

THE NATIONAL REGISTER OF HISTORIC PLACES

The National Register of Historic Places was established by the National Historic Preservation Act of 1966, as amended in 1980. It is the Nation's official listing of prehistoric and historic properties worthy of preservation. It affords recognition and protection for districts, sites, buildings, structures, and objects significant in American history, architecture, archaeology, engineering, and culture. This significance can be at the local, state, or national level. The National Register serves both as a planning tool and as a means of identifying buildings, sites, and districts that are of special significance to a community and worthy of preservation.

What the National Register Does

Listing of a building, site, or district affords it a certain prestige which can enhance the value of the property and raise community awareness and pride.

Income-producing (depreciable) properties which are listed in the National Register may be aided by the tax incentive provisions of the Tax Reform Act of 1976 and Economic Recovery Act of 1981 which encourage rehabilitation and discourage demolition.

In Arizona, the Arizona State Historic Preservation Act of 1982 authorizes a reduction in property tax assessment for non-income-producing properties listed on the National Register. There is also a property tax incentive program for rehabilitation of listed income-producing properties.

Listing in the National Register provides a measure of protection from demolition or other negative effects by federally funded or licensed projects through comment by the Advisory Council on Historic Preservation as stated in Section 106 of the National Historic Preservation Act of 1966 and Executive Order 11593. A stewardship and management program of state owned properties outlined in the Arizona State Historic Preservation Act of 1982 has established a similar review process for state agencies. This review procedure is part of the planning process for all federal and state assisted projects.

What the National Register Does NOT Do

It does not prevent the owner of a listed property from remodeling, repairing, altering, selling, or even demolishing a building listed in the National Register with other than federal or state funds. It also does not obligate an owner to make any repairs or improvements to the property. Owners of income-producing (depreciable) property may not be able to deduct the cost of demolition.

It does not prevent the use of city or private funds for demolition or other adverse effects to a property on the National Register.

It does not provide assurance that a federal or state project cannot adversely affect a listed property under any circumstance. It only assures a federal/state-level review of all federal/state funded or licensed projects which may have an adverse effect.

Introduction

The National Register of Historic Places is the federal government's official list of important, historic buildings, sites, and other properties deemed worthy of preservation. Designation on the National Register is, first, an honor, giving owners of listed places a sense of pride in the public value of their property. Second, listing provides a measure of protection to historic properties from federal and state undertaking and private undertakings that use or require federal or state assistance or approval. Finally, listed properties become eligible for a variety of historic preservation incentives such as federal rehabilitation tax credits, state property tax reductions, and grants.

The process of listing a property in the National Register is designed in a straight-forward, step-by-step manner. It does, however, involve an investment in time and requires efforts from a number of individuals and organizations. The process exists to allow a thorough review of the property and why it should be considered worthy of preservation. At first glance the process may appear complicated. However, it is actually divided into a series of small separate steps that carry the property from an initial identification, to documentation of its historic value, to review by a number of professional authorities, and finally to nomination and listing.

There are several responsible parties involved in the nomination process. First and foremost is the individual or group interested in the protection of a historic property. This might be an individual property owner seeking recognition of the property's value and ways to preserve it. It could be groups such as neighborhood associations or local governments looking at collections of historic properties in order to create historic districts. These primary parties have the responsibility of researching the background of the property(ies) and writing the nomination form that justifies inclusion in the Register. The coordinator of the listing process, the person who provides guidance to the primary parties and sees the nomination through the various steps is the State Historic Preservation Officer (SHPO). The SHPO is assisted by a professional staff representing the fields of history, architecture, architectural history, and archaeology.

Identification and Initial Review

The first step in the nomination process is to identify whether a particular property is eligible for listing. The National Register has a set of standards or criteria that define what it means for a property to be deemed "historic." These criteria establish the framework for evaluating the significance and physical character of the property. Initial identification of a property usually occurs in one of two ways. The SHPO and other agencies around the state regularly engage in surveys of historic cultural resources. These surveys identify properties and evaluate them under the National Register criteria. If a primary party wishes to nominate a property that has been identified in such a survey, they may begin by filling out the National Register nomination form (available from the SHPO). The nomination describes the physical aspects of a property, evaluates its significance in relation to established criteria for evaluation, and provides an analysis of its integrity.

Many areas of the state have not been surveyed which leaves the primary parties responsible for gathering information so the property can be evaluated. This is done by filling out an Arizona Historic Property Inventory Form. This form provides information for a preliminary review by the SHPO. It is reviewed according to the National Register criteria for evaluation to determine if sufficient information is provided to justify the significance of the property. If there is not enough information provided for the evaluation, the form is returned with comments for revision. Those who turn in an inventory form are given a preliminary determination of eligibility or ineligibility and, if eligible, are given the actual nomination form to fill out.

When a nomination is submitted, SHPO staff assesses it for historical accuracy and technical merit to see if it meets the National Register criteria. If the property appears to meet the criteria, and also meets standards regarding its physical condition, the property is considered potentially eligible for listing in the National Register. In the case of properties owned by public agencies, the SHPO works closely with administrators and managers to provide ample opportunity for comment and interaction. If the property does not meet the criteria for evaluation, or if its physical integrity is compromised, the nomination form is returned to the person or group that prepared it with the SHPO's opinion that the property is not eligible for listing in the National Register. An explanation of why the property does not appear to meet the criteria accompanies the returned nomination form.

Review Committee Public Hearing

For potentially eligible properties, the next step is to schedule the nomination for a public hearing before the Historic Sites Review Committee (HSRC). The HSRC is Arizona's official National Register review board as mandated by the amended Historic Preservation Act of 1966. Its nine members represent professional fields of history, architecture, prehistoric and historic archaeology, and other related disciplines. The HSRC examines and evaluates the nomination form and documentation, determines if the nominated property meets the National Register criteria for evaluation, and makes a recommendation to the SHPO to approve or disapprove the nomination. The committee may suggest revisions to the nomination form or recommend that the property not be nominated. The SHPO and staff consider the recommendation and suggested revisions.

The state is required by federal regulation (36 CFR 60) to notify property owners and local elected officials "at least thirty but not more than seventy-five days" before the public hearing. Notification is accomplished by individual letters sent to property owners, except in the case of historic districts containing fifty or more properties in which a legal notice is published in the local newspaper. The purpose of this notification is to provide notice of the state's intent to nominate the property and to solicit comments. Special notification of sixty days is provided if a community is a Certified Local Government (CLG). During this period, any owner or owners of a private property

may object to the listing by submitting a notarized statement to that effect. This may or may not affect the actual listing of a property (see below). Formal review of the nomination by the HSRC at a public hearing occurs at the end of the notification period.

SHPO Nominates

Nominations considered by the HSRC, along with comments received from the public, are reviewed by the SHPO. If the Officer finds that the nomination is adequately documented; technically, professionally, and procedurally correct; and is in conformance with National Register criteria for evaluation, the SHPO will then submit the nomination to the Keeper of the National Register at the National Park Service in Washington, D. C. The SHPO may make changes to the nomination to ensure that it meets National Register standards and guidelines and the information is historically accurate.

The SHPO officially nominates a property by signing the nomination form. The signed form is sent to the Keeper of the National Register along with any notarized statements of objection. The decision of the SHPO to nominate (or not to nominate) may be appealed to the Keeper of the National Register.

Listing in the National Register

When the nomination is received at the National Register in Washington, the Keeper may list the property in the National Register within 45 days, return the nomination for additional information from the SHPO, or reject the nomination. If the property owner (or the majority of such owners for a district or a single property with multiple owners) objects to the listing, the Keeper shall review the nomination and make an official determination of eligibility instead of listing the property.

Once a property has been listed in or determined eligible for the National Register, the Keeper notifies the SHPO. The SHPO then notifies the property owner, individuals, or groups that helped with the nomination, and local elected officials by letter or by a legal notice in the case of historic districts containing fifty or more properties. The SHPO notification usually occurs within ten days after the Officer receives notification from the Keeper.

For further information on what it means to be listed on the National Register of Historic Places and about historic preservation programs, call the State Historic Preservation Office at (602) 542-4009.