



# Report to Congress Pursuant to the Civil War Battlefield Preservation Act of 2002

## Introduction

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. 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.

The grant program is funded from the Land and Water Conservation Fund in amounts determined by Congressional appropriations each year. The program is administered by the National Park Service's American Battlefield Protection Program (ABPP). The 2002 statute also called for a report to Congress by December 17, 2007, on the activities carried out pursuant to this new authorization.

## Background

In 1988, Prince William County, Virginia, granted the necessary local approvals for development of 600 acres of land immediately adjacent to the Manassas National Battlefield Park. Historically, the land in question was a significant part of the Manassas battlefield, but the land remained in private ownership. After development of the land had begun, Congress intervened directly to halt the development and take the land into federal ownership at a significant cost of \$135 million.

Convinced that such last-ditch, feverish, and expensive efforts by the federal government should not become the routine solution for preserving significant battlefield lands, Congress chartered the Civil War Sites Advisory Commission in 1990 to identify the nation's significant Civil War battlefields, report on their current condition, and recommend strategies for their preservation. The Commission's report, issued in 1993, identified 384 principal battlefields and determined that the unprotected lands at these battle sites were being lost to modern development at a rapid pace. The Commission assigned each of these battlefields to one of four priority categories, in order to identify where preservation efforts were most urgently needed. Among the



Slaughter Pen Farm at Fredericksburg, Virginia. In 2006, the National Park Service provided a \$2 million grant to help save these 203 acres of critical battlefield land.

Commission's recommendations for "immediate action" was the establishment of a federal matching grant program, funded at \$10 million a year for seven years, to assist in the non-federal acquisition of Civil War battlefields for permanent protection.

Following the Commission's work, the National Park Service created the American Battlefield Protection Program, to follow up on the Commission's recommendations and assist battlefield preservation organizations. In 1996, Congress formally established the ABPP with the passage of the American Battlefield Protection Act. That legislative mandate also officially extended the program's mission beyond Civil War battlefields to include sites associated with all wars fought on American soil.

In 1998, Congress responded to the Commission's funding recommendation by appropriating \$8 million from the Land and Water Conservation Fund to assist in the non-federal acquisition of Civil War battlefield lands. Congress appropriated an additional \$10 million from the LWCF in 2002. Also in 2002, Congress passed the Civil War Battlefield Protection Act that formally established this matching grant program, authorized appropriations of up to \$10 million a year for five years, assigned responsibility for the program to the ABPP, and in 2007, called for a report on the program's accomplishments. Since the passage of that Act, Congress has appropriated \$1,975,000 in 2004, \$4,930,000 in 2005, \$3,000,000 in 2006, and \$4,000,000 in 2007.

## **Program Administration**

Since 1998 Congress has appropriated a total of \$31.9 million from the LWCF for Civil War Battlefield acquisition grants. All of the funds have been made available for grants; no funds have been reprogrammed to cover the ABPP's administrative costs. Further, grantees must use the grant funds only for costs directly associated with the property acquisition and not for ongoing administrative costs.

First through Appropriations Act language and then through the Civil War Battlefield Protection Act, Congress established three requirements for these acquisition grants:

1. The battlefield must be among the 384 identified by the Civil War Sites Advisory Commission;
2. The land to be acquired must not be within the exterior boundaries of any unit of the National Park System; and
3. Any land acquired with the assistance of this grant program is thereby subject to Section 6(f)(3) of the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 4601-8(f)(3)). As a result, the land may not subsequently be converted to a non-conservation use without the prior written permission of the Secretary of the Interior, acting through the ABPP.

To these statutory requirements the ABPP has added two more:

4. Any grant award must be supported by an appraisal of the property's value that has been conducted in accordance with the Uniform Standards for Federal land Acquisitions; and
5. Any land acquired with the assistance of this grant program must be protected by a perpetual easement sufficient to protect the significant features of the battlefield landscape, historic structures, and archeological resources.

Finally, the ABPP gives preference to grant proposals for acquisition of lands at battlefields that are in the Commission's top two priority categories for preservation.

## **Program Accomplishments**

Since the initial appropriation in 1998, this grant program has assisted in the permanent protection of 13,906 acres at 54 Civil War battlefields in 14 states. Of those 54 battlefields, 44 are from the Commission's top two priority categories, and 10 are from the lower two priority categories.

The total of \$26.3 million awarded as of September 1, 2007 has leveraged a total of \$55.3 in nonfederal matching share, or slightly better than a 2 to 1 nonfederal share.

With a total investment of \$81.6 million to acquire 13,906 acres, the average cost per acre over the life of the program has been \$5,868, and the average federal share per acre has been only \$1,891.

All properties acquired with assistance from this grant program have been from willing sellers.

The following chart sets out in more detail what has been accomplished at each of the 54 battlefields assisted by this program so far.

## LWCF Battlefield Land Acquisition Grants

State	Battlefield	CWSAC Priority Number	Total Acres Acquired	Total LWCF Amount Obligated	Total Leveraged Funds
ALABAMA	Fort Blakeley	3	67.28	\$84,100.00	\$85,055.00
ARKANSAS	Prairie Grove	1	261.77	\$610,500.00	\$1,872,670.00
GEORGIA	Resaca	2	650.00	\$488,058.00	\$976,116.00
	Rocky Face Ridge	2	<u>800.00</u>	<u>\$257,000.00</u>	<u>\$514,000.00</u>
			<b>1,450.00</b>	<b>\$745,058.00</b>	<b>\$1,490,116.00</b>
KANSAS	Mine Creek	3	80.00	\$40,000.00	\$80,000.00
KENTUCKY	Mill Springs	1	157.81	\$934,237.29	\$956,750.00
	Perryville	1	54.00	\$76,475.00	\$77,817.72
	Richmond	2	<u>362.00</u>	<u>\$1,116,800.00</u>	<u>\$1,571,200.00</u>
			<b>573.81</b>	<b>\$2,127,512.29</b>	<b>\$2,605,767.72</b>
LOUISIANA	Fort DeRussy	2	71.02	\$70,000.00	\$140,000.00
MARYLAND	Antietam	1	624.43	\$1,393,940.00	\$1,393,940.00
	South Mountain	1	<u>136.00</u>	<u>\$132,000.00</u>	<u>\$264,000.00</u>
			<b>760.43</b>	<b>\$1,525,940.00</b>	<b>\$1,657,940.00</b>
MISSOURI	Newtonia	1	11.00	\$146,050.00	\$146,050.00
MISSISSIPPI	Champion Hill	2	258.12	\$79,500.00	\$228,567.60
	Corinth	1	530.29	\$449,524.00	\$2,752,147.00
	<i>Mississippi Battlefields</i>			\$1,400,000.00	
	Big Black River Bridge	2	28.07	<i>see Mississippi Battlefields total</i>	\$104,807.00
	Brices Crossroads	1	547.22	<i>see Mississippi Battlefields total</i>	\$969,310.00
	Iuka	4	55.98	<i>see Mississippi Battlefields total</i>	\$230,914.00
	Okolona	2	269.81	<i>see Mississippi Battlefields total</i>	\$319,529.00
	Port Gibson	1	622	<i>see Mississippi Battlefields total</i>	\$128,000.00
	Raymond	1	<u>62.75</u>	<u><i>see Mississippi Battlefields total</i></u>	<u>\$213,803.00</u>
			<b>2,374.24</b>	<b>\$1,929,024.00</b>	<b>\$4,947,077.60</b>
NORTH CAROLINA	Averesboro	3	95.33	\$100,000.00	\$302,462.00
	Bentonville	1	844.94	\$1,770,708.95	\$2,068,838.52
	Wyse Fork	2	<u>56.06</u>	<u>\$45,105.16</u>	<u>\$45,105.00</u>
			<b>996.33</b>	<b>\$1,915,814.11</b>	<b>\$2,416,405.52</b>
OKLAHOMA	Honey Springs	1	78.75	\$26,250.00	\$52,500.00

## LWCF Battlefield Land Acquisition Grants

State	Battlefield	CWSAC Priority Number	Total Acres Acquired	Total LWCF Amount Obligated	Total Leveraged Funds
<b>TENNESSEE</b>	Chattanooga	1	36.10	\$252,500.00	\$252,500.00
	Davis Bridge	3	84.00	\$123,000.00	\$123,000.00
	Fort Donelson	1	208.54	\$293,800.00	\$320,683.00
	Franklin	4	110.78	\$500,000.00	\$4,600,000.00
	Parker's Crossroads	2	190.26	\$596,775.00	\$865,775.00
	Spring Hill	1	<u>110.00</u>	<u>\$300,000.00</u>	<u>\$601,800.00</u>
				<b>739.68</b>	<b>\$2,066,075.00</b>
<b>VIRGINIA</b>	Brandy Station	1	588.92	\$2,380,000.00	\$4,968,105.00
	Buckland Mills	2	2.00	\$61,750.00	\$61,750.00
	Cedar Creek	1	425.74	\$575,000.00	\$1,422,148.00
	Cedar Mountain	2	155.72	\$28,000.00	\$103,474.00
	Chancellorsville	1	214.64	\$1,504,788.00	\$1,504,788.00
	Cold Harbor	1	59.10	\$280,000.00	\$280,000.00
	Fisher's Hill	1	97.68	\$52,000.00	\$52,000.00
	Fort Collier	4	10.00	\$166,000.00	\$334,000.00
	Fredericksburg	4	226.94	\$2,250,000.00	\$10,777,759.16
	Gaines Mill	1	27.00	\$325,000.00	\$325,000.00
	Hatcher's Run	2	328.82	\$247,291.00	\$247,291.00
	Kernstown	1	423.00	\$845,000.00	\$4,070,000.00
	Manassas	1	135.97	\$200,000.00	\$400,000.00
	Mine Run	1	685.00	\$1,080,250.00	\$1,399,239.00
	Opequon	4	222.00	\$700,000.00	\$1,237,819.00
	Petersburg	2	385.24	\$1,464,069.22	\$1,464,069.00
	Rappahannock Station	2	26.00	\$250,000.00	\$625,000.00
	Reams Station	2	42.87	\$61,456.00	\$61,456.00
	Sailor's Creek	2	650.74	\$345,000.00	\$640,390.00
	Totopotomy Creek	4	5.80	\$87,500.00	\$87,500.00
Trevilian Station	2	809.00	\$672,703.00	\$1,094,922.00	
Ware Bottom Church	2	10.33	\$176,500.00	\$176,500.00	
White Oak Road	1	<u>677.21</u>	<u>\$708,333.00</u>	<u>\$731,667.00</u>	
			<b>6,209.72</b>	<b>\$14,460,640.22</b>	<b>\$32,064,877.16</b>
<b>WEST VIRGINIA</b>	Harpers Ferry	1	231.78	\$539,770.00	\$986,217.00
<b>TOTAL All Data</b>			<b>13,905.81</b>	<b>\$26,286,733.62</b>	<b>\$55,282,184.00</b>

