

**OFFICE OF HISTORIC PRESERVATION
DEPARTMENT OF PARKS AND RECREATION**

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HOW TO SUPPORT OR OBJECT TO NATIONAL REGISTER LISTING

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. A district may not be listed in the National Register over the objection of a majority of owners of private property within the proposed district. Each owner or partial owner of private property has one vote regardless of what part of the property that person owns. Within a district, each owner has one vote regardless of how many buildings he or she owns.

If a majority of private property owners should object, the property or district will not be listed. However, in such cases, the State Historic Preservation Officer is required to submit the nomination to the Keeper of the National Register for a *determination of eligibility* for the National Register. If the property or district is determined *eligible* for listing, although not formally listed, it will be given the same protection as a listed property in the federal environmental review process. A property determined eligible for listing is not eligible for federal tax benefits until the objections are withdrawn and the property is actually listed.

The laws and regulations regarding this process are covered in the National Historic Preservation Act Amendments of 1980 and in 36 CFR (Code of Federal Regulations), Part 60.

Supporting a National Register nomination:

Private owners who seek National Register listing for their properties are not required to submit statements of concurrence. However, letters of support, from owners or any others, are welcomed and become a permanent part of the nomination file.

Objecting to a National Register nomination:

If you object to the listing of your property, you will need to submit a notarized statement certifying that you are the sole or partial owner of the property, as appropriate, and that you object to the listing. Owners who wish to object are encouraged to submit statements of objection prior to the meeting of the State Historical Resources Commission at which the

nomination is being considered. However, statements of objection may be submitted and will be counted up until the actual date of listing. Listing usually takes place 45 days after the nomination is mailed to the Keeper of the National Register following the State Historical Resources Commission meeting.

Send letters of support or objection to:

State Historic Preservation Officer
Office of Historic Preservation
P.O. Box 942896
Sacramento, CA 94296-0001