

MANUAL FOR STATE HISTORIC PRESERVATION REVIEW BOARDS



U.S. Department of the Interior
National Park Service
Cultural Resources

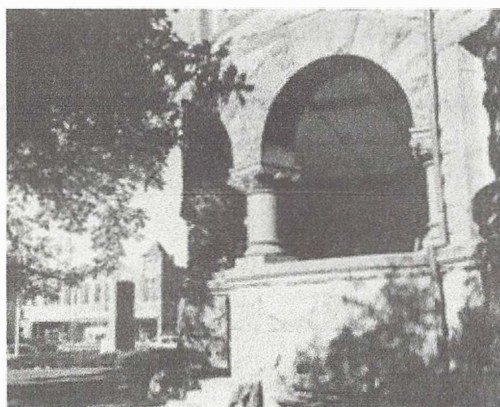


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U.S. Department of the Interior, National Park Service

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by Patrick W. Andrus
Michael J. Auer
Caroline R. Bedinger
Susan L. Henry
Stephen A. Morris
John W. Renaud

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Cover Photo-Ellis County Courthouse Historic District, Waxahachie, Ellis County, Texas. Detail of the 1895 Romanesque Revival style courthouse building designed by architect J. Ripley Gordon, for the cotton producing center of Waxahachie, Texas.

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U.S. Department of the Interior, National Park Service

Part 6: The National Register of Historic Places

The National Register of Historic Places is the official list of the Nation's cultural resources worthy of preservation. The National Register is administered by the National Park Service under the Secretary of the Interior in partnership with the State and Federal historic preservation offices. Properties listed in the National Register include districts, sites, buildings, structures, and objects significant in American history, architecture, archeology, engineering, and culture.

The authority of the National Register was established by the U.S. Congress with the passage of the National Historic Preservation Act of 1966. Federal regulations implementing the program are contained in 36 CFR Part 60. Listing in the National Register has the following results which assist in preserving historic properties: recognition that a property is significant to the Nation, the State, or the community; consideration in the planning for Federal or federally assisted projects; eligibility for Federal tax benefits; and qualification for Federal assistance for historic preservation, when funds are available.

The listing of a property in the National Register often changes the way communities perceive their historic resources and gives credibility to efforts of private citizens and public officials to preserve these resources as living parts of our communities. Listing in the National Register, however, does not give the Federal government any control over a property, nor does it impose any financial obligations on the owners, or obligations to make the property accessible to the public, or interfere with an owner's right to alter, manage, or dispose of their property. Historical commissions, design review committees, or special zoning ordinances are established by State laws or local ordinances. These restrictions are not governed by the National Register program, but rather by State or local governments.

The National Register is a central repository of information on historic properties. The National Register differs from other inventories of historic properties in that National Register properties have been evaluated and documented according to uniform national standards. The Secretary of the Interior's National Register Criteria for Evaluation and documentation standards are used by every State and Territory, and by Federal agencies to identify and document historic properties worthy of consideration in making preservation, planning, and development decisions.

This national inventory can be used for a variety of purposes related to planning and public awareness. Information maintained by the National Register can be incorporated into comprehensive plans, area plans, project plans, or tourism development plans, and can be integrated into Geographic Information Systems (GIS) maps that amalgamate environmental and other planning data. National Register documentation can be made part of heritage education programs to foster an understanding of history and pride in the community at the local level. Teachers can incorporate information on National Register properties into classroom curriculums to illustrate important trends in the past.

NATIONAL REGISTER CRITERIA FOR EVALUATION

National Register criteria define, for the nation as a whole, the scope and nature of historic and archeological properties that are considered for listing in the National Register of Historic Places.

The quality of significance in American history, architecture, archeology, engineering, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and:

- A. that are associated with events that have made a significant contribution to the broad patterns of our history; or
- B. that are associated with the lives of persons significant in our past; or
- C. that embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- D. that have yielded, or may be likely to yield, information important to prehistory or history.

Ordinarily cemeteries, birthplaces, or graves of historical figures, properties owned by religious institutions or used for religious purposes, structures that have been moved from their original locations, reconstructed historic buildings, properties primarily commemorative in nature, and properties that have achieved significance within the past 50 years shall not be considered eligible for the National Register. However, such properties will qualify if they are integral parts of districts that do meet the criteria or if they fall within the following categories:

- A. a religious property deriving primary significance from architectural or artistic distinction or historical importance; or
- B. a building or structure removed from its original location but which is significant primarily for architectural value, or which is the surviving structure most importantly associated with a historic person or event; or
- C. a birthplace or grave of a historical figure of outstanding importance if there is no other appropriate site or building directly associated with his productive life; or
- D. a cemetery that derives its primary significance from graves of persons of transcendent importance, from age, from distinctive design features, or from association with historic events; or
- E. a reconstructed building when accurately executed in a suitable environment and presented in a dignified manner as part of a restoration master plan, and when no other building or structure with the same association has survived; or
- F. a property primarily commemorative in intent if design, age, traditional, or

symbolic value has invested it with its own historical significance; or
G. a property achieving significance within the past 50 years if it is of exceptional importance.

The National Register criteria are broad in order to provide an analytical framework that can encompass the diversity of historic resources across the nation. The physical environment that people create for themselves in various periods of history is based upon needs, technologies, attitudes, and assumptions, all of which taken together shape a community's or a State's historic character or identity. Historical significance is based on a property's capacity to convey some aspect of that character or identity from a specific period of our history. Whether or not a property can convey this depends upon its physical integrity. It is also important to remember that historical significance is not limited to properties associated with the most important figures in a State's history or the finest examples of high style architecture. A wide variety of properties, ranging from the simple to the complex, can serve as tangible evidence of a community's cultural heritage and historic identity.

There are many methods of classifying types and arrangements of prehistoric and historic resources. The National Register uses the following definitions, and nominations are to be submitted in one of these categories:

A district possesses a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united historically or aesthetically by plan or physical development.

A site is the location of a significant event, a prehistoric or historic occupation or activity, or a building or structure, whether standing, ruined, or vanished, where the location itself possesses historic, cultural, or archeological value regardless of the value of any existing structures.

A building, such as a house, barn, church, hotel, or similar construction, is created principally to shelter any form of human activity. "Building" may also be used to refer to a historically or functionally related unit, such as a courthouse and jail or a house and barn.

The term structure is used to distinguish from buildings those functional constructions made usually for purposes other than creating human shelter.

The term object is used to distinguish from buildings and structures those constructions that are primarily artistic in nature or are relatively small in scale and simply constructed. Although it may be, by nature or design, movable, an object is associated with a specific setting or environment.

NOMINATION FORMATS

Each listing in the National Register fits one of the five categories of resource types described above. A category of property may be: 1) nominated and listed individually using [National Register of Historic Places Documentation Form \(NPS-10-900\)](#), or 2) more than one property nominated in a multiple property format using [National Register of Historic Places Multiple Property Documentation Form \(NPS-10-900-b\)](#) provided that all included properties bear some significant historic or cultural relationship to each other. In either case, each district, site, building, structure, and object included in the nomination will be evaluated individually against the National Register Criteria.

The Multiple Property Documentation Form (NPS-10-900-b) is a cover document and not a nomination in its own right; it serves as a basis for evaluating the National Register eligibility of related properties. On it, the themes, trends, and patterns of history shared by

the properties are organized into **historic contexts** and **property types** representing those contexts. It may be used to nominate a large number of related historic properties simultaneously, or to establish the registration requirements for properties not yet identified or documented, but which are expected to be nominated in the future. The nomination of each building, site, district, structure, or object within a thematic group is made on the National Register Registration Form. The name of the thematic group, denoting the historical framework of nominated properties is the multiple property listing. When nominated and listed in the National Register of Historic Places, the Multiple Property Documentation Form, together with the individual Registration Forms, constitute a multiple property submission. The State Review Board reviews and votes on Multiple Property Documentation forms in the same manner as all National Register nominations. Refer to [*How to Complete the National Register Registration Form*](#) for an extended discussion of nomination formats.

ROLE OF THE REVIEW BOARD IN EVALUATING PROPERTIES FOR THE NATIONAL REGISTER

The Review Board's evaluation of National Register nominations seeks to determine whether the registration form demonstrates that the property meets the National Register Criteria for Evaluation. The State Review Board then makes a recommendation to the State Historic Preservation Officer to approve or disapprove the nomination. Review Board members should be thoroughly familiar with the National Register regulations, all National Register Bulletins, and the record of former Review Boards in evaluating similar properties. The evaluation process is challenging because the concept of significance is relative, and therefore places considerable responsibility on the board members to ensure that the evaluation is carefully considered and analytical. Judging the significance of historic resources requires placing them in a variety of contexts, by asking, for example:

How does the resource represent a theme (such as building type, or development of a historic pattern such as transportation or settlement)?

How does the resource relate to or impact on the historical development of its community as a whole?

How does the resource compare with similar properties in the past and how does it compare with similar properties still extant? It is not necessary to evaluate the property in question against other properties if: it is the sole example of a property type that is important in illustrating the historic context, or, it clearly possesses the defined characteristics required to be strongly representative of the context. See [*How to Apply the National Register Criteria for Evaluation*](#) p. 9.

Is the resource important to the local community, the State, or the nation?

In reviewing and commenting on nominations, board members should be particularly aware of strong citizen interest in nominations. Nominations are frequently prepared by citizens who may attend a public board meeting; their interest in preservation should be acknowledged and appropriately stimulated.

Review Board members should be cognizant of the impact the board has on the public's accessibility to the National Register nomination process. In recent years, some citizens have expressed the concern that documentation requirements have become so burdensome that only professional consultants can prepare nominations. The National Park Service has

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recently taken the following steps to address the issue of public accessibility to the nomination process:

o National Register guidelines for applying the National Register Criteria and completing National Register forms have been revised in a clear and understandable format. [How to Complete the National Register Registration Form](#) contains instructions on how to complete the National Register Registration Form, while [How to Complete the National Register Multiple Property Documentation Form](#) provides instructions on how to complete the National Register Multiple Property Documentation Form. [How to Apply the National Register Criteria for Evaluation](#) explicitly explains how to evaluate the significance and historical integrity of properties, and contains numerous examples of eligible/not eligible properties.

[Researching a Historic Property](#) contains useful guidance on sources of information for documenting historic properties. This bulletin is particularly useful for those who do not routinely perform original historical research.

- Both the National Register Registration Form and Multiple Property Documentation Form have been redesigned and reissued in formats that are easier to use and can be used with personal computers. Templates for these forms have been sent to the State historic preservation offices for distribution to the public.
- A National Park Service publication "Questions and Answers About the National Register of Historic Places" provides guidance about minimum requirements for the National Register program.
- The National Register has prepared a casebook with examples of nominations with concise documentation and multiple property nominations. National Register Bulletin 16A includes an example of a concise, single-property nomination.

The role of the Review Board in the nomination process is to provide leadership in the recognition of the State's historic properties. The Review Board plays a key role in making the National Register accessible by recognizing that nominations need to adequately describe and justify the eligibility of the property, but that they need not be unnecessarily lengthy or technical. The goal is to provide citizens who are seeking recognition for significant properties access to National Register listing with as little frustration as possible.

When the owner or majority of private owners of a property or properties being considered for inclusion in the National Register formally objects to National Register listing, the SHPO forwards the nomination to the Keeper of the National Register for a determination of eligibility. Should the Review Board and the SHPO disagree on the eligibility of a property, either may request the National Register to decide. Anyone may appeal the refusal of the State Historic Preservation Officer to nominate a property to the National Register. In addition, anyone may appeal the nomination of a property. National Register procedures are found in 36 CFR Part 60.

Beyond the intricacies of historic judgment, other important issues faced by the Review Board are the political and economic ramifications of National Register listings. A present owner may oppose a property's listing regardless of its significance, because of a fear of being unable to develop or use the property as desired. On the other hand, an owner may push for nominating a property that does not have sufficient historical significance to justify listing in order to take advantage of certain tax incentives. **These factors shall not be taken into consideration by the State Review Board. Their responsibility is to apply professional, technical standards in an unbiased fashion to determine if properties meet the National Register Criteria.**

Citizens of the State rely upon the Review Board to render judgments about the State's historic resources. While the cultural resources programs of the Department of the Interior establish basic policy under the law and set general standards for the National Register program, the Secretary of the Interior and the Keeper of the National Register of Historic Places rely on the Review Boards and the staff of the State historic preservation offices for judgments concerning what is important within the States. Their judgments are justifiable and more predictable as a result of comprehensive preservation planning, which places resources in a comparative context. The Review Board's role is critical to the national program because the Review Board is charged with the responsibility of applying the National Register criteria, and providing a judgment on what resources are significant and should thus receive the benefits of National Register recognition. These decisions have far reaching impact since they establish how much of the State's cultural heritage will be affected by Federal tax laws and other Federal environmental planning laws protecting historic resources.

The valuable information on historic properties documented in the National Register can be accessed through the National Register Information System (NRIS) data. It can produce indices and computerized tapes by State, county, city, or Federal agency; it can provide in-depth, full page "property reports" of a single property, or group of properties; it can generate reports by major categories such as historic and current function, or areas and periods of significance; it can summarize data by communities or by States; and it can order word searches of any text field, for example all listed buildings in a community associated with a particular period of history, or built by a particular architect, or representing a particular historic function (19th century commercial buildings). Access to the NRIS is available through the Web at www.nr.nps.gov.

SOME QUESTIONS AND ANSWERS ABOUT THE NATIONAL REGISTER

Some complex issues are involved in the evaluation of historic resources. The National Register establishes policy and provides guidelines concerning these issues through a set of publications called the National Register Bulletin series. Additional publications in this series are provided periodically as needed in order to clarify policy or to provide additional guidance. The following are brief answers to some of the most frequently asked questions about the National Register. Additional information about these and other issues is provided in National Register publications. [*How to Apply National Register Criteria for Evaluation*](#) is particularly helpful in answering questions about resource evaluation.

The following questions are grouped into five categories: questions related to technical aspects of nominations review (questions 1-5); historical significance (questions 6-11); historical integrity (questions 12-15); National Register Criteria Considerations (questions 16-18); and, procedural aspects of nominations review (questions 19-23).

Technical Review

1. What are the main things a Review Board member should focus on when reviewing a proposed nomination?

When evaluating a nomination, Review Board members should focus on three major areas:

- Significance within local, State, or national contexts.
- Integrity - historical, architectural and/or archeological.

- Definition of what constitutes the resource, including definition of the extent of boundaries of the resource.

2. How does a Review Board member recognize well-researched and accurate historical documentation?

The Review Board evaluates a resource specifically in terms of the National Register criteria and the historic context within which the property is significant. Historical documentation and research about the property under consideration should be viewed accordingly. Technical questions concerning archeological or historical documentation are best resolved through the knowledgeable judgment of the Review Board member or the State staff person with the appropriate professional discipline or specialization.

3. How much documentation is enough?

The National Register nomination should clearly describe and state the significance of the nominated property as it relates to the National Register Criteria. There is no prescribed length for a nomination, but nominations need not be long, highly technical, or scholarly in format (for example, footnotes are not required). An explanation of the property's significance can be direct and to the point, as long as it provides a perspective from which to evaluate the relative importance of the property.

4. How does the Multiple Property Documentation Form differ from a historic district nomination?

The Multiple Property Nomination is a format for submitting groups of related properties and can include districts, sites, buildings, structures, and objects in a specific rural area, town, county, or section of a town, city, region, or State. These properties share a common association with the broad unifying themes, trends or, patterns of an area's history, such as historic events, significant persons, architectural styles, archeological types, or physical characteristics. Information common to the group of properties is documented in the Multiple Property Documentation Form.

A district, on the other hand, is itself a historic resource. It is a coherent whole, consisting of a grouping of buildings, sites, structures and/or objects that convey a sense of time and place and/or that convey significant information because of the design and relationship of component parts. There may be buildings or features in a district that do not contribute to the significance of the district. However, each resource included within the boundary of a district is part of the National Register listing, not as an individual property, but as part of the grouping or the historic environment that constitutes the district. Historic districts are documented on individual nomination forms.

5. Can properties be nominated under only one criterion or area of significance when more apply?

Yes. Any property that meets at least one of the criteria is eligible- for listing, if the nomination adequately supports the property's significance under that criterion and area of significance. States are encouraged to look at all aspects of a property and to present comprehensive documentation; ideally properties should be nominated under all applicable criteria and areas of significance. However, properties will be listed in the National Register provided at least one criterion is sufficiently justified.

States may ask people preparing nominations to address more than one criterion or area of significance in the interest of gathering information and gaining a more complete understanding of the resource. When additional areas of significance are known or suspected

at the time of nomination, they may be briefly described in the text as areas for further study, alerting the reader to the possibility that more research may expand current understanding of the property's significance.

6. Can a property be nominated individually if it is located within a potential historic district?

If a property is individually eligible, it may be nominated, even if it is also part of an eligible district. However, many properties are eligible only as part of a district. Individual nomination of properties in historic districts is not encouraged because this is a duplication of effort and the protection afforded the property by National Register recognition is the same.

Historical Significance

7. What is the definition of local significance and how is the distinction made between local, State, and national importance?

Historic significance is the determination that a property is important for its association with significant events or persons (National Register Criteria A and B), for their importance in design or construction (National Register Criterion C), or for their information potential (National Register Criterion D).

Significance is evaluated primarily in two ways:

- how the resource reflects or expresses the period in which it was created (or the period in which it achieved significance), and how it fits into the context of prehistory or history in its own period; and,
- how the resource has structurally evolved over time, what physical integrity remains, and how the resource compares to other extant examples.

The level of significance of a property refers to the geographic scope of comparison between the property being nominated and similar properties. Local significance is determined by evaluating the resource within the context of the history of the locality - the village, town, city, or county. A property that is significant within the context of the State is one which, upon comparison with other resources and upon examination of the principal development patterns of the State, is found to be important either as an example of a type of structure or feature or for its expression of some theme or characteristic of the State's history. Judgments concerning State significance should be made by professionals who have a sound knowledge of a State's history and resources. As it grows, the State inventory will help provide perspective on the historic resources of specific communities, as well as of the State. The Secretary of the Interior and the Keeper of the National Register rely upon the SHPO, the State Review Board, and the State staff to provide judgments concerning local and State significance, and, in addition, to recommend resources which may be of national significance.

8. What is the National Historic Landmarks program?

Authority for the [National Historic Landmarks](#) program is based on the Historic Sites Act of 1935, which established a national policy to preserve historic sites, buildings, and objects of national significance. National Historic Landmarks are designated by the Secretary of the Interior.

National Historic Landmark recognition calls attention to properties judged to have exceptional value to the nation as a whole rather than to only a particular State or locality. Properties designated as National Historic Landmarks are also listed in the National Register of Historic Places and owners are encouraged to observe preservation principles.

Potential National Historic Landmarks are identified through theme studies and research conducted by the National Historic Landmarks Program of the NPS. In the study process, information and recommendations are solicited from the SHPO. The State is also notified when a property is going to be studied for potential National Historic Landmark designation, and given an opportunity to comment on NHL nominations. The NPS prepares an annual report to the U.S. Congress (known as the Section 8 Report) that identifies all National Historic Landmarks that exhibit known or anticipated damage or threats to their integrity.

Properties nominated with the National level of evaluation checked will not automatically be designated National Historic Landmarks. These properties may be considered for National Historic Landmark evaluation.

9. What are the special issues involved in evaluating a rural historic district?

The fact that an area has remained rural is not sufficient justification for the establishment of a historic district. The area must meet the specific standards of the National Register criteria, with the Statement of Significance demonstrating the area's historic, architectural, or archeological importance and integrity. The appearance of the land and buildings should reflect the Period of Significance, and any changes in land use or building form should be minor and not detract from the historical sense of time and place.

Boundaries are critical elements of rural historic district nominations and should relate directly to the stated significance while emphasizing the area's integrity. Boundaries may be defined by natural features (rivers, tree lines, or topographic features), man-made delineations (historic property lines, or political subdivisions) or contemporary features (highways, or power lines). Combinations of the above may be used, but buffer zones are not permitted.

10. Are there any special considerations that should be taken into account when reviewing an archeological property?

Review of nominations for archeological properties involves looking for much of the same kinds of data as any other historic property: descriptive information giving a specific analysis of the site or district and how this is known; contextual information which indicates how this site or district fits into current knowledge of a region's prehistory or history; and explicit boundaries and reasons for their delineation based on the known extent of the resource.

Like other types of historic properties, archeological properties may be eligible under more than one criterion. It is important to keep this in mind when reviewing archeological nominations, as the nomination form should refer to all aspects of the significance of the property, and provide support for each if the archeological site is nominated for more than one criteria or area of significance. For example, in justifying the eligibility of a site or district under criterion D, the criterion most often applied to archeological properties, the text of the nomination form should demonstrate what data are contained in the site and explain how that information is used to answer specific research questions. The importance of the information to be gained should be established by discussing the site or district in the context of current knowledge of the region's history or prehistory. For sites consisting largely of buried deposits, demonstration of potential to yield important information may

involve subsurface testing. The necessity for, and scope of, subsurface testing must be decided on a property specific basis.

If a group of related archeological properties is spatially discrete, and the space between the elements is not related to the significance of the district, and visual continuity is not a factor in the significance, then it may be appropriate to select a discontinuous boundary. The discontinuous boundary, composed of two or more definable significant areas separated by nonsignificant areas is used when the deposits are related to each other through cultural affiliation, period of use, or site type.

11. Are there special criteria or considerations for nominating objects to the National Register?

Of the categories of resources eligible for the National Register, objects have often been the most controversial. They are a kind of resource different enough to raise questions about what types of objects are eligible and how the National Register criteria apply. Integrity of location and setting is especially important in determining what objects qualify for the Register. Objects that are part of collections are not eligible for listing on the grounds that the required "integrity of location, setting, feeling and association" is not present in a museum type of arrangement. 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 currently listed in the National Register include boundary markers, monuments, statues, mileposts, and fountains.

12. What are the criteria for listing vernacular architecture?

Vernacular architecture is important because it reflects significant patterns of life in particular regions. Criterion C, which includes historic resources "that embody the distinctive characteristics of a type, period, or method of construction, or that possess high artistic values or that represent a significant and distinguishable entity whose components may lack individual distinction," is often applied to regional types, periods, and styles of vernacular resources. Such native resources are increasingly recognized as vital parts of the variety of American culture, especially as they become more scarce. Vernacular resources may convey a sense of historically common, but now rare or nonexistent, lifestyles or design patterns. Frequently the historic patterns and architectural features associated with vernacular construction reflect a major component of an area's culture. Such resources might be modest in scale and simple in design and craftsmanship, yet are as legitimately historic as any other Register listing.

Historical Integrity

13. How important is the integrity of the property when considering a nomination?

Integrity is the ability of a property to convey its significance. Historic properties either retain integrity, or they do not. Within the concept of integrity, the National Register criteria recognize seven aspects or qualities that, in various combinations, define integrity. Integrity is a quality that applies to location, design, setting, materials, workmanship, feeling and association. It refers to the clarity of a property's historic identity.

In terms of architectural design, integrity means that a building must still possess the attributes of mass, scale, decoration, etc., from its Period of Significance, that is from either (1) the period in which it was conceived and built, or (2) the period in which it was adapted to a later style which has validity in its own right as an expression of historical character or

development. The question of whether or not a building possesses integrity is a question of degree of alteration. For a building to possess integrity, its principal features must be sufficiently intact for its historic identity to be apparent.

A building that is significant for historic association must retain sufficient physical integrity to convey that association. The building should thus substantially retain the physical character or appearance it had at the time of its association with the significant event or person. In the case of a historic site which may not possess any historic buildings (for example, battlefields, traditional cultural properties, treaty sites, fords, and so forth), the site's continuing ability to communicate its historic associations with an event or person frequently depends on the retention of the appropriate natural setting.

Severe structural deterioration can affect eligibility of a property for listing in the National Register. If there is strong justification for the property's historical integrity despite its deterioration, it may be nominated and listed with the expectation that this recognition may spur efforts to save and improve the property. It is important that evaluation of such a case address the condition of a deteriorated property and that photos used during evaluation accurately depict its condition. If the building has lost its structural integrity it may be determined that the building is beyond the point of rehabilitation and therefore beyond the point of making a lasting contribution to the community, State, or nation. In such an instance, the property would not be listed in the National Register. Even though a property may have no buildings retaining integrity, the property may have archeological remains that could make it eligible for the National Register.

In the case of districts, integrity means the physical integrity of the buildings, structures, or features that make up the district as well as the historic, spatial, and visual relationships of the components. Some buildings or features may individually have been more altered over time than others. In order to possess integrity a district must, on balance, still communicate its historic identity.

The quality of integrity in an archeological property means that the cultural material remains are relatively undisturbed, thus retaining the potential to yield important information, communicate historic associations, or exemplify artistic or construction techniques. Many factors may affect the integrity of an archeological property, including both man-made and natural disturbances such as modern construction, quarrying, cultivation, erosion, or even previous archeological investigations.

Refer to the National Register Bulletin [*How to Apply the National Register Criteria for Evaluation*](#), for an extended discussion of integrity.

14. How important are intrusions when considering a district for nomination to the National Register? How many are too many?

There is no easy formula or standard rule concerning the number of intrusions that renders a district ineligible for National Register listing. The primary means of judging district intrusions is to determine their impact upon the area's architectural, historic, or archeological integrity. Factors to be considered in this judgment include the relative size, scale, design, and location of the questionable property, or, in the case of an archeological district, the seriousness of any ground-disturbing activities. Any proposed district must convey a sense of time and place through the collective significance of its buildings or features. In the case of a historic or architectural district, if there are too many scattered non-contributing features, or if the one or two present have a dominating visual impact and so interrupt the sense of historical period or architectural style, then the district's integrity may be lost or seriously damaged.

15. Where should boundaries be drawn?

Once the significance of a historic property has been identified, the boundaries should be carefully drawn to include all the aspects or qualities that contribute to its significance. Boundaries should not be drawn to include buffer zones, nor should they exclude features that are intrinsic to the resource. For example, all buildings/features of a historic complex should be included. Visual qualities such as integrity of setting or historic sight lines related to the significance of the property should be considered integral parts of the resource.

In addition to visual qualities and distribution of all significant features, factors that influence the selection of boundaries include historical uses and associations, property lines, integrity of site, topographic features, and research qualities. The last generally apply to archeological sites. For example, the boundaries for an archeological property should reflect the known extent and configuration of the cultural deposits. Areas of high potential may be included when justifiable, although the inclusion of large areas of uncertain potential is not acceptable. For archeological districts, boundaries should also reflect the distribution of related sites. Districts may include areas with additional site potential, but they should not include large amounts of "empty" acreage. If warranted, a discontinuous segment approach may be used to eliminate irrelevant areas. In some cases, additional survey may be needed before appropriate boundaries can be selected.

16. Can vinyl-sided buildings be listed in the National Register?

Although vinyl siding is not a recommended treatment for historic buildings, the National Register does not categorically exclude vinyl-sided buildings from consideration. Buildings that have been sided may be eligible for listing in the National Register if they meet the criteria and retain integrity. Many properties have lost integrity and become ineligible for the National Register solely because of the application of siding. Buildings that are sided generally will not be individually eligible under Criterion C for architecture. However, if the building is significant primarily for its association with important persons or events, and if the siding was applied in such a way as to retain the main features of the building, it may be eligible under other criteria and areas of significance.

Criteria Considerations

17. What qualities must be present for a property less than 50 years old to qualify for the National Register?

The National Register Criteria for Evaluation allow for the nomination of properties that have achieved significance within the last 50 years only if they are exceptionally important or if they are integral parts of districts that are eligible for National Register listing. As a general rule, properties that have achieved significance within the last 50 years are not eligible for listing because the Register is a compilation of the nation's historic resources worthy of preservation. The National Register does not include properties important solely for their contemporary use or impact. Passage of time allows perceptions to be guided by scholarly study, the judgments of previous decades, and the dispassion of distance. One is then better prepared to objectively evaluate what constitutes enduring interest and value.

The criteria do not describe "exceptional," nor should they. "Exceptional" cannot by its own definition be fully catalogued or anticipated. It may reflect the extraordinary impact of a social or political event. It may exist because an entire category of resources is so fragile that survivors of any age are unusual. It may be a function of the relative age of a community and its perceptions of old and new. It may be represented by a building whose developmental or

design value is quickly recognized by the architectural profession. It may reside in a range of possibly threatened resources for which the community has an unusually strong attachment.

18. When are religious properties eligible for listing?

Religious properties are as potentially eligible for National Register listing as any other kind of resource. However, their significance must be based on either 1) architectural or artistic distinctiveness, or 2) past events of historical importance. Significance cannot be defined simply in terms of continuous religious use or ideology. A religious property could be eligible for the National Register based on historical significance if it were associated with a religious group or institution that had an important impact on a community or society, and if that property itself was associated with the group or institution during the period of significance.

19. When are cemeteries or graves eligible for listing?

Ordinarily cemeteries are not considered eligible for the National Register. Exceptions may include cemeteries with distinctive design, association with historic events, or uncommon age. Graves of persons of transcendent importance may be listed only if there is no other appropriate site or building directly associated with their productive lives.

Unmarked graves may be defined as cemeteries according to State law and thereby protected. Such properties also may be significant as archeological sites because they provide important information about people in the past.

Procedural Review

20. How should the Review Board consider comments that do not relate to the criteria?

The Review Board should perform a strictly professional evaluation based only on historic, architectural, archeological, or cultural values, as stipulated in the National Register Criteria for Evaluation. In accordance with the National Historic Preservation Act Amendments of 1980, in cases where a majority of private property owners advise the State that they do not wish their property to be listed, the Review Board will consider the property's eligibility for the National Register, and the SHPO will not nominate the property for listing in the register but should forward the nomination to the National Register for a Determination of Eligibility. The Determination of Eligibility will ensure that Federal agencies will consider the historic significance of the property if Federal assistance or a Federal license is involved in projects that will affect the property. The comments of public owners of property (government agencies) will be considered, but public owners can not prevent the property from being listed in the National Register based on their objection to the listing.

21. What is the role of the Certified Local Governments in the nomination process?

Certified Local Governments (CLG) participate in the National Register nomination process by reviewing all nominations of properties in their jurisdictions. Refer to the chapter on Certified Local Governments for an explanation of their role.

22. What is the role of the State Review Board in the nomination of properties by Federal agencies?

The procedure by which Federal agencies nominate properties is outlined in National Register regulations (36 CFR Part 60.9). Federal agencies are required by law to establish a program to locate, inventory, and nominate all properties under the agency's ownership or control that appear to qualify for the National Register. Nomination forms are prepared

under the supervision of the Federal Preservation Officer designated by the head of the Federal agency. Completed nominations are submitted to the appropriate SHPO for review and comment regarding the adequacy of the nomination, the significance of the property, and its eligibility for the National Register. The State is allowed 45 days to comment on the nomination.

The State Historic Preservation Officer may choose to submit the nomination to the State Review Board during this period. The Review Board then considers the nomination in the same manner that it reviews State nominations, and submits its opinion to the State Historic Preservation Officer. After reviewing the comments of the State Historic Preservation Officer and the chief elected local official, or if there has been no comment within 45 days, the Federal Preservation Officer may approve the nomination and forward it to the National Register.

23. What is the Review Board's role in nominations appeals?

National Register regulations (36 CFR Part 60.12) allow anyone to appeal the failure or refusal of a nominating authority to nominate a property for any reason when requested to do so, or upon failure of a SHPO to nominate a property recommended by the State Review Board. The National Park Service will review all pertinent documentation relating to the property subject to the appeal. The minutes of State Review Board meetings can play an important role in this process by providing the comments and the count of the Review Board members vote either in favor or opposition to the nomination, and in presenting the record of the testimony submitted to the Review Board and any debate or questions raised by board members during the meeting.

24. How should Review Boards consider controversial or precedent-setting nominations?

In some instances nominations will raise issues of a controversial or precedent-setting nature. This usually occurs when properties are deteriorated, altered, or represent an aspect of history for which there has been little professional evaluation. The National Register encourages States to consider these types of properties. Often the vote of the Review Board can help to establish a benchmark or threshold of acceptability for physical integrity for property types that are routinely found to be deteriorated or altered. The Review Board may also help establish directions for research concerning aspects of State history that need further study. At the request of the SHPO the National Register will perform a preliminary review of nominations that raise questions concerning integrity or historical significance.

SUGGESTED READING

The following publications are available on the Web at www.nps.gov/nr/publications or by to: writing National Register of Historic Places, National Park Service, 1849 C Street, NW, #2280, Washington, DC 20240.

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