

Report Faults Army Corps At Chancellorsville

By Deborah Fitts

SPOTSYLVANIA COUNTY, Va. — A federal agency that watchdogs threats to historic resources has sharply criticized the Army Corps of Engineers for failing to safeguard the Chancellorsville battlefield during its review of a residential development plan.

The July 18 letter by the Advisory Council on Historic Preservation (ACHP) was the latest round in an ongoing struggle over the Mullins Farm, a 790-acre tract that includes the scene of fighting at the outset of the battle, May 1, 1863.

On May 28 the Army Corps had cut short its review of plans by owner John Mullins to develop the so-called Ashley-Orrock Tract, a 273-acre section of his property. The swift action by the Corps indicated that it was prepared to give Mullins the green light for six stream crossings, virtually the only permit he required to proceed with 30 homes.

Mullins has the right under current zoning to build 225 homes on his 790 acres and develop 55 acres for commercial use. But the Advisory Council wants the Corps to look again.

"We're pretty pleased with their response," said Jim Campi, spokesman for the Civil War Preservation Trust. The Trust has spearheaded the Coalition to Save Chancellorsville Battlefield, a dozen local and national preservation organizations. Campi said the Advisory Council's five-page letter to the Army Corps "vindicates the arguments that the coalition has made all along."

"We think because of the historic nature of the ground, [the Corps] should have done a more thorough

study of what is there," he said. "It's well known that Mullins wants to develop his whole property, not just 273 acres. It's the Corps's responsibility to look at the broader picture, and they refused to do it."

In its letter, the ACHP noted that the tract lies within the Chancellorsville Battlefield Historic District, and said adverse impact on the district "should have compelled the Corps to conduct a more rigorous review." Instead, the Council said, the Corps merely studied the impact of the road crossings themselves, which would be "relatively minor."

"The residential development that follows will pose far more substantial impacts," wrote Council Vice Chairman Bernadette Castro, who chaired the review panel.

"Of even greater concern, development of this site will no doubt generate pressure for more, and, most likely, denser commercial and residential development on lands that surround" the Ashley-Orrock Tract. "The end result will be the effective loss of the primary scenes of the entire first day's battle at Chancellorsville and future opportunities to appreciate the Chancellorsville battlefield in its entirety."

Campi acknowledged that the Army Corps was not obligated to comply with the Advisory Council's recommendations. But he suggested that "public pressure" over Mullins's controversial development plans "will compel [the Army Corps] at least to think long and hard about this. Our ultimate goal is that the Corps will re-open consultations and try to find a compromise solution," where part of the property could be preserved and

part developed.

The Trust has expressed interest in purchasing at least some of Mullins's rolling farmland, but Mullins has cited a \$40 million figure. The land is assessed at \$5.6 million.

More than 100 people attended a three-hour public hearing called by the Advisory Council July 1, with 32 of the 33 speakers opposing the development plan. In March, the Spotsylvania County Board of Supervisors voted 6-0 to deny a plan to rezone the entire 790 acres for 2000 homes and 2 million square feet of commercial space.

In its letter, the Council recommended that the Corps take "a leadership role in seeking possible options that will encourage the protection of endangered Civil War battlefields," and assess "both primary and secondary adverse effects" of the development on the historic district.

"It should be the stated policy of the Corps of Engineers to consider, in its Public Interest Review of permit applications, the broader long-term and indirect consequences of permitted activities on

nearby American battlefields," Castro wrote, "and work with the owners and local authorities to ensure these values are adequately considered in permit review and conditioning."

The Council noted that the three-day battle was the "greatest victory" of Confederate Gen. Robert E. Lee and "the last battle where Lee and Thomas J. 'Stonewall' Jackson fought together against Union forces."

The Orrock Tract includes the Lick Run portion of the first day's fighting. Confederate pickets and camps were sited on the property the night of May 1 following successful action during the day. The "pivotal events" of the first day resulted in Union commander Joseph Hooker "losing his initiative" and allowing Lee to take the offensive during the rest of the battle, Castro said.

The council is awaiting response to its July 18 report. The full text may be found under "News" at www.civilwarnews.com under the heading "Advisory Council on Historic Preservation July 18 Letter About Chancellorsville."