

**MY PROPERTY
IS IMPORTANT
TO AMERICA'S HERITAGE**

**WHAT DOES THAT
MEAN?**

**ANSWERS TO QUESTIONS
FOR OWNERS OF
HISTORIC PROPERTIES**

U.S. Department of the Interior
National Park Service
National Register of Historic Places



WHY SHOULD WE PRESERVE HISTORIC PLACES?

If we wish to have a future with greater meaning, we must concern ourselves . . . with the total heritage of the nation and all that is worth preserving from our past as a living part of the present.

With Heritage So Rich, 1966

There are a variety of programs to identify and assist in preserving historic properties as living parts of communities, States, and the Nation. In 1992, the U.S. Congress reaffirmed the reasons for enacting these programs:

- The spirit and direction of the Nation are founded upon and reflected in its historic heritage.
- The historical and cultural foundations of the Nation should be preserved as a living part of our community life and development in order to give a sense of orientation to the American people.
- Historic properties significant to the Nation's heritage are being lost or substantially altered, often inadvertently, with increasing frequency.
- The preservation of this irreplaceable heritage is in the public interest so that its vital legacy of cultural, educational, aesthetic, inspirational, economic, and energy benefits will be maintained and enriched for future generations of Americans.

Established under the Historic Preservation Act of 1966, as amended, the national historic preservation program is a partnership between the Federal, State, and local governments; private, non-profit organizations; and the public. The Act and its provisions establish the framework within which citizens plan, identify, evaluate, register, and protect significant historic and archeological properties throughout the Nation.



732 E. Sixth Street, Barnard Park Historic District, Fremont, Nebraska (Nebraska State Historical Society)



Fred C. Aiken House, Boca Raton, Florida (Florida Division of Historical Resources)

HOW DOES THE FEDERAL GOVERNMENT DESIGNATE PROPERTIES AS HISTORIC?

Listing in the National Register of Historic Places

The National Historic Preservation Act of 1966 assigns the **National Register of Historic Places** a central role in recognizing buildings, sites, districts, structures, and objects significant in American history, archeology, architecture, engineering, or culture, and identifying them as worthy of preservation. Anyone can prepare a nomination to the National Register, working with the State Historic Preservation Officer (SHPO) in their State. State and Federal Historic Preservation Officers (FPOs) also survey and evaluate properties in their jurisdictions, determine which of these properties are eligible for listing, and prepare nominations to the Register. Nominations submitted through the States must first be approved by a Review Board appointed by the Governor before being reviewed by the National Register staff. If the professional staff at the National Register concludes that the property meets the criteria for evaluation, it is recommended for listing to the Keeper of the National Register.



Thomas Johnson Polygonal Barn, Lime Creek Township, Iowa (Low

- Listing in the National Register honors the property by recognizing its importance to its community, State, or the Nation.
- Private property owners can do anything they wish with their property, provided that no Federal license, permit, or funding is involved.
- Owners have no obligation to open their properties to the public, to restore them, or even to maintain them, if they choose not to do so.
- Federal agencies whose projects affect a listed property must give the Advisory Council on Historic Preservation an opportunity to comment on the project and its effects on the property.
- Owners of listed properties may be able to obtain Federal historic preservation funding, when funds are available. In addition, Federal investment tax credits for rehabilitation and other provisions may apply.

Determinations of Eligibility for Listing in the National Register of Historic Places

The National Historic Preservation Act also gives the Keeper of the National Register authority to determine that historic properties are eligible for listing in the National Register, without formally listing them. This occurs when:

- Federal agencies request a determination of eligibility to assist in their planning.

Frequently, consensus is achieved between the Federal agency, a State, and the Advisory Council that the property is considered eligible for listing in the National Register. When consensus cannot be achieved between the parties, the Keeper will determine whether or not the property is eligible. The agency then seeks the Advisory Council's comments on a project that may affect the property.



- The Secretary of the Interior makes a unilateral determination of eligibility, after an investigation and onsite inspection, when this action will assist in the preservation of a historic property. The Secretary may make this determination in unusual circumstances.
- The private property owner, or for properties with more than one owner, a majority of private property owners, objects to listing in the National Register.
- National Park Service regional offices certify that State or local districts meet the National Register criteria for purposes of Federal investment tax credits for rehabilitation.

When properties are determined eligible for listing in the National Register:

- As is the case with formal listing, determinations of eligibility do not restrict the rights of private property owners to do anything they wish with their property, provided no Federal license, permit, or funding is involved.
- If there is Federal involvement, Federal agencies must allow the Advisory Council an opportunity to comment on the project and its effects on eligible properties.
- Federal investment tax credits for rehabilitation and other provisions may be available for certified State or local districts, but not for other properties unless they are formally listed in the National Register.



*North High Street Business District, Holyoke, Massachusetts
(N.P. Small)*



Henry C. Bowen House (Roseland Cottage), Woodstock, Connecticut (David Bohl)

Designation as a National Historic Landmark

To recognize the national significance of properties that possess exceptional values or qualities in illustrating or interpreting the heritage of the United States, the Secretary of the Interior designates some historic places as National Historic Landmarks. National Park Service historians and archeologists study and evaluate these properties within the context of major themes of American history. Properties judged to be nationally significant are nominated by the National Park Service and forwarded to the National Park System Advisory Board, which may recommend to the Secretary of the Interior that the property be designated a National Historic Landmark. When designated, National Historic Landmarks are listed in the National Register.

- Landmark designation recognizes that properties are important to the entire nation.
- National Historic Landmarks are afforded the benefits of all listings in the National Register.
- Owners of landmarks are free to manage their property as they choose, provided no Federal license, permit, or funding is involved.
- As with other National Register listings, Federal agencies whose projects affect a landmark must give the Advisory Council on Historic Preservation an opportunity to comment on the project and its effects on the property.
- Owners of landmarks may be able to obtain Federal historic preservation funding, when funds are available. Federal investment tax credits for rehabilitation and other provisions may apply.
- A bronze plaque bearing the name of the landmark and attesting to its national significance is presented to the owner if requested.

WHAT CAN I DO IF I DON'T AGREE WITH A FEDERAL DESIGNATION?

By law, a property cannot be formally listed in the National Register of Historic Places or designated as a National Historic Landmark if the private owner of the property, or a majority of private owners, has filed a notarized objection prior to its listing or designation.

In addition, if you believe that any State and Federal decision regarding historic properties

- was made in error,
- did not follow appropriate procedures, or
- should be reevaluated in light of significant new information regarding the property's historic significance,

you may appeal the decision by contacting the appropriate State or Federal Historic Preservation Officer.

Appeals of National Historic Landmark decisions should be made to the Director of the National Park Service.

WHAT HAPPENS WHEN A FEDERAL AGENCY IS PLANNING A PROJECT THAT MAY AFFECT MY PROPERTY?

There are no Federal designations that place Federal restrictions on private property owners.

Federal agencies, however, must consider the effects of their activities (construction, licensing, or permits) on historic properties. Section 106 of the National Historic Preservation Act of 1966 directs Federal agencies to take into account the effects of projects on historic or archeological properties that are listed in or eligible for listing in the National Register of Historic Places. Agencies must consult with the State Historic Preservation Officer and the Advisory Council on Historic Preservation, an independent Federal agency that advises the President and the Congress on matters pertaining to preservation of historic architectural, archeological, and cultural properties. The Advisory Council comments on how the project affects significant properties. In most cases, agreement on how a project will be carried out with the least harm to important properties is written into a Memorandum of Agreement which is signed by the agency, the SHPO, and the Advisory Council.



*Antietam Furnace Complex, Sharpsburg, Maryland
(Susan Winter)*



*Hass-Lilienthal House, San Francisco County, California.
(Morley Baer)*

MY STATE OR COMMUNITY SAYS MY PROPERTY IS HISTORIC. WHAT DOES THAT MEAN?

Many States and localities have laws to encourage the preservation of their historic places. Some have enacted their own identification procedures, but many use listing in the National Register as an indicator of historic significance.

State and local historic preservation programs often provide some protection against the possible harmful effects of State funded, licensed, or assisted projects. Some provide limited financial assistance to owners in the form of grants, loans, or tax benefits. They may establish other protections for preservation purposes. Programs differ from State to State, and within States; your State Historic Preservation Officer or local planning department can give you more information.



C.S.P.S. Lodge, Bryan, Texas (Daniel Hardy)

WHAT CAN I DO TO HELP PROTECT MY HISTORIC PROPERTY?

I. Use These Tools When Available in Your Community:

- land use planning mechanisms
- zoning
- local preservation ordinances
- historic district commissions
- easements donated in perpetuity
- protective covenants
- financial assistance

II. Use These Tools When Available at the State Level:

- State laws that help preserve historic properties or environmental quality
- financial assistance such as grants or loans
- tax abatements or deductions

III. Use Applicable Federal Tools:

- Advisory Council on Historic Preservation review of and comment on Federal projects
- tax incentives for the certified rehabilitation of income-producing properties listed in the National Register
- tax incentives for charitable contributions for conservation purposes
- Historic Preservation Fund matching grants provided through your State Historic Preservation Officer.

WHERE CAN I GET MORE INFORMATION?

National Register of Historic Places

National Register, History, and Education

National Park Service

1849 C Street, NW, NC400

Washington, D.C. 20240

(202) 343-9536

www.cr.nps.gov/nr

This office maintains the National Register and can provide information on the National Register program, including computerized lists of properties, copies of National Register documentation, and information on preparing nominations. The office can also provide names, addresses, and telephone numbers of Federal Historic Preservation Officers and Tribal Preservation Officers. State Historic Preservation Officers are listed in this brochure.

National Historic Landmarks

National Register, History, and Education

National Park Service

1849 C Street, NW, NC400

Washington, D.C. 20240

(202) 343-8175

www.cr.nps.gov/nhl

Through the combined efforts of the National Historic Landmarks Survey and the National Historic Landmarks Initiative, the National Park Service conducts the National Historic Landmarks program for the Secretary of the Interior. It is a cooperative endeavor of government agencies, professionals, and independent organizations sharing knowledge with the Service and working jointly to identify and preserve National Historic Landmarks.

Advisory Council on Historic Preservation

The Old Post Office Building

1100 Pennsylvania Avenue, N.W.

Suite 809

Washington, D.C. 20004

(202) 606-8503

The Council can provide further information on Section 106 review.

STATE HISTORIC PRESERVATION OFFICERS

- ◆ **ALABAMA:** Executive Director, Alabama Historical Commission, 468 South Perry Street, Montgomery, AL 36130-0900. ◆ **ALASKA:** Chief, History and Archeology, Department of Natural Resources, Division of Parks and Outdoor Recreation, 3601 C Street, Suite 1278, Anchorage, AK 99503-5921. ◆ **AMERICAN SAMOA:** Historic Preservation Officer, Department of Parks and Recreation, Government of American Samoa, Pago Pago, American Samoa 96799. ◆ **ARIZONA:** State Historic Preservation Officer, Arizona State Parks, 800 W. Washington, Suite 415, Phoenix, Arizona 85007. ◆ **ARKANSAS:** State Historic Preservation Officer, Arkansas Historic Preservation Program, Suite 1500, Tower Building, 323 Center Street, Little Rock, Arkansas 72201. ◆ **CALIFORNIA:** State Historic Preservation Officer, Office of Historic Preservation, Department of Parks and Recreation, P.O. Box 942896, Sacramento, California 94296-0001. ◆ **COLORADO:** President, Colorado Historical Society, Colorado History Museum, 1300 Broadway, Denver, Colorado 80203. ◆ **CONNECTICUT:** Director, Connecticut Historical Commission, 59 South Prospect Street, Hartford, Connecticut 06106. ◆ **DELAWARE:** State Historic Preservation Officer, Division of Historical and Cultural Affairs, P. O. Box 1401, Dover, Delaware 19903. ◆ **DISTRICT OF COLUMBIA:** State Historic Preservation Officer, and Director, Department of Consumer and Regulatory Affairs, 614 H Street, NW, Suite 1120, Washington, D.C. 20001. ◆ **FLORIDA:** Director, Division of Historical Resources, Department of State, R.A. Gray Building, 500 S. Bronough St. Tallahassee, Florida 32399-0250. ◆ **GEORGIA:** Director, Historic Preservation Division, Department of Natural Resources, 500 The Healy Building, 57 Forsyth Street, NW, Atlanta, GA 30330. ◆ **GUAM:** Historic Preservation Officer, Historic Resources Division, Department of Parks and Recreation, Building 13-8, Tiyan, P.O. Box 2950, Agana Heights, Guam 96910. ◆ **HAWAII:** State Historic Preservation Officer, Department of Land and Natural Resources, 1151 Punchbowl Street, Honolulu, HI 96813. ◆ **IDAHO:** Director, Idaho Historical Society, 210 Main Street, Boise, Idaho 83702. ◆ **ILLINOIS:** Associate Director, Illinois Historic Preservation Agency, Old State Capitol, Springfield, Illinois 62701. ◆ **INDIANA:** Director, Department of Natural Resources, 402 West Washington Street, Indiana Govt. Center South, Room W256, Indianapolis, Indiana 46204. ◆ **IOWA:** Administrator, State Historical Society of Iowa, Capitol Complex, East 6th and Locust Street, Des Moines, Iowa 50319. ◆ **KANSAS:** Executive Director, Kansas State Historical Society, Cultural Resources Division, 6425 Southwest 6th Avenue, Topeka, Kansas 66615-1099. ◆ **KENTUCKY:** Executive Director, Kentucky Heritage Council, 300 Washington Street, Frankfort, Kentucky 40601. ◆ **LOUISIANA:** Assistant Secretary, Office of Cultural Development, Department of Culture, Recreation and Tourism, P.O. Box 44247, Baton Rouge, Louisiana 70804. ◆ **MAINE:** Director, Maine Historic Preservation Commission, 55 Capitol Street, Station 65, Augusta, Maine 04333. ◆ **REPUBLIC OF THE MARSHALL ISLANDS:** Secretary of Interior and Outer Islands Affairs, and Historic Preservation, P.O. Box #1454, Majuro Atoll, Republic of the Marshall Islands 96960. ◆ **MARYLAND:** Director of Historical and Cultural Programs, Department of Housing and Community Development, 100 Community Place, Third Floor, Crownsville, Maryland 2132-2023. ◆ **MASSACHUSETTS:** State Historic Preservation Officer and Executive Director, Massachusetts Historical Commission, Massachusetts Archives Facility, 220 Morrissey Boulevard, Boston, MA 02125. ◆ **MICHIGAN:** State Historic Preservation Officer, State Historic Preservation Office, Michigan Historical Center, 717 West Allegan Street, Lansing, Michigan 48918. ◆ **MINNESOTA:** Director, Minnesota Historical Society, 345 Kellogg Boulevard West, St. Paul, Minnesota 55102-1906. ◆ **MISSISSIPPI:** Director, State of Mississippi Department

of Archives and History, P.O. Box 571, Jackson, Mississippi 39205-0571. ♦ **MISSOURI:** Director, State Department of Natural Resources, 205 Jefferson, P.O. Box 176, Jefferson City, Missouri 65102. ♦ **MONTANA:** State Historic Preservation Officer, Montana Historical Society, 1410 8th Avenue, P.O. Box 201201, Helena, MT 59620-1202. ♦ **NEBRASKA:** Director, Nebraska State Historical Society, P.O. Box 82554, Lincoln, Nebraska 68501. ♦ **NEVADA:** State Historic Preservation Officer, Department of Museums, Library, and Arts, 100 South Stewart Street, Capital Complex, Carson City, NE 89710. ♦ **NEW HAMPSHIRE:** Director, Division of Historical Resources and State Historic Preservation Office, 19 Pillsbury Street, P.O. Box 2043, Concord, New Hampshire 03302-2043. ♦ **NEW JERSEY:** Commissioner, Dept of Environmental Protection and Energy, CN-402, 401 East State Street, Trenton, New Jersey 08625. ♦ **NEW MEXICO:** State Historic Preservation Officer, Historic Preservation Division, Office of Cultural Affairs, Villa Rivera, 228 E. Palace Avenue, Santa Fe, New Mexico 87503. ♦ **NEW YORK:** Commissioner, Office of Parks, Recreation and Historic Preservation, Agency Building #1, Empire State Plaza, Albany, New York 12238. ♦ **NORTH CAROLINA:** Director, Department of Cultural Resources, Division of Archives and History, 109 East Jones Street, Raleigh, North Carolina 27611. ♦ **NORTH DAKOTA:** State Historic Preservation Officer, State Historical of North Dakota, Heritage Center, 612 E. Boulevard Avenue, Bismarck, North Dakota 58505. ♦ **NORTHERN MARIANA ISLANDS:** Historic Preservation Officer, Department of Community and Cultural Affairs, Commonwealth of the Northern Mariana Islands, Saipan, Mariana Islands 96950. ♦ **OHIO:** State Historic Preservation Officer, Historic Preservation Division, Ohio Historical Society, 567 East Hudson Street, Columbus, Ohio 43211-1030. ♦ **OKLAHOMA:** Director, Oklahoma Historical Society, 2100 N. Lincoln Blvd. Oklahoma City, Oklahoma 73105. ♦ **OREGON:** Director, State Parks and Recreation Department 1115 Commercial Street, NE, Salem, OR 97310-1001. ♦ **PENNSYLVANIA:** Executive Director, Pennsylvania Historical and Museum Commission, P.O. Box 1026, Harrisburg, Pennsylvania 17108. ♦ **PUERTO RICO:** State Historic Preservation Officer, Office of Historic Preservation, Box 82, La Fortaleza, San Juan, Puerto Rico 00918. ♦ **RHODE ISLAND:** State Historic Preservation Officer, Rhode Island Historical Preservation Commission, Old State House, 150 Benefit Street, Providence, Rhode Island 02903. ♦ **SOUTH CAROLINA:** Director, Department of Archives and History, P.O. Box 11669, Columbia, South Carolina 29211. ♦ **SOUTH DAKOTA:** Director, South Dakota Historical Society, 900 Governors Drive, Pierre, South Dakota 57501. ♦ **TENNESSEE:** Deputy Commissioner, Department of Environment and Conservation, and State Historic Preservation Officer, 2941 Lebanon Road, Nashville, TN 37243-0435. ♦ **TEXAS:** Mr. Curtis Tunnell, State Historic Preservation Officer, Executive Director, Texas Historical Commission, P.O. Box 12276, Austin, Texas 78711. ♦ **UTAH:** Director, Utah State Historical Society, 300 Rio Grande, Salt Lake City, Utah 84101. ♦ **VERMONT:** State Historic Preservation Officer and Director, Agency of Commerce and Community Development, Vermont Division for Historic Preservation, 135 State Street, Drawer 33, Montpelier, VT 05633-1201. ♦ **VIRGIN ISLANDS:** State Historic Preservation Officer and Commissioner, Department of Planning and Natural Resources, Foster Plaza, 396-1 Anna's Retreat, St. Thomas, VI 00802.. ♦ **VIRGINIA:** Director, Department of Historic Resources, 221 Governor Street, Richmond, Virginia 23219. ♦ **WASHINGTON:** Director, Office of Archaeology and Historic Preservation, 111 21st Avenue, KL-11, Olympia, Washington 98504-8343. ♦ **WEST VIRGINIA:** Commissioner, West Virginia Division of Culture and History, Historic Preservation Office, Culture Center, 1900 Kanawha Boulevard East, Charleston, West Virginia 25305-0300. ♦ **WISCONSIN:** Director, Historic Preservation Division, State Historical Society, 816 State Street, Madison, Wisconsin 53706. ♦ **WYOMING:** State Historic Preservation Officer, Wyoming State Historic Preservation Officer, Department of Commerce, 6101 Yellowstone, Cheyenne, Wyoming 82002.

AUTHORITIES

The Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation; Regulations of the National Register of Historic Places (36 CFR 60) under authority of the National Historic Preservation Act of 1966, as amended; Regulations regarding Federal agency Determinations of Eligibility (36 CFR 63) under authority of the National Historic Preservation Act of 1966, as amended, and Executive Order 11593; Regulations for historic preservation certifications pursuant to section 48(g) and section 170(h) of the Internal Revenue Code of 1986 (36 CFR 67); Regulations of the Advisory Council on Historic Preservation (36 CFR Part 800) under the authority of Section 106 of the National Historic Preservation Act of 1966, as amended, 16 U.S.C. 470 et seq. and Executive Order 11593; Regulations of the National Historic Landmarks program (36 CFR 65) under the authority of the Historic Sites Act of 1935.

Copies of these documents are available from the National Register of Historic Places.

ACKNOWLEDGEMENTS

This brochure was developed by Beth L. Savage and Marilyn Harper of the National Register of Historic Places, National Park Service. Assistance was provided by Rama Ramakrishna. Lawrence E. Aten, G. Bernard Callan, Lars Hanslin, Antoinette J. Lee, Ben Levy, Carol D. Shull, and David W. Lowe offered valuable comments.

Cover photo: Chalfonte Hotel, Cape May Historic District, Cape May, New Jersey (Jack Boucher, HABS)