



**BIENNIAL REPORT ON THE STEWARDSHIP
OF STATE-OWNED PROPERTIES**

Report to the Governor and General Assembly of Virginia

Department of Historic Resources
Commonwealth of Virginia

May 1, 2011

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COMMONWEALTH of VIRGINIA

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May 1, 2011

Dear Governor McDonnell and Members of the General Assembly of Virginia:

It is with great pleasure that the Department of Historic Resources presents the third biennial report regarding the Stewardship of State-Owned Historic Properties as required by *Code of Virginia* § 10.1-2202.3.

Over the past two years, the Department has partnered with many state agencies as they have struggled to maintain Virginia's significant and irreplaceable historic assets during a time of decreasing state resources. As this report highlights, there are numerous and excellent examples of agencies taking seriously their stewardship responsibilities regarding historic properties under their control. The Department looks forward to assisting these and other agencies to meet the priorities as outlined in this report.

Looking ahead, two key events, each of which is addressed in more depth in this report, dominate Virginia's stewardship horizon. First, this is the year when the Commonwealth joins with the entire nation in commemorating the sesquicentennial of the Civil War. A second milestone will be the return of Fort Monroe to state ownership which presents stewardship opportunities and challenges of monumental proportions.

Stewardship isn't inexpensive, but it is very often a cost-effective investment of scarce resources. At a time when we must make every dollar count, the act of reinvesting and recycling our historic buildings is both environmentally sustainable and economically prudent.

Sincerely,

A handwritten signature in black ink, appearing to read "K. Kilpatrick", written over a horizontal line.

Kathleen S. Kilpatrick
Director

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Preface

In 2006, the General Assembly passed Senate bill 462 adding § 10.1-2202.3 (see Appendix A) which calls for the Department of Historic Resources (DHR) to develop two biennial reports, with the option that they might be combined, on the stewardship of state-owned properties.

The two reports to be completed consist of:

- 1) Priority lists:
 - A priority list of the Commonwealth's most significant state-owned properties that are eligible for, but not designated on, the Virginia Landmarks Register (VLR) pursuant to § 10.1-2206.1;
 - A priority list of significant state-owned properties, designated on or eligible for the Virginia Landmarks Register, which are threatened with the loss of historic integrity or functionality; and
- 2) A biennial status report summarizing actions, decisions, and the condition of properties previously identified as priorities.

Like the first of these reports completed in 2007 and 2009, this report combines both the priority lists and the status report in a single document.

The Department must, in addition to significance and threat, take into account other public interest considerations associated with landmark designation and the provision of proper care and maintenance of property, including:

- Potential financial consequences to the Commonwealth associated with failure to care for and maintain property;
- Potential for significant public education;
- Potential for significant tourism opportunities; and
- Community values and comments.

The completed report is to be distributed to all affected agencies, as well as institutions of higher learning, the Secretary of Finance, and the General Assembly by May 1 of each odd-numbered year. This will ensure that information contained in the report is available to the agencies, the Secretary of Finance, the Secretary of Administration, and the Governor, and the General Assembly, during budget preparation.

All agencies of the Commonwealth are required to assist and support the development of the report by providing information and access to properties upon request. **Each agency that owns property included in the 2011 priority lists included in this report (pages 49-55) must initiate consultation with DHR within 60 days of receipt of the report for the purpose of initiating discussion of how the priorities might be met.** The agency and DHR must then make a good faith effort to reach a consensus decision on the designation of unlisted properties and on the feasibility, advisability, and methods of addressing properly the needs of threatened historic properties.

Contents

PREFACE

TABLE OF CONTENTS

EXECUTIVE SUMMARY.....	1
A LEGACY OF LEADERSHIP	4
The History of Stewardship in Virginia	6
Benefits of Preservation to the Commonwealth.....	7
The Diversity of State-Owned Historic Properties	9
State Acquisition of Fort Monroe.....	12
TOOLS, SERVICES AND STRATEGIES TO PROMOTE STEWARDSHIP	15
Laws and Regulations Protecting Historic Resources Owned by the Commonwealth.....	15
State Owned Historic Property Inventories.....	17
Virginia Landmarks Register, Implications of Listing & Other Designations.....	18
National Historic Landmarks.....	20
World Heritage List.....	20
DHR Initiatives to Promote Stewardship.....	21
STEWARDSHIP BEST PRACTICES.....	26
Architectural Stewardship: Treatment and Maintenance Recommendations.....	27
Green Preservation.....	30
Archaeology Stewardship: Recommendations for State Agencies.....	33
Battlefield Stewardship: Best Management Practices.....	36
Case Studies: State Agencies Demonstrating Exemplary Stewardship.....	37
STATUS REPORT ON 2009 RECOMMENDATIONS.....	40
Priority List of State-Owned Properties Recommended for Virginia Landmarks Register Listing.....	40
Priority List of Significant State-Owned Properties Threatened with the Loss of Historic Integrity or Functionality.....	44
Recommendations for 2009-2011.....	46
2011 RECOMMENDATIONS.....	49
Priority List of State-Owned Properties Recommended for Virginia Landmarks Register Listing.....	49
Priority List of Significant State-Owned Properties Threatened with Loss of Historic Integrity or Functionality.....	51
Recommendations for the Next Two Years.....	53
SOURCES.....	56

REFERENCES & RESOURCES

Appendix A	Text of SB 462/§ 10.1-2202.3	58
Appendix B	An Economic Analysis of Virginia’s Historic Rehabilitation Tax Credit Program: 2010 Update.....	59
Appendix C	State-Owned Battlefield Lands.....	63
Appendix D	Laws and Regulations Protecting State-Owned Historic Resources.....	66
Appendix E	State-Owned Historic Properties Surveyed in 1988 & 1991.....	73
Appendix F	List & Map of Registered State-Owned Properties.....	74
Appendix G	Secretary of the Interior’s Standards for Rehabilitation.....	80
Appendix H	Battlefield Identification and the Civil War Sites Advisory Commission..	81
Appendix I	List of Consulting Agencies	82
Appendix J	DHR Directory of Staff Assigned to Assist State Agencies	89

Executive Summary

The two years since the last biennial report has been a time of considerable challenge as the Commonwealth has struggled to model good stewardship during a time of significant economic crisis. It is a sobering reality that due to serious budget reductions brought about by the worst economic downturn in decades, many state agencies have understandably been forced to put plans on hold, defer maintenance and make decisions based on the short-term bottom line. Basic and essential maintenance is underfunded and the needs of too many state-owned landmarks are unmet.

Despite the obvious financial difficulties of the past two years, this time of diminished resources has been tempered by noteworthy acts of stewardship in the Commonwealth of Virginia. As the following report demonstrates, a number of state agencies have taken seriously their role as steward of the historic resources entrusted to their care. Other state agencies – thankfully fewer in number – have failed to demonstrate an appreciation for the historic treasures for which they are stewards. A common trait among this latter group is a genuine lack of understanding for how the preservation of our rich historic legacy benefits the Commonwealth as a whole. Working with agencies to better understand the environmental and economic benefits of good stewardship will remain a high priority of DHR.

The timeframe covered by this report is in fact a time of contradiction. On the one hand, because fewer dollars have been available for basic maintenance, the needs of some historic buildings have been neglected. Well intended but misguided quick fixes, especially in regard to energy conservation, have resulted in irreparable harm. Yet during this same period, a number of state agencies have managed to model exemplary stewardship as custodians to historic properties in their care.

Recently, there has been considerable attention paid to energy efficiency and conservation and sustainability – all referencing the need and desire to reduce costs and benefit the environment. A pervasive misunderstanding regarding these issues has actually created a notable obstacle to good stewardship. Out of ignorance, precious dollars are often wasted and high quality, serviceable building fabric discarded in a misguided attempt to make a building more efficient. Media hype to the contrary, the payback period on quick fixes such as window replacement makes such treatments a poor investment. As Virginians continue to grapple with a recovering economy, the issue of sustainability is more relevant than ever before. Historic preservation - the act of reinvesting and recycling our historic buildings - is both environmentally sustainable and economically prudent.

While not all of the goals set forth in the 2009 report were realized, there exist many accomplishments. For example, a goal of the last report was to highlight the significance of more state-owned property through listing on the Virginia Landmarks Register. During the past two years, 40 additional properties were listed, bringing the total of state-owned listings to 119. While some agencies shy away from registration, others embrace designation as an effective educational and planning tool.

If the past two years can be characterized as a time of extraordinary challenge, the coming two years are ripe with opportunity. This year will be distinguished by two singular stewardship events – the sesquicentennial of the Civil War and the transfer of Fort Monroe to state ownership. The sesquicentennial will draw hundreds of thousands of visitors to the Commonwealth and remind people across the United States and around the world of Virginia’s prominent role in the founding and shaping of this nation. In preparation for this 150th commemoration, the Commonwealth has placed an emphasis on battlefield stewardship and has funded the preservation of battlefields throughout the state.

The past two years have also been a time of intense planning and preparation for the Commonwealth’s imminent acquisition of Fort Monroe which will trigger an enormous stewardship commitment when the property is returned to the Commonwealth in September 2011 by the U.S. Army through the Base Realignment and Closure Act (BRAC). DHR, along with many national, state and local partners, has been very engaged in the BRAC process and it is expected that this transition and the management of the site will remain a primary focus of DHR over the next several years.

It is an unfortunate reality that the Commonwealth has not been in a financial position to pursue all of the recommendations contained in the 2009 stewardship report. Thus it is appropriate to include in this report those unfulfilled goals that remain stewardship priorities in need of focused attention. The priorities and goals in this report are meant to be conservative and attainable; many could be accomplished without significant cost.

In addition to the content mandated by Senate bill 462 adding § 10.1-2202.3, this report includes additional guidance related to stewardship and historic preservation in the hope that it can serve as a desk reference for state property managers.

This third biennial report reaffirms that:

- The Commonwealth’s real estate holdings include a rich and diverse collection of historically significant properties, some of national importance.
- Investment in stewardship through such tools as the easement and the rehabilitation tax credit programs, as well as state funding for battlefield conservation, have secured Virginia’s place as a national preservation leader
- The Commonwealth as a whole benefits when leaders understand that preservation makes good environmental sense as well as good economic sense and is integral to conserving energy and reducing carbon in the atmosphere. This understanding on the part of leaders promotes an ethic of stewardship.
- Certain types of state-owned historic properties are under-represented on the Virginia Landmarks Register, especially those related to institutions of higher education, the Civil War, and the history of African Americans, Virginia Indians, and women. This inequality should be addressed through strategic additions to the Virginia Landmarks Register.

- The seat of state government—the area surrounding the State Capitol — includes buildings that make valuable visual and historical contributions to the Capitol assemblage. It is appropriate that, as a collection, this historic district be documented and honored through inclusion on the Virginia Landmarks Register.
- DHR’s existing inventory of historic state-owned properties is sorely out of date. The inadequacy of the information impacts DHR’s ability to administer its own programs as well as to assist other state agencies.
- Preparation for, and execution of, the transfer of Fort Monroe to the Commonwealth in September 2011 must remain a high priority for the Commonwealth. The responsible management and development of this nationally-significant site must be among the Commonwealth’s most important stewardship priorities.
- Institutions of higher education need to model better stewardship by taking their historic resources into account when preparing master plans and should celebrate their register-eligible properties through listing on the Virginia Landmarks Register and/or state highway markers, both of which are effective tools for education the public regarding Virginia’s rich history.
- State agencies should seek to balance LEED certification with best preservation practices, even if it means achieving a lower LEED certification. For example, a rehabilitation that meets the *Secretary of the Interior’s Standards for Treatment* and earns a Bronze LEED certification would be preferable to a project that achieves a Silver or Gold rating but fails to meet the Secretary’s Standards.

A Legacy of Leadership

“A central focus of Governor McDonnell’s administration is jobs and energy. Historic preservation is vital in this regard. Investment in historic rehabilitation creates jobs and renews resources we already have.” Secretary of Natural Resources Douglas Domenech

With a history of strong preservation leadership enabled by the General Assembly and the Governor’s office, coupled with a rich and diverse history, Virginia has been recognized as a national preservation leader over the last 45 years.

- Virginia’s preservation easement program and the rehabilitation state tax credit program are recognized as among the best in the country.
- Established in 1966 and relying on public and private partnerships, Virginia’s easement program is a cost-effective model for other states. Today, Virginia holds 523 easements protecting nearly 34,000 acres of land.
- The National Park Service consistently ranks Virginia among the top two or three states for combined total listings in the National Register of Historic Places.
- The National Park Service also ranks Virginia as among the top five producers, nationally, for federal tax credit projects, and when combined with state rehabilitation tax incentives, the programs are a proven success in urban revitalization efforts throughout the Commonwealth.

As we move into the second decade of the 21st century, Virginia continues to lead the nation in preservation stewardship by setting examples in sustainability, economic incentives, battlefield preservation, and groundbreaking achievements in the adaptive reuse of decommissioned military installations.

Currently, Virginia is the second largest importer of electricity in America, trailing only behind California. Energy is a central focus of Governor McDonnell’s administration, which is evident in the Governor’s latest commitments to increase the Commonwealth’s energy independence. By exploring new energy technologies and improving current energy processes, Virginia aims to become the “Energy Capital of the East Coast.” An effective energy plan cannot just rely on a variety of energy sources and research and development; it must also address the core issue of what we can do to reduce our energy demand and improve efficiency. This is where historic preservation is vital.

If recycling, reusing, and reducing waste is at the heart of sustainability and “green” environmental practices, then historic preservation is one of the greenest activities available.¹ In April 2010, a new website was developed through a partnership between DHR, Sweet Briar College’s Tusculum Institute, and Dominion Virginia Power, aimed at state agencies and private property owners alike. The “Virginia Preservation Toolkit” was created to demonstrate the sustainability benefits of the reuse of historic buildings and to give tools to owners of historic buildings in Virginia. The website explains how property owners and building managers can best

¹ “Energy Saving Tips, Green Tools for Preserving Historic Buildings.” WHSV/Gray Television Group, Inc. Richmond, VA, April 21, 2010. or Virginia Preservation Toolkit

work with existing building materials and architectural features to increase energy efficiency, without destroying the historic character of a building and using strategies that are often much less costly than replacement.

This innovative tool seeks to inform community leaders, building managers, and property owners about the green goals that can be achieved through historic preservation and the green features inherent in most historic buildings. Preservation means recycling existing building stock and materials, and the reuse of already developed sites and existing infrastructure, but it also means energy savings. Many property owners remove historic materials under the mistaken assumption that replacing, rather than repairing, results in major energy-saving improvements. However, the savings are often marginal and throwing away the materials just adds to landfill waste, an overlooked environmental cost to replacing the durable, already produced and transported existing materials. The “Virginia Preservation Toolkit” website provides information on steps to prioritize and realize the biggest cost-saving, energy-reducing impact on buildings.

Not only is Virginia using new technologies to promote environmental sustainability, but it is clear that the Commonwealth’s highly popular state rehabilitation tax credit program promotes economic sustainability as well. Rehabilitation creates two to five times as many jobs as new construction. This is crucial, as many older buildings are located in areas of high unemployment. In the 14 years since Virginia's State Rehabilitation Tax Credit program's inception, more than 1,900 projects have qualified for the credit, resulting in nearly \$2.7 billion in expenditures, much of which is pumped back into local economies.

As the Commonwealth prepares to commemorate the 150th Anniversary of the Civil War and Emancipation, Virginia’s commitment to the stewardship of open spaces, including important historic landscapes, is highlighted through the preservation of historic battlefields. Governor McDonnell noted,

Virginia is home to so much history that is critically important to our understanding of who we are as a nation and as a people. In order for Virginians and Americans today, and for generations to come, to learn about our history and our heritage we must take the necessary steps to preserve that history, and safeguard our places of historical significance.

On April 20, 2010, Governor McDonnell signed into law legislation permanently establishing the Virginia Civil War Site Preservation Fund, a matching grants program to protect battlefield land in the Commonwealth. This legislation passed the Virginia Senate and House of Delegates unanimously, demonstrating broad bipartisan support. Competitively awarded grants by DHR from the Civil War Sites Preservation Fund (\$5,880,000 from 2006-2010) to the Civil War Preservation Trust, the Shenandoah Valley Battlefield Foundation, the Richmond Battlefield

Association and the Trevilian Station Battlefield Foundation (matched by private and federal funds) have resulted in protection of more than 2,000 acres (31 tracts on 20 different battlefields) through a combination of outright purchase and easements. Through the Virginia Civil War Site Preservation Fund, Virginia has become an unprecedented leader in historic land conservation.



Governor Bob McDonnell at the bill signing for the legislation that established the Virginia Civil War Sites Preservation Fund, in April 2010. The ceremony was held at Huntsberry Farm, part of the Third Winchester Battlefield, now under easement with DHR.

In addition to Virginia's many achievements in historic preservation leadership, among its most remarkable, is the Programmatic Agreement developed for the Base Realignment and Closure Act (BRAC) at Fort Monroe in the City of Hampton. Congress and the President first approved the recommendation for BRAC at Fort Monroe in November 2005. Fort Monroe will be returned to the Commonwealth of Virginia with the Army's final departure set for September 2011. Since Fort Monroe is a National Historic Landmark, the highest recognition afforded to a

historic site by the Secretary of the Interior, a Programmatic Agreement was needed to plan for the future development and use of the site under the requirements of environmental review. After four years of intensive consultation with nearly three dozen stakeholders, DHR, the Army, the National Park Service, the Advisory Council on Historic Preservation, Fort Monroe Authority, and the Commonwealth signed the landmark agreement in April 2009. The Programmatic Agreement outlines the continuing responsibilities and process for the successful preservation and redevelopment of Fort Monroe. A recipient of the Advisory Council on Historic Preservation's (ACHP) Chairman's Award for Federal Achievement in Historic Preservation for its innovative and economic sustainable approach, the PA has become a model document for future BRAC actions.

The History of Stewardship in Virginia

Virginia's tradition of citizen leadership on behalf of historic resources extends just over 150 years ago. In fact, Virginia is the birthplace of the preservation movement in America. With the establishment of the Mount Vernon Ladies Association in 1858, Virginians rallied to save Mount Vernon from neglect and destruction, and today the association holds the distinction of being the oldest preservation organization in the nation. The subsequent founding of the Association for the Preservation of Virginia Antiquities (formerly APVA, and currently Preservation Virginia) in 1889 led to the preservation of the Powder Horn in Williamsburg. Founded decades before the creation of Colonial Williamsburg, Preservation Virginia is the oldest statewide preservation organization in America.

The conservation movement lost a founding father in February 2011 with the passing of Fitzgerald Bemiss who in 1965 was selected to chair the Virginia Outdoor Recreation Study Commission, the purpose of which was to make recommendations for improving the state's

outdoor recreation facilities. The resulting publication, *Virginia's Common Wealth*, was an insightful and visionary plan for conserving both natural and historic resources, helping to set the stage for the creation of the Department of Historic Resources the following year.

In 1966, the Department of Historic Resources (DHR) was created under the National Historic Preservation Act. This important national legislation created a State Historic Preservation Office in every state and U.S. Territory, a role DHR serves in Virginia, and established a broad preservation ethic that guided the development of programs such as the National Register of Historic Places. That same year, the Commonwealth also created the Virginia Landmarks Register, Virginia's parallel program to the National Register—and the preservation easement program. Today, Virginia's easement program is nationally recognized for the large number of easements it holds and the outstanding historical significance of its holdings; it serves as a model example of a collaborative approach between public and private partnerships that preserve the Commonwealth's most important historic and archaeological properties.

The Commonwealth of Virginia has a responsibility to manage historic properties owned by state agencies and educational institutions in a manner that provides the greatest public benefit possible. It is important to note that this benefit can come from not only the rehabilitation of a historic building or the protection of an archaeological site, but also from the loss of a historic property in favor of new construction if circumstances dictate. Regardless, the decision-making process should be informed by an understanding of historical significance, a diligent effort to explore alternatives, and a cost analysis to determine the most appropriate outcome for an irreplaceable public asset.

At the outset of the 150th Anniversary of the Civil War, the Commonwealth is poised to once again lead the country in the recognition and stewardship of historic properties. Virginia is at the forefront of historic battlefield preservation, recently strengthened by General Assembly legislation establishing the Virginia Civil War Site Preservation Fund. As home to many of the country's most historically significant lands, the Commonwealth of Virginia will once again lead the nation in the preservation of open spaces that will be a lasting benefit not only to Virginians, but also to all Americans.

Benefits of Preservation to the Commonwealth

Historic preservation and historic places contribute vitally to Virginia's economy and quality of life, and are an essential part of the solution in meeting economic, educational, and environmental challenges. Whether it's tourism, rehabilitation projects, or education, the benefits of historic preservation on revenue, jobs, and the public are undeniable, quantifiable and improve every year.

Tourism is big business, and cultural heritage tourism is known to attract visitors who spend more money and stay longer than visitors to other types of destinations. In 2009, travel and tourism directly contributed \$704.4 billion to the U.S. economy. Travel and tourism is one of America's largest employers, directly employing more than 7.4 million people and creating a payroll income of \$186.3 billion, and \$113 billion in tax revenues for federal, state, and local governments.² In Virginia, tourism generated \$17.7 billion in revenue, supported 204,480 jobs, and provided more than \$1.24 billion in state and local taxes in 2009. According to Alisa Bailey, president and CEO

² U.S. Travel Association, 2010

of the Virginia Tourism Corporation, “Even in times of recession, the tourism industry remains a strong instant revenue generator for Virginia, with a proven 5:1 return on investment.”³

As Virginia enters the Sesquicentennial Commemoration of the American Civil War—set to officially kick off in July 2011 at the Manassas National Battlefield Park—the anticipated revenue generated from this multi-year long anniversary is substantial and centers around marketing the historical and cultural attractions of Virginia to local, national, and international travelers. According to a 2009 national research study on U.S. Cultural and Heritage Travel by Mandela Research, 78 percent of all U.S. leisure travelers participate in cultural and/or heritage activities while traveling, translating to 118.3 million adults each year. Cultural and heritage visitors spend, on average, \$994 per trip compared to \$611 for all U.S. travelers.⁴ These numbers could translate into significant revenue for Virginia in the next four years. Other benefits of cultural heritage tourism include the diversification of local economies and the demonstration of the importance of preserving each community’s unique character.

Cultural heritage tourism, however, would not be a viable industry without a diverse collection of well-preserved historic resources. Federal and state rehabilitation tax credit programs contribute significantly to Virginia’s economy and quality of life. Recent statistics on the benefits of the federal rehabilitation tax credit are now available, and the conclusions show that historic preservation leads to the creation of more jobs. Below are some of the highlights from Rutgers University’s 2010 research on the economic benefits of the federal historic tax credit:

- In 2009 and 2010 historic rehabilitation created over 145,000 new jobs. Over the 30-year life of the program 2 million jobs have been created.
- For every \$1.00 in Historic Tax Credits, \$5.00 in private investment is leveraged. Taken over the life of the program the Historic Tax Credit is responsible for \$90.4 billion in new investment in our urban and rural communities.
- Over three-quarters of the economic benefits generated by rehabilitation remains in the local communities and states where the projects are located. This reflects the fact the labor and materials for historic rehabilitations tend to be hired or purchased locally.
- \$1 million invested in historic rehabilitation produces markedly better economic impact in terms of jobs, wages, and federal-state-and-local taxes than a similar investment in new construction, highways, manufacturing, agriculture, and telecommunication.
- Since 2002, about two-thirds of all historic tax credit projects have been located in neighborhoods with family incomes at or below 80% of the area median. This new investment can start a cycle of economic revitalization, encourage additional investments, raises property values and creates a safer and more secure environment.
- The cumulative, 32-year, \$17.5 billion cost of the program is more than offset by the \$22.3 billion in federal taxes these projects have generated.

The economic impacts of Virginia’s own historic rehabilitation tax credit program were first evaluated in 2007 by Virginia Commonwealth University and published in DHR’s January 2008 publication, *Prosperity Through Preservation*, which is available on DHR’s website at http://www.dhr.virginia.gov/tax_credits/tax_credit.htm. In 2010, VCU updated the study’s statistics through 2009 (see Appendix B) and is currently in the process of updating these

³ Virginia Tourism Corporation, “Virginia Reports Tourism Economic Impact Figures for 2009,” <<http://206.113.151.20/pressroom/release.asp?id=247>>

⁴ National Trust for Historic Preservation. “Cultural Heritage Tourism 2011 Fact Sheet,” January 2011.

statistics relevant to current economic trends, but the results are not yet available. The results from both the initial 2007 study and the 2010 update show that the program is a powerful investment in Virginia, and as evidenced by the recent upswing in tax credits submissions at DHR, it is likely that the updated economic study will show greater economic returns from the program.

The 2010 update found that over the 13-year history of the program, \$2.4 billion dollars in private investment in Virginia's historic landmarks created:

- Nearly \$1.74 billion in total economic impact in Virginia;
- More than 15,887 full and part-time jobs from direct employment and indirect hiring in other sectors of the economy;
- \$531 million in associated wages and benefits, and
- \$55 million in state tax revenue.

The 2007 VCU Study also found that \$1,000,000 spent rehabilitating Virginia historic buildings means:

- 5.1 jobs in the construction sector;
- 6.2 jobs in other sectors; and
- \$467,000 in household earnings.

Other intangible benefits of the historic rehabilitation tax credit program include:

- Improved and affordable housing stock;
- Urban revitalization;
- Efficient development;
- Reduced automobile dependence;
- Conservation of resources such as raw materials and energy; and
- Reduced pressure on landfills

To date, this financial incentive program has resulted in over 1,900 certified projects with a total investment of over \$2.7 billion. Its benefits to the Commonwealth are compelling through the creation of jobs, increased local revenue, an enhanced quality of life, and a reinvestment of pride in local communities through a renewed sense of stewardship.

The Diversity of State-Owned Historic Properties

With a cultural imprint extending some 16,000 years, Virginia has developed an extensive collection of some of the most revealing archaeological sites and distinguished architectural resources in the country. From extensive prehistoric Native American archaeological sites to the impressive Capitol Square in Richmond, the spectrum of Virginia's resources also includes the lesser known slave cabins at Chippokes Plantation State Park, the Kentland Farm Historic and Archaeological District in Montgomery County, and the residence halls at the University of Mary Washington. Whether it is imposing government buildings, antebellum homes, and architect-designed college campuses, or battlefields, Civilian Conservation Corps (CCC) picnic shelters

and cabins, state hospitals, and designed gardens, archaeological sites, cemeteries, and bridges—all of these resources contribute to Virginia’s rich and diverse history.

Remarkably, a large number of these resources are owned and managed by the Commonwealth through a variety of agencies. The Department of General Services (DGS) owns a large number of government buildings, by its own estimate, approximately 350,000 acres and serves as the state government’s property manager. The Department of Conservation and Recreation (DCR) manages Virginia’s state parks, the Department of Transportation oversees the roads and bridges in the Commonwealth, the Department of Game and Inland Fisheries manages wildlife areas, and the Department of Corrections maintains the state correctional facilities. Other departments with identified historic resources under their care include the Department of Forestry, the Department of Health and Behavioral Sciences, the Department of Education, and the Virginia Museum of Fine Arts, to name a few. Scattered throughout the land in state ownership is a significant number of prehistoric and historic archaeological sites. While many have been identified, it is an ongoing challenge to properly record the state’s wealth of below ground historic resources.



Foster Falls, Wythe Co.: These two structures in the Foster Falls Historic District, located within New River Trail State Park, are representative of some of the historic resources owned by DCR. The N&W Railroad Depot was constructed circa 1887; the furnace, 1881.



This circa-1900 image shows the furnace during the height of its years of operation, when Foster Falls was a thriving town. DHR’s Western Regional Preservation Office collaborated with DCR in listing the Foster Falls Historic District on the Virginia Landmarks Register and the National Register of Historic Places in 2009.

Virginia is home to many of our nation's most significant Civil War battlefields. With 26 counties in Virginia containing identified battlefields, it is likely that any state agency that owns real property in the Commonwealth, owns property within the boundaries of a Civil War battlefield. Approximately 90,000 acres of battlefields are under some form of protection, whether it is part of dedicated parkland, through conservation easements, or through ownership by public and private organizations dedicated to their preservation. Civil War properties under state ownership and protection include the 300-acre Staunton River Battlefield State Park in Halifax Co (which includes the remains of Fort Hill), the 321-acre Sailor's (Saylor's) Creek Battlefield Historical State Park in Amelia, Nottoway, and Prince Edward Counties, and the 300-acre New Market Battlefield State Historical Park in Shenandoah County. For a complete list of state-owned battlefield lands, see Appendix C.

Virginia's institutions of higher education are among the Commonwealth's most renowned historic resources. Only a few are formerly recognized in the Virginia Landmarks Register and the National Register of Historic Places, such as the University of Virginia and the Virginia Military Institute, but the historical significance of many of these institutions is no less valuable. Many of the original campus buildings and landscapes of the historic core of these universities and colleges remain. For example, James Madison University features the Bluestone campus; the University of Mary Washington displays an excellent collection of Colonial Revival brick buildings nestled within a picturesque landscape; at Virginia Tech, Collegiate Gothic stone buildings surround the drill field; and Virginia Military Institute's impressive Gothic Revival buildings, inspired by Andrew Jackson Downing, branch off the imposing and historic Barracks.

Many universities were established in the 19th and early 20th centuries as state normal schools for women, specialized schools for individuals with disabilities, or segregated schools for African-Americans. Longwood University was founded in 1839 as the Farmville Female Seminary Association and is one of the oldest public institutions of higher education for women in the United States, while the Virginia School for the Deaf and Blind was established in 1838 and is one of the oldest schools in the state. Virginia State University was established in 1882, and was the first fully state-supported school for African-Americans in the country. At these institutions, the historical narrative of their legacy is just as important as their architectural complexes. In addition to these architectural cores and historical legacies, it is important to recognize the historically less noticeable buildings and landscapes that tell the evolution of the institution, the stories of the surrounding community, or tie the campus together through a series of planned walks, gardens, or open spaces. Many of these buildings came into public ownership through property donations to colleges and universities or through campus extensions, and are as much a part of the institutions' historical legacy as the original campus core.

While some state-owned historic properties are listed on the Virginia Landmarks Register, many more are worthy of inclusion on the state register and await this distinctive designation. Managed by DHR, the Virginia Landmarks Register (VLR) is an honorary register that recognizes, "those structures and areas which have a close and immediate relationship with the values upon which the State and nation were formed." When DHR began its initiative to recognize state-owned historic properties through the VLR listing in 2003, 69 state-owned properties were listed as Virginia Landmarks. During the last nine years, DHR has worked closely with other agencies and public universities to identify and nominate additional state-managed properties to the VLR. This effort has resulted in the individual listing of an additional 76 state-owned historic properties. As early as 1991, the state-owned historic properties survey identified 1,162 state-

owned resources as potentially eligible for VLR listing, not including archaeological sites. DHR encourages all state agencies to collaborate with us to identify, evaluate, and nominate to the VLR significant buildings, landscapes, and archaeological sites under their respective jurisdiction. Such efforts are central to best practices of stewardship.

State Acquisition of Fort Monroe

In September 2011, the Commonwealth will assume new responsibilities for a national historic treasure. Named for our nation's fifth president, Fort Monroe is a military installation in the City of Hampton, at Old Point Comfort, the southern tip of the Virginia Peninsula. Fort Monroe's recorded archaeological sites date back thousands of years before Europeans colonized the area when local Native American tribes used the peninsula as a campsite to hunt and fish. In 1609 John Smith established a defensive palisade there to protect nearby Jamestown. It was at Old Point Comfort in 1619, many historians believe, that the first black slaves from Africa landed before moving on to Jamestown. The site was expanded during the Colonial Period in the 18th century, and subsequently throughout the 19th century in response to the War of 1812 (with the construction of Fort Monroe) and the Civil War. Following the fortifications constructed between 1819 and 1834, Fort Monroe was among the largest of defenses and it remains the largest masonry fortress surrounded by a moat in North America.



Old Point Comfort & Fort Monroe: As seen by comparing this recent aerial photograph with a 19th-century illustration, Fort Monroe, surrounded by its historic moat, still retains its original masonry architecture and footprint, little changed since the Civil War, although subsequent building campaigns have altered its setting on Old Point Comfort.

During the Civil War Fort Monroe was too strong for Confederate forces to attack, but it did witness military action. The most significant and far reaching event during the war occurring at Fort Monroe took place in May 1861 when the garrison's commander, Brigadier General Benjamin Butler, refused to return three runaway slaves – Frank Baker, James Townsend and Sheppard Mallory - that had made their way to Union lines at Fort Monroe. Calling the slaves “contraband of war” Butler issued what became know as the Contraband Order, which stated that any slave who could reach Fort Monroe would not be returned to bondage. As word of the Contraband decision spread, thousands of slaves seeking freedom came to Fort Monroe. Over 10,000 slaves found refuge and freedom at Fort Monroe by the war's end. The Contraband Order changed the nature of the Northern war aims from one of restoring the Union to one of ending slavery, and hastened the Emancipation Proclamation a year later. It also gave Fort Monroe one of its most enduring monikers: “Freedom's Fortress.”

Throughout its long history, many noteworthy people are associated with Fort Monroe including Robert E. Lee, Jefferson Davis, Edgar Allen Poe, Abraham Lincoln, Harriet Tubman, and Chief Blackhawk. Fort Monroe continued to serve the Army in the 20th century and served as an embarkation point for soldiers being shipped to overseas warzones in both the Spanish-American War and World War I. In the 1930s, anti-aircraft gunnery was taught there, and during World War II the fort's guns protected the lower Chesapeake Bay and the mouth of the James River from prowling German submarines. In the post-War era both the Army's Training and Doctrine Command (TRADOC) and ROTC Cadet Command were moved to Fort Monroe in 1973.

In 1960, the Secretary of the Interior recognized the tremendous national significance of Fort Monroe to our nation's history by listing it as a National Historic Landmark (NHL), the United States' highest designation for a historical site. Today the garrison consists of approximately 570 acres of land under Army control and management. Within that acreage there are 189 historic properties that contribute to the Fort Monroe NHL District, of which are 175 historic buildings, three historic structures, nine historic landscape features, one historic object, one archaeological site with twenty-three different loci, and the Stone Fort itself which comprises eleven named and numbered segments. Further, there are four properties at Fort Monroe that are individually eligible for listing in the National Register of Historic Places (NRHP). These are the Chapel of the Centurion, Quarters 1, Quarters 17, and the Stone Fort itself. In addition to its architectural and historic importance, Fort Monroe also boasts areas of natural beauty and ecological significance, which include tidal wetlands, saltwater marshes, sand dunes, and beaches.

While fundamental work has been ongoing for five years and core legal documents are in place to guide the future, in September 2011 the responsibility for implementing a sustainable course falls to the Commonwealth and its partners when the Army vacates Fort Monroe due to the Base Realignment and Closure Act (BRAC). BRAC at Fort Monroe was first approved by Congress and the President in November 2005. Fort Monroe reverts to the Commonwealth due to a unique clause in the original 1819 lease agreement that returns the reversionary property and related improvements to the Commonwealth of Virginia once the federal government no longer uses the installation for national defense. Since the BRAC action at Fort Monroe is a federal undertaking with the potential to impact important historic resources, prior to closing the installation the Army had to fulfill its responsibilities under Section 106 of the National Historic Preservation Act (NHPA). A Programmatic Agreement (PA) was developed through strong DHR leadership to plan for the future development and use of the site under the requirements of Section 106. After four years of intensive consultation with nearly three dozen stakeholders, DHR, the Army, the National Park Service, the Advisory Council on Historic Preservation, Fort Monroe Authority, and the Commonwealth signed the landmark agreement in April 2009. The Agreement outlines the process for the successful preservation and redevelopment of Fort Monroe, including the roles, responsibilities and requirements associated with the closure. The PA has been nationally recognized and has become a model for future BRAC actions both within and outside of Virginia.

There are three pillars contained in the PA on which the rest of the document stands. These pillars are a guiding list of principles and statements that allow for a common understanding of the agreement's intent. Included in the articulated principles is recognition of the property's national significance and commitment by the signatories to make all "prudent and feasible efforts to maintain the NHL status for the Fort Monroe NHL District." Additionally, there is an acknowledgement that economic sustainability is essential for ensuring the continued and future

preservation of historic properties at the installation. Without a sustainable, steady, and diverse revenue stream at Fort Monroe that is in keeping with the preservation ethic established elsewhere in the PA document the signatories understand that maintaining the historic buildings and structures at Fort Monroe to an acceptable standard will be impossible. The second pillar created in the PA establishes defined management zones on the 570-acre property that are intended to direct the treatment of historic resources and the location and nature of new construction. There are five management zones designated (A through E) and two independent zones consisting of the large concrete Endicott Batteries and those properties determined to have significance in their own right. The rationale for the management zone boundaries is based upon careful consideration of historic and existing architectural character, current and past land uses, construction periods, concentration of contributing resources, and resource types such as the Endicott Batteries and those buildings individually eligible for listing in the NRHP. Although the final demarcation of the management zones was developed by committee and approved by the larger consulting group, the concept was DHR's. The final pillar is a continuing review process to be followed by the Commonwealth, partners and subsequent owners once the property is transferred.



Historic Fort Monroe: Moving clockwise, top right shows the building known as “The Tuileries,” where a young Robert E. Lee and his wife, Anne Hill (nee Carter), resided while Lee was stationed at the fort during the early 1830s; the fort’s casemates, where Jefferson Davis was imprisoned after the Civil War (his cell is marked by the second door from the left); Quarters No. 1, imposingly situated at the east sally port, where President Lincoln stayed during visits to the fort; the famous 15-inch Rodman or “Lincoln Gun,” which commanded the entrance to Hampton Roads during the Civil War, and which today rests under the shade of live oak trees, part of a memorial on the fort’s parade ground.

Tools, Services and Strategies to Support Improved State Stewardship

Laws and Regulations Protecting Historic Resources Owned by the Commonwealth

Numerous laws and regulations direct state agencies to consider the potential impacts to historic properties owned by the Commonwealth that result from proposed state-sponsored undertakings. Agencies are also directed to consult with the Department of Historic Resources as a part of their planning and decision-making processes. From the outset, it is important to note that the final decisions on how a project is to proceed rest either with the state agency controlling the property, with the Governor or his appointed designee (usually the Secretary of Administration or Director of the Department of General Services, or with the General Assembly. DHR serves, in most instances, as a review agency providing technical assistance and guidance. DHR is a non-regulatory entity and does not approve or deny projects. The sole exception is the Virginia Antiquities Act, which requires a permit from DHR for any archaeological survey on state land or archaeological removal of human burials regardless of the ownership of the land.

Although the below laws and regulations do not prescribe an expected outcome, there is an expectation of a due diligent consideration of the comments received from DHR. In many cases, agency officials are unfamiliar or misinformed about their legal requirements under the *Code of Virginia* and often relegate compliance with applicable historic preservation laws as a “paperwork exercise.” Such misunderstanding is often the cause of unnecessary project delays and can easily be avoided through a general working knowledge of applicable requirements.

Because consultation with DHR is a collaborative and detailed process necessitating back-and-forth exchanges of information, negotiation, and design refinement, it is not always possible to complete that review in a single exchange of correspondence. This is particularly true for larger, more complex undertakings or projects that have the likelihood to impact historic properties or archaeological sites. Therefore, early consultation with DHR helps the initiating agency to avoid lost time and added costs that may arise from unanticipated, and usually preventable, problems associated with cultural resource issues. In addition, involving DHR early, and in a meaningful way, will help avoid unnecessary damage or destruction to historic properties. Finally, when carried out, due diligence in complying with existing state historic preservation requirements provides a “safe haven” that will help to protect the initiating agency from unwarranted criticism.

The most effective means to preclude any project delays, budgetary shortfalls or other difficulties resulting from cultural resource issues is for the initiating agency to effectively integrate historic properties into its best management practices. Doing so encourages consideration of cultural properties at the project scoping phase and brings into play DHR’s expertise at a time when it will be most valuable.

Appendix D contains a list of laws, regulations and directives, both state and Federal, that may be relevant to projects initiated by state agencies. Any questions regarding the applicability of these laws and regulations to an agency’s proposed project should be directed to DHR’s Office of Review and Compliance.



Capitol Square: When DGS undertook repairs in 2010 to the granite blocks of the iron fence enclosing Capitol Square, one of Virginia's most revered landmarks, the agency initiated early consultation with DHR on appropriate materials and procedures for repairing the historic structure. DGS has also consulted with DHR on repairs to the Governor's Mansion and the Bell Tower, as well as major renovations to the Capitol that were performed prior to the 400th Anniversary of Jamestown in 2007. Through this collaborative effort, DGS ensures that its work is carried out in accord with the best practices for historic restoration, resulting in repairs that mesh with the Square's historic character.



State-Owned Historic Property Inventories

The Commonwealth owns over 10,500 buildings inventoried in DGS's Facility Inventory and Condition Assessment (FICAS). Most of the information on state-owned architectural properties in DHR's files derives from a survey conducted in 1988 and revised in 1991 by Land and Community Associates of Charlottesville. DHR's survey examined only 1,642 individual publicly-owned buildings, structures, and landscape elements managed by 24 separate government entities. DHR targeted only those buildings over 40 years of age at the time of survey, and those agencies that owned or managed the largest number of buildings considered likely to be historically significant.

Survey results were covered in nine cultural resource reports that explained the methods used, established historic contexts for the various agencies, and suggested resources for listing on both the state and national registers, as well as subjects for further study. Since the survey targeted agencies (e.g. institutions of higher education) with a rich history and a track record of building architecturally distinguished buildings, the high percentage of significant properties among these agencies is unsurprising. Thus, of the 1,642 individual properties chosen for the study, 1,164 were recommended as potentially eligible for both landmark registers, either individually or as a contributing resource in a larger historic district.

For a detailed summary of state-owned properties included in the 1988 and 1991 surveys, refer to Appendix E. This appendix lists agencies and institutions covered in the survey, the DHR survey report number, the number of agency properties individually recorded, and the number of surveyed properties recommended as eligible for, but as yet not listed on, the Virginia Landmarks Register.

Given the age of this survey, the existing data has serious shortcomings. While it provides a "snapshot" in time, the survey data is now 20-plus years out of date. The field work, conducted between 1987 and 1990, only focused on buildings that were at least 40 years old at that time and there has been no systematic gathering of information on buildings and structures built after 1950 that may be historically or architecturally significant. Among other deficiencies in survey data, the reports do not reflect state-owned properties that have been, since 1990:

- Listed on the VLR or determined eligible for listing pursuant to state or federal review processes;
- Demolished, deteriorated, or substantially altered; or
- Acquired or surplus by the state.

In addition, because the reports focused primarily on the built environment, they fail to cover archaeological sites on state property or, except for institutions of higher education, adequately address cultural landscapes. DHR's survey of state-owned properties has been entered into its Data Sharing System (DSS) and Geographic Information System (GIS). Currently, DSS and GIS are not integrated.

At a minimum, the initial report recommendations should be re-examined and verified. As a rule, architectural surveys are only valuable for a maximum of seven years, since changing circumstances may affect the historic integrity, or even existence, of a property. Additionally, the surveys could be updated to encompass a period of significance through to 1970, since the rule-

of-thumb is that a passage of at least 40 to 50 years is required to evaluate properties that represent historic events or major architectural achievements.

For thorough planning and balanced decision-making a comprehensive archaeological survey of state lands is necessary. The scope of such an exercise would demand an independent survey project beyond the revisions to the 1988/1991 reports suggested above.

An upgrade to DHR's database is sorely needed so that the data and GIS functions are integral to a single application. Not only would this benefit DHR's own use of the data, but also it would make it more useful to the public.

The Virginia Landmarks Register, Implications of Listing & Other Designations

The Virginia Landmarks Register is the official list of properties—buildings, sites, structures, objects and districts—important to Virginia's history. It was created by the General Assembly in 1966, the same year the federal government created the National Register of Historic Places (NRHP). Both registers responded to the same concern that urban renewal and public works projects such as the national interstate system of the 1960s were taking an enormous toll on the historic and human character of our cities and towns.

Using the same basic criteria as the National Register, the VLR recognizes properties that:

- Are associated with events that have made a significant contribution to the broad patterns of our history; or
- Are associated with the lives of persons significant in our past; or
- Embody distinctive architectural characteristics (of a type, period, or method of constructions or design; representing the work of a master or possessing high artistic values; or when taken as a district embodies one or more of the preceding characteristics, even though its components may lack individual distinction); or
- Have yielded or are likely to yield, normally through archaeological investigation, information important in understanding the broad patterns or major events of prehistory or history.

A VLR resource can be of national, state, or local historical significance. It must maintain a sufficient level of physical integrity (of distinctive architectural elements, historic fabric, or archaeological deposition).

As a general rule, for a property less than 50 years of age both the VLR and the National Register programs consider that recent period insufficient to assess its historic importance. For this reason, properties under 50 years are generally not evaluated, unless the more recent resource is exceptionally important. Sometimes this 50-year minimum is interpreted incorrectly to mean that anything over 50 years is historic, and therefore, eligible for registration, which is not the case. In fact, there are three requirements all properties must meet for inclusion on the VLR or the NRHP:

- It must be at least 50 years old;
- It must meet at least one or more of the criteria for historic significance cited above; and
- It must also have sufficient physical integrity to reflect adequately those qualities for which it is being considered.



High Bridge: Stretching 2,418 feet and more than 100 feet above the Appomattox River and its flood plain between Cumberland and Prince Edward counties, High Bridge was erected in 1914. The bridge and extant masonry piers and abutments (not shown here) from a prior 1854 bridge are listed in the VLR and NRHP for their engineering significance and association with the development of railroads in Virginia. The old bridge (represented by its remaining piers) also is associated with major military events of the Civil War. These resources, owned by DCR, are now part of High Bridge Trail State Park. DHR collaborated with DCR in listing the resources in the state and national registers in 2008.

In order for a property to be listed on the VLR, the applicant (usually the property owner or a professional consultant, representing the owner) must prepare a well-researched nomination report that describes the property in detail and that specifies in what ways the property meets one or more of the criteria of significance, providing an analysis and argument for each criterion claimed. DHR provides an informal review (via a Preliminary Information Form) to help guide an applicant and reduce the chances that an applicant will invest significant time and financial resources to prepare a full nomination for a property that clearly would not meet the minimum register criteria. DHR staff will also provide an eligibility assessment for public agencies based on review by a multidisciplinary team of experts. Actual listing requires review by the multidisciplinary evaluation team, review by the Virginia State Review Board (an advisory panel of scholarly and citizen experts), and approval by the Governor-appointed citizen advisory board, the Virginia Board of Historic Resources.

Like its national counterpart, the VLR places no restrictions on the actions of a private property owner. However, when a listed property is owned by a state agency, all plans for significant alterations (e.g. remodeling, redecoration, restoration or repairs, as well as proposed demolitions) that may basically alter the appearance of the structure or landscaping must be submitted to DHR for review and comment. Furthermore, an Environmental Impact Report assessing, among other impacts, effects to historic resources must be submitted to DEQ for major state projects costing more than \$500,000. More information on these and other laws and regulations pertaining to historic properties are summarized in Appendix D. In no case does either VLR listing or the various related state and federal review processes require that the resource be preserved completely unchanged, nor do they require that a registered property be restored to a past appearance or use. Rather, registration recognizes what is (and in some cases what is not) historic about a property and provides a guide for

constructive decision making. Related review processes require that the property's historic character be considered. They do not prescribe an outcome but require a good-faith effort to avoid damage or demolition to the extent feasible. The best outcome is always one in which a resource's historic character is retained and the building or site continues in active use.

For a list and map of registered state-owned properties, please see Appendix F.

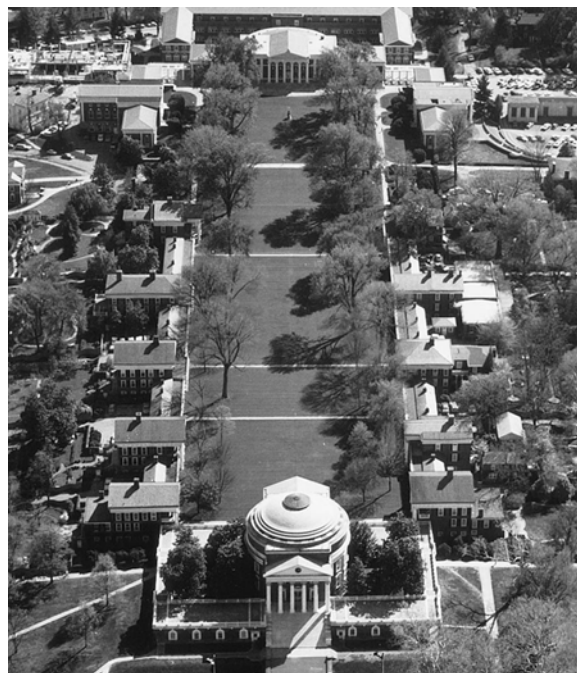
Most of the state owned property listed on the Virginia Landmarks Register is forwarded for listing on the National Register of Historic Places. Both lists use identical criteria; the National Register includes recourses from other states and U.S.Territories. A handful of properties have the added distinction of having been designated National Historic Landmarks and/or World Heritage sites.

National Historic Landmarks

As described by the National Park Service (NPS), National Historic Landmarks (NHL) are nationally significant historic places designated by the Secretary of the Interior because they are essential to illustrating or interpreting the heritage of the United States. Today, fewer than 2,500 historic places bear this national distinction, nationwide. In Virginia, there are 119 resources on the list, of which 14 are state-owned. While DHR assists with the preparation of NHL nominations, NPS staff primarily runs the program and the Boards that approve NHLs are at the Federal level. The NHL designation is considered when there are federally funded projects planned on or nearby an NHL site. The agency undertaking a project that may impact an NHL is required by law to consult with the DHR and invite comment from the Advisory Council for Historic Preservation (a federal group) and the Secretary of the Interior (who officially designates NHLs).

World Heritage List

World Heritage sites are cultural and natural areas significant and distinctive enough to be recognized at an international level. The National Park Service and the United States Committee, International Council on Monuments and Sites (US/ICOMOS) run this designation program jointly. There are 20 World Heritage sites in the United States (including two sites jointly administered with Canada). At present, Virginia has a World Heritage listing for Monticello and the University of Virginia Historic District, essentially significant for the architectural design of Thomas Jefferson. Since the fall of 2006, the National Park Service and the George Wright Society are preparing a new Tentative List. The Virginia State Capitol has been placed on the Tentative List as an addition to the Jeffersonian Architecture theme. The World Heritage sites are monitored by US/ICOMOS, which assesses the maintained physical integrity of the sites. The group can also make recommendations for removal of a listing, but US/ICOMOS does not have any formal standing provided by state or federal law.



The Lawn, the Jefferson-designed historic core of the University of Virginia, is a World Heritage Site, of which there are two in Virginia. The other one is Monticello.

DHR Initiatives to Promote Stewardship

DHR assists its sister state agencies in various ways to identify, evaluate, assess the condition of, and develop proper treatments for their historic properties. Among the services that DHR offers is a skilled professional staff of architects, architectural historians, archaeologists, and curators and a conservator available to provide technical assistance on a variety of historic preservation topics. DHR staff is also available to train facility managers, building supervisors, park superintendents, and other appropriate individuals responsible for the management and care of historic properties.

DHR's Archives also has an extensive collection of publications, technical manuals, and reference materials on a host of historic preservation issues that are freely available to state agencies.

Over the past two years, DHR has endeavored to encourage state agencies to responsibly manage historic properties and archaeological sites under their control, and to meaningfully incorporate these properties into their planning processes, ideally early in the planning and budget process.

To assist agencies with managing their historic properties, DHR has:

- Collaborated with various state agencies to list a total of 119 historically important buildings, structures, districts, objects, and sites owned by the Commonwealth in the Virginia Landmarks Register. This ongoing effort has benefited state agencies by providing public recognition for their programs and stewardship ethic. It has also demonstrated responsible historic property management.
- Launched in December 2010, a new Electronic Project Information Exchange (ePIX) system that fully digitizes the review of state projects. ePIX allows for projects to be submitted electronically and enables DHR to review projects more efficiently.
- Responded to 1,238 requests for review from state agencies, suggesting approaches that would preserve significant historic resources. These review requests include the consideration of project-focused surveys, Environmental Impact Reports, plans, specifications and dispositions of surplus property, and technical assistance regarding such issues as ADA accessibility (see the charts below, at end of this section). DHR has also provided technical guidance to the Executive Mansion Advisory Committee.
- Issued 30 permits for archaeological investigations on state lands. The Virginia Antiquities Act prohibits damage to or removal of objects of antiquity from archaeological sites on all state-controlled land. This act does not restrict a state agency from construction or other land-disturbing activities on its own land, but does prohibit all "relic hunting" or any archaeological field investigations without a permit from DHR. DHR is given exclusive right and privilege to conduct field investigations on state lands, but may grant those privileges to others through the issuance of a *Permit to Conduct Archaeological Investigations on State-Controlled Land*. The permit process requires that DHR evaluate the justification and methodology for the investigation, as well as a plan for the proper curation of any artifacts. DHR also reviews the qualifications of the person(s) conducting the work to ensure that field investigations are conducted under the direct supervision of a qualified archaeologist. Archaeological field investigations on state land are appropriate as part of the assessment of

potential impacts from proposed construction projects, historic interpretation, or ongoing academic research projects.

- Collaborated with the Tusculum Institute at Sweet Briar College to develop the *Virginia Preservation Toolkit*, a web-based resource regarding sustainability and historic preservation that can be a handy reference for managers of state facilities.



Developed by DHR in partnership with Sweet Briar College-Tusculum Institute, the toolkit is an online resource for homeowners and people interested in sustainability and historic preservation. The link to the toolkit is on the homepage of DHR's website (www.dhr.virginia.gov).

- Developed guidelines for underwater resources to aid in the review of an anticipated increase in offshore projects.
- Participated on four alternative energy Regulatory Advisory Panels (RAP) for wind (onshore and offshore), solar, and biomass to ensure that the permit-by-rule regulations take historic resources into account and balance their preservation with the energy needs of the Commonwealth.
- Worked with agencies to streamline the review process in response to American Recovery and Reinvestment Act (ARRA) funding. For example, DHR executed a programmatic agreement with the Department of Energy and the Department of Housing and Community Development to expedite the high volume of weatherization and energy rebate projects receiving federal funding through these two state agencies.

- Sponsored, along with Preservation Virginia and state agency partners such as the Virginia Museum of Natural History, Cemetery Conservation and Documentation workshops throughout the state, with more planned for the future. These workshops provide lectures and hands-on experience covering burial laws, cemetery conservation, resource recording, research, and interpretation. While many of our participants have been members of the general public, we have also reached state employees from several agencies, including the Department of Conservation and Recreation and the Museum of Natural History. DCR staff, in particular, has indicated that information gathered at the workshops will aid in the management of cemeteries on agency property.



Martinsville: DHR conservator Caitlin O'Grady (left) discusses cemetery conservation and stewardship issues with attendees during a Cemetery Workshop DHR held in partnership with the Virginia Museum of Natural History in September 2010.

- Revived and redesigned a dormant program entitled "Time Crime" that will provide training highlighting the damage done to archaeological resources on state-owned properties by illegal

artifact collecting. The first workshop will be hosted by the Department of Game and Inland Fisheries on October 18, 2011.

- Provided assistance to agencies such as Longwood University, James Madison University, the Science Museum of Virginia and the Department of Game and Inland Fisheries regarding cemeteries and the discovery of human remains.
- Hosted training on such topics as historic masonry, historic landscapes, preservation planning for historic campuses, complexes and installations, to which state agency facility managers were invited. DHR provided scholarships to employees of state agencies with oversight of historic property so that staff could attend the 2009 Preservation Virginia annual conference on sustainability in Lynchburg and learn from Jean Carroon, a nationally known expert in how to balance historic preservation and sustainability.
- Met with colleges and universities—including James Madison University, Virginia Military Institute, Virginia State University, University of Virginia, University of Mary Washington, and Longwood University—to review their master plans and discuss impacts to historic resources.
- Partnered with DGS to educate facility managers responsible for making decisions regarding historic state owned properties. At the invitation of DGS, DHR made a presentation to facility managers at a DGS training event in October 2010.
- Assisted agencies with determining whether properties meet the criteria for the Virginia Landmarks Register. For example, DHR invested considerable time in evaluating the Taxation Channel Building/Putney Shoe Company (Department of Taxation) in Richmond and the Natural Bridge Juvenile Correctional Center.
- Provided the opportunity for DHR staff to pursue LEED accreditation so that we might better serve our state partners. One staff person has passed the accreditation exam for the LEED Green Associate credential, created by the Green Building Certification Institute (GBCI). The credential denotes basic knowledge of green design, construction, and operations.
- Worked collaboratively with the Clermont Trust to manage and maintain this 361 acre property owned by DHR. The Clermont Trust, with whom DHR has a management agreement, is in the process of developing a long term plan for uses and interpretation. In the fall of 2010, DHR's State Archaeologist directed excavations at a cemetery on the Clermont property. Using volunteer archaeologists, the project included mapping the cemetery, determining *in situ* gravestones,

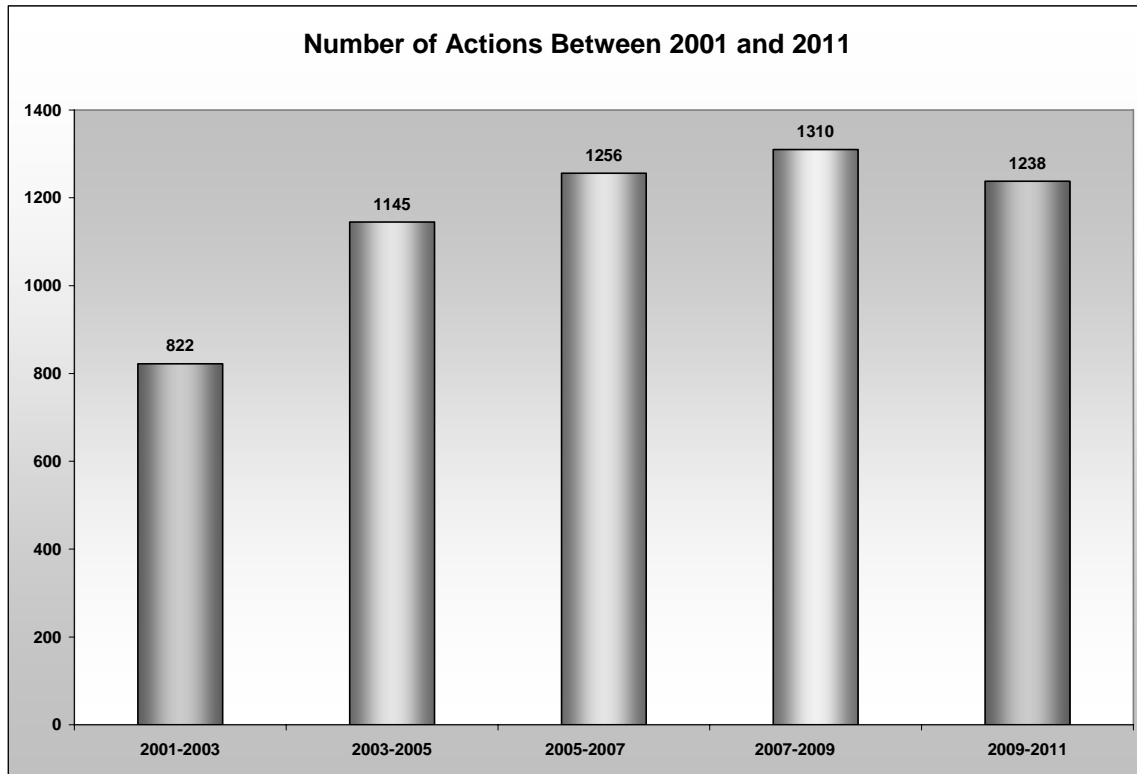


Clermont Farm, Clarke Co.: In 2004, the 361-acre Clermont property, which is managed as a working farm and living museum by The Clermont Trust, was bequeathed to DHR by Elizabeth Rust Williams' estate.

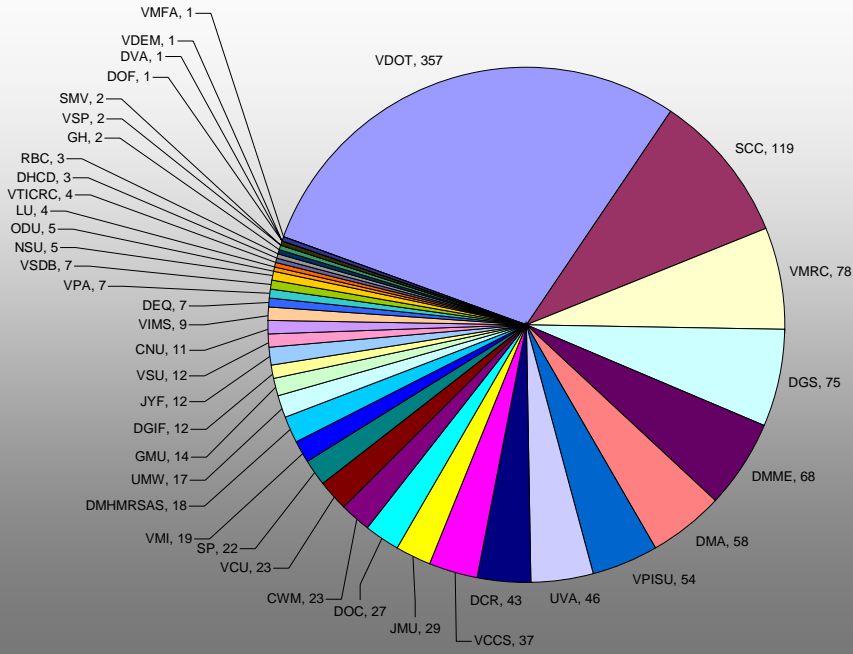
determining stone fence configuration, locating and evaluating grave shafts, and making a final assessment of cemetery condition with recommendations. A final report for the field school was just completed.

- Developed online training modules for how to use DHR’s Data Sharing System (DSS).
- Conducted a field school under the supervision of DHR’s State Archaeologist at Chippokes Plantation State Park in July 2010. The excavation was a cooperative effort between DHR, DCR, USDA-Forest Service, and Archeological Society of Virginia. The project, which involved 38 volunteers, included investigation of the Chippokes Kitchen and the Chippokes Chimney sites.

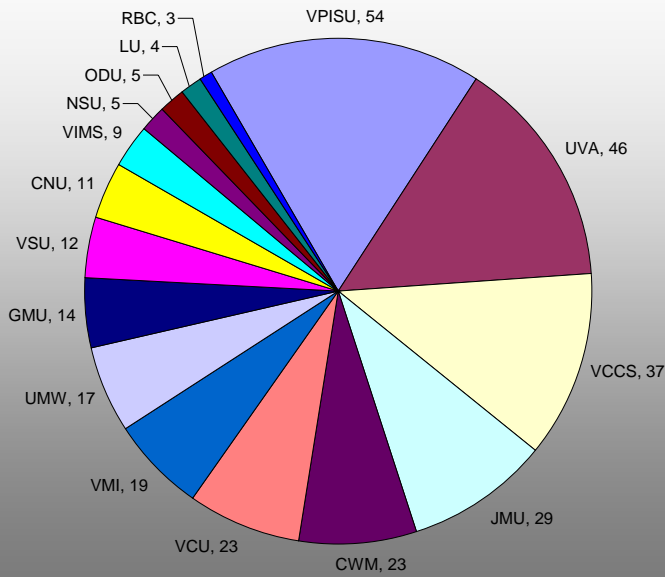
Since the first biennial stewardship report was issued in 2007, DHR has had numerous interactions with a variety of state agencies. Interactions have slightly decreased since the last biennial report in 2009 with 1,238 actions. However, it is still an increase of 66% since the years 2001-2003. These actions include the review of project-focused surveys, Environmental Impact Reports, plans and specifications, and requests for permits.



Agency Review Actions 2009-2011



Higher Education Review Actions 2009-2011



Stewardship Best Practices

Stewardship: The concept of responsible care taking based on the premise that we do not own resources, but are managers of resources and are responsible to future generations for their condition.

Too often, important cultural resources are lost or irreparably damaged due to inappropriate renovations or negligent maintenance. The intentions are never malicious, but rather a consequence of the realities facing state agencies with conflicting demands of mission requirements and public opinion. Limited budgets, lack of training in preservation methods, and agency responsibilities present obstacles to good stewardship. All too often, state officials charged with the management of real estate are forced to relegate the stewardship of state-owned historic properties and archaeological sites to a low priority level. Similarly, incorporating the review process too late, for example, after a project has been funded, can result in rushed decisions that are difficult to remedy once plans have already been developed and millions of dollars allocated and/or spent.

While these circumstances are understandable, they should not result in the neglect and destruction of important cultural assets to the Commonwealth. The stewardship of historic resources is more than just the restoration of old buildings. Good stewardship involves a variety of activities, practices, and approaches that apply to a common goal: conservation. Approached broadly, conservation includes not only historic preservation, but also sustainability and all the green initiatives that are associated with the concept. In order to achieve this common goal, it is imperative for agencies to incorporate identification, education, and maintenance into their efforts, in addition to the more commonly known rehabilitation, preservation, and protection projects.

DHR encourages state agencies to practice the following approaches to good stewardship in an effort to better align themselves with the conservation goals of the Commonwealth. The remainder of this chapter is intended as a best practices reference guidebook for agencies to use as a general tool in the stewardship of their properties and in preparation for review by DHR. Guidance is offered for the treatment and maintenance of architectural resources, archaeological and battlefield recommendations, and reconciling greening efforts with historic preservation. Finally, several examples of exemplary stewardship by state agencies are highlighted in the case studies at the end of the chapter.

- **Update** inventory of historic resources through survey;
- **Assess** property for potential archaeological sites;
- **Nominate** eligible historic resources and districts to the Virginia Landmarks Register;
- **Consult** with DHR on routine maintenance and guidance;
- **Develop** Treatment Plans to guide routine maintenance and major rehabilitations;
- **Conduct** Feasibility Studies to weigh cost benefits, alternatives, and public interest;
- **Create** educational materials for staff and the public to recognize and understand the historical significance of a property.

Architectural Stewardship: Treatment and Maintenance Recommendations

In times of economic crisis, limited budgets all too often preclude an agency's ability to develop a treatment plan for the repair and maintenance of its historic properties. By the time an agency is ready for expansion, redevelopment, or efficiency retrofitting of its properties, years of neglect or improper repair have left many of the historic resources in dire need of rehabilitation, and many agencies are quick to demolish or renovate with "quick-fix" or cost-saving measures. Whether stabilizing a property for future use, renovating for a new use, or rehabilitating for an existing use, by following several basic treatment principles, a historic property can not only continue to maintain its historical association and integrity, but also meet the needs of mission requirements and future development goals.

As properties age, it should be expected that buildings' systems will deteriorate. Without proper maintenance, windows and roofs are usually the first items that need to be addressed, and are among the most common treatment issues facing state-owned properties today. Roofs and windows are often slated for removal and replacement with a modern alternative perceived to be more economical. However, these items are important character defining features in historic buildings. Drastically changing the materials, design, or shape of windows and roofs significantly alters not only the appearance, but also the integrity of significant historic buildings. Integrity refers to the physical characteristics of a property and is defined as a property's ability to convey its significance.



This drawing of the Montpelier Depot in Orange County underscores how roof lines and fenestration contribute to the architectural character of a building. The drawing (the original is scaled to size) is from the Historic American Buildings Survey (HABS), a program of the National Park Service.

The *Secretary of the Interior's Standards for Rehabilitation* (commonly referred to as the *Standards*) are the philosophical framework developed by the U.S. Secretary of the Interior intended to promote responsible preservation practices. Broadly written, the *Standards* are not detailed "yes or no" guidelines, but rather intended for general guidance; they acknowledge the need to alter or add to a historic property to meet continuing or changing uses while retaining the property's historic integrity. The *Standards* emphasize repair instead of replacement, but offer guidelines if replacement is warranted. DHR uses the *Standards* for review purposes, but also

encourages the use of them outside of review procedures. They can be found in Appendix G or online at http://www.nps.gov/history/local-law/arch_stnds_8_2.htm .

It is very helpful to identify the historic materials and features that are important to a building's character so that treatment decisions can be prioritized. The following treatment discussions are to be used as general guidance in the treatment of historic resources on state-owned property. It is always advised, if finances allow, to seek additional professional consultation on how best to address the specific repair and maintenance issues related to an individual property or group of properties. Early consultation with DHR and other stakeholders is highly recommended to avoid unnecessary delays in the planning and development process.

*Windows*⁵

Good or ill, windows have taken the spotlight in a growing debate about how best to save energy and stimulate the economy. The term “weatherization” has become a popular phrase in connection with recent energy efficiency programs such as Governor McDonnell’s Executive Order No. 19 and the American Recovery and Reinvestment Act of 2009 (ARRA), otherwise known as the “stimulus program.” For many, weatherization has come to mean buying new energy-saving windows and discarding the old. A closer look, however, reveals that the most economically and environmentally responsible way to weatherize a building may include retaining the existing windows. For example, the following statistics support reusing and retrofitting existing windows:

- The Department of Energy finds that only 10 percent of air leakage in homes is attributable to windows. In the average home 14 percent of air escapes through fireplaces and upwards of 30 percent occurs through floors, walls, and ceilings.
- Studies demonstrate that properly weatherized windows with storm units can reduce heat loss through windows by 50 percent, resulting in performance and energy savings comparable to or even better than new windows.
- Replacement windows typically fail 10-to-20 years after installation, usually after the warranty period has ended and before their cost has been recouped through energy savings.
- Replacement windows typically fail as a unit; because of the way they are made, parts can not be easily repaired or replaced.
- Embracing replacement windows as a matter of national policy will escalate the environmental impacts of repeatedly manufacturing, replacing, and throwing away windows.

Historic preservation doesn't have to be a roadblock to achieving energy efficiency. To balance environmental concerns between preservation and sustainability, keep in mind the following questions:

- Are the windows severely deteriorated beyond *all* reasonable repair efforts? Is the glazing missing? Are a majority of the wood sashes crumbling? Are the metal sashes brittle and corroded in most places?
- Have photographs been taken to document the existing condition of the windows?

⁵ Adrian Scott Fine, “The Outlook on New Windows: New Threats, New Strategies.” *Forum News*, Vol. 16, No. 5, January 2010.

- Is the window still structurally sound where it can be removed, refinished, possibly re-glazed, and reinstalled?
- For energy efficiency, will exterior or interior storm windows accommodate the building instead of replacement?
- If the window is missing or severely deteriorated, is a manufacturer available to re-create the window “in-kind” to look just as it used to?
- If the window material is unavailable anymore, what is the next closest option that will create a window that looks virtually similar?
- If a new window with new material is used, what is the life expectancy? Will the new window require replacement in 5, 10, 20, or 40 years?
- How will the new window change the appearance of the building?

Rarely factored into a cost analysis of retention and repair versus replacement is the cost to the environment. There are energy costs associated with manufacturing and transporting the new materials as well as the issue of waste when the existing windows are disposed.

Roofs⁶

Just like windows, roofs are among the first features slated for removal when planning for a renovation. The roof endures excessive strain during a building’s lifetime. A weather tight roof is the most important element in preserving a building as it sheds the rain, shades from the sun, and buffers from the weather. If maintenance has been deficient, deterioration can result in costly repairs or even threaten the building’s existence. The roof imparts much of a building’s architectural character, and whether the roof is sheathed in slate, metal, wood, or asphalt, the historic value of the existing materials on the roof should be understood. Temporary patching methods should be carefully chosen to prevent inadvertent damage, and a full inspection of the roof should be completed prior to repair or replacement to determine the exact cause of failure.

It is inevitable that a roof will require repair or a wholesale replacement depending on its age and maintenance record. Whether a roof requires urgent attention or is reaching the end of its lifetime, the following questions should be asked when preparing a roofing treatment plan:

- Is the roof original to the building, or has it been replaced before? (Historical photographs, if available, may help answer this question.)
- What is the root cause of the roofing problem? Is it the failure of surface materials such as shingles or the failure of related materials such as gutters and downspouts, sheathing, or flashing?
- Depending on the cause of failure, is it feasible to repair the roof?
- If replacement is essential, is the historic roofing material still available today? Can it be custom designed?
- Is there is a specialized roofing contractor, familiar with the material, available to install the roof? Will the contractors be closely supervised during the installation?
- If the historic roofing material is no longer available or restricted by building codes, is there an alternative material available that matches closely in scale, texture, and color?
- Is there a maintenance plan in place for the new roof?

⁶ Sarah M. Sweetser, “Roofing for Historic Buildings,” *Preservation Brief No. 4* TPS National Park Service, Washington D.C., February 1978.

For additional information and guidance on working with historic materials and architectural features to improve energy efficiency, please visit DHR's Virginia's Online Preservation Toolkit on our website at <http://www.dhr.virginia.gov/>. Also visit the National Park Service's website for the most recent guidelines on rehabilitating historic buildings for sustainability. Just released on April 25, 2011, these *Illustrated Guidelines on Sustainability for Rehabilitating Historic Buildings* are the first set of official guidelines from the National Park Service on how to make changes to improve energy efficiency and preserve the character of historic buildings. Please see the following website for a link to a PDF document of the guidelines: <http://www.nps.gov/history/hps/tps/>.



[2-3] Clerestory windows provide natural light in a historic industrial building: Before and after rehabilitation.

This illustration is excerpted from the recently published *Illustrated Guidelines on Sustainability for Rehabilitating Historic Structures*, which is available as a PDF document (<http://www.nps.gov/history/hps/tps/>).

Green Preservation

Energy efficiency and the “greening” of historic properties have become popular initiatives among state governments looking for ways to enhance their properties in an environmentally friendly method. Governor McDonnell’s Executive Order No. 19, *Conservation and Efficiency in the Operation of State Government*, issued in July 2010, directs state agencies to adopt practices and policies that maximize conservation and minimize waste on the environment. Specific directives require new or renovated buildings to meet “Virginia’s Energy Conservation and Environmental Standards” for energy performance, in addition to conforming to LEED silver.

The conflict between green thinking and preservation thinking fuels debates on topics ranging from windows to demolition vs. new construction to solar panels, and the friction is exacerbated with increasing reliance on green rating systems. It is important to know that both movements share a related origin that can be summed up generally in one term: conservation. Green rating systems do not account for historical significance and were ultimately developed for new construction; they typically undervalue the reuse of buildings versus other actions.⁷ Though we shouldn’t by any means abandon these tools, it is imperative that agencies think cautiously about where they differ and how best to balance the *Secretary of the Interior’s Standards for Rehabilitation (Standards)* and other green building rating systems, of which Leadership in

⁷ Mike Jackson. “A Preservation Perspective on Green Home Rating Systems,” *Forum Journal*, Spring 2009, Vol. 23, No. 3, page 1.

Energy and Environmental Design (LEED) is the most popular. Since their ultimate goals overlap, both sides should strive to be as creative as possible in reconciling their differences.

First established in 1976, the *Standards* lay the groundwork for sensitive preservation practice in the United States and were implemented to ensure that historic resources are protected. The *Standards* emphasize maintaining historic character (e.g. visually distinctive materials, features and spaces) and integrity (retaining its historic character) in its guidelines, which are central to historic preservation. Established in 1998, LEED, on the other hand, promotes the production of buildings that are sustainable and economically feasible and that will not harm the health of their occupants. The LEED rating system awards points when sustainable practices are incorporated into construction projects, and the higher the points, the higher the certification level achieved.

Unfortunately, even though conservation is the ultimate goal of both sets of principles, they diverge in very key places creating challenges for both preservation and sustainability goals.

- LEED was initially conceived as a program to rate sustainable new construction, and grants few points for saving materials already in place. This discrepancy fails to meet the goals of preservation or sustainability if you consider the energy it takes to produce and transport new materials meant to replace architectural fabric that already exists.
- LEED also doesn't give credits when buildings are inherently efficient. Many historic buildings were built with durable materials such as heart-pine wood and with maximized energy efficiency such as thick masonry walls and carefully placed windows and doors. Changes to these systems sometimes disrupt not only the historic character of the building but also the building's ability to function properly as it has throughout its lifetime.
- LEED encourages the use of new energy-efficient systems such as solar panels, photovoltaic cells, and roof gardens. While these systems are beneficial to the environment, if they are placed in a way that obscures historic architectural features, placed too prominently, or require excessive removal of architectural fabric for their installation, the *Standards* won't be met and preservation goals will be compromised.
- LEED grants points for recycling demolished materials and salvaging materials, rather than actually saving the materials that are already in place. The *Standards* discourage the demolition of historic materials, except in cases where the removal of incompatible modern changes to a building are warranted. Recycling significant architectural fabric shouldn't be undertaken merely to achieve a higher point rating.⁸

While there is no hard and fast solution to these challenges quite yet, efforts to integrate preservation and green standards are ongoing. In order to successfully benefit from both sets of guiding principles, modifications undertaken to make historic structures more sustainable must be sensitively planned to retain the buildings' character and integrity. The following tips may be helpful for agencies with historic buildings that are planning facility expansions or renovations using green building practices or trying to achieve LEED certification.

1. Demolition to "Green" vs. Historically "Green" Rehabilitation

Perhaps one of the first questions commonly asked of agencies looking to either expand or update their facilities is whether to demolish their existing buildings or renovate them using green

⁸ Audrey Tepper, "The Secretary's Standards and LEED: Where They Work Together and Where They Diverge." *Forum Journal*, Vol. 23, No. 3, Spring 2009.

practices. From a preservation perspective, according to Carl Elefante of Quinn Evans/Architects, “the greenest building is the one already built.” Demolishing a building not only wastes energy but also requires more energy and raw materials to construct a new building.⁹

2. *Passive Sustainability*

The benefits of existing buildings rest in the way they were constructed, with the goal of durability. Quality materials, such as Buckingham slate for roofing, native stone for foundations, heartwood for structural framing and interior finishes, are irreplaceable today and were used for their lasting qualities, in addition to their ability to be repaired. For example, when a portion of a wood window fails, new wood can be spliced in, broken glass can be replaced, weights and pulleys can be repaired.

When planning for upgrades, be sure to think about how the building is already maximizing its efficiency through its existing design. Is the building really under-performing in terms of energy-efficiency? Were durable materials used in its construction and can they be repaired? How would the alteration of its building systems, water, or HVAC affect its ability to function in the event of a power outage?

3. *Integrated Design*

With multiple requirements in building design—ADA, UBC, *Standards*, and now LEED—there can be tension between the varied goals. One code should not dominate or over rule the other, and the most successful solution comes from an integrated approach that balances the many points of view, requirements, and goals. It is important to determine the goals of the intended use of the building, which requirements are absolute, which requirements can be negotiated, and which requirements can serve a dual purpose. Many codes offer reprieves or compromises if the requirement adversely effects another requirement.

Under LEED, points are awarded in different categories such as sustainable site potential, energy consumption, water efficiency, materials and resources, indoor environmental quality, and maintenance. After evaluating the current potential of the existing building and its site, the next step should determine which points are the most easy to attain without damage to the existing materials and systems, if they are still in good condition and operable. Next, points should be investigated in relation to the building’s use, and what is necessary for an effective operation. Finally, points should be sought where the building’s existing systems have been proven to fail. If flexibility is afforded and work is undertaken sensitively, the majority of these points may successfully be included in preservation projects that also meet the *Secretary’s Standards*. Historic preservation is, after all, the “thoughtful” management of change through design.

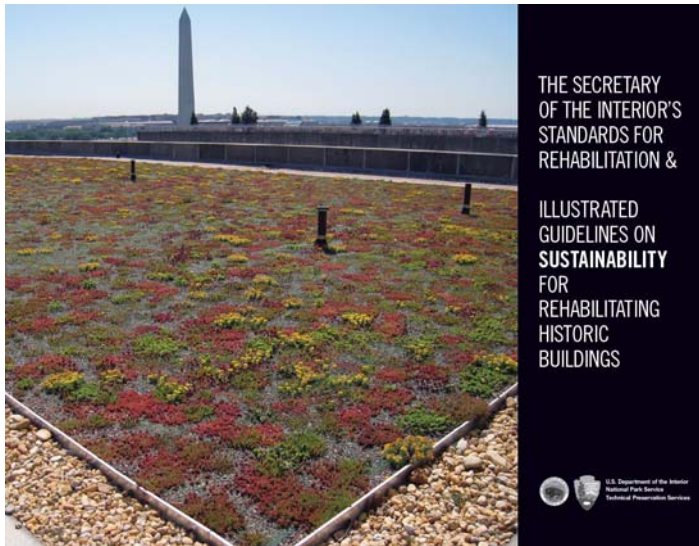
More and more historic buildings are being rehabilitated with green building practices and every year many more are being successfully awarded LEED certifications. While LEED gold or platinum is desirable, it is not always necessary or reasonably achievable when historic buildings are involved. LEED silver or even bronze are just as commendable as the highest ratings, because in the larger scheme of conservation, sustainable practices are being used, furthering us toward a greener, more lasting future.

⁹ Jean Carroon. *Sustainable Preservation: Greening Existing Buildings*. John Wiley and Sons, Inc.: Hoboken, New Jersey, 2010, page 7.

LEED 2012

It is also helpful to know that the United States Green Building Council is in the process of revising the LEED 2009 rating system to account for historic preservation in LEED 2012. These revisions should increase the number of preservation projects that both meet the *Standards* and LEED. Some of the highlights for LEED 2012 include points that will be awarded that benefit historic buildings constructed with durable materials that don't require replacement; the rating system will increase from 69 points to 100 points; and points awarded that relate to historic buildings may be higher. It is anticipated that the LEED 2012 system will be available for market use in November 2012. Hopefully, the revisions will allow preservation and sustainability to better achieve their common goal: conservation.

NPS Illustrated Guidelines on Sustainability for Rehabilitating Historic Buildings



As this report was being prepared for submission, on April 25, 2011, the National Park Service announced its first set of official guidelines on how to make changes to improve energy efficiency and preserve the character of historic buildings. The new *Illustrated Guidelines on Sustainability for Rehabilitating Historic Buildings* are an important addition to discussions on sustainability and energy efficiency, which to date have primarily focused on new construction. The *Guidelines* stress the inherent sustainability of existing buildings and offer specific guidance on

“recommended” and “not recommended” treatments. Illustrations of both types are included in the publication.¹⁰ DHR encourages state agencies to download this publication for guidance in planning rehabilitation projects. Please visit the following website for a link the *Guidelines*: <http://www.nps.gov/history/hps/tps/>.

Archaeology Stewardship: Recommendations for State Agencies

Our knowledge of the Commonwealth of Virginia is enriched by archaeological evidence of at least 15,000 years of human habitation. From the prehistoric stone tool debris left by present-day Virginia's earliest people to the remains of Cold War military training facilities, the depth and breadth of Virginia's archaeological heritage is truly remarkable. This year, as we embark on the 150th anniversary of the American Civil War, it is especially humbling to realize that Virginia is home to more battlefields (and more battle-related archaeological sites) than any other state, including the burial places of fallen soldiers.

DHR is uniquely situated to help state agencies learn about and take ownership of this irreplaceable legacy. Our philosophy is that Virginia's archaeological properties—and the cultural, social and scientific information they contain—belong to Virginia's citizens. As a state

¹⁰ <http://www.nps.gov/history/hps/tps/>

agency, we are committed to the ongoing process of identifying, evaluating, protecting and preserving archaeological properties on behalf of the public.

Archaeological stewardship is not conducted in a vacuum. It is a cooperative effort between diverse interests, including federal, state and local government agencies, professional and vocational archaeologists, landowners, developers, historical societies and private citizens. It is DHR's policy that sites of archaeological significance (meaning those sites that meet the criteria for inclusion in the Virginia Landmarks Register) should be left in place if at all possible. Protection can be passive, such as recording the location on land and planning maps, designing projects to avoid sites, or placing land containing sites under deed restriction. Active measures can involve installing fencing or locked gates, or even burying the site to prevent disturbance. Preservation in place is not always feasible, however. In cases where disturbance is unavoidable or a site is in imminent danger, DHR will work with state agencies to develop a plan for careful investigation, excavation, and possibly data recovery. The information obtained through such investigations is then made available through our Archives, and often through local libraries and historical societies, in the form of maps, photographs, and written reports.

Human Remains and Burials

Responsibility is especially important when dealing with human remains and burials. Virginia is the site of countless prehistoric and historic burials and cemeteries. Although identification of marked graves (those with headstones or other permanent markers) is relatively easy, a significant percentage of human burials are unmarked, or lacking in any visible characteristic identifying them as burial sites. It is likely that many state properties, especially parks, refuges, forestlands and other large tracts within the Commonwealth's estimated holdings of 350,000 acres contain cemeteries and burial sites. It is every agency's responsibility to identify and protect known cemeteries on agency property, and to make a good faith effort to avoid disturbing unmarked human burials during construction or other earthmoving activities. DHR can assist agencies in identifying known cemeteries and burial sites, identifying cemetery boundaries, and developing plans for their avoidance and protection. DHR can also provide technical assistance with regard to cemetery restoration, repair of headstones, and other activities.

Disturbance of human burials, whether willful or accidental, is prohibited under state law without appropriate permits. In the event that human remains are discovered accidentally, the agency project manager should contact local police and secure the area from further disturbance. If the burial or remains appear to be historic or prehistoric, DHR may also be of assistance once law enforcement personnel have determined that the situation is not criminal in nature.

In the event that the relocation of buried human remains cannot be avoided, the agency must apply for and receive permission from the Circuit Court of the appropriate county or independent city in which the project will take place. When the cemetery or burial is of prehistoric or historic origin, DHR strongly recommends the use of archaeologists to investigate and fully recover both remains and associated items. Should an agency decide to use archaeological professionals, the agency must also obtain a permit from DHR.

Outreach and Education

DHR's archaeologists work in several program areas, including federal and state environmental review, historic preservation and open-space easements, artifact curation, and community services. DHR also helps people to place important properties under permanent protective easements, and assist federal and state agencies to meet their obligations toward identification and treatment of historic properties, including archaeological resources.

Education is a large part of the mission of DHR, and the agency's archaeologists (and other staff) meet that challenge by speaking to historical societies and other interest groups, lecturing in high school and college classes, and holding field schools around Virginia to teach people how archaeologists excavate sites. DHR completed two field schools during 2010, one of which focused on a historic occupation at Chippokes State Park in Surry County; the other field school sought to delineate, map, and interpret a possible slave cemetery at the DHR-owned Clermont Farm in Clarke County.

Archaeologists in DHR's regional offices are regularly involved in field surveys and excavations across Virginia, adding more important data to the agency's Archives, which will help scholars and interested citizens better understand our collective past. During 2010, DHR archaeologists and curation professionals also designed and presented four public workshops focusing upon the preservation and recordation of historic cemeteries. In 2011, the cemetery workshop team will offer a workshop for state employees to train them in identifying, caring for, and protecting historic properties on state lands.

DHR's curation facility houses more than six million artifacts from all parts of Virginia, and contributes to state, national, and international museum exhibits by loaning items for display and interpretation. Curation and conservation staff provides advice and analysis to public and private institutions around the state, as well as other agencies, and also offers emergency response triage expertise. DHR's curation facility regularly hosts researchers from around the country and the world, and provides internship opportunities for college students interested in pursuing careers in archaeology, objects conservation, and museum studies. The facility also partners with the Council of Virginia Archaeologists and the Virginia Archaeological Society to provide outreach, training, and volunteer opportunities for individuals enrolled in the Archaeological Technician Certification program for non-professionals.



Chippokes Plantation State Park: In July 2010 DHR conducted a 10-day Archaeological Field School in partnership with DCR, the U.S. Forest Service, and the Archeological Society of Virginia. Under the direction of State Archaeologist Mike Barber (left) and USFS archaeologist Mike Madden, 38 volunteers excavated two sites at the park. DHR also hosted an interpretive booth at the one archaeological site during Surry County's "Pork, Peanut, and Pine Festival" held during part of the field school. Roughly 1,500 individuals visited the site and the booth. Among the events associated with the festival were presentations by DHR Director Kathleen S. Kilpatrick and DCR Director Dave Johnson, both of whom emphasized various issues relating to successful partnerships, the importance of local histories, the need for public interpretation, and the responsibilities of their respective state agencies.

Battlefield Stewardship: Best Management Practices

The historic significance of a battlefield is not always immediately apparent. In some instances, battlefields and battle-related properties can contain earthen fortifications and buildings used as makeshift headquarters or field hospitals. Most often, though, there is little to visually distinguish a battlefield from a pasture, forest, or hillside. It may be easier to think of battlefields as open-space landscapes that afford visitors a sense of what soldiers saw during the battle itself.



Sayler's Creek Battlefield, Amelia and Prince Edward Cos: On April 6, 1865, Sayler's Creek (mistakenly called Sailor's Creek by Union forces) was the site of the last major battle between the armies of Generals Robert E. Lee and Ulysses S. Grant before Lee's surrender at Appomattox.

A battlefield's historic significance is also largely archaeological, and can include evidence of encampments and battlefield engagements and, most importantly, the graves of fallen soldiers. Under the Virginia Antiquities Act (*Code of Virginia* §10.1-2300 *et seq*), it is illegal to damage or remove objects of antiquity from state-owned property without a permit issued by DHR. Violation of this law is a Class I misdemeanor (punishable by up to 12 months in jail and up to \$2,500 in fines). Individuals should not be granted permission to relic hunt or otherwise disturb battlefield resources, or any other historic site, on state property unless they are able to produce the necessary permit.

The Department recommends the following best-management practices for general battlefield stewardship:

1. **Consult with DHR:** DHR can help an agency identify both a battlefield and any known resources (fortifications, trenches, historic buildings, etc) that may be associated with it, and provide technical assistance for its stewardship as well as for any affiliated resources.
2. **Protect resources:** Any identified battlefield resources (earthworks, burials or cemeteries, etc.) should be protected from damage and vandalism as much as possible. This should include taking battlefield landscapes and archaeology into account when planning construction or other projects.
3. **Involve an agency's staff:** Agency staff, especially rangers, foresters, and others who spend time outdoors, can be the first line of defense for protecting battlefield resources. Provide staff with information about battlefields and other historic resources on state property. Encourage staff to be alert for activities such as relic hunting and to report such activities to a supervisor and to local law enforcement officials.

Case Studies: State Agencies Demonstrating Exemplary Stewardship

University of Virginia:

- Through the Office of the Architect
 - Established an advisory committee of recognized scholars and authorities on the architecture of Jefferson and the management of highly significant historic properties, to work with staff to develop and implement plans for the ongoing restoration and rehabilitation of the Jeffersonian complex.
 - Adopted a written Framework for the Treatment of the Academical Village and committed to the development of guidelines for specific projects.
 - Completed an in-depth study of Pavilion IX, the condition and treatment options of the Rotunda capitals and treatments options for the rotunda roof.
 - Co-host with DHR a colloquium in April 2011, bringing together scholars from throughout the country, to consider how best to approach treatment issues given the evolution of the Academical Village and the different periods of significance that resulted.
- UVa also established an internal process to address the potential impacts of small maintenance projects within the historic campus core on archaeological resources, and worked with DHR towards developing a Memorandum of Understanding to streamline the permitting process for their ongoing archaeological efforts.
- A rehabilitation of Garrett Hall, a distinguished building designed by the firm McKim, Mead and White as a dining hall, is almost complete.
- The University has skilled tradesmen - masons and fine carpenters - on staff who perform much of the work within the Academical Village.



University of Mary Washington:

- A lack of project coordination between the UMW and DHR related to the renovation of Mason and Randolph residence halls triggered a dialogue that resulted in the UMW's commitment to prepare a preservation plan that will complement its master plan. The university also agreed to more actively factor preservation into its decision making process and to appoint a historic preservation officer for its campus.
- When current students and alumnae expressed concern over plans to demolish Seacobeck Dining Hall in order to construct a new building, UMW responded by appointing a committee to weigh the alternatives and recommend the best course. An inter-departmental committee that included a student representative as well as a representative of DHR examined the pros and cons of several alternatives, weighing the programmatic needs against the significance of various impacts to the historic campus. At the end of the process, the committee reached a consensus and made a unanimous recommendation to



President Rick Hurley that Seacobeck be repurposed and that another site selected for the new building. In mid-April 2011, this course was approved by the Board of Visitors.

- UMW has consulted with DHR regarding the significance and possible restoration of scenic wallpaper at Brompton, the residence of the president.

Central Virginia Training:

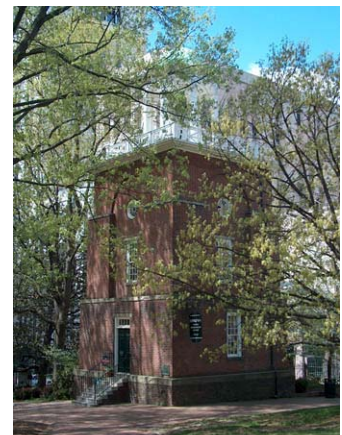
- The Department of Behavioral Health and Developmental Services (DBHDS) consulted with DHR regarding the removal of deteriorated slate roofs on five of their facilities at the Central Virginia Training Center (CVTC). The CVTC was established in ca. 1910 as the Virginia State Epileptic Colony and contains an excellent collection of brick Neo-Classical buildings. Constructed in the early 1950s, the buildings are potentially eligible for listing in the Virginia Landmarks Register.
- DBHDS thoughtfully considered the deterioration and possible rehabilitation of the slate, but determined that deferred maintenance coupled with a poor quality slate necessitated the deterioration of the usually strong material. Furthermore, due to budget constraints, replacement with matching slate was not feasible, and DBHDS worked with DHR to find an acceptable replacement material.

Longwood University:

- In anticipation of a large-scale renovations and campus expansions, University administration presented their Master Plan to DHR.
- The University presented an assessment of their development decisions over the last decade, showing an effort to preserve important historic resources where feasible, especially in response to a devastating fire in 2001. DHR staff will meet on campus to assess whether or not there exists an eligible historic district given the losses suffered from the fire.
- DHR has been working with the University's Department of Anthropology on a number of projects, including a survey class in archaeology, resulting in agreement that students will record sites within the Cumberland State Forest. This partnership of state agencies aids CSF managing the forest, provides students with field experience, and increases DHR's inventory of archaeological resources on state lands.

Capitol Square:

- The ca.-1825 Capitol Square fence was rehabilitated through the repair and replacement of damaged and missing components with the new features matching the old in all respects. This work was preceded by a detailed inventory of the condition of each fence element (see photos on page 16).
- DGS sought DHR's technical assistance with a treatment option for the exterior of the ca. 1825 Bell Tower. DGS also actively sought DHR's guidance to discuss additional exterior and interior repairs to the Bell Tower to address water infiltration and access issues. Lighting options were also discussed to better highlight this significant structure on the Capitol Square grounds.
- DGS, DHR and representatives of the Governor met to discuss opportunities for solar energy. Options for solar panels within Capitol Square were evaluated to determine the maximum gain from solar energy. Alternatives were examined and it was



Bell Tower, Capitol Square

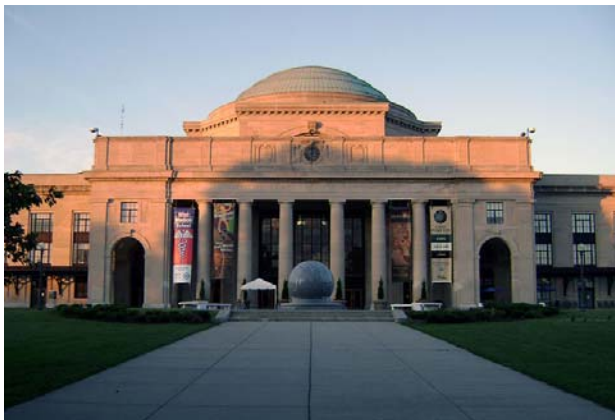
agreed that solar panels placed on the roof of the Patrick Henry Building would offer the greatest return in energy savings for the facility, in addition to minimizing visual impacts from the equipment on the historic building.

Middle Peninsula State Park:

- In December 2009, DCR initiated the master planning process for the new Middle Peninsula State Park. Recognizing the historic significance of the property as well as the potential for impacts to archaeological resources, DCR invited DHR to join the Middle Peninsula State Park Advisory Committee. Through a series of committee and public meetings, DCR developed a master plan for the park which was attentive to public needs and wants while respecting the historic and natural value of the property. Because of the early and meaningful consideration of potential impacts to historic resources and the recognition that archaeological survey will be necessary prior to any major development on the property, DCR is well-prepared to appropriately budget for future construction. Partnering with area archaeologists, DCR has begun archaeological survey of the property and has embraced its unique opportunity to preserve and interpret the history and prehistory of the Commonwealth.

Science Museum of Virginia

- Museum staff frequently consults with DHR regarding ongoing maintenance and treatment issues with the goal that the work meet the Secretary's Standards. To better understand current and future projects, DHR's director and staff toured the museum facility with the museum's director in 2010.
- In the fall of 2010, DHR was invited to participate in the development of a scope of work and selection criteria for procuring architectural and engineering services to develop new exhibit concepts, improve usability of the historic train station and enhance wayfinding. On May 3, 2011, DHR will attend a presentation on the design concepts that have been developed.
- DHR director and staff met on site with museum director and staff to tour the Rice House, an architecturally important modern landmark on the James River, left as a gift to the museum. DHR was invited to participate in the Rice House Advisory Committee. As a follow up to this visit, DHR archaeology and curation staff visited the property to assess a burial site and offer recommendations regarding appropriate preservation measures.



Broad Street Station in Richmond is one of the last remaining great terminals of America's Golden Age of railroads. Acquired by the Commonwealth in 1975, the station, including the cast-iron and steel butterfly canopies and the vast 100-foot-high rotunda, has been sympathetically adapted as headquarters of the Science Museum

Status Report on 2009 Recommendations

Priority List of State-Owned Properties Recommended for Addition to the Virginia Landmarks Register

The following thematic groups of properties were identified in the 2009 report as the highest priority for inclusion in the Virginia Landmarks Register. These themes were selected because—

- The category of resource is currently under-represented in the Virginia Landmarks Register,
- The category of resource is currently threatened,
- The resources have the potential to provide opportunities for tourism and/or education,
- The resources are the focus of intense public interest.

The following institutions were identified in 2009 as high priority for registration:

College of William & Mary Colonial Revival Historic District



Location: City of Williamsburg
Agency: College of William & Mary
Status: This collection of buildings has not been listed. There exists the possibility of listing some resources, such as the Sunken Garden, individually. DHR's overtures to engage the college in discussions regarding registration have been unsuccessful.

James Madison University (Original Campus)

Location: City of Harrisonburg
Agency: James Madison University
Status: A draft nomination was prepared for a historic district that encompassed the core bluestone campus area of James Madison University in 2006 but the district was never listed due to the objections by the university. DHR's attempts to revisit the issue have been discouraged. In June 2009, DHR Director Kilpatrick and staff met with JMU to discuss the university's recently completed Master Plan and their stewardship of historic properties. The group toured the entire campus to better understand the master plan and its impacts on historic resources.



University of Mary Washington Historic District

Location: City of Fredericksburg
Agency: University of Mary Washington
Status: Students in UMW's Historic Preservation Department conducted a campus architectural survey in 2007 and DHR has the compiled work, which needs some editing, but the field data will be a helpful planning tool. Though the university has not expressed any interest in registering its historic campus, it has recently appointed a committee to develop a preservation plan to

complement its master plan and has made a commitment to appoint a historic preservation officer. It is hoped that the preservation plan will recommend that the university pursue registration.

Virginia State University Historic District



Location: Ettrick
Agency: Virginia State University
Status: Currently there are only three resources listed on the campus: Azurest, Vawter Hall and the President's House. Registration of the historic core of the campus, featuring work by notable Virginia architect Charles M. Robinson, has been repeatedly recommended by DHR as appropriate mitigation for recent demolitions of historic buildings both on campus and in the adjacent Ettrick neighborhood a

substantial portion of which is being demolished to make way for a new convocation center. The demolition of the register-eligible Ettrick neighborhood is an adverse effect and the university signed a Memorandum of Understanding agreeing to negotiate the terms of mitigation within a two year timeframe; a draft mitigation plan was received April 27, 2011.

University of Virginia: Kitty Foster Archaeological Site

Location: City of Charlottesville

Agency: University of Virginia

Status: In the 1990s, the Kitty Foster site was excavated in an area that was projected as part of the South Lawn construction project. The site was part of an historic African American neighborhood called Canada. Archaeology has been conducted and there is now an official memorial. Designation has been discussed with university staff, but funding for the nomination work has not been identified. There has been no recent activity.

Virginia Polytechnic Institute and State University

Location: Blacksburg

Agency: Virginia Polytechnic Institute and State University

Status: A campus historic district would be appropriate and/or Lane Hall, the War Memorial Chapel and President's House could be individually listed. No recent communication or activity has occurred.

Longwood University

Location: Farmville

Agency: Longwood University

Status: The historic campus was recommended as potentially eligible by the state-owned properties survey for associations with the education of women. However, a number of changes have occurred since this 1991 recommendation, including a devastating fire. DHR met with the university administration early in 2011 to review the university's master plan and it was agreed that DHR will make a site visit in May or June 2011 to assess whether or not an eligible district remains. The university is to be commended for the sensitive and careful approach it has taken to reconstruction following the fire, as well as its willingness to consult with DHR.

Confederate Fortification, (DHR site number 44CS0007)

Location: City of Chesapeake

Agency: Virginia Department of Transportation

Status: An earthen fortification built prior to October 1861 and abandoned in or near April 1863, it is located adjacent to Joliff Road in Chesapeake. Visible from the public right-of-way, the square fort is one of several constructed in this general area, possibly to protect against enemy activity along the Western Branch of the Elizabeth River. Although no battles were fought there, 44CS0007 remains a significant feature, representing the larger defenses of Suffolk and Chesapeake. DHR would like to partner with VDOT, the owner, to register this site as well as develop a plan for its protection. There has been no movement to register this site in large measure due to reductions in VDOT's cultural resources staff.

Robinson House (on the grounds of the Virginia Museum of Fine Arts)

Location: City of Richmond

Agency: Virginia Museum of Fine Arts

Status: This was the post-war Confederate veterans Camp Lee. The Robinson House was the commander's dwelling and headquarters. This resource remains unlisted despite the fact that DHR staff prepared a nomination and expected the house to be considered at DHR's June 2008 quarterly board meeting. DHR staff also met with Virginia Museum of Fine Arts (VMFA) Director Alex Nyerges to



discuss permission for designation. After Nyerges met with the museum board, however, the board asked that the nomination not go forward. Subsequently, DHR offered to give the museum board a presentation to explain the significance of listing, but the board declined. The VMFA has completed and opened its new addition and the new landscape is installed. The Robinson House is now positioned prominently in the entrance area. It does not appear to be in use. There are signs of masonry failure on the rear deck area. Listing this vestige of early development of this significant city block remains a priority. Recently, the museum installed interpretive signage that highlights the history of the Robinson House, as well as other historic features of the museum grounds.

Staunton River Bridge Battlefield State Park

Location: Randolph, Charlotte County

Agency: Department of Conservation and Recreation

Status: Granted a III.3 Class C Rating, indicating its high level of integrity, by the Civil War Sites Advisory Commission of the National Park Service. Several individual resources, associated with the battlefield have been listed, but the complete battlefield should be considered.

Virginia Capitol Square Historic District



Location: City of Richmond

Agency: Department of General Services

Status: The historic district has not been listed and its listing remains a priority. The Department of General Services oversees the state's resources in and around Capitol Square and DHR has been discussing the listing with DGS over the past few years. In addition to working with DGS staff, DHR

would need to work with some of the other major owners in the Capitol Square area to proceed with the listing effort. If the district is to include all of the significant buildings relating to the history of Capitol Square, DHR will need to build consensus with private land owners, the federal government (U.S. Courthouse) and the congregation of St. Paul's Episcopal Church. The potential for successful listing has increased since numerous buildings in and around the square have been listed individually, including the Federal Courthouse, Old City Hall, and several state-owned buildings. Since 2009, the Ninth Street Office building was listed in June 2009 and the Washington Building was listed in 2010.

Goochland Women's Correctional Facility (women)

Location: Goochland County

Agency: Department of Corrections

Status: No progress. Though DHR has offered to meet on site, DOC has not been receptive to having DHR staff visit or discussing registration.

Virginia War Memorial (veterans)

Location: Richmond

Agency: Department of General Services

Status: A substantial addition was made to the building in 2010. As a result, DHR will need to re-evaluate its eligibility for registration. As mitigation for the adverse effect resulting from the addition, the property was resurveyed at the intensive level and the data entered into DSS. If still eligible, preparation of a nomination would benefit from this recently completed documentation.

Central State Hospital Chapel (African Americans)

Location: Dinwiddie County

Agency: Department of Behavioral Health and Developmental Services

Status: The Chapel was placed on the Virginia Landmarks in 2010. The building is presently mothballed and in poor condition.

Brauer Chapel at Catawba Hospital, (mentally impaired)

Location: Roanoke County

Agency: Department of Behavioral Health and Developmental Services

Status: Department of Behavioral Health and Developmental Services

Status: DHR has not approached DBHDS to assess interest in listing. The building appears to be in good condition with most historic features intact.

Walnut Valley 090-0023; 44SY0262

Location: Surry County

Agency: Chippokes State Park, Department of Conservation and Recreation

Status: The Slave Cabin at Walnut Valley has been extensively studied architecturally by University of Mary Washington and tested archaeologically by DHR and UMW. Although extensively repaired, the original structure was dendrochronologically dated to 1814, the second oldest such structure in the Commonwealth. Study has confirmed that this site is potentially eligible for architecture and for archaeological research value.

Blair-Taskinas Site

Location: James City County

Agency: York River State Park, Department of Conservation and Recreation

Status: This site includes an 18th century plantation and Virginia Indian resources. DCR has had a draft nomination produced and it is currently being reviewed by DHR staff. It will most likely be listed in 2011 or early 2012.

Belle Island State Park

Location: Lancaster County

Agency: Department of Conservation and Recreation

Status: This park is already registered but the nomination does not address the numerous archaeological sites of significance. Ideally, the nomination would be rewritten to include archaeology and to expand the period of significance. No progress to date.

Priority List of Significant State-Owned Properties Threatened with the Loss of Historic Integrity or Functionality

Morson’s Row (carried over from 2007 list)



Location: City of Richmond

Agency: Department of General Services

Status: DGS began exterior rehabilitation work on these three 1853 bow-fronted Italianate town houses in 2010. This initial phase of the project primarily involves repairs to the roof and other areas intended to halt water infiltration which has damaged large portions of the interior. The current work also addresses some cosmetic issues such as repair/replacement of damaged sections of the wooden cornice and

decorative door hoods. Also included in the scope of work are repair and selective replacement of windows, masonry repointing, and improvements to site drainage. Although a commendable start, DGS is hampered by a lack of project funding to properly address all interior and exterior improvements that are necessary in order to rehabilitate this historically significant and prominent building on Capitol Square and to bring it up to functional use for state offices.

Archaeological Sites on State Lands (carried over from 2007 list)

Location: Statewide

Agency: Various

Status: With a marked decrease in capital projects on state lands over the last two years, there have been fewer new archaeological studies conducted. However, recent archaeological surveys in support of ongoing infrastructure upgrades at the College of William & Mary and University of Virginia continue to demonstrate the value of small-scale studies on the grounds of our historic academic institutions. During this biennium, the public archaeology programs at Gunston Hall and York River State Park received the necessary approvals from DHR and continue to provide visitors with a valuable education on colonial and pre-colonial settlement of the Commonwealth. Following up on a 2007 stewardship initiative, DCR invited DHR to participate in the master planning process for the new Middle Peninsula State Park in Gloucester County and, through its

plan, ensured the consideration, preservation and interpretation of archaeological resources in park development. Archaeological surveys at the park are currently underway. DHR has also worked extensively with York River State Park to record several new archaeological sites within the park.

CCC-related resources in state parks

Location: Statewide

Agency: Department of Conservation and Recreation

Threat: Insufficient resources to fund maintenance of resources contributing to historic districts.

Status: No change. Additional funding has not been feasible due to budget reductions over the past two years.

Medical College of Virginia Historic District

Location: Richmond

Agency: MCV/Virginia Commonwealth Historic District

Threat: Identified in the 1991 state-owned survey as eligible, this potential district has lost some important buildings in the recent past such as the A.D. Williams Building and the Nursing Education Building. Future plans call for the loss of the West Hospital Building.

Status: No progress.

Ninth Street Office Building

Location: Richmond

Agency: Department of General Services

Threat: Spared from demolition and added to the VLR in June 2009, the rehabilitation of this prominent resource awaits funding

Status: Status quo; no use has been determined for this prominent downtown landmark.

Historic Neighborhoods Adjacent to University Campuses

Location: Statewide

Agency: Various

Threat: It is natural and desirable that institutions of higher education will change over time and often with change comes expansion of campus facilities. There exist historic districts, some registered, others only determined eligible, adjacent to campuses. Consideration needs to be given to these neighborhoods as institutions of learning plan for growth. Neighborhoods currently under incremental threat include the Oregon Hill and Carver Historic Districts, adjacent to Virginia Commonwealth University; and the Harrisonburg Old Town Historic District adjacent to James Madison University, as well as the Harrisonburg Downtown Historic District, also located near JMU. The Ettrick Historic District, adjacent to Virginia State University, will soon experience major destruction and is vulnerable to additional encroachment in the future. Also, the historic integrity of campuses themselves are threatened by master plans that do not take historic properties and cultural landscapes into account. When unidentified, historic campus plans are often overlooked and important design elements are destroyed.

Status: This issue continues to create challenges and tension. For example, Virginia State University is demolishing more than half of an eligible historic district in Ettrick to make way for a new convocation center. James Madison University continues to acquire and demolish buildings that are contributing to the Downtown and Old Town historic districts in Harrisonburg. Virginia Commonwealth University's plans for expansion include demolition of contributing buildings in

a district along Broad Street. In many instances, these actions are not subject to review as real estate foundations acquire and demolish the resources.

Recommendations for 2009-2011

Agencies and institutions of higher education whose properties were referenced in the priority lists should:

- Conduct the necessary research and analysis to prepare nomination reports and work with DHR to list eligible properties on the Virginia Landmarks Register.
Status: 18 state-owned properties have been registered in the past two years, bringing the total number of listings to 119. Pocahontas State Park is due to be registered in September 2011.
- Consider consistent maintenance needs for high priority resources in the budget cycle.
Status: Budget reductions made it difficult for state agencies to address the maintenance needs of priority properties.

All agencies and institutions of higher education that own or control property should:

- Systematically update existing historic resource survey data and identify both archaeological resources and properties that may have become eligible—or that may have been lost—in the years since the 1988/1991 survey was completed.
Status: Unless required as mitigation for an adverse effect, the surveys for properties in state ownership are only rarely initiated or updated. Such survey is random, typically based upon the need to mitigate demolition.
- Give consideration to proper maintenance, rehabilitation, and active use of properties listed on or eligible for listing on the VLR, particularly those properties or categories of properties cited in this report.
Status: Tight budgets have interfered with recommended maintenance. However, excellent examples of meeting this goal include DGS's work at Morson's Row and Virginia Tech's rehabilitation of Solitude and UVA's rehabilitation of Garrett Hall. In each instance, the properties are extremely significant and the rehabilitation met the *Secretary of the Interiors Standards*.

The Department of Historic Resources should:

- Continue to provide leadership, technical expertise and guidance to help state agencies improve stewardship of state-owned historic properties. Strategies toward this end may include such things as:
 - Working with state agencies to conduct the necessary research and analysis to prepare nomination reports to list eligible properties on the Virginia Landmarks Register.
Status: 18 state-owned properties have been registered in the past two years.
 - Encouraging agencies to prepare treatment plans and preservation master plans to guide stewardship.
Status: A handful have been completed. University of Mary Washington has recently initiated the preparation of a preservation plan.
 - Exploring with DGS the possibility of accessing FICAS data as a substitute for DHR building condition assessment forms.

Status: DHR met with DGS who offered access to this database. Budget cuts have impacted funding for FICAS and targets for its mandatory use by agencies have not been realized. Nonetheless, it remains an extremely useful planning tool.

- Continuing to offer training for targeted agencies on historic preservation issues such as *The Secretary of the Interior's Standards for Rehabilitation*, completing the state-owned properties inspection checklists, DHR's program areas that state agencies may use for technical assistance, and other topics agencies may determine to be valuable in order to support their mission and scorecard reporting requirements. Training should be offered twice yearly in various parts of the state.

Status: DHR has sponsored or co-sponsored numerous training opportunities that have been made available to state agencies responsible for the management of historic property. Scholarships were offered to attend the Preservation Virginia conference in September 2009, the focus of which was historic preservation and sustainability.

- Developing a "Best Practices" handbook for state agencies to include recommendations regarding public participation and a self-assessment tool.

Status: The online Preservation Toolkit provides state of the art guidance regarding sustainability. This report includes treatment guidance and is intended to serve as a reference. The self-assessment tool has been discontinued as DGS's FICAS is a better resource and the data collected is accessible through a database.

- Improving communication with state agencies through the use of regular email communications to include quarterly stewardship newsletters.

Status: Emails have been limited to the promotion of training opportunities.

- Promoting training opportunities and scholarships for state agencies and encourage participation in annual preservation conferences.

Status: Numerous training opportunities have been made available to state agencies, though travel restrictions and budget cuts have interfered with attendance. Scholarships were provided so that agencies could attend the 2009 Preservation Virginia Conference that focused on sustainability and preservation.

- Collaborating with DGS on a workshop regarding compliance with the *Secretary of the Interior's Standards for Rehabilitation* and the Virginia Conservation and Environmental Standards.

Status: DHR made a presentation during DGS-sponsored training for facility managers in October 2010.

- Meeting with facilities managers in order to brief them on the purpose and goals of the reports and to request input into the 2011 stewardship report. Special emphasis should be given to properties that agencies wish to highlight due to their historic significance or perceived threat.

Status: Very few of the agencies mentioned in the 2009 report contacted DHR within the required 60 days. Meetings have been held over the past two years with some but not all agencies. Priority has been given to colleges and universities.

- Soliciting other agencies' participation in an advisory group for the purposes of guiding the preparation and review of the 2011 biennial report to ensure its utility to state agencies.

Status: Time did not permit advance consultation or review with state agencies, though this remains a goal for the future.

- Working one-on-one with land-holding agencies to update the 1988/1991 state properties surveys through field verification and updating of records to reflect demolitions, surplus property and acquisitions.

Status: Little progress. Updated or new survey was mostly limited to documentation prior to demolition.

- Creating a methodology and cost for updating the existing state-wide survey and producing overview studies of cultural landscapes and archaeological sites, pending availability of funding.

Status: Given the significant budget reductions of the past two years, this was not pursued.

- Developing a Time Crime PowerPoint presentation which will highlight the damage done to archaeological resources on state-owned properties by illegal artifact collecting. The program will be posted on DHR website and made available to sister agencies.

Status: The program has been developed and the first workshop is scheduled for October 2011.

- Continue to play a leadership role in preparing for the transfer of Fort Monroe to state ownership in 2011.

Status: DHR continues to play a key leadership role in ensuring a smooth transition of Fort Monroe from Army management to the Commonwealth and its partners in September 2011. The Programmatic Agreement (PA) was executed in April 2009 and since that time the various parties have worked to fulfill the terms of the agreement. The director of DHR chaired an advisory committee to the Fort Monroe Authority (FMA), formerly the Fort Monroe Federal Area Development Authority (FM-FADA), that developed draft Design Standards and Preservation Manual (Design Standards). The Design Standards will serve as a guide for the Commonwealth and future partners on the treatment of historic properties at Fort Monroe, as well as requirements for new construction within the various Management Zones. These Design Standards are based on the National Park Service's *The Secretary of the Interior's Standards for the Treatment of Historic Properties* and other accepted preservation practices. Also complete is an inventory and assessment of natural resources, as well as recommendations regarding their stewardship, including suggestions for how these resources can benefit the public through educational and recreational programming. Because of Fort Monroe's significant association with African-American history, an interpretive plan has been developed that specifically addresses African-American culture. DHR National Register staff has also been working with the Army on the updated National Historic Landmark (NHL) nomination for the Fort Monroe NHL District, as well as National Register of Historic Places (NRHP) for the four individually eligible properties on post. Furthermore, DHR's director has assisted the FMA in an advisory role on the plan for redeveloping the installation and on various other historic preservation-related issues including the use of available financial incentives including state and federal rehabilitation tax credits.

- Work with the Governor and General Assembly to improve the tools available for public agencies in the stewardship of state-owned properties:
 - Request the Governor to issue an Executive Order encouraging registration of state-owned properties.
 - Request the Governor to issue an Executive Order that complements EO48 and requires maintenance and rehabilitation of historic assets as a model of sustainable and green leadership.

- Work with Governor to institute annual Governor’s award for outstanding state stewardship.
Status: No progress during transition of new administration. DHR will encourage consideration of these priorities over the next two years.

Stewardship Recommendations for the Next Two Years

In recognition that agency budgets will likely be stretched over the coming two years, DHR presents the following recommendations that focus on the Commonwealth’s most significant and/or urgent issues and priorities. Several of these goals, which would dramatically enhance the stewardship of historic resources, can be accomplished for a modest cost or without any expenditure of funds. In some cases, nominations have already been written or substantive research completed that would facilitate the registration of eligible properties.

Priority List of State-Owned Properties Recommended for Addition to the Virginia Landmarks Register

Institutions of Higher Education:

This priority carries over from the past two reports and speaks to the importance of the historic resources owned and managed by the state’s colleges and universities. Many campuses possess outstanding collections of architecturally distinguished buildings that are integral to the institution’s public image and the history of education in Virginia. Some campuses also relate to facets of our history currently under-represented in the Virginia Landmarks Register, such as the education of women through the development of state teachers colleges and African Americans.

Obvious candidates for registration include:

University of Mary Washington Historic District (majority of campus).

Virginia State University Historic District (historic core of campus).

College of William and Mary (campus historic district and/or Sunken Garden).

Virginia Polytechnic Institute and State University (campus historic district and/or Lane Hall, War Memorial Chapel, President’s House)

James Madison University Historic District (historic “bluestone” campus for which a nomination is already completed; permission denied).

Cemetery, University of Virginia (including Confederate section) (located on the corner of Alderman and McCormick roads, adjacent to the University Cemetery).

Kitty Foster Archaeological Site, University of Virginia (a rare and well-documented antebellum home site and graveyard associated with Kitty Foster, an African-American laundress and seamstress who worked at the University).

Properties Associated with the Civil War

...we cannot dedicate, we cannot consecrate, we cannot hallow this ground. The brave men, living and dead who struggled here have consecrated it far above our poor power to add or detract.

Abraham Lincoln, November 19, 1863, The Gettysburg Address.

2011 marks the 150th anniversary of the Civil War, the last armed conflict to take place on American soil. Foreshadowed by the secession of seven southern states, the war began on April 12, 1861, when soldiers loyal to the young Confederacy began shelling the Union garrison at Fort Sumter outside Charleston, South Carolina. The fall of Fort Sumter unleashed four years of conflict, pitting North against South in a struggle that would claim between 620,000 and 700,000 lives before ending with the Confederacy's surrender at Appomattox Courthouse on April 9, 1865.

The Congressionally-appointed Civil War Sites Advisory Commission has formally identified and surveyed 384 Civil War battlefields in 26 states. With a total of 122 federally-recognized battlefield sites, Virginia's Civil War resource inventory far exceeds that of any other state. According to data obtained from the National Park Service's American Battlefield Protection Program, the Commonwealth contains over 900,000 acres of battlefield and battle-related land. Of this, approximately 550,000 acres were judged to retain enough integrity to be eligible for inclusion in the National Register of Historic Places. These battlefield properties represent engagements from the first shots fired during the Battle of Aquia Creek in May 1861 to the final Battle of Petersburg, five days before General Robert E. Lee surrendered the Confederate cause. This inventory includes the Battle of First Manassas (July 21, 1861), also known as the Battle of Bull Run, the first land battle fought in Virginia. It also includes the pivotal Battle of Brandy Station (June 9, 1863), the largest cavalry engagement of the War and the point at which the tide turned in the Union army's favor. Virginia is home to many other sites of transcendent importance, such as the site of the iconic March 9, 1862 battle between the ironclads *Monitor* and *Virginia*, and the May 2, 1863 Battle of Chancellorsville, which resulted in the death of Confederate Gen. Thomas "Stonewall" Jackson from friendly fire.

As part of its overall preservation mission, DHR continues to partner with organizations such as the Civil War Trust and the Shenandoah Valley Battlefields Foundation, as well as private citizens, in efforts to identify and protect battlefield and battle-related properties across the state. DHR also looks forward to working with land-holding state agencies to identify, evaluate and register their Civil War-related resources in commemoration of the sesquicentennial. These resources include actual battlefields as well as cemeteries, forts and fortifications, and buildings used as headquarters or field hospitals, among others. Such resources could be made available to the public for educational, interpretive, and recreational purposes, keeping the lessons of the Civil War alive in the minds of Virginia's citizens as well as the thousands of tourists drawn by that history to visit the Commonwealth.

Candidates for registration remain:

Confederate Fortification, (DHR site number 44CS0007), City of Chesapeake: An earthen fortification built prior to October 1861 and abandoned in or near April 1863, it is located adjacent to Joliff Road in Chesapeake. Visible from the public right-of-way, the square fort is one of several constructed in this general area, possibly to protect against enemy activity along the Western Branch of the Elizabeth River. Although no battles were fought there, 44CS0007 remains a significant feature, representing the larger defenses of Suffolk and Chesapeake. DHR would like to partner with VDOT, the owner, to register this site as well as develop a plan for its protection.

Robinson House, City of Richmond (VMFA): nomination prepared; permission denied. This was the post-war Confederate veterans Camp Lee. The Robinson House was the commander's dwelling and headquarters.

Staunton River Bridge Battlefield State Park, Scottsburg, Halifax Co. (DCR): This property was given a III.3 Class C Rating, indicating its high level of integrity, by the Civil War Sites Advisory Commission of the National Park Service.

In addition to properties associated with institutions of higher education and the Civil War, DHR recommends the registration of:

Walnut Valley 090-0023; 44SY0262, Chippokes State Park, Surry County

The site includes a slave cabin that has been extensively studied architecturally by the University of Mary Washington (UMW) and tested archaeologically by DHR and UMW. Although extensively repaired, the original structure was dendrochronologically dated to 1814, making it the second oldest such structure in the Commonwealth.

Priority List of Significant State-Owned Properties Threatened with the Loss of Historic Integrity or Functionality

Historic resources are under constant threat and those in state ownership are no exception. Stewardship of historic properties requires maintenance, a relevant use, financial resources, an understanding of appropriate treatment, and consideration of public/community values.

Challenges currently facing state agencies include but are not limited to:

- Lack of funding for general maintenance;
- Lack of specialized training or “know how” regarding appropriate treatment;
- Discarding of historic building fabric for short term cost benefit reasons and perceived energy efficiencies;
- Lack of proper planning—i.e. infrequent use of treatment plans, preservation master plans, historic structure reports;
- Fear of costs—preservation is often assumed to be the more expensive option, when in fact it can be the most cost effective approach.

Historic landmarks currently under threat include:

Central State Hospital Chapel

Location: Dinwiddie County

Agency: Department of Behavioral Health and Developmental Services (DBHDS)

Status: The Chapel was placed on the Virginia Landmarks in 2010. The building is not in use and is presently mothballed and in poor condition.

DeJarnette Sanatorium/Children's Asylum

Location: City of Staunton

Agency: Frontier Culture Museum

Status: Not yet registered but determined eligible for listing. This imposing complex of Georgian Revival buildings dates from 1932. Spared from demolition, these buildings have not been maintained for a number of years and their condition continues to decline. Preservation Alliance of Virginia included DeJarnette in its Top 10 list of endangered historic sites in Virginia in 2002. Thanks to funding from DGS, vegetation was cleared and the doors and windows boarded up in 2009.

Azurest, Virginia State University

Location: Ettrick, Virginia State University

Agency: Not technically state owned; owned by Virginia State University Foundation

Status: Individually listed on the Virginia Landmarks Register in 1993. Azurest South was designed by Amaza Lee Meredith (1895-1984), one of the country's first black female architects, as her own residence and studio. The compact, clean-lined dwelling, built in 1939 in Ettrick, is among the Commonwealth's few mature examples of the International Style. The property is threatened by inappropriate alterations that have significantly diminished the building's integrity, such as the insensitive renovation of the original and intact kitchen and the studio. Though these alterations may have been well-intentioned, they have seriously compromised the building's architectural integrity.

Shot Tower at Shot Tower Historical State Park

Location: Wythe County

Agency: Department of Conservation and Recreation (DCR)

Status: Listed on the Virginia Landmarks Register in 1968. The Shot Tower was built more than 150 years ago to make ammunition for the firearms of the early settlers. Lead from the nearby Austinville Mines was melted in a kettle atop the 75-foot tower and poured through a sieve, falling through the tower and an additional 75-foot shaft beneath the tower into a kettle of water. The tower is currently threatened by serious structural deterioration. DCR is currently conducting an engineering study to better determine the scope and magnitude of the problem.

Ninth Street Office Building

Location: Richmond

Agency: Department of General Services (DGS)

Status: Individually listed on the Virginia Landmarks Register. Currently unoccupied; threatened by neglect and lack of purpose.

James River Correctional Center

Location: Goochland County

Agency: Department of Corrections

Status: Not yet registered but determined eligible for listing. Slated for closure with no apparent reuse plan in place. Property has high development potential and contains numerous historic resources including an eligible historic district and identified archaeological sites. Given its location along the James River, there exists high potential for unidentified prehistoric and historic archaeological resources and canal-related features. The site is also significant for its association with Virginia's black folk-song tradition.

Recommendations for the Next Two Years

There are countless opportunities for state agencies to demonstrate responsible stewardship towards those historic resources entrusted to their care. Given the downturn in the economy and the projected budgets, undertakings with a high pricetag are unlikely to be accomplished in the next two years. However, there are a number of low-cost actions, including planning, that would go a long way to securing the future of our Commonwealth's historic legacy.

Based on the requirements of § 10.1-2202.3 and the preceding discussion in this report, DHR suggests the following recommendations for the next two years:

Agencies and institutions of higher education whose properties were referenced in the priority lists should:

- Conduct the necessary research and analysis to prepare nomination reports and work with DHR to list eligible properties on the Virginia Landmarks Register.
- Consider consistent maintenance needs for high priority resources in the 2012-2014 budget cycle.

All agencies and institutions of higher education that own or control property should:

- Systematically update existing historic resource survey data and identify both archaeological resources and properties that may have become eligible—or that may have been lost—in the years since the 1988/1991 survey was completed. Data should be made available to the public via DHR's Data Sharing System (DSS). Colleges and universities should work with DHR to determine boundaries for eligible historic districts and incorporate district information into planning documents such as master plans
- Give consideration to proper maintenance, rehabilitation, and active use of properties listed on or eligible for listing on the VLR, particularly those properties or categories of properties cited in this report. For listed or eligible properties, DHR should be consulted early; prior to the development of final plans or commencement of work. Ideally, DHR should receive preliminary drawings and later a complete set of working drawings for properties that are registered or determined eligible.

The Department of Historic Resources should:

- Continue to provide leadership, technical expertise and guidance to help state agencies improve stewardship of state-owned historic properties. Strategies toward this end may include such things as:
 - Assisting state agencies to list eligible properties on the Virginia Landmarks Register.
 - Encouraging agencies to prepare treatment plans, historic structure reports and preservation master plans to guide stewardship.
 - Offering training for targeted agencies on historic preservation issues such as *The Secretary of the Interior's Standards for Rehabilitation*, other issues concerning treatment and sustainability, historic cemeteries.
 - Developing a web-based "Best Practices" handbook for state agencies that would include sections from this stewardship report and links to reference materials that includes "good, better, best" treatment guidance for state agencies.
 - Improving communication with state agencies through the use of regular email communications.
 - Meeting with facilities managers in order to brief them on the purpose and goals of the reports. Special emphasis should be given to properties included in this report as high priority due to their historic significance or perceived threat.
 - Offering Time Crime training sessions and online to educate agencies about the damage done to archaeological resources on state-owned properties by illegal artifact collecting.
 - Encouraging DHR staff to pursue accreditation as LEED Green Associates. The credential denotes basic knowledge of green design, construction and operations.
 - Partnering with land-holding state agencies to identify and evaluate their Civil War-related resources. Such resources could include, but are not limited to battlefields, cemeteries, and buildings used as headquarters, field hospitals, and so on.
 - Partnering with the Smithsonian Institution and Game and Inland Fisheries to record highly significant archaeological sites on a barrier island on the Eastern Shore that are threatened by natural forces.
 - Encouraging state agencies to use the state's highway marker program as a tool to celebrate the rich and diverse history of the Commonwealth, following the example of Eastern State Hospital which erected a marker in 2009.
 - Exploring the legalities of educational institutions utilizing the state rehabilitation tax credits.
 - Encouraging state agencies to submit projects for review to DHR using the new Electronic Project Information Exchange (ePIX) system that fully digitizes the review of both state projects.

- Continue to play a leadership role in preparing for the transfer of Fort Monroe in 2011. Although much of what is included as requirements in the PA are complete, some important deliverables are still pending. DHR recommends that provisions be made for these deliverables as soon as possible.

- Continue to manage and preserve Clermont, a 361-acre farm in Clarke County owned by DHR. DHR will complete the final report for the archaeological investigation of the cemetery conducted in September 2010.

- Work with the Governor and General Assembly to improve the tools available for public agencies in the stewardship of state-owned properties:
 - Request the Governor to issue an Executive Order encouraging registration of state-owned properties.
 - Request the Governor to issue an Executive Order that complements EO48 and requires maintenance and rehabilitation of historic assets as a model of sustainable and green leadership.
 - Work with Governor to institute annual Governor's award for outstanding state stewardship.

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Appendix A: Text of SB 462/§ 10.1-2202.3

Text of § 10.1-2202.3

- A. *In order to consider the broad public interest and protect the financial investment in state-owned historic assets, the Department shall develop, on a biennial basis, a report on the stewardship of state-owned properties. The report shall include, but not be limited to, a priority list of the Commonwealth's most significant state-owned properties that are eligible for but not designated on the Virginia Landmarks Register pursuant to § 10.1-2206.1. The report shall also provide a priority list of significant state-owned properties, designated on or eligible for the Virginia Landmarks Register, which are threatened with the loss of historic integrity or functionality. In developing the report, the Department shall, in addition to significance and threat, take into account other public interest considerations associated with landmark designation and the provision of proper and maintenance of property. These considerations shall include: (i) potential financial consequences to the Commonwealth associated with failure to care for and maintain property, (ii) significant public educational potential, (iii) significant tourism opportunities, and (iv) community values and comments. The report shall be forwarded to all affected state agencies, including institutions of higher learning, the Governor, the Secretary of Administration, the Secretary of Natural Resources, the Secretary of Finance, and the General Assembly. All agencies of the Commonwealth shall assist and support the development of the report by providing information and access to property as may be requested.*
- B. *Each agency that owns property included in the report required by subsection A shall initiate consultation with the Department within 60 days of receipt of the report and make a good faith effort to reach a consensus decision on designation of an unlisted property and on the feasibility, advisability, and general manner of addressing property needs in the case of a threatened historic property.*
- C. *The Department shall prepare a biennial status report summarizing actions, decisions taken, and the condition of properties previously identified as priorities. The status report, which may be combined with the report required pursuant to subsection A, shall be forwarded to all affected state agencies, including institutions of higher learning, the Governor, the Secretary of Administration, the Secretary of Natural Resources, the Secretary of Finance, and the General Assembly.*
- D. *The reports required in subsections A and C shall be completed and distributed as required no later than May 1 of each odd-numbered year, so that information contained therein is available to the agencies, the Secretary of Finance, the Secretary of Administration, and the Governor, as well as the General Assembly, during budget preparation.*

Appendix B.: An Economic Analysis of Virginia’s Historic Rehabilitation Tax Credit Program: 2010 Update

Prepared for
Virginia Department of Historic Resources

Prepared by
Virginia Center for Urban Development
at the VCU Center for Public Policy
Virginia Commonwealth University

February 2010

This summary provides an update of the economic analysis of Virginia’s Historic Rehabilitation Tax Credit Program. The analysis was originally conducted in 2006 and focused on the impact to Virginia’s economy from rehabilitation expenditures made over the period 1997 through the first half of 2006. This update examines expenditures that took place through the end of 2009.

Data on the Tax Credit Program

Staff members at the Virginia Department of Historic Resources provided data from each year of the 13-year life of the Program (1997 through 2009). These data included the number of projects completed, the total amount of qualified rehabilitation expenditures (i.e., the amount of money spent by developers and individuals on the rehabilitation work), and the state tax credits awarded for the project. Table 1 presents a summary of this information.

Table 1. Rehabilitation Tax Credit Program Data, <i>continued</i> (Dollar Values in Current Dollars for Each Year)			
Year	Number of Projects Completed	Rehabilitation Expenditures (Millions of \$)	State Tax Credits Awarded (Millions of \$)
1997	26	\$11.1	\$1.1
1998	29	\$14.4	\$2.2
1999	64	\$66.7	\$13.3
2000	87	\$126.7	\$31.7
2001	121	\$174.1	\$43.5
2002	147	\$116.6	\$29.1
2003	161	\$180.9	\$45.2

continued

Table 1 continues here

Table 1. Rehabilitation Tax Credit Program Data, <i>continued</i>			
<i>(Dollar Values in Current Dollars for Each Year)</i>			
Year	Number of Projects Completed	Rehabilitation Expenditures (Millions of \$)	State Tax Credits Awarded (Millions of \$)
2004	177	\$184.2	\$46.1
2005	233	\$230.3	\$57.6
2006	213	\$286.4	\$70.6
2007	199	\$294.1	\$74.6
2008	188	\$483.6	\$120.6
2009	102	\$255.0	\$63.7
Total	1,747	\$2,424.1	\$599.4

Source: Virginia Department of Historic Resources

Over the lifetime of the project, to date, state tax credits have been awarded for 1,747 qualified projects. These projects were responsible for total expenditures of \$2.4 billion and awards of almost \$600 million in state tax credits.

To provide a clearer comparison of the data from year to year, the VCU Center for Public Policy adjusted the dollar values in Table 1 to take into account inflation over the 13-year period. Table 2 shows all dollar amounts in terms of constant 2009 dollars. Examining the rehabilitation projects in terms of 2009 dollars, total qualified project expenditures during the life of the program have been about \$2.65 billion and the state has awarded \$653 million in tax credits for these projects.

Table 2. Rehabilitation Tax Credit Program Data			
<i>(Dollar Values in Millions of 2009 Dollars)</i>			
Year	Number of Projects Completed	Rehabilitation Expenditures (Millions of \$)	State Tax Credits Awarded (Millions of \$)
1997	26	\$14.8	\$1.5
1998	29	\$19.0	\$2.8
1999	64	\$85.9	\$17.2
2000	87	\$157.9	\$39.5

continued

Table 2 continues here

Table 2. Rehabilitation Tax Credit Program Data			
(Dollar Values in Millions of 2009 Dollars)			
2001	121	\$210.9	\$52.7
2002	147	\$139.0	\$34.8
2003	161	\$211.0	\$52.7
2004	177	\$209.2	\$52.3
2005	233	\$253.0	\$63.2
2006	213	\$304.7	\$75.2
2007	199	\$304.3	\$77.2
2008	188	\$481.9	\$120.2
2009	102	\$255.0	\$63.7
Total	1,747	\$2,646.6	\$653.0

Sources: Virginia Department of Historic Resources, U.S. Bureau of Labor Statistics, and VCU Center for Public Policy. Inflation adjustments made using the "Consumer Price Index for All Urban Consumers" (CPI-U) from the U.S. Bureau of Labor Statistics.

Economic Impact of the Tax Credit Program

For the 2006 study, a mail survey was conducted with the individuals and companies that had completed their rehabilitation projects during the two most recent program years – 2005 and 2006. Fifty-eight percent of survey respondents said that they would not have rehabilitated their property without state tax credit assistance. These are the projects for which the tax credits were essential; that is, these expenditures would not have occurred without the tax credit program. In addition, 15 percent of respondents said that they were unsure whether they would have gone ahead with the rehabilitation project without the tax credits. Assuming that half of these respondents would not have undertaken the project without tax assistance, a total of 65.5 percent (58 percent plus 7.5 percent, half of 15 percent) of respondents relied upon the tax credit program to undertake the rehabilitation work. Rather than using the entire amount of qualified project expenditures (\$2.65 billion, in 2009 dollars) for the economic impact analysis, only 65.5 percent of this amount was applied to the economic impact model – that is, \$1.74 billion (65.5 percent of \$2.65 billion).¹¹

Multipliers from the 2006 study were used as the basis for estimating the economic impact values for this update. Rehabilitation expenditures of \$1.74 billion

¹¹ This amount was applied to IMPLAN sector 35 "New residential additions and alterations, nonfarm."

supported an estimated 5,804 jobs (“direct employment”) within Virginia during this 13-year period (Table 3). This included both full-time and part-time jobs. The economic activity associated with this level of employment supported 7,083 additional jobs in other sectors of the economy and generated a total economic impact to Virginia of \$1.91 billion. This economic impact included \$771 million of value added for the region, and was responsible for \$531 million of labor income (wages and benefits).

Along with these economic effects, spending for rehabilitation projects generated a tax revenue impact for Virginia. Economic activity from initial expenditures and the subsequent effects in related sectors is subject to taxation in the form of sales and use taxes, income or corporate taxes, or other taxes (including corporate tax and motor fuel tax). In the original study, applicable tax rates were applied to the expenditures at the direct, indirect, and induced levels to estimate the total tax impact. It is estimated that the expenditures between 1997 and 2009 – including the original rehabilitation projects, spending in related sectors, and purchases made by employees – have generated an estimated \$55 million of tax revenues for Virginia.

Table 3. Total Economic Impact of the Historic Rehabilitation Tax Credit Program 1997 - 2009 (Dollar Values in Millions of 2009 Dollars)			
Type of Impact	Direct Impact (Millions of \$)	Additional Impact (Millions of \$)	Total Impact (Millions of \$)
Employment	5,804	7,083	12,887
Labor Income (wages plus an estimate of benefits received)	\$272	\$260	\$532
Value Added	\$326	\$445	\$771
Economic Impact	\$1,118	\$791	\$1,909
State Tax Revenues			\$55

Sources: VCU Center for Public Policy estimates originally developed using IMPLANPro™. Inflation adjustments made using the “Consumer Price Index for All Urban Consumers” (CPI-U) from the U.S. Bureau of Labor Statistics.

Appendix C: State Owned Battlefield Lands

Battle Name	Date	County	Register
Aldie Battlefield	June 17, 1863	Loudoun	
Amelia Springs Battlefield	Apr. 5, 1864	Amelia	
Appomattox Court House Battlefield	Apr. 9, 1865	Appomattox	V/N
Appomattox Station Battlefield	Apr. 8, 1865	Appomattox	
Aquia Creek Battlefield	May 29 - June 1, 1861	Stafford	
Auburn Battlefields	Oct. 13, 1863	Fauquier	
Ball's Bluff Battlefields	Oct. 21, 1861	Loudoun	V/N/NHL
Beaver Dam Creek Battlefield (Mechanicsville/Ellersons Mill)	June 26, 1862	Hanover	
Berryville Battlefield	Sept. 3 -4, 1864	Clarke	
Big Bethel Battlefield	June 10, 1861	Hampton	
Blackburns Ford Battlefield	July 18, 1861	Fairfax	
Boydton Plank Road Battlefield (Hatcher's Run/Burgess' Mill)	Oct. 27-28, 1864	Dinwiddie	
Brandy Station Battlefield	June 9, 1863	Culpeper	
Bristoe Station Battlefield	Oct. 14, 1863	Prince William	
Buckland Mills Battlefield	Oct. 19, 1863	Fauquier	
Cedar Creek Battlefield	Oct. 19, 1864	Frederick	
Cedar Mountain Battlefield Site	Aug. 9, 1862	Culpeper	
Chaffin's Farm/New Market Heights Battlefield	Sept. 29-30, 1864	Henrico	
Chancellorsville Battlefield	Apr. 30 - June 6, 1863	Spotsylvania	
Chantilly Battlefield (Ox Hill)	Sept. 9, 1862	Fairfax	
Chester Station Battlefield	June 10, 1864	Chesterfield	
Cloyd's Mountain Battlefield	May 9, 1864	Pulaski	
Cockpit Point Battlefield Site (Confederate Battery)	Jan. 3, 1862	Prince William	V
Cold Harbor Battlefield	May 31-June 12, 1864	Hanover	
Cool Spring Battlefield (Historic District)	July 17-18, 1864	Clarke	V/N
Cove Mountain Battlefield	May 10, 1864	Wythe	
Crater Battlefield (The Mine Battlefield)	July 30, 1864	Petersburg	
Cross Keys Battlefield	June 8, 1862	Rockingham	
Cumberland Church Battlefield	Apr. 7, 1865	Cumberland	
Darbytown & New Market Battlefield	Oct. 7, 1864	Henrico	
Darbytown Road Battlefield	Oct. 13, 1864	Henrico	
Deep Bottom I Battlefield	July 27-29, 1864	Henrico	
Deep Bottom II Battlefield	Aug. 13-20 1864	Henrico	
Dinwiddie Courthouse Battlefield	Mar. 31, 1865	Dinwiddie	
Dranesville Battlefield (Engagement)	Dec. 20, 1861	Fairfax	
Drewry's Bluff Battlefield	May 15, 1862	Henrico	
Eltham's Landing Battlefield	May 7, 1862	New Kent	
Fair Oaks/Darbytown Road Battlefield	Oct. 27-28, 1864	Henrico	
Fishers Hill Battlefield	Sept. 21-22, 1864	Shenandoah	
Five Forks Battlefield	Apr. 1, 1865	Dinwiddie	V/N/NHL

Fort Stedman Battlefield	Mar. 25, 1865	Petersburg	
Fredericksburg I Battlefield	Dec. 11-15, 1862	Fredericksburg	
Fredericksburg II Battlefield	May 3, 1863	Fredericksburg	
Front Royal Battlefield	May 23, 1862	Warren	
Gaines Mill Battlefield	June 27, 1862	Hanover	
Garnett's Battlefield	June 27-28, 1862	Henrico	
Glendale Battlefield	June 30, 1862	Henrico	
Guard Hill Battlefield	Aug. 16, 1864	Warren	
Hampton Roads (Naval Battle)	Mar. 8-9, 1862	Hampton	
Hanover Courthouse Battlefield	May 27, 1862	Hanover	
Hatcher's Run Battlefield	Feb. 5-7, 1865	Dinwiddie	
Haw's Shop Battlefield	May 28, 1864	Hanover	
High Bridge Battlefield	Apr. 6-7, 1865	Cumberland	
Jerusalem Plank Road Battlefield	June 21-24, 1864	Petersburg	
Kellys Ford Battlefield	Mar. 17, 1863	Culpeper	
Kernstown I Battlefield	Mar. 23, 1862	Frederick	
Kernstown II Battlefield	July 24, 1864	Frederick	
Lewis's Farm Battlefield (Quaker Road/Military Road/Gravelly Run)	Mar. 29, 1865	Dinwiddie	
Lynchburg Battlefield	June 17-18, 1864	Lynchburg	
Malvern Hill Battlefield (Poindexter's Farm)	July 1, 1862	Henrico	
Manassas Gap Battlefield (Wapping Heights)	July 23, 1863	Warren	
Manassas I Battlefield	July 21, 1861	Prince William	V/N
Manassas II Battlefield	Aug. 28-30, 1862	Prince William	V/N
Marion Battlefield	Dec. 17-18, 1864	Smythe	
McDowell Battlefield	May 8, 1862	Highland	
Middleburg Battlefield	June 17-19, 1863	Loudoun	
Mine Run Battlefield	Nov. 27-Dec. 2, 1863	Orange	
Morton's Ford Battlefield	Feb. 6-7, 1864	Orange	
Namozine Church Battlefield	Apr. 3, 1865	Amelia	
New Market Battlefield	May 15, 1864	Shenandoah	V/N
North Anna Battlefield	May 23-26, 1864	Hanover	
Oak Grove Battlefield	June 25, 1862	Henrico	
Old Church and Matadequin Creek Battlefield	May 30, 1864	Hanover	
Peebles' Farm Battlefield	Sept. 30-Oct. 2, 1864	Dinwiddie	
Petersburg I Battlefield	June 9, 1864	Petersburg	
Petersburg II Battlefield	June 15-18, 1864	Petersburg	
Petersburg III Battlefield (The Breakthrough)	Apr. 2, 1865	Petersburg	V/N/NHL
Piedmont Battlefield	June 5-6, 1864	Augusta	
Port Republic Battlefield	June 9, 1862	Rockingham	
Port Walthall Junction Battlefield	May 6-7, 1864	Chesterfield	
Proctor's Creek Battlefield	May 12-16, 1862	Chesterfield	
Rappahannock Station I (Bridge) Battlefield	Aug. 22-25, 1862	Culpeper	
Rappahannock Station II Battlefield	Nov. 7, 1863	Culpeper	

Reams Station I Battlefield	June 29, 1864	Dinwiddie	
Reams Station II Battlefield	Aug. 25, 1864	Dinwiddie	
Rice's Station Battlefield	Apr. 6, 1865	Prince Edward	
Rutherford Farms Battlefield	July 20, 1864	Frederick	
Saint Mary's Church Battlefield (Samaria Church)	June 24, 1864	Charles City	
Salem Church Battlefield	May 3-4, 1863	Spotsylvania	
Saltville I Battlefield	Oct. 2, 1864	Smyth	V/N
Saltville II Battlefield	Dec. 20-21, 1864	Smythe	V/N
Sappony Church Battlefield	June 28, 1864	Sussex	
Savage Station Battlefield	June 29, 1862	Henrico	
Saylor's (Sailor's) Creek Battlefield	Apr. 6, 1865	Amelia	V/N
Seven Pines Battlefield	May 31-June 1, 1862	Henrico	
Sewell's Point Battlefield	May 18-19, 1861	Norfolk	
Spotsylvania Court House Battlefield	May 8-21, 1864	Spotsylvania	
Staunton River Bridge Battlefield	June 25, 1864	Charlotte	
Suffolk Battlefield (Hill's Point)	Apr. 11-May 4, 1863	Suffolk	
Suffolk/Norfleet House Battlefield	Apr. 13-15, 1863	Suffolk	
Sutherland Station Battlefield	Apr. 2, 1865	Dinwiddie	
Swift Creek Battlefield	May 9, 1864	Chesterfield	
Thoroughfare Gap Battlefield	Aug. 28, 1862	Fauquier	V/N
Toms Brook Battlefield	Oct. 9, 1864	Shenandoah	
Totopotomoy Creek Battlefield	May 28-30, 1864	Hanover	
Trevilian Station Battlefield	June 11-12, 1864	Louisa	
Upperville Battlefield	June 21, 1863	Fauquier	
Walkerton Battlefield (Mantapike Hill)	Mar. 2, 1864	King and Queen	
Ware Bottom Church Battlefield	May 20, 1864	Chesterfield	
Waynesboro Battlefield	Mar. 2, 1865	Augusta	
Weldon Railroad Battlefield (Globe Tavern/Blick's Station)	Aug. 18-21, 1864	Petersburg	
White Oak Road Battlefield	Mar. 31, 1865	Dinwiddie	
White Oak Swamp Battlefield	June 30, 1862	Henrico	
Wilderness Battlefield	May 5-7, 1864	Spotsylvania	
Williamsburg Battlefield	May 5, 1862	York/Williamsburg	
Wilson's Wharf Battlefield	May 24, 1864	Charles City	
Winchester I Battlefield (Bowers Hill)	May 25, 1862	Winchester	
Winchester II Battlefield (Apple Pie Ridge/West Fort Parcel)	June 13-15, 1863	Frederick	
Winchester III Battlefield (Opequon)	Sept. 19, 1864	Frederick	
Yellow Tavern Battlefield	May 11, 1864	Henrico	
Yorktown Battlefield	Apr. 5-May 4, 1862	York/Newport News	

Appendix D: Laws and Regulations Protecting State-Owned Historic Resources

[Virginia Antiquities Act](#) (§ 10.1-2300 *Code of Virginia*)

Law applies to: Objects of antiquity located on archaeological sites on state-controlled land (§ 10.1-2302) and human burials located in the Commonwealth (§ 10.1-2305)

Permitting agency: Department of Historic Resources

Party responsible for compliance: The state agency or individual initiating the archaeological field investigation or removal of human remains from archaeological sites.

The Virginia Antiquities Act prohibits damage to or removal of objects of antiquity from archaeological sites on all state-controlled land. This act does not restrict a state agency from construction or other land disturbing activities on its own land, but does prohibit all "relic hunting" or any archaeological field investigations without a permit from DHR. DHR is charged with coordinating all archaeological field investigations and surveys conducted on state-controlled lands (§10.1-2301; 1, 2). The department is given exclusive right and privilege to conduct field investigations on state lands, but may grant those privileges to others through a permit process (§10.1-2302 and 2303). The department also has final authority to identify and evaluate the significance of sites and objects of antiquity found on state lands (§10.1-2301; 3). Permits are issued through the department's Office of Review and Compliance.

General cemetery protection laws make it a felony to remove human remains from a grave without a court order or appropriate permit. Section 2305 of the Virginia Antiquities Act provides a permit process for archaeological field investigations involving the removal of human remains and artifacts from graves. These permits are issued through the DHR's Office of Review and Compliance.

[Virginia Environmental Impacts Report Act](#) (§ 10.1-1188 *Code of Virginia*)

Law applies to: Major construction initiated by a state agency

Coordinating agency: Department of Environmental Quality

Party responsible for compliance: The state agency initiating the construction project

The Department of Environmental Quality provides comments on the environmental impacts of all major state projects (state facility construction, or acquisition of land interests for purposes of construction costing more than \$500,000 with exceptions specified by law). These comments go to the Governor through department secretaries as well as to the project proponent agency and reviewing agencies. The comments represent the findings of all state agencies with applicable responsibilities or interests. Comments are provided to the sponsoring agency in time to permit modifications necessary because of environmental impact. DHR is invited to submit comments to the Department of Environmental Quality when an environmental impact report describes a project that might affect historic properties or archaeological sites. The Secretary of Administration has approval authority as delegated by the Governor through Executive Order.

[Demolition of State-Owned Buildings](#) (§ 2.2-2402 *Code of Virginia*)

Law applies to: Proposed demolitions of state-owned buildings

Reviewing agencies: Department of Historic Resources, Art and Architecture Review Board, Division of Engineering and Buildings

Party responsible for compliance: The state agency initiating the demolition

The regulation provides that no building or appurtenant structure shall be removed from state-owned property unless approved by the Governor upon the advice of the Art and Architecture Review Board. The Governor further conditions approval upon the recommendation of DHR and the Department of General Services.

[Sale or Lease of Surplus State Property](#) (§ 2.2-1156 *Code of Virginia*)

Law applies to: Sale or lease of surplus property by a state agency

Coordinating agency: Secretary of Natural Resources

Party responsible for compliance: Department of General Services

The Department of General Services shall request the written opinion of the Secretary of Natural Resources regarding whether the sale of a state-owned property is a significant component of the Commonwealth's natural or historic resources, and if so how to protect the resource in the event of its sale. The DHR, through the Secretary of Natural Resources, shall provide comments regarding the affect that the transfer of state-owned property will have on historic and archaeological resources significant to the Commonwealth. The Department of General Services shall make the comments of the Secretary of Natural Resources known to the Governor who shall provide prior written approval before the Department may proceed to sell the property.

[The Appropriations Act](#) (§ 4-4.01 Biennial Budget Bill)

Law applies to: Projects or undertakings that will affect state-owned landmarks listed on the Virginia Landmarks Register

Reviewing agencies: Department of General Services and DHR

Party responsible for compliance: The state agency initiating the project

The specific provisions for review of rehabilitation and restoration projects on state-owned Registered Historic Landmarks are in the biennial Budget Bill. Guarantees that the historical and/or architectural integrity of any state-owned properties listed on the Virginia Landmarks Register and the knowledge to be gained from archaeological sites will not be adversely affected because of inappropriate changes, the heads of those agencies in charge of such properties are directed to submit all plans for significant alterations, remodeling, redecoration, restoration or repairs that may basically alter the appearance of the structure, landscaping, or demolition to DHR. Such plans shall be reviewed within thirty days and the comments of that department shall be submitted to the Governor through the Department of General Services for use in making a final determination.

[Art and Architecture Review Board](#) (§ 2.2-2402 *Code of Virginia*)

Law applies to: Construction or rehabilitation of any building or structure to be sited on state-owned property

Regulating agencies: Department of General Services

Who is responsible for compliance: The state agency initiating the project

The director of the Department of Historic Resources sits on the Art and Architecture Review Board (Department of General Services) and, as an *ex officio* member of that board, comments on all projects brought to the board for review and comment.

[Cave Protection Act](#) (§ 10.1-1000 *Code of Virginia*)

Law applies to: Caves and rockshelters located in the Commonwealth

Regulating agencies: Department of Conservation and Recreation (Natural Heritage Division)

Party responsible for compliance: Any agency or individual involved in the research within caves in the Commonwealth

The Cave Protection Act protects from vandalism all geological, biological, and historic features in caves regardless of ownership. A permit is required from the Department of Conservation and Recreation, Natural Heritage Division, for research within caves and rock shelters. The concurrence of DHR is required before the issuance of a permit.

[Underwater Archaeology Permits](#) (§ 10.1-2214 *Code of Virginia*)

Law applies to: All underwater properties on bottomlands owned by the Commonwealth

Regulating agencies: Virginia Marine Resources Commission

Party responsible for compliance: Any agency or individual planning to explore or recover objects underwater

The permitting process protects underwater historical properties, including shipwrecks and submerged terrestrial sites. Permits for either exploration or recovery are required from Virginia Marine Resources Commission. DHR is consulted prior to issuance of the permits and determines which properties are historic.

Federal Laws and Regulations

[Section 106 of the National Historic Preservation Act of 1966](#) [16 U.S.C. 470f]

Law applies to: All federally funded, assisted, or licensed undertakings

Regulating agencies: Advisory Council Historic Preservation and DHR

Who is responsible for compliance: The sponsoring Federal agency or its designee

This law and its implementing regulation codified at [36 CFR Part 800](#) require Federal agencies with jurisdiction over a federal, federally assisted, or federally licensed undertaking to take into

account the effects of the agency's actions on properties included in or eligible for the National Register of Historic Places and, prior to approval of the undertaking, to afford the Advisory Council on Historic Preservation a reasonable opportunity to comment on the undertaking. The State Historic Preservation Officer, which in Virginia is the director of DHR, coordinates state participation in the implementation of the National Historic Preservation Act and is a key participant in the Section 106 process. DHR performs the primary review of federally-assisted projects and provides guidance to Federal agencies and their designees in carrying out their responsibilities under Section 106 and its associated regulations.

[National Environmental Policy Act](#) (NEPA) [42 U.S.C. 4321]

Law applies to: All Federal undertakings

Regulating agencies: Environmental Protection Agency and the Council on Environmental Quality

Who is responsible for compliance: The sponsoring Federal agency

Under NEPA and its implementing regulations codified at [40 CFR Parts 1500-1508](#), Federal agencies have broad responsibilities to consider the impacts of their activities on the environment, including historic properties. To an extent, NEPA addresses some of the same concerns as NHPA, for instance regarding identification of irreversible effects. Although NEPA is a totally separate authority from Section 106, and is not satisfied simply by complying with NHPA, it is perfectly reasonable for agencies to coordinate studies done and documents prepared under Section 106 with those done under NEPA. The [ACHP's regulations](#) provide guidance on how the NEPA and Section 106 processes can be coordinated and set forth the manner in which a Federal agency can use the NEPA process and documentation to comply with Section 106.

[Section 4\(f\) of the Department of Transportation Act of 1966](#) [49 U.S.C. 303]

Law applies to: All agencies within the U.S. Department of Transportation

Regulating agencies: DHR, Advisory Council on Historic Preservation, and the National Park Service

Who is responsible for compliance: U.S. Department of Transportation

Section 4(f) of the U.S. Department of Transportation Act of 1966, as amended, and its implementing regulations at [23 CFR Part 774](#) requires USDOT agencies, such as the Federal Highway Administration and the Federal Transit Administration, to consider the impacts of transportation projects funded or approved by such agencies on specific categories of properties which include park and recreational lands, wildlife and waterfowl refuges, and historic properties eligible or listed in the National Register of Historic Places. Before approving or funding a project that will have an adverse effect on a qualifying resource, the USDOT agency must find that there is no prudent and feasible alternative AND that the selection alternative minimizes harm to the resource. If there exists a prudent and feasible alternative that completely avoids the qualifying resource, it must be selected. The role of DHR is to comment on the identification of historic properties and effect that the project will have on them, if present, review and comment on the draft Section 4(f) and least harm analyses, and to review the finding by the USDOT agency

that an archaeological resource is important chiefly because of what may be learned through its data recovery.

[The Americans with Disabilities Act of 1990 \(ADA\) \(28 CFR Part 30\)](#)

Law applies to: All public accommodations, commercial facilities, and state and local government entities

Regulating agencies: U.S. Department of Justice and DHR

Who is responsible for compliance: Anyone who owns or operates a public accommodation, a commercial facility, or buildings owned or leased by a state or local government agency

The ADA requires that new buildings and facilities and altered portions of existing buildings and facilities be readily accessible. For existing buildings and facilities, the ADA requires that all barriers to accessibility be removed when it is "readily achievable" to do so. In the case of historic properties, the ADA provides for the following: if making a "qualified historic building" accessible would threaten or destroy the historic significance of that building or facility, certain alternative minimum accessibility standards may be applied. If the alteration is part of a Federal undertaking, the responsible Federal agency should contact both DHR and the Advisory Council on Historic Preservation. If the alterations to the historic property are not federally sponsored, and the responsible party believes that full compliance with the ADA would threaten or destroy the building's or facility's historic significance, he should consult with the Department of Historic Resources. If the department agrees, the alternative minimum standards may be used.

State Burial Law

[Permit Required for the Archaeological Excavation of Human Remains](#) (§ 10.1-2305)

A permit from the Director of the Department of Historic Resources is required for archaeological recovery of all human skeletal remains and associated artifacts from any unmarked grave, regardless of the age of the burial or archaeological site or ownership of the property. If the grave is part of a formally chartered cemetery, the recovery must also conform to the requirements of § [57-38.1](#) ("Proceedings by landowner for removal of remains from abandoned family graveyards") and § [57-39](#) ("Proceedings by heir at law or descendants for removal of ancestor's remains from abandoned family graveyard"). If the grave is not part of a formally chartered cemetery, the recovery is exempt from these requirements. The Department shall also be considered an interested party in any court proceedings considering the abandonment of historically significant, legally constituted cemeteries and burial grounds. A permit from the Director of DHR will be required if such proceedings result in a court-ordered removal involving the use of archaeologists.

[Action for injury to cemetery property](#) (§ 8.01-44.6)

Allows recovery of damages sustained due to willful or malicious destruction, mutilation, defacement or removal of any cemetery element.

[Plat of proposed subdivision and site plans to be submitted for approval](#) (§ 15.2-2258)

Persons wishing to subdivide property in any area where subdivision ordinances apply must include the location of any human graves or cemeteries within that property on the plat.

[Trespass at night upon any cemetery](#) (§ 18.2-125)

Prohibits entrance to any cemetery, its grounds or parking/driving areas at night for any purpose other than to visit the gravesite of a family member (Class 4 misdemeanor).

[Violation of sepulture; defilement of dead human body](#) (§ 18.2-126)

Prohibits unlawful removal of all or part of a buried human body (Class 4 felony). Also prohibits willful and intentional defilement of a dead human body (Class 6 felony).

[Injuries to churches, church property, cemeteries, burial grounds, etc.](#) (§ 18.2-127)

Prohibits unauthorized damage to or destruction of plants, trees, funerary monuments and offerings, church buildings, fences, walls, etc.

[Roads not to be established through a cemetery or seminary of learning without owners' consent](#) (§ 33.1-241)

Prohibits construction of roads through cemetery property without permission.

[Designating areas unsuitable for coal surface mining](#) (§ 45.1-252)

Coal surface mining cannot be conducted within 100 feet of a cemetery.

[Access to cemeteries located on private property; cause of action for injunctive relief](#) (§ 57-27.1)

Mandates access to cemeteries on private land for visitation, maintenance and genealogical purposes, with reasonable notice to landowner. Visitor assumes all liability.

[Abandoned cemeteries may be condemned; removal of bodies](#) (§ 57-36)

Local governments may condemn abandoned or neglected cemeteries through eminent domain and use the land for other purposes.

[Proceedings by landowner for removal of remains from abandoned family graveyard](#) (§ 57-38.1)

Landowners may petition the county or city circuit court for permission to remove and relocate human burials located in cemeteries in which there have been no burials for at least 25 years and upon which there are no reservations of rights.

[Proceedings by heir at law or descendant for removal of ancestor's remains from abandoned family cemetery](#) (§ 57-38.2)

Heir or descendant may petition the county or city circuit court for permission to remove and relocate an ancestor's remains from a cemetery in which there have been no burials for at least 25 years.

[Proceedings for removal of remains and sale of land vacated](#) (§ 57-39)

Owners or trustees of neglected or disused cemeteries and potter's fields may petition the county or city circuit court for permission to relocate the remains and sell the property. In the case of a potter's field, the court may mandate that the proceeds be used for charitable purposes.

[Improvement of abandoned and neglected graveyards](#) (§ 57-39.1)

Owners of land adjacent to abandoned or neglected cemeteries may petition the court for permission to return the cemetery to a suitable condition.

Appendix E: State-Owned Historic Properties Surveyed in 1988 & 1991

Agency/Institution(s)	Survey Report No.	No. of Properties Surveyed	No. Recommended Eligible for VLR
Virginia Department of Forestry	VA-1	28	0
Institutions of Higher Education	VA-2	650	485
Department of Corrections	VA-3	253	168
Department of Game and Inland Fisheries	VA-4	23	2
Virginia Port Authority	VA-5	45	0
Department of General Services	VA-6	31	20
Division of Parks and Recreation (now Department of Parks and Recreation)	VA-7	287	280
Virginia Department of Mental Health, Mental Retardation, and Substance Abuse	VA-17	130	73
<u>Summary Historic Overviews</u> Includes the Museum of American Frontier Culture, Science Museum of Virginia, Virginia Board of Regents, Dept. of Agriculture and Consumer Services, Dept. of Alcohol Beverage Control, Dept. Of Emergency Services, Dept. of Labor and Industry, Dept. of Military Affairs, Dept. of State Police, Dept. of Visually Handicapped, Virginia Marine Resources Commission, Virginia Museum of Fine Arts, Virginia Ornamentals Research Station, Virginia School for the Deaf and Blind at Staunton and Hampton, Woodrow Wilson Rehabilitation Center	VA-18	185	136

Appendix F: List & Map of Registered State-Owned Properties

Virginia Landmarks Register and/or National Register of Historic Places and National Historic Landmark when noted with NHL

State Agency Abbreviations:

CWM-College of William and Mary
COV-Commonwealth of Virginia
DCR- Department of Conservation and Recreation
DGS- Department of General Services
DBHDS-Department of Behavioral Health and Developmental Services
DHR- Department of Historic Resources
SMV-Science Museum of Virginia
UMW- University of Mary Washington
UVA-University of Virginia
VDOT- Virginia Department of Transportation
VCU/MCV- Virginia Commonwealth University/Medical College of Virginia Campus
VIMS- Virginia Institute of Marine Sciences
VMI- Virginia Military Institute
VMRC- Virginia Marine Resources Commission
VPISU-Virginia Polytechnic Institute and State University
VSDB- Virginia School for Deaf and Blind
VSU- Virginia State University

Multiple Property Documents (statewide context): Virginia Civilian Conservation Corps State Parks-DCR

Cities

City of Charlottesville

Barringer Mansion-UVA
George Rogers Clark Sculpture-UVA
Memorial Gymnasium-UVA
Monroe Hill-UVA
Montebello-UVA
Morea -UVA
Sunnyside-UVA

City of Fredericksburg

Brompton-UMW
James Monroe Law Office-UMW

City of Hampton

Fort Wool, Hampton COV

City of Lexington

Barracks, Virginia Military Institute (also **NHL**)-VMI
Virginia Military Institute Historic District (also **NHL**)-VMI

City of Richmond

Beers House-VCU/MCV
Bell Tower -DGS
Benjamin Watkins Leigh House-VCU/MCV
Broad Street Station (Science Museum of Virginia)-SMV
Charlotte Williams Memorial Hospital-VDOT
City Hall, Old (also **NHL**)- DGS
Confederate Memorial Chapel-VMFA
Crenshaw House- VCU
Egyptian Building (also **NHL**)-VCU/MCV
First African Baptist Church, Old-VCU/MCV
First Baptist Church, Old -VCU/MCV
George Washington Equestrian Statue (Capitol Square)-DGS
Grant House (Sheltering Arms Hospital)-VCU/MCV
Governor's Mansion (Executive Mansion, Virginia Governor's Mansion) (also **NHL**)-DGS
Home for Needy Confederate Women-VFMA
Hunt-Sitterding House-VCU
James Monroe Tomb (also **NHL**)-DGS
Morson's Row-DGS
Ninth Street Office Building-DGS
Planters National Bank-DGS
Richmond Academy of Medicine-VCU/MCV
Robert E. Lee Monument-DGS
Scott House, Richmond VCU
Virginia Department of Highways Building-VDOT
Virginia State Capitol (also **NHL**)-DGS
Virginia State Library, Old (Patrick Henry Building)-DGS
Virginia State Library/Oliver Hill Building (State Finance Building)-DGS
Virginia War Memorial Carillon -DGS
Washington Building-DGS

City of Staunton

Virginia School for the Deaf and Blind-VSDB

City of Virginia Beach

Seashore State Park (First Landing)-DCR

City of Williamsburg

Wren Building, College of William and Mary (also **NHL**)-CWM

Counties

Albemarle County

The Aviator (statue)-UVA
Birdwood-UVA
Brooks Hall, University of Virginia-UVA
Carr's Hill (UVA President's House)-UVA
Clark Hall, Clark Memorial Hall-UVA
Highland (Ash Lawn)-CWM
McCormick Observatory-UVA
Rotunda, University of Virginia (also **NHL**)-UVA
University of Virginia Historic District (also **NHL**)-UVA

Alleghany County
Humpback Bridge-VDOT
Douthat State Park Historic District-DCR

Amelia County
Sayler's Creek Battlefield-DCR

Appomattox County
Appomattox River Bridge-VDOT
Holiday Lake 4-H Camp-DOF
Holliday Lake State Park-DCR

Arlington County
Arlington Memorial Bridge-VDOT

Augusta County
Valley Railroad Stone Bridge-VDOT

Bland County
Wolf Creek Bridge-VDOT

Botetourt County
Phoenix Bridge-VDOT

Brunswick County
Gholson Bridge- VDOT

Charlotte County
Clarkton Bridge-VDOT
Mulberry Hill-DCR

Chesterfield County
Azurest South-VSU
Bridge at Falling Creek-VDOT
Old President's House-VSU
Vawter Hall, Virginia State University-VSU

Clarke County
Blandy Experimental Farm-UVA
Clermont-DHR

Cumberland County
Bear Creek Lake State Park-DCR
Charles Irving Thornton Tombstone-DOF
High Bridge-DCR
Oak Hill-DOF
Trenton-DOF

Dinwiddie County
Chapel, Central State Hospital-DBHDS

Fairfax County
Gunston Hall (also NHL)-COV
Lexington Site at Mason's Neck-DCR
Taft Archaeological Site at Mason's Neck -DCR

Fauquier County

Mt. Bleak – Sky Farm (Sky Meadows State Park)-DCR

Gloucester County

Gloucester Point Archaeological District-VIMS

Halifax County

Staunton River Bridge Fortification at Fort Hill -DCR

Staunton River State Park –DCR

Highland County

Crab Run Lane Truss Bridge-VDOT

James City County

Croaker Landing Archaeological Site-DCR

Loudoun County

Broad Run Bridge and Toll House-VDOT

Catoctin Creek Bridge Waterford-VDOT

Goose Creek Stone Bridge-VDOT

Hibbs Bridge-VDOT

Little River Turnpike Bridge-VDOT

Mecklenburg County

Elm Hill Archaeological Site- DGIF

Occoneechee Plantation Archaeological Site- DCR

Montgomery County

Bowstring Truss Bridge-VDOT

Kentland Farm Historic and Archaeological District-VPISU

Solitude-VPISU

Page County

Page County Bridge No. 1990 (Overall Bridge)-VDOT

Patrick County

Fairy Stone State Park –DCR

Reynolds Homestead-VPISU

Prince Edward County

Twin Lakes State Park -DCR

Prince William County

Freestone Point Confederate Battery, Leesylvania State Park-DCR

Leesylvania Archaeological Site, Leesylvania State Park- DCR

Pulaski County

Haven Howe House at Claytor Lake State Park -DCR

Rockbridge County

Cyrus McCormick Farm and Workshop (also **NHL**)-VPISU

Goshen Land Company Bridge-VDOT

Rockingham County

Linville Creek Bridge-VDOT

Russell County

Pucketts Hole Bridge

Shenandoah County

Meems Bottom Covered Bridge-VDOT

New Market Battlefield Park-VMI

Smyth County

Henderson Building, Southwestern State Hospital-DBHDS

Hungry Mother State Park-DCR

Surry County

Chippokes Plantation-DCR

Chippokes Plantation Historic District (Chippokes State Park)

Stafford County

Belmont (Gari Melcher Home)-(also NHL)-UMW

Westmoreland County

Westmoreland State Park -DCR

Wythe County

Foster Falls Historic District- DCR

Shot Tower-DCR

York County

Yorktown Shipwrecks Maritime Archeological Site-VMRC

The Following Historic Districts Contain Significant Individual or high concentrations of State Owned Properties:

Boulevard Historic District, City of Richmond- VMFA

Fan Area Historic District, City of Richmond-VCU

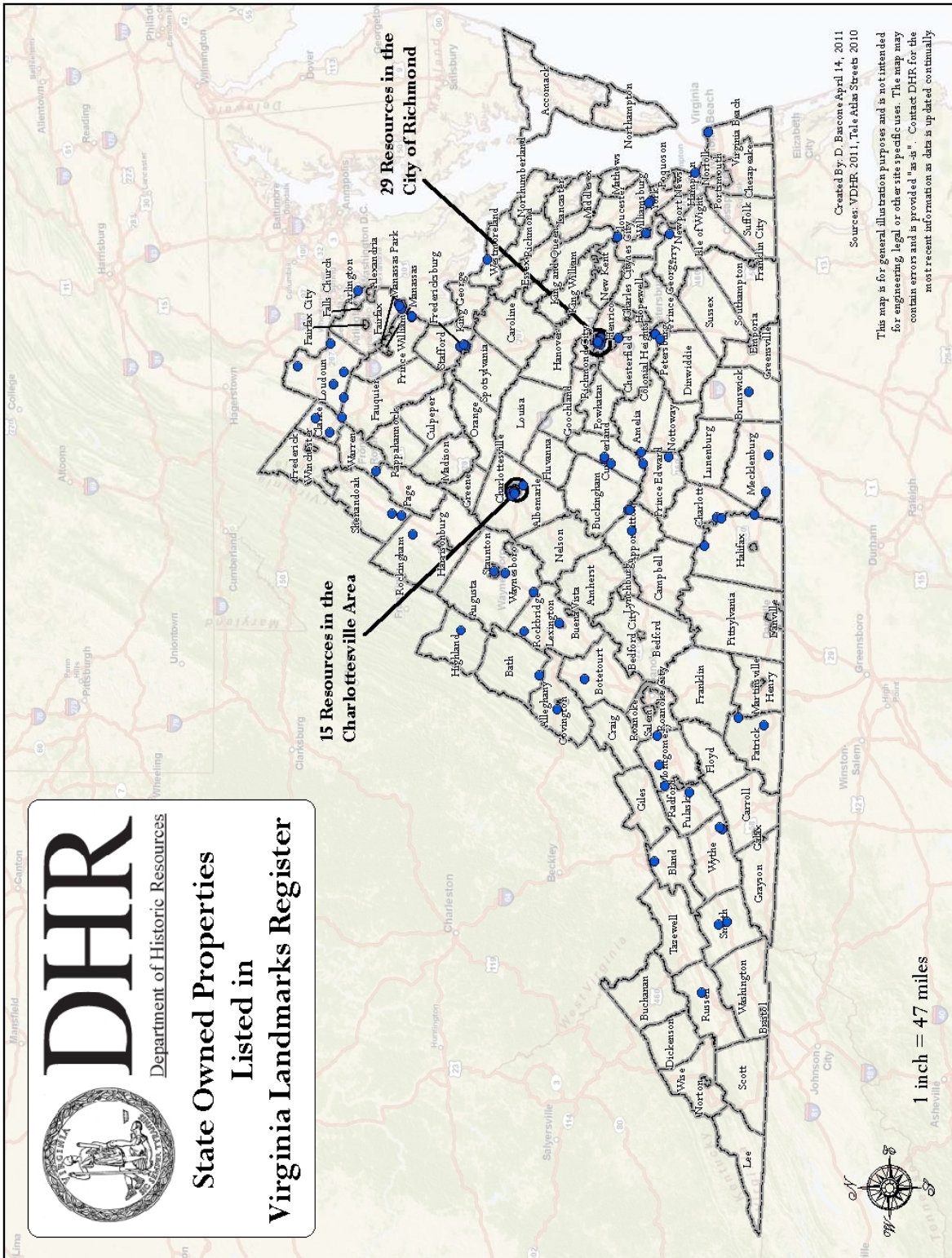
Monroe Park Historic District, City of Richmond-VCU

Rugby Road University Corner Historic District, City of Charlottesville-UVA

West Franklin Street Historic District, City of Richmond-VCU



**State Owned Properties
Listed in
Virginia Landmarks Register**



Appendix G: The Secretary of the Interior's Standards for the Treatment of Historic Properties, 1995

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.
4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

Appendix H: Battlefield Identification and the Civil War Sites Advisory Commission

By 1990, over one third of all American battlefield properties were endangered by, or had already been lost to, land development. In recognition of this loss, in 1991 Congress voted to establish the Civil War Sites Advisory Commission (CWSAC). This Commission was established to identify battlefield properties, evaluate their historic significance and the level of threat to their continued existence, and to offer alternatives to promote their preservation.

The CWSAC determined that approximately 10,500 battle actions occurred during the course of the American Civil War. Of that number, 384 were identified as principal battles and these became the focus of the CWSAC's efforts. Each of these battlefields was evaluated for its significance within the overall context of the War, its physical integrity, and the degree to which that integrity was threatened by land use activities. The CWSAC then used the information to generate recommendations to assist local, state and federal governments as well as nonprofit organizations and private citizens in preserving battlefields within their regions. The CWSAC provided a formal report on its findings and recommendations to Congress in 1993 in a document titled Civil War Sites Advisory Commission Report on the Nation's Civil War Battlefields. This report included appendices containing the locations of all identified battlefields, organized by state as well as by location within state or federal parks. The CWSAC's recommendations resulted in, among other actions, the establishment within the National Park Service of the American Battlefield Preservation Program (ABPP), and the acquisition of federal grant funding for battlefield identification and preservation.

In 2002 Congress passed the Civil War Battlefield Preservation Act, which directed the Secretary of the Interior to update the 1993 report, providing funding for this effort in FY2005 and FY2007. As directed, the ABPP undertook a re-evaluation of the CWSAC's original findings, visiting each of the battlefields identified in the 1993 report to reassess the integrity and threat level of each property. The results of this new evaluation were released in draft form in 2009, including maps showing the identified boundaries of each battlefield. These boundaries indicate the limits of the core (where actual battle actions took place) and study areas (where battle-related actions such as encampment and transportation are documented). Virginia has now integrated the ABPP's battlefield boundaries into its GIS-based Data Sharing System electronic database.

More information about the Civil War Sites Advisory Commission's 1993 report, the American Battlefield Protection Program, and the most up-to-date battlefield boundaries and data, may be found online here: <http://www.nps.gov/hps/abpp/index.htm>.

Appendix I – List of Consulting State Agencies

Over the past two years, DHR has consulted with many state agencies, including:

AGENCY	SUBMISSION TYPE	COUNT	TOTAL
Christopher Newport University	EIR	7	
	Review Request	4	
			11
College of William and Mary	Additional Information	6	
	EIR	4	
	Management Summary	1	
	Phase I Survey	1	
	Phase II Report	1	
	State Lands Permit	10	
			23
Department of Conservation and Recreation	Additional Information	9	
	Cave Permit	2	
	EIR	6	
	Management Summary	1	
	Meeting	2	
	Phase I and Phase II Survey	1	
	Phase I Survey	3	
	Phase II Report	1	
	Review Request	12	
	State Lands Permit	6	
			43
Department of Environmental Quality	Meeting	3	
	Review Request	4	
			7
Department of Game and Inland Fisheries	Additional Information	3	
	EIR	4	
	Review Request	4	
	State Lands Permit	1	
			12

Department of General Services

Additional Information	22
EIR	3
Meeting	6
Review Request	32
Site Inspection	3
Technical Assistance	9

75

Department of Housing and Community Development

Public Notice	2
Review Request	1

3

Department of Military Affairs

Additional Information	10
DHR File Number Request	3
Draft Memorandum of Agreement	6
Draft Programmatic Agreement	1
EA	1
Meeting	3
Memorandum of Agreement	1
Mitigation Documentation	2
Phase I Survey	9
Review Request	20
Technical Assistance	2

58

Virginia Department of Behavioral Health and Developmental Services

Additional Information	8
EIR	3
Phone Call	1
Review Request	6

18

Department of Mines, Minerals and Energy

Additional Information	16
Meeting	2
Review Request	49
Technical Assistance	1

68

Department of Corrections

Additional Information	1
EIR	6

	Management Summary	1	
	Phone Call	1	
	Review Request	12	
	State Lands Permit	1	
	Technical Assistance	5	
			27
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Department of Forestry			
	Review Request	1	
			1
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Department of Veteran Affairs			
	EIR	1	
			1
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Gunston Hall			
	Review Request	2	
			2
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George Mason University			
	Additional Information	1	
	EIR	7	
	Inventory Information Request	1	
	Phase II Report	1	
	Review Request	3	
	Technical Assistance	1	
			14
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James Madison University			
	Additional Information	4	
	EIR	8	
	Mitigation Documentation	2	
	Review Request	15	
			29
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The Jamestown-Yorktown Foundation			
	Additional Information	2	
	EIR	1	
	Management Summary	1	
	Phase I Survey	1	
	Phase II Report	3	
	Site Inspection	1	
	State Lands Permit	3	
			12
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Longwood University			
	Phone Call	1	
	Review Request	3	
			4
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Norfolk State University	Additional Information	1	
	EIR	1	
	Phone Call	1	
	Review Request	2	5
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Old Dominion University	EIR	4	
	Review Request	1	5
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Richard Bland College	EIR	1	
	Phase I Survey	1	
	Review Request	1	3
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State Corporation Commission	Additional Information	59	
	Draft Programmatic Agreement	1	
	Meeting	2	
	Mitigation Documentation	2	
	NEPA/106 Initiation	1	
	Phase I Survey	25	
	Phase II Report	2	
	Public Notice	1	
	Review Request	26	119
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Science Museum of Virginia	EIR	1	
	Review Request	1	2
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State Police	Additional Information	4	
	EIR	18	
	Review Request	2	24
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University of Mary Washington	Additional Information	12	
	EIR	3	
	Technical Assistance	2	17
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University of Virginia

Additional Information	6
EIR	21
Phase I Survey	6
Review Request	8
State Lands Permit	4
Technical Assistance	1

46

Virginia Community College System

Additional Information	2
EIR	20
Phase I Survey	3
Review Request	11
State Lands Permit	1

37

Virginia Commonwealth University

Additional Information	4
EIR	6
Meeting	3
Phase II Report	1
Review Request	4
Site Inspection	2
Technical Assistance	3

23

Virginia Department of Emergency Management

DHR File Number Request	1
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1

Virginia Department of Transportation

Additional Information	46
DHR File Number Request	56
EIR	5
Management Summary	1
Meeting	4
NEPA/106 Initiation	1
Phase I Survey	29
Phase II Report	5
Review Request	207
Technical Assistance	2
Treatment Plan	1

357

Virginia Institute of Marine Science	Additional Information	2	
	EIR	1	
	Management Summary	1	
	Phase II Survey	1	
	Review Request	3	
	State Lands Permit	1	
			9
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Virginia Museum of Fine Arts	Review Request	1	
			1
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Virginia Military Institute	Additional Information	7	
	EIR	2	
	Phase I Survey	1	
	Phone Call	2	
	Review Request	4	
	State Lands Permit	1	
	Technical Assistance	2	
			19
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Virginia Marine Resources Commission	Additional Information	9	
	Alternatives Analysis	1	
	Meeting	1	
	Public Notice	1	
	Review Request	40	
	Technical Assistance	3	
	Underwater Permit	23	
			78
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Virginia Port Authority	EIR	2	
	Phase I Survey	3	
	Review Request	1	
	State Lands Permit	1	
			7
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Virginia Polytechnic Institute and State University	Additional Information	11	
	EIR	16	
	Meeting	1	
	Mitigation Documentation	2	

	Phase I Survey	4	
	Phase II Report	1	
	Review Request	15	
	State Lands Permit	1	
	Technical Assistance	3	
			54
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Virginia School for the Deaf and Blind			
	Additional Information	2	
	Meeting	1	
	Review Request	2	
	Technical Assistance	2	
			7
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Virginia State University			
	Additional Information	2	
	Draft Memorandum of Agreement	2	
	Meeting	1	
	Phase II Survey and Data	1	
	Review Request	6	
			12
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Virginia Tobacco Indemnification & Community Revitalization Commission			
	Phase I Survey	1	
	Review Request	2	
	Technical Assistance	1	
			4
			<hr/>
GRAND TOTAL			1238

Appendix J - DHR Directory of Staff Assigned to Assist State Agencies

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