

**REPORT OF THE
DEPARTMENT OF HISTORIC RESOURCES ON**

**Brandy Station Battlefield and
Bristoe Station Battlefield Study**

**TO THE GOVERNOR, THE GENERAL ASSEMBLY OF VIRGINIA,
AND THE BOARDS OF SUPERVISORS OF THE COUNTIES
OF CULPEPER, FAUQUIER AND PRINCE WILLIAM**



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PREFACE

In 1992, the General Assembly passed S 514 directing the Virginia Board of Historic Resources to reconsider its previous designations of the Brandy Station Battlefield in Culpeper and Fauquier counties and of the Bristoe Station Battlefield in Prince William County by July 1, 1993. To assist the Board in that reconsideration, the Assembly directed the Department of Historic Resources to examine several questions pertaining to those designations. The Department's study included an examination of a range of non-historical issues related to community planning and the two designations; an examination of priority areas and strategies for preserving those areas within the two battlefields; and an examination of documentary information related to the historical significance of the two battlefields. The study included close consultation with the local governments and owners of property affected by these previous state landmark designations.

Hugh C. Miller, Director of the Department of the Historic Resources, led the public participation process for the study. In cooperation with Department staff, Al Stem, a private management consultant, facilitated a series of interactive citizen focus group meetings and public meetings in Culpeper and Fauquier. Robert A. Carter served as staff team leader, principal investigator, and principal author of this report. Virginia E. McConnell researched and prepared the study findings on current and future land use in Culpeper, Fauquier and Prince William counties. Julie L. Vosmik designed and coordinated the Department's field investigation of the Brandy Station study area, which was conducted by Ashley Neville, an independent consultant. Bruce J. Larson compiled findings on likely federal undertakings associated with expected development in the two study areas. Ann M. Andrus assisted in the consultation with local governments and property owners as a member of the staff study team. John S. Salmon, who prepared the original nomination documentation for the Brandy Station Battlefield, assisted in the preparation of maps for several public presentations. Sandra D. Mayer provided invaluable secretarial support for the study. Margaret T. Peters coordinated arrangements for the three public hearings and two public meetings related to the study.

The Department wishes to acknowledge the following members of the General Assembly of Virginia who followed the progress of the study with special interest and attention: the Hon. Charles J. Colgan and the Hon. Kevin G. Miller of the Senate of Virginia; and the Hon. John J. Davies, the Hon. Robert G. Marshall, the Hon. Harry J. Parrish, and the Hon. Jerry M. Wood of the House of Delegates of Virginia.

The Department thanks the Culpeper County Board of Supervisors, Jack E. Fincham, Chairman; the Fauquier County Board of Supervisors, Georgia H. Herbert, Chairman; and the Prince William County Board of Supervisors, Kathleen Seefeldt, Chairman, for their cooperation and support. Culpeper County Administrator Norma Dunwody and her staff, Fauquier County Administrator G. Robert Lee and his staff, and Prince William County Administrator James Mullen and his staff responded with alacrity to all requests for information and provided

invaluable assistance in many other ways throughout the study. The assistance of the following County staff members, who served as the Department's points of contact for the study, proved indispensable: John C. Egertson, Culpeper County Planning Commission Director; Albert Goldsmith, Fauquier County Planning Commission Director; and Douglas James, Prince William County Planning Commission Director. Prince William County Planner Thomas W. Eitler also provided invaluable assistance to the Department.

The following property owners and citizens accepted the Department's invitation to participate in this study either by submitting written comments or by participating in focus group meetings related to the study: Kaye Andrus, Michael H. Armm, Audrey Austin, Mr. & Mrs. John R. Aylor, John A. Berna, Candace Bowen, Edward Byrnes, Judith A. Covell, Robert Edward Lee Currier, David W. Evans, William F. Foster, Robert Foster, Mr. & Mrs. William R. Frazier, Helen Geisler, Lena Groves, Paul M. Groves, Francis D. Griffith, Jr., Charles K. Gyory, Mr. & Mrs. Peter G. Gyory, Clark B. Hall, Mr. & Mrs. Eugene F. Hankinson, Ms. Sue Hansohn, Mr. & Mrs. E.D. Hopkins, Wayne E. Lenn, Mr. Guy H. Lewis, III, Mr. & Mrs. Benjamin B. Mitchell, III, James H. Marshall, Dewane and Tyree Pelan, Mr. and Mrs. Robert Postens, David R. Riso, Albert Rollins, Claire Rollins, Milton C. Rollins, Lillian M. Rollins, Veronica Rollins, St. James Vestry, Beulah Setti, William A. Spillman, III, Phillip Scott Stratton, and William V. and Marcus Wren.

The Department thanks all citizens who attended public meetings or presented comments at the three public hearings conducted by the Department. A transcript of comments by all participants in the three public hearings is part of the official record of this study.

The following staff members of the Virginia Department of Transportation gave timely assistance and information: Commissioner Ray D. Pethel, Earl T. Robb, Ken Phillips, Cooper Walmsley, E.C. Cochran, Dennis Gilbert, Lennie Delarlie, William C. Jeffrey, Robert Connock and Larry Garber. Robert Henson and Phil Lownes of the Virginia Department on Game and Inland Fisheries also provided helpful information on various study issues.

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EXECUTIVE SUMMARY

The Department of Historic Resources has completed a study of several questions related to the Board of Historic Resources' previous designations of the Brandy Station Battlefield in Culpeper and Fauquier counties and the Bristoe Station Battlefield in Prince William County as Virginia Historic Landmarks. Pursuant to S 514, passed by the 1992 General Assembly of Virginia, the study addressed the following issues:

1. An examination of (i) all land uses permitted by existing zoning within the designated areas, (ii) possible land uses pursuant to any zoning changes currently contemplated by the counties or indicated by their current master plans, and (iii) all development proposals made known to the Department of Historic Resources by the counties or by the property owners;
2. An identification of those development proposals that may by necessity or choice be dependent upon federal funding or licensure, and thus subject to the consultation process required by Section 106 of the National Historic Preservation Act and, to the extent practicable, an identification of probable outcomes of that consultation process and of possible strategies for successful resolution of any disagreements;
3. An analysis of the Virginia Department of Transportation's continuing ability to meet existing transportation needs, as well as those needs created by anticipated development, in the historic districts;
4. An identification of any smaller areas within the designated historic districts that the Department of Historic Resources believes should be high priority areas for preservation and an identification of strategies for accomplishing that preservation in a manner that is fair to current property owners; and
5. An examination of the documentary information that led to the designation and of any new or additional documentary information presented to the Department, in order to determine whether either or both of the designations or the boundaries of the historic districts were based on any error of fact and whether these findings provide grounds for recommending that the designations be amended or withdrawn;
6. An analysis of whether either or both of the designations by the Board of Historic Resources of the battlefields as historic districts, or the determinations of eligibility for the National Register of Historic Places made by the National Park Service pursuant to the National Historic Preservation Act, should be amended or withdrawn as the development identified in item 2 is carried out.

In gathering information and gauging public opinion on the full range of questions presented to its staff for study, the Department consulted closely with the local governments and the property owners affected by the two previous designations.

What Conclusions Does the Department Draw from Its Findings?

While the Department believes the Board's previous designations of the Brandy Station and Bristoe Station battlefield were based on accurate historical research, it acknowledges that there appears to remain strong opposition to the scope of the previous designations within the affected communities. Consultation with local residents has so far failed to identify any workable alternative resource-based designations that would have the support of a majority of the affected property owners.

In the event that the current designations are removed due to owner objection, the Department has no plans to prepare or sponsor alternative designation proposals. However, the Department will present to the Board of Historic Resources for serious consideration any alternative resource-based designation proposal that is prepared by property owners or other interested parties.

Whatever may be the result of efforts to identify and designate the entire Brandy Station Battlefield or the Bristoe Station Battlefield, the Department affirms that land-use planning for preservation is the province of local government. While consultation with local residents has so far failed to identify any overall agreement on preservation strategies for the battlefields, the Department commends Culpeper County, Fauquier County and Prince William County for acknowledging the importance of historic resources in their community planning and encourages them in their efforts to develop planning strategies that are sensitive in some measure to the battlefields.

A detailed plan initiated by local government for managing preservation and development within the Brandy Station Battlefield could serve as the basis for private preservation initiatives, for review of federal undertakings under the 106 review process, and for VDOT's planning.

The proposed establishment of a sector plan for the Bristow area of Prince William would appear to present a timely opportunity to develop appropriate goals, objectives and performance criteria for preservation and development within the Bristoe Station Battlefield and the larger sector of which it is an important element.

While the Department cannot recommend any alternate designations to the Board for its consideration at this time, **the Department recommends that the Board take the opportunity of its reconsideration to remove the state historic landmark designations from the Brandy Station Battlefield and the Bristoe Station Battlefield, if that is what a majority of the property owners want.**

Current and Future Land Use

Based on information provided by the Counties regarding current and future land use within the designated battlefields, the Department found that:

The Culpeper comprehensive plan anticipates significant development within the area which the Board designated as the battlefield. However, the plan acknowledges the existence of the battlefield and lists several specific sites within the battlefield as preservation areas that should somehow be protected within the overall development scheme. The plan also talks more generally about the need for sensitivity to the battlefield in developing the area.

The Fauquier plan anticipates that the area designated in Fauquier will remain essentially rural in character. It also generally recognizes the need to be sensitive to historic resources in the County.

Prince William's comprehensive plan identifies a number of local planning tools which could be used effectively to ensure that the most significant areas within the Bristoe Station battlefield are preserved and interpreted. The County assumes that a higher density of development within Bristoe Station Battlefield is inevitable, unless a third party steps in to purchase the land from the current property owners at fair market value for preservation purposes. The Prince William plan calls for any applicant for rezoning to address various policies and action strategies related to the preservation or development of the Bristoe Station Battlefield.

The comprehensive plans by their nature are not intended to set detailed guidelines for the physical characteristics of new construction, nor do they prescribe the effect which development will have on the character and integrity of the battlefields. Development of a sector plan for the Bristow area of Prince William is now underway.

Meeting Current and Future Transportation Needs

Regarding the ability of the state and localities to meet the current and future transportation needs within the designated areas, the Department found:

Culpeper County is concerned that the inclusion of major transportation routes in the previous designation may prevent or delay needed transportation improvements in the future. Both Culpeper County and VDOT anticipate that flexibility is needed to meet the demand of interstate traffic along the Route 29 corridor. It is also anticipated that local roads within the designated battlefield, some of which are substandard, will need to be improved to accommodate expected growth. Growth is expected to continue within the Route 29 corridor. A study group is now examining future transportation needs within the Route 29 corridor. Issues under study include avoidance of strip development and the possibility of acquiring access rights and compensating landowners.

Prince William County's plans do not regard the current state designation as placing any major obstacle in the way of meeting its current or future transportation needs. The County's proposed long range road network within the area of the battlefield is based on the assumption of buildout at expected future land uses at median densities. The County puts the burden on applicants for rezoning to show that the existing and future roadway network proposed by the applicant is capable of handling the increased traffic volumes that would be generated by the proposed land uses.

While consultation with VDOT on its ability to meet transportation needs within the two areas is continuing, the Department has worked successfully with VDOT in the past in other historic areas to ensure that needed transportation improvements are carried out in ways that minimize damage to historic resources. The Department's working relationship with VDOT is designed to encourage discussion of alternatives and compromise, not to stop projects. The Department's role in reviewing transportation projects is consultative and advisory. The Department does not have veto authority over VDOT.

Development and the 106 Review Process

The Department's consultation with the Counties and property owners found that:

It is not generally understood that federal law requires that every proposed federal undertaking with the potential to affect historic resources is reviewed to determine whether such effect exists and, if so, whether that effect is adverse.

These reviews, under Section 106 of the National Historic Preservation Act, will take place whenever and wherever any federal undertaking is proposed, whether or not the project proposed is within a historic district. In other words, the 106 review process is triggered by the proposal of a federal undertaking, not by the known existence of a historic landmark. The goals of the sponsoring federal agency drive the process. The process does not drive land-use decision making. The 106 process is designed to encourage discussion of alternatives and compromise, not to stop projects. The Department's role in the process is consultative and advisory only.

In Culpeper County, property owners and the County expect development in proximity to the Culpeper airport, and within the Route 29 and Norfolk Southern Railroad corridors, which would require federal 106 reviews and, in most cases, a change in zoning from agricultural to industrial.

Recent surveys conducted by the Department and Culpeper County will expedite 106 reviews within the designated battlefield.

Prince William County foresees no planned capital improvements within the Bristoe Station Battlefield in the near future. The County does foresee possible federal involvement in the

expansion of parking facilities serving commuter rail traffic.

The Meaning, Effect, and Scope of the Designation

Based on its consultation with property owners within the two designated battlefields , the Department found that:

There is now some increased understanding of what the 1989 state landmark designation means and does not mean at Brandy Station, but that increased awareness is not universal, nor has it resulted in converting previous opponents to supporters of the designation as it exists today.

Property owners expressed considerable concern that designation sets the property aside, harms market value, "triggers" Section 106 review, encourages subsequent regulatory action by the county, or leads to confiscatory action by the federal government. In general, opponents of designation worry about the "cloud of uncertainty" it creates regarding the sale or development of property.

There appears to be no consensus within the Culpeper community on some smaller area within the existing 13,903-acre designation at Brandy Station that could be designated in accord with official criteria and guidelines. Some property owners continue to see designation not as an effort to identify a resource, but instead to identify only that portion of a resource for which a definite preservation strategy has been developed and agreed upon by all parties concerned.

There is no better understanding of what designation means at Bristoe Station than existed in 1991. The passage of time has not resulted in converting previous opponents to supporters of the designation as it exists today. At Bristoe Station, there remains a complete absence of a constituency for designation of the battlefield among the owners of the designated land. There is no indication of any consensus or support for the designation of some smaller area of the battlefield.

Is There a Consensus on How Much of the Battlefields Should be Preserved or How that Preservation Should be Accomplished?

The Department found there was much hopeful discussion among Culpeper County property owners about the beneficial coexistence of preservation and economic development at Brandy Station. While there appears to be substantial property owner interest in preserving the four engagement areas identified by the National Park Service in a manner that connects them for free public access and interpretation and is fair to the current landowners, the Department believes that there is as yet no identifiable consensus on how much of the Brandy Station Battlefield should be preserved or how that preservation should be accomplished.

Consultation with owners of property within the Bristoe Station Battlefield indicated there was

little interest among them in identifying priority areas or preservation strategies. The Civil War Sites Advisory Commission has identified the two major engagement areas within the core of the Bristoe battlefield, where the most intense fighting and casualties occurred. While there appears to be a common recognition that a dynamic and workable sector plan for the Bristow area could tie together diverse community needs, the Department believes that there is as yet no identifiable consensus on how much of the Bristoe Station Battlefield should be preserved or how that preservation should be accomplished.

Documentation on the Location and Significance of the Events of June 9 and October 14, 1863.

Property owners raised several concerns about the findings of the Board's previous designations of the Brandy Station and Bristoe Station Battlefield: 1) The significance of the two battles; 2) the acreage and boundaries of the two districts; 3) the present integrity of the two battlefields; and 4) the location of specific battle events within the designated areas.

In seeking to respond to these concerns, the Department has closely examined the following: 1) The research methodology and sources on which the Board's previous findings were based; 2) all additional documentary information made known to the Department by property owners; and 3) any other pertinent documentary information which was not considered at the time of the Board's previous designations of the battlefield.

Based on this background research and examination, the Department finds that:

The Battle of Brandy Station and the Battle of Bristoe Station were significant episodes of the American Civil War. The battles of June 9, October 14, 1863 each exerted a major influence on the outcome of the campaign with which they were directly associated. While not all accounts of the battles presented to the Department were in complete agreement, the Board's findings of significance are supported by the preponderance of objective evidence, including contemporary battle reports. The current boundaries of the two districts accurately encompass the salient events of two battles that occurred over relatively large areas.

Despite the presence of non-contributing structures within the two battlefields, the two designated areas retain sufficient integrity to convey authentically an understanding of the significance, location, setting and historical associations of the events of June 9, and October 14, 1863.

The Department found no indication that either designation was flawed due to any error of fact.

INTRODUCTION

Placing properties on the Virginia Landmarks Register is the official means by which the Board of Historic Resources carries out its legal mandate to "designate historic landmarks." (Sec. 10.1-2204, Code of Virginia). Beginning in 1966, the General Assembly acknowledged the public benefit of identifying historic resources, and it created the landmarks designation program as the nonregulatory vehicle for pursuing that public benefit.

The Virginia Landmarks Register is intended to encourage, but not to require, the preservation of a historic property by calling that historic significance to the attention of the owner and all others responsible for land-use decisions that will determine the property's future. These decisions may range from preserving the property through compromises that save part of the property to total destruction of the historic resource. The listing of a property on the Virginia Landmarks Register by itself imposes no restrictions on the private owner of that property. While state designation is designed to encourage local governments and property owners to take the historic resource into consideration in their plans and actions, the designation is a hortatory act by its very nature and cannot by itself regulate the behavior of local governments or property owners.

Benefits for owners of Virginia landmarks include eligibility for financial assistance and technical assistance from the professional staff of the Department. Owners of registered landmarks may also elect to protect their properties with a preservation easement. Each owner of a newly registered landmark receives an official state plaque with the name of the property.

Under 1992 legislation, historic property can no longer be formally designated a landmark if the property owner objects or, in the case of a historic district, a majority of the owners object.

In passing that legislation, the General Assembly directed the Virginia Board of Historic Resources to reconsider its previous designations of the Brandy Station Battlefield in Culpeper and Fauquier counties and of the Bristoe Station Battlefield in Prince William County by July 1, 1993.

Issues Addressed

To assist the Board in that reconsideration, the Assembly directed the Department of Historic Resources to examine the following series of questions related to the history and current and future land use of the two battlefields by July 1, 1993:

1. An examination of (i) all land uses permitted by existing zoning within the designated areas, (ii) possible land uses pursuant to any zoning changes currently contemplated by the counties or indicated by their current master plans, and (iii) all development proposals made known to the Department of Historic Resources by the counties or by the

property owners;

2. An identification of those development proposals that may by necessity or choice be dependent upon federal funding or licensure, and thus subject to the consultation process required by Section 106 of the National Historic Preservation Act and, to the extent practicable, an identification of probable outcomes of that consultation process and of possible strategies for successful resolution of any disagreements;
3. An analysis of the Virginia Department of Transportation's continuing ability to meet existing transportation needs, as well as those needs created by anticipated development, in the historic districts;
4. An identification of any smaller areas within the designated historic districts that the Department of Historic Resources believes should be high priority areas for preservation and an identification of strategies for accomplishing that preservation in a manner that is fair to current property owners; and
5. An examination of the documentary information that led to the designation and of any new or additional documentary information presented to the Department, in order to determine whether either or both of the designations or the boundaries of the historic districts were based on any error of fact and whether these findings provide grounds for recommending that the designations be amended or withdrawn;
6. An analysis of whether either or both of the designations by the Board of Historic Resources of the battlefields as historic districts, or the determinations of eligibility for the National Register of Historic Places made by the National Park Service pursuant to the National Historic Preservation Act, should be amended or withdrawn as the development identified in item 2 is carried out.

The Assembly further required that the study be conducted in close consultation with the local governments and owners of property affected by the two previous designations.

Study Approach

The Department initiated the public participation process for the study in the summer of 1992 with correspondence and presentations to the Boards of Supervisors of Culpeper, Fauquier and Prince William counties on the purpose of the study and on the Department's strong commitment to undertake its work in close consultation with the interested local governments and property owners.

To glean information on property ownership in the designated area, and current and expected future land uses in areas covered by the designations, the Department requested and obtained the following information from the interested local governments:

A current list of owners of any portion of any property lying within the designated battlefields;

Tax parcel maps showing any parcels of land designated in whole or in part as the Brandy Station or Bristoe Station battlefield;

Copies of the Counties' current and proposed comprehensive plans, zoning maps and zoning ordinance;

Current list of owners of property lying adjacent to the designated battlefield or across the street;

Preliminary or final subdivision plats that have been filed for approval with the Counties in the designated areas;

Planned capital improvements by each county that may affect property and roads within the battlefields; and

Information on any project or activity within the designated areas of which the Counties are aware that may require federal funding, a federal permit, a federal license or other federal assistance that might qualify the project or activity as a federal undertaking.

The Department used property owner information supplied by each County in all its correspondence with property owners. Using the planning information provided by each County, the Department examined the issues of current and future land use in the designated battlefield, including development that is likely to require federal funding, licensure or permitting. The Department also examined the same data to determine the possible effect of the designation on the ability of the communities and the state to meet current and future transportation needs.

Consultation with property owners included writing to every property owner within the designated areas and soliciting their comments on the full range of questions before the Department for study. In response to strong local interest, the Department also sponsored three focus group meetings in Culpeper in late February and early March 1993. The meetings were designed to foster open and informal discussion among interested property owners and to explore the range of preservation priorities and options for the Brandy Station Battlefield. These focus group discussions were followed by two public meetings in Fauquier and Culpeper on April 29 and May 1. The Department also undertook a comprehensive field survey of the Brandy Station Battlefield study area in the February and March, 1993. Consultation with owners of property within the Bristoe Station Battlefield gave no indication or encouragement that focus group discussions of priority areas or preservation strategies would be fruitful.

In cooperation with the interested local governments, the Department conducted public hearings in Fauquier, Culpeper, and Prince William to receive public comment and additional information that may be pertinent to the Board of Historic Resources' reconsideration of its previous

designations of the two battlefields.

The Department also consulted as necessary with the Civil War Sites Advisory Commission, the National Park Service, the U.S. Advisory Council on Historic Preservation, and the Virginia Department of Transportation. Consultation with the Civil War Sites Advisory Commission concerned the range of tools available for battlefield preservation, and the steps needed to define a specific approach that is likely to be successful in the preservation of a Civil War battlefield. Consultation with the National Park Service and the Advisory Council focused on ways to identify priority areas within the designated battlefields and guidance on how such areas should be treated. Consultation with the Virginia Department of Transportation concerned the state's ability to meet current and future transportation needs within the designated battlefields.

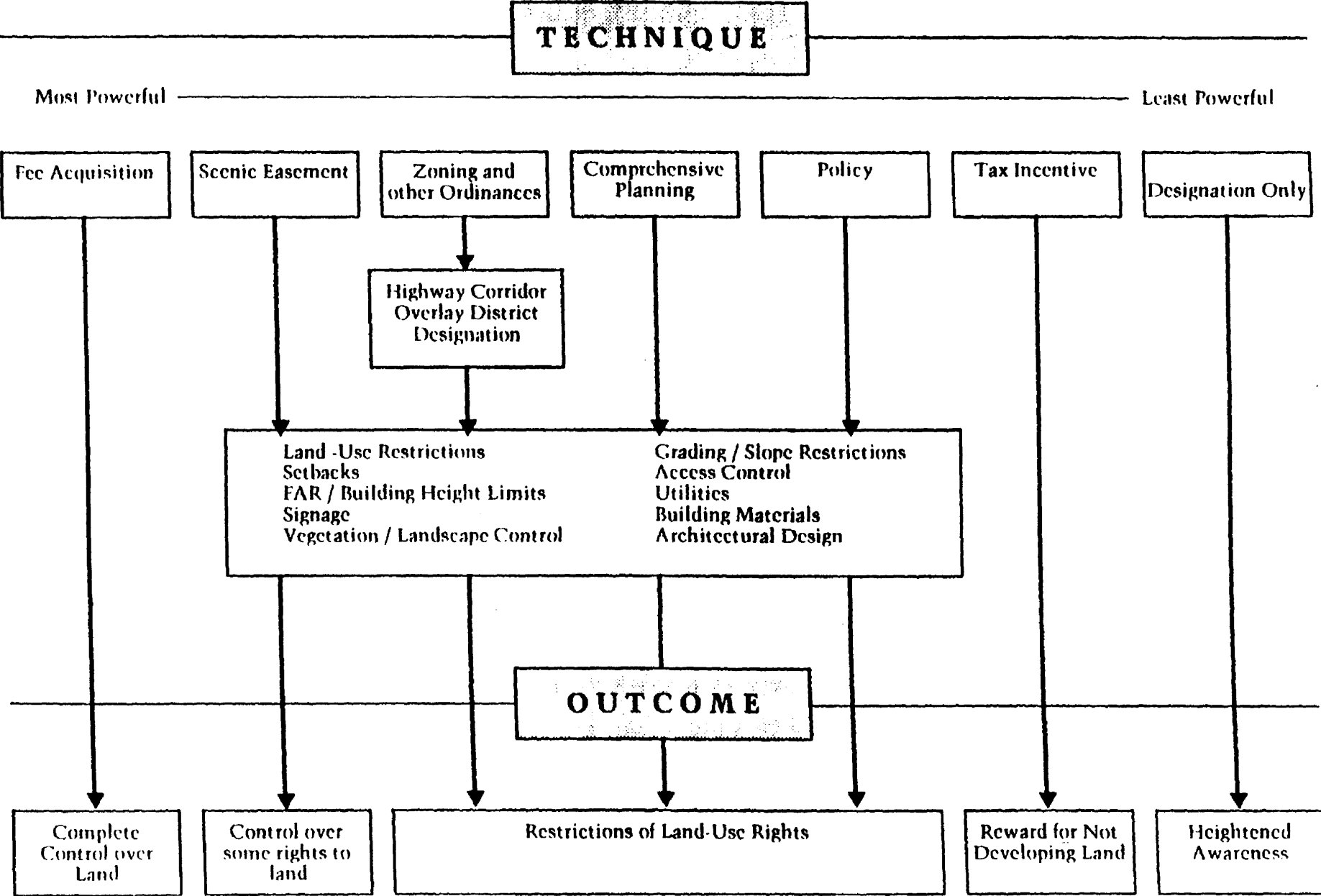
The Continuum of Resource Protection Techniques

Techniques which can be used to protect Civil War battlefields range from fee simple acquisition of land to designating the battlefield as historic for the purpose of heightening awareness of the resource. Alternatives vary in degree from being the most powerful to least powerful in terms of effective control of land and restrictions on land use. The most effective techniques give consideration to the entire battlefield and all of its constituent elements as a unit. A combination of public and private initiatives is required to achieve a comprehensive vision for managing change within a Civil War battlefield such as Brandy Station.

Fee simple ownership of land and conservation easements provide the greatest land use control for preservation of a battlefield but they are relatively expensive instruments of public policy. Comprehensive planning and zoning ordinances, especially those that incorporate an overlay design review district, can be effective techniques for ensuring adequate battlefield protection. Such districts can specify architectural setbacks, height limitations, signage, vegetation control, and other design details for a specific battlefield area or site that supersede other zoning restrictions. Less powerful in dealing with strong development pressures are public policy statements, tax incentives, local voluntary initiatives, and historic designation.

All of the options found on this continuum of resource preservation techniques can be used in combination and they can take a variety of forms. Their most effective use will consider in advance the impact of planned development and tourism, so that future use of the battlefield will not impair its historic quality. Wise management of a battlefield will encourage opportunities for development within a process for orderly and coordinated land-use change.

CONTINUUM OF RESOURCE PROTECTION TECHNIQUES



Credit: National Trust for Historic Preservation

Approaching Battlefield Preservation

The Civil War Sites Advisory Commission has identified three major steps involved in developing a protection strategy for a Civil War battlefield:

Characterization of the Site

Battlefield sites can be characterized in terms of the following variables: degree of significance (major or minor); size of the study area (large or small acreage); degree of development pressure (high or low); state/local planning capacity (strong or weak); and degree of integrity (intact or lost).

The Commission has gathered comparative data to determine the military significance of sites in terms of the entire Civil War, the military significance of particular campaigns, the social or economic significance of the event and the interpretive potential of the site. Also gathered was information regarding long-range and immediate threats to the resource and current conditions of the planning environment in which the resource is located. Having assembled this and other data related to the integrity of the site, the information can be used to guide the next two steps in the process: deciding how much to preserve and what preservation strategies to use to accomplish that preservation.

Determination of the portion to be preserved

The American Civil War battlefield inventory has established a study area boundary and core area boundary for 373 significant battlefield sites, including the Brandy Station and Bristoe Station battlefields. Core areas are defined as the portions of the site on which the most intense fighting took place or the most decisive moments in the battle occurred.

Based on that information and several other characteristics it is possible to make one of the following decisions:

- To preserve the entire study area
- To preserve the entire core area
- To preserve a representative portion of the core
- To preserve an interpretive element

The approach selected will depend on an assessment of the value of the site, its degree of integrity, competing demands for use of the site, and available resources. Setting the goal of full or partial preservation is the most important determining factor in considering what preservation alternatives and strategies are most appropriate.

Selection of preservation alternatives

For battlefields which possess major significance and good integrity, but face high development pressure, the Commission recommends that the following preservation alternatives be considered:

Identify core area(s)

Acquire title, easements, or development rights on as much of the core as possible

Purchase and lease for farming

Purchase and resell for farming with easements

Use limited development projects

Promote compatible use zoning on peripheral areas and adjacent lands

Seek easements on land in viewsheds

Seek scenic designation for access corridors

Nominate for the National Register or seek designation as a National Historic Landmark

The Commission regards the degree of development pressure on a site as critical because it will affect the relative values between existing land uses, such as agriculture or forestry, and alternative land uses, such as housing, commercial or industrial activities. This will in turn affect the cost of employing various preservation alternatives. Similarly, the level of integrity that remains at the site is crucial to deciding how much to preserve and how to go about it. Whatever alternatives are selected, any effective preservation path will lead to the building of a partnership to preserve the battlefield. It could be that government in some circumstances will take the lead; in others, the landowners, a land trust or some other private entity will take the initiative.

What is the "Section 106 Process" and how does it work?

In examining the full range of expected development activities within the designated battlefields, the Department sought to identify any activity that is likely to be subject to what is known as the "Section 106 Process." A brief introduction to the legal basis and practical workings of that process will be helpful in understanding findings and recommendations detailed in the body of this report.

The Section 106 process was created by Section 106 of the National Historic Preservation Act of 1966, as amended, and its implementing regulations. The process allows for a review of the impact of federal undertakings on significant historic, architectural, engineering and archaeological resources. All federal agencies are required to take historic and archaeological resources into account in planning for their own undertakings, or in deciding whether to approve grant projects, or to issue permits and licenses. The agencies must consult with the State Historic Preservation Officer (SHPO) and the federal Advisory Council on Historic Preservation. In Virginia the SHPO is the Director of the Department of Historic Resources. No separate permit is issued as a result of this consultation.

The review process is triggered by the existence of a proposed federal undertaking, not by the known existence of a historic landmark. Every federal undertaking with the potential to affect historic resources is reviewed to determine whether such effect exists and, if so, whether that effect is adverse. Undertakings are reviewed to determine their effect on any properties that are already on or are determined eligible for the National Register of Historic Places. If there has been no previous determination of a property's eligibility for the Register, that judgment must be made at the time the federal undertaking is being reviewed.

The federal project sponsor or its designee must provide the SHPO enough information on the existence and significance of historic and archaeological resources in the project area to allow the SHPO to evaluate the property's eligibility for the National Register, and to make a determination of the proposed project's effect. In some cases, the survey data already on file with the SHPO are sufficient for the project sponsor to use in preparing the necessary environmental documents. Where the SHPO's existing information is not sufficient to make an informed judgment on the resources in the project area, it is the project sponsor's obligation to conduct the field survey.

If the SHPO and the Advisory Council conclude that the proposed project will have either "no effect" or "no adverse effect" on National Register and Register-eligible resources, the 106 process is ended, and the project may proceed as proposed. If the project is deemed to have an "adverse effect," the SHPO, the Council, and the project sponsor begin consultation on ways to amend the project so as to eliminate the adverse effect. Where the adverse effect cannot be entirely eliminated, the consultation focuses on ways to minimize and mitigate the effect. The track record for reaching some compromise agreement from this consultation is excellent.

Authority for determining whether a property is eligible for the National Register rests with the Keeper of the National Register at the National Park Service. Authority to decide the fate of a proposed federal undertaking rests with the sponsoring federal agency. The federal project sponsor is obligated to take historic and archaeological resources into account, and it is obligated to take any comments from the SHPO and the Advisory Council into account. However, the federal project sponsor retains the authority to decide whether and how a project will go forward, even in those very few cases where no compromise agreement can be reached.

The Need for Planning Initiatives, Not Regulatory Reaction

Robert E. Lemire, in his book Creative Land Development: Bridge to the Future (1986), affirms the hope that it is possible for communities to organize themselves effectively to deal with growth pressures and their resultant development initiatives, within a context of fiscal stability. That hope rests on proper planning and a strong community commitment to address five basic needs:

The need to save what needs to be saved.

The need to build what needs to be built.

The need to deal fairly with the dollar interests of landowners.

The need to provide for private sector as well as public involvement.

The need for planning initiatives, not regulatory reaction.

The potential to relate preservation and development in mutually beneficial ways at the Brandy Station Battlefield and Bristoe Battlefield thus offers a challenge for creative action of a very high order.





As a state agency with a prescribed role in the federal 106 review process, working in partnership with local governments and citizens to encourage sensitive treatment of Virginia's irreplaceable historic sites and landmarks, the Department of Historic Resources does not believe that growth in the study areas can be, or should be, stopped. The Department does believe that growth can be planned for and managed so that it does not overwhelm these battlefields. The Department's study revealed some measure of support for preservation initiatives at Brandy Station and Bristoe Station, provided they are respectful of local authority for land-use decision making and fair to the current landowners.

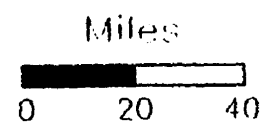
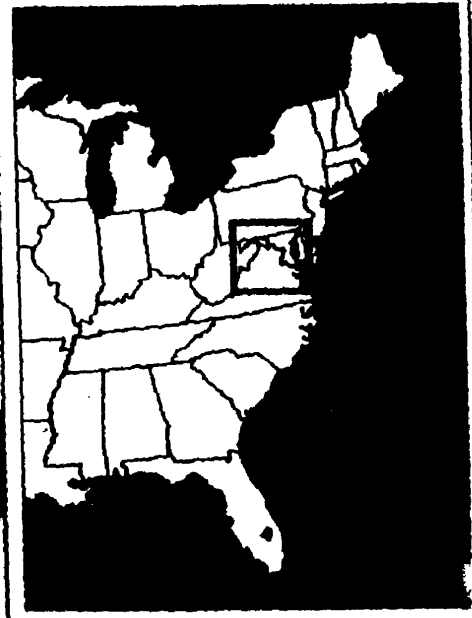
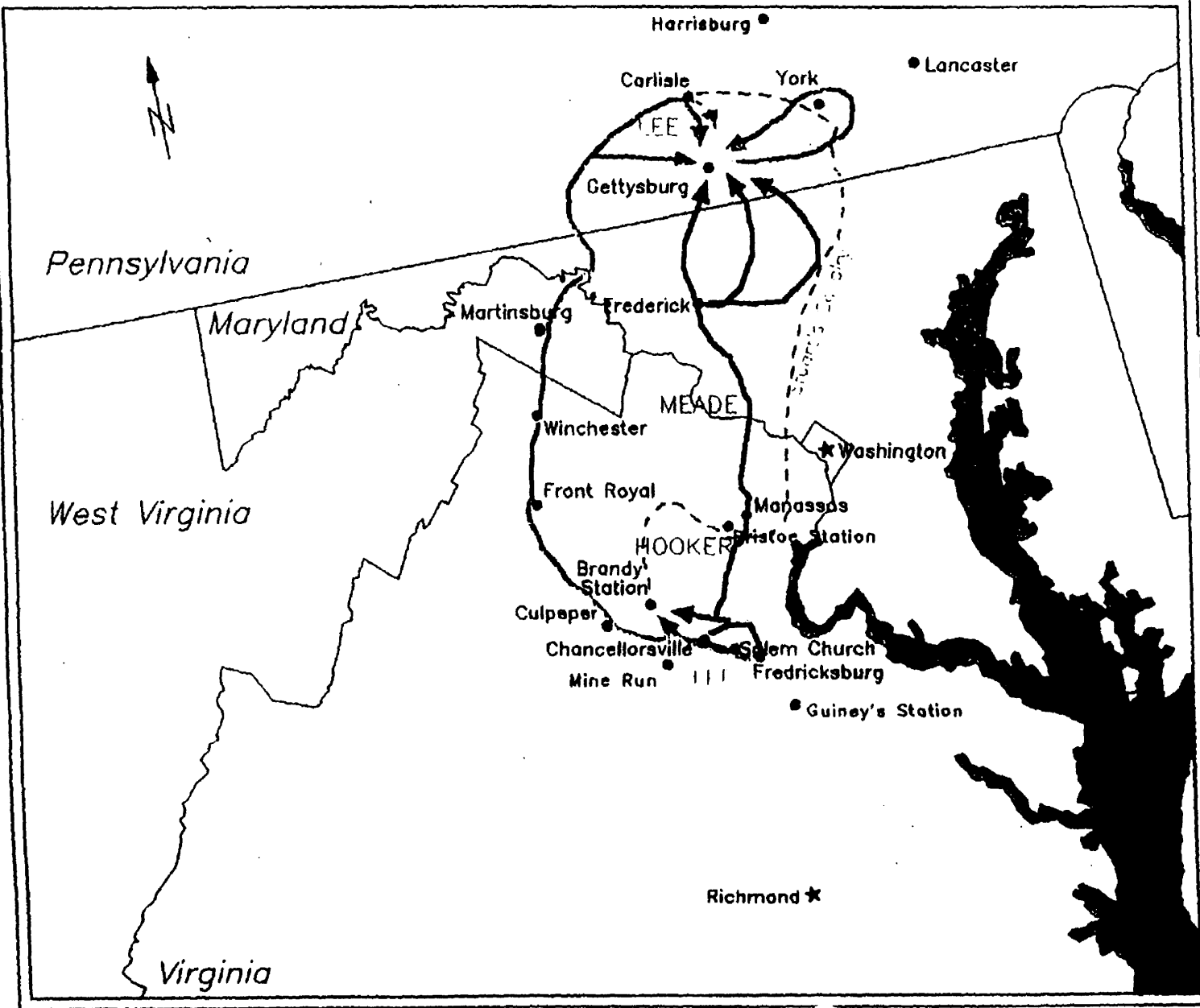
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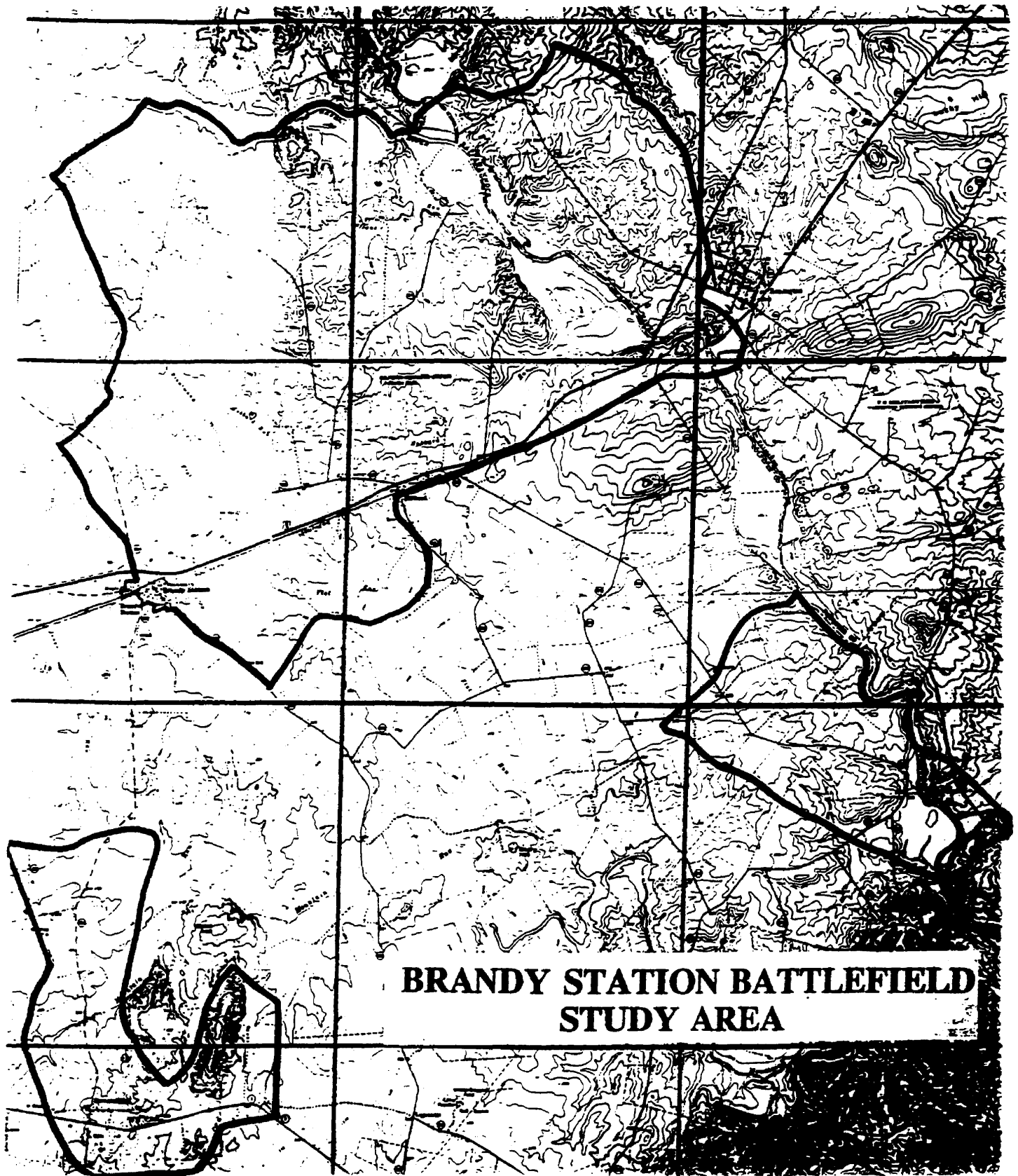
BRANDY STATION BATTLEFIELD

Gettysburg Campaign 1863

Legend

-  State Boundaries
-  Cities
-  C.S. Movements
-  U.S. Movements





**BRANDY STATION BATTLEFIELD
STUDY AREA**

**EXAMINATION OF NON-HISTORICAL ISSUES
RELATED TO COMMUNITY PLANNING
AND THE BRANDY STATION BATTLEFIELD**

**CURRENT AND FUTURE LAND USE WITHIN THE BRANDY STATION
BATTLEFIELD**

Culpeper County: An Overview

Culpeper County's comprehensive plan analyzes current demographic, economic, environmental, and land use conditions in the county, forecasts future trends and needs, sets forth goals and objectives, and proposes means to achieve such goals and objectives. A Future Land Use Plan, which is part of the overall comprehensive plan, identifies specific geographic areas for future growth and the anticipated land uses associated with such growth.

The Brandy Station/Elkwood area is identified in the comprehensive plan as a Village Center, or focus for residential, commercial, and industrial development. The plan contemplates development south of Route 29, in Brandy Station, as essentially residential in nature, with some associated commercial uses, and development in the Elkwood area, as primarily commercial and industrial in nature. The comprehensive plan notes that the existence of historic resources in the Brandy Station/Elkwood area will require careful siting and development review.

The Stevensburg area is also identified as a Village Center, but growth here is not expected to be nearly as intensive as at Brandy Station. Some growth around the village of Stevensburg is anticipated, primarily in the form of low and medium density residential development. Commercial services are expected to be limited to community-based retail and personal services. The portions of the study area outside the village core are expected to remain rural in nature.

The Kelly's Ford area is expected to retain its present rural character.

Current Land Use and Zoning in Culpeper

The Culpeper comprehensive plan, adopted in April, 1993, notes that in recent years, pressure from northern Virginia has increasingly encroached on the rural nature of Culpeper County. The plan describes the distribution of various land-use categories throughout the county as of 1989. That distribution shows that the predominant land use in Culpeper County, by far, remains agricultural/forestral use, which, for purposes of the comprehensive plan, encompasses all land that has not been developed. This includes land that is farmed or is an integral part of a farm operation, forestal land in large wooded tracts, lakes and ponds, streams and rivers, and some large unused tracts of land. Agricultural/forestral land in the county comprised approximately 86.4% of the land in 1989, a decrease of approximately 10.1% since 1972. The second highest percentage of land use in the county is residential, at 7.2% of the total. This represents an increase of 5.6% since 1972. The remainder of the land in the county is classified

as commercial, industrial, public/transportation, recreation, or institutional/assembly in use.

Brandy Station/Elkwood

The current zoning map for Culpeper County shows mixed uses for the Brandy Station/Elkwood area. Around the village of Brandy Station, zoning is for primarily residential uses. There is some R-2 (primarily single-family dwellings, zero-lot-line and duplex housing permitted -- minimum lot size 25,000 square feet) and R-1 (single-family dwellings only -- minimum lot size 40,000 square feet), with a few commercial and M-1 (light industrial) parcels as well. Elkwood is similarly zoned, with primarily R-1 and R-2 designations and a few commercial parcels. South of Route 29, between Brandy Station and Elkwood, is found A-2 (agricultural transition - - minimum lot size 3 acres) zoning. The rest of the study area south of Route 29 is zoned A-1 (agricultural use -- minimum lot size 5 acres, dwellings limited to well and septic).

North of Route 29, the Sammis property is zoned partially M-1, partially A-2. In this area are open-space and historic easements which were proffered at the time of the Sammis rezoning. These easements encompass approximately 248 acres. In addition, approximately 400 acres of the Sammis property are subject to easements limiting the height of new construction to 33 feet. The airpark/industrial park, adjacent to the county airport, is zoned M-2 (heavy industrial). The remainder of the study area north of Route 29, including the airport, is zoned A-1.

Stevensburg

Surrounding the village of Stevensburg is an area of primarily R-1 zoning, a few parcels of R-2 zoning, and a parcel of M-1 zoning. The remainder of the study area is zoned A-1.

Kelly's Ford

Current zoning in the area of Kelly's Ford is exclusively A-1.

Goals and Objectives in the Culpeper Comprehensive Plan

The comprehensive plan includes a section describing the county's goals and objectives for future growth and development. These goals and objectives encompass the economy, the environment, agriculture, public services and facilities, education, housing, transportation, historic preservation, and land use/development.

Throughout this section of the plan, there is emphasis on balance. For example, among the county's economic goals is the encouragement of new development, with an emphasis on industrial prospects. Industry, however, is to be compatible with community needs and desires, and clustered in particular geographical areas to allow the county to meet its environmental and agricultural goals and its objective of maintaining the rural character of the county. Growth of residential and commercial facilities is to be promoted, but directed toward designated areas, not only to allow the county to provide public utilities and services, but also so that agricultural and

forestal land uses may be protected and buffered, pressure on environmentally sensitive lands may be relieved, and open space and the rural nature of the county may be preserved.

The County's goal for historic preservation is to "identify, preserve, and protect significant historic characteristics and features of Culpeper County." This goal is to be accomplished through eight objectives, which include identifying resources, encouraging private preservation and rehabilitation, and supporting the nominations of historic resources to the Virginia and national registers "as is reasonable and in keeping with the goals and objectives of this Comprehensive Plan, in its entirety." Although it acknowledges the existence of the Brandy Station battlefield, the comprehensive plan does not envision the wholesale preservation of the battlefield.

Treatment of Historic Resources in the Culpeper Plan

In addition to the historic preservation goal included in the Goals and Objectives section of the comprehensive plan and discussed above, the comprehensive plan includes a section describing the history of Culpeper County and noting the existence of historic resources in the county. It acknowledges that a complete inventory of historic sites and structures does not presently exist, and identifies creation of such an inventory as one of its objectives. The inventory, the plan asserts, will be useful in future land use decisions. Compilation of such an inventory is now underway. Until the inventory is completed, historic considerations will be taken into account on a case-by-case basis. Despite the lack of a complete inventory, however, the plan does deal specifically with the Brandy Station battlefield. It identifies Fleetwood Hill, Beverley's Ford, Kelly's Ford, the Green House, Saint James Church, and the Cunningham House as "historic preservation areas" which are to be protected as part of the overall development of Brandy Station/Elkwood. This protection will take the form of designation on the Future Land Use Map as open space, which will be restricted from future development. It should be noted that these areas correspond to some of the proffers which were made in connection with the Sammis rezoning.

In addition to these specific preservation areas, the plan indicates that some consideration of the larger battlefield area's historic significance may be appropriate in land use decisions. Industrial development in Elkwood is expected to be low density not only because of soil conditions and access limitations, but also because of historical considerations. In addition, the plan states that "special siting of facilities will be required to avoid compromising area historic resources."

The plan makes several references to the National Park Service's eligibility determination which reflect the county's interpretation of the determination's effect. The plan asserts that the designation triggers 106 review, and declares that "it is unclear at this time what effect, if any, this designation will have on the future development of the Brandy Station/Elkwood Village Center." (In September, 1992, the eligibility determination was withdrawn). The plan also discusses the county's plans to improve the airpark, stating that "improvements to the Culpeper County Industrial Airpark are influenced by the current economic slowdown and the pending historic designation."

Culpeper's Future Land Use Plan

In the section of the comprehensive plan designated as the Future Land Use Plan, the county sets forth its vision of how the goals and objectives it has identified can be accomplished through land use classifications. Areas which have been identified for future development are classified as either Village Centers or Convenience Centers. A third classification, Cultural Centers, identifies historic communities within the county which are not targeted for significant development.

Village Centers represent the primary targets for future development in Culpeper County. The comprehensive plan states that in the future, nearly half of the county's population is expected to be in or near these centers. As envisioned, each Village Center will be the location for commercial and office facilities which are intended to serve both local residents and county-wide needs. In addition, each Village Center will be afforded a range of residential uses with densities decreasing concentrically from a central core. Buffering the residential uses from surrounding agricultural uses will be transition areas which are expected to be developed at low densities and to include mixed uses. In addition to its role as a general focus for residential and commercial development, each Village Center has its own unique characteristics and development factors, and thus will serve a specific function in the county.

Convenience Centers are intended to provide opportunities for limited services to local residents, concentrated at crossroads. Five convenience centers are identified in the comprehensive plan, each presently consisting of a general store and surrounding residential development. Several also include other features such as post offices, churches, or additional commercial facilities. Growth, both residential and commercial, is expected in the Convenience Centers.

Cultural Center designations identify areas with historical significance that may presently contain such features as churches, post offices, community centers, or some commercial development. Cultural Centers are not targeted for growth, but are intended to remain essentially as they are, with commercial services being provided by presently existing country stores.

Brandy Station/Elkwood

Brandy Station and Elkwood are two existing communities which have been combined in the comprehensive plan to serve as a single Village Center. Brandy Station/Elkwood is envisioned as a major employment center eventually serving 10,000 employees. The two communities are separated by an open space buffer consisting of Fleetwood Hill north of Route 29 and the floodplain areas of Flat Run south of Route 29. Factors which the comprehensive plan identifies as significant to the development of Brandy Station/Elkwood as a Village Center include its proximity to Route 29, access to northern Virginia, the airport and airpark infrastructure, the rail line, and existing community development. Environmental (soil and groundwater) restrictions are a factor in this area, and will necessitate central sewer and water services to accommodate growth.

The historic community of Brandy Station, located south of Route 29, is expected to act as the focus of residential and related activities such as retail and personal services. Population at Brandy Station by the year 2010 is anticipated at 3,000, which is expected to be equaled by the population of only one other Village Center, Clevenger's Corner.

The Elkwood area is intended to be the focus of county commerce, related business services, and industrial development. Growth here is expected to take advantage of existing county infrastructure at the airport and adjacent industrial airpark. The county also envisions a proposed Foreign Trade Zone in this area as a way to attract commercial and industrial development. Elkwood is one of only three areas in the county targeted for industrial development. Industrial uses, according to the comprehensive plan, are generally not compatible with residential uses, and require access, utilities, and proper development factors to exist. Consequently, industrial development, a prominent factor in the county's economic goals, is expected to take place only in parts of the county which have been reserved for employment centers pursuant to the comprehensive plan. The plan notes, however, that the existence of historic resources in the vicinity of Elkwood suggests a fairly low density of industrial development and will necessitate care in the siting of new construction. The other parts of the county which have been designated for industrial development are two areas adjacent to the town of Culpeper and a small area (less than 100 acres) in the Clevenger's Corner Village Center.

Stevensburg

Stevensburg is also classified in the comprehensive plan as a Village Center. The plan states that the population of Stevensburg could reach 1,500 to 2,000 by the year 2010, subject to the availability of utilities. The Future Land Use map indicates a core of medium-density, surrounded by low-density, residential development around the village itself. Commercial services in Stevensburg are expected to be basically limited to community-based retail and personal services. The northwestern section of the Stevensburg sector of the battlefield appears on the Future Land Use map as a transitional area between residential and agricultural. The northeastern section of the study area is designated on the Future Land Use map as agricultural, although the comprehensive plan states that without sewer and water services, this is likely to be the only section developable. The comprehensive plan identifies Salubria and the site of an encampment on Hansborough Ridge as significant historic resources in this area.

Kelly's Ford

The entire Kelly's Ford study area appears on the Future Land Use map as agricultural. It has not been identified as a Village Center, a Convenience Center, or a Cultural Center.

Fauquier County Land Use: An Overview

A portion of the Brandy Station study area is located in Fauquier County. The section lies along the Rappahannock River, primarily to the west and northwest of the town of Remington, with a small portion to the south-southwest of the town.

The part of Fauquier County adjacent to the incorporated town of Remington is identified in the comprehensive plan as a Service District, and is expected to grow. In a small area to the south-southwest of the town, between Route 29 and the town limits, the comprehensive plan indicates medium and high density residential development. The majority of the designated battlefield in Fauquier County, however, is located to the northwest of the town, outside of the Service District, and is designated as a Rural Agricultural area containing prime agricultural lands. It is expected to remain in agricultural use.

Current Land Use and Zoning in Fauquier

Since 1970, residential land use in Fauquier County has increased, largely in the form of single family dwellings, both rural and suburban in nature. Agriculture presently occupies about 58% of the land in the county, and according to the comprehensive plan, dominates the landscape. Commercial activity has been either community or highway oriented, and no regional commercial facilities are located in the county. Industrial development in the county is not increasing at a great rate, and the comprehensive plan indicates that adequate land has already been zoned and planned for industrial use.

The portion of the study area which is immediately adjacent to the town of Remington is zoned for residential use. There is a pocket of R-1 (single-family dwellings only -- minimum lot size 40,000 square feet), and several parcels of R-4 and TH zoning (high density, including townhouse development). The remainder of the study area is zoned R-A (agricultural use -- minimum lot size 5 acres).

Goals and Policies in the Fauquier Plan

The goals expressed in the comprehensive plan include sustaining and enhancing the quality of life of the county's residents, protecting open space, rural, environmental, and agricultural resources, and channelling development into Designated Growth Areas. These goals are informed, according to the plan, by a realization by the county government and the residents of the need to retain the natural beauty of the county for public and private good while accommodating growth. Thus, the county's purpose is "not to oppose change per se, but to prevent the despoliation of the countryside brought about by unplanned, disorderly development."

Treatment of Historic Resources in the Fauquier Plan

The comprehensive plan shows, by general location and by tax map parcel number, all of the historic sites in the county which have been tentatively identified as having "national historical significance" and which appear in the inventory files of the Department of Historic Resources. The plan notes that the DHR inventory includes sites which, because of their low level of significance, do not warrant protection, but excludes some sites which meet the County's criteria for protection. The plan proposes that the county seek assistance from local historians and historical societies in generating a more complete list of historically significant sites in the county, which can be used to identify possible historic districts and rural historic areas. These districts and rural historic areas, the plan states, could then be incorporated into the development review process through the establishment of historic overlay districts, protected over time, and possibly enhanced to retain their historic significance.

Fauquier's Future Land Use Plan

To implement the goals which the comprehensive plan articulates, the county is divided into two fundamental land use categories: Designated Growth Areas, and Rural Areas. Designated Growth Areas are further divided into Service Districts, intended to accommodate the highest densities of development and to be served by central sewer and water; Villages, intended to include a mixture of residential and limited neighborhood commercial uses; and Settlements, intended to be generally rural residential clusters without any associated commercial or service areas. The Rural Area, which encompasses the majority of the county's land, is divided for purposes of zoning into the Agricultural area and the Conservation area. The area of the county adjacent to the incorporated town of Remington has been designated as the Remington Service District. The majority of the Remington Service District is located to the northeast of the town, outside of the Brandy Station study area. The relatively small portion of the study area which falls within the Remington Service District is located to the southwest of the town, between Route 29 and the town limits. This area has been designated for high density residential development adjacent to the highway and medium density residential development closer to the town. This development is dependent upon actual completion of a planned sewage facility expansion.

The remainder of the Brandy Station study area, located to the northwest of Remington, falls within the county's Rural Area. The area appears in the comprehensive plan as generally open and containing primarily prime agricultural soils. It is classified as part of the Agricultural Area. A goal of the comprehensive plan is the protection of the agricultural industry in Fauquier County, and to that end the plan recommends that the density of residential development in agricultural areas be restricted in order to: 1) minimize potential interface problems between residential and agricultural uses, 2) not overly impact the character of the agricultural areas, 3) minimize the loss of agricultural and forestal resources, and 4) minimize the additional costs of providing services. Additionally, the plan notes, a low residential density will discourage premature development in the agricultural areas and encourage development in the planned growth areas.

Summary Findings on Current and Future Land Use in the Study Area

1. At present, a large proportion of the Brandy Station study area, in both Culpeper and Fauquier Counties, is in agricultural/large lot residential use, except around the towns of Brandy Station, Elkwood, and Remington, where more intensive residential and some commercial uses are located.
2. That area of Culpeper County which is adjacent to the county airport, specifically the industrial airpark and portions of the Sammis property, is zoned for industrial use.
3. Brandy Station/Elkwood has been identified as a Village Center in the Culpeper County comprehensive plan, and targeted for major growth as a focus for residential and commercial growth and industrial development. County planning officials and local residents expect rezonings to occur to allow for this development to take place.
4. The majority of the Brandy Station study area located in Fauquier County is classified in the Fauquier County comprehensive plan as a Rural Agricultural area, and is expected to retain its current agricultural aspect.
5. The area of Fauquier County adjacent to the town of Remington has been identified in the Fauquier County comprehensive plan as a Service District. The majority of the Remington Service District lies outside the Brandy Station study area, but the section of the study area located to the southwest of the town, between the town limits and Route 29, is targeted for medium and high density residential growth.
6. The Stevensburg study area is in primarily agricultural/large lot residential use, except around the town of Stevensburg, where more intensive residential zoning is in place.
7. Stevensburg has been identified as a Village Center in the Culpeper County comprehensive plan, and targeted for moderate growth, primarily residential and community-based commercial in nature.
8. The Kelly's Ford study area is zoned exclusively for agricultural/large lot residential use.
9. The Kelly's Ford study area has not been targeted for growth under the Culpeper County comprehensive plan, and is expected to retain its current agricultural/large lot residential use.
10. The comprehensive plans of both Culpeper and Fauquier Counties are broad in scope and general in nature. They identify areas of the counties where development is planned and advocate the type of development which is desirable, but are not intended to indicate how that development will occur. Consequently, the physical characteristics of new construction and the effect which development will have on the character and integrity of the study area, cannot be determined from the comprehensive plans alone.

FUTURE DEVELOPMENT, TRANSPORTATION AND THE SECTION 106 PROCESS

The Department consulted with Culpeper and Fauquier counties and with property owners regarding the likelihood that expected development and related transportation improvements within the designated battlefield will require federal funding, a federal permit or license or some other federal assistance or involvement. Such activities are subject to what is known as the "Section 106 Process." The Department also consulted with the Virginia Department of Transportation regarding its ability to meet current and future transportation needs within the study area.

Description of proposed development with likely federal involvement

Consultation with the Counties indicated that the following expected development activities are likely to require federal assistance, sponsorship, licensure or permits within the designated battlefield:

Foreign Trade Zone (FTZ) at the Airpark, Elkwood Downs

Culpeper County and the County Chamber of Commerce are currently seeking designation of the Airport Industrial Park as a Foreign Trade Zone by the U.S. Department of Commerce. This effort is consistent with the comprehensive plan. The area proposed for the designation is 75% built up and lies entirely within the existing Airpark. The Advisory Council on Historic Preservation and the Department of Commerce have not agreed on whether a proposed designation of a Foreign Trade Zone (FTZ) at the Airpark, Elkwood Downs constitutes an undertaking subject to Section 106 review. The Department of Commerce has indicated that it will not consider proposals for FTZ designations in areas of controversy. The Department of Historic Resources is seeking clarification from Commerce on its position in this matter.

Economic Development Programs and Housing and Urban Development Programs

Projects at Brandy Station and Stevensburg related to federal economic development programs and the Housing and Urban Development CDBG Program will be subject to 106 reviews. Recent surveys conducted by the Department and Culpeper County which have identified all buildings and structures within the designated area that are potentially significant will expedite reviews for such projects. Projects related to both of these programs, including efforts to build or reclaim existing housing stock for affordable housing, could entail undertakings that will require review by the SHPO. Projects can range from funding for administrative costs to the renovation of buildings. Residents in the Brandy Station and Stevensburg target areas can benefit from this federal program, particularly if funds are used for upgrading substandard housing, water and sanitary facilities. Further public benefit may be derived by dedicating funds to the improvement or installation of new water and sewer systems to develop the infrastructure necessary in making new office and light industrial parks an attractive option for businesses to locate in the County. The 106 review process, while it will ensure that historic resources are considered in the planning for these undertakings, will not prevent community enjoyment of these public benefits.

U. S. Army Corps of Engineers Permits

The broad range of development that is expected by Culpeper County, including establishment of a waste collection center at Brandy Station, will likely necessitate federal permits through the U. S. Army Corps of Engineers. Sound information on the presence or absence of significant archaeological sites within any project areas will expedite the process of review for Corps' permits. The Department's role in the review of permit applications would be consultative and advisory only, and will not stop such projects from going forward.

Postal Facilities at Brandy Station and Elkwood Downs

Proposed new postal service facilities within the designated area at Brandy Station and Elkwood could involve construction of a new building or the rehabilitation of an existing structure to meet the requirements of the Postal Service and the community. Recent surveys conducted by the Department and Culpeper County which have identified all buildings and structures within the designated area that are potentially significant will expedite reviews for such projects. The Department's role in the review would be consultative and advisory only.

Recreational Improvements at Kelly's Ford

Proposed recreational improvements at Kelly's Ford and other sites in Culpeper County will likely not be subject to the 106 review process but will be subject to a state coordinated review process administered by the new Department of Environmental Quality. The role of the Department of Historic Resources in such reviews is consultative and advisory only.

Transportation-Related Undertakings

The Comprehensive Plans for Culpeper and Fauquier address transportation issues in general terms, with primary focus on road networks. Alternatives to vehicular transportation are somewhat limited in both counties due to their rural character. Whether focused upon rail, air or road transport, the concerns of the counties regarding development options are similar. Both counties are experiencing residential and commercial growth. Culpeper is actively seeking industrial expansion. Growth will require that there be adequate access to development centers. Options to meet this need include expansion or enhancement of existing transportation networks, use of local regulatory powers to accommodate new transportation options or some combination of these two options to develop an integrated transportation system for the next century.

Federal involvement in these transportation plans will depend on the proposed transportation mode. The Federal Aviation Administration (FAA) will be the sponsoring federal agency for airport development. The Federal Transit Authority (FTA) will be involved in any rail projects. The Federal Highway Administration (FHWA) will deal with highway projects. The federal agencies generally work through state transportation planners in planning, funding and implementing transportation-related undertakings in Virginia.

While consultation with VDOT is continuing, it is important to emphasize that the Department has worked successfully with VDOT in the past in other historic areas to ensure that needed transportation improvements are carried out in ways that minimize damage to historic resources. VDOT and DHR have found successful mitigation strategies for a wide range of transportation projects in historic areas or projects affecting historic resources. There are also many examples of projects in which historic properties have been destroyed because transportation needs could not be met without the loss of a historic resource. The Department does not have veto authority over VDOT. The Department's role in reviewing VDOT projects is consultative and advisory.

For state-funded transportation projects carried out by VDOT and reviewed by DHR, the established consultative role for DHR and the criteria used in incorporating historic resources into the fabric of state transportation planning are set forth in a Memorandum of Understanding between the two Departments. The process is generally consistent with that followed by the two agencies in the federal 106 review process, except that the federal Advisory Council is not afforded an opportunity to comment.

Culpeper Airport and Related Airport Development

Culpeper County regards the livelihood of the Culpeper Airport as an essential part of the community's future. The proposed Culpeper Airport and related airport development which are foreseen in the comprehensive plan are likely to be subject to the 106 consultation process through the Federal Aviation Administration. Buildings within this area are considered non-contributing and can be modified without an effect on the battlefield. While airport expansion may result in the destruction of yet to be identified archaeological sites, sensitive placement and design of needed airport facilities could avoid adverse effects to the significant historic features of the battlefield. The Department's role in the review would be consultative and advisory only.

Industrial Access Roads

Because proposed industrial access roads may be subject to the 106 review process, review of the larger development proposal to which these improvements are linked will expedite the review process and minimize the potential for delays. The Department's role in the review would be consultative and advisory only. VDOT has already consulted with the County on the access roads which are expected to be needed.

New State Secondary Roads

The Department's review of new state secondary roads will be coordinated through the Virginia Department of Transportation (VDOT) irrespective of funding sources (federal/state). Both Culpeper County and VDOT district engineers anticipate that local roads, some substandard, will need to be improved to meet future transportation needs. Both VDOT and the Counties anticipate that local traffic improvements will respond to growth. Roads developed privately and then turned over to VDOT for inclusion in the state system are subject to no review by the Department of Historic Resources.

Route 29 Corridor, Rail Spur Access Funding, and Commuter Rail Development

Proposed improvements to the Route 29 corridor now under study by VDOT pursuant to a federal mandate will eventually be subject to either federal or state review processes. Culpeper County is concerned that the inclusion of major transportation routes such as Route 29 and the railroad line in a designated battlefield may prevent or delay needed transportation improvements in the future. Both Culpeper County and VDOT believe that planning for the study area must include flexibility to meet demand of interstate traffic along the Route 29 corridor.

The railroad will likely need to be upgraded, and continued designation of the railroad is seen as possibly restricting the ability to make needed improvements. Without knowing the future of rail/commuter traffic, the community seeks to maximize flexibility in responding to opportunities for improved rail transportation in the future. The County of Culpeper thus expects to seek federal funding for rail spur access and commuter rail development. Both VDOT and the Counties anticipate that growth will continue within the Route 29 corridor.

Among the issues under study by VDOT's Route 29 Corridor Study group are avoidance of strip development, the possibility of acquiring access rights and compensating landowners in order to create "access portals," expanded rail service, and projected infrastructure needs in the proposed industrial development area and airpark at Elkwood Downs. Using information provided by Culpeper and other counties, VDOT's analysis of transportation needs will be based on projected traffic increases and projected changes in the types of vehicles that will be using the transportation network. The more detailed the information both on where development will or will not take place and on the types, scale and intensity of development that is expected to occur within the study area, the more accurate will be VDOT's projections of future transportation needs for VDOT's planning. The comprehensive study of this segment of the Route 29 corridor is expected to take eighteen months to complete in draft form. At present the projected "build" dates for Route 29 corridor improvements are between 2003 and 2020.

Bridge and Approach Work on Route 620 Crossing of the Rappahannock River.

The Culpeper County six-year plan indicates proposed bridge and approach work on the Route 620 crossing of the Rappahannock River. A 1987 DHR/VDOT assessment of the Horsehead metal truss bridge resulted in the finding that the bridge meets the criteria for listing on the National Register of Historic Places. The Department is currently working with VDOT to develop an agreement whereby such bridges will be effectively considered for retention.

Summary Findings: Development, Transportation and the 106 Process

Misunderstandings About the 106 Process and the Department's Role Within It

The Department's consultation with the Counties and property owners found that both the 106 Review process and the Department's role within it are not generally understood. It is important to emphasize that federal law requires that every proposed federal undertaking with the potential to affect the historic resource is reviewed to determine whether such effect exists and, if so, whether that effect is adverse. It is also not generally recognized that reviews under Section 106 of the National Historic Preservation Act will take place whenever and wherever any federal undertaking is proposed, whether or not the project proposed is within a historic district. In other words, the 106 review process is triggered by the proposal of a federal undertaking, not by the known existence of a historic landmark.

The role of the federal agency in the review process is similarly misunderstood. Throughout the process, the goals of the sponsoring federal agency drive the review. The process does not drive land-use decision making. Most important, the process is designed to encourage discussion of alternatives and compromise, not to stop projects. The Department's role in the process is consultative and advisory.

These misunderstandings have been compounded by several recent experiences of property owners and Culpeper County with the 106 review process. In early 1991, the National Park Service determined that the Brandy Station Battlefield was eligible for listing in the National Register. This determination caused a great deal of concern among property owners and elected officials in Culpeper County since the community had granted a rezoning for a large development proposal for the site, and it was anticipated that the development would involve one or more federally-assisted undertakings in the future. In the midst of this concern, Thomas Hayden, then Assistant Secretary of the Interior, emphasized that the decisionmaking authority in the 106 process remains with the federal project sponsor. Writing on December 5, 1991 concerning the Brandy Station Battlefield's eligibility for the National Register, Hayden said:

Substantial misunderstandings have arisen concerning the effect of this action. It has been represented, for example, that Federal Aviation Administration (FAA) officials have stated that because of Register eligibility airport fueling facilities cannot be upgraded and a fence cannot be constructed to prevent collisions between deer and aircraft. . . . I am confident that FAA understands that National Register eligibility does not invoke such restrictions. . . . Federal agencies are required to take into account the effects of their undertakings upon historic properties, but National Register eligibility does not change the fact that decisions are - and should be - based upon each agency's internal guidelines.

In September, 1992, in response to objections to the way in which the site was determined eligible, the eligibility finding was withdrawn. However, the issue is not resolved. While concerns about the effect of designation and the perceived adverse effects of the Section 106

process will most likely prevent the registration of any resource-based designation for the foreseeable future, the removal of the Virginia landmark designation on the battlefield by owner objection will not eliminate or alter the workings of the Section 106 process. The Department recently heard complaints again that the designation of the Brandy Station Battlefield subjected the County and citizens to a review process that would not otherwise apply. The Department also heard from some property owners that removal of the designation would lift the requirement for federal undertakings in the area to be subject to the 106 review process. The fact is that the 106 process will occur whether or not the resource has already been recognized. Federal law requires that federal agencies consider all resources that may be affected by a federal undertaking, including archaeological resources. The cultural history of the Commonwealth spans at least 12 thousand years. There is a high probability that archaeological resources, representing all periods of prehistory, will be present in proposed project areas. Historic archaeological sites dating from as early as the first half of the seventeenth century could also be present. Ironically, the prior survey and recognition of the resource relieves the grant and license applicants of responsibility -- including the financial responsibility -- for field survey work at the time of their applications and may indeed reduce the time necessary for review of the proposed project. For that reason, recent surveys conducted by the Department and Culpeper County will no doubt serve to expedite 106 reviews for many of the anticipated projects.

The Need to Differentiate Zones for Development within the Battlefield

While the Advisory Council on Historic Preservation recognizes that new methods are needed to apply 106 review requirements to very large historic districts, such methods have yet to be implemented at the national level. Creative approaches will be needed to deal with issues such as preserving vistas or incorporating new construction within a battlefield. There is a compelling need to differentiate zones within the designated area that require different types of treatment. Guidance is also needed on what types of development within each zone would likely be most sensitive to resources within those respective zones and to resources in adjacent zones.

Recommended Development Guidelines for the Core of the Battlefield

In the absence of further guidance from either the Advisory Council on Historic Preservation or from the National Park Service, the Department recommends the following guidelines for development within the core of the Brandy Station Battlefield. Early consideration of these guidelines in planning will help ensure that expected development within the designated battlefield will respect the historic values which make that battlefield significant and give it integrity:

Zone I (Four engagement areas identified by the National Park Service):

No new construction.

Retain the features of existing roads.

Preserve the outline and massing of the 1863 woodlots and all historic sites and structures within these four areas.

Zone II (Area identified by the National Park Service as the Core of the Battlefield):

New construction should be sited out of visually sensitive locations and screened by the configuration of the 1863 woodlots.

Preserve and buffer all historic sites.

Retain existing rights of way.

Whenever feasible, development that must take place within this zone should be sited east of 676 and south of 677, and clustered around the airfield and industrial park, north of Route 29.

Zone III (Area of Brandy Station Sector that is outside the Core but within the boundary of the currently designated area):

New construction should minimize any contrast with adjacent contributing battlefield structures and setting in terms of height, materials, colors and location.

Existing woodlot should be retained for screening new construction.

Retain the general existing physical character of the area.

The Department is willing to enter into a cooperative agreement with Culpeper County, the Virginia Department of Transportation, the Advisory Council on Historic Preservation, the Department of Commerce and other interested parties regarding 106 reviews, based on these guidelines. The guidelines are spelled out in greater detail in **Appendix A**.

THE VIEWS OF PROPERTY OWNERS

Written Comments

As stated previously, Department Director Hugh Miller in the fall of 1992 wrote to every property owner within the designated Battlefield area, inviting their participation in the Department's study. Miller encouraged property owners to provide the Department with any information thought to be pertinent to the Department in preparing its report. Among the questions which the Department directed to property owners were the following:

Are you aware of any development proposal within the designated battlefield consistent with the County's comprehensive plan that may not be known to the County? If so, will the proposal require a change in existing zoning? Do you have information that any such proposal may by necessity or choice be dependent on federal funding or licensure?

The Department sent the November 30, 1992 letter to over 300 citizens in Culpeper and Fauquier County who own property within the designated battlefield. In response to that invitation, the Department received 22 letters of comment, 20 from property owners and two from interested parties writing on behalf of property owners in the designated district. In response to this particular query, 12 of the letters received by the Department included substantial comments on potential development at Brandy Station. Commentators were generally unaware of any development proposal with which Culpeper County was not involved. No Fauquier property owner presented substantial information regarding development proposals in Fauquier.

Among the issues affecting development at Brandy Station, property owners concurred in the views of Culpeper County that the following were dynamic factors for change and development within the battlefield:

Future Culpeper County Airport expansion

A number of major property owners have long-term plans to include their property in the Airpark's expansion. One comment lamented the County's earlier decision to place the airport originally on the segment of the battlefield that constituted the assault approach of Colonel Thomas Devin's 1st Cavalry Division (Union) onslaught against Brig. General Wade Hampton's Brigade, and Hampton's succeeding counterattack. There is concern by advocates of preservation that extension of airport activity west of Route 677 would adversely affect the historic resource and compound the difficulties of a preceding decision to build the airport on the battlefield.

The proposed village center concept for Brandy Station and Elkwood

The village center approach to clustering industrial zoning in core areas

encourages future development in the area of Brandy Station as consistent with the county's comprehensive plan, including the southern crest of Fleetwood Hill, where Gregg's attack began and where Hampton's final assault in clearing Fleetwood Hill culminated in the ferocious battle just north of Brandy.

Development within the Route 29 and Norfolk Southern Railroad Corridor

Comment letters revealed strong indications that development in proximity to the airport, Route 29 and the railroad would require federal 106 reviews and require, in most cases, a change in zoning from agricultural to industrial.

Focus Group Meetings

The Department also sought the views of property owners through three separately scheduled Citizen Participation Focus Groups. These focus group meetings took place on February 23, March 4, and March 6, 1993 (a fourth session scheduled for February 27 was canceled due to snow). The Department invited 85 property owners to participate in one of the sessions. Citizens participating in each of the three sessions numbered 16, 10, and 13, respectively.

At the outset of each focus group meeting, participants were asked to describe "the issues/challenges/opportunities related to the present and future use and value of Brandy Station." The collective response of participants to this exercise is most pertinent to an examination of current conditions of a non-historical nature affecting the current and future use and value of the Brandy Station Battlefield:

Designation as a Preservation Tool

The Department encountered two major opposing concerns related to the designation issue: either that smaller areas might be designated with larger areas left undesignated, or that the study area designation might not be removed when priority sites and areas are identified.

Some focus group participants recognized that saving Brandy Station Battlefield is a more complex task than drawing lines on a map showing where a battle occurred. Some participants thought that designation by itself does not accomplish preservation, and in some circumstances may impede preservation efforts.

Landowners resented the implication of some that they are all greedy and development-oriented. Many feel they have been preserving the battlefield for many years. There is already a plan which sets aside specific parcels for preservation, and sets aside trees, yet many people do not recognize these community benefits. These proffers came from a developer and without input from the Brandy Station Foundation, although the developer says that input was requested.

The benefits of designation did not figure largely in the focus group discussions. There was some recognition that designation might prevent use of public funds to destroy important areas

of the battlefield. Another observation was that it could lead to the preservation of needed green space for the growing Northern Virginia metropolitan area.

The desired objective of a number of participants was a result that removed "clouds of uncertainty" over areas not determined to be of historical significance.

Some participants thought that Culpeper County, not the state, should take the lead in determining what should be designated.

The Scope of the Designation

The Department encountered major concern about the necessity of designating such a large study area. The Department heard again that not everyone accepts the boundaries of the study area as historically significant.

Some participants thought designation should focus on the engagement areas only, and that areas of other activities--staging areas, encampment areas, the Air Park and Industrial Park--should not be included in the designation.

A number of participants advised against including the Kelly's Ford and Stevensburg components of the study area, as well as the Fauquier lands associated with the staging and crossing of Union troops on the morning of the battle. Landowners also questioned why land they owned was included in the study area.

The Effect of Designation

The Department found that there is fear, misunderstanding, confusion and frustration on the part of the property owners regarding the current designation.

Property owners expressed concern that there has been misunderstanding and misinformation regarding the effects of state designation. They recognized a need to clarify what restrictions accompany designation.

As evidence for this concern, participants pointed to what they regarded as adverse effects of the Board's previous designation of the battlefield study area: the loss of the County's earlier bid for a Foreign Trade Zone, delays in gaining approval for erection of an airport fence, and recent recommendations for archaeological surveys in advance of a project seeking federal funds or permits.

For a number of participants, there was no question that designation affects property values adversely. The belief was widespread that designation has a major negative effect on land values and marketability of land, notwithstanding the difficulty in determining the degree to which these variables are related to designation or larger market forces.

Property owners are concerned about how long land owners' properties are "tied up" by the questions of preservation and designation. Property owners wish to move forward with their own plans for their land.

Property owners and the County are believed to have suffered loss of both property sales and economic development from designation.

Property owners fear that restrictions will follow designation. These ranged from restrictions on the value, marketability and sale of private land, restrictions from the County's zoning and comprehensive plan, and imposition of County regulations requiring design review of development proposals to restrictions on the County's ability to make local land-use decisions, prohibitions on home-building, restrictions on future use of the railroad corridor, possible delays in obtaining federal permits, future taking of property by the Federal Government, and possible future restrictions or impacts that cannot be foreseen. There is a general concern that preservation may stop development and reduce both the selling price of land and the number of potential buyers.

It is believed by many that "history" has been served through the proffers on 248 acres and Culpeper County has contributed to the preservation of the battlefield by accepting the proffers. Yet there is also frustration over the perception that legal procedures were followed in the 1990 rezoning, but that property owners were then "bulldozed" with designation and a lawsuit.

The difficulties of one developer with developing his land make landowners believe that their land is devalued for potential development. There is, however, some recognition that these difficulties are also related to magnitude of the proposed development, and uncertainty about its scale and extent. Any developer of land needs to know at the earliest stage of planning what is historic and why.

The Dollar Interests of Landowners

Property owners face pressure from rising taxes and rising land appraisals as agriculture becomes less economically viable. These economic pressures are the source of much of the current tension regarding preservation issues. Farmers are seeking alternative uses for their land.

Property taxes alone are not responsible for the lack of economic viability of farming. It results from inflation (cost of equipment, stock) and markets. Reduced tax through a local land use program is fair, but it will not solve the problem of the declining profitability of agricultural land. Local tax breaks or transfer of density rights would assist, but not solve the farmers' problem, for the problem comes from outside the locality.

From the property owner's standpoint, doing nothing with land is not a solution, even if the locality does not tax it - there is no return on it.

Farming is less profitable in Culpeper than in other parts of the state and nation due to the lack

of crops that can be processed economically in plants, lack of high volume yields, relative infertility of land and the probability of crop destruction in the floodplain. Under these conditions, dairy farming has become the most profitable agricultural use.

It was observed that in all of Culpeper County, only about 10 families make their living solely from agriculture. This fact says much about the feasibility of leaving land in agricultural use.

Under these circumstances, farmers have no choice but to consider alternative uses; yet, at the same time, the potential for sale is (or appears to be) decreasing.

There is growing concern about increased property taxes that may result from industrial and residential development.

Although property value is generally determined by the decisions of a willing buyer and willing seller, it is also affected by calculations about likely delays over permits. At the very least, decisions respecting land affect value in the perceptions of potential buyers.

Property owners think it is important to distinguish between preservation for public purposes, e.g. public acquisition, recreation—and restrictions which do not benefit the public.

Property owners are concerned about anything affecting their ability to sell land - yet many are willing to consider any serious purchase offer.

Preservation is not always deemed to be compatible with the landowner's preferred use of the property.

Why Development within the Designated Battlefield is Expected with Hope and Concern

Development of the designated battlefield is seen to be inevitable in light of metropolitan encroachment from nearby Washington, D.C.. It is also favored by soil conditions, the proximity of an Airport/Airpark, Route 29, the proximity of rail transportation, the presence of an aquifer refill area east of Fleetwood Hill, and the access which its various transportation advantages give to the nation's capital. An early VEPCO study is cited as finding the area to be the most probable for industrial development in the County.

Opportunities to develop are regarded as essential for the County to be able to create job opportunities and to keep the next generation in the area.

The area south of Route 29 is expected to develop and continued designation of this area is regarded by some as conflicting with future use needs.

Some are concerned that Culpeper County is becoming a bedroom community with insufficient tax base, hence the need for industry. On the other hand, some are concerned about residents' taxes rising in order to provide services related to new development.

While many property owners welcome development, some hope for cleaner development - development that is sensitive to the environment. Some people came to the area for its rural amenities, and don't wish to lose them.

It was observed that advocates for preservation are not necessarily anti-growth, but friends of controlled growth, who are concerned about the incompatibility of industrial development and farming.

The benefits of tourism appealed to a number of participants; however, others expressed some doubt that the battlefield has popular appeal as a tourist destination.

For development and preservation to go hand in glove, Counties need to assess historic sites well in advance of development.

Unanswered Questions

Focus group participants recognized that some anxieties about the future of the Brandy Station Battlefield are the fruit of unanswered questions:

How is land devalued by designation? There is a need for definition.
How do we define terms such as "Preservation" or "Condemnation?"

There was concern about the meaning of designation (will it mean a local board will dictate paint color?) Will it require a County ordinance? Property owners look to the implementation of county zoning and do not know the effects of landmark designation on zoning and the comprehensive plan. There was some awareness that development in other historic areas has gone smoothly, but there is a need to know more.

What are the benefits of designation? What will designation mean in the future?

What are the priorities for preserving Brandy Station relative to other Civil War areas?
How can we narrow the focus of preservation to major sites - such as Cedar Mountain, Brandy Station? Fleetwood Hill - needs definition as an area. Is it more than Sammis' land? Are there willing sellers on or near Fleetwood?

How is public land managed? If easements are sought, who will monitor the easements and who will pay for easement acquisition? If land is purchased, what method should be used to determine price? What entity will maintain land and police it (land set aside for preservation)? Who will be responsible for trash and public safety? Land needs to be managed merely in order to traverse it. This is not necessarily understood by newcomers to the area.

What will be the impact on the County tax base of a possible "buyout" of land for "preservation?" How much land would be involved? How will coming development affect

ground water quality and surface water?

There is a need to define "property values, " given that the term means different things to different people. Property value is dropping - is this due to historic designation or to general market forces? Who will pay for preservation and redevelopment? How can the community become more than a bedroom community without its own economic base?

Questions remain over the Elkwood Downs development: How much industry? The developer points out that less is planned than the comprehensive plan suggests. How much additional development--grocery stores, mass transit, etc? How much runoff and pollution? Where will it be? What will it look like? Could the development fund maintenance of significant sites/areas?

What will the Brandy Station area be like 20 years from now? What will it look like?

Given that the County has ultimate authority over land-use decisions - will decisions at this level change the character of the landmark battlefield?

Are growth and preservation compatible?

Possibility of Agreement and Consensus

Participants recognized that the question of Brandy Station Battlefield presents Culpeper County with a unique opportunity to combine historic preservation and development in a way that will serve as an economic stimulus for the community for many years:

It is believed that there may be room for all interests to accommodate both preservation and economic growth in the resolution of the preservation question. Participants see here an opportunity to mesh preservation and development so that they complement one another so as to stimulate tourism and economic development while preserving specific sites and areas.

Participants advised that the best place to start is with what everyone can agree on, basing any actions on the principle of fairness and on the significance of the resource.

The challenge for Culpeper County is how to ensure that all interested groups participate and collaborate in realizing this opportunity. Not only is it important that the issue be resolved; how the issue is resolved is important for Culpeper County, the Commonwealth of Virginia, and the nation.

PRIORITIES AND STRATEGIES FOR THE PRESERVATION OF THE BRANDY STATION BATTLEFIELD

BACKGROUND

Among the several questions presented to the Department for consideration in its study of the Brandy Station Battlefield were two related to the identification of priorities and options for the preservation of the Brandy Station Battlefield:

- 1) Are there any smaller areas within the designated Brandy Station Battlefield that should be high priority areas for preservation?
- 2) What strategies can be identified for accomplishing that preservation in a manner that is fair to current property owners?

The Department consulted closely with interested property owners and the interested local governments to identify smaller areas within the designated battlefield that should be high priority areas for preservation.

To identify what methods would be both effective in preserving these priority areas and fair to the current landowners, the Department also actively sought the views of the property owners themselves. The Department did so both by soliciting their written comments on the above questions and by engaging a number of property owners in interactive focus group meetings. The findings of the Department's consultation with property owners forms the substance of this section of this report.

FINDINGS OF THE NATIONAL PARK SERVICE MAPPING STUDY

A 1990 map analysis by the National Park Service of the Brandy Station Sector of the battlefield in Culpeper County identified a spectrum of categories of battlefield features comprising the battlefield site within the largest sector. Those categories include historic structures, military engagement areas, military positions and movement areas and an area south of Fleetwood Hill by which Gregg approached south Fleetwood Hill in precipitating a decisive turn of events in the battle. Together these four zones cover a total of 6,543 acres. These identified zones, and accompanying guidelines for preservation and development within the Brandy Station sector, are discussed in **Appendix A** of this report.

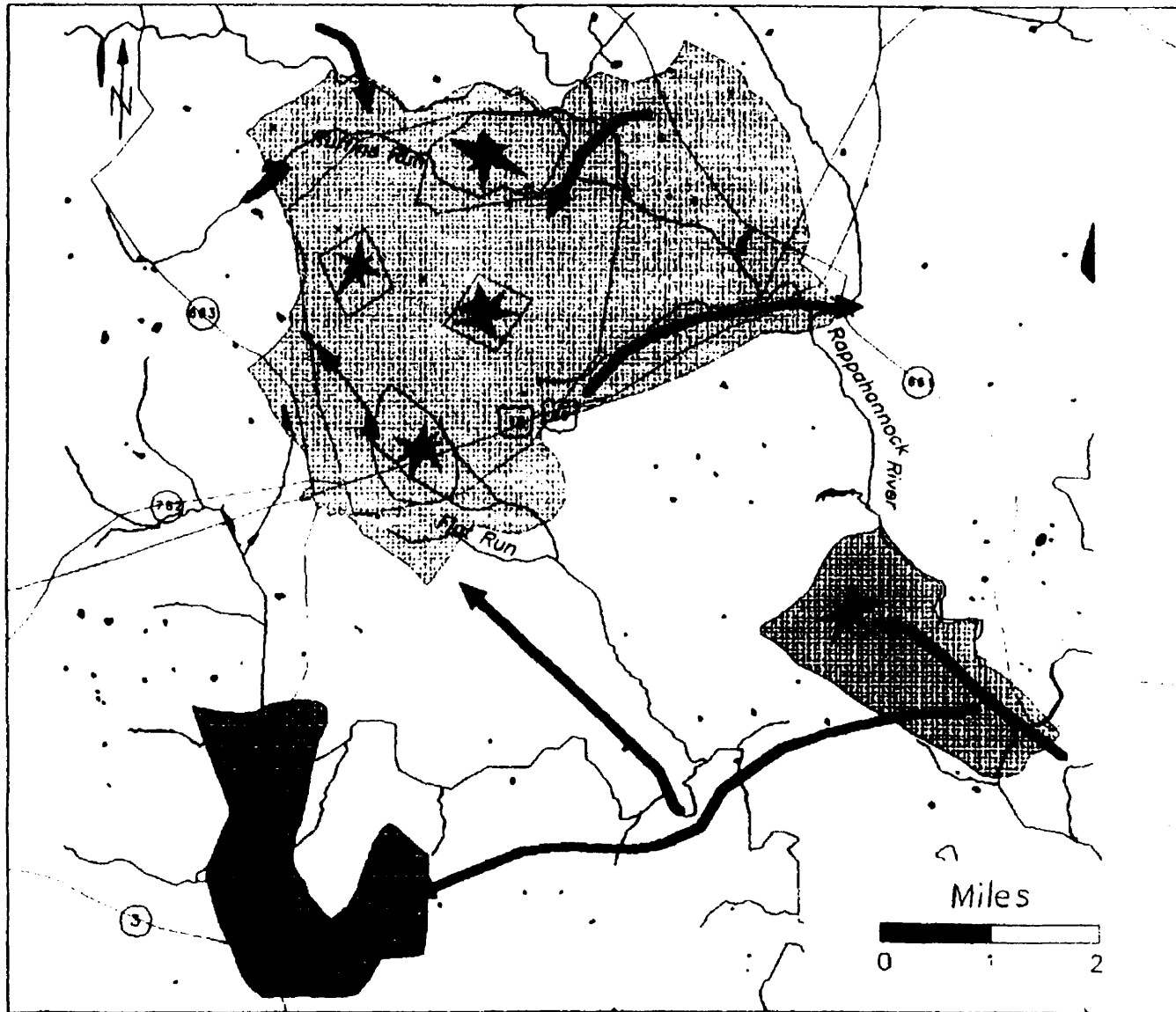
It is important to emphasize that the zones which NPS identified in 1990 were not intended to represent priorities of significance. If, however, maintaining the integrity of the battlefield as a whole is ultimately determined not to be feasible, then the Park Service recommends that protection efforts focus on retention of as "heterogeneous a mix of resource zones as possible." In other words, the Park Service believes it is unwise to focus narrowly on just structures or just engagement areas. Also recommended in the NPS mapping study as an important preservation objective is retention of a network of areas and connections between them to enable public

access to interpretation of the successive phases of the battle. In the judgment of the National Park Service, it is possible to incorporate development within historic landscapes without excessively disturbing the original setting.


One limitation of the NPS mapping study is that it considered only the area northeast of the village of Brandy Station. It did not address the relevance of the crossing at Kelly's Ford and fighting in Stevensburg. Nor did it address documented routes by which opposing troops approached the battlefield from north of the Hazel River and east of the Rappahannock River. The study also did not include a detailed field verification of its findings. However, that need has since been met by two comprehensive surveys of the study area recently conducted by Culpeper County and the Department of Historic Resources. Updated maps of the study area, core area, and major engagement areas of the Brandy Station Battlefield were recently prepared by the Interagency Resource Division of the National Park Service for the Civil War Trust.

Battle of Brandy Station, June 9, 1863

Study and Core Areas




Sections


 Brandy Station

 Core Area

 Kelly's Ford

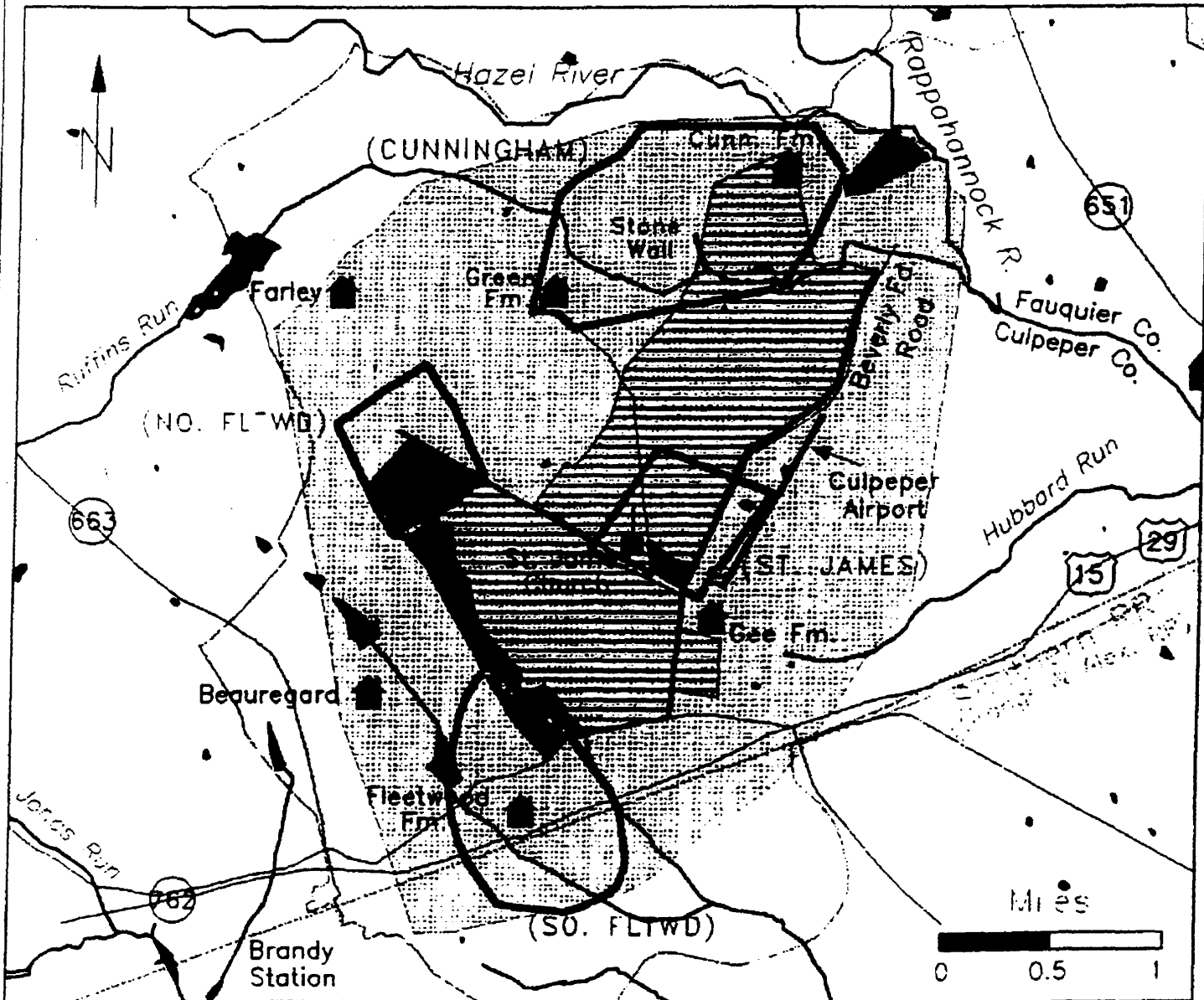
 Stevensburg

 C.S. Movements






 U.S. Movements

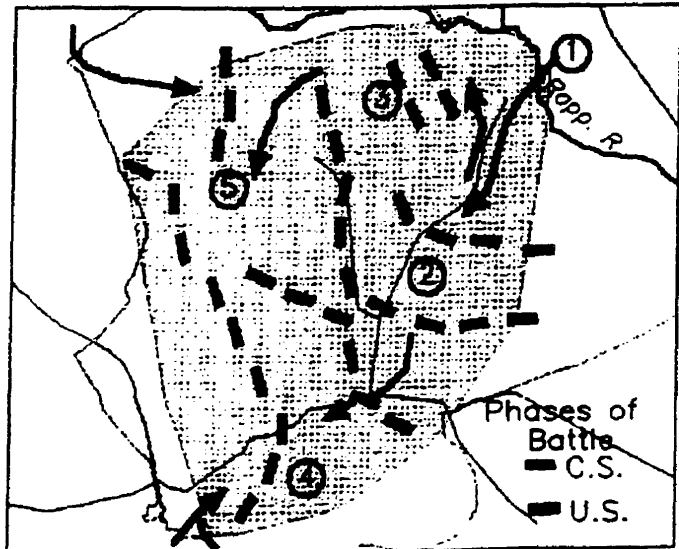
Prepared By:
National Park Service,
IRD, CRGIS Facility
1992

Core Area of the Battle of Brandy Station, June 9, 1863



Legend

-  Brandy Station Section
-  Core Area
-  Engagement Area
-  No-Build Proffer
-  Rezoned Industrial



Phases of Battle
 - C.S.
 - U.S.

ARE THERE SMALLER AREAS WITHIN THE BRANDY STATION BATTLEFIELD THAT SHOULD BE HIGH PRIORITY AREAS FOR PRESERVATION?

Written Comments of Property Owners

The Department solicited written comments on this question from over 300 owners of property within the designated battlefield. The Department received 12 letters affirming that there were smaller areas within the designated historic district that should be priority areas for preservation. Only one respondent thought there were no priority areas for preservation within the designated area.

The areas or sites that were recommended in comment letters as of high priority for preservation ranged, in descending order of magnitude:

"Civil War soldiers believed that the sites on a battlefield most crucial to preserve were those areas which sustained the heaviest fighting and casualties. Following that in conservation substance, areas of troop deployment and command activity are essential for interpretive and viewshed purposes, preserved in a contiguous setting, so that we might comprehend the true nature of the engagement as it unfolded, was later contested and then terminated:

Beverly's Ford Road, St. James Church and Gee House Site

Green and Cunningham Farms and Yew Ridge

Southern Fleetwood Hill

Northern Fleetwood Hill and Valley

Hansborough's Ridge, Stevensburg, and Mountain Run

Beverly's and Kelly's Ford environs, Fauquier and Culpeper banks."

"To start the dialogue these areas should be where significant action occurred and should include Kelly's Ford, Beverly's Ford, St. James Church, Fleetwood Hill, Hansborough Ridge, and Jonas Run (the farm including the 0.8 acre at the junction of SR 666 and 663 with its locust tree grove)."

"Four engagement areas as identified by the National Park Service, Department of the Interior should not be built on and must be connected for access and battlefield interpretation."(4 comments)

"The St. James property and the plateau across which the 6th Pennsylvania made its gallant charge into the cannons of artillery on the St. James church is of prime importance as well as three other engagement areas that complement the totality of the conflict."

"Four engagement areas outlined by the National Park Service."

"248 acres plus other trails and entrances offered by the largest landowner in the area."

"Fleetwood Hill is the most important area in the Brandy Station area."

Other comments stated that either the property owner was not in a position to point out specific areas, or that the property owner was confident that there were such areas, or that the property owner was not aware of any such areas. A number of comments of a general nature stressed the need to be realistic, to define such areas precisely, based on authentic historic significance, and to involve the landowners in these decisions.

The methods or strategies cited in the written comments of property owners which could accomplish that preservation in a manner that is fair to current property owners included:

1. Fee Simple Acquisition

"Land acquisition by private and public funds."

"The area designated should be secured either by owner agreement and donation, if possible, or through private foundation means. If this proves impossible, as a last resort federal funding should be sought....It must not fall on the shoulders of individual private landowners or negatively impact the owner's use of the land."

"Brandy Station Foundation should donate funds to purchase any land needed to celebrate the June 6, 1863, skirmish and any Brandy Station Foundation members who own property in the Fleetwood area should donate land and provide public easement/access so the public can take advantage of the "viewshed" of the prime engagement area."

2. Easements

"Solicit or buy easements from property owners."(4 comments)

3. Comprehensive Planning

"Delineating a method or strategy which accomplishes the preservation and which is fair to the owner and the County are matters of record. We refer, in this case, to the Lee Sammis Elkwood Downs zoning and the cooperative efforts put forth to identify, confirm and preserve specific areas of historic interest."

4. Proffers

"Accept the 248 acres plus other trails and entrances by the largest landowner in the area as adequate commemoration of the battle."

5. Policy

"To preserve the character of the land at and near significant action sites, the Virginia Department of Transportation needs to be prevented from making extensive road improvements, which are quite different from upkeep and maintenance, with written guarantees and prescribed penalties. Prohibitions that apply to VDOT also should apply to the Virginia Department of Corrections."

5. Tax Incentives

"Provide for land taxation at a rate equal or less than land reserved for forestry, encourage private preservation of the site with the appropriate incentives, citizens who undertake restoration of historic structures should be relieved from state taxes dollar for dollar."

6. Designation

"Completely study a particular area in detail from primary sources and adequately prove, beyond a reasonable doubt, that such an area is significant and worthy of a Virginia Landmark designation."

"Historic designation is very important so that public funds cannot be used to destroy our historic resources."

"There should be no 'priority areas' within the designation, only priority areas should be designated."

"Property owners should be given full consideration and compensation for any properties declared historical and worthy of preservation."

"The only legal and equitable manner in which any special designation of private property can be made would be through a fair disclosure of the impact of such designation on the rights of the affected property owners, and the purchase of any lost rights from those property owners through a fair negotiation process."

Citizen Focus Group Meetings

The Department also sought public participation in the identification of priority preservation areas and preservation strategies through three separately scheduled and conducted Citizen Participation Focus Groups.

Two key objectives of the Department's three focus group meetings were 1) to explore options and priorities for preservation within the Brandy Station study area and 2) to examine the nature and feasibility of public and private strategies for preserving specific sites and areas associated with the events of June 9, 1863.

A summary of what participants described as the non-historical issues to be kept in mind in addressing preservation priorities or preservation strategies for the Brandy Station Battlefield was presented in the preceding section. Those issues related to concerns over the meaning, effect and scope of the designation; expectations for development in the study area; the dollar interests of landowners; and a range of unanswered questions dealing with preservation and development of the battlefield.

That discussion struck hopeful notes on the challenge of combining preservation and development and on the possibility of agreement and compromise. It also broached the topics of possible preservation goals and of preliminary considerations of preservation methods that would be fair to current landowners.

Preservation Goals

While there were obvious differences on preservation strategy at the outset of the focus group discussions, some participants saw as a possible objective the preservation of the four major engagement areas of the Brandy Station battlefield, including their physical and visual connection. There was also agreement that visitors should be able to understand and interpret the events of June 9, 1863, by visiting specific sites.

Some property owners identified as a worthy goal of preservation quality preservation, defined as construction of a Visitor Center, trails, driving roads and pull-offs, well designed parking, and protection of identified areas. A possible objective would be to build an orientation center/educational facility on small acreage, possibly on land already proffered, from which visitors could then walk or drive around battlefield, if desired. Also thought to be required by some citizens are public access areas for interpretation, map displays, adequate viewsheds and overlooks for interpretation, in addition to necessary funding for the center.

General view of preservation methods that would be fair to current landowners

Participants, like the property owners who provided written comments, unanimously agreed that it is not fair for the State to put the burden and cost of public preservation on the private property owners of historic sites. Property owners also were concerned about the possibility of unfair distribution of costs and benefits of designation and preservation.

The Department heard that property owners fear displacement by condemnation. They do not accept condemnation as an acceptable preservation option.

Assuming, as did the majority of focus group participants, that designation affects property values adversely, then the task for the community is to decide it can afford to preserve. Focus group participants concurred with those who gave written comments that the public should be involved in the cost of preserving what is regarded as of public significance.

Among the preservation options that were identified in advance of detailed discussion of strategies for specific sites, property owners listed zoning, purchase, less than fee interest (land or fees, "proffers", transfer of density), height limits and negotiation of management agreements with farmers.

OPTIONS, PRIORITIES AND STRATEGIES FOR PRESERVATION

The Department asked focus group participants to indicate their preservation concern next to each area identified by them, selecting either "Must Preserve" (MP) [the strongest interest], "Should Preserve" (SP), "Like to Preserve" (LP), or none of these. With respect to the latter, where total numbers do not add up to 39 (the total number of participants), participants were either (a) not sure or didn't care about the area, (b) didn't especially want the area preserved, (c) had reservations, on principle, about giving an opinion on what should be done to "someone else's property," or (d) simply didn't "list" the area in their discussion group. Of the four possibilities, the latter or "(d)" appears to account for the largest number of participants not counted as either (MP), (SP), or (LP) for any particular area. In short, they simply never got around to expressing their preservation sentiment on the area, one way or the other. Obviously, this qualification is important when looking at the "support numbers" for any particular area. For example, because "Yew Ridge" received interest from "only one" participant, it would be incorrect to conclude 38 were either indifferent or against preserving the ridge, although some may be. Largely, and in the case of Yew Ridge, the count would reflect the fact that only one small group brought that area up for discussion and consideration in the first place. Finally, regardless of the "count" for any one area, the intent of the focus group process (as specified in the objectives) was not to "vote" for or against a particular area, but rather to indicate participant sentiment for a variety of options and areas, within the Brandy Station study area, which might serve as candidates for preservation.

Participants also suggested strategies for preserving each area; however, not every discussion group offered a strategy. Additionally, while some areas are listed separately, as defined by a particular small group, there may be some overlap among them, another factor which should be considered in evaluating overall participant support for any area. For example, some identified "Fleetwood Hill" as a whole, while others distinguished between its northern and southern portions. Generally speaking, and with the exception of a few firmly against all forms of preservation, participants seemed most willing to accept "proffers" whenever and wherever they were made. Strategies for preservation seemed common and consistent among the small groups, ranging from private and public purchase, fee acquisition, donation, and easements (and such views, though redundant at times, are nevertheless recorded below). Other strategies, as indicated, include tax incentives, use of agriculture or forestal districts, the encouragement of preservation as part of comprehensive planning, and cluster development or density transfer in return for more proffered areas. Generally speaking, and again with the exception of a few, the consensus of participants was that the use of purchase and acquisition strategies should be done under the conditions of (a) a willing seller, and (b) at a fair market-value price agreeable to the seller. (Participants at each session were advised that "condemnation" was neither economically nor politically viable.)

The following areas in the Brandy Station study area are listed in descending priority order according to participant interest or desire for preservation:

<u>REA</u>	<u>PRIORITY</u>	<u>PRESERVATION STRATEGY</u>
Saint James Church (Site and immediate area)	MP 15	Use proffers; public & private purchase: use markers; work with Diocese to protect; private foundation purchase; rally public effort to stop vandalism; use zoning and easements; find group to handle maintenance; good museum site; include in comprehensive plan; be sure there's public access to site.
	SP 8	
	LP 6	
Kelly's Ford (site, bridge, and immediate acreage/area)	MP 11	State owned--keep and maintain; register bridge; markers on land; tax incentives; easement & acquisition; donation; agr. or forest districts; include in comprehensive plan.
	SP 13	
	LP 1	

Fleetwood Hill (all)	MP	12	Use proffers; agr. districts; public & private easements & acquisition; State designate with owner consent; private foundation--visitor center with overlooks; use easements; build into comprehensive plan; donation; parkland; cluster development for more proffers on hill.
	SP	10	
	LP	0	
Beauregard House	MP	9	Put on register; display plaque; use private negotiation; easement purchase or donation; fee acquisition; designate for information purposes.
	SP	5	
	LP	3	
Beverly's Ford	MP	8	Use proffers; public/private for markers; purchase easements or donation.
	SP	6	
	LP	3	
Hansborough Ridge	MP	6	Public/private acquisition; purchase; donation and easement; interpretive marker with self-guided tour.
	SP	5	
	LP	6	
Cunningham House (site and immediate area)	MP	6	Use proffers; agr. districts; easement and purchase; use as interpretive center for whole area; fee acquisition; designation for information purposes.
	SP	6	
	LP	3	
Fleetwood Hill (south)	MP	6	Public/private purchase; use proffers; acquisition by govt.; tax incentives; easement; agr. or forest districts, preserve in comprehensive plan.
	SP	2	
	LP	6	
Pelham's Monument (Rt 29)	MP	8	State preserve/maintain with United Daughters of the Confederacy.
	SP	0	
	LP	0	
Gee House	MP	7	County owned--preserve and respect; memorialize it; move to protect; document and designate.
	SP	1	
	LP	2	
Fleetwood Hill (surrounding and adjacent area)	MP	4	Use proffers; private purchase; easements--purchase or voluntary; future proffers; get clear mgmt responsibility.
	SP	5	
	LP	1	

Green House	MP	4	Use proffers; public/private purchase for markers.
	SP	5	
	LP	0	
Farley	MP	7	Acquisition and easement; promote voluntary easement.
	SP	0	
	LP	0	
Stone Wall (actual site)	MP	4	Use proffers; donation; maintenance by willing neighbors; public/private purchase.
	SP	1	
	LP	6	
Branner House	MP	6	State or federal acquisition/easement designation for information purposes.
	SP	0	
	LP	1	
Salubria	MP	6	Public/private acquisition and maintenance; easement; use zoning; include in comprehensive plan.
	SP	0	
	LP	0	
Fleetwood Hill (house site)	MP	4	Purchase by preservation group.
	SP	2	
	LP	1	
Fleetwood Hill (north)	MP	4	Use proffers; private purchase & easements; tax incentives; agr. or forest districts; include in comprehensive plan.
	SP	1	
	LP	2	
Brandy Station (actual DHR location and designation)	MP	3	Educate the owners to protect; tax incentives; zoning protection.
	SP	2	
	LP	1	
Brown House	MP	4	Acquisition or easement.
	SP	0	
	LP	0	
Old Fredericksburg Winchester Turnpike	MP	3	None presented.
	SP	0	
	LP	0	
Gregg's approach to Brandy Station	MP	3	None presented.
	SP	0	
	LP	0	

Route 685 Monument	MP	2	Move to better, more accessible site.
	SP	1	
	LP	0	
Kelly Farm (120 acres)	MP	2	County tax incentives; easement.
	SP	1	
	LP	0	
Kelly's Ford trenches	MP	2	Easement.
	SP	1	
	LP	0	
Stone Wall (larger area)	MP	1	Easement by purchase or donation; private purchase.
	SP	2	
	LP	0	
Open Spaces & Viewsheds	MP	2	Easements; zoning change; designation.
	SP	0	
	LP	2	
Cunningham site (whole engagement site)	MP	2	Private purchase; easement; tax incentives; agr. or forest districts; include in comprehensive plan.
	SP	0	
	LP	2	
Saint James Church --the ROAD	MP	0	Use proffers.
	SP	3	
	LP	0	
Zimmerman's Tavern (Stevensburg)	MP	1	Acquisition and easement.
	SP	1	
	LP	2	
All sites Proffered	MP	1	Maintenance and interpretation costs from money raised from Sammis development.
	SP	0	
	LP	2	
Visible and accurately documented earthworks	MP	0	Educate current owners on how to protect.
	SP	1	
	LP	3	
Stevensburg (as designated by DHR)	MP	0	Donation--for parking/easement; educate owners to protect.
	SP	0	
	LP	3	

Auburn	MP	1	Easement.
	SP	0	
	LP	1	
Fauquier (staging area)	MP	0	None presented.
	SP	1	
	LP	1	
Berry Hill	MP	0	Easement.
	SP	1	
	LP	0	
Yew Ridge	MP	0	Interpretation; transfer development permitted under A-2 zoning to another site.
	SP	1	
	LP	0	

CONCLUSION

1. The Department found there is now some improved understanding of what designation means at Brandy Station, but that improvement is not universal, nor has it resulted in converting previous opponents to supporters of the designation as it exists today. There remains considerable concern that designation:

sets the property aside,

harms market value,

"triggers" Section 106 review,

encourages subsequent regulatory action by local government

or leads to confiscatory action by the federal government.

In general, opponents of designation worry about the "cloud of uncertainty" it creates, regarding the sale or development of private property.

2. The Department identified no consensus within the community on some smaller resource-based area that could be designated. In general, property owners agreed that it would be desirable to designate a smaller area. However, there was no indication that property owners would concur in the designation of their own property within a smaller resource-based designation.

Opponents continue to see designation not as an effort to identify a resource, but instead to identify only that portion of a resource for which a definite preservation strategy has been developed and agreed upon by all parties concerned.

Of 36 specific sites or areas ranked in descending order of preservation priority by focus group participants, state designation was recommended for only five of the sites. Designation was not recommended for the St. James Church site and immediate area, which ranked first in order of priority for preservation; or for Beverly's Ford, which ranked 6th; or for Hansborough Ridge, which ranked 7th.

Opinion was divided on what portions of Fleetwood Hill were candidates for designation.

There was evidence of support for the designation of the Cunningham House site and immediate area but not for the Cunningham engagement area, one of the four engagement areas identified as the most critical by the National Park Service.

3. The Department found there was much hopeful discussion among focus group participants about the beneficial coexistence of preservation and economic development. Participants recognized that the question of the Brandy Station Battlefield presents Culpeper County with a unique opportunity to combine historic preservation and development in a way that will serve as an economic stimulus for the community for many years.

4. While the Department found much that was hopeful in these discussions, the Department also believes that there is as yet no identifiable consensus on how much of the Brandy Station Battlefield should be preserved.

There was general agreement that preserving the entire study area was neither desirable or feasible.

There was general agreement that priority areas for preservation could be identified, and that these generally are found within the Core of the battlefield, rather than on the periphery.

There was general agreement among property owners who participated in the study that the sites on a battlefield most crucial to preserve are those areas which sustained the heaviest fighting and casualties. However, the Department did not find widespread agreement on the application of this criterion to specific areas.

The majority of participants agreed that the four engagement areas identified by the National Park Service were high priority candidates for preservation. Opinion was divided, however, on the importance of preserving areas of troop deployment and command activity or of ensuring that engagement areas be connected for public access and interpretation.

5. Citizen participants nearly all agreed that it is not fair for the State to put the burden and cost of public preservation on the private property owners of historic sites. Another common agreement among property owners was that government can accomplish land use or preservation restrictions only through working with owners or by purchasing land. Some property owners believe developers and proponents of preservation should compensate property owners if land is to be preserved.

6. The Department found there was general agreement in the view of the Civil War Sites Advisory Commission that a variety of approaches is needed. Some land could be bought for preservation. Some land could be preserved by easement, donation or purchase. There was also general agreement that the public should be involved in the cost of preserving what is regarded as of public significance. Generally speaking, and with the exception of a few firmly against all forms of preservation, participants seemed most willing to accept "proffers" whenever and wherever they were made. Strategies for preservation seemed common and consistent among participants in the study, ranging from private and public purchase, fee acquisition, donation, and easements. Other strategies, as indicated, include tax incentives, use of agriculture or

forestal districts, the encouragement of preservation as part of comprehensive planning, and cluster development or density transfer in return for more proffered areas.

7. While the consensus of participants was that the use of purchase and acquisition strategies should be done under the conditions of (a) a willing seller, and (b) at a fair market-value price agreeable to the seller, the Department was not able to identify a consensus on how such strategies were to be funded, whether by public or private initiative. What is lacking is an overall strategy first for articulating a vision of how preservation and development of the battlefield can be harmoniously blended, and then for implementing that vision.

EXAMINATION OF DOCUMENTARY INFORMATION

BACKGROUND

On October 30, 1989, the Virginia Board of Historic Resources designated the Brandy Station Battlefield Historic District for listing on the Virginia Landmarks Register against the wishes of many property owners. The designated area is a discontinuous district that is composed of three separate areas: Brandy Station, Kelly's Ford, and Stevensburg. While the greater part of the acreage of the district is in Culpeper County, portions of the Brandy Station and Kelly's Ford areas include land in Fauquier County, Virginia.

The Board's Finding of Significance

The Board's 1989 designation was based upon a finding that the district is associated with a nationally significant event in American military history (the Battle of Brandy Station), that the district is closely associated with the active professional careers of persons who made significant contributions to American military history, and that the designated area retains sufficient integrity to convey authentically an understanding of the battlefield's significance, location, setting, and historical associations. More specifically, the Board found that:

The district contains the site of the largest cavalry battle ever fought in North America.

The events of June 9, 1863, signified a turning point in the struggle for dominance between the Confederate and Union cavalry corps.

The battle signified the opening of the Gettysburg campaign.

The battle involved significant personages on the Confederate side and on the Union side, who contributed significantly to its outcome.

The Union attack caught General J. E. B. Stuart unprepared, made him the subject of public derision, and affected his performance during the remainder of the Gettysburg campaign.

Boundaries

The Board of Historic Resources designated an area that includes three locations where the Board determined significant aspects of the battle took place. These are: the Brandy Station section, composed of 10,157 acres; the Kelly's Ford section, composed of 1,781 acres; and the Stevensburg section, composed of 1,965 acres, for a total of 13,903 acres.

As detailed in the documentation on which the 1989 designation was based, the boundaries of the district were drawn to include the locations of all significant sites and remaining structures that played an important role in the Battle of Brandy Station. Although the terrain between these

areas was crisscrossed by elements of both armies during the action on June 9, 1863, only the areas in which actual engagements occurred, or in which military forces were acting to precipitate or terminate armed conflict, were included in the designation. Contact or actions seeking to precipitate or terminate contact were considered significant; merely marching unopposed across terrain en route to the battlefield was not. The boundaries thus include the staging area where Union General John Buford's force of 5,500 men spent approximately four nighttime hours in close proximity to the Confederate bivouacs seeking to remain undiscovered while placing troops and artillery for a dawn attack across Beverly's Ford; the main battleground between Brandy Station and the Rappahannock and Hazel rivers where Confederate General Stuart was attacked by Union forces under Buford; Kelly's Ford, where Union General David M. Gregg crossed to advance and attack Confederate forces from Brandy Station from the east and south; and Stevensburg, where Union Colonel Alfred Duffie encountered Confederate forces from Brandy Station that thwarted his joining the Union attack at Fleetwood Hill.

The boundaries of the three discontinuous areas of the historic district, and their relation to the events of June 9, 1863, are described as follows:

1. Brandy Station

The northern boundary of the battlefield lies on the northern bank of the Hazel River between the Beverly and Welford fords. Contemporary maps show no other crossings between these two fords; the Hazel River therefore formed a natural physical barrier that helped confine the action to the south.

The western boundary of the battle area juts sharply to the west near its northern and southern extremes. In those areas the boundaries enclose Confederate bivouacs on the night of June 8-9 at, respectively, Welford's farm (now known as Farley) and Barbour's farm (now known as Beauregard). In addition, there was fighting around Welford's farm in the late afternoon of June 9 when a detachment of Confederate cavalry under the command of Col. Thomas Munford arrived from Oak Shade Church to attack Union forces led by Gen. John Buford. Next to the Barbour house in the early afternoon was located a Confederate artillery battery that blocked the advance of Union cavalry led by Gen. Judson Kilpatrick. The battery's gunners were scattered by the charge of the First Maine Cavalry through the area, which caused the withdrawal of Confederate defenders to the fields west of the house. In addition, the house itself served during the later phases of the battle as the headquarters of Gen. Robert E. Lee; after observing the action he ordered a division of infantry sent to Brandy Station from Culpeper.

The southern boundary encloses part of the village of Brandy Station; certain fields to the east of the village; and the Norfolk and Southern Railroad embankment from just west of the village of Elkwood to the ford on the Rappahannock River near Remington. The western edge of this boundary contains structures--most of which date to the late nineteenth and early twentieth centuries--within the village of Brandy Station. At the time of the battle only a handful of structures (a few dwellings and a railroad station and depot) stood near the intersection of present-day Route 663 and the railroad tracks (then the Orange and Alexandria Railroad). Union

troops commanded by Gen. David M. Gregg assaulted the southern end of Fleetwood Hill from Brandy Station. While still near the station they were shelled by a long Confederate artillery piece on Fleetwood Hill. Union troops were pursued through the village after they were driven off Fleetwood Hill in the afternoon.

The fields just to the east of Brandy Station and Route 669 (approximately) were the scene of the charge of the First Maine Cavalry, which crossed the eight-foot-high railroad embankment only with difficulty. In the fields farther east, where the Stringfellow house (since moved into Brandy Station village) once stood, Union cavalry driven off Fleetwood Hill in the afternoon regrouped, wheeled about, and counterattacked. In addition, both areas of fields were part of the scene of the Union withdrawal in the late afternoon. Between Elkwood and the Remington ford, the railroad embankment formed a manmade barrier that confined most of the Union withdrawal to the north of it. At Remington Ford that part of the Union force commanded by Gregg crossed to Fauquier County about sunset on June 9.

The eastern boundary contains, near Remington, the crossing point for part of the Union army as it withdrew to Fauquier County at the end of the day's action. In the central area, the boundary includes the site of the Union cavalry's bivouac on the night of June 8 and 9, 1863 (which was essential to the quick crossing at Beverly Ford that surprised Gen. Stuart's cavalry). At the northern end, the boundary contains the area from which the crossing was launched at dawn on June 9, 1863 (and across which the Union forces commanded by Gen. John Buford withdrew about sunset), including the Fauquier County side of Beverly Ford. The only artificial portion of this boundary is the town limit of Remington, which did not figure in the battle; Route 658 generally follows the high ground of a ridgetop.

The land on the Culpeper County side of the river thus contains the principal battleground on which the bulk of the day's fighting took place and to which the majority of the troops on both sides of the contest were committed. It includes among its most important features Beverly Ford, St. James Church (site), the Cunningham and Green farms, Farley, Beauregard, Fleetwood Hill, and the village of Brandy Station. Within its bounds were bivouacked on June 8-9 Stuart and most of his cavalry corps.

The land in the Fauquier County area of the Brandy Station component of the district, lying north just across the Rappahannock River, thus comprises two areas important to the events of June 9, 1863. The first is the site of the June 8-9 bivouac of the Union cavalry and infantry divisions commanded by Brig. Gen. John Buford (roughly 5,500 men). The second is the Rappahannock Ford site near the town of Remington, where the Union divisions led by Brig. Gen. David M. Gregg crossed to the eastern bank of the river at the conclusion of the battle. These areas adjoin each other.

2. Kelly's Ford

The eastern boundary for this section is formed by the Rappahannock River, where Gregg and Duffie crossed at Kelly's Ford. The boundaries encompass the Kelly Farm where the Confederate picket line was located that fired upon the crossing Union troops and where a small Union force was left to guard the ford when Gregg and Duffie advanced towards Stevensburg. The boundaries extend to include the roads where Robertson traveled to resist Union advance, and the road traveled by Gregg and Duffie towards Stevensburg. The boundaries include three farms that were present at the time of the battle and were part of the setting and defensive line established by Robertson and the Union troops that remained during the rest of the day.

The rough triangle formed by the southeastern and northeastern boundaries of this section and the stretch of the Rappahannock River between their junctures with it contains the strategically important crossing called Kelly's Ford. Here the southern element of the Union reconnaissance force, commanded by Gen. David M. Gregg, forded the river to attack Stevensburg and Brandy Station from the east and south.

On the Culpeper County side of the river and within the northwestern and southwestern boundaries are a number of historic sites that contribute to an understanding of the historic event of June 9, 1863. First, the Culpeper County side of Kelly's Ford, where the Union troops crossed from Fauquier County. Second, the Kelly farm (called Kellysville in 1863), which is located on a hill with a commanding view of the ford; here Confederate pickets fired upon the advancing Union troops and withdrew, and here a small Union force was left to guard the ford. Third, the two roads that pass to the north and south of the hill: the Brandy Station road (present-day Route 674) to the north and the Stevensburg road (present-day Route 672) to the south. Gen. Gregg and his command marched down the Stevensburg road. Fourth, the Brannin, Brown, and Wheatley farms near the northwestern end of the Kelly's Ford segment of the battlefield. Here Confederate troops led by Gen. Beverly Robertson arrived from Brandy Station in time (claimed some of his contemporaries) to watch, and let pass unopposed, Gregg's march to the southwest. Here Robertson and his command remained for the rest of the day, in a defensive line, instead of either attacking the small Union force guarding Kelly's Ford or withdrawing to assist Stuart in the primary action at Brandy Station.

3. Stevensburg

The fishhook-shaped boundaries of the Stevensburg segment of the Brandy Station Battlefield Historic District contain the area in and around the village of Stevensburg where the action occurred on June 9, 1863. The attack by the Union cavalry force commanded by Gen. Alfred N. Duffie, and the unsuccessful defense of Stevensburg by Virginia and South Carolina cavalymen, took place within the hook-shaped part of the battlefield to the east of the village. The South Carolina cavalry was spread thinly along a one-mile front stretching from the Doggett house on present-day Route 3 to the northern end of the eastern slope of Hansborough Ridge. Duffie's charge down the road occurred just as the 4th Virginia Cavalry arrived at the rear of

the South Carolinians. The Confederate defenders retreated (the South Carolinians to the north of the road along Hansborough Ridge fell back obliquely down the western slope of the ridge) and were pursued through Stevensburg and beyond, within the area defined by the southern boundary. They regrouped in the vicinity of Mountain Run and fell back to form a line of defense along Jonas Run, in the area described by the western, northern, and eastern boundaries. The Confederates kept the Union force from pushing on to Brandy Station until late in the afternoon, when orders arrived for Duffie to withdraw.

**PUBLIC CONCERNS REGARDING THE DOCUMENTARY BASIS
FOR THE BOARD'S DESIGNATION OF THE BRANDY STATION BATTLEFIELD**

On November 30, 1992, the Department wrote to over three hundred owners of property within the designated battlefield areas, inviting their participation in the Department's study. The letter encouraged property owners to provide the Department with any information thought to be pertinent to the Department in preparing its report. The letter specifically solicited comments on the following questions related to the documentary basis of the Board's 1989 designation:

Are you aware of any documentary information that would help us determine whether the Brandy Station Battlefield designation or the current boundaries of the designated area were based on errors of fact? Does this information provide grounds for recommending that the state designation be amended or withdrawn?

Overview of Comments Received

The letter of November 30, 1992 drew 22 letters of comment, 20 from property owners and two from interested parties writing on behalf of property owners in the designated district.

In response to the query, 11 letters offered affirmative replies to both questions; 10 letters offered negative replies to both questions. The other commentator found no error of fact and no basis for withdrawing the designation, but claimed that there was ample evidence for amending the boundaries. Few of the letters offered substantial comments. Few addressed the Virginia Landmarks Register criteria or seemed familiar with the documentation which served as the basis for the Board of Historic Resource's previous designation of the battlefield district.

Of the affirmative replies to this query, all indicated opposition to the Board's previous designation of the Brandy Station Battlefield, and advised that the designation should be withdrawn or amended. As a basis for amendment six commentators, including a spokesperson for Citizens for Land Rights and Culpeper County's Director of Development, recommended that the Department take into account the findings of Eugene Scheel in his several reports on the Brandy Station Battlefield, which he presented as evidence to the National Park Service in favor of withdrawing its National Register eligibility determination for the district. The Department received detailed comments in opposition to the Board's previous designation of Brandy Station Battlefield from the Elkwood Downs Limited Partnership, to which were subscribed the names of two other landholding families within the district. Several commentators could find no basis for the specific inclusion in the designation of the properties they owned.

Negative replies to these two questions were generally supportive of the Board's previous designation. Substantial comments referred to the research of Clark B. Hall in primary sources as supporting the Board's previously defined boundaries and found no justification to amend or withdraw the previous designation. It was also emphasized that the designation has subsequently been collectively endorsed by numerous scholars and students of the Civil War. Other letters

offering negative responses to this query stated merely that the commentators had no knowledge of documentation indicating that the designation was based on any error of fact, or that not being historians, they found it difficult to debate errors of fact concerning the previous designation.

Analysis of Substantive Issues Raised in Public Comments

In general, respondents who were critical of the 1989 designation questioned the research and historical evidence that supported it. They also raised three other major concerns about the findings of the Board's previous designation of the Brandy Station Battlefield:

1) The importance of the battle itself on the level of state and national significance.

It was contended that the cavalry engagement at Brandy Station was a minor engagement of the Civil War, that it did not signify a turning point in the Union cavalry's effectiveness, that the large number of notable Confederate and Union officers present at the battle did not in itself make the engagement significant, and that the Battle of Brandy Station was not a significant event in the life of J. E. B. Stuart, the Confederate cavalry commander.

2) The boundaries and large acreage of the district.

Commentators questioned the basis for including nearly 14,000 acres of land in the designation. Of specific concern was the inclusion of the staging area of Buford's command in Fauquier County; of Kelly's Ford, where no fighting took place; of Stevensburg, where casualties were fewer than fifty; and of areas within the Brandy Station sector of the district that were not the specific areas of heaviest combat and loss of life. Also questioned was the location of the positions of troop movements both in Stevensburg and in the area of the Beverly's Ford Road. Several respondents observed that the acreage of the designation exceeds the size of several national battlefield parks combined.

3) The inclusion of areas in which tangible physical remains have been lost or compromised.

Several comments highlighted the presence of highways, an airport, an industrial park and modern town houses in the district, in addition to older buildings constructed after the Civil War. It was also noted that major modern construction within the district has been accomplished without adverse comment or reaction by state or federal agencies. Several comments questioned the integrity of the district in view of changes in woodlands and tree cover since 1863.

In order to respond intelligently to these concerns in the course of its required study, the Department closely examined the following:

- 1) The research methodology and sources on which the Board's previous finding was based.

The Department reexamined the primary and secondary sources studied by the Department in recommending the designation, the accuracy of those sources, and the research methods followed by the Department in conducting its original study. A detailed and annotated bibliography of sources consulted in the Department's 1989 study is found in **Appendix B** of this report.

- 2) All documentary information made known to the Department by property owners which was not considered at the time of the Board's previous designation of the battlefield.

Property owners recommended that the Department consult any of the research and findings of Eugene Scheel and Clark B. Hall on the Battle of Brandy Station that were not available at the time of the Board's previous designation. The Department carefully examined these sources, which are also listed and annotated in **Appendix B** of this report.

- 3) Any other documentary information pertinent to the Department's study which was not considered at the time of the Board's previous designation of the battlefield.

No books and only a few historical articles have been published since the 1989 designation that interpret the Battle of Brandy Station, based on a careful examination of the primary sources. Since 1989, the National Park Service and the Civil War Sites Advisory Commission established by the U.S. Congress have provided site-specific information, historical analysis and preservation recommendations on Brandy Station as well as programmatic guidance on the issue of defining significant battlefields and surveying and establishing boundaries for them. The Department studied all these documents. They are also listed in annotated form in **Appendix B** of this report.

- 4) The findings of the Department's recent field survey of all standing structures within the district.

In response in part to public concerns that a more detailed field verification of the Board's 1989 findings was indispensable, the Department sponsored a comprehensive survey of the Brandy Station, Kelly's Ford and Stevensburg sectors of the study area during the period February 1 to March 15, 1993. The field investigation sought to identify, record and evaluate the significance of every building and structure within the area. Conducted by Ashley Neville, a private consultant with extensive experience in architectural survey work for local governments, this effort resulted in the documentation of 646 structures.

Before the survey commenced, the Department sent a letter to every property owner to explain the survey purpose and process. This letter also provided owners with the opportunity to decline to have their property included in the survey. Twenty property owners objected either in writing or in person; accordingly, their properties were not surveyed. At each property the primary building or structure was photographed and basic architectural information recorded. Most secondary structures were also photographed and all were described on DHR architectural survey forms. Each property was also plotted on USGS topographic quad maps.

A detailed description of the field survey findings and recommendations, together with the complete inventory of all resources in the study area and accompanying maps and related materials, are all located in the Department's archives at 221 Governor Street in Richmond, Virginia.

Analysis of Substantive Issues Raised in Public Comments

Question I: Were the historical sources supporting the Board's designation accurate and the Department's research methods sound?

Several commentators stated that the documentation in the nomination report prepared by the Department was not of a sufficiently scholarly nature to justify the Board's designation of the Brandy Station Battlefield. The first step in the process that resulted in listing the Brandy Station Battlefield in the Virginia Landmarks Register began with the submission by the Brandy Station Foundation and the Association for the Preservation of Civil War Sites of a Preliminary Information Form to the Department for evaluation. The Department's Evaluation Team reviewed the completed form and agreed that the battle was of national significance; that the battlefield retained its integrity; and that these assessments should be presented to its Review Board with a staff recommendation that the proposed area met the criteria for listing on the state and national registers. The Board agreed that the battlefield appeared to be eligible and encouraged the preparation of a nomination report.

It may not be generally understood that a nomination report is not a scholarly thesis, a dissertation, or a historical journal article, nor is it an exposition of every nuance of its subject. It is intended to establish that a historic resource has integrity, is significant, and meets the criteria for listing. The boundaries or limits of the battlefield are properly defined by looking at the whole event, not just parts of it. While it is not necessary to prove that fighting occurred on every square foot of the field, it is necessary to analyze the general phases of the battle, from initial contact to skirmishing to full engagement to retreat or the breaking of contact, and to establish where those phases took place.

The Department received a completed nomination report in the spring of 1989 from the Brandy Station Foundation and the Association for the Preservation of Civil War Sites. Department staff

reviewed the report with the following questions in mind:

1. Did the report justify the nomination of the battlefield to the national level of significance?
2. Did the report describe the battle actions accurately?
3. Was the report prepared in accordance with generally accepted professional standards of historical research and analysis?
4. With regard to the nominated area, did it adequately encompass or define the resource? That is, did the nominated area include the entire battlefield as described in the Statement of Significance?

After examining the nomination carefully and consulting many of the works listed in the bibliography, the Department reached the following conclusions:

1. Yes, the report justified the significance of the battle.
2. Yes, the report described the battle actions accurately.
3. Yes, the report was researched and written to professional standards.
4. No, the area proposed for designation did not include the entire battlefield as described and justified in the statement of significance. The Department suggested that the limits of the nominated area be amended to encompass or define the entire resource. This resulted in considerable increase in the size of the nominated area.

Some commentators contended that the Board's designation relied largely on secondary source information and on speculative assumptions drawn from these secondary sources. The sources studied by the Department fell largely into four groups. They include: 1) reports written by participants soon after the battle; 2) maps drawn around the time of the battle; 3) letters and memoirs written by participants some years later; and 4) secondary works prepared later but based upon firsthand accounts or records (as well as later maps).

A detailed and annotated bibliography of sources consulted is found in **Appendix B**.

Accuracy of Sources Consulted in the 1989 Designation

Generally, historians consider first-hand accounts written shortly after an event to be potentially more reliable than those written many years later. The accuracy of maps is not so easily determined. Most maps prepared around the time of an event, however, tend to be fairly accurate with regard to what the draftsman himself saw on the ground. The farther away from the scene an area is located, the less accurate its position may be, unless the draftsman relied on an accurate map for areas he did not see himself.

The accuracy of memoirs and other works written years after the event depend upon several factors. Is the author writing entirely from memory, or is he using documentary sources, maps, etc., compiled soon after the event to refresh his memory? Does the author have an axe to grind: an enemy to refute, a position to defend, an action to explain or excuse, a known bias that

might affect his point of view? If a historian has written a book or article, does he seem to know what he is writing about? Does he have standing in the field? Has he been thorough in his research? The answers to these questions are not always easily arrived at. The competent historian bases his conclusions on the preponderance of the evidence.

Although the Department consulted recent secondary literature about the battle, which offered sometime conflicting interpretations of the battle and its significance, it based its conclusions principally upon the primary sources: the after-action reports, maps, and memoirs of those who participated.

In no case did the Department's nomination report rely solely upon the testimony of one writer. Staff compared several firsthand accounts of each event, and found that by and large they agreed with each other, even when the writers were on opposite sides in the conflict. The Department also found that most of the authors of secondary works on the battle had consulted the primary sources and generally but not always agreed in their interpretation of those sources. Likewise, the contemporary maps generally are in agreement and correlate nicely with modern topographic maps.

Because of the importance of some of the landmarks of the battlefield, the Department used nonmilitary records to help locate these features. Staff read deeds, wills, and census records; copied original plats if they existed; and, when they did not, drew its own plats of certain key farms, using the metes and bounds contained in the deeds. The information contained in these civilian records confirmed the accuracy of the military reports, maps, and memoirs.

There was also concern that the Department omitted necessary field verification of its findings. Usually it was easy to correlate the terrain with the documents and establish an edge to the battlefield. To establish the boundaries or limits of the battlefield, Department staff visited the proposed district on several occasions to compare the ground with maps and other documentation. Board members also visited the battlefield before taking formal action on the 1989 designation proposal.

The Department in February and March, 1993 undertook a detailed field investigation to develop a comprehensive inventory of all buildings and structures within the designated Brandy Station Battlefield. The survey indicated the presence of a larger number of contributing resources within the designated battlefield than were identified in the nomination report in 1989. The thirty-seven resources are the only resources within the designated boundaries that contribute to the significance of the Brandy Station Battlefield, with the exception of the 3 battlefield sites themselves. While the survey documented the presence of 609 non-contributing buildings and structures within the district's boundaries, it revealed no substantial basis for reducing or enlarging the boundaries of the district.

There was concern that the Department relied exclusively on authorities supportive of the designation and neglected important sources that would controvert its findings. During the process of researching and drafting the nomination the Department conferred primarily with Edwin C. Bearss, of the National Park Service, and Clark B. Hall, an amateur historian who is a criminal investigator for the General Accounting Office. Mr. Bearss is the Chief Historian

for the NPS and a respected authority on the Civil War who has written and lectured extensively. Mr. Hall has spent years compiling data on the Battle of Brandy Station and has written several articles on the subject. He is preparing a book on the battle. The Department found both Mr. Bearss's broad view of the war and the battle, and Mr. Hall's grasp of the minutiae of Brandy Station, to be very helpful. However, the conclusions and boundaries presented in the nomination report were the Department's. They were based ultimately on primary sources, including reports prepared by battle participants. Far from controverting any conclusions, these sources were what the Department based its conclusions on. They generally did not contradict each other. The only other substantial research was offered after the designation by Mr. Eugene Scheel, whose most recent assessment of the Brandy Station Battlefield has concluded that the battlefield is nationally significant.

While not all accounts of the battle presented to the Department were in complete agreement, the Department's finding of significance was supported by the preponderance of objective evidence and the primary sources, including contemporary battle reports.

No books and only a few articles have been published since the 1989 designation offering an interpretation of the battle based on a careful examination of the primary sources. These recently published writings are based on the same sources as the Department's 1989 nomination report and present similar conclusions.

Question II: Was the battle an important event of the American Civil War that is of state and national significance?

Several comments stated that popular accounts of the Civil War demonstrate that the events which occurred at Brandy Station on June 9, 1863 are not generally considered to be significant in the broad pattern of state and local history. The great majority of secondary Civil War sources consulted by the Department relate the events at Brandy Station to the beginning of the Gettysburg campaign. Some sources directly relate the outcome at Brandy Station to Lee's defeat at Gettysburg. While no reputable source contends that Brandy Station was as pivotal as Chancellorsville or Gettysburg, no reputable source disputes that important events occurred at Brandy Station or that the battle affected subsequent events in a manner that contributes to our understanding of the Civil War. While some contemporary sources refer to these events as a skirmish or action, the use of such terms by contemporaries is not sufficient evidence that these events were of minor importance or scale. As was recently observed by the National Park Service, the various terms-- "battle," "engagement," "action," "skirmish"--are used inconsistently and interchangeably by eyewitnesses and later historians. Brandy Station is sufficiently documented as the largest cavalry battle of the Civil War, based on official reports filed soon after the battle. Popular historians such as Bruce Catton and others, with a large popular readership, recognize the significance of the battle in a national struggle for the preservation of the Union as well as in the careers of its most celebrated participants.

Several comments stated that the number of cavalry troops at Gettysburg and other Civil

War battles outnumbered the troops at Brandy Station. That the number of cavalry forces at Gettysburg exceeded that at Brandy Station is a fact. That Gettysburg was primarily an infantry battle, fought in and immediately around the town of Gettysburg, is also a fact. Unlike Gettysburg, Brandy Station was primarily a cavalry battle, significant not only for the unprecedented magnitude of its opposing cavalry forces but also for the outstanding use of cavalry tactics by opposing forces. Few engagements in the Civil War were limited to mounted units attacking other mounted units. Regarding the tactical significance of Brandy Station as a cavalry engagement, the Department concurs in the following view of the Keeper of the National Register of Historic Places:

In America, the mass charge as well as other purposes for cavalry were taught at West Point but, prior to the Civil War, opportunities to use the mass charge were few due to the size and nature of most frontier battles. In the Civil War few engagements occurred which were limited to mounted units attacking other mounted units. Within cavalry offensives, infantry and artillery were to be used in support of the cavalry. In cavalry operations, a cavalry charge against enemy cavalry units, such as at Brandy Station, was the only way to maintain the tactical offensive. The expansive cavalry charges at Brandy Station, the use of infantry and artillery to cover Union cavalry movement across Beverly's Ford and to initiate battle, were textbook examples of cavalry maneuvers in the field. . . . In fact, Brandy Station was one of the few examples of the tactical offensive being initiated and carried out with the focus upon cavalry in conjunction with artillery and infantry in proper tactical and strategic order.

It was alleged that the casualty figures for the Battle of Brandy Station are indicative of the minor role of the engagement. During the Battle of Brandy Station on June 9, 1863, the full cavalry corps of the Confederate Army of Northern Virginia fought the full cavalry corps of the Union Army of the Potomac; about twenty thousand soldiers--almost all of them cavalymen--participated. Cavalry engagements usually involved much smaller numbers. Cavalry engagements generally did not produce high numbers of casualties, especially when the combatants fought on horseback rather than dismounted (as infantry). Encounters on horseback were brief, as troopers closed on each other, made a few swings of their sabres or fired a few rounds from their pistols, then rode on. This relative lack of casualties, compared with the infantry, caused the foot soldiers to taunt the more glamorous troopers with "Who ever saw a dead cavalryman?"

The casualties at Brandy Station amounted to less than 7 percent killed, wounded, missing, or captured. Fatalities numbered at least 138 men. Although the estimates of both sides vary, the number of combatants totaled roughly 20,500 and the number of casualties was 1,393 or so (6.8 percent). To break this down further: Confederates had about 9,500 troops and suffered about 527 casualties (5.5 percent); Federals had about 11,000 troops and suffered about

866 casualties (7.9 percent).

Most of the casualties for both sides occurred in the Brandy Station segment of the three-part battlefield. In addition, most of the casualties occurred in the St. James Church vicinity, during the fighting for the stone wall on the Green and Cunningham farms, and in the combat over the northern part of Fleetwood Hill in the late afternoon. Several of the combatants reported relatively large numbers of dead atop Fleetwood Hill in the area of Fleetwood, Stuart's headquarters the morning of the battle.

It is misleading to judge the casualty rate for Brandy Station by the rates for such infantry slaughters as Gettysburg (30 percent), Antietam (23 percent), or Chancellorsville (17 percent). Those who fought at Brandy Station and commented on the numbers of casualties thought they were severe. While the areas where fighting was most intense and casualties were the highest deserve the highest priority for preservation, the casualty rate is not the only, or even the most important, reason for the battle's significance.

The Civil War Sites Advisory Commission has recently concluded that there were 10,500 Civil War Armed Conflicts ranging from major battles to minor skirmishes. The Battle of Brandy Station ranks 72nd among all Civil War engagements in terms of troops involved and 91st among all Civil War battlefields in terms of casualties.

Several commentators attributed the Union cavalry's superior effectiveness following the events of June 9, 1863 not to the influence of the Battle of Brandy Station but to the reorganization of the Union cavalry, intensive training, and better supplies. These three factors all served to enhance the performance of the Union cavalry after the events of June 9, 1863. Nevertheless, Brandy Station is significant for giving the first evidence of a new level of skill, discipline and strength of the Union cavalry. General Hooker's decision to attack, General Pleasonton's decision to assault from three locations, the success of the Union in avoiding discovery preceding the surprise attack, keeping Confederate forces at bay for 14 hours and withdrawing in an orderly way--all conspired to show that the Union cavalry had "arrived." Severe editorial criticism of Stuart after the battle showed the impact of the Union performance on the Confederacy. The lack of a clear victory did not diminish the importance of what occurred at Brandy Station to participants such as Henry B. McClellan, Stuart's adjutant, or to later historians of the event such as Coddington, Starr, Merrill, Longacre and Stonesifer. Also, the written comments of several Union participants in the battle showed that they knew what they had achieved and were proud of it.

It was submitted that the presence of a large number of notable Confederate and Union officers at any one battle does not necessarily make any one of the actions in which they participated in themselves significant. It is true that the mere presence of notables at any event does not by itself make that event significant. However, many persons significant in American history for reasons in addition to their contributions at Brandy Station played key roles in the battle. This aspect of the battle, while not of major importance by itself, contributes to the battle's significance as an event that is associated with persons who made significant

contributions to our history. The recognition of their roles enhances our appreciation of the battle and the larger war of which it was an important episode. Among the Confederate leaders were Major General James Ewell Brown ("Jeb") Stuart, the commander of the cavalry corps that was surprised that morning. Stuart's place as a Southern icon is well established. Brigadier General William Henry Fitzhugh ("Rooney") Lee, the second son of General Robert E. Lee, led the afternoon counterattack across the northern end of Fleetwood Hill. After the war he served as a state senator and a U.S. congressman. Brigadier General Wade Hampton commanded the right wing of Stuart's cavalry and fought personally in the battle. He served as governor of South Carolina and U.S. senator after the war. Colonel Matthew Calbraith Butler, commander of the 2nd South Carolina Cavalry, led the defense of Stevensburg. Following the war he served three terms as a U.S. senator from South Carolina. Among the Union leaders were Brigadier General Alfred Pleasonton, who commanded the Federal cavalry corps and surprised Stuart at Brandy Station. Brigadier General John Buford, who most effectively pressed Stuart's cavalry in the morning, later was instrumental in delaying Lee's army at Gettysburg until the Union army could secure the best defensive position. Colonel Hugh Judson ("Kilcavalry") Kilpatrick, a politically ambitious officer, led his troops aggressively against Fleetwood Hill in the afternoon phase of the battle. He served after the war as minister to Chile.

One commentator contended that the battle was not a significant event in the career of J. E. B. Stuart, the Confederate cavalry commander. The Union attack at Brandy Station caught Stuart unprepared, and made him the subject of stinging public derision. While both sides claimed success, Stuart and Lee both knew that Stuart had been embarrassed twice on June 9, 1863: first, when Buford crossed Beverly Ford and caught him sleeping; and second, when Gregg suddenly appeared in Brandy Station. Only the day before the battle Stuart had staged a grandiose review of his cavalry corps for Gen. Robert E. Lee. After the battle he found himself pilloried in the Southern press. Although he defended himself in writing, Stuart knew he had barely staved off a defeat. It is true that the battles of the Peninsula Campaign of 1862 better illustrate Stuart's skill as cavalry tactician. It is also true that significant events in the life of a significant military figure are not limited to successful accomplishments. Why did Stuart not continue to screen and provide reconnaissance to Lee as the Confederate army moved toward Gettysburg, as Lee had directed him? Why did he join Mosby in Virginia and then cross over into Maryland? It is defensible on the basis of the evidence to conclude that his performance at Brandy Station affected his performance after Brandy Station en route to Gettysburg, where his late arrival is widely regarded as a major Confederate error. Whatever the spring of Stuart's motives, the Department found no new information to change its original conclusion that the Battle of Brandy Station was a significant event in Stuart's life and military career.

Question III: Are the boundaries and large acreage of the district defensible?

A number of commentators questioned the basis for including such a large acreage in view of relative lack of popular understanding of the importance of Brandy Station Battlefield. The acreage is large because the battle covered a large area. The area is large because most of the men were mounted on horseback and therefore were able to move farther and faster than men

on foot. If it had been an infantry battle the area would have been smaller.

Battles--especially cavalry engagements--flow and ebb in terms of violence. Contemporary accounts of the Battle of Brandy station indicate that the action was not continuous: men charged over long or close distances, clashed in combat, retreated, pursued, broke contact, rested, and then resumed the conflict. Opposing cavalry units sometimes faced each other across short expanses of open ground for a half hour or more before one group charged the other. Some positions on the battlefield were contested for again and again, while others probably never saw a trooper. In some cases retreating cavalymen were allowed to depart the field peacefully, while in others they were hotly pursued by opponents wielding swords and pistols. Artillerymen on remote hilltops wreaked havoc on troopers a half mile distant, while they themselves were safe from attack. The imperturbable Brig. Gen. John Buford could sit quietly on his horse and smoke his pipe while a few dozen yards away men shot and hacked each other in furious combat. A thousand men and horses could clash with few casualties one time, and with wholesale slaughter the next. All this was the reality of combat.

The limit of the battlefield is most accurately determined by identifying those places in which opposing forces were either engaged in battle or were otherwise acting to precipitate or terminate armed conflict. The best professional guidance available from the National Park Service recommends that lines of march not be included until and unless forces were in battle formations. Similarly encampments should not be included unless they were a part of the battle event. Applying these guidelines to Brandy Station, the boundaries as drawn contain the events of the historic resource--the Battle of Brandy Station that occurred on June 9, 1863--and almost all of them follow natural terrain features as well as natural and manmade physical barriers that were present on the day of the battle and shaped and confined the action. Encampments were not included unless they were part of the battle event, as with Buford's staging area east of Beverly's Ford. The routes connecting Kelly's Ford, Stevensburg and Brandy Station were not included because Union forces were unopposed in their movement.

Some commentators observed that the acreage of the Brandy Station designation greatly exceeds the size of several national battlefield parks combined. One commentator specifically compared the acreage of Brandy Station with the parks at Gettysburg, Antietam, Brice's Cross Roads, Kennesaw Mountain, Monocacy, Pea Ridge, and Tupelo. According to the Keeper of the National Register of Historic Places, boundaries for battlefields in the National Park System

do not necessarily coincide with the boundaries of the historic battles. Instead, they represent federal decisions to preserve specific land parcels as parks, usually through acquisition.... Most National Park Service System battlefields do not encompass all significant areas associated with a battle for various reasons of policy, funding, and planning.

The actual acreages of the battlefields and parklands mentioned in the comment are as follows:

<u>Name of Battlefield</u>	<u>Battlefield Acreage</u>	<u>Park Acreage</u>
Brandy Station	13,903	0.00
Gettysburg	20,000	3,961.91
Antietam	6,500 (min.)	2,381.82
Brice's Cross Roads	1,200	1.50
Kennesaw Mountain	11,802	2,879.98
Monocacy	1,647	1,014.45
Pea Ridge	4,299	4,278.00
Tupelo	719	1.00

In general, then, the amount of acreage protected within the parks is often a relatively small percentage (24 percent average) compared with the size of the entire battlefield. This comparison also holds true with regard to other Virginia battlefields. For example, an examination of several battlefields in the Shenandoah Valley yields the following:

<u>Name of Battlefield</u>	<u>Battlefield Acreage</u>	<u>Park Acreage</u>
Cedar Creek	15,607	358
Cross Keys	5,450	100
McDowell	4,539	200
New Market	5,611	174
Piedmont	9,340	0
Port Republic	4,936	8

Less than 2 percent of the acreage of these battlefields are protected by inclusion in parks. In fact, only the 174 acres at New Market technically constitute a park; the other "park" acreages given are the landholdings of various preservation organizations.

State designation boundaries are not intended as a projection of what will happen in the future, but as statements of fact about where some events actually took place in the past.

Some commentators cited a letter of Robert Krick of January 19, 1988, to the Governor's Commission to Study Historic Preservation, recommending on behalf of the Association for the Preservation of Civil War Sites, the preservation of 170 acres on Fleetwood Hill to memorialize the Brandy Station Battle, as documentary evidence that only a smaller designation is defensible. The Department asked Mr. Krick about the letter in question, which he states frequently has been quoted out of context. According to Mr. Krick, the meaning of his letter can be understood only in the context of the letter's complete contents and against the background remarks he gave to the Study Commission at a public hearing on November 5, 1987. The Association's aim was to urge the Commission to consider the pressing need to protect "token" portions of several important battlefields that remained essentially unchanged and on which no preservation of any sort exists before they disappeared. Krick suggested that at each of fourteen battlefields, including Brandy Station, "a simple scenic easement---changing nothing whatsoever about current usage--on fifty to one hundred acres would make a substantial contribution to preserving the storied heritage of the Old Dominion." Krick and his organization hoped that a

commitment by the Commission to this limited first step would stir the Commonwealth's interest in battlefield preservation. "Nothing in that hope even vaguely suggested that the extent of the battlefields involved--at Brandy Station or elsewhere--were constricted by what we cherished the forlorn hope of accomplishing as a first step."

Several comments questioned the inclusion of the staging area of Buford's command in Fauquier County. With regard to the bivouac of June 8-9, there are two central issues: a) where were the 5,500 troops bivouacked? and b) what significance, if any, was there to the location of the camp of 5,500 soldiers relative to the battle on June 9, 1863? The following excerpt from a Department study conducted by staff historian John S. Salmon in 1990 at the request of the Board of Historic Resource's explains in considerable detail the basis for including this area within the designation:

Following his victory at the Battle of Chancellorsville in May 1863, Gen. Robert E. Lee began to withdraw his army from Fredericksburg to Culpeper to prepare for his invasion of the North that would culminate in Confederate defeat at Gettysburg, Pennsylvania. Early in June Lee's army began to move west to the Valley of Virginia. To screen its movement Lee ordered Stuart and his cavalry corps to move across the Rappahannock River at Beverly Ford on the morning of 9 June to attack and distract the Union army encamped in Fauquier County. Accordingly, Stuart bivouacked his corps in the Brandy Station area on the evening of 8 June and posted pickets on the Culpeper County side of Beverly Ford, but not on the Fauquier County side.

Meanwhile, Maj. Gen. Joseph Hooker, commander of the Union army, was attempting to discern Lee's plans and the location of his infantry. In early June he sent cavalry patrols across the Rappahannock River but learned little except that Stuart's cavalry was in the vicinity of Culpeper. Hooker wrote to the army chief of staff on 6 June:

As the accumulation of the heavy rebel force of cavalry about Culpeper may mean mischief, I am determined, if practicable, to break it up in its incipiency. I shall send all my cavalry against them, stiffened by about 3,000 infantry. It will require until the morning of the 9th for my forces to gain their positions, and at daylight on that day it is my intention to attack them in their camps.

Brig. Gen. Alfred Pleasonton, commander of the Union cavalry corps, was ordered to lead the expedition, which was regarded as a "reconnaissance in force." To assist him in laying his plans for crossing the Rappahannock River, he was informed on 7 June that "all the fords on the Rappahannock below Kelly's, and including it, are held by our forces." The obverse of this statement was that the fords above Kelly's (that is, Wheatley's, Norman's, Rappahannock, and Beverly) were actually or potentially under Confederate control.

Pleasonton decided to divide his corps and cross the river at two fords: Kelly's and Beverly. Because Kelly's was regarded as being in Union hands, Pleasonton instructed the various regimental commanders who were to cross there at dawn on 9 June to march to the ford during the night of 8-9 June from their several bivouacs in the vicinity. To cross at Beverly Ford, however, required a different approach.

Pleasonton assumed that Stuart would post pickets on both sides of the ford to give him early warning of a Union attack (he later expressed surprise that Stuart had no pickets on the Fauquier County side). He also assumed that he would find Stuart's cavalry close to the ford in Culpeper County. Accordingly, Pleasonton decided that a successful crossing depended upon achieving the element of surprise.

To accomplish his mission Pleasonton approached Beverly Ford cautiously and stealthily over a two-day period. Each night the troops bivouacked in dense woods without fires and under noise discipline. This unusual circumstance made the soldiers angry. An officer of the 2nd Massachusetts Infantry Regiment later recalled that

The night of the 8th, we moved down [from Bealton] very near Beverly Ford into the woods again,—cold suppers and no lights. The men were exceedingly restless at these unusual orders about light and noise. . . . The men thought we were being humbugged, and there were many signs of dissatisfaction. They complained because we were not allowed to have fires.

An officer in the 3rd Wisconsin Infantry Regiment also remembered that on

the 8th, we stealthily moved down near to Beverly Ford and into the woods again. 'No fires' were the orders and 'no noise.' These injunctions were strictly enforced, and staff and company officers were on constant watch to keep the men still. Buford's whole body of cavalry was hidden in the woods near by.

Where were these woods where almost 5,500 men and no doubt about an equal number of horses were successfully concealed from prying Confederate eyes? The two officers quoted above are not very specific, but two others were a bit more so. A member of the 124th New York Infantry Regiment reported that his unit "bivouacked for the night in a piece of wood about a mile from Beverly's Ford." An officer in the 3rd Indiana Cavalry Regiment reported that on the morning of 9 June he "marched from the camp of the night, distance from the river one-half mile." Col. John Buford, who commanded the divisions that crossed at the ford on 9 June, reported that on the day before he placed his force "very near to the ford, unobserved by the enemy."

The most likely location for Buford's bivouac site is the area northeast of the river through which Route 651 now passes. There are woods in this area today, and they are noted as well on the Von Koerber map. In addition to the woods, which would have helped conceal light and muffle noise, a ridge line on the Fauquier County side of the river separated Buford's men from their adversaries. The ridge and the woods included within the boundary of the district in Fauquier County are generally within a half mile to a mile of Beverly Ford. The area inside the boundary, then, accurately defines the bivouac site.

Was the bivouac site of significance to the battle on 9 June? Yes, for several reasons. Although fords were important strategically, Beverly Ford was especially so; several actions were fought during the war for its control. The ground on the Culpeper County side of the ford is low and flat near the river, but soon rises sharply to easily defensible hills. It was essential, then, for any force coming from Fauquier County to cross the ford and low ground quickly, in order to seize the heights with a minimum of bloodshed. That was best accomplished, Pleasonton and Buford both correctly assumed, by a rapid dawn attack with the element of surprise on the attackers' side.

At three o'clock in the morning [of 9 June], Captain Comey, with thirty picked men from the Second Massachusetts, crept down to the river-bank, to see that all was clear for the advance. He reported a large force of cavalry in bivouac on the south side of the river, quite unconscious of Buford's stealthy approach.

At about 4:00 A.M. the first elements of Buford's force charged across the river and caught the Confederate cavalry asleep.

Because his force bivouacked where it did, then, Pleasonton not only achieved complete surprise, he

gathered crucial information about his enemy before the crossing. The location of the bivouac in Fauquier County near the Rappahannock River was crucial to the accomplishment of Pleasonton's mission and of utmost significance to the Battle of Brandy Station.

Several comments questioned the inclusion of Kelly's Ford, where no fighting took place on June 9, 1863. Little skirmishing took place at Kelly's Ford during the day after the initial crossing. No greater combat role is claimed for the site in the 1989 nomination report. The significance of the area lies in the fact that Robertson, showing little initiative, stayed in place when, in the opinion of Stuart, he could have pushed the small Union force back across the ford and joined Stuart in the fighting near Brandy Station. Stuart castigated Robertson for this. The area thus contributes to our understanding of the Battle of Brandy Station and represents an aspect of military action on June 9, 1863 that directly influenced the outcome of events. The designated area encompasses the ford of the Rappahannock, where Gregg and Duffie crossed, the Kelly Farm, from where the Confederate picket line fired on crossing Union troops and where a modest Union force guarded the ford as Gregg and Duffie advanced towards Stevensburg. The area includes three farms that were present at the time of the battle and were part of the setting and defensive line established by Robertson and the Union troops who remained here during the rest of the day.

Coincidentally, the Kelly's Ford boundaries also contain the contributing elements of the historic resource known as the Battle of Kelly's Ford, which took place three months earlier on March 17, 1863. A Union cavalry division led by Brig. Gen. William W. Averell crossed Kelly's Ford to retaliate against Brig. Gen. Fitzhugh Lee's cavalry, which had been raiding Union outposts in Fauquier County. After a sharp battle, during which the Federal cavalymen caused a Confederate cavalry force to flee before its charge for the first time in the war, the Union troopers withdrew across the ford. The most significant Confederate casualty of the battle was Maj. John Pelham, a dashing twenty-five-year-old horse artillery officer and a personal favorite of Gen. Jeb Stuart. Pelham was mortally wounded while leading a cavalry charge at the Wheatley farm and died the next day in Culpeper.

Several comments questioned the inclusion of the Stevensburg area of the district because the total amount of casualties in this sector amounted to fewer than fifty. The two Union generals who were awaiting Duffie's arrival on the field to the north certainly thought the Stevensburg phase of the Battle of Brandy Station contributed significantly to the course of the battle. Brig. Gen. David M. Gregg reported more than one attempt to urge Duffie forward. Brig. Gen. Alfred Pleasonton, commander of the whole operation for the Union, was more specific about the importance of Duffie to the battle:

The Third Division, under the immediate orders of General Gregg, inflicted a severe loss on the enemy near Brandy Station, and would have achieved more had Colonel Duffie, commanding the Second Division, brought up his command to his assistance in the time he should have done.

Men died and artillery pieces were captured because Confederate forces successfully impeded

Duffie's advance at Stevensburg. Had Duffie arrived at Brandy Station in time, the outcome of the battle might not have been effectively a draw. For its part, the Confederate cavalry lost three excellent officers at Stevensburg: Hampton, Farley, and Butler.

There was concern that the designation was based on errors in fact regarding the location of the positions of troop movements both in the Stevensburg area of military action on June 9, 1863 and in the area of Beverly's Ford Road. The historical maps, the reports and memoirs of the participants, and the Culpeper County records effectively resolve conflicting interpretations of the battle immediately east of Stevensburg and the location of the site where Farley and Butler were wounded. With regard to the former, the Department's study indicated that the Confederate defensive line was positioned along the military crest of Hansborough Ridge, facing east, and stretched from Delilah A. Doggett's house just above Route 3/610 at the foot of the ridge, toward the Hansborough house roughly a mile and a quarter to the north of Doggett's. The Union cavalry began its charge about four hundred yards east of Doggett's, roughly in the vicinity of the current intersection of Routes 3 and 610. Participating in the charge were a regiment to the south of Route 3/610, a squadron in the road, and a regiment to the north that encountered the center of Butler's line on Hansborough Ridge, across which Butler's troops withdrew and upon which Duffie placed his artillery.

With regard to the wounding of Farley and Butler, the Department's investigation indicates that at the moment they were wounded, the two men were on their horses in the road (Route 663) just north of Mountain Run. The artillery piece that wounded them was positioned on the western slope of Hansborough Ridge near its southern end, about .2 mile northeast of Stevensburg, where it could command both the road to Culpeper (Route 3) and the road to Brandy Station (Route 663). Butler, having camped in the area the night before the battle (if not earlier) knew the difference between Jonas Run and Mountain Run, as did the other participants. His testimony and that of all the other witnesses--both Confederate and Union--are entirely consistent. The boundaries of the Stevensburg phase of the battlefield thus accurately define the resource.

Regarding the location of military action in the vicinity of Beverly's Ford road, the Department inspected maps at the University of Virginia that are alleged to dispute the Department's placement of Buford's troops west of the Beverly's Ford road. In the Department's judgment, two of these maps do not appear to add much to the body of knowledge, given all the original sources and secondary sources found elsewhere. However, a third map, drawn at the time of the battle by a Union engineer, Capt. Vincent E. Von Koerber, clearly indicates that most of the heavy fighting in the morning took place to the west of the Beverly Ford Road. Corroborating this graphic evidence is the after-battle report of Brig. Gen. John Buford, commanding the Union forces at Beverly's Ford, who clearly placed the 6th Pennsylvania to the west of the road: "I . . . threw the 1st Division on the left of the road. . . . The Reserve Brigade (composed of the 2nd, 5th, & 6th U.S. Cav. and 6th Pa. Cav., the 1st U.S. being on picket) was posted on the right, all connecting from Right to left." Buford and his force was headed roughly southward; "left" is therefore east of the road and "right" is west of it. The 6th Penn. Cavalry was to the right (west) of the road. St. James Church, one of the major foci of the early Union

assault, was also to the west of the road. Some of the earliest heavy fighting, then, took place to the west of the road. Also relevant is the letter of Henry C. Whelan, who led the 6th Penn. His account of the fighting was edited by Edward G. Longacre and published as "A Race for Life at Brandy Station," Civil War Times Illustrated (Jan. 1979), 32-38.

One comment expressed concern that such a huge delineation of acreage was unprecedented in Virginia. The designation of a district of nearly 14,000 acres is not without parallel or precedent. For example, the 14,000-acre Green Springs Rural Historic District in Louisa County (1973), the 31,200-acre Madison-Barbour Rural Historic District in Orange County (1987), and the 31,975-acre Southwest Mountain Rural Historic District in Albemarle County (1991), each exceed in acreage the designated area of the Brandy Station Battlefield district.

Question IV: Does the designated area retain sufficient integrity to qualify for state historic landmark designation?

Several comments highlighted the presence of highways, an airport, an industrial park, and modern townhouses in the district. It cannot be disputed that the district includes modern buildings, which are considered non-contributing resources within the designated battlefield. It is also true that the landscape of the battlefield has changed over time. However, the issue of historic integrity involves a determination of whether alterations have so seriously affected the condition of the battlefield that it can no longer convey its documented significance.

In the Department's judgment, the overall physical appearance of the district today retains sufficient integrity of location, setting, association and feeling to represent authentically both the historic setting of the events of June 9, 1863 and the locations of key landmarks and areas in the ebb and flow of those historic events. Notwithstanding the presence of a large number of non-contributing features, the district includes significant standing structures associated directly with the battle--Beauregard, Farley and St. James Church cemetery; and tangible features of the Gee House, Green Farm and Cunningham Farm. Natural features of the terrain which oriented soldiers engaged in military action on June 9, 1863, such as watercourses and topography remain. As landmarks, the presence within the district of the historic road network, the historic railroad bed, and the retention of the overall pattern of farmland, open space and woodlots, historic roads and fords provide a sense of orientation to anyone who would understand the successive phases of the battle and how the terrain and these man-made features helped define its course. The Department's recent field investigation confirmed that new construction has generally been dispersed, is human in scale and is without great visual intrusion on the historic landscape. The loss of structures which has inevitably occurred is less significant in contributing to the overall sense of time/place and historic integrity of the battlefield than the remarkable survival of the historic transportation network and historic setting.

It was also noted that major modern constructions within the study area had all been accomplished without adverse comment or any reaction by the State or federal agencies in the past. The federal review process, under Section 106 of the National Historic Preservation Act of 1966, as amended, allows the State to comment on proposed federal undertakings such as

highway construction. The 106 review process had not been implemented effectively at either the federal or state level when the right-of way for the four-lane Route 15-29 in the Brandy Station area was planned, or when the location of T. I. Martin Airport was sited.

Several comments questioned the integrity of the district in view of changes in woodlands and tree cover, as well as forestation along roads and railroads, since 1863. It may be true that woodlands today are less extensive than in 1863. The important issue relating to integrity here is that the general pattern of woods, fields, roads, streams, etc., is similar to that at the time of the battle. That is, the landscape has not yet been so disrupted by change that one can get no sense of where these features were located or configured a century and a quarter ago. As for forestation along roads and railroads, these are matters about which it is very difficult to generalize. It is true that road maintenance crews did not use modern techniques, but the Orange and Alexandria RR was not very old, so the right-of-way probably was pretty clear. The 1st Maine Cavalry charged over the track and the account of its historian does not mention vegetation. The watercourses (aside from the Rappahannock) were not fenced, so they were fairly open due to the activities of grazing animals. The Waud drawing of the fighting around the Gée House shows the Beverly Ford Road clear of vegetation, with fields on either side and a crest of trees on the ridge where the house was located.

On a nationwide comparative basis, the Civil War Sites Advisory Committee has similarly concluded that the integrity of the Brandy Station Battlefield is remarkably intact. Of 384 major Civil War battlefields that once existed, Brandy Station Battlefield was found to rank 32nd in a list of priority battlefields for preservation, based on its classification as a battlefield having exceptional interpretive importance with relatively high degree of integrity.

CONCLUSION

Based on the foregoing examination of documentary sources, the Department concludes that the preponderance of evidence continues to support a finding by the Board of Historic Resources that the Brandy Station battlefield possesses national significance, that it meets the standards for integrity, that it meets the criteria under which it was nominated, and that its boundaries can be articulated and justified. In reviewing both the report and the process by which the Department arrived at its conclusions, the Department concludes that its original findings were objective, were based upon primary sources and field observation, and were conducted according to professional standards. The Battle of Brandy Station ranks as the single greatest cavalry engagement of a war in which there were throughout its four year duration intense and dramatic mounted combat. While subsequent research has resulted in more precise determination of the areas where the most intense fighting occurred, the Board's previously defined boundaries fully and accurately define and present the battle as it occurred. The historical record is completely supportive of the Board's prior demarcation. The Board's aim was focused upon its fundamental mission: to identify what happened, where it happened and why it was important.

After the designation of the district and at the request of the Board of Historic Resources, the Department distributed the nomination report to several Civil War historians of national repute

and asked for their comments on the accuracy of the report and its boundaries. These historians included James McPherson, James I. Robertson, Edwin Bearss, and others. None of them disagreed with the report. Indeed, the findings of the Board's previous designation have been collectively endorsed by numerous scholars and students of the war.

The National Park Service subsequently found the district, as defined by its current boundaries, eligible for listing on the National Register of Historic Places on April 30, 1992. That determination was later withdrawn on procedural grounds, without prejudice to the scholarship on which the earlier finding was based.

More recently, the Civil War Sites Advisory Commission presented a draft report for public comment on its major findings and recommendations. Of 384 major Civil War battlefields nationwide, Brandy Station Battlefield ranked 32 in a list of priority battlefields for preservation, based on its classification as a greatly endangered battlefield having exceptional interpretive importance, and a high degree of integrity, but less than 20% of its core area protected. The Commission concluded that the battlefield may be lost in the coming decade if action is not taken to preserve it.

While the Department believes that the Board's previous designation of the Brandy Station Battlefield was based on accurate historical research, it recognizes that there appears to remain strong opposition to the scope of the previous designation within the affected communities. Consultation with local residents has so far failed to identify any workable alternative resource-based designation that would have the support of a majority of the property owners.

In the event that the current designation is removed due to owner objection, the Department has no plans to prepare or sponsor any alternative designation proposal for the battlefield. However, the Department will present to the Board of Historic Resources for serious consideration any alternative resource-based designation proposal that is prepared by the property owners or other interested parties.

CONCLUSION: BRANDY STATION BATTLEFIELD

What are the Department's Recommendations?

While the Department affirms the scholastic accuracy of the previous research on which the Board's 1989 designation was based, it acknowledges that there appears to remain strong opposition to the scope of the 1989 designation within the affected communities. Consultation with local residents failed to identify any workable resource-based alternative designation that would have the support of a majority of the property owners affected by such designation. Opponents continue to see designation not as an effort to identify a resource, but instead to identify only that portion of a resource for which a definite preservation strategy has been developed and agreed upon by all parties concerned.

Whatever may be the result of efforts to identify and designate the entire Brandy Station Battlefield, the Department affirms that land-use planning for preservation is the province of local government. The Department commends Culpeper County and Fauquier County for their sensitivity to historic resources in their community planning. The Department encourages these localities to continue to develop planning strategies that are sensitive to the battlefield.

The Department recommends that Culpeper County undertake and adopt a development/preservation plan for the Brandy Station Battlefield that addresses as its highest priority the four major engagement areas within the battlefield core as well as the physical and visual connection of these four critical areas. The plan should also address the effect on the battlefield of development on adjacent lands. Such a plan could serve as the basis for private preservation initiatives, for private fund raising efforts, for review of federal undertakings under the 106 review process, and for VDOT's planning for the Route 29 corridor.

In the absence of such a plan, the Department recommends that serious consideration be given to the guidelines developed for preservation and development that appear in **Appendix A** of this report. Common agreement on these guidelines could help ensure that expected development within the designated battlefield will respect the historic values which make that battlefield significant and give it integrity. The Department encourages Culpeper County to continue to consult with the all interested parties in considering the full range of preservation and development alternatives within the battlefield.

While the Department cannot recommend any alternate boundaries to the Board for its consideration at this time, **the Department recommends that the Board take the opportunity of its reconsideration to remove the previous designation, if that is what a majority of the property owners want.** In the event that the current designation is removed due to owner objection, the Department has no plans to prepare or sponsor an alternative designation proposal for the Board's consideration. However, the Department will present to the Board of Historic Resources for serious consideration any alternative resource-based designation proposal for the battlefield that is prepared by property owners or other interested parties.

PART II

BRISTOE STATION BATTLEFIELD

**EXAMINATION OF NON-HISTORICAL ISSUES
RELATED TO COMMUNITY PLANNING
AND THE BRISTOE STATION BATTLEFIELD**

PRINCE WILLIAM COUNTY LAND USE

OVERVIEW

Prince William County's 1990 Comprehensive Plan is organized as ten chapters, each dealing with a different aspect of county planning. These chapters address the environment, cultural resources, fire and rescue, schools, parks and open space, potable water, sewer, housing, transportation, and long range future land use. The chapters which are most relevant to the Bristoe Station study area are the chapters which address cultural resources and long range future land use.

The comprehensive plan deals with cultural resources through five policies intended to facilitate the identification and protection of these resources. These policies include enhancing and disseminating information on the county's resources through surveys, studies, and nominations to the National Register; and implementation of various local government tools for preservation such as ordinances, tax incentives, and government acquisition and management of historic sites. The Cultural Resources component of the comprehensive plan also advocates the use of Designated Cultural Resource classifications on the Future Land Use map as a way to ensure that development proposals take significant cultural resources into account. Finally, the Cultural Resources plan establishes a "Historic Resource Management Overlay" for areas of the county where cultural resources are known to exist but are ill-defined, or are suspected to exist. The Bristoe Station study area is not accorded Designated Cultural Resource status, but is identified as an area where the Historic Resource Management Overlay is applicable.

The Future Land Use component of the comprehensive plan divides the Bristoe Station study area into two sections, which are generally in accordance with present use and zoning. To the west of Bristow Road, the study area is considered rural in nature, and is designated as A/E. The A/E designation is intended to protect agricultural areas of the county and to provide for very large-lot residential development. To the east of Bristow Road, the study area is designated LI/F, or light industrial. Light manufacturing business parks or sites, with some associated commercial or retail functions, are appropriate under this designation. The study area is identified as an area of the county requiring more intensive planning efforts than are possible in the general comprehensive planning process. As a result, a "sector plan" is anticipated for the area at some point in the future. The final section of the Future Land Use component of the comprehensive plan sets forth Development Evaluation Criteria which may be used to determine the appropriate intensity or density of development for a particular proposal. These criteria include consideration of cultural resources. Proposals which contemplate preservation of historic or cultural resources may qualify for consideration of higher development intensity or density.

CURRENT LAND USE AND ZONING

The current zoning map shows the Bristoe Station study area to the west of Bristow Road zoned almost entirely A-1. A-1 zoning is intended to encourage conservation and proper use of large tracts of land in order to protect agriculture, open space, and environmental and water quality resources. The minimum lot size under A-1 zoning is ten acres. The single exception to the A-1 zoning in the western section of the study area is a parcel of M-1 (heavy industrial) zoning on the extreme western corner of the study area.

To the east of Bristow Road, the zoning is A-1 to the south of the railroad, and M-2 to the north of the railroad. M-2 zoning is light industrial in nature, intended to promote employment opportunities and enhance the tax base of the county. It is designed to provide areas for research and development centers, light manufacturing, warehousing, wholesaling, and related office and institutional uses in support of the primary uses.

CULTURAL RESOURCES PLAN

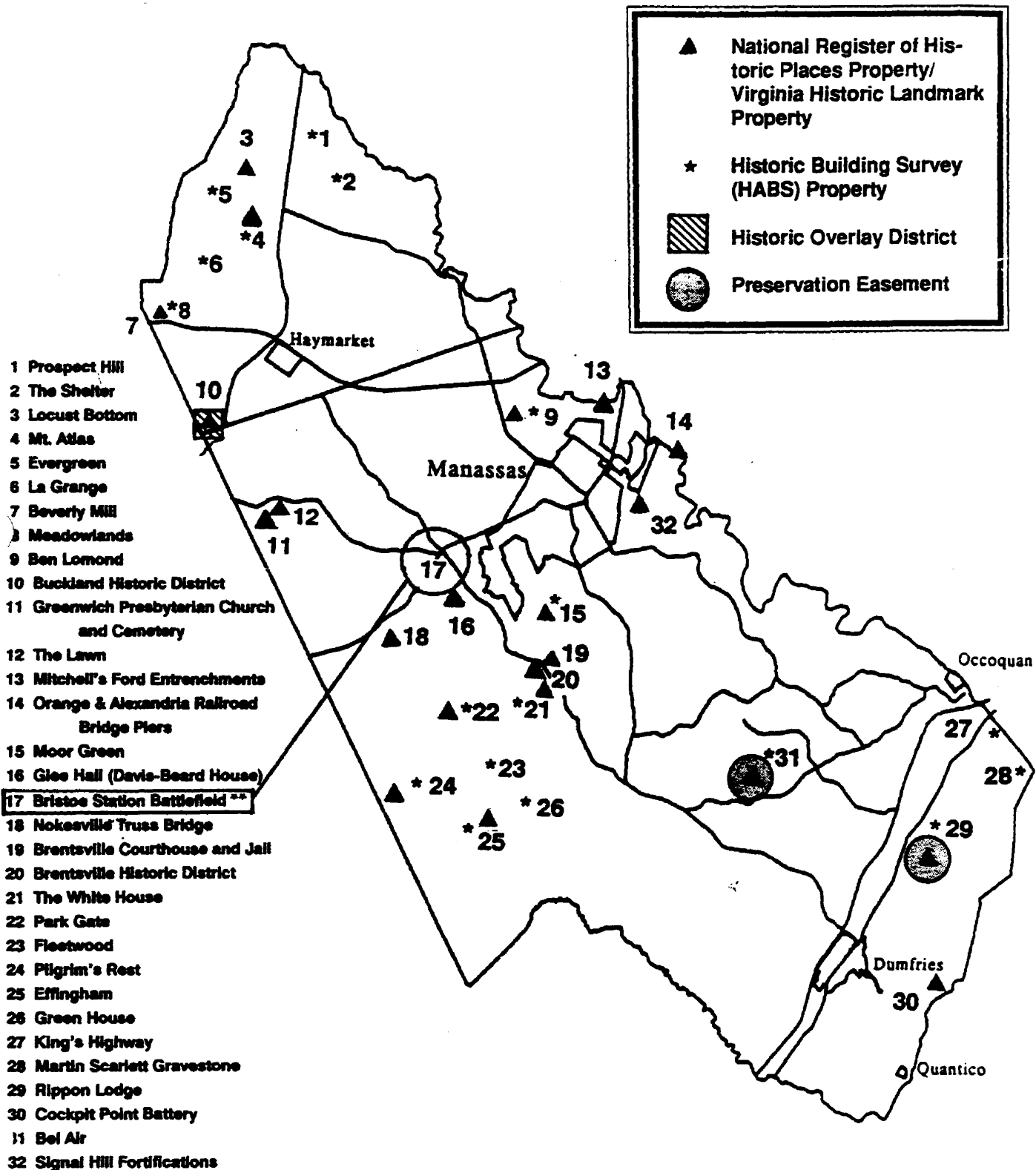
The county's Cultural Resources plan states that its primary purpose is to facilitate and encourage the identification and protection of the county's significant cultural resources. Its secondary intent is to enhance awareness of the history of the county and the importance of preserving properties which are significantly linked with that history. To these ends, the plan identifies five policies and outlines action strategies for implementing these policies.

The first policy is to "Identify and protect Prince William County's significant historical, archaeological, architectural, and other cultural resources for the benefit of the County's citizens and visitors." This is to be accomplished through surveys and studies, maintenance of inventories, and nominations of significant resources to the National Register. The resources to be identified under this policy specifically include historic cemeteries and sites that are of significance to the county's minority communities, as well as other sites which are of architectural and/or archaeological significance.

The second policy identified under the Cultural Resources plan is to "Protect cultural resources that are important for documenting or demonstrating the prehistory or history of the county." Action strategies under this policy include requiring applicants for rezonings and special use permits to conduct agency records checks for cultural resources; encouraging the use of preservation easements; informing property owners of the availability of property tax incentives and federal rehabilitation tax credits, and encouraging them to maintain and protect historic properties; adoption of county ordinances, overlay districts, and conditional zoning procedures which will promote preservation; training of inspectors on issues relating to building codes and historic buildings; acquisition and appropriate management of cultural resources by the county government; and development of a county viewshed policy.

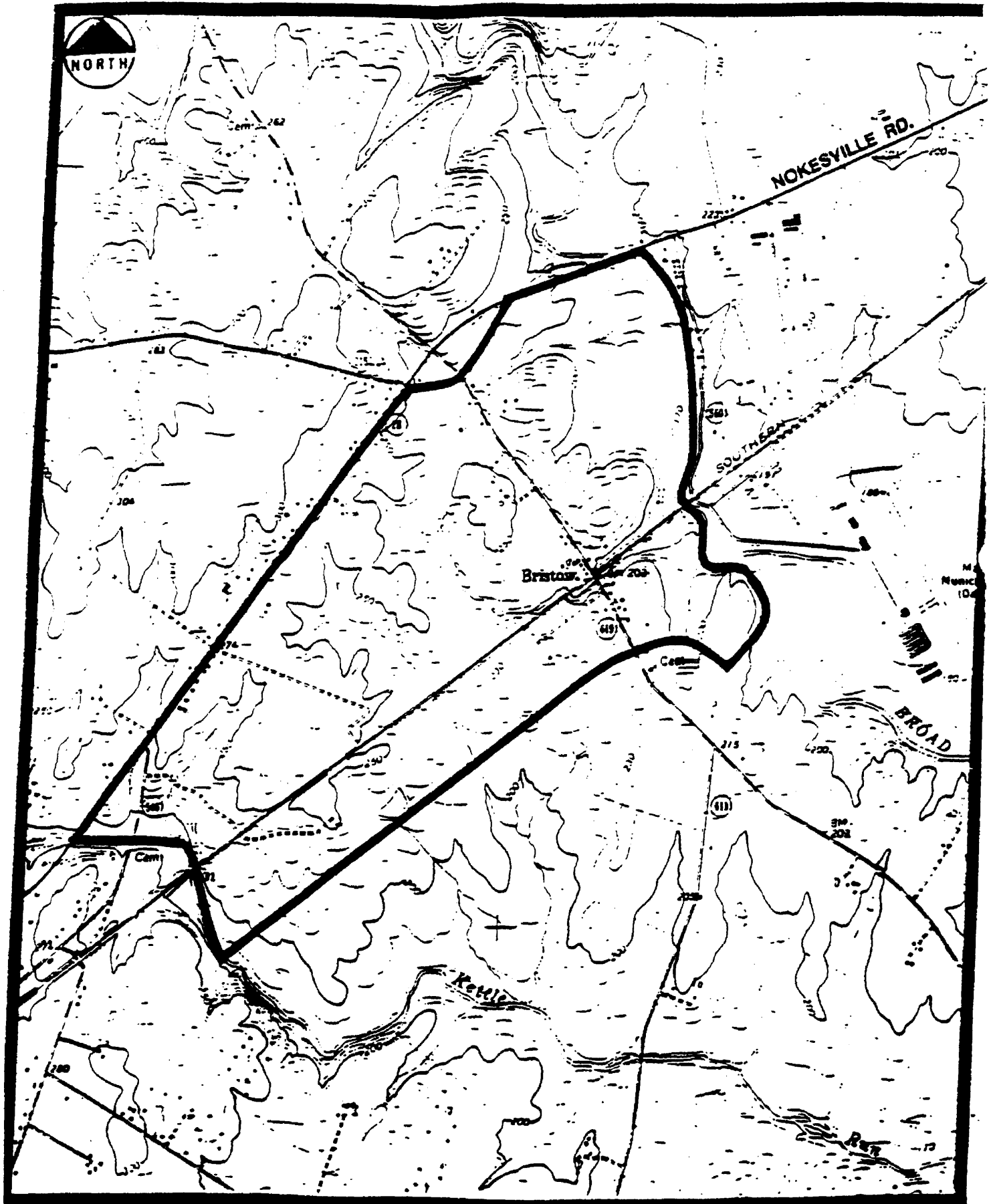
Cultural Resources Plan

Designated Cultural Resource Properties Under the County's Land-Planning Jurisdiction



BRISTOE BATTLEFIELD DISTRICT

1" = 2000'



The third policy identified in the county's Cultural Resources plan is to "Enhance the awareness of Prince William County's history and the importance of the county in the historical development of the Commonwealth of Virginia and the United States." Action strategies under this policy include a variety of suggestions for generating and circulating studies and reports about the county's history and historic resources. This list specifically includes the following action strategy: "Initiate steps to protect appropriate portions of the Bristoe Station Battlefield."

The fourth policy is to "Encourage preservation of the county's most significant historic properties through use of the Designated Cultural Resource (DCR) classification." On the county Future Land Use Map, DCR designation indicates a place where significant cultural resources are known to exist. The classification is applied when a property is 1) listed on the National Register or the Virginia Landmarks Register, 2) included in the Historic American Buildings Survey (HABS) or the Historic American Engineering Record (HAER), 3) protected by a preservation easement, or 4) part of a county Historic Overlay District. An action strategy in the Future Land Use component of the comprehensive plan states that DCR classification is not intended to prevent development, but to identify sites of historical or cultural significance in order that development on these sites can occur in accordance with the Cultural Resources plan.

The county lists 32 Designated Cultural Resources, including the Bristoe Station battlefield. A table located at the end of the Cultural Resources plan identifies current land use and other appropriate primary uses, describes the significance, and lists other pertinent facts about each property. Bristoe Station battlefield, however, is not included in this table, nor does it appear on the Future Land Use map as a Designated Cultural Resource.

The final policy articulated in the Cultural Resources plan is to "Encourage preservation of known (but ill-defined) or expected significant historic properties through application of the 'Historic Resource Management Overlay.'" This overlay is applied to land use classifications in areas where there is concern over 1) the presence of known but ill-defined potentially significant cultural resources, 2) the presence of expected significant cultural resources, or 3) potential impacts to important historic viewsheds. Appropriate actions in overlay areas, according to the Cultural Resources plan, must be determined on a site-specific basis, but may include such measures as archaeological surveys, preserving resources or mitigating impacts to resources, and opting for low-rise buildings or using vegetative buffers or topographic features to minimize visual impacts from new development. The Cultural Resources plan includes sensitivity maps showing areas of potential archaeological or Civil War sites. These maps show the Historic Resource Management Overlay as applicable to the Bristoe Station Battlefield.

LONG RANGE FUTURE LAND USE PLAN

The Future Land Use component of the comprehensive plan includes five elements: 1) a Long Range Concept Area map, 2) a Future Land Use plan map, 3) a land use compatibility matrix, 4) the section in which the county's intent, goals, objectives, and action strategies are

articulated, and 5) Development Evaluation Criteria. Treatment of the Bristoe Station study area under this section of the plan is generally in accordance with present use and zoning.

The county's Long Range Concept Area map subdivides the county into four characterizations based on current and potential use. Of these, two are applicable to the Bristoe Station study area. To the west of Bristow Road, the county has classified the study area under Concept Area IV, which is characterized by agricultural, forestry, and large lot residential areas. Parts of the county classified under Concept Area IV generally are not intended to be served by public water and sewer facilities. To the east of Bristow Road, the study area has been classified under Concept Area II. Concept Area II parts of the county are envisioned as areas where employment uses not inherently compatible with residential uses can be accommodated.

The Future Land Use map amplifies the general categorizations identified in the Concept Area map by indicating actual land use classifications and, for residential areas, densities. Here again, the Bristoe Station study area appears under two classifications. To the west of Bristow Road, the study area is classified as A/E or Agricultural/Estate. The purpose of A/E classification is "to protect existing agricultural lands and provide areas within the county where very large-lot residential development is appropriate." The minimum lot size for residential development is 10 acres, as implemented through A-1 zoning. At present, this entire area, with the exception of a small parcel of M-1 (heavy industrial) is zoned A-1. Located within this part of the study area is Glee Hall, a nineteenth century house and store which is a Designated Cultural Resource. To the east of Bristow Road, the study area is classified as LI/F or Light Industrial/Flex. The LI/F classification is intended to provide for areas where light manufacturing business parks or sites are to be located, and is implemented through M-2 zoning. M-2 zoning is presently in place for a large portion of this area. Primary uses include light manufacturing, warehousing, wholesale/distribution and/or assembly. Some retail and office uses are also permitted under the LI/F classification and M-2 zoning.

The county's Land Use Compatibility matrix chart, according to the comprehensive plan, provides a general framework for evaluating techniques to ensure compatibility in areas where different categories meet. According to this chart, the A/E and LI/F categories are incompatible with each other. Bristow Road, apparently, is considered an adequate separation between the two land use classifications.

The Future Land Use component of the comprehensive plan includes a single goal: "To achieve a high quality living environment through a wise distribution of compatible land use patterns, and to respect the integrity of the natural environment while creating a community which addresses the social and economic needs of Prince William County residents." This goal is to be accomplished through eight objectives. One of these objectives is utilization of a "sector planning process" to address "areas of concern" requiring more detailed planning than is possible through the comprehensive plan. The Bristoe Station study area is identified as an area for which a sector plan will be prepared.

The Development Evaluation Criteria element of the Future Land Use plan notes that the Future Land Use map is not site-specific. Rather, the map sets forth general areas of the county where particular types and levels of development are appropriate and provides for a range of densities/intensities within those areas. The Development Evaluation Criteria section sets forth considerations which may be used to assist in determining the level of development which is appropriate for a specific project. These criteria include consideration of cultural resources. According to this element of the plan, development proposals which affect significant cultural resources are to be evaluated with regard to provision of long-term measures to protect the integrity of such resources. Proposals which contemplate preservation or renovation of historic or cultural resources may qualify for consideration of higher development intensity or density.

Summary Findings on Current and Future Land Use

Based on information provided by the County regarding current and future land use within the designated Battlefield, the Department found that:

Two major elements of Prince William County's comprehensive plan address the significance and preservation of the Bristoe Station Battlefield: the component which addresses cultural resources and the component dealing with long range future land use.

The comprehensive plan includes far-seeing policies for enhancing and disseminating information on the county's resources through surveys, studies, National Register nominations; and implementation of such local preservation tools as ordinances, tax incentives, government acquisition and management of historic sites. The plan also advocates use of locally designated cultural resource classifications on the future land use map as a way to ensure that development proposals take significant cultural resources into account. The plan also establishes a "Historic Resource Management Overlay" for areas of the county where cultural resources are known to exist but are ill-defined or are suspected to exist.

The Future Land Use component of the comprehensive plan divides the Bristow Station study area into two sections, which are generally in accordance with present use and zoning. To the west of Bristow Road, the study area is considered rural in nature and is designated Agricultural/Estate. The A/E designation is intended to protect agricultural areas of the county and to provide for very large-lot residential development. To the east of Bristow Road, the state-designated battlefield is designated Light Industrial/Flex. This designation looks toward light manufacturing business parks or sites, with some associated commercial or retail functions. The County expects this light industrial and related development to be encouraged by the proximity of the area to the Manassas Airport and commuter rail. Such development would meet community goals for job-creation and a stronger tax base.

The Cultural Resources component of the plan does not accord the area currently designated as the Bristoe Station Battlefield as a County-designated Cultural Resource. However, the battlefield is identified as an area where a Historic Resource Management Overlay is applicable.

The currently state-designated battlefield is identified as an area of Prince William County requiring more intensive planning efforts than are possible in the general comprehensive planning process. As a result, a "sector plan" is now under development. Under the development evaluation criteria set forth in the comprehensive plan, proposals which contemplate preservation of historic or cultural resources may qualify for consideration of higher development intensity or density.

EXPECTED DEVELOPMENT, TRANSPORTATION AND THE 106 REVIEW PROCESS

The Department consulted with Prince William County and with property owners regarding the likelihood that expected development and related transportation improvements within the designated battlefield will require federal funding, a federal permit or license or some other federal assistance or involvement. Such activities are subject to what is known as the "Section 106 Process." The Section 106 process was created by Section 106 of the National Historic Preservation Act of 1966, as amended, and its implementing regulations. The process allows for a review of the impact of federal undertakings on significant historic, architectural, engineering and archaeological resources. All federal agencies are required to take historic and archaeological resources into account in planning for their own undertakings, or in deciding whether to approve grant projects, or to issue permits and licenses. The agencies must consult with the State Historic Preservation Officer (SHPO) and the federal Advisory Council on Historic Preservation. In Virginia the SHPO is the Director of the Department of Historic Resources. No separate permit is issued as a result of this consultation.

The Department's consultation with the County and property owners found that:

According to the County, there are no planned capital improvements within the Bristoe Station Battlefield in the near future. The County does foresee possible federal involvement in the expansion of parking facilities serving commuter rail traffic near the battlefield. Proposed development which may be approved by the County in the future will not be subject to the 106 review process, if federal funding, a federal permit or other federal assistance is not involved.

No property owner provided information on any current or forthcoming development proposal that might be subject to the 106 review process. Based on a proposed sector plan for the Bristoe/Linton Hall area prepared by a consortium of interested property owners, it appears that property owners expect that the intersection of Routes 28 and 619 will become an important community node for development in the future. The expectation for development is based on the current permitted uses in the area, the pattern of recently approved rezonings north along Linton Hall Road and the opportunities presented by commuter rail transportation. Property owners look to the designation of the Route 28 and 619 intersection as a commercial community services node with surrounding residential densities. The County will be using the information provided by the property owners in developing the sector plan called for in the comprehensive plan.

Regarding the ability of the county and the state to meet the current and future community transportation needs within the designated area, the Department found:

The proposed long range road network in the comprehensive plan was derived using buildout of those land uses (A/E and LIF) suggested on the Long Range Future Land Use Plan Map at median densities. The forecast is based on the assumption that higher density of development in this rural area of Prince William is inevitable, unless a third party steps in to purchase the land from the current property owners at fair market value in order to ensure its long-term preservation as a battlefield.

In the Prince William comprehensive plan, Route 28 and Bristow Road are proposed as primary arterials, so designated to handle significant volumes of traffic.

The comprehensive plan proposes the realignment of Vint Hill Road to provide for a safer intersection at Route 28 and Linton Hall Road. It does not propose extension of Vint Hill Road south of Route 28. The comprehensive plan identifies the need for a new Route 28 collector road, to be located less than one-quarter of a mile from Route 28. The proposed land uses under the comprehensive plan provide for bike and trail connections to a new commuter rail station east of the battlefield.

The transportation component of the comprehensive plan puts the burden on applicants for rezoning to show that the existing and future roadway network proposed by the applicant is capable of handling the increased traffic volumes that would be generated by the proposed land uses. The County requires that such detailed transportation analysis employ a County-approved travel demand forecasting model.

Roads developed privately and then turned over to VDOT for inclusion in the state system are subject to no review by the Department of Historic Resources. The County does not regard the current state designation as placing any major obstacle in the way of meeting its current or future transportation needs.

While consultation with VDOT on its ability to meet transportation needs within the designated battlefield is continuing, it is important to emphasize that the Department has worked successfully with VDOT in the past in other historic areas to ensure that needed transportation improvements are carried out in ways that minimize damage to historic resources. VDOT and DHR have found successful mitigation strategies for a wide range of transportation projects in historic areas or projects affecting historic resources.

There are also many examples of projects in which historic properties have been destroyed because transportation needs could not be met without the loss of a historic resource. The Department does not have veto authority over VDOT. The Department's role in reviewing VDOT projects is consultative and advisory.

THE MEANING, EFFECT AND SCOPE OF THE DESIGNATION

Based on its consultation with property owners, the Department found that:

There is no better understanding of what designation means at Bristoe Station than existed in 1990. The passage of time has not resulted in converting previous opponents to supporters of the designation as it exists today.

Property owners continue to express considerable concern that designation sets the property aside, harms market value, "triggers" Section 106 review, encourages subsequent regulatory action by the county, or leads to confiscatory action by the federal government.

At Bristoe Station, there remains a complete absence of a constituency for designation of the battlefield among the owners of the designated land. There is no indication of any consensus or support for the designation of some smaller area of the battlefield.

PRIORITIES AND STRATEGIES FOR THE PRESERVATION OF THE BRISTOE STATION BATTLEFIELD

BACKGROUND

Among the several questions presented to the Department for consideration in its study of the Bristoe Station Battlefield were two related to the identification of priorities and options for the preservation of the battlefield:

- 1) Are there any smaller areas within the designated battlefield that should be high priority areas for preservation?
- 2) What strategies can be identified for accomplishing that preservation in a manner that is fair to current property owners?

The Department examined on a general level the range of tools available for battlefield preservation, and the steps needed to define a specific approach that is likely to be successful in preservation of a specific battlefield.

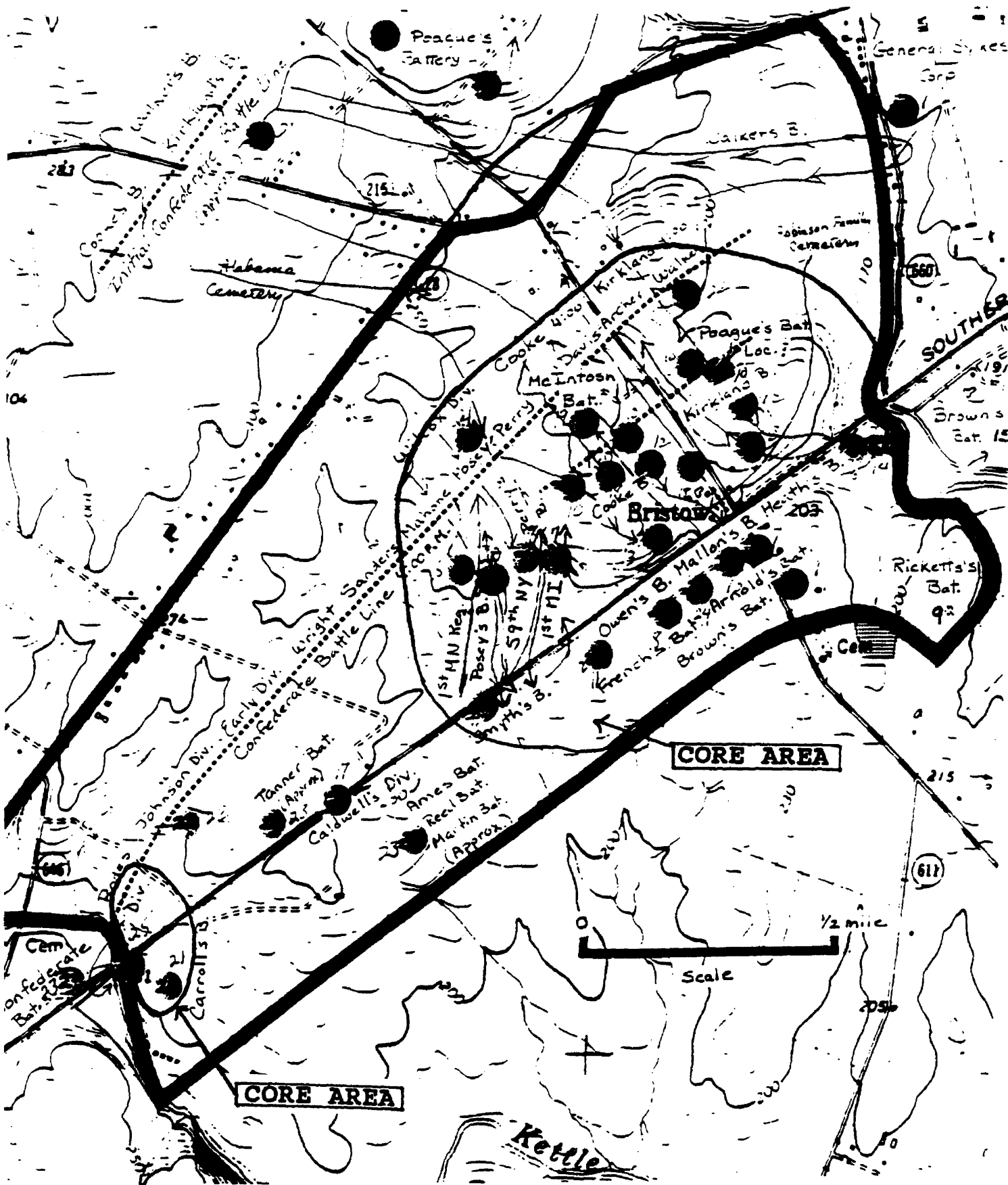
The Department also consulted closely with interested property owners and the Civil War Sites Advisory Commission to identify smaller areas within the designated battlefield that should be high priority areas for preservation.

To identify what methods would be both effective in preserving these priority areas and fair to the current landowners, the Department actively sought the counsel and advice of the property owners themselves. The Department did so by soliciting their written comments on the above questions.

ARE THERE ANY SMALLER AREAS WITHIN THE BRISTOE STATION BATTLEFIELD THAT SHOULD BE HIGH PRIORITY AREAS FOR PRESERVATION?

Written Comments of Property Owners

In response to the Department's written solicitation for comments on this question from 36 property owners, the Department received no comment or information regarding the identification of smaller areas within the designated historic district that should be priority areas for preservation.



EVENTS OF THE BATTLE OF BRISTOE STATION

The Views of the Civil War Sites Advisory Commission

The Civil War Sites Advisory Commission has identified what it has determined to be two core areas of the battlefield. The cores are those portions of the battlefield where the most intense fighting and decisive action occurred. The larger of the two core areas includes the area of greatest significance to an understanding of the battle; that is, it is the principal engagement area. The smaller core area, at the western end of the study area on Kettle Run, includes the area of the concluding engagement of the battle. In the judgment of the Department, the definition of these two areas is justified by the documentation and is consistent with guidance from the National Park Service. These core areas would appear to be the highest priority areas for long-term preservation and interpretation. These areas also encompass the greatest concentration of sites identified on the interpretive map of the Battle of Bristoe Station prepared by the County Office of Planning in 1989. This map could be a useful tool in the rezoning process to identify and create an interpretive trail loop connecting important features of the resource.

PRESERVATION TOOLS AVAILABLE IN THE COMPREHENSIVE PLAN

Prince William's comprehensive plan identifies a number of local planning tools which could be used effectively to ensure the preservation of the most significant areas within the battlefield.

The entire area of the battlefield is indicated as a Historic Resource Management Overlay in the Cultural Resources element of the plan. While this designation calls for any applicant for rezoning to address various policies and action strategies related to the preservation or development of the resource, it does not ensure a specific amount of open space nor require that an applicant conduct any necessary studies to determine the most significant area or areas for preservation, if not all of the battlefield.

Property owners have opposed the designation of the battlefield as a County Designated Cultural Resource. That designation only applies to places having preservation easements or places which are actually listed on the National Register of Historic Places. Neither of these conditions exists.

The County could, however, consider designating the area as a Special Public Interest Overlay Zone or Historic Overlay District to include the battlefield area, the village of Bristoe and surrounding areas comprising the viewshed. The zoning ordinance specifies that establishment of a historic overlay district can be done without the permission of the affected property owners. This action would ensure appropriate review and oversight of development objectives and development performance criteria.

Other options to be considered include a requirement that rezoning and special use applicants undertake cultural resource studies within the battlefield and a requirement that such applicants propose any necessary mitigation measures for appropriate review prior to site plan approval.

Work now underway to develop a sector plan for the Bristoe area presents an excellent

opportunity for the County and interested property owners to consider the full range of preservation and development options. Ideally, a sector plan would articulate land use, roads, pedestrian circulation, open space, noise sources, viewsheds, historic buildings and landscape preservation, the environment, and building scale, style, and materials within the battlefield. A density/intensity transfer option, as well as clustering, would also be important considerations which could be offered in a sector plan as policies and action strategies.

Is There a Consensus on How Much of the Battlefield Should be Preserved or How that Preservation Should be Accomplished?

While there appears to be common recognition that the Bristoe area presents an excellent opportunity for developing a dynamic and workable plan which would tie together diverse community needs, the Department believes that there is as yet no identifiable consensus on how much of the Bristoe Station Battlefield should be preserved or how that preservation should be accomplished, outside of the need to establish a sector plan for the area.

Consultation with property owners indicated that property owners support the proffer system as a fair one. Strategies for preservation that would seem most fair to the current property owners include private and public purchase of land in fee. While current landowners did not express support for such preservation options as cluster development or density transfer in return for more proffered areas, prospective purchasers may recognize potential benefits in having such options available. It appears that the consensus of property owners at Bristoe Station is that the use of purchase and acquisition strategies should be done under the conditions of (a) a willing seller, and (b) at a fair market-value price agreeable to the seller. The Department does not regard "condemnation" as either economically or politically viable as a strategy at Bristoe Station.

EXAMINATION OF DOCUMENTARY INFORMATION

BACKGROUND

In April, 1991, the Virginia Board of Historic Resources designated the Bristoe Station Battlefield Historic District for listing on the Virginia Landmarks Register against the wishes of many property owners. The designated area is a district of 1,162 acres in Prince William County, Virginia.

The Board's Finding of Significance

The Board's 1991 designation was based upon a finding that the district is associated with significant events related to the American Civil War. The Battle of Bristoe Station, which took place on October 14, 1863, ended the Bristoe Campaign and was the last major military engagement fought in Northern Virginia. After the battle, the Confederacy had lost more than 1,300 dead, wounded, and missing soldiers; the Union Army lost approximately 600 men. The Confederates buried their men, many of whom were from North Carolina, on the battlefield.

The Board found that the Battle of Bristoe Station was a significant defeat for the Confederacy and the low point of General A. P. Hill's military career. Coming so soon after the disastrous Gettysburg campaign, the Confederacy could not afford the loss of these men in an ill-considered attack. The inadequacies first demonstrated by the Confederate Army command during the Battle of Bristoe Station would become more apparent and systematic as the war progressed. Following this campaign, Lee's army would not return to Northern Virginia.

The Board also found that the designated area retains sufficient integrity to convey authentically an understanding of the battle's significance, location, setting, and historical associations.

Boundaries

The Board of Historic Resources designated a 1,162-acre area of privately owned land where significant aspects of the battle took place. The boundaries of the district were drawn to include the site of the Bristoe Station Battlefield.

The district is bounded on the north by the Nokesville Road (Highway 28) and Chapel Springs Road, on the west by Kettle Run, and on the east by Broad Run. Except in the southeastern corner of the district, the southern boundary line is approximately 1,400 feet south of and parallel to the railroad tracks. In the southeastern corner, the boundary angles towards the southeast and skirts the southern edge of a knoll adjacent to Broad Run. All of the existing buildings or structures on the battlefield postdate the Civil War and are non-contributing properties.

**PUBLIC CONCERNS REGARDING THE DOCUMENTARY BASIS
FOR THE BOARD'S DESIGNATION OF THE BRISTOE STATION BATTLEFIELD**

On December 7, 1992, the Department wrote to the 36 owners of property within the designated battlefield area, inviting their participation in the Department's study. The letter encouraged property owners to provide the Department with any information thought to be pertinent to the Department in preparing its report. The letter specifically solicited comments on the following questions related to the documentary basis of the Board's 1991 designation:

Are you aware of any documentary information that would help us determine whether the Bristoe Station Battlefield designation or the current boundaries of the designated area were based on errors of fact? Does this information provide grounds for recommending that the state designation be amended or withdrawn?

Overview of Comments Received

The Department received 4 letters offering comments on the documentary basis of the Board's designation of the Bristoe Station Battlefield. Property owners raised several concerns about the findings of the Board's previous designation of the Bristoe Station Battlefield: 1) the location of the battle; 2) the accuracy of the battlefield boundaries; 3) the significance of the battle; and 4) the issue of whether human burials still were present on the battlefield.

In seeking to respond to these concerns, the Department has closely examined the following: 1) The research methodology and sources on which the Board's previous finding was based; 2) all additional documentary information made known to the Department by property owners; and 3) any other pertinent documentary information which was not considered at the time of the Board's previous designation of the battlefield.

ANALYSIS OF SUBSTANTIVE ISSUES RAISED BY PROPERTY OWNERS

Location of the Battle

Three of the writers questioned the location of the battle. Two alleged that it took place to the east of Broad Run while the third suggested that the battle would not have taken place in open ground but in the "hills and ravines"--also to the east of Broad Run--that comprise "a more logical area for a battle."

The first assertion, that the battle occurred to the east of Broad Run, is based on a misreading of the nomination report. The writers refer to the Summary Significance Statement (Section 8, page 1), in which it is stated, correctly, that "A. P. Hill ordered an immediate attack" upon "Sykes's Fifth Army Corps resting to the east of Broad Run." The writers of the letters then do not take notice of the remainder of the report, which shows that before that attack could be carried out, Hill's forces were themselves attacked by Union troops concealed behind the railroad bed to the west of Broad Run (where the battle was in fact fought).

The second statement, that hills and ravines were better locations for a battle, directly contradicts the military doctrine of the day, which stated just the opposite: open ground was suitable for a battlefield, not hills and ravines. Open ground provided room for maneuver, fields of fire, etc., for large bodies of troops massed together, whereas hills and ravines did not. Both armies would have avoided fighting over rough ground if possible.

The contemporary maps and documents produced by those who took part in the battle support the designated area as the location of the battle.

Boundaries of the Battle

Two letters disputed the location of the boundary of the battlefield as drawn for the nomination report. The comments asserted that the boundaries were drawn casually or arbitrarily.

According to National Register Bulletin 40: Guidelines for Identifying, Evaluating, and Registering America's Historic Battlefields, p. 13:

The boundary should encompass, but not exceed, the full extent of the battlefield. Included within the boundary should be the location of the battle and an appropriate setting to convey its significance. . . . It is not necessary to demonstrate that soldiers fought on every square foot of the battlefield. For example, where a battle was fought in a valley formed by two ridgelines, it may be appropriate to draw the boundary at the ridgelines because the topography determined the course of the action.

This is precisely the approach that was followed at Bristoe Station. The long boundaries follow the ridgelines (the northwestern boundary follows Route 28 because it is at the top of that ridgeline); the short boundaries (southwest and northeast) follow watercourses, which generally served as obstructions and helped confine the action to the east of Kettle Run and the west of Broad Run. In addition, a few areas outside the boundaries were excluded either because of a lack of integrity or because the location of the action was considered to be too conjectural. While it is possible to extend the boundaries of the nominated area, the existing boundaries were considered by the Department and the National Park Service to have been fully justified and carefully drawn.

Other comments disputing the boundaries were based upon a misreading of the nomination report. For example, it was asserted in one letter that the report "describes a duel west of Kettle Run where General Posey, according to this document, probably fell. This implies that the west boundary of the proposed Battlefield District is inaccurate also as it stops at Kettle Run." In reality, the report describes an artillery duel that took place between Union and Confederate batteries. One of the Confederate batteries was in fact west of Kettle Run, but that is not where Posey was. He was not far west of present-day Route 619 when he received his fatal wound. Contrary to the letter-writer's assertion, the report accurately states that Posey was wounded during the artillery duel, not that he was located west of Kettle Run.

The boundaries of the designated area were conservatively drawn to encompass the actual battlefield of Bristoe Station. The boundaries are supported by contemporary maps and documentation.

Significance of the Battle

Two of the letters assert that the action at Bristoe Station was not a battle but a skirmish or engagement and therefore not significant. To buttress their argument they cite the modern meanings of those words. They do not cite the contemporary military meanings of the words, which are quite different. Those meanings are (from the October 1991 draft of "Study of Civil War Sites in the Shenandoah Valley of Virginia," p. 25):

a battle was directed by the ranking general of the military district and involved the bulk of the forces under his command; an engagement might be directed by a subordinate leader or involve only a portion of the armies in the field; an action was a conflict, typically limited in scope, that could not be easily labeled a battle or an engagement.

Skirmishes generally were either opening actions in an engagement or battle, or minor actions involving a relatively small number of men who came into contact with each other as outposts or as the forward elements of a larger force.

Using these more meaningful definitions, what happened at Bristoe Station clearly falls at least into the engagement category, and indeed is listed as such in the General Index to the "Official Records" (p. 110). Any imputation of lesser significance from this categorization, however, is strictly the choice of the letter-writers, and is not borne out either by the facts of the engagement or the subsequent assessments of historians. Indeed, N. E. Warriner, compiler of A Register of Military Events in Virginia, 1861-1865 (published by the Virginia Civil War Commission in 1959), refers to the conflict as the Battle of Bristoe Station (p. 32). His compilation was derived from the Official Records.

In its draft report of February 21, 1993 to the Civil War Sites Advisory Commission ("Report on the Nation's Civil War Battlefields, Executive Summary," p. 9), the Commission staff lists Bristoe Station as one of the most significant battlefields "representing an important campaign."

In a April 2, 1991 letter to Hugh Miller, the eminent historian James M. McPherson wrote: "I strongly believe that the strategic significance and human cost of the battle of Bristoe Station warrant the designation of the battlefield as a Virginia Historic Landmark. The 1,162 acres within the boundaries of the proposed Bristoe Battlefield District include the most salient features of the engagement as confirmed by the historical record of a day of bravery and sacrifice that should never be forgotten."

The significance of the conflict at Bristoe Station is unrelated to whether it is more properly classified as a battle or an engagement. Furthermore, its importance is not disputed by professional historians. That importance is perhaps best understood by comparison of the situation in 1863 with that in 1862, when Lee pursued Pope's retreating army with the intention of engaging and destroying it. Robertson, in his biography of A. P. Hill, makes that comparison, writing that during the Bristoe Campaign Lee once again was the aggressor. In 1863, the attempt ended not with a bloody stalemate (the Battle of Chantilly), but with a bloody defeat (Bristoe Station). While Lee succeeded in some of his other objectives for the Bristoe Campaign, the defeat at Bristoe Station greatly influenced the overall results of the campaign.

The Human Burial Issue

The day after the battle Lee instructed Hill to bury his dead. Whether the bodies were buried where they lay or were gathered for burial in mass graves is not clear. It is also not clear whether any remains were removed to other sites after the war. Some preservation advocates argue that one reason to preserve battlefields is because they are also cemeteries.

Two letters assert that there are no combat burials on the battlefield. They refer to a "College of William and Mary study" that "clearly disclaims any archaeological significance" for the battlefield site. That study or survey is: Dennis B. Blanton, William and Mary Archaeological Project Center, A Phase I Cultural Resources Survey of the Proposed Commuter Rail Parking Lot and Layover Yard, Bristow, Prince William County, Virginia, 3 April 1990, Prepared for Virginia Department of Transportation.

The survey was conducted because a commuter rail parking lot and layover yard had been proposed for construction in the Bristow vicinity. Prior to construction (the project subsequently was moved off of the battlefield), the W&M archaeologists were hired by VDOT to conduct a Phase I (preliminary) survey of the area "to provide specific information concerning the nature and distribution of archaeological and architectural resources within the proposed right-of-way of the project corridor" (p. 1).

The investigators surveyed three sites and one location within the project area. The survey method consisted of surface collecting on Sites 1, 2, and 3, and on Location 1. In addition, shovel testing at ca. 75-foot intervals was performed at Site 1; the test holes varied from .5 to 1.2 feet deep, with an average depth of .8 foot (p. 22). The artifacts recovered included lithics, fire-cracked rock, and such historical materials as brick fragments and bottle glass. No Civil War artifacts were recovered.

Several letters made reference to this survey report and asserted that its findings proved that nothing of archaeological significance relating to the Civil War--particularly human burials--exists within the proposed Bristoe Station Battlefield Historic District. Such a conclusion cannot logically be drawn from this report, however, for the following reasons:

1. The project area consisted of only a small part of the battlefield.
2. The project area is a part of the field among the least likely to contain burials. The Union forces to the south of the railroad in the West Parcel would have removed their casualties when they withdrew; the East Parcel was in part a Union artillery position that probably suffered no casualties, much less burials.
3. The area of likely or known burials to the north of the railroad was not surveyed or tested, because it lay outside of the project area.
4. The East Parcel was shovel-tested to a maximum depth of only 1.2 feet--nowhere near deep enough to uncover a human battlefield burial. Most burials probably were at a depth of 2-3 feet.

In short, the archaeological testing was conducted in that portion of the battlefield least likely to contain human burials, using methods least likely to uncover human burials. To proceed from the unsurprising fact that the archaeologists found no human burials to the assertion that no burials therefore exist anywhere else on the battlefield is illogical. The only way to determine whether burials exist is to conduct an archaeological survey of those parts of the battlefield most likely to contain burials, using the methodology most likely to uncover them.

Distinct from the survey report but related to the foregoing discussion is the assertion in one of the letters that plowing had failed to uncover burials. Again, most burials may have been below the average plow zone. In addition, many of the burials that occurred just north of the railroad may be covered by another 6 inches of earth because of erosion from the hills to the north.

Neither the much-cited William and Mary survey report nor any other evidence offered precludes the possible existence of human burials on the battlefield.

Based on its background research and examination of the pertinent documentary evidence, the Department finds that:

The letters of comment offered no new or substantial evidence to support their contentions that the battlefield was improperly located, that the boundaries of the battlefield were not accurately drawn, that the battle was not significant, or that the possibility of human remains on the battlefield should be dismissed.

The Battle of Bristoe Station was a significant episode of the Civil War, which had a major influence on the outcome of a campaign that involved over 100,000 soldiers from both armies. The Board's finding of significance is supported by the preponderance of objective evidence and contemporary battle reports and maps. The current boundaries accurately encompass the salient events of the battle.

The integrity of the battlefield is best described as in fair condition, compared to other surviving Civil War battlefields of its level of significance in the nation. While the landscape has changed over time, the designated area overall retains sufficient integrity to convey authentically an understanding of the battlefield's significance, location, setting, and historical associations.

In sum, the Department found no indication that the designation was flawed due to any error of fact.

CONCLUSION: BRISTOE STATION BATTLEFIELD STUDY

While the Department believes the Board's 1991 designation was based on accurate historical research, it acknowledges that there remains adamant opposition to the designation among property owners within the designated battlefield.

While consultation with local residents has so far failed to identify any workable alternative designation or agreement on preservation strategies, the Department affirms that land-use planning for preservation is the province of the local government.

The Department commends Prince William County for acknowledging the importance of historic resources in its community planning and encourages the County in its efforts to develop planning strategies that are sensitive in some measure to the battlefield.

The establishment of a sector plan for the Bristoe area would appear to present a timely opportunity to develop appropriate goals, objectives and performance criteria for preservation and development within the battlefield and the larger sector of which it is an important element. While existing plans do not make clear where expected development exactly will be and what it will look like, conventional approaches to development of the site would put the integrity of the battlefield at serious risk. On the other hand, creative approaches to development, in which the preservation of open space and the resource are made an integral part of project planning, could enhance the values that make the battlefield significant and give it integrity.

While the Department cannot recommend any alternate designation to the Board for its consideration, **the Department recommends that the Board take the opportunity of its reconsideration to remove the state historic landmark designation from the Bristoe Station Battlefield, if that is what a majority of the property owners want.**

APPENDIX A

PRESERVATION GUIDELINES FOR THE BRANDY STATION BATTLEFIELD

The National Park Service prepared the following guidelines in order to provide a comprehensive basis for considering measures to protect specific historic features and historic character at the Brandy Station battlefield. The Department recommends them as the best available guidance for decisionmaking by federal, state and local agencies in considering the impact of proposed development within the study area until such time as a heritage management plan to guide development within the battlefield is designed and implemented. Any approach to preserving the battlefield landscape should consider all four categories of historic resource types. Special consideration should also be given to historic sites and structures that represent spatially overlapping historic contexts such as the 1863-64 Union army winter encampment. Generally, for the battlefield to retain sufficient historic integrity to permit continued listing on the Virginia Landmarks Register, listing in the National Register of Historic Places or designation as a National Historic Landmark the preservation considerations elaborated below should be satisfied.

All preservation planning, survey, registration, and treatment actions taken at the battlefield site should conform to the Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation (Federal Register, vol- 48, no. 190, Thursday, September 29, 1983, pages 44716-44740) and any subsequent revisions.

Any use of these guidelines in situations in which it is anticipated that Federal undertakings will be involved should be coordinated by the Federal agency with the Virginia Department of Historic Resources and the Advisory Council on Historic Preservation pursuant to regulations given in 36 CFR 800.

RESOURCE TYPES AND ZONES FOUND ON THE BATTLEFIELD SITE:

- A. Significant historic structures/sites (present on June 9, 1863);
- B. Military engagement areas;
- C. Military positions and movements area (surrounding engagement areas);
- D. Historic scene--Gregg's Approach (Outside positions/movements area);
- E. Historic sites and structures that represent spatially overlapping

historic contexts (e.g., unevaluated prehistoric and historic archeological sites; 1862 Civil War features; 1863-64 Union army winter encampment; post-war agrarian landscape). Properties associated with these overlapping contexts are identified below with the battlefield resource zone with which they are found. In most cases these historic properties are unevaluated and management recommendations reflect only what is needed to maintain their physical character.

A. STRUCTURES AND SITES.

Structures functioned principally as landmarks on this battlefield, but these and archeological sites are the most fragile category of feature from a physical standpoint, and can bear the least amount of alteration or disturbance without a critical loss of integrity.

-- Because these features occur in the areas defined by the other historic zones they are described there.

-- Subsequent research may determine that certain structures and sites included here were not present on the June 9, 1863, battlefield; use of the guidelines for these places should be modified accordingly.

-- The possibility exists that unrecovered human remains may be encountered. For example, no field hospitals associated with the cavalry battle have been identified and mapped, but if located they would suggest sites near which burials may still be present. A plan for handling any such contingency should be worked out in advance.

B. ENGAGEMENT AREAS.

Military encampment areas were the locations in which many of the key historic events were played out. Many of these engagements were anchored on structures. Because the present physical character of the engagement areas is an array of wooded and open spaces that only approximate the historic setting, maintaining the interspersed field and woodland character is important for each of the four engagement areas.

1. St. James (Battle opens with initial formation of Union (Buford) and Confederate (Hampton/Jones) lines on opposite sides of a large field more or less centered on St. James Church. Union forces attacked Confederate Positions until Lee (C) approached Union right flank from Welford's Ford and Gregg (U) approached the Confederate rear from southwest.)

> Known losses of historic character:

- Loss of continuity in woodland along west side of the Green Farm Road just northwest of the church site;
- St. James Church building;
- Gee Farm house and outbuildings;
- Construction/intrusion of Culpeper airport.

> Important features necessary to retain historic integrity:

- A. St. James Church site;
- B. Beverly's Ford Road;
- C. Gee farmhouse site;
- D. 1863 woodlots along which Union lines formed;
- E. Green Farm Road;
- F. General landscape physical character.

> Management recommendations:

- A. Preserve St. James Church historic archeological site intact.
- B. The historic roads should be preserved as they presently exist, including their alignment, width, surface materials, and any adjacent historic features such as fencing that contribute to the character of the roadway.
- C. Gee farm house site (i.e., its historic core including house site, outbuildings, and any contributing features such as historic archeological deposits if they still exist) should be preserved.
- D. Existing woodlots provide screening opportunities and should be maintained where possible. In particular, the outline of 1863 woodlots bordering this engagement area should be retained or restored.
- E. New construction should not occur in engagement areas.

2. Cunningham [After Union and Confederate forces disengage at St. James Church, Union forces move to Cunningham Farm to engage Confederates with the latter steadily pushed westward past one or more temporary Confederate positions established at several stone walls that marked the boundary between the Green and Cunningham farm, until reaching the vicinity of the Green Farm. At this time, Confederates broke off and reestablished their lines on northern Fleetwood Hill.]

> Known losses of historic character:

- Green and Cunningham farmhouse structures no longer exist, although cellar holes and historic archeological deposits remain.
- Knoll house (post-Civil War) is an intrusion on the battle field, but should be evaluated for any significance in its own right.
- Cunningham overseer house (in poor structural condition).

> Important features necessary to retain historic integrity:

- A. Stone wall between Green and Cunningham farm; other stone wall(s) require archeological evaluation to determine whether there is association with the battle;
- B. Green and Cunningham farm sites and Cunningham farm overseer house;
- C. Historic road alignments (currently abandoned):
 - "Northern road" (between Beverly's Ford Road to Cunningham Farm to Wellford's Ford Road);
 - "Green Farm road" (west off "Northern road" to Green Farm);
- D. 1862 Confederate rifle-pits;
- E. Prehistoric site (44 CU 1);
- F. General landscape physical character.

> Management recommendations:

- A. Existing stone walls and associated fence posts, and any associated archeological remains (i.e., bullets, shell casings, other battlefield debris) may be valuable archeological locations because of the usual inability to plow directly against fence or wall lines. Either archeological testing should be conducted or they should be preserved as is with a 100' buffer.
- B. Green farm and Cunningham farm sites (i.e., their historic core including house site, outbuildings, and any contributing features such as historic archeological deposits) should be preserved. If the historic cores cannot be determined, then a minimum 250' buffer should be preserved around each farmhouse site.
- C. The historic roads should be preserved as they presently exist, including their alignment, width, surface materials, and any adjacent historic features, such as fencing, that contribute to the character of the roadway.
- D. Existing woodlots provide screening opportunities and should be maintained where possible.

E. New construction should not occur in engagement areas.

3. North Fleetwood Hill [Lee and Munford (C) reestablish lines along northern end of Fleetwood and receive attacks by Buford (U) until the end of the day when Lee and Munford counterattack after which Buford disengaged and retired back across Beverly's Ford.]

> Known losses of historic character:

- None known.

> Important features necessary to retain historic integrity:

- A. Historic road alignment (segment of Carolina Road);
- B. General landscape physical character.

> Management recommendations:

A. The historic road should be preserved as it presently exists, including the alignment, width, surface materials, and any adjacent historic features such as fencing that contribute to the character of the roadway.

B. Existing woodlands provide screening opportunities and should be maintained where possible. At the least, the outline of 1863 woodlands should be retained or restored.

C. New construction should not occur in engagement areas.

4. South Fleetwood Hill (Threatened by the approach of Gregg (U) from the southwest, Hampton and Jones (C) broke off fighting at St. James Church and moved back to the southern end of Fleetwood Hill and battled Gregg for several hours until breaking off and retiring back across Beverly's Ford at the end of the day.)

> Known losses of historic character:

- Intrusion of U.S. Route 29 right-of-way;
- Route 685 widened;
- original Fleetwood house lost with replacement built on same site.

> Important features necessary to retain historic integrity:

- A. Orange & Alexandria Railroad bed;
- B. Historic road alignment (Route 685);
- C. General landscape physical character.

> Management recommendations:

- A. Fleetwood house (i.e., its historic core including house site, outbuildings, and any contributing features such as historic archeological deposits) should be preserved. If the historic cores cannot be determined, then a minimum 250' buffer should be preserved around the farmhouse site.
- B. Retain the Orange & Alexander Railroad bed.
- C. The historic road should be preserved as it presently exists, including the alignment, width, surface materials, and any adjacent historic features such as fencing that contribute to the character of the roadway.
- D. Existing woodlots provide screening opportunities and should be maintained where possible. At the least, the outline of 1863 woodlands should be retained or restored.
- E. New construction should not occur in engagement areas.

C. MILITARY POSITIONS AND MOVEMENTS AREA (surrounding the Engagement areas and Sites and Structures).

Military positions and movement areas provided the linkages between engagements and constraints on movement over and around which the battle action flowed. The important physical characteristics here are the open rural ambience, the historic road network, and the general topographic relief.

> Known losses of historic character:

- industrial park development intrusion.

> Important features necessary to retain historic integrity:

- A. Barbour (Beauregard) house and historic outbuildings;

- B. Thompson house and historic outbuildings;
- C. Farley house, historic outbuildings and grave;
- D. Smith house and historic outbuildings (current integrity undetermined);
- E. Crutcher house and historic outbuildings (current integrity undetermined);
- F. Beverly's Mill site (current integrity of historic archeological site is unknown);
- G. Cunningham blacksmith shop (current integrity unknown)
- H. 1862 Civil War earthworks, rifle-pits adjacent to Beverly's Ford road;
- I. General landscape character of intermittent open fields and woodlots.
- J. Historic road alignments;
- K. 1863-64 Winter Encampment sites on battlefield (unevaluated for integrity):
 - 3rd Corps HQ;
 - 6th Corps HQ/Hospital;
 - 1st Brigade, 1st Div, 3rd Corps camp;
 - 2nd Brigade, 2nd Div, 6th Corps camp;
 - 3rd Brigade, 1st Div, 6th Corps camp;
 - 3rd Brigade, 2nd Div, 3rd Corps camp;
- L. Navigation canal and dam on Rappahannock River (unrelated to battle; current integrity unknown).

> Management recommendations:

- A. Existing historic farm buildings should be preserved.
- B. A survey for historic and prehistoric archeological sites should be conducted. Sites discovered should be evaluated for significance and preservation options. They should not be disturbed, if possible. If disturbed, then data recovery should take Place in accordance with the Secretary's Standards.
- C. The 1862 earthworks and 1863-64 winter encampment features should remain undisturbed. In the absence of an archeological evaluation and mapping, these features should include a 100' buffer.
- D. Construction, if necessary (including new roads), should be sited out of visually sensitive locations which generally are those locations that are readily in view from the engagement areas or that are long, commanding vistas.
- E. New buildings should make use of design and materials that minimize

contrast with the background visual setting (e.g., avoid reflective glass or bright, highly visible colors or surfaces) and be screened within woodlands.

F. Existing woodlots provide screening opportunities and should be maintained where possible. At the least, the outline of 1863 woodlands should be retained or restored.

G. The historic road rights-of-way should be used in lieu of new rights-of-way.

F. General landscape physical character should be maintained.

D. HISTORIC SCENE-GREGG'S APPROACH (outside the Military Positions and Movements Area).

The south Fleetwood-Hill historic scene was the location of a dramatic turn of events during the battle. The important physical characteristics here are the general configuration of tree lines, the historic road network, and the general occurrence of open fields and woodlands.

> Known losses of historic character:

- U.S. Route 29 construction.

> Important features necessary to retain historic integrity:

A. Visual relationship with the Military Positions and Movements zone;

B. Historic road alignment;

C. 1863-64 Winter Encampment sites (unevaluated for integrity):

- 3rd Brigade, 3rd Div, 3rd Corps camp;
- 1st Brigade, 2nd Div, 3rd Corps camp;
- 3rd Brigade, 2nd Div, 3rd Corps camp;
- 2nd Brigade, 2nd Div, 3rd Corps camp.

> Management recommendations:

A. New buildings and structures should make use of design and materials that minimize contrast with the background visual setting (e.g., avoid reflective glass or bright, highly visible colors or surfaces) and be screened within woodlots.

B. Existing woodlots provide screening opportunities and should be

maintained where possible. At a minimum, the outline of 1863 woodlands should be retained or restored.

C. The historic road rights-of-way should be used in lieu of new rights-of-way whenever possible.

D. General landscape physical character should be retained.

APPENDIX B

DOCUMENTARY SOURCES CONSULTED
IN THE BRANDY STATION BATTLEFIELD STUDY

The following is an annotated bibliography of sources consulted by the Department in preparing the documentation on which the Board's previous designation of Brandy Station Battlefield was based:

Battle of Brandy Station. Culpeper: Culpeper Cavalry Museum.

Baylor, George B. Bull Run to Bull Run: Four Years in the Army of Northern Virginia. Richmond: B. F. Johnson Publishing Co., 1900. *Exploits of the author and Co. B, 12th Va. Cav., which faced 6th Pa. Cav. at St. James Church and later fought on Fleetwood Hill.*

Beale, G. W. A Lieutenant of Cavalry in Lee's Army. Boston: The Gorham Press, 1918.

Beale, R. L. T. History of the Ninth Virginia Cavalry in the War Between the States. Richmond: B. F. Johnson Publishing Co., 1899. *Describes fighting near Welford's house on northern end of Fleetwood Hill.*

Blackford, W. W. War Years with Jeb Stuart. New York: C. Scribner's Sons, 1945. *Contains a general account of the battle.*

Borcke, Heros von. The Great Cavalry Battle of Brandy Station, 9 June 1863. Winston-Salem, N.C.: Palaemon Press, 1976. (English translation of Die Grosse Reiterschlacht bei Brandy Station, 9 Juni 1863 [Berlin: P. Kittel, 1893]). *Detailed and colorful account, with maps and illustrations of von Borke's exploits.*

Brooks, U. R. Butler and His Cavalry in the War of Secession, 1861-1865. Columbia, S.C.: The State Co., 1909. *Reprints Butler's memoir of the Stevensburg phase of the battle.*

Bruce, George A. The Twentieth Regiment of Massachusetts Volunteer Infantry. Boston: Houghton, Mifflin and Co., 1906. *Battle mentioned only briefly.*

Bryant, Edwin E. History of the Third Regiment of Wisconsin Veteran Volunteer Infantry, 1861-1865. Madison, Wisc.: Published by the Veteran Association of the Regiment, 1891. *Account of fighting at stone wall on Cunningham and Green farms.*

Burgess, Milton V. David Gregg: Pennsylvania Cavalryman. State College: Nittany Valley

Offset, 1984.

Carter, Samuel, III. The Last Cavaliers: Confederate and Union Cavalry in the Civil War. New York: St. Martin's Press, 1979. *General description of battle and statement of its significance.*

Catton, Bruce. Glory Road: The Bloody Route from Fredericksburg to Gettysburg. Garden City: Doubleday and Co., 1952. *Contains brief summary of battle.*

_____. A Stillness at Appomattox. Garden City: Doubleday and Co., 1953. *Discusses Grant at 1863-1864 winter encampment in Brandy Station/Culpeper area.*

Clark, Walter, ed. Histories of the Several Regiments and Battalions from North Carolina in the Great War, 1861-'65. Wendell, N.C.: Broadfoot's Bookmark, 1982. *Regimental histories with brief references to the battle.*

Coddington, Edwin B. The Gettysburg Campaign: A Study in Command. New York: C. Scribner's Sons, 1968. *Contains description and analysis of battle, in which he concludes that it was significant in development of Union cavalry but not of overall strategic importance.*

Conyngnam, D. P. The Irish Brigade and Its Campaigns. New York: William McSorley and Co., 1867. *Brigade fought in other engagements in Brandy Station area.*

Cook, John Esten. Wearing of the Grey. Bloomington, Ind.: Indiana University Press, 1959. *Brief discussion and anecdote relative to battle, and biographical sketch of Will Farley.*

Cooney, Charles F. "Engineers and Entertainment." Civil War Times Illustrated 15 (Nov. 1976): 12-15. *Describes life in Union winter encampment, 1863-1864, with photos and drawings.*

Crowninshield, Benjamin W. A History of the First Regiment of Massachusetts Cavalry Veterans. Boston: Houghton, Mifflin, and Co., 1891. *Detailed account of Stevensburg phase of battle; quotes from McClellan to cover other parts of field.*

Culpeper County. Deed Books. 1821-1864. Archives Branch, Virginia State Library and Archives, Richmond, Va.

Davis, Burke. Jeb Stuart: The Last Cavalier. New York: Reinhart, 1957. *Contains a brief, impressionistic, almost incoherent account of the battle.*

Denison, George T. Modern Cavalry: Its Organization, Armament, and Employment in War. London: Thomas Bosworth, 1868. *Basically a discussion of tactics, etc., with*

quotes from many Confederate officers; some recollections may relate to Brandy Station.

Divine, John E. Thirty-Fifth Battalion Virginia Cavalry. Lynchburg: H. E. Howard, 1985. *History of battalion with account of its part in battle at Brandy Station.*

Donovan, Timothy H., et al. The American Civil War. Wayne, N.J.: Avery Publishing Group, 1986. *Textbook used at the United States Military Academy at West Point; describes battle and discusses significance.*

Downey, Fairfax D. Clash of Cavalry: The Battle of Brandy Station, June 9, 1863. New York: D. MacKay Co., 1959. *Currently the standard book-length secondary work on the battle.*

Elder, William L. Culpeper: A Pictorial History. Virginia Beach: Donning, 1976. *Contains a summary of the battle based on Fairfax Downey's book.*

Foote, Shelby. The Civil War: A Narrative. 3 vols. New York: Random House, 1958-1974. *Mentions battle only briefly.*

Ford, Charles W. "Charge of the First Maine Cavalry at Brandy Station," in War Papers Read before the Commandery of the State of Maine, Military Order of the Loyal Legion of the United States. Portland: Lefavor-Tower Co., 1902. 2:268-289. *Detailed account of charge and battle around Fleetwood and Beaugard in the afternoon.*

Freeman, Douglas Southall. Lee's Lieutenants: A Study in Command. 3 vols. New York: Macmillan, 1942-1944. *Third volume contains brief overview of battle; thought Stuart was "humiliated" by being surprised; confuses Jonas Run and Mountain Run on map.*

Gallagher, Gary W., "Brandy Station: The Civil War's Bloodiest Arena of Mounted Combat," Blue & Gray Magazine 8 (1990): 8-22, 44-53. *A detailed and accurate exposition of the battle by an eminent historian.*

Glazier, Willard. Battles for the Union. Hartford: Dustin, Gilman and Co., 1875. *Contains a general overview of the battle.*

Goss, Warren Lee. Recollections of a Private: A Story of the Army of the Potomac. New York: Crowell and Co., 1890. *Mentions the battle briefly.*

Grimsley, Daniel A. Battles in Culpeper County, Virginia, 1861-1865. Orange, Va.: Green Publishers, Inc., n.d. *Contains a relatively detailed account of the battle in a few pages.*

Historic Culpeper. Culpeper: Culpeper Historical Society Inc., 1974. *Contains photographs and brief histories of historic structures in the county.*

History of the First Regiment Minnesota Volunteer Infantry, 1861-1864. Stillwater, Minn.: Easton and Masterman, 1916. *Briefly mentions battle.*

History of the Nineteenth Regiment, Massachusetts Volunteer Infantry, 1861-1865. Salem, Mass.: Salem Press Co., 1906. *Briefly mentions battle; regiment did not participate.*

Hooker, Joseph. Papers. Huntington Library. San Marino, California. *After-battle reports and letters of Buford, Cram, Devin, Elder, Harrison, Kellogg, Lord, Merritt, Pleasonton, Whelan, and Whiting; cover action in the Beverly Ford/St. James Church/Brandy Station area; includes sketch map; with the War of the Rebellion reports, constitutes the largest body of primary sources.*

Hotchkiss, Jedediah. Make Me a Map of the Valley: The Civil War Journal of Stonewall Jackson's Topographer. Edited by Archie P. McDonald. Dallas: Southern Methodist University Press, 1973. *Hotchkiss's journal describes his observation of the battle from the Beaugard House with Lee and Ewell.*

Houghton, Edwin B. The Campaigns of the Seventeenth Maine. Portland: Short and Loring, 1866. *Regiment did not participate in battle.*

Howard, Michael. The Franco-Prussian War. New York: Methuen and Co., 1961.

Jaquette, Henrietta Stratton, ed. South After Gettysburg: Letters of Cornelia Hancock from the Army of the Potomac, 1863-1865. New York: T. Y. Crowell Co., 1956. *Describes life at hospital during Union winter encampment near Brandy Station, 1863-1864.*

Jones, Mary S. Genealogical and Historical Notes on Culpeper County, Virginia. Culpeper: Culpeper Historical Society, Inc., 1976.

Krick, Robert K. 9th Virginia Cavalry. Lynchburg: H. E. Howard, 1982. *Presents the actions of the regiment near Welford's house and the afternoon attack by Confederate left under W. H. F. Lee.*

Longacre, Edward G. The Cavalry at Gettysburg: A Tactical Study of Mounted Operations During the Civil War's Pivotal Campaign: 9 June-14 July 1863. Rutherford, N.J.: Associated Universities Press, 1986. *Contains a detailed description of the reorganization of the Confederate Cavalry Corps, its tactics, and the battle.*

_____. "The Battle of Brandy Station: 'A Shock that made the Earth Tremble.'" Virginia Cavalcade. Winter 1976: 136-143. *A good overview of the battle.*

- _____, ed. "A Race for Life at Brandy Station," Civil War Times Illustrated (Jan. 1979), 32-38. *Letter of Henry C. Whelan, 6th Pa. Cav., describing his experiences and fighting in vicinity of St. James Church.*
- Lord, Francis Alfred. Civil War Sutlers and Their Wares. New York: T. Yoseloff, 1969.
- Luvaas, Jay. The Military Legacy of the Civil War--The European Inheritance. Chicago: University of Chicago Press, 1959. *Contains European views of the war, the cavalry, and the battle.*
- McClellan, Henry B. I Rode with Jeb Stuart: The Life and Campaigns of Major-General J.E.B. Stuart. Bloomington: University of Indiana Press, 1958. *The standard among eyewitness accounts, written by Stuart's adjutant.*
- McDonald, William Naylor. A History of the Laurel Brigade: Originally Ashby's Cavalry. 2nd ed. Arlington: R. W. Beatty, Ltd., 1969. *Contains a vivid account of the brigade's part in the fighting around St. James Church and Fleetwood.*
- McElwee, William. The Art of War: Waterloo to Mons. Bloomington: University of Indiana Press, 1974.
- McPherson, James M. Battle Cry of Freedom. New York: Oxford University Press, 1988. *Briefly mentions the battle.*
- Meyer, Henry Coddington. Civil War Experiences Under Bayard, Gregg, Kilpatrick, Custer, Raulston and Newberry. New York: G. P. Putnam's Sons, 1911. *Contains a narrowly focused account of his own experiences during battle, including fighting and near-capture at Fleetwood House.*
- Miller, Steven E., ed. Military Strategy and the Origins of the First World War. Princeton: Princeton University Press, 1985.
- Moore, James. Kilpatrick and Our Cavalry. New York: W. J. Widdleton, 1865.
- Mosby, John S. Stuart's Cavalry in the Gettysburg Campaign. New York: Moffat, Yard and Co., 1908. *Describes the battle generally, using quotations from those who were there, and argues that no Confederate infantry fought in battle.*
- Muffly, Joseph W., ed. The Story of Our Regiment: A History of the 148th Pennsylvania Volunteers. Des Moines, Ia.: The Kenyon Printing and Manufacturing Co., 1904. *Gives an account of the winter encampment of 1863-1864.*
- Murphy, The Rev. Thomas G. The History of the First Regiment of Delaware Volunteers. Philadelphia: James S. Claxton, 1866.

- Myers, Frank M. The Comanches: A History of White's battalion, Virginia Cavalry, Laurel Brigade, Hampton Div., A.N.V., C.S.A. Baltimore: Kelly, Piet and Co., 1871. Reprint, 1956. *Gives a focused account of the unit's role in the battle.*
- Neese, George M. Three Years in the Confederate Horse Artillery. New York: The Neale Publishing Co., 1911. *Presents a detailed account of his battery's actions during the battle.*
- Newhall, F. C. "The Battle of Beverly Ford," in Annals of the War. Morningside Press, 1988. *Detailed account of battle, especially around St. James Church, Yew Hills, etc.*
- Nye, Wilbur Sturdevant. Here Come the Rebels. Baton Rouge: Louisiana State University Press, 1965. *Contains a general description of the battle.*
- Oakey, Daniel. History of the Second Massachusetts Regiment of Infantry: Beverly Ford. Boston: George H. Ellis, Printer, 1884. *Unit history describing action around St. James Church and on Green and Cunningham farms.*
- Opie, John N. A Rebel Cavalryman with Lee, Stuart and Jackson. Chicago: W. B. Conkey Co., 1899. *Memoir, with description of action around St. James Church and vicinity.*
- Owen, William Miller. In Camp and Battle with the Washington Artillery of New Orleans. Boston: Ticknor and Co., 1885. *Contains a brief mention of the battle; author confuses it with Kelly's Ford, 17 March 1863, and death of Pelham.*
- Page, Charles D. History of the Fourteenth Regiment, Connecticut Volunteer Infantry. Meriden: The Horton Printing Co., 1906. *Gives an account of the winter encampment of 1863-1864.*
- Pyne, Henry R. Ride to War: The History of the First New Jersey Cavalry. New Brunswick: Rutgers University Press, 1961. *Presents a vivid account of the fighting at Fleetwood Hill under Percy Wyndham.*
- Rhodes, John H. The History of Battery B: First Regiment Rhode Island Light Artillery. Providence: Snow and Farnham, 1894. *Gives an account of the winter encampment of 1863-1864.*
- Roback, Henry. The Veteran Volunteers of Herkimer and Otsego Counties in the War of the Rebellion: Being a History of the 152d N.Y.V. Utica: Press of L. C. Childs and Son, 1888. *Gives an account of the winter encampment of 1863-1864.*
- Scheel, Eugene M. Culpeper: A Virginia County's History Through 1920. Culpeper: The Culpeper Historical Society Inc., 1982. *Contains brief descriptions of the grand*

review and the battle.

Shoemaker, J. J. Shoemaker's Battery. Memphis: S. C. Toof and Co.

Smith, John Day. The History of the Nineteenth Regiment of Maine Volunteer Infantry: 1862-1865. Minneapolis: The Great Western Publishing Co., 1909. *Gives an account of the winter encampment of 1863-1864.*

Starr, Stephen Z. The Union Cavalry in the Civil War. 3 vols. Baton Rouge: Louisiana State University Press, 1979-1985. *Vol. I contains a description and thoughtful analysis of the battle.*

Stevens, George T. Three Years in the Sixth Corps. Albany: S. R. Gray, 1866. *Gives an account of the winter encampment of 1863-1864.*

Stewart, Robert Laird. History of the One Hundred Fortieth Regiment Pennsylvania Volunteers. Philadelphia: Franklin Bindery, 1912. *Gives an account of the winter encampment of 1863-1864.*

Thomas, Emory M. Bold Dragoon: The Life of J. E. B. Stuart. New York: Harper and Row, 1984. *The most recent full-scale biography of Stuart; gives a general description of the battle, and focuses on Stuart's actions and the effect of the battle on his psyche.*

Thomas, John W. J. E. B. Stuart. New York: C. Scribner's Sons, 1930.

Tobit, Edward P. History of the First Maine Cavalry. Boston: Press of Emory and Hughes, 1887. *Presents a vivid account of the charge of the 1st Maine Cavalry at Fleetwood Hill.*

Tucker, Glenn. "Amid Pageantry and Flashing Sabers, Jeb Stuart Learned on Fleetwood Hill Federals Could Fight on Horseback Too," Civil War Times. December 1960. *A brief overview of the battle.*

United States Census. List of Inhabitants. 1850; 1860; 1870. Culpeper County. Archives Branch, Virginia State Library and Archives, Richmond, Va.

University of Virginia. School of Architecture. Maps of Brandy Station Battlefield. *Battle action maps prepared by students in 1979; some errors in troop placement.*

Walker, Francis A. History of the Second Army Corps. New York: C. Scribner's Sons, 1891. *Gives an account of the winter encampment of 1863-1864.*

The War of the Rebellion: A Compilation of the Official Records of the Union and

Confederate Armies. Prepared Under the Direction of the Secretary of War by Robert N. Scott. 129 vols. Washington: Government Printing Office, 1880-1901. *With the Joseph Hooker Papers, constitutes the largest body of primary sources; see especially Vol. 27, pts. 1 and 2.*

Warner, Ezra J. Generals in Blue. Baton Rouge: Louisiana State University Press, 1964. *Contains biographical sketches.*

Weygant, Charles H. History of the One Hundred and Twenty-Fourth Regiment, N.Y.S.V. Newburgh, N.Y.: Journal Printing House, 1877. *Memoir, describes fighting at St. James Church and vicinity; quotes post-battle letter.*

Wilson, Mrs. Arabella M. Disaster, Struggle, Triumph: The Adventures of the 1000 "Boys in Blue". Albany: The Argus Co., 1870.

Winslow, Robert Elliott, III. General John Sedgwick: The Story of a Union Corps Commander. Novato: Presidio Press, 1982. *Gives an account of the winter encampment of 1863-1864.*

Property owners who responded to the Department's invitation to participate in the study recommended that the Department consult the following reports and articles, none of which were available for consideration by the Department or the Board at the time of the previous designation:

Hall, Clark B., "The Battle of Brandy Station," Civil War Times Illustrated 29 (1990): 32-42, 45. *An overview of the battle with maps.*

_____, "Brandy Station," in Frances S. Kennedy, ed., The Civil War Battlefield Guide (Boston: Houghton Mifflin Co., 1990), 111-114. *A brief overview of the battle with a map of the Brandy Station/Beverly Ford area.*

_____, "Buford at Brandy Station," Civil War 8 (1990): 12-17, 66-67. *An analysis of Buford's role in the battle based on his report in the Hooker Papers.*

Eugene Scheel. "The Stevenburg-Area Phase of the Battle of Brandy Station." December, 1989. *Presents alternate view of the placement of the South Carolinians defensive line on June 9, 1863, based on his study of maps and other sources, including a 1979 University of Virginia study of the battle.*

_____, for the National Park Service at the Request of Virginians for Property Rights. A Response to "Virginia Landmarks Register: Registration Form: Brandy Station Battlefield Historic District." March 1992. *Questions the Department's purpose in*

designating such a large area. Finds that the Department's nomination neglects sources that would controvert its findings. Questions the inclusion of areas where no fighting took place and disputes the Department's location of positions of troop movements on June 9, 1863 both in the Stevensburg area and in the area of Beverly's Ford Road.

- _____, for the National Park Service at the Request of Virginians for Property Rights. A Response to "Mapping the Historic Resources Associated with the Battle of Brandy Station (June 9, 1863) Culpeper County, Virginia." March, 1992. *Criticizes sources and methodology of the NPS 1990 mapping study, particularly the omission of a field survey, and the omission of consultation with other informants and interested parties.*
- _____, for the Board of Supervisors, County of Culpeper. An Assessment of The Brandy Station Battlefield in Culpeper County. February-April 1993. *Concludes that the Battle of Brandy Station merits national importance but defines the main issue as preservation or controls over acreage. Examines Kelly's Ford, Stevensburg and Brandy Station sectors in Culpeper County, and makes specific recommendations regarding priority areas for further study, designation, preservation, and interpretation.*

The following is an annotated list of other documents relevant to the Department's study of the significance, boundaries and integrity of the Brandy Station Battlefield that were not available for consideration by the Department of Historic Resources or the Board of Historic Resources at the time of the Board's previous designation of the Brandy Station Battlefield. The list is arranged in chronological order; annotations briefly summarize the relevancy of each document to issues addressed in this study. All documents are retained in the archives of the Department of Historic Resources.

Fleek, Sherman L. "Swirling Cavalry Fight," America's Civil War 2 (Sept. 1989): 43-49. *A good overview of the battle.*

Salmon, John for the Department of Historic Resources. "Analysis of the Battle of Brandy Station." August, 1990. *Presents results of study requested by Board of Historic Resources on smaller areas within the designated area that deserve priority for preservation. Describes areas delimited by five Civil War historians for priority preservation attention. Analysis and findings are presented sector by sector.*

National Park Service. "Mapping the Historic Resources Associated with the Battle of Brandy Station(June 9, 1863)," September 1990. *Provides site-specific information and preservation recommendations on Brandy Station. Also includes draft guidelines for preserving significant areas of the battlefield. Finds that it is feasible to*

Various authors. Public Comments on Keeper's National Register Eligibility Determination received by the Keeper during 60-day comment period beginning on January 21, 1992. *Keeper received 169 letters of comment, including nine letters which offered substantive reasons for rescinding or maintaining the eligibility determination. The Department reviewed the nine letters with substantive comments.*

National Park Service, U.S. Department of the Interior. Reconsideration of Applying National Register Criteria for Evaluation to Brandy Station Battlefield and Related Locations Brandy Station, Culpeper County. April 30, 1992. *Provides overview of public comments received by Keeper. Analyzes six issues raised in substantive comments: district size and historical continuity, number of cavalry and significance, turning point in the military effectiveness of the Union cavalry, important event in the life of J.E.B. Stuart, potential archaeological value, and integrity of the battlefield. Presents finding that district meets National Register of Historic Places criteria for significance as originally determined by the Keeper on February 28, 1991.*

Andrus, Patrick W. for the National Park Service. Guidelines for Identifying, Evaluating and Registering America's Historic Battlefields. National Register Bulletin 40. 1992. *Provides programmatic guidance on the issue of defining significant battlefields and surveying and establishing boundaries for them.*

Waters, Elizabeth B. for the National Park Service. Civil War Heritage Preservation: A Study of Alternatives. November 1, 1992. Prepared for the Civil War Sites Advisory Commission, identifies a range of alternatives for preserving Civil War sites that are available to each level of government and to private individuals and organizations. Options examined include establishing preservation partnerships, site characterization and designation, acquisition, planning and regulation, financial incentives, funding and constituency building.

Various authors. Comments by Brandy Station property owners in response to November 30, 1992 letter of Hugh C. Miller to all property owners within designated area asking for information pertinent to the Department's study. *Department received 22 letters of comment from property owners within the designated study area, offering information and conflicting opinion on the significance, integrity and boundaries of the designated battlefield; the nature of development that is likely to occur within the study area; and priorities and strategies for preservation within the study area.*

Al Stem. Summary of Focus Group Meetings on Brandy Station held in Culpeper, Virginia, February 23, March 4, March 6. *Presents results of citizen participation focus group meetings to identify priority areas for preservation within the designated battlefield and methods or strategies for preservation that are fair to current landowners.*

Ashley Neville. Survey Report on Brandy Station Battlefield Study Area. March 1993. *Presents findings of recent survey of historic buildings and structures within the designated study area. Lists contributing and non-contributing resources within designated study area.*

Civil War Sites Advisory Commission. Summary Report on the Nation's Civil War Battlefields (Draft. 1993. *Prepared for the Committee on Energy and Natural Resources, United States Senate, Committee on Natural Resources, United States House of Representatives, and the Secretary of the Interior. Summarizes findings and recommendations of the Commission's two year study of the current status of the nation's Civil War battlefields and current methods of protection. Provides up-to-date reconnaissance information on the major battlefield sites, including priority rankings of 384 battlefields.*

Department of Historic Resources. Transcript of Public Comments at Public Hearings on the Board of Historic Resource's reconsideration of the Brandy Station Battlefield and Bristoe Station Battlefield. May 17, 1993 (Fauquier County), May 18, 1993 (Culpeper County), and May 20, 1993 (Prince William County).