



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

State of Indiana

Washington, DC
July 2009



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U.S. Department of the Interior
National Park Service
American Battlefield Protection Program

Washington, DC
July 2009

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: Corydon Battlefield, east of Battle of Corydon Memorial Park, Harrison County, Indiana. Photograph by Joseph E. Brent, 2005.

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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:

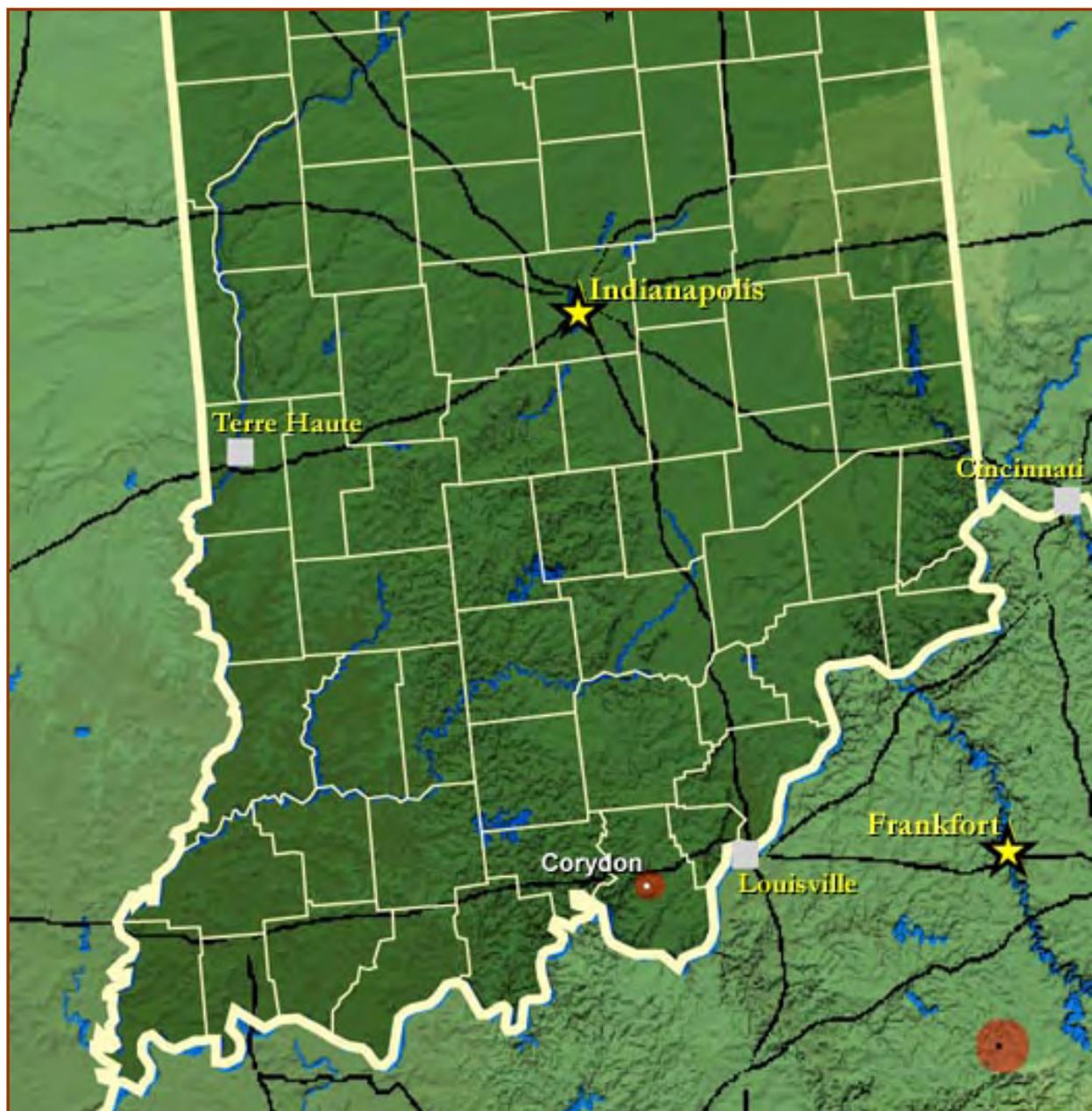
- 1) to act quickly and proactively to preserve and protect nationally significant Civil War battlefields through conservation easements and fee-simple purchases of those battlefields from willing sellers; and
- (2) to create partnerships among state and local governments, regional entities, and the 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 Indiana's Civil War battlefield 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. Corydon, the only CWSAC battlefield in Indiana, is located west of Louisville, Kentucky.



Synopsis

In 1993, the CWSAC report identified Indiana’s only Civil War battlefield, **Corydon**, as a resource meriting additional preservation protection. At that time, a five-acre portion of the more than 3,800-acre battlefield was already protected as a county park. Since 1993, little preservation work has been undertaken to protect the privately owned portions of this historic landscape. In addition, future efforts to preserve this battlefield will be complicated by the fact that a portion of the battlefield’s southern Core Area crosses Ohio River and stretches into Kentucky.

During the Civil War, most of the area was used for agricultural purposes. In 2005, ABPP surveyors found more than half of **Corydon’s** Study Area to retain a rural character. However, while the landscape still includes many wooded areas and, while land use is predominantly agricultural, a significant portion of the **Corydon** battlefield Study Area has been lost to residential development. This pressure, which has expanded west towards **Corydon** from Louisville, Kentucky, has been carried by I-64, which is less than five miles from the battlefield. Thanks to easy access provided by the interstate, the greatest concentrations of residential development have occurred within the battlefield Core Areas.

Given the nature of this threat to **Corydon**, the need for more aggressive preservation activity is apparent. Land and cultural resource protection at this site should be the focus of intensified local, state, and federal battlefield preservation efforts in Indiana during the next three to five years.

Table 1 indicates how the CWSAC prioritized Indiana’s Civil War battlefield 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 |
| I Critical Need | None | NA |
| II Comprehensive Preservation Possible | None | NA |
| III Additional Protection Needed | Corydon | Harrison |
| IV Fragmented/Destroyed | None | NA |

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 site surveys of each battlefield and 2) prepared and sent out questionnaires to battlefield managers and advocacy organizations (see Appendix B).

Research and Field Survey

The ABPP conducted the field assessment of **Corydon** in November 2005. The survey 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) to map historic features of the battlefield and used a Geographic Information System (GIS) to draw site boundaries. The ABPP retains all final survey materials. The 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 survey 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 (see Figure 2). 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 techniques, 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.¹ 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, 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). At **Corydon** the refined methodology resulted in significant increases to the sizes of the Study Area and Core Area. However, it is important to note that the Study Area and Core Area boundaries are simply historical boundaries that describe where the battle took place; neither indicates the current integrity of the battlefield landscape, so neither can be used on its own to identify surviving portions of battlefield land that may merit protection and preservation.

¹ American Battlefield Protection Program, “Battlefield Survey Manual,” (Washington, DC: National Park Service, revised 2007), <http://www.nps.gov/history/abpp/battlefieldsurveymanual.pdf>, October 2008.

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 2).

Looking at each Study Area, the surveyors assigned PotNR boundaries where they judged that enough battlefield land remained to convey the significance of the engagement. 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 guidelines when identifying and mapping areas that retain integrity and cohesion within the Study Areas.² However, because the ABPP focuses only on areas of battle, the ABPP 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.**³ 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.

Figure 2: 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. 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 fighting on the battlefield. Positions that delivered or received fire, and the intervening space and terrain between 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. The Core Area lies within the Study Area.

Unlike the Study and Core Areas, 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. Lands within PotNR boundaries should be considered worthy of further attention, although future evaluations may reveal more or less integrity than indicated by the ABPP surveys.

² 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.

³ 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.

The term integrity, as defined by the National Register of Historic Places, is “the ability of a property to convey its significance.”⁴ While assessments of integrity are subjective, battlefields can have integrity only if they can be positively located through research and “ground-truthing,” and only if significant portions of the landscape’s historic terrain have not been substantially disturbed. 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 resources and the intervening terrain 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.

Natural changes in vegetation—woods growing out of historic farm fields, for example—do not necessarily diminish the landscape’s integrity. Significant changes in land use since the Civil War do affect integrity; the degree to which post-war development has altered and fragmented the historic landscape and destroyed historic features is critical when assessing integrity. Still, some post-battle development is expected; slight or moderate change within the battlefield may not substantially diminish a battlefield’s integrity. Often these post-battle “non-contributing” elements are included in the PotNR boundary in accordance with National Register of Historic Places guidelines.

The Potential National Register boundaries therefore indicate which battlefields are *likely* eligible for future listing in the National Register of Historic Places 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), it did not receive a PotNR boundary. In cases where a battlefield was already listed in the National Register, 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 lands already listed in the National Register of Historic Places. In other cases, PotNR boundaries will exclude listed lands that have lost integrity.⁵

The data from which all three boundaries are drawn do not necessarily reflect the full research needed for a formal National Register nomination. Potential National Register boundaries are based on an assessment of aboveground historic features associated with

⁴ National Park Service, *Guidelines for Identifying, Evaluating, and Registering America’s Historic Battlefields*, 1992 (Washington, DC: U.S. Department of the Interior, National Park Service, Interagency Resources Division), 10. Archeological integrity was not examined during this study, but should be considered in future battlefield studies and formal nominations to the National Register.

⁵ The ABPP’s surveys and PotNR assessments do not constitute formal action on behalf of the office 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.

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 Act⁶ and Environmental Impact Statements/Environmental Assessments required by the National Environmental Policy Act.⁷ Likewise, more detailed research and assessments should take place when any battlefield is formally nominated to the National Register or proposed for designation as a National Historic Landmark. 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.

A small portion of **Corydon**, has already been listed in the National Register of Historic Places (see *Registration*). With the expansion of the battlefield's Study and Core Areas, the PotNR boundary, as identified by the ABPP, provides guidance for expansion of the existing National Register boundaries to include more than 77 percent of the total Study Area.

Questionnaire

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.

Responses were provided by representatives from the Harrison County Parks and Recreation Department. Input from these sources, combined with the survey findings, allowed the ABPP to create a profile of conditions and activities at Indiana's Civil War battlefield.

⁶ 16 USC 470f.

⁷ 42 USC 4331- 4332.

Summary of Conditions of Indiana’s Civil War Battlefield

Quantified Land Areas

Using Geographic Information Systems, 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 and that remains to be protected (Potential National Register boundary).

As noted above and as Table 2 illustrates, the Study Area and Core Area of **Corydon** have been revised. In particular, the original CWSAC surveys did not consistently include routes of approach and withdrawal or secondary actions that influenced the course or outcome of the battle. The revised boundaries take these movements and actions into account. In some instances, new or additional research has sharpened our understanding of battle events. Therefore, the ABPP determined that additional lands belong appropriately in the Study and Core Areas because they lend additional understanding to the battle story. Please see the individual battlefield profile at the end of this report for more information about the extent of and reasons for any revisions to the CWSAC Study Area and Core Area boundaries.

Table 2. Battlefield Area Statistics

| Battlefield | Boundary Type | Established/Revised* | Acres** |
|--------------------|----------------------|-----------------------------|----------------|
| Corydon (IN001) | Study Area | 2009 | 3,122.96 |
| | Core Area | 2009 | 280.31 |
| | PotNR | 2009 | 2,456.81 |

** If the ABPP adjusted the boundaries based on research or refined survey methods, the year in which the revision was made is given*

***Boundary figures reflect only those areas in Indiana. See the Individual Battlefield Profile for information about the size of battlefield lands as they extend into Kentucky.*

Condition Assessment

Using field survey data, the ABPP assessed the overall condition of each battlefield’s *Study Area* with the expectation that no battlefield would remain completely unaltered since the Civil War. At **Corydon**, moderate change to terrain and aboveground battle features has occurred during the past 150 years.⁸ During the 1860s, most of this area was farmland. Today, land use in the battlefield Study Area is still 60 percent agricultural, while approximately 15 percent of the landscape has seen some form of development. In the Core Areas, the percentage of agricultural land use decreased to 55 percent, while development has increased suburbanized areas to 25 percent. In areas of development,

⁸ 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.

the battlefield’s integrity has been diminished by construction of single-family homes, commercial buildings, and transportation infrastructure.

| Table 3. Condition Summary | |
|---|--------------------|
| Condition | Battlefield |
| Land use is little changed (0) | NA |
| Portions of landscape have been altered, but most essential features remain (1) | Corydon |
| Much of the landscape has been altered and fragmented, leaving some essential features (0) | NA |
| Landscape and terrain have been altered beyond recognition (0) | NA |
| Battlefields that were not assessed (0) | NA |

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 National Register 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 on the National Register 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.⁹

As noted above, a small portion of **Corydon** is already listed in the NRHP. This piece was registered in 1979, prior to the Civil War Sites Advisory Commission’s study of battlefields in the early 1990s. The boundaries of “Corydon Battle Site,” include 5.00 acres. Surveys

⁹ 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. National park units and NHLs are also treated as listed in the National Register.

conducted during this study indicate that additional lands – more than 2,400.00 acres in Indiana and more than 500.00 acres in Kentucky (more than 77 percent of the total Study Area) – may be eligible to add to the existing NRHP listing.

Stewardship

While the majority of **Corydon** is in private, unprotected ownership, the municipal government of Harrison County does own and manage a small portion of the battlefield. The Battle of Corydon Memorial Park was established by the Harrison County Parks and Recreation Department after the five-acre property was donated by a private owner in 1975. The site includes a commemorative monument, interpretive signage, and a wooded walking trail, among other resources. The additional 2,400.00 acres of unprotected, intact land within Indiana and 500.00 acres in Kentucky would be well served by similar stewardship efforts.

Public Access and Interpretation

In its questionnaire, the ABPP asked battlefield stewards about the types of public access and interpretation available at the 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 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 the county park at **Corydon** currently provides a variety of public interpretation and educational opportunities. While **Corydon** does not have a Visitor Center, the park does provide wayside exhibits and commemorative signage within a wooded walking trail. The site includes a Civil War monument and offers interpretive brochures for public education.

Local Advocacy

Nonprofit organizations play important roles in protecting historic battlefields. Nonprofit 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.

At **Corydon**, the Battle of Corydon Memorial Park Advisory Board, which works cooperatively with the Harrison County Parks and Recreation Department and other stakeholders, promotes educational and commemorative events for the battlefield. While other organizations with more general historical interests may also play important roles in battlefield preservation within the state of Indiana, the Battlefield of Corydon Memorial Park Advisory Board is recognized within this report for being the only organization dedicated *solely* to the goals of battlefield preservation, interpretation, and promotion.



**Figure 3: Battle of Corydon Memorial Park, Harrison County, Indiana.
Photograph by Joseph E. Brent, 2005**

Individual Battlefield Profile

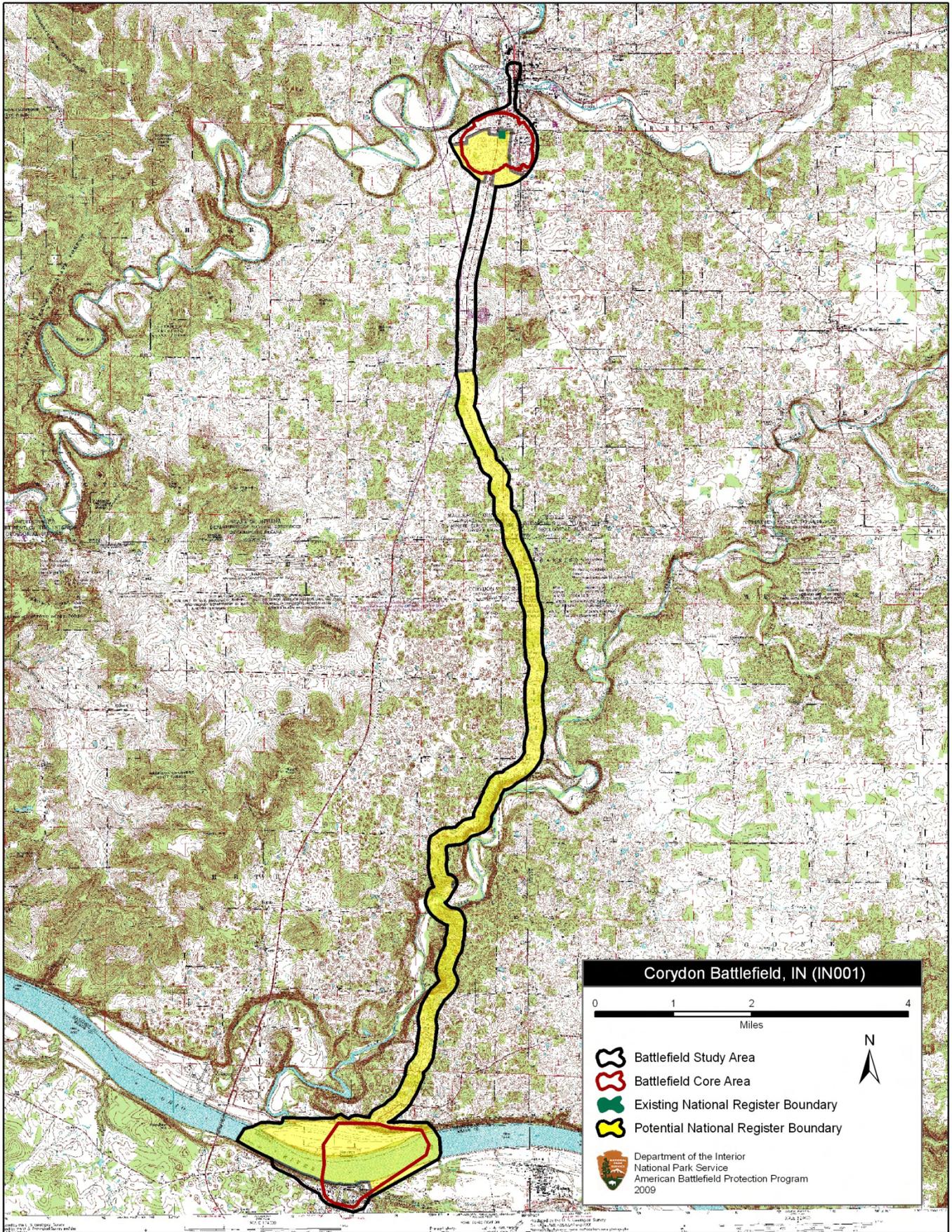
Battlefield Profile Glossary

| | |
|---|--|
| 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 | Acres within the Study Area (see Table 2), as determined by the ABPP, that represent the historic extent of the battle upon the landscape. |
| Potential National Register Lands | Acres of land that retain historic character and may be eligible for listing in the National Register of Historic Places (see Table 2). |
| Protected Lands | Estimated acres (based on questionnaires and GIS) of battlefield land set aside or placed under permanent easement since the Civil War for the purposes of maintaining the historic character of the landscape and for preventing future impairment or destruction of the landscape and historic features. |
| Publicly Accessible Lands | Estimated acres (based on responses to questionnaires) maintained for public visitation. |
| Management Area | Name of historic site, park, or other area maintained for 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 historical designation the battlefield has received (i.e. national park unit, National Historic Landmark, or National Register of Historic Places). |

Corydon (IN001)

| | |
|---|--|
| Location | Harrison County, Indiana, and Meade County, Kentucky |
| Campaign | Morgan's Raid in Kentucky, Indiana, and Ohio (July 1863) |
| Battle Date(s) | July 9, 1863 |
| Principal Commanders | Col. Lewis Jordan [US]; Brig. Gen. John Hunt Morgan [CS] |
| Forces Engaged | Indiana Legion, 400 [US]; Morgan's Cavalry Division, 1,800 [CS] |
| Results | Confederate victory |
| Study Area | 3,806.29 acres (3,122.96 acres in Indiana; 683.33 acres in Kentucky) The new Study Area includes the site of the Confederate crossing of the Ohio River. Here, the Indiana Home Guard contested the Confederate advance into the state. |
| Potential National Register Lands | 2,967.54 acres (2456.81 acres in Indiana; 510.73 acres in Kentucky) |
| Protected Lands | 5.00 acres Harrison County Parks and Recreation Department, fee simple |
| Publicly Accessible Lands | 5.00 acres Harrison County Parks and Recreation Department, Battle of Corydon Memorial Park |
| Management Area(s) | Battle of Corydon Memorial Park |
| Friends Group(s) | Battle of Corydon Park Advisory Board |
| Preservation Activities Since 1993 | <ul style="list-style-type: none"> Advocacy Cultural Resource Surveys and Inventories Fundraising ✓ Interpretation Projects Land or Development Rights Purchased Legislation Planning Projects Research and Documentation |
| Public Interpretation Since 1993 | <ul style="list-style-type: none"> ✓ Brochure(s) Driving Tour Living History ✓ Maintained Historic Features/Areas Visitor Center ✓ Walking Tour/Trails ✓ Wayside Exhibits/Signs ✓ Website http://www.harrisoncoparks.com/BOC.html http://www.corydonbattlepark.com Other |

| | |
|-------------------------------|--|
| Condition Statement | Portions of the Corydon landscape have been altered, but most essential features remain. While development pressure from Louisville, Kentucky, has diminished the integrity of portions of the battlefield, most of Corydon is characterized by farmland and wooded areas that retain historic and interpretive value. |
| Historical Designation | National Register of Historic Places (1979) |



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.)

1) 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 |
|------------------------|--------------|----------------------------------|-----------------|-------------|------------------|---|
| <i>Joe Smith Farm</i> | <i>194</i> | <i>Private</i> | <i>SHPO</i> | <i>1995</i> | <i>\$500,000</i> | <i>LWCF/\$250,000</i> <i>Private/\$250,000</i> |
| <i>Sue Jones Tract</i> | <i>16</i> | <i>Battlefield Friends, Inc.</i> | <i>No</i> | <i>2002</i> | <i>\$41,000</i> | <i>State/\$20,000</i> <i>BFI/\$21,000</i> |

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)

- | | |
|---|---|
| <input type="checkbox"/> Federal government | <input type="checkbox"/> Private Nonprofit organization |
| <input type="checkbox"/> State government | <input type="checkbox"/> Private owner |
| <input type="checkbox"/> Local government | <input type="checkbox"/> 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?

- | | |
|---|---|
| <input type="checkbox"/> Visitor Center | <input type="checkbox"/> Audio tour tapes |
| <input type="checkbox"/> Brochure(s) | <input type="checkbox"/> Maintained historic features/areas |
| <input type="checkbox"/> Wayside exhibits | <input type="checkbox"/> Living History |
| <input type="checkbox"/> Driving Tour | <input type="checkbox"/> Website |
| <input type="checkbox"/> Walking Tour | <input type="checkbox"/> 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). These grants have assisted in the permanent protection of more than 15,742 acres at 61 Civil War battlefields in 14 states. While there have been no CWBLAG grants awarded in Indiana to date, more than 2,900.00 acres of **Corydon** battlefield may be eligible for land acquisition funding from this program.

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.

The ABPP planning grant program has supported projects in Indiana that were associated with the battles of other conflicts. While ABPP has not yet awarded planning grant funds to projects associated with Indiana's Civil War battlefield, the program has granted nearly \$9,500,000 to 379 projects throughout the country. Projects associated with portions of the **Corydon** battlefield Study Area are eligible to receive funding from this program.