



A Report of the National
Historic Designation Advisory Committee:

Recommendations for Improving the Recognition of Historic Properties of Importance to All Americans

Executive Summary

NCSHPO

National Conference of State Historic Preservation Officers

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Cover photos were taken from NCSHPO's Telling the Full Story SHPO Spotlights, <https://ncshpo.org/issues/tellingfullstory/>: (left) Partnership with Navajo Nation to stabilize Oljato Trading Post, Utah, (top left) S.P.M.D.T.U. Lodge Hall, Colorado, built as a meeting space for the Sociedad Protección Mutua de Trabajadores Unidos, an important Hispano labor union, (top right) The Underground Railroad Initiative in Indiana fosters research, identification, and protection of the state's Underground Railroad resources like this neighborhood in Madison, Indiana, (bottom) Darcelle XV in Portland, Oregon is the state's first nomination that recognizes Oregon's LGBTQ history.

Executive Summary

The National Register of Historic Places (NRHP) is the nation's primary mechanism for identifying and designating historic places that are significant and worthy of preservation. Authorized by the National Historic Preservation Act of 1966, the program is managed by the National Park Service and administered by each state and territory through its State Historic Preservation Office (SHPO). Despite its nearly 100,000 listings, however, the NRHP is consistently misunderstood by its biggest constituency: the American public. Most of the misunderstandings are centered around the expectation that listing in the NRHP offers protection and regulation, when in reality, it was designed to encourage preservation by recognition and commemoration.

Not only is the NRHP misunderstood, but it has also not been widely used to recognize places of importance to many Americans whose history, sites, buildings, neighborhoods and cultural touch points may have been for generations intentionally or unintentionally overlooked or not considered. Likewise, as a tool for preserving the sacred places of sovereign indigenous tribes and organizations, the NRHP has not always been wholly successful at fostering preservation because recognition may bring attention to sensitive sites with few actual protections. In recent years, there has been increasing attention related to equity, inclusion, and access concerns within the preservation field, with particular criticism directed at the NRHP and the designation process. As a result, many have started to examine how and whether the listings in the NRHP tell and represent our nation's full story, and if not, what obstacles prevent it from doing so.

This report is the product of an effort by the National Conference of State Historic Preservation Officers (NCSHPO) to examine how we recognize our historic places, with particular attention to the NRHP. The NCSHPO established a National Historic Designation Advisory Committee (NHDAC) in 2021 to conduct a comprehensive analysis of the NRHP's original established goals, how well those goals are being met, what opportunities to improve overall access and inclusion might exist, and whether new programs may be part of the solution.

Project Vision

The NHDAC conceived this study as a starting place for discussion and action; a foundational document to articulate in one place history and intent, policy and regulatory inadequacies, and recommendations and opportunities for improvements. Our vision is to:

- Promote maximum public accessibility to national historic designation programs, including but not limited to, the NRHP;
- Identify paths to national recognition for historic places that are not eligible for the NRHP;
- Support preservation of not only extant historic resources but also the multiple layers of history tied to a particular place; and
- Achieve the shared goal of telling the full, complex American story across the nation through historic preservation.

Study Goals and Methodology

Comprised of three sub-committees and one NCSHPO standing committee, the NHDAC began its work by establishing the following goals for this study:

- Identify challenges to public access to and successful listing in national historic designation programs *and* best practices that optimize access and enhance the prospect of successful listings;
- Seek dialogue and input from a wide variety of stakeholders on these issues;
- Organize and implement professional practitioner training and exchange regarding best practices;
- Identify needs in terms of regulatory or policy changes, staffing, administrative and operational matters, and funding necessary to achieve these goals.

The subcommittees divided the work into four main task areas to achieve the goals:



James Farmer Marker Dedication, Texas. Photo Credit: Texas Historical Commission.

- Review existing literature and track the evolution of scholarship to establish context and understanding of critical issues;
- Identify and engage broad swath of stakeholders to understand real world concerns and inform findings and solutions;
- Develop best practices through surveys and discussions with domestic and international cultural resources staff;
- Identify legislative and policy existing conditions and tools for change.

Key Findings

Each subcommittee developed a set of findings, which are summarized by topic here:

Relevance and Utility

The NRHP remains relevant and useful as a sorting and planning tool for federal and state agencies, encouraging rehabilitation projects, improving preservation outcomes, and building community. However, the public does not fully understand the program, its rules or its limitations, the expectations regarding documentation can be onerous and expensive, and listing does not in and of itself offer protection.

The NRHP does not optimally address places of cultural memory, non-traditional physical integrity, or places where there is little physical footprint. To address this shortcoming, many states have developed alternative and additional designation programs that address among others, cemeteries, heritage traditions, and other aspects of culture that don't fit neatly in the rubric of the NRHP. SHPO partnerships with statewide non-profits are used to broaden the reach.

Integrity

The notion of historic integrity, or physicality, can be subjective and hard for the public to understand. It also can be seen as a barrier to communities and individuals where marginalization, lack of investment or erasure have made integrity, in a physical sense, a serious challenge. The analysis required for this element ends up being a big driver of cost – complex integrity issues frequently require a professional to address. Integrity is also not part of the tribal world view, so focusing on the physical aspects of integrity over feeling and association frankly can favor the built environment over cultural landscapes. Tools provided by the NPS are very helpful in addressing some of these issues (i.e. Multiple Property Documentation Forms), but are poorly understood and underused.

Indigenous Populations

Understandably, tribes do not want to share information or attract attention to a site, which is just the opposite of what the NRHP requires. Because they are considered public programs, not all states have adequate confidentiality laws to protect the information shared in a nomination. Documentation requirements can often discount oral histories and traditional knowledge, which are common sources of information for tribes and other ethnic minority groups. Boundaries and ownership are largely imported concepts for tribes and the requirements to address these issues when listing a Traditional Cultural Place (TCP) can potentially perpetuate epistemological injustice. Importantly, tribal sovereignty is more than slighted in the process – they should not have to depend on the state and local decision-making gauntlet to reach the federal government to conduct Government to Government consultation. At the same time, state, local and private property rights and interests require due process considerations – setting up an awkward regulatory conundrum.



Mount St. Helens in Washington, (also known as Lawetlat'la) was listed in the National Register of Historic places as a Traditional Cultural Property (TCP) of the Cowlitz Indian Tribe and other Tribes. Photo Credit: Washington DAHP.

Program Administration

Tension exists between the grassroots “DNA” of the historic preservation movement and the formalized academic “professionalized” approach into which it has evolved. There is also an inherent tension in a program where the federal government has the last word about what local communities think is important about their own cultural identity. Combined with inconsistent review policies at the local, state and federal levels, the resulting process can be intimidating, difficult, and expensive for the public to access.

Public demand and SHPO emphasis are leading to an increase in the numbers of nominations from diverse communities but money and staffing are barriers to encouraging this activity. Current NPS guidance further hampers the effort, as relevant bulletins are outdated and insufficient to address a broader perspective in the designation process.

SHPOs note several problems specifically related to the administration of their primary funding source, the Historic Preservation Fund (HPF). Surveys that do not result in a NRHP nomination as the end product are not eligible for reimbursement by HPF. This reality handicaps local governments from taking the first step in identifying their historic resources. In addition, the Certified Local Government grant, and other federal grants, are difficult and time-consuming to administer, siphoning resources away from staff-led initiatives and outreach programs at the SHPO to address these needs.

International Programs

While mechanics vary as expected, the designation programs in Canada, the UK, and Australia shared a few commonalities: no age minimum for listing; owner consent considered but not required; an increased effort to address indigenous and aboriginal culture and heritage with separate programs or legislation; including values other than historic in their programs, including social, scientific, natural, spiritual, and cultural; addressing event-based practices as well as place-based practices; and protection at the local level with the exception of Australia’s “National Heritage List.”

Recommendations

The NHDAC developed the following set of recommendations to address the key findings.

National Register Criteria

- Consider adding new criterion for recognition of places of cultural significance that may not retain integrity as traditionally understood, but that may



Shady Rest Golf & Country Club, Scotch Plains Township, Union County, NJ; The Shady Rest Golf & Country Club is the oldest African American country club in the United States.

hold deep importance and meaning to groups and communities.

- Consider new criterion and documentation standards for TCPs.
- Consider new criterion or other tools for indigenous cultural sites.

National Register Guidance

- Expand and update existing guidance for preparation of National Register nominations.
- Create new guidance for cultural landscapes.
- Expand and update guidance for evaluation of the aspects of integrity.
- Promote and provide guidance for existing tools to address places where little or no integrity exists but the significance is unquestionable.

National Register Documentation, Survey, and Training

- Urge NPS to develop videos and/or webinars that provide more detailed information about documentation expectations and requirements.
- Increase peer interaction among NPS, Tribal Historic Preservation Officers (THPO), and SHPO National Register Reviewer staff.
- Reconsider existing documentation requirements.
- End or clarify NPS requirement that HPF-funded surveys must lead to National Register nominations.
- Consider developing unified, simplified, and streamlined eligibility determination processes for public use that help set expectations up front and allow both applicants and SHPOs to identify and prioritize historic resources.

Increased Funding

- Seek and secure new dedicated funding for SHPO staff and NPS field assistance for National Register preparation.
- Establish a pilot program with steady funding to produce 1-3 new historic contexts per year by NPS and states alike.
- Seek and secure funding to revise and update older, "leaner" National Register nominations.

Indigenous Population Autonomy

- Explore ways to provide tribes and Native Hawaiian Organizations more autonomy in the National Register eligibility and listing process.

Increase Diversity in Staff and Volunteers

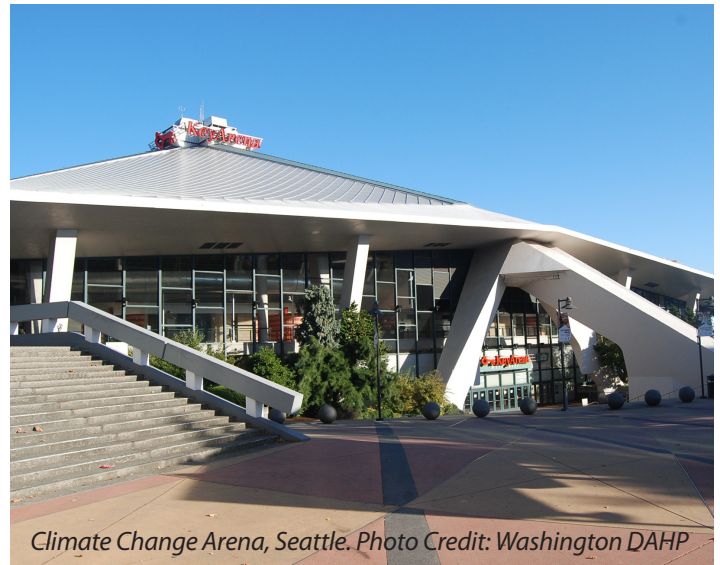
- Strive for cultural and professional diversity on state and local review boards.
- Strive for cultural diversity in staff.

Public Education, Outreach, and Involvement

- Collaborate, assist, and encourage partnership directly with diverse and grassroots communities in the preparation of National Register nominations.
- Highlight funding opportunities for diverse communities.
- Develop educational and training materials in non-jargon, easier-to-understand terms for public constituents.

Increase Focus on and Support for Local Designation Programs

- Encourage the establishment of local registers where protections are needed and extend to sites that may not meet National Register criteria.
- Increase investment in and visibility of Certified Local Government (CLG) program.
- Improve access to CLG program.



Climate Change Arena, Seattle. Photo Credit: Washington DAHP

Next Steps

This study represents a first step in developing long-term solutions to the problems inherent in a programmatic approach to identifying, documenting, and protecting those historic and cultural resources our country holds most dear, and in doing so, holistically representing American history through the multitude of places Americans should know and value. Every level of government and every member of the public has a role and responsibility to be part of the solution. For every recommendation made in this report, there exists a dozen more questions to be sorted. We believe these important questions merit additional research and debate at the national level, with the goal of developing an informed, consensus-based framework for action.

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