

Proposed National Park Service Approval of Cemetery Memorial-Stone and Surround of Name-Blocks: General Description and Review-to-Date

(For the packets of background information referenced below, see elsewhere in this webpage's "Document List" [1] a proposal *Description Packet* with photographs and other illustrations of location, site, dimensions, Area of Potential Effect, and a map from 1860, and [2] a proposal *Research Packet*, including a *Geophysical Investigation Report: Historic Cemetery, Bracketts Farm Louisa County, Virginia* by Mark J. Howard of NAEVA Geophysics, and the Foundation's description of planning; background; and historical research.)

The National Park Service (NPS) invites review of and comment on a proposed NPS response to a request for approval of a project planned by the Elisabeth Aiken Nolting Charitable Foundation (the Foundation): construction at Bracketts of a cemetery memorial stone and viewing-surround of grade level name-blocks. The NPS reviews the request under the terms of its 1973 conservation easement for the property, situated in the Green Springs National Historic Landmark District, Louisa County Virginia.

The opinions of the NPS advisers cited below are predecisional and recommended, and offered as the requisite next step in our review under the terms of Section 106 of the National Historic Preservation Act (NHPA). Since the NPS is not itself proposing or funding the memorial stone and surround of name blocks, and is not owner of the property, the federal undertaking subject to Section 106 is a proposed NPS response to the Foundation's request for approval. That response and the opinions of the NPS advisers remain proposed until conclusion of this review, and after NPS consideration of the views and information of the consulting parties; interested parties; and the public, and after any effort to seek agreement where needed and feasible.

The NPS proposes a determination of No Adverse Effect to Historic Properties, for the planned memorial stone and surround of name-blocks and therefore also proposes to grant the Foundation approval, under the terms of the conservation easement, for construction. This proposed determination of effect is made at the recommendation of the NPS Section-106 advisers for the Landmark District, for archeology; historic landscape architecture; and historic architecture. Given the nature and sensitivity of the proposed memorial, the Manager of the Monument Research and Preservation Program, NPS Northeast Region, serves in the capacity of Section-106 adviser to the NPS for history for this review.

The length of this overview, and of its description- and research packets reflect the maximized planning and consideration required of federal agencies when considering undertakings that involve National Historic Landmarks, as per Section 110 of the NHPA.

Although the NPS, for its proposed response, is soliciting review and comment by all consulting parties, interested parties, and members of the public, any final decision it makes would be limited to the terms of the conservation easement and the NHPA, and not also imply any review and approval that the Foundation might need separately, from the County of Louisa or other authorities or from families or descendants who may have a role in cemetery decision-making.

Bracketts Farm and Project-Area (*Description Packet*, pp. 1-2, 4, 8-10)

Bracketts is a 514-acre farm situated at 1117 Nolting Road, Louisa, Virginia 23093, near the center of the National Historic Landmark District.

The memorial stone and surround of name-blocks are proposed for a location 800 feet south of what the conservation easement terms the “manor house” at Bracketts, 130 feet east of the tobacco barn/tobacco house, about 12 feet from and outside of the southwest corner of the fenced-and-marked Watson Family Cemetery (also known as the “Watson-Taylor Family Cemetery” or the “Bracketts Farm Cemetery”) and just outside of the western edge of the area of the geophysical survey of 2016.

Project Background and Special Considerations for Adjacent Cemeteries (*Description Packet*, p. 3; *Research Packet*, various pages)

The Foundation intends to memorialize with the stone and surround of name blocks those enslaved people who are buried on the farm. As described on the Foundation’s webpage (copy in *Research Packet*), the proposed structure was designed by descendants of the enslaved residents of Bracketts. The Foundation identifies the unmarked cemetery adjacent to the proposed memorial as a “slave cemetery.” A burial ground is shown at this location on an 1860 map of the property (*Description Packet*, p. 3).

The boundaries and burial-locations of the unmarked cemetery were indicated by a non-intrusive geophysical/ground-radar survey conducted in 2016. The report of the geophysical consultant found “two rows of reflectors that appear to line up with rows of graves in the marked [Watson Family] cemetery, north of the [unmarked] suspected enslaved persons cemetery” (*Research Packet*, Geophysical Investigation Report, p. 5). The consultant also found “a linear pattern” of reflectors along the western edge of the survey area and “aligned with the western edge of the marked cemetery to the north,” a pattern interpreted by them as a feature that “could be caused by some remnant of a wall along this edge of the [unmarked] cemetery” (pp. 5-6).

The Foundation intends for the memorial stone and surround of name-blocks to be situated near to the unmarked cemetery but not disturbing of any of its burials or grave-shafts (or of any burials or shafts of the Watson Family Cemetery, to the north, that ended up situated outside of its fenced perimeter). As property owner, the Foundation is aware of the special sensitivity afforded cemeteries, and has the Virginia Department of Historic Resources’ online guidelines regarding cemetery preservation, law, and burial permits in the Commonwealth.

The NPS anticipates that the Phase One archeological testing it proposes to undertake, as described below, prior to it reaching final decision on whether or not to grant the Foundation approval, will reveal that the 6 inches of excavation needed for the proposed memorial stone and surround of inscribed blocks would not affect unmarked burials or grave shafts, or the qualities that make Bracketts and the Green Springs National Historic Landmark District significant, and have No Adverse Effect on historic properties.

National Register Identification/Inventory

The National Register of Historic Places nomination-form for the Green Springs Rural Historic District (National Register status certified 1973; National Historic Landmark status granted 1974) designates Bracketts (nomination-form continuation sheet, pp. 10-12) as of “Outstanding” importance to the

Landmark District. The nomination-form includes the tobacco barn/tobacco house as a component resource.

Conservation-Easement Stipulations

Restriction 2 of the NPS-managed Bracketts conservation easement of 1973 stipulates that the property's owners may propose "farm buildings and structures." After consultation with its Department of the Interior Solicitor's Office, the NPS defines the proposed memorial stone and surround of name-blocks as a proposal for a "structure" and more specifically for a farm structure, given the abundance of stone memorials to people who are buried on farms in the surrounding Landmark District and county, including in the Watson Family Cemetery at Bracketts.

The conservation easement stipulates that any proposed farm structures considered for approval must be those that would be "constructed in a way that would in the opinion of the Grantee [NPS] be in keeping with the historic character of the manor house, its setting and the character of the Green Springs Historic District."

Description of Proposed Memorial and Surround of Name Blocks (*Description Packet*, pp. 6-7; *Research Packet*, various pages)

The project would entail installation of a light-gray granite memorial-stone that measures 7 1/2 inches in height above grade level; 30 inches in width; and 12 inches in depth, and bears the following inscription on a polished surface inclined to 15 degrees:

In Memory of the Enslaved People of Bracketts Farm

"Eternal God, we praise You for these souls who now rest from their labors. Let Your perpetual light shine upon them. To all these grant Your peace. Resting in God's amazing grace. Sunday June 5, 2016"

The project would also entail installation of a rectangular-plan viewing surround, at grade-level; around the memorial stone; and composed of 130 gray-granite blocks. Each of those would measure 6 inches in length, 4 inches in length, and 2 1/2 inches in thickness. Each block would be inscribed with the name of a person identified by the Foundation's historical research (*Research Packet*) as once enslaved at Bracketts but whose final resting place does not currently have a grave-marker there. Some 120 names are currently listed in that research; the remaining blocks would be left uninscribed for the time being, in order to accommodate additional names suggested by future research.

The granite blocks would be dry laid; flush with ground-level; adjoin one another with the joints composed of brushed, white sand; and match the color of the central memorial-stone. In surface area, the surround of name-blocks, with the memorial stone at its center, would extend 78 inches (the 6-inch sides of 13 blocks) by 44 inches (the 4-inch sides of 10 blocks), with the 44-inch sides parallel to the eastward viewing-direction for the memorial- and name-block inscriptions. Below ground level, the memorial stone would rest on a 4-inches-thick concrete pad and, below the pad, a 2-inches-thick bed of gravel. The surround of name-blocks would rest on a 2-inches-thick bed of gravel. The stone and surround overall would thus require excavation of an area 78 inches by 44 inches in area, and 6 inches in depth at the deepest.

The memorial stone and surround would be of the same color as the existing granite markers in the adjacent Watson Family Cemetery.

Area of Potential Effect (*Description Packet*, p. 2)

Given the emphasis on “setting” and “historic character” in the conservation easement, this review considers landscape- and visual aspects of the proposed memorial stone and surround, as well as archeological and ground-disturbing aspects at the immediate project-footprint. The proposed structure would not be visible from the manor house, which is situated 800 feet to the north and screened by intervening trees and other vegetation and by structures.

Nevertheless, the review considers potential visual effects to two other historic resources near or adjacent to the proposed memorial stone and surround: the tobacco barn to the west, and the Watson Family Cemetery to the north. Along with the project’s immediate, proposed footprint, those two resources also define the Area of Potential Effect.

NPS Proposed Archeological Testing

The NPS proposes that its archeologist conduct Phase One testing of the 44-inch by 78-inch footprint of the proposed memorial stone and surround. This would determine whether any burial shafts, unmarked graves, or intact archeological levels or features are present there. In depth, the testing would not exceed 6 inches, as per the following request from the Foundation’s President: “The direct descendants community is firm that no digging be done other than that necessary to place the memorial, and that digging must not exceed six (6) inches deep.”

If intact levels or features are found during the Phase One testing, or if evidence of burial shafts or graves is encountered, the NPS would cease testing and conduct further consultation to discuss ways to reduce, avoid, or mitigate the project’s effects.

Proposed NPS Determination of No Adverse Effect

Assuming that the proposed Phase One archeological testing identifies no burial shafts; unmarked graves; or intact archeological levels or features, and after also considering potential visual and aesthetic aspects of the proposed memorial stone and surround of name blocks, the NPS proposes a determination of No Adverse Effect to Bracketts, the Green Springs National Historic Landmark District, and historic properties. The NPS also proposes that the stone and surround, in the terms of the conservation easement, would be in keeping with the historic character of the Bracketts manor house, its setting and the character of the Green Springs Historic District.

The NPS Section 106 adviser for landscape architecture recommends that the project would “have No-Adverse Effect, on the tangible or intangible resources that make the district eligible for the National Register of Historic Places.” The adviser for architecture recommends that the memorial stone and surround would be “in close proximity to an existing cemetery, and therefore contextual, and visually, the low profile will minimize any visual impact on the view shed.”

With the agreement of the Virginia Department of Historic Resources, as the State Historic Preservation Office, this review combines the Section-106 steps of Initiation of Consultation, Identification of Historic Properties, and Assessment of Adverse Effects.