

STAFF REPORT

MEETING DATE: March 15, 2022

TO: Siskiyou County Board of Supervisors

FROM: Elizabeth Nielsen, Deputy County Administrator

SUBJECT: Submission of a Historic Place to the National Register of Historic Places

I. INTRODUCTION

Members of the public, and specifically the Siskiyou County Water Users Association (SCWUA), have requested that the Siskiyou County Board of Supervisors adopt a resolution to establish the Ancient Beswick Forest area as a candidate for consideration as a historic place; and submit, as a Certifying Authority, this designation for consideration under the National Historic Preservation Act. In order to clear up any confusion regarding nomination of historic places, County staff is providing this report to detail the processes.

II. DISCUSSION

According to the National Park Services National Register of Historic Places website: “The National Register of Historic Places is the official list of the Nation’s historic places worthy of preservation. Authorized by the National Historic Preservation Act of 1966, the National Park Service’s National Register of Historic Places is part of a national program to coordinate and support public and private efforts to identify, evaluate, and protect America’s historic and archeological resources.”

Any person or organization may prepare a National Register nomination in the form of a completed registration form. Such persons and organizations can include property owners, public agencies, private institutions, local historic societies, local preservation commissions, local planning offices, social or merchant organizations, professional consultants, college professors and their students, special interest groups, or interested members of the general public. Those who seek to nominate, to the National Register, private land or non-federal public owned land must first make a submission to a Certifying Agency, which in the State of California is the State Historic Preservation Officer (SHPO). SHPO will consider each property proposed for listing prior to making a recommendation to the National Register on its eligibility. Local governments within whose jurisdiction the resource is located will be provided 60 days to comment upon the application before the SHPO considers the nomination and makes any recommendations to the National Register.

There may have been some confusion on the role that the County plays, or can play, in the federal recommendation process. The County is not a Certified Authority for purposes of making recommendations to the National Register; the State of California, through SHPO, is the Certifying Authority.

Properties listed in the National Register of Historic Places must possess both historic significance and historic integrity. Historic integrity relates to the survival of the physical characteristics that existed during the property’s prehistoric or historic period. As outlined on the National Park Services National Register of Historic Places website, “Not only must a property *resemble its historic appearance*, but it must also retain physical materials, design features, and aspects of construction dating from the period when it attained significance.” Historical integrity could be a hurdle for listing a place that’s historic appearance has been altered by more recent activities.

To be considered eligible, a property must meet the National Register Criteria for Evaluation, and at a minimum, these questions will be examined:

- Is the property old enough to be considered historic (generally at least 50 years old) and *does it look much the way it did in the past?*
- *Is the property associated with events, activities, or developments that were important in the past? With the lives of people who were important in the past? With significant architectural history, landscape history,*

or engineering achievements? Does it have potential to yield information through archeological investigation about our past?

In addition, SHPO's website states "if you are not the owner of the property you are submitting for registration, please inform the owner of your intention to apply for registration." Additional materials advise "Under federal law, a privately owned property may not be listed in the National Register over the objection of its owner or, in the case of a property with multiple owners, over the objection of a majority of owners."

Listing a property on the National Register of Historic Places or, being determined eligible for listing, does not keep a place from being changed or destroyed. However, listing does provide some protection in the form of consideration and mitigation of adverse effects to historic properties from federally-funded or licensed projects. The National Register does not place restrictions on a private property owner regarding the use, maintenance or alterations to a private property.

The information provided above is a brief outline of the steps involved in listing a place on the National Register of Historic Places. Organizations or members of the public interested in learning more are encouraged to visit the following government websites.

<https://www.nps.gov/subjects/nationalregister/index.htm>
https://ohp.parks.ca.gov/?page_id=21237

CONCLUSION

Based on the requirements of SHPO and the National Register of Historic Places, Siskiyou County is not an authorized agency to make a recommendation to the National Register for listing of a Historical Place; that role is fulfilled by SHPO. If such a nomination were to be made by the Siskiyou County Water Users Association, or other members of the public, to SHPO, Siskiyou County's role would occur during the period when SHPO reaches out to local jurisdictions for input.

Because nomination by the County will not expedite the recommendation and listing process, and will not bypass any requirements, County staff recommends that SCWUA, or any member of the public, take the necessary steps to submit a nomination. County staff is happy to provide the SCWUA and the public with additional documentation regarding the nomination and listing process, and/or previous materials adopted by the Board which may be of use as part of a nomination process.