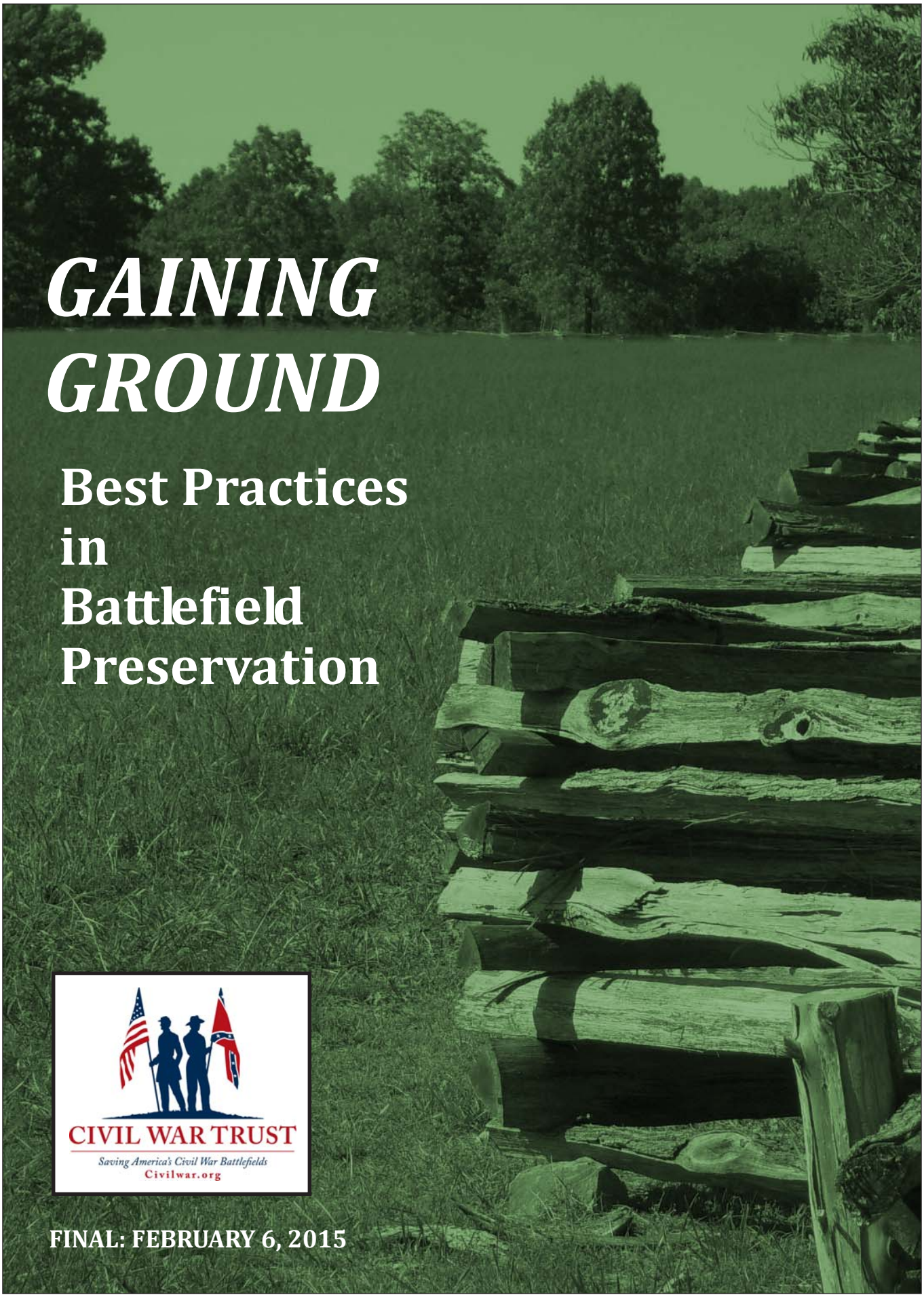

GAINING GROUND

Best Practices in Battlefield Preservation

CIVIL WAR TRUST

Saving America's Civil War Battlefields

Civilwar.org

FINAL: FEBRUARY 6, 2015

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I. INTRODUCTION

INTRODUCTION

The Civil War Trust ("the Trust") is the nation's largest and most effective non-profit battlefield preservation group. The Trust has helped preserve more than 40,000 acres of Civil War battlefield land and continues to strive to save more of America's hallowed ground. Each year, the Trust examines, purchases, places easements on, interprets, conveys, maintains and manages scores of parcels in twenty states. Managing such geographically and programmatically diverse land portfolios poses many challenges. Some of these challenges are shared by local, regional, and state battlefield organizations which have a similar mission to, and often partner with, the Trust.

Purpose of Study

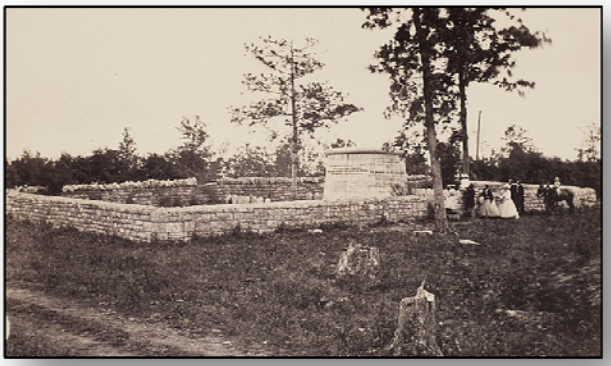
This study will analyze the components of 21st century battlefield preservation and establish a model document that analyzes and establishes best practices for battlefield preservation. This study focuses on every phase of the process, from initial consultation through ongoing land management. Although based upon the experience of dozens of Civil War battlefields, this study relies particularly on four representative case studies: include Brandy Station and McDowell in Virginia, Spring Hill in Tennessee, and Mill Springs in Kentucky. This report will assist the Civil War Trust and other preservation groups in navigating the complexities of the battlefield preservation process. It will inform policy and parcel-specific decisions regarding purchase, interpretation and long-term stewardship. This study is funded by a grant from the National Park Service's American Battlefield Protection Program (ABPP). *While the focus is upon Civil War battlefields, this study is applicable to battlefields of other eras and wars.*

Brief History of Battlefield Preservation

To better grasp today's battlefield preservation context and the associated challenges, it is helpful to understand the discipline within the broader spectrum over many years. The nature of battlefield preservation has evolved tremendously since the Civil War.

19th-Century Battlefield Preservation

Even as the Civil War was waged, its' historic significance was not lost on many of the participants. As early as six weeks after the first battle there, members of the 8th Georgia Infantry had erected a small marble obelisk at Manassas; it had disappeared by the time of Second Manassas in August, 1862. The country's oldest intact Civil War monument is the Hazen Brigade Monument erected in 1863 on Stones River battlefield in Murfreesboro, Tennessee.



Visitors at the Hazen Brigade Monument circa 1865.

By the end of 1862, the federal government had designated twelve national cemeteries principally in locations where Northern military personnel were concentrated, including battlefields, military hospitals, and encampments. Administered by the War Department, these cemeteries were the predecessors for those later established on other battlefields, such as Gettysburg, Vicksburg, and Antietam. During the late-19th century, veteran reunions were occurring at all of the major battlefields. Supported by the efforts of veteran's organizations such as the Grand Army of the Republic and the United Confederate Veterans, the belief grew that those battlefields should be preserved and memorialized. Consequently, between 1890 and 1899, Congress authorized the establishment of five National Battlefield Parks: Antietam and Chickamauga/Chattanooga in 1890, Shiloh in 1894, Gettysburg in 1895, and Vicksburg in 1899. Of those five parks established during the 1890s, all either adjoined or were located near existing military cemeteries.

20th-Century Battlefield Preservation

After Vicksburg's establishment as a military park in 1899, 18 years would pass before Congress would authorize another Civil War battlefield park in 1918 at Kennesaw Mountain, northwest of Atlanta. In the mid-1920s, other famous Civil War battlefields became military parks, including Petersburg and Fredericksburg, in Virginia. In 1933, President Franklin D. Roosevelt transferred all of the military parks from the administration of the War Department to the National Park Service, which was already heavily involved in the preservation of historic sites. Through the rest of the 20th century, many other Civil War battlefields were added to the National Park System, including but not limited to: land associated with the siege of Richmond, additional lands near Manassas, Pea Ridge (Arkansas), and Wilson's Creek (Missouri). The latter two represent the Trans-Mississippi theatre of the war, and were not designated as national parks until 1956 and 1960, respectively.

Amidst a growing national interest, partly spurred by films such as "Glory" and Ken Burn's Civil War documentary, "The Civil War," many people view the modern Civil War battlefield preservation movement as being ushered in by the founding of the Association for the Preservation of Civil War Sites (APCWS) in 1987. Motivated by the rapid loss of battlefield lands throughout Northern Virginia, APCWS not only protected thousands of acres of battlefields from destruction, but offered educational tours and seminars with prominent historians. Four years later, the Civil War Trust was established as yet another non-profit focused on preserving Civil War battlefields. In its eight years of existence, the Civil War Trust helped save 6,700 acres of land, and conducted education and heritage tourism initiatives to teach the public about both the war's significance and the importance of battlefield preservation. In 1999, the APCWS and the Civil War Trust merged to become the Civil War Preservation Trust. The merger, propelled by a unanimous vote of both boards, was effected to streamline and strengthen their efforts. The Civil War Preservation Trust shortened its name to the current name - Civil War Trust - and adopted a new logo in 2011. The American Battlefield Protection Program of the National Park Service was established in 1991, and has focused on battlefields identified in the 1993 report of the Civil War Sites Advisory Commission (CWSAC), as well as on battlefields associated with other wars fought on US soil.

At the state, regional and local levels, numerous smaller battlefield preservation and battlefield "friends" groups were established during the second half of the 20th century. Examples of state and regional groups include the Tennessee Civil War Preservation Association, the Central Virginia

Battlefields Trust, and the Shenandoah Valley Battlefields Foundation. Local level groups are numerous, but just a few examples include the Battle of Franklin (TN) Trust, the Battle of Nashville (TN) Preservation Society, the Shepherdstown (WV) Battlefield Preservation Association, the Richmond (VA) Battlefields Association, the Gettysburg (PA) Battlefield Preservation Association, and the Friends of Perryville (KY) Battlefield. These local groups often partner their efforts with groups such as the National Park Service, state and regional battlefield groups, area land trusts, local governments, and the Civil War Trust.

Current Battlefield Preservation

After decades of aggressive battlefield preservation efforts at all levels, the movement hit its stride upon entering the Civil War sesquicentennial. The Civil War Trust has helped preserve 40,000 acres of battlefield lands, and national interest in battlefield preservation continues to rise. At the federal level, the NPS's American Battlefield Protection Program awarded 24 grants in 2013, totaling $1.1 million for battlefield preservation efforts in 15 states or territories. Those funds were used for surveys, planning, interpretation and similar work and do not include funds for land acquisition. While those projects involve a broad range of wars and eras, many are for Civil War battlefields. At the state level, in 2013, the State of Virginia announced funding of grants totaling $2,252,663 to be awarded by the Virginia Department of Historic Resources (VDHR) that will assist in protecting more than 1,265 total acres at twelve Civil War battlefields throughout the state. And at the local level, Franklin, Tennessee, continues to reclaim its battlefield by acquiring costly developed property near the Carter House and clearing it of modern buildings and parking lots.

2005 demolition of a Pizza Hut on the Franklin, Tennessee, battlefield near the Carter House.

Case Studies Summary: A Tale of Four Battlefields

Although this study is based upon dozens of Civil War battlefield preservation efforts across the country, it includes four case studies to further inform the study. Four battlefields were selected for their diverse and contrasting conditions. For each of the four battlefields summarized below, this study's consultants: reviewed the battle's history; researched the battlefield's preservation story; interviewed and met with key individuals involved with the battlefield's preservation, stewardship, and interpretation; and toured the battlefield for a first-hand understanding of the landscape. The appendices section of this report features a full write-up for each case study, but below is a concise summary of key findings.

Brandy Station: Culpeper County, Virginia

Fought on June 9, 1863, and also known as the Battle of Fleetwood Hill, the Battle of Brandy Station was the first battle of the Gettysburg Campaign. The 11,000 Union forces were under the command of General Alfred Pleasonton, while the 9,500 Confederates were under the command of General J.E.B. Stuart. Casualties totaled 1,451 and the outcome was a Confederate victory.

To date, 1,860 acres have been protected through the combined efforts of several organizations, including the Civil War Trust, the Brandy Station Foundation, Virginia Department of Historic Resources (VDHR), and the National Park Service's American Battlefield Protection Program (ABPP). Lands have been protected through a combination of fee simple purchases and conservation easements that allow the owners to maintain ownership and use of their property. Much of the battlefield's preservation history, dating back to 1987, stemmed from threats of residential development, an industrial park and an auto racing track. Much of the success here has resulted from the mobilization of volunteers to counter such threats. Key lessons learned include:

- Many battlefields owe their preservation successes to the mobilization of "friends" groups who organized to confront some major threat.
- Battlefield preservation groups should routinely monitor core battlefield land to detect a pattern of sales to outside entities. Early detection allows timely mobilization of the preservation effort.
- Landowners typically dislike “outsiders” suggesting what they can or cannot do with their property. Putting a local face on preservation, such as neighboring landowners, is helpful in selling preservation. Local relationships are critical to quick action.
- An important strategy to battlefield preservation is to build support from local residents who come to see the battlefield as part of their local identity.
- Creative arrangements are critical to land stewardship, such as the Trust's agreements with local farmers and hunters to maintain their lands and serve as the Trust's "eyes and ears."
- Unless a strong fiscal and economic argument can be made for a battlefield's preservation, local governments should not be counted on for support if other land use options are more fiscally and economically lucrative.
- When it comes to high-profile battlefield preservation controversies, developer and property interests can influence policy decisions at even the state and federal levels.
- Partnerships between a broad range of entities and individuals are necessary for long-term success in battlefield preservation. Furthermore, despite potential disagreements on various issues, it is critical that diverse groups are on the "same page."
- While they should be a last resort, lawsuits can help achieve publicity for battlefield preservation efforts, but the costs generally require pro bono legal services. Regardless, time is money, and lawsuits take time. Developers are paying mortgage costs, salaries, and legal expenses while their work is held up. This situation provides leverage to preservation groups, although lawsuits should not be considered a conventional preservation tool.
- Wayfinding signage is critical to get visitors to battlefields.

McDowell: Highland County, Virginia

Fought on May 8, 1862, as part of Major General Thomas Jonathon "Stonewall" Jackson’s Shenandoah Valley Campaign, this battle pitted 6,500 Union troops (2,250 engaged) under Generals Robert C. Schenk and Robert H. Milroy against Jackson's 6,000 troops. Casualties totaled 754, with the result being a Confederate victory.

Approximately 1,000 acres have been saved to date at the McDowell Battlefield, although its preservation history is starkly different from that of Brandy Station. Highland County is Virginia's least populated county, so development threats have not played a role in this battlefield's preservation. It has been less of a story of reaction, and more of a story of proactive action. Key partners in the battlefield's preservation efforts dating to the early-1960s have included the Lee-Jackson Foundation, the Civil War Trust, the Shenandoah Valley Battlefields Foundation (SVBF), the Virginia Department of Historic Resources, the Valley Conservation Council, the Virginia Outdoor Foundation, and the Highland Historical Society. The latter group is effectively the battlefield's local "friends" group. Among the key lessons learned are the following:

This church served as a hospital after the battle.

- For battlefields lacking eminent development threats, gaining support for preservation can be more challenging and lack a sense of urgency.
- An important battlefield preservation strategy is to build support from local residents who come to see the battlefield as part of their local identity and a community resource, including its heritage tourism draw.
- Living history demonstrations can be an important tool for fundraising and promotion of a battlefield, as well as benefiting local economic development via spending in local businesses.
- Creative arrangements can benefit land stewardship, such as the agreements that various preservation groups have with farmers and hunters to maintain their battlefield lands.
- Some entities gain local governmental support for preservation by forgoing their tax-exempt status with respect to paying property taxes on land.
- In geographic areas lacking strong development potential, the impacts of conservation easements on land values can be minimal, which also undermines their attractiveness for owners seeking state and federal tax benefits for the otherwise diminished land values.
- The preservation and use of a war-era structure can be extremely beneficial for both interpretive purposes and to provide a home for the local battlefield "friends" group.

Spring Hill: Maury & Williamson Counties, Tennessee

Fought on November 29, 1864, the Battle of Spring Hill was part of the Confederate Army of Tennessee's Franklin-Nashville Campaign. It pitted 30,000 Union troops under General John M. Schofield against 33,000 Confederate forces under General John Bell Hood. Casualties totaled approximately 700, and it was a Union victory.

As with the Brandy Station Battlefield's preservation, most of the achievements at Spring Hill can be credited to the mobilization of preservationists facing a development threat. However, unlike Brandy Station, most of the battlefield had already been developed by the time that serious interest was

generated. The battlefield's preservation story starts in 1985 when General Motors (GM) announced plans to build a Saturn automobile manufacturing plant in Spring Hill that would initially employ 3,000 people. Among the extensive land purchases that GM made for their plant was Rippavilla mansion and surrounding lands. This property was the scene of a dramatic breakfast meeting among Confederate generals the night after the Battle of Spring Hill and the morning of the Battle of Franklin. GM donated the Rippavilla property to the County and the Rippavilla Plantation Society (RPS) was founded to manage and interpret the property. A few other key land acquisitions occurred over the following years with the primary partners involved in the preservation successes including GM, the Civil War Trust, RPS, Maury County, the City of Spring Hill, and the US Department of the Interior. To date a total of 293 acres have been saved, and the following lessons have been learned:

- It is never too late to begin battlefield preservation efforts. Because so much had already been lost, many had given up on the Spring Hill Battlefield's preservation prior to the Civil War Trust's 110-acre acquisition in 1996 and the subsequent preservation of the 85-acres north of Rippavilla in 2010.
- The preservation and use of a war-era structure can be extremely beneficial for both interpretive purposes and to provide a location for meetings related to battlefield interpretation and preservation.
- It is important to nurture positive relationships with individuals and entities that might otherwise be viewed as a threat. RPS and GM have forged an important partnership that led to Rippavilla being donated to RPS and opening the door for the 85-acre adjacent acquisition. GM's facility manager is a member of the RPS Board of Directors.

Rippavilla is a critical feature to promote and interpret the Spring Hill Battlefield.

- Financial benefits related to federal taxes can be an attractive incentive for battlefield preservation. That was part of GM's motivation for selling the 85-acre property at a discounted price.
- Institutional partnerships can be critical to battlefield preservation successes. The partnership between the Civil War Trust and the City of Spring Hill resulted in the 110-acre battlefield park on Kedron Road. Similarly, the partnership between the Trust, the US Department of the Interior, RPS and GM resulted in the preservation of the 85-acre tract.
- Unless local governments are willing to flex their muscles and designate historic districts to preserve the most important areas, such areas will be lost. At the current rate of redevelopment within Spring Hill's historic village on Main Street, little may be left within the next few decades.

Mill Springs: Pulaski & Wayne Counties, Kentucky

Fought on January 19, 1862, the Battle of Mill Springs is also known as the Battle of Logan's Crossroads and the Battle of Fishing Creek. It was not affiliated with a particular broader military campaign. The battle's 4,400 Union forces were under the command of General George Thomas, while 5,900 Confederate forces fought under the command of General George B. Crittenden. With 814 total casualties, this battle ended in a Union victory.

The battlefield's earliest preservation success stems from the 1993 Civil War Sites Advisory Commission's "Report on the Nation's Civil War Battlefields" identifying Mill Springs as one of the state's most important battlefields followed by the Kentucky Heritage Council's spearheading of a meeting to establish a "friends group." Next came a $25,000 ABPP grant for a battlefield preservation plan, and the first land acquisition occurred in 1993 when $50,000 was donated towards the acquisition of 19 acres of land. After additional land acquisitions and easements, a 10,000 square foot Interpretive Center was funded by the State ($1 million) and the federal government ($1 million). By 2013, a total of 450 acres had been saved when it was announced that another 95 acres would be added to these holdings through funding by the Civil War Trust and the NPS's American Battlefield Protection Program. At present, another effort is underway to save an additional 102 acres, and a federal bill has been introduced to fund a feasibility study to consider adding the battlefield to the National Park Service system. Among the many lessons learned are the following:

- The Civil War Sites Advisory Commission's 1993 "Report on the Nation's Civil War Battlefields," the NPS's American Battlefield Protection Program, and State Historic Preservation Offices can be critical to initiating a successful battlefield preservation project.
- The 1993 Mill Springs battlefield preservation plan - funded by a $25,000 ABPP grant - was also critical to the success at Mill Springs. As a consequence, it was updated with an interpretive plan in 2010 and it continues to serve as a blueprint for the Mill Springs Battlefield Association (MSBA).
- Although it is generally unusual, there can be unforeseen drawbacks to using conservation easements as a means for protecting battlefield lands. While the second major preservation success at Mill Springs was a $30,000 conservation easement for 15 acres, the MSBA ended up paying $60,000 ten years later for the same land as a fee simple purchase. They in effect, paid for it twice, but the circumstance could not be foreseen.
- Battlefield organizations need to be resourceful in finding cost-effective services. The MSBA uses prisoners every morning for maintenance work and senior citizens volunteer their time to work the front desk of the interpretive center.
- Battlefield organizations should be led by a board of directors with a balanced mixture of perspectives, skills and resources. The inclusion of the local convention and visitors bureau (CVB) director on the MSBA board has helped to attract heritage tourists.
- Although the ideal scenario for battlefield interpretation is to remove post-war development, it can be a means of financial support for the battlefield. The MSBA continues to hold, maintain, and manage six rental properties on battlefield lands.

- While many battlefields such as Mill Springs have been considered for inclusion within the NPS system to no avail, it is often worth the time, cost and effort to explore for those instances in which it is indeed a viable alternative and there is a reasonable chance of success.
- Gaining the support of governmental entities at all levels can be critical: the Kentucky Heritage Council helped to jumpstart the entire effort at Mill Spring during the early-1990s, the County has been funding a significant portion of the MSBA's operation costs for years now, and the local Congressman has been critical to federal funding over the years.
- Creating partnerships is vital to long-term success in battlefield preservation. The MSBA initially competed with groups such as the Civil War Trust for federal transportation enhancement funds, but after developing a collaborative relationship with the Trust they began having much greater success as partners.
- In managing a site like Mill Springs, it is important to develop a business plan and consensus-based policies to guide operations and future developments. A business plan helps ensure financial solvency. Clear policies help ensure equitable response to all users, operational efficiencies, and continuity in all services.
- Never underestimate the value of individuals in shaping preservation efforts. In the startup of any preservation cause, the importance of one or a few individuals who shepherd the effort are often critical. Absent a supporting organization, public awareness and appreciation for the site, and funding, highly motivated individuals can "connect the dots," develop the needed relationships, and build the foundation for the site's preservation.

This 10,000 square foot interpretive center has become a crowning jewel of the Mill Springs Battlefield.

II. PRESERVING BATTLEFIELDS

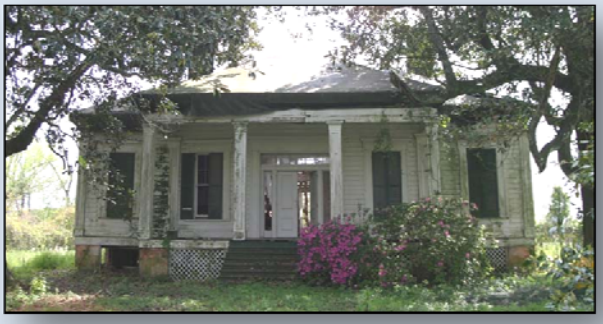
PRESERVING BATTLEFIELDS

Within the context of this study, the term "battlefield preservation" entails a broad range of considerations and activities, including land stewardship, restoration, and site interpretation. However, the fundamental prerequisite for any of these is preservation.

Planning Versus Reacting

Planning is a function performed by many organizations in both the private and public sectors. City governments typically create comprehensive plans to map the future growth and development of their communities so that sound policies and budgets can be adopted. New businesses needing a bank loan are often required to prepare a business plan to verify the financial viability of their endeavor. Given the various complex issues related to saving a battlefield, planning is equally beneficial to battlefield preservation groups. Surprisingly, however, many battlefields that are the subject of serious preservation efforts remain unplanned. In fact, of the four case study battlefields highlighted in this report - Brandy Station, McDowell, Spring Hill, and Mill Springs - none have a bona fide preservation plan. Because of this phenomenon, many battlefield friends groups are in a constant posture of reacting to events that may impact their battlefield, such as proposed development.

In contrast are Civil War battlefields such as Franklin and Davis Bridge in Tennessee, Reed's Bridge in Arkansas, and Champion Hill in Mississippi. All four battlefields had ABPP-funded plans prepared for them and all four have experienced measurable success from their resulting preservation efforts. That is not to say that other battlefields without preservation plans have not experienced success. In fact, Stones River Battlefield in Tennessee was the subject of multiple ABPP-funded planning projects during the late-1990s, yet because of local zoning and development decisions, major portions of the battlefield lying outside of the National Park boundaries were still lost to development. Although they do not guarantee success, comprehensive battlefield preservation plans are powerful tools which can help battlefield friends groups seize and maintain the preservation initiative.



The deteriorated Coker House is shown above prior to the Champion Hill Battlefield Plan. Below is its current appearance since implementation of portions of the plan.

Best Practice #1: Prepare a comprehensive battlefield preservation plan based on thorough research and stakeholder input as a key starting point in preservation efforts.

Benefits of a Battlefield Preservation Plan

1. The planning process results in a greater understanding of the battlefield and its resources.
2. The planning process provides an opportunity to promote the battlefield with the public and to generate greater local support.
3. The plan allows the battlefield's stewards to make informed decisions regarding future land acquisitions, physical enhancements, and similar alternatives based upon agreed upon priorities.
4. The plan encourages the most efficient use of limited funds for preservation.
5. The plan can make the battlefield's organization more competitive in pursuing public funding (ABPP grants, foundation support, municipal allocations, etc.) for specific projects included in the plan.
6. The plan can be used as a marketing tool to generate more interest and support for the battlefield.

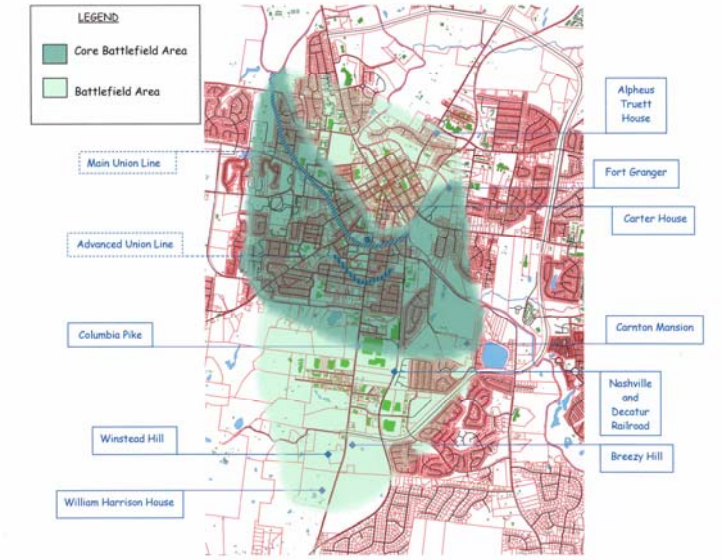
Contents of a Battlefield Preservation Plan

At a minimum, a battlefield preservation plan should include the following elements:

- Plan Intent Description: This section should explain the purpose of the plan and its goals. It might also describe the process used to create the plan (scope of work), particularly with respect to any field work, information sources, and public participation.

- Summary of the Battle: Even relatively small-scale battles typically have accounts, reports and/or histories written on them that provide a good overview of the battle. Of particular use are the Official Records of the War of the Rebellion. The websites of the Civil War Trust and the NPS's American Battlefield Protection Program feature excellent battle summaries. Thus, the purpose of this section is not to write yet another history of the battle. However, it should provide a good overview with respect to the competing armies, who led the armies, any related military campaigns, the tactical maneuvers that occurred on the battlefield, and the outcome of the battle and its consequences. Maps depicting the battle with geographic features can be particularly useful in delineating battlefield boundaries.

- Delineation of Battlefield Boundaries: It is important to delineate the boundaries of the battlefield to help determine the study area parameters. Many such delineations will distinguish between the "core battlefield" where actual combat occurred, versus the secondary



The Franklin (TN) Battlefield Plan distinguished between the "core" battlefield area and the secondary battlefield.
Graphic Source: The Walker Collaborative / Thomason & Associates

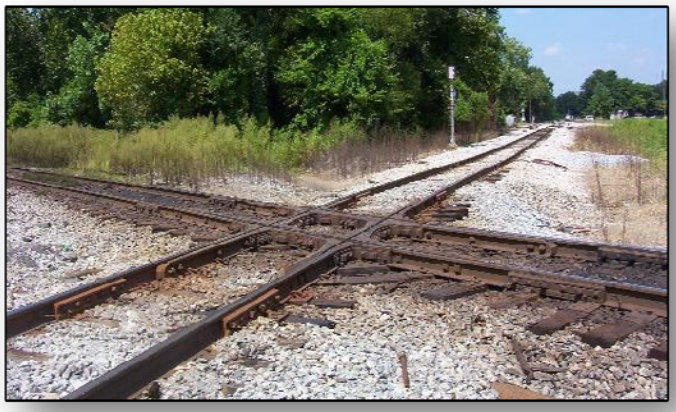
battlefield that witnessed troop movements, encampments, staging areas, officers headquarters, field hospitals, and other non-combat activities. The core and secondary areas are typically referred to as the overall "study area." The 1992 Civil War Sites Advisory Commission Report defines the "core" battlefield as "only those places where the combat engagement and key associated actions and features were located." In the case of battlefields that have already been nominated to the National Register of Historic Places, the battlefield may have already been delineated. Likewise, the NPS's American Battlefield Protection Program has already mapped the 384 most significant Civil War battlefields.

- Inventory and Assessment of Key Landmarks and Cultural Resources: Battlefield landmarks and cultural resources can be divided into three categories:

  Natural Features - Relevant natural features typically include topographical features such as hills, ridges, fingers, draws, ravines, or saddles and the hydrologic features which helped create them. While these sorts of natural features tend to survive over the years, ground cover can change greatly between wooded areas and cleared areas.

  Archeological Features - Most battlefield preservation planning projects lack the financial resources to conduct any extensive archeological survey work. However, some battlefields have already had some survey work performed prior to planning, so existing archeological data should be researched as a standard procedure. The State Historic Preservation Office (SHPO) is a good starting point.

  Non-Archeological Features - Examples of non-archeological features that do not fit into the other two categories cited above include historic roads and road beds, rail lines, Civil War era buildings, surviving earthworks, and similar features. Because of their importance in telling the story of the battle, their preservation is particularly critical. Three of the four case study battlefields for this report (Brandy Station, McDowell, and Spring Hill) feature an important war-era building that is used to help tell the battle's story.



The railroad crossroads near Downtown Corinth (MS) was a strategic feature driving much of the Battle of Shiloh and the Corinth siege. This feature has changed little since the war.

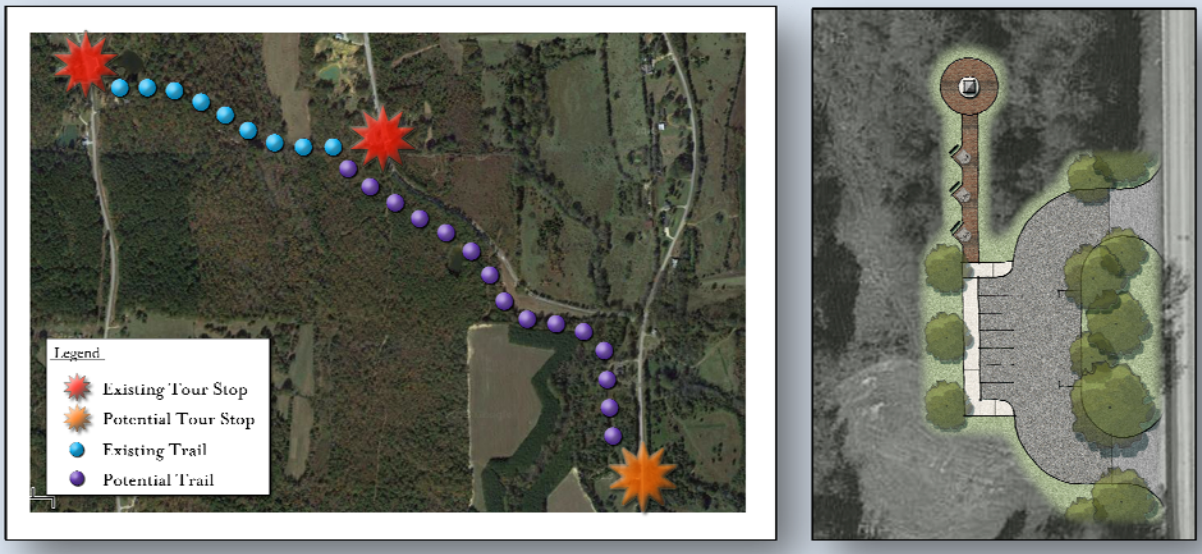
  An approach commonly employed for analyzing military terrain and understanding the anatomy of a battlefield is referred to by the acronym KOCOA: key or decisive terrain, obstacles, cover and concealment, observation and field of fire, and avenues of approach and withdrawal.

- Prioritization of Parcels: The act of prioritizing parcels for preservation recognizes that funding for preservation is, in most cases, limited. Therefore, funding spent on fee simple purchase or conservation easements must be carefully targeted. The process for determining priorities is discussed in detail later in this section of the study and is based upon a range of considerations that must be balanced out. Regardless of the benefits of prioritizing parcels, the one potential detriment of doing so must be acknowledged: determining a particular parcel as being "low priority" relative

to other parcels can be used as an excuse by a land owner for moving forward with development plans because their property is considered less significant than others.

- Proposed Preservation Methods: As the later section on "Options for Preservation" reflects, the options are typically relatively limited. There is a range of real estate mechanisms that might be applied to save privately-owned land, including sale-leasebacks, life estates and bargain sales. The most commonly used, however, are fee simple purchases and conservation easements. To avoid appearing too threatening to battlefield land owners, most preservation plans emphasize that real estate transactions should only occur with a willing seller so that potential fears of condemnation by a public agency are relieved.

- Physical Enhancements: Proposed physical enhancements are often tied to a map and might include concepts such as parking areas, an interpretive center, driving tour roads, tour stop pull-over areas for vehicles, walking trails, and similar features intended to make the site highly accessible, user-friendly, and interpreted.



Recent planning in 2013 for the Brice's Crossroads Battlefield near Baldwyn, Mississippi, proposed a new tour stop to interpret the role of USCT soldiers, as well as an extension of the existing trail to the new stop.
Graphic Source: The Walker Collaborative / Third Coast Design Studio

- Implementation Strategy: The battlefield plan's implementation strategy may be the most important element for those who are sincere about seeing the plan realized. The implementation issues to be addressed include: organizational capacity, funding, responsible parties, and sequencing of actions. The implementation strategy can provide an opportunity to summarize the plan's primary ideas and to present them in a context that is simple and easy to understand.

One component of many battlefield preservation plans not addressed above is the interpretive plan. Many would argue that, unless a battlefield's story is told, there is little point in preserving it. While that point can be argued, there is little doubt that interpreting the battlefield adds greatly to the

meaning of it and the visitor experience. If included, an interpretive plan should identify the following:

- Key interpretive themes of the battle and battlefield; and
- Proposed methods of interpretation (interpretive center, wayside exhibits, electronic media, driving tours, brochures, etc.)

Often when there is insufficient funding available to address interpretation as part of the preservation plan, a separate interpretive plan is developed subsequently as a distinct project. Section IV of this report - "Restoration & Interpretation" - goes into much greater detail on battlefield interpretation. Also, for additional information on battlefield preservation planning, see the NPS American Battlefield Protection Program's 2001 publication entitled "Guidance for Developing a Battlefield Preservation Plan" (http://www.nps.gov/hps/abpp/RevisedPlanGuidance.PDF).

Best Practice #2: Implement the battlefield preservation plan with distinct areas of responsibility and with sufficient flexibility to adapt to changing circumstances and opportunities.

Preservation Plan Implementation

The contents of the implementation plan component of a battlefield preservation plan were addressed above. Regardless of the details of the plan, it must always be kept in mind that a plan is a living document that must evolve with changing circumstances. It should never be viewed as being "etched in stone" as its implementation occurs. For example, although the preservation plan for the Davis Bridge Battlefield in West Tennessee includes a three-tiered priority ranking for the battlefield's various privately-owned parcels, the real estate market dynamics were ultimately a greater determinant than the plan. A "moderate priority" parcel will invariably leapfrog a "high priority" parcel when the former becomes available on the real estate market. Therefore, every plan's implementation needs to be responsive to ever-changing conditions and opportunities.

Generating Support and Building Partnerships

Public and private sector support of battlefields is important for a variety of reasons, particularly to secure the funding required to preserve, enhance, manage and interpret them. In fact, it is such a worthwhile endeavor that the NPS's ABPP often funds projects aimed specifically at building local support and making the case for preservation. One approach used by non-profit entities directly involved with the preservation of the McDowell Battlefield in Virginia's Shenandoah Valley is to pay property taxes despite their potential for securing tax-exempt status. That spirit of cooperation helps to win support from the Highland County government.

Regularly-scheduled activities at Antietam Battlefield make the site an important part of the community and nurtures local support.

Battlefields that feature a flagship building, such as an interpretive center or historic house museum, can be particularly successful in helping to generate and sustain local interest and support. In the case of the Brandy Station Battlefield, the Graffiti House serves that role, while the George Washington Hull House does the same at McDowell. Because of the small size of both communities, these battlefield structures function as informal community centers, although they generally have more limited public accessibility relative to actual community centers. One potential downside of maintaining and operating battlefield structures is that the time and money necessary can compete with those same resources that could otherwise be used for preserving additional battlefield lands.

Best Practice #3: Formulate a well-articulated argument for the importance of battlefield preservation, get the word out, and seek strategic partnerships.

As this report's four case study battlefields demonstrate, most battlefield preservation success stories stem from partnerships forged by multiple groups and individuals. However, to generate the necessary levels of support, a well-articulated case must be made for the merits of battlefield preservation. Many of those benefits are the same as those derived from having any sort of open space. A preserved battlefield is good for the natural environment, it provides passive recreational opportunities, and the fiscal benefits of leaving land undeveloped typically outweigh many alterative land uses, such as residential development. However, the economic merits of battlefield preservation can go far beyond those associated with typical open spaces and are primarily tied to heritage tourism. According to the Civil War Trust's 2012 report, *Blue, Gray & Green: Economic & Tourism Benefits of Battlefield Preservation*, battlefield preservation may have these benefits:

- In 2010, nearly $442 million were spent in local communities by 15.8 million visitors to 15 National Park Service Civil War battlefields and historic sites within five states (Missouri, Pennsylvania, South Carolina, Tennessee, and Virginia), supporting 5,150 local jobs.
- Out-of-town visitors added $11.7 million per year to local government tax revenues and $21 million to state coffers at 20 Civil War sites from Gettysburg to Chickamauga surveyed between 2003 and 2005,.
- A typical family of four spent $1,000 during its battlefield visit based on research in 2006.
- In Virginia in 2008-2009, Civil War visitors stayed twice as long and spent twice as much as the average tourist.

Studying the Battle and the Battlefield

Perhaps the most fundamental early step in attempting to preserve a battlefield is to better understand the battle and the battlefield, two very distinct actions.

Understanding the Battle

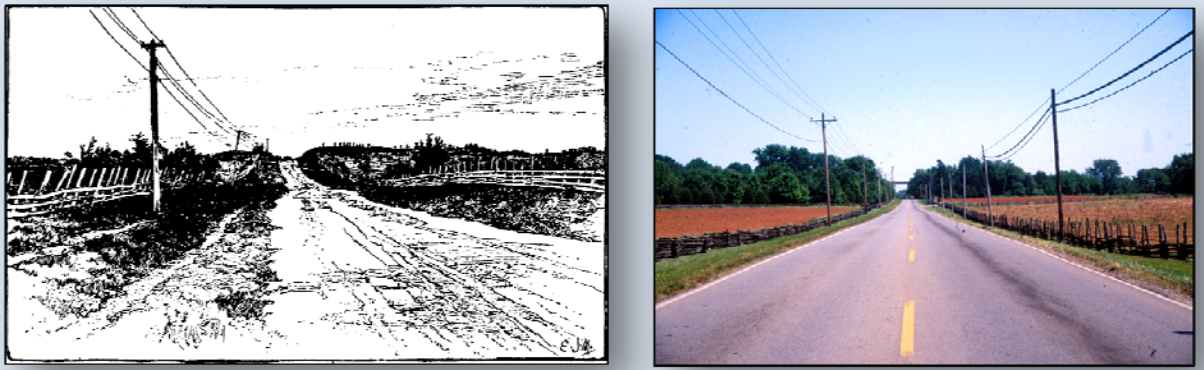
As noted previously in this study in the section on preparing a preservation plan, even relatively small battles usually have existing accounts, reports and/or histories written, including the Official Records of the War of the Rebellion (ORs). It is important to understand the context of a battle within

the broader scheme of the war for purposes of interpretation, but for preservation purposes, the event that occurred on the field is most important. Key topics include when the battle began and ended, the number of troops involved, where the troops were initially staged and then deployed, where infantry lines were formed, where artillery batteries were located, and how the cavalry was used (assuming infantry, artillery and cavalry were all even involved). The casualty levels of each side and how the battle concluded are also important facts, as well as how the armies withdrew from the battlefield. Basic facts of the battle are needed for preservation purposes, while greater detail is more important for interpretation.

Archeology can be an extremely useful tool to identify cultural materials in a carefully-documented manner that sheds additional light on the battle. However, it is labor and time-intensive, archeology requires careful planning and management to ensure that it is focused where it can be most helpful to overall preservation goals. Complicating matters is the fact that relic hunters armed with metal detectors, whether legally or illegally, have often beaten the archeologists to the site and damaged the archeological record. Recognizing the value of using metal detectors for surveying expansive areas of land, the National Park Service has occasionally used people trained in the use of metal detectors to employ them in targeted instances. Examples of their application include salvage archeology where new roads or utilities will disturb part of an NPS battlefield.

Understanding the Battlefield

Once the battle is understood, that information should be applied to the "canvas" of the physical battlefield. In some cases it is possible to superimpose historic battle maps or recently recreated maps over consistently-scaled maps of existing conditions. Existing condition maps should illustrate existing (current) and historic roads, key topography, rail lines, streams, and other discernible physical features. This exercise, along with field studies, will reveal where the most significant combat of the battle occurred, as opposed to peripheral secondary areas used for troop staging and similar activities. As noted previously in this study's section preparing a battlefield preservation plan, some preservation planners utilize the principles of KOCOA for analyzing military terrain and understanding the anatomy of a battlefield. This acronym stands for: key or decisive terrain, obstacles, cover and concealment, observation and field of fire, and avenues of approach and withdrawal. "Cover" refers to terrain or man-made features providing protection from enemy fire,



A comparison of the sketch on the left of the Old Nashville Highway on the Stones River Battlefield made after the war with a photograph from the 1990s demonstrates how little the road alignment and profile have changed for so many battlefield roads.

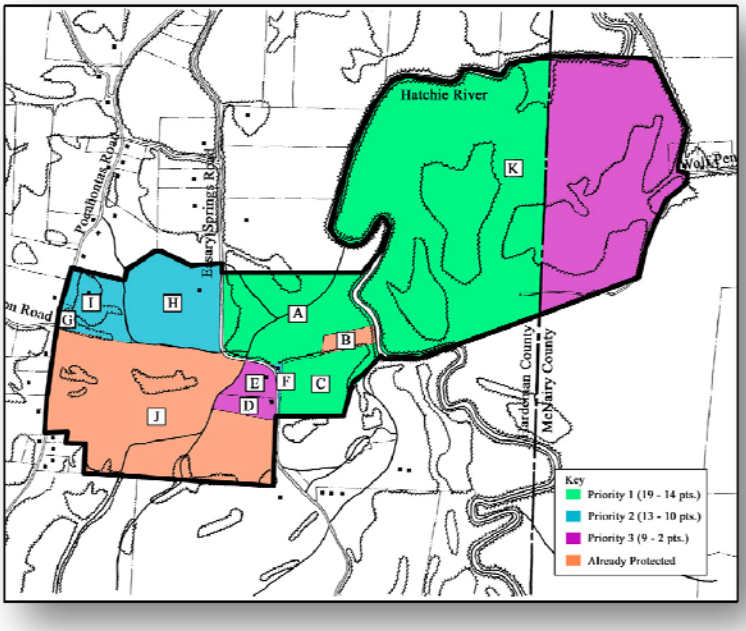
while "concealment" refers to the properties of terrain or man-made features that provide protection from enemy observation.

One particularly important feature of most battlefields is existing roads. Roads were not only used for troop movements, but often for combat lines offering a clear alignment of men and natural earthworks. Perhaps the most famous such roads were the Sunken Roads at Antietam and Fredericksburg. Documenting roads is critical to understanding the battle, as well as to avoid future road realignments and widenings by ambitious traffic engineers.

Best Practice #4: Research should be conducted with the specific goal of understanding the physical battlefield as a linchpin foundation for future preservation efforts. When existing histories are available, an inordinate amount of time should not be spent studying the battle's history.

Prioritizing Properties

Prioritizing land parcels for preservation is extremely helpful when limited funding is available and spending must be done wisely. The extent of rigor that can be applied to the prioritization process depends upon the number of parcels to evaluate in contrast to the amount of time available to conduct the exercise. In the case of a relatively small battlefield comprised of a dozen or fewer properties, a detailed and methodical approach is achievable. However, for a larger battlefield featuring dozens of parcels, such an approach may not work.



This map was created for the Davis Bridge Battlefield in West Tennessee to prioritize the preservation of individual parcels.
Graphic Source: Looney Ricks Kiss Architects / Thomason & Associates

During the 1990s, the Association for the Preservation of Civil War Sites (APCWS) - now the Civil War Trust - utilized a quantitative scoring system to rank battlefield parcels for their preservation priority. Since that time, others have used that or similar ranking systems, typically tailoring them to the needs of the specific user and the battlefield. Although there are many different ways to design a rating system, below is an overview of the various considerations often factored into the evaluation:

- Significance: How historically significant were the actions that occurred on the parcel with respect to the outcome of the battle, campaign, and war? Did the parcel witness a major assault by one army that caused the lines of the other army to break, thereby resulting in a victory by the assaulting forces? Does the parcel feature high ground where artillery was positioned, and was an

artillery bombardment a significant factor in the battle? Did the parcel once feature a bridge over a stream where a defeated army was able to withdraw in an orderly fashion rather than being trapped and shattered by the opposing forces?

- Features: Physical features enhance the interpretive value of the property by allowing visitors to better understand the battle. Streams, earthworks, surviving roads, road traces, rail lines, buildings, key hills, and historic monuments are the types of battlefield features that might be considered. Examples of features from this report's four case study battlefields include: the Graffiti House, Fleetwood Hill, and Beverly's Ford on the Rappahannock at Brandy Station; the Bull Pasture River, Sitlington's Hill, and the McDowell Presbyterian Church at McDowell; Rippavilla Mansion and the 19th-century road bed along the north boundary of the Rippavilla property (now a gravel road) at Spring Hill; and Mill Springs Road at Mill Springs.

- Integrity: To what extent has the landscape changed since the time of the battle? Is a parcel that was wooded at the time of the battle still wooded? Has the topography been altered by years of plowing or other man-made alterations to the terrain? Has development occurred on the parcel or is it now within the viewshed of development that impacts the parcel's historic character? In short, would the participants of the battle recognize the site today?

It is doubtful that Civil War soldiers would recognize this site in Spotsylvania County, Virginia, today.

- Threats: Battlefield lands can be degraded by land-use changes and development, new transportation corridors, and visual distractions such as cell towers. Is the current zoning sympathetic to preservation by allowing only agricultural and low-density residential uses, or does it permit more dense development? Are utilities such as public sewer and water being extended into the area to support future development? Are there proposals to expand the battlefield's primary two-lane country road into a four-lane highway that will attract more drivers and support more development?

- Feasibility: Preservation feasibility considers such issues as the willingness of the owner to preserve and maintain the battlefield property, their willingness to sell it to a preservation-minded group, the potential costs for acquisition or easements, and ongoing maintenance and management challenges once the parcel is secured. This issue is often determined by the existence and capability of a potential preservation organization.

Other factors that might be considered into this system for prioritizing land include interpretation value and urgency of protection. Typically, a number scale of 1 to 5 or 1 to 10 is applied to each consideration, with 1 being "low" (low integrity, low threats, low significance, etc.), and 5 or 10 being high. After giving a numeric rating for each consideration for a particular parcel, the numbers are tabulated to determine the parcel's score. Then a scoring range is determined to associate it with

three or so priority categories, such as low, moderate and high. The results of such a system are illustrated on the map on page 16. The numeric range should not necessarily be identical for each factor unless each factor is considered to be as important as the others. Assuming one factor, such as threats, is considered to be more important than another, such as features, than different number ranges should be utilized so the factors are appropriately weighted. Also, as noted previously, prioritizing parcels can sometimes backfire. If a particular parcel is identified as low priority, the land owner might use that finding as an excuse for moving forward with development of the property. Similarly, a land owner might use information that their property is highly prioritized as a basis for increasing their asking price. Consequently, if electing to apply a prioritization system for parcels, the preservation group doing so may want to keep their results confidential.

Best Practice #5: In instances when funding for protecting land is limited and there is sufficient time to do so, individual parcels should be evaluated and ranked by their priority level based upon a carefully crafted numeric rating system.

The Civil War Trust's Approach to Prioritizing Battlefield Lands

Because the Civil War Trust is constantly approached with pleas to help local groups preserve battlefield lands from a limited pool of funds, it is critical that they have a clear set of guidelines to assist them in determining which preservation projects to pursue. First, despite the roughly 10,000 Civil War battlefields that may exist, the Trust only addresses the 384 "principle" battlefields identified by the CWSAC's 1993 report. The Trust generally favors Class A and B sites (the most significant), but will also work to preserve land at Class C and D sites. Likewise, the Trust prefers land within the more significant "core area" of a battlefield, as opposed to the peripheral "study area." The Trust also gives preference to sites where a substantial portion of the battlefield is feasible to preserve or already protected, as opposed to initiating preservation activities where protection of a meaningful amount of land does not look viable or the overall historic integrity of the site has been compromised. The value of preserving an individual tract of land is evaluated by the Civil War Trust based on a variety of factors, including:

- The historic significance of the tract to the overall site, including its location within the battlefield's Core or Study Area;
- The historical integrity of the tract and the potential for restoration, if needed;
- The relation and contribution of the tract to the body of land already preserved at the site;
- The relation and contribution to the remaining body of land that could potentially be preserved at the site, considering the historical integrity of the unpreserved land, and land lost through development;
- The development threat to the tract and overall site;
- The potential for interpretation of the tract as part of the site;
- The relationship of the potential transaction to past, concurrent and future preservation efforts by the Trust or partner entities relating to this site; and
- The contribution that the tract will make in achieving diversity, both geographically and among sites of all CWSAC classifications, in the land being preserved.

In addition to the factors listed above, the Civil War Trust has another set of criteria related specifically to financial considerations. For the various reasons cited previously, the Trust keeps this information confidential to better facilitate their acquisition efforts.

Options for Preserving Land

Tools for preserving battlefield lands can be categorized into two basic groups - real estate measures and public policy measures. Each is addressed below.

Real Estate Measures

While there is a range of real estate mechanisms that might be applied to save privately-owned battlefield land, such as sale-leasebacks, and life estates, by far *the most common methods applied are fee simple purchases and conservation easements*. To avoid appearing too threatening to battlefield land owners, many preservation efforts emphasize that real estate transactions should only occur with a willing seller so that potential fears of condemnation by a public agency are eliminated. Most of the acquisition measures summarized below are simply legal vehicles for controlling certain aspects of land.

- Fee Simple Purchase

  This acquisition method is the most controlling and costly, as it extends the entire "bundle of rights" to a land owner. Under fee simple ownership, there are no limitations on the landowner's ability to use their property other than those imposed by governmental regulation such as zoning. In light of other battlefield protection options, fee simple acquisition provides the greatest level of control over historic resources, but it is also the most costly approach, especially in areas which have experienced inflated land values because of growth pressures. While some battlefields certainly exist in remote areas where land values are relatively low, such as the case study battlefields of McDowell (VA) and Mill Springs (KY), others such as Brandy Station (VA) and Spring Hill (TN) are in the pathway of substantial growth and their associated lands are quite costly. For every remotely-located battlefield such as Shiloh and Chickamauga there is an Atlanta, Nashville and Richmond where the strategic objective was to capture a major city and today the development pressures make land acquisition extremely expensive.

- Conservation Easements

  Conservation easements are a tool which can be used to control some aspect of property development without having to actually purchase the parcel itself. To protect historic resources such as a battlefield, an interested party may purchase or negotiate a donation or sale of a conservation easement so that a piece of property remains in agricultural use or some other undeveloped state. The property owner may benefit from the sale or donation of an easement through a lower property tax burden, as the conservation easement reduces the property value. By limiting the development potential of a parcel, a conservation easement reduces the property's market value and associated tax liability. There can also be federal and state income tax incentives to the extent that there is an uncompensated loss of value. Conservation easements require that some designated party enforce the easement, such as a preservation group or a land trust, but such an arrangement typically requires the land owner to pay a fee to that easement holder. Since so much of the value of land is typically directly tied to its development potential, purchased conservation easements can sometimes be nearly as costly as outright fee simple purchases. Recent conservation easements at Brandy Station have devalued land from a non-easement assessed value of roughly $7,200 per acre to $320 per acre once an easement is applied (see sample figures below).

Thus, the easement's reduction of the assessed value would be approximately $6,880 per acre - at least for the specific examples cited below. Conversely, because the McDowell Battlefield in Highland County, Virginia, is located in such a remote low-growth area, a conservation easement has only a minimal impact (if any) on land values.

Perhaps the most significant shortcoming of conservation easements relative to fee simple purchase is that they generally result in the land being inaccessible to the public unless special provisions say otherwise. For the Brandy Station Foundation, that situation poses a problem because interpretation of the battle is a very important component of their overall preservation program.

Impacts of Easements on Assessed Land Values at the Brandy Station Battlefield

For comparative purposes, four parcels located near the Route 29 and Fleetwood Heights Road intersection were considered with respect to their assessed land values for local property tax purposes. Two of the parcels have conservation easements, two of them do not, but all have the same general physical characteristics with respect to their development capacity. While the 23.23 acre and 27.92 acre parcels are zoned Rural Area (3 acre lots) and the other two parcels are zoned Residential-1 (1 acre lots), there are no significant differences between their assessed values on a per-acre basis. It is also acknowledged that assessed values for taxing purposes are typically lower than actual market values. With those qualifiers in mind, below is an overview of their respective assessed values:

Lands Without Easements	Lands With Easements
15 acres at $105,000 ($7,000 per acre)	18.31 acres at $5,900 ($322.23 per acre)
27.92 acres at $206,000 ($7,378.22 per acre)	23.23 acres at $7,400 ($318.55 per acre)
*Average Value per Acre - $7,189.11**	*Average Value per Acre - $320.39**

Although this consideration of four properties does not represent a detailed analysis of all parcels within the battlefield, it does help to illustrate the general impact of easements on assessed land values within a relatively a high-growth area with strong development pressures.

* These figures are based upon averaging the two figures for each category above (with and without easements)

- Life Estates

A life estate is a form of real estate ownership that is limited in duration to the life of the owner or some other designated person. In entering into a life estate, the life tenant's interest remains completely intact, and they are not answerable to the holder of future interests, referred to as the *remainderman.* The life tenant is responsible for all of the burdens of ownership, such as property taxes, and is also privileged to all the benefits, such as income. Their only restriction beyond normal restrictions of the local government is the performance of any acts which would permanently injure or *waste* the land. Within the context of battlefield protection, a life estate is an excellent option for a property owner who wishes to remain on their land for the duration of their life, but who is concerned that the integrity of the land remain protected after they are gone. The advantage to the life tenant is that they can receive money for their property while still remaining

on it, and the advantage to the purchasing party is the immediate protection of any threatened historic and land resources. To insure protection, however, it is critical that a conservation easement be granted by both the life estate holder and the remainderman. One example of a life estate is a 49-acre parcel comprising part of Saunders Field at the Wilderness Battlefield. In 2011, owner Warren Middlebrook sold the property to the Civil War Trust via a life estate arrangement so that it can ultimately become part of the National Park Service holdings on the battlefield.

- Options / Rights of First Refusal

  This mechanism is a legally binding agreement between a property owner and a potential purchaser. An option agreement provides that, for a consideration (generally payment), a party may purchase a specific property at a previously agreed-upon price within a defined period of time. If the option is not exercised, the consideration is forfeited. In short, the property owner is compensated for having essentially removed the property from the sales market. *A first right refusal* allows a potential buyer a fixed period of time (typically 10 to 90 days) to match any legitimate offer made to the owner for a parcel of real estate. For accomplishing battlefield protection goals, the option or right of first refusal would typically be used in an emergency situation in which historic lands are in imminent danger of injury. This approach is particularly appropriate for stalling a development proposal while literally "buying time" to identify possible funding sources for fee simple acquisition or conservation easements.

- Purchase and Sell-Back or Lease-Back

  This procedure entails the acquisition of land, generally by a public or private non-profit entity, which is then sold or leased back to the previous owner, but with restrictions placed on the land. In the case of a sell-back, such restrictions would typically be in the form of an easement, deed restriction or covenant, and the buyer (former owner) would generally pay less for the land than the original selling price because of a corresponding value decrease caused by the new restriction. In the case of a lease-back, any specific restrictions on the land's use or development would be specified within the language of the lease agreement. The purchase and sell-back method is essentially the same as the purchase of a conservation easement, because the entity seeking some aspect of control ends up paying for the value of that control as reflected in the reduced sales price.

- Donations

  Fee simple ownership of land or a limited interest in land, such as a conservation easement, may be conveyed by an individual or entity to a non-profit organization which serves as the steward for such lands. In the case of a donation by an individual or private sector entity (i.e. corporation), a federal income tax deduction may be taken for such a charitable contribution so long as the recipient is either a public agency or a private non-profit entity that conforms with section 501(c)3 of the IRS code. Property owners contemplating the donation of land for tax benefits should consult a qualified accountant to insure that all IRS requirements are met in order to gain a tax deduction.

- Property Exchanges

  Property exchanges are a valuable tool in those instances in which acquisition funds are limited or unavailable, yet a property owner is willing to give up battlefield associated lands in exchange for other non-historic lands having an attractive use/development potential. Federal laws require that

federal lands selected for exchange must be within the same state as the national park to which the lands will be added. In those cases in which the exchanged lands are not of equal value, which is often the case, cash is used to equalize the difference. In those cases in which the lands exchanged are of equal value, the private individual or entity can avoid capital gains taxation per section 1031 of the IRS code. For rural properties that have steadily appreciated in value because of increasing development pressure, the avoidance of capital gains tax can be quite significant.

One example of a property exchange occurred in 2005 at the Carter House State Historic Site in Franklin, Tennessee. A critical part of the Franklin Battlefield, the City owned a 5-acre contiguous parcel to the immediate north of the site, while the State owned a similarly-sized parcel to the west that was less relevant to the Carter House site. The State and the City did a land swap so the more significant 5-acre parcel to the north could be physically integrated with the balance of the Carter House site, which was achieved in part by a master plan shortly after the land exchange occurred. The City then used the parcel to the west for the development of social services offices. Because of the layout, topography, and landscaping of that development, there were no significant impacts to the integrity and character of the Carter House site.

Best Practice #6: When possible, fee simple purchase of battlefield lands should be pursued because of the full range of rights that are extended, including access for interpretation. However, all other real estate mechanisms should be considered, such as conservation easements, to arrive at the best alternatives for the battlefield's specific circumstances.

Public Policy Measures

While they are generally only marginally effective, most public policy measures for battlefield protection exist at the local level of government, as opposed to state and federal levels. A prime exception is the benefits of National Register designation. Land use and development policies of local governments are typically only applicable as battlefield preservation tools in places having strong development pressure. Even where such market conditions exist, property rights laws are such that the impacts of development might be mitigated somewhat, but development cannot be completely prohibited. With those limitations noted, the following tools may be worth considering:

Special Corridor Zoning

Special corridors are those linear areas flanking major routes that either lead to a key destination, such as a downtown, or traverse a special area, such as a Civil War battlefield. The quality of a special corridor's appearance is important in making an impression upon heritage tourists, and it is one of the many factors which shapes the visitor experience and determines the duration of their stay and whether there are future repeat trips. Therefore, there are clearly economic development implications at stake. The intent of special corridor zoning is to protect the existing character of those still attractive corridors and to elevate the quality of unattractive corridors. In the case of rural corridors, such as the roads traversing Civil War battlefields, the objective is to retain a pastoral and open landscape. In most cases, special corridor zoning is an overlay zoning classification that only addresses the site planning features of development, rather than land use issues addressed by the area's underlying base zoning.

It is important to keep in mind that adopting a so-called "battlefield corridor" district does not necessarily insure the preservation of a corridor's historic character. The City of Murfreesboro, Tennessee, adopted such a new zoning classification for Thompson's Lane as a new major link between Interstate 24 and the Stones River Battlefield during the mid-1990s. While the zoning required a very minimal amount of landscaping and limits on the size of signage, the area still developed out to be a generic strip commercial corridor that fails to provide a dignified gateway to the NPS-operated battlefield.

Incentives for Cluster Development

Density bonus incentives for clustered residential development are one means of preserving open space that would otherwise be developed. This approach is often referred to as Open Space Development (OSD) zoning. An example of how such incentives are used in some communities is to require at least 50% of a site to be deed restricted for preservation in return for a density bonus above the site's base lot yield (i.e., 25%, 50% or even 100% bonus).

These two site plans are for the same 130-acre battlefield property in Virginia. The top plan based on conventional zoning yields 55 two-acre lots with no land preservation. The bottom scenario yields 55 30,000 sq. ft. lots (just under .75 acres) with 81 acres (62%) of the site preserved, including many battlefield features.
Graphic Source: Randall Arendt - Conservation Design for Subdivisions (1996)

Such regulations typically include design standards, such as the requirement that open spaces be as contiguous as possible and include any environmentally sensitive lands on the site (wetlands, steep slopes, etc.), as well as minimum buffer area requirements along key historic roads. While these types of incentives are generally not sufficient for key battlefield lands to achieve "battlefield protection" in the conventional sense, they can be useful as a means of preserving the rural character of lands directly adjacent to important battlefield lands and their associated viewsheds.

Transfer of Development Rights

The transfer of development rights (TDR) concept involves two defined areas –the *sending area* and the *receiving area.* The sending area is an area for which it has been determined that minimal

development (or even no development) is consistent with the public good, so extensive development is denied. However, as compensation to the property owner, development rights are credited to that owner that can then be sold on the open market. The rights or "credits" are purchased by those who can apply them to properties within the receiving zone, thereby allowing that person to develop at a density greater than the underlying zoning would normally permit. TDR is most commonly used to protect environmentally sensitive lands, and receiving areas are typically existing or planned urbanized areas. While an attractive tool in theory, however, the complexity of TDR, in addition to the need for very strong development pressures, precludes its applicability in most instances. As an example, the Commonwealth of Virginia passed legislation a few years ago allowing local governments to adopt TDR policies. However, only a small percentage have taken advantage. Despite substantial development pressures at the Brandy Station Battlefield in Virginia, one of this report's four case study battlefields, it appears unlikely that Culpeper County will be adopting TDR provisions anytime within the foreseeable future. "We are a rural county with a planning staff of five," says John Egertson, the county's planning director. "The burden of administration of a TDR program, especially with the limitations imposed by the enabling legislation, would present significant challenges."

National Register Designation

The National Register of Historic Places entails a list of the country's most significant historic resources, including buildings, districts, structures, objects, and yes - battlefields. Overseen by the U.S. Department of the Interior, there are numerous criteria to determine National Register (NR) eligibility. For example, resources must typically be 50 years or older. Because the formal designation of individual properties requires owner approval, resources are sometimes only deemed NR-eligible if owner approval is lacking. However, official designation and a determination of eligibility can often carry the same weight, depending upon the issue.

Although a private individual or entity can alter or even destroy NR-designated or eligible resources, there are some protections available when resources are threatened by actions requiring federal funding or licensing. Examples of such activities include federally-funded road construction or widening, as well as work requiring Army Corps of Engineers permitting. When threats surface, a process referred to as "Section 106 Review" occurs (named for the associated section of the National Historic Preservation Act, as amended). In such circumstances, the State Historic Preservation Office (SHPO) conducts a review process to identify alternatives to preserve historic resources and/or to mitigate potential negative impacts. Nevertheless, Section 106 Review can sometimes be politically-charged and historic resources are often lost despite the best intentions of the policy.

Regardless of the protections that Section 106 may or may not provide, NR designation or eligibility can bring other benefits for battlefield lands. A key benefit of NR designation is to simply validate a battlefield's significance and bring positive publicity. In fact, because of that value, the NPS's American Battlefield Protection Program (ABPP) has provided grants to fund the application process for NR designation.

Best Practice #7: Depending upon the local political climate and the dynamics related to local development, a broad range of public policy tools for battlefield preservation should be pursued.

However, because of their limited effectiveness, public policies should not be counted on as a primary preservation tool, although National Register designation brings benefits.

Funding Battlefield Preservation

Both governmental and private-sector funding sources for battlefield preservation have continued to grow in recent years. The Civil War Trust recently completed a study that is exhaustive and detailed on this very topic entitled "Battlefield Preservation Funding Study," but below is a general overview of key funding sources.

Governmental Funding Sources

Most governmental sources of funding for the protection of Civil War battlefields are either appropriations from the federal level, state programs, or locally-derived funds generated by a specific tax or fee having a *rational nexus* (direct relationship) to the benefiting cause - battlefields. While the following sources are not an exhaustive list of all possibilities, they do include the most frequently used governmental funding sources.

- Federal Funding for Land Acquisition
  Congress appropriates funds for federal agencies for land acquisition from the Land and Water Conservation Fund. The National Park Service administers the LWCF funds, which may be used for purchasing privately-owned battlefield land within a battlefield's federally-authorized boundary. The funds are prioritized and highly competitive because of a large backlog of land acquisition needs within the NPS. The National Park Service's American Battlefield Protection Program also administers LWCF funds by providing grants for significant battlefield sites not within the NPS system. These sites may also include battlefields from other eras in U.S. military history, which is consistent with the ABPP mission. In 2014, the ABPP received more than $2 million, funds that are available for grants to states and local governments for the preservation of battlefield lands. Since 1998, the ABPP acquisition grants have helped preserve land at 75 Civil War Battlefields in 16 states. As just one example, see the sidebar on page 32 regarding the ABPP's participation in funding the acquisition of part of the Cool Spring Battlefield in Virginia.

- Federal Funding for Technical Support
  The ABPP also provides professional assistance grants (planning, research, surveys, etc.) to groups, organizations, or governments for preserving and interpreting battlefield sites. The ABPP is not focused solely on Civil War battlefields, but also supports efforts for other eras of United States military history on US soil. The ABPP strongly emphasizes coalition building and partnerships in the preservation of non-federal sites. Proposals for ABPP grants are given stronger consideration if the subject lands are designated as having the highest priority as one of 384 "principal" battlefields in the 1993 Civil War Sites Advisory Commission report entitled "Report on the Nation's Civil War Battlefields."

- National Park Service: National Heritage Areas Program
  There are also National Heritage Areas - federally designated heritage tourism areas under the

National Park Service - with battlefield preservation as a related mission. The two main examples are the Tennessee Civil War National Heritage Area (TCWNHA) and the Shenandoah Valley National Historic District, which is operated by the Shenandoah Valley Battlefields Foundation (SVBF). Federal NHA funds cannot be used for land acquisition.

National Heritage Areas can be a funding source for technical services.

It is noteworthy that the federal Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991, which has since gone through several different iterations with similar names and consistent objectives, was once a key funding source for battlefields. In fact, the American Battlefield Protection Program's *Battlefield Update* newsletter (Issue No. 70) stated that "TEA-21 represents the largest source of funding for battlefield preservation and enhancement projects currently available." However, that funding source has been all but eliminated. Under the newest authorization of that program for FY 2013, the acquisition of battlefield lands are no longer eligible. The only exception for any state is if there are unspent enhancement funds from previous years, in which case it can still be used under the previous eligibility guidelines.

- State Programs

  Virginia and Tennessee, respectively, had the greatest number of Civil War battles within their borders and both states have significant State-funded programs to help with battlefield preservation efforts.

  Virginia Civil War Site Preservation Fund

  This grant program was established by Governor Bob McDonnell and the General Assembly as a permanent fund in 2010. Grants for 2013 totaled $2,252,663 and were awarded by the Virginia Department of Historic Resources (VDHR), which determines the awards based on a rigorous evaluation process. Awards for 2013 assisted in protecting more than 1,238 total acres associated with battles at Appomattox Court House, Ball's Bluff, Beaver Dam Creek (Mechanicsville), Brandy Station, Cedar Creek, Chancellorsville, Deep Bottom, Kelly's Ford, Malvern Hill, Rappahannock Station (I and II), Second Manassas, and Sailor's Creek. The grant recipients included the Central Virginia Battlefields Trust, the Civil War Trust, Richmond Battlefields Association, and the Shenandoah Valley Battlefields Foundation. These organizations match state funds either to purchase pre-approved lands or to obtain perpetual conservation easements donated to the VDHR. The 2013 awards bring the total of battlefield lands conserved through CWSPF grants to 4,587 acres. In awarding grants, the VDHR bases its evaluations, in part, on each battlefield's significance as determined by the Congressionally-commissioned "Report on the Nation's Civil War Battlefields" originally issued in 1993 and subsequently updated, including a 2009 update on Virginia battlefields. Other factors considered include: the proximity of each parcel to other protected lands; the threat of loss due to encroaching development; and the potential for education, recreation, research, or heritage tourism.

Tennessee Civil War Site Preservation Act of 2013

This new State legislation establishes a preservation fund to provide a 50% matching grants from the State for the purchase of lands or purchase of "protective interests" (conservation easements, etc.) in lands related to the Civil War, such as battlefields and other historic sites. It is limited to the 38 most significant Civil War sites per the 1993 Congressional report on Civil War battlefields. The current State budget allocated $483,000 toward the fund. In addition to assisting in the preservation of battlefields, it will also be used to protect sites associated with the Underground Railroad if they are listed on (or eligible for) the National Register of Historic Places. The program is being managed by the Tennessee Historical Commission. Because of the relatively recent existence of the program, there are no results to report yet.

- Use Value Taxation

Use value taxation is the practice by local governments of appraising property values for taxation purposes based upon its *current* use rather than its *potential* use. For example, a 200-acre property used as a cow pasture would be valued at much less than the same parcel's market value with multi-family zoning and external development pressure. Use value taxation allows a land owner to continue a use having only marginal economic value, such as agriculture, without having to pay taxes based on its market rate value for full development. Without such protections, the property owner is virtually forced to sell their land for development, as retaining the lower valued use would not be financially sustainable for any but the wealthiest individuals.

In a use value taxation scenario, the property at right would not be taxed based on its potential on the left.

- Deferred Taxes on Agricultural Land

This preservation tool is based upon the idea of tapping deferred taxes on the conversion of agricultural land. It consists of collecting "back taxes" for a predetermined number of previous years (i.e., three years) when agricultural land receiving a special tax treatment is converted to non-agricultural uses. This tool is based upon the strong relationship between the conversion of agricultural lands and the need for open space when the collected back taxes are used for land preservation. That rationale can be logically extended to battlefield preservation.

- Special Taxes

The primary factor impacting tax rate increases lies in public sentiments. Tax increases are one of the most politically-sensitive issues that elected officials must address. The approval of any sort of

special tax for battlefield protection would rely on an unusually favorable political climate. However, this mechanism is worth noting should future opportunities surface for their use:

Dedicated Tax
A "dedicated" tax for battlefield preservation would entail an increase in local property taxes in which the increased revenues would be earmarked for the acquisition, improvement and maintenance of battlefield lands. Depending upon the state, State-level enabling legislation may be required for a local government to adopt such a program.

Real Estate Transfer Tax
Real Estate Transfer taxes consist of a tax levied for any real estate transaction based upon a percentage of the purchase price. When used as part of a battlefield protection program, such tax revenues would go towards the acquisition of fee simple ownership or conservation easements. Because studies have shown that communities with aggressive open space programs typically experience greater property value increases than communities without such programs, there is a relationship (rational nexus) between the tax and those benefiting from the value of open space. Real estate transfer taxes are most commonly employed by state and local governments for a specific earmarked fund, such as an open space acquisition program.

Tourism Taxes
A hotel/motel tax, often referred to as an "occupancy tax," is frequently used to fund activities related to tourism. Examples of occupancy taxes of various large cities within the Southeast include Atlanta, Nashville, and Birmingham. All three have an occupancy tax of 6%. Another similar tax on restaurants is often referred to as a "hamburger tax." Some jurisdictions employ both lodging and restaurant taxes, such as Kentucky, which keeps them separate. Mississippi, on the other hand, combines both types of taxes as a "tourism tax" at 1%. Because of the heritage tourism aspect of Civil War site protection and interpretation, local tourism taxes would be a reasonable way to fund preservation and interpretation activities.

Best Practice #8: Governmental funding programs for battlefield protection can be critical to successful preservation. However, they should not be relied upon when time-sensitive land acquisitions must occur.

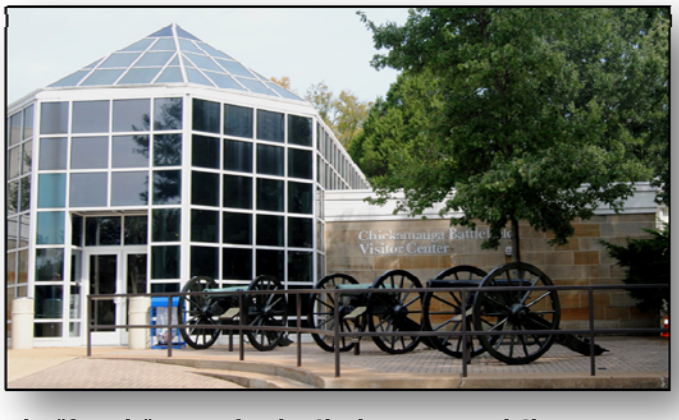
Private Funding Sources
Private funding sources have been split here between non-profit and for-profit groups.

- Non-Profit Sources
  The three most common types of non-profit organizations that can help to fund battlefield preservation are battlefield preservation groups, historic preservation groups, and land preservation groups, as summarized below.

  Battlefield Preservation Groups
  There are a variety of private non-profit organizations that are involved with Civil War heritage protection. A few exist at the national level, and some have considerable funds available for

"eleventh hour" land acquisitions and for long range preservation planning. Examples include the Civil War Trust, the Conservation Fund's Civil War Battlefield Campaign, and the Lee-Jackson Foundation. The Civil War Trust is, of course, the largest and most successful private battlefield preservation group having helped preserve 40,000 acres of land to date in well over a dozen states and the District of Columbia. The Trust's funding comes from a variety of sources, but especially from the private donations of individuals motivated by the Trust's highly effective fund-raising campaigns. The Trust's preservation efforts are limited to the 384 "principal" battlefields identified in the federally-funded 1993 "Report on the Nation's Civil War Battlefields" by the Civil War Sites Advisory Commission (CWSAC). The Conservation Fund is a non-profit environmental conservation organization based in Arlington, Virginia, that has protected over 7 million acres of land during the past three decades. While they are involved with a broad range of land types, their Civil War Battlefield Campaign has helped protect lands at 83 battlefields in 14 states. Like the Civil War Trust, they focus on the 384 battlefields prioritized in the CWSAC report. Established in 1953 by a wealthy industrialist to support a variety of interests related to the positive memory of Robert E. Lee and Stonewall Jackson, the Lee-Jackson Foundation has been a critical partner in the preservation of many Civil War sites, especially in Virginia. Specifically, the Lee-Jackson Foundation was one of the key players to preserve the McDowell Battlefield, particularly during the battlefield's earliest preservation victories.

Examples of state and regional battlefield groups include the Tennessee Civil War Preservation Association (TCWPA) and the Central Virginia Battlefield Trust (CVBT). As indicated elsewhere in this study, there are dozens of local level "friends" groups that support specific battlefields. Often these battlefields may be part of the National Park Service system, but need support extending beyond the level that the federal government can provide. A good example was the substantial fund-raising that the Friends of the Park for the Chickamauga and Chattanooga National Military Park achieved in 1990 to help fund their expanded $1.3 million interpretive center at the park. An example of a friends group not affiliated with a national park is the Battle of Franklin Trust in Franklin, Tennessee. It and its complimentary fund-raising organization Franklin's Charge have raised millions of dollars to preserve key battlefield lands in Franklin.



The "friends" group for the Chickamauga and Chattanooga National Military Park was critical to raising the funds to expand this interpretive center.

Historic Preservation Groups

This category of potential funding sources is often not viable for battlefields because of their broad mission to save all types of historic resources. Thus, battlefields are only one of many competing interests. With that caveat in mind, the most significant private non-profit national preservation group is the National Trust for Historic Preservation (NTHP). The NTHP has gone

through philosophical and organizational restructuring during the past few years and they are now more focused on a relatively limited number of national "treasures" relative to their earlier, broader approach. Examples of state level private non-profit preservation organizations include Preservation Virginia (organized in 1889 as the Association for the Preservation of Virginia Antiquities), the Tennessee Preservation Trust, and the Georgia Trust for Historic Preservation. As with the NTHP, these state-level groups have a focus much broader than Civil War sites, but they can still serve as important allies in funding battlefield preservation endeavors. Regional and local-level preservation groups are virtually infinite in their numbers and can be important funding sources for battlefield preservation efforts within their areas of operation. As just one example, the Heritage Foundation of Franklin and Williamson County, Tennessee, can be justly credited for creating such a strong preservation ethic in their community that it became fertile ground for tremendous battlefield reclamation achievements in recent years by more recently-established battlefield preservation groups.

Land Preservation Groups

Land preservation groups are similar to historic preservation groups in that they certainly do not focus on battlefields, but their mission often aligns with those of battlefield groups. Examples of national land preservation organizations that are strong candidates for funding battlefield projects include the American Farmland Trust, the Land Trust Alliance, Scenic America, and the Trust for Public Land. At the state level there are several land trusts that promote and hold conservation easements on land. Some states even have multiple land trusts that operate within specific regions of their state. For example, the Alabama Land Trust focuses on the entire state, while the Land Trust for North Alabama obviously focuses on one particular region. While land trusts are not typically a source of direct funds for land preservation, they can be an important partner in making specific preservation projects financially viable, such as the Virginia Outdoors Foundation's role in holding easements for key properties at the McDowell Battlefield.

Other Groups

There are at least a few other groups that can be important partners in funding battlefield preservation that fail to fit neatly into one of the three categories addressed above of battlefield preservation groups, historic preservation groups, and land preservation groups. Perhaps the best example is the National Parks Conservation Association (NPCA). They are a group that supports national parks to provide resources that the federal government cannot for financial, legal, and/or political reasons. They have been important partners in efforts to preserve battlefield lands near national battlefield parks, such as their assistance in preserving the First Day of Chancellorsville land that was threatened by development by Toll Brothers (see the following page). Likewise, NPCA staff was recently instrumental in informing the Civil War Trust of an opportunity to protect four acres on Route 340 at the Bolivar Heights section of Harpers Ferry, West Virginia. That opportunity resulted in the land's permanent protection.

- <u>For-Profit Sources</u>

  Some of the most noteworthy examples of private sector for-profit contributions toward battlefield preservation have been in the form of direct land donations rather than money. However, for local partners whose ultimate objective is battlefield preservation, the donation of land is as beneficial as

the donation of funding. In fact, given that not every owner of battlefield land is willing to sell to a preservation-minded group, the donation of land can be even more helpful than money. Examples of for-profit contributions toward battlefield preservation include the following:

Wal-Mart Land Donation at Chancellorsville / the Wilderness

In 2013, the Governor of Virginia announced Wal-Mart's donation to the State of 50 acres of land in Orange County that was part of both the Chancellorsville and Wilderness battles. The land was originally acquired by the retail giant for the development of a store, but after years of litigation and negative PR generated by battlefield preservation advocates, the company acquired an alternative site. The donated land was given to the Virginia Department of Historic Resources for their experienced stewardship.

Toll Brothers Land Donation at Chancellorsville

In 2002, a developer announced a massive 790-acre mixed use development on farmland that included highly-significant lands from the first day of the Battle of Chancellorsville. After the rezoning that would have permitted the project to occur was defeated, the Civil War Trust negotiated a 140-acre acquisition of one of the most significant portions of the site. In 2005, the Trust negotiated with Toll Brothers - a major residential developer - that led to the preservation of an additional 74 acres in exchange for the developer to be able to develop less significant lands at a higher density than would otherwise be allowed. The end result is a 214-acre property that is now preserved, accessible with trails, and interpreted.

Not only do the site's interpretive markers tell the story of the battle, but also the story of this site's preservation.

GM's Land Donation at Spring Hill

As is summarized in this report and detailed within the case study in the appendices, a critical facet of the preservation of part of the Spring Hill Battlefield in Tennessee was GM's 2006 donation of the 98 acres that included Rippavilla Mansion. In 2009, GM sold 85 acres of additional adjacent land representing the south end of the battlefield to the Civil War Trust for a reduced value of $2.2 million. Again, as with the other examples, while this story does not entail a donation of money for battlefield preservation, it does entail the donation and discounted sale of battlefield lands.

The 85 acres adjacent to the Rippavilla property at Spring Hill that was acquired by the Civil War Trust in 2009.

Best Practice #9: Potential private funding sources for battlefield preservation are extensive and exist at the national, state, regional, and local levels. All such sources that may likely be obtained should be explored for any given battlefield.

Creative Partnership at Virginia's Cool Spring Battlefield

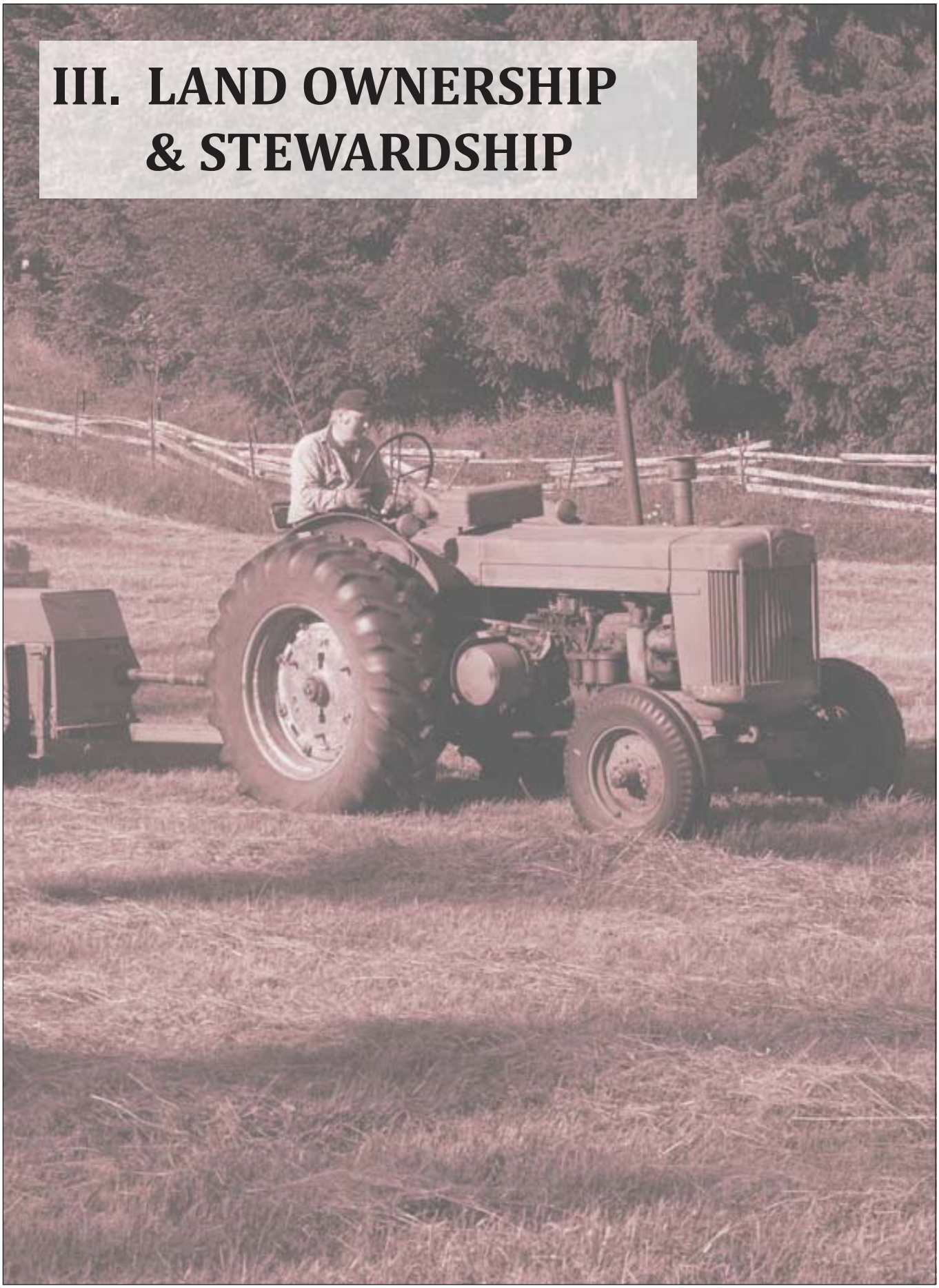
Following the defeat of his raid on Washington, D.C., C.S. Lt. Gen. Jubal Early retreated while Union forces under Maj. Gen. Horatio Wright pursued him and met Early's rear guard at the Shenandoah River near the farm of Cool Spring. Although brief in duration, the July 18, 1864, Battle of Cool Spring resulted in more than 800 casualties. In 2012, the Civil War Trust negotiated to acquire the 195-acre former Virginia National Country Club following its bankruptcy. Recognizing the site's importance, the Trust began investigating a variety of partnership opportunities for stewardship of the battlefield before settling on the solution - transferring the property to Shenandoah University.

Protection of the site was made possible through matching grants from both the federal and state governments. The NPS's American Battlefield Protection Program contributed $200,000 toward the $2 million purchase price, while the Virginia Civil War Sites Preservation Fund added another $800,000. Remaining funding was secured through a significant landowner donation and contributions from Civil War Trust members. Although the property is now owned by the university, it is protected by a conservation easement held by the Virginia Department of Historic Resources.

Press conference held April 23, 2013, announcing the preservation partnership at the Cool Springs Battlefield.

As noted previously, for an exhaustive and more detailed look at funding sources for battlefield preservation, see the Civil War Trust's recent report on this topic entitled "Battlefield Preservation Funding Study".

III. LAND OWNERSHIP & STEWARDSHIP



LAND OWNERSHIP & STEWARDSHIP

Once battlefield lands have been protected from threats such as development, the various challenges of ownership and stewardship remain. Key issues to consider when owning and maintaining historic battlefield landscapes include: the goals for ownership and stewardship, potential partners for stewardship and the roles of partners, best practices for stewardship, and approaches to generating revenue from battlefield lands. Each of these topics is explored below.

Establishing Goals

Every organization involved with battlefield preservation is different - different objectives, different locations, different circumstances, and different financial resources. However, any group involved with the ownership and/or stewardship of battlefield lands should give serious consideration toward its objectives. A set of "best practices" are provided below, although they are necessarily general and may not be applicable to every group. To help forge a set of goals related to ownership and stewardship, battlefield preservation groups should ask themselves the following questions:

While the erosion on the earthworks at Fort DeRussy in Washington, DC has been caused by humans, farm animals are often the culprits in more rural areas.

- Does the Organization Have the Ability to Own and Maintain Land? Does it have the financial resources to acquire the land? If so, can it afford to service the mortgage assuming it does not finance the purchase by itself? Can it pay the property taxes? Can it maintain the land properly?

- Are There Other Groups Better Suited to Own and Maintain the Land? To the extent that some of the answers to the questions above are "no," what other group could own and maintain the land? Are there other entities with great financial resources, such as a state or local government? Should the land be sold to a private owner after a conservation easement is placed on it?

- Should There be Duration Limits to Owning the Land? How long can the organization hold the land? Is ownership merely a short-term condition until the land can be conveyed to a long-term owner?

- What Land Uses Are Most Appropriate for the Land? Will any level of development be acceptable, such as a dwelling or agricultural structures? Will cultivation of crops cause damage to the historic landscape? Would the harvesting of trees damage the battlefield's historic integrity based upon any knowledge of the battlefield's ground cover at the time of the battle. If a conservation easement exists, it would dictate all of these issues.

- Should the Group Physically Improve the Land? Are physical improvements needed to restore or enhance the battlefield for future interpretation? If so, do they need to be implemented by the owner group or can a future owner undertake such measures? Does the group have the technical and financial ability to appropriately improve the land? Again, these are issues often dictated by a conservation easement.

Best Practice #10: Before acquiring battlefield lands, develop a set of specific questions to help forge a set of goals and objectives for ownership and stewardship. Developing and answering the questions should be a group exercise with participation by all key stakeholders.

Stewardship Partners and Roles

Because circumstances can differ greatly from battlefield to battlefield, the stewardship partners will likewise differ greatly. For example, while the Lee-Jackson Foundation is an important partner for some battlefields having an association with Robert E. Lee or Stonewall Jackson, such as McDowell in Virginia's Shenandoah Valley, they are not relevant to battlefields in Western Theatre states such as Mississippi and Alabama. Nevertheless, the basic roles of partners in battlefield stewardship are typically similar, as summarized below:

Land Owners

The partner having the greatest stake and control of a property is its owner. The only exception to this circumstance could be the holder of a conservation easement on the same property. The owner holds the deed to the property and, in many cases, fulfills the role of the various other potential stewardship partners listed below. The owner types can include private individuals, businesses, preservation groups, non-profit entities not involved in preservation, and institutions (governmental, academic, religious, etc.).

Because the key lands associated with the Olustee Battlefield are owned by the State of Florida, the State also performs the role of protector, manager, maintainer, enhancer, and interpreter.

Land Protectors

The protection of battlefield land primarily entails the avoidance of changes to the land that would degrade its historic integrity, such as development. The most common "protectors" of battlefield land would be either the owner or the holder of a conservation easement. The basics of conservation easements were covered previously within this report's section on "Preserving Battlefields."

Land Managers

As in the case of land protectors, land managers are most often the land owners. Managers must make many decisions regarding the battlefield property. What protection measures should be applied? Should the site be accessible to the public for interpretation? Managers must also deal with legal facets of land ownership, including payment of taxes. One example of an important land management responsibility at the McDowell Battlefield in Virginia was the decision of the

Shenandoah Valley Battlefields Foundation and the Highland Historical Society to forego their pursuit of tax exempt status so they can contribute to local property tax revenues.

Land Maintainers

This role in land stewardship is perhaps one of the most "hands-on" in terms of working directly with the land. Maintenance entails the physical upkeep of property and the approach used is typically reflected by the source of ownership. If privately owned by an individual, that owner will usually either maintain the land themselves or hire someone else to do so. When owned by a preservation organization lacking a constant local presence, such as the Civil War Trust, land maintenance is most often contracted out. Preservation groups typically reach arrangements with locals for their use of the land in exchange for maintenance. At Virginia's McDowell and Brandy Station Battlefields, for example, groups such as the Civil War Trust allow local people to farm and hunt on the land in return for ongoing maintenance, such as maintaining roads and fences.

Land Enhancers

Within the context of battlefield preservation, land "enhancement" means to physically improve the land in a manner that will return it to a state closer to its war-time condition than its current state. Examples of such enhancement include the removal of post-war structures, restoration of war-era structures, construction of fencing based on historic prototypes (rail, snake rail, etc.), and removing or planting trees in specific locations based upon the known historic landscape. For more information on this topic, see this report's next section on "Restoration & Interpretation."

Even when the exact form and location of the original fencing is unknown, historic-looking rail fences like this one in Georgia can go far in restoring a strong sense of historic character for a battlefield property.

Land Interpreters

Highly-effective interpretation of battlefield lands requires expert technical assistance such as that provided by the National Park Service (NPS) and the Civil War Trust using professional interpreters, media specialists, and exhibit designers. Organizations such as the NPS and the Trust can provide such services in-house for their own properties. However, private owners and state and local governments typically rely on consultants. For more on historic interpretation, see this report's following section on "Restoration & Interpretation."

Best Practice #11: Owners of battlefield lands must recognize the various roles required for successful land stewardship and formulate a plan for serving each role. Rarely do different individuals/entities serve each distinct role, and often the same individual/entity serves each role. The characteristics and location of the owner often drives the nature of the other roles.

Best Practices and Standards

A battlefield's managing organization has the responsibility and opportunity to be good stewards or "caretakers" of the land for present and future generations. Battlefield lands often encompass a myriad of uses, and many are working landscapes. How we care for these lands can benefit how we tell the story of the battle, strengthen relationships with the local community, and conserve our natural resources in a responsible way.

Stewardship is not accidental. Gaining a thorough understanding of the battlefield, its mosaic of historic, modern, cultural, and natural landscape features and uses, and its degree of historic integrity, is an important first step toward good stewardship. With such an understanding as a foundation, a community-based and supported plan for the care of the historic landscape can become a driving strategy of the battlefield's overall management plan. A plan can: 1) define desired landscape restoration goals and adaptive reuse of the landscape; 2) identify appropriate recreational uses; and 3) prescribe care for the site's natural environment.

Civil War Trust's Approach to Ownership and Stewardship

As the country's largest and most successful private Civil War battlefield preservation entity, the Civil War Trust has numerous policies to address the various issues they must confront. Below are their key policies related to land ownership and stewardship.

- The Trust does not desire to be a long-term owner of land. If the Trust is asked to acquire title to land, it considers whether there may be a future opportunity to transfer title (by sale or gift) to an appropriate public or nonprofit entity.
- The Trust does not generally intend to hold conservation easements on private land. If the Trust is asked to participate in a conservation easement, it seeks whenever possible to have the easement held by an appropriate public or nonprofit entity.
- The Trust generally desires (but does not always have the funds) to remove non-historic structures from land it acquires in fee simple, before transfer to a third party. Accordingly, the existence of these structures and the estimated cost of removal are factors in the total cost of the transaction.

Land Stewardship Principles

Below are general principles for battlefield stewardship. Most are expanded upon in greater detail elsewhere within this study.

Cultural Landscape Integrity

- *Landscape restoration need not be rushed.* Restoring a site to its Civil War era appearance might be a long-term objective achievable only over years or even generations, particularly if the goal is a complete restoration of the entire site. More realistic is a strategy that considers how the landscape has evolved over time and - if there has been significant change - calls for incrementally restoring the landscape. Examples of restoration efforts include reestablishment of forest cover or removal of forest cover to create farmlands consistent with the battle era landscape. See pages 44-50 for more on this topic.

- *Building new infrastructure, such as trails, kiosks, visitor use facilities, and administrative buildings, should be done in a manner that does not adversely impact the historic landscape in a significant way.* In many instances, adaptive use of post-battle structures for which removal is not immediately feasible should be considered as an alternative. Use of existing historic roads or trails can enhance the interpretive experience and reduce potential new impacts to the historic landscape by avoiding the development of new roads or paths.

- *Relic hunting should be prohibited on battlefield lands unless it is part of supervised research.* Unsupervised metal detecting results in the loss of historic objects, as well as the information those objects impart about the battle. Relic hunting is prohibited on federal and state lands. Depending on the organization or agency owning and/or managing the land, it is often prohibited on other public lands. Nevertheless, in some instances, battlefield managers have used people trained in the use of metal detectors to assist approved archeological survey projects supervised by trained archeologists. Found objects are documented and conserved by the battlefield entity. See pages 14-15 for more on this topic.

Battlefield Uses

- *If carefully and thoughtfully done, battlefield lands can be put into productive and revenue-generating uses without negatively impacting the site's integrity.* Adaptive reuse of a property, such as farming or grazing, is often consistent with the heritage of the property and keeps the land in productive agriculture, thereby supporting the local economy. Lease agreements with specific preservation-minded provisions are a tool for ensuring best management practices in a farming context. Such arrangements also provide more eyes on the property to prevent mischief. See pages 38-43 for more on this topic.

- *Recreational uses can play an important role in battlefield stewardship.* Passive recreational uses, such as walking, jogging, and bicycling on designated trails, are often encouraged as a benefit to the community and visitors to the site. Other recreational uses, however, can pose management concerns. For example, off-road vehicle driving, horse-back riding, camping, and open fires can damage battlefield features and are often in conflict with the managing entity's mission. Permitting living history events should reflect careful consideration and ensure that the event will not damage the historical, archaeological or natural resources of the property. Alternatively, reenactors presenting small-scale interpretive demonstrations can be an effective, less costly, and lower impact means of conveying the battle stories. See page 56 for more on living history.

Protecting the Natural Environment

- *When managing the historic landscape, it is important to consider the natural environment and avoid or minimize any adverse impacts.* Improving and restoring the historic vegetation, such as forests, open lands, wetlands and wildlife habitat, should be an ongoing endeavor. For example, many battlefield managers have actively removed non-native, invasive vegetation, restored native grasses, protected wetlands, and enhanced wildlife habitat. Best management practices for farming, timber, soil and vegetation management should be a component to all stewardship goals.

While many federal and state laws regulate much of this activity, fostering a proactive approach can provide for a sustainable environment benefitting both the battlefield and the surrounding ecosystem.

When History & the Environment Collide

In most cases, the stewardship of historic lands and environmental conservation go hand-in-hand. However, there are occasional instances when those two objectives are in conflict. In 2006, protectors of the Franklin Battlefield in Tennessee were forced to strike a compromise balancing both interests. While transforming a former golf course back into the property's 1860s condition, they encountered a freshwater wetland created in recent years by beavers that had dammed a small stream. While the State Department of Environment and Conservation gave the City permission to experiment with methods to encourage the beavers to leave, they were not allowed to physically dismantle the wetland-creating dam.

There are several existing models to consider when formulating battlefield stewardship policies. One excellent source of information is *The Secretary of the Interior's Standards for the Treatment of Historic Properties and Guidelines for the Treatment of Cultural Landscapes*. Also, the Shenandoah Valley Battlefields Foundation's "Policies for Management of Property" is an example of how one battlefield entity applies those principles to their specific and detailed management policies.

Best Practice #12: Best practices for battlefield stewardship require a careful balancing of numerous objectives. In particular, goals such as adaptive reuse of the land and revenue generation should not undermine the critical goals of land preservation, restoration and interpretation. Even a balance between battlefield restoration and natural conservation must sometimes be struck.

Generating Revenue

The concept of generating revenue from protected battlefield lands is a foreign concept to many, but certainly not to those directly involved in today's world of battlefield preservation. This section addresses the reasons for seeking revenues and the ways to do it.

"From the time of the Civil War to the present, preservation of the region's historic battlefields has depended largely upon the survival of the rural landscape and the continued strength of agriculture."

"Study of Civil War Sites in the Shenandoah Valley of Virginia" - U.S. Department of the Interior, 1993, pg. 12

Why Seek Revenue from Battlefield Lands?

The main reason for seeking to generate revenues

from protected battlefield lands is fairly obvious - the owner needs money, which may be needed to offset expenses. However, the ownership status of a particular property is usually the main factor in determining the extent to which revenue is needed. On one extreme end of the ownership spectrum is the National Park Service (NPS). Because the NPS is federally-funded, it has a relatively stable source for funding its operations to maintain and interpret battlefield lands associated with national battlefield parks. Furthermore, even an entrepreneurial-minded NPS park superintendent will likely face considerable administrative "red tape" in attempting to identify creative ways to generate funds, such as leasing land to farmers. On the other end of the spectrum is the private property owner who has placed a conservation easement on their land, but who still needs to derive some level of income off of that land for their own personal finances.

Somewhere in the middle are groups like the Brandy Station Foundation (BSF), which leases its land for farming and hunting as a means of generating income to subsidize the costs of owning and maintaining their lands, as well as a to help fund their other operations related to programs and interpretation. Similarly, the BSF generates revenue by offering group tours of the Graffiti House and the battlefield. While the Highland Historical Society - the local "friends" group for the McDowell Battlefield - does not charge a fee to tour the Mansion House (George Washington Hull House), donations are encouraged.

Options for Generating Revenue

Options for generating revenues from battlefield lands have been split into two categories of revenue - direct and indirect revenues. Below is an overview of each topic.

- Direct Revenue Generation

  This category of revenue generation refers to opportunities in which the generated revenues go directly to the land owner or a closely-affiliated battlefield preservation entity, as opposed to indirect revenues that might go to a hotel or restaurant within the battlefield's community.

  Farming: Agriculture is the most common form of ongoing revenue generation for protected battlefield lands. Farming and agriculture refer to the cultivation and harvesting of crops, maintenance of fruit orchards, and the raising of livestock. While it most frequently occurs on lands that are privately-owned by an individual or a preservation organization, it can occasionally occur on lands owned by local and state governments, as well as on NPS properties. When farming occurs on battlefield lands, it can be done by either the land owner or by others leasing the land for agricultural purposes. Farming does not typically impact battlefield lands in a negative way, but there are some exceptions. For example, plowing can alter the contours of the landscape, including remnants of entrenchment lines and other military earthworks. Livestock trails, particularly those of cattle, can likewise cause erosion and harm historic landscape features. And finally, the clearing of wooded areas for crops where tree cover historically occurred is another alteration of the battlefield, although a more easily reversed one.

  Timbering: Timbering is the planting and harvesting of trees for revenue-generating purposes. Generally, timbering is less desirable than agriculture because of the relatively stark changes that can occur to a historic landscape. Areas that were open during the war become densely wooded

from tree plantings. Then once harvested, the landscape is open - even if it was historically wooded. Also, because timbering involves the cultivation of only one specific tree type, such as pines, it does not entail a natural mix of tree species that would occur historically. However, one-time harvesting of existing trees, if not replanted, can provide the combined benefits of revenue generation and historically-based restoration if the Civil War-era landscape was also open.

Hunting: One example of a battlefield where hunting is a major activity is the Port Gibson Battlefield in Mississippi. The first battle of Grant's 1863 Vicksburg Campaign, much of the preserved battlefield is leased to a hunting club. Of the alternatives for capitalizing on the natural productivity of land, hunting may be the least impacting of the options, if carefully regulated. Hunting requires no alterations of the historic landscape, such as plowing, grazing, livestock-driven erosion, timber planting and harvesting, and similar activities that might alter the landscape. However, because of the dangers that firearms pose, any public access and interpretation of battlefield lands during hunting season would obviously require coordination to avoid further casualties from the Civil War.

Examples of Battlefield Land Leases

Many battlefields have generated funds through agricultural leases, as follow:

National Park Service Battlefields - The NPS issues special use permits for farming, either on a one-time permit fee basis or on a per-acre cost basis. The goal of their program is to lease the land for fees that are comparable to other agricultural leases in their area. Fees vary greatly, even from county to county, depending upon the quality of land and its condition. Specific battlefield examples include the following:

- *Stones River (Murfreesboro, TN):* They issue an annual special use flat permit fee, as opposed to basing it on acreage.
- *Fredericksburg (Fredericksburg, VA):* Their leases average roughly $10 per acre. Where the farmer raises crops, the cost per acre goes up substantially.
- *Richmond (Richmond, VA):* Their leasing program reportedly generated $50,000 last year, but it is one of the largest of the NPS battlefields. Unlike at Stones River, they charge by the acre.

State Battlefield

- *Parkers Crossroads (Parkers Crossroads, TN):* Their lease consists of one 44-acre tract leased for approximately $50 per acre. The revenues go to the State government.

State Representative and battlefield preservationist Steve McDaniel farming the Parkers Crossroads Battlefield in West Tennessee.

Privately-Owned Battlefield

- *Mills Springs (Nancy, Kentucky):* The Mill Springs Battlefield Association (MSBA) leases their battlefield lands for $100 per tillable acre.

Battlefield Tours: While the generation of revenue is one valid reason for conducting battlefield tours, there are other reasons as well. Tours are an excellent way to generate greater awareness and interest in the battlefield and to expand the ranks of battlefield preservation supporters. In terms of direct revenues, income can be generated by battlefield tours that include a fee. As just one example, the Brandy Station Foundation (BSF) conducts a series of four different tours each year, with each tour having multiple outings with paying participants. The cost of each tour is $10 per adult and children under 12 years of age are free, yet it generates revenue that helps to offset the various expenses of the BSF.

Historian Bud Hall, a leading authority on the Battle of Brandy Station, gives a tour of the battlefield to paying visitors in 2011.

Living History Events: As with battlefield tours, there are other reasons to conduct battle living history events besides revenue generation. Such events draw attention to the battle and associated battlefield, and these events may result in a growing army of battlefield stakeholders and financial supporters. One of many battlefields for which living history events have been an important facet is the McDowell Battlefield in Virginia's Shenandoah Valley. A landmark date in the battlefield's preservation was the 1996 battle reenactment. For several years after that initial event they were held roughly every other year, but more recently reenactments are held every five years. When held, it occurs on the first weekend of May to correspond to the battle's date. There are typically about 800 reenactors and an equal or smaller number of spectators, and the event occurs throughout the community. In addition to providing education, entertainment, interpretation, and promotion of the battlefield, the event serves as a fundraiser for the Highland County Museum, which is operated by the Highland Historical Society. Reenactors are charged $25 to participate and spectators are charged $4, so reenactors clearly shoulder the bulk of the fundraising effort.

Other Methods: An approach that does not appear to be practiced at most battlefields is for the battlefield organization to own and/or operate historic inns, nearby historic downtown businesses, or on-site restaurants as a means of generating revenue in support of battlefield activities. One model for this type of approach is the many museums that operate restaurants, gift shops, and other commercial components that generate profits used as an operating revenue stream for the activities of the museum, as well as enhancing the tourism destination potential of the sites.

This rock quarry is located to the immediate east of the Manassas National Battlefield Park.

While there may be other creative ideas for battlefield land owners to consider, most others that are relatively common result in negative impacts to the land and its integrity. Development is one such obvious way to generate revenue from battlefield land, but one that is clearly in conflict with preservation objectives. A similarly unsatisfactory option is the extraction of natural resources, as rock quarries and similar mining operations come with extremely negative impacts. Two NPS-managed battlefields with quarries adjacent to their parks are Stones River in Tennessee and Manassas in Virginia and they are clear evidence of the drastic impacts that such operations could have on historic landscapes.

- Indirect Revenue Generation

  While the concept of revenue derived from battlefield lands is usually thought of in terms of funds generated for the land owner's direct benefit, potential indirect revenues benefiting others should also be considered. In fact, those indirect revenues in the form of economic spin-off to the private sector and public sector tax revenues are what commonly help sell the notion of battlefield preservation to public officials and economic development professionals. There are many financial and economic advantages to a preserved battlefield, including the well-known fact that the fiscal benefits of leaving land undeveloped typically outweigh many alterative land uses, such as residential development. However, the economic merits of battlefield preservation can go far beyond those associated with typical open spaces and are primarily tied to heritage tourism. According to the Civil War Trust's 2012 report "Blue, Gray & Green: Economic & Tourism Benefits of Battlefield Preservation," battlefield preservation may have the following benefits:

  - In five states (Missouri, Pennsylvania, South Carolina, Tennessee, and Virginia), 15.8 million visitors to 15 National Park Service Civil War battlefields and historic sites spent nearly $442 million in local communities, supporting 5,150 local jobs, in 2010.
  - At 20 Civil War sites from Gettysburg to Chickamauga surveyed between 2003 and 2005, out-of-town visitors added $11.7 million per year to local government tax revenues, and $21 million to state coffers.
  - Based on research in 2006, a typical family of four spent $1,000 during its battlefield visit.
  - In Virginia in 2008-2009, Civil War visitors stayed twice as long and spent twice as much as the average tourist.

In that Civil War Trust report, Kevin Langston, the Deputy Commissioner for Tourism at the Georgia Department of Economic Development, noted "What it boils down to is blue and gray makes green."

Best Practice #13: Owners of battlefield lands, whether public or private, should seek creative approaches to generate revenue from their land in a manner that avoids compromising the land's historic integrity and potential for effective interpretation. Low-impact activities such as farming, hunting, and battlefield tours are the most common methods. Other options include revenue generating uses such as inns, retail and restaurants.

Agriculture is a land use alternative often critical to battlefield preservation. It offers an option to development, while maintaining the historic integrity of the land.

IV. RESTORATION & INTERPRETATION

RESTORATION & INTERPRETATION

"Restoration" is defined as "the act or process of returning something to its original condition by repairing it, cleaning it, etc." Battlefield restoration and interpretation go hand-in-hand. Unless a battlefield is restored to an appearance that is at least somewhat similar to how it looked at the time of the battle, it is very difficult for visitors to understand the battle. Consequently, these two distinct but related topics are addressed here in tandem.

Reasons for Battlefield Restoration

There are several sound objectives for battlefield restoration, including the following:

- Restoring the Battlefield's Historic Integrity. This reason for restoration is the most fundamental and is similar to any historic preservation project. Restoring it is simply "the right thing to do" for the sake of history. It is more of a moral argument than one that can be tied to tangible and quantitative benefits that can be listed on a piece of paper.

The Manassas National Battlefield Park's 2009 restoration of various parts of the battlefield to its 1860s appearance was based on careful research.

- Enhancing Interpretation of the Battle. As noted previously, until a battlefield is restored to a condition close to what it was historically, it is difficult to effectively tell the story of that battle. Restoring a battlefield for successful interpretation includes restoring the historic landscape so that open fields for crops and wooded areas are intact, removing post-war structures, constructing fence lines consistent with historic fencing, and eliminating or mitigating adjacent views of post-war development with landscape screening. The more a battlefield can look the way it did at the time of the battle, the better the interpretation, and the better the visitor experience. Those benefits, in turn, can lead to greater support and fundraising capability for preserving other threatened lands that are part of that battlefield or other battlefields.

- Generating Revenue from the Battlefield. The many different methods for generating revenue from battlefields were discussed in the previous section of this report. The one revenue-generating approach that really depends upon a restored landscape is allowing access, tours and other forms of interpretation. The need for a restored battlefield landscape for interpretive purposes was explained above. Revenues are often needed for upkeep of the subject property and to further the preservation mission of the owning entity in light of other lands needing protection.

- Restoring the Battlefield's Environmental Value. An excellent example of a situation when historic and environmental objectives could be equally satisfied is the Trust's restoration of the "Breakthrough" battlefield in Petersburg Virginia. As an abandoned hog farming operation, large

areas of the Breakthrough battlefield evolved into a landscape of "pioneer species" featuring predominantly non-native, invasive species with Ailanthus (tree of heaven), Russian olive, and multi-flora rose, with intermixed hardwood and pine species. Not only did this concentration of invasive species present an environmental concern, but it also detracted from the visitors understanding of the historic landscape. The Trust made the decision to timber the 152 acres of marketable pine and hardwood on the property and reinvest that revenue into restoring the battlefield to its 1865 appearance employing a balanced approach of rehabilitation techniques.

After the project area was cleared, the Trust began the establishment of warm season grasses that are conducive to wildlife habitat improvement for turkey, songbirds and white tail deer. Several abandoned structures associated with the farming operation were also demolished. The timber revenue received was $1,311 per acre, with total land restoration costs of $1,711 per acre for the project. The Trust will eventually lease portions of the property for hay and crop production to recoup the rehabilitation investment.

The Civil War Trust's Breakthrough Battlefield Rehabilitation Management Objectives:

- Restoration and rehabilitation of the farm's historical landscape for battlefield interpretation.
- Timbering and clearing 152 acres, demolition of several abandoned farm buildings, and restoration to warm season grasses for hay production.
- Clearing 10 acres of invasive shrub land and conversion to a meadow.
- Wildlife habitat improvement.
- Improvement for outdoor recreation, including passive walking trails and interpretive signage.

Best Practice #14: Before embarking upon a battlefield restoration project, the implementing party should have a clear understanding of their objectives to be sure that the project is optimally designed. Common objectives include historic integrity, interpretation, revenue generation, and environmental benefits.

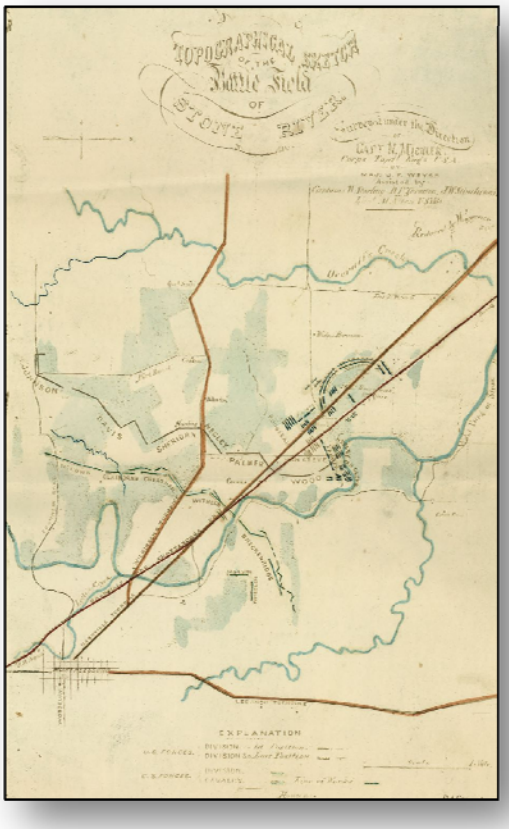
Approaches to Restoration

First, battlefield restoration should not be confused with the broader topic of battlefield improvements. While the installation of parking areas, interpretive centers, roads, walking trails, and wayside exhibits can be important improvements to make the battlefield more visitor-friendly, it is a different subject than battlefield restoration. Restoration entails the act of returning a battlefield to a condition closer to how it appeared during the battle relative to its current condition. In short, restoration attempts to make the battlefield recognizable to the battle's original participants.

Research

Prior to battlefield restoration occurring, research is typically required to achieve a clear understanding of the battlefield's wartime appearance. A general rule of thumb is that the larger and

more significant the battle, the more information that exists. As the map on the following page illustrates, battles of enough importance to warrant the establishment of a federal or state park (as well as smaller ones) often have the benefit of military maps created during or after the battle. Such maps commonly include natural features of the landscape (prominent hills, streams, and woods), cultivated fields, roads, rail lines, buildings, and troop movements. Even when contemporary maps are unavailable or incomplete in their information, first-hand accounts from participants can be helpful. During the 1960s, for example, noted Civil War historian Ed Bearss created a series of maps at various national park battlefields to document the war-era landscape. Based on descriptions in letters and journals from generals to privates, he was even able to determine, in many cases, the types of crops planted in certain fields and the types of fencing along roads. Another valuable resource is the Official Records of the War of the Rebellion ("ORs"), which consist of the assembled reports of numerous officers on various engagements written during the war. Yet another resource for research, although only available for a limited number of battlefields, is historic photographs.



This 1863 map of the 1862 Battle of Stones River at Murfreesboro, Tennessee, illustrates troop movements and key landmarks, including woods and fields.

Level of Restoration

When pursuing a battlefield restoration project, one of the first decisions is the extent of the restoration. Is the goal to restore the entire battlefield to its wartime appearance based upon existing historic information? Is the goal instead to target specific locations for restoration? Another reasonable alternative is to target key areas for initial restoration with the hope that the balance of the battlefield can be accurately restored as funding becomes available in the future. Targeted areas may be based on their historic significance, as well as their level of accessibility.

Features to Restore

When restoring a battlefield, there are many different components to consider. Below is a summary of the various features that might be restored:

- Vegetative Ground Cover. One of the most visually defining characteristics of any battlefield is the landscape's pattern of open fields in relation to wooded areas. Because of decades of crop cultivation, or the lack thereof, most of today's battlefield landscapes are substantially different from how they appeared at the time of the battle. In some cases, areas once wooded are now open, while areas that were historically open are now wooded. Even to the extent that some areas of a battlefield may feature a pattern of open and wooded areas similar to their wartime condition,

there may still be significant differences now from what existed historically. For example, a field where cotton was grown at the time of the battle looks substantially different from a field where corn is now grown. Likewise, there is a discernible contrast between an "old growth forest" and a "secondary forest," which tends to have more density and undergrowth. The overall height and plant types of wooded areas are also important factors.

As explained previously, if enough historic information is available about a particular battlefield, the vegetative ground cover can be restored to its historic appearance. Doing so, however, can require substantial funds, a plan for ongoing maintenance, and perhaps even a public information campaign to address stakeholders' concerns. At Manassas, for example, many area environmentalists voiced their opposition to tree removal in targeted locations, even though it was part of a historically-based restoration project.

McFadden Lane on the Stones River Battlefield was restored during the 1990s to a condition closer to its wartime appearance and vehicular access was eliminated.

- Roads. Similar to the changes that can occur over time to a battlefield's ground cover, its roads can change as well. In some cases, roads that existed at the time of the battle have disappeared and are now overgrown with vegetation. In other cases, new roads have been built that did not exist historically. An example of key roads that existed during a battle and still survive today are Manassas Battlefield's Lee Highway (Rt. 29) and Sudley Road (Rt. 234). Although the survival of those roads might be viewed as positive in most respects, the intensive rush-hour traffic that occurs at their intersection near the iconic Stone House is now a tremendous concern for preservationists and the National Park Service because of the negative impact it has on the battlefield's character, as well as the impeded travel of battlefield visitors.

Although members of the Mill Springs Battlefield Association in Kentucky believe that snake rail fences were most predominant on their battlefield historically, they have used mortised rail fences in many areas (see above) to minimize costs.

- Fencing & Walls. While both are used to delineate boundaries tied to land ownership and uses, wooden fences and stone walls are relatively different issues.

Fencing - Because wood fencing generally does not survive for 150 years, battlefields with this feature tend to have reproduced fencing. Split rail fences were most common in rural areas, with the zig-zag shaped "snake rail fence" being most frequently encountered. Another type is the mortised fence, which featured vertical posts to allow for a straight fencing alignment. Historical research can sometimes reveal the actual fence design that existed and where it was located for specific battlefields.

Walls - Because of their relative immobility, stone walls are a very different matter. Because of their cost, only rarely are stone walls recreated, such as was done at the Fredericksburg Battlefield. Most of today's iconic wall at the base of Marye's Heights along the Sunken Road was constructed during the 1930s by the Civilian Conservation Corps, while another section was built in 2004. One surviving segment has been restored, as has a segment of stone wall along Granny White Pike on the now largely-developed Nashville Battlefield.

- Buildings. Excluding post-war buildings that might be considered for removal (addressed on the following page), buildings within the context of battlefield restoration include two types: original surviving buildings and reconstructed new buildings.

Original Surviving Buildings - Battlefield structures that existed during the battle are one of the most tangible physical connections that a person can have to a battlefield. Interpretation can be a powerful experience when one stands on the same floorboards and within the same walls as Civil War soldiers. Many battlefields have no surviving war-era buildings, but for those that do, they are often among the most treasured features. It is critical that recognized preservation standards, such as the Secretary of the Interior's Standards for Rehabilitation, be followed in the preservation and restoration of battlefield buildings to insure their survival and ongoing integrity. They should also be made accessible and interpreted when possible. When owned privately by other than a preservation-oriented entity, facade easements should be pursued in the same manner that conservation easements might be pursued for land.

The well-preserved soldiers' graffiti throughout the Brandy Station Battlefield's Graffiti House greatly enhances the visitor experience.

Reconstructed New Buildings - Occasionally, a new building is constructed to replicate one that was known to have existed on a battlefield during the war. An example is the Dunker Church on the Antietam Battlefield in Maryland. Although it survived the battle, it was destroyed in a wind storm in 1921. It was later reconstructed on the original foundations using some of the original building's salvaged materials during the early-1960s. While not yet achieved, many supporters of the Franklin Battlefield in Tennessee have longed for the day that the Carter's cotton gin can be reconstructed based upon late-nineteenth century photographs.

- Earthworks. Extant defensive earthworks are another critical feature in need of careful preserva-

tion. Most preservationists would consider it inappropriate to disturb earthworks by attempting to enlarge their profile with new dirt. Instead, the focus should be on their preservation by: 1) restricting or discouraging people from walking on them, and 2) maintaining ground cover, usually in the form of grass, that will prevent their erosion. An elevated boardwalk network constructed around earthworks can offer pedestrian access without damaging the earthworks. As with fencing and walls, some battlefield managers choose to reconstruct earthworks where they once existed, but have since been lost. When done, archeologists should be involved to help avoid damage to archeological resources. Also, alternatives to reconstructing earthworks should at least be considered, such as creative devices to delineate the alignment of lost earthworks.

At the Port Hudson Battlefield just north of Baton Rouge, Louisiana, this state park has recreated the defensive earthworks that were built here by the Confederate forces.

Removal of Post-War Features

When the objective is to return a battlefield to a physical state as close to its wartime condition as can be reasonably achieved, it is generally advisable to remove postwar features, including buildings. However, there are often cases in which preservation organizations elect to retain buildings either for their direct use or for revenue generation via leases. Examples include a few existing houses on the Brice's Crossroads Battlefield in Mississippi, as well as the six leased buildings owned by the Mill Springs Battlefield Association in Kentucky. For organizations that elect to retain postwar buildings, their long-term goal should be to remove buildings dating from after the war. However, it must also be recognized that some postwar buildings are still architecturally significant. For this reason, some of the buildings removed from the Franklin Battlefield in Tennessee in recent years have been moved rather than demolished.

Perhaps the most aggressive battlefield restoration project in the country has occurred in Franklin, Tennessee. Near the Carter House site, a Pizza Hut restaurant was acquired and demolished to convert it back to green space.

Best Practice #15: Battlefield restoration can only occur to the degree that necessary funds are available. However, it should be pursued to the greatest extent possible, and it should be based upon detailed research and recognized preservation and restoration standards. Postwar features should be removed whenever possible.

Restoration Strategies

Given the various features of a battlefield that can potentially be restored - from landscapes to buildings to fencing and beyond - a key challenge is to decide how to proceed when funding for doing so is typically limited. While there are a variety of strategies that might be employed, the two most obvious are as follow:

- Battlefield Features Approach: This approach to restoration entails restoring one feature of a battlefield at a time as funding permits. For example, the initial focus might be on fencing, while the next phase might address the removal of postwar buildings, and the next might focus on ground cover (fields versus woods). A feature-driven approach can be preferable because of time and cost efficiencies associated with addressing one issue at a time, thereby achieving "economies of scale." For example, it may be more cost effective to acquire a large number of saplings to reforest extensive areas rather than purchasing fewer saplings to reforest smaller areas in a piece-meal fashion over time. If a preservation group pursues this strategy of dealing with one feature at a time, it is often most beneficial to start with fencing, such as the installation of snake rail fencing along key corridors. The reason for this starting point is that historic-looking fencing goes a very long way in creating a strong sense of place, character and history that makes people feel like they are indeed on a Civil War battlefield.

- Battlefield Area Approach: A different approach to battlefield restoration is to focus on specific areas holistically rather than a battlefield-wide strategy for specific features. This strategy consists of concentrating on key areas of the battlefield, such as those that are most visible and/or most historically significant to the battle. In such a scenario, one area might be largely or even completely restored with respect to its historic ground cover, fencing, removal of postwar buildings and restoration of historic buildings, and similar enhancements.

Best Practice #16: When restoring a battlefield, the preservation entity must decide whether to pursue a features-focused strategy, an area-focused strategy, or some combination of the two. Regardless, strong consideration should be given to the installation of historic-looking fencing as a starting point because of its relative affordability and substantial positive visual impact.

Benefits of Interpretation

Many battlefield preservationists believe that, unless a battlefield is made physically accessible and interpreted, there is no real purpose for preservation. The primary advantages to interpretation are as follows:

- To educate visitors. Education is the most fundamental reason for interpreting a battlefield. Interpretation involves conveying information about a particular topic. Visitors to a battlefield should leave knowing more about the battle and the battlefield than when they arrived.

- To entertain visitors. For some visitors, it is necessary to entertain them to capture their attention enough to concurrently educate them. Visiting battlefields is a source of entertainment for many

battlefield visitors, and battlefields must compete with many other entertainment options. In fact, a term used by some heritage tourism proponents referring to the blending of education and entertainment is "edutainment."

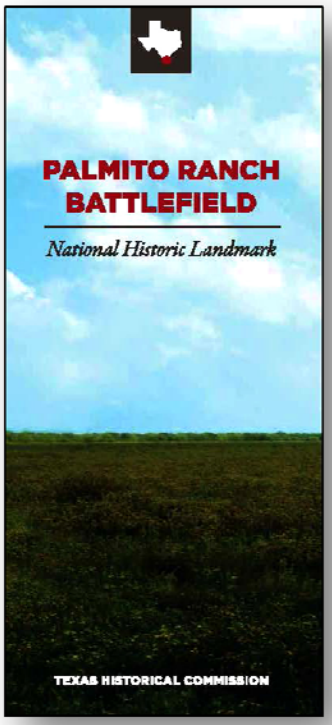
- To increase the economic benefits of heritage tourism. The greater the extent that a battlefield is interpreted, and the higher the quality of that interpretation, the more time the visitor will spend. Effective interpretation will also influence the visitor's decision to make repeat visits in the future. By spending more time at a battlefield and/or making more trips, the visitor typically spends more money to benefit the local economy.

- To build support for the battlefield. For the very direct purposes of battlefield preservation, interpretation is important for building public support. Once a person understands a battle through effective interpretation, they can begin to appreciate the battlefield and want to help with its preservation and enhancement.

Best Practice #17: Before developing a strategy for battlefield interpretation, the preservation entity should identify the interpretive objectives. Only by doing so can the optimal approaches to interpretation be determined.

Approaches to Interpretation

The options for interpreting Civil War battlefields are only limited by the imaginations of battlefield stewards. They have been categorized below as off-site media, on-site interpretation, and living history. Each type of interpretation has specific audiences and varied levels of effectiveness.



This battlefield brochure was produced by the Texas Historical Commission.

Off-Site Media

Media that is used to interpret battlefields outside of the battlefield's property can be either printed or web-based.

- Printed Materials

  Printed materials, particularly brochures, are the most basic interpretive tool that is made available at virtually any preserved and interpreted battlefield. Common components of such materials include the following:

  - Map of the battlefield illustrating key physical features, driving routes, and troop alignments/movements
  - Photographs of key military leaders (commanding generals, etc.)
  - Text providing an overview of the battle
  - Text explaining key battlefield landmarks

Printed materials can be used not only to interpret the battlefield on-site, but can also be placed in brochure racks at other historic sites, interstate rest areas, restaurants, hotels, and other locations to promote the battlefield. An alternative to brochures is a heavy-stock two-sided card summarizing and promoting the battlefield.

- Web-Based Media

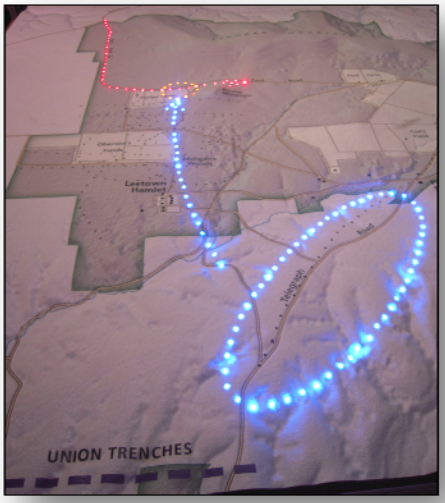
  Most battlefields that are open for visitation have a website. Such websites can serve multiple purposes. In the case of NPS and state park websites, the focus tends to be on interpreting the battle and the battlefield, as well as providing information regarding days and hours of operations and related topics. The websites of private non-profit battlefield operators usually cover the same topics, as well as pleads for funding to help them maintain the battlefield, provide programming, and protect additional lands. Websites can also provide virtual tours, animated maps and videos that interpret the battlefield for those who cannot visit or to prepare those who will.

On-Site Interpretation

On-site interpretation is the most common form and some of the various options include the following:

- Interpretive Centers

  While this form of interpretation has been listed under "On-Site Interpretation," it is conceivable that an interpretive center could be located off-site from the associated battlefield, although that would be an unusual approach. The excellent views that the windows of the Manassas Battlefield's interpretive center offer of Henry House Hill make one instantly understand the value of locating an interpretive center on the battlefield. However, because some centers have been located on critical grounds that should be left open and interpreted, there is a trend to relocate such interpretive centers. Perhaps the best known example is the relatively new center at Gettysburg that is now located on the battlefield's edge so that the former center's site can be cleared and interpreted.



The Pea Ridge Battlefield's interpretive center features a topographically accurate map that uses lights to highlight specific areas of the battlefield. It is correlated to a recorded narration of this important Arkansas battle.

- Wayside Exhibits

  The design and technology of wayside exhibits has been advanced measurably over the past few decades. While early waysides generally consisted of only text and perhaps a map, they are now much more visually engaging. Effective wayside exhibits typically feature the following elements:

  - Narrative text bringing to life what happened at the site
  - A sidebar story with secondary information not critical to the main story (when appropriate)
  - Captioned maps, historic illustrations and photographs, and other high-quality graphics
  - Quotes and other information

Furthermore, the wayside's layout is similar to that of a magazine in that the largest font is for a thematic heading, followed by a smaller font for a sub-heading and supportive text. This approach allows the reader to digest as much or as little information as they would like, depending upon their level of interest. Even non-NPS sites now often use the same fabrication as NPS sites, which is achieved with imbedded fiberglass panels set into a metal framework and support structure anchored into the ground. The panel should be tilted to provide the best view of the subject site beyond the exhibit.

Despite being a privately-owned and operated battlefield at Petersburg, Virginia, Pamplin Historical Park uses a wayside exhibit design and fabrication very similar to that of the NPS.

- Silhouette Cut-Outs

  Many historic sites, such as Stones River in Murfreesboro, Tennessee, have been installing on their battlefields two-dimensional cut-outs of cannons, soldiers and similar features to give visitors a general sense of scale and physical placement of those key components of a battle.

A Missed Opportunity

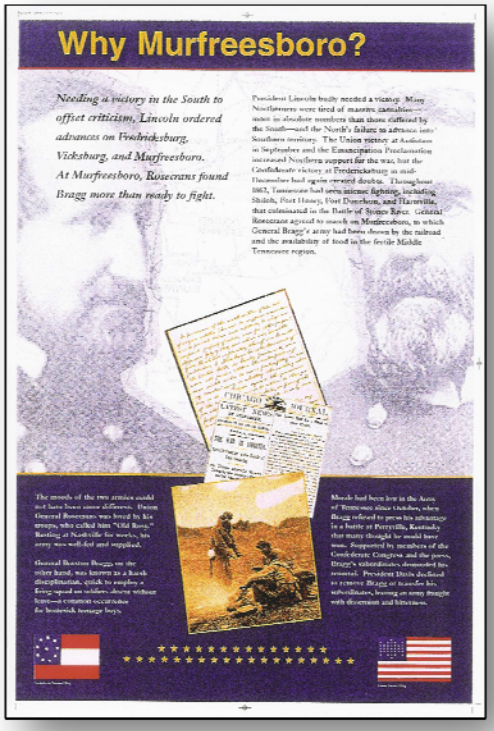
In 2004, the National Park Service (NPS) opened its new Civil War Interpretive Center as part of a satellite park to their nearby Shiloh Battlefield park. In hindsight, the location was a missed opportunity. It is located on Battery Robinette, one of the most significant places on the battlefield that now has its integrity negatively impacted by this new building and associated parking lot (see photo at top right).

Rather than degrading a key historic site, the interpretive center could have been located in the historic downtown where extensive undeveloped land still exists by the railroad intersection and the former site of the Tishomingo Hotel. This area was the scene of one of the few examples of urban warfare during the battle (see painting at right). A downtown location would have leveraged much greater economic spin-off to businesses relative to the isolated site ultimately selected.

Principles of Successful Wayside Interpretive Exhibits
Successful on-site interpretation attracts the eye by guiding people to a historic landscape filled with compelling stories. The following are tips to achieve that success:

1. Identify the experience you want the visitor to have. After you identified the theme for your exhibits, specify what you want your visitor readers to know, feel, or do after they read them. Make sure every sentence in your text sticks to the purpose of the exhibit.
2. Give the story offered by the exhibit a name instead of the topic it introduces. Example: Instead of *"Corinth's Civil War Earthworks"* call it *"Defending the City."*
3. Use interesting graphics that avoid duplicating the view at hand.
4. Text supports the graphics, headings, and captions, not the other way around. Typically, text introduces the idea, sets the context, or leads the reader to further experiences.
5. Waysides should contain less than 200 words and feature no more than 4 graphic images.
6. Make the text interesting through the use of active verbs and by avoiding descriptive adjectives, and think about how the story would be relevant to today's readers.
7. Create a mock-up of the final draft – if the narrative catches your eye more than the graphics, then you should rethink your design.
8. Make sure your text is correct by having qualified historians edit it – mistakes on wayside exhibits are expensive to change and can make the visitor question the accuracy of their experience.
9. There should be consistency in appearance to create a cohesive system of exhibits.

Although the NPS defines wayside interpretive exhibits as exhibits that are located at the site that is being interpreted, there are location alternatives that can still be useful. In some cases, public access to a particular site worthy of interpretation is not possible, so a wayside may need to be placed remotely. In other cases, the objective for wayside exhibits is tied more to economic development. During the 1980s, the Gettysburg Main Street program conducted a survey and determined that only approximately 25% of battlefield visitors were also visiting the nearby historic downtown. As a result, they decided to install wayside exhibits within the downtown to interpret the battle there and hopefully draw more tourists to spend money downtown. Murfreesboro, Tennessee, used a similar approach during the late-1990s when they designed wayside exhibits for installation in the downtown to interpret the Battle of Stones River, located three miles away.



Sample wayside for Downtown Murfreesboro
Graphic Source: The Walker Collaborative / Christopher Chadbourne & Associates

- Technology-Based Tours

  There are a variety of electronic technologies that can be used for interpretation. A younger audience, in particular, uses such technology regularly. Examples of tools that can be used for battlefield tours include the following:

  Compact Discs (CDs) - CDs can be used solely for audio tours in which the visitor listens to a narration of the battle or they can include video as well to provide visual animation. Such visual animation can feature videos of reenacted battle scenes, interviews with historians, animated maps, and similar electronically-based interpretive tools.

  Smartphone Apps - A smartphone app, sometimes called a mobile app, is any smartphone *app*lication installed by phone users. The term "app" can be used to refer to any application for any device, but when used alone, it most commonly refers to software downloaded onto smartphones. Many apps for historic sites feature a written explanation, as well as a professional-quality audio and HD video component. There is also often a map feature providing the viewer with specific directions along driving and/or walking routes for the battlefield.

  QR Codes - QR codes, which is an abbreviation for "Quick Response Codes," is the trademark for a type of matrix barcode (or two-dimensional code). This system is useful due to its fast readability on smartphones and large storage capacity compared to standard barcodes. The code consists of black modules (square dots) arranged in a square pattern on a white background. For historic interpretation, QR codes are linked to telecommunications resources (smartphones, etc.) that provide the same type of interpretive experiences (audio and video) described above for apps.

  iBeacon - iBeacon is the trademark for an indoor proximity system that Apple Inc. calls "a new class of low-powered, low-cost transmitters that can notify nearby iOS 7 devices of their presence." The technology enables a smartphone or other device to perform actions when in close proximity to an iBeacon. One application is to help smartphones determine their precise position or context. This tool can be used to locate a battlefield visitor on a map and it can notify the visitor when they are near key landmarks, including conveying relevant information.

  Cell Phone Audio Interpretation - Wayside exhibits, brochures and historic markers have been created that have a call-in phone number at the site that is being interpreted. The viewer calls the number and gets an audio message as they are standing at the site. The NPS-operated Pea Ridge Battlefield in Arkansas is one of many battlefields currently using this technology.

- Historically-Based Features

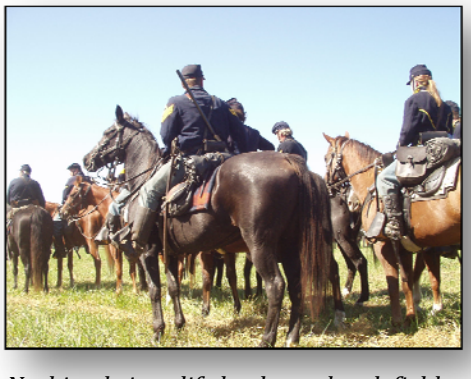
  One of the most common historically-based feature that is often added to Civil War battlefields for interpretive purposes is cannons (fencing and dirt roads are addressed elsewhere). They are usually located where artillery batteries were historically located and, in fact, locating them otherwise is not advisable for accurate interpretation. Many NPS-managed battlefields feature cannons with authentic historic cannon tubes mounted on reproduction carriages and many also include reproduction limbers. Whether original or reproduction, cannons and their related equipment are very similar to historically-based fencing in that they can add tremendously to the

historic character of a battlefield. Another advantage of adding artillery is that it was typically located on hills or near key roads, which translates to high visibility for today's visitor experience.

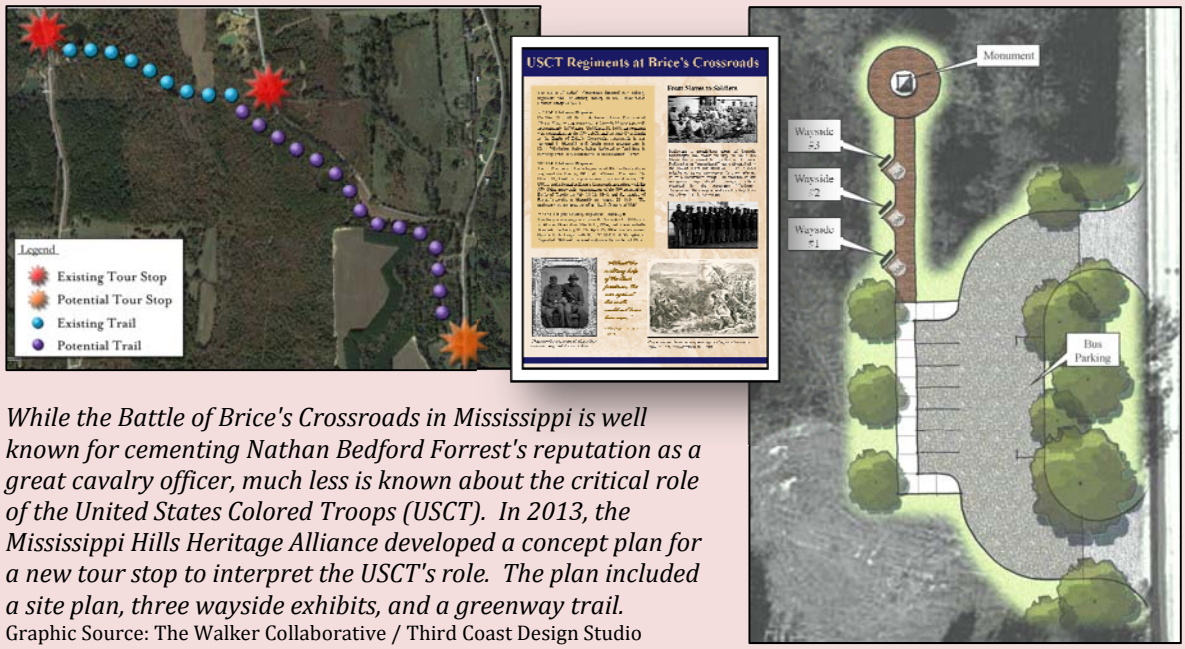
Living History

Living history demonstrations are a great way to "edu-tain" people who might not otherwise be interested in Civil War history, as well as to garner media attention. Living history can range from encampments to demonstrations (drills, firing muskets, firing cannons, etc.) to battle reenactments. When conducting living history, three key issues should be considered:

1) Is it appropriate to hold such events on the actual battlefield?
2) Are there liability issues?
3) Are the reenactors authentic with respect to their clothing, weapons, equipment and even body type?



Nothing brings life back to a battlefield like a reenacted battle. However, some would consider it inappropriate to hold them on actual hallowed grounds.



While the Battle of Brice's Crossroads in Mississippi is well known for cementing Nathan Bedford Forrest's reputation as a great cavalry officer, much less is known about the critical role of the United States Colored Troops (USCT). In 2013, the Mississippi Hills Heritage Alliance developed a concept plan for a new tour stop to interpret the USCT's role. The plan included a site plan, three wayside exhibits, and a greenway trail.
Graphic Source: The Walker Collaborative / Third Coast Design Studio

Commemoration

Although interpretation is only one aspect of commemoration, it is being addressed here in the section on interpretation. Commemoration on Civil War battlefields is most commonly achieved in the form of monuments to specific army units, individuals or actions. NPS managed battlefields are particularly profuse with monuments, and many date back to the 19th century. Although many would

consider battlefields such as Gettysburg to have so many monuments that they distract from the most fundamental elements and ideas of the what a battlefield stands for, others might argue that they are a critical part of the battlefield and help visitors understand the battle.

Because of the many requests to install monuments on battlefield lands owned by the Civil War Trust (CWT), they have developed an official policy to guide their decisions. The CWT's "general policy" is to *"only consider the construction of monuments linked to military organizations endorsed by the applicable state government or other credible organization. Monuments to individual historical figures will not be permitted."* Their more detailed policies address the following topics: design, materials, inscriptions, location, size, construction, maintenance, and dedication. The NPS has similar commemoration policies, and most battlefield management organizations would be wise to do the same.

The Mill Springs Battlefield in Kentucky features a Confederate cemetery created in recent years. Rather than settling for the adjacent mass grave of unknowns, the local "friends" group researched the death rosters and installed a headstone for each soldier.

Another form of commemoration is events, such as the many that have occurred recently to celebrate the Civil War's sesquicentennial (150th anniversary). Even during more typical landmark dates, such as Veterans Day and the anniversary of a particular battle, it is common for speeches, wreath-laying ceremonies, and similar events to occur at Civil War battlefields.

Best Practice #18: At a minimum, every interpreted battlefield should have a brochure and website for their off-site media to interpret and promote the battlefield. For on-site interpretive features, wayside exhibits are important, and carefully-placed cannons can help to reinforce the battlefield's historic character.

Restorative and Interpretive Costs and Funding

Costs and funding were addressed previously in this study within the section entitled "Preserving Battlefields." However, that is a distinct issue from the costs and funding associated with the restoration and interpretation of battlefields, which is explored below:

Costs of Restoration & Interpretation

Achieving a high quality of battlefield restoration and interpretation costs money. The associated costs are addressed below.

- Restoration Costs

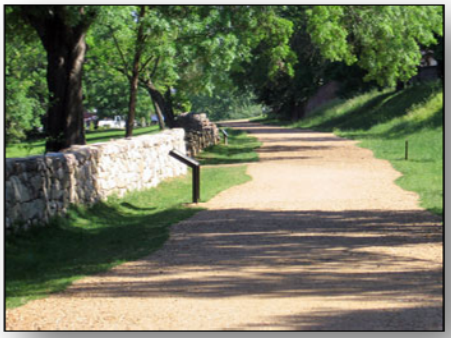
  Because every battlefield restoration project is different, and because labor and material costs can vary with geography, this discussion will entail generalizations supplemented by representative anecdotal examples.

Vegetative Ground Cover - Restoring ground cover to an appearance consistent with the Civil War era can involve both removal of tree cover and establishment of open farmland or, in reverse, reestablishing forest cover. In each instance, the project is typically multi-year and costs vary widely pending the amount of restoration needed. The principal cost is labor and many battlefields report volunteers have done the work. In fact, even trees, other plant materials, and equipment are often donated. The USDA's Natural Resources Conservation Services estimates landscape restoration to native grasses to range from $400-$850 per acre, with an additional $250-$500 per acre if removal of heavy vegetation must first occur. Many variables can impact these broad ranges.

Roads - Removal of modern roads or hard surface pathways also varies by locale and the amount of volunteer effort and equipment donated or rented. The 2003-2004 Sunken Road project at Fredericksburg, which included hard surface treatment for about 1,200 linear feet of road to visually mimic a historic appearance, was budgeted at $198,763. Another $85,966 was budgeted for the installation of landscaping barriers to terminate the historic road. It is noteworthy that there were additional costs to the complete restoration of the Sunken Road area and the provision of visitor access, including work such as the removal of overhead power lines at a cost of $80,000. Franklin, Tennessee's, battlefield restoration efforts provide yet another example of removing modern roads. According to the City of Franklin's Parks Department, the removal of concrete golf cart pathways at the former golf course that comprises part of the "Eastern Flank" section of the battlefield cost approximately $6.75 per linear foot.

Fencing & Walls - Split rail fences vary by cost, depending upon the design and materials used. In Franklin, Tennessee, where the split rail fence replicates the fences depicted in historic photos, the material cost was $90 per 10 foot section (not including labor). The post and rail style fence is used at many other battlefields because the fewer rails needed per linear foot results in less cost. At Kentucky's Mill Springs Battlefield, for example, they are no longer replacing snake rail fences as they deteriorate with the same. Instead, they are going with the less expensive post and rail style because of cost considerations. In their market, rails cost $8 each, equaling at least $100 per 10 to12 linear feet of fencing, and that does not include labor costs. To illustrate the cost variations for different types of wood, at Mill Springs the cost of locally-acquired rails is $4.50 per rail for black locust, while cedar rails are $12.50 each. The figures are similar at Stones River Battlefield in Tennessee. The NPS's formula for building snake rail fences is to use 10 foot rails placed horizontally in two sections for approximately 14 feet in length. When six vertical rails are added for support, the total 16 rails (costing $10 each) equals a material cost of $160 per 14 foot section.

Stone wall reconstruction is a much less frequent battlefield enhancement measure. However, using Fredericksburg as an example, their 2004 stone wall reconstruction along the Sunken Road cost $195,165. At approximately 492 linear feet, that amounted to about $397 per linear foot.



Parts of the stone wall at Fredericksburg were reconstructed as a WPA project in the 1930s, while other parts were rebuilt in 2004.

Buildings - Within the realm of battlefield restoration, there are two types of building projects. One scenario is the reconstruction of a lost building (discussed below), and the other is the restoration of an existing historic building. Because the associated costs can vary so greatly depending upon a particular building's condition, even on a standard unit basis (per square foot), no useful conclusions can be drawn here other than to emphasize that the ultimate costs can be difficult to predict until the contractor gets beyond the building's veneer and into the structural elements.

That said, one relatively recent example of a Civil War building restoration is the General James Longstreet headquarters building at Bull's Gap, Tennessee. That $50,000 project resulted in approximately 1,500 square feet of restored space, but also included the costs of upgrading electrical service and a new roof for entire building. Some of the materials were donated and roughly 95% of the labor was volunteered. Also, the adjacent garage building was renovated and upgraded to house a visitor contact station, a library/resource room, and a caretaker's apartment for approximately $45,000.

While the restoration of the building used as Longstreet's headquarters at Bulls Gap, Tennessee, was only $50,000, more extensive renovations can easily cost hundreds of thousands of dollars.

While the construction of new buildings to interpret their lost predecessors is much more predictable given that there are few surprises, the costs can vary substantially depending upon the complexity of the design and the location. Per square foot costs for new construction, whether within a historic site context or not, are very sensitive to their respective region.

Earthworks - The circumstances for earthworks can vary widely. In some cases they might entail the preservation and/or restoration of existing earthworks. In other instances it may involve the creation of new earthworks. If the project impacts existing or once-existing earthworks or other cultural resources, archeological costs might be triggered. Therefore, associated costs must be considered on a case-by-case basis.

Removal of Post-War Features - The most common and substantial post-war feature to be removed from a Civil War battlefield is buildings. There are two typical approaches to building removal. If the building is worth saving, it might be moved. However, costs can vary so greatly depending upon the building's construction method, scale, and distance of the move, that speculating about the costs of moving a hypothetical building are not useful. Demolition costs vary greatly depending on the building materials and cost of disposal. Concrete and stone, for example, cause demolition costs to skyrocket. In Maryland and Virginia, landfill costs are typically $60 per ton of dumped materials. An alternative to conventional demolition is practiced at Mill Springs in Kentucky. After salvageable fixtures are removed, their post-war houses are burned as part of training for the local fire department. While costs can differ based upon the region, as with new construction, Franklin,

Tennessee's, recent experience in building removal is instructive. They spent $30,000 to demolish the Holt House, $25,000 to demolish the Fudge House, and the Neal House was sold for $1,000 and relocated for an unknown cost.

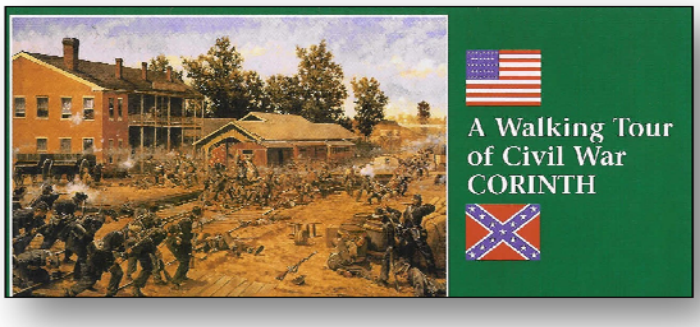
Sample Post-War Building Demolition Costs
The following figures were provided by the Civil War Trust. Square footage figures are very rough estimates based upon photographs.

- *Cedar Mountain (VA):* 2-story frame farm house - $18,000 (estimated 1,600 sq. ft.)
- *Gettysburg (PA):* 2-story brick house - $25,000 (estimated 3,500 sq. ft.)
- *Petersburg (VA):* 2-story new brick house - $19,400 (estimated 3,000 sq. ft.)
- *Shiloh (TN):* 2-story brick house - $7,030 (estimated 2,000 sq. ft.)

- Interpretation Costs

As already described previously, interpretation can span a broad spectrum, from brochures to waysides, to interpretive centers, to media-based battlefield tours - to name just a few. Associated costs are addressed below.

Printed Materials - While the term "printed materials" can mean many different things, within the context of battlefield interpretation, brochures are the most common form. High-quality battlefield brochures usually require collaboration between historic researchers and graphic artists, and the cost of their design is often within the $5,000 to $15,000 range. Once the brochure is designed, the subsequent costs are related directly to printing and distribution. Most battlefield entities spend very little on distribution, leaving the printing costs as the primary ongoing cost. Going by costs experienced by the Tennessee Civil War Preservation Association (TCWPA), the layout and production of 1,000 rack cards is about $500. Trifold color brochures are a bit more. The layout and production of 1,000 brochures is roughly $700 in that particular market area.



Web-Based Media - The most typical web-based media employed by battlefield operators and interpreters is the associated entity's website. There are three primary costs associated with websites: the cost of their initial development, ongoing maintenance, and hosting. Below is a summary of typical cost ranges for each:

- Development: Depending upon the complexity and volume of information for a particular website, costs of its development can range between roughly $5,000 and $20,000. While that is a broad range, the more work the client can do on their end to produce the content, the lower the costs.
- Maintenance: This work involves periodic updates of the website. If the website is created in a

very user-friendly format such as with Word Press, maintenance can usually be done in-house by the battlefield organization. If a website consultant is required, costs generally range between $75 and $125 per hour of work. However, non-profits can often get discounted rates in return for free advertising for the website designer on the website.

- Hosting: Website hosting is provided by companies on an annual basis of roughly $150 to $300 annually for relatively simple websites, and discounts are usually available for multi-year subscriptions. However, more complex websites with a variety of interactive features can cost substantially more on a case-by-case basis.

Interpretive Centers - Initial one-time costs associated with interpretive centers include land acquisition, building construction, exhibit design and build-out, and artifacts. There may be additional costs related to interactive exhibits and a film about the battle. While most of these costs can span a broad spectrum of possibilities that preclude a useful discussion here, the one cost that is typically the largest - the construction cost - is an exception.

By using a few examples of other interpretive centers, some conclusions can be drawn regarding potential costs. In 2008, a study was done (by this author) to project potential costs for a jazz museum in High Point, North Carolina. Based upon several comparables researched by the consultant's economist, an average cost of construction was estimated to be $220 per square foot.

Even more relevant is the Mill Springs Battlefield Museum in Kentucky, which was built in 2006. That 10,000 square foot facility was constructed for a cost of roughly $2 million, equating to $200 per square foot. Therefore, it is safe to say that for new construction not involving a complex urban setting and not including the exhibit design and build-out, construction costs for a new center can be estimated to be in the $200 to $250 per square foot range.

The 10,000 square foot interpretive center for the Mill Springs Battlefield in Kentucky cost approximately $2 million or about $200 per square foot. Those figures did not include exhibit design or build-out costs.

New exhibits installed a few years ago at the interpretive center at the Stones River National Battlefield Park in Tennessee included planning, design, construction, and installation for a total cost of roughly $1 million. At about 1,800 square feet, that translated to $555 per square foot. Two factors that tend to increase the cost of such projects are the use of technology (AV programs and other interactive computer-based programs) and original art used in exhibits. The Stones River figures are relatively typical of new exhibits at NPS sites, although they can often be lower at many smaller battlefield sites where a more piecemeal and less costly approach might be taken.

Wayside Exhibits - Wayside exhibits entail three primary types of expenses, as follow:

- Research and Design: This initial step includes research into the story, drafting of text, assembly of graphic materials, and graphic design to create the layout. Costs can range from free when

performed by volunteers to up to $6,000 per wayside for professional services. The cost was $750 per wayside for the Civil War Trails wayside exhibit system.

- Fabrication: Using embedded fiberglass for the wayside panel with metal framing and mounting, fabrication costs tend to range between $1,500 and $2,000 per wayside.
- Installation: The costs of installing waysides are typically quite minimal, as municipal public works employees, park maintenance employees, and even prisoners in some cases can be utilized.

Considering the combined costs of research and design, fabrication, and installation, the average cost per wayside exhibit might range greatly between roughly $1,500 and $8,000.

While the figures above are broad and general, the Civil War Trails program for Tennessee offers a very specific example. The cost of a single wayside exhibit for that program - final design through the production of the fiberglass embedded interpretive panel, metal stand, and installation - is approximately $5,500. That cost does not include research, which could vary greatly. Many battlefields use volunteers and staff to prepare the text and select photos and other graphics.

Digitally-Based Tours - Examples of digitally-based tours described previously include cell phone audio interpretation, cell phone apps, and QR codes. Because there is such a broad range of options and the technology continues to change rapidly - including the associated costs - costs for digitally-based tours need to be determined on a case-by-case basis.

Historically-Based Features - Cannons were the primary feature previously addressed for this topic because features such as historically-based fencing were addressed under site improvements. While the carriages on which they are mounted are almost always reproductions, the cannon tubes are sometimes original and sometimes reproductions. Regardless, the costs can vary depending upon whether the tube is original or a reproduction. For reproductions, costs are further impacted by whether or not they can be fired. With those factors in mind, a single combination tube and carriage can range between roughly $10,000 and $20,000. Two-dimensional cut-outs or "silhouettes" of soldiers, cannons and similar features placed on some battlefields for interpretive purposes typically cost a few thousand dollars each. For the Stones River National Battlefield, soldier cut-outs were $2,250 each and cannon cut-outs were $3,000 each, in addition to $1,000 to create the digital patterns and $9,000 for crating and shipping the 30 total cut-outs.

Living History - There tend to be two different types of reenactors who might to be used to help interpret a Civil War battlefield. For ongoing interpretation at a park as part of the regular programming, hired or volunteer staff is utilized, although typically in very few numbers. The costs for such reenactors, who might demonstrate military drills, musket and/or cannon firing, camp life, and field hospitals, are equivalent to those costs associated with the pay scales for other low to moderate-level staff. The other type of reenactor commonly used at battlefields is the volunteer who is part of a larger group participating in an occasional event, such as a battle reenactment. Costs related to their use are generally limited to assisting with certain on-site expenses, such as meals, although fees are sometimes charged for reenactors to help mitigate the sponsor's costs. For example, a $25 fee per participant at the McDowell Battlefield's reenactments raises funds that invested in future land preservation efforts.

Funding for Restoration & Interpretation

Section II of this study entitled "Preserving Battlefields" includes a sub-section entitled "Funding Battlefield Preservation" beginning on page 25. Although that section focuses specifically on funding sources for preserving land, at least a few of those sources can also be used for restoration and interpretation activities.

- Federal Funding for Technical Support

  The NPS's American Battlefield Protection Program (ABPP) provides professional assistance grants (planning, research, surveys, etc.) to groups, organizations, or governments for not only preserving land, but for *interpreting* battlefields as well. Applications for funding that can demonstrate partnerships with other groups and that involve the highest priority battlefields per the 1993 Civil War Sites Advisory Commission (CWSAC) report (384 "principal" battlefields) will be the most competitive for funding.

- National Park Service: National Heritage Areas Program

  There are several national heritage areas (NHAs) with the Civil War as a related interpretive theme. The two most conspicuous examples are the Tennessee Civil War NHA and the Shenandoah Valley National Historic District, which is operated by the Shenandoah Valley Battlefields Foundation. Examples of NHA with the Civil War as one of multiple themes are the Mississippi Hills NHA and the Mississippi Delta NHA. While federal funding for NHAs cannot be used for land acquisition, it can be used for *restoration and interpretation* projects.

This interpretive wayside exhibit for the Brice's Crossroads Battlefield was funded by the Mississippi Hills Heritage Area Alliance in 2013.

- Special Taxes

  Among the key potential tax revenue sources addressed for battlefield preservation in Section II were the dedicated tax, the real estate transfer tax, and the tourism tax. Of those, it is highly unlikely that real estate transfer taxes would ever be used toward restoration or interpretation projects given the lack of a clear relationship between those activities and property sales. Similarly, a dedicated tax is not a very likely source of funding. However, there is certainly a strong enough link between tourism and projects involving *restoration and interpretation* to make tourism taxes a reasonable funding source.

- Battlefield Preservation & Historic Preservation Groups

  The primary focus of most battlefield preservation groups - whether national, state, regional or local in scope - is land preservation. However, most such groups also recognize that protected lands that are not restored and interpreted have only limited benefit and appeal to the public. Consequently, these groups can be a source of funding for *restoration and interpretation*. At the national level, the Civil War Trust is an excellent example of an organization that supplements its primary focus on land preservation with restoration and interpretation activities. Similarly, the

"friends" group for the Chickamauga and Chattanooga National Military Park was critical to helping raise the funds needed to expand and enhance the NPS's state-of-the-art interpretive center during the early-1990s.

As noted previously in this report, the Civil War Trust (CWT) recently completed a study that is exhaustive and detailed on the funding topic entitled "Battlefield Preservation Funding Study." While that study focuses primarily on funding options for battlefield preservation, it also includes many sources of funding for restoration and interpretation.

Best Practice #19: To maximize limited funding for battlefield restoration and interpretation, expenditures should be strategically targeted to the most significant and interpretively valuable portions of the battlefield. Some of the same funding sources that are used for battlefield preservation can also be applied to restoration and/or interpretation efforts.

The Elkhorn Tavern is so significant to Arkansas' Pea Ridge National Battlefield Park that the battle is often referred to as the Battle of Elkhorn Tavern. The site clearly represents this study section's dual topics of restoration and interpretation via the well-restored tavern in the background and the wayside exhibit in the foreground.

V. LAND CONVEYANCE

LAND CONVEYANCE

A great amount of focus on battlefield preservation methods tends to be on land acquisition as a means of controlling the land. However, once acquired and saved for near-term purposes, conveying the property to another party is sometimes desirable. This section of the study will examine issues related to land conveyance.

Rationale for Conveying Land

Although many parties that acquire battlefield lands for preservation purposes end up retaining ownership indefinitely, that is not always the best scenario. Some parties are well-suited for the initial preservation effort and can do an equally good job at holding it long-term, but others are less successful at holding the property long-term. The many variables that might determine long-term holding include the current owner's mission, capacity, and geographic location relative to the subject property. Among the many potential reasons that an owner of battlefield lands might want to convey it to another party for long-term preservation, management and interpretation are the following:

Battlefield preservationists in Franklin, Tennessee, ceremonially burn a paid-off mortgage for recently-acquired land at the battlefield's Carter House site.

- The owner's mission precludes on-going management and interpretation of battlefield lands. Not all battlefield preservation groups are in the management and interpretation business. Some groups recognize that their aspiration and strength lies in the initial preservation step and not the other long-term duties.

- The owner lacks the capacity to effectively manage and interpret the property. Even if a particular organization has the desire to manage and interpret its battlefield holdings, it may not have the ability to do so. Many battlefield preservation groups struggle to raise the funds necessary to carry out their missions, so on-going management and interpretation at an adequate level may not be viable. Even if funding is not the issue, the organization may lack the necessary expertise and may not want to increase spending to acquire it.

- The owner's property tax status may be a deterrent to holding the property. Many preservation organizations are able to achieve a local status that allows for a waiver for non-profits from paying property taxes or allows for a reduced assessed value. As one example, that option is available to some of the non-profit land owners at Virginia's McDowell Battlefield, although they have thus far elected not to pursue that status. If a battlefield land owner is not eligible for such status for

whatever reason, it might make financial sense to convey the land to an organization that can obtain a waiver from paying taxes or can pay taxes at a reduced level.

- The owner is located too far away to effectively manage and interpret the property. Although the Civil War Trust (CWT) has managed to effectively manage and interpret battlefield land from afar, frequently by forging partnerships with local organizations and individual, it is not possible for all groups.

- A local owner may have a stronger vested interest and be viewed as "one of us" by the community. When the current owner is based outside of the community or even the state, it may be perceived (correctly or not) as having less of a stake in the battlefield property. Local ownership is typically seen in a more positive light.

- The owner lacks a positive image within the local community. Sometimes a battlefield preservation entity needs to flex its muscles to achieve its objectives. In those instances where high land values and development pressures exist, battlefield preservation is not for the faint of heart. If a battlefield preservation group has encountered friction with the local government, key landowners, economic entities, or the citizenry in general, it may be prudent to hand off the preservation baton to another group or "straw man" that is a better fit within the battlefield's local context.

Best Practice #20: It should never be assumed that the party that initially preserves the battlefield land is best-suited to manage and interpret it for the long term. Once preserved, the holding entity should consider all of the relevant factors to determine whether it is prudent to own the land permanently.

Determining the Receiving Party

Parties that are good candidates for holding battlefield lands for the long term typically lack the shortcomings listed above for why a land owner might want to convey the property. In other words, the factors determining the candidate owner's suitability is often the converse of what makes the initial owner a poor candidate to hold the land.

Criteria for Receiving Battlefield Lands

A party well-equipped to receive and hold battlefield lands for a long duration should meet the following criteria:

- On-going management and interpretation of battlefield lands is consistent with the party's mission. Whether it is formally stated in an adopted mission statement or just generally consistent with the party's core values and activities, land management and historic interpretation should not be at odds with the candidate party. Furthermore, they should be willing to accept and help enforce conservation easements or other similar legal tools for protection.

- The candidate party has the capacity to effectively manage and interpret the property. Sufficient capacity includes having the necessary funding, now and for the foreseeable future, as well as the

manpower to carry it out. The individuals performing the management and interpretation do not need to be part of the party's organizational structure, as they can be hired consultants in the case of interpretation. Regardless of the arrangement, interpreters should be well-qualified. In the case of land management, as is done with many battlefields, local people are often utilized in return for hunting and/or farming rights.

- The owner has (or can have) a positive image within the local community. In the case of an existing entity that is already active in the local area, it should have a good reputation for its preservation related activities, how it deals with local people and organizations, and it should be led by respected individuals. If the entity is not well-known or is new, it should have the potential to achieve those positive attributes.

This 2011 land conveyance ceremony at Gettysburg preserved 95 acres and was attended by representatives of the National Park Service, U.S. Department of the Interior, Conservation Fund, and Civil War Trust.

Best Practice #21: A potential party for the conveyance of battlefield lands for long-term holding should have: 1) a mission consistent with land preservation, management and interpretation; 2) the capacity to effectively manage and interpret the land; and 3) a positive image in the community (or have the potential for such an image).

Approaches to Conveyance

Below is a summary of the land conveyance process, as well as requirements for deeds and the most common types of deeds.

Land Conveyance Process

The land conveyance process in the U.S. varies by state depending on local legal requirements and historical practices. Typically, three attorneys are involved in the process, with each representing the buyer, seller, and mortgage holder. To protect themselves from defects in the title, buyers frequently purchase title insurance at this time, either for themselves or for their lender. In most states, a prospective buyer's offer to purchase is made in the form of a written contract and bound with a deposit on the purchase price. The offer will state conditions whereby the buyer may withdraw the offer without forfeiting the deposit. Once the conditions have been met (or waived), the buyer has equitable title and the conveyance proceeds or may be compelled by court order. Typical legal papers at a "conveyancing" or "closing" include: a deed, certified checks, promissory note, mortgage, certificate of liens, pro rata property taxes, title insurance binder, and fire insurance binder. There may also be side agreements (e.g., holdover tenants, delivery contracts, payment holdback for unacceptable repairs), seller's right of first refusal for resale, declaration of trust, or other entity formation or consolidation (incorporation, limited partnership investors, etc.).

Types of Deeds

Below is a description of the seven most common types of deeds for land:

Grant Deed

The word "grant" for this type of deed implies that the grantor warrants that they have not already conveyed the property to another person and that it is free from encumbrances, including taxes, assessments and other liens. However, that does not mean that the grantor warrants that they are the owner or that the property is not otherwise encumbered. The grant includes appurtenant easements for ingress and egress and building restrictions. The grantor's warranty includes encumbrances made during the grantor's possession of the property, but not previous owners. It conveys any title acquired after the grantor has conveyed the title to the real property. Warranties carried by a grant deed are not usually expressed in the grant deed form. They are called "implied warranties" because the law deems them to be included in the grant regardless of whether that is explicitly expressed in the deed.

Features of a Deed

When properly executed, delivered and accepted, a deed transfers title to real property from one person (the *grantor*) to another person (the *grantee*). The transfer may be voluntary or involuntary by act of law, such as a foreclosure sale. There are several different features to a valid deed:

1. The deed must be in writing;
2. The parties must be accurately described;
3. The parties must be competent to convey and capable of receiving the grant of the property;
4. The property must be clearly described;
5. There must be a granting clause with operative words of conveyance (e.g., "I hereby grant");
6. The deed must be signed by the party or parties making the conveyance or grant; and
7. The deed must be delivered and accepted.

The deed is usually required to be dated, executed, acknowledged and recorded. Even when consideration (money, etc.) is given for the property, that point does not have to be mentioned in the deed.

Quitclaim Deed

A quitclaim (or "release") deed is a deed by which a grantor transfers only the interest the grantor has at the time that the conveyance is executed. There are no implied warranties in connection with a quitclaim deed. This type of deed guarantees nothing and there is no expressed or implied warranty that the grantor owns the property or any interest in it. Furthermore, a quitclaim deed does not convey any after-acquired title. A quitclaim deed is generally used to clear some "cloud on the title." A "cloud on the title" is some minor defect in the title that needs to be removed to perfect the title. Deeds of court representatives, such as guardians, administrators, and sheriffs, usually have the effect of a quitclaim pursuant to court order.

Warranty Deed

A warranty deed is a type of deed where the grantor (seller) guarantees that they hold clear title to a property and have a right to sell it to the grantee (buyer). This type of deed is in contrast to a

quitclaim deed, where the seller does not guarantee that they hold title to the property. A *general* warranty deed protects the grantee against title defects arising at any point in time, extending back to the property's origins, while a *special* warranty deed protects the grantee only against title defects arising from the actions or omissions of the grantor. When acquiring property, the Civil War Trust requires a warranty deed, as do many other preservation groups.

Deed of Trust

A deed of trust is a 3-party security instrument conveying title to land as security for the performance of an obligation. There are three parties to a trust deed: borrower (trustor), lender (beneficiary), and a third party referred to as a trustee to whom legal title to the property is conveyed. The trustee holds the legal title in trust for the beneficiary and has the power to sell the property if the trustor does not fulfill the obligations as recited in the instrument. The trustee also possesses power to reconvey the legal title to the trustor provided the beneficiary requests a reconveyance of that title. This event occurs if the promissory note is paid in full. A trustor signing the trust deed retains what is called an equitable title. That is, the trustor enjoys the right of possession and can do with the property whatever the trustor pleases so long as the trustor does not jeopardize the interest of the lender (beneficiary).

Reconveyance Deed

A reconveyance deed is an instrument conveying title to property from a trustee back to the trustor on termination of the trust. This title is held by the trustee until the note or obligation is fully paid. Then, when the beneficiary issues a "Request for Full Reconveyance," the trustee executes the reconveyance to the borrower. Termination of the trust usually occurs when the promissory note is paid in full.

Sheriff's Deed

A sheriff's deed is a deed given to a party on the foreclosure of property, levied under a judgment for foreclosure on a mortgage or of a money judgment against the owner of the property. The title conveyed is only that acquired by the state or the sheriff under the foreclosure and carries no warranties or representations whatsoever.

Gift Deed

A grantor may make a gift of property to the grantee and use a grant deed form or a quitclaim deed form for that purpose. A gift deed made to defraud creditors may be set aside if it leaves the debtor/grantor insolvent or otherwise contributes to fraud.

Best Practice #22: The optimal deed type for a given land conveyance is a warranty deed.

Land Transfer Options

Chapter II of this study entitled "Preserving Battlefields" includes a section entitled "Options for Preserving Land" beginning on page 19. That section addresses the various alternatives for acquiring all or some of the property rights of a battlefield property. Because those same options are available to a party that initially protects land and then chooses to convey it to another party, they are

summarized below. However, to avoid redundancy, please refer back to Chapter II for more detailed information.

- Fee Simple Purchase
  This land conveyance method is the most controlling and costly, as it extends the entire "bundle of rights" that the current owner has to a buyer. One key benefit is unlimited access to the property by the public if the owner so desires.

- Conservation Easements
  Conservation easements are a tool that can be used to control some aspect of a property, such as the prohibition of development or subdivision, without having to actually purchase the parcel itself.

***One tremendous advantage of fee simple** purchase of battlefield lands is relatively unlimited public access for highly-effective interpretation, such as here at the Perryville Battlefield in Kentucky.*

- Life Estates
  A life estate is a form of real estate ownership that is limited in duration to the life of the owner or some other designated person. It permits the seller to retain full possession of the property until termination of the life estate, at which time the buyer (the "remainderman") would.

- Options / Rights of First Refusal
  This mechanism is a legally binding agreement between a property owner and a potential purchaser. An option agreement provides that, for a consideration (generally payment), a party may purchase a specific property at a previously agreed-upon price within a defined period of time. A right of first refusal is a document requiring the property owner to offer to sell to the holder of said right of first refusal before any other party (restrictions and other details apply).

- Purchase and Sell-Back or Lease-Back
  This procedure entails the acquisition of land, usually by a public or private non-profit entity within the context of land protection, which is then sold or leased back to the previous owner, but with restrictions placed on the land.

- Donations
  Fee simple ownership of land or a limited interest in land, such as a conservation easement, may be conveyed by an individual or entity to a non-profit organization that serves as the steward for such lands.

- Property Exchanges
  Property exchanges are a valuable tool in those instances in which acquisition funds are limited or unavailable, yet a property owner is willing to give up battlefield associated lands in exchange for other non-historic lands having an attractive use/development potential.

VI. BATTLEFIELD PRESERVATION MODEL

BATTLEFIELD PRESERVATION MODEL

Although any "model" for any activity - including battlefield preservation - must be carefully adapted to meet the specific circumstances at hand, this section offers just such a model for the preservation, management and interpretation of Civil War battlefields.

Purpose

The intent of this section of the study is to draw from the many examples of battlefield preservation efforts described throughout this study, to identify the "lessons learned," and to formulate a model to be adapted by any organization or individual involved in battlefield preservation. It is recognized that every battlefield has a different set of circumstances, so there is no "one size fits all" model. As an example when drawing from the four case study battlefields described in detail in the appendices section of this plan, the Brandy Station Battlefield's context of rapid growth and development pressure contrasts greatly with the McDowell Battlefield's context of very little growth and development pressures.

Policy Statements

The policy statements below are a composite of all of the individual "best practices" statements featured in each of this study's chapters. They have been organized by topic category, which is also consistent to this study's chapter organization.

Preserving Battlefields

Best Practice #1: Prepare a comprehensive battlefield preservation plan based on thorough research and stakeholder input as a key starting point in preservation efforts.

Best Practice #2: Implement the battlefield preservation plan with distinct areas of responsibility and with sufficient flexibility to adapt to changing circumstances and opportunities.

Best Practice #3: Formulate a well-articulated argument for the importance of battlefield preservation, get the word out, and seek strategic partnerships.

Best Practice #4: Research should be conducted with the specific goal of understanding the physical battlefield as a linchpin foundation for future preservation efforts. When existing histories are available, an inordinate amount of time should not be spent studying the battle's history.

Best Practice #5: In instances when funding for protecting land is limited and there is sufficient time to do so, individual parcels should be evaluated and ranked by their priority level based upon a carefully crafted numeric rating system.

Best Practice #6: When possible, fee simple purchase of battlefield lands should be pursued because of the full range of rights that are extended, including access for interpretation. However, all other real estate mechanisms should be considered, such as conservation easements, to arrive at the best alternatives for the battlefield's specific circumstances.

Best Practice #7: Depending upon the local political climate and the dynamics related to local development, a broad range of public policy tools for battlefield preservation should be pursued. However, because of their limited effectiveness, public policies should not be counted upon as a primary preservation tool, although National Register designation brings benefits.

Best Practice #8: Governmental funding programs for battlefield protection can be critical to successful preservation. However, they should not be relied upon when time-sensitive land acquisitions must occur.

Best Practice #9: Potential private funding sources for battlefield preservation are extensive and exist at the national, state, regional, and local levels. All such sources that may likely be obtained should be explored for any given battlefield.

Land Ownership & Stewardship

Best Practice #10: Before acquiring battlefield lands, develop a set of specific questions to help forge a set of goals and objectives for ownership and stewardship. Developing and answering the questions should be a group exercise with participation by all key stakeholders.

Best Practice #11: Owners of battlefield lands must recognize the various roles required for successful land stewardship and formulate a plan for serving each role. Rarely do different individuals/entities serve each distinct role, and often the same individual/entity serves each role. The characteristics and location of the owner often drives the nature of the other roles.

Best Practice #12: Best practices for battlefield stewardship require a careful balancing of numerous objectives. In particular, goals such as adaptive reuse of the land and revenue generation should not undermine the critical goals of land preservation, restoration and interpretation. Even a balance between battlefield restoration and natural conservation must sometimes be struck.

Best Practice #13: Owners of battlefield lands, whether public or private, should seek creative approaches to generate revenue from their land in a manner that avoids compromising the land's historic integrity and potential for effective interpretation. Low-impact activities such as farming, hunting, and battlefield tours are the most common methods. Other options include revenue generating uses such as inns, retail and restaurants.

Restoration & Interpretation

Best Practice #14: Before embarking upon a battlefield restoration project, the implementing party should have a clear understanding of their objectives to be sure that the project is optimally designed. Common objectives include historic integrity, interpretation, revenue generation, and environmental benefits.

Best Practice #15: Battlefield restoration can only occur to the degree that necessary funds are available. However, it should be pursued to the greatest extent possible, and it should be based upon detailed research and recognized preservation and restoration standards. Postwar features should be removed whenever possible.

Best Practice #16: When restoring a battlefield, the preservation entity must decide whether to pursue a features-focused strategy, an area-focused strategy, or some combination of the two. Regardless, strong consideration should be given to the installation of historic-looking fencing as a starting point because of its relative affordability and substantial positive visual impact.

Best Practice #17: Before developing a strategy for battlefield interpretation, the preservation entity should identify the interpretive objectives. Only by doing so can the optimal approaches to interpretation be determined.

Best Practice #18: At a minimum, every interpreted battlefield should have a brochure and website for their off-site media to interpret and promote the battlefield. For on-site interpretive features, wayside exhibits are important, and carefully-placed cannons can help to reinforce the battlefield's historic character.

Best Practice #19: To maximize limited funding for battlefield restoration and interpretation, expenditures should be strategically targeted to the most significant and interpretively valuable portions of the battlefield. Some of the same funding sources that are used for battlefield preservation can also be applied to restoration and/or interpretation efforts.

Best Practice #20: It should never be assumed that the party that initially preserves the battlefield land is best-suited to manage and interpret it for the long term. Once preserved, the holding entity should consider all of the relevant factors to determine whether it is prudent to own the land permanently.

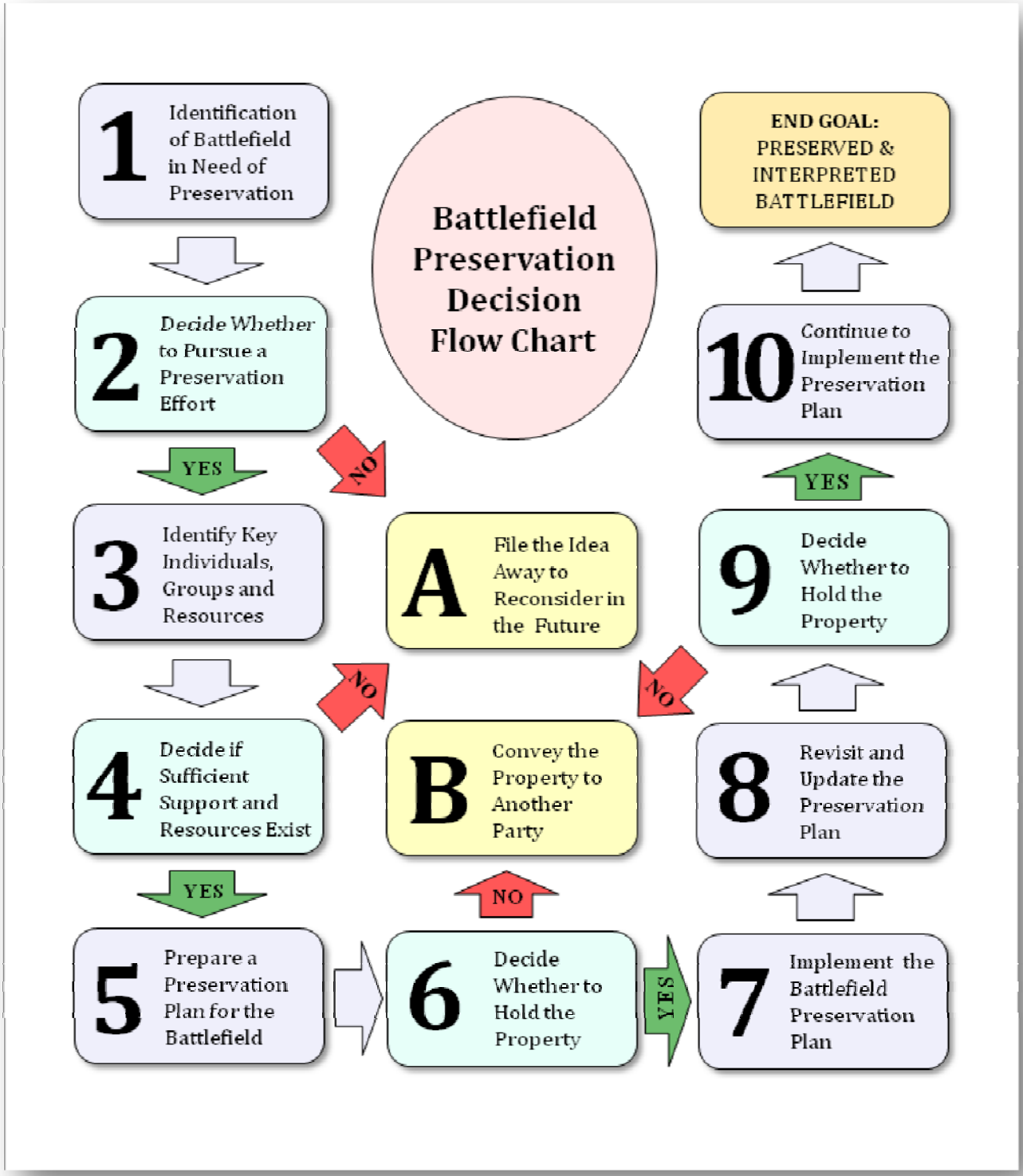
Best Practice #21: A potential party for the conveyance of battlefield lands for long-term holding should have: 1) a mission consistent with land preservation, management and interpretation; 2) the capacity to effectively manage and interpret the land; and 3) a positive image in the community (or have the potential for such an image).

Best Practice #22: The optimal deed type for a given land conveyance is a warranty deed.

Decision Flow Chart

The following page features a diagram intended to graphically convey the most basic steps that might be taken in preserving a battlefield. The text following that diagram explains each of the ten steps. Of those steps, four are key decision points (green boxes) in which the party must decide: A) whether to continue with the effort; or B) whether to convey the property to another party. Actions (blue boxes)

are numbered to denote the sequencing of steps. "No" decision arrows are colored red and "Yes" decision arrows are colored green.



Each of the ten key decision points is summarized below and most include page number references to earlier parts of this study that address the issue. It is noteworthy that these steps can apply to a battlefield in general or to individual key properties that help to comprise the battlefield.

1. Identification of Battlefield in Need of Preservation

This initial step most commonly occurs without a deliberate effort. In almost every case, the battlefield and key properties comprising it are well-known to preservationists and those having an interest in the Civil War. In fact, a common scenario is to have too many battlefields and battlefield properties in need of preservation relative to the human and financial resources needed to preserve them. For groups actually in search of a battlefield to preserve, the Civil War Sites Advisory Commission's 1993 "Report on the Nation's Civil War Battlefields" (updated in 2012), identifies the nation's 384 battles most significant battlefields. Beyond those battlefields, other information sources exist to identify the more than 10,000 separate military actions that occurred during the Civil War, including the "Official Records of the War of the Rebellion" ("ORs").

2. Decide Whether to Pursue a Preservation Effort

This critical early step clearly has tremendous implications for the rest of the preservation effort. If the party does not already have a set of criteria or policies to help make the decision, such a decision-making framework is needed at this point. See Section II. Preserving Battlefields - "Prioritizing Properties" (pages 16-18) for a set of criteria that can be applied either battlefield-wide or parcel-by-parcel. Considerations include historic significance, physical features, surviving integrity, level of threat, and feasibility of preservation. Although a more detailed analysis of potential partners and financial resources will occur in the next step, a cursory consideration at the very least must occur here to help answer the feasibility question.

3. Identify Key Individuals, Groups and Resources

Once a decision has been made to seriously pursue the preservation of a battlefield or one or more key battlefield properties, this step can be critical to the ultimate success of the effort. The types of individuals and groups that should be courted include public officials, tourism professionals, business leaders, historic organizations, environmental groups, and wealthy individuals who may have an interest. See Section II. Preserving Battlefields - "Generating Support and Building Partnerships" (pages 13-14) for ideas on how to identify and muster the support of partners. Funding can come from a variety of sources, but key options include the National Park Service's American Battlefield Protection Program (ABPP), as well as private sources such as the Civil War Trust (CWT) and local groups and individuals. See "Funding Battlefield Preservation" (pages 25-32) within Section II for ways to finance battlefield preservation efforts.

4. Decide if Sufficient Support and Resources Exist

If the previous step to identify and mobilize support and funding is not fruitful, it likely makes

sense to place the idea on hold and perhaps revisit it at some point in the future. In many cases the timing is just not right due to a variety of possible reasons: a weak economy that dampens fund-raising, current landowners who are not open to selling or otherwise protecting their lands, or a political climate that precludes the support of elected officials and public funding alternative.

5. Prepare a Preservation Plan for the Battlefield

There is a great deal of truth to the adage "To fail to plan is to plan to fail." There are many compelling reasons to prepare a plan to preserve a particular battlefield, including the practical benefits of having a strategy (much as a Civil War general might have had going into battle), as well as the fact that having a plan makes the preservation entity more competitive in competing for grants and for fundraising efforts in general. See Section II. Preserving Battlefields (pages 9-32) of this study for various topics tied directly to the preparation of a battlefield preservation plan.

6. Decide Whether to Hold the Property

Because the previous step will have laid out a detailed blueprint for the battlefield's preservation, management and interpretation, this vision for the future should enable the current owning party or parties to decide whether they are best positioned to continue as owners versus conveying the lands to a better suited party. This study's Section V. Land Conveyance has two sub-sections that can help with this topic: "Rationale for Conveying Land" (pages 65-66) and "Determining the Receiving Party" (pages 66-67). These pages identify the characteristics of organizations that are well-suited to continue holding battlefield lands versus those that are not.

7. Implement the Battlefield Preservation Plan

Until a plan is created for a particular battlefield or its key properties, there is no way to anticipate the specific steps needed to implement it. However, pages 10-13 under "Contents of a Battlefield Preservation Plan" and page 13 under "Preservation Plan Implementation" provide some good background. While plans typically address preservation, battlefield enhancement and interpretation issues, limited financial resources often call for prioritizing the plan's recommendations. Generally, the emphasis of early plan implementation should be on the preservation of battlefield lands sense once land is lost to development or other uses, it is usually lost forever. Also, successful plan implementation frequently requires an orchestrated partnership of various parties rather than relying on a single individual or entity.

8. Revisit and Update the Preservation Plan

As with any sort of plan for any topic, it is helpful to periodically revisit the plan and update it to reflect changing circumstances and objectives. While the background information in the plan will likely not have changed much if at all (history of the battle, existing physical features, etc.), changing factors might include land ownership, zoning and other land use regulations, real

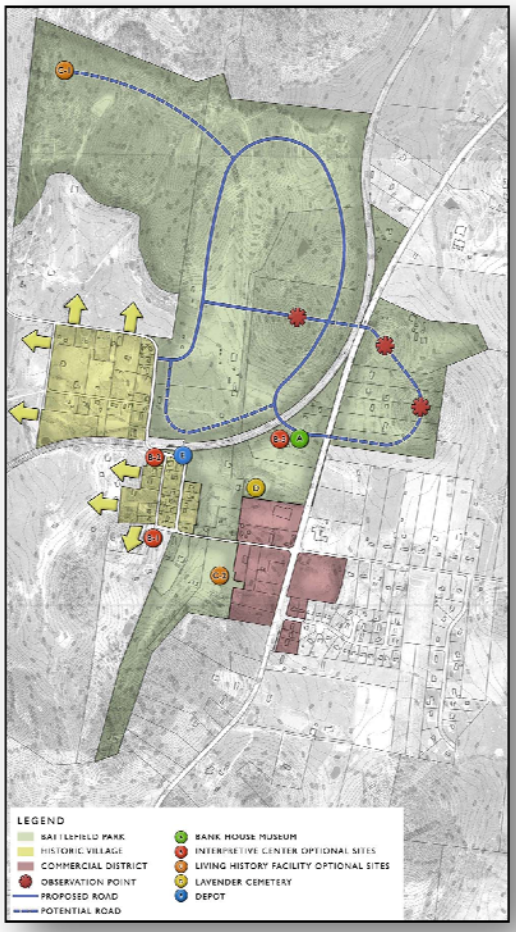
estate development pressures, funding availability, and the extent to which parts of the preservation plan have been successfully implemented. A rule of thumb for many types of plans is to update them at least every five years, but the optimal timeframe will depend upon the particular battlefield.

9. Decide Whether to Hold the Property

This step might occur currently with the preservation plan update in step 8. As noted for the identical step 6, this study's Section V. Land Conveyance has two sub-sections that address this subject: "Rationale for Conveying Land" (page 65-66) and "Determining the Receiving Party" (pages 66-67). As just one example, the Civil War Trust generally prefers to not hold land once preserved if a capable alternative organization can be identified for conveyance.

10. Continue to Implement the Preservation Plan

This final yet ongoing step repeats step 7 described previously. As noted earlier for that step, pages 10-13 under "Contents of a Battlefield Preservation Plan" and page 13 under "Preservation Plan Implementation" address plan implementation.



Graphic Source: The Walker Collaborative & LandDesign, Inc.

This key graphic from the 2007 battlefield preservation plan for the Thompson's Station Battlefield in Middle Tennessee illustrates numerous steps for the plan's implementation. Key steps include purchasing key properties for preservation, developing driving and walking tours, installing interpretive wayside exhibits, designating key observation points, enhancing an existing historic house museum, developing an interpretive center and a living history facility, and restoring and expanding the historic village.

VII. CONCLUSIONS

CONCLUSIONS

America is fortunate to have the thousands of acres of battlefields that are currently preserved, and our country will benefit far into the future from the protections now in place. However, **there are still many thousands of acres of battlefield land still unprotected and under threat** from development and other negatively impacting activities. Preservation efforts began before the war was even completed and the country witnessed an initial flurry of achievements during the 1890s with the establishment of the first wave of national military parks. Battlefield preservation efforts have ebbed and flowed over the past 150 years, although the past decade culminating with the war's sesquicentennial has reaped particularly high dividends. In fact, the Civil War Trust alone has helped to preserve 40,000 acres of battlefield land within a relatively short amount of time, and their efforts have been bolstered by the National Park Service's American Battlefield Protection Program.

The potential approaches to battlefield preservation are as varied as the individual success stories. However, there are clearly some common denominators. For example, **understanding the battle and its significance is an important starting point**, both to determine the lands needing preservation and to interpret the battle and generate support for the battlefield's preservation. **Preparing a battlefield preservation plan can also be a very useful step** to provide a blueprint for taking strategic actions. **Perhaps the most critical early step for battlefield preservation is to develop a team of supporters**, which might include local property owners and residents, the local government, historians and preservationists, the state preservation office, and regional and national battlefield preservation groups - such as the Civil War Trust and the NPS's American Battlefield Protection Program.

Once a general game plan has been crafted for preserving a battlefield - whether formally or informally - vigorous (and often quick) work is required. Battlefield preservation efforts can include protecting the land through either **fee-simple purchase or conservation easements**, **site enhancements** to accommodate visitors with access and parking, **landscape restoration** to make the battlefield appear as it did during the battle, and **interpretation** to increase the extent of understanding and support for the battlefield. Generals had to think beyond the most immediate task of battlefield tactics, as other important concerns included keeping their army well supplied, establishing effective encampments, and remaining attuned to political and public sentiments "behind the lines." Similarly, **battlefield preservationists must look beyond the most immediate objective of land preservation** and consider factors such as long-term ownership, land management and maintenance, site restoration, and interpretation of the battlefield. While every battlefield has a unique set of circumstances, **this "best practices" study will offer constructive guidance** to those aspiring to protect and provide stewardship for their battlefields in need.

APPENDICES

CASE STUDY BATTLEFIELD: BRANDY STATION

Location: Culpeper County, Virginia

Battle Overview
Information Source: Civil War Trust

At the outset of the Gettysburg Campaign, Robert E. Lee sought to keep his advance hidden from the Union army. With his forces stationed at Culpeper, Virginia on the verge of turning north into the Shenandoah Valley, Lee ordered his Maj. Gen. J.E.B. Stuart to launch a diversionary cavalry raid on June 9, 1863. However, Union cavalry commander Maj. Gen. Alfred Pleasonton anticipated the raid and struck Stuart's men in camp at Brandy Station on the day the Confederate incursion was set to begin. Despite the advantage of surprise, the ensuing battle ended in a narrow defeat for Pleasonton's forces and Lee's intentions remained unknown. Nevertheless, the Battle of Brandy Station, the largest predominantly mounted engagement to ever take place on the American continent, greatly improved the morale of the Union cavalry. J.E.B. Stuart was harshly criticized for his perceived unpreparedness spurred by vanity (rightly or wrongly), foreshadowing graver failures in the future. See the battle map on the following page.

Battle Summary
Date: June 9, 1863
Other Battle Names: Fleetwood Hill
War Theatre: Eastern
Campaign: Gettysburg Campaign

Union Forces
Commanding General: Alfred Pleasonton
Troop Strength: 11,000

Confederate Forces
Commanding General: J.E.B. Stuart
Troop Strength: 9,500

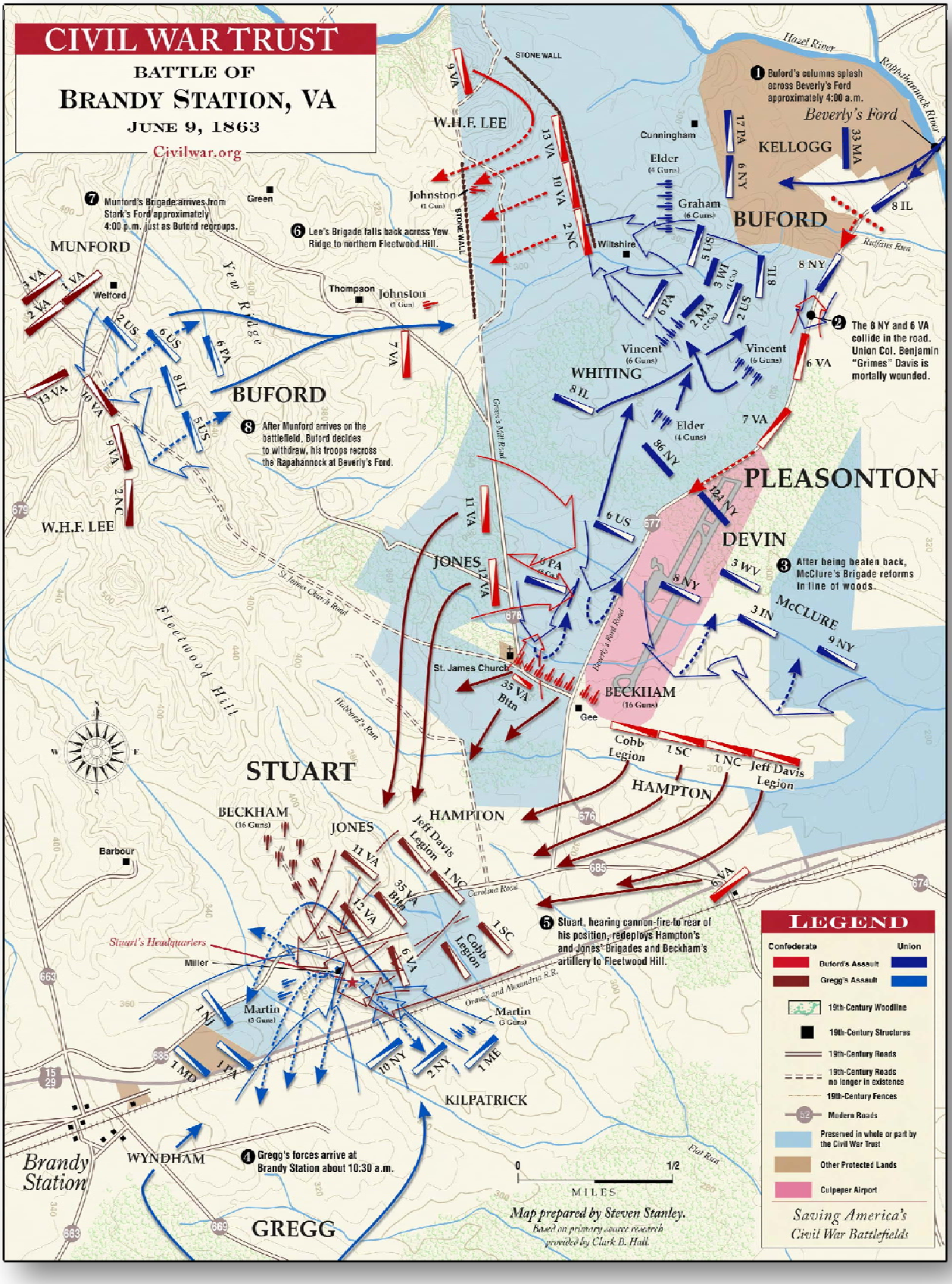
Total Casualties: 1,451

Battle Outcome: C.S. victory

Acres Saved: 1,860

Battlefield Preservation History
With the exception of the four-lane James Madison Highway, the Culpeper Regional Airport, and the adjacent industrial park, the Brandy Station Battlefield is relatively unspoiled. Even the hamlet of Brandy Station is still a hamlet. As historian Dr. James M. McPherson described it several years ago, these lands "are among the most important Civil War sites that remain virtually unmarked and unprotected" (G. Michael Green - "Fighting For The Legacy" - 1993). Similarly, Civil War Trust President James Lighthizer stated in 2003 "Few landscapes so closely resemble conditions as they existed during the Civil War" (Civil War Trust news release - "Preservation Groups Announce Grand Opening of Brandy Station Battlefield Park" - June 6, 2003).

The battlefield's preservation efforts date back to 1987, when developer Lee Sammis began purchasing vast amounts of battlefield land so that he could "reportedly" farm it. After acquiring nearly 5,000 acres, he revealed his true intentions in January of 1989 - to develop a large industrial complex adjacent to the existing airport. This news was received positively by many Culpeper County governmental officials who appreciated the potential tax revenues, but it alarmed people concerned about the battlefield's integrity. In response, Sammis hired a local historian whose research downplayed the


CIVIL WAR TRUST
BATTLE OF
BRANDY STATION, VA
JUNE 9, 1863
Civilwar.org
1 Buford's columns splash across Beverly's Ford approximately 4:00 a.m.
2 The 8 NY and 6 VA collide in the road. Union Col. Benjamin "Grimes" Davis is mortally wounded.
3 After being beaten back, McClure's Brigade reforms in line of woods.
4 Gregg's forces arrive at Brandy Station about 10:30 a.m.
5 Stuart, hearing cannon-fire to rear of his position, redeploys Hampton's and Jones' Brigades and Beckham's artillery to Fleetwood Hill.
6 Lee's Brigade falls back across Yew Ridge to northern Fleetwood Hill.
7 Munford's Brigade arrives from Stark's Ford approximately 4:00 p.m. just as Buford regroups.
8 After Munford arrives on the battlefield, Buford decides to withdraw, his troops recross the Rapahannock at Beverly's Ford.
BUFORD
KELLOGG
Beverly's Ford
Hazel River
Rappahannock River
Rappahannock River
Rapidan River
Yew Ridge
Fleetwood Hill
MUNFORD
Welford
Green
Thompson
Johnston
Johnston
STONE WALL
STONE WALL
W.H.F. LEE
W.H.F. LEE
Cunningham
Elder
Graham
Wiltshire
Vincent
Vincent
WHITING
Elder
PLEASONTON
DEVIN
McCLURE
JONES
St. James Church
BECKHAM
Gee
Cobb Legion
Jeff Davis Legion
HAMPTON
STUART
BECKHAM
JONES
HAMPTON
Jeff Davis Legion
Barbour
Stuart's Headquarters
Miller
Martin
Martin
KILPATRICK
WYNDHAM
Brandy Station
GREGG
Orange and Alexandria R.R.
Carolina Road
Beverly's Ford Road
St. James Church Road
Hudson's Ford
Flat Run
0
1/2
MILES
Map prepared by Steven Stanley.
Based on primary source research provided by Clark B. Hall.
LEGEND
Confederate
Union
Buford's Assault
Gregg's Assault
19th-Century Woodline
19th-Century Structures
19th-Century Roads
19th-Century Roads no longer in existence
19th-Century Fences
Modern Roads
Preserved in whole or part by the Civil War Trust
Other Protected Lands
Culpeper Airport
Saving America's Civil War Battlefields

significance of the developer's land, but that research was quickly denounced by other Civil War historians such as Clark "Bud" Hall.

Establishment of the Friends Group

To counter Sammis' intentions, the Brandy Station Foundation (BSF) was established in late-1988 and the fight was on. Their first fund-raising event consisted of a bake sale. The BSF submitted applications to designate the battlefield as a Virginia Historic Landmark and as a National Register site. While neither designation would provide substantial protection, it was a starting point. In October of 1989, the battlefield was designated a Virginia Historic Landmark by the Virginia Department of Historic Resources (VDHR), and they expanded the district from the 3,000-acre area originally sought to 14,000 acres. This largely symbolic move by the State prompted Sammis to rezone 1,475 acres of his land from agricultural to light industrial. Although the Planning Commission recommended denial of the application in May of 1990, the Board of Supervisors approved the application in September of the same year.

The Second Battle Begins

The legal battle began in October of 1990 when the BSF, JEB Stuart IV (a descendant of the CS cavalry leader), and three local landowners filed a law suit over the rezoning. In February of 1991, the National Park Service determined the site to be "National Register eligible," but actual designation could not occur because of the objections of Sammis and other land owners who supported him. After several legal steps over a lengthy period, the trial lasted four days and resulted in the rezoning being upheld. A subsequent appeal to the Virginia Supreme Court was unsuccessful. Regardless, the law suit educated the public regarding the battlefield's significance and generated much local support for preservation. However, in December of 1991 an organization called Virginians for Property Rights was established and in January of 1992 a bill was introduced in the Virginia State Legislature to do away with the landmarks designation program as a means of delisting the Brandy Station Battlefield. Because of strong lobbying from developer interests, the bill passed as legislation and the battlefield was delisted. Yet another blow was the National Park Service's withdraw of the battlefield's determination of eligibility for the National Register in September of 1992. However, because of the real estate downturn that occurred in the ealry-1990s, Sammis' corporation filed for bankruptcy in June of 1993, a move that killed his industrial park proposal.

The next major threat came in 1993 when a Formula One 515-acre auto racetrack was proposed. It would occur on part of Sammis' 1,500-acre holdings. Association for the Preservation of Civil War Sites (now Civil War Trust) board member and respected Civil War author James McPherson said "To have this [racetrack] on an area that has remained virtually unchanged for 130 years would be tremendous blow to any attempt to understand this battle" (Los Angeles Times - "Track Plan Spurs Battle of Brandy Station" - September 5, 1993). Also, in June of 1993, the National Trust for Historic Preservation designated the battlefield as one of its highlighted "endangered historic places." For the racetrack to occur, a County zoning amendment would need to be approved to allow racetracks within industrial zones. If built, to be economically viable, it would need to accommodate roughly 100,000 people and hold a half-dozen major events annually. The race track threat helped to galvanize support for preservation and this proposal eventually died. Consequently, the main property owner, Lee Sammis, was persuaded to sell 1,543 acres to the Association for the Preservation of Civil War Sites (APCWS) for $6.8 million. Of that amount, the APCWS contributed $2.6 million, while the remainder of funding was provided by the Commonwealth of Virginia and the National Park Service's American Battlefield Protection Program (ABPP). Just prior to the battle's 140th anniversary in June of 2003, the Civil War Preservation Trust announced the grand opening of the Brandy Station Battlefield Park. A three-day celebration hosted by the BSF featured reenactments, lectures, bus tours, and horse-drawn wagon rides.

Most Recent Occurrences

The most recent achievements for the battlefield's preservation include the acquisition of land on Fleetwood Hill and the protection of lands at Stevensburg.

Fleetwood Hill

In August of 2013, the Trust announced its successful completion of a $3.6 million fundraising campaign to preserve 56 acres on Fleetwood Hill, a key position on the battlefield. Underscoring this property's significance is the fact that another name historically applied to the battle was the "Battle of Fleetwood Hill." Considered among the five most ambitious efforts in the Trust's history, major contributions were provided by the NPS's American Battlefield Protection Program (ABPP) and the Virginia Civil War Sites Preservation Fund. In 2008, a $65,000 federal transportation enhancement grant was awarded to the BSF for access improvements to Fleetwood Hill, but because of the difficulty in meeting VDOT permit requirements, the money was used instead to buy additional lands for preservation. Other key entities included the BSF, the Central Virginia Battlefields Trust, and the Journey Through Hallowed Ground. A key next step will be the removal of modern development from this important site. That development includes a 1960s house and a 2007 house, the latter which contributed substantially toward the property's purchase price.

Newest house on Fleetwood Hill, soon to be removed.

Stevensburg

Most recently, with the help of a grant from the Virginia Department of Transportation, another six acres were protected in 2013. The land protected is at Stevensburg, an area south of the core battlefield that previously was difficult to interpret. The tract now preserved offers good views of several elements of the battle, pushing the total lands now protected beyond 1,860 acres. The BSF is currently pursuing an 8-acre tract just east of Stevensburg. If acquired, BSF will own it. Coupled with a 6-acre tract already purchased by the Civil War Trust for delinquent taxes, that acquisition will result in 14 acres preserved in this area.

Current Challenges & Opportunities

While this battlefield has a rich and interesting history related to its preservation over the past few decades, there are still many challenges and opportunities that lie ahead.

Land Ownership & Stewardship

One challenge cited by BSF members is determining the appropriate geographic scale of the area to be preserved. The current situation is that the Civil War Trust owns most of the battlefield's protected land, while the BSF owns 44 acres. The Trust has an agreement with a local farmer who mows their land for hay and grows crops, such as beans and wheat, in return for maintenance of the land. They also allow hunting in return for maintenance of trails. There is some land owned by private individuals, but protected through conservation easements. There is no National Park ownership, but there is a 55-acre County park with recreational facilities that also provides interpretation of the battlefield. The land for that park - Len Park - was donated by the Len brothers.

Conservation Easements

A large area on the south side of the Rappahannock River at Beverly's Ford is still owned by a private individual, but a conservation easement is in place. Nearby Kelly's Ford features a 964-acre area protected by easements. Entities currently holding easements include the Civil War Trust, the Virginia Department of Historic Resources (VDHR), and the Virginia Trust. While some recent preservation acquisitions have entailed land costs of $30,000 per acre, land values in the area typically range between $5,000 and $10,000 per acre. However, such values drop to roughly $500 per acre if controlled by a conservation easement. One problem with easements is that they sometimes only require public access for one day per year, which creates a challenge for the quarterly BSF battlefield tours. The BSF-held easements require greater public access than only once per year.

Existing Buildings

One important feature of the battlefield is the hamlet of Brandy Station, which still retains many of the physical characteristics of the hamlet at the time of the battle. The hamlet, however, is unprotected by any sort of local historic district or similar regulatory tools. The BSF owns, operates, and interprets the Graffiti House. Likewise, the Civil War Trust owns the Wiltshire House, a war-era building that the Trust has spent significant funding on to stabilize, although it is not open for public interpretation.

The Graffiti House is the key interpretive anchor for the battlefield and the headquarters for the BSF.

Interpretation

The Civil War Trust has created all of the existing interpretive waysides on the battlefield, including those on BSF-owned lands. While the interpretation on the battlefield is effective, there is limited wayfinding, such as directional signage, to get visitors to the battlefield. Virginia Civil War Trails directional signs direct visitors to the Graffiti House and there is a VDOT sign on US 29 at the southern end of Fleetwood Hill. Fortunately, VDOT has agreed to place six interpretive markers in the vicinity of Stevensburg as part of the Route 3 widening project.

The Friends Group

Of the Brandy Station Foundation's (BSF's) roughly 320 members, about a third are local residents. The Board started out with local members, but has since diversified to include others. Between approximately 2002 and 2005, the Board included an ex officio member who was a Civil War Trust staff member. During the summer they host monthly speakers. The BSF also hosts three series of four battlefield tours per year (twelve tours per year). They typically draw 60-65 people each year and charge $10 per person. They also receive occasional minor funding from Culpeper County, which has amounted to $1,000 per year in recent times. Most of BSF's funding is spent on their preservation efforts. However, most of the work conducted by this all-volunteer group goes into interpretation via the Graffiti House and the battlefield tours program. The BSF recognizes a need to interpret the battlefield to a growingly diverse audience and to be more relevant to local residents.

Remaining Potential Threats & Opportunities

Many of the threats that existed a decade ago have diminished. For example, the County's comprehensive plan once proposed industrial uses for the battlefield area, but now proposes land preservation. Although the County lacks regulations for transfer of development rights (TDR), the

County Planner believes that TDR could potentially be an effective land preservation tool for Culpeper County. Another opportunity not yet achieved is a battlefield preservation plan to outline a detailed long-range strategy for the battlefield's preservation, maintenance and interpretation. As members of the BSF have indicated, the organization needs to shift from being reactive to being more proactive. Also, the airport is about to expand, so Section 106 Review is occurring, which is a federal requirement for federally funded or licensed projects that might negatively impact National Register eligible historic resources. The airport is one of the county's key economic generators.

Another key challenge cited by the BSF members is that, once most of the lands that can be protected are successfully protected, they will need to figure out how to leverage the battlefield more for heritage tourism and associated economic gains. Past County referendums for a meal tax have failed, so the BSF feels that an economic impact study is needed to make their case for heritage tourism. Given that there were multiple Civil War battles in the area, the BSF recognizes the potential for a Culpeper County Civil War Heritage Area. While the battlefield has trouble attracting public school field trips because of the school systems' focus on testing, it has had more success with private school and home-schooled students. Because the BSF relies solely on volunteers, the Graffiti House is open to the public only three days per week for five hours each day. One potential growth area is people interested in the paranormal. Many people with that interest are attracted to the Graffiti House, which served as a field hospital throughout the war, and the BSF holds a related Halloween event at the house. They also host a Christmas event that features a Robert E. Lee impersonator and a Santa Claus impersonator. Another potential growth opportunity is horseback tours of the battlefield. The BSF hosts equestrian tours and the Trust has no problem with that sort of activity on their lands. Although the Culpeper Main Street program promotes the battlefield somewhat, a more concerted effort could likely occur between the BSF and the Main Street program to cross-promote, as both groups target the heritage tourism market.

Lessons Learned

There are numerous valuable lessons to be taken from the battlefield preservation experience of the Brandy Station Battlefield, including the following:

- Many battlefields owe their preservation successes to the mobilization of "friends" groups who organized to confront some major threat.
- Battlefield preservation groups should routinely monitor core battlefield land to detect a pattern of sales to outside entities. Early detection allows timely mobilization of the preservation effort.
- Landowners typically dislike “outsiders” suggesting what they can or cannot do with their property. Putting a local face on preservation, such as neighboring landowners, is helpful in selling preservation. Local relationships are critical to quick action.
- An important strategy to battlefield preservation is to build support from local residents who come to see the battlefield as part of their local identity.
- Creative arrangements are critical to land stewardship, such as the Trust's agreements with local farmers and hunters to maintain their lands and serve as the Trust's "eyes and ears.”
- Unless a strong fiscal and economic argument can be made for a battlefield's preservation, local governments should not be counted on for support if other land use options are more fiscally and economically lucrative.
- When it comes to high-profile battlefield preservation controversies, developer and property interests can influence policy decisions at even the state and federal levels.
- Partnerships between a broad range of entities and individuals are necessary for long-term success in battlefield preservation. Furthermore, despite potential disagreements on various issues, it is critical that diverse groups are on the "same page."

- While they should be a last resort, lawsuits can help achieve publicity for battlefield preservation efforts, but the costs generally require pro bono legal services. Regardless, time is money, and lawsuits take time. Developers are paying mortgage costs, salaries, and legal expenses while their work is held up. This situation provides leverage to preservation groups, although lawsuits should not be considered a conventional preservation tool.
- Wayfinding signage is critical to get visitors to battlefields.

CASE STUDY BATTLEFIELD: MCDOWELL

Location: McDowell - Highland County, Virginia

Battle Overview
Information Source: Civil War Trust
From Staunton, Maj. Gen. T.J. Jackson marched his army west along the Staunton-Parkersburg Turnpike to confront two brigades of Frémont's force (Milroy and Schenck), advancing toward the Shenandoah Valley from western Virginia. This was the first of thirteen times during the war that the Virginia Military Institute (VMI) cadets were called to reinforce the Confederate forces. At McDowell on May 8, Milroy seized the initiative and assaulted the Confederate position on Sitlington's Hill. This battle was relatively unusual in that the Confederates had substantially more men engaged in the fight than did the Union forces. The Federals were repulsed after severe fighting, lasting four hours. Afterwards, Milroy and Schenck withdrew into western Virginia all the way to Franklin, freeing up Jackson's army to march against the other Union columns threatening the Valley. See a battle map on the following page.

Battle Summary
Date: May 8, 1862
Other Battle Names: NA
War Theatre: Eastern
Campaign: Jackson's Shenandoah Valley

Union Forces
Commanding General: Robert C. Schenk / Robert H. Milroy
Troop Strength: 6,500 (2,250 engaged*)

Confederate Forces
Commanding General: T.J. "Stonewall" Jackson
Troop Strength: 6,000

Total Casualties: 754

Battle Outcome: C.S. victory

Acres Saved: 1,000+*

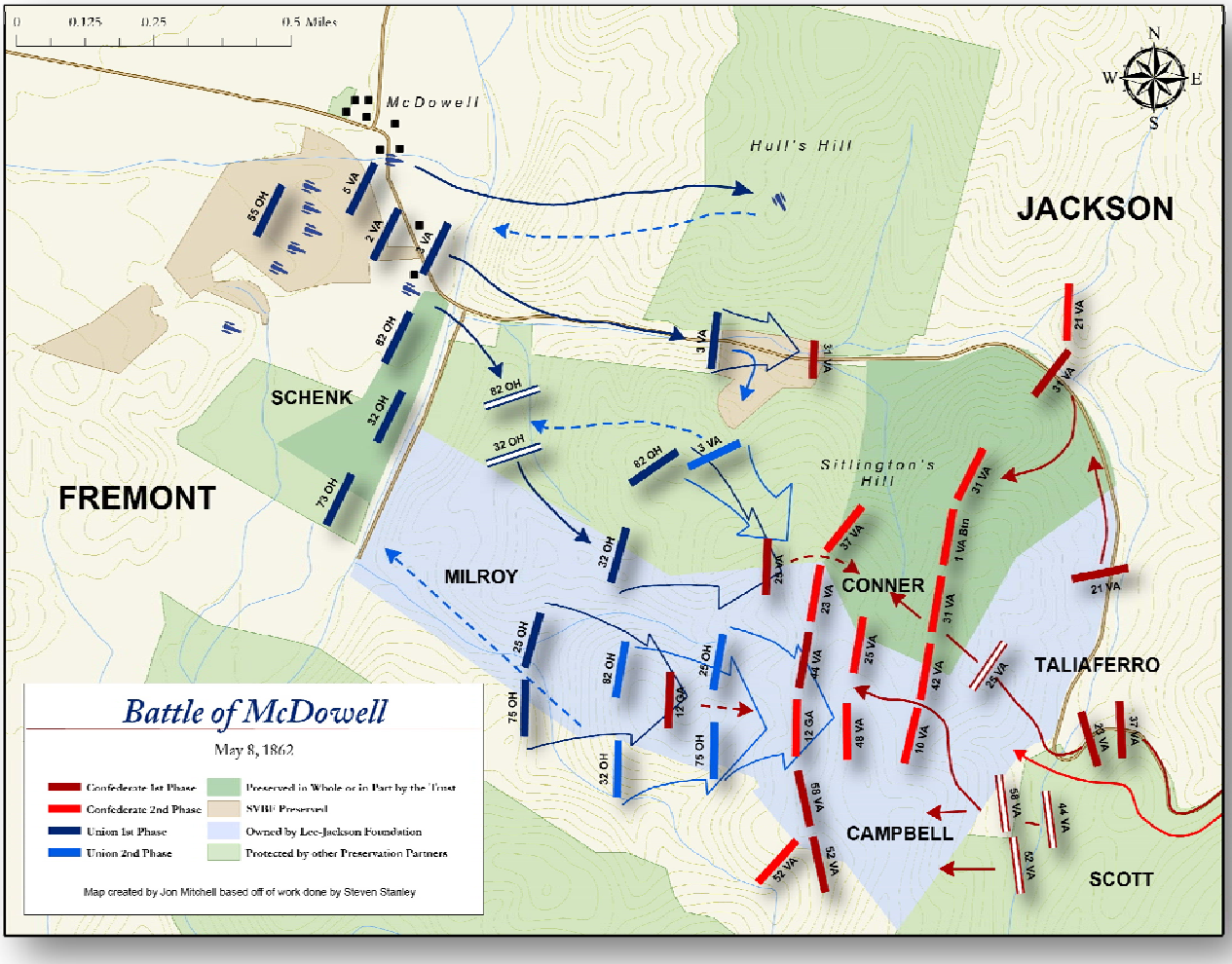
* According to the Highland Historical Society

Battlefield Preservation History
Many battlefield preservation efforts owe their origins to area population growth and the threat of development, such as that experienced at Brandy Station. That common scenario does not apply to the McDowell Battlefield. McDowell is located in the least populous county in Virginia - Highland County - known as "Virginia's Little Switzerland." In fact, it has dramatically lost population over the years. Highland County had a population of 4,319 in 1860 and a peak of 5,647 in 1900, but it is now at approximately 2,300 people after years of steady decline. As long-time battlefield preservationist Jack Ackerly says of McDowell's protection, "Most of the credit goes to God in making it so inaccessible."

Battlefield preservation efforts were first initiated during the early-1960s by the Lee-Jackson Foundation. Led by a wealthy industrialist named Jay Johns, who acquired on behalf of the Foundation several historic sites associated with Robert E. Lee and Stonewall Jackson, the Foundation acquired 400 acres of land in the southwest quadrant of the main portion of the battlefield lying east of the Bull Pasture River. Of that holding, 100 acres were then sold to two lawyers and a doctor under the legal name of Blue Sky, and a conservation easement was placed on all 400 acres.

Renewed public awareness of the significance of preserving the McDowell Battlefield came with the establishment of the Shenandoah Valley Battlefields National Historic District by an Act of Congress in 1996. The Shenandoah Valley Battlefields Foundation (SVBF) manages this district, which includes McDowell as one of its five major clusters. The SVBF is the strongest preservation force in the district. Another event in 1996 identified as sparking further interest in preserving the McDowell Battlefield was the battle reenactment. This reenactment and the associated living history activities got local residents

interested in the battle and the preservation of the battlefield. Even today the periodic reenactments are an important cultural event in the community and feature the reenactment of various components of the battle, campsite activities, and wagon rides to get spectators from one venue to another. Two cited shortcomings, however, are that the events seem to generate only a shallow level of interest among local residents that has not translated into significant preservation gains, and the reenacted battle scenes are incomplete because none occur on Sitlington's Hill because of the difficulties with access.



As with many battlefields not constituting the top-tier battles that are owned and managed by the National Park Service, the McDowell Battlefield is owned by multiple groups and individuals. As illustrated by the map above, the majority of the battlefield exists on the east side of the Bull Pasture River. Of that area, the northwestern quadrant consists of the McDowell Battlefield Park, and the northeastern quadrant is owned by the Civil War Trust. The Shenandoah Valley Battlefields Foundation owns a 13-acre property on the south side of US-250. The south-central portion is owned by the Lee-Jackson Foundation, the southeast portion is owned by the Civil War Trust, and the southwestern quadrant is still owned by the few individuals noted previously who have placed conservation easements on their land.

With regard to the west side of the river, the area that was occupied by the 55th Ohio and the 2nd, 3rd, and 5th Virginia (USA), which is immediately south of the village and US-250, is owned by the Shenandoah Valley Battlefield Foundation. The only other preserved area just south of there was occupied by the 32nd and 82nd Ohio and is now owned by the Highland Historical Society. It consists of 26 acres. Also, Federal transportation enhancement funds were used for the purchase of the Mansion House by the Highland Historical Society in 2001. Other partners in the battlefield's preservation are the Virginia Department of Historic Resources (VDHR), which holds a one-acre conservation easement on the Highland County Museum property, and the Valley Conservation Council and the Virginia Outdoor Foundation, which jointly hold conservation easements on the 26 acres owned by the Highland Historical Society.

Because of the challenging topography of most of the battlefield lands, there is very limited development. Much of the undeveloped land is covered in forests, and the open farmlands that exist are primarily used for livestock grazing, as opposed to the cultivation of crops. The Lee-Jackson Foundation allows one individual to hunt on their lands, in return for his help in maintaining the property. This same approach is employed by the Civil War Trust at several other battlefields. Similarly, land owned by the Shenandoah Valley Battlefields Foundation (SVBF) and the Highland Historical Society (HHS) is leased to area farmers. Although the County assesses land at 100% of its market value, lands with conservation easements are assessed at 10% less than that value. Even though they could apply to the County Supervisors to be legally exempt from paying property taxes because they are non-profits, both the SVBF and the HHS use their farming lease revenues to help pay property taxes. This approach makes the County government more supportive of battlefield preservation since it does not result in all of the preserved lands being eliminated from the tax rolls. For those lands having conservation easements that preclude any significant development, the easements tend to have little impact on land values because there is so little development demand and potential in the overall area. Consequently, the property's assessed value for tax purposes is also not measurably impacted by easements. Another issue that has generated local support for the battlefield preservation entities relates to drinking water. Every few years the area's drinking water gets muddy, so the Lee-Jackson Foundation granted an access easement to the County to drill for a new well on their land.

Current Challenges & Opportunities

As with many Civil War battlefields, the McDowell Battlefield has its share of challenges and opportunities, including the following:

Public Perceptions of Preservation Efforts

For a battlefield that witnessed a relatively small battle (8,250 total combatants), there are numerous entities and individuals involved with the battlefield's preservation. Regardless, local residents sometimes paint them with a single broad brush. That situation can be problematic when there is an issue covered by the media that is relevant to only one entity, but it is projected upon all of the entities. For example, a local property owner once generated local concern that the National Park Service would come into McDowell and begin to control much of the privately-owned battlefield land, which caused confusion regarding which groups took which positions relating to various preservation philosophies and approaches.

Limited Regulatory Tools

Because the community of McDowell is not incorporated as a municipality, it is subject to the County's land use and development regulations. Although Highland County does have zoning ordinances, there are no significant regulations relative to McDowell that can provide meaningful assistance to battlefield

preservation efforts (open space development zoning requiring the clustering of development, etc.). Because of the area's rural nature and traditionally strong property rights sentiments, the prospects for useful local land use and development regulations that might help to preserve the battlefield are unlikely anytime within the foreseeable future. However, the Virginia Department of Historic Resources (VDHR) does have some control. Utilizing "Section 106 review" via the National Historic Preservation Act of 1966, they recently blocked installation of a cell tower that would have been in the immediate viewshed from Sitlington Hill.

Opportunities for Conservation Easements

Approximately fifty percent (50%) of the protected battlefield lands at McDowell are protected through conservation easements. As noted previously, the Virginia Department of Historic Resources (VDHR) holds a one-acre easement on the Highland County Museum property, as well as an extensive area along the west side of the river. Another conduit for easements is the Valley Conservation Council, headquartered in Staunton. This non-profit not only assists property owners with easements, but they also advocate and educate for land conservation practices and sound land use planning within the Valley.

Battle Reenactments

Reenactments are important for community awareness, local involvement, and public relations, and the continuation of such events would seem to be a useful current and future component of their program. For several years after the initial event they were held roughly every other year, but more recently they are held every five years. It always occurs on the first weekend of May, there are typically about 800 reenactors and an equal or smaller number of spectators, and the event occurs throughout the community. In addition to providing education, entertainment, interpretation, and promotion of the battlefield, the event serves as a fundraiser for the Highland County Museum, which is operated by the Highland Historical Society. Reenactors are charged $25 to participate and spectators are charged $4, so reenactors clearly shoulder the bulk of the fundraising effort. Also, proceeds from reenactor involvement in the production of the movie “Gods and Generals” were used to acquire 55 acres of battlefield land at McDowell.

The reenactments of the Battle of McDowell are helpful both for fundraising and promotion of the battlefield.

Highland Historical Society and the Mansion House

Most successful battlefield preservation efforts entail a local "friends group" to spearhead preservation activities. In the case of the McDowell Battlefield, that entity is the Highland Historical Society, which also owns 26 acres of the battlefield. Housed at the Mansion House (George Washington Hull House), an 1851 Greek Revival dwelling, this building serves as the interpretive center for telling the battle's story. Because of relatively low visitation numbers and an all-volunteer staff, the museum's hours of operation are limited. During the spring through fall, it is open between 11:00 AM and 4:00 PM on Thursday through Saturday, and on Sundays it is open from 1:00 to 4:00 PM. It is only open by appointment from November 1 through March 1. This property has benefited over the years from grants from the Save America's Treasures program of the National Park Service (this program no longer exists), the Lee-Jackson Foundation, and the Shenandoah Valley Battlefields Foundation. The Society has a small membership, and much of its related work is conducted by an Executive Director who is employed part time, a nine-member Board of Directors, and a few local volunteers. Thus, a succession

strategy for "passing the torch" will be needed, and hopefully the future torch carriers will be greater in number than the current small handful of volunteers.

Heritage Area Tourism Potential

The McDowell Battlefield is part of the federally-designated Shenandoah Valley Battlefields National Historic District. Of the nation's 49 National Heritage Areas, it is the only one referred to as a "National Historic District." The district comprises eight counties in the Valley, including the scene of Stonewall Jackson's Valley Campaign of 1862 and other campaigns that occurred in the Valley. In addition to McDowell, other battlefields within the District include: the First and Second battles of Kernstown; the First, Second and Third battles of Winchester; the battles of Cross Keys and Port Republic; and the Battle of New Market. Because historic sites within National Heritage Areas (NHAs) tend to benefit from increased tourism based upon a "strength in numbers" approach to branding and promotion, it can only benefit the McDowell Battlefield to continue to be an active participant within this NHA.

With respect to the tourism that the battlefield currently attracts, some is reportedly a spin-off from people conducting genealogical research at the Highland County Museum and in Monterey, the county seat. The museum maintains the largest genealogical research facility in the county and has volunteers to assist with research. Another opportunity that might be leveraged more for battlefield tourism is the Fall Foliage Festival. Sponsored by the Highland County Chamber of Commerce, it is held annually during mid-October in various venues throughout Highland County. A "bookend" event in the spring is the Highland Maple Festival held every mid-March. As with the fall festival, it is also sponsored by the Chamber and it highlights a variety of venues throughout the county, including the Highland County Museum in McDowell.

Lessons Learned

Among the valuable lessons learned from the McDowell Battlefield experience are the following:

- For battlefields lacking eminent development threats, gaining support for preservation can be more challenging and lack a sense of urgency.
- An important battlefield preservation strategy is to build support from local residents who come to see the battlefield as part of their local identity and a community resource, including its heritage tourism draw.
- Living history demonstrations can be an important tool for fundraising and promotion of a battlefield, as well as benefiting local economic development via spending in local businesses.
- Creative arrangements can benefit land stewardship, such as the agreements that various preservation groups have with farmers and hunters to maintain their battlefield lands.
- Some entities gain local governmental support for preservation by forgoing their tax-exempt status with respect to paying property taxes on land.
- In geographic areas lacking strong development potential, the impacts of conservation easements on land values can be minimal, which also undermines their attractiveness for owners seeking state and federal tax benefits for the otherwise diminished land values.

- The preservation and use of a war-era structure can be extremely beneficial for both interpretive purposes and to provide a home for the local battlefield "friends" group.

The McDowell Presbyterian Church was built in 1856 and it still serves the community today as an active house of worship. It was used by the Union forces as a field hospital, and still serves as a landmark gathering spot for reenactors. Some of the soldiers in the area during the May 1862 battle left their marks on the church by carving their names, date, and similar information into the brick facade.

CASE STUDY BATTLEFIELD: SPRING HILL

Location: Spring Hill - Maury & Williamson Counties, Tennessee

Battle Overview

Information Source: Civil War Trust

Spring Hill was the prelude to the Battle of Franklin. On the night of November 28, 1864, Gen. John Bell Hood's Army of Tennessee marched toward Spring Hill to get astride Maj. Gen. John M. Schofield's Union army's line of retreat towards Nashville. Cavalry skirmishing between Brig. Gen. James H. Wilson's Union cavalry and Maj. Gen. Nathan Bedford Forrest's Confederate troopers continued throughout the day as the Confederates advanced. On November 29, Hood's infantry crossed Duck River and converged on Spring Hill. In the meantime, Maj. Gen. Schofield reinforced the troops holding the crossroads at Spring Hill. In the late afternoon, the Federals repulsed a piecemeal Confederate infantry attack. During the night, the rest of Schofield's command passed from Columbia through Spring Hill to Franklin. This was, perhaps, Hood's best chance to isolate and defeat the Union army. The engagement has been described as "one of the most controversial non-fighting events of the entire war." See battle map on following page.

Battle Summary

Date: November 29, 1864
Other Battle Names: NA
War Theatre: Western
Campaign: Franklin-Nashville Campaign

Union Forces
Commanding General: John M. Schofield
Troop Strength: 30,000

Confederate Forces
Commanding General: John Bell Hood
Troop Strength: 33,000

Total Casualties: 700

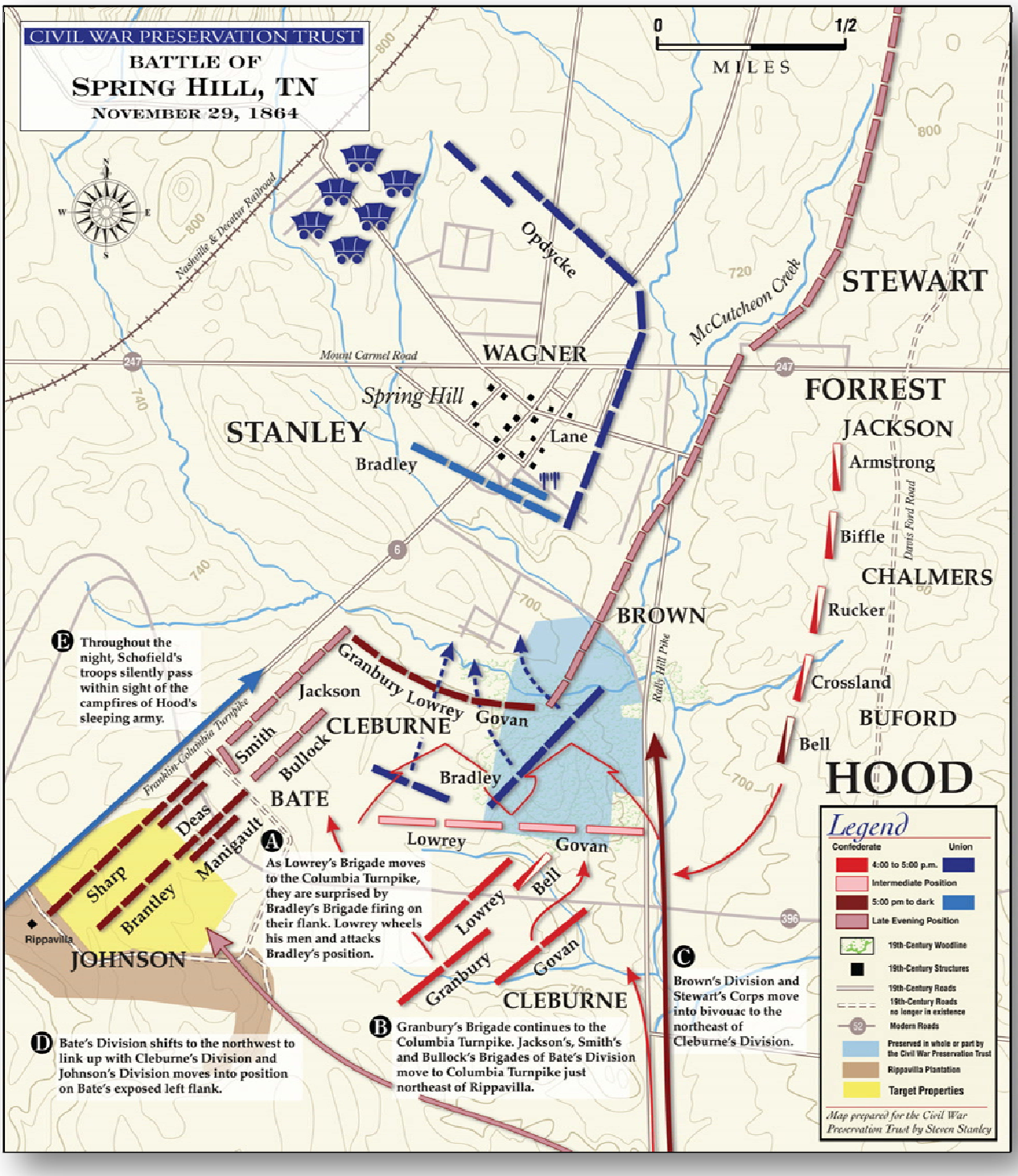
Battle Outcome: U.S. victory

Acres Saved: 293

Battlefield Preservation History

Like the Brandy Station Battlefield preservation story in Virginia, most of the achievements at Spring Hill can be credited to the mobilization of preservationists facing a development threat to their battlefield. However, unlike Brandy Station, most of the battlefield had already been developed by the time that serious interest was generated. The battlefield's preservation story starts in 1985 when General Motors (GM) announced plans to build a Saturn automobile manufacturing plant in Spring Hill that would initially employ 3,000 people. The plant opened in 1990 and reached a peak of 6,700 employees in 1994. Since the plant's 1985 announcement, a community of 1,000 residents has mushroomed into a 30,000-person community. While much of the battlefield has since been developed, there are substantial portions that remain relatively pristine.

The first battlefield preservation episode began in 1985 when Rippavilla Mansion and its 98 acres were purchased by GM. The privately-owned antebellum Greek Revival home had been vacant for a few years, but on the morning of November 30, 1864, it was the scene of a breakfast meeting of Confederate General John Bell Hood and his key officers. The meeting was highly-charged with emotion and accusations because of the army's blunders the evening before in letting the Union army slip past it. The result would be the disastrous Confederate defeat at Franklin later that day. Upon GM's



acquisition, they did some initial rehabilitation work on the building and GM used it for meetings and events between 1985 and 1996. By 1996 GM realized that the property was losing its value to the organization, so GM decided to lease the property to Maury County for $1 per year. A non-profit organization - the Rippavilla Plantation Society (RPS) - was then established to further restore and interpret the property as a historic house museum.

Other changes that occurred in Spring Hill because of the GM plan were the State-funded construction of Saturn Parkway, a highway connecting I-65 to the plant, and the associated commercial zoning that resulted at the intersection of the new highway and Hwy. 31. Although a "Section 106 Review" process was conducted per the National Historic Preservation Act (NHPA), a process that attempts to identify and mitigate negative impacts to National Register eligible historic resources from federally-funded or licensed projects, the highway and related rezonings still resulted.

The first significant battlefield preservation accomplishment occurred in 1996 when the Civil War Trust acquired a 110-acre property that constituted the central portion of the battlefield fronting on the west side of Kedron Road (historically known as Rally Hill Pike). See the blue colored area on the map on the previous page. The Trust and the City of Spring Hill then entered a partnership in which the City improved it as a passive recreational park with a jogging trail and parking area, while the Trust erected interpretive wayside exhibits. The park is still owned by the Trust.

A walkway and bridge connect the park's parking lot and trail. The Civil War Trust owns this 110-acre site.

In late-2006, GM contacted the Executive Director of the RPS and indicated that they intended to donate the Rippavilla property to the RPS and sell the surrounding 420 acres to developers from Canada, who planned a mixed use development. While most of that land was not part of the core battlefield, the 85 acres immediately north of the Rippavilla property constituted the most southerly portion of the battlefield. Not only was that area one of the battlefield's most expansive areas still preserved, but it was also a critical buffer area to preserve the historic integrity and character of the Rippavilla home. Fortunately for the battlefield's sake, the economy tanked in 2008 and the development proposal collapsed. As a result, in 2010 GM elected to sell the 85-acre portion to the immediate north of the Rippavilla property to the RPS for $2.2 million - a reduced amount relative to its actual value. Their motivations were multifaceted. Not only was GM's new CEO interested in the Civil War, but they were also going through bankruptcy and the donation value would allow them to receive federal tax benefits. Half of the cost of the 85-acre portion was funded by the Civil War Trust, while the other half came through the Department of the Interior through the efforts of Senator Lamar Alexander and others. The Trust retains ownership of that land today.

Current Challenges & Opportunities

The Spring Hill Battlefield currently faces a variety of challenges and opportunities, as follow:

Remaining Threats of Development

The single greatest overarching threat to the remaining battlefield lands is future development. Much of it has already been lost to development, particularly in the form of strip commercial development along the Franklin-Columbia Turnpike (Rt. 31). GM still owns 335 acres on the south side of Rippavilla, which they could sell for development. Although that land is south of the core battlefield, such development could negatively impact the character and integrity of Rippavilla if not sufficiently buffered. There are also many other open farmlands associated with the battle that are strong candidates for residential development as the community continues to experience strong growth.

Interpretive Focus for Rippavilla

At the time of RPS's establishment in 1996, there was little attention given to the battlefield. While RPS was well aware of the property's Civil War history and did tell that story, it was still interpreted much in the way of a typical historic house museum, with a strong focus on the family's history. However, as time has marched on and gains in battlefield preservation have been achieved, the Civil War story has increasingly taken on a larger role. There are few historic house museums in Middle Tennessee that can match Rippavilla for the drama that unfolded there when one considers the November 30, 1864, breakfast of Confederate generals that led to the Battle of Franklin later that day. There were heated arguments and considerable finger-pointing over the blunder that occurred the evening before when the Union army slipped past the Army of Tennessee. That drama makes for a powerful story in interpreting the site's rich history.

Preservation of the Historic Village

Despite the encroachment of strip commercial development that has occurred over time within the historic village of Spring Hill that straddles Main Street (Rt. 31), there is still much intact historic fabric that gives visitors a general sense of the scale and character of the village at the time of the Civil War. In addition to several antebellum homes, the crowning jewel is the Gothic Revival Presbyterian church that has an association with CS General Patrick Cleburne, which he visited and commented on en route to Franklin on the morning of November 30, 1864. While the City of Spring Hill has a Historic Commission, there are no local historic districts designated in the community, thereby precluding any real protections to the continued erosion of this important historic village. An enormous opportunity would be the future designation of a historic district for the village, along with a formal design review process and design guidelines to regulate demolitions, alterations to existing historic buildings, and new infill development.

Preservation of Oaklawn

This privately-owned 1835 mansion is located on Denning Lane southeast of Rippavilla and accessed off Kedron Road. Well preserved and surrounded by many acres of undeveloped land, this home served as CS General John Bell Hood's headquarters the afternoon and evening of November 29, 1864, while the Battle of Spring Hill occurred. Although it is likely not economically viable to attempt to operate two historic house museums on the battlefield, there may be future opportunities to allow greater public access and interpretation of the property if the current or future owners are willing. At the very least, a conservation easement on the property would go far in helping to preserve this part of the battlefield.

Oaklawn served as John Bell Hood's head-quarters at Spring Hill.

Lessons Learned

Among the valuable lessons learned from the Spring Hill Battlefield experience are the following:

- It is never too late to begin battlefield preservation efforts. Because so much had already been lost, many had given up on the Spring Hill Battlefield's preservation prior to the Civil War Trust's 110-acre acquisition in 1996 and the subsequent preservation of the 85-acres north of Rippavilla in 2010.

- The preservation and use of a war-era structure can be extremely beneficial for both interpretive purposes and to provide a location for meetings related to battlefield interpretation and preservation.
- It is important to nurture positive relationships with individuals and entities that might otherwise be viewed as a threat. RPS and GM have forged an important partnership that led to Rippavilla being donated to RPS and opening the door for the 85-acre adjacent acquisition. GM's facility manager is a member of the RPS Board of Directors, as yet another symbol of their partnership.
- Financial benefits related to federal taxes can be an attractive incentive for battlefield preservation. That was part of GM's motivation for selling the 85-acre property at a discounted price.
- Institutional partnerships can be critical to battlefield preservation successes. The partnership between the Civil War Trust and the City of Spring Hill resulted in the 110-acre battlefield park on Kedron Road. Similarly, the partnership between the Trust, the US Department of the Interior, RPS and GM resulted in the preservation of the 85-acre tract.
- Unless local governments are willing to flex their muscles and designate historic districts to preserve the most important areas, such areas will be lost. At the current rate of redevelopment within Spring Hill's historic village on Main Street, little may be left within the next few decades.

Rippavilla is a critical feature to promote and interpret the Spring Hill Battlefield.

CASE STUDY BATTLEFIELD: MILL SPRINGS

Location: Pulaski & Wayne Counties, Kentucky

Battle Summary
Date: January 19, 1862
Other Battle Names: Logan's Crossroads, Fishing Creek
War Theatre: Western
Campaign: NA

Union Forces
Commanding General: George Thomas
Troop Strength: 4,400

Confederate Forces
Commanding General: George B. Crittenden
Troop Strength: 5,900

Total Casualties: 814

Battle Outcome: U.S. victory

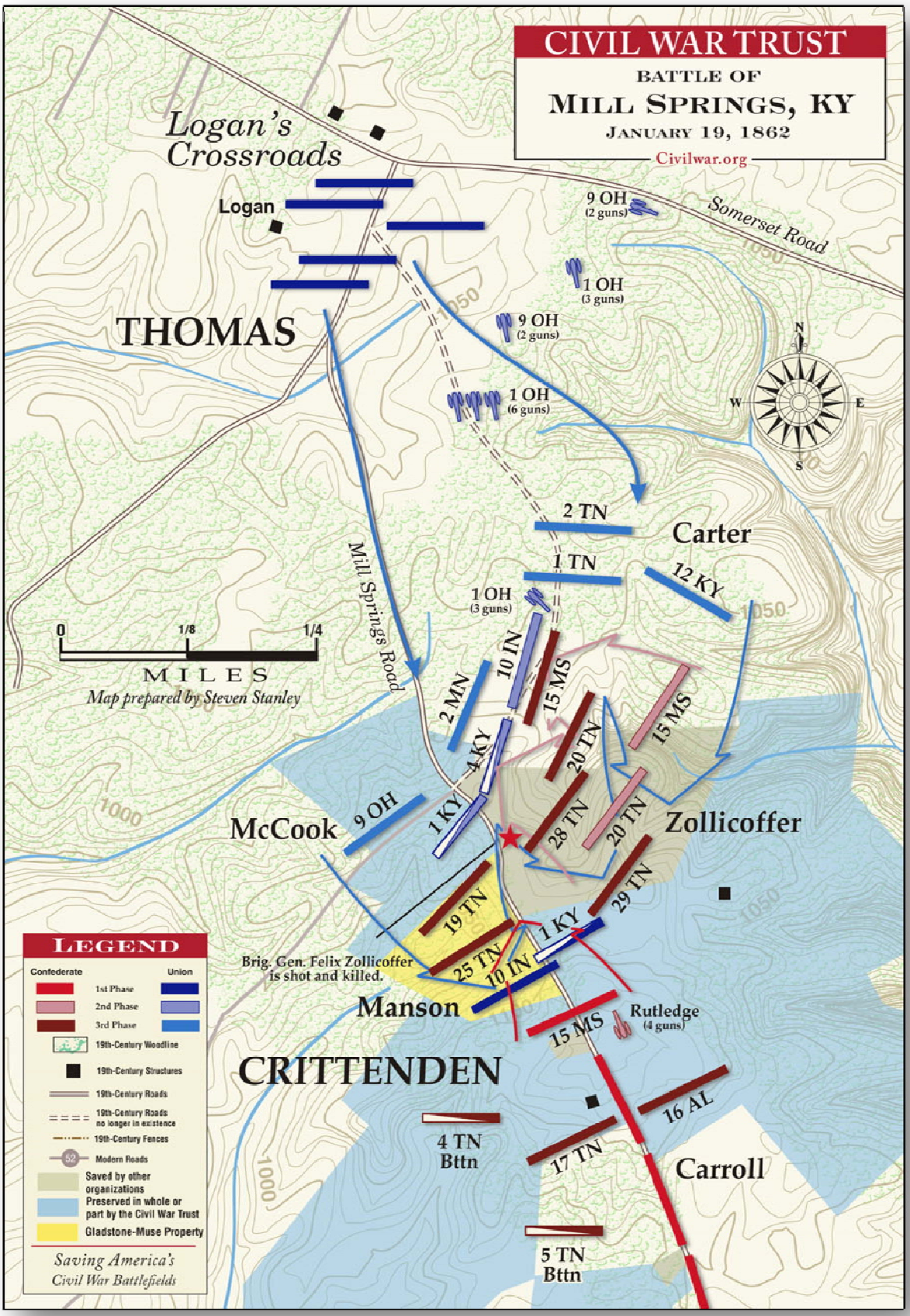
Acres Saved: 475

Battle Overview
Information Source: Civil War Trust
The Battle of Mill Springs, Kentucky, fought on January 19, 1862 near Nancy, Kentucky led to the first significant Union victory of the Civil War. Here at Mill Springs, Union forces under the command of George H. Thomas defeated Confederate forces under the command of George B. Crittenden and Felix Zollicoffer. Zollicoffer, conducting a reconnaissance in front of his forces, was shot and killed by Union soldiers during the battle. The Federal victory at Mill Springs, not only helped bolster sagging Northern morale, but it also helped to keep Kentucky and its population more solidly within the control of the Union. See battle map on following page.

Battlefield Preservation History
Much of the original credit for the ultimate preservation of so much of the Mill Springs Battlefield can be placed with the 1993 Civil War Sites Advisory Commission's "Report on the Nation's Civil War Battlefields" and the State Historic Preservation Office (Kentucky Heritage Council). When the draft report came out in 1992, it identified Mill Springs as one of the nation's most important battlefields, so the Kentucky Heritage Council (KHC) soon organized a meeting in the area that same year. Attended by approximately 25 people, there was clearly strong interest in preserving the battlefield, so shortly thereafter the NPS's American Battlefield Protection Program (ABPP) provided a $25,000 grant for a battlefield preservation plan to be prepared. The ABPP also provided the newly organized Mill Springs Battlefield Association (MSBA) with operating funds, which was an experiment for the ABPP at the time.

The first land acquisition occurred in 1993 when Rod Heller, then the Chair of one of the Civil War Trust's predecessor organizations, donated $50,000 toward the acquisition of 19 acres of land. At roughly the same time the County began funding the MSBA's Executive Director position. The second land protection effort was a $30,000 purchase of a conservation easement for 15 acres. During the years that followed, additional piecemeal acquisitions occurred, and most were financed by federal transportation improvement grants, which paid for 80% of the costs. The late-1990s were an important period for the battlefield's preservation. In 1997, a major reenactment of the battle occurred, which helped to generate additional interest in the battlefield. A tremendous achievement during this period was the development of the 10,000 square foot Interpretive Center, a $2 million project that was funded by the State ($1 million) and the federal government ($1 million).

In 2010, the MSBA completed the restoration of the West-Metcalfe House, a one-story brick house that served as Confederate General Felix Zollicoffer's headquarters prior to the battle and as a Confederate


CIVIL WAR TRUST
BATTLE OF
MILL SPRINGS, KY
JANUARY 19, 1862
Civilwar.org
Logan's Crossroads
Logan
Somerset Road
9 OH (2 guns)
1 OH (3 guns)
9 OH (2 guns)
1 OH (6 guns)
THOMAS
Mill Springs Road
2 TN
Carter
1 TN
12 KY
1 OH (3 guns)
10 IN
15 MS
2 MN
4 KY
20 TN
15 MS
9 OH
1 KY
McCook
28 TN
20 TN
Zollicoffer
19 TN
29 TN
1 KY
Brig. Gen. Felix Zollicoffer is shot and killed.
25 TN
10 IN
Manson
15 MS
Rutledge (4 guns)
CRITTENDEN
16 AL
4 TN Bttn
17 TN
Carroll
5 TN Bttn
0
1/8
1/4
MILES
Map prepared by Steven Stanley
N
W
E
S
LEGEND
Confederate
Union
1st Phase
2nd Phase
3rd Phase
19th-Century Woodline
19th-Century Structures
19th-Century Roads
19th-Century Roads no longer in existence
19th-Century Fences
Modern Roads
Saved by other organizations
Preserved in whole or part by the Civil War Trust
Gladstone-Muse Property
Saving America's Civil War Battlefields

hospital after the battle. That project was made possible by the donation of the house and roughly 2 acres by a local landowner, as well as a $250,000 grant from the Governor's Office of Local Development for the restoration work. The MSBA had previously acquired the Brown-Lanier House, which served as Zollicoffer's headquarters during the battle and as Union General George Thomas' headquarters after the battle. Other key physical enhancements to the battlefield over the years include a driving tour, tour stops, interpretive wayside exhibits, split-rail fencing along key corridors, and the installation of headstones for individual Confederate soldiers based upon research into those who died at the battle and were buried in a nearby mass grave.

The presence of a Confederate mass burial did not stop the MSBA from honoring individual soldiers. They researched the identities of those who died here and then erected a marked headstone for each.

By 2013, a total of 450 acres had been saved when it was announced that two additional key properties were being saved - the Landmark Ventures tract and the Gladestone-Muse tract - totaling 95 acres. The $832,000 price tag was funded by a Civil War Trust led private fund raising campaign that netted $440,000, with the balance coming from the federal Civil War Battlefield Preservation Program that is funded through the Land and Water Conservation Fund administered by the NPS's American Battlefield Protection Program (ABPP). Directly on the heels of that major victory was the announcement of a current effort to save another 102 acres. The Civil War Trust is hoping to raise $361,475 so that it might be matched at a 2-to-1 match from the NPS's ABBP. Another recent development has been the introduction of a federal bill to fund a feasibility study to consider adding the battlefield to the National Park Service system.

Current Challenges & Opportunities

Among the various challenges and opportunities facing the Mill Springs Battlefield are the following:

Lack of Federal Transportation Enhancement Funding for Battlefields

Up until recently, much of the funding to acquire battlefield lands was coming from the federal transportation enhancement funding program. However, the rules on how that program can be used have been revised in a manner that greatly curtails that funding source for such land acquisitions. Therefore, alternative funding methods are needed.

Diminishing Coal Mining Tax Revenues for the County

The MSBA's annual operational costs are approximately $250,000. Of that amount, the County has been paying for staff costs, which now amount to approximately $130,000 annually. Historically, the funds for that have been derived from coal mining tax revenues. However, that funding source is being depleted and alternative sources will be needed in the future.

Lack of Community Support for the Battlefield

Despite the availability of the Interpretive Center's community room to local groups and other efforts to engage the public, there has continued to be an ongoing struggle to achieve solid buy-in from local residents. Nancy is the most immediate community to the battlefield with roughly 500 citizens, and Somerset is nearby with approximately 20,000 people. While the broader Somerset community seems

relatively supportive of the battlefield, the Nancy community seems less so, perhaps because of ongoing suspicions regarding the motive of battlefield preservationists in acquiring so much land. Regardless, special events such as battlefield reenactments seem to be the most effective means of engaging locals.

Lack of Continuity in Executive Directors

The MSBA has had seven directors since 1993, which is an average 2.8 years per director. Those numbers are skewed slightly by one recent director who lasted only a few months. Regardless, organizations such as the MSBA typically have better results when there is greater continuity with the top administrator. Fortunately, the current director is a "known commodity" and highly-regarded in the community, so the prospects in this regard appear positive.

Opportunity to Leverage Lake Visitors

According to MSBA representatives, nearby Lake Cumberland draws roughly 1 million visitors annually. While this market is clearly focused on outdoor recreational activities, it is reasonable to assume that at least a healthy percentage of that group might also be drawn to the battlefield and its interpretive center. More aggressive promotion of the battlefield to these lake visitors might be fruitful. In particular, progress might be achieved if battlefield-related events are coordinated with the schedule of key events at the lake.

Potential to Become Part of the NPS System

A key person to the success at Mill Springs has been Congressman Harold "Hal" Rogers. In 2012, he introduced a bill to initiate a feasibility study to determine the viability of making the battlefield part of the National Park Service system. Rather than being a standalone park, it would be part of the Cumberland Gap National Park. A determination is yet to be made on this idea, but if it is ultimately successful, it would solve many of the battlefield's current challenges. Another potential option might be for it to become a State park.

Lessons Learned

There are numerous valuable lessons to be learned from the preservation experiences at Mill Springs and many are transferable to other battlefields, as follow:

- The Civil War Sites Advisory Commission's 1993 "Report on the Nation's Civil War Battlefields," the NPS's American Battlefield Protection Program (ABPP), and State Historic Preservation Offices can be critical to initiating a successful battlefield preservation project.
- The 1993 Mill Springs battlefield preservation plan - funded by a $25,000 ABPP grant - was also critical to the success at Mill Springs. As a consequence, it was updated with an interpretive plan in 2010 and it continues to serve as a blueprint for the Mill Springs Battlefield Association (MSBA).
- Although it is generally unusual, there can be unforeseen drawbacks to using conservation easements as a means for protecting battlefield lands. While the second major preservation success at Mill Springs was a $30,000 conservation easement for 15 acres, the MSBA ended up paying $60,000 ten years later for the same land as a fee simple purchase. They in effect, paid for it twice. However, because the owner was unwilling to sell the property initially when the easement was negotiated, that approach was the only viable alternative at the time, and the circumstance could not be foreseen.
- Battlefield organizations need to be resourceful in finding cost-effective services. The MSBA uses prisoners every morning for maintenance work and senior citizens volunteer their time to work the front desk of the interpretive center.

- Battlefield organizations should be led by a board of directors with a balanced mixture of perspectives, skills and resources. The inclusion of the local convention and visitors bureau (CVB) director on the MSBA board has helped to attract heritage tourists.
- Although the ideal scenario for battlefield interpretation is to remove post-war development, it can be a means of financial support for the battlefield. The MSBA continues to hold, maintain, and manage six rental properties on battlefield lands.
- While many battlefields such as Mill Springs have been considered for inclusion within the NPS system to no avail, it is often worth the time, cost and effort to explore for those instances in which it is indeed a viable alternative and there is a reasonable chance of success.
- Gaining the support of governmental entities at all levels can be critical: the Kentucky Heritage Council helped to jumpstart the entire effort at Mill Spring during the early-1990s, the County has been funding a significant portion of the MSBA's operation costs for years now, and the local Congressman has been critical to federal funding over the years.
- Creating partnerships is vital to long-term success in battlefield preservation. The MSBA initially competed with groups such as the Civil War Trust for federal transportation enhancement funds, but after developing a collaborative relationship with the Trust they began having much greater success as partners.
- In managing a site like Mill Springs, it is important to develop a business plan and consensus-based policies to guide operations and future developments. A business plan helps ensure financial solvency. Clear policies help ensure equitable response to all users, operational efficiencies, and continuity in all services.
- Never underestimate the value of individuals in shaping preservation efforts. In the startup of any preservation cause, the importance of one or a few individuals who shepherd the effort are often critical. Absent a supporting organization, public awareness and appreciation for the site, and funding, highly motivated individuals can "connect the dots," develop the needed relationships, and build the foundation for the site's preservation and long-term success.

The persistent efforts of key individuals such as Bill Neikirk, Congressman Rogers, and countless others have reaped tremendous results at the Mill Springs Battlefield, including this $2 million interpretive center.