The National Register of Historic Places: An Emerging Tool for Land Conservation

by Sandra Tassel

HISTORIC PRESERVATIONISTS AND LAND conservationists share an interest in safeguarding community character and a sense of place. But the two groups often act like cordial but uncommunicative neighbors, each staying within their own disciplines. Now, however, some individuals and groups are reconnecting the missions of historic preservation and natural resource protection, using the National Register of Historic Places as a tool for leveraging land conservation as well as for protecting historic structures.

The past two decades have witnessed the evolution of a new thinking and lexicon among preservationists, reports Max van Balgooy, director of interpretation and education at the National Trust for Historic Preservation. No longer content to protect and restore only buildings, a group of professionals is now advocating for preservation of "historic and cultural landscapes." In some cases, landscape protection is being added to the National Trust's preservation mission at pre-eminent sites such as Oatlands, a magnificent house museum in rapidly developing Loudoun County, Virginia, where the trust is acquiring the viewshed in order to retain the historic context of the famous structure. In other situations, the landscape itself is of primary concern—the vineyards of Sonoma County, California, for example. Entities such as the National Park Service’s Historic Landscape Initiative, The Cultural Landscape Foundation and The Alliance for Historic Landscape Preservation are at the forefront of efforts to protect the country’s heritage.

Land trusts can find potent allies and capable teachers among these cultural landscape professionals because they recognize that historic resources are frequently found in the same locations as important natural features. With broaderscale land conservation coming of age, the tools of historic preservationists may prove timely because they support landscape-level conservation and the associated public outreach and funding campaigns. Incorporating cultural landscapes into an organization’s land conservation program and strategies does not necessarily entail any modification in priorities. Rather, land trusts can utilize methods from the established field of historic preservation to develop new ways of both researching and talking about conserved lands.

To understand how cultural landscape protection could serve land trusts, one must understand the work of historic preservation. Preservation of structures relies on two primary tools: facade easements and listings on various historic registries. Facade easements are the equivalent of conservation easements, obligating the owner to maintain certain features of the building and conveying an enforcement right to a qualified recipient. Listing properties on the National Register of Historic Places, or other state or local lists, has no natural resource corollary for lands of local, state or regional importance. Although no definitive figures are available, experts say more and more landscapes are being added to the Register, particularly since 1992, when the nomination criteria were amended to include guidelines for landscapes. For
land trusts that want to protect cultural landscapes, the National Register is an essential component of their land conservation toolkit (see sidebar, “National Register Basics”).

Although Register listing may appear to confer little immediate protection, especially when compared with a conservation easement, proponents tout the importance of the “Section 106 Review.” Under this regulation any federally funded or permitted project must be evaluated for potential impact on both current National Register properties and any others that may be eligible for listing. “If it [a project] could have an adverse impact it has to be reviewed to see if there is a less damaging alternative,” explains van Balgooy. Considering how many state and local activities receive federal grants, or require some level of permitting, much more protection could be provided if this section were being fully implemented. Section 106 may actually be most useful for conserving landscapes, van Balgooy believes, because protected areas could otherwise be targeted for public improvements such as roads, utility corridors, airports and schools. For groups thinking about long-term preservation, protection against condemnation is a critical strategy. Land trusts would be wise to cultivate the ability to gauge whether a property is likely to be eligible for listing, as Section 106 can be invoked without actual entry into the Register.

While not a legal protection, the public recognition implicit in National Register listing also plays a role in assuring the future of historic structures and landscapes. Tammaras Van Ryn, director of research and easement excellence at the Land Trust Alliance, perceives a real value in increasing the visibility of an area or parcel with the community and the landowner through Register listing. “Awareness of cultural resources gives more validity and strength to our protection proposals,” she says. According to historic preservation advocates, historic significance, as certified by the Register, has proven to be a persuasive argument for conservation in local land use decisions.

Determining whether a property is genuinely historic and eligible for nomination to the National Register is no small feat. Exacting research is needed to assess whether the property is truly significant, with its cultural resources sufficiently intact to justify a potential listing. The form and accompanying documentation need to be carefully completed, often with the assistance of skilled individuals (see sidebar). Local preservation groups, the State Historic Preservation Office and staff from the National Register must all review the nomination as part of the process.

The investigation and assessment process should not alarm land trusts, however. Rather, it is the most valuable aspect of listing, says Charles Birnbaum of the National Park Service’s Historic Landscape Initiative. Cultural features are generally invisible to us, he says, particularly when land conservation’s objectives center on natural characteristics. Referring to the studies necessary to identify historic characteristics, he says: “It’s a whole new lens through which to view resources.” Birnbaum perceives such studies as a critical part of prioritizing conservation action. Andy Kendall, executive director of The Trustees of Reservations in Massachusetts, strongly concurs. “We have hundreds of projects in the pipeline. We want to really understand the relative importance of each property so we can figure out how we are going to invest our time and energy.” Without the cultural resources lens, he believes the Trustees would be seeing only part of the picture.

One true believer in the value of the evaluation—and National Register listing—is Meme Runyon, executive director of River Fields, a land trust and advocacy organization based in Louisville, Kentucky, established in 1959. “You get a much richer understanding of your lands as a result of the research for the Register application,” she says. The increased amount of information leads to better caliber easements. River Fields’ easements reflect the cultural and historic data in both their purposes and management clauses.

A prime example of the linkage between River Fields’ cultural and natural protection work is at Wolf Pen Branch Mill Farm, where the organization holds a 412-acre conservation

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Images from the Wolf Pen Branch Mill Farm, under easement held by River Fields and the Kentucky Heritage Council. At left, a group takes a scheduled nature walk on the property and at right, the historic grist mill.
National Register Basics

The National Register of Historic Places is the official list of historic properties that embody the history and pre-history of the United States. It was created by Congress in the National Historic Preservation Act of 1966 and is administered by the National Park Service.

Even though the Register is generally known for its famous buildings, many of the 80,000+ entries contain historically significant landscapes. The significance of these landscapes may be as settings for important activities and/or buildings, or inherent in the design and use of the land itself. All listings fit into one of five categories: districts, sites, buildings, structures or objects. Landscapes listed on the Register do not have to be connected to historic structures because they can be listed as districts or sites. Civil war battlefields are an easily understood example of a landscape that is significant in its own right.

Partnerships are essential to the National Register. State Historic Preservation Offices are responsible for identifying the historic resources eligible for the National Register and submitting nominations on non-federal properties. Properties owned by the federal government are nominated by Federal Preservation Officers. In addition, Tribal Historic Preservation Officers often are the initiators of nominations on traditional cultural sites located on tribal lands. Some local governments are also certified to participate in the nomination process.

In order to be eligible for inclusion in the Register, properties must have both historical significance and a high degree of authenticity, called “historic integrity.” However, most National Register properties reflect local, state or regional importance rather than national. National Historic Landmarks status is a special designation made by the Secretary of the Interior to recognize sites that have outstanding significance to the entire nation. Only 4 percent of all listed properties receive this designation.

Special places are judged to be significant if they are associated with noteworthy people or events, represent distinctive types of design or construction, or are likely to contain important information about history or prehistory. Complete eligibility criteria can be found at the Register’s Web site at www.cr.nps.gov/nr/listing.htm.

How are historic landscapes nominated to the National Register?

All properties listed on the National Register, regardless of their type, were entered by way of a specific nomination process, described at the link above. For a thorough introduction to the assessment process, read the bulletin titled “How to Apply the National Register Criteria for Evaluation.” Land trusts will need to study “Guidelines for Evaluating and Documenting Rural Historic Landscapes” to learn how to recognize, research and document these properties. Both bulletins can be found at www.cr.nps.gov/nr/publications/bulletins.htm.

Although nominations demand extensive research and documentation, amateurs often do the majority of the work. State Historic Preservation Office staff, local historic preservation activists, and students from specialized university programs are all potential sources of information and assistance to land trusts. Land trusts can contract with one of the landscape architects, geographers or historians who make a profession out of historical research and documentation. Grant monies from the National Park Service and state historic preservation agencies may also support the work of inventorying historic properties and preparing Register documentation. An excellent first step for anyone interested in exploring a possible nomination, or wanting more information about regional history, is to contact the State Historic Preservation Office. See www.sso.org/nchsp/idevelopmentlist.htm for a list of all the offices.

Thank you to Linda McClelland, historian of historic places, National Park Service, for providing this information. McClelland is the author, co-author or editor of many of the bulletins and guidelines that will prove useful to land trusts exploring this subject.

—Sandra Tassel
Heritage Council so that monitoring of the historic mill buildings is conducted by preservation professionals.

Along the Florida and Georgia border, north of Tallahassee, the Tall Timbers Research Station is using National Register listings to provide extra security for its easements and to help landowners secure tax deductions. Tall Timbers has established the Red Hills Conservation Program to “save a 300,000-acre landscape that has natural resources, a living community and archeological values,” says Kevin McGorty, who leads the program. The area’s red clay soils still support remnants of the longleaf pine forest and the wildlife that depends on it. To date, 81,000 acres of Red Hills’ farms and hunting plantations have been placed under restriction. Many of them, including Hiamonee Plantation, feature graceful antebellum homes and landscapes dating from the pre-Civil War cotton and slave era. In 2002 Hiamonee was listed on the National Register after Tall Timbers sponsored its nomination. According to McGorty, the combination of protection methods gives “layers of protection” to properties with multiple values. He notes that natural disasters could potentially destroy some of the ecological resources that originally justified a conservation easement. Incorporating cultural and historic purposes makes the document harder to nullify in that event.

McGorty, who spent 11 years as the director of the Historic Tallahassee Preservation Board, predicts that land trusts will be able to engage a whole new constituency if they expand their thinking to include cultural landscapes. Tall Timbers highlights National Register listings in all of its marketing and fundraising efforts because it “resonates with citizens who are drawn to the constancy of historic preservation.” This audience may not respond as enthusiastically to open space or habitat values, in his experience. According to Runyon, land trusts may already, even inadvertently, be protecting cultural landscapes. However, they may lack the knowledge and language to convey this to the public. For River Fields, making this shift has meant “...a whole group of donors tune into us because we read the land this way,” and the group can share the historic and cultural stories of the community lands on which they are working.

Similarly, an alternate slate of funding options may be available through government, corporate and philanthropic sources to organizations that can reveal the history of conserved lands. In Massachusetts, The Trustees’ Kendall uses eligibility for the National Register to “elevate the significance of the site. It’s a way of certifying the importance of a property. Then we can tap into funders who wouldn’t otherwise pay attention to us.”

This is no surprise for Historic Landscape Initiative’s Birnbaum, who says, “Making history more visible and available helps generate a valuing of place.” He believes that “in this age of increasing homogeneity, people want to live in places with individual character; authenticity and a sense of history.” Land trusts are already working to protect special places, as judged by their natural resources. “The challenge for land trusts,” he says, “is protecting land for all of its values and being able to communicate their importance.”

“Our country’s cultural legacy is in landscapes everywhere,” says Tall Timbers’ Kevin McGorty. “Native Americans, Spanish missions, our westward settlement, all types of land uses are part of that legacy. Some are still visible, some are buried.” For land trusts that seek to protect these cultural landscapes, the National Register merits looking into. It bears repeating that historic significance, as certified by the Register, can prove to be a persuasive argument for conservation in local land use decisions. And finally, the process of evaluating a landscape for possible Register listing is in itself an important tool. The increased amount of information can lead to better-crafted easements, which in turn leads to better defense of those easements.

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**Resources for land trusts interested in historic landscapes:**

**Historic Landscape Initiative, National Park Service**
http://www2.cr.nps.gov/hli
Promotes preservation primarily through technical assistance, training workshops, and guidelines for the management and restoration of historic landscapes.

**The Cultural Landscape Foundation**
www.tclf.org
Dedicated to increasing the public’s awareness of cultural landscapes. Land trusts should take note of “Landslide,” a list of threatened properties used to promote protection.
The theme for 2004 is Working Landscapes.

**The Alliance for Historic Landscape Preservation**
www.ahlp.org
An interdisciplinary professional organization dedicated to the preservation of historic landscapes.

**National Trust for Historic Preservation**
www.nationaltrust.org
The largest nonprofit engaged in historic preservation, now expanding into landscape work. Sponsor of a program called “Barn Again” that assists rural landowners who want to preserve farm structures (www.barnagain.org) and the “Rural Heritage Program” (www.ruralheritage.org) to advise communities wishing to protect cultural and historic resources.