

**NOTICE OF PUBLIC HEARING AND
INTENT TO ADOPT REVISIONS TO THE
RULES FOR GEORGIA HERITAGE GRANTS**

Notice is hereby given that the Department of Community Affairs will hold a public hearing in accordance with the Administrative Procedures Act, O.C.G.A. §50-13-1, et seq. The hearing will afford all interested persons reasonable opportunity to provide data, views, or arguments regarding proposed revised rules for the Georgia Heritage Grant program (Rules of the Georgia Department of Community Affairs, Chapter 110-37-4, et seq.).

A public hearing will be held virtually on May 11, 2022 at 1:30 PM. The link to this public hearing is contained below, as well as being placed on the website of the Department of Community Affairs in the "Announcements" section of the agency's website. Please contact Ms. Jennifer Dixon with questions. Access to the meeting can be gained [by clicking here](#) or through the following link:
https://teams.microsoft.com/dl/launcher/launcher.html?url=%2F%20%23%2F%2Fmeetup-join%2F19%3Ameeting_ZGM4OTU3MDktYjE2Ni00YTNmLWI0YmQtMWM5MGQ3MmY2YmRj%40thread.v2%2F0%3Fcontext%3D%257b%2522Tid%2522%253a%2522dc9db449-fad6-4fcd-8990-14394088d4ec%2522%252c%2522Oid%2522%253a%25220c8bbb9f-8063-4b06-a2b4-d6da2fc571d3%2522%257d%26anon%3Dtrue&type=meetup-join&deeplinkId=72c6dd5d-9cad-49da-9f6b-ad06ce63f846&directDI=true&msLaunch=true&enableMobilePage=true&suppressPrompt=true

Any party wishing to provide data, views, or arguments regarding the proposed revised rules in writing may also do so by submitting them to: Georgia Heritage Grant Program, Historic Preservation Division, Georgia Department of Community Affairs, 60 Executive Park South, N.E., Atlanta, Georgia 30329, or by emailing comments to Jennifer.Dixon@dca.ga.gov. These written comments should be received no later than 5:00 P.M. on Monday, May 9, 2022

Notice is hereby given that a Board meeting will be held at 1:30 PM in Columbus, Georgia on May 11, 2022 at the Columbus Convention and Trade Center, 801 Front Street, Columbus, Georgia 31901. The Board of the Georgia Department of Community Affairs intends to consider and adopt the revised rules of the Georgia Heritage Grants Program, Chapter 110-37-4, et seq.

The Department's authority to administer this program is recognized in O.C.G.A. 12-3-5, 12-3-50.1, and 12-3-58. A complete copy of these proposed revised rules is available for public inspection in the Historic Preservation Division, Georgia Department of Community Affairs, 60 Executive Park South, N.E., Atlanta, Georgia 30329, between the hours of 8:30 a.m. and 4:30 p.m., each Monday through Friday (excluding State holidays). A complete copy of each of the proposed rules can also be obtained by contacting Ms. Jennifer Dixon at (Jennifer.Dixon@dca.ga.gov) or by accessing it on the Department's website at <https://dca.ga.gov>.

This 7th day of April 2022.

G. Christopher Nunn, Commissioner



Synopsis of Proposed Revised Rules Adoption Georgia Non-CLG Grants

Georgia DCA proposes to modify the Georgia Heritage Grant Program (O.C.G.A. §12-3-50.1, 12-3-58(b)) to broaden rule guidance across all non-Certified Local Government grants administered by the Historic Preservation Division. Further, additional language has been restructured for the purpose of clarity in the rules document.

The Department of Community Affairs board intends to adopt the revised Non-Certified Local Government grants program rules in May 2022.

The Department of Community Affairs developed the proposed revised rules to govern the operation and oversight of all non-Certified Local Government grants. The proposed revised rules seek to establish the following:

- **MODIFY EXISTING PROGRAMMATIC LANGUAGE FOR CLARITY**
Revise language in existing sections for clarity
- **MODIFY ADMINISTRATIVE LANGUAGE FOR FLEXIBILITY**
To allow for application across all non-CLG grant programs
- **FURTHER DEFINE GRANT AWARD ELIGIBILITY**
Local government entities including authorized agencies and instrumentalities, as well as secular, non-profit organizations.



Synopsis of Proposed Revised Rules Adoption Georgia Non-CLG Grants

PROPOSED REVISIONS	PAGE
Chapter 110-37-4 Change title to "STATE AND FEDERAL GRANTS PROGRAM- HISTORIC PRESERVATION GRANTS PROGRAM NON-CERTIFIED LOCAL GOVERNMENT (CLG) GRANTS"	1
Chapter 110-37-4-.01 Change "Georgia Heritage" to "Georgia Non-CLG" throughout	1-3
Change 110-37-4-.01(2) Adds language referencing eligibility for disaster-related projects	1
Change 110-37-4-.01(3)(a) Adds language regarding proper application procedures Change "recission" to "deobligation"	1
Change 110-37-4-.01(3)(b) Broadens language regarding notice of grant cycle	1
Change 110-37-4-.01(4)(b) Defines eligible applicants	1
Change 110-37-4-.01(4)(c) Adds language regarding eligibility of certain properties to comply with federal requirements where necessary	2
Change 110-37-4-.01(4)(d)(3)-(4) Adds language regarding eligibility of planning and education activities	2
Change 110-37-4-.02(a) Revises grant match language to allow for non-matching grants	2
Change 110-37-4-.02(b) Adds language to allow for on-line training for grantees	2
Change 110-37-4-.02(d) Adds language to clarify financial audit report requirements	2



Synopsis of Proposed Revised Rules Adoption Georgia Non-CLG Grants

Change 110-37-4-.02(d)(2) Revises grant withholding language	2
Change 110-37-4-.02(e) Revises preservation agreement term	2
Change 110-37-4-.02(g) Revises grammar regarding inspections	3
Change 110-37-4-.02(h) Change "recission" to "deobligation"	3
Change 110-37-4-.03(a) Removes "state" to allow reporting flexibility	3
Change 110-37-4-.03(b) Removes process for resubmittal of previous application	3
Change 110-37-4-.04(b)(1) Adds language to allow for federal requirements	3
Change 110-37-4-.04(b)(8) Changes "statewide distribution" to "geographic distribution"	3

Subject 110-37-4

STATE AND FEDERAL GRANTS PROGRAM-HISTORIC PRESERVATION GRANTS PROGRAM

NON-CERTIFIED LOCAL GOVERNMENT (CLG) GRANTS

Rule 110-37-4-.01 Non-CLG Historic Preservation Grants Programs

- (1) Statutory Basis: The Georgia Non-CLG historic preservation grants programs are established in accordance with and under the authority provided to the Georgia Department of Community Affairs by O.C.G.A. § 12-3-5, § 12-3-50.1, and § 12-3-58.
- (2) Purpose: The purpose of the Georgia Non-CLG historic preservation grants programs are to encourage the preservation of historic properties, to repair damage from and support mitigation and planning for natural or man-made emergency incidents, to stimulate economic development and neighborhood revitalization, to support community preservation projects that provide a public benefit, and to assist local communities in developing sound preservation projects and preservation planning strategies.
- (3) Program Administration:
 - (a) The Georgia Department of Community Affairs - Historic Preservation Division (HPD) shall develop procedures, applications, forms, contracts, and other materials as necessary to administer Non-CLG grants programs, which may include, but not be limited to: establishing timelines and deadlines on an annual 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; providing guidance for compliance with any additional federal requirements, establishing minimum requirements for project management of grants by recipients; developing guidance and informational materials including required training as appropriate, providing definitions; and developing policies and procedures to deobligate grant awards for non-performance and to re-award recaptured funds.

Failure to provide information in the manner required by the Department may result in funding not being awarded, as well as deobligation of awards.

- (b) Notice of the start of a grant cycle shall be posted on the Department of Community Affairs website and discipline-specific and general readership media, 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.
- (4) Eligibility Requirements:
 - (a) Eligible applicants include:
 1. Any Georgia local government entity, including counties, municipalities, and duly authorized agencies or instrumentalities of a county or municipality, including but not limited to, local authorities and local boards; and
 2. Private, secular non-profit organizations.
 - (b) Eligible resources include historic properties such as buildings, structures, sites, districts, objects, and archaeological sites and as further defined in program application instructions.
 1. Properties and resources owned or controlled by a private individual, church, religious denomination, or sectarian institution are not eligible.

- (c) Eligible properties include historic districts, sites, structures, and objects listed or eligible for listing in the National Register of Historic Places. Individual programs may define more specific eligibility or listing criteria, as conditioned by the source funding. Other federal requirements may apply for pass-through funded programs.
- (d) Eligible project activities fall into four categories:
 1. **Development activities**, including stabilization, preservation, rehabilitation, restoration, and archaeological investigation of historic properties; and
 2. **Pre-development activities**, including plans and specifications, historic structure reports, feasibility studies, and other building-specific or site-specific preservation plans, and survey and planning activities, including, archaeological surveys, National Register nominations, and preservation planning projects.
 3. **Planning and education activities**, including historic resource surveys, archaeological surveys, historic contexts, preservation planning projects, public education activities, programming development, and others as further defined in the program application instructions.
 4. Other project activities may be defined eligible as defined in the program application instructions.

Rule 110-37-4-.02 General Terms and Conditions

- (a) Individual grant award limits, including any required cash or in-kind match requirements, will be established and announced for each grant cycle based on available funding.
- (b) Recipients may be required to attend a grant workshop or on-line training.
- (c) 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.
- (d) 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 financial report after completion of the project.
 1. Adequate progress toward completion of the project must be documented by the recipient and approved by HPD before payment of intermediate reimbursements.
 2. A percentage of the grant funds may be withheld pending HPD approval of the completed project.
- (e) 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 up to twenty years, dependent on the amount of the grant.
- (f) Project planning and construction documents and work product(s) shall be reviewed and approved by HPD under terms established by the grant agreement.

- (g) Projects and/or project areas will be available for inspection by HPD staff during construction or the grant period, as applicable. Inspections will 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.
- (h) Non-compliance with (5) (a) through (g) above and any terms & conditions of the grant agreement may result in the deobligation of the grant award.

Rule 110-37-4-.03 Application Procedures

- (a) Applicants shall make application to the Historic Preservation Division, Georgia Department of Community Affairs, by specified deadlines, on current fiscal year grant application forms, and in the manner and format provided for in the grant application instructions.

Rule 110-37-4-.04 Selection Criteria

- (a) Applications will be reviewed by a committee composed of HPD staff.
- (b) Proposed projects shall be evaluated by the following criteria:
 1. Resource meets state and/or federal eligibility requirements
 2. Project concept is appropriate for resource
 3. Project design is consistent with applicable preservation and/or professional standards
 4. Project fills demonstrated preservation need
 5. Project provides a public benefit
 6. Resource is exceptionally significant or one of a few surviving examples of an important type
 7. Resource is of a type identified by HPD as having a high priority for preservation assistance
 8. Geographic distribution of projects in applicant pool
 9. Urgency of need/degree to which the historic resource is or may be threatened
- (c) Grants shall be awarded to the extent of established available funding based on HPD staff recommendations as approved by the Commissioner of the Georgia Department of Community Affairs or duly delegated authority.