

Charlie Griffith

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Sent: Wednesday, November 20, 2024 1:07 PM
To: Charlie Griffith
Subject: Blair house nomination

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Hi Charlie-

Elizabeth Hilton told me you were looking for some guidance for your HPC on their responsibility for commenting on the Blair house nomination that revises the boundaries of the original nomination.

The federal regulations for Certified Local Government partner communities in this case are at 54 U.S.C. 302504, and say this:

§302504. Participation of certified local governments in National Register nominations

(a) Notice.—Before a property within the jurisdiction of a certified local government may be considered by a State to be nominated to the Secretary for inclusion on the National Register, the State Historic Preservation Officer shall notify the owner, the applicable chief local elected official, and the local historic preservation commission.

(b) Report.—The local historic preservation commission, after reasonable opportunity for public comment, shall prepare a report as to whether the property, in the Commission's opinion, meets the criteria of the National Register. Within 60 days of notice from the State Historic Preservation Officer, the chief local elected official shall transmit the report of the commission and the recommendation of the local official to the State Historic Preservation Officer.

(c) Recommendation.—

(1) Property nominated to national register.—Except as provided in paragraph (2), after receipt of the report and recommendation, or if no report and recommendation are received within 60 days, the State shall make the nomination pursuant to section 302104 of this title. The State may expedite the process with the concurrence of the certified local government.

(2) Property not nominated to national register.—If both the commission and the chief local elected official recommend that a property not be nominated to the National Register, the State Historic Preservation Officer shall take no further action, unless, within 30 days of the receipt of the recommendation by the State Historic Preservation Officer, an appeal is filed with the State. If an appeal is filed, the State shall follow the procedures for making a nomination pursuant to section 302104 of this title. Any report and recommendations made under this section shall be included with any nomination submitted by the State to the Secretary.

These rules distill down to this: When a CLG gets a draft nomination for a property in their jurisdiction, the HPC is required to review the nomination and write an opinion (the "report") of whether the property meets the criteria for inclusion in the National Register. That opinion (the "report") must be sent to the SHPO by the "chief local elected official."

The HPC may only consider the information in the nomination, not other factors that may bear on the property from other local policies. The SHPO will only consider the HPC's opinion on the content of the report, and not on other factors.

-Jason

JASON TISH

CERTIFIED LOCAL GOVERNMENT COORDINATOR

PRESERVATION EDUCATION COORDINATOR

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