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In registering rural historic districts, the NPS has advised that “[t]he evaluation of significance relates the district to the broad historical, architectural, archeological, or cultural context at the local, regional, state, or national level.”<sup>4</sup> “Decisions about whether a district is significant can reliably be made only within the context of an area’s history and comparable resources.”<sup>5</sup> (emphasis added). “A historic context is an important theme, pattern, or trend in the historical development of a locality, State, or the nation at a particular time in history or prehistory.”<sup>6</sup> “A set of historic contexts is a comprehensive summary of all aspects of the history of the area.”<sup>7</sup> (emphasis added). “Properties relating to the same historic contexts may be compared to identify those eligible for listing in the National Register and to determine the relative level—local, State, or national—at which the property is significant.”<sup>8</sup> (emphasis added).

By requiring a “detailed comparison to similar districts outside of Florida,”<sup>9</sup> the Florida SHPO misconstrued the NPS’s requirement that significance be evaluated “within the context of an area’s history and comparable resources” and failed to consider “all aspects” of Royal’s history.<sup>10</sup> The history of Royal is inextricably intertwined with the history of surviving Black and rural communities nationwide. But it is also intertwined with the histories of other Black and rural communities that no longer exist due to systemic racism; these communities “relat[e] to the same historic contexts” and must also be compared.<sup>11</sup> What the Florida SHPO failed to recognize in denying Royal’s national significance is that Royal survived into the modern era as a Black homesteading community against all odds. Its uniqueness within the national landscape—not just its similarity to other districts outside of Florida—is precisely why it must be listed with national significance on the National Register.

As explained at length in the supporting materials submitted by YPAs and historical archaeologist Dr. Edward Gonzalez-Tennant, Royal was settled in the 1870s by families who

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<sup>4</sup> U.S. DEP’T OF INTERIOR, CULTURAL LANDSCAPES: RURAL HISTORIC DISTRICTS IN THE NATIONAL PARK SYSTEM (1984) at 34, *available at* <http://npshistory.com/publications/landscapes/rural-historic-districts.pdf>.

<sup>5</sup> *Id.*

<sup>6</sup> *See* U.S. DEP’T OF INTERIOR, GUIDELINES FOR EVALUATING AND DOCUMENTING RURAL HISTORIC LANDSCAPES, Nat. Reg. Bull. (1999) at 7, *available at* <https://www.nps.gov/subjects/nationalregister/upload/NRB30-Complete.pdf>.

<sup>7</sup> U.S. DEP’T OF INTERIOR, CULTURAL LANDSCAPES: RURAL HISTORIC DISTRICTS IN THE NATIONAL PARK SYSTEM, *supra* note 4.

<sup>8</sup> *See* U.S. DEP’T OF INTERIOR, GUIVE

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But even under the Florida SHPO's inadequate interpretation of the NPS's guidance on national significance, requiring a "detailed comparison to similar districts outside of Florida," Royal meets the criteria. The history of Royal fits into the larger narrative of surviving African American communities throughout the United States, including Florida, that are fighting to preserve their cultural heritage and histories today. The NPS has recognized the national significance of some of these surviving communities and should similarly recognize Royal's national significance in the categories of Ethnic Heritage: Black, Exploration/Settlement, Community Planning and Development, and Agriculture.

Approximately one hour southeast of Royal, for example, sits the town of Eatonville, Florida, known as "The Town That Freedom Built."<sup>17</sup> Incorporated in 1887, Eatonville is the hometown of author Zora Neale Hurston and is one of the oldest incorporated Black municipalities in the country.<sup>18</sup> The Eatonville Historic D

violence and oppressive white supremacist policies in the American South in the years that followed, both Nicodemus and Royal survived. With a similar homesteading history as Nicodemus, and a shared steadfastness despite many obstacles, Royal should also be designated as nationally significant in the areas of Black Ethnic Heritage and Exploration/Settlement. Notably, the YPAs cited Nicodemus as an example in its Nomination.<sup>22</sup>

Royal's national significance in the area of Agriculture is similarly supported by the listing of numerous other sites in the National Register as nationally significant where enslaved Africans made contributions to agricultural labor, trade, and technology. *See, e.g.*, the Pee Dee River Rice Planters Historic District (Nat. Reg. Ref. No. 100005674, historical resources associated with 17 rice plantations in South Carolina)<sup>23</sup>; the Naval Live Oaks Reservation (Nat. Reg. Ref. No. 98001169, the first federally funded tree plantation, located in Florida);<sup>24</sup> the Faunsdale Plantation (Nat. Reg. Ref. No. 93000602, Alabama plantation operated by enslaved Africans until

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putting this omission aside, the Florida SHPO further ignored the comparison to the similar surviving communities of Nicodemus, Kansas, and Eatonville, Florida, which were cited in











