



United Nations Tribunal

Comments by Justin A. Sarafin, Director of Preservation Initiatives & Engagement, Preservation Virginia
Charlottesville, VA October 28, 2017

I am submitting these comments on behalf of Preservation Virginia, the nation's oldest statewide historic preservation organization, to voice concerns about the Atlantic Coast Pipeline (ACP) and Mountain Valley Pipeline (MVP) and the deficiencies we have observed in the Section 106 process to protect historic sites potentially affected by these projects. My name is Justin Sarafin, I am an architectural historian and historic preservationist and work on advocacy and public policy statewide as Director of Preservation Initiatives and Engagement.

Since 2015, Preservation Virginia has been involved with historic resources in multiple Virginia counties potentially impacted by the Atlantic Coast Pipeline and the Mountain Valley Pipeline. From a professional historic preservation perspective, the review process for these projects under Section 106 of the National Historic Preservation Act has raised a number of red flags and has been flawed, at best. The lack of notification and information-sharing for landowners potentially affected has been spotty, access to detailed information has been limited, and the opportunities for public comment have been restrictive and fundamentally non-public in nature, consisting of one-on-one interviews. These issues point to a general lack of access to what should be a public and transparent process. That we and other organizations have been denied consulting party status as part of the review process has been noted by the Advisory Council on Historic Preservation, but seems not to have altered the artificially-accelerated timeline of the project approvals. The information regarding sites surveyed or artifacts recovered from significant historic and cultural landscapes that has been provided to potentially-affected landowners and interested stakeholders- those who are likely to have their property taken by eminent domain- continues to be incomplete and inconsistent.

We have been especially concerned about insufficient level of review in Buckingham County, the site of the proposed compressor station for the ACP. Our concern for Buckingham County's historic resources has much to do with its interwoven social and political environment; the Buckingham County Board of

Supervisors voted for a zoning change to allow industrial land use on the site of the compressor station, leaving the longtime residents of the Union Hill community in a particularly threatened position.

This situation speaks to the general lack of formal survey of National Register of Historic Places-eligible resources in areas associated predominantly with African American history and is rooted in a 20th century bias toward the recordation of white history. While this lack of diversity in the historic architectural canon is being addressed by the profession, the lack of documented resources- like the post-Emancipation landscape of Union Hill- makes the application of the Section 106 process all but impossible.

Union Hill was home to multiple plantations that operated with enslaved workforces, like Variety Shade plantation, the archaeological remains and white and slave cemeteries of which are near the approximately 70-acre parcel purchased by ACP, LLC for siting the compressor station. Upwards of 400 enslaved individuals worked at Variety Shade; on the property there remains a burial site for slaves, which we estimate to contain nearly 200 graves, a few of them marked. After Emancipation, formally-enslaved and free African Americans purchased land in the area, many of the descendants of whom still live there today. While researching the area, one landowner stated, "The majority of families' grandparents were slaves in this area."

The historical narrative of the post-Emancipation African-American community of Union Hill is revealing of the successes and struggles of generations of African Americans in Virginia, and beyond. These types of settlements have been scarcely studied in Virginia but have the potential to provide an enormous amount of invaluable historical information on the lives of Emancipation and Reconstruction-Era African Americans and the communities they created forged. Such discussions of the history of race in America have never been more relevant- or their potential erasure from the landscape more egregious and troubling.

Every year Preservation Virginia releases an annual list of Virginia's Most Endangered Historic Places; in May 2016, we included a thematic listing for "Historic, Cultural, and Natural Resources Impacted by Energy Infrastructure Projects," in direct response to the threats that the ACP and MVP pose to specific communities and historic resources. That listing, which recognized the Union Hill area, is still highly relevant and is why we are here today; in response, this year we listed as most endangered the Section 106 Review Process (of the 1966 National Historic Preservation Act). The ACP and MVP threaten to destroy the identities of communities and peoples' attachment to place in areas like Union Hill and

countless others along both of their paths; they require more adequate review before they should be allowed to proceed. Thank you.