



Update to the Civil War Sites Advisory Commission Report on the Nation's Civil War Battlefields

State of Texas

Washington, DC
May 2010



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Authority

The American Battlefield Protection Program Act of 1996, as amended by the Civil War Battlefield Preservation Act of 2002 (Public Law 107-359, 111 Stat. 3016, 17 December 2002), directs the Secretary of the Interior to update the Civil War Sites Advisory Commission (CWSAC) *Report on the Nation's Civil War Battlefields*.

Acknowledgments

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Cover: View of the Gulf of Mexico from Boca Chica Point at Palmito Ranch battlefield, Cameron County, Texas. Photo by Matthew Borders, 2008.

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Introduction

The information in this report fulfills, in part, the purposes of the Civil War Battlefield Preservation Act of 2002 (Public Law 107-359, 111 Stat. 3016). Those purposes are:

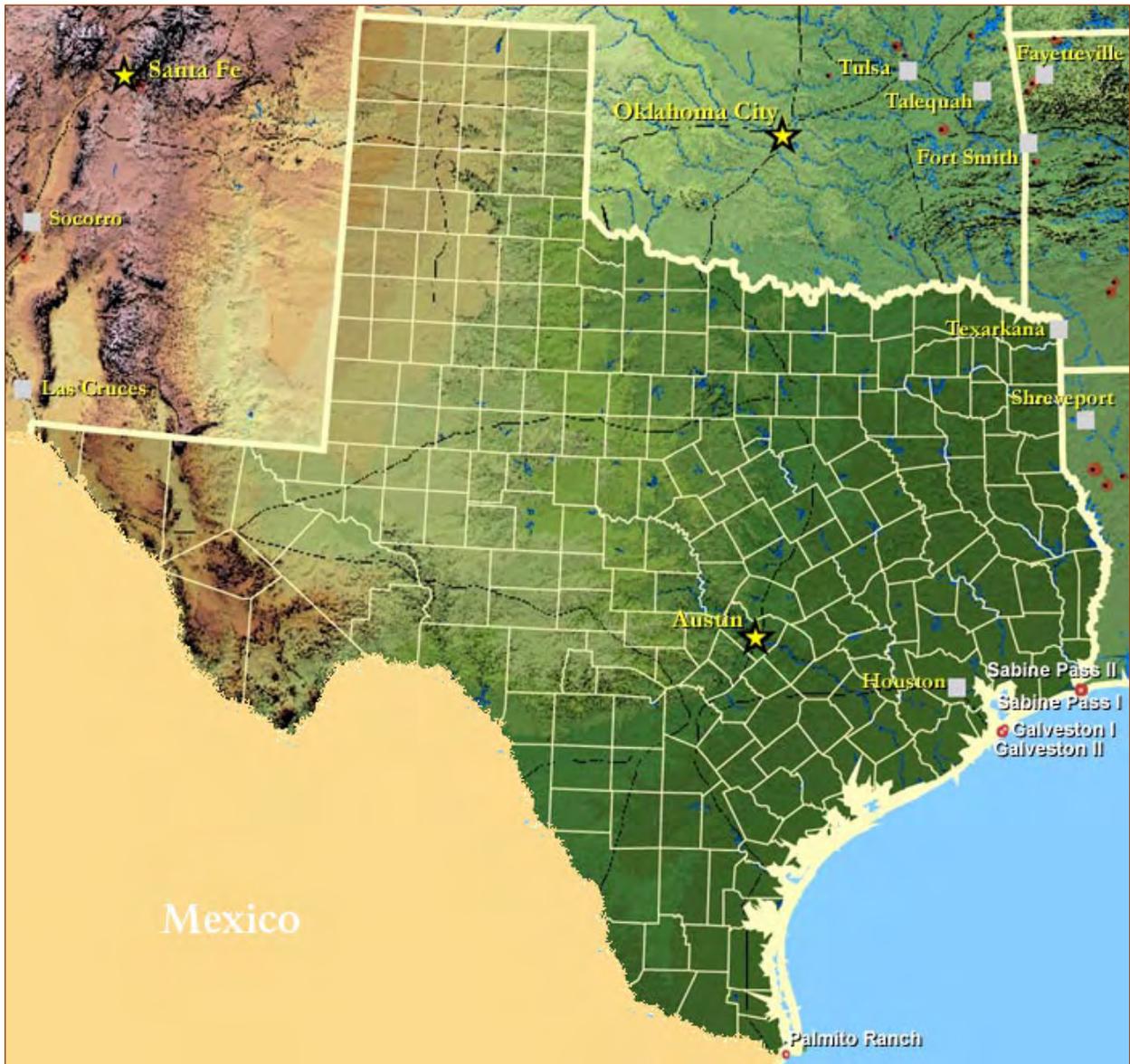
- 1) to act quickly and proactively to preserve and protect nationally significant Civil War battlefields through conservation easements and fee-simple purchases of those battlefields from willing sellers; and
- (2) to create partnerships among state and local governments, regional entities, and the private sector to preserve, conserve, and enhance nationally significant Civil War battlefields.

The Civil War Battlefield Preservation Act of 2002 directs the Secretary of the Interior, acting through the American Battlefield Protection Program of the National Park Service, to update the Civil War Sites Advisory Commission (CWSAC) *Report on the Nation's Civil War Battlefields*. The CWSAC was established by Congress in 1991 and published its report in 1993. Congress provided funding for this update in FY2005 and FY2007. Congress asked that the updated report reflect the following:

- Preservation activities carried out at the 384 battlefields identified by the CWSAC during the period between 1993 and the update;
- Changes in the condition of the battlefields during that period; and
- Any other relevant developments relating to the battlefields during that period.

In accordance with the legislation, this report presents information about Civil War battlefields in Texas for use by Congress, federal, state, and local government agencies, landowners, and other interest groups. Other state reports will be issued as surveys and analyses are completed.

Figure 1. CWSAC Battlefields in Texas.



Synopsis

There are five CWSAC battlefields in the State of Texas. Historically, these battlefields encompassed more than 44,000 acres.¹ Today, only about 9,300 acres (21 percent) of these landscapes survive.²

In 1993, the CWSAC did not rank any of Texas' battlefields as among the nation's top priorities for preservation, but **Palmito Ranch** and **Sabine Pass II** were identified as battlefields where the potential for comprehensive landscape preservation did exist. Today, the **Palmito Ranch** battlefield retains much of its historic character, but **Sabine Pass II** has been greatly altered and fragmented.

More than 5,400 acres of the **Palmito Ranch** battlefield are listed in the National Register of Historic Places (NRHP) and are designated as the Palmito Ranch Battlefield National Historic Landmark (NHL). The ABPP's most recent survey indicates however, that more than 3,400 additional acres of the battlefield retain their historic character and could merit inclusion in the existing NRHP and National Historic Landmark areas.

While much of the **Palmito Ranch** battlefield can still be preserved, opportunities for preservation are limited at **Sabine Pass II** due to the loss of many intact character-defining landscape features. Although the U.S. Fish and Wildlife Service and the State do protect more than 400 acres of this battlefield at both the Texas Point National Wildlife Refuge and the Sabine Pass Battleground State Historical Site, the acreage is relatively small when compared to the full extent of the battlefield's historic boundaries. Outside the refuge and state historical site, modern expansion of the shipping channel and industrialization along both sides of the pass have damaged the battlefield's historic setting and features.

When the CWSAC evaluated **Sabine Pass I** nearly two decades ago, it determined additional protection was needed. Since that time, other than the land protected by the U.S. Fish and Wildlife and the State, the terrain associated with the battlefield has been destroyed by the same development affecting **Sabine Pass II**. In both cases, there is little opportunity today for additional landscape preservation.

Of Texas's five Civil War battlefields, **Galveston I** and **Galveston II** have suffered the greatest degree of modern intrusion. The CWSAC determined these battlefields to be substantially fragmented. There is no protected land at these battlefields and the ABPP did not identify any additional acreage with historic integrity. Dredging has altered the shoreline and channel depth of Galveston's inner harbor since the time of battle. This damage – extremely significant considering the role of naval forces in both battles – has been exacerbated by commercial, industrial, and residential development surrounding the port. Today, the **Galveston I** and **Galveston II** battlefields bear little resemblance to the landscape where the battles took place.

Given that the majority of protected battlefield land in Texas has been conserved for its role as natural wildlife habitat and not for its historical significance, there is an intense need for long-range preservation planning and public-private efforts to protect what remains of the state's Civil War landscape. In the past, Texas' battlefields have not been

¹Portions of the two Galveston battlefields overlap geographically, and the same is true of the two Sabine Pass battlefields. Using GIS, and accounting for overlapping areas, ABPP calculated that the Study Areas for the six battlefields in Texas represent 44,233.07 acres.

² Using GIS, and accounting for overlapping areas, ABPP calculated that the Potential National Register Boundaries for the five battlefields in Texas represent 9,315.08 acres.

well represented by organized non-profit friends groups. The Friends of Sabine Pass Battleground – Texas’ only battlefield friends group – did not form until 2009. Future efforts to develop such an organization for the **Palmito Ranch** battlefield could help provide consistent, long-term support in the absence of, or in support of, federal and state action. In addition, the acquisition of protective easements should be considered as a means of protecting portions of the **Palmito Ranch** battlefield that are currently in private ownership. Although not previously utilized in Texas, this tool has been effective in several other states.

Table 1 indicates how the CWSAC prioritized Texas’s Civil War battlefields in 1993. The National Park Service will issue updated priorities after all of the CWSAC battlefields nationwide have been surveyed and all state reports have been completed.

Table 1. CWSAC Preservation Priorities from 1993		
CWSAC Priority	Battlefield	County/City
I Critical Need	N/A	N/A
II Comprehensive Preservation Possible	Palmito Ranch (TX005) Sabine Pass II (TX006)	Cameron Jefferson
III Additional Protection Needed	Sabine Pass I (TX001)	Jefferson
IV Fragmented/Destroyed	Galveston I (TX002) Galveston II (TX003)	Galveston Galveston



Figure 2. A substantial portion of the **Palmito Ranch** battlefield still retains its historic character and looks much the same as it did during the time of the battle. Photo by Kathleen Madigan, 2008

Method Statement

Congress instructed the Secretary of the Interior, acting through the American Battlefield Protection Program (ABPP), to report on changes in the condition of the battlefields since 1993 and on “preservation activities” and “other relevant developments” carried out at each battlefield since 1993. To fulfill those assignments, the ABPP 1) conducted a site survey of each battlefield, and 2) prepared and sent out questionnaires to battlefield managers and advocacy organizations (see Appendix B).

The 1993 significance rankings for each battlefield stand. Significance was assigned by the Civil War Sites Advisory Commission and the ABPP sustains the CWSAC’s opinions as to the relevant importance of each battle within the larger context of the war.

Research and Field Surveys

The ABPP conducted the field assessments of Texas battlefields in April 2008. The surveys entailed additional historical research, on-the-ground documentation and assessment of site conditions, identification of impending threats to each site, and site mapping. Surveyors used a Global Positioning System (GPS) receiver to map historic features of each battlefield and used a Geographic Information System (GIS) program to draw site boundaries. The ABPP retains all final survey materials. Each battlefield survey file includes a survey form (field notes, list of defining features, list of documentary sources, and a photo log), photographs, spatial coordinates of significant features, and boundaries described on USGS topographic maps. The surveys did not include archeological investigations for reasons of time and expense.

Study Areas and Core Areas

The CWSAC identified a Study Area and a Core Area for each principal battlefield it surveyed in Texas (see Figure 3). The CWSAC boundaries have proven invaluable as guides to local land and resource preservation efforts at Civil War battlefields. However, since 1993, the National Park Service has refined its battlefield survey methodology, which include research, working with site stewards, identifying and documenting lines of approach and withdrawal used by opposing forces, and applying the concepts of military terrain analysis to all battlefield landscapes. The ABPP’s *Battlefield Survey Manual* explains the field methods employed during this study.³ The surveys also incorporate the concepts recommended in the National Register of Historic Places’ *Guidelines for Identifying, Evaluating, and Registering America’s Historic Battlefields*, which was published in 1992 after the CWSAC completed its original assessments of the battlefields.

Using its refined methodology, the ABPP was able to validate or adjust the CWSAC’s Study Area and Core Area boundaries to reflect more accurately the full nature and original resources of these battlefields (see Table 2). The refined methodology resulted in changes in the size of Study Areas, Core Areas, or both at each of the CWSAC battlefields in Texas. However, it is important to note that the Study Area and Core Area boundaries are based on the review of historic source material, drawn to indicate where the battle took place, and convey only the location of the battlefield; neither takes the current condition nor alterations to the historic landscape into consideration. For this reason, they should not be used to define surviving portions of a battlefield that merit protection and preservation without further evaluation.

³ American Battlefield Protection Program, “Battlefield Survey Manual,” (Washington, DC: National Park Service, revised 2007).
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Potential National Register Boundaries

To address the question of what part of the battlefield remains reasonably intact and warrants preservation, this study introduced a third boundary line that was not attempted by the CWSAC: the Potential National Register boundary (see Figure 3).

Looking at each Study Area, the surveyors assigned PotNR boundaries where they judged that the landscape retained enough integrity to convey the significance of the historic battle. In a few cases, the PotNR boundary encompasses the entire Study Area. In most cases, however, the PotNR boundary includes less land than identified in the full Study Area.

In assigning PotNR boundaries, the ABPP followed National Register of Historic Places (NRHP) guidelines when identifying and mapping areas that retain integrity and cohesion within the Study Areas.⁴ However, because the ABPP focuses only on areas of battle, the Program did not evaluate lands adjacent to the Study Area that may contribute to a broader historical and chronological definition of “cultural landscape.” Lands outside of the Study Area associated with other historic events and cultural practices may need to be evaluated in preparation for a formal nomination of the cultural landscape.

Most importantly, the PotNR boundary **does not constitute a formal determination of eligibility by the Keeper of the National Register of Historic Places.**⁵ The PotNR boundary is designed to be used as a planning tool for government agencies and the public. Like the Study and Core Area boundaries, the PotNR boundary places no restriction on private property use.

The term integrity, as defined by the NRHP, is “the ability of a property to convey its

Figure 3: Boundary Definitions

The **Study Area** represents the historic extent of the battle as it unfolded across the landscape. The Study Area contains resources known to relate to or contribute to the battle event: where troops maneuvered and deployed, immediately before and after combat, and where they fought during combat. Historic accounts, terrain analysis, and feature identification inform the delineation of the Study Area boundary. Historic setting, approaches, and natural features that figure importantly in the battle are defining elements. The Study Area indicates the extent to which historic and archeological resources associated with the battle (areas of combat, command, communications, logistics, medical services, etc.) may be found and protected. Surveyors delineated Study Area boundaries for every battle site that was positively identified through research and field survey, regardless of its present integrity.

The **Core Area** represents the areas of direct engagement on the battlefield. Positions that delivered or received fire, and the space connecting them, fall within the Core Area. Frequently described as “hallowed ground,” land within the Core Area is often the first to be targeted for protection. There may be more than one Core Area on a battlefield, but all lie within the Study Area.

Unlike the Study and Core Area, which are based only upon the interpretation of historic events, the **Potential National Register (PotNR) boundary** represents ABPP’s assessment of a Study Area’s current integrity (the surviving landscape and features that convey the site’s historic sense of place). The PotNR boundary may include all or some of the Study Area, and all or some of the Core Area. Although preparing a National Register nomination may require further assessment of historic integrity and more documentation than that provided by the ABPP survey, PotNR boundaries identify land that merits this additional effort.

⁴ For general guidance about integrity issues and National Register properties, see National Park Service, *How to Apply the National Register Criteria for Evaluation* (Washington, DC: U.S. Department of the Interior, revised 1997). The survey evaluations described above do not meet the more stringent integrity standards for National Historic Landmark designation. See National Park Service, *How to Prepare National Historic Landmark Nominations* (Washington, DC: U.S. Department of the Interior, 1999), 36-37.

⁵ See 36 CFR 60.1-14 for regulations about nominating a property to the National Register and 36 CFR 63 for regulations concerning Determinations of Eligibility for inclusion in the National Register.

significance.”⁶ While assessments of integrity are traditionally based on seven specific attributes – location, design, setting, materials, workmanship, feeling, and association – battlefields are unique cultural resources and require special evaluation. “Generally, the most important aspects of integrity for battlefields are location, setting, feeling and association,” and the most basic test for determining the integrity of any battlefield is to assess “whether a participant in the battle would recognize the property as it exists today.”⁷

Other conditions contribute to the *degree* of integrity a battlefield retains:

- the quantity and quality of surviving battle-period resources (e.g., buildings, roads, fence lines, military structures, and archeological features);
- the quantity and quality of the spatial relationships between and among those historic resources and the landscape that connects them;
- the extent to which current battlefield land use is similar to battle-period land use; and
- the extent to which a battlefield’s physical features and overall character visually communicate an authentic sense of the sweep and setting of the battle.

The degree to which post-war development has altered and fragmented the historic landscape or destroyed historic features and viewsheds is critical when assessing integrity.

Changes in traditional land use over time do not generally diminish a battlefield’s integrity. For example, landscapes that were farmland during the Civil War do not need to be in agricultural use today to be considered eligible for listing in the NRHP so long as the land retains its historic rural character. Similarly, natural changes in vegetation – woods growing out of historic farm fields, for example – do not necessarily lessen the landscape’s integrity.

Some post-battle development is expected; slight or moderate change within the battlefield may not substantially diminish a battlefield’s integrity. A limited degree of residential, commercial, or industrial development is acceptable. These post-battle “non-contributing” elements are often included in the PotNR boundary in accordance with NRHP guidelines.⁸

Significant changes in land use since the Civil War do diminish the integrity of the battlefield landscape. Heavy residential, commercial, and industrial development; cellular tower and wind turbine installation; and large highway construction are common examples of such changes. Battlefield landscapes with these types of changes are generally considered as having little or no integrity.

⁶ National Park Service, National Register Bulletin 40, *Guidelines for Identifying, Evaluating, and Registering America’s Historic Battlefields*, 1992 , Revised 1999 (Washington, DC: U.S. Department of the Interior, National Park Service, Interagency Resources Division), <http://www.nps.gov/nr/publications/bulletins/pdfs/NRB40.pdf>. Archeological integrity was not examined during this study, but should be considered in future battlefield studies and formal nominations to the National Register.

⁷ National Park Service, National Register Bulletin 40, *Guidelines for Identifying, Evaluating, and Registering America’s Historic Battlefields*, 1992 , Revised 1999 (Washington, DC: U.S. Department of the Interior, National Park Service, Interagency Resources Division).

⁸ The ABPP looks only at the battle-related elements of a cultural landscape. Post-battle elements, while not contributing to the significance of the battlefield, may be eligible for separate listing in the National Register on their own merits.

The Potential National Register boundaries therefore indicate which battlefields are *likely* eligible for future listing in the NRHP and *likely* deserving of future preservation efforts. If a surveyor determined that a battlefield was entirely compromised by land use incompatible with the preservation of historic features (i.e., it has little or no integrity), the ABPP did not assign a PotNR boundary.⁹

In cases where a battlefield is already listed in the NRHP, surveyors reassessed the existing documentation based on current scholarship and resource integrity, and, when appropriate, provided new information and proposed new boundaries as part of the surveys. As a result, some PotNR boundaries will contain or share a boundary with lands already listed in the NRHP. In other cases, PotNR boundaries will exclude listed lands that have lost integrity. (See Table 2 for boundary comparisons.)¹⁰

The data from which all three boundaries are drawn do not necessarily reflect the full research needed for a formal NRHP nomination. Potential National Register boundaries are based on an assessment of aboveground historic features associated with the cultural and natural landscape. The surveys did not include a professional archeological inventory or assessment of subsurface features or indications. In some cases, future archeological testing will help determine whether subsurface features remain, whether subsurface battle features convey important information about a battle or historic property, and whether that information may help to confirm, refine, or refute the boundaries previously determined by historic studies and terrain analysis.

The ABPP survey information should be reassessed during future compliance processes such as the Section 106 process required by the National Historic Preservation Act¹¹ and Environmental Impact Statements/Environmental Assessments required by the National Environmental Policy Act.¹² Likewise, more detailed research and assessments should take place when any battlefield is formally nominated to the NRHP or proposed for designation as a National Historic Landmark (NHL). New research and intensive-level surveys of these sites will enlighten future preservation and compliance work. Agencies should continue to consult local and state experts for up-to-date information about these battlefields.

While a portion of the **Palmito Ranch** battlefield has been listed in the NRHP and designated as a NHL (see Table 4), the ABPP has identified a PotNR boundary that could guide efforts to expand existing registration boundaries. Based on the ABPP's evaluation, more than 77 percent of the total Study Area at **Palmito Ranch** retains integrity. At **Galveston I, Galveston II, Sabine Pass I, and Sabine Pass II**, the ABPP believes the Study Areas of these battlefields no longer retain enough integrity to merit listing as battlefield landscapes.

⁹ National Park Service, National Register Bulletin 40, *Guidelines for Identifying, Evaluating, and Registering America's Historic Battlefields*, 1992, Revised 1999 (<http://www.nps.gov/nr/publications/bulletins/pdfs/NRB40.pdf>), offers recommendations regarding "Selecting Defensible Boundaries." While this document indicates that "generally, boundaries should not be drawn to include the portion of the route taken to the battlefield where there were no encounters," the *Guidelines* also state that "a basic principle is to include within the boundary all of the locations where opposing forces, either before, during or after the battle, took actions based on their assumption of being in the presence of the enemy." The ABPP interprets this latter guidance to mean all military activities that influenced the battle. See the individual battlefield profiles for information about military actions taken along the routes included. In accordance with the methodology of this study, if routes included in the Study Area retain integrity, they are included within the Potential National Register boundary for the battlefield landscape.

¹⁰ The ABPP's surveys and PotNR assessments do not constitute formal action on behalf of the Keeper of the National Register of Historic Places. PotNR assessments are intended for planning purposes only; they do not carry the authority to add, change, or remove an official listing.

¹¹ 16 USC 470f.

¹² 42 USC 4331-4332.

Questionnaires

While the ABPP maintains data about its own program activities at Civil War battlefields, most preservation work occurs at the local level. Therefore, to carry out the Congressional directive for information about activities at the battlefields, the ABPP sought input from local battlefield managers and advocacy organizations. The ABPP distributed questionnaires designed to gather information about the types of preservation activities that have taken place at the battlefields since 1993. The Questionnaire is reproduced in Appendix B.

In Texas, representatives from four organizations provided information. Their responses, combined with the survey findings, allowed the ABPP to create a profile of conditions and activities at Texas's Civil War battlefields.



Figure 4. The design of tee markers at the Fort Brown Memorial Golf Course is similar to commemorative battlefield markers. Today, what remains of Fort Brown National Historic Landmark, the last extant defining feature of the **Palmito Ranch** battlefield in the city of Brownsville, is preserved on the golf course. Photo by Kathleen Madigan, 2008.

Summary of Conditions of Texas’s Civil War Battlefields

Quantified Land Areas

Using a Geographic Information Systems program, the ABPP calculated the amount of land historically associated with the battle (Study Area), the amount of land where forces were engaged (Core Area), and the amount of land that may retain enough integrity to be eligible for listing in the National Register of Historic Places (NRHP) and that remains to be protected (Potential National Register boundary).

As noted above, the Study Areas and Core Areas of Texas’ Civil War battlefields have been established in accordance with ABPP research and field survey methodology. Particular focus was paid to identifying the routes of approach and withdrawal associated with each battle, and to identifying areas of secondary action that influenced the course or outcome of the battles.¹³ The Study Area and Core Area boundaries established for each battlefield take these movements and actions into account, recognizing the extent to which these ancillary areas facilitate greater understanding of the battle story. Please see the individual battlefield profiles at the end of this report for more information about the extent of and reasons for the established boundaries.

Table 2. Battlefield Area Statistics

Battlefield	Study Area	Core Area	PotNR Boundary
Galveston I (TX002)	20,539.74	4,765.40	0.00
Galveston II (TX003)	19,434.01	3,855.60	0.00
Palmito Ranch (TX005)	11,696.30	3,744.78	8,964.71
Sabine Pass I (TX001)	6,229.72	2,665.96	0.00
Sabine Pass II (TX006)	6,489.15	3,377.22	0.00

Condition Assessments

Using field survey data, the ABPP assessed the overall condition of each battlefield’s *Study Area*.¹⁴ While no battlefield remains completely unaltered since the Civil War, the character-defining features of **Palmito Ranch** remain intact, and the landscape continues to reflect its association with the historic battle. Much of the battlefield has been protected within the boundaries of the Boca Chica Tract of the U.S. Fish and Wildlife Service Lower Rio Grande River Valley National Wildlife Refuge. This land, which is bordered by the Rio Grande River in the south and stretches between Boca Chica Point in the east and the city of Brownsville in the west, retains a significant degree of historical integrity. In addition to the federal land, many privately owned ranches located within the Study Area remain relatively unchanged since the Civil War.

¹³ National Park Service, National Register Bulletin 40, *Guidelines for Identifying, Evaluating, and Registering America’s Historic Battlefields*, 1992, Revised 1999 (<http://www.nps.gov/nr/publications/bulletins/pdfs/NRB40.pdf>), offers recommendations regarding "Selecting Defensible Boundaries." While this document indicates that "generally, boundaries should not be drawn to include the portion of the route taken to the battlefield where there were no encounters," the *Guidelines* also state that "a basic principle is to include within the boundary all of the locations where opposing forces, either before, during or after the battle, took actions based on their assumption of being in the presence of the enemy." See the individual battlefield profiles for information about military actions along the routes included. In accordance with the methodology of this study, if routes included in the Study Area retain integrity, they are included within the Potential National Register boundary for the battlefield landscape.

¹⁴ The condition of archeological resources within the battlefields was not assessed. Future studies are needed to determine the degree of archeological integrity associated with subsurface battle deposits.

Within the wildlife refuge, topographic features such as Palmito Hill, Tulosa Hill, and the Loma del la Jauia remain unaltered by incompatible land uses. Palmito Hill, located on the Old Palmito Ranch, is the site of greatest elevation in this very flat region and, as such, served as the focal point of action during the battle. While the hill survives, large industrial structures at the Port of Brownsville north of the wildlife refuge diminish the overall quality of the site's integrity by damaging the historic viewshed. Tulosa Hill – an observation point and skirmish location located to the west of Palmito Hill on the Old Tulosa Ranch – and the Loma de la Jauia – a low ridge that served as a Confederate artillery position and the location from which the Confederate cavalry flanked the Union troops at Palmito Hill – retain good physical integrity. In addition, the routes of troop movement are relatively easy to identify based on the good condition of the topography and extant historic features.

Outside the boundaries of the wildlife refuge, the Confederate approaches from Brownsville have been lost to urban encroachment. The Confederate headquarters at Fort Brown, located within the city of Brownsville, has also been destroyed with the exception of a section of the curtain wall and a redoubt preserved on a golf course. Fort Brown is a National Historic Landmark and the surviving portions are the only features of the battle of **Palmito Ranch** remaining in the City.

The course of the Rio Grande has shifted significantly since the time of the battle. Because of this, the river cannot be used as a point of reference for identifying the location of battle events on the modern landscape. In addition, soil deposition has expanded the land mass of Boca Chica Point since 1865, altering the configuration of the landscape at the eastern end of the battlefield.

Change appears to be slowly accelerating at the **Palmito Ranch** battlefield. Only flood plain separates the battlefield from the Port of Brownsville to the north. Any expansion of the port's heavy industrial infrastructure represents a potential threat. In addition, residential and commercial development from the city of Brownsville is sprawling east toward the battlefield's Core Areas. Finally, federal immigration control plans include construction of a barrier wall along the Rio Grande. This barrier, if implemented, will destroy the last remains of Fort Brown.

Damage to the battlefield landscapes of **Galveston I**, **Galveston II**, **Sabine Pass I**, and **Sabine Pass II** has been more extensive. At **Galveston I** and **Galveston II**, some essential features, such as the channel between Galveston Island and Bolivar Point, have remained unchanged since the time of the battle. However, the shoreline of the inner harbor has been altered radically by dredging operations and commercial, industrial, and residential development around the port. In addition, open water between Duck Island and Pelican Spit has been filled to create a single land mass, now known as Pelican Island. At **Sabine Pass I** and **Sabine Pass II**, portions of the battlefield outside of the Sabine Pass Battleground Historical Site and the Texas Point National Wildlife Refuge have been altered beyond recognition. Slivers of battlefield land protected within the boundaries of the state owned historical site and federally owned national wildlife refuge do retain some integrity, but these areas are relatively small when compared to the full size of the battlefield Study Areas. The pass, although extant, is much deeper and wider than it was at the time of the battle. Fort Griffin, which was attacked during the battle of **Sabine Pass II**, has been destroyed and the Confederate-built oyster bed obstruction associated with that battle is gone. In addition, industrial development surrounds the site on both sides of the pass. This infrastructure has destroyed historic viewsheds associated with both battles of Sabine Pass, and future expansion of gas and oil refineries in the area will only continue to diminishing their integrity.

Table 3: Condition Summary

Condition	Battlefield
Land use is little changed (1)	Palmito Ranch
Portions of landscape have been altered, but most essential features remain (0)	None
Much of the landscape has been altered and fragmented, leaving some essential features (0)	None
Landscape and terrain have been altered beyond recognition (4)	Galveston I, Galveston II Sabine Pass I, Sabine Pass II
Battlefields that were not assessed (0)	None

Registration

The nation’s official method for recognizing historic properties worthy of preservation is listing in the National Register of Historic Places (NRHP). Registered battlefields meet national standards for documentation, physical integrity, and demonstrable significance to the history of our nation. Federal, state, and local agencies use information from the NRHP as a planning tool to identify and make decisions about cultural resources. Federal and state laws, most notably Section 106 of the National Historic Preservation Act of 1966, require agencies to account for the effects their projects (roads, wetland permits, quarrying, cell towers, etc.) may have on listed and eligible historic properties, such as battlefields. Listing allows project designers to quickly identify the battlefield and avoid or minimize impacts to the landscape.

Properties listed in the NRHP are also eligible for numerous federal and state historic preservation grant programs. Recognition as a registered battlefield may also advance public understanding of and appreciation for the battlefield, and may encourage advocacy for its preservation.¹⁵

Land within the **Palmito Ranch** battlefield Study Area has already been listed in the NRHP and further designated as a NHL. The battlefield was recognized as a NHL in 1997, after the CWSAC’s study in the early 1990s, and includes 47 percent of the total battlefield Study Area.¹⁶ The ABPP’s survey indicates that additional land, more than 3,400 acres, could merit addition to the existing NRHP and NHL boundaries.

Table 4 compares the number of acres already designated or listed with the number of acres that are likely to meet the same criteria. No land directly associated with the battlefields of **Galveston I, Galveston II, Sabine Pass I, or Sabine Pass II** has been listed in the NRHP or designated as a NHL. Given their poor integrity, the ABPP does not believe these battlefields meet the eligibility requirements of the NRHP.

¹⁵ There are three levels of federal recognition for historic properties. Congressional designations, such as national park units, National Historic Landmarks, and listings in the National Register of Historic Places. Congress creates national park units. The Secretary of the Interior designates National Historic Landmarks (NHL) – nationally significant historic sites – for their exceptional value or quality in illustrating or interpreting the heritage of the United States. The National Register of Historic Places (NRHP) is the nation’s official list of cultural sites significant at the national, state, or local level and worthy of preservation. Historic units of the National Park System and NHLs are also treated as listed in the National Register.

¹⁶ The existing NHL boundaries for **Palmito Ranch** total 6,451.66 acres, but only 5,490.73 acres of that land is included within the boundary of the ABPP’s Study Area. Over time, the course of the Rio Grande River has changed. While the NHL boundary is based on the river’s current position, ABPP has set the boundary of its Study Area to correspond with the river’s position as it was in 1865 during the battle of **Palmito Ranch**.

Table 4. Acres Registered Compared with Acres Potentially Eligible to be Registered

Battlefield	Designation	ABPP PotNR Acres	Existing Registered Acres	Acres Potentially Eligible to be Registered
Galveston I (TX002)		0.00	0.00	0.00
Galveston II (TX003)		0.00	0.00	0.00
Palmito Ranch (TX005)	NHL	8,964.71	5,490.73	3,473.98
Sabine Pass I (TX001)		0.00	0.00	0.00
Sabine Pass II (TX006)		0.00	0.00	0.00

Stewardship

Civil War battlefield landscape preservation efforts in Texas have been limited, with the majority of protected terrain at **Palmito Ranch, Sabine Pass I, and Sabine Pass II** conserved for the purpose of natural wildlife habitat conservation – not historic resource preservation. The State of Texas manages 576 acres of land on the **Palmito Ranch** battlefield as part of Boca Chica State Park. Additionally the U.S. Fish and Wildlife Service manages more than 5,600 acres of land at the **Palmito Ranch** battlefield as part of its Lower Rio Grande River Valley National Wildlife Refuge and more than 350 acres of land associated with the battles of **Sabine Pass I** and **Sabine Pass II** at the Texas Point National Wildlife Refuge. The only land protected for its role in the Civil War is the 58-acre Sabine Pass Battleground State Historical Site, owned by the State and managed by the Texas Historical Commission. There is no protected land at **Galveston I** and **Galveston II**.

The complementary method of easement purchase has not been used to supplement fee simple purchase of battlefield land. ABPP knows of no land or easement acquisition efforts made by non-profit groups since 1993. There are no unprotected, intact acres available for future preservation at **Galveston I, Galveston II, Sabine Pass I, and Sabine Pass II**. The loss of four of Texas’s five Civil War battlefields accentuates the need to protect – through fee simple purchase or the acquisition of protective easements – the nearly 2,700 acres of unprotected intact battlefield land that remains at **Palmito Ranch**.

Table 5. Protective Stewardship of Intact Battlefield Land*

Battlefield	ABPP PotNR Acres	Permanently Protected Acres	Unprotected, Intact Acres Remaining
Galveston I (TX002)	0.00	0.00	0.00
Galveston II (TX003)	0.00	0.00	0.00
Palmito Ranch (TX005)	8,964.71	6,268.77	2,695.94
Sabine Pass I (TX001)	0.00	409.28	0.00
Sabine Pass II (TX006)	0.00	409.28	0.00

* For details, see each site's Individual Battlefield Profile

Public Access and Interpretation

In its questionnaire, the ABPP asked battlefield stewards about the types of public access and interpretation available at each battlefield. The ABPP did not collect information about the purpose or intent of the interpretation and access, such as whether a wayside exhibit was developed for purely educational reasons, to promote heritage tourism, or to boost local economic development.

The ABPP asked respondents to indicate the type of interpretation available at or about the battlefield. The categories included brochures, driving tours, living history demonstrations, maintained historic features or areas, walking tours and trails, wayside exhibits, websites, and other specialized programs. The results indicate that all of Texas's Civil War battlefields offer some degree of public interpretation, but none have a formal visitors center. Additional details regarding the interpretation activities undertaken at **Galveston I**, **Galveston II**, **Palmito Ranch**, **Sabine Pass I**, and **Sabine Pass II** are included within the "Individual Battlefield Profiles" section of this document.

At **Palmito Ranch**, nearly 49 percent of the battlefield is publicly accessible within the Lower Rio Grande River Valley National Wildlife Refuge. More than six percent of the total battlefield Study Areas of both **Sabine Pass I** and **Sabine Pass II** are publically accessible within the boundaries of the Texas Point National Wildlife Refuge and the Sabine Pass Battleground State Historical Site. Because the battlefields are so highly fragmented, there is very little publically accessible land at **Galveston I** and **Galveston II**.

Table 6: Interpretation Summary

On-site Interpretation	Battlefield
Battlefields with public interpretation, including visitors center (0)	None
Battlefields with public interpretation, but no visitors center (5)	Galveston I (TX002) Galveston II (TX003) Palmito Ranch (TX005) Sabine Pass I (TX001) Sabine Pass II (TX006)
Battlefields with no public interpretation (0)	None



Figure 5. Interpretive marker at Sabine Pass Battleground State Historical Site showing a reconstruction of Fort Griffin, a defining feature of the battle of **Sabine Pass II**. Photo by Kathleen Madigan, 2008.

Local Advocacy

Nonprofit organizations play important roles in protecting historic battlefields. These organizations step in to preserve historic sites when public funding and management for historic preservation are absent. When public funding is available, nonprofits serve as vital partners in public-private preservation efforts, acting as conduits for public funds, raising critical private matching funds, keeping history and preservation in the public eye, and working with landowners to find ways to protect battlefield parcels.

Unfortunately **Palmito Ranch** battlefield does not have a nonprofit group to advocate for its preservation interests. The battles of **Galveston I** and **Galveston II** also do not have a nonprofit group dedicated solely to battlefield preservation, but the Galveston Historical Foundation does interpret the battles and preserve some associated structures. Only **Sabine Pass I** and **Sabine Pass II** benefit from the efforts of a private nonprofit group dedicated to the preservation of the battlefields.

In 2009, the Friends of Sabine Pass Battleground was established to manage the Sabine Pass Battleground Historical Site in partnership with the Texas Historical Commission. Although this group has only been active for one year, it has begun to develop public-private partnerships in support of preservation and interpretation efforts at the **Sabine Pass I** and **Sabine Pass II** battlefields.

While other organizations with more general historical interests may also play important roles in preserving Texas's battlefields, the Friends of Sabine Pass Battleground is the only known local organization in Texas dedicated *solely* to the goals of Civil War battlefield preservation, interpretation, and promotion.



Figure 6. In Galveston, historic structures such as the Hendley Building, associated with the battle of **Galveston II**, are intact. While some streets and buildings dating from the period of the battle remain, the battlefield landscape bears little resemblance to its historic appearance. Photo by Kathleen Madigan, 2008.

Individual Battlefield Profiles

Battlefield Profile Glossary

Location	County or city in which the battlefield is located.
Campaign	Name of military campaign of which the battle was part. Campaign names are taken from <i>The War of the Rebellion: a Compilation of the Official Records of the Union and Confederate Armies</i> .
Battle Date(s)	Day or days upon which the battle took place, as determined by the Civil War Sites Advisory Commission.
Principal Commanders	Ranking commanders of opposing forces during the battle.
Forces Engaged	Name or description of largest units engaged during the battle.
Results	Indicates battle victor or inconclusive outcome.
Study Area	Acreage determined by the ABPP to represent the full extent of land associated with the historic battle.
Potential National Register Lands	Acreage of land that retains historic character and may be eligible for listing in the National Register of Historic Places (see Table 2).
Protected Lands	Estimated acreage (based on questionnaires and GIS) of battlefield land that is in public or private non-profit ownership, or is under permanent protective easement, and is managed specifically for 1) the purposes of maintaining the historic character of the landscape and for preventing future impairment or destruction of the landscape and historic features, or for 2) a conservation purpose and use compatible with the goals of historic landscape preservation.
Publicly Accessible Lands	Estimated acreage (based on responses to questionnaires) within the Study Area maintained for public visitation.
Management Area	Name of historic site, park, or other area maintained for battlefield resource protection and/or public visitation.
Friends Group(s)	Name of local advocacy organization(s) that support preservation activities at/for the battlefield.
Preservation Activities Since 1993	Indicates which types of preservation activities have taken place at the battlefield since 1993 (based on responses to questionnaires).
Public Interpretation Since 1993	Indicates which types of interpretation/educational activities have taken place at the battlefield since 1993 (based on responses to questionnaires).
Condition Statement	The ABPP's assessment of the overall condition of the battlefield's Study Area (based on field surveys and responses to questionnaires).
Historical Designation	Notes the most prestigious federal historical designation the battlefield has received (i.e. national park unit, National Historic Landmark, or National Register of Historic Places).

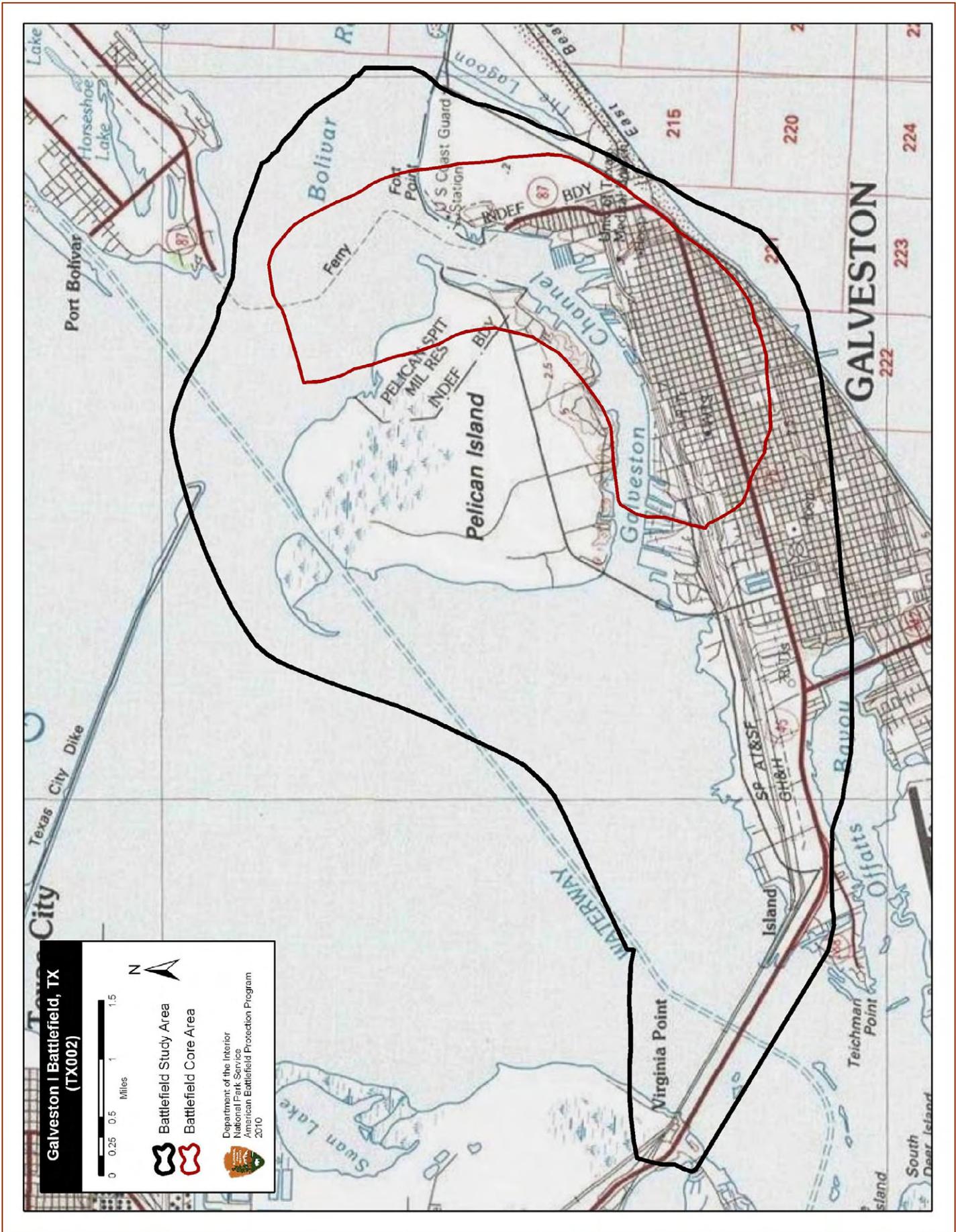
Galveston I (TX002)

Location	Galveston County
Campaign	Operations to Blockade the Texas Coast (1862-63)
Battle Date(s)	October 4, 1862
Principal Commanders	Commander William B. Renshaw [US]; Colonel Joseph J. Cook and Colonel Xavier B. Debray [CS]
Forces Engaged	Mortar Flotilla of the Western Gulf Blockading Squadron [US]; Garrison at Galveston [CS]
Results	Union Victory
Study Area	20,539.74 acres The boundary includes areas of the harbor and shipping channel where Federal naval forces withdrew from battle to rejoin the main fleet blockading the port. The Core Area represents the full range of artillery bombardment between the Confederate land batteries on Galveston Island and the Union flotilla.
Potential National Register Lands	0.00 acres
Protected Lands	0.00 acres
Publicly Accessible Lands	0.00 acres
Management Area(s)	None
Friends Group(s)	None
Preservation Activities Since 1993	Advocacy Cultural Resource Surveys and Inventories Fundraising ✓ Interpretation Projects Land or Development Rights Purchased Legislation Planning Projects Research and Documentation
Public Interpretation Since 1993	Brochure(s) Driving Tour Living History Maintained Historic Features/Areas Visitor Center Walking Tour/Trails ✓ Wayside Exhibits/Signs Website Other
Condition Statement	Most of the landscape has been altered and fragmented, leaving few essential features. The channel between Galveston Island and Bolivar Point is essentially unchanged since the time of the battle, however the shoreline of the inner harbor has been altered

considerably through both dredging operations and portside commercial, industrial, and residential development. In addition, open water between Duck Island and Pelican Spit has been filled to create a single land mass – Pelican Island.

Historical Designation

None



Update to the Civil War Sites Advisory Commission Report on the Nation's Civil War Battlefields
 Final DRAFT – State of Texas

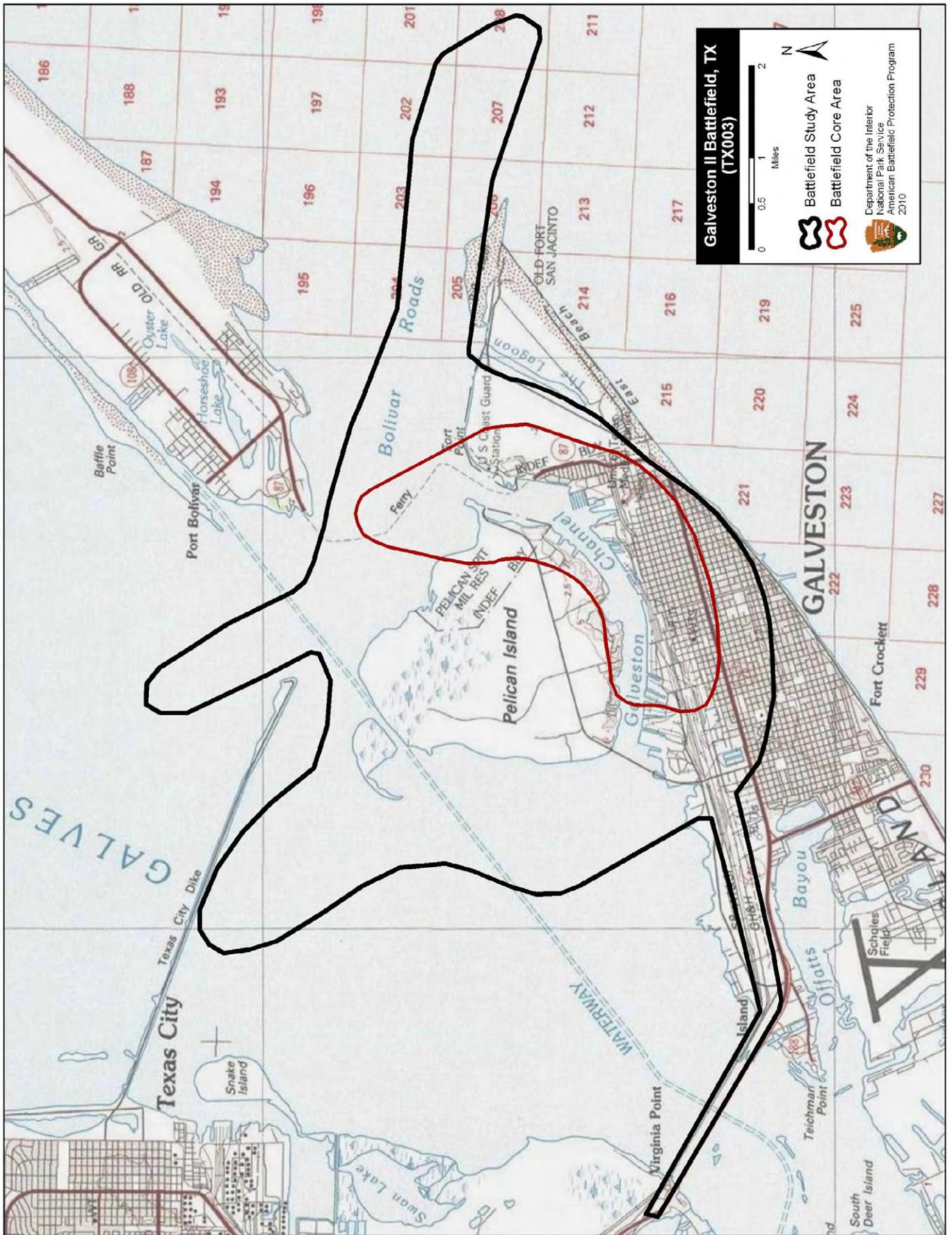
Galveston II (TX003)

Location	Galveston County
Campaign	Operations against Galveston (1862-1863)
Battle Date(s)	January 1, 1863
Principal Commanders	Colonel Isaac S. Burrell and Commander William B. Renshaw [US]; Major General John B. Magruder [CS]
Forces Engaged	Companies D, G, and I, 42nd Massachusetts Volunteer Infantry Regiment, and the Mortar Flotilla of the Western Gulf Blockading Squadron [US]; Department of Texas, New Mexico and Arizona, and the Texas Marine Department [CS]
Results	Confederate Victory
Study Area	19,434.01 acres The revised boundary includes the addition of Confederate sea and land approach routes, and the Union route of retreat. The Core Area was lengthened to include Pelican Spit, a bar that was the location of Fort Jackson but that has since merged with Duck Island to become Pelican Island.
Potential National Register Lands	0.00 acres
Protected Lands	0.00 acres
Publicly Accessible Lands	0.00 acres
Management Area(s)	None
Friends Group(s)	None
Preservation Activities Since 1993	Advocacy Cultural Resource Surveys and Inventories Fundraising ✓ Interpretation Projects Land or Development Rights Purchased Legislation Planning Projects Research and Documentation
Public Interpretation Since 1993	Brochure(s) Driving Tour Living History Maintained Historic Features/Areas Visitor Center Walking Tour/Trails ✓ Wayside Exhibits/Signs Website Other
Condition Statement	Most of the landscape has been altered and fragmented, leaving few essential features. The channel between Galveston Island and

Bolivar Point is essentially unchanged since the time of the battle, however, the shoreline of the inner harbor has been altered considerably through both dredging operations and recent commercial, industrial, and residential development at the port. In addition, open water between Duck Island and Pelican Spit has been filled to create a single land mass – Pelican Island.

Historical Designation

None



Palmito Ranch (TX005)

Location	Cameron County
Campaign	Expedition from Brazos Santiago (1865)
Battle Date(s)	May 12-13, 1865
Principal Commanders	Colonel Theodore H. Barrett [US]; Colonel John S. "Rip" Ford [CS]
Forces Engaged	Detachments from the 62nd U.S. Colored Infantry Regiment, 2nd Texas Cavalry Regiment, and 34th Indiana Volunteer Infantry [US]; Detachments from Gidding's Regiment, Anderson's Battalion of Cavalry, and other Confederate units and southern sympathizers [CS]
Results	Confederate victory
Study Area	11,696.30 acres The revised Study Area boundary has been modified to follow the historic course of the Rio Grande from Brownsville to Boca Chica Point. The Study Area also includes Confederate and Union activity along the historic road connecting Brownsville and Boca Chica Point (the Boca Chica Highway). The Core Area was revised to conform to the historic course of the Rio Grande River, and was expanded to the north to include the Confederate flanking movement around the Loma de la Jauja ridge.
Potential National Register Lands	8,964.71 acres
Protected Lands	5,703.56 acres U.S. Fish and Wildlife Service, fee simple
Publicly Accessible Lands	5,703.56 acres Lower Rio Grande River Valley National Wildlife Refuge, U.S. Fish and Wildlife Service
Management Area(s)	Lower Rio Grande River Valley National Wildlife Refuge
Friends Group(s)	None
Preservation Activities Since 1993	Advocacy ✓ Cultural Resource Surveys and Inventories Fundraising ✓ Interpretation Projects Land or Development Rights Purchased Legislation Planning Projects ✓ Research and Documentation Other
Public Interpretation Since 1993	✓ Brochure(s) Driving Tour Living History ✓ Maintained Historic Features/Areas Visitor Center

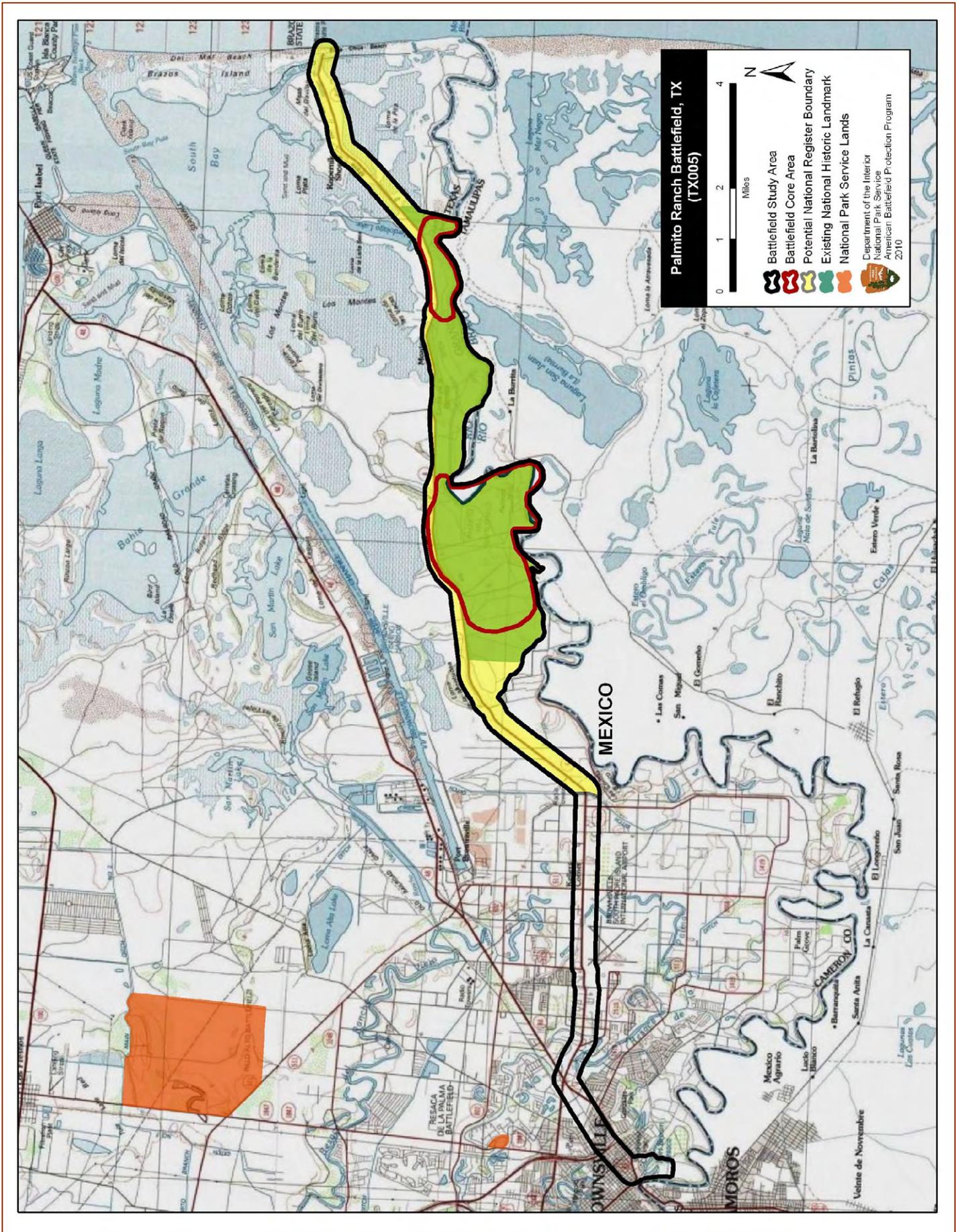
- Walking Tour/Trails
- ✓ Wayside Exhibits/Signs
- Website
- Other

Condition Statement

Land use is little changed since the period of significance, with a large portion of the Palmito Ranch battlefield protected within the U.S. Fish and Wildlife’s Lower Rio Grande River Valley National Wildlife Refuge bordering the Rio Grande River. This federal land, along with some privately owned ranches, retains historic integrity. Character defining features such as Palmito Hill (focal point of the battle), Tulosa Hill (skirmish site and observation point), and the Loma de la Jauia ridge (Confederate artillery position) are extant. The Rio Grande cannot be considered among these intact features – its course has altered since the time of the battle. Large industrial complexes at the Port of Brownsville disrupt the historic viewshed north of the battlefield. Encroachment from the city has destroyed part of the Confederate approach. Further development east of Brownsville will continue to threaten the battlefield. The Confederate headquarters at Fort Brown has been destroyed, with the exception of a section of the curtain wall and a redoubt, by the construction of a golf course and a levee. Fort Brown is a National Historic Landmark and the only feature of the battle of Palmito Ranch remaining in Brownsville. Federal immigration control plans include construction of a barrier wall along the Rio Grande which, if implemented, will destroy the last remains of Fort Brown.

Historical Designation

National Historic Landmark (Palmito Ranch Battlefield, 1997)
 National Register of Historic Places (Palmito Ranch Battlefield, 1993)



Sabine Pass I (TX001)

Location	Jefferson County
Campaign	Operations to Blockade the Texas Coast (1862-63)
Battle Date(s)	September 24-25, 1862
Principal Commanders	Acting Master Frederick Crocker [US]; Major J.S. Irvine [CS]
Forces Engaged	Flotilla of the Western Gulf Blockading Squadron [US]; Garrison at Sabine Pass [CS]
Results	Union victory
Study Area	6,229.72 acres The revised boundary has been reduced to remove portions of the 1993 Study Area that included lands within Texas Point National Wildlife Refuge that were not historically associated with the battle of Sabine Pass I. The Core Area has been narrowed, but also lengthened, to include portions of the sand bar affected by long-range bombardment during the battle.
Potential National Register Lands	0.00 acres
Protected Lands	409.28 acres U.S. Fish and Wildlife Service, 351.28 acres, fee simple Texas Historical Commission, 58.00 acres, fee simple
Publicly Accessible Lands	409.28 acres Texas Point National Wildlife Refuge, U.S. Fish and Wildlife Service, 351.28 acres Sabine Pass Battleground State Historical Site, Texas Historical Commission, 58.00 acres
Management Area(s)	Sabine Pass Battleground State Historical Site Texas Point National Wildlife Refuge
Friends Group(s)	Friends of Sabine Pass Battleground (2009)
Preservation Activities Since 1993	Advocacy Cultural Resource Surveys and Inventories Fundraising ✓ Interpretation Projects Land or Development Rights Purchased Legislation Planning Projects ✓ Research and Documentation
Public Interpretation Since 1993	Brochure(s) Driving Tour Living History ✓ Maintained Historic Features/Areas Visitor Center ✓ Walking Tour/Trails ✓ Wayside Exhibits/Signs

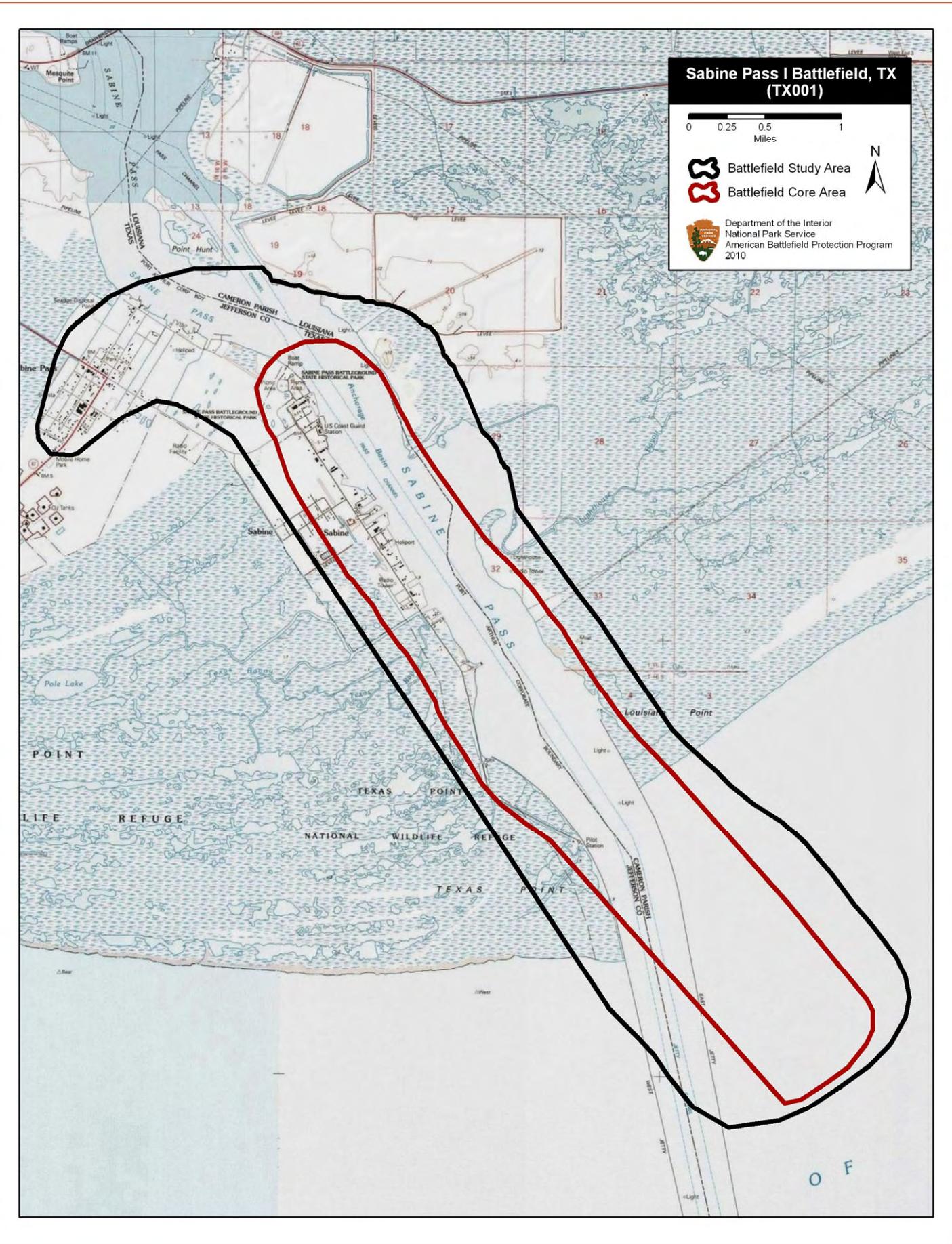
- ✓ Website
<http://www.visitsabinepassbattleground.com>
- ✓ Other
Kiosk

Condition Statement

Much of the landscape has been altered and fragmented, leaving some essential features. Slivers of the battlefield, protected within the boundaries of the U.S. Fish and Wildlife, Texas Point Wildlife Refuge and the state-owned Sabine Pass Battleground Historical Site, retain integrity. However, these areas are small compared to the full size of the battlefield's Study Area. They do little to convey the scope of the battlefield's historic boundaries and setting. The pass survives, but its channel has been dredged deeper and wider than it was at the time of the battle. Industrial development surrounds the site on both sides of the pass, and has destroyed historic viewsheds. Future expansion of gas and oil refineries in the area will diminish the site's integrity further and continue to threaten what little remains of the battlefield.

Historical Designation

None



Sabine Pass II (TX006)

Location	Jefferson County
Campaign	Operations to Blockade the Texas Coast (1863)
Battle Date(s)	September 8, 1863
Principal Commanders	Major General William B. Franklin and Captain Frederick Crocker [US]; Lieutenant Richard W. Dowling [CS]
Forces Engaged	Flotilla of the Western Gulf Blockading Squadron and 150 Army sharpshooters [US]; Garrison of Fort Griffon (Texan Davis Guards) [CS]
Results	Confederate victory
Study Area	6,489.15 acres The boundary has been reduced to include only areas of historical significance. The 1993 Study Area included portions of the Texas Point National Wildlife Refuge that were not historically associated with the battle of Sabine Pass II.
Potential National Register Lands	0.00 acres
Protected Lands	409.28 acres U.S. Fish and Wildlife Service, 351.28 acres, fee simple Texas Historical Commission, 58.00 acres, fee simple
Publicly Accessible Lands	409.28 acres Texas Point National Wildlife Refuge, U.S. Fish and Wildlife Service, 351.28 acres Sabine Pass Battleground State Historical Site, Texas Historical Commission, 58.00 acres
Management Area(s)	Sabine Pass Battleground State Historical Site Texas Point National Wildlife Refuge
Friends Group(s)	Friends of Sabine Pass Battleground (2009)
Preservation Activities Since 1993	Advocacy ✓ Cultural Resource Surveys and Inventories Fundraising ✓ Interpretation Projects Land or Development Rights Purchased Legislation Planning Projects ✓ Research and Documentation ✓ Other Historic Monument Restoration
Public Interpretation Since 1993	Brochure(s) Driving Tour Living History ✓ Maintained Historic Features/Areas Visitor Center ✓ Walking Tour/Trails

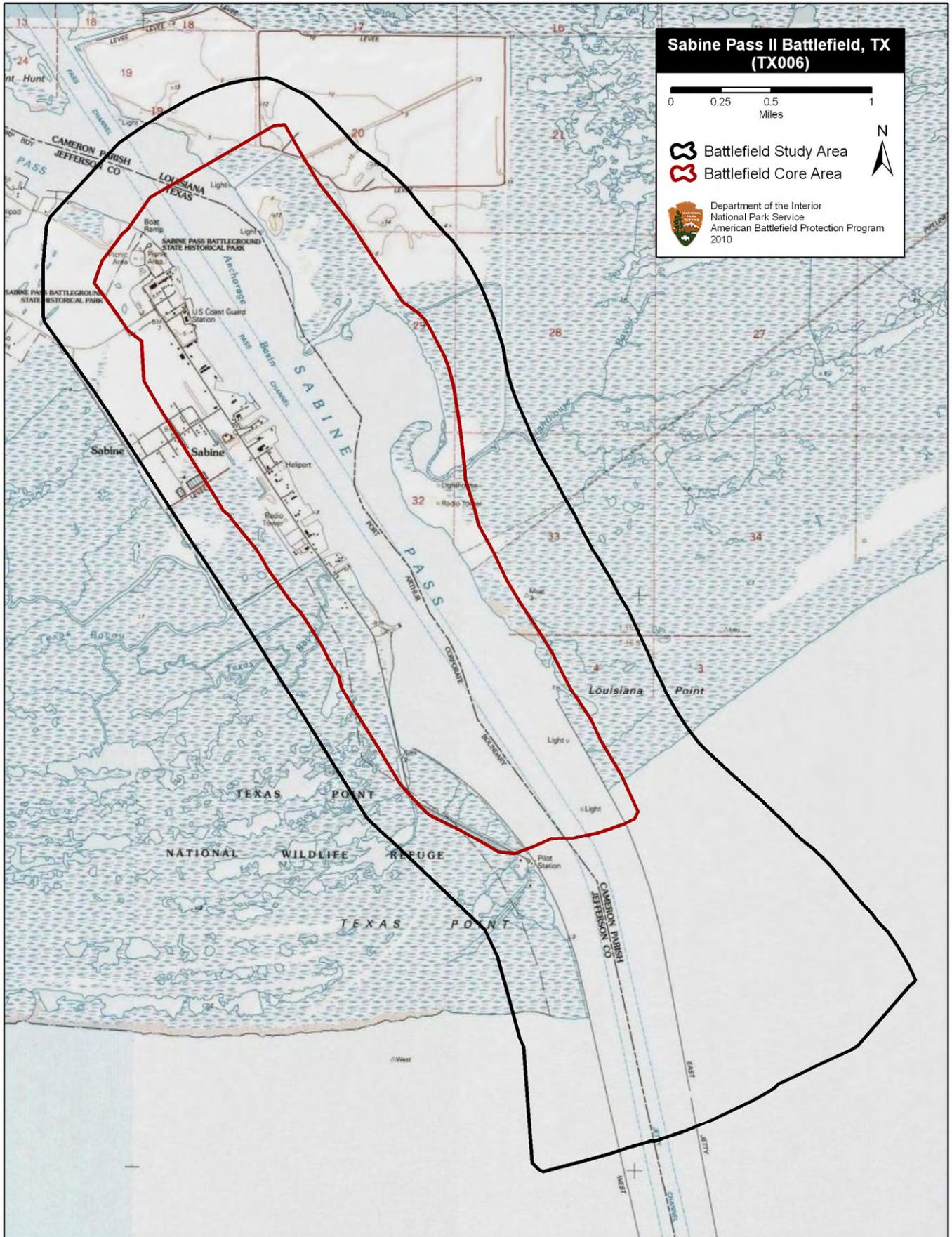
- ✓ Wayside Exhibits/Signs
- ✓ Website
<http://www.visitsabinepassbattleground.com>
- ✓ Other
 Kiosk

Condition Statement

Much of the landscape has been altered and fragmented, leaving some essential features. Slivers of the battlefield, protected within the boundaries of the U.S. Fish and Wildlife, Texas Point Wildlife Refuge and the state-owned Sabine Pass Battleground Historical Site, retain integrity. Although part of Fort Griffin's outer earthworks remain at the Historical Site, and Sabine Pass itself is extant, most of Fort Griffin was destroyed by expansion of the channel. Modern engineering has dredged the channel deeper and wider than it was at the time of battle. In addition, the Confederate-built oyster bed obstruction, designed to prevent Union ships from traveling up the channel, is gone. Industrial development surrounds the site on both sides of the pass, and has destroyed historic viewsheds. Future expansion of gas and oil refineries in the area will diminish the site's integrity further and continue to threaten what little remains of the battlefield.

Historical Designation

None



Appendices

Appendix A. Civil War Battlefield Preservation Act of 2002

Public Law 107-359, 111 Stat. 3016, 17 December 2002

Amends the American Battlefield Protection Program Act of 1996 (16 U.S.C. 469k)

An Act

To amend the American Battlefield Protection Act of 1996 to authorize the Secretary of the Interior to establish a battlefield acquisition grant program.

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Civil War Battlefield Preservation Act of 2002".

SEC. 2. FINDINGS AND PURPOSES.

- (a) Findings.--Congress finds the following
- (1) Civil War battlefields provide a means for the people of the United States to understand a tragic period in the history of the United States.
 - (2) According to the Report on the Nation's Civil War Battlefields, prepared by the Civil War Sites Advisory Commission, and dated July 1993, of the 384 principal Civil War battlefields--
 - (A) almost 20 percent are lost or fragmented;
 - (B) 17 percent are in poor condition; and
 - (C) 60 percent have been lost or are in imminent danger of being fragmented by development and lost as coherent historic sites.
- (b) Purposes.--The purposes of this Act are--
- (1) to act quickly and proactively to preserve and protect nationally significant Civil War battlefields through conservation easements and fee-simple purchases of those battlefields from willing sellers; and
 - (2) to create partnerships among State and local governments, regional entities, and the private sector to preserve, conserve, and enhance nationally significant Civil War battlefields.

SEC. 3. BATTLEFIELD ACQUISITION GRANT PROGRAM.

The American Battlefield Protection Act of 1996 (16 U.S.C. 469k) is amended--

- (1) by redesignating subsection (d) as paragraph (3) of subsection (c), and indenting appropriately;
- (2) in paragraph (3) of subsection (c) (as redesignated by paragraph (1))--
 - (A) by striking "Appropriations" and inserting "appropriations"; and
 - (B) by striking "section" and inserting

``subsection'';

(3) by inserting after subsection (c) the following

``(d) Battlefield Acquisition Grant Program.--

``(1) Definitions.--In this subsection

``(A) Battlefield report.--The term `Battlefield Report' means the document entitled `Report on the Nation's Civil War Battlefields', prepared by the Civil War Sites Advisory Commission, and dated July 1993.

``(B) Eligible entity.--The term `eligible entity' means a State or local government.

``(C) Eligible site.--The term `eligible site' means a site--

``(i) that is not within the exterior boundaries of a unit of the National Park System; and

``(ii) that is identified in the Battlefield Report.

``(D) Secretary.--The term `Secretary' means the Secretary of the Interior, acting through the American Battlefield Protection Program.

``(2) Establishment.--The Secretary shall establish a battlefield acquisition grant program under which the Secretary may provide grants to eligible entities to pay the Federal share of the cost of acquiring interests in eligible sites for the preservation and protection of those eligible sites.

``(3) Nonprofit partners.--An eligible entity may acquire an interest in an eligible site using a grant under this subsection in partnership with a nonprofit organization.

``(4) Non-federal share.--The non-Federal share of the total cost of acquiring an interest in an eligible site under this subsection shall be not less than 50 percent.

``(5) Limitation on land use.--An interest in an eligible site acquired under this subsection shall be subject to section 6(f)(3) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601-8(f)(3)).

``(6) Reports.--

``(A) In general.--Not later than 5 years after the date of the enactment of this subparagraph, the Secretary shall submit to Congress a report on the activities carried out under this subsection.

``(B) Update of battlefield report.--Not later than 2 years after the date of the enactment of this subsection, the Secretary shall submit to Congress a report that updates the Battlefield Report to reflect--

``(i) preservation activities carried out at the 384 battlefields during the period between publication of the Battlefield Report and the update;

``(ii) changes in the condition of the battlefields during that period; and

``(iii) any other relevant developments relating to the battlefields during that period.

``(7) Authorization of appropriations.--

``(A) In general.--There are authorized to be appropriated to the Secretary from the Land and Water Conservation Fund to provide grants under this

subsection \$10,000,000 for each of fiscal years 2004 through 2008.

“(B) Update of battlefield report.--There are authorized to be appropriated to the Secretary to carry out paragraph (6)(B), \$500,000.”; and

(4) in subsection (e)--

(A) in paragraph (1), by striking “as of” and all that follows through the period and inserting “on September 30, 2008.”; and

(B) in paragraph (2), by inserting “and provide battlefield acquisition grants” after “studies”.

-end-

Appendix B. Battlefield Questionnaire

State
Battlefield

Person Completing Form
Date of completion

I. Protected Lands of the Battlefield (“Protected lands” are these “owned” for historic preservation or conservation purposes. Please provide information on land protected since 1993.)

Identify protected lands by parcel since 1993. Then answer these questions about each parcel, following example in the chart below. What is the acreage of each parcel? Is parcel owned fee simple, by whom? Is there is an easement, if so name easement holder? Was the land purchased or the easement conveyed after 1993? What was cost of purchase or easement? What was source of funding and the amount that source contributed? Choose from these possible sources: Coin money, LWCF, Farm Bill, State Government, Local Government, Private Owner, Private Non-Profit (provide name), or Other (describe).

Parcel	Acres	Owner	Easement	Year	Cost	Source
Joe Smith Farm	194	Private	SHPO	1995	\$500,000	LWCF/\$250,000 Private/\$250,000
Sue Jones Tract	16	Battlefield Friends, Inc.	No	2002	\$41,000	State/\$20,000 BFI/\$21,000

2) Other public or non-profit lands within the battlefield? (Y/N)

- If yes, describe
- Name of public or non-profit owner or easement holder
- Number of Acres owned/held

3) Is the information in a GIS? (Y/N)

If yes, may NPS obtain a copy of the data? (Y/N)

II. Preservation Groups

1) Is there a formal interested entity (friends group, etc) associated with the battlefield? (Y/N)

If yes

Name

Address

Phone

Fax

E-mail

Web site? (Y/N)

If yes, what is the URL?

Does the web site have a preservation message? (Y/N)

What year did the group form?

III. Public Access and Interpretation

1) Does the site have designated Public Access? (Y/N) (Count public roads if there are designated interpretive signs or pull-offs)

If yes, what entity provides the public access (Access may occur on lands owned *in fee* or *under easement* to the above entities)

Federal government

State government

Local government

Private Nonprofit organization

Private owner

Other

Name of entity (if applicable)

Number of Acres Accessible to the Public (size of the area in which the public may physically visit without trespassing. Do not include viewsheds.)

2) Does the site have interpretation? (Y/N)

If yes, what type of interpretation is available?

Visitor Center

Brochure(s)

Wayside exhibits

Driving Tour

Walking Tour

Audio tour tapes

Maintained historic features/areas

Living History

Website

Other

IV. Registration

Applies only to the battlefield landscape, not to individual contributing features of a battlefield (i.e., the individually listed Dunker Church property of .2 acres does not represent the Antietam *battlefield* for the purposes of this exercise)

1) Is the site a designated National Historic Landmark? (Y/N)

If yes, NHL and ID Number

2) Is the site listed in the National Register? (Y/N)

If yes, NRHP Name and ID Number

3) Is the site listed in the State Register? (Y/N)

If yes, State Register Name and ID Number

- 4) Is the site in the State Inventory? (Y/N)
If yes, State Inventory Name and ID Number
- 5) Is the site designated as a local landmark or historic site? (Y/N)
Type of Designation/Listing

V. Program Activities

What types of preservation program activities have occurred at the battlefield? Provide final product name and date if applicable (e.g., *Phase I Archeological Survey Report on the Piper Farm, 1994* and *Antietam Preservation Plan, 2001*, etc.)

- 1) Research and Documentation
- 2) Cultural Resource surveys and inventories (building/structure and landscape inventories, archeological surveys, landscape surveys, etc.)
- 3) Planning Projects (preservation plans, site management plans, cultural landscape reports, etc.)
- 4) Interpretation Projects (also includes education)
- 5) Advocacy (any project meant to engage the public in a way that would benefit the preservation of the site, e.g. PR, lobbying, public outreach, petitioning for action, etc.)
- 6) Legislation (any local, state, or federal legislation designed to encourage preservation of the battlefield individually or together with other similar sites)
- 7) Fundraising
 - a. To support program activities?
 - b. To support land acquisition/easements?
- 8) Other

Appendix C. Civil War Battlefield Land Acquisition Grants

The Civil War Battlefield Preservation Act of 2002 (PL 107-359) amended the American Battlefield Protection Act of 1996 (16 USC 469k) to authorize a matching grant program to assist States and local communities in acquiring significant Civil War battlefield lands for permanent protection. Most recently, Congress showed its continued support for these grants through its reauthorization of this program within the Omnibus Public Land Management Act of 2009 (PL 111-11).

Eligible battlefields are those listed in the 1993 Report on the Nation's Civil War Battlefields prepared by the Congressionally chartered Civil War Sites Advisory Commission (CWSAC). Eligible acquisition projects may be for fee interest in land or for a protective interest such as a perpetual easement.

Since 1998, Congress has appropriated a total of \$38.9 million for this Civil War Battlefield Land Acquisition Grants (CWBLAG) Program. These grants have assisted in the permanent protection of more than 15,550.00 acres at 62 Civil War battlefields in 14 states. To date, no CWBLAG monies have been used in Texas. Given the remarkable success of battlefield land and easement acquisition in other states, these grants can help protect historic lands at **Palmito Ranch** in the future.

Appendix D. American Battlefield Protection Program Planning Grants

Since 1992, ABPP has offered annual planning grants to nonprofit organizations, academic institutions, and local, regional, state, and tribal governments to help protect battlefields located on American soil. Applicants are encouraged to work with partner organizations and federal, state, and local government agencies as early as possible to integrate their efforts into a larger battle site protection strategy. ABPP has awarded \$104,175.00 to Texas’s Civil War battlefields.

Grantee	Year	Project Title	Award
<i>Brownsville Community Foundation</i>	2000	Palmito Ranch Battlefield Core Area Identification Project	\$22,200.00
<i>Friends of the Texas Historical Commission</i>	2009	The Last Battle: Inventory of Palmito Ranch Battlefield	\$20,285.00
	2005	Defining the Battle of Sabine Pass	\$46,690.00
	1997	The Civil War in Texas, Official Guide and Map	\$15,000.00
Total			\$104,175.00