

2007

California Office of Historic Preservation
Department of Parks & Recreation

Local Government Assistance



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U.S. Department of the Interior
National Park Service
Box 37127
Washington DC 20013-7127

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Part I

Overview

Introduction

Preserving important historic properties as reflections of our American heritage became a national policy through passage of the Antiquities Act of 1906, the Historic Sites Act of 1935, and the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470) (NHPA). In part, the NHPA instructed the Federal Government to assist local governments to expand and accelerate their historic preservation programs and activities. Since enactment of the NHPA, the historic preservation expertise and activities of local governments have significantly increased. The act, however, provided no opportunity for local governments to be involved formally in the national historic preservation program. Lack of formal participation by local governments often meant that historic preservation issues were not considered until development planning was well underway. This often resulted in preservation/land development conflicts causing project delays and increasing costs. In addition, opportunities frequently were lost for preservation-oriented development that could satisfy both preservation and development goals. The CLG must be able to demonstrate an understanding of and be included in the local project appeal process involving such activities as CEQA review.

In recognition of the need to involve local governments in historic preservation, the 1980 amendments to the NHPA provided a specific role for local governments in the national program by establishing the Certified Local Government (CLG) program. A CLG is a local government whose local historic preservation program has been certified pursuant to Section 101 (c) of the NHPA. Any local government is eligible to apply for certification, with the exception of regional commissions and councils of government. A local government is any general purpose political subdivision of California such as a city, county, or city/county government. Once certified, a local government must be included in the process of nominating properties to the National Register of Historic Places and will be eligible to apply to the state for a share of the state's annual Historic Preservation Fund (HPF) allocation.

What is the Certified Local Government Program?

The 1980 amendments to the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470), provided for the establishment of a Certified Local Government (CLG) Program. The CLG program is a national program designed to encourage the direct participation of a local government in the identification, registration, and preservation of historic properties located within the jurisdiction of the local government. A local government may become a CLG by developing and implementing a local historic preservation program based on federal and state standards.

The CLG program encourages the preservation of cultural resources by promoting a partnership among local governments, the State of California, and the National Park Service (NPS) which is responsible for the National Historic Preservation Program. Becoming a CLG can provide local staff and commissions the tools, technical training, and more meaningful leadership roles in the preservation of the community's cultural heritage. Local interests and concerns are integrated into the official planning and decision-making processes at the earliest possible opportunity.

In response to the federal government's 1995 initiative for simplifying the National Park Service's oversight of the National historic preservation program, the NPS revised 36 CFR 61 to provide each state with greater discretion in carrying out the responsibilities mandated in the National Historic Preservation Act. Decisions on membership requirements for local preservation commissions are left entirely to the states. The requirement that local preservation commissions consult outside professionals in certain instances is eliminated.

Who Can Apply for Certified Local Government Status?

Any local government is eligible to apply for certification, with the exception of regional commissions and councils of governments. A local government is any general purpose political subdivision of California such as a city, county, or city/county. It is important to be aware that certification pertains to the entire local government and its agencies, not simply to the preservation commission that serves the local government.

Why Become a Certified Local Government?

Local governments that have achieved CLG status are considered full partners with the California Office of Historic Preservation in carrying out the protection of cultural resources.

Benefits of becoming a CLG include:

- Eligibility for federal grants from the Historic Preservation Fund administered by the California Office of Historic Preservation. (See below for more information.)
- Direct participation in the nomination of historic properties to the National Register of Historic Places.
- Opportunity for enhanced responsibilities to review and comment on development projects in compliance with federal environmental regulations, thereby expediting the review time.
- Special technical assistance and training for local preservation commission members and staff from the SHPO.
- Potential for participation in the review of building rehabilitation plans for federal investment tax credits.

Qualified staff or consultants (who meet the Secretary of the Interior's Professional Qualifications Standards, see Appendix C) at the local level, working closely with the OHP and the local preservation commission, can expedite the review of these program components and provide local perspective in project development.

At least ten percent (10%) of California's annual HPF allocation shall be designated for transfer to the CLGs on a competitive basis. CLGs receiving HPF grants shall be considered subgrantees of the state. All CLGs shall be eligible to receive funds from the CLG share of the state's local annual HPF grant award. The state, however, is not required to award funds to all certified governments that are eligible to receive funds.

Historic Preservation Fund grants shall be awarded to CLGs on a 60/40 matching basis. The matching share is a requirement to maintain consistency with other federal allocations to the state and to ensure standard accountability in fiscal management. Local financial management systems shall be in accordance with the standards specified in the federal Office of Management and Budget (OMB) Circular A-128 and shall also be auditable pursuant to the federal General Accounting Office's "Standards for Audit of Governmental Organizations, Programs, Activities, and Functions."

How Does a Local Government Become a CLG?

The chief elected official of the local government must submit an application to the OHP requesting certification. Procedures and requirements for becoming a CLG are outlined in Part II of this booklet.

When Are CLG Applications Accepted?

Local governments applying for CLG status can submit applications year round. However, in order to apply for grants through the CLG program, local governments must be certified by the grant application deadline (usually May 1 of each year). The certification review period includes up to 45 days for state review of the CLG application and 15 days for NPS review and concurrence. NPS has final approval to certify local governments as CLGs. The grant application is a separate form independent of the certification application.

Where Can I Get More Information?

If you have any questions on this program, the enclosed certification application form, or the preparation of a local preservation ordinance, please contact the Local Government Unit, Office of Historic Preservation, Post Office Box 942896, Sacramento, CA 94296-0001, phone (916) 653-6624, fax (916) 653-9824. Information on the [Certified Local Government Program](#) is available online at www.ohp.parks.ca.gov.

Part II

Requirements and Procedures

Requirements for Certification

Local governments may be certified to participate in the CLG program by complying with the five minimum responsibilities of a CLG. Local governments must:

- Enforce appropriate state and local legislation for the designation and protection of historic properties;
- Establish an adequate and qualified historic preservation review commission by local law;
- Maintain a system for the survey and inventory of historic properties;
- Provide for adequate public participation in the local historic preservation program, including the process of reviewing and recommending properties for nomination to the National Register of Historic Places; and
- Satisfactorily perform the responsibilities delegated to it by the state.

For more detailed information regarding the requirements and procedures summarized below, please refer to Appendix G: California Certified Local Government Program Guidelines.

Enforce appropriate state and local legislation for the designation and protection of historic properties

Certified Local Governments must enact and enforce a local historic preservation ordinance as well as enforcing the California Environmental Quality Act regulations in relation to historical resources. Additionally, CLGs, along with other local governments, have a role in the environmental review of federally-sponsored projects under Section 106 of the National Historic Preservation Act of 1966, as amended.

Establish an adequate and qualified historic preservation review commission by local law

The establishment of a local preservation commission is usually done through the local government's preservation ordinance. CLG preservation commissions must have a minimum of five members with all members having a demonstrated interest, competence or knowledge of historic preservation. Additionally, two members are encouraged to be professionals who meet the qualifications for various disciplines outlined by the Secretary of the Interior (see Appendix C for more information about professional qualifications). Local governments can be certified without this minimum professional qualified membership. The commission must meet a minimum of four times per year and each commissioner must attend at least one training session that is certified as meeting the requirements of the CLG program each year. The commission is the local governmental entity responsible for preparing and submitting an annual report to the OHP each year.

Maintain a system for the survey and inventory of historic properties

Because surveying is one of the cornerstones of any historic preservation program, CLGs must develop or have in place a system for the survey and inventory of historic properties within their

jurisdictions. This system must be coordinated with the OHP's statewide inventory program, use state-approved inventory forms and evaluative criteria consistent with the National Register, and be in line with the Secretary of the Interior's Standards for Identification and Evaluation. Communities which have conducted surveys in the past must update their survey data as new resources become eligible for consideration, or when older surveys warrant re-examination over time.

Provide for adequate public participation in the local historic preservation program

Public participation is an integral feature of any preservation program. All local preservation commission meetings must be open to the public and meet the requirements of open meeting laws. Additionally, the public should be involved in the CLG's survey program, nominations to registration programs, and preservation planning. Surveys must be available to the public as appropriate with the exception of certain archeological information, which must be kept confidential in order to ensure its protection.

Satisfactorily perform the responsibilities delegated to it by the state

CLGs, in consultation with the OHP, can choose to take on additional responsibilities in their preservation programs. These include reviewing and commenting on applications for federal tax incentives for historic preservation and National Register nominations. Additionally, CLGs can take part in state programs such as the Mills Act property tax abatement for historic properties.

Procedures for Certification

An application must be submitted by the chief elected official of the local government applying for CLG status and must include all the information requested in the application and checklist section of this document. When the OHP receives a completed application, it will respond within 45 days and then forward an OHP recommendation for certification to the National Park Service who makes the final certification decision. After the National Park Service agrees with the OHP's recommendation, a certification agreement will be prepared and signed by both the OHP and the local government, at which time the local government is considered formally certified.

Part III
Certification Application

Certification Application Checklist

A complete certification application must include the following:

- _____ Transmittal letter signed by the Chief Elected Local Official forwarding all required documents.
- _____ Resolution adopted by the elected officials authorizing application for Certified Local Government status and specifying the name and title of the person authorized to sign program documents and agreements.
- _____ Completed certification application form (see pages 11-16). Enclose sample copies of relevant preservation publications, activities, programs, and projects that your local government is currently sponsoring.
- _____ Resumes and professional qualifications forms (when appropriate) for each of the members of the local historic preservation commission/board.
- _____ Names, telephone numbers, resumes, and professional qualifications forms (when appropriate) for staff members responsible for administration of the historic preservation program for the local government.
- _____ Organization charts for local government and for department that administers historic preservation program.
- _____ If in process or completed, evidence of cultural resources survey(s) performed in the community, with information on the progress and future intended uses of the survey.
- _____ Copy of the local historic preservation legislation (ordinance, etc.).
- _____ Copy of the local historic preservation plan or element of the General Plan (if applicable).

NOTE: Please read the Application Procedures carefully before completing the application. Applicants must submit one (1) original, signed application with complete attachments to:

Local Government Unit
Office of Historic Preservation
1416 Ninth Street, Sacramento, CA 95814
PO Box 942896 Sacramento, CA 94296-0001
(916) 653-6624 phone (916) 653-9824 fax

CLG Certification Application Form

Applicant (attach general organization chart)

Name of Local Government	
--------------------------	--

Chief Elected Local Official

Name	
Title	
Address	

Legislative Representatives (list names and district numbers)

California Assembly	
California Senate	
U.S. Congress	

Local Government Contact Person (enclose résumé, professional qualifications form if appropriate, and departmental organization chart)

Name	
Title	
Address	
Telephone Number	
Fax Number	
Email Address	

Resolution of Local Government (attach)

Date Approved	
Authorized Signature	

Local Commission/Board (attach a current résumé for each commission member and professional qualification forms as appropriate)

Name of Commission/Board	
Names and Professions of Members	

Local Historic Preservation Ordinance (attach)

Name of Document	
Date of Enactment	

Local Historic Preservation Plan or Element of General Plan (attach)

Name of Document	
Date of Enactment	

Local Government Assurance

I assure the State of California, Office of Historic Preservation, that this government shall comply with and fulfill all the requirements of the Certified Local Government program.

Signature of Chief Elected Local Official

Printed Name of Chief Elected Local Official

Title

Date

CLG Certification Application Attachments

- 1. Provide a narrative summary describing past and current historic resource survey activities, including type of survey (reconnaissance or intensive) and percentage of coverage of local jurisdiction. Additionally, provide information regarding future survey plans and how they will conform to the state and federal standards for surveys.**
- 2. Provide a narrative summary of current historic preservation program activities performed by the local government. For example, local designation programs, educational/outreach programs, design review, etc.**
- 3. Provide a narrative summary explaining any new or additional historic preservation program activities that will be carried out as a result of becoming a CLG.**
- 4. Provide a narrative summary which explains of the current functions, responsibilities, and authority of the local review commission/board.**
- 5. Provide a narrative summary describing economic incentive or other benefits offered by the local government to owners of historic properties.**
- 6. Provide a narrative summary describing how review of projects affecting historical resources in the local government jurisdiction is carried out under the California Environmental Quality Act and Section 106 of the National Historic Preservation Act.**

Appendices

Appendix A: Definitions

Appendix B: Sample Resolution

Appendix C: Professional Qualifications Review Forms

Appendix D: Suggested Preservation Plan Model

Appendix E: Sample Certification Agreement

Appendix F: Annual Report Format

**Appendix G: California Certified Local Government
Program Guidelines**

Appendix A: Definitions

Approved State Program: A state historic preservation program that has been approved by the Secretary of the Interior.

California Historical Resources Information System (CHRIS): That collection of Site Records, Historic Resource Inventory Forms, and all information on historical resources which has been acquired and managed by the State Office of Historic Preservation since 1975. This includes the State Historic Resources Inventory, the California Archaeological Site Inventory, properties formally determined eligible for or listed in the National Register of Historic Places, California Registered Historical Landmarks, California Points of Historical Interest, and the California Register of Historical Resources.

Certified Local Government: A local government that has been certified to carry out the provisions of the National Historic Preservation Act, as amended (16 U.S.C. 470).

Chief Elected Local Official: The elected head of a local government.

CLG Share: The funding authorized for transfer from the federal government through the State Office of historic Preservation to local governments.

Comprehensive Historic Preservation Planning: An ongoing process that is consistent with technical standards issued by the Department of the Interior and which produces reliable, understandable, and up-to-date information for decision-making related to the identification, evaluation, and protection and or treatment of historic resources.

Comprehensive Historic Preservation Plan: The part of the planning process that conforms to the Secretary's Standards for Preservation Planning. The comprehensive plan entails organizing a logical sequence of preservation information pertaining to identification, evaluation, registration, and treatment of historic properties, and setting priorities for accomplishing preservation activities.

Cultural Heritage: Pertaining to the sum total of traditions, body of knowledge, etc., inherited as possessions, characteristics, or conditions expressing a traditional way of life subject to gradual, but continuous modifications by succeeding generations.

Cultural Resource: See Historical Resource.

Culture: A linkage of people possessing shared values, beliefs, and historical associations coupling social institutions and physical materials necessary for collective survival.

DPR Form 523: Department of Parks and Recreation Historic Resources Inventory Form Number 523. The DPR Form 523 Series of forms are used to record information about the location, characteristics, and significance of buildings, structures, objects, sites, areas and districts identified or evaluated through either a historic resources survey or individual property evaluation.

Evaluation: The process whereby the significance and integrity of a resource is judged using established criteria to determine its eligibility for listing as a historical resource.

Geographical Area: An area of land containing historical or archeological resources that can be identified on a map and delineated by boundaries.

Historic Context: An organizing structure for interpreting history that groups information about historical resources sharing a common theme, geographical area, or chronology. The development of “historic context” is a foundation for decisions regarding the planning, identification, evaluation, registration, and treatment of historical resources based upon comparative historic significance.

Historic District: A geographic area defined by precise geographic boundaries which contains a concentration of historic buildings, structures, or sites united historically, culturally, or architecturally. “Thematic” or non-contiguous districts includes historic resources dispersed within a broad area which are share the same historical, cultural, or architectural context.

Historic Integrity: The ability of a resource to convey its historical significance; the retention of historic fabric from the period of significance for the resource.

Historic Preservation Fund: The monies accrued under the Outer Continental Shelf Lands Act, as amended, to support the program of matching grants-in-aid to the states and CLGs for historic preservation programs and projects.

Historic Preservation Review Commission: A board, council, commission, committee, or other similar collegial body constituted by ordinance and charged with certain responsibilities and authority for local government preservation activities.

Historic Resources Inventory Form: The DPR Form 523 Series of forms are used to record information about the location, characteristics, and significance of buildings, structures, objects, sites, areas and districts identified or evaluated through either a historic resources survey or individual property evaluation.

Historical Landmarks: See State Historical Landmark.

Historical Resource: A broad term for any object, building, structure, site, area, place, which meets the criteria for historical or archaeological significance established by the National Park Service, the State of California, or a local government. National Register and California Register criteria are similar but not identical; the definition of historical resource for the purposes of CEQA includes but is not limited to resources eligible for or listed in either the National or California Registers. Local governments may establish additional criteria.

Identification: The process by which information is gathered regarding historical resources.

Inventory: The list of resources evaluated resources evaluated through either an historical resources survey or other review process. See also, Survey.

Landmarks Board or Commission: See Historic Preservation Review Commission.

Local Government: A city, county, parish, township, municipality or borough, or any other general-purpose political subdivision of any state.

Local Register: A list of properties officially designated or recognized as historically significant by a local government pursuant to a local ordinance or resolution.

National Environmental Policy Act of 1969 (NEPA). (42 U.S.C. 4321-4347 (1969) (amended)):

Created a process by which to analyze significant environmental impacts, including impacts to historical resources, for federally funded or licensed actions.

National Historic Preservation Act of 1966 (NHPA). (16 U.S.C. 470 (1966) (amended)):

Established the National Register of Historic Places. Created a partnership between federal, state, and local agencies to extend the national historic preservation programs to properties of state and local significance.

National Register Criteria: The federally established standards for evaluating the eligibility of properties for inclusion in the National Register of Historic Places.

National Register of Historic Place: (16 U.S.C. 470a, 36 C.F.R. Parts 60, 63). The official inventory of districts, sites, buildings, structures, and objects significant in American history, architecture, archeology, and culture which is maintained by the Secretary of the Interior under the authority of the Historic Sites Act of 1935 (16 U.S.C. 461-467 (1935) (amended)) and the National Historic Preservation Act of 1966 (16 U.S.C. 470 (1966) (amended)).

The National Register Programs Guidelines: The manual that sets forth NPS administrative procedures and guidelines for activities concerning the federally-related historic preservation programs of the states, local governments, and the National Trust for Historic Preservation. This document includes guideline and procedures for the administration of the historic preservation grants-in-aid programs.

National Park Service: The bureau of the Department of the Interior to which the Secretary of the Interior has delegated the authority and responsibility for administering the National Historic Preservation Program.

Penal Code, Section 622.5: Provides misdemeanor penalties for every person, other than the owner, who injures or destroys objects of historical or archeological interest located on public or private lands.

Point of Historical Interest: The California Point of Historical Interest Program (Cal. Pub. Res. Code Section 5021) is a state historical resources registration program, established in 1965, which provides official recognition for historical resources that are significant at a county or regional level, but do not qualify for designation as California Registered Historical Landmarks.

Preservation Commission: A city or county board of appointed citizens with assigned responsibilities for surveying, designating, and protecting historical resources. May also be called an historic review board, design review board, landmarks commission, or cultural heritage commission or committee.

Protection (treatment): The act or process of applying measures to affect the physical condition of an historical resource by guarding it from deterioration, loss, or attack by natural causes, or to cover or shield it from threat of danger or harm. In the case of buildings or structures, these measures are usually temporary; however, with regard to archeological resources, protective measures may be temporary or permanent.

Public Resources Code, Section 5097.5: Defines as a misdemeanor the unauthorized disturbance or removal of archeological, historical, or paleontological resources located on public lands.

Ralph M. Brown Act (Government Code Section 54950 et seq.): An act to insure that the deliberations, as well as the actions, of local agencies are performed at meetings which are open to the public and to which the public has been given adequate notice. Thus, secret ballot is prohibited at meetings required to be open and public.

Recordation: Section 27288.2 of the Government Code and Section 5029 of the Public Resources Code require the County Recorder to record a certified resolution of historical resources designation containing the name of the current property owner, the historical resources registration program, the designating entity, the specific historical resources designation, and a legal description of the property.

Regional Information Center: An Information Center (IC) of the California Historical Resources Information System, under contract to the Office of Historic Preservation, receives, manages, and provides information on historical and archeological resources on a fee-for-service basis, to local governments and individuals with responsibilities under the National Environmental Policy Act (NEPA), the National Historic Preservation Act (NHPA), and the California Environmental Quality Act (CEQA), as well as to the general public.

Registration: A program by which an historic resource is evaluated using established criteria, and determined eligible for listing as a historical resource in a local, state, or national register.

Research Design: Reveals the logic that will be used to direct identification, documentation, investigation, analysis, or treatment of an historical resource that identifies the goals, methods and techniques, potential results, and the relationship of the potential results to other proposed activities or treatments.

Secretary: The Secretary of the Interior. Unless otherwise stated in law or regulation, the Secretary has delegated the authority and responsibility for administering the National Historic Preservation Program to the National Park Service.

Secretary of Interior Standards: Identified in the **Secretary of the Interior Standards and Guidelines for Historic Preservation Projects** (36 C.F.R.67), with accompanying interpretive guidelines, which are utilized by federal agencies in the preservation of historical properties that are listed, or are eligible for listing, on the National Register. They are also used by some State Historic Preservation Offices in evaluating projects proposed as historical resources in accordance with federal regulations; or by local governments, organizations, and individuals in making decisions about the identification, evaluation, registration, or treatment of historic properties.

The **Secretary of the Interior's Standards for Rehabilitation** are aimed at retaining and preserving those features and materials which are important in defining the historic character of an historical resource.

Technical advice about archeological and historic preservation activities and methods for planning, identification, evaluation and documentation of historic resources is included in the **Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation**.

State: The State of California, as represented by the State Office of Historic Preservation (OHP).

State Historic Preservation Officer (SHPO): The official within California who has been designated and appointed by the Governor to administer the state historic preservation program in California.

State Historic Resources Inventory: Maintained by the State Office of Historic Preservation the SHRI includes all resources identified or evaluated under one of the federal or state programs managed by the Office (see Appendix B). The SHRI includes, but is not limited to resources determined eligible for or listed in the National Register of Historic Places or the California Register of Historical Resources or designated as a California Registered Historical Landmark or as a California Point of Historical Interest.

State Historical Building Code (SHBC): The State Historical Building Code is contained in Part 8 of Title 24 (State Building Standards Code) and applies to all qualified historical structures, districts, and sites designated under federal, state, or local authority. It provides alternatives to the Uniform Building Code in cases consistent with building regulations for the rehabilitation, preservation, restoration, or relocation of qualified historic structures designated as historic buildings.

State Historical Landmarks: The California Registered Historical Landmarks Program (Cal. Pub. Res. Code Section 5021) is a state historical resources registration program which was created in 1949 to recognize historical resources with regional and statewide significance to the history of California.

State Historical Resources Commission (SHRC): Commission appointed by the Governor under Public Resources Code Section 5020.4 and 5020.5. The SHRC has broad responsibilities for the statewide historic preservation program that include evaluating applications for listing or designation in any of the four registration and landmark programs managed by the State Office of Historic Preservation (OHP), conducting a statewide inventory of historical resources, establishing criteria for evaluating historical resources, and conducting public hearings to develop and review a statewide historical resources plan.

State Program: The state historic preservation program in California.

Statement of Significance: An organizational format which groups information about related historical resources based on theme, geographic units, and chronological period. The information should describe why the resource is significant within a relevant historic context.

Subgrantee: The certified local government to which a subgrant is made by the state and which is accountable to the state for use of the funds provided.

Survey: The systematic process for identifying and/or evaluating the historical significance of resources within a defined geographic area or thematic context. Information gathered in the course of a survey becomes a part of the historic resources inventory for that area. See also, Inventory.

Tax Certification: A provision of federal Tax Reform Act of 1986 which, under certain conditions, allows money invested in rehabilitation of historic income-producing properties to be deducted from income taxes owed, providing the work is done in accordance with the Secretary of the Interior's Standards and Guidelines for Rehabilitation. This program is administered by the State Office of Historic Preservation.

Traditional Cultural Properties: A geographic area or historical resource that embodies important cultural values. It may contain landscape characteristics that are the tangible evidence of the activities and habits of the people who occupied, developed, and shaped the land to serve their needs, or it may include several categories of properties. It may also contain, or consist primarily of, natural features which are important in a religious or belief system.

Appendix B: Sample Resolution

A resolution from the CLG's governing body must accompany the application. This sample document shows a resolution to be passed by a city council. Simple changes will make it applicable to any governing body.

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL

CITY OF _____

APPROVING THE APPLICATION AND CERTIFICATION AGREEMENT

FOR THE CERTIFIED LOCAL GOVERNMENT HISTORIC PRESERVATION PROGRAM

WHEREAS, the Congress under the National Historic Preservation Act of 1966, amended (16 U.S.C. 470), has authorized the establishment of a Certified Local Government program; and

WHEREAS, the State of California, represented by the State Historic Preservation Officer, is responsible for the administration of the program within the state and the establishment of necessary rules and procedures governing the application by local agencies under the program; and

WHEREAS, said adopted procedures established by the State of California require the applicant to certify by resolution of the local government's elected officials the approval of an application prior to submission of said application. to the state;

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL hereby:

1. Approves the filing of an application for certification under the Certified Local Government Program; and
2. Appoints the _____ (position/title) _____ or authorized deputy as agent of the city to coordinate, process, and execute all contracts, agreements, amendments, and ancillary documents within the scope of the attached application for certification.

Mayor

Attest:

City Clerk

Appendix C: Professional Qualifications Review Forms

Certified Local Government procedures require local commissions to meet specific professional requirements. The commission shall include a minimum membership of five individuals with all members having demonstrated interest, competence, or knowledge in historic preservation.

Commission members shall be appointed from among professionals in the disciplines of architecture, history, architectural history, planning, archeology, or other historic preservation-related disciplines, such as urban planning, American studies, American civilization, cultural geography, or cultural anthropology, to the extent that such professionals are available in the community. Commission membership shall also include lay members who have demonstrated special interest, competence, experience, or knowledge in historic preservation, American studies, cultural anthropology, cultural geography, or other historic preservation-related disciplines.

In addition to completing the appropriate form below for any commission member or staff who meets the requirements for a profession, please attach a resume for this individual.

Certified Local Government Professional Qualifications (36 CFR Part 61): History Professional Qualifications

Local Government _____

Name _____ Commissioner Staff
(Name of Commissioner or Staff)

Date of Appointment: _____ Date Term Expires: _____

Certified Local Government procedures require local commissions to meet specific professional requirements. The commission shall include a minimum membership of five individuals with all members having demonstrated interest, competence, or knowledge in historic preservation. At least two Commission members are encouraged to be appointed from among professionals in the disciplines of history, architecture, architectural history, planning, pre-historic and historic archeology, folklore, cultural anthropology, curation, conservation, and landscape architecture or related disciplines, such as urban planning, American studies, American civilization, or cultural geography, to the extent that such professionals are available in the community. Commission membership may also include lay members who have demonstrated special interests, competence, experience, or knowledge in historic preservation. **In addition to completing the form below for any commission member or staff who meets the requirements for this profession, please attach a resume for this individual.**

Alternative A

MA or PhD in
History

or
 MA/MS or PhD in
CRF

(specify field)

Alternative B1

BA in History

or
 BA in CRF

(specify field)

and
 Two years full-time experience in
history (check appropriate boxes
below and attach explanation and
dates)
___ research
___ writing
___ teaching
___ interpretation
___ other (specify) _____

 With a professional institution

(specify institution)
___ academic institution
___ historical org./agency
___ museum
___ other (specify) _____

Alternative B2

BA in History

or
 BA in CRF

(specify field)

and
 Substantial contribution
through research and
publication to body of
scholarly knowledge in
history (attach explanation)

To meet the standards in this discipline you must be able to check either a big box or a big circle, and check all the smaller boxes under that alternative. One year = 12 months. Full-time = 35-40 hours per week. A year of professional experience need not consist of a continuous year of full-time work, but may be made up of discontinuous periods of full-time or part-time work adding up to the equivalent period. CRF = Closely Related Field; field closely related to this or other discipline in historic preservation (Urban or Regional Planning, American Studies, Historic Preservation, Art History, Architecture, Material Culture, Landscape Architecture, or Folklore). Coursework should be evaluated if discipline itself is not always or obviously related.

Certified Local Government Professional Qualifications (36 CFR Part 61): Architectural History Professional Qualifications

Local Government _____

Name _____ Commissioner Staff
(Name of Commissioner or Staff)

Date of Appointment: _____ Date Term Expires: _____

Certified Local Government procedures require local commissions to meet specific professional requirements. The commission shall include a minimum membership of five individuals with all members having demonstrated interest, competence, or knowledge in historic preservation. At least two Commission members are encouraged to be appointed from among professionals in the disciplines of history, architecture, architectural history, planning, pre-historic and historic archeology, folklore, cultural anthropology, curation, conservation, and landscape architecture or related disciplines, such as urban planning, American studies, American civilization, or cultural geography, to the extent that such professionals are available in the community. Commission membership may also include lay members who have demonstrated special interests, competence, experience, or knowledge in historic preservation. **In addition to completing the form below for any commission member or staff who meets the requirements for this profession, please attach a resume for this individual.**

Alternative A

MA or PhD in Architectural History

or

MA/MS or PhD in Art History, Historic Preservation or CRF

(specify field)

and

Coursework in American Architectural History (list courses or attach listing)

Alternative B1

BA in Architectural History

or

BA in Art History, Historic Preservation or CRF

(specify field)

and

Two years full-time experience in American architectural history or restoration (check appropriate boxes below and attach explanation and dates)

With a professional institution

(specify institution)

___ academic institution
___ historical org./agency
___ museum
___ other (specify) _____

Alternative B2

BA in Architectural History

or

BA in Art History, Historic Preservation or CRF

(specify field)

and

Substantial contribution through research and publication to body of scholarly knowledge in American architectural history (attach explanation)

To meet the standards in this discipline you must be able to check either a big box or a big circle, and check all the smaller boxes under that alternative. One year = 12 months. Full-time = 35-40 hours per week. A year of professional experience need not consist of a continuous year of full-time work, but may be made up of discontinuous periods of full-time or part-time work adding up to the equivalent period. CRF = Closely Related Field; field closely related to this or other discipline in historic preservation (Urban or Regional Planning, American Studies, Historic Preservation, Art History, Architecture, Material Culture, Landscape Architecture, or Folklore). Coursework should be evaluated if discipline itself is not always or obviously related. In addition, note that Alternative A requires the advanced degree in architectural history or a closely related field and coursework in American architectural history. Alternatives B1 and B2 require the work experience or publications (in lieu of a graduate degree) to be in American architectural history.

Certified Local Government Professional Qualifications (36 CFR Part 61):
Architecture Professional Qualifications

Local Government _____

Name _____ Commissioner Staff
(Name of Commissioner or Staff)

Date of Appointment: _____ Date Term Expires: _____

Certified Local Government procedures require local commissions to meet specific professional requirements. The commission shall include a minimum membership of five individuals with all members having demonstrated interest, competence, or knowledge in historic preservation. At least two Commission members are encouraged to be appointed from among professionals in the disciplines of history, architecture, architectural history, planning, pre-historic and historic archeology, folklore, cultural anthropology, curation, conservation, and landscape architecture or related disciplines, such as urban planning, American studies, American civilization, or cultural geography, to the extent that such professionals are available in the community. Commission membership may also include lay members who have demonstrated special interests, competence, experience, or knowledge in historic preservation. **In addition to completing the form below for any commission member or staff who meets the requirements for this profession, please attach a resume for this individual.**

Alternative A

- Professional degree in Architecture
and
- At least two years full-time professional experience in
architecture (attach explanation)

Alternative B

- State license to practice architecture

(specify state(s))

To meet the standards in this discipline you must be able to check both boxes under Alternative A or the box under Alternative B. Note that professional degree means a five-year or graduate degree. One year = 12 months. Full-time = 35-40 hours per week. A year of professional experience need not consist of a continuous year of full-time work, but may be made up of discontinuous periods of full-time or part-time work adding up to the equivalent period.

Certified Local Government Professional Qualifications (36 CFR Part 61): Historic Architecture Professional Qualifications

Local Government _____

Name _____ Commissioner Staff
(Name of Commissioner or Staff)

Date of Appointment: _____ Date Term Expires: _____

Certified Local Government procedures require local commissions to meet specific professional requirements. The commission shall include a minimum membership of five individuals with all members having demonstrated interest, competence, or knowledge in historic preservation. At least two Commission members are encouraged to be appointed from among professionals in the disciplines of history, architecture, architectural history, planning, pre-historic and historic archeology, folklore, cultural anthropology, curation, conservation, and landscape architecture or related disciplines, such as urban planning, American studies, American civilization, or cultural geography, to the extent that such professionals are available in the community. Commission membership may also include lay members who have demonstrated special interests, competence, experience, or knowledge in historic preservation. **In addition to completing the form below for any commission member or staff who meets the requirements for this profession, please attach a resume for this individual.**

Alternative A1

- Professional degree in Architecture
- and
- At least one year of graduate study in Architectural Preservation, American Architectural History, Preservation Planning, or CRF
_____ (specify field)

Alternative A2

- Professional degree in Architecture
- and
- At least one year of full-time professional experience in historic preservation projects, including detailed investigations of historic structures, preparation of historic structures research reports, preparation of plans and specifications for preservation projects (attach explanation)

Alternative B1

- State license to practice architecture
_____ (specify state(s))
- and
- At least one year of graduate study in Architectural Preservation, American Architectural History, Preservation Planning, or CRF
_____ (specify field)

Alternative B2

- State license to practice architecture
_____ (specify state(s))
- and
- At least one year of full-time professional experience in historic preservation projects, including detailed investigations of historic structures, preparations of historic structures research reports, preparation of plans and specifications for preservation projects (attach explanation)

To meet the standards in this discipline you must be able to check all the boxes under one of the alternatives. Note that a professional degree means a five-year or graduate degree. One year = 12 months. Full-time = 35-40 hours per week. A year of professional experience need not consist of a continuous year of full-time work, but may be made up of discontinuous periods of full-time or part-time work adding up to the equivalent period. CRF = Closely Related Field; field closely related to this or other discipline in historic preservation (Urban or Regional Planning, American Studies, Historic Preservation, Art History, Architecture, Material Culture, Landscape Architecture, or Folklore). Coursework should be evaluated if discipline itself is not always or obviously related.

Certified Local Government Professional Qualifications (36 CFR Part 61):
Prehistoric Archeology Qualifications

Local Government _____

Name _____ Commissioner Staff
(Name of Commissioner or Staff)

Date of Appointment: _____ Date Term Expires: _____

Certified Local Government procedures require local commissions to meet specific professional requirements. The commission shall include a minimum membership of five individuals with all members having demonstrated interest, competence, or knowledge in historic preservation. At least two Commission members are encouraged to be appointed from among professionals in the disciplines of history, architecture, architectural history, planning, pre-historic and historic archeology, folklore, cultural anthropology, curation, conservation, and landscape architecture or related disciplines, such as urban planning, American studies, American civilization, or cultural geography, to the extent that such professionals are available in the community. Commission membership may also include lay members who have demonstrated special interests, competence, experience, or knowledge in historic preservation. **In addition to completing the form below for any commission member or staff who meets the requirements for this profession, please attach a resume for this individual.**

Alternative A

MA/MS or PhD in Archeology or Anthropology or CRF
_____ (specify field)

and

At least one year full-time professional experience or equivalent specialized training in archeological research, administration, or management (attach explanation)

and

At least four months of supervised field and analytic experience in general North American archeology (attach explanation)

and

Demonstrated ability to carry research to completion (attach explanation)

and

At least one year of full-time experience at a supervisory level in the study of archeological resources of the prehistoric period (attach explanation)

To meet the standards in this discipline you must be able to check all the boxes above. One year = 12 months. Full-time = 35-40 hours per week. A year of professional experience need not consist of a continuous year of full-time work, but may be made up of discontinuous periods of full-time or part-time work adding up to the equivalent period. CRF = Closely Related Field; field closely related to this or other discipline in historic preservation (Urban or Regional Planning, American Studies, Historic Preservation, Art History, Architecture, Material Culture, Landscape Architecture, or Folklore). Coursework should be evaluated if discipline itself is not always or obviously related.

Certified Local Government Professional Qualifications (36 CFR Part 61):
Historic Archeology Qualifications

Local Government _____

Name _____ Commissioner Staff
(Name of Commissioner or Staff)

Date of Appointment: _____ Date Term Expires: _____

Certified Local Government procedures require local commissions to meet specific professional requirements. The commission shall include a minimum membership of five individuals with all members having demonstrated interest, competence, or knowledge in historic preservation. At least two Commission members are encouraged to be appointed from among professionals in the disciplines of history, architecture, architectural history, planning, pre-historic and historic archeology, folklore, cultural anthropology, curation, conservation, and landscape architecture or related disciplines, such as urban planning, American studies, American civilization, or cultural geography, to the extent that such professionals are available in the community. Commission membership may also include lay members who have demonstrated special interests, competence, experience, or knowledge in historic preservation. **In addition to completing the form below for any commission member or staff who meets the requirements for this profession, please attach a resume for this individual.**

Alternative A

MA/MS or PhD in Archeology or Anthropology or CRF

_____ (specify field)

and

At least one year full-time professional experience or equivalent specialized training in archeological research, administration, or management (attach explanation)

and

At least four months of supervised field and analytic experience in general North American archeology (attach explanation)

and

Demonstrated ability to carry research to completion (attach explanation)

and

At least one year of full-time experience at a supervisory level in the study of archeological resources of the historic period (attach explanation)

To meet the standards in this discipline you must be able to check all the boxes above. One year = 12 months. Full-time = 35-40 hours per week. A year of professional experience need not consist of a continuous year of full-time work, but may be made up of discontinuous periods of full-time or part-time work adding up to the equivalent period. CRF = Closely Related Field; field closely related to this or other discipline in historic preservation (Urban or Regional Planning, American Studies, Historic Preservation, Art History, Architecture, Material Culture, Landscape Architecture, or Folklore). Coursework should be evaluated if discipline itself is not always or obviously related.

Appendix D: Suggested Preservation Plan Model

The following is a list of ten essential components that should be contained or addressed in every formal preservation plan:

1. Statement of historic and/or archaeological preservation goals in the community, and the purpose of the preservation plan.
2. Definition of the historic and/or archaeological character of the community. Are there one or more historic contexts which are important in the development of your community?
3. Summary of past and current efforts to preserve the community's character.
4. A survey of historic and archaeological resources in the community, or a definition of the type of survey that should be conducted in communities that have not yet completed a survey.
5. Explanation of the legal basis for protection of historic and archaeological resources in the community.
6. Statement of the relationship between historic and archaeological resources preservation and other local land-use and growth management authorities, such as the zoning ordinance.
7. Statement of the public sector's responsibilities towards city- or county-owned historic and archaeological resources, and for ensuring that public actions do not adversely affect those resources.
8. Statement of incentives that are, or should be, available to assist in the preservation of the community's historic and archaeological resources.
9. Statement of the relationship between historic preservation and the community's educational system and program.
10. A precise statement of goals and policies, including a specific agenda for future action to accomplish those goals.

The above elements are based upon a publication, *Preparing a Historic Preservation Plan* by Bradford J. White and Richard J. Roddewig. A copy may be obtained from APA Planners Bookstore (see copy of Internet information form on next page) on the Internet at www.planning.org/bookstore or by phone at (312) 431-9100.

Appendix E: Sample Certification Agreement

The local government and State of California must execute a Certification Agreement that identifies the specific responsibilities of the local government. This sample document will be prepared by the Office of Historic Preservation and presented to the local government for concurrent signature.

Certification Agreement

Participant: (name of CLG)

Special Provisions:

When the CLG is provided with a National Register of Historic Places application to review and make a recommendation that includes archeological resources and there is no archeological discipline on the local commission/board, an archeological expert who meets the Secretary of the Interior's standards will be consulted and a copy of the review forwarded with the recommendation.

(The above is a sample of a special provision.)

General Provisions:

1. The Participant agrees to execute and administer a program for the identification and protection of historic, architectural, and archeological resources throughout its jurisdiction according to the terms contained in the State of California's "Certified Local Government Application and Procedures" (Procedures), incorporated herein as Exhibit A, as approved by the California Office of Historic Preservation, in compliance with the provisions of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470). A copy of all pre-existing survey and inventory information shall be provided to the SHPO.
2. This agreement shall take effect on the date it is signed by the State Historic Preservation Officer (SHPO), and shall remain in effect unless the Participant requests decertification as a Certified Local Government or is decertified by the SHPO, pursuant to the Procedures.
3. The Participant shall meet the provisions of participation as delineated in the Procedures: enforce appropriate state and local legislation for the designation and protection of historic properties as evidenced by compliance with both CEQA and the local historic preservation legislation; an adequate and qualified historic preservation review commission (Commission) by local law; maintain a system for the survey and inventory of historic properties; provide for adequate public

participation in the local historic preservation program, including the process of recommending properties for nomination to the National Register of Historic Places (National Register); and satisfactorily perform the responsibilities delegated to it by the State. Participants shall also perform additional responsibilities mutually agreed to by the SHPO and local government.

4. The SHPO shall notify the Participant of all nominations for the National Register of Historic Places in the Participant's jurisdiction. Copies of nominations shall be sent to the Participant for review and comment by professional and technical expertise to the extent available in the community and to the Chief Elected Local Official.
5. The Participant shall enforce its historic preservation ordinance and CEQA as it relates to the consideration of cultural resources; a copy of the ordinance format is incorporated herein as Exhibit B; the Participant shall consult with the SHPO for any amendments to said ordinance.
6. The SHPO shall monitor and evaluate the performance of CLGs in accordance with 36 CFR 61.5(e)(5). Therefore, the Participant shall provide to the SHPO an annual report consistent with established guidelines in Appendix C of the Procedures.
7. The Participant and the SHPO shall comply with all applicable laws, rules, and regulations pertaining to the execution and administration of the terms of the Procedures.
8. The SHPO shall inform the Participant of the annual availability of National Historic Preservation Fund grants, for which the Participant is eligible as a Certified Local Government, to compete.

STATE OF CALIFORNIA

PARTICIPANT

By _____
State Historic Preservation Officer

By _____
Authorized Representative

Date _____

Date _____

Appendix F: Annual Report Format

In order to maintain certification, CLGs are required to submit reports annually that detail their historic preservation programs' accomplishments and actions. Each CLG is sent an annual report request letter and format at the beginning of the calendar year, and it is requested that completed annual reports for the previous calendar year be returned by the date announced by OHP (approximately April 1). An Annual Report must have been submitted in order for the CLG to submit a grant application. Although the majority of the report format remains constant from year to year, some items may change from year to year. The format for the annual report is posted on OHP's website.

Appendix G: California Certified Local Government Program Guidelines

Procedures

The State shall provide a mechanism for certifying local governments to participate in the CLG program. Local governments may submit applications for certification at any time. Application requests shall be submitted by the chief elected local official.

- I The chief elected local official shall request certification from the state in writing. The official request for certification shall include:
 - A. A copy of a resolution adopted by the local government to authorize applying for CLG status,
 - B. A signed assurance by the chief elected local official that the local government shall fulfill and will continue to comply with all the requirements of the certification procedures,
 - C. A copy of the local historic preservation legislation (ordinance), historic preservation plan/element,
 - D. Resumes of each member of the historic preservation commission/board,
 - E. Names and resumes of local government staff members responsible for administration of the historic preservation program,
 - F. If begun, evidence of a cultural resources survey performed in the community, with information on the progress and future intent of the survey, and
 - G. A brief explanation of historic preservation activities proposed by the local government to advise the state about suggested work functions and responsibilities to be performed by the CLG.
- II The state shall respond to the chief elected local official within forty-five (45) days of receipt of an adequately documented application.
- III The CLG Coordinator for the state shall review the certification application to determine the local government's ability to meet state requirements for the CLG program. SHPO concurrence shall be forwarded to NPS for final review and approval as a Certified Local Government.
- IV When a local government's certification request has been approved in accordance with the state's approved certification process, the state shall prepare a Certification Agreement for concurrence by the local government.
 - A. The Certification Agreement shall identify the required responsibilities of the local government when certified. The agreement shall also include additional responsibilities delegated to the CLG.

Requirements

Local governments may be certified to participate in the CLG program by complying with the following requirements:

- I Enforce appropriate state or local legislation for the designation and protection of historic properties:
 - A. State enabling legislation provides for local jurisdictions to enact appropriate historic preservation legislation. California Government Code Sections 65850, 25373, and 37361 enable city and county legislative bodies to provide for “the protection, enhancement; perpetuation, or use of places, sites, buildings, structures, works of art, and other objects having a special character or special historical or aesthetic interest or value.”
 - B. Local governments must adopt local historic preservation ordinances with provisions to enforce the designation and protection of historic and archeological resources.
 - C. The local legislation shall be consistent with the intent and purpose of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470).
 - D. The CLG will adopt a historic preservation plan or a historic preservation element for the local jurisdiction's General Plan, as authorized by the California Government Code, prior to or upon applying for a CLG grant.
 - E. The CLG commission will participate in the environmental review of specific federally sponsored projects, such as community development programs involving HUD Block Grant funds unless it is determined by OHP that the necessary expertise is not available to the local government. The CLG will establish programmatic agreements with the state agreeing to ensure compliance with Section 106 provisions of the NHPA.
 - F. The CLG commission will participate in the environment review of local projects in accordance with the requirements under the California Environmental Quality Act (CEQA). The commission may review and comment on permit actions affecting significant listed historic properties and other resources eligible for listing, in accordance with local ordinance requirements and with CEQA. Procedural guidelines should include standards for demolition stays, design review criteria, anti-neglect requirements, and appeal strategies.
- II Establish an adequate and qualified historic preservation review commission by local law:
 - A. The commission shall include a minimum membership of five (5) individuals with all members having demonstrated interest, competence, or knowledge in historic preservation.
 - B. At least two (2) Commission members are encouraged to be appointed from among professionals in the disciplines of history, architecture, architectural history, planning, pre-historic and historic archeology, folklore, cultural anthropology, curation, conservation, and landscape architecture or related disciplines, such as urban planning, American studies, American civilization,

- or cultural geography, to the extent that such professionals are available in the community. Commission membership may also include lay members who have demonstrated special interests, competence, experience, or knowledge in historic preservation.
- C. A local government may be certified without the minimum number or types of disciplines established in state procedures if it can be demonstrated to the satisfaction of the state that it has made a reasonable effort to fill those positions, or that some alternative composition of the commission best meets the needs of the protection of historic properties in the local community.
 - D. Commission members shall be appointed by the chief elected local official, city council, or board of supervisors consistent with the provisions of the preservation ordinance. The appointing authority shall make interim appointments to fill unexpired terms in the event of vacancies occurring during the term of members of the commission. The appointing authority shall also act within sixty (60) days to fill a vacancy. Terms of office of the commission members shall be according to the local preservation ordinance.
 - E. The commission shall meet at least four times a year, with meetings held in a public place, advertised in advance, and open to the public, pursuant to the Ralph M. Brown Act (G.C. Section 54950 et seq.) for open meetings. Written minutes of commission meetings shall be kept on file, available for public inspection, and submitted to the state as a part of the CLG Annual Report.
 - F. Each commission member is required to attend at least one informational or educational meeting, seminar, workshop, or conference per year that pertains directly to the work and functions of the commission and would be approvable by the state. The CLG Regional Workshops sponsored by the OHP are important sources of information. The annual State Historic Preservation Conference generally provides special sessions devoted to the issues, objectives, and responsibilities of commissions. Commissions may also bring in professionals to provide training on site.
 - G. An annual report of the activities of the commission shall be submitted to the state at the end of each calendar year. The reports shall include, but not be limited to, such information as narrative summary of accomplishments, summaries of new and corrected survey activities, number of properties designated under local ordinance in relation to inventory for community, summaries of National Register applications reviewed, summaries of historical contexts prepared, number of federal tax certifications reviewed, number of properties on which design review was held, number of properties on which environmental project reviews were conducted, property owners of Mills Act contracts approved, summarization of local preservation activities, list of local landmark designations, description of public education activities, lists of commission members and resumes, list of staff and resumes, detailed listing of commission and staff training received, commission attendance records, summary of changes in preservation laws, summary of adoption or updates of historic preservation plan or historic preservation element of your

community's General Plan, commission meeting minutes and agendas, and other pertinent activities performed by the commission.

III Maintain a system for the survey and inventory of historic properties:

The CLG shall be responsible for organizing, developing, and administering an inventory of cultural resources within the entire spatial jurisdiction of the CLG.

A. The commission shall develop procedures for conducting an inventory of culture resources. Survey activities shall be coordinated with and complementary to the state program to ensure that survey results produced by the CLG will be readily integrated into the statewide comprehensive historic preservation planning process.

1. The CLG shall be responsible for overseeing the compiling, recording, and updating of inventory information on cultural resources within its jurisdiction. The information shall be based on comprehensive surveys conducted in conformance with state survey standards and procedures. Surveys completed prior to the certification of a local government may be re-evaluated in accordance with state standards and may be submitted for inclusion in the State database.
2. As part of any ongoing survey effort, procedural requirements must allow for periodic update of survey results as buildings gain maturity and as new areas are incorporated or annexed by the CLG.
3. The commission must adopt state guidelines for conducting its inventory of historic properties. State-approved inventory forms (DPR-523, A-L) and the OHP's Instructions For Recording Historical Resources shall be used to facilitate integration into the state electronic data system and for statewide comprehensive historic preservation planning purposes. Dimitri software is available for the DPR 523 forms.
4. Standards for the evaluation of properties must be consistent with the National Register of Historic Places criteria.

B. The commission shall establish internal procedures to facilitate the use of survey results in the planning process by the CLG officials and departments. The commission shall submit survey results to the local government for adoption, then forward to OHP. Copies of the survey should be on deposit at the local planning department, building and safety office, public works department, and redevelopment agency. Libraries, colleges, and historical societies should also receive copies. OHP will make copies available for the appropriate "California Historical Resources Information System" regional center. See IV(A)(2) below for public access requirements.

IV Provide for adequate public participation in the local historic preservation program:

A The CLG shall provide opportunities for public participation in all responsibilities delegated to the CLG, in accordance with appropriate regulations, standards, and guidelines.

1. Public participation shall be fully encouraged at local commission meetings. Commission meetings shall be open to the public, with

published agenda and minutes in accordance with the Ralph M. Brown Act (G.C. Section 54950 et seq.) for open meetings. The published agenda shall be mailed in advance of meetings to individuals and citizen organizations interested in the commission's activities.

2. Public participation shall be fully encouraged in the performance of the historic survey program at all levels of responsibility to identify and inventory significant cultural resources in the jurisdiction of the CLG. The public can serve as volunteers to assist in the survey effort. Survey results shall be of public record and on file at a public institution, except in the case of sensitive resources, e.g., archeological sites subject to vandalism.
 3. Public participation shall be fully encouraged in the nomination process for the National Register of Historic Places program. The CLG shall invite comments from the general public regarding National Register nominations.
 4. Public participation shall be fully encouraged in all public hearings on projects related to CEQA and Section 106 processes.
- V Satisfactorily perform the responsibilities delegated to the CLG:
- A. The CLG shall prepare a comprehensive local historic preservation plan which would identify preservation missions, goals, and priorities. The plan would also establish preservation strategies, programs, and time schedules.
 - B. The CLG will participate in the review and comment on historic preservation certification applications for tax incentives. The CLG and state may establish procedures for implementation of the investment tax credit program at the local level in conformance with the Secretary of the Interior's Standards for Historic Preservation.
 - C. Each CLG must have a local historic preservation plan prior to or upon becoming a CLG before any additional grant applications will be considered. The state shall monitor and evaluate the performance of the CLG for consistency with the identification, evaluation, and preservation priorities of the comprehensive state historic preservation planning process.
 1. Annual Review of CLGs:

The State shall conduct an annual review of CLGs to assure that each government continues to meet the minimal requirements and is satisfactorily performing its responsibilities. As part of this review, the state shall examine the annual reports submitted by the CLGs, records of the administration of funds allocated from the HPF, and other documents as necessary. The CLG shall make these records available to the state. A more thorough review and site visit to the Certified Local Government will occur at least once every three (3) years.
 2. Procedures for Decertification:

If the state evaluation indicates that the CLG no longer meets the minimal requirements or that in any other way a CLG's performance is not satisfactory, the state shall document that assessment and recommend to the local government steps to bring its performance up to a satisfactory

level. The CLG shall have a period of not less than 30 nor more than 180 days to implement improvements; If the state determines that sufficient improvement has not occurred, the state shall decertify the local government, citing specific reasons for the decertification. Performance shall be deemed unsatisfactory if one or more of the following conditions exist or is applicable: a) the commission fails to perform its delegated responsibilities within established time periods; b) the CLG fails to coordinate its responsibilities with the state; c) the commission substantially fails to maintain consistency of its design review decisions with the Secretary's Standards for Historic Preservation; d) the CLG fails to maintain a qualified historic preservation review commission membership; e) the CLG fails to enforce the provisions of the local preservation ordinance; f) the CLG fails to enforce its CEQA and Section 106 responsibilities; g) the CLG fails to adequately survey historical resources in its jurisdiction; and h) the CLG fails to comply adequately with proper fiscal management of HPF grants in accordance with the National Register Programs Guideline, OMB Circular A-128, and 43 CFR 12.

3. Decertification Appeal:

If the state recommends decertification, the local government may appeal to the NPS. The NPS has 45 days to respond to the appeal.

4. Decertification Without Prejudice:

CLGs may petition the OHP to be decertified voluntarily and without prejudice.

5. Financial Assistance Close-out:

The state shall conduct financial assistance close-out procedures pursuant to the National Register Program Guideline when a local government is decertified.

VI The CLG shall assume certain responsibilities for reviewing and recommending properties within its jurisdiction to the National Register of Historic Places.

A. The SHPO shall have the sole responsibility of nominating National Register properties directly to the Secretary of the Interior (Secretary).

B. The CLG shall establish local procedures for the National Register nomination process consistent with the requirements in the NHPA, Section 101(c)(2).

1. Before a property within the jurisdiction of a CLG may be considered by the state to be nominated to the National Register, the state shall notify the owner, the applicable chief elected local official, and the local historic preservation commission. The commission, after reasonable opportunity for public comment, shall prepare a report as to whether or not such property, in its opinion, meets the criteria of the National Register. Within sixty (60) days of notice from the state, the chief elected local official shall transmit the report of the commission and his/her recommendation to the state. After receipt of such report and recommendation, or if no such report and recommendation are received within sixty (60) days, the state shall process the National Register nomination. The state may expedite such process with the concurrence of the CLG.

2. If both the commission and the chief elected local official recommend that a property not be nominated to the National Register, the state shall take no further action, unless within thirty (30) days of the receipt of such recommendation by the state, an appeal is filed with the state. If such an appeal is filed, the state shall follow the procedure for making a nomination pursuant to Section 101(a). Any report and recommendations made under this section shall be included with any nomination submitted by the state to the Secretary.

VII By mutual written agreement with the local governing body, the state may delegate additional responsibilities to the CLG. Local governments may be certified to participate in specific program activities under Programmatic Agreements.

- A. The CLG may develop educational programs promoting historic preservation at the local level such as, but not limited to, sponsorship of preservation workshops, publication of preservation information, organizing preservation fairs, conducting walking tours, preparing preservation curricula for schools, etc.
- B. Commission members may act in an advisory capacity to other officials and departments within the local government and act as a liaison on behalf of the CLG to individuals and organizations concerned with historic preservation issues at the local level.
- C. The CLG may participate in the Mills Act program or other economic incentive programs to provide property-tax relief for owners of historic properties.
- D. The CLG may participate in the Marks Historical Rehabilitation Act for issuance of tax-exempt industrial development bonds, providing that the commission shall serve as a part of the required citizen advisory board.
- E. The CLG may assume certain responsibilities of recommending National Register of Historic Places properties, identified in the CLG jurisdiction, directly to the State Historical Resources Commission.
- F. By mutual written agreement with the local governing body, the state may delegate additional responsibilities to the CLG.

Transfer of Grants to Certified Local Governments

At least ten percent (10%) of California's annual HPF allocation shall be transferred to CLGs for implementation of eligible activities which promote the identification, evaluation, nomination, and preservation of their communities' significant cultural resources.

Examples of permitted activities:

- A. Develop a plan for meeting the preservation goals of the community; Revisions and updating of local ordinances; development of citywide/countywide historic preservation plans and economic incentives; development of an historic preservation element as part of the community's General Plan.

- B. Historic contexts, including archeological contexts, which can be used for district or multiple property nominations. Research and development of historic context information.
- C. Preparation of multi-property nominations to the National Register of Historic Places.
- D. Architectural, historical, cultural landscapes, and archeological surveys, and oral histories. Development of a local archeological program. Note: Survey projects must identify whether the survey will be a reconnaissance or an intensive level survey and the approximate acreage to be surveyed. A map of the proposed area to be surveyed must also be included with the application.
- E. Training and educational proposals: to satisfy CLG training requirements and/or technical training for property owners of historic properties; development of information and training on seismic retrofit/State Historical Building Code. This may include training for the Commission and staff within the community by bringing in professional expertise. Development and publication of educational materials for the community, such as "Teaching With Historic Places." Development of slide and tape shows, which can be used to promote historic preservation in the community.
- F. Design guidelines for historic districts, Main Street programs, joint proposals with other local governments to fund a circuit rider staff person to provide technical assistance to a group of local government preservation programs. Architectural/engineering plans and specifications; development of incentives package for preservation and protection of historic buildings.
- G. Geographic Information Systems and mapping of historic resources.
- H. Other activities proposed by the CLG.

Examples of prohibited use of grant funds:

- A. CLGs may not use HPF grants for construction or restoration of buildings and structures, acquisition of historic properties, maintenance or operation of historic properties, interpretive displays, or purchase of computers or other equipment.
- B. Transferred monies shall not be applied as matching share for any other federal grant or for lobbying purposes.

The CLG grant funds shall be for activities for which the state would be eligible for HPF funding, and which are consistent with the state comprehensive historic preservation planning process.

California shall make a reasonable effort to distribute HPF grants among the maximum number of eligible local governments consistent with 36 CFR 61.7(d).

The CLG's share of the HPF shall be of a sufficient amount to produce a specific impact and to generate effects directly as a result of the funds transfer. The state is not required to award funds to all governments that are eligible to receive grants. Program consistency and quality of standards require that the state not award grant funds to all eligible local governments if there is a risk of sacrificing positive, tangible results.

The state shall annually notify all CLGs of the funding availability of HPF grants to qualified local governments.

The CLG receiving a portion of the local share of the state's annual HPF must satisfy certain minimum requirements.

- A. The CLG grants will be administered in accordance with the "Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation," Office of Management and Budget Circulars A-87 or A-128, and OHP's Subgrant Procedural Guide.
- B. The CLG shall adhere to all requirements of the National Register Programs Guidelines (NPS 49), which sets forth administrative procedures and policies for HPF grants awarded by the state.
- C. Indirect costs may be charged as part of the CLG only if the CLG meets the requirements of the National Register Programs Guidelines and has a current indirect cost rate approved by the cognizant federal agency.
- D. The CLG must adhere to any requirements mandated by the NPS regarding the use of the HPF monies.
- E. The CLG shall meet all certification eligibility requirements during the grant period, as specified in the Certification Agreement between the state and the CLG.

The state shall award funds on a competitive basis to CLGs, contingent upon the priorities and criteria established in the OHP Certified Local Government Grant Application.

- A. The CLG demonstrates a clear understanding of state and local preservation programs contributing toward the identification, evaluation, and protection of significant cultural resources within the jurisdiction of the local government.
- B. The CLG provides adequate matching local share (40%) as match for the federal grant-in-aid.
- C. The CLG clearly presents specific goals and objectives that are realistically attainable within the funding period.