

Historic Resources

Kaplan Kirsch & Rockwell attorneys have extensive expertise in helping our clients understand the procedural labyrinth of the laws protecting historic and archaeological resources. Because neither the procedures nor the criteria used to implement these laws are well understood outside the specialized field of historic preservation, these issues often are not identified or adequately addressed at the critical planning phase of large land use projects. Similarly, local governments may miss opportunities to protect the social, cultural, and economic health of their communities by using historic preservation laws to guide local development. We apply our background in these laws to identify obligations and opportunities as a threshold matter, enabling our clients to make informed choices about design, planning, or regulation.

We are known for our ability to bring about innovative applications of historic preservation laws—a result of having built a national practice representing development interests, local governments, and individuals. We assist local governments in benefiting from the protections afforded by historic preservation laws, counsel project proponents on their obligations and design decisions to ensure their projects accommodate historic concerns, and litigate historic preservation issues in the federal courts.

Representative Experience

- Represented a federally chartered corporation to help avoid the inadvertent triggering of regulatory procedures under federal and state historic preservation laws.
- Assisted one of the oldest towns in central Texas in invoking federal historic preservation laws in order to preserve its downtown commercial and residential core.
- Counseled a major Florida airport in its response to well-funded opposition that attempted to use historic preservation laws as a tool for curtailing airport growth.
- Assisted in the drafting of National Register nominations.
- Advised on the structure of various real estate transactions to avoid historic preservation difficulties.
- Assisted clients with negotiating programmatic agreements and memoranda of understanding with state and tribal historic preservation officials.