

STATE HISTORIC PRESERVATION OFFICE
OFFICE OF ARCHIVES AND HISTORY
NORTH CAROLINA DEPARTMENT OF NATURAL AND CULTURAL RESOURCES

**THE "STUDY LIST" AND
THE NATIONAL REGISTER OF HISTORIC PLACES
IN NORTH CAROLINA**

The use of a Study List as a preliminary step in the review of potential nominations to the National Register of Historic Places is not a requirement under federal program regulations. In practice, most state preservation offices employ some sort of early screening mechanism to remove consideration of properties that are clearly not eligible for the National Register. This screening is usually done by the State Historic Preservation Officer or his or her staff. North Carolina may be unique in that this process is codified in the state administrative code and that the National Register Advisory Committee (NRAC) is directly involved. (Subchapter 4R, section .0304 of the administrative code.) The Study List has been part of North Carolina's National Register program since the first nominations were reviewed and submitted from the state in 1969.

Over the years the Study List has proved to be a useful mechanism in the following ways:

1. The Study List screens out properties that are clearly not eligible or that are highly unlikely to be eligible for the National Register, saving time and effort on the part of the properties' sponsors and the State Historic Preservation Office (HPO) staff in preparing and reviewing unproductive nominations.

Sponsors of a property that has been rejected by the NRAC for the Study List may nevertheless later submit a formal nomination for review by the NRAC. If the property is rejected again by the NRAC, and if the State Historic Preservation Officer concurs in the rejection, the sponsors may appeal directly to the Keeper of the National Register. This has occurred once in almost fifty years of National Register program operations in North Carolina.

2. By the same token, the Study List identifies properties and districts that are likely to be eligible for the National Register, giving the green light to sponsors and staff to proceed with a formal nomination with reasonable assurance that the property can be successfully nominated. Out of more than 2,900 nominations submitted from North Carolina since 1969, less than fifteen have been rejected outright by the National Register as not eligible.

Inclusion in the Study List is not an absolute guarantee of eligibility. Over time properties may require reevaluation due to changes or deterioration. Also, properties once considered not eligible may later become eligible with the passage of time or with additional knowledge about the historical themes they may represent. Nevertheless, the success rate of North Carolina's National Register nominations is an indication of the utility of the Study List as a screening mechanism.

3. The Study List is a useful tool for local preservation planning. A comprehensive county or community survey provides a broad perspective on principal themes in local history and identifies properties and districts that appear likely to be eligible for the National Register. The Study List acknowledges the potential significance of properties and districts long before they can be formally nominated to the National Register and may help stimulate preservation activity at the local level. This may include follow-up multiple property nominations and/or the establishment of local preservation commissions on the strength of interest generated by the survey. In addition, a Study List presentation following a survey is the first exposure many historic property owners have to the National Register and preservation programs. This exposure sometimes generates privately sponsored nominations and preservation initiatives.
4. The Study List has no official role in environmental review procedures, but it does have a practical role. Under federal law, all federal actions are reviewed for their potential effects on properties and districts that are listed in *or eligible for listing in* the National Register. Where no previous survey or identification of National Register eligibility has taken place, this may require time-consuming and expensive field surveys and evaluations. An official "determination of eligibility" (DOE) is made either (1) through concurrence of the HPO and the applicant agency that properties or districts affected by the project are eligible or (2) by formal determination by the Keeper of the National Register if the HPO and the applicant agency do not concur.

Environmental review is streamlined in counties and communities where comprehensive surveys have been conducted and where professional evaluation of potential eligibility has been made by staff and the NRAC in advance of project planning. HPO staff can review project papers quickly with reasonable assurance that potentially significant properties within impact areas have been identified. Project applicants are more likely to concur with decisions made by the NRAC under neutral circumstances and less likely to perceive such judgments as bureaucratic road blocks set up by HPO staff. Thus the Study List can help avoid conflict and lead to early mitigation of impacts on significant properties.

Applicant agencies are not required to accept Study List status as "proof" of eligibility, however, and may choose to go through the formal DOE process. Also, the passage of time and changing circumstances of properties require the reevaluation of eligibility of Study List and other properties within an impact area at the time of project review. But the Study List does provide a positive step in federal review. It does not make environmental review more complex or more expensive, and in fact facilitates review activities.

State law does not provide protection for properties that are determined eligible but not listed in the National Register. Thus neither placement on the Study List nor a formal determination of eligibility by the Keeper of the National Register has an official role in state environmental review procedures.