

Section 106 and the National Register

In her 1994 article on archeology and the National Register,¹ Jan Townsend notes that

Those who drafted the National Historic Preservation Act saw the National Register as a planning tool: its main purpose being a listing of properties at the federal, state, and local level that are worthy of preservation.

Listing and eligibility for listing in the National Register of Historic Places are pivotal components of Section 106 of the National Historic Preservation Act of 1966, as amended. This section of the Act states that

The head of a Federal agency having direct or indirect jurisdiction over a proposed Federal or federally assisted undertaking in any State... shall prior to the approval of the expenditure of any Federal funds on the undertaking or prior to the issuance of any license... take into account the effect of the undertaking on any district, site, building, structure or object that is included in or eligible for inclusion in the National Register.²

Have those implementing the mandates of Section 106 used the National Register as a planning tool? Does the National Register have a role in the Section 106 process beyond the use of the National Register criteria to evaluate resource significance?

A recent national forum on assessing cultural resource significance and a soon-to-be-completed nationwide survey on cultural

resource significance decision making highlight the important role of the National Register in the Section 106 process. The Transportation Research Board (TRB) of the National Academy of Sciences, the Federal Highway Administration (FHWA), and the National Register sponsored "A National Forum on Assessing Historic Significance in Transportation Programs" on May 23-25, 1999, in Washington, DC.³ This forum brought together over 190 professionals from around the country to identify critical issues in determining the significance of cultural resources within the context of Section 106 and transportation projects. During the forum, working groups examined the barriers to evaluating cultural resource significance and made recommendations on removing these barriers. They also identified the tool(s) needed to improve the resource evaluation process. The working groups were organized around broad categories of resource types: archeological sites, historic architectural resources, rural landscapes, traditional cultural properties, 20th-century resources, etc. After a few days of deliberation, the working groups made the following recommendations:

- Improved forms of communication among historic preservation professionals are needed, such as Internet web sites. Information about historic properties should be made available online.

Once thematic covers are digitized, they will be linked to all of the property entries in the NRIS, as well as the index of multiple property submissions, and downloadable as PDF documents. PDF files are widely used over the Web, and users simply need Adobe Acrobat Reader, which can be downloaded for free from the Web, to access them. By spring 2002, the Register projects that approximately 1,700 historic contexts will be digitized. The next phase of the project will be the digitization of individual nomination forms, most probably those associated with the thematic covers.

With 3,400 user sessions recorded on the NRIS each week and approximately 194,000 pages of National Register documentation copied and distributed to the public each year, there is a clear demand for full-text versions of National

Register thematic covers and nominations. By providing this information through the Web, the National Register hopes to assist agencies in identifying and evaluating cultural resources for planning projects and registration, and increase the public's awareness of the role historic places play in preserving America's heritage.

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- Existing historic context documentation should be placed online, including the National Register web site. The National Park Service should be encouraged to develop more complete and user-friendly search capabilities for the National Register database through the National Register Information System (NRIS).
- Historic property and cultural resource information, including historic contexts need to be more accessible through the use of databases and other information technology to assist in decision making. Improved access to National Register multiple property documentation should be available online.

The forum participants expressed a unanimous frustration about how resource significance decision making is currently undertaken. The participants felt that they often lacked the tools and comprehensive information needed to make defensible decisions on the significance of cultural resources. In particular, they identified a nationwide lack of easily and quickly accessible historic context documentation.

In November 2000, TRB's National Cooperative Highway Research Program (NCHRP) contracted with URS Corporation (URS) to evaluate how information technology is used nationwide for evaluating the significance of cultural resources. This evaluation was done through a literature review, followed by a national survey of cultural resource practitioners, including SHPOs and state Departments of Transportation (DOTs). The results of this study are forthcoming.

The NCHRP survey examined current practices involving cultural resource significance decision making, and asked the survey participants about possible mechanisms to improve the processes. The content of the survey instrument was based in part on three regional focus group meetings with SHPO, DOT, Tribal Historic Preservation Offices, and federal agency staff. During the focus group sessions, the participants answered questions on a draft survey, discussed the utility of the questions posed, and made recommendations on the content of the questions to be included in the final survey form to be distributed nationwide. One of many issues raised by the participants of these focus groups was the lack of ready access to the large number of valuable contexts that exist within the National

Register's listings, particularly those contained in multiple property submissions.

Over 65% of the nation's SHPOs and state DOTs have responded to the NCHRP survey. The survey showed that the majority of SHPOs and DOT cultural resource staff saw historic contexts and computerized cultural resource inventories as useful tools for evaluating the significance of resources. Based on the survey results, the NCHRP study proposed a range of information technology options that would improve the nationwide use of these tools, including scanning and digitizing all of the National Register's listings and making the listings available through the Internet.

The results of these national forums and surveys clearly demonstrate the important role of the National Register in the Section 106 process. There is a desperate, nationwide need for usable historic contexts, and the National Register documentation can be one source to help meet this need. For example, the significance and evaluation mechanisms included within the registration requirements of multiple property submissions, can provide clear and concise criteria for measuring the significance of similar resource types identified during a Section 106 compliance project.

In response to the demonstrated nationwide need for readily accessible and sound historic context documentation, Sarah Pope's article (see p. 44) describes the project recently underway to begin digitizing this documentation and to make it available online through the National Register's web site. This is a major step forward to improving accessibility to the valuable information contained in this unique national collection for use by the professional cultural resource management community and the public.

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Notes

- ¹ Jan Townsend. "Archeology and the National Register," *CRM* 17:2, 1994.
- ² National Historic Preservation Act of 1966, as amended, 16 U.S.C. 470f.
- ³ Transportation Research Board, Federal Highway Administration, and National Park Service. A National Forum on Assessing Historic Significance for Transportation Programs: Key Issues and Recommendations And Participants Information, Washington, D.C., May 23-25, 1999.