
To: Friends of Chancellorsville Battlefield

There is no question that the battle to defeat the Dogwood Development Group was a tremendous preservation victory. Dogwood's plan to build an artificial city on the Mullins Farm would have had a devastating impact on the 2,100 acres of Chancellorsville battlefield protected by the National Park Service.

However, we cannot afford to rest on our laurels. The Mullins Farm itself remains extremely vulnerable to development. Thus far, the landowner has rejected overtures by the preservation community to purchase all or part of his property. He is asking preservationists to pay \$40 million for the property -- far more than he is asking from developers.

In addition, the Coalition to Save Chancellorsville Battlefield is seeking mitigation on the property through the U.S. Army Corps of Engineers (USACE) permit process. Despite nationwide interest in the preservation of the Mullins Farm, USACE is using a streamlined process that practically ignores the historic significance of the property. Given the role that Civil War-era USACE personnel played in the battle, this is indeed a travesty.

Following is a news article about the situation. The Coalition anticipates that there will be several opportunities for public comment in the coming weeks. In the meantime, we urge friends of Chancellorsville Battlefield to get involved by asking USACE to do a more thorough review of the Orrock-Ashley Tract (a key part of the Mullins Farm).

You can do so by faxing your remarks to the Norfolk District Public Affairs Office at 757-441-7133.

Again, thank you for your continuing interest in Chancellorsville Battlefield. With your support, we can achieve another victory for this hallowed battleground.

Best Wishes,

Jim Campi

Mullins battle goes on Battlefield preservation groups asking Corps of Engineers to take another look at permit for developing portion of Mullins farm on Chancellorsville battlefield.

By RUSTY DENNEN

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<http://fredericksburg.com/News/FLS/2003/052003/05292003/989790>

With the smoke barely clear from their most recent skirmish, battlefield preservationists and a Spotsylvania County landowner are going at it again--this time over a federal permit.

The Civil War Preservation Trust and several other preservation groups want the U.S. Army Corps of Engineers to take a more detailed look at Civil War history on a portion of John Mullins' farm, which spans part of the Chancellorsville battlefield.

The trust, which has been fighting a string of development plans on Mullins' property, contends that the corps has failed to properly review Mullins' plan to develop the 273-acre Orrock-Ashley tract. It charges that the corps has not properly defined the permit area and has not done the necessary environmental, historical and archaeological fieldwork.

Further, it says that the corps is proceeding under a generic nationwide permit when it should have required Mullins to proceed under a more thorough individual permit. Under federal rules, the agency may consider any impact on historic sites as part of its permit review and can require developers to change their plans to mitigate potential damage during construction.

"The corps is looking at narrow road issues. We think that they should look at the broader picture," said Elizabeth S. Merritt, an attorney for the National Trust for Historic Preservation. "I think the bottom line is that we want a greater degree of mitigation than the corps is willing to require."

The land is considered hallowed ground by preservationists because it was the scene of first-day fighting in May 1863. The tract is within the Chancellorsville Battlefield Historic District.

Jim Campi, director of policy and communications for the Civil War Preservation Trust, said another problem with the permit is that the corps has decided to take the unusual step of terminating consultation, effectively cutting off further historical investigation on the land.

Bruce F. Williams, chief of the corps' Northern Virginia regulatory office, said in a May 16 letter to the Civil War Preservation Trust the decision was made because various agencies involved could not agree on the permit area, or the mitigation that would be required. Williams said the consulting parties were given ample opportunity to comment on five separate occasions.

The corps last terminated consultations on a permit application in 1993 for the Greensprings Plantation project in Williamsburg.

The agency has not yet formally announced that it has taken that step. Campi said he expects notification soon.

When that happens, the decision will go to the Advisory Council for Historic Preservation for review, and then the corps will make its final decision on Mullins' application.

Hal Wiggins, a biologist in the corps' Fredericksburg office who reviewed the initial permit request, said that the agency has done a good job on the Mullins tract and has gone to great lengths to help protect other historic sites in the area.

In July 2002, Mullins applied for corps permission to build six roads into the property across wetlands.

In exchange for permission to build the roads, Wiggins said, Mullins agreed to mitigate any damage, and to protect the site of the Civil War-era Ebenezer McGee House on the property.

"We have to be an honest broker here. We won't destroy historic resources, or harm a landowner," Wiggins said, adding that, technically, Mullins did not even require a corps permit for the road crossings, but applied for one anyway.

"He did submit an application, which included buffers" around sensitive areas, Wiggins said, and agreed to leave the house site intact.

Mullins, contacted on Tuesday, said, "My application is with the Corps of Engineers. Therefore, I have no comment."

Mullins has had a long, and at times, bumpy road in his attempts to develop his 800 acres of rolling farmland along State Route 3.

In 1999, he dropped plans for an office park, subdivision and golf course after the corps required extensive mitigation to protect wetlands and historic areas.

In March of this year, Dogwood Development Group's proposed town of 1,995 homes and up to 2.2 million square feet of businesses was rejected by the Spotsylvania County Board of Supervisors after local residents and preservation groups across the country mobilized to fight it.

That left Mullins with the permit pending on the Orrock-Ashley tract, and presented a new target for the trust, which has approached Mullins about buying the property. Those talks went nowhere after Mullins said he'd be willing to sell the entire tract for \$40 million, a sum the trust has called "laughable."

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