

ABSTRACT

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**“STILL OUR LAMPS MUST BRIGHTLY BURN”:
AN EVALUATION OF THE NATIONAL HISTORIC
LIGHTHOUSE PRESERVATION ACT OF 2000**

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The National Historic Lighthouse Preservation Act of 2000 was enacted in order to transition federally-owned, historic lighthouses to qualified government bodies, non-profits, or private citizens. Changing technologies over the course of the twentieth century created a diminished need for traditional historic lighthouses, therefore federal ownership was not necessary. Although there were previous mechanisms in place to transition lighthouses out of the United States Coast Guard’s responsibility, they effectively excluded the small non-profit groups that very often were instrumental in the preservation of the lighthouse properties.

This paper examines the history of lighthouses in the United States, the ownership transfer process prior to and under the current program, and the way in which various values play a role in the preservation of these structures. Case studies are utilized in order to demonstrate the complex workings of the program, and highlight various issues that can arise. The study attempts to gauge the success of the program in its current state, and provide thoughts pertaining to its future relevance.

“STILL OUR LAMPS MUST BRIGHTLY BURN”: AN EVALUATION OF THE
NATIONAL HISTORIC LIGHTHOUSE PRESERVATION ACT OF 2000

By

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Chapter 1: Introduction

The National Historic Lighthouse Preservation Act (NHLPA) was passed on October 24, 2000 as an amendment to the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470 *et seq.*). The law, written by Senators Frank Murkowski of Alaska and Carl Levin of Michigan, established a program that allows certain federally-owned, historic lighthouses (those listed on or determined eligible for the National Register), to be transferred at no cost to qualified non-profit groups, state and local governments, or federal agencies. The law also contains a provision to allow for the General Services Administration (GSA) to conduct a public sale if no qualified transferee is found.

Due to 20th century changes in navigational technologies such as the automation of lights, and the development of radar and GPS, traditionally manned lighthouses became obsolete. As the United States Coast Guard (USCG) automated lights and removed stationed personnel, the problem of how to take care of historic lighthouses emerged. Without constant maintenance, these important remnants of the United States' maritime history were at risk of being lost. Under Section 110 of the National Historic Preservation Act as amended in 1980 (16 U.S.C. 470h-2), the directors of every federal agency became responsible for ensuring the preservation of the historic properties under its jurisdiction. In the case of the Coast Guard's historic lighthouses, it became increasingly difficult to contribute funds from tight operating budgets to the preservation of structures that were no longer central to the agency's mission.

The Coast Guard utilized a couple of approaches to solve this problem. They could declare the lighthouse properties “excess” causing the General Services Administration, to seek new governmental owners, or sell the properties to private owners. The Coast Guard could also lease the historic lighthouses to preservation-focused non-profit groups that would assume responsibility for ongoing maintenance and care. The issue addressed by the NHLPA, was that these non-profit lighthouse preservation groups, typically could not obtain ownership if the historic lighthouses were offered for sale. Their only option was to seek a legislative transfer, which was difficult to accomplish.

Having been responsible stewards of these lighthouses for years in many cases, and having devoted significant time, effort and money towards the restoration and maintenance of these historic structures, these groups felt a strong sense of ownership of the properties. Thus, they were frustrated that existing transfer mechanisms required them to bid on and purchase their lighthouse if the Coast Guard listed it as excess. Most of these groups lacked the financial strength to pay market rates for the properties. By allowing non-profit groups to receive lighthouses at no-cost, the NHLPA placed them on equal footing with governmental bodies or private individuals with more financial resources.

At the time of the passage of the NHLPA, there were nearly 400 historic lighthouses owned by the United States Coast Guard that could potentially be excessed. As of the most recent GSA program report (2011), a total of 84 lighthouses have been transferred to new owners, the majority of them (56) as no-cost transfers, and 28 sold

to private owners via a public auction.¹ The majority of the no-cost transfers have been to non-profit groups, followed by public sales, local and state governments, and a few transfers to other Federal agencies, (Figures 1 and 2). Twelve more lighthouses have become available for transfer in 2012 and 2013, but deed transfers have not been finalized.

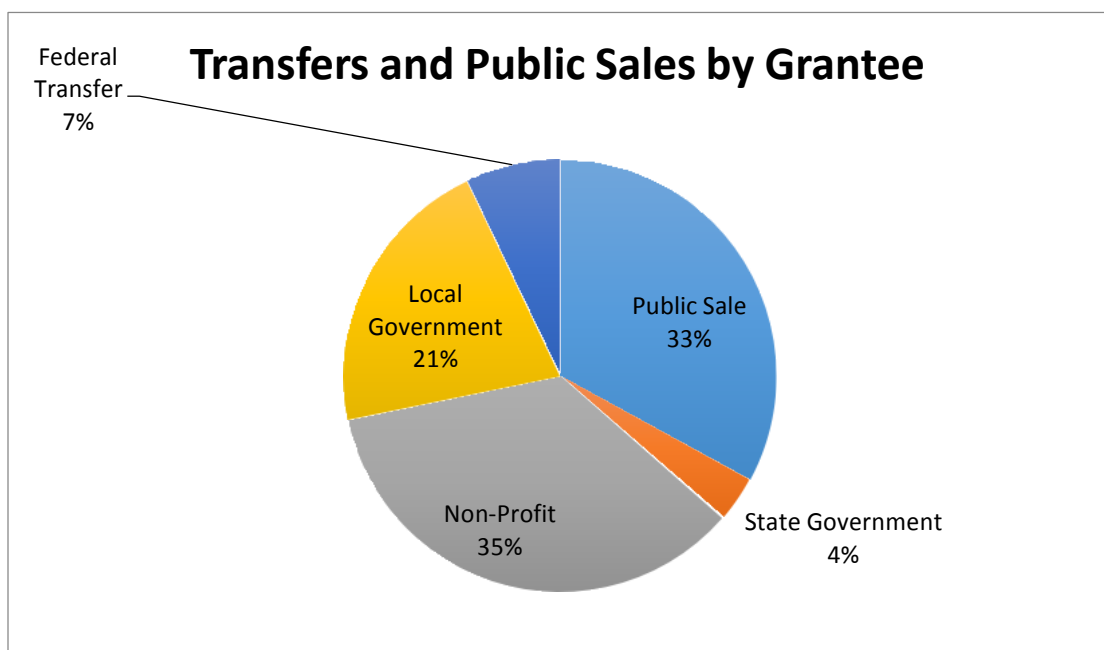


Figure 1: Percentage of transfers by type (Based on 2011 NHLPA Program Report).

1. General Services Administration, "NHLPA 2011 Program Highlights Report," Washington, D.C., p. 4.

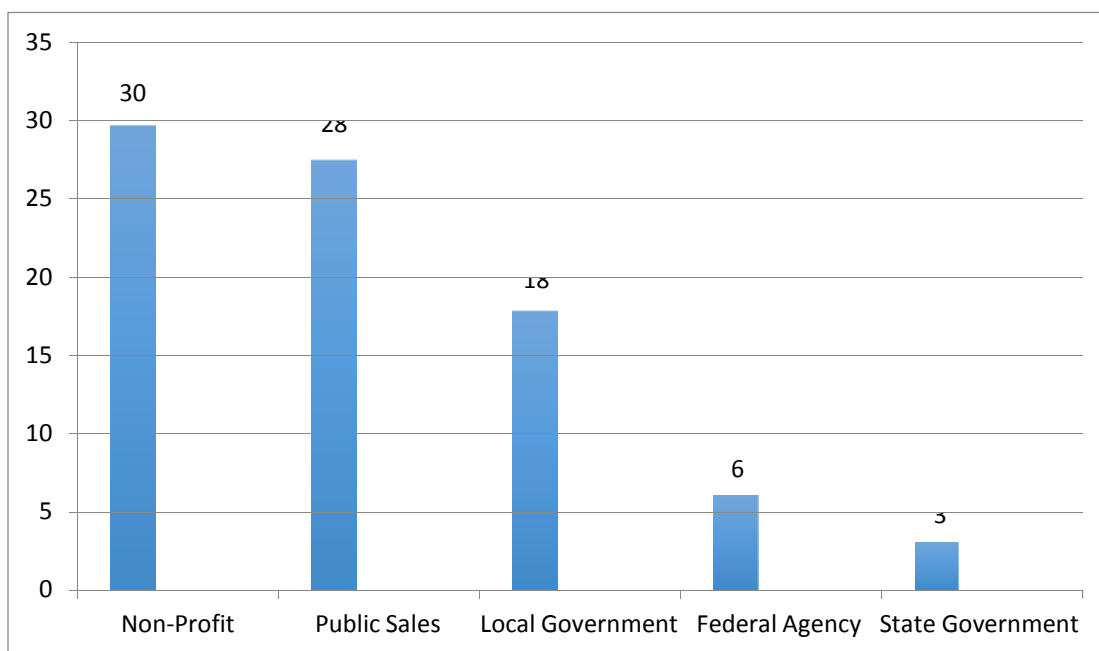


Figure 2: Number of transfers by type (Based on 2011 NHLPA Program Report).

Preservation heavily depends on interest and action at the local level, while federal laws guide much of our preservation policy and programs. In order for programs such as the National Historic Lighthouse Preservation Act to be successful, people at various federal, state, and local agencies and organizations, need to work together with shared goals and resources. The reality of practice, however, does not always mirror the intentions of policy and law. Many times programs are put into effect, without the needed human and financial resources to run them effectively.

The NHLPA has been in effect for nearly ten years, and although this period is too short to gauge the long-term success, it is not too soon to assess whether the program is meeting its primary goals. Lighthouses have been deemed worthy of protection and preservation under federal law, so it should be expected that the main program to protect and preserve them is running in the most effective way possible.

In thinking about the National Historic Lighthouse Preservation Act, it is important to consider why people have such strong attachments to lighthouses, and why they devote countless hours to preserving them. This issue of attachment and emotion is really an integral question in the preservation field as a whole. Why is so much time and effort put into preserving structures that are no longer needed for their original purpose, particularly special use structures like lighthouses? The answer to this question requires consideration of what lighthouses represent to stakeholders, in short, the various values that are at play in lighthouse preservation.

Randall Mason has argued for the idea of values-centered preservation in order to provide a framework for dealing “holistically with particular sites and addressing both the contemporary and historic values of a place.”² Drawing on the work of Alois Reigl who put forth the idea that values may not be eternal because they vary “from subject to subject and moment to moment,”³ Mason stresses the acknowledgment of multiple viewpoints related to historic sites. This acknowledgment allows us to focus on reaching out to the broadest range of stakeholders, particularly those whose views may not have been considered before.⁴ In order to recognize the existence of various contemporary and historic values, preservation needs to be a collaborative effort, one in which professionals from various disciplines work together with the public who often have personal interests and investments in the project.

2. Randall Mason, “*Theoretical and Practical Arguments for Values-Centered Preservation*,” CRM, Vol.3 No. 2, Summer 2006, p.21.

3. Alois Reigl, “*The Modern Cult of Monuments: Its Character and Its Origin*,” *Oppositions*, Fall 1982, No. 25, Ed. Kurt W. Forster, Rizzoli: New York, p. 23.

4. Mason, 31.

Lighthouses hold clear historic value for their connection to shipping and commerce, which contributed to the economic development of the United States. Another critical part of their history is tied to the people that spent many difficult years working as keepers. Lighthouse keeping was an around the clock job that was often performed in isolation at great expense to families.

Lighthouses also represent achievements in architecture, design, and engineering technology. Thanks in part to the Historic American Buildings Survey (HABS), a New Deal program created by Franklin D. Roosevelt in 1933, the National Register and National Historic Landmark programs created in 1966, and the Historic American Engineering Record (HAER) created in 1969, lighthouses have been considered worthy of protection from loss for their architectural and engineering values. Additionally, the growth of the field of industrial archaeology beginning in the 1960s to the 1970s has continued to encourage the study and preservation of historically significant industrial and technological sites and structures.

picturesque. Lighthouses can also invoke a sense of permanence and steadfastness that holds appeal for people, particularly when other aspects of their environment are changing. And because they were often in more remote locations, they represent the American ideal of the rugged individualist, fending for himself against nature, while also heroically saving lives.

In addition to these values, what Mason refers to as “heritage values,” there are other values such as economic, tourism, and educational, which link to general heritage value and reflect contemporary concerns that play a significant role in lighthouse preservation and management. While recognized as distinct values worthy of their own discussion, it is important to recognize their close interrelationship.

Economic considerations have been entwined with lighthouses throughout their history. Allocating funds to construct and then staff lighthouses were perennial problems that have been replaced by the issue of having to pay for their upkeep once they outlived their original purpose as aids to navigation. Although a no-cost transfer under the NHLPA requires no money up front, the new stewards have to commit to and plan for the maintenance and upkeep of the lighthouse in perpetuity.

Promoting the economic benefits and values of historic preservation activities has come to the forefront within the past few decades. There are numerous facets to the economic value discussion, such as the potential cost savings and environmental sustainability of reuse over new construction, or links between historic districts and property values. But when discussing economic values in relation to lighthouses generally the focus has been on the linkage between economics and tourism.

Most State Historic Preservation Offices (SHPOs) have either a specific publication addressing the economic benefits of preservation, or it is a discussion incorporated into their State Preservation Plan. What is often referred to as “heritage tourism” is touted as having broad economic benefits for local and state economies. For example, the Cape Hatteras Lighthouse, discussed below, has almost a million visitors a year. In 2010 the Georgia SHPO, in conjunction with the Tourism Division of the Department of Economic Development, published the *Heritage Tourism Handbook: A How-To-Guide for Georgia*.⁵ This guide is just one example of a state touting the numerous ways that tourism can “promote the economic and civic vitality” of communities such as creating new jobs in the travel industry and increased revenue from taxes. New tourist-centered businesses such as bed and breakfasts can also be created when people purchase and reuse historic properties. Lighthouses are often tourist destinations, and are used by communities to promote themselves as “unique” and special places to visit.

Also linked closely with the tourism and economic value is the educational value inherent in historic lighthouses. The NHLPA stipulates that the eligible entity to which the historic lighthouse is conveyed at no-cost is to make it “available for education, park, recreation, cultural or historic preservation purposes for the general public at reasonable times and under reasonable conditions.”⁶ Other than fulfilling the stipulations of the law, educational programs have value because ideally you are creating future stewards of cultural resources by exposing people to the heritage values

5. This publication can be accessed in its entirety online at http://georgiashpo.org/sites/uploads/hpd/pdf/Heritage_Tourism_Handbook_revised.pdf

6. 16 U.S.C. 470, Title III Section 308(c)(E)

of the place. Educational programs have been approached in various ways at lighthouse sites.

Some lighthouse properties, such as the Saint Augustine light in Florida, have museums onsite or nearby that incorporate the lighthouse's history. Educational programs can also include volunteer-led tours of the light for visitors and school field trips. Additionally, some lighthouses run volunteer keeper programs that allow people to stay overnight and give them a small taste of life at a lighthouse. These types of programs can also be marketed towards the aforementioned "heritage tourists" and revenues generated can be used to maintain the lighthouse, contributing to the overall economic value.

Lighthouses can also be a source of community pride providing a common marker for inhabitants that translates into a sense of place; those that grow up in communities with a historic lighthouse often attribute a special reverence to it. For example, the Cape Hatteras light in North Carolina and the Tybee Island light in Georgia both figure prominently on the seals of the local governments. Although the Cape Hatteras light is currently a part of the Cape Hatteras National Seashore within the National Park system, it has been a fixture for the Outer Banks community since 1871. Similarly, there has been a lighthouse on Tybee Island since 1736, although there have been several reconstructions over the years.

When the National Park Service proposed moving the Cape Hatteras lighthouse, a National Historic Landmark, in the late 1980's to protect it from potentially being lost due to soil erosion, there was quite a bit of public outcry. An issue that arose from parties against the move, was the fear that it would actually end up

destroying the iconic fixture (Figure 4), not saving it. The fact that nearly everyone in the local community had an opinion on the matter demonstrated the significant values the light held, not just for the sense of place and community identity it embodied, but also because the lighthouse is a major tourist destination which provides economic value for the community.⁷



Figure 4: HABS Photograph of the Cape Hatteras Light (*Source:* <http://www.loc.gov/pictures/item/nc0432.photos.101898p/>).

7. For more on the move of the Cape Hatteras light, see the video “Move of the Century: Cape Hatteras Light,” Kevin Duffus, Director, 1999 or “The Cape Light: Away From the Edge,” by WRAL original air date September 4, 1999, accessible at <http://www.wral.com/news/local/documentaries/video/1464370/#/vid1464370>.

These various values have a symbiotic relationship that cannot be overlooked. When communities value their historic resources in any of the ways mentioned above, it creates the desire to protect them. Resources that are protected and cared for can retain their values as assets to the community. Communities can market themselves as providing a unique experience that can appeal to the tourist market that so is integral to many place's economic well-being. Further, by providing education about historic resources to local residents and visitors, there is the hope that they can value and work to protect them in the future.

METHODOLOGY

I began my research by consulting various sources in order to construct a brief history of lighthouses in the United States. I primarily utilized secondary sources that focused on the general history of lighthouses, and more focused histories on the agencies involved, such as Helens Bowers' *From Lighthouses to Laserbeams: A History of the U.S. Department of Commerce*; George Weiss's *The Lighthouse Service: Its History, Activities, and Organization*; and Robert Johnson's *Guardians of the Sea- A History of the United States Coast Guard 1915- the Present*.

In order to understand the NHLPA in more detail, I utilized records at both the Washington D.C. and Philadelphia, PA offices of the National Park Service. These records were valuable in developing a more in-depth knowledge of the NHLPA process particularly in regards to application scoring and follow up after transfers were made. I also relied on federal and state agency reports.

Direct contact with individuals that work on the program at various levels was crucial. I was able to correspond via email and speak directly to employees of the National Park Service, the General Services Administration, and the United States Coast Guard, as well as the Michigan Deputy SHPO. I also was fortunate to communicate by email and phone with members of lighthouse preservation groups such as the Great Lakes Lighthouse Keepers Association and the Detour Reef Light Preservation Society in Michigan, and The Turkey Point Light Station, Inc. in Maryland. These first-hand accounts became important when attempting to move beyond the basic nuts and bolts of the program into the actual practice and, ultimately, to considering its success.

Following this introduction, Chapter Two provides a brief history of lighthouses in the United States, from the earliest provincial lights of the eighteenth century to the development of a unified system under federal control that occurred primarily in the nineteenth century, and a discussion of the technological changes that rendered manned stations obsolete. Chapter Three focuses on the National Historic Lighthouse Preservation Act in terms of the law itself and the specifics of the transfer program it established, including the application process.

Chapter Four provides case studies of Detour Reef lighthouse in Michigan, and the Turkey Point lighthouse in Maryland, in order to look more closely at the workings of the program. These include brief histories of the lighthouses, details on the organizations that were awarded ownership, and the ways in which the properties are being currently used. There also is a brief overview of the status of all of the lighthouses that have been transferred at no cost to eligible government entities or non-profit

organizations to date. Finally, Chapter Five offers concluding thoughts on the program's current effectiveness, and addresses problems and potential solutions.

Chapter 2: A Brief History of Lighthouses in the U.S.

This chapter discusses the history of lighthouses in the United States, from the first locally constructed structures, to the development of an integrated federally managed system, and finally to the shifts in technology that rendered traditional lighthouses obsolete in terms of navigation. This brief history serves as context for understanding the need for the National Historic Lighthouse Preservation Act.

The first lighthouse structure erected in the United States was on Little Brewster Island in Boston Harbor in 1716. Built by the Province of Massachusetts, it was paid for by a tax of one penny per ton on all incoming and outgoing vessels.⁸ As trade and commerce expanded throughout the eighteenth century, more lighthouses were erected. Other early lighthouses included the New London Harbor Light in Connecticut (1760), the Cape Henlopen Light at the Delaware Bay, Delaware (1765), and the Charleston Light on Morris Island, South Carolina (1767).⁹

The ninth act passed by Congress and signed by President Washington on August 7, 1789, created the Lighthouse Establishment as an official unit of the government. This legislation stated:

“that all expenses...in the necessary support, maintenance and repairs of all lighthouses, beacons, buoys and public piers erected, placed, or sunk before the passing of this act, at the entrance of, or within any bay, inlet, harbor, or port of

8. George Weiss, *The Lighthouse Service: Its History, Activities, and Organization*, Baltimore: Johns Hopkins, 1927, p. 1.

9. Weiss, 2.

the United States, for rendering the navigation thereof easy and safe, shall be defrayed out of the treasury of the United States.”¹⁰

The Department of the Treasury was officially created on September 2, 1789, as the responsible agency over commerce and business and for nearly a century oversaw the country’s lighthouses. However, the system went through numerous changes over the years that were reflective of the growth of the country’s central government and economic development, as well as attempting to keep pace with changing technologies in navigational science.

The number of lighthouses continued to grow over the course of the nineteenth century, but early on there was not really any organized system. Congress would appropriate funds as a lighthouse was proposed and agreed upon. Although the Fifth Auditor of the Treasury also served as the general superintendent of the lights, as of 1820, the work, supply, and inspection of the lighthouses and new construction was contracted out with the Treasury paying an annual sum for supplies and upkeep. Contractors were supposed to visit each lighthouse once a year and submit a report on their condition to the Auditor, as well as the conduct of the keepers.

Changes in lamp technologies in the 1830’s led to criticism of the condition of lighthouses in the U.S., primarily from those in the shipping industry. The Fresnel lens, developed in France by Augustin Fresnel, provided a superior light source over the Argand lamps being used in most U.S. lighthouses at the time. Fresnel lenses featured

10. First Congress of the United States, Public Acts of the First Congress, First Session, Chapter IX, “An Act for the Establishment and Support of Lighthouses, Beacons, Buoys, and Public Piers,” August 7, 1789.

a complex of multi-faceted glass prisms that magnified and concentrated the light beams producing lights that could be seen nearly 20 miles away (Figure 5). This was a huge improvement over the typical 8-12 mile visibility of previous lights.¹¹ However, the technology was slow to be adopted in the United States.

Congress ordered an assessment of the entire Lighthouse Service to be conducted in 1851. As a result, it was determined that there needed to be permanent board to oversee the organization of the lighthouses into a functional system. It was also decided that adopting the Fresnel lens technology should happen as soon as money became available.

Congress officially established the Lighthouse Board on Aug. 31, 1852.¹² Made up of Presidential appointees from branches of the military, including the Army and the Navy, the Board moved quickly to apply new technology, particularly the purchase and installation of Fresnel lenses. By the start of the Civil War, all lighthouses had Fresnel Lenses. Lighthouse construction also continued, with the completion of the first west coast lighthouse at Alcatraz Island, California, in 1854.

11. National Park Service, "*The Fresnel Lens*," Cape Hatteras National Seashore informational website, <http://www.nps.gov/caha/historyculture/fresnellens.htm>, 2013.

12. 10 Stat. L., 112, 119

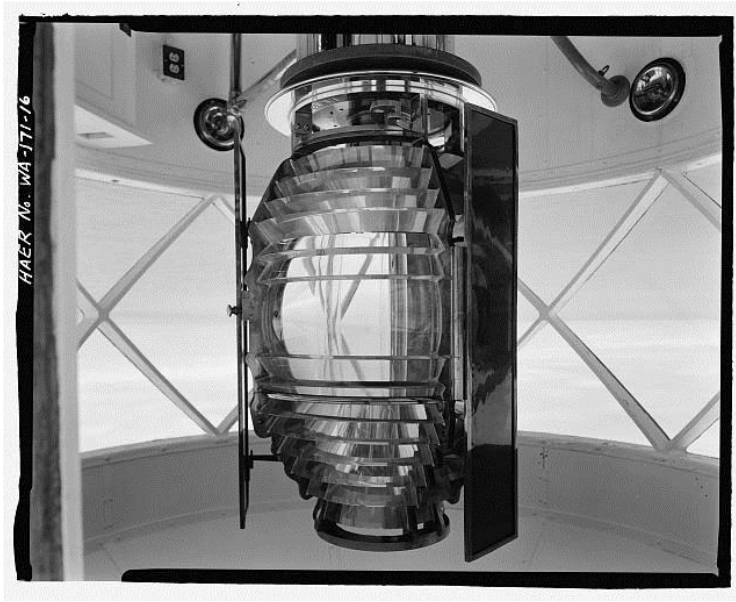


Figure 5: HAER photograph of historic Fresnel lens from the Point Wilson Light Station, WA (Source: <http://www.loc.gov/pictures/item/wa0724.photos.204332p/>).

Lighthouse construction techniques advanced throughout the tenure of the Lighthouse Board, including the development of the protected and exposed screwpile lighthouses that placed the lights and keeper's dwellings on iron stilts. These types were primarily constructed in the Chesapeake and Carolinas and the Florida Keys, respectively because they were more suited to areas of slower-moving, warmer water. Additional construction methods followed, such as the caisson which consists of a large cast-iron cylinder sunk to the bottom of the water and filled with rock and concrete to set it in place, and crib foundations in which a wooden crib was built on shore then towed to the site and filled with stone to sink the foundation into place.

In 1903 the Lighthouse Board was moved from the Treasury Department into the newly created Department of Commerce. However, by the 1910s, Congress began moving back towards a more civilian-oriented lighthouse program. They abolished the

Lighthouse Board and created the Bureau of Lighthouses, commonly referred to as the Lighthouse Service. Although the prior Lighthouse Board was made up of military professionals, it had typically worked with some civilians, and many of these people moved into the roles vacated by the military personnel.¹³

Continued technological advances beginning in the 1920s began rendering traditionally manned lighthouses obsolete. As the use of electricity spread, stations could be more reliably lit, and therefore staff reductions were possible. In 1939, the Bureau of Lighthouses was consolidated with the United States Coast Guard, and over the following decades, the Coast Guard continued to automate lights around the country. Although currently the Coast Guard continues to have responsibility for the majority of lighthouses in the United States, they have no need for the historic components themselves which can include not just the actual tower housing the light, but also ancillary structures such as attached or stand-alone keeper's quarters, an oil house, and a fog signal building.

Chapter 3: The Current Law and Program

This section provides details of the NHLPA and the transfer program it created. It discusses the impetus for the creation of the law in the context of other property transfer programs, the agencies and other organizations involved in the process, as well as specifics about the requirements of the application process, how potential stewards are evaluated, and the follow-up reporting required of those awarded lighthouse properties.

At the end of WWII, The Coast Guard had responsibility over 468 lighthouses, and by 1962, 327 of these were still manned. Efforts to automate the lighthouses moved slowly, but were a priority for the agency so they could reduce the cost of maintaining the structures, and remove personnel from isolated and often-hazardous locations.¹⁴

In 1968, the USCG instituted the Lighthouse Automation and Modernization Program (LAMP) in order to accelerate and standardize the automation of its lighthouses. While it resulted in necessary cost savings, it was at the detriment of the historic structures. Without a constant human presence to monitor conditions and provide routine maintenance such as mopping up condensation or fixing broken windowpanes, many of these properties were subject to rapid deterioration and vandalism.

The National Historic Preservation Act passed in 1966 established a federal preservation program to protect significant historic properties from loss or extensive

13. National Park Service, "*Lighthouses: An Administrative History*," 2001, obtained from <http://www.nps.gov/maritime/light/admin.htm>.

14. NPS, "Historic Lighthouse Preservation Handbook," Part II, page 2, Washington, D.C.

alteration. In 1980 several amendments were added which had implications for historic properties owned by the various federal agencies. Section 110 (a)(1) of the Act, as amended, instructs the head of every federal agency to “assume responsibility for the preservation of historic properties which are owned or controlled by” the agency. Following this, the Coast Guard, considering the detrimental impacts that automation and the removal of personnel was having on its lighthouses, actively developed plans for their preservation.

As mentioned in Chapter 1, the Coast Guard had certain methods it could utilize to attempt to meet their preservation obligations under the National Historic Preservation Act. They could have ownership transferred to another governmental body as authorized in the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C.471 et.seq.). This Act gives a federal agency the authority to report excess property to the Administrator of the GSA. “Excess property” is defined by the Act as a “property under the control of any Federal agency which is not required for its needs and the discharge of its responsibilities, as determined by the head” of that agency.¹⁵

Upon receipt of a Report of Excess (ROE), the Administrator is required to “screen” the property in order to determine if there are other uses for it, perhaps by another federal agency. If another use was not found, the property could be considered “surplus” and offered to state and local via the National Park Service’s Historic Surplus

15. United States Government, “*Definitions*,” Federal Property and Administrative Services Act of 1949, 40.U.S.C. 472 3(e).

Properties Program, or a private sale if no suitable agency was found. This process still applies to excess lighthouses that are not deemed “historic.”

The lease of surplus historic lighthouse properties was also an available option. Section 111 of the National Historic Preservation Act of 1966, as amended in 1980, grants federal agencies the right to lease out their historic properties if the agency head determines that the lease will “adequately ensure the preservation of the historic property.” This approach was formalized on May 10, 1985, in a Programmatic Agreement (PA) signed by the United States Coast Guard, the Advisory Council on Historic Preservation (ACHP), and the National Conference of State Historic Preservation Officers (NCSHPO).

The PA enabled the USCG to seek out leaseholders who were equipped to provide the necessary maintenance and management these historic properties required.¹⁶ By leasing out the property, the Coast Guard reduced the maintenance burden on themselves by requiring the lessee to be responsible for the upkeep. The agreement was built on the recognition of the historical value of lighthouse properties owned by the USCG. Leasing would allow these properties to be cared for and provide the Coast Guard with the ability to meet their “operational, budgetary, and administrative objectives.”¹⁷

Finally, lighthouse properties could be conveyed to other owners via an Act of Congress. For example, in the Coast Guard Authorization Act of 1996, seven lighthouses were conveyed to various non-profit entities, and thirty others in Maine

16. David Reese and Robert Browning, *“Lighthouse Management, A Balancing Act by the*

U.S. Coast Guard,” CRM, Vol. 20, No. 8, Washington, D.C., 1997.

17. USCG, ACHP, NCSHPO, “Programmatic Agreement,” executed May 10, 1985 and amended July 24, 1996 and December 16, 2002.

15. United States Government, “*Definitions*,” Federal Property and Administrative Services Act of 1949, 40.U.S.C. 472 3(e).

were identified as excess to be conveyed to new owners within two years of the Act's passage under the Maine Lighthouse Program.¹⁸ While it is clear that there have been mechanisms in place to assist the Coast Guard in maintaining historic lighthouses, there were also unresolved issues that the National Historic Lighthouse Preservation Act sought to address.

A major issue with historic lighthouse structures is that while they no longer function as Active Aids to Navigation, the cost of maintenance continues. The United States Senate report (106-380) issued in conjunction with the National Historic Lighthouse Preservation Act of 2000 stated that of the over 600 historic lighthouses in the country, roughly 400 of those were still owned by the USCG. That report also references an earlier 1992 lighthouse policy review conducted by the USCG, in which it was recommended that the agency evaluate its lighthouses based on “minimal operational needs.” Subsequently, the USCG became aggressive in attempting to relieve itself of the burden of lighthouses it had in excess.¹⁹

The main issue that the NHLPA sought to rectify is that the existing transfer options did not favor the non-profit “historic lighthouse friends’ groups” that in many cases had spent countless hours raising funds and participating in restoration and upkeep of these lighthouses under lease agreements. In the words of Richard Moehl, President of the Great Lakes Light Keepers Association (GLLKA), “The non-profits step in when all else is failing, they do a credible job, add value to the property, then

18. 110 STAT.3901 Title X, Sec. 1001 and Sec. 1002

19. The Senate Committee on Energy and Natural Resources, *A Report to Accompany the National Historic Lighthouse Preservation Act of 2000*, 106th Congress, S.REP NO. 106-380. (2000).

receive little or no recognition for a job well done, then stand little or no chance of obtaining the property.”²⁰

As authorized in the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 471 et.seq.), if no suitable Federal or State agency was found to assume the lighthouse property, it could be offered up for sale. However, non-profit groups frequently found themselves bidding against private individuals or developers interested in the valuable waterfront property on which the lighthouse sat rather than the lighthouse itself. In the event that they could not afford to purchase the lighthouse, these local groups had only one option, to seek a congressionally approved legislative transfer.

This was the state of affairs that prompted the creation of the National Historic Lighthouse Preservation Act, as an amendment to the National Historic Preservation Act of 1966, as amended. The NHLPA and subsequent program created a mechanism for federally-owned lighthouses deemed “excess,” to be transferred at no-cost to an eligible entity, which includes not just governmental bodies such as state and local governments, but non-profit groups as well. Not being saddled with the up-front cost of purchase meant that these local groups could focus on preserving the lighthouse. However, as will be discussed below, these groups still have to deal with the financial considerations of maintaining and operating an historic lighthouse property.

The program established by the National Historic Lighthouse Preservation Act of 2000 involves the cooperation of several federal agencies, SHPOs, as well as the

20. Richard Moehl, “*Correspondence*”, to Dr. Kathryn Eckert, MI SHPO, March 25, 1997,

obtained from the NHLPA program files, National Park Service, Washington, D.C.

local governments and/or local groups applying for ownership of the property. The process begins with the owners of the historic lighthouses. While this is primarily the United States Coast Guard, it can also include agencies such as the Bureau of Land Management (BLM) or the U.S. Fish and Wildlife Service.²¹ For the purposes of this study, I will focus only on the United States Coast Guard.

Every year, the USCG evaluates their lighthouse inventory and determines which structures are considered excess, and therefore suitable for transfer to another entity under the NHLPA. Once this determination is made, the information is given to the Administrator of the GSA.

The General Services Administration is essentially the real estate arm of the federal government. Once they receive the excess lighthouse list from the USCG, the GSA issues Notices of Availability (NOA) to interested parties including SHPOs, local governments and non-profits, and publish the information in newspapers and periodicals. NOAs are also posted online through the GSA and the NPS websites.

Each NOA stays active for sixty days. Within this timeframe interested parties can submit letters of interest to the GSA. The letters need to contain the following information:

- The name of the lighthouse property;
- The name of the eligible entity;
- Contact information for the eligible entity (name, title, email, address, and phone number); and

21. National Park Service, “*Handbook for Implementing the NHLPA*,” Draft, 2009, p.3

- If it is a non-profit organization, they must submit a copy of their state-certified articles of incorporation.

At the end of the 60-day time period, the GSA forwards complete interest letters to the appropriate National Park Service regional office.

Application packages are sent to all the eligible entities that were forwarded from the GSA to NPS. Additionally, the GSA organizes site visits so that the interested parties can view the property firsthand. After the site visit, applicants have 90 days to submit the complete application package to the National Park Service office, although there can be up to two thirty-day extensions granted by one of the agencies involved as it sees fit. The NPS sends copies of each application to the GSA so that they may review for National Environmental Policy Act compliance, and to the SHPO.

Table 1: Major roles of the main federal agencies within the NHLPA program (Adapted from the *Handbook for Implementing the NHLPA*).

United States Coast Guard (USCG)	Review and acceptance of ROEs	National Park Service (NPS)
<ul style="list-style-type: none"> •Identifies historic light stations that are excess and issues Report of Excess (ROE) to the GSA •Evaluates applicant's suitability for care and preservation of Fresnel lens associated with transfer 	<ul style="list-style-type: none"> •Announces availability of historic light station to applicable federal, state, local government organizations and non-profit groups by issuing Notices of Availability (NOA) •Determine eligibility of agency or non-profit by obtaining necessary documents •Conduct sale of property in event no applicants or suitable applicants available 	<ul style="list-style-type: none"> •Forwards NHLPA applications to all parties that expressed interest during the NOA period •Evaluates the applications received and determines the most suitable one •The Secretary of the Interior notifies the GSA of the suitable applicant or if there were none

The SHPO is required to receive the applications of eligible entities and has 30 days in which to comment. They are also involved in the Section 106 and NEPA reviews that accompany the transfer process. Additionally since the lighthouses are transferred “as is” many of them require work to restore their condition. As they are National Register eligible or listed, all work must meet the Secretary’s Standards for the Rehabilitation of Historic Properties. The SHPO has an integral role in ensuring that all work meets those standards.

In most cases, either a local government or lighthouse preservation group will be the applicant to own a lighthouse through the NHLPA, so they have a very active role within the program. Applicants are responsible for responding to Notices of Availability in the specified timeframe, and for filing a complete application. As pointed out above, many of these groups have already been involved with the lighthouse they are attempting to attain ownership of, and already have an established stake in the property.

The application itself is quite detailed, as it requires that the applicant develop a solid management plan that includes the following:

- Preservation and Maintenance Plan;
- Use Plan;
- Financial Plan;
- Executive Summary; and
- Property Description and Supporting Documentation.

The Preservation and Maintenance Plan focuses on the aspects of the physical structure that require work. The applicant needs to, among other things, describe the

work that needs to be done to each historic feature of the property, how that work will be carried out, and the qualifications of those involved in that work and planning. The applicant also needs to have a general timeline of the work to be done as well as cost estimates. In addition to the preservation work, the applicant needs to provide a plan for the “cyclical maintenance” for “the built and natural environment.”²² This does not require cost estimates.

The Use Plan asks for details that meet the section of the NHLPA that require the new steward to provide a use-value for the public. The applicant is required to describe what type of programs they intend to provide, and how the programs will be implemented, in addition to the proposed public access hours of the property. The law does not allow for commercial property uses, however, unless approved by the Secretary. That requirement does not mean however, that the proposed uses cannot have revenue producing activities, just that any revenue must be for the specific purpose of supporting the ongoing maintenance and preservation efforts.

A solid financial plan needs to show that the applicant will have the ability to maintain the lighthouses for the proposed uses. It requires the applicant to provide statements of current assets and cash flow, in addition to projected income from sources such as fundraising and grants. Sources of funding, either potential or pledged, have to be listed, and the applicant must have a contingency plan in the event that the funding does not come through.

22. NPS, *Application for Obtaining an Historic Lighthouse*, page 3.

In fact, a significant part of the application process involves having a viable financial plan.²³ Applicants are to provide among other details, three years' worth of financial statements that have been audited or reviewed by a CPA, budget summaries for five years that focus on the "preservation and on-going maintenance and operation costs to bring the property up to optimal condition adhering to the Secretary of the Interior Standards for the Treatment of Historic Properties, to maintain it in that condition,"²⁴ and identify projected income and expenses. There is also the consideration of liability insurance for visitors, volunteers and staff as well as property insurance to cover damage from the elements.

In addition to the Management Plan details, the completed application requires submission of an executive summary that discusses the overall project goals. This is the chance for the applicant to essentially argue, in a short narrative, why they should be the organization awarded the lighthouse.

The final portion of the application requires a property description and supporting documentation. This documentation must include a map or site plan, exterior and interior photographs as well as a copy of the National Register nomination or a copy of the Determination of Eligibility.

The detail required in the application demonstrates that this is a serious process. The federal government has a responsibility to ensure to the best of its ability that these historic resources are going to people who are truly dedicated and are able provide the amount of work that is required. The rigorous nature of the process also has the effect

23. ---, Part 4, Section c.

24. Ibid.

of weeding out those that may have not been too serious about assuming ownership to begin with, or do not have the knowledge, time, or ability to take on such a process. Many times when a Notice of Availability is made, organizations may submit letters of interest and attend the site visit, but not actually submit an application.

After the application close date, a panel of three reviewers organized by the appropriate regional office of the National Park Service reviews each application. The Title Page, Executive Summary, and Property Description are simply evaluated based on completeness. Then each part of the Master Plan is scored based on a maximum 25 points. The three scored applications are then totaled and the scores averaged in order to place them in the appropriate category (Figure 6).

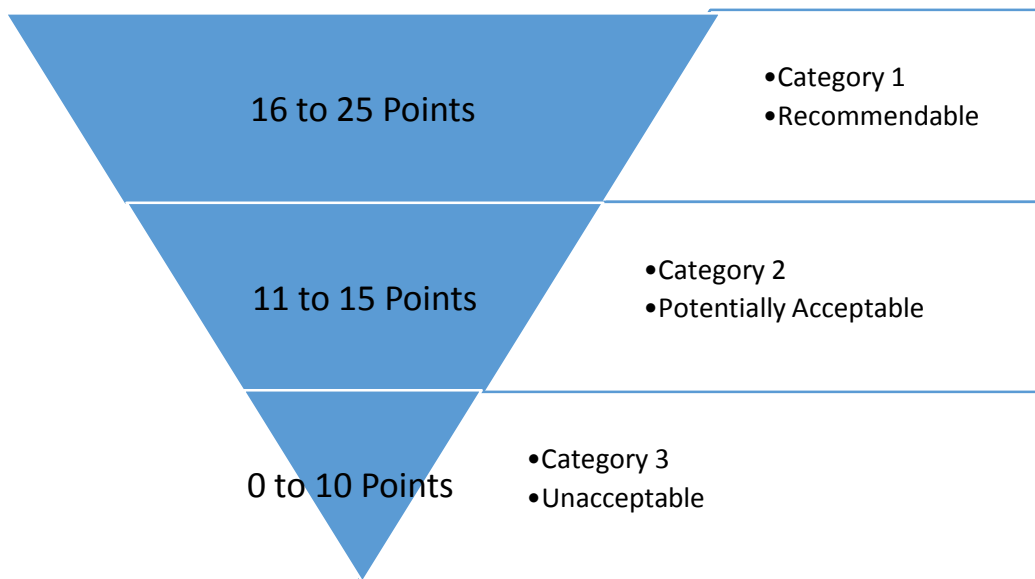


Figure 6: NHLPA Application Scoring Categories (Adapted by author from the *Application for Obtaining an Historic Lighthouse*).

Only Category 1 applications will be considered as potential transferees. If there is no application that fits in that category, the NPS will ask for revised applications from all the applicants within 30 to 60 days. The review committee includes their

evaluation comments so that the applicants are aware of deficiencies. Generally, this just means that there are areas of the application that need more detail or clarification. The committee will then go through the review process with the revised applications, ideally with the same three people that reviewed the original applications.

The review committee will either select a single applicant, or determine that no one meets the criteria. If no one can be recommended to take the ownership of the lighthouse, then the GSA will list it for private sale. If an applicant is recommended, the information will be communicated to the Director of the National Park Service. If the Director concurs with the recommendation, he will forward the package to the Secretary of the Interior in whom the actual authority to cede ownership lies. If the Secretary concurs with the recommendation, she or he will sign the official recommendation letter to the Administrator of the GSA who will affect the actual transfer of the deed to the new owners.

Although it is not a common occurrence, there is a separate review process in place if the historic lighthouse still contains its original Fresnel lens. While most historic light stations had their Fresnel lens relocated in the twentieth century (many times to local museums or to the Coast Guard), occasionally the light will still be in the tower, and if so, the ownership application requires a separate level of review specifically to address that aspect since the light does not automatically convey to the new stewards. The Office of the Curator for the Coast Guard has the responsibility to ensure that these historically significant artifacts are well cared for.

The lighthouse applicant is required to complete a separate questionnaire that addresses the preservation and care of the historic lens. The questions vary based on

whether or not the lens will remain in the original lighthouse lantern room or be displayed at a different location, such as a nearby museum. Ideally, for preservation purposes, the lens would not be kept in the original lantern rooms because the harsh conditions and temperature fluctuations inherent at coastal and Great Lakes locations complicates long-term preservation.²⁵

Similar to the historic lighthouse application, the applicant must specify the current condition of the lens, the plan for ongoing monitoring of the lens, and who will be responsible for those tasks. They also must have clearly demonstrated financial ability to maintain and preserve the lens for the long term, and also have clearly articulated interpretive plans for the lens so that as many people as possible can be educated about its history.

After what can be a time consuming process, there can definitely be cause for the new owners to celebrate. However, the official deed transfer does not put an end to the responsibilities of the new stewards in relation to the NHLPA. They are required to submit yearly reports to the National Park Service regional office that summarize activities over that year relating to the plans that were submitted as a part of the application package. Financial statements are required, as well as a report on any issues or setbacks that occurred.

If the regional office is satisfied that the lighthouse steward is meeting the program requirements of the NHLPA, it can choose to waive the submittal of the annual report after a number of years. In place of the report, the steward is required to submit

25. Arlyn Danielson, “*Guidelines on the Care and Maintenance of Historic Classical Fresnel Lenses Transferred With Their Associated Lighthouses Under NHLPA*,” June 5, 2012.

a yearly letter stating that they are still fulfilling their obligations under the terms of the program. If there are concerns that the new steward is not meeting their obligations, or not following through with their intended plans in a timely enough manner, the government has the right to take the property back.²⁶

For those that successfully make it through the complex and sometimes lengthy process, the work never ends. The lighthouse requires continuous maintenance and possible lengthy restoration projects before potential visitors can even be welcomed. Now we can turn our attention towards a few examples of lighthouse transfers to demonstrate how the transfer process has worked.

26. 16 U.S.C. 470w, 470w-6, Section 308 (c)(3)

Chapter 4: Case Studies and Overall Status of Lighthouses

This section presents two case studies that are intended to provide a more in-depth understanding of how the program functions in practice. The first case is the DeTour Reef Light in Michigan, which was chosen as an example of a lighthouse that was awarded to a non-profit group that would have been unable to acquire the lighthouse before the NHLPA. The second study is the Turkey Point Light in Maryland that was awarded to the state in 2005. This example highlights the collaboration that is integral to the program. These studies address each light's history, the transfer process, and current uses. Additionally, this section will highlight in a more general way the status of the lighthouses that to date have been transferred through the program, noting which are open to the public, and for what types of uses.

Case Study #1: DeTour Reef Lighthouse, Michigan

Since 1847, a light has been located near DeTour Reef, the connecting point between Lake Huron and the St. Mary's River along Michigan's Upper Peninsula. This area of the Great Lakes began seeing an increase in shipping traffic after the opening of the Soo Lock in 1855. The lock allowed ships to pass from Lake Huron to Lake Superior via the St. Mary's River. Over time the shallow water area of DeTour Reef became a concern for captains. By the 1920's, as many as 70 vessels a day were coming through the area, and it was determined that a new lighthouse was needed to mark the shoal and the entrance to the river.

The current light at DeTour Reef was constructed about one mile offshore in 1931 (Figure 15). The lighthouse foundation, resting in 23 feet of water, is a crib-style concrete base measuring 20-feet high and 60-feet square. The base supports the reinforced concrete and steel Classical Revival lighthouse. The white structure with a red roof has a tower extending 63 feet over the deck making the top of the tower 83 feet above the water.²⁷ This tower was actually a part of an onshore light that had been constructed in 1861 and reused for the new light. The light was first lit November 7, 1931.

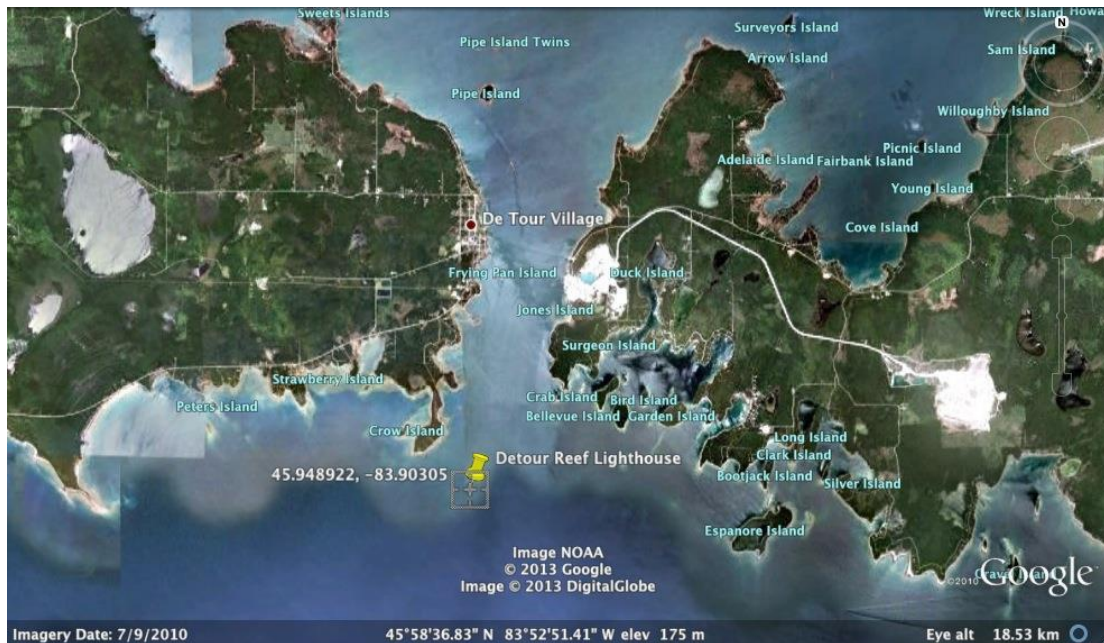


Figure 7: Map showing exact location of the current DeTour Reef Light (Source: Google Earth/DigitalGlobe).

27. Dave Wober, "Gateway to the Superior: A Textbook Example of Lighthouse Preservation," *Great Lakes Magazine*, Summer 2003.

The Coast Guard automated the light in 1974, and in 1997 it was declared excess to their needs. This provided the impetus for the formation of the DeTour Reef Light Preservation Society, Inc. (DRLPS). Officially chartered in 1998, this 501(c) 3 non-profit group was made up of concerned individuals from nearby DeTour Village and Drummond Island, Michigan, who wanted to “establish, support, and promote preservation and restoration” of the light.²⁸

Originally there was a five-member Board of Directors, and today the organization consists of Four Officers- a President, Vice President, Secretary, and Treasurer, as well as a nine-member Board that includes the officers in addition to five others. There are also ten other people that serve as Committee Chairpersons and Key Team Members, filling such roles as Membership Chair, Tour Program Co-Chairs, Accountant, and Newsletter Editor.

The organization receives much of its operational funding from annual dues and donations, and the most recent information lists a total of 271 members from twenty states, although the majority are from Michigan, particularly the southeast portion of the state.²⁹ Annual memberships are \$30, while lifetime memberships are \$500. The organization also holds special events such as dinners, auctions, and boat cruises, and sells memorabilia to raise additional funds. DRLPS also publishes an intermittent

28. DRLPS, Inc., “Establishment of the DeTour Reef Light Preservation Society,” from website http://www.drlps.com/about_drlps/EstablishmentOfDrlps.aspx.

29. DRLPS, “Membership Demographics,” January 2009, obtained via http://www.drlps.com/pdf/3_B_i_Demographics_01122009.pdf.

newsletter, *Passages*, that provides its members with information on events at the light, and its history.

The group signed a twenty-year lease with the Coast Guard in September 2000, and began actively working towards its extensive restoration, which included reconstructing one of the deck-cranes that had been removed by the USCG. They were able to recover some of the original structure from Lake Huron and incorporate it into the new one.³⁰ The restoration also involved rebuilding interior walls and repainting all surfaces.

The DeTour Reef Light Preservation Society, Inc. had been anticipating that the light would be offered through the NHLPA, so when the Notice of Availability came out in 2004, they began the application process. The organization was the sole applicant, and the National Park Service approved the application in 2005. It is significant that if the NHLPA had not been passed, DRLPS would have had very little hope of acquiring the property that they spent several years and over a million dollars restoring.

The application submitted by the DeTour Reef Light Preservation Society, Inc. is considered by the NPS as an example of an “outstanding document that included adequate detail, content, and format.”³¹ Even with their application being so well

30. ---, “Establishment of the DeTour Reef Light Preservation Society,” from website http://www.drlps.com/about_drlps/EstablishmentOfDrlps.aspx.

31. Taken from email correspondence between the author and Dena Sanford, Midwest Regional Office of the National Park Service, April 4, 2013.

received, there was an unforeseen issue that created an extensive delay in the transfer of ownership, and a lot of frustration: access to the state's bottomlands.

The Submerged Lands Act of 1953 grants "title to and ownership of the lands beneath navigable waters within the boundaries of the respective states" to those states.³² The boundary is set as three geographical miles from the coastline or the international boundary in the case of the Great Lakes.³³ Under the Act, the State of Michigan owns the Lake Huron bottomlands on which the DeTour Reef lighthouse sits. Although DRLPS was awarded the lighthouse from the National Park Service, the organization was still responsible for obtaining a bottomlands use agreement from Michigan's Department of Environmental Quality (DEQ).

The Michigan legislature passed a bill in December 2002 that made it possible for organizations such as DRLPS to enter into a lease agreement for the use of State lands on which an offshore lighthouse was located. However, DRLPS had issues with language in their proposed lease, and felt stipulations from the DEQ were unnecessarily strict for their purposes of accessing and using the lighthouse. For nearly five years they sought approval of a simplified use agreement from the Department of Environmental Quality (DEQ). Finally, in November 2009, DRLPS was able to reach a satisfactory use agreement. The light was officially transferred on June 17, 2010. Their bottomlands agreement with the state now serves as a template for future no-cost lighthouse transfers in Michigan.

32. 43 USC 1311 (a)1

33. 43 USC 1312

Currently, the DeTour Reef lighthouse is open for tours throughout the summer tourist season. Since 2005, they have also run a volunteer keeper program that allows interested people to stay at the lighthouse from June through August. Although there are other lighthouses that offer overnight programs, the fact that the DeTour Reef lighthouse is over a mile offshore, makes it even more of a draw to tourists. The organization allows weekend and mid-week stays, but the weekend keepers are needed to give tours to the daytime tour groups. They also perform cleaning and maintenance which aids in the upkeep of the structure. Those who have come to stay, have treasured the experience as a unique trip that allowed them to feel a connection to the history while also having a unique vacation experience in the middle of the water. Keepers are invited to record thoughts of their time at the light in a logbook, and these provide a record that highlight the value those that visit the light place in it. According to one group of keepers, it was “wonderful to be surrounded by so much history and fortunate to be able to meet the few people who have dedicated their lives so that we could have this weekend.”³⁴

The DeTour Reef lighthouse is valued for its integral link to the maritime history of this remote area. Not only does the lighthouse itself serve as a visible reminder of that history, its history is also highlighted at the DeTour Passage Historical Museum, where the original Fresnel lens from the lighthouse is on display. It is this shared community identity that has contributed to DRLPS’s success in restoring and acquiring the light. They have been able to raise a significant amount of funds through

34. Win Stebbins, Lillie Foster, Tina Otash, and Vern Storm, “Excerpts from the DeTour Reef Light Keeper’s Logbook, 2010-2011.” Accessed via <http://www.drlps.com/pdf/Keeper%20Log%20Excerpts.pdf>

various activities- tours, boat cruises, dinners, and donations, to aid in the restoration of the lighthouse. They also have enlisted local students to help with cataloging their historical archives of materials related to the lighthouse. The nearby villages of Drummond Island and DeTour Village also view the light not just as a significant part of their history, but also as an important asset to their tourist economy, promoting the lighthouse to visitors through local websites.³⁵

Lighthouses and maritime heritage are heavily valued in the state of Michigan as a whole. With more coastline than any other state except for Alaska, Michigan also has the most lighthouses of any state at 120. Protection of these cultural resources has been given a high priority from the state, but it is local people that have been at the forefront of their preservation movement. The Great Lakes Light Keepers Association (GLLKA), lead by Richard Moehl, was an integral force in lobbying for passage of the NHLPA. Captain Moehl became involved in lighthouse preservation in the 1980's when the Saint Helena Light was rapidly deteriorating due to vandalism and neglect. The GLLKA was able to work out an agreement with the Coast Guard to restore the lighthouse, and in the years and countless volunteer hours that followed, they were able to save the lighthouse from loss.

Michigan also has state programs that promote preservation activities of its maritime resources. The state began issuing special license plates to benefit lighthouse preservation activities, and the proceeds from the plates go into the Michigan Lighthouse Assistance Program (MLAP), created by state lawmakers in 1999. The

³⁵. See DeTourvillage.org and Drummonislandchamberofcommerce.com.

MLAP is a competitive grant program that has awarded nearly \$1.5 million in funds to lighthouse restoration projects around the state since 2001. DRLPS has been a recipient of these grants six times since the inception of the MLAP, which have been crucial in aiding in the restoration of the lighthouse.³⁶

The process of acquiring the DeTour Reef lighthouse was not an easy task for those involved. It required years of continued dedication from individuals who were determined to navigate the time consuming process. Although DRLPS had a favorable experience with the NHLPA application approval process, the ensuing bottomlands lease proved problematic and extremely frustrating. This is an issue that can come about with any offshore lighthouse, and it has not always had a favorable outcome.

Although it is an extreme example, the National Park Service rescinded its award of the Penfield Reef Lighthouse in 2009 after the awardee, Beacon Preservation, Inc., was unable to execute a favorable bottomlands agreement with the state of Connecticut. The GSA placed the light, which is located in Long Island Sound, off the coasts of Fairfield and Bridgeport, up for public auction in September 2011, but did not accept the high bid.³⁷ It is not clear when it will be placed for auction again.

While states may be within their legal rights to impose restrictions on lighthouse owners in the bottomlands use agreements, they should recognize that in most of these cases, they are dealing with a small group of individuals that have a singular purpose, which is ensuring the preservation of an historic asset. They are not seeking to stake

36. Michigan SHPO, "Information About Previously Awarded Michigan Lighthouse Assistance Grants," 2012, from <http://www.michigan.gov/mshda/0,4641,7-141-54317-68379--,00.html>

37. Genevieve Reilly, "Town Weary as Penfield Light Goes Back on Auction Block," Fairfield Citizen, May 3, 2012. <http://www.fairfieldcitizenonline.com/news/article/Town-wary-as-Penfield-Light-goes-back-on-auction-3530898.php>

claim on the water resources of the state nor to capitalize on those resources. Ideally, all states will come up with a mechanism to ease these agreements that builds on the work of the DeTour Reef Light Preservation Society in Michigan.

The DeTour Reef example, even with the ensuing issues, is currently successful in terms of the intent of the NHLPA, and the group's goals for the lighthouse. Not only has the DeTour Reef Light Preservation Society performed extensive rehabilitation to the historic structure, and they have made it available to the public for educational purposes through the establishment of the daytime tours and the keeper weekends. They have continued support of the community, and growing interest in their tours and volunteer keeper programs.

Those that are involved in the lighthouse's preservation dedicate their time to it because of what it means to their community. They value it as a reminder of their community's maritime heritage, and believe that it should be maintained for future generations. The true test will come as current members of DRLPS stop being involved or age out of the group and need to be replaced, which is an issue all preservation groups will eventually face. By having local youth involved in contributing to the preservation of the lighthouse and its history, ideally future stewards are being created to ensure ongoing preservation of the lighthouse.

Case Study #2: Turkey Point Light Station, Maryland

The Turkey Point Lighthouse stands on a 100-foot cliff at the headwaters of the Chesapeake Bay. The 35-foot conical brick and masonry tower was constructed at the request of the Lighthouse Board in 1832 to mark the change in course from the Chesapeake Bay to the Elk River leading to the recently created Chesapeake and Delaware Canal.³⁸ Originally, the grounds contained a keepers' house as well as several other outbuildings, yet today all that remains is the original tower and the oil house.

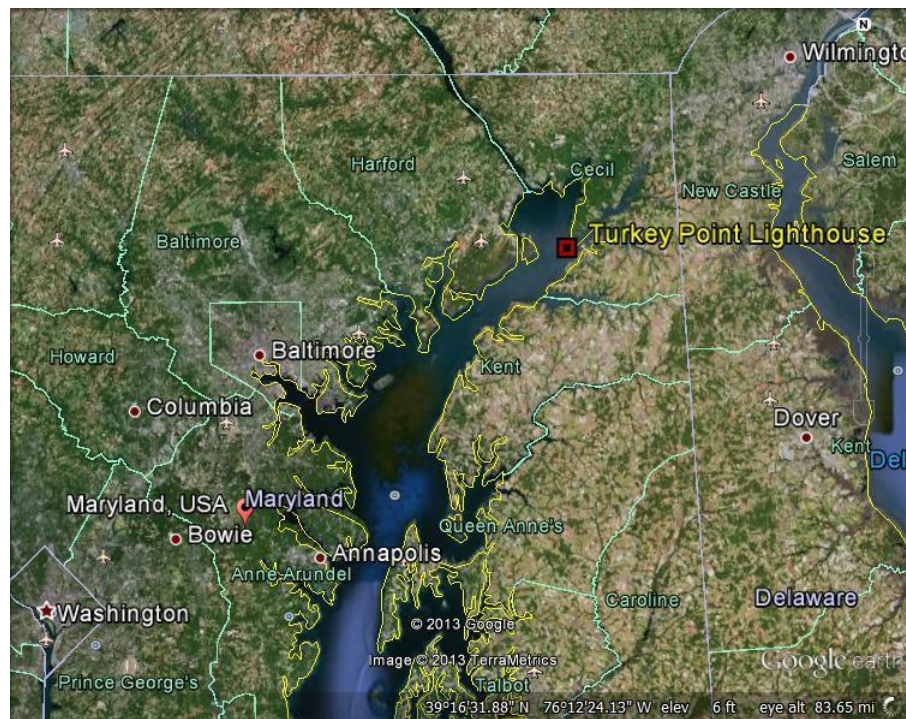


Figure 4: Map highlighting location of Turkey Point Lighthouse (Source: Google Earth/TerraMetrics).

38. Ralph Eshelman, "National Register Nomination for Turkey Point Lighthouse," prepared for the Maryland Historical Trust, 01/27/1996.

The light at Turkey Point is historically significant for the fact that it had the most female keepers of any light on the Chesapeake.³⁹ The last keeper, Fannie Salter, (Figure 9) served the post for 23 years, after her husband died in 1925. She actually had to petition the government to remain at the light because only being 22 years old, she was considered too young to serve as a lighthouse keeper. President Calvin Coolidge overruled the Civil Service, and Mrs. Salter remained at the post until 1943, making her the last female lighthouse keeper in the United States.⁴⁰



Figure 9: Fannie May Salter polishing the Fresnel lens at Turkey Point (*Source:* <http://www.uscg.mil/history/people/salters01.asp>).

39. United States Coast Guard, "Fannie May Salter, Lighthouse Keeper U.S. Coast Guard, Turkey Point Maryland," January 26, 2012, via <http://www.uscg.mil/history/people/salters01.asp>.

40. *Idib.*

After Mrs. Salter left Turkey Point, the Coast Guard automated the light, it served as an active aid to navigation until April 2000. However, due to its isolated location, the light's support buildings suffered from neglect and vandalism. Around 1971, the keeper's quarters and fog building were razed due to their deteriorated state. The state of Maryland acquired the land from the federal government and incorporated it into Elk Neck State Park. The park staff worked with the USCG to maintain and protect the lighthouse, handling tasks such as cutting trees, mowing the grass, and painting the tower.⁴¹

A Notice of Availability was issued for Turkey Point in August 2004 under the NHLPA, and there were three letters of interest received. However, Elk Neck State Park on behalf of the Maryland Department of Natural Resources (DNR), was the only application submitted. The application received a "Recommendable" rating from the National Park Service's review committee, and the Maryland DNR was officially awarded the property by deed transfer on November 30, 2005.⁴²

Although the Turkey Point Lighthouse is officially a part of Elk Neck State Park, the park has had a cooperative arrangement with a local non-profit organization, Turkey Point Light Station, Inc. (TPLS, Inc.) since 1995. TPLS, Inc. is a small organization consisting of four officers and a four member Board. They have a current membership base of 120 who contribute annual dues that help support the ongoing

41. Information contained in the Management Plan section Elk Neck State Park's application for NHLPA, 2004, obtained from administrative records of the National Park Service, Northeast regional office, Philadelphia, visited April 1, 2013.

42. Information obtained from the NHLPA administrative records of the National Park Service, Northeast regional office, Philadelphia.

preservation of the lighthouse. When the light officially became the property of the Maryland DNR, the park executed a new thirty-year lease with TPLS, Inc.

Under the agreement, the park is responsible for general maintenance such as mowing, litter cleanup, maintenance of the trail leading to the lighthouse, and cyclical painting of the lighthouse and the oil house. TPLS, Inc. continues to be responsible for raising funds to develop the lighthouse. Some of the work they have completed has been the reconstruction of interior stairs, allowing for a more complete interpretation of the lighthouse, and the installation of new shutters. They also are responsible for conducting tours of the property from April to November, educating the estimated 40,000 annual visitors about the history of the lighthouse property and the Chesapeake Bay.⁴³ TPLS, Inc.'s future goal is to reconstruct the keeper's house for use as a small museum.⁴⁴

While the Turkey Point light benefits those that come to tour it every year, offering an opportunity to learn about the history of the Chesapeake Bay, the local community values it as well. Both Cecil County Tourism and the President of Cecil Community College submitted letters of support for the acquisition. Each cited the importance of the lighthouse to the local community, particularly in relation to the tourism, and, therefore, economic potential, it embodied. The Cecil County government and the nearby town of North East, have committed to maintaining the rural character of their area while capitalizing on the tourist potential of its natural and cultural resources, such as the Turkey Point Light.

43. Visitor estimates come from the website of Turkey Point Light Station, Inc.
<http://www.tpls.org/content/history>

44. Information contained in the Use Plan section Elk Neck State Park's application for NHLPA, 2004.

Because it is located within an existing state park, Turkey Point light has the potential to attract visitors that initially sought out the area for its recreational opportunities, rather than the lighthouse specifically. Visitors to Elk Neck State Park that come to camp or watch the migratory birds can find out about the light and take the hike out to it. This provides the added benefit of potentially exposing others to historic preservation issues that might not have come across it on their own, and the potential to interpret both the natural and cultural resources and their interrelationship together in one sitting.

By forging the partnership with the non-profit Turkey Point Light Station, Inc., Maryland DNR can still fulfill its requirements under the NHLPA while having a dedicated group that focuses specifically on the care of the lighthouse. The primary reason that the light deteriorated over time was due to a lack of regular supervision and maintenance. The partnership with TPLS, Inc. ensures that there is a volunteer presence at the light for a good portion of the year, dealing with regular maintenance and reporting any major issues. Similar partnerships between government entities and non-profit groups are set up at historic sites all over the country, including other lighthouses, such as Fort Gratiot in Michigan, and the West Point Light in Seattle, Washington and can be successful because they are collaborative efforts that utilize the strengths of each organization.

As the Turkey Point Light is owned by the state of Maryland and incorporated into an existing park, the long-term preservation of the Turkey Point light seems favorable. However, there will still be the same issues faced over turnover within the volunteer organization, TPLS, Inc. Although they perform frequent outreach within the

local community, according to their current President Rita Coleman, they have a difficult time getting enough volunteers to give weekend tours at the lighthouse and their membership has dropped.⁴⁵

Nevertheless they remain dedicated because they believe in the historic value of the lighthouse not just as a reminder of the maritime past of this remote spot on the Chesapeake Bay, but to honor the legacy of its keepers. They also believe in fulfilling the dream of their founder, Dean Rice, who passed away almost two years ago. According to Ms. Coleman, Mr. Rice loved lighthouses and is sorely missed. Reconstructing the Keeper's House and establishing a museum was his vision, and completing the project seems to be a tribute to him.

General Status of Transferred Lights

Of the 56 lighthouses that have been transferred at no cost to government groups or non-profits organizations, 18 are currently fully accessible to the public. This means that visitors can access the interior and climb to the top. These lighthouses had either undergone restoration prior to the ownership transfer process, such as the case study examples, or their projects have been completed since they were transferred. Of these lighthouses, four offer overnight stays, and four provide special activities and uses such as weddings, and archaeology programs.

45. Email correspondence between the author and Rita Coleman, President of TPLS, Inc. April 18, 2013.

The majority of lighthouses transferred are still undergoing some degree of restoration. Twenty-two lighthouses are accessible to the public at some level, either because the grounds can be accessed, or in the case of some offshore lighthouses, they can be viewed from the nearby shore, while twelve lighthouses are only open to those that are volunteering in the restoration process. It will take time to assess whether these lighthouse transfers will be successful in terms of the program's broad goals.

Even lighthouses that cannot be accessed fully due to their location or extensive interior restoration work, can provide opportunities for public education. Lights that are viewable from an onshore location can have interpretive panels onshore. Additionally, simply being able to view a lighthouse remotely may spark the interest in someone to learn more about it on his or her own. If surrounding grounds are accessible, these can also be ideal places for interpretive and educational exhibits or panels.

The terms under which no-cost transfers are to be available to the public for educational and historical purposes can be loosely interpreted. Those lights that are in remote offshore locations may have more leeway in this regard than a light that is easily accessible onshore. It is important that there is flexibility within the program to take into consideration the particular circumstances of each lighthouse.

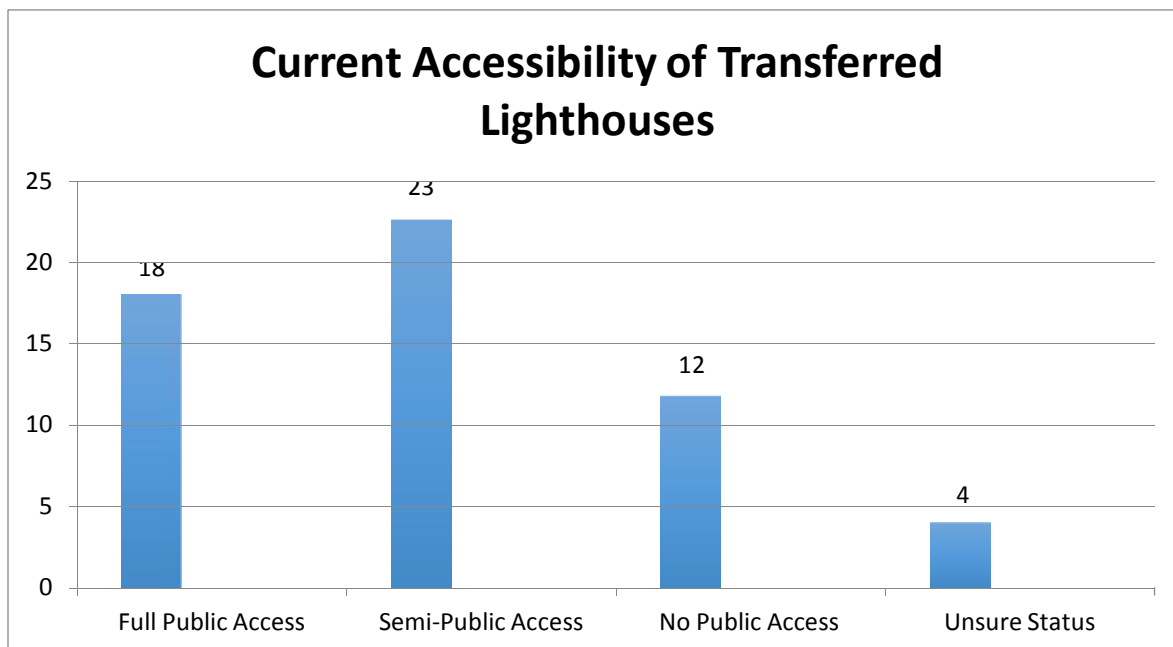


Figure 10: Chart of Current Accessibility of Transferred Lighthouses (*Source:* Author's survey of status of lights transferred at no-cost via NHLPA, using list from the 2011 Program Report from GSA).

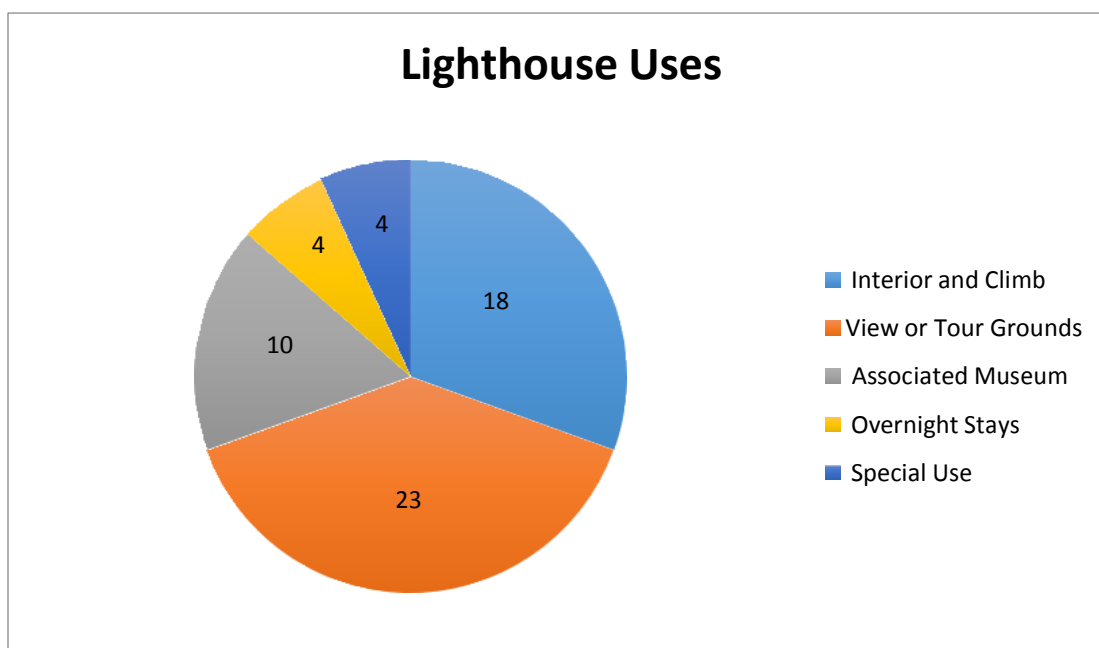


Figure 11: Current Uses for Transferred Lighthouses (*Source:* Author's survey of use of lights transferred at no-cost via NHLPA using list from the 2011 Program Report from GSA).

Chapter 5: Summary and Conclusion

The National Historic Lighthouse Preservation Act of 2000 was created to resolve an issue with previous lighthouse transfer programs that essentially shut non-profit organizations out of the process. These organizations were performing countless hours of preservation work year after year, primarily on a volunteer basis, and often under lease agreements with the United States Coast Guard. However, if the Coast Guard decided to relinquish ownership of the lighthouse, these groups found that they had a difficult time obtaining ownership. An inarguable benefit and positive outcome of the program is that these organizations can finally become owners of the lighthouses they have worked tirelessly to preserve. By transferring ownership of these lighthouses, not only has the program lessened the financial burden on the Coast Guard, it has also placed cultural resources into the hands of the local communities that value them, and have committed to preserving them.

The passage of the NHLPA represents a successful grassroots initiative. Beginning in the 1980's the growing concern over the state of the nation's historic lighthouses led to the creation of several non-profits such as the Great Lakes Light Keepers Association (GLLKA), based in Mackinaw City, Michigan, and the United States Lighthouse Society (USLHS), based in Hansville, Washington, in 1983-84. These organizations began lobbying for the preservation of lighthouses, and were successful in getting the Bicentennial Lighthouse Fund established by Congress in

1989. This fund allocated \$1 million in grants over the course of three years to aid organizations in lighthouse preservation projects.⁴⁶

After their success in calling attention to the threatened condition of the country's historic lighthouses resulting in the establishment of the Bicentennial Lighthouse Fund, lighthouse preservation organizations turned their attention towards ensuring that non-profit groups could obtain ownership of the lighthouses they had spent years caring for. Efforts to garner the support of congressional representatives were successful, although it took the dedication of groups such as the GLLKA, the USLHS, and others that pushed for the inclusion of non-profits in the process.

Programs, such as the National Historic Lighthouse Preservation Act, that encourage and provide mechanisms for local citizens to assume ownership of cultural resources can have positive implications for communities. Citizens that place value in their cultural resources, actively contribute to the quality of life of their community by protecting what they believe makes that community special. Making these people valued and integral to the lighthouse preservation process has not just served the more immediate goal of preserving historic lighthouses, but can contribute to the future success of the NHLPA.

Drawing on Mason's values-centered preservation and the inclusion of multiple stakeholders, we can analyze the NHLPA in terms of its overall success. The passage of the National Historic Lighthouse Preservation Act provides an excellent example of those in authority listening to and including the voices of those local group that had been overlooked in previous lighthouse property transfer processes. By recognizing the

46. United States Congress, Public Law 101-121. October 23, 1989.

needs of these stakeholders, congressional leaders acknowledged the values historic lighthouses held for these communities.

Further, the program established by the NHLPA recognizes and responds to the needs of other stakeholders. At the federal level, there is not just the need to protect historic lighthouses due to their significant role in the development of the nation, but also to balance that with the need for agencies like the Coast Guard to operate efficiently. The program is meeting these needs by ensuring lighthouses are being preserved, while allowing operating budgets to be more streamlined and focused on those activities which are central to the Coast Guard's mission.

Values-based preservation must also address both historical and contemporary values of a place. The case studies of the DeTour Reef and Turkey Point lighthouses presented in this paper, demonstrate how lighthouses reflect these differing, but interdependent, value systems. Restoring these lighthouses to their historically appropriate appearances allows for a more complete interpretation of their history, which reflects contemporary educational values. Visitors to these lighthouses can begin to understand what life was like for the keepers who lived and worked there, as well as each lighthouses' place in the history of the surrounding community.

The DeTour Reef and Turkey Point lighthouses also reflect contemporary values of community identity, tourism, and economic development, which all draw upon the historic values. The history embodied in these lighthouses creates a unique sense of a place that these communities use to promote tourism. By encouraging tourism, these communities are also recognizing and placing value in its associated economic value.

There are several concerns that could affect the long-term success of the NHLPA, the most obvious of which is changes in the economy. Although the DeTour Reef and Turkey Point lighthouse case studies represent successful restoration projects, many lighthouses that have been transferred through the program have not yet completed this process. Each lighthouse property is unique in terms of work needed for rehabilitation in that the structures are built with a range of materials, climates vary, and some lights have more of their outbuildings intact. Thus, they may find that expected revenue streams are not what they anticipated or planned for, thereby extending the time needed to complete projects, or possibly not being able to complete projects.

Grant funding has been key to many restoration projects, but its availability is tied very closely to the economy. For example, the Save America's Treasures federal grant program was established in 1999 specifically for bricks and mortar projects, and was instrumental in providing crucial funding for several lighthouse projects that have come through the NHLPA, such as Point Retreat in Alaska and Fort Gratiot in Michigan. It's likely that without this funding, the lighthouse owners may have had a more difficult time completing the restoration. Unfortunately, this program has not received funding in the federal budget since fiscal year 2012, meaning that preservation groups have lost a potential funding source.

The Conimicut Shoals lighthouse in Rhode Island provides an example of a lighthouse that has had to delay planned work due to the lack of anticipated funding. This lighthouse was approved in fiscal year 2006 for a \$560,000 TEA-21 grant, but due to budgetary constraints and less funding for transportation enhancements in recent

years due to the recession, the city of Warwick that owns the lighthouse has had their approved funding delayed.⁴⁷ Although the offshore lighthouse is in stable condition and can be seen from a nearby park, people cannot yet visit the lighthouse. The TEA-21 grant funding will provide for the planned lead paint abatement and asbestos mitigation, and until that funding is received, the work cannot be completed.

The continued availability of preservation funding will be key to the success of the NHLPA program. Although some programs, such as Save America's Treasures, are currently unfunded, states can issue grants through their Historic Preservation Fund (HPF) allocation. However, this allocation is tied to the state of the federal budget and often only covers a portion of SHPO funding for regular operations, leaving little for granting to bricks and mortar projects. Additionally, states such as Michigan and Florida have specific grants programs funded through the sale of lighthouse license plates that have assisted in preservation efforts in those states. Lighthouse preservation groups will need to remain dedicated to lobbying for funding on the federal and state level so that money is available in the future.

Another concern is what happens decades down the road as original members of the organizations age out. One of the best possible ways to ensure continued preservation interest is through the education and public access. Ideally, if people are given opportunities to learn about and experience historic places, particularly those in their own communities, they will be influenced to become involved in their care in the future.

47. City of Warwick, "Compliance Report: Conimicut Shoals," February, 2007.

Climatic changes represent another cause for the concern of long-term preservation success. Issues such as rising sea levels could have negative impacts on coastal lights. The Cape Hatteras light already had to be shifted back to save it from shoreline erosion, and the Gay Head Light in Aquinnah, Martha's Vineyard is currently threatened due to the same problem.⁴⁸ Although an in-depth look at this issue is outside of the scope of this paper, the potential major impacts to lighthouses will challenge successful preservation in the future.

Historic preservation as a whole has to recognize that not everything that has historic value and significance can be saved. While the NHLPA is a crucial program for preserving America's lighthouses, and in its current iteration it is producing some success stories, but will there be enough people willing to take on the remaining excess lighthouses. Reevaluation of the program in another ten years may provide a clearer picture, but as long as there are those that value lighthouses and are willing to put the necessary time and effort into their preservation, there is reason to believe that this program will continue saving historic lighthouses.

48. Remy Tumin, "Aquinnah Voters Back Plan to Relocate Historic Lighthouse," Vineyard Gazette, February 7, 2013.

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