

# CHRONOLOGY

## HISTORIC PRESERVATION MOVEMENT IN THE UNITED STATES

- 1791 Massachusetts Historical Society is established as the first statewide organization to collect and preserve American history.
- 1812 First national historical organization -- the American Antiquarian Society -- is formed in Worcester, MA.
- 1816 Independence Hall, where the Declaration of Independence was drafted and signed, is purchased by the City of Philadelphia to preserve it from demolition.
- 1828 Tuoro Synagogue -- the nation's first restoration -- is undertaken in Newport, RI.
- 1836 Uriah Levy purchases Monticello to preserve the home of Thomas Jefferson and initiates a renovation of the structure (the family continues to own the property for nearly 80 years).
- 1850 Hasbrouck House -- America's first house museum, was purchased by the state of New York to preserve the headquarters of George Washington in Newburgh, NY.
- 1856 Mt. Vernon Ladies Association is established by Ann Pamela Cunningham to preserve George Washington's home. Restorations begin in 1859. It is the first private organization geared toward the preservation of a historic property in the United States.
- Tennessee Legislature authorizes the purchase of Andrew Jackson's home, the Heritage.
- 1857 Carpenter's Hall in Philadelphia, site of the first Continental Congress, is restored and opened to the public as the first privately-owned American building that was preserved.
- 1872 Yellowstone is named as the world's first National Park.
- 1876 Boston's Old South Meeting House is another one of the first successful preservation efforts in an urban setting in the United States.
- 1888 Association for the Preservation of Virginia Antiquities (APVA), the first state-wide preservation organization in the United States, is organized.
- 1889 Casa Grande, near Coolidge, AZ, is designated the first National Monument by an Act of Congress.
- 1890 Chickamauga Battlefield in Georgia, is designated as the first National Military Park by an Act of Congress.
- The first scenery preservation effort begins when Landscape Architect Charles Eliot authors letter "*The Waverly Oak*", calling for an organization to support preservation of the scenery around the Massachusetts State House, leading to the establishment of the Trustees of Public Reservations.
- 1891 Trustees of Public Reservations is incorporated by the Massachusetts Legislature. This organization is the model on which the English (1894) and American National Trusts (1949) are later formulated; it is the oldest land trust in the world.

Adirondack Park established to protect NY State wilderness from burning and lumbering. It is established “for the free use of all the people”.

- 1893 Municipal Arts Society established in New York City to beautify the city through public art, and its mission quickly expands to include the City Beautiful movement and tree planting, public housing, zoning, and other sound urban planning efforts including historic preservation.
- 1895 Trustees of Scenic and Historic Places and Objects chartered by the NY State legislature, and in 1901 becomes the American Scenic Historic Preservation Society, national in name but only state-wide in scope.
- 1896 United States vs. Gettysburg Electric Railroad Co. – the U.S. Supreme Court hears its first historic preservation case and upholds the government’s ability to use eminent domain for historic preservation reasons.
- 1906 Antiquities Act passed by an Act of Congress, 16 U.S.C. § § 431-433. This is the United State’s first major federal preservation legislation, focused on preservation of archeological sites.
- 1909 Essex Institute opens the first outdoor museum of historic buildings in the United States, in Salem, MA.
- 1910 Society for the Preservation of New England Antiquities (SPNEA) is founded. This is the United States’ first regional preservation organization.
- 1916 U.S. Congress establishes the National Park Service (NPS).
- 1922 Regional Plan Association is established to encourage regional cooperation and urban planning in the tri-state New York City region.
- 1925 Cultural geographer Carl Sauer publishes The Morphology of Landscape where he posits that culture working with and on nature creates landscapes, and to understand a culture, you must learn to read its landscape.
- 1926 John D. Rockefeller, Jr. begins funding the restoration at Colonial Williamsburg.
- 1928 Landscape architect Arthur Shurcliff begins the first academic landscape restoration in the United States at Colonial Williamsburg.
- 1929 Henry Ford establishes Greenfield Village and Edison Institute in Dearborn, MI.
- 1931 The United States’ first municipal preservation ordinance is established in Charleston, SC.
- 1933 During the outset of the New Deal, the National Park Service is made responsible for War Department’s military parks, Forest Service monuments, and the District of Columbia sites.  
  
To document historic sites and put out-of-work architects to work, the Historic American Building Survey (HABS) is begun as a part of the New Deal.
- 1935 National Historic Sites Act passed by Congress, 16 U.S.C. § § 461-467. The Department of Interior is made responsible for historic sites, and the department was authorized to survey historic sites under the National Historic Sites Program and to acquire historic sites.

Massachusetts initiates the Historic American Landscape and Garden Project to document forty historic gardens and landscapes. The program utilized HABS staff to prepare the documentation; it is a precursor to the establishment of the HALS program in 2000.

- 1936 Louisiana State Constitution is amended to create a commission to preserve the Vieux Carré district (French Quarter) of New Orleans.
- 1938 Salem, MA is designated as the United States' first National Historic Site.
- 1939 San Antonio, TX is the third U.S. city to establish a municipal historic district ordinance (Alexandria, VA is the fourth in 1946).
- 1940 Society for Architectural Historians (SAH) and the American Association of State and Local History are founded.
- 1941 The first two state court cases verifying the legal authorization to control changes in a local historic district are upheld in the Louisiana Supreme Court.
- 1944 This is Charleston is published. It is the first attempt at a city-wide inventory of historic buildings in the United States.
- 1946 Administrative Procedures Act codified the method that administrative agencies of the federal government propose and establish regulations through either a public adjudication process during rulemaking or informal adjudication through inspections, conferences, and negotiations.
- 1947 National Council for Historic Sites and Buildings is formed. It is the United States first nationwide private preservation organization.
- 1949 National Trust for Historic Preservation (NTHP) is chartered by an Act of Congress.
- Urban Renewal begins in the United States in Detroit, MI with UR-1, Gratiot Urban Renewal Project (later becomes a part of Lafayette Park Urban Renewal Project). Modernist planning concepts from 1920s and 1930s focusing on “towers in the park” renewal initiated.
- 1954 National Council for Historic Sites and Buildings and the National Trust for Historic Preservation merge.
- Historic Savannah Foundation is founded by seven old ladies to save the Davenport House in Savannah, GA.
- Berman vs. Parker – the U.S. Supreme Court upheld that aesthetic regulations were an acceptable use of the State's police power.
- 1956 Bard Act – in response to the 1954 Berman vs. Parker decision, NY State passed the Bard Act, state enabling legislation, that allowed local regulations to maintain and preserve special historical or aesthetic qualities. This law became the basis of 1960s NY State historic preservation ordinances.
- 1960 Reservoir Salvage Act, 16 U.S.C. § § 169-469a, is ratified by an Act of Congress. This act requires federal agencies to notify the Secretary of Interior upon discovery of any significant archeological features or resources threatened by dam construction or terrain alteration. It authorizes the Sec. of Interior to engage in salvage operation, if necessary.

National Park Service takes over the administration of the National Historic Sites program and survey information from the National Historic Sites Act, and this initiative later evolves into the National Historic Landmarks program.

- 1961 New York City Zoning Ordinance is completely amended to reflect the Modernist planning principles from the 1940s and 1950s and accommodation of the automobile. It is arguably one of the most anti-urban actions to date in the United States.

Jane Jacobs writes The Death and Life of Great American Cities. It is the first major effort to repudiate the urban renewal and Modernist planning efforts that were in vogue at the time. She trumpeted the vibrancy of traditional neighborhoods.

Committee for the Preservation of Structures of Historic and Esthetic Importance was appointed by NYC Mayor Wagner in June 1961 and issued its report in Nov 1961 stating that a permanent Landmarks Preservation Commission should be established in NYC.

- 1963 Demolition of Pennsylvania Station, a master work of McKim, Mead, and White, begins. This event begins a huge public outcry in New York City and across the country. It is one of the seminal events in the modern preservation movement.

- 1964 James Marston Fitch initiates the first program specializing in historic preservation at Columbia University with a concentration in Historic Preservation in the School of Architecture and Planning.

- 1965 New York City establishes its local Landmarks Law through applying the regulatory authority included in the 1956 Bard Act.

- 1966 National Historic Preservation Act (NHPA) of 1966 is passed by an Act of Congress. This act formally establishes the National Register of Historic Places, creates the Advisory Council on Historic Preservation (ACHP), authorizes grants to the states and territories for the establishment of State Historic Preservation Offices (SHPO), establishes the authorization for preservation grant program, establishes the Section 106 Historic Review requirements for federally-funded programs, and provides money to the National Trust for Historic Preservation.

Department of Transportation Act of 1966, 49 U.S.C. § § 303, is passed by an Act of Congress and Section 4(f) of the act establishes one of the strongest federal preservation tools. This act establishes the national policy of protecting natural and historic resources along highways through mandated Section 4(f) reviews.

Demonstration Cities and Metropolitan Development Act establishes the Model Cities program which redirected federal programs away from strict urban renewal. It provided funding for preservation programs for the first time in urban areas, and it made commercial redevelopment funds available.

- 1967 First State Historic Preservation Officers (SHPOs) are announced by the states and territories and the first Keeper of the National Register is appointed.

- 1968 Association for Preservation Technology, a professional bi-national organization in the United States and Canada, is founded with a focus on disseminating and exploring new approaches in various preservation technology fields.

New York City Historic District Ordinance is the first municipal preservation ordinance in the country to permit the Transfer of Development Rights (TDRs) from historically designated sites to adjacent properties.

- 1969 Department of the Interior makes its first grants to the States under the 1966 NHPA.

National Environmental Policy Act (NEPA), 42 U.S.C. § 4332 (2)(c) is enacted by Congress which is the first major federal environmental legislation in the world. Large federally-supported projects must conduct Environmental Impact Statements (EIS) to determine if the federal action will affect the quality of the human environment. A significant component of the EIS reports focuses on historic and archeological resources, and these reports make determinations upon the impacts upon these resources and what mitigation steps are available.

Historic American Engineering Record (HAER) is established as a companion to the HABS studies. HAER reports are to document important engineering achievements including structures, bridges, industrial complexes, etc.

Vieux Carré elevated expressway is stopped from environmental reasons as found under Sect. 4(f) of the Department of Transportation Act of 1966. This case is the first example of a freeway being stopped due to a cultural resource issue.

- 1970 Earth Day celebrated for the first time, 22 April 1970.

Uniform Act of 1970 passed by Congress establishes standards and reimbursement requirements for federally funded eminent domain projects that require the acquisition of real property (real estate) or displace persons from their homes, businesses, or farms.

- 1971 Society of Industrial Archeology is created. This demonstrates the broadening of the preservation movement from strictly aesthetic or historic figure worship to a broader cultural reasoning.

Executive Order 11593 is issued by President Nixon directing federal agencies to maintain their patrimony through preservation, restoration, and maintenance. The order was first published in 36 *Federal Register* 8921 and reprinted in 16 U.S.C. § 470.

- 1972 U.S. Congress authorizes the transfer of surplus federal property to local public agencies for preservation.

Gateway National Recreation Area is established in New York City, the first major federal recreation area in an urban setting.

First National River is designated as a National Park Service unit. The Buffalo National River designation in Arkansas includes indigenous and historic vernacular landscapes.

- 1973 National Preservation Week celebrated in the United States for the first time (expanded now to a month and May is National Preservation Month).

New York City Landmarks Preservation Commission adopts the first municipal preservation ordinance rules to permit the designation of significant interior spaces that are open to the public.

National Park Service defines “Historic Scene” in administrative policies which denotes the overall appearance of all historic resources and their surroundings. This term is the precursor to the term “cultural landscape”.

1974 Archeological and Historic Preservation Act of 1974, 16 U.S.C. § § 469-469 (c)(i), is authorized by an Act of Congress, expanding the requirements of the Reservoir Act of 1960 to include all federal agencies. All actions or permitting that may affect historic resources must be mitigated to some degree.

Community Development Block Grant (CDBG) federal program is begun. It allows the states and local agencies to distribute funds to specific programs as long as they fulfill one of the three program activities: 1) elimination of slums and blight, 2) assist low and moderate income families, and/or 3) respond to emergency circumstances.

First urban homesteading program established in Wilmington, DE.

1975 Cornell University and the University of Vermont establish the second and third advanced degree programs in historic preservation, with Boston University following in 1976.

1976 United States celebrates its Bicentennial of its founding, and the preparations for this effort launches many local history and historic preservation initiatives nationwide.

Public Buildings Cooperative Use Act (PBCUA), 40 U.S.C. § § 601-616 and regulations codified at 41 CFR 19.00 *et. seq.* and 105-105-001 *et. seq.*, is authorized by Congress. General Services Administration is to acquire and utilize space in suitable buildings of architectural, cultural or historic significance unless found not to be prudent or feasible and not limited to buildings listed or deemed eligible to the National Register.

Tax Reform Act of 1976 provides the first major tax incentives for the rehabilitation of historic income producing (rental not owner-occupied) properties.

Preservation Wayne is founded in Detroit, MI by a group of Wayne State University students with the goal to battle with the university administration over the demolition of many historic properties by the university.

NHPA is amended for the first time by Congress. The Historic Preservation Fund is established providing funds to the States and the National Trust for Historic Preservation to carry out preservation activities, extends the National Register listing protections to structures deemed eligible for listing, and the Advisory Council on Historic Preservation (ACHP) becomes an independent federal agency.

Thomas Kane provides written guidance to State Historic Preservation Officers regarding historic landscape preservation.

1977 First undergraduate programs in historic preservation founded at Goucher College and Roger Williams College with Mary Washington College following in 1979.

National Trust's Main Street Project, a forerunner to the National Main Street Center program, is launched in Galesburg, IL, Hot Springs, SD, and Madison, IN. The program recognized a need for a more holistic preservation effort by engaging in small-town community redevelopment.

Surface Mining Control and Reclamation Act (SMCRA) of 1977, 30 U.S.C. § § 1272 (e)., is passed by an Act of Congress. Section 522 (e) prohibits surface coal mining that will adversely affect any historic site listed on the National Register and the Office of Surface Mining (OSM) is required to comply with Sec. 106 of NHPA.

Urban Development Action Grant Program (UDAG) is established by the Department of Housing and Urban Development. This program furthers efforts away from traditional urban renewal efforts, focusing grants on inner city redevelopment and enhancement projects.

- 1978 Revenue Act of 1978 provides for a Rehabilitation Tax Credit of 10% for certain qualified expenses on historic rehabilitation projects.

Executive Order 12072, referred to as the Federal Space Management order, is issued by President Carter. Federal agencies are “to give first consideration to centralized business areas” when meeting federal space needs in urban areas in order to “strengthen the Nation’s cities and make them attractive places to work”, further underscoring NHPA and PBCUA of 1976.

Penn Central Transportation Co. vs. City of New York is decided by the U.S. Supreme Court. This landmark ruling upheld the public purpose of engaging in historic preservation actions by local and state governments.

Alliance for Historic Landscape Preservation is established with the goal to provide a forum for the academic study of cultural landscapes and support the advancement of the field of landscape preservation.

- 1979 Miami Beach Art Deco Historic District is nominated to the National Register of Historic Places, becoming the first completely 20<sup>th</sup> Century district ever to be designated in the United States.

Friends of Downtown Hudson’s is founded in Detroit to save the world’s second largest retail store from multiple attempts at demolition. In 1982, the organization evolves into Cityscape Detroit with a broader urban planning, architecture, preservation, and public policy focus.

Archeological Resources Protection Act of 1979, 16 U.S.C. § § 470 aa *et. seq.*, is passed by Congress. The act prohibits the removal, excavation, or alteration of any archeological resource from federal or Native American lands without a permit from the Dept. of the Interior. Permits are for research only and all artifacts remain U.S. property.

- 1980 NHPA is amended for the second time by 16 U.S.C. § § 470 f including establishing Section 110 that requires federal agencies to undertake more stewardship and responsibility for protecting resources owned or under their control. It established the Certified Local Government program allowing local governments to participate in National Register nomination and Section 106 reviews; clarified the SHPO duties; expanded Section 106 “undertakings” to include not only federally sponsored or funded project but private activities and projects subjected to federal licensure, permitting, and approval; and expanded the ACHP role to include evaluation of federal agencies’ historic preservation programs.

Central Park Conservancy, a public-private partnership, is established in New York City with the mission to improve the park’s condition. Within a few years, their efforts to preserve and restore Vaux and Olmsted’s designed historic landscapes greatly expands the debate regarding the role of and approach to designed landscape preservation.

- 1981 Economic Recovery Tax Act is signed by President Reagan, significantly increasing the tax incentives available for rehabilitation of rental and commercial properties. It combined many incentives found in the 1976 and 1978 tax acts.

National Alliance for Preservation Commissions is founded to broaden the understanding between commissions of what is occurring around the country relative to themselves and their actions.

Michigan Historic Preservation Network is established as Michigan's state-wide advocacy organization.

National Park Service codifies the term "cultural landscape" as a cultural resource type in *Cultural Resource Management Guideline, NPS 28, Release No. 2*.

1982 Preservation study and comprehensive plan for future development of Georgia's Sautee and Nacoochee valleys is completed. It is the first preservation plan for a rural historic district.

1984 Illinois and Michigan Canal National Heritage Corridor is the first federally designated heritage area in the United States.

Guidance is published by the National Park Service regarding the nomination of rural historic districts to the National Register.

1985 McDonalds announces plans to restore Ray Kroc's first roadside hamburger stand in Des Plaines, IL.

San Francisco, CA adopts a municipal master plans with the strictest design controls found in the United States, and the plan included preserving 250 landmark buildings in the downtown area.

Term "Cultural Landscape Report" is codified by the National Park Service in its third release of the *Cultural Resource Management Guideline*, creating the opportunity to develop treatment plans for cultural landscapes.

1986 Tax Reform Act of 1986 is signed into law by President Reagan. Initially the rehabilitation tax credit was to be eliminated, but extensive lobbying by preservationists retained a less robust version. A 20% rehabilitation credit is available for income-producing properties that comply with the Sec. of the Interiors' Standards for Rehabilitation; buildings must be contributing to National Register districts or contributing to tax certified local districts while the accelerated depreciated schedules from earlier acts were eliminated.

1987 Surface Transportation and Uniform Relocation Assistance Act of 1987 (STURAA), 23 U.S.C. § § 144 (o) is approved by Congress. Two important preservation provisions are included: 1) prior to demolition of a historic bridge, it must be made available for donation to "state, locality, or responsible private entity" that agrees to assume responsibility for it; and 2) the Federal Highway Administration (FHWA) must provide up to the amount required for demolition of the structure for preservation or moving of structures that are not to be used for vehicular traffic.

Abandoned Shipwreck Act of 1987, 43 U.S.C. § § 2101 *et. seq.*, is approved by an Act of Congress. The act transfers all ownership of historic shipwrecks that have been abandoned and are located within three miles of a state shoreline to the states. It enables states to establish state management of underwater resources while creating protections from looters. Under Admiralty Law, a salvager may obtain title to a shipwreck, but this act prevents this by transferring ownership to the states.

National Register Bulletin 18: *How to Evaluate and Nominate Designed Historic Landscapes* to the National Register is released.

1988 Manassas National Battlefield Park is saved from inappropriate adjacent development; however at significant cost to the federal government.

National Trust for Historic Preservation releases its first list of the “Eleven Most Endangered Historic Places” in America. This tactic is later copied by many state and local preservation groups to generate publicity about endangered properties in their service areas.

Secretary of the Interior releases regulations for Section 110 of the NHPA, 16 U.S.C. § § 470 h-2 in 53 *Fed Reg* 4727. All federal agencies must: assume responsibility for preserving their historic properties they control; use historic preservation to the maximum feasibly possible; inventory and nominate to National Register all eligible properties they control; ensure properties are not “inadvertently transferred, sold, or demolished, or altered, or allowed to deteriorate”; designate a preservation officer; and minimize harm to National Historic Landmarks to the “maximum extent possible”.

- 1990 Attendees at the National Preservation Conference in Charleston, SC adopt the “Charleston Principles” for community preservation through a step-by-step process that incorporates historic preservation into the community planning process.

Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. § § 3001 *et. seq.* and 28 U.S.C. § § 1170 is passed by Congress. All remains held: by the U.S. government, by museums and universities that receive federal aid, and by state and local governments are to be inventoried and repatriated to their respective tribes.

- 1991 Two cases, one federal (St. Bart’s of NYC) and one state (1<sup>st</sup> Covenant Church - Wash.) uphold the constitutionality of municipalities to designate religious properties without infringing upon the First of Fifth Amendments of the U.S. Constitution.

Pennsylvania Supreme Court rules in the Boyd Theatre Case that the Philadelphia municipal preservation ordinance is unconstitutional because it is a regulatory taking without owner consent.

Intermodal Surface Transportation Efficiency Act (ISTEA) is enacted by the Congress. This act establishes a ten percent set-aside for transportation enhancement projects a part of one of the federal highway funding bills. Historic preservation is deemed an eligible enhancement activity.

- 1992 National Park Service establishes the National Center for Preservation Technology and Training.

NHPA amended again including expanding the role of Tribal Historic Preservation Offices, requiring federal agencies to engage in their own internal procedures to incorporate historic preservation into agency programs, obligating federal agencies to withhold federal support in cases of anticipatory demolition, and specifying responsibilities federal agencies have with ACHP formal comments during Section 106 process.

Due to a huge outcry, the Pennsylvania Supreme Court reconsiders the previous year’s controversial Boyd Theatre decision. The Philadelphia local preservation ordinance not requiring owner consent is determined to be constitutional with a few minor modifications.

- 1995 Sheridan Kalorama Historical Association vs. Warren Christopher – this DC Appeals Court case upheld the concept that a federal undertaking that required Section 106 Review from federal funding whole or in part to include a project requiring Federal permit, license, or approval is legal; however, the State Dept. veto power over embassies was not a license.

U.S. chapter of Docomomo is established with its goal to raise awareness of the Modern Movement in architecture and encourage its documentation and preservation. The International branch of the group was founded in 1988 in the Netherlands.

National Park Service releases guidance on cultural landscapes titled *Preservation Brief 36: Protecting Cultural Landscapes: Planning, Treatment and Management of Historic Resources*, providing step-by-step guidance on preserving designed and vernacular landscapes, and the following year, releases professional standards – *Secretary of the Interior's Standard for the Treatment of Historic Properties with Guidelines for the Treatment of Cultural Landscapes*.

- 1996 Disney Company announces its intent to build a historically-based amusement park in rural Virginia near Washington, DC. A country-wide campaign led by preservationists and historians convinces Disney to scrap this proposal.

Executive Order 13006 is issued by President Clinton in 61 *Fed Reg* 26,071 requiring all federal agencies to locate their operations in downtown areas where feasible and to give first consideration to locating in historic properties in historic districts.

- 1998 City of Ypsilanti vs. First Presbyterian Church of Ypsilanti – the Michigan Court of Appeals held that the Ypsilanti preservation ordinance is a law of general application which does not burden the church any more than other citizens, let alone burden the Church due to religious beliefs.

Brewery District Society vs. FHWA – an Ohio court ruled that the demolition of historic buildings prior to an application for federal assistance did not constitute a violation of Sec. 106.

National Trust for Historic Preservation becomes independent of federal funding.

Transportation Equity Act for the 21<sup>st</sup> Century (TEA-21) is authorized by Congress for six years. This act continues most of the 1992 ISTEA programs including the 10% set-aside for enhancement projects and creates the Corridors and Borders Program.

The Cultural Landscape Foundation is established. Making the country's shared landscape heritage more visible, identify its value, and empowering its residents by connecting them to their designed and natural spaces through education and engagement are its main objectives.

- 1999 District Intown Properties Ltd. Partnership vs. District of Columbia – DC District Court upheld the denial of the owner's request to develop the lawn of a historic apartment building amounted to a categorical taking.

First Church of Christ vs. Ridgefield Historic District Commission – the Connecticut Court of Appeals ruled that the Ridgefield historic preservation ordinance is neutral law of general applicability.

Moody Hill Farms Ltd. Partnership vs. U.S. Dept of the Interior – 2<sup>nd</sup> Circuit upheld a decision by the Keeper of the National Register that despite procedural flaws in the State's nominating process, the designation is legal and that the national listing does not impose any burdens on the plaintiff's use of their property.

Advisory Council on Historic Preservation publishes the Final Rule for implementing amendments to the NHPA rules regarding Indian Tribes involvement in Sec. 106 consultation.

- 2000 Tyler vs Cuomo – 9<sup>th</sup> Circuit ruled that members of the public had standing to enforce the Sec. 106 Memorandum of Understanding as "third party beneficiaries" to the agreement even though they were not signatories, as this MOU gave members of the public rights to object.

Society Hill Towers Owners' Assoc. vs Rendell – 3<sup>rd</sup> Circuit ruled that residents living within a historic district had standing to challenge a federally funded project on basis of alleged increases in traffic, pollution and noise, and decreases in property values.

Historic American Landscape Survey (HALS) is established, a sibling program to the Historic American Building Survey (HABS) and Historic American Engineering Record (HAER) surveys.

- 2001 Friends of the Atglen-Susquehanna Trail vs. Surface Transportation Board – the DC Appeal Court case remanded the case back to the STB for further consultation with Advisory Council on Historic Preservation as part of the Sec. 106 review for abandoning the rail line, as the review did not meet the ACHP standards.

Terrorists hijack multiple planes that successfully destroy the World Trade Center Twin Towers in New York City, and in 2006, the National Trust listed the Vesey Staircase as one of the 11 Most Endangered Historic Places.

- 2002 Tahoe-Sierra Preservation Council, Inc vs. Tahoe Regional Planning Agency – the Supreme Court upheld that outside the exceptional “wipe-out” situation found in Lucas, takings claims must be analyzed under Penn Central’s ad-hoc multi-factored framework.

- 2003 Preserve America – President Bush established the program via Executive Order. Program recognizes Preserve America Communities, encourages educational programs and heritage tourism efforts.

US vs. White Mountain Apache Tribe – the US Supreme Court upheld that US Federal government had a fiduciary responsibility to manage the land and improvements at the Fort Apache Military Post that were being held in trust for the tribe.

- 2006 CTIA Wireless Assoc. vs. FCC – DC District Court found that the FCC’s registration process whereby they review proposed locations for air safety and environmental regulations under NEPA was an “undertaking” subject to Section 106.

Neighborhood Ass’n of the Back Bay vs. Federal Transit Administration – 1<sup>st</sup> Circuit Court upheld FTA finding of “no adverse effect” on historic library, even though library steps were destroyed to provide handicapped access.

Congress passes new rules that regulate the federal Historic Preservation Tax Incentive Program that deals with historic easements.

- 2007 Navajo Nation vs. USFS – the 9<sup>th</sup> Circuit Court ruled that the use of recycled water at the Snow Bowl did not infringe on religious freedoms and that the Sec. 106 consultation was sufficient and could conclude prior to the NEPA analysis being complete.

Advisory Council on Historic Preservation promulgates the Burial Sites and Human Remains policy to guide situations where human remains and cultural artifacts are found as part of a federal activity.

- 2008 San Juan Citizens Alliance vs. Norton – the New Mexico court found that the BLM’s resource management plans that guide future land uses for BLM lands and required by Federal Land Policy Management Act in an undertaking and triggers 106 compliance.

Advisory Council on Historic Preservation promulgates its Native Hawaiian policy.

Christman Company Building in Lansing, MI is the first building (a rehab project) in the US to earn a double-platinum LEED (Leadership in Energy and Environmental Design) Green Building designation from the U.S. Green Building Council.

- 2009 Wyoming Sawmills vs. USFS – the case upheld the right for the USFS to protect Traditional Cultural Properties through its general management authority. The USFS had altered its management practices base upon NHPA consultation with area tribes.

LEED certification revised to encourage rehabilitation of existing buildings and creation of the LEED – Neighborhood Development standards that supports community revitalization efforts.

- 2010 Committee for Preservation of Seattle Federal Reserve Bank Bldg. vs Federal Reserve Bank of San Francisco – State court ruled that the agency cannot satisfy the Sec 106 requirements by utilizing comments from a previous NEPA review.
- 2011 Walmart drops its bid to construct a 52-acre super-store on the Wilderness Battlefield, adjacent to the Fredericksburg and Spotsylvania National Military Park in Orange County, VA.
- 2013 Advisory Council on Historic Preservation adopts a plan to implement the U.N. Indigenous Peoples Rights Declaration that was first declared in 2008.
- 2014 Report presented to the Advisory Council on Historic Preservation regarding the Post Office Preservation and Urban Rightsizing initiative as ordered by the U.S. Congress.
- 2016 Congress authorized and the Senate confirmed a full-time chair to the Advisory Council on Historic Preservation.
- National Historic Preservation Act celebrates 50 years with the publishing of the *NHPA Program at 50 – Priorities and Recommendations for the Future*.
- National Park Service releases *LGBTQ America: A Theme Study of Lesbian, Gay, Bisexual, Transgender and Queer History* thematic study that identifies and recognizes important sites in the LGBTQ movement.
- 2017 President Donald Trump authorizes an 85% Reduction of Bears Ears National Monument, an exceptionally large reduction in a National Monument that is unprecedented in the history of designating National Monuments (most recent reduction was in 1963).
- 2018 National Park Service continues inclusionary efforts with preservation grants for Civil Rights sites, completing thematic studies regarding Asian Americans and Pacific Islander Americans, and providing grants to fund preservation of Japanese American Confinement Sites.

List compiled from:

Dwight Young, “Chronology”, Landmark Yellow Pages, (Washington, DC: Preservation Press, 1993), pp. 118-121.  
Andrea C. Ferster, “20 Years of Case Law Interpreting the National Historic Preservation Act – 1995 to the Present”, February 2015.

Additional information compiled by Arthur F. Mullen, AICP 1998 and 2018.