevada, Utah, Colorado, Kansas, Nebraska, Missouri, Iowa, Indiana, Illinois, Ohio, West Virginia, Maryland, and the District of Columbia, to Cape Henlopen State Park, Delaware; to include in the central United States a northern route through Colorado, Nebraska, Iowa, Illinois, and Indiana and a southern route through Colorado, Kansas, Missouri, Illinois, and Indiana.

(35) Ala Kahakai Trail in the State of Hawaii, an ancient Hawaiian trail on the island of Hawaii extending from the northern tip of the Island of Hawaii approximately 175 miles along the western and southern coasts to the northern boundary of Hawaii Volcanoes National Park.

(36)

(A) El Camino Real de Tierra Adentro, the approximately 1,800 mile route extending from Mexico City, Mexico, across the international border at El Paso, Texas, to Santa Fe, New Mexico.

(B) The study shall (i) examine changing routes within the general corridor; (ii) examine major connecting branch routes; and (iii) give due consideration to alternative name designations.

(C) The Secretary of the Interior is authorized to work in cooperation with the Government of Mexico (including, but not limited to providing technical assistance) to determine the suitability and feasibility of establishing an international historic route along the El Camino Real de Tierra Adentro.

(37)

(A) El Camino Real Para Los Texas, the approximate series of routes from Saltillo, Monclova, and Guerrero, Mexico across Texas through San Antonio and Nacogdoches, to the vicinity of Los Adaes, Louisiana, together with the evolving routes later known as the San Antonio Road.

(B) The study shall (i) examine the changing roads within the historic corridor; (ii) examine the major connecting branch routes; (iii) determine the individual or combined suitability and feasibility of routes for potential national historic trail designation; (iv) consider the preservation heritage plan developed by the Texas Department of Transportation entitled "A Texas Legacy: The Old San Antonio Road and the Caminos Reales", dated January, 1991; and (v) make recommendations concerning the suitability and feasibility of establishing an

international historical park where the trail crosses the United States-Mexico border at Maverick County, Texas, and Guerrero, Mexico.

(C) The Secretary of the Interior is authorized to work in cooperation with the government of Mexico (including, but not limited to providing technical assistance) to determine the suitability and feasibility of establishing an international historic trail along the El Camino Real Para Los Texas.

(D) The study shall be undertaken in consultation with the Louisiana Department of Transportation and Development and the Texas Department of Transportation.

(E) The study shall consider alternative name designations for the trail.

(F) The study shall be completed no later than two years after the date funds are made available for the study.

(38) The Old Spanish Trail, beginning in Santa Fe, New Mexico, proceeding through Colorado and Utah, and ending in Los Angeles, California, and the Northern Branch of the Old Spanish Trail, beginning near Espanola, New Mexico, proceeding through Colorado, and ending near Crescent Junction, Utah.

(39) The Great Western Scenic Trail, a system of trails to accommodate a variety of travel users in a corridor of approximately 3,100 miles in length extending from the Arizona-Mexico border to the Idaho-Montana-Canada border, following the approximate route depicted on the map identified as 'Great Western Trail Corridor, 1988,' which shall be on file and available for public inspection in the Office of the Chief of the Forest Service, United States Department of Agriculture. The trail study shall be conducted by the Secretary of Agriculture, in consultation with the Secretary of the Interior, in accordance with subsection (b) and shall include --

(A) the current status of land ownership and current and potential use along the designated route;

(B) the estimated cost of acquisition of lands or interests in lands, if any; and

(C) an examination of the appropriateness of motorized trail use along the trail.

(d) The Secretary charged with the administration of each respective trail shall, within one year of the date of the addition of any national scenic or national historic trail to the system, and within sixty days of the enactment of this sentence for the Appalachian and Pacific Crest National Scenic Trails, establish an advisory council for each such trail, each of which councils shall expire ten years from the date of its establishment, except that the Advisory Council established for the Iditarod Historic Trail shall expire twenty years from the date of its establishment. If the appropriate Secretary is unable to establish such an advisory council because of the lack of adequate public interest, the Secretary shall so advise the appropriate committees of the Congress. The appropriate Secretary shall consult with such council from time to time with respect to matters relating to the trail, including the selection of rights-of-way, standards for the erection and maintenance of markers along the trail, and the administration of the trail. The members of each advisory council, which shall not exceed thirty-five in number, shall serve for a term of two years and without compensation as such, but the Secretary may pay, upon vouchers signed by the chairman of the council, the expenses reasonably incurred by the council and its members in carrying out their responsibilities under this section. Members of each council shall be appointed by the appropriate Secretary as follows:

(1) the head of each Federal department or independent agency administering lands through which the trail route passes, or his designee;

(2) a member appointed to represent each State through which the trail passes, and such appointments shall be made from recommendations of the Governors of such States;

(3) one or more members appointed to represent private organizations, including corporate and individual landowners and land users, which in the opinion of the Secretary, have an established and recognized interest in the trail, and such appointments shall be made from recommendations of the heads of such organizations: Provided, That the Appalachian Trail Conference shall be represented by a sufficient number of persons to



represent the various sections of the country through which the Appalachian Trail passes; and

(4) the Secretary shall designate one member to be chairman and shall fill vacancies in the same manner as the original appointment.

(e) Within two complete fiscal years of the date of enactment of legislation designating a national scenic trail, except for the Continental Divide National Scenic Trail and the North Country National Scenic Trail, as part of the system, and within two complete fiscal years of the date of enactment of this subsection for the Pacific Crest and Appalachian Trails, the responsible Secretary shall, after full consultation with affected Federal land managing agencies, the Governors of the affected States, the relevant advisory council established pursuant to section 5(d), and the Appalachian Trail Conference in the case of the Appalachian Trail, submit to the Committee on Interior and Insular Affairs of the House of Representatives and the Committee on Energy and Natural Resources of the Senate, a comprehensive plan for the acquisition, management, development, and use of the trail, including but not limited to, the following items:

(1) specific objectives and practices to be observed in the management of the trail, including the identification of all significant natural, historical, and cultural resources to be preserved (along with high potential historic sites and high potential route segments in the case of national historic trails), details of any anticipated cooperative agreements to be consummated with other entities, and an identified carrying capacity of the trail and a plan for its implementation;

(2) an acquisition or protection plan, by fiscal year for all lands to be acquired by fee title or lesser interest, along with detailed explanation of anticipated necessary cooperative agreements for any lands not to be acquired; and

(3) general and site-specific development plans including anticipated costs.

(f) Within two complete fiscal years of the date of enactment of legislation designating a national historic trail or the Continental Divide National Scenic Trail or the North Country National Scenic Trail as part of the system, the responsible Secretary shall, after full consultation with affected Federal land managing agencies, the Governors of the affected States, and the relevant Advisory Council established pursuant to section 5(d) of this Act, submit to the Committee on Interior and Insular Affairs of the House of Representatives and the Committee on Energy and Natural Resources of the Senate, a comprehensive plan for the management, and use of the trail, including but not limited to, the following items:

(1) specific objectives and practices to be observed in the management of the trail, including the identification of all significant natural, historical, and cultural resources to be preserved, details of any anticipated cooperative agreements to be consummated with State and local government agencies or private interests, and for national scenic or national historic trails an identified carrying capacity of the trail and a plan for its implementation;

(2) the process to be followed by the appropriate Secretary to implement the marking requirements established in section 7(c) of this Act;

(3) a protection plan for any high potential historic sites or high potential route segments; and

(4) general and site-specific development plans, including anticipated costs.

## CONNECTING AND SIDE TRAILS

SEC. 6. [16USC1245] Connecting or side trails within park, forest, and other recreation areas administered by the Secretary of the Interior or Secretary of Agriculture may be established, designated, and marked by the appropriate Secretary as components of a national recreation, national scenic or national historic trail. When no Federal land acquisition is involved, connecting or side trails may be located across lands administered by interstate, State, or local governmental agencies with their consent, or, where the appropriate Secretary deems necessary or desirable, on privately owned lands with the consent of the landowners. Applications for approval and designation of connecting and side trails on non-Federal lands shall be submitted to the appro-

priate Secretary.

## ADMINISTRATION AND DEVELOPMENT

### SEC. 7. [16USC1246]

(a)

(1)

(A) The Secretary charged with the overall administration of a trail pursuant to section 5(a) shall, in administering and managing the trail, consult with the heads of all other affected State and Federal agencies. Nothing contained in this Act shall be deemed to transfer among Federal agencies any management responsibilities established under any other law for federally administered lands which are components of the National Trails System. Any transfer of management responsibilities may be carried out between the Secretary of the Interior and the Secretary of Agriculture only as provided under subparagraph (B).

(B) The Secretary charged with the overall administration of any trail pursuant to section 5(a) may transfer management of any specified trail segment of such trail to the other appropriate Secretary pursuant to a joint memorandum of agreement containing such terms and conditions as the Secretaries consider most appropriate to accomplish the purposes of this Act. During any period in which management responsibilities for any trail segment are transferred under such an agreement, the management of any such segment shall be subject to the laws, rules, and regulations of the Secretary provided with the management authority under the agreement except to such extent as the agreement may otherwise expressly provide.

(2) Pursuant to section 5(a), the appropriate Secretary shall select the rights-of-way for national scenic and national historic trails and shall publish notice thereof of the availability of appropriate maps or descriptions in the Federal Register; Provided, That in selecting the rights-of-way full consideration shall be given to minimizing the adverse effects upon the adjacent landowner or user and his operation. Development and management of each segment of the National Trails System shall be designed to harmonize with and complement any established multiple-use plans for the specific area in order to insure continued maximum benefits from the land. The location and width of such rights-of-way across Federal lands under the jurisdiction of another Federal agency shall be by agreement between the head of that agency and the appropriate Secretary. In selecting rights-of-way for trail purposes, the Secretary shall obtain the advice and assistance of the States, local governments, private organizations, and landowners and land users concerned.

(b) After publication of notice of the availability of appropriate maps or descriptions in the Federal Register, the Secretary charged with the administration of a national scenic or national historic trail may relocate segments of a national scenic or national historic trail right-of-way with the concurrence of the head of the Federal agency having jurisdiction over the lands involved, upon a determination that: (I) Such a relocation is necessary to preserve the purposes for which the trail was established, or (ii) the relocation is necessary to promote a sound land management program in accordance with established multiple-use principles: Provided, That a substantial relocation of the rights-of-way for such trail shall be by Act of Congress.

(c) National scenic or national historic trails may contain campsites, shelters, and related-public-use facilities. Other uses along the trail, which will not substantially interfere with the nature and purposes of the trail, may be permitted by the Secretary charged with the administration of the trail. Reasonable efforts shall be made to provide sufficient access opportunities to such trails and, to the extent practicable, efforts be made to avoid activities incompatible with the purposes for which such trails were established. The use of motorized vehicles by the general public along any national scenic trail shall be prohibited and nothing in this Act shall be construed as authorizing the use of motorized vehicles within the natural and historical areas of the national park system, the national wildlife refuge system, the national wilderness preservation system where they are presently prohibited or on other Federal lands where trails are designated as being closed to such use by the appropriate Secretary: Provided, That the Secretary charged with the administration of such trail shall establish regulations which shall authorize the use of motorized vehicles when, in his judgment, such vehicles are necessary to meet emergencies or to enable adjacent landowners or land users to have reasonable access to their lands or timber rights: Provided further, That private lands included in the national recreation, national

scenic, or national historic trails by cooperative agreement of a landowner shall not preclude such owner from using motorized vehicles on or across such trails or adjacent lands from time to time in accordance with regulations to be established by the appropriate Secretary. Where a national historic trail follows existing public roads, developed rights-of-way or waterways, and similar features of man's nonhistorically related development, approximating the original location of a historic route, such segments may be marked to facilitate retracement of the historic route, and where a national historic trail parallels an existing public road, such road may be marked to commemorate the historic route. Other uses along the historic trails and the Continental Divide National Scenic Trail, which will not substantially interfere with the nature and purposes of the trail, and which, at the time of designation, are allowed by administrative regulations, including the use of motorized vehicles, shall be permitted by the Secretary charged with administration of the trail. The Secretary of the Interior and the Secretary of Agriculture, in consultation with appropriate governmental agencies and public and private organizations, shall establish a uniform marker, including thereon an appropriate and distinctive symbol for each national recreation, national scenic, and national historic trail. Where the trails cross lands administered by Federal agencies such markers shall be erected at appropriate points along the trails and maintained by the Federal agency administering the trail in accordance with standards established by the appropriate Secretary and where the trails cross non-Federal lands, in accordance with written cooperative agreements, the appropriate Secretary shall provide such uniform markers to cooperating agencies and shall require such agencies to erect and maintain them in accordance with the standards established. The appropriate Secretary may also provide for trail interpretation sites, which shall be located at historic sites along the route of any national scenic or national historic trail, in order to present information to the public about the trail, at the lowest possible cost, with emphasis on the portion of the trail passing through the State in which the site is located. Wherever possible, the sites shall be maintained by a State agency under a cooperative agreement between the appropriate Secretary and the State agency.

(d) Within the exterior boundaries of areas under their administration that are included in the right-of-way selected for a national recreation, national scenic, or national historic trail, the heads of Federal agencies may use lands for trail purposes and may acquire lands or interests in lands by written cooperative agreement, donation, purchase with donated or appropriated funds or exchange.

(e) Where the lands included in a national scenic or national historic trail right-of-way are outside of the exterior boundaries of federally administered areas, the Secretary charged with the administration of such trail shall encourage the States or local governments involved (i) to enter into written cooperative agreements with landowners, private organizations, and individuals to provide the necessary trail right-of-way, or (2) to acquire such lands or interests therein to be utilized as segments of the national scenic or national historic trail: Provided, That if the State or local governments fail to enter into such written cooperative agreements or to acquire such lands or interests therein after notice of the selection of the right-of-way is published, the appropriate Secretary, may (I) enter into such agreements with landowners, States, local governments, private organizations, and individuals for the use of lands for trail purposes, or (ii) acquire private lands or interests therein by donation, purchase with donated or appropriated funds or exchange in accordance with the provisions of subsection (f) of this section: Provided further, That the appropriate Secretary may acquire lands or interests therein from local governments or governmental corporations with the consent of such entities. The lands involved in such rights-of-way should be acquired in fee, if other methods of public control are not sufficient to assure their use for the purpose for which they are acquired: Provided, That if the Secretary charged with the administration of such trail permanently relocates the right-of-way and disposes of all title or interest in the land, the original owner, or his heirs or assigns, shall be offered, by notice given at the former owner's last known address, the right of first refusal at the fair market price.

(f)

(i) The Secretary of the Interior, in the exercise of his exchange authority, may accept title to any non-Federal property within the right-of-way and in exchange therefor he may convey to the grantor of such property any federally owned property under his jurisdiction which is located in the State wherein such property is located and which he classifies as suitable for exchange or other disposal. The values of the properties so exchanged either shall be approximately equal, or if they are not approximately equal the values shall be equalized by the payment of cash to the grantor or to the Secretary as the circumstances require. The Secretary of Agriculture, in the exercise of his exchange authority, may utilize authorities and procedures available to him in connection with exchanges of national forest lands.

(2) In acquiring lands or interests therein for a National Scenic or Historic Trail, the appropriate Secretary may, with consent of a landowner, acquire whole tracts notwithstanding that parts of such tracts may lie outside the area of trail acquisition. In furtherance of the purposes of this act, lands so acquired outside the area of trail acquisition may be exchanged for any non-Federal lands or interests therein within the trail right-of-way, or disposed of in accordance with such procedures or regulations as the appropriate Secretary shall prescribe, including: (I) provisions for conveyance of such acquired lands or interests therein at not less than fair market value to the highest bidder, and (ii) provisions for allowing the last owners of record a right to purchase said acquired lands or interests therein upon payment or agreement to pay an amount equal to the highest bid price. For lands designated for exchange or disposal, the appropriate Secretary may convey these lands with any reservations or covenants deemed desirable to further the purposes of this Act. The proceeds from any disposal shall be credited to the appropriation bearing the costs of land acquisition for the affected trail.

(g) The appropriate Secretary may utilize condemnation proceedings without the consent of the owner to acquire private lands or interests, therein pursuant to this section only in cases where, in his judgment, all reasonable efforts to acquire such lands or interest therein by negotiation have failed, and in such cases he shall acquire only such title as, in his judgment, is reasonably necessary to provide passage across such lands: Provided, That condemnation proceedings may not be utilized to acquire fee title or lesser interests to more than an average of one hundred and twenty-five acres per mile. Money appropriated for Federal purposes from the land and water conservation fund shall, without prejudice to appropriations from other sources, be available to Federal departments for the acquisition of lands or interests in lands for the purposes of this Act. For national historic trails, direct Federal acquisition for trail purposes shall be limited to those areas indicated by the study report or by the comprehensive plan as high potential route segments or high potential historic sites. Except for designated protected components of the trail, no land or site located along a designated national historic trail or along the Continental Divide National Scenic Trail shall be subject to the provisions of section 4(f) of the Department of Transportation Act (49 U.S.C. 1653(f)) unless such land or site is deemed to be of historical significance under appropriate historical site criteria such as those for the National Register of Historic Places.

(h)

(i) The Secretary charged with the administration of a national recreation, national scenic, or national historic trail shall provide for the development and maintenance of such trails within federally administered areas, and shall cooperate with and encourage the States to operate, develop, and maintain portions of such trails which are located outside the boundaries of federally administered areas. When deemed to be in the public interest, such Secretary may enter written cooperative agreements with the States or their political subdivisions, landowners, private organizations, or individuals to operate, develop, and maintain any portion of such a trail either within or outside a federally administered area. Such agreements may include provisions for limited financial assistance to encourage participation in the acquisition, protection, operation, development, or maintenance of such trails, provisions providing volunteer in the park or volunteer in the forest status (in accordance with the Volunteers in the Parks Act of 1969 and the Volunteers in the Forests Act of 1972) to individuals, private organizations, or landowners participating in such activities, or provisions of both types. The appropriate Secretary shall also initiate consultations with affected States and their political subdivisions to encourage --

(A) the development and implementation by such entities of appropriate measures to protect private landowners from trespass resulting from trail use and from unreasonable personal liability and property damage caused by trail use, and

(B) the development and implementation by such entities of provisions for land practices compatible with the purposes of this Act, for property within or adjacent to trail rights-of-way. After consulting with States and their political subdivisions under the preceding sentence, the Secretary may provide assistance to such entities under appropriate cooperative agreements in the manner provided by this subsection.

(2) Whenever the Secretary of the Interior makes any conveyance of land under any of the public land laws, he may reserve a right-of-way for trails to the extent he deems necessary to carry out the purposes of this Act.



(i) The appropriate Secretary, with the concurrence of the heads of any other Federal agencies administering lands through which a national recreation, national scenic, or national historic trail passes, and after consultation with the States, local governments, and organizations concerned, may issue regulations, which may be revised from time to time, governing the use, protection, management, development, and administration of trails of the national trails system. In order to maintain good conduct on and along the trails located within federally administered areas and to provide for the proper government and protection of such trails, the Secretary of the Interior and the Secretary of Agriculture shall prescribe and publish such uniform regulations as they deem necessary and any person who violates such regulations shall be guilty of a misdemeanor, and may be punished by a fine of not more \$500 or by imprisonment not exceeding six months, or by both such fine and imprisonment. The Secretary responsible for the administration of any segment of any component of the National Trails System (as determined in a manner consistent with subsection (a)(1) of this section) may also utilize authorities related to units of the national park system or the national forest system, as the case may be, in carrying out his administrative responsibilities for such component.

(j) Potential trail uses allowed on designated components of the national trails system may include, but are not limited to, the following: bicycling, cross-country skiing, day hiking, equestrian activities, jogging or similar fitness activities, trail biking, overnight and long-distance backpacking, snowmobiling, and surface water and underwater activities. Vehicles which may be permitted on certain trails may include, but need not be limited to, motorcycles, bicycles, four-wheel drive or all-terrain off-road vehicles. In addition, trail access for handicapped individuals may be provided. The provisions of this subsection shall not supersede any other provisions of this Act or other Federal laws, or any State or local laws.

(k) For the conservation purpose of preserving or enhancing the recreational, scenic, natural, or historical values of components of the national trails system, and environs thereof as determined by the appropriate Secretary, landowners are authorized to donate or otherwise convey qualified real property interests to qualified organizations consistent with section 170(h)(3) of the Internal Revenue Code of 1954, including, but not limited to, right-of-way, open space, scenic, or conservation easements, without regard to any limitation on the nature of the estate or interest otherwise transferable within the jurisdiction where the land is located. The conveyance of any such interest in land in accordance with this subsection shall be deemed to further a Federal conservation policy and yield a significant public benefit for purposes of section 6 of Public Law 96-541.

## STATE AND METROPOLITAN AREA TRAILS

SEC. 8. [16USC1247] (a) The Secretary of the Interior is directed to encourage States to consider, in their comprehensive statewide outdoor recreation plans and proposals for financial assistance for State and local projects submitted pursuant to the Land and Water Conservation Fund Act, needs and opportunities for establishing park, forest, and other recreation and historic trails on lands owned or administered by States, and recreation and historic trails on lands in or near urban areas. The Secretary is also directed to encourage States to consider, in their comprehensive statewide historic preservation plans and proposals for financial assistance for State, local, and private projects submitted pursuant to the Act of October 15, 1966 (80 Stat. 915), as amended, needs and opportunities for establishing historic trails. He is further directed in accordance with the authority contained in the Act of May 28, 1963 (77 Stat. 49), to encourage States, political subdivisions, and private interests, including nonprofit organizations, to establish such trails.

(b) The Secretary of Housing and Urban Development is directed, in administering the program of comprehensive urban planning and assistance under section 701 of the Housing Act of 1954, to encourage the planning of recreation trails in connection with the recreation and transportation planning for metropolitan and other urban areas. He is further directed, in administering the urban open space program under title VII of the Housing Act of 1961, to encourage such recreation trails.

(c) The Secretary of Agriculture is directed, in accordance with authority vested in him, to encourage States and local agencies and private interests to establish such trails.

(d) The Secretary of Transportation, the Chairman of the Interstate Commerce Commission, and the Secretary of the Interior, in administering the Railroad Revitalization and Regulatory Reform Act of 1976, shall encourage State and local agencies and private interests to establish appropriate trails using the provisions of



such programs. Consistent with the purposes of that Act, and in furtherance of the national policy to preserve established railroad rights-of-way for future reactivation of rail service, to protect rail transportation corridors, and to encourage energy efficient transportation use, in the case of interim use of any established railroad rights-of-way pursuant to donation, transfer, lease, sale, or otherwise in a manner consistent with the National Trails System Act, if such interim use is subject to restoration or reconstruction for railroad purposes, such interim use shall not be treated, for purposes of any law or rule of law, as an abandonment of the use of such rights-of-way for railroad purposes. If a State, political subdivision, or qualified private organization is prepared to assume full responsibility for management of such rights-of-way and for any legal liability arising out of such transfer or use, and for the payment of any and all taxes that may be levied or assessed against such rights-of-way, then the Commission shall impose such terms and conditions as a requirement of any transfer or conveyance for interim use in a manner consistent with this Act, and shall not permit abandonment or discontinuance inconsistent or disruptive of such use.

(e) Such trails may be designated and suitably marked as parts of the nationwide system of trails by the States, their political subdivisions, or other appropriate administering agencies with the approval of the Secretary of the Interior.

## RIGHTS-OF-WAY AND OTHER PROPERTIES

SEC. 9. [16USC1248] (a) The Secretary of the Interior or the Secretary of Agriculture as the case may be, may grant easements and rights-of-way upon, over, under, across, or along any component of the national trails system in accordance with the laws applicable to the national park system and the national forest system, respectively: Provided, That any conditions contained in such easements and rights-of-way shall be related to the policy and purposes of this Act.

(b) The Department of Defense, the Department of Transportation, the Interstate Commerce Commission, the Federal Communications Commission, the Federal Power Commission, and other Federal agencies having jurisdiction or control over or information concerning the use, abandonment, or disposition of roadways, utility rights-of-way, or other properties which may be suitable for the purpose of improving or expanding the national trails system shall cooperate with the Secretary of the Interior and the Secretary of Agriculture in order to assure, to the extent practicable, that any such properties having values suitable for trail purposes may be made available for such use.

(c) Commencing upon the date of enactment of this subsection, any and all right, title, interest, and estate of the United States in all rights-of-way of the type described in the Act of March 8, 1922 (43 U.S.C. 912), shall remain in the United States upon the abandonment or forfeiture of such rights-of-way, or portions thereof, except to the extent that any such right-of-way, or portion thereof, is embraced within a public highway no later than one year after a determination of abandonment or forfeiture, as provided under such Act.

(d)

(1) All rights-of-way, or portions thereof, retained by the United States pursuant to subsection (c) which are located within the boundaries of a conservation system unit or a National Forest shall be added to and incorporated within such unit or National Forest and managed in accordance with applicable provisions of law, including this Act.

(2) All such retained rights-of-way, or portions thereof, which are located outside the boundaries of a conservation system unit or a National Forest but adjacent to or contiguous with any portion of the public lands shall be managed pursuant to the Federal Land Policy and Management Act of 1976 and other applicable law, including this section.

(3) All such retained rights-of-way, or portions thereof, which are located outside the boundaries of a conservation system unit or National Forest which the Secretary of the Interior determines suitable for use as a public recreational trail or other recreational purposes shall be managed by the Secretary for such uses, as well as for such other uses as the Secretary determines to be appropriate pursuant to applicable laws, as long as such uses do not preclude trail use.

(e)

(l) The Secretary of the Interior is authorized where appropriate to release and quitclaim to a unit of government or to another entity meeting the requirements of this subsection any and all right, title, and interest in the surface estate of any portion of any right-of-way to the extent any such right, title, and interest was retained by the United States pursuant to subsection (c), if such portion is not located within the boundaries of any conservation system unit or National Forest. Such release and quitclaim shall be made only in response to an application therefor by a unit of State or local government or another entity which the Secretary of the Interior determines to be legally and financially qualified to manage the relevant portion for public recreational purposes. Upon receipt of such an application, the Secretary shall publish a notice concerning such application in a newspaper of general circulation in the area where the relevant portion is located. Such release and quitclaim shall be on the following conditions:

(A) If such unit or entity attempts to sell, convey, or otherwise transfer such right, title, or interest or attempts to permit the use of any part of such portion for any purpose incompatible with its use for public recreation, then any and all right, title, and interest released and quitclaimed by the Secretary pursuant to this subsection shall revert to the United States.

(B) Such unit or entity shall assume full responsibility and hold the United States harmless for any legal liability which might arise with respect to the transfer, possession, use, release, or quitclaim of such right-of-way.

(C) Notwithstanding any other provision of law, the United States shall be under no duty to inspect such portion prior to such release and quitclaim, and shall incur no legal liability with respect to any hazard or any unsafe condition existing on such portion at the time of such release and quitclaim.

(2) The Secretary is authorized to sell any portion of a right-of-way retained by the United States pursuant to subsection (c) located outside the boundaries of a conservation system unit or National Forest if any such portion is --

(A) not adjacent to or contiguous with any portion of the public lands; or

(B) determined by the Secretary, pursuant to the disposal criteria established by section 203 of the Federal Land Policy and Management Act of 1976, to be suitable for sale. Prior to conducting any such sale, the Secretary shall take appropriate steps to afford a unit of State or local government or any other entity an opportunity to seek to obtain such portion pursuant to paragraph (l) of this subsection.

(3) All proceeds from sales of such retained rights of way shall be deposited into the Treasury of the United States and credited to the Land and Water Conservation Fund as provided in section 2 of the Land and Water Conservation Fund Act of 1965.

(4) The Secretary of the Interior shall annually report to the Congress the total proceeds from sales under paragraph (2) during the preceding fiscal year. Such report shall be included in the President's annual budget submitted to the Congress.

(f) As used in this section --

(1) The term "conservation system unit" has the same meaning given such term in the Alaska National Interest Lands Conservation Act (Public Law 96-487; 94 Stat. 2371 et seq.), except that such term shall also include units outside Alaska.

(2) The term "public lands" has the same meaning given such term in the Federal Land Policy and Management Act of 1976.

## AUTHORIZATION OF APPROPRIATIONS

### SEC. 10. [16USC1249] (a)

(1) There are hereby authorized to be appropriated for the acquisition of lands or interests in lands not more than \$5,000,000 for the Appalachian National Scenic Trail and not more than \$500,000 for the Pacific Crest National Scenic Trail. From the appropriations authorized for fiscal year 1979 and succeeding fiscal years pursuant to the Land and Water Conservation Fund Act (78 Stat. 897), as amended, not more than the following amounts may be expended for the acquisition of lands and interests in lands authorized to be acquired pursuant to the provisions of this Act: for the Appalachian National Scenic Trail, not to exceed \$30,000,000 for fiscal year 1979, \$30,000,000 for fiscal year 1980, and \$30,000,000 for fiscal year 1981, except that the difference between the foregoing amounts and the actual appropriations in any one fiscal year shall be available for appropriation in subsequent fiscal years.

(2) It is the express intent of the Congress that the Secretary should substantially complete the land acquisition program necessary to insure the protection of the Appalachian Trail within three complete fiscal years following the date of enactment of this sentence.

(b) For the purposes of Public Law 95-42 (91 Stat. 211), the lands and interests therein acquired pursuant to this section shall be deemed to qualify for funding under the provisions of section 1, clause 2, of said Act.

(c)

(1) There is hereby authorized to be appropriated such sums as may be necessary to implement the provisions of this Act relating to the trails designated by paragraphs 5(a)(3), (4), (5), (6), (7), (8), (9) and (10): Provided, That no such funds are authorized to be appropriated prior to October 1, 1978: And provided further, That notwithstanding any other provisions of this Act or any other provisions of law, no funds may be expended by Federal agencies for the acquisition of lands or interests in lands outside the exterior boundaries of existing Federal areas for the Continental Divide National Scenic Trail, the North Country National Scenic Trail, the Ice Age National Scenic Trail, the Oregon National Historic Trail, the Mormon Pioneer National Historic Trail, the Lewis and Clark National Historic Trail, and the Iditarod National Historic Trail, except that funds may be expended for the acquisition of lands or interests therein for the purpose of providing for one trail interpretation site, as described in section 7(c), along with such trail in each State crossed by the trail.

(2) Except as otherwise provided in this Act, there is authorized to be appropriated such sums as may be necessary to implement the provisions of this Act relating to the trails designated by section 5(a). Not more than \$500,000 may be appropriated for the purposes of acquisition of land and interests therein for the trail designated by section 5(a)(12) of this Act, and not more than \$2,000,000 may be appropriated for the purposes of the development of such trail. The administering agency for the trail shall encourage volunteer trail groups to participate in the development of the trail.

## VOLUNTEER TRAILS ASSISTANCE

### SEC. 11. [16USC1250] (a)

(1) In addition to the cooperative agreement and other authorities contained in this Act, the Secretary of the Interior, the Secretary of Agriculture, and the head of any Federal agency administering Federal lands, are authorized to encourage volunteers and volunteer organizations to plan, develop, maintain, and manage, where appropriate, trails throughout the Nation.

(2) Wherever appropriate in furtherance of the purposes of this Act, the Secretaries are authorized and encouraged to utilize the Volunteers in the Parks Act of 1969, the Volunteers in the Forests Act of 1972, and section 6 of the Land and Water Conservation Fund Act of 1965 (relating to the development of Statewide Comprehensive Outdoor Recreation Plans).

(b) Each Secretary or the head of any Federal land managing agency, may assist volunteers and volunteers

organizations in planning, developing, maintaining, and managing trails. Volunteer work may include, but need not be limited to--

(1) planning, developing, maintaining, or managing (A) trails which are components of the national trails system, or (B) trails which, if so developed and maintained, could qualify for designation as components of the national trails system; or

(2) operating programs to organize and supervise volunteer trail building efforts with respect to the trails referred to in paragraph (1), conducting trail-related research projects, or providing education and training to volunteers on methods of trails planning, construction, and maintenance.

(c) The appropriate Secretary or the head of any Federal land managing agency may utilize and to make available Federal facilities, equipment, tools, and technical assistance to volunteers and volunteer organizations, subject to such limitations and restrictions as the appropriate Secretary or the head of any Federal land managing agency deems necessary or desirable.

## DEFINITIONS

SEC. 12. [16USC125I] As used in this Act:

(1) The term "high potential historic sites" means those historic sites related to the route, or sites in close proximity thereto, which provide opportunity to interpret the historic significance of the trail during the period of its major use. Criteria for consideration as high potential sites include historic significance, presence of visible historic remnants, scenic quality, and relative freedom from intrusion.

(2) The term "high potential route segments" means those segments of a trail which would afford high quality recreation experience in a portion of the route having greater than average scenic values or affording an opportunity to vicariously share the experience of the original users of a historic route.

(3) The term "State" means each of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Trust Territory of the Pacific Islands, the Northern Mariana Islands, and any other territory or possession of the United States.

(4) The term "without expense to the United States" means that no funds may be expended by Federal agencies for the development of trail related facilities or for the acquisition of lands or interest in lands outside the exterior boundaries of Federal areas. For the purposes of the preceding sentence, amounts made available to any State or political subdivision under the Land and Water Conservation Fund Act of 1965 or any other provision of law shall not be treated as an expense to the United States.

# APPENDIX B: PUBLIC LAW 106-135

Public Law 106-135

106th Congress

An Act

To amend the National Trails System Act to designate the route of the War of 1812 British invasion of Maryland and Washington, District of Columbia, and the route of the American defense, for study for potential addition to the national trails system.<<NOTE: Dec. 7, 1999 - [H.R. 791]>>

Be it enacted by the Senate and House of Representatives of the United States of America in <<NOTE: Star-Spangled Banner National Historic Trail Study Act of 1999. 16 USC 1241 note.>> Congress assembled,

## SECTION 1. SHORT TITLE.

This Act may be cited as the "Star-Spangled Banner National Historic Trail Study Act of 1999".

## SEC. 2. FINDINGS.

Congress finds that--

(1) the British invasion of Maryland and Washington, District of Columbia, during the War of 1812 marks a defining period in the history of our Nation, the only occasion on which the United States of America has been invaded by a foreign power;

(2) the Star-Spangled Banner National Historic Trail traces the arrival of the British fleet in the Patuxent River in Calvert County and St. Mary's County, Maryland, the landing of British forces at Benedict, the sinking of the Chesapeake Flotilla at Pig Point in Prince George's County and Anne Arundel County, Maryland, the American defeat at the Battle of Bladensburg, the siege of the Nation's Capital, Washington, District of Columbia (including the burning of the United States Capitol and the White House), the British naval diversions in the upper Chesapeake Bay leading to the Battle of Caulk's Field in Kent County, Maryland, the route of the American troops from Washington through Georgetown, the Maryland Counties of Montgomery, Howard, and Baltimore, and the City of Baltimore, Maryland, to the Battle of North Point, and the ultimate victory of the Americans at Fort McHenry on September 14, 1814, where a distinguished Maryland lawyer and poet, Francis Scott Key, wrote the words that captured the essence of our national struggle for independence, words that now serve as our national anthem, the Star-Spangled Banner; and

(3) the designation of this route as a national historic trail--

(A) would serve as a reminder of the importance of the concept of liberty to all who experience the Star-Spangled Banner National Historic Trail; and (B) would give long overdue recognition to the patriots whose determination to stand firm against enemy invasion and bombardment preserved this liberty for future generations of Americans.

## SEC. 3. DESIGNATION OF TRAIL FOR STUDY

Section 5(c) of the National Trails System Act (16 U.S.C. 1244(c)) is amended--

(1) by redesignating paragraph (36) (as added by section 3 of the El Camino Real Para Los Texas Study Act of 1993 (107 Stat. 1497)) as paragraph (37) and in subparagraph (C) by striking "determine" and inserting "determine"; (2) by designating the paragraphs relating to the Old Spanish Trail and the Great Western Scenic Trail as paragraphs (38) and (39), respectively; and (3) by adding at the end the following:

"(40) Star-Spangled Banner National Historic Trail.--



“(A) In general.--The Star-Spangled Banner National Historic Trail, tracing the War of 1812 route from the arrival of the British fleet in the Patuxent River in Calvert County and St. Mary's County, Maryland, the landing of the British forces at Benedict, the sinking of the Chesapeake Flotilla at Pig Point, the American defeat at the Battle of Bladensburg, the siege of the Nation's Capital, Washington, District of Columbia (including the burning of the United States Capitol and the White House), the British naval diversions in the upper Chesapeake Bay leading to the Battle of Caulk's Field in Kent County, Maryland, the route of the American troops from Washington through Georgetown, the Maryland Counties of Montgomery, Howard, and Baltimore, and the City of Baltimore, Maryland, to the Battle of North Point, and the ultimate victory of the Americans at Fort McHenry on September 14, 1814.

“(B) Affected areas.--The trail crosses eight counties within the boundaries of the State of Maryland, the City of Baltimore, Maryland, and Washington, District of Columbia.

“(C) Coordination with other congressionally mandated activities.--The study under this paragraph shall be undertaken in coordination with the study authorized under section 603 of the Omnibus Parks and Public Lands Management Act of 1996 (16 U.S.C. 1a-5 note; 110 Stat. 4172) and the Chesapeake Bay Gateways and Watertrails Network authorized under the Chesapeake Bay Initiative Act of 1998 (16 U.S.C. 461 note; 112 Stat. 2961). Such coordination shall extend to any research needed to complete the studies and any findings and implementation actions that result from the studies and shall use available resources to the greatest extent possible to avoid unnecessary duplication of effort.

“(D) Deadline for study.--Not later than 2 years after funds are made available for the study under this paragraph, the study shall be completed and transmitted with final recommendations to the Committee on Resources in the House of Representatives and the Committee on Energy and Natural Resources in the Senate.”. Approved December 7, 1999.

LEGISLATIVE HISTORY--H.R. 791 (S. 441):

HOUSE REPORTS: No. 106-189 (Comm. on Resources).

SENATE REPORTS: No. 106-63 accompanying S. 441 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 145 (1999):

June 30, considered and passed House.

Nov. 19, considered and passed Senate.

## APPENDIX C: LOCAL HISTORIANS' ROUNDTABLE

Star-Spangled Banner National Historic Trail Study  
Local Historians' Workshop  
Maryland Archeological Conservation Laboratory  
Jefferson Patterson Park and Museum  
Saturday, May 12, 2001, 1-4pm

1:00-1:15	Introduction
	Mike Smolek, Bill Sharp, John Hall/Karla Aghajanian
1:15-1:30	Introduction of participants; discussion of "House Rules"
1:30-2:15	Draft Significance Statement: comments and discussion
2:15-2:30	Break
2:30-3:15	The Historic Route of the Chesapeake Campaign of 1814
3:15-4:00	Mapping and resources: how will a trail and its associated resources tell the story of the Star-Spangled Banner and the Chesapeake Campaign of 1814

Dr. Ralph Eshelman will serve as the day's moderator. The following participants will be working with us on May 12th:

Dr. William S. Dudley, Director, Naval Historical Center, Washington Navy Yard, author of *The Naval War of 1812, A Documentary History*.

Christopher George, Baltimore, Maryland, editor of the Journal of the War of 1812 and author of *Terror on the Chesapeake: The War of 1812 on the Bay*.

Dr. Fred Hopkins Jr., author of Tom Boyle, Master Privateer, co-author of *War on the Patuxent 1814: A Catalog of Artifacts*, and co-author of "The Search for the Chesapeake Flotilla," *The American Neptune*.

Sally Johnston, Director, Star-Spangled Banner Flag House and Museum, and co-author of *The Star-Spangled Banner Flag House: Home of American's Flag*.

Dr. Stan Quick, Chestertown, Maryland, currently writing a definitive book on the War of 1812 in the Chesapeake.

Robert Reyes, President of the Friends of the North Point Battlefield, Inc., and proponent who helped to initiate the Star-Spangled Banner National Historic Trail Study.

Scott Sheads, historian, Fort McHenry, Baltimore, Maryland, and author of *The Rockets' Red Glare: The Maritime Defense of Baltimore in 1814*, *Fort McHenry*, and *Guardian of the Star-Spangled Banner: Lt. Colonel George Armistead and The Fort McHenry Flag*.

Donald Shomette, Dunkirk, Maryland, author of *Lost Towns of Tidewater Maryland*, *Tidewater*, *Time Capsule: History Beneath the Patuxent and Flotilla: Battle for the Patuxent*, among others.

Lonn Taylor, Washington, D.C., historian, Division of Social History, National Museum of American History, Smithsonian Institution and author of *The Star-Spangled Banner: The Flag that inspired the National Anthem*

# APPENDIX D: INTERNATIONAL SCHOLARS' ROUNDTABLE

## Panelists' Biographies

### Moderator

**Dr. Dwight T. Pitcaithley, Chief Historian, National Park Service**  
Dr. Pitcaithley received his doctorate from Texas Tech University in 1976. He is an Adjunct Professor at George Mason University and served as President of the National Council on Public History. Prior to becoming the Chief Historian, Dr. Pitcaithley held several other positions at the National Park Service.

### Mr. Donald E. Graves, Ensign Heritage Consulting

Donald Graves is a specialist in Napoleonic warfare, currently serving as Director of Ensign Heritage Consulting. He is an accomplished author and scholar in the field of British military history and has significant experience in the field of cultural tourism. Mr. Graves has a Masters Degree from Carleton University in Ottawa.

### Dr. Donald R. Hickey, Wayne State College

Donald Hickey is a professor at Wayne State College in Nebraska where he teaches history. He is a specialist in the War of 1812 and has published extensively on the topic of the Chesapeake Campaign. Dr. Hickey has his degrees from the University of Illinois, Urbana-Champaign.

### Dr. Andrew Lambert, King's College London

Dr. Lambert earned his MA and PhD from the Department of War Studies at King's College, London, and joined the staff in 1991. He has had teaching posts at Bristol Polytechnic, the Royal Naval Staff College and the Royal Military Academy, Sandhurst. He specializes in 19<sup>th</sup>-century history and strategy, and in naval warfare.

### Dr. Joseph W.A. Whitehorne, Lord Fairfax Community College

Dr. Whitehorne is a retired United States Army officer who served as a staff historian in the United States and Europe. Since retiring in 1989, he has been a professor of history at Lord Fairfax Community College and historical consultant to the Department of Anthropology and Sociology at James Madison University. A graduate of the University of Pennsylvania, he holds a doctorate from George Mason University and an honorary doctorate from Shenandoah University.

### Ms. Marilyn Zoidis, Curator, Star-Spangled Banner Project

Ms. Zoidis is the curator of the Star-Spangled Banner project at the Smithsonian Institution, National Museum of American History. She is a doctoral candidate in American History at Carnegie Mellon University, where she also earned her Masters Degree. She has lectured extensively on the social history of the flag and women's roles in patriotism.

## Chesapeake Campaign Scholars' Roundtable Star-Spangled Banner National Historic Trail Study

Maryland Historical Society  
Saturday, April 7, 2001

1-4:30pm

Sponsored by the National Park Service and  
The Maryland Office of Tourism Development



## Star-Spangled Banner National Historic Trail Study

I thank you for participating in this scholars' roundtable for the Star-Spangled Banner National Historic Trail Study. We are excited to be able to convene a public forum with this group of international experts on the War of 1812. Additional thanks are extended to the Maryland Historical Society for the use of their facilities and to the Maryland Department of Tourism Development and the National Park Service for sponsoring today's events.

The information derived from this meeting will enable the National Park Service to better understand the national significance of the British invasion of Maryland and Washington DC and the American defense during the War of 1812. National significance is a key factor in evaluating the suitability of designating the invasion route as a National Historic Trail. This meeting will also help the National Park Service to formulate interpretive themes for the proposed Star-Spangled Banner National Historic Trail by using the most current scholarship.

As a result of this Scholars' Roundtable, the public and the National Park Service team will have a better understanding of:

- The most recent scholarship pertaining to the national significance and national stories associated with the Chesapeake Campaign during the War of 1812.
- The key stories and oral traditions related to American and British military and naval history, the social history of the flag, the cultural identity of the American people, and maritime development of the Chesapeake Bay region.
- The ongoing effect of the War of 1812 on the United States' international position.
- The importance of the Chesapeake Campaign to the overall framework of the War of 1812.
- The causes and outcomes of the War of 1812.

For more information, visit the National Park Service website at [www.nps.gov/cha/sp/starspan.htm](http://www.nps.gov/cha/sp/starspan.htm) or contact Bill Sharp, NPS Project Manager, at [william\\_sharp@nps.gov](mailto:william_sharp@nps.gov) or 215.597.1655.

## Scholars' Roundtable Agenda for Saturday, April 7, 2001

### 1:00-1:30 Welcome & Introductory Remarks

Laura Joss  
Superintendent  
Fort McHenry NMHS

Dr. Dwight Pitcaithley  
Chief Historian  
National Park Service

Marci Ross  
Resources Development Manager  
Maryland Office of Tourism Development

### 1:30-2:45 The Key Stories of the Chesapeake Campaign

War of 1812 British military & naval history—Donald Graves  
The 1814 Chesapeake Campaign—Andrew Lambert  
Social history of the flag—Marilyn Zoidis  
A cultural coming-together—Donald Hickey  
Maritime development—Joseph Whitehorne

### 2:45-4:00 Moderated Panel

- Why is the War of 1812 important to Americans?
- How do the War of 1812 and the Chesapeake Campaign affect the United States' international relationships and its role in the world? What is the relationship to the Napoleonic Wars?
- What is the significance of the 1814 Chesapeake Campaign and how does it relate to the War of 1812? Why was this campaign important? Does the campaign warrant national recognition and trail designation?
- What were the causes of the war? What were its outcomes?

### 4:00-4:30 Question & Answer



## APPENDIX E: TRAIL-RELATED RESOURCES BY SEGMENT

RESOURCE NAME & SIGNIFICANCE		LOCATION	Currently Protected	Interpretation Potential	Public or Private Ownership	Public Access	Public Facilities (restrooms, parking, etc.)	NPS site, NHL, National Register
THE BRITISH WATER ADVANCE & WITHDRAWAL ON THE PATUXENT								
Billingsley--c. 1695 plantation on the Patuxent River	Prince George's Co., MD	✓	✓		public	✓	✓	
Cedar Point--site of first naval skirmish between U.S. Chesapeake Flotilla and British	St. Mary's Co., MD	✓	✓		public			
Fort Hill—American lookout and Marine encampment along St. Leonard Creek	Calvert Co., MD				private			
Huntingtown--original town site burned by the British, July 17, 1814	Calvert Co., MD		✓		private			
Jefferson Patterson Park and Museum--site of Second Battle of St. Leonard Creek	Calvert Co., MD	✓	✓		public	✓	✓	NR
Lower Marlborough--site of a raid and sacking by Royal Marines	Calvert Co., MD	✓	✓		public/ private	✓		
Mount Pleasant Landing--site of salvage operations on Chesapeake flotilla in late 1814	Prince George's Co., MD		✓		private			NR
Nottingham--naval base for the Chesapeake flotilla	Prince George's Co., MD		✓		public/ private			
Patuxent Wetlands Park/Pig Point--site of British raid near where Cockburn watched scuttling of flotilla	Anne Arundel Co., MD	✓	✓		public/ private	✓	✓	
Point Lookout--at the mouth of the Potomac, used by British and local militia	St. Mary's Co., MD	✓	✓		public	✓	✓	
Point Patience--site of British raid	Anne Arundel Co., MD	✓	✓		public			
Spout Farm--place where Barney concealed the flotilla and ambushed a British barge	Calvert Co., MD	✓	✓		private			
Solomons--site of Calvert Marine Museum with artifacts from war	Calvert Co., MD		✓		private	✓	✓	
Sotterley Plantation--mustering site for U.S. Army	St. Mary's Co., MD	✓	✓		private	✓	✓	NHL
St. Leonard Creek--site of two naval battles	Calvert Co., MD		✓		public/ private	✓	✓	
St. Leonard Town--site of flotilla base during St. Leonard Creek battles	Calvert Co., MD		✓		private			
Upper Battery—site of American battery which defended the approach to St. Leonard Town	Calvert Co., MD		✓		private			



RESOURCE NAME & SIGNIFICANCE	LOCATION	Currently Protected	Interpretation Potential	Public or Private Ownership	Public Access	Public Facilities (restrooms, parking, etc.)	NPS site, NHL, National Register
<b>POTOMAC AND CHESAPEAKE BAY FEINTS</b>							
Alexandria--occupied by British and surrendered to British during Potomac feint	City of Alexandria, VA	✓	✓	public/private	✓	✓	NR
Caulk's Field--battle site during Chesapeake feint	Kent Co., MD		✓	private			
Elkton/Fort Defiance--site of battery that repulsed British barges	Cecil Co., MD	✓	✓	public	✓		
Fort Stoakes--site of U.S. fortifications on approach	Talbot Co., MD	✓	✓	private			
Fort Washington Park (Fort Warburton) --c. 1814 fort blown up to prevent capture by Royal Navy	Across from Mount Vernon on the Potomac	✓	✓	public	✓	✓	NR, NPS site
Hancock's Resolution/Privateer <i>Lion</i> --served as a signal point during the war; the <i>Lion</i> was burned by the British nearby at the confluence of Bodkin Creek and the Patapsco River	Anne Arundel Co., MD	✓	✓	public/private	✓		
Indian Head--site of battery and engagement on the Potomac	Charles Co., MD		✓	public			
Oxon Hill Farm/Mount Welby--location of home where letters were found describing British fleet on the Potomac	Prince George's Co., MD	✓	✓	public	✓	✓	NR, NPS site
Tangier Island--location of British naval base	Chesapeake Bay		✓	public/private	✓	✓	
<b>THE BRITISH LAND MARCH &amp; WITHDRAWAL FROM BENEDICT TO BLADENSBURG TO WASHINGTON</b>							
Addison Chapel--1814 church that served as a temporary British headquarters	Prince George's Co., MD	✓	✓	private	✓		NR
Aquasco Mills--site where Sec. Of State James Monroe reconnoitered the British fleet	Charles Co., MD		✓	private	✓		
Bellevue--where Brig. Gen. Winder and the army came to meet the British	Prince George's Co., MD		✓	private			NR
Benedict--British landing site prior to invasion of Washington	Charles Co., MD		✓	public/private	✓		
Bladensburg--site of the Battle of Bladensburg	Prince George's Co., MD		✓	public/private	✓	✓	
Bladensburg Bridge--crossing point for the Anacostia River	Prince George's Co., MD		✓	public	✓		

RESOURCE NAME & SIGNIFICANCE	LOCATION	Currently Protected	Interpretation Potential	Public or Private Ownership	Public Access	Public Facilities (restrooms, parking, etc.)	NPS site, NHL, National Register
Bostwick House—used by British prisoner-of-war agent	Prince George's Co., MD	✓	✓	public			NR
Cedar Hill—site of cannonball recovery	Calvert Co., MD			private			
Columbia Foundry Site—site of Foxall's Foundry, the first and largest maker of cannons		✓	✓	public	✓		
Congressional cemetery—America's de facto national cemetery during War of 1812	Washington DC	✓	✓	private	✓		NR
Decatur House—c. 1817 home of Commander Decatur, a War of 1812 naval hero	Washington DC	✓	✓	private	✓	✓	NR
Dr. William Beanes House and Grave—site of home used as British headquarters during British occupation of Upper Marlborough	Prince George's Co., MD	✓	✓	public	✓		
Dueling Grounds—location of American second line of defense during the Battle of Bladensburg	Prince George's Co., MD	✓	✓	public	✓		
Francis Scott Key House site—site of Francis Scott Key's home	Washington DC	✓	✓	public	✓		
Francis Scott Key Park, Star-Spangled Banner Memorial—park near Key's 1803 home	Washington DC	✓	✓	public	✓		
Fort Lincoln Cemetery/Barney Monument and Spring House—site of stand by the flotilla	Prince George's Co., MD	✓	✓	private	✓		
Greenleaf Point Arsenal site—site of federal arsenal	Washington DC		✓	public			NR
His Lordship's Kindness—1787 plantation house near British and American encampments	Prince George's Co., MD	✓	✓	public	✓		NHL
Indian Queen Tavern/Washington's House—c. 1755–1765 structure with cannonballs from Bladensburg embedded in the walls	Prince George's Co., MD	✓	✓	private			NR
Long Oldfields site—where President Madison rode out to ascertain British march on Washington	Prince George's Co., MD		✓	private	✓		
Lower Marlborough—site of British raid and sacking along the Patuxent	Prince George's Co., MD		✓	public/private	✓		
Lowndes Hill—site of American and British encampments	Prince George's Co., MD		✓	public/private			
Magruder House—c. 1746 house where British marched on the way to Bladensburg	Prince George's Co., MD			private			NR
Magruder's Landing—tobacco warehouse burned by the British	Prince George's Co., MD	✓	✓	public	✓	✓	

RESOURCE NAME & SIGNIFICANCE	LOCATION	Currently Protected	Interpretation Potential	Public or Private Ownership	Public Access	Public Facilities (restrooms, parking, etc.)	NPS site, NHL, National Register
Marine Barracks and Commandants House—oldest public building in continuous use in Washington; residence for commandant	Washington DC	✓	✓	public			NR
Market Master's House—c. 1760 house in Bladensburg present during British advance	Prince George's Co., MD	✓	✓	private			NR
Mellwood—c. 1729 home where Ross and Cochrane dined	Prince George's Co., MD		✓	private			NR
Mount Calvert—house occupied by the British	Prince George's Co., MD	✓	✓	public	✓	✓	
National Museum of American History, Smithsonian Institution—home of the Star-Spangled Banner	Washington DC	✓	✓	public	✓	✓	
Latrobe Gate—Navy Yard—entrance to the Washington Navy Yard—survived 1814 fire at Navy Yard	Washington DC	✓	✓	public	✓	✓	NR
Marine Corps Museum—Navy Yard—contains paintings and artifacts from the War of 1812	Washington DC	✓	✓	public	✓	✓	
Navy Museum—Navy Yard	Washington DC	✓	✓	public	✓	✓	
Octagon House—where President Madison lived and signed the Treaty of Ghent after the burning of the White House	Washington DC	✓	✓	public	✓	✓	NR
Pennsylvania Avenue—where British marched from Bladensburg to burn the White House	Washington DC	✓	✓	public	✓		NR
Quarters "B"—Navy Yard—pre-1812 building in the Navy Yard	Washington DC	✓	✓	public	✓	✓	NR
Riversdale Mansion (Calvert Mansion)—from where the "Mistress of Riversdale" watched rockets during the Battle of Bladensburg	Prince George's Co., MD	✓	✓	public	✓	✓	NR/NHL
Sewall-Beimont House—on route of British march into Washington	Washington DC	✓	✓	private	✓	✓	NR, NPS affiliate
Tingey House—Navy Yard—pre-1812 building in Navy Yard	Washington DC	✓	✓	private	✓	✓	NR
Tudor Place—burning of Washington watched by Dr. William Thornton	Washington DC	✓	✓	private	✓	✓	NR
U.S. Capitol—burned by British	Washington DC	✓	✓	public	✓	✓	NR

RESOURCE NAME & SIGNIFICANCE		LOCATION	Currently Protected	Interpretation Potential	Public or Private Ownership	Public Access	Public Facilities (restrooms, parking, etc.)	NPS site, NHL, National Register
U.S. Patent Office site—temporary meeting place for Congress when Capitol was burned		Washington DC		✓	public	—		
Upper Marlborough—town where British and Americans camped		Prince George's Co., MD		✓	public/private			
Washington Navy Yard—burned by British and then Americans to keep out of enemy hands		Washington DC		✓	public	✓	✓	NHL
White House (President's mansion)—burned by the British in 1814		Washington DC	✓	✓	public	✓	✓	NR
White House Visitor's Center (Sutter's Inn site)—location that British dined after burning the White House, now the visitor center		Washington DC	✓	✓	public	✓	✓	
Woodyard Encampment—site of American encampment		Prince George's Co., MD		✓	public/private			NR
THE FLIGHT OF THE MADISONS								
Brookville—served as U.S. Capitol for a day		Montgomery Co., MD	✓	✓	private			NR
Chain Bridge—used by Dolley Madison during her escape from Washington		Washington DC		✓	public	✓		
Conn's Ferry site—ferry used by James Madison when he crossed the Potomac		Washington DC	✓	✓	Public	✓	✓	NR
Dunbarton House/Georgetown—where the First Lady attempted to meet the President after leaving the White House		Washington DC	✓	✓	private	✓		
Falls Church—rally point for Minor's Militia		City of Falls Church, VA	✓	✓	private	✓		NR
Georgetown		Washington DC		✓	public/private	✓	✓	
Minor's Hill—site of house where Dolley Madison stayed and James Madison made a brief stop		Arlington Co., VA		✓	Public	✓		
Rokeby Farm—first night of Dolley Madison's flight		Fairfax Co., VA		✓	private			
Salona—President Madison spent the night that Washington burned in this c. 1805 home		City of Falls Church, VA	✓	✓	private			NR
Wiley's Tavern site—designated meeting place for the Madisons		Fairfax Co., VA		✓	private			
Wren's Tavern site—stop for James Madison		Fairfax Co., VA		✓	private			

RESOURCE NAME & SIGNIFICANCE		LOCATION	Currently Protected	Interpretation Potential	Public or Private Ownership	Public Access	Public Facilities (restrooms, parking, etc.)	NPS site, NHL
THE RESCUE OF THE NATIONAL DOCUMENTS								
Pimmit Run Mill site—former mill site that was a British target		Fairfax Co., VA	✓	✓	Public	✓		
Littlejohn House—private residence; home to the national documents for a day		Loudon Co., VA		✓	private			NR
Rokeby Manor—significant U.S. documents stored in basement vault		Loudon Co., VA		✓	private			NR
THE AMERICAN MOVEMENT TOWARD BALTIMORE								
Beall-Dawson House—site of American encampment during the retreat from Bladensburg		Montgomery Co., MD	✓	✓	private	✓		NR
Ellicott City—American forces passed through between Bladensburg and Baltimore		Howard Co., MD		✓	public/ private	✓		
Rockville (Montgomery Courthouse)—rallying point for Winder; where President Madison missed his meeting with Winder		Montgomery Co., MD		✓	public/ private	✓		
Snell's Bridge site—site along American retreat from Bladensburg		Montgomery Co., MD		✓	public			
Tenleytown—area where Winder's army stopped to rest		Montgomery Co., MD		✓	public/ private	✓		
THE DEFENSE OF NORTH POINT & DEFENSE OF HAMPSTEAD HILL								
Aquila Randall Obelisk Monument—1817 monument on skirmish site		Baltimore Co., MD		✓	private			
Battle Acre—monument erected 1839–1917 to mark line of defense at Battle of North Point		Baltimore Co., MD	✓	✓	public	✓		
Gorsuch Farmhouse site—American headquarters prior to the Battle of North Point		Baltimore Co., MD		✓	private			
Hampstead Hill/Rodgers Bastion—line of earthworks erected to defend Baltimore		Baltimore City, MD		✓	public	✓		
Methodist Meeting House—site of British encampment		Baltimore Co., MD		✓	private			
North Point Landing site—where British navy landed in Baltimore		Baltimore Co., MD		✓	public	✓	✓	
Ridgely House site—American lookout station		Baltimore Co., MD		✓	public			



RESOURCE NAME & SIGNIFICANCE		LOCATION	Currently Protected	Interpretation Potential	Public or Private Ownership	Public Access	Public Facilities (restrooms, parking, etc.)	NPS site, NHL, National Register
Shaw House site—Major General Ross conducted a meeting here		Baltimore Co., MD		✓	public			
Sterret House—British encampment		Baltimore Co., MD		✓	private			
Todd's Inheritance—house used as an American signal station, burned by the British		Baltimore Co., MD	✓	✓	private	✓		NR
THE APPROACH UP THE PATAPSCO & DEFENSE OF FORT MCHENRY								
Battle Monument—first substantial war memorial built in U.S., 1815–1822		Baltimore City, MD	✓	✓	public	✓	✓	NR
Circular Battery (Leone Riverside Park)		Baltimore City, MD	✓	✓	public	✓		
Federal Hill—site of American battery and signal station		Baltimore City, MD	✓	✓	public	✓		
Fells Point—shipyards where "Baltimore Clippers" were built		Baltimore City, MD		✓	public/private	✓	✓	
Ferry Branch—site where ships were sunk to block British naval access		Baltimore City, MD			public	✓		
Ferry Point Redoubt Site—site of small redoubt		Baltimore City, MD		✓	private			
Fort Babcock site—6-gun battery near Fort McHenry		Baltimore City, MD		✓	private			
Fort Covington site—earthen-walled battery on west flank of Fort McHenry		Baltimore City, MD		✓	private			
Fort McHenry National Monument and Historic Shrine—star-shaped fort that was the location of primary defense of Baltimore		Baltimore City, MD	✓	✓	public	✓	✓	NHL, NPS site
Fort Wood—site of American battery overlooking Fort McHenry		Baltimore City, MD		✓	public	✓		
Francis Scott Key Monument—"Orpheus" at Fort McHenry		Baltimore City, MD	✓	✓	public	✓		
Lazaretto Battery—site where flotillas were based		Baltimore City, MD			private			
Maryland Historical Society—museum with War of 1812 room where original Francis Scott Key poem is housed		Baltimore City, MD	✓	✓	public/private	✓	✓	
Star-Spangled Banner Flag House and 1812 Museum—1793 house where Mary Pickersgill made the Star-Spangled Banner		Baltimore City, MD	✓	✓	public/private	✓	✓	

## APPENDIX F: WAR OF 1812 ARTIFACTS LOCATED IN MARYLAND OR ARTIFACTS RELATED TO MARYLAND LOCATED IN NON-MARYLAND REPOSITORIES

From the Maryland War of 1812 sites inventory, by Ralph Eshelman, Ph.D., and the American Battlefield Protection Program

### PUBLIC INSTITUTIONS

Calvert Marine Museum (Solomons, Calvert County) - Approximately 100 artifacts recovered from a vessel of the United States Chesapeake Flotilla, possibly the *Scorpion* or *Vigilant*, scuttled in the Patuxent River above the Route 4 bridge in 1814 and recovered in 1980. The artifacts belong to the U.S. Navy and are on loan to the Calvert Marine Museum, Solomons, Maryland. See *War on the Patuxent 1814: A Catalog of Artifacts*, by Fred W. Hopkins, Jr. and Donald G. Shomette (Nautical Archaeological Associates, Incorporated and Calvert Marine Museum, Solomons, Maryland, 1981), 44 p. Artifacts include: surgical implements of various types, pharmaceutical bottles, locks, hinges, apothecary bowls, pestle head, pill tile fragment, Philadelphia war plate, cream ware plate, tin grog cup, fork, stoneware jug, tin-plated box, jar, chamber pot, gunner's pick, swivel gun arm, impacted small shot, musket flint, bayonet frog, carpenter tools, barrel staves, caboose (deck stove), ceramic ink well, shoe fragments, sounding lead, pulley block shell, lantern, candle holder, 1803 large cent, button, munitions box, oarsman bench, companion ladder, fragments of wood, and fasteners.

In collections are also a War of 1812 boarding pike (no provenance); iron pike head said to be recovered at North Point (on loan); swivel cannon (reputedly from antique shop near Fort Ticonderoga); and cannonball from St. Leonard creek area (410-326-4024).

Cecil County Historical Society (Elkton, Cecil County) - three pound cannonball recovered from the Elk Landing vicinity and 12 pound cannonball without provenance; (410-398-1790).

DAR Museum, Washington D.C. (1776 D Street, NW) - built in 1903, the museum and library are located in the original section of Memorial Constitution Hall; in the collections are the bullet Joshua Barney received during the Battle of Bladensburg (August 24, 1814) and which was extracted from his body after his death, as per his wishes, some four years later (December 1, 1818). The bullet is mounted on a silver pendant which reads "In defending Washington this British bullet terminated the life of Joshua Barney." Also in their collection is belt a buckle, officers epaulets, ring, and miniature portrait of Commodore Barney.

Flag House and War of 1812 Museum (Baltimore City) - souvenir cuttings from the Star-Spangled Banner, two drums used during the Battle for Baltimore, once owned by Harry Lightner McCulloh; the smaller one belonged to his grandfather Henry Lightner who was a 12 year old drummer at North Point. The larger drum was used by the Old Defenders group. McCulloh owned these in 1959 before donating them to the Flag House. Also is the flag carried by William Batchelor at the Battle of North Point (September 12, 1814). John Kirby the original flag-bearer was wounded and William picked up the colors. For the remainder of his life he carried the flag in the Old Defenders' Association. This museum also has other objects related to the battle.

Fort McHenry National Monument and Historic Shrine (Baltimore City) - British bomb - two are on display; one in the visitor center and a second in one of barracks in the fort. The following plaque text is found with the later bomb: FIRED BY THE BRITISH NAVAL FORCES/ DURING THE BOMBARDMENT OF THIS FORT/ SEPT.13-14, 1814/ WHEN BY THE LIGHT OF "BOMBS BURSTING IN AIR"/ THE NATIONAL ANTHEM - THE STAR SPANGLED BANNER/HAD ITS BIRTH. Three cannon near the powder house are said to have been used to defend Baltimore in the War of 1812; one bears the seal of King George III of England. The remains of the 1814 flag staff foundation cross-tree is on display. Congreve rocket shell reputedly used by British during an attack on the farm at Worton Creek (off Chesapeake Bay, Kent County). Also have epaulette and beaver shako worn by Ensign John Reese, 5th Maryland Infantry Regiment, worn at Battle of North Point; U.S. dragoon helmet of black leather with pewter front plate.

Jefferson Patterson Park & Museum, Maryland Archeological Conservation Laboratory (St. Leonard, Calvert County)

St. Leonard Creek gun boat artifacts: musket balls, buttons

seven musket shot from the North Point Trappe Road site (18BA456, Mars Supermarket site) and 18 (seven recovered by archeological survey and 11 from a collector) musket shot from the North Point Meeting House site; plus two possible circa 1812 brass buttons and a pen knife from the Trappe Road site (these collections may be located with Baltimore County Historical Trust).

Plain button and possible ax head from Fort Stoakes; donated by land owner.

12 pound cannon ball, possibly War of 1812 but could be Civil War; donated by Bill Kennon in Patuxent River, donated to Charles County Historical Society and then to State of Maryland

Maryland Historical Society (Baltimore City)

Original draft of Francis Scott Key's poem (probably the version written September 15, 1814).

Japanned tin cup etched with the names of Armistead, Bunbury, Cohen and others who had survived the bombardment of Fort McHenry.

John O'Neill's presentation sword and Matilda's O'Neill's snuff box reputedly given by Admiral Cockburn.

Portrait of Colonel George Armistead (CA 684) painted by the celebrated Rembrandt Peale under commission of the City of Baltimore in 1816.

Portrait of Major General Samuel Smith (CA 681) painted by the celebrated Rembrandt Peale under commission of the City of Baltimore in 1816.

Gen. Samuel Smith (1846.3.2).

Portrait of Brigadier General John Sticker (CA 683) painted by the celebrated Rembrandt Peale under commission of the City of Baltimore in 1816.

Gen. John Sticker (1852.2.1).

Portrait of General Andrew Jackson (CA 679) painted by the celebrated Rembrandt Peale under commission of the City of Baltimore in 1816.

Portrait of Commodore Joshua Barney (CA 682) painted by the celebrated Rembrandt Peale under commission of the City of Baltimore in 1816.

Portrait of Major Edward Johnson (CA 685) painted by the celebrated Rembrandt Peale under commission of the City of Baltimore in 1816.

General Winder, sculpture (1878.4).

"By Dawn's Early Light" (CA 652) by Percy Moran.

Painting "Battle of North Point Near Baltimore" by Thomas Ruckle 1814 (39.11.1).

"Bombardment of Ft. McHenry" painting by Alfred Jacob Miller (01.03).

"Assembling the Troops, September 12, 1814" or "Defense of Baltimore" by Thomas Ruckle (1879.2.1).

Portrait of William Stone (participated in defense of Baltimore) portrait by Charles Willson Peale (located in Early Maryland Life 1634-1800).

Watercolor of "Death of Ross near Baltimore" (65.73).

Silhouette of George Ross by M.A. Honewe (80.29).

Oil on paper, Adam Ross (80.29).

Oil on paper Mr and Mrs. Henry Ross Weaver (80.29).

George Roberts, albumen print and lithograph, served aboard Chausser with Capt. Thomas Boyle.

Watercolor, Col. Jacob Hindman (xx.1.6).

Watercolor of Francis Scott Key by deValle (36.17.1).

Miniature portrait of Commodore Joshua Barney, by Bauzil (20.31.1).

J. Hopper Nicholson by St. Memin (xx.120).

Wax relief of Joseph Camp by Rauschner (14.1.1).

Thomas Post oil (40.20.1).

Christopher Hughes (1850.1.1).

Isaac McKim oil (41.10.1).

Mendes Israel Cohen (1796-1879) oil (47.22.2) prominent Baltimorean who was a War of 1812 veteran..

William Pinckney oil (56.75.1).

William Pechin oil (66.72.1).

Robert G. Harper (27.28.1)(29.17.1)(26.8.2)(1885.1.1).

Col. George Armistead oil (36.16.1).

Max. Godefroy oil (36.16.1).

Commodore O.H. Perry oil (39.7.1)(1857.2.1).

Maj. James Ferguson oil (14.2.1).

Capt. Henry Myers (14.3.1).

Samuel Etting (18.6.39).

Gen. Sheppard Church Leakin (23.17.27).

Michael Warner (25.28.3).

John Spear Smith (1893.2.1).

Privateer capturing Merchant Star (09.2.1).

Belt buckle Baltimore Volunteer Guards, 39th Maryland Regular (50.108.6).

Sword and scabbard of Lieutenant John Webster (12.3.1)

Belt worn by Joshua Barney.

Canteen from Battle of North Point.

Silver plume socket cockade medallion worn by Fells Point Light Dragoon (H.B. loan).

Samuel Etting mug (1895.1.1) and fork (1895.1.2) used at Fort McHenry.

Pin with ribbon denoting biennial Congress of the Society of the War of 1812, September 14, 1814-1914 (former Baltimore City Life Museum)(59.111.26) plus several others (6.86.12).

Banner presented to Defender's Day by Ladies of Baltimore (1886.4.1).

Banner painted on silk, Juvenile Corps of Easton (15.3.1).

Guidon, Caroline Squadron 10th Cavalry (25.14.1).

(2) Officer's Epaulettes (43.54.1)(55.76.2).

Epaulettes, Mendes Cohen, Battle of Fort McHenry (29.15.2).

Chapeau, Mendes Cohen, Battle of Fort McHenry (29.15.3).

Naval officer's sword of Lt. Bullus (Lake Erie) (1892.4.1).

Officer's dirk (61.70.2).

Officer's Uniform Sword Belt fragments (58.93.3).

Naval Officer's Uniform Belt (37.1.1).

Naval Officer's Uniform Coat, Surgeon James M. Taylor (30.7.1).

(3) Officer's Uniform Sash (53.24.1)(55.76.3)(45.66.3).

Officer's Uniform Coat (Roney)(62.90.1).

Infantry cap (23.8.1).

Canteen owned by Shipley Leister, Senior, used at Battle of North Point (51.116.5).

Canteen, wooden (23.8.2).

Cane, made from wood from tree under which Ross was killed (1881.1.1).

Hat shield, painted tin (40.23.1).

Matilda's O'Neill's snuff box reputedly given by Admiral Cockburn

(23) War of 1812 Swords (1886.4.1)(1892.4.1)(1897.3.1)(12.3.1)(23.18.1)(29.15.1)(30.7.4)(30.23.1)(31.4.1 [presentation sword] possibly the one given to John O'Neill)(39.2.1a)(39.4.140)(45.3.1)(45.49.3)(45.49.4)(47.51.2)(48.94.3)(49.100.1)(53.66.13)(56.72.1)(58.44.1)(58.44.2)(67.25.1)(61.70.2). [Note 12.3.1 is a



sword presented by the citizens of Baltimore and inscribed: "Presented by a number of citizens of Baltimore to Lieut. John A. Webster, of the United States Chesapeake flotilla, for his gallant defense of the six-gun battery during the attack on that city by a large British force on the 13th and 14th of September, 1814."]

Rodgers Silver Service (33.34).

Leather sword belt worn by David Thomas, Reg. Vol. Infantry (44.21.8).

Belt Buckle, Rezin Hammond Worthington, Battle of North Point (46.65.2).

Shot belt used at "Homelands" (44.55.27).

Powder horns (49.55.3)(45.103.1).

Powder horn used by Captain John Owings (45.3.2).

Powder flasks (44.55.24)(44.55.25).

Leather hat (23.8.2).

U.S. Flag, 13 star, of Privateer Globe (36.10.1).

Grape shot (45.103.5).

Minnie Ball (45.103.3).

National Museum of American History (Washington, D.C., between Mall and Constitution Avenue) - home of the Star Spangled Banner and other War of 1812 exhibits (visit the military gallery). Also in the collections is a punch bowl in the shape of a 13-inch British mortar, which was presented in 1816 by the Citizens of Baltimore to Colonel George Armistead, commander of Fort McHenry during the British bombardment; in collections (not on display) are "wings" worn by Captain Benjamin Burch, District of Columbia artillery militia.

National Museum of Dentistry (also called the Dr. Samuel D. Harris Museum of Dentistry)(Baltimore City; 31 South Greene Street, at Lombard Street) - on exhibit is a musket ball used to clench between the teeth of soldiers to help them endure the pain during an era before anesthetics. At least 10 different individual tooth marks are present on the musket ball. The ball was recovered from the site of the former Methodist Meeting House in North Point. At the meetinghouse site Dr. James Haines McCulloh, attended to the wounded of both British and American soldiers (September 13, 1814). It is possible he used this ball during his treatment of the wounded.

Princess Anne (Somerset County Free Library, 11767 Beechwood Street) - in the Genealogy Room of the library is a display of Commodore Isaac Hull's clothing. Hull was the commander of the *U.S.S. Constitution*, "Old Ironsides," during the War of 1812. While the display calls the clothing "uniform," it appears to be civilian clothing including pants, shirt and vest, not naval uniform.

St. Clement's Island Potomac River Museum (Colton Point, St. Mary's County) - Coin or token 1 inch in diameter, appears to be copper, on side has what appears to be a seated Britannia with date 1812 below; reverse side appears to be a roman bust with oak leaves around border. The object has a small hole near rim. Bought from eBay - reputedly found during construction at Bladensburg.

U.S. Naval Academy (Annapolis)

Bancroft Hall - here in Memorial Hall hangs the flag "Don't Give Up the Ship" made famous by the mortally wounded captain James Lawrence who exhorted his crew of the *USS Chesapeake* on 10 September 1813. Also in Bancroft Hall are flags taken from British war vessels during the War of 1812 including a pendant from the British frigate *Guerriere*, captured by the *USS frigate Constitution* (19 August 1812); top flag of *HMS Cyane* captured by the *USS frigate Constitution* (February 1813); and an ensign from *HMS Detroit* captured by a squadron

under the command of Oliver Hazard Perry (September 1813).

HMS *Constance* 24 pounder cannon (north side of Bancroft Hall) - captured from the British at the battle of Lake Champlain (11 September 1814). This cannon has a prominent dent on the muzzle from being struck by an American projectile during the battle.

HMS *Cyane* three 32-pounder carronades (one carronade is displayed on the east side of Bancroft Hall and two others on the east side of the Armel-Leftwich Visitor Center just inside visitors entrance, Gate 1) - captured by the USS *Constitution* (20 February 1815).

Plaque for carronade at Bancroft hall text: CARRONADE 32-POUNDERS/ CAPTURED ON THE BRITISH SHIP CYANE, CAPTAIN FALCON BY THE U.S.S. *CONSTITUTION*, CAPTAIN STEWART, FEBRUARY 20 1813.

The Navy Museum (Washington, D.C.) - collections include a powder horn inscribed "Ship Constellation - 44" [number of guns] and dated 1813; 12 pound howitzer cannonball recovered from the Battle of Bladensburg; and a presentation dirk presented to Lieutenant Allen of HMS *Leopard* versus the *Chesapeake* inscribed "Given to Lt. William H. Allan as a token of esteem for his courage & endurance in the action on June 22nd 1807 by the officer of USS *Chesapeake*;" piece of the Frigate *Columbia*; officer's sword from US Chesapeake flotilla; pottery from gunboat; grog cup of African-American cook, Caesar Washington; gunner's pick; sounding lead; surgical scissors and dental tooth key from US Chesapeake flotilla wreck site; and oak tree nail and brass fitting from *Constellation*.

## **PUBLIC HOLDINGS OTHER THAN INSTITUTIONS**

War of 1812 cannonball and rack monument (Baltimore City) - erected in 1863 by Michael Keyer, a successful iron merchant in Baltimore; the monument was knocked down in the 1904 Baltimore fire and re-erected in 1906 (sidewalk at 211 East Redwood St., between Calvert and South Streets). In actuality, this is not a cannonball but a 200-pound cast iron bomb, one of about 2,000 fired on Fort McHenry by the British. Inscription: THIS BOMB WAS FIRED FROM A BRITISH WARSHIP DURING THE BOMBARDMENT OF FORT McHENRY, SEPTEMBER 13 AND 14, 1814 AND FELL INSIDE THE FORT. IT WAS PRESENTED TO MICHAEL KEYSER BY AN OFFICER OF THE FORT.

## **PRIVATE HOLDINGS**

A cannon ball from Fort Stoakes reputedly is located at the Alibi Club, L Street, Washington D.C.

A cannon ball from Chester River, referred to as a "40 pound" "shell" was recovered from a well on Corsica Neck near where Grove Creek empties into the Chester River and which is believed to be from the War of 1812 (Centreville Record, December 15, 1881). The cannonball apparently was still in the well of Capt. J.W. Granville as late as 1881.

Two cannonballs from Bennett property on south side of entrance to St. Leonard Creek, Dr. Charles Bennett, Lusby, MD (410-326-4398).

Caulks Field (also called Battle of Moorefield or Moore's Field)(north side of Old Caulks Field Road, 0.33 mile west of its intersection with Maryland Route 21, Kent County) - grape shot, two buttons, possible kettle fragment, rolled copper fragment; Rich van Stolk, 8488 Rock Hall Road, Chestertown, MD (410-778-5333 or 778-1952).

Cedar Hill (not to be confused with a more popularly known Cedar Hill located near Hunting Creek, Calvert County)(just south of Battle Creek on Patuxent River, Calvert County) - extant house built between 1810 and 1812 located on hill overlooking and about one-quarter of a mile from the Patuxent River. Here on the grounds of the property a four pound cannon ball was recovered; 3 inch diameter in excellent shape - the mold mark is clearly visible. Belongs to Sarah "Josie" Lines, 6300 Quarles Road, Calvert County (410-586-0436).

North Point related artifacts - North Point Batchelor and Mary M. Wille, sister, both of Baltimore, great grand children of William Batchelor, American flag-bearer at the Battle of North Point, have in their possession a packet of bullets, clippings, letters and photographs about the War of 1812 (as of 1951).

Cannonballs (Calvert County) - Parker's Wharf area, Patuxent River, Cassandra Briscoe (410-586-0536) has two cannonballs found in fields near her house here; she claims her Dad who owned the Cage used cannon balls to help weigh down the hogsheads of tobacco when packing them. Presumably they came from the surrounding fields. The whereabouts of them are no longer known.

American Encampment Artifacts from Woodyard and Piscataway sites (Prince George's County) - owns 1812 Maryland Cavalry sword found in barn used for cutting tobacco, poor condition Col. Frank Kubalis, Upper Marlboro Sheriff's Office, 14524 Elm Street, Upper Marlboro, MD (301-952-4837).

Prince George's County document fragments from Mount Lubentia (603 Largo Road [Route 202] west side, between Lubentia Way and Kettering Drive, Prince George's County) - then home of Mr and Mrs. W. Beall Bowie where the records for Prince George's County were temporality stored during the British occupation of Upper Marlboro. The present owner recovered numerous fragments of state documents from the attic during renovation of the house.

Battle of North Point artifacts; Robert Pomp, brother of Fay Short, budget officer, Division of Tourism, 9th Floor, 217 Redwood Street, Baltimore, MD 21202; 410-767-6326, fax 410-333-6643, e-mail fshort@mdbusiness.state.md.us reputedly found "swords" and "medical spoons" at "Todd's Farm" (North Point).

Three pound cannon ball (Kent County) found in Shell Point, Rock Hall area, found by Jeff Toulson, 5874 Cottage Ave., Rock Hall, MD 21661 (410-639-7806).

Col. Philip Reed's sword, Jane and Richard Stephens (410-639-7076).

## **WAR OF 1812 CANNONS**

### Annapolis

St. Johns College, cannon located just to northeast of McDowell Hall. Plaque text:

THIS CANNON/ OF THE TYPE USED IN THE/ DEFENSE OF BALTIMORE IN THE/ WAR OF 1812/ PRESENTED TO/ ST. JOHN'S COLLEGE/ THE ALMA MATER OF/ FRANCIS SCOTT KEY/ THROUGH THE PEGGY STEWART/ TEA PARTY CHAPTER, D.A.R./ AND THE/ NATIONAL STAR-SPANGLED BANNER/ CENTENNIAL COMMISSION/ SEPT. 14, 1914.

HMS *Constance* 24 pounder cannon (north side of Bancroft Hall) - captured from the British at the battle of Lake Champlain (September 11, 1814). This cannon has a prominent dent on the muzzle from being struck by an American projectile during the battle.

HMS *Cyane* three 32-pounder carronades (one carronade is displayed on the east side of Bancroft Hall and two others on the east side of the Armel-Leftwich Visitor Center just inside visitors entrance, Gate 1) - captured by the USS Constitution (February 20, 1813).

Plaque for carronade at Bancroft hall text: CARRONADE 32-POUNDERS/ CAPTURED ON THE BRITISH SHIP CYANE, CAPTAIN FALCON BY THE U.S.S. CONSTITUTION, CAPTAIN STEWART, FEBRUARY 20 1813.

Preble Hall U.S. Naval Academy Museum (corner of Maryland Ave. and Decatur Road) - collections include prints, paintings and artifacts (including the bullet that killed Stephen Decatur - see also dueling grounds) relating to naval engagements during the War of 1812.

### Baltimore

Fort Babcock site - plaque inscription: THIS CANNON MARKS THE SITE OF FORT BABCOCK THE SIX-GUN CITY BATTERY COMMANDED BY CAPTAIN JOHN ADAMS WEBSTER AND FORTY-FIVE OF COMMODORE BARNEY'S FLOTILLA, WHO AFTER THEIR VALIANT ENCOUNTER WITH THE BRITISH AT BLADENSBURG, UNITED WITH FORT COVINGTON, A QUARTER OF A MILE WEST OF THIS BATTERY AND COMMANDED BY LIEUTENANT NEWCOMB AND EIGHTY SEAMEN OF COMMODORE RODGERS' FRIGATE THE GUERRIERE" IN THE HEROIC REPULSE OF 1200 OF THE ENEMY WHO ATTEMPTED A LANDING AT THIS POINT ON THE EARLY MORNING OF SEPTEMBER 14, 1814 AFTER THEY HAD PASSED FORT McHENRY TO ATTACK THE CITY AND FORT IN THE REAR. ERECTED BY THE STAR-SPANGLED BANNER CENTENNIAL COMMISSION SEPTEMBER 14, 1914. (Fort Babcock cannons are reputedly mounted at Leone Riverside Park, site of Fort Lookout)

Fort Wood - Inscription on monument missing; it read:

These cannons were used in the defense of Baltimore against the invasion by the British, 1812-1814.

Remounted upon the site of the original battery by the Society of the War of 1812. (guns mounted in park are attributed to be from Fort Babcock and moved at this site in 1906 but the cannon are field cannon and not of the same caliber of those originally mounted at Fort Babcock)

Lazarreto Battery -

Rodgers Bastion Cannon (Patterson Park, next to Pagoda) - marks the spot where Rodgers Bastion was located. Inscription on cannon: 1814-1914/ THIS CANNON MARKS RODGERS BASTION WHICH FORMED PART OF A CHAIN OF FORTIFICATIONS EXTENDING FROM THE RIVER FRONT TO AND BEYOND THE SITE OF THE PRESENT JOHNS HOPKINS HOSPITAL, MANNED IN PART BY AN AUXILIARY NAVAL FORCE, UNDER IMMEDIATE COMMAND OF COMMODORE JOHN RODGERS. THESE, WITH OTHER TROOPS, AMOUNTING IN ALL TO SOME 12000 MEN, WITH 100 GUNS WERE UNDER GENERAL SAMUEL SMITH, COMMANDER-IN-CHIEF OF ALL FORCES IN THE FIELD. ERECTED BY THE NATIONAL STAR-SPANGLED BANNER CENTENNIAL COMMISSION 1914.

War of 1814 Cannons (Patterson Park, next to Pagoda) - reputed original cannons used in defense of Baltimore during the Battle for Baltimore, five mounted and sixth buried in ground with barrel up, erected by the Society of the War of 1812 in 1906 and later refurbished as part of a Boy Scouts of America Eagle Project. In actuality, while these may be field cannon from the war, they are too small to be principal cannon from this battery site.

Blakeford (near Queenstown, Queen Anne's County) - three cannon may remain along the shoreline at Blakeford, site of a battery during the Revolutionary and War of 1812.

Boonsboro (North Main Street, near Church Street, Boonsboro, Washington County) - here is mounted a cannon that reputedly was cast in a local furnace during the War of 1812. For many years public celebrations were held around the cannon.

Brentwood Farm (Brentwood Golf Club, Cecil County)(CE County historic site 69) - site of two cannon reputedly used during the Revolutionary War and used at Frenchtown during the War of 1812. The cannons are stuck in the grounds of the front lawn, one with the barrel up and the second with the barrel down (perhaps symbolic of war and peace)

Cambridge (intersection of Race and Cedar Streets, Dorchester County) - site of where cannon was planted muzzle down in ground with about three feet of its length out of the ground. One tradition holds that the cannon was left by the British at Hooper's Island during the Revolutionary War; a second tradition holds that the cannon was captured from the British at North Point and shipped to Cambridge by a man named Disney. The cannon was said to be about eighteen inches in diameter. There is no cannon at this site today and its location unknown.

Easton American Legion Post # 70 (front grounds of Legion Post, near Tidewater Inn, Dover Street, Talbot County) - site where 18-pounder cannon (carronade) reputedly from Fort Stoakes was mounted until Spring of 2000. Location today is unknown. The cannon is believed to have once been mounted on the courthouse

grounds circa 1940 before being moved to the Legion Post. A second cannon at the Spring Hill Cemetery (Goldsboro and Aurora Streets) is claimed by one account to have been used at Fort Stoakes but the cannon there is of post War of 1812 vintage. [NOTE: this cannon has been moved - apparently to the new Legion Post headquarters but location not known].

Ellicott City (lawn in front of courthouse, Howard County) - site where American forces from Battle of Bladensburg passed on way to defend Baltimore; six pound cannon with British Crown reputedly captured at Battle of Bladensburg by Howard County Militia. Cannon tube is 6'6" overall, below crown is "GR", below that incised in tube is capitol "P", below incised in tube is 12-1-0. The right trunnion has an embossed capital "H" on the end and the left trunnion is blank.

Goucher College (between east side of Hoffberger Science Building and Kraushaar Auditorium of the Rhoda M. Dorsey College Center, Towson, Baltimore County) - A Revolutionary War cannon was once mounted at a nearby armory (just north of Joppa Road) used during the War of 1812. After the armory was abandoned in the 1830s the cannon was brought to Epsom as an ornament. When the house burnt in 1886 the cannon gradually sunk into the ground until unearthed during construction of the Julia Rodgers Library on the Goucher College campus when it was re-mounted in 1953. Plaque text: DURING THE WAR OF 1812 AN ARMORY WAS BUILT NEAR THE INTERSECTION OF DULANEY VALLEY AND JOPPA ROADS. IT WAS SOON ABANDONED IN THE 1830'S. HENRY CHEW BUILT A HOUSE ON THIS SITE AND DECORATED THE LAWN WITH A CANNON FROM THE DESERTED ARMORY. THE HOUSE BURNED DOWN IN 1886 AND WAS NEVER REBUILT. THE CANNON SETTLED INTO THE GROUND WHERE IT REMAINED UNTIL IT WAS UNEARTHED WHEN CONSTRUCTION OF THE JULIA ROGERS LIBRARY BEGAN IN 1951. IT WAS MOUNTED HERE IN 1953. / THE CANNON IS OF A TYPE CAST DURING THE REVOLUTION AND WELL INTO THE 19TH CENTURY. THE DATE AND PLACE OF ITS MANUFACTURE ARE UNKNOWN.

Havre de Grace - Concord Point (Hartford County, Prospect Park, east end of Lafayette Street) - alleged site of Concord Point Battery - Ironically, the monument with a cannon erected in 1914 at Concord Point commemorates John O'Neill who reputedly manned the Potato Battery located elsewhere. Text on John O'Neill Cannon plaque erected by Star-Spangled Banner Centennial Commission in 1914 (Prospect Park, near lighthouse at Concord Point): THIS CANNON OF THE WAR OF 1812 MARKS THE SITE OF THE BATTERY ON CONCORD POINT WHERE 1769 JOHN O'NEILL 1838 SERVED THE GUNS SINGLE HANDED DURING THE BRITISH ATTACK UPON HAVE DE GRACE MAY 3, 1814, UNTIL DISABLED AND CAPTURED. HE WAS RELEASED FROM THE BRITISH FRIGATE MAIDSTONE THROUGH THE INTERCESSION OF HIS YOUNG DAUGHTER MATILDA TO WHOM ADMIRAL COCKBURN GAVE HIS GOLD-MOUNTED SNUFF-BOX IN TOKEN OF HER HEROISM AS A TRIBUTE TO THE GALLANT CONDUCT OF HER FATHER, THE CITIZENS OF PHILADELPHIA PRESENTED TO HIM A HANDSOME SWORD. ERECTED BY THE CITIZENS OF HAVRE DE GRACE AND THE DECEDENTS OF JOHN O'NEILL IN THE YEAR OF THE NATIONAL STAR-SPANGLED BANNER CENTENNIAL 1914.

St. Michaels: (Talbot County)

St. Mary's Square: 6 pounder, bore diameter 3½ inch, poor condition.

Plaque inscription on cannon: THIS CANNON WAS USED AGAINST THE BRITISH IN DEFENSE OF ST. MICHAELS, MD. AUGUST 10, 1813 AND MOUNTED HERE AUG. 11, 1913 BY THE FOLLOWING CENTENNIAL COMMISSION THOS. H. SEWELL CHAS. H. FOGG RICHARD S. DODSON JOHN T. MANSFIELD O. HARPER BENSON FRANK S. OREM T.H.H. BLADES A.C. THOMAS J. SPENCER WILLIS J. EDWARD WATKINS W.D.J. MORRIS GEO. T. GRAHAM TOWN COMMISSIONERS THOS. E. HARRISON SILAS F. LEWIS ERNEST N. BURNS

Church Cove Park: replica 4 pounder cannons (2), bore covered but appear to be 3 inch diameter.

Chesapeake Bay Maritime Museum has a 12 pound cannon (4.6 inch bore) which supposed was dredged up near Fort McHenry in the 1930s and donated to the museum by the Mr and Mrs. Donald Duncan in 1972.

Salisbury (Courthouse Plaza, near intersection of South Division Street and East Main Street, Wicomico County) - Humphry Humphrey's Cannon, believed to date from War of 1812, erected circa 1986; Humphrey's



served as a general in the Maryland Militia. [Note: carriage is rotten and cannon beginning to crush carriage]. Barrel marked "HF."

Taylor's Island (bounded by Chesapeake Bay on west, Little Choptank River on north and Slaughter Creek on east and south, Dorchester County) - site of monument of the famed "Becky Phipps" cannon (captured from the British tender Dauntless stuck in ice near James Island, Tobacco Stick, 7 February 1815)(mounted circa 1950, refurbished 1999). The cannon was fired to celebrate political elections; it exploded during the Woodrow Wilson election. THE BECKY PHIPPS/ THIS CANNON WAS CAPTURED IN 1814 FROM A TENDER OF THE BRITISH SHIP OF WAR "DAUNTLESS." LIEUT. PHIPPS AND CREW OF 17 MEN AND ONE COLORED WOMAN WERE TAKEN PRISONERS AT JAMES POINT BY CAPT. JOSEPH STEWART'S COMPANY OF MILITIA COMPOSED OF MEN FROM TAYLOR'S ISLAND AND TOBACCO STICK. CANNON MOUNTED AND MAKER PLACED BY DORSET CHAPTER D.A.R.

#### **OTHER MARYLAND WAR OF 1812 MISCELLANEOUS**

Maryland Historical Society -

Maryland in the War of 1812 - video - funded by Maryland Humanities Council.

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- No. 32 Historic Military Manuals

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- No. 35 George Armistead Papers
- No. 37 John Stricker Papers
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- No. 44 Star-Spangled Banner - Anthem Project-Smithsonian
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- No. 51 U.S. Chesapeake Flotilla
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## **APPENDIX H: LETTERS FROM FEDERAL, STATE AND LOCAL AGENCIES, AND NON-GOVERNMENTAL ORGANIZATIONS**



## FAIRFAX COUNTY

### DEPARTMENT OF PLANNING AND ZONING

Director's Office  
Suite 755  
12055 Government Center Parkway  
Fairfax, Virginia 22035-5506

Telephone: (703) 324-1325 Fax: (703) 324-392

V I R G I N I A

William Sharp, Project Manager  
NPS Philadelphia Support Office  
200 Chestnut Street  
Philadelphia, Pennsylvania 19106

Dear Mr. Sharp,

Thanks for the opportunity to comment on the *National Historic Trail Feasibility Study and Draft Environmental Impact Statement (DEIS)* for the *Star-Spangled Banner National Historic Trail*. We applaud the work of the National Park Service in evaluating the feasibility and desirability of designating a National Historic Trail (NHT) to commemorate the Chesapeake Campaign of the War of 1812, which includes the British invasion of Maryland, the Battle of Bladensburg, the burning of the White House and the Capitol, and the Battle for Baltimore in the summer of 1814.

Of the eight potential trail segments studied, it appears that only two involve sites in Fairfax County. One of the segments, called the "Flight of the Madisons" traces the routes that President James Madison and First Lady Dolley Madison used as they escaped Washington, D.C. The other segment called "Rescue of the National Documents" traces the route by which the Declaration of Independence, the Constitution and other important documents were transported out of Washington for safe keeping at a site in Leesburg, V.A. We have limited our comments and review, for the most part, to the sections of the DEIS that deal with these two trail segments.

Although the report does a good job of outlining the three criteria that are to be used when evaluating a NHT it does not, in our opinion, provide much insight as to why the study team judged the trail segments studied as either meeting or not meeting the criteria. Specifically, the chart on page 16 indicates that the Flight of the Madisons segment did not meet any of the three criteria and the Rescue of the National Documents segment only met the criteria for integrity of the trail route. The discussion of Criterion 2 National Significance is presented in the context of the entire proposed NHT and includes as an important element the Commemoration of the burning of the White House and Capitol. The flight of President Madison and the First Lady out of Washington and the route to move the national government documents is an important part of

April 14, 2003



this element and are certainly events that are nationally significant with respect to the political history of the United States. The study correctly points out that the Chesapeake Campaign took aim at the seat of the American government and that the destruction of the capital was deeply demoralizing to the nation. How much more demoralized would the nation have been if the President and First Lady had been captured and if national documents like our Declaration of Independence been seized or destroyed by the British? In our opinion, these events are an integral part of the story of the Chesapeake Campaign and are critical to understanding the significance of the events that led to our victory over the British and the events leading up to the writing of the Star-Spangled Banner.

The following is a list of questions, comments, and corrections that have been noted in our review of the DEIS:

- Map 1 Overview: Some sites connected to the flight of the Madison's and the rescue of the national documents are shown and some are not.  
Comment: Map needs to be clarified/consistent.
- Figure 1 lists 3-6 September 1814: White House skirmish, Fairfax County.  
Comment: There is no other reference/information in text on this skirmish, where was it?
- Page 27: Rokeby Farm.  
Comment: Rokeby Farm is in Fairfax County and not Arlington as referenced in the last paragraph.
- Page 29: References to President Madison.  
Comment: Discussion refers to President Madison (and Dolley Madison) using only their first name which may be too informal for this type of report.
- Page 30: Wiley's Tavern site.  
Comment: Wiley's Tavern site is not within Colvin Run Park, it was at Difficult Run in Great Falls.
- Page 31: Pimmit Run Mill site.

Comment: Recent Washington Post article, September 29, 2002, indicates that work may be done on the site--it also goes into more detail on the site than the DEIS. It appears that site may be more assessable in the future--this may be worth the NPS exploring. (Excerpt of

article attached)


- Appendix E Trail-Related Resources. If the locations shown in this appendix are meant to reference current jurisdictional boundaries as opposed to those that existed in 1814 then there are several corrections that should be made. On page E-2 Old Town Alexandria is in the City of Alexandria and not in Fairfax County and on page E-5 Falls Church is in the City of Falls Church and not in Fairfax County. On page E-6, we believe that the site of Wren's Tavern may also be in the City of Falls Church.
- Appendix E Trail-Related Resources. On page E-5 under the heading "Currently Protected" Salona is indicated as not being protected. Please note that in 1971, the DuVal Family, owners of Salona, granted permanent historic and scenic easements to Fairfax County to protect in perpetuity the mansion known as Salona and portions of its grounds.

In conclusion, we note that the while there appears to have been significant public outreach during this study it is not clear how much, if any, was directed towards citizens and localities in Virginia. For example, the Local Historian's Roundtable (Appendix C) did not include any historians from Virginia and none of the six public outreach meetings were held in Virginia. If Virginia historians were invited to the roundtable but chose not to participate, this should be noted. In addition, the Study Team identified in Appendix H, includes several representatives from the State of Maryland but none from Virginia. Again, if there is a reason for this it should be noted. Lastly, the Map of the Study Area that is on the project's NPS internet site does not show any of the major events for the proposed trail as being in Virginia and depicts the overall study area with shading that does not include all of the portions of Virginia that were studied. This map could easily mislead someone to conclude that the proposed trail study only included routes and events in Maryland and the District of Columbia.

We would recommend that before the Final EIS is prepared that additional analysis and information be presented as to the findings regarding the trail segments depicting the Flight of the Madisons and the Rescue of National Documents. Ideally this information would be presented as part of an additional public outreach meeting involving Virginia localities, historians and interested citizens. Our office would be more than willing to assist in such a meeting. The Fairfax County History Commission could also assist in this effort.

We commend the National Park Service for their efforts and support the effort to fully document the events associated with the Chesapeake Campaign and the designation of a National Historic Trail. Please note that these comments reflect the views of the Department of Planning and Zoning and do not necessarily represent the views of the Fairfax County Board of Supervisors. We have provided a copy of the DEIS to the Fairfax County Park Authority, and Park Authority staff may provide comment as well. If you have any questions regarding these comments please contact Fred Selden, Planning Division Director or Linda Blank, Sr. Historic Preservation Planner. They can both be reached at (703) 324-1210.

Thank you for your attention.

Sincerely,  
  
James P. Zook  
Director  
JPZ/FRS

cc:

Board of Supervisors  
Fairfax County History Commission  
Charles H. Ellis, III, Virginia Department of Environmental Quality  
Anthony H. Griffin, County Executive  
Robert A. Stalzer, Deputy County Executive  
Fred R. Selden, Director, Planning Division, DPZ  
Linda Cornish Blank, Senior Historic Preservation Planner, DPZ



Robert L. Ehrlich, Jr.  
Governor

Michael S. Steele  
Lt. Governor

**Maryland Department of Natural Resources**

Taves State Office Building

580 Taylor Avenue  
Annapolis, Maryland 21401

C. Ronald Franks  
Secretary

W. P. Jensen  
Deputy Secretary

March 31, 2003

William Sharp, Project Manager  
U.S. Department of the Interior, National Park Service  
U.S. Custom House - 3rd Floor  
200 Chestnut Street, Philadelphia, PA 19106

RE: Star Spangled Banner National Historic Trail - Draft Feasibility Study and Environmental Impact Study (EIS)

Dear Mr. Sharp:

This is in response to your letter, dated February 14, 2003, requesting comments concerning the Draft Star Spangled Banner National Historic Trail - Feasibility Study and EIS. The Environmental Review Unit of the Department of Natural Resources (DNR) has coordinated a Department-wide review of this document. The document presents five alternative management and program partnerships for historic sites related to the War of 1812. Some of these sites, such as North Point State Park, are managed by DNR. The Department supports Alternative B "...joint partnership between federal, state, local governments, a dedicated trail organization, and site managers..." Alternative B is identified as the National Park Service preferred alternative. For further program coordination, please contact Bob Beckett, Chief, Resources Management, Public Lands, Maryland Department of Natural Resources, 580 Taylor Avenue, Annapolis, Maryland 21401 (410-260-8182).

Since the information provided in the Draft EIS does not include a detailed map or development plan that depicts the location of the proposed trail system, the Department has no specific comments concerning environmental impacts or program consistency at this time. However, as detailed information becomes available, the proposal should be provided to the Environmental Review Unit, Wildlife and Heritage Program and the Critical Area Commission.

TTY via Maryland Relay: 711 (within MD) (800) 735-2258 (Out of State)  
Toll Free in MD: 1-877-620-SDNR ext. \_\_\_\_\_

William Sharp  
March 31, 2003  
Page 2

The following contacts are provided for review coordination of specific development projects:

Lori Blyne, Wildlife and Heritage Program  
Maryland Department of Natural Resources  
580 Taylor Avenue, Annapolis, Maryland 21401  
(410-260-8573)

Julie LaBranch, Natural Resources Planner  
State of Maryland, Critical Area Commission  
1804 West Street, Suite 100  
Annapolis Maryland 21401  
(410- 260-3460)

Thank you for the opportunity to comment on this National Park Service project. If you have any further questions about the review of this document, please contact Kate Meade of my staff at 410-260-8336.

Sincerely,

*Ray C. Dintaman, Jr.*  
Ray C. Dintaman, Jr., Director  
Environmental Review Unit

RCD:CDM





DEPARTMENT OF THE NAVY  
NAVAL HISTORICAL CENTER  
805 KIDDER BREESE STREET SE  
WASHINGTON NAVY YARD DC 20374-5060

IN REPLY REFER TO

5 March 2003

From: Christine F. Hughes (202-433-7158; christine.hughes@navy.mil)  
To: William Sharp  
Subject: STAR-SPANGLED BANNER NATIONAL HISTORIC TRAIL REPORT

Enclosed is a list of corrections or additions that the Naval Historical Center would like you to address in finalizing the Star-Spangled Banner National Historic Trail Report. Please contact me or Dr. Edward Furgol of the Navy Museum (202-433-6901; edward.furgol@navy.mil) if you have any questions. I have also e-mailed you a copy of our findings.



OFFICE OF THE CITY MANAGER  
301 King Street, Suite 3500  
Alexandria, Virginia 22314-3211

Philip Sunderland  
City Manager

(703) 838-4300  
Fax: (703) 838-6343

April 14, 2003

Charlie Ellis  
Department of Environmental Quality  
Office of Environmental Impact Review  
629 East Main Street, 6th Floor  
Richmond, VA 23219

Dear Mr. Ellis,

I thank you for your recent request for comments regarding the National Park Service Draft EIS and Feasibility Study: Star-Spangled Banner National Historic Trail (DEQ-03-032F).

I understand that the National Park Service is preparing materials to designate the routes used by the British and Americans during the 1814 Chesapeake Campaign of the War of 1812 as a National Historic Trail. Our staff have participated in planning meetings with the National Park Service relating to this project. We support the designation of the routes used by the British and Americans during the Chesapeake Campaign as a National Historic Trail. In 1814 Alexandrians, having no militia and no forces to bear, surrendered to the British. In fact, the War of 1812, is not well understood by many and the designation of a National Historic Trail will add immeasurably to our knowledge of this important period of our national history.

We have no further comments on the DEIS.

Sincerely yours,

Philip Sunderland  
City Manager

Star-Spangled Banner National Historic Trail Report January 2003  
Naval Historical Center Comments

- i. Naval Historical Center supports Alternative B
- ii. 2<sup>nd</sup> paragraph, 1.4 add, "navy yard"
- vii. last par. 1.12, comma after NMHS
- p. 4, 2<sup>nd</sup> paragraph, 1.4, change "fared better" to "gained victories"
- p. 5, 2<sup>nd</sup> paragraph, 1.5, add "navy yard"
- p. 7, 5<sup>th</sup> paragraph, 1.3, Cockburn was not knighted until 1815, therefore he was not "Sir" in 1814
- p. 8, 6<sup>th</sup> paragraph, 1.3, change to "fired in disorder, except the Sailors and Marines"
- p. 8, 6<sup>th</sup> paragraph, 1.5, add "navy yard"
- p. 9, 6<sup>th</sup> paragraph, 1.3, delete "the"
- p. 11, 1<sup>st</sup> paragraph, 1.5, delete "the team"
- p. 15, 1<sup>st</sup> paragraph, 1.4, "and some later established the colony of Sierra Leone."
- p. 20, 6<sup>th</sup> paragraph, 1.5, add "The British landed at the confluence of Bodkin Creek and the Patuxent River on 24 August, and burned the privateer *Lion*."
- p. 22. According NPS National Historic Landmark website the Washington Navy Yard is a NHL (number 73002124 as of 11 May 1976). It served as the supply base for the US Chesapeake Flotilla, and was burned by both American and British forces on 24-25 August.
- p. 23 after Welby attack add archaeological site of the Baltimore privateer *Lion* at the confluence of Bodkin Creek and Patuxent River
- p. 24, Poole's Island - site of sinking of tender from the frigate HMS *Menelaus* on its return from sounding waters off North Point for potential landing site on 24 August
- p. 24, last paragraph, add "entered the navy yard and burned buildings there."
- p. 31, last paragraph, 1.3, should be "others" not other
- p. 35, 4<sup>th</sup> paragraph, 1.3, 1 and 7, and 10<sup>th</sup> paragraph, 1.1 "Rodgers" not "Rodger's"
- p. 36, 2<sup>nd</sup> paragraph, 1.3 change to "fleet" not "naval fleet"
- p. 36, 2<sup>nd</sup> paragraph, 1.6, change "overtake" to "overwhelm"
- p. 40, no. 42, change from "US Navy Yard" to "Washington Navy Yard". If the former is used, it should be "US Navy Yard Washington"
- p. 40, no. 52, drop "s" from "Institutions"
- p. 40, no. 74, "Rodgers" not "Rodger's"
- p. 43, 4<sup>th</sup> paragraph, last line, change "document" to "documents"
- p. 56, list: change "an" to "and"
- p. 57, "The Navy Museum" not "Navy Yard Museum"
- p. 58, 1<sup>st</sup> paragraph, 1.9, should be five resources - as Washington Navy Yard is NHL 73002124 (as of 11 May 1976)
- p. 58, 3<sup>rd</sup> paragraph, 1.6, "and Naval Historical Center, Department of the Navy, maintains a bibliography, copies of naval documents, artifacts and images of the war"
- Appendix E, E-2, Add sites of loss of privateer *Lion* and tender from HMS *Menelaus* to Potomac and Chesapeake Bay ferries
- Appendix E, E-2, for Fort Washington Park, should be 1814 not 1809
- Appendix E, E-4, Quarters B as other sites in the Washington Navy Yard has Public Facilities

- Appendix E, E-4, Sewall-Beimont House, shouldn't it be "burned by the British"
- Appendix E, E-5, Washington Navy Yard burned by the Americans and British; also according NPS website WNY is NHL 73002124
- Appendix E, E-5 and elsewhere, Dunbarton House is usually spelt Dunbarton
- Appendix E, E-7, add Circular Battery/Fort Lookout/Leone Riverside Park (from p. 36)
- Appendix E, E-7, Maryland Historical Society, change "were" to "where"
- Appendix F, F-1, 1<sup>st</sup> paragraph, 1.3, reword sentence: "The artifacts are belonged by the U.S. Navy..."
- Appendix F, F-1, last paragraph, 1.2, change "plague" to "plaque"
- Appendix F, F-1, last paragraph, 1.8, change "his" with "the"
- Appendix F, F-2, 5<sup>th</sup> paragraph, change "Keys" to "Keys's"
- Appendix F, F-5, F-6, F-7, HMS *Cyane* was captured on 20 February 1815
- Appendix F, F-6, "Washington Navy Museum" should be "The Navy Museum"
- Appendix F, F-6, delete Freeman painting of Second Battle of St. Leonard's Creek from "Washington Navy Museum" (sic) list, it is owned privately. Add piece of the frigate *Columbia* (not on display), and (on display) officer's sword from US Chesapeake Flotilla, pottery from gunboat, grog cup of African-American cook Caesar Washington, gunner's pick, sounding lead, surgical scissors and dental tooth key from US Chesapeake Flotilla wreck site, and oak tree nail and brass fitting from *Constellation*. NB all finds from the US Chesapeake Flotilla are the property of the US Navy regardless of their location.
- Appendix F, F-8, 1<sup>st</sup> paragraph, 1.5, change "Rodger's" to "Rodgers's"
- Appendix G, G-1, 7<sup>th</sup> entry, change "Bolster" to "Bolster"
- Appendix G, G-1, Add Dudley, William S., ed. *The Naval War of the War of 1812: A Documentary History*. 3 vols. to date (Washington, D.C.: Government Printing Office, 1985-

Edward M. Furgol  
13 February 2003

Christine F. Hughes  
28 February 2003



# COMMONWEALTH OF VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

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W. Tayloe Murphy, Jr.  
Secretary of Natural Resources

Mr. William Sharp  
Community Planner  
National Park Service,  
U.S. Custom House, 3<sup>rd</sup> Floor  
200 Chestnut Street  
Philadelphia, Pennsylvania 19106

RE: Draft Star-Spangled Banner National Historic Trail Feasibility Study and  
Environmental Impact Statement  
DEQ-03-032F

Dear Mr. Sharp:

The Commonwealth of Virginia has completed its review of the above-referenced document (hereinafter "Draft Study/EIS"). The Department of Environmental Quality is responsible for coordinating Virginia's review of federal environmental documents and responding to appropriate federal officials on behalf of the Commonwealth. The following agencies, planning district commissions, and localities participated in this review:

Department of Environmental Quality (hereinafter "DEQ")  
Department of Agriculture and Consumer Services  
Department of Transportation  
Department of Forestry  
Chesapeake Bay Local Assistance Department  
Northern Virginia Regional Commission  
Northern Neck Planning District Commission  
Arlington County  
Loudoun County  
Fairfax County  
Prince William County  
Westmoreland County  
City of Alexandria

Mr. William Sharp  
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In addition, the following agencies, planning district commission, and localities were invited to comment:

Department of Game and Inland Fisheries  
Department of Conservation and Recreation  
Department of Historic Resources  
RADC Planning District Commission  
City of Fairfax  
King George County  
Stafford County

## Project Description

The National Park Service is evaluating the feasibility and desirability of designating routes used by the British and American forces during the 1814 Chesapeake campaign, during the War of 1812, as National Historic Trails. Eight potential land and water trail segments in Virginia, Maryland, and the District of Columbia trace the routes taken by these forces and the battles that inspired the writing of the "Star-Spangled Banner" (Draft Study/EIS, page 1). The document includes narrative and maps as well as environmental analysis, and considers four management alternatives (pages 46-50):

- "No action." This would continue present management of the areas in question.
- "National Historic Trail Designation with Partnerships" (preferred alternative). This involves federal, state, and local entities in a partnership with a dedicated trail organization to maintain a federally-designated commemorative trail under a framework allowing resource conservation, interpretation, and visitor experiences.
- "National Historic Trail Designation (Federal Acquisition)." This alternative is similar to Alternative B, but calls for federal management of all aspects of the trail, including acquisition of properties where appropriate.
- "Star-Spangled Banner State Trail Designation." This alternative would involve designation of trails by Virginia, Maryland, and the District of Columbia while limiting the Park Service role to existing park units associated with the trail.
- "Star-Spangled Banner National Heritage Area Designation." This alternative is like Alternative B, except that it would involve designation of a National Heritage Area. Such areas, designated by Congress, are affiliated with the Park Service but owned and managed by state, local, or private entities.



#### Environmental Impacts and Mitigation

Many reviewing agencies' comments offered guidance on precautions to take and procedures to follow in the event new construction or alteration of existing landscapes will be associated with the designation of historic routes.

1. *Natural Heritage and Wildlife Resources.* A limited number of plant and insect species, listed as threatened or endangered by federal or state governments, is found in the project area. Surveys and management strategies for endangered and threatened plant and insect species may be required prior to alteration of habitat. The Virginia Department of Agriculture and Consumer Services recommends that the Park Service (or the Fish and Wildlife Service) review and correct, as appropriate the numbers of species listed in the Draft Study/EIS for Maryland, Virginia, and the District of Columbia (page 62).

The Department of Conservation and Recreation maintains a Biological and Conservation Data Base of information concerning natural heritage resources. "Natural heritage resources" are defined as the habitat of rare, threatened, or endangered plant and animal species, unique or exemplary natural communities, and significant geologic formations. In the event of any project development associated with any of the trail segments under study, the Service should contact the Department of Conservation and Recreation's Division of Natural Heritage (Christopher Ludwig, telephone (804) 371-6206) for updated information concerning natural heritage resources.

Under *Virginia Code* Title 29.1, the Department of Game and Inland Fisheries (DGIF) is the primary wildlife and freshwater fish management agency in the Commonwealth. DGIF has full law enforcement and regulatory jurisdiction over all wildlife resources, inclusive of state and federally endangered or threatened species, but excluding listed insects. The agency maintains a comprehensive system of databases of wildlife resources that is available through the Agency's site at [www.dgif.state.va.us](http://www.dgif.state.va.us), in the "Wildlife" section from the link to "Wildlife Information Online." DGIF determines likely impacts on fish and wildlife resources and habitats, and recommends appropriate measures to avoid, reduce or compensate for those impacts. For more information on the Wildlife Information Online Service, the Service may contact DGIF (Kathy Quindlen, telephone (804) 367-9717).

2. *Solid and Hazardous Waste Management.* The Draft Study/EIS did not address solid or hazardous waste issues, or pollution prevention. DEQ's Waste Division did a cursory review of its data files and did not find any contamination sites that might affect or be affected by trail development, designation, or interpretation. With regard to pollution prevention, DEQ's Waste Division recommends that the proponent of any

construction project implement pollution prevention principles, including reducing waste at the source, re-using materials, and recycling waste materials.

3. *Air Quality.* Washington, D.C. and its Virginia and Maryland suburbs are designated as an ozone (O<sub>3</sub>) non-attainment area and an emission control area for the contributors to ozone pollution, which are volatile organic compounds (VOCs) and oxides of nitrogen (NO<sub>x</sub>). This has two practical consequences for any project development. One is that construction project proponents should take all reasonable precautions to limit emissions of VOCs and NO<sub>x</sub>, principally by controlling or limiting the burning of fossil fuels. A second precaution, stemming from 9 VAC 5-40-5490 in the Regulations for the Control and Abatement of Air Pollution, is that there are some limitations on the use of "cut-back" (liquefied asphalt cement, blended with petroleum solvents) that may apply in the construction of trails or paths. The asphalt must be "emulsified" (predominantly cement and water with a small amount of emulsifying agent) except when specified circumstances apply. Moreover, there are time-of-year restrictions on its use during the months of April through October in VOC emission control areas.

DEQ's Office of Air Data Analysis recommends that during construction fugitive dust must be kept to a minimum by using control methods outlined in 9 VAC 5-50-60 et seq. of the Regulations cited above. These precautions include, but are not limited to, the following:

- Use, where possible, of water or chemicals for dust control;
- Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty materials;
- Covering of open equipment for conveying materials; and
- Prompt removal of spilled or tracked dirt or other materials from paved streets and removal of dried sediments resulting from soil erosion.

In addition, if project activities include the burning of construction or demolition material or land-clearing debris, this activity must meet the requirements under 9 VAC 5-40-5600 et seq. for open burning, and it may require a permit. The Regulations provide for, but do not require, the local adoption of a model ordinance concerning open burning. Project proponents in Virginia should contact local officials to determine what local requirements, if any, exist. The model ordinance includes, but is not limited to, the following provisions:

- All reasonable effort shall be made to minimize the amount of material burned, with the number and size of the debris piles;
- The material to be burned shall consist of brush, stumps and similar debris waste and clean burning demolition material;

- The burning shall be at least 500 feet from any occupied building unless the occupants have given prior permission, other than a building located on the property on which the burning is conducted;
- The burning shall be conducted at the greatest distance practicable from highways and air fields;
- The burning shall be attended at all times and conducted to ensure the best possible combustion with a minimum of smoke being produced;
- The burning shall not be allowed to smolder beyond the minimum period of time necessary for the destruction of the materials; and
- The burning shall be conducted only when the prevailing winds are away from any city, town or built-up area.

4. *Water Quality and Wetlands.* In the event trail construction is proposed, an on-site survey should be conducted to determine the presence or absence of wetlands or surface waters. DEQ's Water Permits Support Office encourages the Park Service to avoid surface water and wetland impacts to the greatest extent practicable. Depending on the route of any proposed trail construction, a Virginia Water Protection Permit may be required. However, no Virginia Pollutant Discharge Elimination System (VPDES) permit appears necessary for any trail construction.

5. *Forest and Tree Protection.* According to the Department of Forestry, the construction of trails and related facilities would be unlikely to have a significant effect upon forest resources in Virginia. In order to protect trees in project areas from the effects of any construction activities of this project, the Park Service and other proponents should mark and fence them at least to the dripline or the end of the root system, whichever extends farther from the tree stem. Marking should be done with highly visible ribbon so that equipment operators see the protected areas easily.

Parking and stacking of heavy equipment and construction materials near trees can damage root systems by compacting the soil. Soil compaction, from weight or vibration, affects root growth, water and nutrient uptake, and gas exchange. The protection measures suggested above should be used for parking and stacking as well as for moving of equipment and materials. If parking and stacking are unavoidable, the proponents should use temporary crossing bridges or mats to minimize soil compaction and mechanical injury to plants.

Any stockpiling of soil should take place away from trees. Piling soil at a tree stem can kill the root system of the tree. Soil stockpiles should be covered, as well, to prevent soil erosion and fugitive dust.

Questions on tree protection may be directed to the Department of Forestry (Mike Foreman, telephone (434) 977-6555).

6. *Chesapeake Bay Preservation Areas.* Any land disturbance or development associated with the proposed historic trail must be consistent with the requirements of the Chesapeake Bay Preservation Act (*Virginia Code* sections 10.1-2100 et seq.).

7. *Pollution Prevention.* DEQ advocates that principles of pollution prevention be used in all construction projects as well as in facility operations. Effective siting, planning, and on-site Best Management Practices (BMPs) will help to ensure that environmental impacts from construction projects are minimized. However, pollution prevention techniques also include decisions related to construction materials, design, and operational procedures that will facilitate the reduction of wastes at the source. We have several pollution prevention recommendations that may be helpful in constructing or operating this project:

- Consider development of an Environmental Management System (EMS). An effective EMS will ensure that the proposed facility is committed to minimizing its environmental impacts, setting environmental goals, and achieving improvements in its environmental performance. DEQ offers EMS development assistance and recognizes facilities with effective Environmental Management Systems through its Virginia Environmental Excellence Program.
- Consider environmental attributes when purchasing materials. For example, the extent of recycled material content, toxicity level, and amount of packaging should be considered and can be specified in purchasing contracts.
- Consider contractors' commitments to the environment (such as an EMS) when choosing contractors. Specifications regarding raw materials and construction practices can be included in contract documents and requests for proposals.
- Choose sustainable materials and practices for infrastructure and building construction and design. These could include asphalt and concrete containing recycled materials, and integrated pest management in landscaping, among other things.
- Integrate pollution prevention techniques into facility maintenance and operation, to include the following: inventory control (record-keeping and centralized storage for hazardous materials), product substitution (use of non-toxic cleaners), and source reduction (fixing leaks, energy-efficient HVAC and equipment). Maintenance facilities should be designed with sufficient and suitable space to allow for effective inventory control and preventive maintenance.



DEQ's Office of Pollution Prevention provides free information and technical assistance relating to pollution prevention techniques and EMS. If interested, the Park Service may contact that Office (Tom Griffin, telephone (804) 698-4545).

8. *Transportation.* This project is likely to have minimal impact on road networks. Any construction work conducted near road rights-of-way in Virginia should be coordinated with the appropriate Virginia Department of Transportation resident engineer prior to construction.

#### Planning Assistance

1. *Arlington County.* Arlington County indicated its understanding that the proposed Star-Spangled Banner National Historic Trail would not involve the County in any substantive or designated manner. However, the County recommends that the Park Service mention the County's role in the history of the War of 1812 if it creates literature for tourists on the proposed Trail. According to the County, President Madison and his wife, along with supporters and protectors, fled the British invasion of Washington through what is now Arlington on their way to safety. Based on the present Arlington landscape, however, their escape routes do not lend themselves to suitable marking. President Madison's escape route by way of the Chain Bridge and along the Potomac Palisades is now on private property. The route of Dolly Madison's flight over the Long Bridge and out Columbia Pike has changed radically since 1814.

2. *Fairfax County.* Fairfax County's Department of Planning and Zoning (DPZ) offered comments on the two potential trail segments which appear to involve sites in that County; these include the "Flight of the Madisons" and "Rescue of the National Documents." Selected comments of the County DPZ are reflected here; see the County DPZ's attached comments (letter dated April 14, 2003) for additional information. The County DPZ indicated, however, that it supports the effort by the Service to fully document the events associated with the Chesapeake Campaign and the designation of a National Historic Trail.

(a) *Judgments on Meeting National Historic Trail Criteria.* The Fairfax County DPZ questions the Service's determination that the "Flight of the Madisons" trail segment did not meet any of the three listed criteria to qualify as a National Historic Trail (Draft Study/EIS, page 16, Figure 3; see also discussion on page 11). According to the County DPZ, the flight of President and Mrs. Madison from Washington, and the route by which national documents were moved to Leesburg where they were kept, are events of national significance that warrant commemoration. Both events are critical to understanding the significance of the events leading to the writing of the Star-Spangled Banner and the victory over the British.

(b) *Errors and Corrections and Virginia Coverage.* Based on the listing of questions, comments, and corrections provided by the County DPZ, it appears to the DPZ that the Virginia connection to the events of the War of 1812 was insufficiently explored. For example, the overview map, Map 1, shows some sites and fails to show others that are connected to the flight of the Madisons and the rescue of the national documents. Two places -- Rokeby Farm and Wiley's Tavern -- are misplaced (pages 27 and 30, respectively). The County DPZ indicates, as well, that corrections are in order in Appendix E of the Draft Study/EIS (page 3 of the County letter cited above).

(c) *Additional Analysis of Trail Segments.* Fairfax County's Department of Planning and Zoning would be willing to assist the Service in presenting additional analysis and information to interested parties as pre-requisite to preparation of the Final Study and EIS. See "Regulatory and Coordination Needs," item 4, below.

#### Regulatory and Coordination Needs

As with the discussion of "Environmental Impacts and Mitigation," above, this section addresses permitting and other coordination needs in the event of construction of trails, markers, interpretive areas, or other facilities associated with National Historic Trail designation.

1. *Air Quality Regulation.* The Park Service or other project proponents should contact DEQ's Northern Virginia Regional Office (John Bowden, telephone (703) 583-3880) to obtain information on the applicability of open burning permits.
2. *Water Quality Regulation.* The Park Service or other project proponents should contact DEQ's Northern Virginia Regional Office (John Bowden, telephone (703) 583-3880) to obtain information on the applicability of Virginia Water Protection Permits.
3. *Solid and Hazardous Waste Management.* Any soil suspected of contamination, or wastes that are generated, must be tested and disposed of in accordance with applicable federal, state, and local laws and regulations. These include, but are not limited to, the Virginia Hazardous Waste Management Act (*Virginia Code* sections 10.1-1400 et seq.), the Virginia Hazardous Waste Management Regulations (9 VAC 20-60), and the Virginia Solid Waste Management Regulations (9 VAC 20-80); see the enclosed comments of DEQ's Waste Division for additional details.
4. *Outreach Efforts.* According to the Fairfax County DPZ, the County's Historical Commission could also assist in the effort to hold a public outreach meeting to contribute to the preparation of the Final Study/EIS. Questions in regard to this and other matters in the Fairfax County comments may be addressed to the County's DPZ.

Mr. William Sharp  
Page 9

(Fred Seiden, planning division or Linda Blank, historic preservation division (telephone (703) 324-1210).

Thank you for the opportunity to review this document.

Sincerely,



Ellie L. Irons  
Program Manager  
Office of Environmental Impact Review

Enclosures

cc: Brian D. Moyer, DGIF  
Keith R. Tignor, DACS  
Derral Jones, DCR  
Thomas D. Modena, DEQ-Waste  
Kotur S. Narasimhan, DEQ-Air  
Martin G. Ferguson, DEQ-Water  
John D. Bowden, DEQ-NVRO  
David V. Grimes, VDOT  
Ethel R. Eaton, DHR  
J. Michael Foreman, DOF  
Catherine M. Harold, CBLAD  
Katherine K. Mull, NVRC  
Ron Carlee, Arlington County  
Cynthia Liccese-Torres, Arlington County  
Robert W. Wilson, Prince William County  
Fred R. Selden, Fairfax County  
Dennis Kerns, King George County  
Barbara Thompson, Westmoreland County  
Marie Genovese, Loudoun County  
Jerry W. Davis, AICP, Northern Neck PDC  
C. M. Williams, Jr., Stafford County  
Jean Fedarico, City of Alexandria



COMMONWEALTH OF VIRGINIA  
Marine Resources Commission

W. Tayloe Murphy, Jr.  
Secretary of Natural Resources

William A. Pruitt  
Commissioner

2600 Washington Avenue

Third Floor

Newport News, Virginia 23607

March 28, 2003

Mr. William Sharp  
National Park Service  
Philadelphia Support Office  
U. S. Custom House- 3rd Floor  
200 Chestnut Ave.  
Philadelphia, PA 19106

RE: Draft Star-Spangled Banner National  
Historic Trail Feasibility Study and  
Environmental Impact Statement

Dear Mr. Sharp:

This is in response to your letter dated February 14, 2003, requesting comments on a the  
above-referenced project.

The Virginia Marine Resources Commission, pursuant to Title 28.2 of the Code of  
Virginia, is responsible for protecting and preserving the marine fisheries, submerged lands, and  
tidal wetlands throughout the Commonwealth. The Commission issues permits for  
encroachment over these State-owned submerged lands (generally streams with a mean annual  
flow rate in excess of 5 cubic feet per second and a drainage area that exceeds 5 sq. miles).

In addition, this agency oversees the regulatory authority granted to localities which  
govern activities in the tidal wetlands adjacent to these submerged lands. Therefore, any activity  
resulting in encroachment upon or disturbance to these areas would require the submittal of a  
completed Joint Permit Application (JPA). This application would then be reviewed by all  
appropriate local, state, and federal agencies for action they deem appropriate.

Please be advised that you should coordinate with county and federal regulatory agencies  
to determine whether or not your proposal requires other permits.

An Agency of the Natural Resources Secretariat  
Telephone (757) 247-2200 (757) 247-2292 VTDD Information and Emergency Hotline 1-800-541-4646 VTDD

Mr. William Sharp  
Page 2

March 28, 2003

I trust that this information has been helpful. Should you need any further assistance please do not hesitate to call me at (757) 247-8063.

Sincerely,



Mark C. Eversole  
Environmental Engineer

MCE/bac  
HM







