

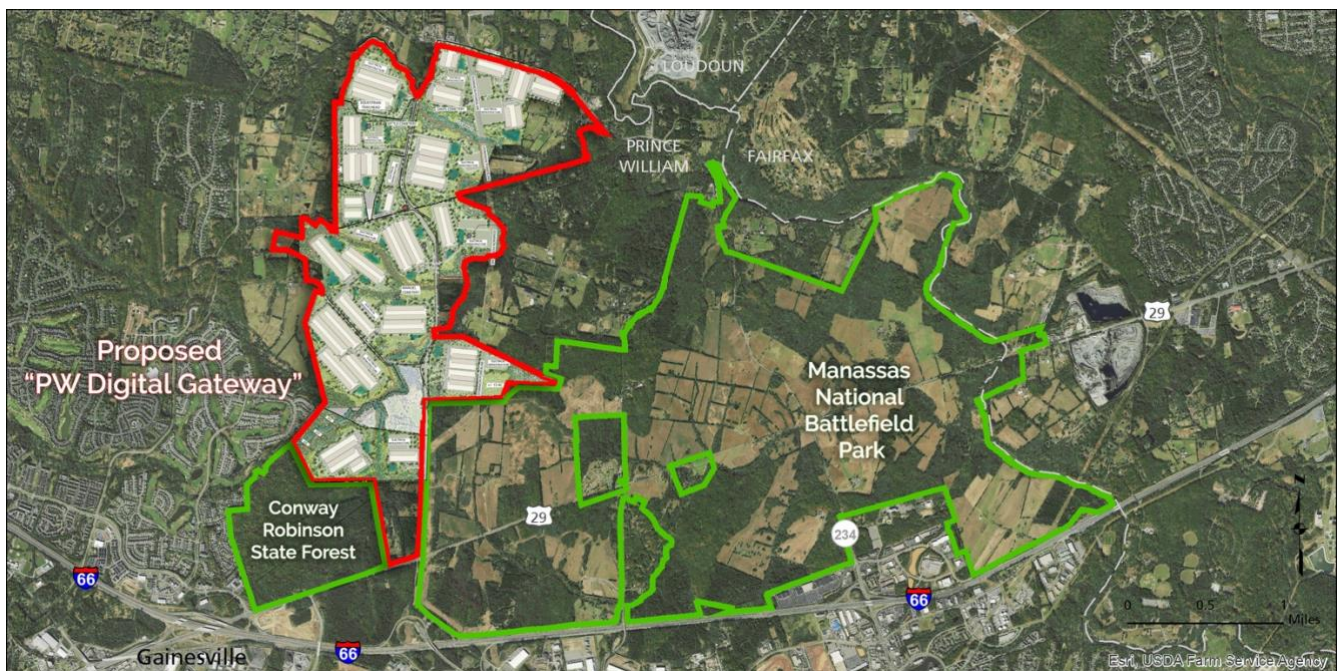
Bull Run Civil War Round Table (BRCWRT) Preservation Corner
January 26, 2024



Greetings BRCWRT Members and Friends - This edition of *Preservation Corner* includes a summary of the Prince William Digital Gateway with an update on PWDG legal filings and on data center reform legislation under consideration in Virginia's 2024 legislative session, a summary of the history of the Conner House in the City of Manassas Park and an update on the effort to preserve and interpret the Conner House, and an update on the National Historic Preservation Section 106 Review for the proposed Chapel Springs (Manassas Logistics Center) development.

The Prince William Digital Gateway and its Proposed Data Centers (Manassas National Battlefield Park & Manassas Battlefield Historic District)

The Prince William Digital Gateway (PWDG) is a project that proposes building up to 34 data centers on 2,100 acres of rural area land located along Pageland Lane in Prince William County, Virginia, land that borders Manassas National Battlefield Park (MNBP) and Conway Robinson State Forest. The PWDG project was initiated by Prince William County's Board of County Supervisors (BOCS) in 2021 via a proposed Comprehensive Plan Amendment to change the long-range land use designation for the land within a designated PWDG land corridor (see aerial with delineated area, below) along Pageland Lane from Agricultural or Estate (A/E) and Environmental Resource (ER) to Technology/Flex (T/R) for data center development.



Proposed PW Digital Gateway (courtesy of Piedmont Environmental Council)

After eighteen months of study, public information meetings, public hearings, etc., and despite significant objections and concerns raised by many county residents, the National Park Service and Manassas National Battleground Park (MNBP) and historical preservation organizations, including the Prince William County Historical Commission and BRCWRT, the BOCS approved the PWDG Comprehensive Plan Amendment on November 2, 2022.

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In January 2023, Rezoning Applications for three data centers within the PWDG were submitted by Compass Data Centers (Compass Datacenters PWC Campus 1), and by QTS Realty (PW Digital Gateway North and PW Digital Gateway South). Following months of review, assessment and information/documentation collection by the Prince William County Planning Office and the Prince William County Historical Commission, significant objections and concerns raised and submitted by county residents, the National Park Service and MNBP, the National Parks Conservation Association (NPCA) and multiple historical preservation organizations, including the American Battlefield Trust (ABT) and BRCWRT, the applications moved to Prince William County's Planning Commission and the BOCS for consideration, along with the County Planning Staff's recommendation to deny each of the applications.

Following a 23-hour public hearing that began on Nov 8, 2023, the Prince William County Planning Commission voted 6-2 to recommend denial of all three rezoning applications for the proposed Prince William Digital Gateway data centers. The three applications, the County Planning Staff's recommendation for denial, and the Planning Commission's recommendation for denial were then forwarded to the Prince William County BOCS for a scheduled Public Hearing on the PWDG Rezoning Applications on December 12, 2023.

On December 11, 2023, NPCA and ABT submitted a nine-page letter, signed by 33 local, regional, and national nonprofit organizations dedicated to preserving and protecting environmental, historic and cultural resources, and human health, to the PWC BOCS. This letter highlighted, in significant depth, the negative impacts the PWDG poses for Prince William County, Virginia, and beyond, and urged the BOCS to deny the PWDG data center rezoning applications.

At the conclusion of a 27-hour session that began on December 12, 2023, and included a 7-hour meeting of the BOCS with the Data Center Rezoning Applicants (QTS Realty & Compass Datacenters) and PWC Planning Office representatives, followed by a 20-hour public hearing with nearly 400 individual and organizational speakers, the BOCS voted 4-3, with one abstention, to approve each of the rezoning applications. The organizational speakers, all of whom recommended denial of the rezoning applications, included MNBP, the Prince William Conservation Alliance, the Coalition to Protect Prince William County, BRCWRT, NPCA, and ABT.

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Rendering of the Proposed PWDG Data Centers depicting the proposed data centers' site schematics in relation to adjacent historic sites within the Manassas Battlefield Historic District, Manassas Battlefield National Park and Manassas Battlefield Core Area land currently owned by the American Battlefield Trust and planned for eventual incorporation into MNBP (courtesy of American Battlefield Trust).

The BOCS approval of the PWDG rezoning applications came despite recommendations from both the PWC Planning Office and PWC Planning Commission to deny each of the applications. Additionally, given the substantive application changes and new/revised proffers made since the Planning Commission's public hearing and vote on November 8, 2023, and during the December 12, 2023, BOCS meeting and public hearing, several speakers and the Gainesville District Supervisor recommended the applications be returned to the Planning Commission for review and consideration. That recommendation garnered no support from a majority of Board members; thereby continuing BOCS Chair Anne Wheeler's strategy and push to ensure the applications were acted on by the current BOCS before its term ended on December 31, 2023 - a strategy driven by the knowledge that the incoming BOCS Chair did not support the PWDG and that the BOCS seated in January 2024 would not likely approve the rezoning applications.

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With the rezoning applications approved, the next major step for the County will be consideration of specific site plans upon submittal by QTS and Compass, respectively. PWC's Land Development Division will oversee the site plan review and approval process.

Meanwhile on-going and recently filed legal actions are challenging the BOCS actions regarding PWDG. Approximately one year ago, the Oak Valley Homeowners Association (HOA) and ten individual plaintiffs sued to overturn the BOCS approval of Comprehensive Plan Amendment (CPA) 2021-00004, PW Digital Gateway that paved the way for the PWDG rezoning applications. That lawsuit continues winding its way through the court system.

On January 12, 2024, two lawsuits were filed seeking to overturn the BOCS approval of the PWDG rezoning applications. The Coalition to Protect PWC, six Gainesville District residents who live near the PWDG area, and ABT filed a lawsuit to overturn the approval of the PWDG rezoning applications and to block construction of the proposed PWDG data centers. The lawsuit stipulates that the BOCS took several inappropriate actions on the rezoning applications as they made their way through the County's review and approval process, did not require a Special Use Permit as part of the PWDG data center rezoning applications, and that the county did not comply with applicable Virginia state law and PWC ordinances in notifying affected residents of the rezoning application public hearing on December 12, 2023. The lawsuit provides a detailed history of the area and the two Civil War battles fought there and cites many of the previously expressed objections and concerns, including overburdening the region's power grid due to the PWDG's high demand for electricity, the loss of green space and public spaces, and significant negative environmental impacts with respect to air quality, clean water and the Occoquan Watershed Reservoir, and noise pollution.



January 12, 2024, Press Conference Announcing the Two PWDG Lawsuits (photo courtesy of author)

The second lawsuit, filed by the Oak Hill HOA, likewise seeks to overturn the approval of the rezoning applications and to block construction of the proposed PWDG data centers. This lawsuit stipulates that

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the Prince William County BOCS ignored the County's established processes and requirements for data center developments, ignored specific PWDG CPA requirements, ignored the recommendation of the County's Planning Staff and Planning Commission and was dismissive of the objections and concerns raised by county residents, the National Park Service, MNPB and historic preservation groups. Specific negative impacts cited in the lawsuit include PWDG proximity to residential areas and public open space including national and state parks, air, water and noise pollution, and the destruction of wildlife corridors and open space. The lawsuit also cites a litany of unknown elements and unspecified aspects of the proposed project design and infrastructure requirements, and the haphazard approach used by the BOCS to consider and approve the rezoning applications.

As previously reported, nonprofit organizations, homeowner groups, and residents from across Virginia have joined forces to form a coalition calling for industry-wide data center reform. The *Virginia Data Center Reform Coalition* consists of more than 20 environmental, conservation, historic preservation, and climate advocacy groups, as well as representatives of communities and neighborhoods across the state. Together, they are urging the state to study the cumulative effects of data center development on the state's electrical grid, water resources, air quality, and land conservation efforts, and to institute several common-sense regulatory and infrastructure-related reforms for this industry.



The Coalition is seeking Virginia state government intervention — to require more transparency around land use decisions affecting the lives of Virginians and around energy and water usage that carries significant implications for both local communities and the Commonwealth. The coalition is asking the state to require data center developers to mitigate the negative environmental impacts of this industry and to place the cost of new transmission lines and power generation infrastructure required for data centers on the industry itself, rather than on Virginia's individual ratepayers.

Several House and Senate bills addressing data centers in Virginia have been submitted in the current 2024 Virginia legislative session:

- Senate Bill (SB) 192 and House Bill (HB) 116 require data center operators to meet certain energy efficiency standards to be eligible for the sales and use tax exemption for data center purchases
- SB 284 limits data center facilities' impacts on historical and cultural resources and would prohibit data centers within one mile of a state or national park.

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- SB 285 requires data center developers seeking a rezoning to disclose data center facilities' water and power demands as well as their impact on the electrical grid, carbon emissions and local agricultural, historical, and cultural resources.
- SB 286 requires data centers in "planning district 8," (Loudoun, Prince William, Fairfax, Arlington, Alexandria, Manassas, Manassas Park) to bury any power lines under 500 kilovolts if they are within a half-mile of a national battlefield and within one mile of a state forest.
- SB 288 requires localities to complete sound assessments before voting on data center applications, instead of afterward to ensure there is "real noise abatement (goal is to maintain the baseline or "ambient noise level" in the project area.
- SB 289 requires data centers to recycle stormwater onsite or ensure it does not overrun into local streams and waterways, causing erosion, pollution, and sediment buildup over time.
- SB 664 Prohibits the costs associated with the construction or extension of any electric distribution infrastructure that primarily serves the load of a data center from being recovered from any other customer.
- HB 337 specifies that the siting of a data center shall only be approved in areas where the data center will (i) have a minimal impact on historic, agricultural, and cultural resources and (ii) not be within one-half mile of a national park, state park, or other historically significant site.
- HB 338 requires a locality, prior to any approval for the siting of a data center, to perform a site assessment to examine the effect of the data center on water usage and carbon emissions as well as any impacts on agricultural resources within the locality.
- HB 910 requires each data center in the Commonwealth to submit a quarterly energy source report to the Department of Energy that identifies the amount of energy consumed by the data center during that quarter.
- HB 1010 requires that any land use application for the siting of a data center be approved only for areas that are one-quarter mile or more from federal, state, or local parks, schools, and property zoned or used for residential use.
- HB 1288 requires that a public electric utility or a public utility authorized to furnish water or water and sewer service include a separate classification for data centers for data centers when satisfying the existing requirement that any rate, toll, charge, or schedule of a public utility is only considered to be just and reasonable by the State Corporation Commission if the public utility has demonstrated that such rates, tolls, charges, or schedules contain reasonable classifications of customers.

On January 23, 2024, the Senate Agriculture, Conservation and Natural Resources Committee decided to 'continue the SB Bill 289 to 2025', pushing it to next year's General Assembly session. The Committee Chair disclosed that the committee would NOT be voting on that bill, and many of the other data center legislation bills in order to, instead, absorb all of them into a 'study' bill.

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The way ahead for the PWDG and for data center industry reforms in Virginia promise to be long and winding roads. Stay tuned for future updates, and support data center industry reform efforts where and when you can. You can [use this letter to request your elected officials](#) in Virginia's House and Senate support the data center industry and utility reform bills during the on-going 2024 General Assembly session.

Conner House

The Conner House, located in the vicinity of 8220 Conner Drive stands on land owned in the 18th century by the family of Robert Howson Hooe, one of the first families to settle in Prince William County. Robert Hooe purchased land, which he named "Mayfield", in 1779 and developed it into a bustling farming operation, eventually passing it to his grandson, John Hooe. By 1860, Mayfield included the family home (not the Conner House) and dozens of support buildings spread across 160 acres. It was on this tract of land that Manassas Junction, linking the Manassas Gap Railroad to the Orange and Alexandria Railroad, was established in 1851. The Conner House was built circa 1810, likely by enslaved labor rented from William Weir of Liberia Plantation, originally serving as an overseer's house and later a farmhouse. It survives as an example of a dwelling type indigenous to the Manassas area, and is one of the few remaining antebellum structures in the Manassas area.



Conner House (May 2017)

During the Civil War the Conner House (at that time the Duncan House) served from July to November 1861 as the headquarters of Confederate General Joseph E. Johnston, then the commander of the Confederate Army of the Shenandoah. In August 1862 Colonel Lewis B. Pierce, Commander of the 12th Pennsylvania Cavalry, lay in the house while he was ill and used the house as his temporary headquarters while the 12th PA Cav was performing picket duty at Bristoe Station. With its commanding position overlooking the Orange and Alexandria Railroad (now the Southern Railway), the property known as

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Mayfield served as the site of Confederate encampments throughout the war and as the site of a field hospital. A Timothy O'Sullivan photograph, dated July 1862, and labeled 'the Yellow Hospital', is a photograph of the Conner House.



Manassas, VA, Yellow Hospital, July 1862, Timothy L. Sullivan (Library of Congress)

In 2020 The City of Manassas Park adopted a plan to redevelop the area around the Manassas Park City Hall in a four-phase project that included replacing the City Hall with a multi-story City Hall, and adding retail stores, a city square public plaza, an apartment complex, and a nine-screen movie theater, along with the attendant public parking lots and a multi-story parking garage. Phase 4 of the development concept included two, six-story apartment complexes, one of which was to be built on the Historic Conner House site - a direct threat to the Conner House, and a covered parking garage. It was during this period that BRCWRT initially contacted the Phase 4 developer, Aksoylu Properties, and began a series of discussions on preserving the Conner House. On July 19, 2023, the Manassas Park City Council approved, in accordance with Phase 4 of Manassas Park's downtown development plan, rezoning for five downtown parcels next to the new city hall complex - - clearing the way for two, 10-story apartment complexes, parking garages for nearby retail stores and a commercial building that comprise Phase 4 of the City Center development plan. BRCWRT preservation discussions with Aksoylu Properties continued and included on-site meetings at the Conner House.

Site plan development continued, and on December 13, 2023, the Manassas Park City Council approved the Generalized Development Plan for Artena Park (the apartment complexes). This plan (see diagram from the approved Artena Park Generalized Development Plan, below) avoids the Conner House and the land it sits on in the development footprint for the apartment complex, thereby eliminating the development's direct threat to the Conner House.

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While the direct threat to the Conner House has been eliminated, the historic structure remains 'unpreserved', inaccessible, and with minimal historic interpretation. BRCWRT President Kim Brace and Preservation Chair Blake Myers are continuing discussions with Aksoylu Properties, the Phase 4 developer and landowner, regarding a potential project to preserve, restore and interpret the Conner House.

Chapel Springs (Manassas Logistics Center Phase II) Proposed Development (Bristoe Station and Kettle Run Battlefields, Bristoe Station Battlefield Heritage Park)

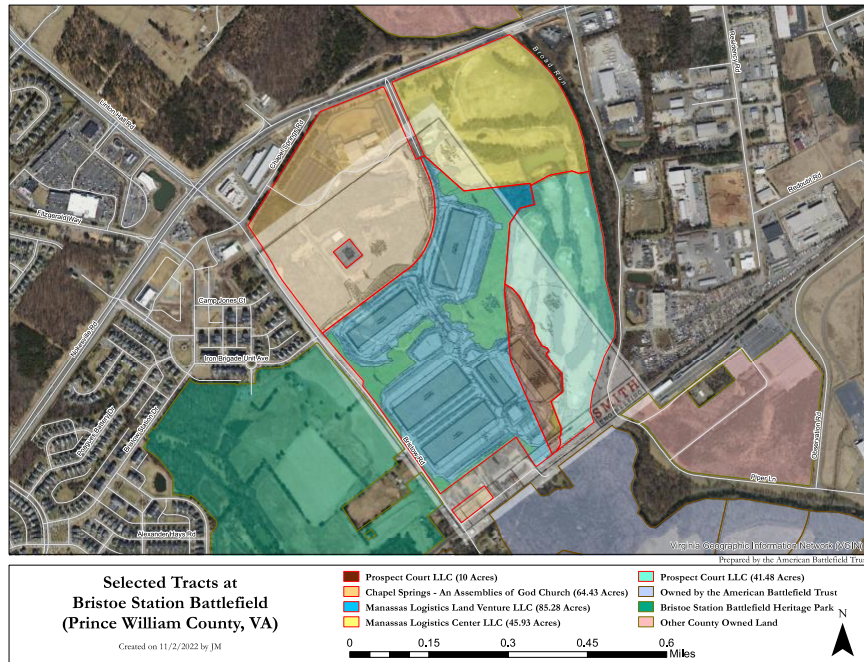
Within the ongoing National Historical Preservation Act Section 106 Review of the proposed Chapel Springs (Manassas Logistics Center) project, The U.S. Army Corps of Engineers (USACE) conducted its 2nd Consulting Party meeting on January 22, 2024. As previously reported, the consulting parties notified USACE of their significant concerns with how the initial (October 5, 2023) meeting was conducted, specifically the minimal information provided to consulting parties prior to the meeting, the lack of discussion of specific adverse effects as determined by the USACE, and the uninformed and inaccurate representation of developer mitigation measures. While minimal information was provided by USACE prior to this 2nd meeting, the time period between the two meetings included discussions between several consulting parties and USACE. The result was a more focused 2nd meeting, including consulting parties' substantive historic preservation concerns with the developer's project plan, site layouts and proposed mitigation measures being addressed and discussed.

While consulting parties await follow up information and documentation promised by USACE, there appears to be a general sense, or at least my impression of one, of where the Section 106 Review may be heading and how preservation issues and concerns may be addressed in the resulting Memorandum of Agreement (MOA).

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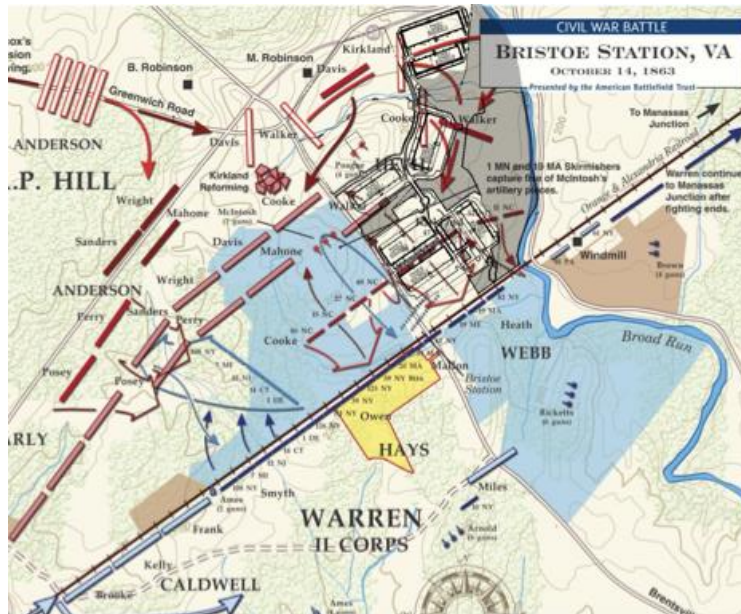
- While the project area, located along Bristow Road and adjacent to Bristoe Station Battlefield Heritage Park (see parcel map below), is within the American Battlefield Protection Program (ABPP) designated Core Areas of both the Kettle Run Battlefield (August 27, 1862) and Bristoe Station Battlefield (October 14, 1863), the project will likely eventually proceed as it is consistent with PW County's designated M-2 (Light Industrial) zoning for the respective land parcels.



Manassas Logistics Center Phase II Project Concept Overlaid on Parcel Map (courtesy PW County)

- Major focus areas for historic site avoidance and adverse effects mitigation measures include the southern section of the project area (see annotated map, below) that features:
 - Land over which Brigadier General William Kirkland's NC Brigade attacked federal forces positioned along the Orange and Alexandria Railroad
 - Remnants of hut sites of a Civil War era encampment with earthworks, and an associated cemetery containing military graves/burials (Archaeological Site 44PW0971) that has been recommended as potentially eligible for listing in the National Register of Historic Places
- And the historic viewsheds to and from Bristoe Station Battlefield Heritage Park and American Battlefield Trust (ABT) owned land that is within the Bristoe Station battlefield core area

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*Proposed Manassas Logistics Center Phase II Overlaid on
ABT's Bristoe Station Battlefield Map (courtesy of ABT and USCAE)*

- Key on-going avoidance and mitigation discussions include:
 - Siting, footprint, and orientation of proposed buildings
 - Project setback distance from the Bristow Road property line (must be greater than the proposed 35 feet)
 - Use, or non-use, of earthen berms
 - Specifics and details of proposed tree screenings along Bristow Road
 - Archaeological Site 44PW0971
 - Additional investigations to confirm or deny GPR detected anomalies as potential human burials
 - Management and care for Archaeological Site 44PW0971 and associated historic sites during and after construction
 - Viewshed assessments, including Balloon Study
 - Logistics Center noise levels and attenuation
 - Procedures, including on-site monitoring, to identify, protect and document unmarked burials/graves discovered during project land clearing and construction operations

There will be more to report as this process continues.

Thank you for your continued interest in, and support of, Civil War historic preservation in general and BRCWRT's preservation projects, actions, and activities.

Blake Myers, BRCWRT Preservation Chair