**RULES**

**OF**

**GEORGIA DEPARTMENT**

**COMMUNITY AFFAIRS**

**CHAPTER 110-37-5**

**FEDERAL GRANTS PROGRAM**

**HISTORIC PRESERVATION GRANTS PROGRAM**

**HISTORIC PRESERVATION FUND GRANTS**

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**110-37-5-.01 Historic Preservation Fund preservation grants program**

1. **Statutory Basis:** The Historic Preservation Fund preservation grants program is established in accordance with and under the authority provided to the Georgia Department of Community Affairs by the National Historic Preservation Act, as amended (16 USC 470), O.C.G.A. §12-3-5, §12-3-50.1, and §12-3-58.
2. **Purpose:** The purpose of the Historic Preservation Fund preservation grants program is to provide financial assistance for projects that encourage the preservation of historic properties, that support the programs and services authorized in the National Historic Preservation Act, that strengthen community abilities for developing sound preservation projects, and that address the goals and objectives of the State Historic Preservation Plan. These federal grants are available through the Historic Preservation Fund, as authorized by the National Historic Preservation Act, appropriated by the U.S. Congress, and administered by the National Park Service, U.S. Department of the Interior.
3. **Program Administration:**
4. The Georgia Department of Community Affairs– Historic Preservation Division (HPD) shall develop procedures, applications, forms, contracts, and other materials as necessary to administer the Historic Preservation Fund Grants program, which shall include, but not be limited to: establishing timelines and deadlines on an annual, cyclical basis for announcing grant application availability, application due date, project awards date, project reporting dates, and project completion date; developing application and project review procedures; establishing minimum requirements for project management of grants by recipients; developing guidance and informational materials, including providing definitions; and developing policies and procedures to rescind grant awards for non-performance and to re-award recaptured funds.
5. Notice of the start of the grant cycle shall be posted by the first Friday in December through HPD’s electronic newsletter, website posting, and by other means as determined appropriate by HPD. The notice shall include, at a minimum, a summary description of the grant program and eligibility and eligible activities requirements, date of application availability, deadline for submitting applications, and directions for obtaining an application.
6. Grant application forms and instructions shall be available in electronic format; paper format application materials shall be available upon request.
7. **Eligibility Requirements:**
   1. Eligible applicants include any designated Certified Local Government in Georgia, officially designated by the U.S. Department of the Interior, National Park Service.

Applicants must be current in their CLG Annual Report submittals.

* 1. Eligible project activities fall into three categories:

**Survey and planning activities**, including historic resource surveys, archaeological surveys, historic contexts, National Register nominations, preservation planning projects, and public education activities and as further defined in program application instructions.

**Pre-development activities**, including plans and specifications, historic structure reports, feasibility studies, and other building-specific or site-specific preservation plans.

1. Eligible resources for pre-development projects include historic properties such as buildings, structures, sites, districts, objects, and archaeological sites and as further defined in program application instructions.

**Development activities**, including stabilization, preservation, rehabilitation, restoration, and archaeological investigation of historic properties; restoration and protection of historic landscaping; and archaeological site protection.

* + 1. Eligible resources for development projects include historic properties such as buildings, structures, sites, districts, objects, and archaeological sites and as further defined in program application instructions.
    2. Ground disturbing activities shall require archaeological investigation to identify and locate any archaeological resources and to collect information to evaluate National Register eligibility prior to finalizing the development proposal.
    3. Archaeological site protection and stabilization projects shall require resurvey of the site to confirm boundaries, location, and condition prior to finalizing plans and specifications for proposed treatments.
    4. Properties and resources owned or controlled by a church, religious denomination, or sectarian institution are not eligible for development projects.

1. For development projects:

Properties must be listed, either individually or as a contributing property to a historic district, in the National Register of Historic Places prior to the awarding of funds; and

Prior completed pre-development documentation for the project property must be submitted with the application, including reports, plans, project design/architectural drawings, and specifications that:

Are relevant and sufficient to assess the potential impact of the proposed work on the historic resource; and

Demonstrate conformity with the Secretary of the Interior’s “Standards for the Treatment of Historic Properties.”

**110-37-5-.02 General Terms and Conditions**

1. Ten percent of the total annual Historic Preservation Fund allocation for Georgia must be awarded to Certified Local Governments. Individual grant award limits will be established and announced for each grant cycle based on available funding. Recipients must provide a cash or *in-kind* match equal to 40% of the approved total project cost, as defined by HPD.
2. Recipients may be required to attend a grant workshop immediately after grant awards are announced.
3. Grant-assisted project work must follow recognized applicable preservation standards and techniques as provided for in the **Secretary of the Interior's Standards for Archeology and Historic Preservation.** These include: 1) Standards and Guidelines for Preservation Planning, 2) Standards and Guidelines for Identification, 3) Standards and Guidelines for Evaluation, 4) Standards and Guidelines for Registration, 5) Standards and Guidelines for Historical Documentation, 6) Standards and Guidelines for Architectural and Engineering Documentation, 7) Standards and Guidelines for Archeological Documentation, 8) Standards for the Treatment of Historic Properties, 9) Standards and Guidelines for the Rehabilitation of Historic Buildings, and 10) Historic Preservation Professional Qualification Standards.
4. Recipients must execute a grant agreement with HPD and comply with all its provisions, including maintaining complete financial records for all activities covered by the grant agreement and providing an audited report after completion of the project.
5. Adequate progress toward completion of the project must be documented by the recipient and approved by HPD before payment of intermediate reimbursements.
6. Twenty (20) percent of the grant funds shall be withheld until HPD approval of the completed project.
7. For projects receiving grant assistance for development activities, a preservation agreement will be executed to assure public access, maintenance, and compliance with preservation standards for five years from completion and approval of the project or as otherwise required by Federal regulations.
8. Project planning and construction documents and work product shall be reviewed and approved by HPD under terms established by the grant agreement.
9. Projects and/or project areas will be available for inspection by HPD staff during construction or the grant period, as applicable, and be facilitated by the grant recipient upon reasonable notice. Reasonable notice shall include pre-arranged scheduled visits, mutually agreed upon times, or 1-week notice of intent to visit by HPD staff.
10. Non-compliance with (5) (a) through (g) above and any terms & conditions of the grant agreement may result in the rescission of the grant award.

**110-37-5-.03 Application Procedures**

* + - * 1. Applicants shall make application to the Historic Preservation Division, Georgia Department of Community Affairs, by specified deadlines, on current federal fiscal year grant application forms, and in the manner and format provided for in the grant application instructions.
        2. At the sole discretion of HPD, a prior year submitted application for an unfunded project may be accepted in lieu of a current/new federal fiscal year application form, provided that the scope of the proposed project is unchanged and other information is current or updated, including project contact and administrator information, authorized signatures, and matching fund resolution.

**110-37-5-.04 Evaluation & Selection Criteria**

1. Applications will be reviewed by a committee composed of HPD staff.
2. Proposed **Survey & Planning** projects shall be evaluated by the following criteria:

Project or activity is appropriate in relation to previous and/or future preservation activities

Project or activity is consistent with applicable preservation and/or professional standards and methodology

Project or activity fills demonstrated preservation need

Project or activity provides a public benefit

Project or activity is of a type identified by HPD as having a high priority for preservation assistance

Statewide distribution of projects in applicant pool

Urgency of need/degree to which the (potential) historic resource/area is threatened

Project or activity is an ongoing, recurring, or concluding project or activity that is identified by HPD as also beneficial to HPD programs/outreach activities

1. Proposed **Pre-development and Development** projects shall be evaluated by the following criteria:

Resource meets eligibility requirements

Project concept is appropriate for resource

Project design is consistent with applicable preservation and/or professional standards

Project fills demonstrated preservation need

Project provides a public benefit

Resource is exceptionally significant or one of a few surviving examples of an important type

Resource is of a type identified by HPD as having a high priority for preservation assistance

Statewide distribution of projects in applicant pool

Urgency of need/degree to which the historic resource is threatened

1. Grants shall be awarded to the extent of established available funding based on HPD staff recommendations and subsequently approved by the Commissioner of the Georgia Department of Community Affairs or duly delegated authority.

**Authority** O.C.G.A. §12-3-5, 12-3-32, §12-3-50.1, §12-3-50.2., 12-3-58. National Historic Preservation act of 1966 as amended; Catalog of Federal Domestic Assistance Number: 15.904 and 36 CFR Part 61.

**History.** Original grant description entitled "Historic Preservation Fund Grants,” received March 29, 1989.

**Submitted Amendment:** Grant description, same title, received June 10, 1994.