

Lesson Overview

This lesson describes the main components of the National Historic Preservation Act, another law that must be addressed as part of FEMA's programs and activities.

Lesson Objectives

At the completion of this lesson, you will be able to:

- Trace the historical roots of the preservation movement in the United States.
 - Define the goals and purposes of the National Historic Preservation Act.
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Evolution of Historic Preservation Efforts

Let's begin by tracing the roots of historic preservation efforts in the United States.

Key Points

- After the Civil War, private parties and local organizations became interested in preserving historic structures, particularly battlefields.
 - Government, on the whole, was not involved until 1906, when Congress passed the Antiquities Act to bring under control the excavation and destruction of Federal monuments.
 - The Historic Sites Act of 1935 authorized the National Park Service to document, acquire, and manage places important in the Nation's history.
 - Historic preservation efforts were set back when city centers were razed in the 1950s and 1960s.
 - The National Historic Preservation Act was passed in 1966.
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The National Historic Preservation Act

The National Historic Preservation Act (NHPA) is the primary law governing historic preservation programs nationally. This Act is important to FEMA because it outlines historic preservation responsibilities for Federal agencies. Specifically, the law:

- Creates an official listing of historic places.
 - Provides for the creation of State/Tribal Historic Preservation Offices and outlines their duties.
 - Makes the Federal Government responsible for its actions with respect to historic preservation.
 - Creates the need for qualified historic preservation professionals to conduct these activities.
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Other Historic Preservation Laws

Although NHPA is the primary law governing historic preservation programs nationally, other preservation laws may need to be addressed in certain situations.

While a discussion of these laws is beyond the scope of this course, you should keep the following in mind:

- These laws provide additional protection, especially for archaeological and Native American sites.
 - Federal preservation laws may be augmented by Tribal/State/local historic preservation laws.
 - The other laws may work in conjunction with NHPA, but are not substitutes for NHPA requirements.
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What Is a Historic Property?

According to NHPA, a historic property is:

- A building, site, structure, object, or historic district.
- At least 50 years old (with exceptions).
- Significant within its historical context.
- Able to retain its integrity and convey its significance.

The term also includes properties of traditional religious and cultural importance to an Indian Tribe or Native Hawaiian organization.

The next screens include additional information on these criteria.

Historic Property: Building

A historic building shelters human activity. Examples of historic buildings include:

- City Hall
 - School
 - Mill
 - Courthouse
 - Library
 - Train Station
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Historic Property: Vernacular Building

Although not distinguished by unique architectural features, vernacular buildings can be classified as historic. This type of building is common for its time and place, and is associated with the everyday lives of people.

Examples of vernacular buildings include:

- Row houses
 - Tract housing
 - Barns or other farm buildings
 - Outhouses
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Historic Property: Site

A site is a location of a significant event, occupation, or activity, where the location itself passes historic value, regardless of the value of any existing structure.

Archaeological sites and historic landscapes can be the most difficult to identify. If a project may affect a site, it is critical to consult with the State/Tribal Historic Preservation Office early in the review process.

Examples of historic sites include:

- Battlefields
 - Campsites
 - Designed landscapes
 - Ruins of a building or structure
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Historic Property: Structure

A structure is a functional construction usually made for purposes other than sheltering human activity. Structures include:

- Aircraft
 - Dams
 - Boats and ships
 - Bridges
 - Canals
 - Highways
 - Windmills
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Historic Property: Object

An object is primarily artistic in nature or is relatively small in scale and simply constructed. Although it may be movable, an object is associated with a specific setting or environment.

Small objects not designed for a specific location are normally not eligible. Such works include transportable sculpture, furniture, and other decorative arts that, unlike a fixed outdoor sculpture, do not possess association with a specific place.

Objects should be in a setting appropriate to their significant historic use, role, or character. Objects relocated to a museum are inappropriate for listing in the National Register.

Examples of objects include:

- Boundary markers
 - Monuments
 - Fountains
 - Sculptures
 - Mileposts
 - Statuaries
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Historic Property: District

A historic district derives its importance from being a unified entity, although it is often composed of a wide variety of resources. A district usually consists of both contributing and non-contributing historic properties; that is, those that contribute to and those that do not contribute to the significance of the historic district.

Examples include:

- Business districts
 - Canal systems
 - College campuses
 - Estates and farms
 - Residential areas
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Historic Properties — Summary

This table summarizes the different types of historic properties described in the National Historic Preservation Act.

Type	Description	Example
Building	<ul style="list-style-type: none"> ▪ Shelter for human activity. ▪ Includes vernacular buildings, those associated with everyday lives of people and representative of a way of life. 	<ul style="list-style-type: none"> ▪ City hall ▪ School ▪ Train station ▪ Library ▪ Courthouse ▪ Mill
Site	<ul style="list-style-type: none"> ▪ Location of a significant event. 	<ul style="list-style-type: none"> ▪ Battlefield ▪ Archaeological site ▪ Designed landscape ▪ Habitation site ▪ Natural feature having cultural significance ▪ Petroglyph ▪ Shipwreck
Structure	<ul style="list-style-type: none"> ▪ Functional construction. 	<ul style="list-style-type: none"> ▪ Aircraft ▪ Bridge ▪ Silo ▪ Canal
Object	<ul style="list-style-type: none"> ▪ Artistic in nature. ▪ Usually small in size. 	<ul style="list-style-type: none"> ▪ Boundary marker ▪ Monument ▪ Fountain ▪ Sculpture ▪ Milepost ▪ Statuary
Historic District	<ul style="list-style-type: none"> ▪ Concentration of sites, structures, buildings, or objects. ▪ Derives its importance from being a unified entity, although it is often composed of a wide variety of resources. ▪ Usually composed of both historic properties that contribute to and those that do not contribute to the significance of the historic district. 	<ul style="list-style-type: none"> ▪ Business districts ▪ Canal systems ▪ Groups of habitation sites ▪ College campuses ▪ Estates and farms ▪ Industrial complexes ▪ Irrigation systems ▪ Residential areas ▪ Rural villages ▪ Transportation networks

Historic Property: Other Criteria

In addition to being one of the types of properties listed in the previous section, a property must also have the characteristics shown below to be considered historic under NHPA:

- At least 50 years old (with exceptions).
- Significant within its historical context.
- Able to retain its integrity and convey its significance.

The following screens describe these criteria in greater detail.

Criteria for Historic Property: Age

In general, a property must be at least 50-years-old before it is considered historic. The "50-years-old" guideline is a general estimate of the time needed to develop historical perspective.

In special cases, properties less than 50-years-old may be designated as historic properties if they are of exceptional significance. For example, Cape Canaveral Air Force Station in Florida was designated a historic property only 35 years after it was established, due to its critical role in the development of the space program.

Criteria for Historic Property: Significance

In order for a property to be considered historic under NHPA, it also must meet at least one of four criteria for significance within its historic context.

Criterion A: Associated with an important event. (Example: Civil War battlefield)

Criterion B: Associated with an important person. (Example: Studio of a significant artist)

Criterion C: Notable physical design or construction, including architecture, landscape architecture, engineering, or artwork. (Example: House representing a significant style of architecture)

Criterion D: Has or may yield information important in prehistory or history. (Example: Archaeological site that may yield data relevant to a research question)

Criteria for Historic Property: Integrity

A historic property must also have integrity. Integrity is the ability of a historic property to convey its significance.

The property must possess several of the following seven qualities that define integrity:

- Location
- Workmanship
- Design
- Materials
- Setting
- Feeling
- Association

After a disaster, damaged properties may no longer retain their integrity. If a historic property (as defined by NHPA) loses its integrity, it may no longer qualify as a historic property.

Levels of Recognition

Historic properties can be designated for their significance at the local, State, Tribal, and/or Federal level.

National Register of Historic Places

NHPA established the National Register of Historic Places as the official listing of significant historic properties in the United States. Properties listed on the National Register may be significant at the local, State, Tribal, or Federal level.

Maintained by the Keeper of the National Register with the National Park Service, the list contains over 73,000 buildings, sites, structures, objects, and districts.

National Historic Landmarks

The Secretary of the Interior designates properties as National Historic Landmarks. These landmarks possess exceptional national significance and constitute only a small percentage of those properties listed on the National Register of Historic Places.

Secretary of the Interior's Standards

NHPA authorized the Secretary of the Interior to establish standards for:

- **Preservation and treatment of historic properties.** FEMA uses these as guidelines for the repair and restoration of historic properties.
- **Professional qualifications.** Federal agencies are responsible for ensuring that those individuals who conduct historic preservation activities meet certain professional qualifications standards.

For FEMA-funded activities, the FEMA Federal Preservation Officer (FPO) determines whether an individual meets these professional standards.

FEMA permits individuals who have not met these qualifications to conduct only selected historic preservation activities.

Advisory Council on Historic Preservation

The National Historic Preservation Act established the Advisory Council on Historic Preservation (ACHP) as an independent Federal agency. The ACHP:

- Serves as the major policy advisor to the Government in the field of historic preservation.
- Governs the implementation of the historic review process (Section 106 of NHPA) through 36 CFR Part 800.

FEMA consults with the ACHP periodically. The FEMA Regional Environmental Officer or Federal Preservation Officer is responsible for contacting the ACHP.

State or Tribal Historic Preservation Officer

The primary function of the State Historic Preservation Officer (SHPO) under Federal law is to coordinate historic preservation activities supported by Federal grant funds in his or her State.

The Tribal Historic Preservation Officer (THPO) is a Tribal government's equivalent of the SHPO on Tribal lands. Not all federally recognized Tribes have a THPO, and the THPO's responsibilities vary according to the interests and capabilities of the Tribe.

The office of the SHPO or THPO is FEMA's primary contact during the historic review process and must participate in various steps of the review process. It is FEMA's responsibility to identify the appropriate SHPO and/or THPO for the historic review process, based on the project circumstances. These positions will be referred to as SHPO/THPO throughout this Module.

SHPO/THPO Responsibilities (Screen 1 of 2)

The SHPO or THPO is primarily responsible for:

- Locating and recording historic properties.
 - Reviewing all Federal projects for impact on historic properties under NHPA and the regulations of the ACHP.
 - Providing technical assistance on restoration and other preservation activities to Federal agencies; Tribal, State, and local governments; and the private sector.
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SHPO/THPO Responsibilities (Screen 2 of 2)

Additional SHPO/THPO responsibilities include:

- Nominating significant historic properties to the National Register.
 - Fostering historic preservation programs within the Tribe/State.
 - Providing matching funds for preservation projects. (SHPO only.)
 - Commenting on preservation projects under consideration for the Federal rehabilitation tax credit.
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SHPO/THPO and FEMA

The SHPO is the representative of the State's interests in historic preservation, and the THPO is the representative of the Tribal government's interests in historic preservation. The SHPO or THPO:

- Is NOT responsible for doing the Federal agency's work.
- Consults with the agency and assists the agency, but does not direct the agency's historic review responsibilities.

FEMA typically designates one person in a Disaster Field Office (DFO) to act as the FEMA point-of-contact with the SHPO or THPO to simplify and expedite the coordination process.

Lesson Summary

You have now completed the first lesson in the Historic Preservation section of this course.

You should be able to:

- Trace the historical roots of the preservation movement in the United States.
 - Define the major components of the National Historic Preservation Act.
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