

Blair Mountain information

The Blair Mountain Battlefield National Register nomination was approved by the WV Archives and History Commission on February 22, 2008, and subsequently forwarded to the Keeper of the National Register.

According to 36 CFR 60.6, private property owners have the right to object to listing in the National Register of Historic Places (NRHP). It is the responsibility of the State Historic Preservation Office (SHPO) to count all notarized objections from owners of property within the boundaries of the Blair Mountain Battlefield. Prior to listing, the SHPO noted that there were 57 property owners within the boundaries, 22 of whom objected.

If a majority of property owners object, the property cannot be listed in the NRHP. However, the property can be "determined eligible" for listing. Properties that are either listed in or determined eligible for listing in the NRHP are considered historic and adverse effects of state and federal undertakings must be taken into consideration.

The NPS received a letter dated February 27, 2009, from JacksonKelly Attorneys at Law, PLLC requesting an extension of time for substantive review. This letter included nine attachments. The SHPO received the contents of this letter on March 13. The letter stated that there was one additional objection. SHPO staff understood this to mean that only one new objection had been received since its last packet of objections received March 2008.

The Blair Mountain Battlefield was listed in the NRHP on March 30, 2009. Following listing, the SHPO realized that eight additional objections, received in the attachments to the above mentioned letter, had not been considered.

In a letter dated April 6, 2009, the SHPO alerted the Keeper of the NRHP that there may have been an error in calculating the property owner objections due to this oversight. **The State has not petitioned the Keeper for removal of the Blair Mountain Battlefield from the National Register in accordance with 36 CFR 60.15.**

This was a clerical error of the SHPO. Due to this error, immediate steps have been taken to ensure this does not occur again. Neither Governor Manchin's office, nor his administration, is responsible for listing or delisting National Register nominations. That is the responsibility of the Keeper of the National Register, a program of the National Park Service.

Update:

Blair Mountain Battlefield was removed from the National Register of Historic Places by the Interim Keeper of the National Register, Carol Shull, on December 30, 2009. It has been officially determined eligible by the Keeper for listing in the National Register.