

Sample Letter for National Register Proposed Rule Changes

To Whom it May Concern:

Thank you for the opportunity to comment on the proposed changes to the rules for nominations to the National Register of Historic Places and how properties are determined eligible. As a preservationist and someone who can testify to the significant positive impacts of listing properties in the National Register, I strenuously object to the changes to the existing processes for adding properties.

The proposed rules radically change the process for recognizing federal properties as historic places by allowing a federal agency to effectively block a historic property from being listed on the National Register. This change would impact post offices, U.S. Government facilities, buildings significant to our proud military history, among others, which are often critical to the character of our cities and towns serving as local landmarks and evidence of our nation's architectural legacy. ***Insert example of local federal building or complex that could be impacted***

Likewise, the consequences of the proposed procedures have serious negative impacts on the intent of the National Historic Preservation Act (NHPA). The Section 106 consultation process is key to consideration of federally owned historic resources in agency planning processes. Under the proposed rules, the federal agency, not the Keeper of the National Register, will determine whether a federal property is worthy of consideration for protection under the NHPA. ***Insert example of a historic federal property that could have been lost***. Also important is the right under the NHPA for any person or local government to appeal the failure of a nominating authority to nominate a property. To remove federal properties from an appeals process would be contrary to the law and would alter an existing process that is currently fair and open.

Creation of historic districts has long been one of the most effective means for providing recognition and protection to historic properties. Of paramount importance to some property owners is the listing historic districts in the National Register also qualifies contributing properties for incentives otherwise not available. Federal tax credits for rehabilitation of historic properties are a proven preservation and community revitalization tool. This incentive is only available to properties either individually listed or certified to contribute to the significance of National Register Historic Districts. The process for qualifying properties for tax incentives as part of a historic district are at risk now because of the proposed change which allow federal agencies owning a property in a proposed historic district to object to the historic district nomination and prevent its listing. ***Insert local example of HTC project***

Another threat to historic district nominations relates to the provision under the law that if a majority of private property owners object to a nomination it will not be listed. The proposed revision would allow large property owners to be given an outweighed ability to block nominations by counting the majority of the land area in addition to the current counting of *one private owner, one vote*. There is no statutory authority to make this change and any such change would place a near impossible burden on State Historic Preservation Officers. ***Insert local example of land area under single ownership***

The rule as proposed in docket #NPS-2019-0001 would dramatically impact the ability of properties to be listed on the National Register of Historic Places. I strongly urge you to reconsider these changes.

Sincerely,

Your Name

List Professional Credentials and Organizational Affiliations