

# Virginia's Civil War Landscape at the Sesquicentennial:



**A Symposium on Contemporary  
Battlefield Conservation  
& Management Strategies**

## Program Guide

**April 30 & May 1, 2014**

Virginia Historical Society | Halsey Family Lecture Hall | Richmond, Virginia

The logo for the Department of Historic Resources (DHR), featuring the letters 'DHR' in a large, bold, black serif font.

Department of Historic Resources

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**Please note:**

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# 1. INTRODUCTION & ACKNOWLEDGEMENTS

On behalf of the Virginia Department of Historic Resources, I thank you for making the time to attend *Virginia's Civil War Landscape at the Sesquicentennial: A Symposium on Contemporary Battlefield Conservation & Management Strategies*. This gathering of diverse stakeholders, for the purpose of discussing and critically thinking about the preservation of Virginia's Civil War battlefields, is a testament to the lasting relevance of the American Civil War and importance of battlefield lands as a physical legacy of the conflict. That legacy, as you know, is largely and literally grounded in Virginia and its landscapes, from the mouth of the Chesapeake at Fort Monroe, to the mines of Saltville in the southwest, to the farmlands of the Shenandoah Valley and the hills of the Piedmont from Manassas to Danville.

From many perspectives may arise many lessons. These lessons begin with the ideas and strategies formulated across our diverse community of practitioners who are dedicated to honoring, conserving and managing Virginia's battlefield lands. Differences in understanding and mission among state agencies, battlefield organizations, local governments, and landowners regarding the significance and integrity of battlefield properties can present significant challenges. With increased competition for limited public and philanthropic resources, those endeavoring to preserve Civil War battlefields must agree on the parameters of sound battlefield preservation policy in order to develop an innovative vision for sustained success. So too, the time to act is now. As we approach the end of the sesquicentennial commemoration, battlefield lands are increasingly being lost to, or pressed by ongoing development.



This guidebook outlines the symposium's presentations, which serve as a reference point for the ensuing discussions during each session. It also aims to stimulate further conversations and reading. Working with subject-matter experts from across several disciplines, the Department's goal is to create a platform for developing ideas and sharing strategies that will engage and inspire cooperative partnerships across the community.

For more information on this symposium and the information presented, attendees and readers of this guidebook are encouraged to consult the follow-up report and material which will be made available through the Department of Historic Resources Symposium Proceedings website at: [www.dhr.virginia.gov](http://www.dhr.virginia.gov)



Julie V. Langan  
Director, Virginia Department of Historic Resources

## Sponsors & Partners

This symposium, intended to facilitate dialogue and collaboration among conservation and preservation practitioners throughout Virginia, is made possible thanks to the dedication and commitment of the many individuals and groups working together to support this program.



## 2. SYMPOSIUM AGENDA

### April 30, 2014: Day 1

Halsey Family Lecture Hall, Virginia Historical Society

Moderator:

Dennis E. Frye, Chief Historian and Chief of Interpretation,  
Education & Partnerships, Harpers Ferry National Historical Park,  
National Park Service

#### OPENING REMARKS

**Julie Langan** 9:00 AM - 9:15 AM

**Director, Virginia Department of Historic Resources**  
*The Department of Historic Resources' Role in Civil War  
Battlefield Preservation*

**Paul A. Levengood, Ph. D.** 9:15 AM - 9:30 AM

**President & Chief Executive Officer, Virginia Historical Society**  
*Curating the Civil War's Material Culture: Virginia Historical  
Society's Role in Public History*

#### FORGING EFFECTIVE PUBLIC-PRIVATE PARTNERSHIPS

**O. James Lighthizer** 9:30 AM - 10:00 AM

**President, Civil War Trust**

**Jim Campi**

**Policy and Communications Director, Civil War Trust**  
*Battlefield Preservation: Setting a Policy Agenda for the  
Sesquicentennial and Beyond*

**Kristen McMasters** 10:00 AM - 10:30 AM

**Grants Manager, American Battlefield Protection Program,  
National Park Service**

*The American Battlefield Protection Program: The Nation's  
Battlefield Preservation Clearinghouse*

#### BREAK - 10:30 AM - 10:40 AM

**Zann Nelson** 10:40 AM - 11:10 AM

**President, Friends of Wilderness Battlefield**

*Managing for a Successful Battlefield Preservation Friends  
Group: Lessons Learned from the Friends of Wilderness  
Battlefield*

#### IDENTIFICATION & DOCUMENTATION OF BATTLEFIELD LANDSCAPES

**David Lowe** 11:10 AM - 12:00 PM

**Historian and GIS Specialist, National Park Service**

**Patrick Fly**

**GIS Manager, Frederick County, Virginia**

*Using Geographic Information Systems to Delineate Battlefields  
and Assess Integrity*

**Maureen Joseph** 12:00 PM - 12:30 PM

**Cultural Landscapes Program Manager, National Park Service,  
National Capital Region**

*Farmsteads, Fence Lines, Fields and Forest: Documenting  
Battlefield Landscapes through Cultural Landscape Inventories  
and Reports*

#### LUNCH - 12:30 PM - 1:15 PM

#### LAND USE PLANNING AND ZONING

**Brian Mannix** 1:15 PM - 1:50 PM

**Director, Board of Directors, Buckland Preservation Society**

*Achieving Successful Battlefield Conservation in a Changing  
Landscape: The Challenges of Transportation Planning in  
Northern Virginia*

**Charles R. Johnston** 1:50 PM - 2:25 PM

**Planning Director, City of Fredericksburg & Former Clarke  
County, Virginia Planning Director**

*Effectively Incorporating Battlefield Preservation into County  
and City Comprehensive Plans*

**Grant Dehart** 2:25 PM - 3:05 PM

**Former Director, Maryland Program Open Space**

**Keven Walker**

**Cultural Resources Specialist, Antietam National Battlefield,  
National Park Service**

*An Integrated Landscape Preservation Paradigm: Local, State,  
and Federal Planning and Stewardship Efforts at Antietam  
Battlefield*

#### BREAK - 3:05 PM - 3:15 PM

#### CONSERVATION EASEMENT DESIGN AND STEWARDSHIP

**Wendy Musumeci** 3:15 PM - 4:25 PM

**Easement Program Coordinator, VDHR**

**Elizabeth Tune**

**Director, Division of Preservation Incentives, VDHR**

**Gillian Bearns**

**Easement Program Stewardship Counsel, VDHR**

**Brett Glymph**

**Executive Director, Virginia Outdoors Foundation**

**Patrick Chase Milner**

**Manager of Stewardship, Shenandoah Valley Battlefields  
Foundation**

*Drafting, Stewarding, and Enforcing Multi-Resource Easements*

**Jamie Craig** 4:25 PM - 4:45 PM

**BeechTree Group, LLC**

*A Private Landowner's Perspective on Conservation Easements*

## RECEPTION & KEYNOTE ADDRESS

The American Civil War Center at Historic Tredegar

**James I. "Bud" Robertson, Jr., Ph.D.** 6:00 PM  
Alumni Distinguished Professor Emeritus of History  
Virginia Tech

*Perpetuating Virginia's Civil War Identity: Battlefield  
Preservation and Public Consciousness*



## May 1, 2014: Day 2

Halsey Family Lecture Hall, Virginia Historical Society

Moderator:

Dennis E. Frye, Chief Historian and Chief of Interpretation,  
Education & Partnerships, Harpers Ferry National Historical Park,  
National Park Service

### OPENING REMARKS

**Molly Ward** 8:30 AM - 8:40 AM  
Secretary of Natural Resources, Commonwealth of Virginia

### MANAGEMENT OF ARCHAEOLOGICAL RESOURCES

**Mike Barber, Ph.D., RPA** 8:40 AM - 9:20 AM  
State Archaeologist, VDHR

**Joanna Wilson Green**  
Easement and Stewardship Archaeologist, VDHR  
*Archaeological Stewardship and Responsible Conservation Land  
Management*

**Clarence Geier, Ph.D.** 9:20 AM - 10:00 AM  
Professor Emeritus of Anthropology  
James Madison University

**Joseph F. Balicki**  
Associate Director of Cultural Resources, John Milner Assoc.  
*Archaeological Techniques for Battlefield Landscapes: Theory,  
Practice, and Emerging Technology*

**BREAK - 10:00 AM - 10:15 AM**

## EDUCATION AND INTERPRETATION

**Terry Heder** 10:15 AM - 10:50 AM  
Director of Interpretation and Communications  
Shenandoah Valley Battlefields Foundation  
*Developing and Implementing the Shenandoah Valley  
Battlefields National Historic District Interpretive Plan*

**Rich Gillespie** 10:50 AM - 11:25 AM  
Director of Education, Mosby Heritage Area Association  
*Interpreting Non-conventional Battlefields: Guerrilla Warfare in  
the Northern Piedmont*

**David Dutton** 11:25 AM - 12:00 PM  
Partner, Dutton + Associates, LLC  
**Nicholas Picerno**  
Chairman Emeritus  
Shenandoah Valley Battlefields Foundation  
*Ethical Battlefield Stewardship and the Ingredients of a  
Successful Management Plan: A Case Study of Third Winchester  
Battlefield*

**LUNCH - 12:00 PM - 12:30 PM**

**LOAD TOUR BUS - 12:30 PM - 12:45 PM**

**DEPART FOR SITE VISITS - 12:45 PM**

### SITE VISITS - GLENDALE AND MALVERN HILL BATTLEFIELDS

**David Ruth** 12:45 PM - 3:15 PM  
Superintendent, Richmond National Battlefield Park, National  
Park Service

**Ed Sanders**  
Historian, Richmond National Battlefield Park, National Park  
Service

**Tom Gilmore**  
Director of Real Estate, Civil War Trust

**Kathy Robertson**  
Deputy Director of Real Estate, Civil War Trust  
*The Challenges of Preserving, Managing, and Interpreting Civil  
War Battlefields in the Urban Crescent: Case Studies Profiling the  
Seven Days Battles*

**LOAD TOUR BUS - 3:15 PM - 3:30 PM**

**DEPART FOR VIRGINIA HISTORICAL SOCIETY - 3:30 PM**

**ADJOURN - 4:00 PM**

### 3. PROFILES: SPEAKERS, PANELISTS & SPECIAL GUESTS

Each of the speakers, presenters and guests are highly respected, knowledgeable and recognized in their respective fields. Their time, effort and dedication to this program is sincerely appreciated, and is invaluable to the success of this symposium. Brief profiles of each individual are provided below in alphabetical order.

#### **Joseph Balicki, Associate Director of Cultural Resources, John Milner Associates**

Mr. Balicki received a Masters Degree from The Catholic University of America. He is an expert on the Archeology of Civil War encampment sites; has presented 22 papers at professional conferences covering military camp layout and Civil War sites archeology. He has also contributed seven chapters to publications addressing the archeology of the American Civil War. He has directed several Civil War archeological projects in Virginia, including a survey of over 750 Civil War sites in Fairfax County; documentation of eight earthworks in Leesburg; investigations at Fort C.F. Smith, Arlington County; and investigations at a Confederate cantonment at Marine Base Quantico.

#### **Michael B. Barber, Ph.D., RPA, State Archaeologist, Virginia Department of Historic Resources**

Dr. Barber has served as Virginia State Archaeologist since 2006 with 30 years prior work as an Archaeologist with USDA-Forest Service. He holds a BA from the College of William and Mary (Anthropology) in 1972, an MA from Kent State University (Anthropology) in 1974, and a Ph.D. from University of Virginia (Anthropology) in 2003. His areas of interest include zooarchaeology, lithic analysis, cultural resource management, settlement models, and public outreach focusing on Virginia and Middle Atlantic Region. Barber has presented more than 300 professional papers and has over 100 publications.

#### **Gillian K. Bearns, Counsel for the Easement Program, Virginia Department of Historic Resources**

Ms. Bearns' primary responsibilities are assisting with the drafting and negotiation of new easements and enforcement of the over 570 easements administered by the VDHR. She has a master's in regional planning in addition to her law degree and has worked in both the public and private sectors. Gillian has taught preservation law, served as an advisor for a private land trust and worked on various development and redevelopment projects before state and local boards and commissions on behalf of private and municipal clients. She has also worked as a land use law consultant on several prominent cases in federal courts in Washington, D.C., Colorado, Wisconsin, New York and Maryland.

#### **Jim Campi, Director of Policy and Communications, Civil War Trust**

Mr. Campi is responsible for the organization's government and media relations. He serves as the Civil War Trust's spokesperson with the press as well as its point man with Congress, state legislators, and local elected officials. Prior to joining the Civil War Trust in 2000, Jim served as media director of Citizens Against Government Waste, press secretary for U.S. Congressman George Gekas, and spokesperson for the U.S. House Judiciary Subcommittee on Commercial and Administrative Law. He is also the veteran of more than 60 national, state, and local political campaigns.

#### **Jamie Craig, BeechTree Group, LLC**

Originally from Albemarle County, Virginia, Craig spent more than 25 years developing his financial skills and knowledge through a career that spanned the United States and more than 50 countries. He purchased Beechtree Farm in 2001 with the intention of making it his future home. After discovering the value of conservation easements on his property, he has worked tirelessly with his neighbors to help protect over 3,000 acres of battlefield land. Presently, Craig is working on a dozen projects in partnership with various state and private conservation agencies, representing over 5,000 acres scattered across 10 counties throughout Virginia.

#### **Grant Dehart, Former Director, Maryland Program Open Space**

An architect and planner for more than forty years, Mr. Dehart is a graduate of the University of Nebraska-Lincoln and later the University of Pennsylvania with a Master of Architecture and City Planning. He served as the Director of three of Maryland's four primary land preservation programs: Program Open Space, Rural Legacy Program and Maryland Environmental Trust. An advisor to National Trust for Historic Preservation, author and guest lecturer, Dehart continues to serve the community through non-profit board commitments and consulting.

#### **David Dutton, Partner, Dutton + Associates, LLC**

Mr. Dutton has over 25 years of professional historic preservation experience throughout the East Coast, with a focus on Section 106 coordination and review. He directed the Virginia Department of Historic Resources Division of Project Review where he managed all federal and state environmental reviews, rehabilitation tax credit project certification, historic preservation easements, covenants, and archaeological permits. Prior to his work at the state, Mr. Dutton served as a project review archaeologist for the President's Advisory Council on Historic Preservation. His geographic responsibility was the southeastern United States.

#### **Patrick Fly, Geographic Information Systems Manager, Frederick Co., Virginia**

Patrick Fly is Frederick County's GIS Manager in the Information Technology Department. He has been in that position for the past 7 years. In this role, he and his team are responsible for the County's enterprise GIS, which includes hardware, software, data and project management. Patrick has a BA in Geography and GIS from West Virginia University, and is a Certified GIS Professional (GISP) from GIS Certification Institute (GISCI). Prior to becoming the GIS Manager he held various positions in County government and the private sector.

#### **Dennis E. Frye, Chief Historian at Harpers Ferry National Historical Park, National Park Service**

Writer, lecturer, guide, and preservationist, Dennis Frye is a prominent Civil War historian. Dennis has numerous appearances on PBS, The History Channel, The Discovery Channel, and A&E as a guest historian, and he helped produce Emmy award-winning television features on the Battle of Antietam, abolitionist John Brown, and Maryland during the Civil War. Dennis is one of the nation's leading Civil War battlefield preservationists. He is co-founder and first president of the Save Historic Antietam Foundation, and he is co-founder and a former president of today's Civil War Trust, from whom he received the Trust's highest honor - the Shelby Foote Award.

#### **Clarence Geier, Ph.D., Professor Emeritus of Anthropology, James Madison University**

Dr. Geier has worked on the archaeology of Virginia since 1976 and continues to be active in the field. Since 1993 he has worked on Civil War battlefields and military sites in the Commonwealth, with such work being his principal focus since 1999. Geier worked with the National Park Service on battlefields at Fredericksburg, Chancellorsville, Wilderness, and Spotsylvania Courthouse. His principle area of involvement has been on properties within the battlefield landscapes of Cedar Creek and Fisher's Hill in the Shenandoah Valley. Dr. Geier served as senior editor of five books on historical archaeology of the Civil War, the most recent of which is scheduled for release in May of this year from the University Press of Florida.

**Rich Gillespie, Director of Education, Mosby Heritage Area Association**

Richard Treat Gillespie has served as the Director of Education for Northern Virginia's Mosby Heritage Area since 2004, in charge of school and public programming. He taught U.S. History and Economics for thirty years at Loudoun Valley High School in Purcellville, Virginia, helping to partner his students with a variety of historic sites and historical organizations. He also worked as a seasonal ranger at Harpers Ferry National Historical Park for many summer seasons. He is a graduate of the College of William and Mary with a B.A. in History and an M.A. in Museum Education.

**Tom Gilmore, Director of Real Estate, Civil War Trust**

Mr. Gilmore oversees all real estate-related activities for the Civil War Trust, including land preservation transactions, land dispositions, project financing, state and federal government grant funding, and GIS mapping. Tom joined the Civil War Trust in November, 2005 after a twenty-one year career in the health care and finance industries. He holds a BA in Economics from the College of William and Mary and an MBA from George Mason University.

**Brett Glymph, Executive Director, Virginia Outdoors Foundation**

Ms. Glymph began working with the Virginia Outdoors Foundation in her previous role as Assistant Attorney General in the Real Estate and Land Use Section of the Virginia Attorney General's office. Her duties have included serving as special counsel for VOF, and drafting and reviewing many of the policies and legal decisions related to more than 3,500 open-space easements. Brett became Executive Director of the Virginia Outdoors Foundation in August 2013. She earned her Juris Doctorate from the William and Mary Marshall-Wythe School of Law, and also holds a Bachelor of Arts degree in Foreign Affairs from the University of Virginia.

**Joanna Wilson Green, Easement and Stewardship Archaeologist, Virginia Department of Historic Resources**

Joanna Wilson Green received her Bachelor's degree in Anthropology from the University of Wyoming, and her Master's degree in Physical Anthropology from the University of Tennessee, Knoxville. She has worked as a contract archaeologist for the U.S. Forest Service and the University of Tennessee, and in various capacities for the State Historic Preservation Offices of Wyoming, West Virginia, and Virginia. Since 2009 Ms. Wilson Green has served as the Easement and Stewardship Archaeologist for the Virginia SHPO, and is primarily responsible for negotiating and stewarding easements on battlefields and other archaeologically sensitive properties.

**Terry Heder, Director of Interpretation and Communications, Shenandoah Valley Battlefields Foundation**

As Director of Interpretation and Communications for the Shenandoah Valley Battlefields Foundation, Mr. Heder oversees the Foundation's interpretive, education, visitor services, and communications programs in the eight-county Shenandoah Valley Battlefields National Historic District. For the Civil War Sesquicentennial in the Valley, he coordinates regional planning, works with local committees, and oversees the SVBF's conferences and events. He also serves as chairman of Virginia Civil War Trails for the Shenandoah Valley region.

**Charles R. Johnston, AICP, Planning Director, Fredericksburg City Planning and Building Department, Fredericksburg, VA**

Mr. Johnston is the former Planning Director of Calvert County, Maryland, and is currently serving with the City of Fredericksburg as Planning Director where he works to manage land use planning and building regulations. A graduate of the Harvard Graduate School of Design with a Masters in City and Regional Planning, Johnston's career has included planning and policy development in both metropolitan and rural localities in Colorado, New Mexico, Maryland and Virginia.

**Maureen D. Joseph, ASLA, Cultural Landscapes Program Manager, National Park Service, National Capital Region**

Ms. Joseph earned her B.S. degree in landscape architecture from Colorado State University. Maureen has over twenty years of experience documenting cultural landscapes and providing treatment guidance for a variety of landscape types, from designed landscapes to vernacular landscapes. She has authored or co-authored numerous cultural landscape studies for Civil War battlefield sites at several NPS parks including the battles at Antietam, Harpers Ferry, Manassas, and Glorieta Pass in New Mexico.

**Julie V. Langan, Director, Virginia Department of Historic Resources:**

Ms. Langan was recently appointed Director of the Virginia Department of Historic Resources and State Historic Preservation Officer by Governor Terry McAuliffe. In this position, she oversees all of the state and federal preservation programs managed by DHR. Immediately prior to her appointment, Ms. Langan served as VDHR's Deputy Director for Preservation Programs. An experienced preservation professional and nonprofit administrator, she has held leadership positions with regional and local preservation nonprofits in Cleveland, Ohio and taught historic preservation in Virginia. Ms. Langan has an M.A. in Architectural History from the University of Virginia and a B.A. in Art History from Wheaton College.

**Paul A. Levensgood, Ph.D., President & CEO, Virginia Historical Society**

Paul A. Levensgood received his Ph.D. in history from Rice University in 1999, after first receiving a BA from Davidson College, and MA from Rice University. He arrived at the Virginia Historical Society in 2000, taking up duties as the associate editor of the Virginia Magazine of History and Biography, then becoming managing editor in 2002. In 2005 he also began serving as the program coordinator of the Reynolds Business History Center, and in 2008 Dr. Levensgood became president-elect and CEO-elect of the Virginia Historical Society. At VHS, Levensgood has helped coordinate a number of special programs, including his work as executive producer for a documentary, and a presentation of evening film courses. He has published two noted books and a number of articles and book reviews in a range of scholarly journals.

**O. James Lighthizer, President, Civil War Trust**

Since beginning his tenure at the Civil War Trust in 1999, Jim has guided the organization in preserving 38,500 acres of Civil War battlefield across the country and growing the Trust's membership to more than 50,000. Jim's public service career began in 1979 when he was elected to the Maryland State Legislature. In 1982, he was elected to the first of two terms as Anne Arundel County Executive. From 1991 to 1995, Jim served as Maryland's Secretary of Transportation, creating an unprecedented program that has saved more than 4,500 acres of Civil War battlefield land in Maryland and is the national model for the use of Transportation Enhancement funds for battlefield preservation.

**David Lowe, Military Historian and GIS Specialist, National Park Service**

Through his work, Mr. Lowe has brought his particular expertise and technical understanding to the Civil War Sites Advisory Commission on which he served. Additionally, he devised battlefield survey methodology for the American Battlefield Protection Program, and has conducted numerous surveys of battlefields using Global Positioning Systems (GPS) and Geographic Information Systems (GIS) to publish reports and maps of surviving resources. He is compiler and editor of Meade's Army: the Private Notebooks of Lt. Col. Theodore Lyman.

**Brian Mannix, Director, Board of Directors, Buckland Preservation Society**

Brian F. Mannix is a Visiting Scholar at the Regulatory Studies Center at George Washington University. He is also a founding board member of the Buckland Preservation Society working to preserve and restore the eighteenth-century mill village and the surrounding ~2,000 acre Civil War battlefield of Buckland Mills, located in Prince William and Fauquier Counties. Brian served as Deputy Secretary of Natural Resources for the Commonwealth of Virginia from 1996 to 1998, and as Associate Administrator of the U.S. Environmental Protection Agency from 2005 to 2009.

**Kristen McMasters, Grants Manager, American Battlefield Protection Program, National Park Service**

An archeologist, educator and practitioner, McMasters is a graduate of the University of Michigan and the University of South Carolina. In her role as a grants manager for the ABPP, she administers \$11 million per year in battlefield planning grants and Civil War acquisition funds. In addition to technical archeological assistance, McMasters offers assistance in preserving battlefield cultural landscapes and viewsheds, as well as guidance on historic interpretation, planning, and compliance with all Federal mandates.

**Patrick Chase Milner, Manager of Stewardship, Shenandoah Valley Battlefields Foundation**

Mr. Milner is a graduate of the University of the South in Sewanee, Tennessee with a Bachelor of Science in Natural Resources and minor in Anthropology/Archaeology. Milner stewards over 3,898 acres of battlefields, is responsible for conservation easement monitoring, and directs the Volunteer Corps program which implements historic landscape restoration and conservation projects on SVBF battlefield properties. He developed the SVBF's first Geographical Information Mapping System (GIS) database, and enjoys his role as a steward and historian, working with landowners, volunteers, and the general public to help foster a preservation land ethic.

**Wendy Musumeci, Easement Program Coordinator, Virginia Department of Historic Resources**

Ms. Musumeci administers over 570 historic preservation easements encompassing 38,000 acres of land. During her seven-year tenure with VDHR, she has focused on new easement acquisitions, stewardship, and policy development. Her work has included presentations and guest lecturing at the Environment Virginia Symposium, the Virginia's United Land Trusts (VaULT) Land Conservation Conference, and for the graduate historic preservation program at Virginia Commonwealth University. Wendy received her B.A. in History from the University of Rochester and an M.F.A. in Historic Preservation from the Savannah College of Art & Design.

**Zann Nelson, President, Friends of Wilderness Battlefield**

Zann Nelson is an event and organizational development specialist with 35 years of experience in successful grassroots operations. Since 2008 she has served as the president of the Friends of Wilderness Battlefield, Inc., a regional preservation group. In her capacity as a nonprofit manager, she has authored several articles and conducted training workshops on subjects including: fund development, organizational governance, and practical ethics for nonprofits. Since 2006 she has authored a weekly column concerning local and regional history for the Culpeper Star Exponent and is currently the editor of the monthly Civil War Page Project. Ms. Nelson holds a graduate certificate in Nonprofit Management from Georgetown University.

**Nicholas Picerno, Chairman Emeritus, Shenandoah Valley Battlefields Foundation**

In addition to his service to the SVBF, Mr. Picerno serves on the Board of Trustees of the Lee-Jackson Education Foundation of Charlottesville. He was appointed by the Secretary of the Interior to the Federal Advisory Commission of the Cedar Creek-Belle Grove National Park and is Vice-President of the Lincoln Society of Virginia. A career police chief he is Chief of Police at Bridgewater College in Bridgewater, Virginia.

**James I. "Bud" Robertson, Jr. Ph.D., Alumni Distinguished Professor Emeritus of History, Virginia Tech**

Dr. Robertson served as Executive Director of the U.S. Civil War Centennial Commission in the 1960s and worked with Presidents Kennedy and Johnson in commemorating the War's 100th anniversary. He then taught 44 years at Virginia Tech, where his course on the Civil War era attracted 300 or more students per semester and made it the largest class of its kind in the nation. The Danville, VA, native is the author or editor of more than 25 books, including biographies of Gens. Robert E. Lee and A. P. Hill, several works on the common soldiers, and three studies written for young readers. His massive biography of Gen. "Stonewall" Jackson won eight national awards and was used as the base for the Ted Turner/Warner Bros. movie, "Gods and Generals." He holds a Ph.D. from Emory University and honorary doctorates from Randolph-Macon College and Shenandoah University.

**Kathy Robertson, Deputy Director of Real Estate, Civil War Trust**

Ms. Robertson is responsible for preservation transactions, including land acquisitions and conservation easements at the Civil War Trust. Kathy is originally from New Jersey, and she graduated with B.S. in Accounting/Marketing from the University of Scranton. After receiving her J.D. from the University Of Maine School Of Law, she worked as a real estate attorney in a law firm based in Portland, Maine.

**David Ruth, Superintendent, Richmond National Battlefield Park**

David Ruth received his B.A. in history from Virginia Tech. His National Park Service career began at Fredericksburg and Spotsylvania Park in 1973, and includes work at Manassas, Philadelphia and Fort Sumter, where he served as chief historian for ten years. He currently serves in Richmond as the Park Superintendent, managing the collection of 13 sites that comprise the battlefield park as well as the Maggie L. Walker National Historic Site. Ruth is the National Park Service representative on the Shenandoah Valley Battlefield Foundation Board, and has written several articles, essays and book reviews, and provided on-camera comments for the Fort Sumter segment of the A&E network's "Civil War Journal" television series. His first major publication on the 1864 Overland Campaign, which was written together with two other colleagues, is forthcoming.

**Edward Sanders, Historian, Richmond National Battlefield Park**

Ed Sanders started as a seasonal park ranger with Richmond National Battlefield Park in the mid-1980s. After graduating from Virginia Commonwealth University in 1992, he was hired as a permanent interpretive ranger. He has been awarded the Northeast Region's "Excellence in Interpretation" award for his work in interpretive programming. Ed also serves as a historic weapons instructor for the National Park Service focusing on Civil War small arms and artillery. He is currently the Supervisory Park Ranger at Richmond NBP.

**Elizabeth B. Tune, Director, Division of Preservation Incentives, Virginia Department of Historic Resources**

Ms. Tune oversees Virginia's historic preservation easement program, which protects over 570 of Virginia's most significant historic properties, including battlefields and archaeological sites. Ms. Tune also heads the state's rehabilitation tax credit program. An economic impact study of the tax credit program conservatively estimates that the program created \$3.9 billion in total economic impact to Virginia. Before coming to VDHR, Elizabeth managed Maryland's historic preservation easement program for the Maryland Historical Trust. Elizabeth received her B.A. in history from the University of Richmond, and a M.F.A. in Historic Preservation from the Savannah College of Art and Design.

**Keven Walker, Cultural Resources Specialist, Antietam National Battlefield, National Park Service**

Mr. Walker has been a Cultural Resources Specialist for Antietam National Battlefield from 2003 to the present. His projects have included the restoration of the Joseph Poffenberger farmstead landscape; the restoration the Antietam National Cemetery Rostrum; stabilization and preservation of the Mary Locher House; and the exterior restoration of the D.R. Miller House. From 1997 to 2003, he was a private sector preservation consultant and non-profit director actively involved in battlefield preservation, coordinating community historic landscape preservation initiatives including those in response to the WV Route 340 expansion project and the Charles Town WV Hunt Field Development. Author of the 2010 publication, *Antietam: A Guide to the Landscapes and Farmsteads*, Keven was honored on Capitol Hill in 2007 as coordinator of one of that year's ten best "Save Our History" projects in America.

**Molly Ward, Secretary of Natural Resources, Commonwealth of Virginia**

Secretary Ward is a native of Hampton, Virginia and a graduate of the University of Virginia and William & Mary Law School. During her career, Ms. Ward has handled a wide range of matters including cases involving environmental issues, land use and planning. Ward was elected Mayor of the City of Hampton in 2008, and to a second term in 2012. Governor Kaine appointed her to the Virginia Outdoors Foundation Board of Trustees and she was on the board that contributed to the Governor's goal of preserving 400,000 acres. Ms. Ward was also a leader in the effort to make Fort Monroe a National Monument. She lives in her historic family home near the mouth of Hampton Roads.

## 4. FORGING EFFECTIVE PUBLIC-PRIVATE PARTNERSHIPS

Organized efforts to commemorate American Civil War battlefields, and to honor the soldiers who fought and died there, materialized soon after the conflict ended. From the grey granite monument and the battlefield trail marker, to dedication of a national historical park, this important work is often achieved through partnerships between governmental agencies, private organizations, and engaged citizens. These collaborations foster a better understanding of the conflicts that shaped the war and the significance of the events that occurred at these sites to our nation's collective history.

The Sesquicentennial, or 150th anniversary, of the Civil War provides us with the opportunity to reflect on past achievements while anticipating current and future challenges. With increased competition for resources, those endeavoring to preserve Civil War battlefields must agree on the principles of sound battlefield preservation policy in order to develop an innovative vision for continued success. Establishing partnerships between public agencies and private organizations is one way to facilitate consensus among those interested in conservation of Civil War battlefields. Engaging in regular, open dialogue about the values and goals of battlefield preservation is a key element to successful advocacy efforts. Public-private partnerships are routinely formed between the federal government, State Historic Preservation Offices, non-profit organizations, local advocacy groups and private landowners to protect tracts of historically significant land. These partnerships involve more than just financial resources, as it is through these collaborations that conservation efforts are enhanced. To nourish this partnership model, it is important to ask not only what makes a particular battlefield worthy of preservation and how these battlefields should be used, protected, and managed, but also:

- How can public-private partnerships most effectively support battlefield preservation for the benefit of the public?
- How can these partnerships target fragmented, scarce or less publicized battlefields, or those that are not listed in the Civil War Sites Advisory Commission Report?
- How can Virginia's battlefield preservation partners work together to more effectively protect and appropriately steward threatened battlefield land?
- What new paradigms for cooperative partnerships can be forged in Virginia—particularly those models that engage stakeholders at the local government level?
- In particular, why does Virginia have a paucity of local conservation easement authorities? What policies can be revised or new policies implemented that will address this deficiency in the Commonwealth's existing land preservation paradigm?



Two of the three presentations in this session will focus on advocacy and development of public-private partnerships. Through the third presentation, participants will be encouraged to consider successful collaborations as experienced by a national non-profit organization and a regional battlefield Friends Group. This session will also profile the role of the federal Land and Water Conservation Fund (LWCF) as one of the critical public-private partnerships that funds battlefield preservation. One of the primary goals of this session is to also stimulate conversation about how the existing model for battlefield preservation in Virginia—one that is largely dependent on the National Park Service or grant programs such as the federal Land and Water Conservation Fund, the Virginia Civil War Sites Preservation Fund, or the Natural Resources Conservation Service—can be revised to incorporate more involvement by Virginia's localities.

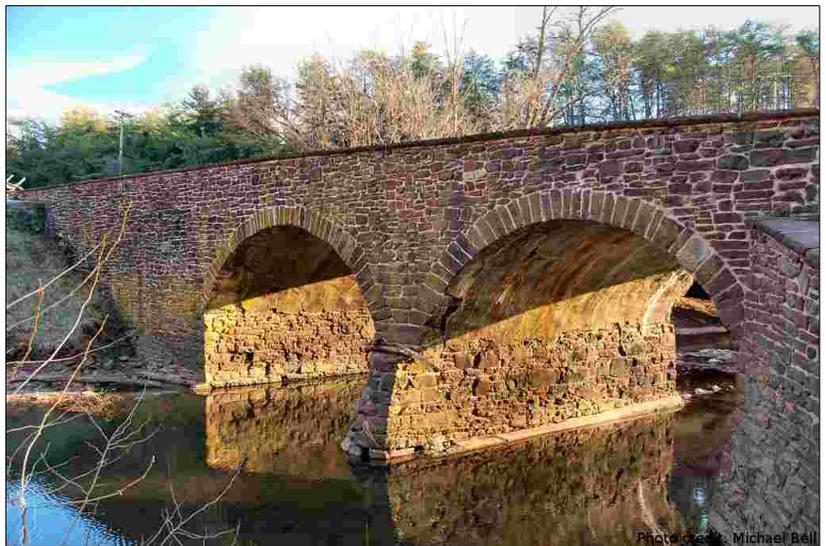
## Policies, Funding, and Coalition Building

The future of the battlefield preservation movement depends largely on the federal Land and Water Conservation Fund program (LWCF), also known as the Civil War Battlefield Preservation Program, which offers grant funding to protect eligible battlefield lands. Initiated in 2002, the program was the result of a Commission created by Congress in the 1990s that recommended establishment of a matching grants program to protect high priority battlefields. It provides dollar-for-dollar matching grants that, in combination with private sector donations, allow preservation organizations to protect and interpret historically significant battlefield land outside National Park Service boundaries. Large non-profit organizations such as the Civil War Trust are devoted to protection of Civil War battlefields on a national level. One facet of their mission is to engender broad Congressional support for such programs that enjoy bipartisan backing. The Civil War Trust encourages its members to actively engage with their legislators and support programs that fund battlefield preservation on a national level. The Civil War Trust and other regional battlefield preservation groups also have the ability to forge relationships among activists, developers, politicians, and local governments.

In Virginia, land conservation initiatives such as the Land Preservation Tax Credit (LPTC), Virginia Land Conservation Foundation (VLCF), and purchase of development rights (PDR) programs are important tools that can be utilized for Civil War battlefield preservation. The Virginia Civil War Sites Preservation Fund (VA CWSPF) is a crucial source of state funding that can work in tandem with the programs previously noted. It is also another example of public-private partnerships that help to preserve rapidly disappearing battlefield properties. The VA CWSPF was created in 2006 with support from Governor Timothy Kaine and the Virginia General Assembly in recognition of the 150th anniversary of the American Civil War and a renewed focus on the educational and tourism benefits associated with Virginia's Civil War battlefields. Administered by the Virginia Department of Historic Resources and funded through the Virginia General Assembly, the program provides grants for the purchase of battlefield lands and interest in such lands. Projects funded by this program result in the ownership, preservation, and management of said lands by private entities in conjunction with perpetual easements that will protect the public benefit and interests of the Commonwealth.

## Partnering in Perpetuity

Partnerships among states and non-profit organizations help to ensure that battlefield preservation remains a priority for those who shape policy and influence funding, but how do these relationships trickle down to the individual property? The American Battlefield Protection Program (ABPP) of the National Park Service offers professional assistance to private landowners, battlefield friends groups, community groups, or governments interested in protecting historic battlefield land and sites associated with battles. Most notably, the ABPP administers the LWCF grant program, which provides funds for fee-simple or conservation easement acquisition of eligible battlefield lands.



According to the ABPP website, "these public-private partnerships save American taxpayers millions of dollars that would be required for federal acquisition, oversight, and interpretation of battlefields. Through these partnerships, the ABPP specifically enables communities near historic battlefields to develop local solutions for balanced preservation approaches for these sites." (<http://www.nps.gov/history/hps/abpp/aboutus.htm>) ABPP's "planning and partnerships" approach to battlefield preservation provides for the permanent protection of historically significant battlefields that are not able to be preserved through federal or state ownership. Of note, easement and fee-simple acquisition grants awarded through the LWCF require conveyance of a perpetual easement over the property. The easement solidifies the relationship among partners invested in battlefield preservation, particularly between landowner and easement holder, to perpetually steward a given property.

## Taking Root: The Importance of Leveraging Local Support

Key to the continued success of these preservation partnerships is greater public understanding of the important role of not-for-profit organizations in protecting Civil War Battlefields. Concerned citizens often form “Friends Groups” to take meaningful regional and local action to preserve battlefields in their communities. These groups join forces with local and regional conservation advocacy groups such as the National Trust for Historic Preservation, state-wide historic preservation organizations like Preservation Virginia, and local historical societies. Friends Groups offer much-needed volunteer, educational, and advocacy services to help protect battlefields threatened by development, incompatible uses, or budget cuts. Management of battlefield lands and historic landscapes—whether in public or private ownership—requires an abundance of resources. The active working farm and the national park face similar problems, foremost among them a lack of staff and/or monetary resources to appropriately administer large tracts of open land. Those sites that offer routine public access and that contain buildings and structures present additional maintenance and liability challenges. Often underfunded themselves, these Friends Groups can still contribute to maintenance activities and improvements at battlefield sites. One such group, the Friends of Wilderness Battlefield, has partnered with the National Park Service to successfully support the Fredericksburg and Spotsylvania National Military Park and assist the park in its efforts to preserve the Wilderness Battlefield in Spotsylvania and Orange Counties. Friends Groups host walking tours, bus tours, lectures, and other related events that engage citizens and forge partnerships between battlefield enthusiasts, volunteers, and property owners. This type of coalition-building is essential because it makes battlefield visitor experiences more meaningful and guarantees educational opportunities for future generations.

In addition to Friends Groups, Conservation Easement Authorities provide a mechanism through which landowners at the county or municipal level can protect and preserve historic sites, open space, farm and forest land, scenic vistas, water resources, and environmentally sensitive lands. The authority actually negotiates, stewards, and holds the easement, partnering with the landowner and facilitating use of applicable grant funding. Albemarle, Clarke, and Fauquier Counties as well as the City of Virginia Beach are four such Virginia localities that have established easement authorities as a means to permanently protect lands with high conservation values. These entities can be an effective form of public-private partnership at the local level; yet there are few Conservation Easement Authorities in Virginia. What policies can be revised or new strategies implemented that will increase their numbers? While the session on Land Use Planning & Zoning will address some of these questions, it is also important to consider the ways in which the Commonwealth of Virginia can support the establishment of more Conservation Easement Authorities. Additionally, the Conservation Easement Design & Stewardship session will explain the tenet that a land trust, government agency, easement authority or locality may be an appropriate holder of a battlefield easement provided the easement comprehensively protects the historic resources and the holder has the capacity, skills, and ability to enforce those restrictions.

## Rising to the Challenge

One of the greatest challenges to battlefield preservation is leveraging public funds with private donations and multiple organizations. A given battlefield easement or acquisition project often involves numerous partners and funding sources, resulting in a complex interplay of federal, state, and local agencies. Differing approaches and perspectives among partners can derail a project, leaving significant lands unprotected. Collaborative planning is essential to establishing successful public-private partnerships. If practitioners do not use the same language and share a common vision, successful battlefield preservation can be difficult to achieve. Engaging local governments, including planning, zoning, transportation, public works, and GIS departments, is also crucial to ensuring consideration of battlefield preservation during comprehensive planning efforts, and to ensuring that new stakeholders are included in the conversation. Partnerships that include a variety of stakeholders foster consensus about future protection and stewardship of historically significant battlefield properties.



## Resources & Further Reading

### **Civil War Trust/Civil War Battlefield Preservation Program**

[www.civilwar.org](http://www.civilwar.org)

<http://www.civilwar.org/take-action/speak-out/federal-funding/cwbpp-pdf.pdf>

### **American Battlefield Protection Program**

<http://www.cr.nps.gov/hps/abpp/>

### **Virginia Civil War Sites Preservation Fund**

[http://www.dhr.virginia.gov/homepage\\_general/finance.htm](http://www.dhr.virginia.gov/homepage_general/finance.htm)

### **Friends of the Wilderness Battlefield**

<http://www.fowb.org/>

### **National Park Service Making Friends Handbook**

[http://www.nps.gov/partnerships/making\\_friends\\_handbook.pdf](http://www.nps.gov/partnerships/making_friends_handbook.pdf)

### **Gossett, Tanya. "The American Battlefield Protection Program--Forging Preservation Partnerships at Historic Battlefields." Sacred Ground: Preserving America's Civil War Heritage, Volume 15, No. 2, 1998.**

<http://www.georgewright.org/152gossett.pdf>

### **Assistance from State Agencies for Land Conservation**

[http://www.dcr.virginia.gov/land\\_conservation/documents/landcon.pdf](http://www.dcr.virginia.gov/land_conservation/documents/landcon.pdf)

### **Agricultural Conservation Easement Program (ACEP) (formerly Farm and Ranchland Protection Program)**

<http://www.nrcs.usda.gov/wps/portal/nrcs/main/national/programs/easements/acep/>

*ACEP is a new program that consolidates three former programs: The Wetlands Reserve Program, Grassland Reserve Program, and Farm and Ranch Land Protection Program. The Agricultural Conservation Easement Program (ACEP) provides financial and technical assistance to help conserve agricultural lands (including those with historic resources) and wetlands and their related benefits. Under the Agricultural Land Easements component, NRCS helps Indian tribes, state and local governments and non-governmental organizations protect working agricultural lands and limit non-agricultural uses of the land.*

### **Land and Water Conservation Fund (LWCF)**

<http://www.nps.gov/hps/abpp/grants/CWBLAGgrants.htm>

*Administered by the American Battlefield Protection Program (ABPP), the LWCF provides matching grants to state and local governments to acquire and preserve threatened Civil War battlefield land. LWCF fund grants are awarded through a competitive process to State and local governments. If a non-profit seeks to acquire battlefield land through this program, the organization must apply in partnership with a state or local government.*

### **Transportation Alternatives Program (TAP)**

[http://www.fhwa.dot.gov/environment/transportation\\_alternatives/](http://www.fhwa.dot.gov/environment/transportation_alternatives/)

[http://www.fhwa.dot.gov/environment/transportation\\_alternatives/brief.cfm](http://www.fhwa.dot.gov/environment/transportation_alternatives/brief.cfm)

*The Moving Ahead for Progress in the 21st Century Act (MAP-21) authorized the Transportation Alternatives Program (TAP) to provide funding for programs and projects defined as transportation alternatives, including on- and off-road pedestrian and bicycle facilities, infrastructure projects for improving non-driver access to public transportation and enhanced mobility, community improvement activities, and environmental mitigation; recreational trail projects; safe routes to school projects; and projects for planning, designing, or constructing boulevards and other roadways largely in the right-of-way of former divided highways. The TAP replaced the funding from pre-MAP-21 programs including the Transportation Enhancement Activities, Recreational Trails Program, Safe Routes to School Program.*

## 5. IDENTIFICATION & DOCUMENTATION OF BATTLEFIELD LANDSCAPES

Identification and documentation of historic battlefield landscapes is a critical, if often overlooked, component of preservation practice, even for those professionals, organizations and agencies tasked with battlefield conservation and with management of competing land-use interests. Civil War battlefield preservation has generally enjoyed widespread bipartisan support from taxpayers and legislators, who have authorized the expenditure of public funds to acquire and manage battlefield land. Nevertheless, public support could erode if limited financial resources are not strategically targeted and if the public investment is not safeguarded by proper stewardship of land and easements. This requires that we first identify, and then appropriately document the properties that we declare to be worthy of protection. Whether incorporating battlefields into local comprehensive plans and zoning ordinances, or prioritizing acquisitions of easement or fee interests, it is crucial that parcel boundaries be accurately mapped and the resources within these boundaries thoroughly documented.

The National Park Service (NPS) has been closely involved in delineating and defining parcels of land associated with significant battles. This session will explore the methodology employed for the *Study of Civil War Sites in the Shenandoah Valley of Virginia* (1992) and the *Civil War Sites Advisory Commission Report on the Nation's Civil War Battlefields* (1993 and as amended), along with recent efforts to geo-reference historic maps so that character-defining features can be precisely located within a specified coordinate system. On the local level, Frederick County, Virginia's efforts to develop its own GIS system, including battlefield mapping, will be detailed.



### Delineating and Documenting Civil War Battlefields

Efforts to define the boundaries, context, and features of battlefields began in earnest immediately following the Civil War, often using maps drawn by both observers and survivors, and culminating in the *Atlas to Accompany the Official Records of the Union and Confederate Armies* (Government Printing Office, 1891-1895). In addition, the War Department commissioned detailed maps based on primary accounts for individual battles such as the *Atlas of the Battlefield of Antietam* (Government Printing Office, Washington, D.C., 1904). These hand-drawn maps, produced by cartographers and engineers following the battles themselves, continue to be used to this day by historians, preservationists, and planners.

Approximately fifty years ago, a sophisticated computerized mapping technology called Geographic Information Systems (GIS) was created to improve the conveyance of spatial information. GIS joins spatial with tabular data, displays various selected map layers simultaneously, and allows users to query selected phenomena. Many historic maps are also being georeferenced with modern maps using GIS, a technique that precisely locates certain historically-documented battlefield landscape features within a specified coordinate system. GIS is now firmly entrenched in the toolbox of preservationists and planners alike, enabling policymakers and preservationists to identify significant properties, evaluate threats to them from adjacent non-compatible land uses, and assess their overall integrity.

One of the earliest comprehensive efforts to delineate Civil War battlefields using GIS was the NPS's *Study of Civil War Sites in the Shenandoah Valley of Virginia* (U.S. Department of the Interior, 1992). While this report utilizes GIS to document ownership interests, it also contains the first use of the now-common "core area" and "study area" methodology for identifying the defining features and extent of a battlefield's boundaries. The concept of "core" and

“study” areas to document battlefield landscapes was subsequently utilized in two significant national studies, the *Civil War Sites Commission Advisory Report on the Nation’s Civil War Battlefields* (1993) and its successor, *Update to the Civil War Sites Commission Advisory Report on the Nation’s Civil War Battlefields* (2009-2010). These terms have since become the generally accepted language for general battlefield documentation.

The scope and definition of core and study areas have continued to evolve since their inception. The presence of features such as fields, fences, woodlots, fortifications, roads, streams, hills, buildings, villages, etc. assist in determining the boundaries of battlefield study and core areas. Per the Civil War Sites Advisory Commission Report, “the study area of a battlefield includes all places related or contributing to the battle event, where troops deployed and maneuvered before, during, and after the engagement.” It is the maximum delineation of the historical site and provides an overall tactical context for a specific battle. The core area of a battlefield is located within the study area, and includes those places where combat engagement and key associated actions occurred and features are located. The core area includes, among other things, what often is described as “hallowed ground.” The 2009-2010 Update to the Civil War Sites Advisory Commission Report refines these definitions even further, noting that the study area “represents the historic extent of the battle as it unfolded across the landscape” and “contains resources known to relate to or contribute to the battle even where troops maneuvered and deployed, immediately before and after combat, and where they fought during combat.” The study area boundaries are informed by terrain analysis, historic accounts, and feature identification, and indicate “the extent to which historic and archaeological resources associated with the battle” (areas of combat, command, communications, logistics, medical services, etc.) may be found. Core area “represents the areas of fighting on a battlefield,” contains “positions that delivered or received fire, and the intervening space between them” and lies within the study area. While the core area may often be the first to be targeted for protection, the two are equally significant and should be treated as such in any conservation easement, management plan, or other legal mechanism for perpetual protection of the property.

## **Cultural Landscapes Inventories and Cultural Landscape Reports**

Complementing GIS are the NPS’s procedures for documenting important features that contribute to cultural landscapes, Cultural Landscapes Inventory (CLI) and the more extensive Cultural Landscape Report (CLR), both of which are more comprehensively described below. CLIs and CLR’s can be used not only to document landscape features but also to help inform resource management decisions for stewarding battlefield lands within the National Park system. While delineating battlefield boundaries is important for land use planning and acquisition efforts, it is the constituent parts of battlefields -- their character-defining features -- that are often only the bailiwick of conservation easement drafters and land stewards. The *Secretary of the Interior’s Standards for the Treatment of Historic Properties with Guidelines for the Treatment of Cultural Landscapes* (1996 and as amended) defines a character-defining feature as a “prominent or distinctive aspect, quality, or characteristic of a cultural landscape that contributes significantly to its physical character.” Such features can include highly visible characteristics such as dwellings, barns, earthworks, archaeological sites, and stone walls, as well as topography, vegetation, natural systems (swamps, rivers), spatial arrangement, views and vistas, and lines of sight.

Historic preservation easements, discussed in more detail in the Conservation Easement Design and Stewardship section of this guidebook, are written so that these character-defining features are among those conservation values protected in perpetuity. A baseline documentation report prepared as part of the easement process details the location and condition of those features that contribute to the property’s historic significance and are part of the conservation values being protected by the easement. Government agencies and non-profit land trusts would benefit from the use of a Cultural Landscapes Inventory-based framework for baseline documentation report development. The CLI is a comprehensive inventory of all historically significant cultural landscapes within the National Park system, including battlefield sites. Through a combination of field work and evaluation of secondary sources, the CLI identifies and documents the scope of a particular landscape, its topographic features, physical characteristics, historic significance, National Register of Historic Places eligibility, existing condition and integrity, as well as other valuable information for park management. To automate the inventory, the Cultural Landscapes Automated Inventory Management System (CLAIMS) database was created in 1996 and became web-based in 2005. The database contains information on the condition, significance, and complexity of landscapes within the National Park system. CLAIMS provides an analytical tool for querying information associated with the CLI and provides a foundation for future planning, management, and

treatment efforts. While these tools are currently used for administration of fee-simple owned lands, they could have practical application for conservation easement practice, including drafting of baseline documentation reports and development of property management plans.

CLIs require systematic identification of key landscape features, assessment of integrity, and determination of areas and periods of significance. The process is analogous to completing a National Register nomination per the *Guidelines for Evaluating and Documenting Rural Historic Landscapes*, but is also useful when addressing the preservation of urban landscapes. CLIs include recommendations for addressing deficiencies in existing documentation, including engaging in a detailed discussion of a property's landscape history. To illustrate the holistic nature of a CLI, the constituent parts are as follows:

1. Landscape Description:
  - Location Map
  - Boundary Description
  - Regional Context
  - Site Plan
  - Chronology
  - Statement of Significance
  - Landscape History
  - Analysis and Evaluation
  - Natural Systems and Features
  - Topography
  - Vegetation
  - Land Use
  - Circulation
  - Spatial Organization
  - Constructed Water Features
  - Archeological Sites
  - Buildings and Structures
  - Small Scale Features
  - Views and Vistas
2. Management Information/UTMs
3. National Register Information
4. Cultural Landscape Type and Use
5. Adjacent Lands Information
6. General Management Information
7. Condition Assessment and Impacts
8. Agreements, Legal Interest, and Access
9. Approved Treatment, Treatment Costs, and Stabilization Costs
10. Documentation Assessment and Checklist



Cultural Landscape Reports (CLRs) are a more detailed version of CLIs, requiring consultation of primary source materials resulting in specific landscape treatment recommendations. CLRs serve two primary functions: (1) as a treatment document for historic landscapes, and (2) as a long-term management tool for those landscapes. CLRs can be applicable to the Civil War battlefield landscape and provide the basis for making informed decisions about use, treatment, development, and interpretation of the property. These documents clearly identify the characteristics and related features of a landscape and their associated historic significance. Not only can CLRs aid in the identification and restoration of period buildings on Civil War battlefields, they can also address the restoration of key landscape features such as woodlots that existed at the time of a battle, or conversely, the re-establishment of cropland that had reverted to woodland over the years. These treatments perpetuate the historic setting and help visitors to understand what the landscape looked like at the time of a particular battle. Determining what landscape features should not be present is as important as determining those that should be present, which is why treatment documents such as CLRs expound upon

subjects such as the removal of invasive species or non-contributing buildings that detract from the integrity of historic landscapes.

In summary, identification and documentation is a prerequisite for anyone concerned with Civil War battlefield preservation, as it informs the establishment of local zoning to prevent the encroachment of non-compatible uses, prioritization of key parcels for acquisition, preparation of baseline documentation reports, or determination of treatment alternatives for stewardship purposes. Whether they are used to build support for preservation, which is an outcome of the various NPS-produced battlefield reports aforementioned, or for government performance reporting, having spatially specific and landscape-oriented information is a must in an era of decreasing government resources and increasing population pressures on resource lands. Although currently limited to NPS properties, there remains potential for CLIs and CLRs to be applied to non-profit-owned properties to assist in management thereof and to private lands subject to conservation easements, where CLIs could be used to perform detailed baseline documentation reports and aid in subsequent monitoring and enforcement.

## **Resources & Further Reading**

### **National Park Service Cultural Landscapes Inventory Professional Procedures Guide (2009)**

[http://www.nps.gov/oclp/CLI%20PPG\\_January2009\\_small.pdf](http://www.nps.gov/oclp/CLI%20PPG_January2009_small.pdf)

### **National Park Service Cultural Landscapes Program**

[http://www.nps.gov/cultural\\_landscapes/](http://www.nps.gov/cultural_landscapes/)

### **Study of Civil War Sites in the Shenandoah Valley, 1992**

<http://www.nps.gov/history/hps/abpp/shenandoah/svs0-1.html>

### **The Civil War Sites Advisory Commission Report on the Nations Civil War Battlefields, 1993**

<http://www.nps.gov/history/hps/abpp/cwsac/cws0-1.html>

### **Civil War Sites Advisory Commission Report Update and Resurvey**

<http://www.nps.gov/history/hps/abpp/CWSII/CWSII.htm>

### **(Draft) Update to the Civil War Sites Advisory Commission's Report on the Nation's Civil War Battlefields, Commonwealth of Virginia. National Park Service, Washington, D.C., July 2009.**

<http://www.nps.gov/history/hps/abpp/CWSII/CWSIIStateReportVA.htm>

### **The Secretary of the Interior's Standards for the Treatment of Historic Properties & Guidelines for the Treatment of Cultural Landscapes**

<http://www.nps.gov/tps/standards/four-treatments/landscape-guidelines/index.htm>

### **Birnbaum, Charles A. Preservation Brief #36: Protecting Cultural Landscapes: Planning, Treatment, and Management of Historic Landscapes. National Park Service, , 1994.**

<http://www.nps.gov/tps/how-to-preserve/briefs/36-cultural-landscapes.htm>

### **National Register Bulletin #40: Guidelines for Identifying, Evaluating, and Registering America's Historic Battlefields**

<http://www.nps.gov/nr/publications/bulletins/nrb40/>

### **Lowe, David W. Battlefield Survey. National Park Service, American Battlefield Protection Program, Washington, D.C., 2000.**

### **Lowe, David. "Defining Core." Civil War News, September 2006.**

<http://www.civilwarnews.com/preservation/corelowe.htm>

**Shenandoah Valley Battlefields Foundation Geo-Referenced Mapping Project**

<http://www.shenandoahatwar.org/Land-Preservation/Responsible-Stewardship/Geo-Referenced-Mapping-Project>

**Page, Robert, Cathy Gilbert, and Susan Dolan. Guide to Cultural Landscape Reports: Content, Process, and Techniques. National Park Service, 1998.**

[http://www.nps.gov/cultural\\_landscapes/Documents/Guide\\_to\\_Cultural\\_Landscapes.pdf](http://www.nps.gov/cultural_landscapes/Documents/Guide_to_Cultural_Landscapes.pdf)

**Harmon, David, ed. More than a Database: the National Park Service's Cultural Landscapes Inventory Improves Resource Stewardship, Crossing Boundaries in Park Management: Proceedings of the 11th Conference on Research and Resource Management in Parks and on Public Lands. Hancock, Michigan: The George Wright Society, 2001.**

<http://www.georgewright.org/53brown.pdf>

**Culpepper, R. Brian. Better Planning Through GIS: Battlefield Management Efforts at CAST. CRM Vol. 20, No. 5, 1997.**

<http://npshistory.com/newsletters/crm/crm-v20n5.pdf>

**Miller, Yaron. Identifying Collaborative Opportunities for Environmental Conservation and Historic Preservation. MEM Thesis. Duke University, May 2012.**

<http://dukespace.lib.duke.edu/dspace/bitstream/handle/10161/5287/Yaron%20Miller,%20MP%20Final.pdf?sequence=2>

**Civil War Battlefield GIS Analyses, Center for Advanced Spatial Technologies, University of Arkansas.**

<http://cast.uark.edu/home/research/archaeology-and-historic-preservation/archaeological-geomatics/archaeological-gis-mapping/civil-war-battlefield-gis-analyses.html>

*The Center for Advanced Spatial Technologies (CAST), located at the University of Arkansas, focuses on research, education, and outreach related to geoinformatics and geomatics. Specific areas of research in these fields include GIS, geospatial analysis and modeling, high density survey, enterprise spatial databases, remote sensing, digital photogrammetry, and geospatial data and model interoperability. CAST's research efforts involve new approaches to spatial data as well as the development of new methodologies for analysis of these data.*

**Gisiger, Anne, Eben S. Cooper, Stan Riggel, NRCS, W. Frederick Limp, and Todd W. Hodgson. RCA III, Cultural Resources in American and Agricultural Land Use: An Initial National Profile. Working Paper No. 17. Center for Advanced Spatial Technologies, University of Arkansas, Fayetteville, Arkansas, August 1997.**

[http://cast.uark.edu/assets/files/PDF/NRCS\\_WorkPaper17\\_1.pdf](http://cast.uark.edu/assets/files/PDF/NRCS_WorkPaper17_1.pdf)

*This study utilizes Geographic Information System (GIS) technology to generate a national profile of county-level relationships between cultural resources, federal and nonfederal land, and agricultural variables. The results are intended to assist the United States Department of Agriculture (and cooperating Federal agencies) in its efforts to develop guidelines for future cultural resource conservation policies in conjunction with ongoing environmental and agricultural resource programs.*

## 6. LAND USE PLANNING & ZONING

The chapter on Identification and Documentation emphasizes the importance of comprehensive survey, documentation, and mapping as fundamental steps to help achieve the goals of battlefield preservation. Beyond documentation efforts, there are also a range of alternatives available for conservation of a specific battlefield landscape. Some battlefields will be preserved as national, state, or local parks, while others will remain in private ownership. As discussed in the Forging Public-Private Partnerships chapter, collaboration between public and private entities plays an important role in successful Civil War battlefield preservation efforts. However, land use planning tools available to local governments are of equal importance to this process. Local planning regulations can have a significant impact on whether or not a given battlefield is developed, retained for agricultural and forestal uses, or conserved as a public park.

Throughout the United States, most local governments have the ability and power to regulate private land use through planning and zoning. The types of zoning (commercial, residential, agricultural, etc.) applied to a specific geographic area of a locality reflect that community's values for the area. In many cases, zoning can protect certain categories of land from immediate development. However, while zoning is inherently flexible, it is also impermanent. Changes to political administrations and real estate markets can lead to removal or modification of protective zoning ordinances. Understanding zoning for a particular battlefield and how that property is designated in the locality's Comprehensive Plan elucidates trends toward future development and helps preservationists target specific tracts of land for preservation.



The Commonwealth of Virginia boasts one of the highest quality of life indices in the nation, and was ranked as the best state for business by Forbes in 2013. Virginia's very attractiveness, however-- along with attendant population growth -- is forever changing the historic landscapes that are valued by resident and visitor alike. While effective planning and zoning can help channel growth into appropriate areas and away from valued resources, there exists in Virginia a dichotomy between high-growth and slow-growth counties. Those Civil War battlefields situated in the shadow of a highly urbanized section of the country commonly defined as "Megalopolis" face immense development pressure. So too, those located in economically depressed areas with little to no growth management strategies in place are endangered by incompatible land use regulations.<sup>1</sup>

In addition, Virginia's pattern of development and the tools given to localities for land use regulation have traditionally reflected a strong commitment to the "Dillon's Rule" principle as well as property rights. Dillon's Rule, named after a decision promulgated by judge and jurist John Forrest Dillon in 1868, espouses the theory of state preeminence over local governments. By contrast, "Home Rule" generally refers to the process of self-government or legislative authority granted to localities, counties, or other units of local government by states. While there is some debate regarding the impact of the two doctrines on land use and planning mechanisms in Virginia, the state has customarily aligned with a Dillon's Rule interpretation when legal questions arise regarding the authority of local governments to regulate local land uses. This has historically limited the scope and range of municipal power in Virginia, and subsequently the extent to which localities can employ innovative tools, regulations, and policies to achieve their planning goals.

<sup>1</sup> The term Megalopolis was popularized by French geographer Jean Gottmann in his seminal book of the same name. Published in 1964, Gottmann, who also published two books on Virginia's geography, examined in detail the nearly uninterrupted urbanized Northeastern Seaboard of the United States. High population densities continue to exert tremendous development pressures on resource lands in this region to this day.

In the absence of innovative growth management tools at the state level, a number of local governments and non-profit organizations in Virginia have creatively crafted policies and directly influenced public policy to achieve battlefield preservation. The Buckland Preservation Society's efforts to preserve the integrity of a historic village and its surrounding battlefield landscape in the rapidly growing U.S. Route 15/29 Corridor in Northern Virginia illustrates how direct involvement by non-profit organizations can impact both state and local land use and transportation plans. The visionary "sliding-scale" zoning developed and applied by Clarke and Fauquier Counties presents a model for other counties seeking to sustain their historic landscapes in the face of urbanization. Finally, the coordinated effort by local, state, and federal agencies to protect and subsequently steward substantial portions of the Antietam Battlefield in Maryland will challenge us to consider new approaches to battlefield preservation planning in the Commonwealth.

The two sessions on land use planning and zoning at this symposium will provide the audience with the opportunity to dissect these issues and their direct impact on Civil War battlefield preservation. By profiling both a Maryland and a Virginia locality, conference attendees can compare which growth management tools have been more effective in protecting sensitive resource lands such as battlefields.

## Virginia's Battlefield Landscape at the Sesquicentennial

The Virginia Board of Historic Resources currently holds perpetual historic preservation easements on roughly 11,000 acres of battlefield land incorporating over 35 different Civil War battlefields across Virginia. This portfolio of easement properties, administered by staff at the Virginia Department of Historic Resources (VDHR), primarily encompasses land within either the core or study areas of battlefields identified in the *Civil War Sites Advisory Commission Report (CWSAC) on the Nation's Civil War Battlefields* (1993 and as updated). As discussed in the Identification and Documentation of Battlefield Landscapes chapter, core and study areas are historical boundaries where the battle took place, and are not necessarily indicative of integrity. Additionally, the 11,000 acres of battlefield land protected by DHR does not reflect the numerous easements held by private land trusts and other government agencies in Virginia as well as fee-simple holdings of the NPS and non-profit organizations. The Virginia Civil War Sites Preservation Fund program shows a state-level commitment to battlefield preservation from Virginia's General Assembly, and has been instrumental in protecting additional lands during the Civil War Sesquicentennial. These easements and holdings protect not just "hallowed ground" where direct engagements occurred, but also the locations of troop movements, encampments, earthen fortifications, field hospitals, headquarters, and supply depots, reflecting the immense scope of resources associated with the Civil War in Virginia. Many of these properties are available to the public for visitation, including informative tours and historic reenactments.

While Virginia has made significant progress in preserving Civil War battlefields, much land still remains unprotected. According to the American Battlefield Protection Program's 2009 Draft Update to the Civil War Sites Advisory Commission Report on the Nation's Civil War Battlefields for Virginia, there are 122 CWSAC battlefields in Virginia representing about 576,000 acres of land. The report notes that these acres of battlefield land "retain sufficient significance and integrity to make them worthy of preservation." In comparison to when the report was first issued in 1993, Maryland has retained about 66% of its battlefield acreage, while Virginia retains about 58%. Nearly twice as much battlefield land has been permanently protected by governments or non-profit organizations in Maryland (25% or 15,400 acres) as in Virginia (13% or 74,000 acres), although some of this difference may be attributable to the relative amount of total battlefield acreage in each state (Maryland has seven CWSAC battlefields with 60,000 acres retaining significance and integrity to make them worthy of preservation). What seems clear from these statistics is that there remains a great portion of the historic landscape in Virginia



that needs protection. Although the National Park Service owns thousands of acres of battlefield land in Virginia, because of financial and legal constraints, this agency cannot alone be responsible for ensuring that our historic lands are protected. Indeed, the acquisition of interests in land (whether fee-simple or easement) as a sole strategy for battlefield preservation is simply not an affordable or politically palatable proposition. As well, this strategy may not present the best option when considering the long-term viability and stewardship of the property. Given the impracticability of acquiring and protecting every square inch of battlefield property, it is thus critical for battlefield preservationists to become educated on rural land use planning and zoning as means of diverting, or at least reducing, non-compatible uses of battlefield property.

## The Maryland and Virginia Land-Use Planning Models

Maryland is effective in promulgating laws, regulations, and policies designed to push development away from sensitive agricultural, natural, and cultural resources and into designated growth areas. For example, the Maryland Department of Planning requires localities to develop Priority Funding Areas -- Maryland's version of Urban Growth Boundaries -- where growth must be channeled, and likewise requires that Priority (Land) Preservation Areas be identified. In 2012, the Maryland General Assembly passed what is known as the "Septic Bill", officially the Sustainable Growth & Agricultural Preservation Act of 2012, which drastically limits the number of septic systems permitted in Preservation Areas by precluding all divisions of land other than Minor Subdivisions. Maryland is a combination of Dillon's Rule and Home Rule, and many localities have adopted impact fees to ensure that developers are covering the cost of public services that will be required as a result of the proposed development. Additionally, some Maryland counties have strict allocations that prohibit additional development until there are adequate educational facilities to provide for new students.

A number of other sophisticated planning and conservation applications were either developed and/or honed in Maryland, including transfer of development rights (TDR) and purchase of development rights (PDR) programs, both at the local and state levels; cluster subdivisions; forest conservation laws; and agricultural/woodland protection zoning ordinances. While these techniques have existed for decades, new ones continue to be developed, including the water recharge easement program pioneered in Carroll County, Maryland. Under this program, water recharge credits are extracted via easements overlaid on top of agricultural and historic preservation easements and transferred to developers who use them to build at a higher density in nearby municipalities. By encircling municipalities with preserved lands, which not only supply the aforesaid water recharge credits but also provide local food sources and open-space amenities, a number of localities in Maryland are employing a European-style planning paradigm based on a sharp demarcation between town and country that is largely absent from the American lexicon. This model is illustrated by villages and towns like Unionville and New Windsor (Carroll County), Burkittsville (Frederick County) and Sharpsburg (Washington County), the latter being the municipality that is adjacent to Antietam Battlefield. This effort remedied the disconnect between the Maryland Department of Planning's advocacy of cluster subdivisions to reduce the consumption of rural land associated with large-lot subdivisions and the Maryland Department of the Environment's regulations that require a minimum land area for subdivisions so that adequate water recharge is provided to the residences built on subdivided lots.

Maryland's Agricultural Land Preservation Program, Rural Legacy Program, Rural Historic Village Protection Program, and Program Open Space were unique efforts designed to mitigate the impacts of sprawl development by compensating landowners for voluntarily selling conservation easements. These tools and strategies were significant to the planning and preservation fields both in Maryland and on a national scale. They also had a profound effect on rural historic villages and battlefield preservation. It's an example of partnerships, but also state-derived growth management tools, including targeted investment in land preservation.

As development continues to spread into the countryside throughout the United States, the distinction between urban and rural is increasingly blurred. There are a variety of reasons that development patterns have remained imbalanced and inefficient, due in part to deep-seated cultural and political ideologies. In Virginia, as in much of the nation, government planning is still a highly sensitive topic and Comprehensive Plans are advisory, rather than retaining the force of law. Additionally, some of Virginia's land use policies, such as the proffer system -- including cash voluntarily paid for conditional zoning - substitute for impact fees that are in common usage in Maryland (although there is authority for road impact fees in Virginia) and regional planning districts with no regulatory authority substitute for Maryland's state planning department. Innovative rural zoning schemes are largely absent in Virginia save for a handful of counties; the typical 1 to 3-acre zoning density quickly consumes rural land since generous subdivision densities are endemic to this model and rarely are clustering provisions included. Virginia Performs, administered by the Council on Virginia's future, noted on its website that Virginia ranked 38th among the 48 contiguous states for the amount of rural lands lost between 2002 and 2007 (<http://vaperforms.virginia.gov/indicators/naturalResources/landPreservation.php>).

While some have pointed to Dillon’s Rule as a major impediment to growth management and resource protection in Virginia, others challenge this notion, maintaining that some localities have taken advantage of this authority to develop and employ tools to address local land management issues. In the early 1980s, Virginia’s Fauquier and Clarke Counties developed and implemented a unique form of “sliding scale” zoning. Unlike most Virginia zoning ordinances that allow generous amounts of development in rural zones, or the resulting handful of large-lot ordinances that tried to rectify this (leading to the creation of farmettes that are “too small to farm and too large to mow”), sliding scale zoning reduces both the number and size of subdivision lots permitted on a parent parcel. Recognizing that smaller parcels have already been compromised for farming, sliding scale zoning imposes stricter limitations on larger parcels. In Fauquier County, conservation easements are required on the remainder parcels to prevent additional development at a future date. Clarke County also has a historic preservation ordinance for its rural villages, a tool more often seen in urban locales. Loudoun County, Virginia, which has seen significant development take place on its historic landscapes, also implemented a rural historic district ordinance that requires review of additions to existing structures and new construction to ensure compatibility within the historic landscape. Although Loudoun County has eliminated its local PDR program, Clarke, Fauquier, and Albemarle Counties and the City of Virginia Beach, as well as a few other Virginia localities, have created and funded their own PDR programs despite limited matching funds available from the state. Currently, 22 Virginia localities have instituted PDR programs, of which 18 have some level of funding; five other localities are in the process of adopting a program.

Additionally, Frederick County and now Stafford County recently created the state’s first transfer of development rights (TDR) programs -- where development rights are severed from a land parcel and traded in a private market for use on another parcel of land. Other Virginia localities are also considering adopting TDR programs of their own.

## Lessons Learned

It is important to tailor battlefield preservation strategies to the unique political, cultural, and economic factors in each locality and consider a range of land conservation tools and resources. The regulatory and conservation finance infrastructure that exists in Maryland makes it easier for counties to achieve their preservation goals, while Virginia counties have less of a support structure from the state government. Even so, some Maryland counties such as Howard County have had difficulty in achieving balanced growth and resource conservation, while the aforementioned Virginia counties of Clarke and Fauquier have been very successful. If a locality can effectively manage its growth and channel it away from sensitive lands such as battlefields, the next progression is for these resources to be accorded special treatment. Most battlefields remain inherently farmland, and rural zoning and agricultural preservation techniques are necessary to help protect immense landscapes that cannot be sufficiently protected through acquisition. These techniques require refinement if salient features of battlefields are to be preserved. More discussion of this multi-resource concept is explored in the Conservation Easement Design and Stewardship section of this manual, as it ultimately takes a combination of treatments to effectively preserve battlefields.



Photo Credit: Virginia Department of Historic Resources

## Resources & Further Reading

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<http://www.nps.gov/history/hps/pad/PlngStds/index.htm>

**Gossett, Tanya. Working With Planners to Preserve Battlefields. Civil War News, December 2007.**

[http://www.civilwarnews.com/preservation/pres\\_gosset.htm](http://www.civilwarnews.com/preservation/pres_gosset.htm)

**(Draft) Update to the Civil War Sites Advisory Commission's Report on the Nation's Civil War Battlefields, Commonwealth of Virginia. National Park Service, Washington, D.C., July 2009.**

<http://www.nps.gov/history/hps/abpp/CWSII/CWSIIStateReportVA.htm>

**Update to the Civil War Sites Advisory Commission Report on the Nation's Civil War Battlefields, State of Maryland. National Park Service, Washington, D.C., January 2010.**

<http://www.nps.gov/hps/abpp/CWSII/CWSACReportMarylandUpdate.pdf>

**Lawson, Barry R., Ellen P. Ryan, and Rebecca Bartlett Hutchison. Reaching Out, Reaching In: A Guide to Creating Effective Public Participation in State Historic Preservation Planning. National Park Service, 1993.**

Web Addition (2002): <http://www.nps.gov/history/hps/pad/plancompan/publicpartic/RORlhome.html>

*Describes an approach for designing public participation programs for State Historic Preservation Office preservation planning, with a mini-case study from the Maryland Historical Trust; may also be applicable in local community preservation planning settings.*

**Virginia Performs**

[www.viriniaperforms.gov](http://www.viriniaperforms.gov)

**Smart Growth Maryland**

<http://smartgrowthmd.wordpress.com/>

*Smart Growth Maryland is a blog written by members of the Maryland Department of Planning (MDP). It is intended to be a forum for the exchange of ideas and news about Smart Growth, sustainable planning, livable communities, historic and land preservation and the like.*

**Whitaker, David T., AICP. "How Maryland Protected Hallowed Ground." Smart Growth Maryland, Maryland Department of Planning. Smart Growth Maryland, September 7, 2012.**

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<http://smartgrowthmd.files.wordpress.com/2013/06/forum-journal793proprights-1-copy.pdf>

**Dehart, Grant H. "Preserving Civil War Sites Maryland's Voluntary Easement Strategy." CRM: Vol. 20, No. 5 (1997).**

<http://npshistory.com/newsletters/crm/crm-v20n5.pdf>

### **Maryland Agricultural Land Preservation Foundation**

<http://www.malpf.info/>

*The Maryland Agricultural Land Preservation Foundation (MALPF) celebrated its thirtieth anniversary in 2007. Maryland's program was one of the first created in the United States and has become one of the nation's leaders in agricultural land preservation. It is a central element of Maryland's "Smart, Green and Growing" initiative. Combining the Foundation's program with county and other State land preservation programs, Maryland has preserved more agricultural land for future production than any other state in the Union.*

### **Maryland Rural Legacy Program**

<http://www.dnr.state.md.us/land/rurallegacy/index.asp>

*Maryland's Rural Legacy Program provides funding to preserve large, contiguous tracts of land and to enhance natural resource, agricultural, forestry and environmental protection while supporting a sustainable land base for natural resource based industries. The program creates public-private partnerships and allows those who know the landscape best – land trusts and local governments – to determine the best way to protect the landscapes that are critical to our economy, environment and quality of life.*

### **Maryland Heritage Areas Program**

[http://mht.maryland.gov/heritageareas\\_program.html](http://mht.maryland.gov/heritageareas_program.html)

*Maryland's Heritage Areas are locally designated and State certified regions where public and private partners make commitments to preserving historical, cultural and natural resources for sustainable economic development through heritage tourism. At the local level, Heritage Areas focus community attention on often under-appreciated aspects of history, living culture, and distinctive natural areas, thus fostering a stronger sense of pride in the places where Marylanders live and work. The Maryland Heritage Areas Authority (MHAA) does this through targeted State financial and technical assistance within a limited number of areas designated as "Certified Heritage Areas."*

### **Maryland Priority Funding Areas**

<http://planning.maryland.gov/ourproducts/pfamap.shtml>

*The 1997 Priority Funding Areas Act capitalizes on the influence of State expenditures on economic growth and development. This legislation directs State spending to Priority Funding Areas. Priority Funding Areas are existing communities and places where local governments want State investment to support future growth. Growth-related projects covered by the legislation include most State programs that encourage or support growth and development such as highways, sewer and water construction, economic development assistance, and State leases or construction of new office facilities. The Priority Funding Areas legislation builds on the foundation created by the Visions which were adopted as State policy in the 1992 Economic Growth, Resource Protection and Planning Act. Beginning October 1, 1998, the State of Maryland directed funding for projects that support growth to Priority Funding Areas. Funding for projects in municipalities, other existing communities, industrial areas, and planned growth areas designated by counties receive priority State funding over other projects. Priority Funding Areas are locations where the State and local governments want to target their efforts to encourage and support economic development and new growth. The following areas qualify as Priority Funding Areas: every municipality, as they existed in 1997; areas inside the Washington Beltway and the Baltimore Beltway; areas already designated as enterprise zones, neighborhood revitalization areas, heritage areas and existing industrial land.*

*The Smart Growth legislation recognizes the important role local governments play in managing growth and determining the locations most suitable for State-funded projects. Counties may designate areas as Priority Funding Areas if they meet guidelines for intended use, availability of plans for sewer and water systems, and permitted residential density. Areas eligible for county designation are existing communities and areas where industrial or other economic development is desired. In addition, counties may designate areas planned for new residential communities which will be served by water and sewer systems and meet density standards.*

### **Maryland Program Open Space**

<http://www.dnr.state.md.us/land/pos/index.asp>

*Program Open Space (POS) is a nationally recognized program with two components, a local grant component often called Localside POS and a component that funds acquisition and recreation facility development by the State. The localside component provides financial and technical assistance to local subdivisions for the planning, acquisition, and/or development of recreation land or open space areas. Established under the Department of Natural Resources in 1969, POS symbolizes Maryland's long term commitment to conserving our natural resources while providing exceptional outdoor recreation opportunities for our citizens. Today more than 6,100 park and conservation area projects have been assisted through Program Open Space.*

## 7. CONSERVATION EASEMENT DESIGN & STEWARDSHIP

Within the land conservation community, focus has recently shifted to post-acquisition issues. This is partly due to enforcement issues associated with the transfer of easement properties from the original grantor to owners that may have less interest in protecting the conservation values advocated by their predecessors or knowledge of stewardship practices required by the easement. As more and more deeds of easement (and the validity and enforceability of their restrictions) are debated in the courts, drafters are increasingly tightening up easement language, completing more thorough baseline documentation reports, and engaging in a more vigorous monitoring and educational regimen. Adding complexity to this situation is the fact that a single easement may protect multiple resources – natural, cultural, agricultural, etc. – creating challenges and opportunities inherent to management of large rural landscapes such as battlefields. Easement holding organizations have an obligation to ensure that their transactions are credible and provide a meaningful public benefit. For those projects where the donor intends to claim a federal income tax deduction or state tax credit, the transaction must also comply with the Internal Revenue Code and Treasury Regulations as well as state tax law. Against this backdrop of legal and stewardship demands, the relationship between quality easement design and enforceability becomes even more important.

### Easement Drafting & Design

Drafting a comprehensive, legally-sound conservation easement is an intricate process. It must have clear public benefit, derived from protection of documented conservation values, and be legally enforceable. Easements can be difficult to negotiate for a variety of reasons, including reluctance by landowners to accept certain restrictions and concern regarding oversight if a government agency holds the easement. When multiple funding sources are involved the challenge is even greater to satisfy various grant requirements, which may differ on the easement content, management plan development, monitoring, enforcement, and appraisal methodology.



This challenge continues in the administration of an easement program that protects *historic resources*. The term “historic resources” encompasses buildings, structures, monuments, landscapes, objects, sites, battlefields, and shipwrecks, among others, all of which exist within a changing physical and natural environment. Within that context, the battlefield landscape is a dynamic one, incorporating multiple resources and conservation values. It is important to emphasize that a historic landscape is anything but static. For example, a given “Civil War battlefield” property may contain prehistoric archaeological resources along its river bank, a brick house dating to 1830, and a large wood frame bank barn built in 1915. It may also include a non-historic, vinyl sided ranch dwelling dating to 1989 and a modern metal-sided equipment shed. Complex properties such as this demand thoughtful consideration of the property’s evolution. Should significant historic resources that do not date to the battle be included in an easement focused on battlefield preservation? How should non-historic resources be addressed in the easement? Without a comprehensive understanding of all resources present, and how these resources contribute to the conservation values of the property as a whole, the necessary and appropriate restrictions cannot be written into the easement document.

In addition, there are some differences between what the conservation community commonly thinks of as a “conservation easement” and an “historic preservation easement.” Historic preservation easements, particularly those that protect battlefields, are distinct. They incorporate protections for a variety of architectural, archaeological, cultural, and landscape resources. Restrictions should include review by the easement holder of alterations to existing buildings, ground-disturbing activities, and all new construction on a property. Many properties contain historically significant buildings and structures which require the easement holder to monitor both the exterior and interior of any such resource protected by easement.

Conservation easements tend to be broader in scope. They often restrict specific uses of a property that may destroy or impair identified open-space, natural, scenic, historic, or forestal values, while allowing traditional uses such as farming and forestry. Broad-based conservation easements can be an effective tool in support of battlefield preservation. A land trust, government agency, or locality may be an appropriate holder of a battlefield easement that has other conservation values present, provided the easement comprehensively protects the historic resources and the holder has the capacity, skills, and ability to enforce those restrictions. Archaeological sites, features, and deposits related to troop engagements, field hospitals, camps, supply depots, and other Civil War-related activities are likely to exist on any battlefield property. As well, human use and occupation of the property in the years to either side of the Civil War may also contribute to its overall historic significance. The concept of “hallowed ground” really does include the ground and what lies beneath its surface, all of which deserves protection and careful stewardship. It is important to note that an easement that does not include restrictions related to archaeological resources, ground disturbing activities, and review of new construction does not comprehensively protect battlefield resources.

Other values may also be present on a property—rare or endangered species, wetlands, prime agricultural soils, rivers and streams, fragile ecosystems, native forest or wildlife habitat. Opinions differ as to how to protect historic and archaeological values on working lands while allowing continued farming and forestry. Battlefield properties are often working landscapes and must be managed in a way that allows for future viability and change. The aim is to draft an easement with clear goals and objectives that addresses comprehensive protection for all historic resources while allowing the land to remain useful. Easement holders should consider the following when negotiating and crafting historic preservation and conservation easements:

- How do you reconcile active forest management and commercial timber harvesting on battlefield lands? Can a forest stewardship management plan coincide with archaeological resource protection?
- Will agricultural crop production, sod farms, livestock production, nurseries, or vineyards conflict with preservation of an historic battlefield, its landscape, and archaeological resources?
- Do requirements for water quality protections, such as establishment of riparian buffers that restrict ground disturbing activities conflict with archaeological resource protection that may require removal of soil? How will vegetative buffer requirements impact earthworks, trenches, vantage points, or other landscape features present during a battle or military engagement?
- How can a management plan, referenced in the easement, assist with managing the short and long-term effects of the climate on historic resources, with its concurrent impacts to agricultural, forest, and ecological systems?

## Stewardship & Enforcement

For many, land is assumed to be “protected” the moment the easement is recorded. Funding sources are often focused on acquisition and transactional costs, and the only media attention an easement holder garners is when a large tract of land is placed under easement. In actuality, the real work begins with *stewardship*, an ongoing process that requires persons with the appropriate training to dedicate hours to documenting each and every property under easement at variable intervals through written reports, photographs and maps. The documentation process can be slow, methodical and costly. But, stewardship is also about maintaining and building relationships of trust and understanding with the property owners. Maintaining regular communication helps to ensure that a property owner will contact the holder before undertaking a project, and allows the holder to provide technical assistance to the owner in order to achieve the best result.

Stewardship is critical to effective *enforcement*. Good relations with property owners can greatly reduce the number and magnitude of violations. In the event of a violation, it may be easier to accomplish a negotiated resolution with a property owner with whom the holder has a good working relationship. In the event of an enforcement action, good detailed records from monitoring visits are critical to building a successful case. Should the property owner bring suit against the holder, those same records can establish that the holder has consistently applied its adopted rules or policies in a fair manner as warranted by the circumstances.

Enforcement can occur through stewardship, through administrative action undertaken by the holder, and through judicial action brought by the holder. Enforcement actions depend on the type of violation, the severity of the violation, the resulting harm to the conservation values being protected by the easement, and the capacity of the holder to enforce applicable easement restrictions. Pursuing an enforcement action requires careful adherence to formal program procedures, good documentation, and a cohesive team comprised of trained staff and legal counsel, to achieve the best outcome. Creating opportunities for discussion and negotiation can allow for resolution of the violation without significant investment of time and money by the holder. Before initiating any enforcement action, the holder should determine its objective and what action is required to achieve that goal. In some instances, a violation can be reversed and the prior condition restored, and the holder should provide a clear plan for restoration. In other situations the harm may be irreparable and the holder must identify an appropriate remedy to offset the harm or loss caused by the violation. In these cases, the holder may have more latitude to develop creative options but the remedy should always be tied to the specific harm or loss or it may be viewed by the landowner, a court and the public as arbitrary and punitive.

The capacity of an easement holder to enforce the terms of its easements entails significant investment by trained staff or volunteers and the commitment of funds for legal fees. In 2011 the Land Trust Alliance's Conservation Defense Insurance program estimated that the average cost of an enforcement action that goes to trial is between \$70,000 and \$100,000. Typical operating budgets do not have sufficient flexibility to absorb those costs. Setting aside funds in reserve for future enforcement makes sense but may not always be feasible for smaller holders that are dependent on grants and donations, or for public holders whose finances are controlled by a local or state government.

Every enforcement action should seek to halt the violation, reverse it to the extent possible and ensure that the terms of the easement are upheld. In making the decision to pursue an enforcement action, the holder should have an established process for identifying, documenting and categorizing violations and a clear objective. Holders should document a violation as soon as it comes to their attention and should follow established procedures to address that violation, including notifying the landowner. Violations are often categorized as *technical*, *minor*, *moderate* and *major*, and these categories should be clearly defined in written policies or guidelines. Proper notice to the landowner should satisfy minimum due process requirements but also seek to maintain the relationship with the landowner.



Enforcement is tied directly to the terms of the easement and the stewardship of that easement. Ambiguous language, internal conflicts and undefined terms in the easement can easily result in unintentional violations and create unnecessary conflict between the holder and the landowner. During negotiations, potential grantors should be provided copies of all adopted program policies and practices governing the stewardship and enforcement of easements, and the easement holder should

seek to educate prospective grantors about the terms of that organization's easements and how an easement will be stewarded after recordation. Once an easement is recorded, consistent and regular communication with landowners through site visits, publications, mailings, events, and efficient response to inquiries can minimize the need for enforcement action. Towards the common goal of reducing the need for enforcement action, holders need to carefully coordinate negotiation efforts, the drafting of easement terms, stewardship policies and practices, and enforcement policies.

## Resources & Further Reading

**“Easements to Protect Historic Properties: A Useful Historic Preservation Tool with Potential Tax Benefits.” National Park Service, Technical Preservation Services, 2010**

<http://www.nps.gov/tps/tax-incentives/taxdocs/easements-historic-properties.pdf>

**Virginia Department of Historic Resources Easement Program Policies**

[http://www.dhr.virginia.gov/easement/easement\\_policies1.htm](http://www.dhr.virginia.gov/easement/easement_policies1.htm)

**Land Trust Alliance Practical Pointers Series: Baseline Documentation Reports**

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**“Costs of Conservation Easement Stewardship.” Conservation Tools.org. Pennsylvania Land Trust Association. Web. April 25, 2014.**

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**“Managing Change in the Historic Environment: Historic Battlefields.” Historic Scotland. 2010. Web. March, 2011.**

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**Middle Field Restoration Project-Third Winchester Battlefield, Shenandoah Valley Battlefields Foundation**

<http://www.shenandoahatwar.org/Land-Preservation/Responsible-Stewardship/Middle-Field-Restoration-Project-Third-Winchester-Battlefield>

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**Dana, Andrew C. “The Silent Partner in Conservation Easements: Drafting for the Courts.” Excerpted from the Back Forty, The Newsletter of Land Conservation Law: Vol. 8, No. 1 (January/February 1999).**

[http://www.alachuacounty.us/Depts/EPD/Documents/Land/the\\_back\\_40.htm](http://www.alachuacounty.us/Depts/EPD/Documents/Land/the_back_40.htm)

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<http://www.conservationlaw.org/publications/12-EnforcementPolicy.pdf>

**Land Trust Standards and Practices, Land Trust Alliance (Revised 2004)**

<http://www.landtrustalliance.org/training/sp/lt-standards-practices07.pdf>

## 8. MANAGEMENT OF ARCHAEOLOGICAL RESOURCES

Virginia's deep, abundant, and irreplaceable archaeological record represents approximately 15,000 years of human history. From the earliest evidence of prehistoric settlement to the foundations of early 20th century city row houses, and from the grandest plantations to the simplest farmsteads, Virginia's heritage is made incalculably richer by the buried record of those who came before. The Department of Historic Resources (VDHR) is committed to the protection and stewardship of all of Virginia's significant archaeological sites, regardless of their origin or association.

Civil War battlefields occupy a unique place in both the history and archaeology of Virginia. Although their historic significance revolves around actions related to specific battles, these properties often contain historic resources representative of human use and occupation both before and after the Civil War. For most battlefield organizations, however, the primary focus of battlefield preservation is the land itself. This often includes properties whose features are associated with the Civil War (earthworks, natural barriers or vantage points, etc.). As a result, preservation - as well as interpretation - tends to concentrate on the visible aspects of a battlefield property. It is impossible, however, to tell the full story of any property (battlefield or otherwise) without incorporating an understanding of the archaeological history that lies beneath the surface.

Just as the primary focus for battlefield preservation tends to be landscape-related, the primary focus when considering a battlefield property's archaeological potential is sites, deposits, and features related to the Civil War. Properties within the core areas of battlefields may contain artifacts related to the direct engagement between opposing troops. These sites tend to reflect the acute nature of the armed conflict that produced them, manifesting as scatters of items lost, dropped, or fired during the battle, with accumulations in areas where the troops themselves were massed. Careful professional archaeological investigation of battle sites can provide information about troop locations, gun



emplacements, and firing positions, while pattern analysis of dropped and impacted bullets and other projectiles can help battlefield historians to interpret – and sometimes reinterpret – the historic documentation of the battles themselves. This information can then inform the full range of future activities on the property, including reenactments and public education. Knowledge of the location of archaeological sites can help land managers to avoid disturbance or damage to these sites when planning activities such as placement of interpretive signage and use of the property for agricultural or forestal purposes.

The archaeological record of the Civil War is in no way confined to the battlefield. Wherever humans congregate for any length of time they leave evidence of their occupation and activity behind. Although the battlefield evidence is of great importance, many archaeologists are even more intrigued by the ancillary activities associated with these battles. Camps offer a wealth of archaeological data documenting the everyday lives of soldiers, officers, and staff. The camp layout shows how field personnel interpreted government-mandated camp design. Excavation of hut or tent sites produces features and artifacts reflective of the soldiers' individuality. Yards around homes used as headquarters and field hospitals tend to contain features and deposits associated with these uses, with the front lawns used for everything from convalescing soldiers to housing supply depots. As documented in many contemporary photographs, the lawns were also used for respectful (if often temporary) burial.

Any discussion of battlefield preservation must include acknowledgement that men died as a direct result of every battle, whether on the field itself or later from injuries, infection, or disease. Hundreds of these men were buried on or near the battlefield, and multiple battlefield properties are known to contain mass graves where the remains of the dead were interred in the aftermath. Although the federal government conducted a massive campaign to locate, exhume, and respectfully rebury soldiers' remains in the years following the end of the Civil War, photographs of recovery crews at work suggest that the effort was not necessarily comprehensive. Any battlefield is therefore also a potential cemetery.

All of these factors serve to support the concept that the unseen, archaeological component of a battlefield property is as important as the visible landscape, and as deserving of protection and careful investigation. This archaeological stewardship must, however, be balanced with other land use and land management activities in order for the property itself to remain useful in the long term. Any property management or conservation plan for battlefield lands should include measures for active protection of archaeological resources. Although it may seem daunting, especially if archaeology has not been a part of a conservation program in the past, these measures are straightforward and easy to incorporate. At a minimum, the following measures must be included in land management plans:

- avoidance of ground disturbance in areas with high probability of containing archaeological sites, features, or deposits (known troop positions, artillery emplacements, camps, field hospitals, etc.);
- prohibitions on relic hunting and prosecution of anyone engaged in unauthorized excavations on a battlefield property;
- development of terms of use for reenactments and other public programming so that all parties know which areas and activities to avoid; and
- use of low-impact agricultural practices (no-till cultivation, exclusion fencing for livestock, etc.).

When funding permits, working with a professional archaeologist to survey the property and identify sites worthy of protection is recommended. Archaeologists use a wide variety of evaluative techniques, including archival research, landscape assessment, predictive modeling, and the use of both remote sensing and traditional archaeological survey. Many times professional archaeological survey can be combined with public programming, including field schools, to provide a unique opportunity for students and local residents to explore battlefields from an archaeological perspective. New techniques and technology are regularly employed, all with the express intent of giving landowners the information they need to fully understand and comprehensively protect the entire historic property – not just the parts that are visible.

## **Resources & Further Reading**

### **Virginia Department of Historic Resources Cultural Resource Management and Survey Manual**

[http://www.dhr.virginia.gov/pdf\\_files/Survey%20Manual-RevOct.2011Final.pdf](http://www.dhr.virginia.gov/pdf_files/Survey%20Manual-RevOct.2011Final.pdf)

### **National Park Service Online Books: Battle of Pea Ridge**

[http://www.nps.gov/history/history/online\\_books/peri/battle\\_raged.pdf](http://www.nps.gov/history/history/online_books/peri/battle_raged.pdf)

### **Virginia Archaeologist – Fall 2011, Volume 28, Number 2**

<http://cova-inc.org/resources/publications/CoVA-NL/2011%20Fall%20letter.pdf>

Provides a brief account of a public archaeology program on the Third Winchester Battlefield in Frederick County, Virginia, involving both professional and trained avocational archaeologists and volunteers from the community.

## 9. EDUCATION & INTERPRETATION

Civil War battlefields are an important part of the American landscape and historic environment. They contribute to our sense of place as well as our national and cultural identity. For many, they are places of remembrance and contemplation, invoking images of the people, events, and conflicts that shaped our nation. Throughout this symposium, presenters and participants will examine and scrutinize best practices for battlefield preservation. The Sesquicentennial of the American Civil War provides the perfect background for discussions about how best to maximize public interest in battlefield preservation through the principles of education and interpretation. During this session, speakers from the Mosby Heritage Area Association and the Shenandoah Valley Battlefields Association will discuss battlefield preservation as it relates to innovative educational and interpretive activities. The session will end with a presentation from a cultural resource management firm about drafting a battlefield management plan and what stewardship assumptions should drive this process.

Conservation of the physical landscape, or geographic area across which the battle took place and its significant archaeological and historic resources, is the first step in protecting battlefield properties for future generations to appreciate. “Preservation” of a battlefield means:



- protecting the site from damage, harm, or destruction;
- identifying, evaluating, and documenting all historic, cultural, archaeological, and landscape resources;
- ensuring perpetual protection of the site through appropriate legal restrictions;
- stabilizing or rehabilitating any deteriorated or decaying features;
- developing a management and maintenance plan; and
- creating interpretive and educational activities.

In order for preservation to be to be sustainable, however, it is essential to consistently make a very complex Civil War history meaningful to the general public in new and innovative ways. Creating a tangible link to past events connects the visitor to the land and its history. Making the battlefield more “real” galvanizes public attention about the need to protect the site and its historic landscape. Yet, battlefields are not only assets for tourism and recreational purposes; they also have the potential to make a positive contribution to community engagement and enhancement of the natural environment.

### Educational Programming

How do educational and interpretive activities contribute to Civil War battlefield preservation? In the context of battlefields, “education” can be defined as an “an enlightening experience.” We are not born with an understanding of the American Civil War and its influence on everything from our nation’s government to the texture of its cities and the treatment of its citizens. As children, we are exposed to this chapter in American history during primary school, to one degree or another, but the average textbook can only convey a certain amount of material. Thus, it is important to expand educational experiences beyond the classroom. Engaging the public at all ages is essential to bridging the gap between text-driven, passive classroom experiences and maintaining dedicated community involvement.

Depending on an organization’s resources and goals, educational programming can be designed to fit the specific circumstances of a battlefield site or to encompass larger and more general concepts -- they can target specific audiences or be accessible to all citizens; they can also be passive (requiring limited effort beyond development and maintenance of materials) or active (requiring the participation of both instructors and the audience). These approaches can take different forms, including – but certainly not limited to – the following:

Passive:

- Informational/educational websites and applications
- Podcasts and audio tours
- Interpretive signage and exhibits such as informational kiosks, monuments, art, and interactive displays
- Published materials such as brochures, guidebooks, maps, and pamphlets, etc.
- Trails
- Curricula

Active:

- Lectures
- Guided battlefield tours
- Reenactments and encampments
- Archaeological field schools



## Boots on the Ground

As in many areas of battlefield preservation, the not-for-profit sector is a leader in advancing educational activities that promote the experiential and active engagement with Civil War History. The Mosby Heritage Area Association (MHAA) is one such non-profit organization that has developed a strong “Preservation through Education” initiative incorporating a wide variety of educational programs aimed at young children, teenagers, and adults. The Mosby Heritage Area is an 1,800-acre portion of Northern Virginia designated a Heritage Area by the Commonwealth of Virginia in 1995 to increase awareness of the historic, scenic, and natural qualities of the region, which area was named for Civil War Confederate Cavalry Officer John S. Mosby. The MHAA supports the Heritage Area, and their mission is to convey the history of the Northern Virginia Piedmont region and the importance of preserving that history, along with its landscape. Most importantly, “Preservation through Education” is taken into the classroom, where students are encouraged to actively engage with the history that shaped the area in which they live. The MHAA’s “Cavaliers, Courage, and Coffee” program also engages family through an evening lantern-light experience that explores 1863-1865 from the perspective of the Village of Atoka, John S. Mosby, and his Confederate Rangers.

The Journey Through Hallowed Ground National Heritage Area (JTHG NHA) is a roughly 175-mile corridor that generally follows U.S. Route 15 through four states from Gettysburg in Adams County, Pennsylvania to Monticello in Albemarle County, Virginia. Among its purposes, the JTHG NHA was established to preserve, support, conserve, and interpret the legacy of American History created along the JTHG NHA, and to recognize and interpret the effect of the Civil War on the civilian population of the JTHG NHA during the war and post-war reconstruction period. The Journey Through Hallowed Ground Partnership supports the JTHG NHA. One of their primary goals is to help students “develop an appreciation for the past and responsibility for the future” through service learning programs. These experiential learning activities—“Of the Student and By the Student” and “Extreme Journey Camps”—are designed to connect students with the historic, cultural, and natural heritage resources at sites from Gettysburg to Monticello. Designed to immerse students in historic events, these programs combine on-site experiences with education curricula, professional expertise, and digital media technology.

## Interpretive Plans

If education results in enlightenment, interpretation often results in an immediate, visceral connection to a battle and the land on which it occurred. Whether watching uniformed reenactors giving faces and voices to something previously encountered only in a textbook, or listening to a guide describing the first light of dawn over a field strewn with the bodies of soldiers, interpretation is possibly the most powerful tool in our collective repertoire. Involving volunteers in activities on battlefield properties, such as cleanup days or archaeological field schools, is a way to create a sense of connection and ownership as well.

Many battlefield preservation organizations have made the creation of accessible, interesting, and informative educational and interpretive materials and programs a priority. The Shenandoah Valley Battlefields Foundation (SVBF), authorized by the Secretary of the Interior as the non-profit manager of Virginia's Shenandoah Valley Battlefields National Historic District (created by Congress in 1996), partners with private organizations and government agencies at all levels to preserve, interpret, and promote ten Civil War Battlefields in the Shenandoah Valley region. SVBF has developed a plan that integrates and coordinates interpretation within the historic district. One of the fundamental purposes of this Valley-wide interpretive structure is to link landscapes and their stories as a means to enhance the visitor experience. Implementation of a strategy such as this requires establishment of clear goals and objectives, development of materials and content, and a comprehensive evaluation of the condition of battlefields within the scope of the plan.

Interpretation is not without its challenges, particularly with regard to the gap between the public perception of the Civil War, historian's conclusions as to its causes, and primary source accounts. The complexity of issues and ongoing debate surrounding the conflicts that shaped the war continues to remain controversial and poses questions for those charged with an educational and interpretive mission.

## Resource Management Plans: A Holistic Approach

Educational and interpretive programming is only one element of comprehensive battlefield management. Developing a Resource Management Plan is one another key tool to long-term stewardship of a battlefield property. These documents are intended to be flexible and outline best practices for managing change in the dynamic battlefield landscape. Resource Management Plans integrate education and interpretation with stewardship activities, and may include the following core components:

- Inventory of cultural, natural, and agricultural resources as applicable
- Analysis of cultural, natural, and agricultural resource management needs
- Historic property maintenance guidelines
- Restoration or rehabilitation strategies
- Best management practices for archaeological and landscape resources
- Public interpretation, exhibition, and signage plans
- Integration of cultural, natural, and agricultural resource management strategies

Research, planning, and stewardship are three critical elements of any holistic battlefield management plan. The purpose of the plan is to preserve the fragile historic resources that are a part of the landscape while allowing for restoration or rehabilitation, outdoor recreational activities, public access, interpretive displays, and other uses. The plan will also help to inform decisions about how and where the story of the battle is best told and what underlying fundamental stewardship practices should drive these choices.

## Resources and Further Reading:

### **Shenandoah Valley Battlefields Association**

[www.shenandoahatwar.org](http://www.shenandoahatwar.org)

### **Shenandoah Valley Battlefields National Historic District Interpretive Plan**

<http://www.shenandoahatwar.org/About-Us/Partner-Resources/Plans>

### **Mosby Heritage Area Association**

<http://www.mosbyheritagearea.org>

### **Leepson, Marc. "Our Backyard: Preservation Through Education: The Mosby Heritage Area Association's Most Important Mission." Leesburg Today. November 14, 2008.**

[http://www.leesburgtoday.com/blogs/our-backyard-preservation-through-education-the-mosby-heritage-area-association/article\\_4e1bf101-128e-527d-a348-002f6b4af14c.html](http://www.leesburgtoday.com/blogs/our-backyard-preservation-through-education-the-mosby-heritage-area-association/article_4e1bf101-128e-527d-a348-002f6b4af14c.html)

### **The Journey Through Hallowed Ground**

<http://www.hallowedground.org/>

### **Guidance for Developing a Battlefield Preservation Plan. National Park Service, American Battlefield Protection Program, October 2001.**

<http://www.nps.gov/history/hps/abpp/RevisedPlanGuidance.PDF>

### **An American Turning Point: The Civil War in Virginia. Traveling Exhibition, Virginia Historical Society.**

<http://www.vahistorical.org/what-you-can-see/traveling-exhibitions-0/american-turning-point-civil-war-virginia>

### **Little Bighorn Battlefield National Monument Resources Management Plan. National Park Service. July 9, 2007.**

<http://www.nps.gov/libi/parkmgmt/upload/ResourceManagementPlan.pdf>

### **Pitcaithley, Dwight. "Public Education and the National Park Service: Interpreting the Civil War." Perspectives on History: The Newsmagazine of the American Historical Association. Web. November, 2007.**

<https://www.historians.org/publications-and-directories/perspectives-on-history/november-2007/public-education-and-the-national-park-service-interpreting-the-civil-war>

## 10. SITE VISITS: GLENDALE & MALVERN HILL BATTLEFIELDS

The site visits are an opportunity for participants to draw upon the issues and methodologies discussed during the symposium sessions and apply them in the field. During the field tour, fee simple acquisition versus conservation easement strategies for these battlefields will be detailed, along with opportunities and challenges inherent to both preservation paradigms. Even for dedicated preservation organizations, the question of how to effectively manage these properties is constant. In battlefield conservation, as in any type of land management, acquisition or easement is only the first step; the question remains “what do we do with it now?”

As discussed throughout this symposium, battlefield preservation requires interest and enthusiasm, but what it most desperately needs is commitment. For preservation to truly succeed, landowners must be committed to the long-term care and maintenance of each property as a unique and often multi-faceted resource. Effective stewardship of a battlefield property requires, at minimum, the landowner and/or easement holder to uphold the following practices and principles:

- identification and evaluation of all resources present on a property – historic, natural, agricultural, forestal, etc.;
- comprehensive documentation of key landscape features and archaeological sites through sources such as historic maps, Geographic Information Systems, primary source accounts, photographs, and battle histories;
- determination and enforcement of legal property boundaries;
- regular monitoring visits;
- development of a comprehensive management plan that incorporates best management practices for all conservation values;
- careful project planning, taking known (and the potential for unknown) resources into account;
- avoidance of known archaeological sites and unnecessary ground disturbance;
- prohibition of relic hunting, and prosecution of any unauthorized excavation on the property; and
- maintenance of identified historic buildings and structures.

When visiting the properties at the Glendale and Malvern Hill Battlefields, participants are encouraged to consider each property in light of these stewardship commitments:

- How would one most effectively go about identifying and documenting the property and its resources?
- What should a management plan focus on, and how would it be used?
- Should the property be managed by a board or committee, or by individuals tasked with specific responsibilities?
- Is funding available for property management, or would it require a capital campaign?
- How will the property be used and for what purpose(s)?
- What interpretative and educational activities, if any, are planned?
- Will the property be regularly open to the public?

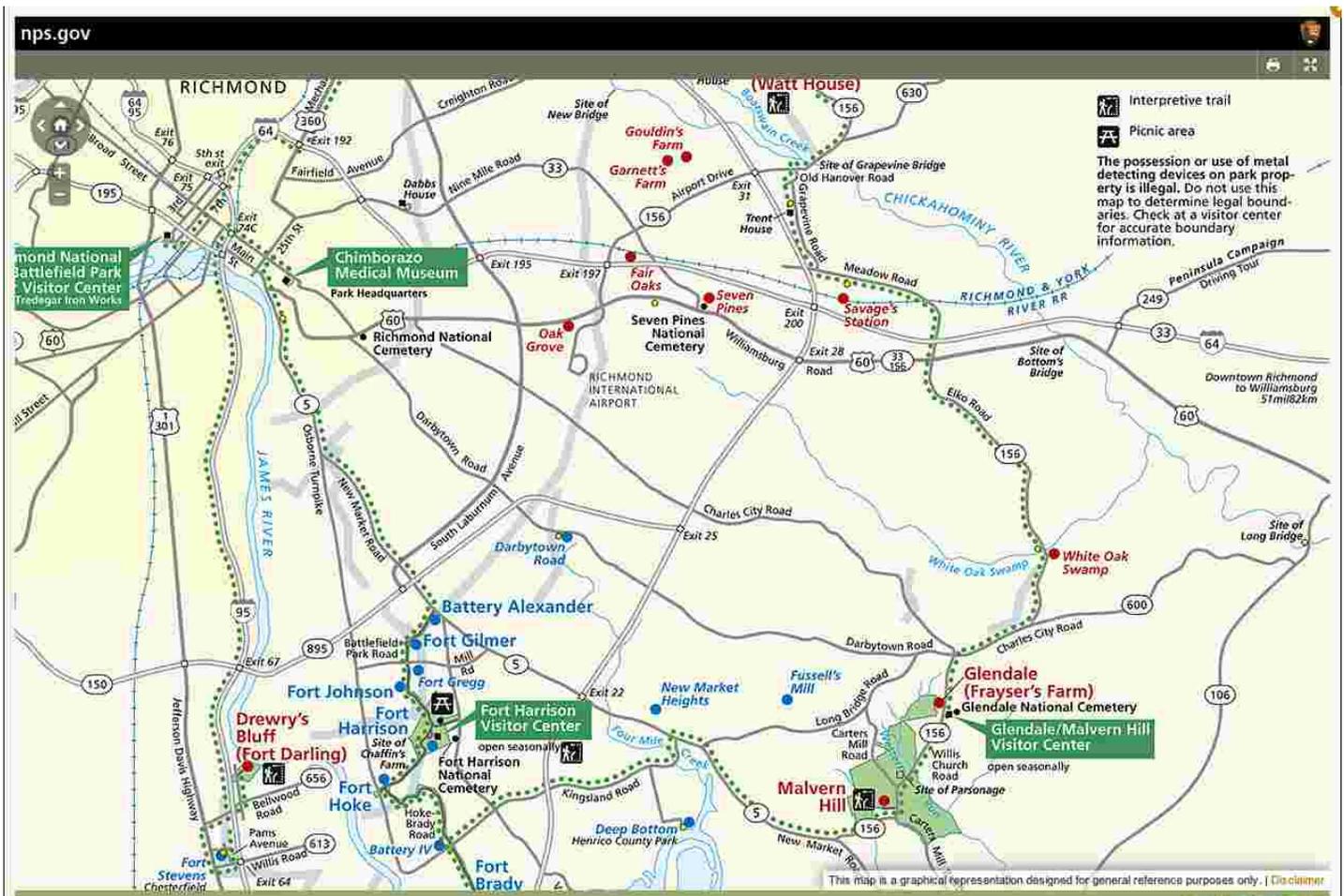
Another essential, but often overlooked, aspect of the stewardship commitment is the development of partnerships. It can be difficult to care for a single property – owners of multiple properties totaling hundreds of acres can swiftly find themselves in an untenable position. Careful nurturing of partnerships with local preservation groups and preservation-minded individuals can provide absentee (or overwhelmed) landowners with much-needed assistance. This “boots on the ground” approach benefits both parties and results in a consistent presence on the property. Partnerships can and should also be developed with local governments, most notably departments of planning, zoning, utility, and transportation. These departments are most often intimately involved with land use and land-use comprehensive planning and zoning, all of which may have a considerable impact on battlefield property. For example, the site visit portion of this symposium includes stops at two battlefield properties located within the A-1 (Agricultural) zoning district in Henrico County. The County lost 8,039 acres to development between the 2002 and 2007 Agricultural Census Years compared to the Virginia statewide average of 5,370 acres per county. The typical zoning density here (one house permitted to be divided for every one acre of land) is higher than some other Virginia Counties like Rappahannock (1 per 25), Rockingham (1 per 40), or even 1 per 50 or 1 per 100 acres in a number of townships and counties in Pennsylvania and Maryland. Additionally, there is no local purchase of development rights program, possibly due, in part, to minimum matching funds available at the state level.

Finally, any stewardship plan should incorporate public education and interpretation. Public support of battlefield preservation is essential. Without it donations disappear, politicians cease recommending budgetary amendments and supporting tax credits, tourists go elsewhere, and the model for battlefield preservation that has developed over the past 15 to 20 years will begin to unravel. It is incumbent on the owners of battlefield properties and their partners to ensure that the public is regularly reminded of the importance of these properties to American history. Placement of interpretive signs, establishment of walking and driving trails, development of interactive websites, lectures, guided tours, and reenactments serve to actively engage members of the public. Involving volunteers in activities on battlefield properties, such as cleanup days or archaeological field schools, is a way to create a sense of connection and ownership as well.

Commitment. Partnerships. Public involvement. All are essential to successful, effective stewardship. Without a balance between them, each aspect will struggle and significant landscapes will be at risk. No organization can sustain landscape preservation alone. Look for the opportunities and confront the challenges in partnership with others.

### Richmond National Battlefield Park

Richmond National Battlefield Park is located in central Virginia and encompasses a large area with battlefield sites and visitor centers located in the City of Richmond as well as Henrico, Hanover, and Chesterfield Counties. The entire park commemorates four major engagements of the Civil War: the 1862 Seven Days Campaign (June 26-July 1, 1862), including Beaver Dam Creek, Gaines’ Mill, Glendale, and Malvern Hill; a portion of the 1864 Overland Campaign (May 28-June 13, 1864), including Totopotomoy Creek and Cold Harbor; naval action at Drewry’s Bluff (May 15, 1862); and actions along the Richmond-Petersburg front (September 29, 1864-April 2, 1865), encompassing Fort Harrison, New Market Heights, Deep Bottom, and Parker’s Battery.



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## Site Visit Itinerary

12:30pm Depart from Virginia Historical Society, Richmond, VA

### 1:00pm **Glendale NPS Visitor Center**

Address: 8301 Willis Church Road (State Route 156), Richmond, VA 23231

Suggested Route: Travel from the Virginia Historical Society via N. Boulevard to Robin Hood Road (past stadium), to I-95 South to I-64 East (via Exit 75).

Take exit 200 (I-295 South) and continue 7.5 miles, then take exit 22A for VA-5 East/New Market Road and travel on VA-5 East for just over 2 miles.

At the fork, make a left onto Long Bridge Road and continue for 3.8 miles.

Make a right onto Darbytown Road and then the first right on Willis Church Road, then to Visitor Center entrance on left.

Parking: Parking is available in the paved area in front of the Glendale Visitor's Center or at the Willis United Methodist Church, located just past the Glendale Visitor Center on the right. If you are traveling via your personal vehicle, please park your car and gather with the passengers departing from the bus in front of the Glendale Visitor Center and Glendale National cemetery.

### 1:45pm **Gravel Hill Community Center**

Address: 5417 Long Bridge Road, Richmond, VA, 23231

Suggested Route: From Glendale Visitor Center, travel north on Route 156 (Willis Church Road) and turn left onto Darbytown Road. Turn left onto Long Bridge Road, and travel 1.0 mile to the community center parking area on the left.

Parking: Additional parking is available at the Gravel Hill Baptist Church across the street. The bus will make an additional stop at the Freeman Marker on Long Bridge Road. Those traveling by personal vehicle should continue directly to the Gravel Hill Community Center/Gravel Hill Baptist Church lot and park their vehicles.

### 2:30pm **Malvern Hill Battlefield Trail**

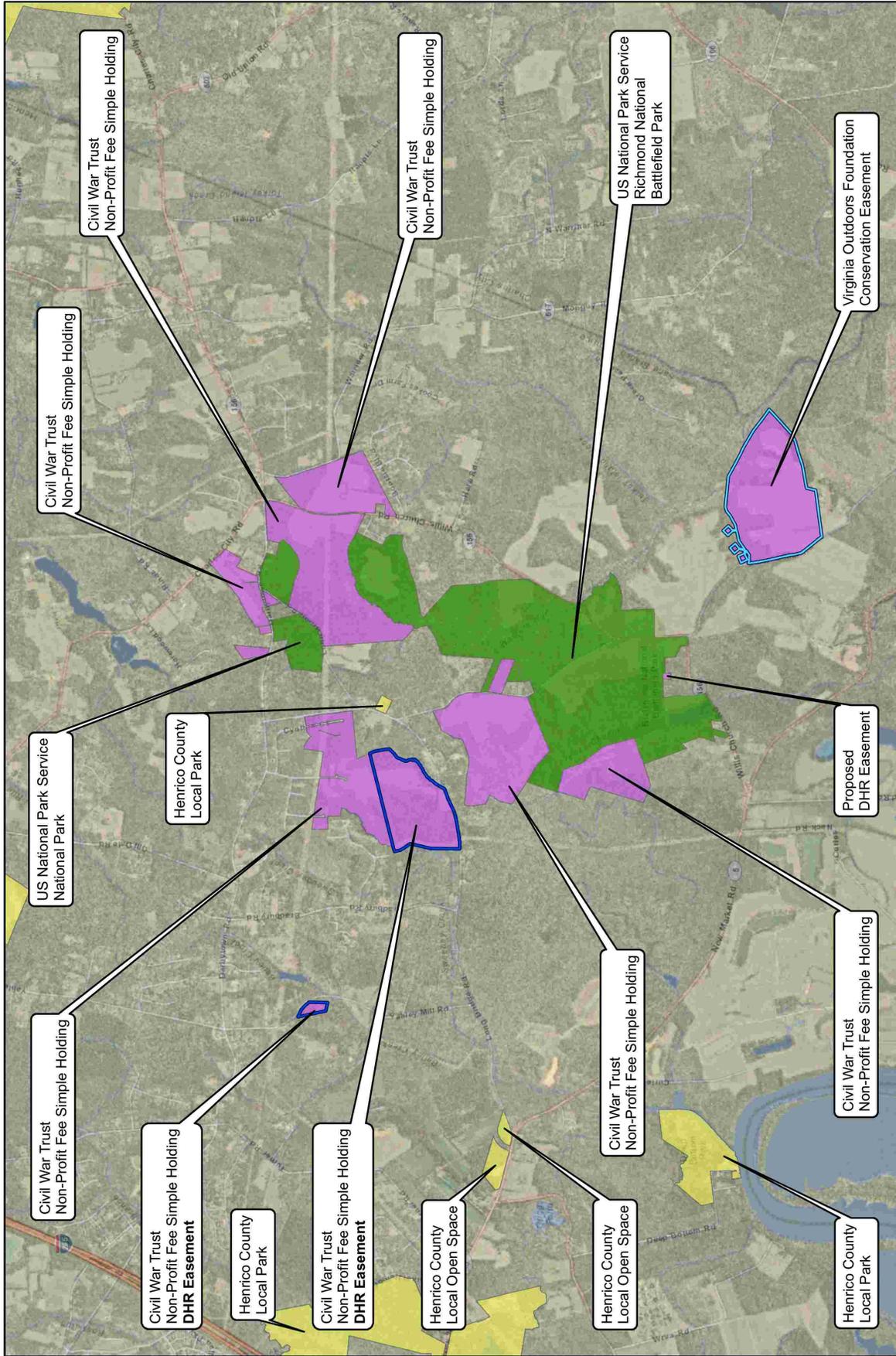
Address: 9175 Willis Church Road, Richmond, Virginia 23231

Suggested Route: Proceed 1/4 mile south on Long Bridge Road to the intersection of Carter's Mill Road, turn left, then travel approximately 3/4 mile to the intersection with the NPS interpretative trail. At the end of Carter's Mill Road, turn right onto Willis Church Road and proceed to the Malvern Hill Battlefield interpretative area on the right.

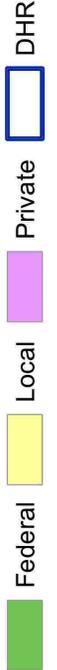
***Note: The bus will disembark passengers at the trail head along Carter's Mill Road. Vehicles cannot park along Carter's Mill Road.***

Parking/Shuttle: Limited parking is available at the Malvern Hill Battlefield Trail Interpretative area. If you are traveling via your personal vehicle, please park your car at the Gravel Hill Baptist Church lot. After the discussion at the Gravel Hill Community center, attendees traveling via personal vehicle should gather in the parking lot for a shuttle to the Malvern Hill Trail stop. After the Malvern Hill Battlefield Trail walk and discussion, those attendees traveling via personal vehicle will be shuttled back to the Gravel Hill Baptist Church parking lot.

3:30pm Depart from top of Malvern Hill Trail for return trip to the Virginia Historical Society



## Conservation Lands Ownership in the Area of Deep Run, Glendale, and Malvern Hill Battlefields



**DHR**  
Department of Historic Resources

Created by: D. Bascone April 10, 2014  
 Sources: VDHR 2014, ABPP 2009, DCR 2014, ESR 2012  
 Records of the Virginia Department of Historic Resources (DHR) have been gathered over many years and the representation depicted is based on the field observation date and may not reflect current ground conditions. The map is for general illustration purposes and is not intended for engineering, legal or other site-specific uses. The map may contain errors and is provided "as-is". Contact DHR for the most recent information as data is updated continually.

1 in = 4,000 ft



## **The Battle of Glendale (Frayser's Farm)**

Text reprinted from the Richmond National Battlefield Park website for reference: <http://www.nps.gov/rich/historyculture/glendalebull.htm>

Glendale was the fifth of the Seven Days battles. On June 30, 1862, with the Union army in full retreat toward the James River in the face of Lee's offensive, the Southern army set its sights on the critical intersection at Riddle's Shop, often called Glendale and sometimes referred to as Charles City Crossroads. Most of the Union army would have to funnel through that bottleneck on its way to the river.

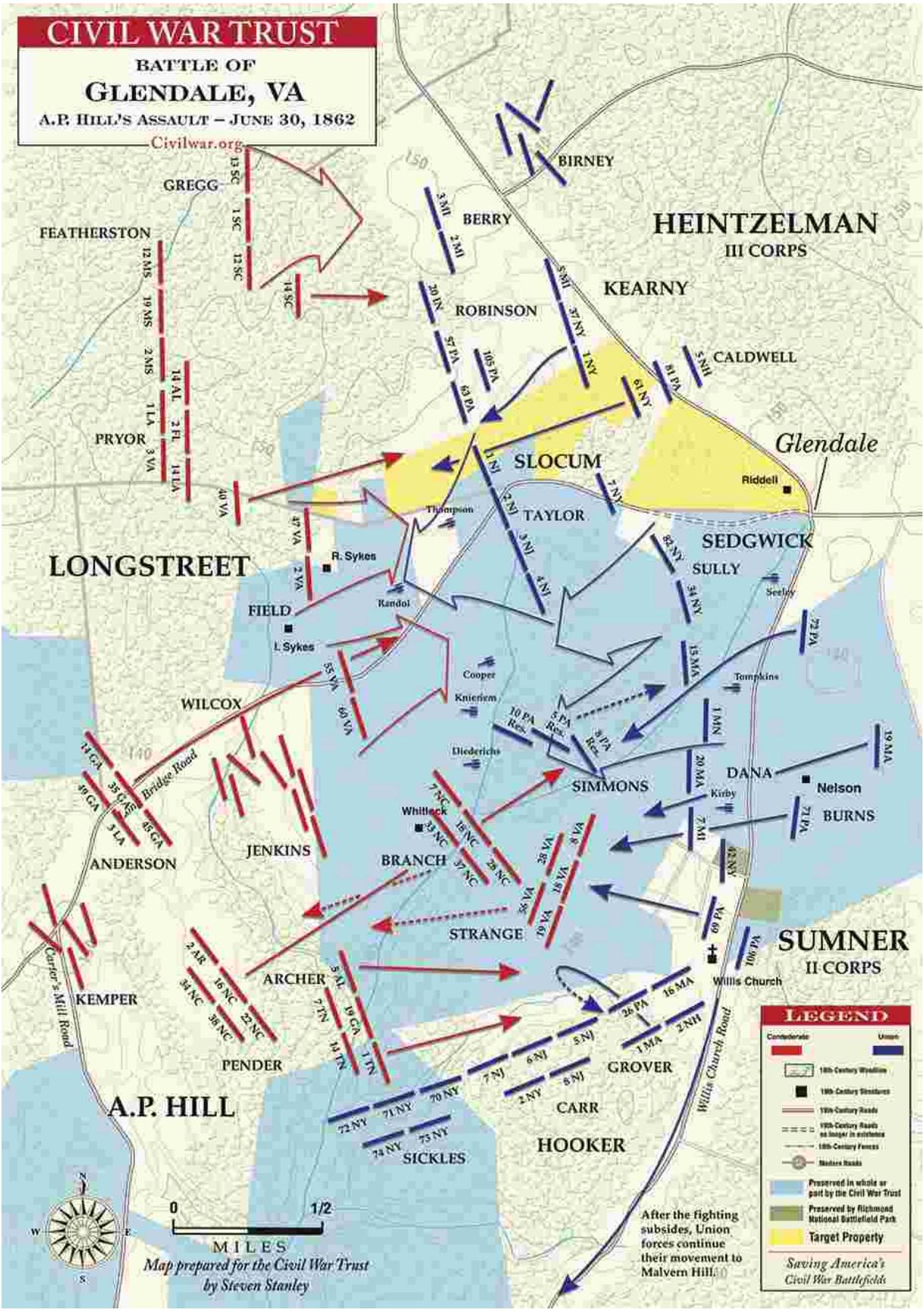
Seven Union infantry divisions deployed across several miles to guard the intersection. Four separate Confederate columns angled toward the crossroads. Northeast of the crossroads, at White Oak Swamp, 30,000 men led by Confederate general "Stonewall" Jackson made no progress against blue-clad divisions under generals Smith and Richardson. Two other Southern columns, commanded by Benjamin Huger and Theophilus Holmes, met substantial resistance and failed to threaten the Union position. The fourth column, which included the troops of generals A. P. Hill and James Longstreet, struck George McCall's Pennsylvania Reserve division west of Glendale on either side of the Long Bridge Road. In the bitter fighting—some of it with bayonets and clubbed rifles—the Confederates captured more than a dozen cannon and were able to push to the edge of the old Frayser Farm, within sight of the road leading south from the intersection to the James River. But they could go no farther. The intersection remained open, and the Union army retreated safely on the night of the 30<sup>th</sup>.

The casualty figures for June 30 are difficult to know with any certainty. Reasonable estimates suggest about 3500 men killed, wounded, and captured on each side. Perhaps no Civil War battle has so many different names. Virtually every Confederate who fought there called it the Battle of Frayser's Farm, but Union soldiers knew it as Glendale, Nelson's Farm, Riddle's Shop, Charles City Crossroads, New Market Crossroads, or White Oak Swamp.

Today Richmond National Battlefield Park owns 140 acres of the battlefield, all of which was recently acquired. Presently the land is inaccessible to the public, but there are plans to install a parking lot, restore the ground to its historic appearance, and develop walking trails and informational signs. Much of the rest of the battlefield is owned by the national non-profit Civil War Preservation Trust, which over the years has purchased and preserved more than 450 acres there, including most of the heart of the battlefield.

## **Community of Gravel Hill**

The Community of Gravel Hill lies in the center of the Glendale Battlefield, where the Union and Confederate armies fought in 1862. In the late 1700s, a Quaker farmer named John Pleasants decreed in his will that all of his slaves should be freed upon his death. With the help of lawyer John Marshall, his son carried out his wishes, eventually freeing 78 slaves given 350 acres of land near Glendale. The free African-American community was soon named Gravel Hill after the landscape characteristics of the region. On June 29, 1862, Union troops arrived in Gravel Hill, camping along the edges of the farm of resident Richard Sykes. The next day fighting raged across Sykes' farm and neighboring properties, greatly impacting this free African-American community. Following the Civil War, residents founded the Gravel Hill Baptist Church in 1866. In the 1930s, a school was built for the community's students, which operated until 1970. Now utilized as a community center, the building contains exhibits on the history of the Gravel Hill.



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## Resources & Further Reading

### **The Battle of Glendale (Civil War Trust)**

<http://www.civilwar.org/battlefields/glendale.html>

### **The Battle of Glendale (National Park Service-Richmond National Battlefield Park)**

<http://www.nps.gov/rich/historyculture/glendalebull.htm>

### **The Battle of Malvern Hill (Civil War Trust)**

<http://www.civilwar.org/battlefields/malvern-hill.html>

### **The Battle of Malvern Hill (National Park Service-Richmond Battlefield Park)**

<http://www.nps.gov/rich/historyculture/mhbull.htm>

**Dunkerly, Bert. "The Battle of Glendale and the Gravel Hill Community." *Hallowed Ground Magazine*. Civil War Preservation Trust. Washington, D.C.: Volume 13, No. 2 (Summer 2012). Web. April 24, 2014.**

<http://www.civilwar.org/hallowed-ground-magazine/summer-2012/the-battle-of-glendale-and.html>

**Sinclair, Melissa Scott. "The Descendants." *Style Weekly*. Richmond, Virginia: June 19, 2012. Web. April 22, 2014.**

<http://www.styleweekly.com/richmond/the-descendants/Content?oid=1724271>

### **Virginia Conservation Lands Database/Virginia Natural Heritage Data Explorer**

[http://www.dcr.virginia.gov/natural\\_heritage/clinfo.shtml](http://www.dcr.virginia.gov/natural_heritage/clinfo.shtml)

<https://vanhde.org/>



~ N O T E S ~

**DHR**

**Prepared by: Jeffrey Everett, Joanna Wilson Green, Wendy Musumeci & Elizabeth Tune  
Edited by: Jessica Borsits**

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