

Guidelines
for the
Certified Local Government Program
in
Maine

Maine Historic Preservation Commission

September, 1985
Revised September, 2000

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INTRODUCTION

Since 1966, when Congress by means of the National Historic Preservation Act established a preservation program for the United States, the National Historic Preservation Program has operated as a decentralized partnership between the Federal government and the States. The Federal government established a program of identification, evaluation and protection of historic properties in which the States, are a full partner. The success of that working relationship prompted Congress to expand the partnership to provide for official participation by local governments. The National Historic Preservation Amendments Act of 1980 (P.L. 96-515) and subsequent amendments contain the legal basis for the new federal-state-local preservation partnership. The federal law directs the State Historic Preservation Officer (SHPO) and the Secretary of the Interior to certify local governments to participate in this partnership and specifies several requirements which the local government must meet. The purpose of these guidelines is to outline how this partnership will be implemented in Maine.

1. STATEMENT OF PURPOSE

The purposes of the Certified Local Government Program are: (1) to ensure the broadest possible participation of local governments in the national historic preservation program while maintaining standards consistent with the National Historic Preservation Act, and the Secretary of the Interior's "Standards and Guidelines for Archeology and Historic Preservation;" (2) to enrich, develop, and help maintain the preservation of prehistoric and historic sites, structures, objects, buildings, and districts by establishing and maintaining local historic preservation programs in partnership with the SHPO (Maine Historic Preservation Commission); and, (3) to provide financial and technical assistance to further these purposes. Such partnerships will help to assure that:

- * historic preservation issues are understood and addressed at the local level and integrated into the local planning and decision making processes at the earliest possible opportunity;
- * local interests and concerns are integrated into the identification, evaluation, nomination, and protection processes of the Maine Historic Preservation Commission (MHPC);
- * information concerning local historic preservation issues is provided to the MHPC and to the public;
- * local landmark legislation and historic preservation commissions are established in municipalities where they do not yet exist and are updated, if necessary, where they already exist; and
- * existing Maine archaeological inventories and Maine Historic Inventory information can be made available to the local community to use in identifying and defining community and neighborhood development and conservation areas.

By participating in the identification, evaluation, and protection of historic resources within their communities, Certified Local Governments (CLG):

- * assume a leadership role in the preservation of community prehistoric and historic resources;

- * have an advisory role in the National Register nomination review process;
- * participate in the establishment of regional and state historic preservation objectives;
- * are eligible to apply for subgrants from a designated CLG fund established annually by the MHPC whenever such funds are available;
- * receive technical and advisory services from MHPC;
- * receive state-wide and national acknowledgment of the quality of the local historic preservation program; and,
- * make a written commitment to their own citizens and the citizens of Maine that their local heritage is important and worth protecting.

2. ELIGIBILITY

Any general purpose political subdivision of the state of Maine that also meets the criteria set forth in this document is eligible to apply for certification.

The National Historic Preservation Amendments Act (as amended) contains five broad standards which must be met by a local government seeking certification. The local government:

- * must enforce appropriate state or local legislation for the designation and protection of historic properties;
- * must establish an adequate and qualified historic preservation review commission by state or local legislation;
- * must maintain a system for the survey and inventory of historic properties that furthers the purposes of the act;
- * must provide for adequate public participation in the local historic preservation program, including the process of recommending properties to the National Register; and
- * must satisfactorily perform the responsibilities delegated to it under the Act.

The minimum requirements for certification of local governments in Maine are amplified in the following:

3. MINIMUM REQUIREMENTS FOR LOCAL LEGISLATION

Local legislation for designation and protection of historic properties by certified local

governments in Maine is required and must contain the following components:

- * statement of purpose;
- * definitions (these definitions must include definitions of designation and protection that meet the federal statutory definitions);
- * specific purposes, membership and duties of review body;
- * criteria for designation (the identification and registration of properties for protection) of local landmarks and districts, which shall be consistent with the Secretary of the Interior's Standards for Identification and Registration. Adoption of the National Register criteria is encouraged;
- * designation procedures for local landmarks and districts.
- * provisions for public hearing on designation, and public notification;
- * mandatory review of alterations of designated properties;
- * mandatory review of demolition, building movement, or new construction within districts or within property boundaries of individual landmarks or actions which may affect designated districts or landmarks;
- * the Secretary of the Interior's Standards for Treatment of Historic Properties (most current revision) should form the basis of the criteria developed for decisions by the local commission concerning alteration, demolition or new construction;
- * specific time-frames for reviews and for consideration of alternatives;
- * penalties for non-compliance; and,

As a general guideline the statute must contain criteria which will substantially achieve the purpose of designating and protecting prehistoric and historic archaeological sites and buildings and structures of historical significance in order that preservation and rehabilitation work that may be undertaken will meet appropriate preservation standards. The MHPC has several examples of local ordinances to use as models.

4. MINIMUM REQUIREMENTS AND DUTIES OF LOCAL REVIEW COMMISSIONS

The National Historic Preservation Act defines a historic preservation review commission as a "board, council, commission, or other similar collegial body established by state or local legislation as provided in section 101(C) (1) (B), and the members of which are appointed, unless otherwise provided by state or local legislation, by the chief elected official of the jurisdiction concerned from among:

- * individuals who meet “the Secretary’s (Historic Preservation) Professional Qualification Standards” in the disciplines of history, historic or prehistoric archaeology, and architectural history, to the extent such professionals are available in the community concerned, and
- * persons having a demonstrated interest, competence, or knowledge in historic preservation as will provide for an adequate and qualified commission.
- * when a professional discipline is not represented in the commission membership, the commission will document an adequate search for the requisite professional member (i.e., advertisements in local newspapers, etc.) and document how they will seek expertise in the appropriate disciplines from persons meeting the Secretary’s (Historic Preservation) Professional Qualification Standards, as appropriate.

Minimum requirements for local review commissions for certified local governments in Maine are:

- * Each certified local government shall have a commission with a minimum of five (5) members (except that communities with less than approximately 5,000 population may have as few as three members on the commission).
- * All members of the commission shall have a demonstrated interest, knowledge, or training in historic preservation or closely related fields. Where professionals are available in the community qualifications will conform to the Secretary of the Interior's Historic Preservation Professional Qualifications Standards. Information on the credentials of the commission members must be kept on file and available to the public.
- * Each commission member is required to attend at least one informational or educational meeting per year, sponsored by the MHPC, pertaining to the work and functions of the local review commission or to historic preservation. These orientation and training sessions shall also be designed to provide a working knowledge of the roles and operations of Federal, State and local preservation programs.
- * Terms of office of commission members shall be staggered and of three (3) years duration (except as provided in the initiation of a commission.) There need not be a limit on the number of consecutive terms served by any one member. The Commission shall have an established rule of procedure, including a code on conduct.
- * The local appointing authority shall act within sixty (60) days to fill a vacancy, including expired terms.
- * An annual report of the activities of the commission shall be submitted to the MHPC.

Duties of local review commissions which shall be carried out in coordination with those of the MHPC include at a minimum:

- * review alterations, relocation, demolition, and other actions affecting designated historic and prehistoric properties under its jurisdiction;
- * review all new construction affecting designated historic and prehistoric properties and/or districts within its jurisdiction to determine if locally listed prehistoric or historic archaeological sites will be affected;
- * review all proposed National Register nominations for properties within its jurisdiction. When a commission considers a National Register nomination and other actions which are normally evaluated by a professional in a specific discipline and that discipline is not represented on the commission, the commission shall seek expertise in this area before rendering its decision. The MHPC suggests that local governments try to find interested individuals with expertise to serve on the commission. Qualified individuals may be found by consulting with the MHPC staff. Alternately, commissions should explore the possibility of sharing this expertise among several communities;
- * conducting or causing to be conducted a continuing survey of cultural resources in the community according to guidelines established by the MHPC;
- * making recommendation for designation of local landmarks and historic districts to the appropriate local governing body and keeping records of such decisions;
- * establishing and using written guidelines for the preservation of designated local landmarks and historic districts in decisions on requests for permits for new construction, alterations, demolition, relocation, additions to, or other actions affecting listed landmarks and buildings within historic districts;
- * acting in an advisory role to other officials and departments of local government regarding the protection of local cultural resources;
- * acting as a liaison on behalf of the local government to individuals and organizations concerned with historic preservation; and
- * working toward the continuing education of citizens within the CLG's jurisdiction regarding historic preservation issues and concerns.

5. SURVEY STANDARDS

CLG's must establish a process for undertaking a survey of the cultural resources within their jurisdiction. Where surveys have already been undertaken or are underway, a process for the continuation, maintenance and organization of this survey data must be defined. The inventory of survey data should be maintained in a secure public facility. All survey activities must be coordinated with and complimentary to the MHPC's Comprehensive Historic Preservation Plan.

The MHPC will provide the framework and guidelines to assist the CLG in undertaking a community-wide comprehensive survey and planning document. The guidelines will include a methodology for organizing existing survey data, establishing priorities for new survey, planning priorities, and developing protection and management strategies which are compatible with local needs.

6. CLG PARTICIPATION IN THE NATIONAL REGISTER PROCESS

In accordance with the National Historic Preservation Act, the CLG shall submit a report to the State Preservation Office (MHPC) regarding the eligibility of each property or district proposed for nomination to the National Register within their jurisdiction. This report shall include the recommendation of the local preservation commission and the chief elected official. The report must discuss the property's eligibility under the National Register criteria and the recommendations based on the property's eligibility. A copy of the report prepared by the CLG for the MHPC shall be made available for public inspection within the local jurisdiction.

The CLG will be involved in the National Register process in the following manner:

* Before a property within the jurisdiction of the certified local government may be considered by the State for nomination to the Secretary for inclusion on the National Register, the State Historic Preservation Officer (SHPO) shall notify the owner, the applicable chief local elected official, and the local historic preservation commission in accordance with 36 CFR 61, 36CFR 60 and State procedures and/or guidelines. The SHPO will notify the chief elected local official and the commission at least 60, but no more than 120 calendar days prior to State Review Board considerations. After providing a reasonable opportunity for public comment, the commission shall prepare a report as to whether or not such property, in its opinion, meets the criteria of the National Register. Within sixty calendar days of notice from the State Historic Preservation Officer, the chief local elected official shall transmit the report of the commission and his/her recommendation to the SHPO. After receipt of such report and recommendation, or if no such report and recommendation are received within sixty days, the State shall make the nomination pursuant to section 101(a) of the National Historic Preservation Act. The State may expedite such process with the concurrence of the certified local government.

If both the commission and the chief local elected official recommend that a property not be nominated to the National Register, the State Historic Preservation Officer shall take no further action, unless within thirty days of the receipt of such recommendation by the State Historic Preservation Officer an appeal is filed in accordance with Section 101 (c)(2) of the Act and 36 CFR 60. If either or both the commission and the local chief elected official recommend that the property is eligible for nomination, the SHPO will present the nomination to the State review Board in accordance with the procedures in 36 CFR 60, and 36 CFR 61.

* The CLG may contract with qualified professionals to prepare National Register nominations. All nominations will be reviewed by MHPC for completeness and accuracy. In cases where a National Register nomination is prepared and processed directly by or through a CLG and

the CLG recommendation and report are submitted to the State Historic Preservation Officer with the nomination package, the CLG notification procedures outlined in 1 do not apply. All nominations will be reviewed by MHPC for completeness and accuracy.

- * CLG notification procedures do not apply when a Federal agency nominates a property under its ownership or control. CLGs are encouraged to coordinate with Federal agencies to the extent practical, however, in the consideration of such nominations.
- * The State Historic Preservation Officer may delegate to a CLG other responsibilities pertaining to the processing of national register nominations, as agreed to by the CLG, including responsibility for National Register owner notifications under 36 CFR 60, or allowing the local historic preservation commission to act in place of the State Review Board for the purposes of considering nominations.

7. PUBLIC PARTICIPATION

General

All meetings of the historic preservation commission must be publicly announced, be open to the public, and have a previously available agenda. Public notice must be provided prior to any special meetings. Minutes of all meetings, including description of all decisions and actions of the commission and the reasons for making these decisions, must be kept on file and available for public inspection. In regards to the confidentiality of the location of sensitive historic resources, Section 304 of the National Historic Preservation Act may apply if public disclosure of said information will: 1) cause a significant invasion of privacy; 2) risk harm to the historic resource; or 3) impede the use of a traditional religious site by practitioners.

National Register Nominations

The MHPC and the CLG will work together to provide ample opportunity for public participation in the nomination of properties to the National Register. All reports submitted by the CLG to MHPC regarding the eligibility of properties shall include assurances of public input.

8. PROCESS FOR CERTIFICATION OF LOCAL GOVERNMENTS

- * The chief elected official of the appropriate local governing body shall request certification from the MHPC. The request shall include: 1) the legal instrument (s) creating the commission; 2) a written assurance that the local government fulfills all the requirements outlined above, 3) a copy of the local historic preservation ordinance, 4) a list and accompanying maps of the areas designated as historic districts or individual landmarks, and 5) resumes for each of the members of the historic preservation commission.
- * The State Historic Preservation Officer shall respond to the chief elected official within sixty days of receipt of an adequately documented written request. If the application is not complete,

MHPC will so inform the applicant within seven days.

* If the State Historic Preservation Officer determines that the local government fulfills the requirements for certification, the MHPC will enter into a written certification agreement with the local government which specifies the duties delegated to the local government. The State Historic Preservation Officer will forward a copy of the signed certification agreement between the local government and the SHPO to the United States Secretary of the Interior, or designee, and shall respond to the local government within fifteen days of the Secretary's response.

* The local government shall be certified to participate in the Certified Local Government program when certified by the State Historic Preservation Officer and the Secretary of the Interior.

* Once a local government is certified it remains certified without further action unless, after substantive review, the MHPC recommends and proceeds with decertification or the local Government requests that it no longer wishes to be certified.

9. PROCESS FOR MONITORING AND DECERTIFICATION OF CERTIFIED LOCAL GOVERNMENTS

* The MHPC shall conduct periodic review (not less often than once every 4 years) and monitoring of CLGs to assure that each government is meeting the required standards.

* The MHPC shall review the annual reports submitted by CLGs, records of the administration of any funds allocated from the Historic Preservation Fund, and other pertinent documents such as Programmatic Memoranda of Agreement where appropriate. Evaluations will be made against the performance standards which will be provided separately and incorporated into each CLG agreement.

* The CLG shall make all pertinent records and materials available to the MHPC.

* If the MHPC finds the CLG's performance in carrying out its historic preservation responsibilities inadequate at any time during the year or makes that finding after review of the CLG's annual year end report, the MHPC shall document that assessment in writing and recommend steps that the CLG may take to improve its performance. The MHPC will provide advice and assistance to CLGs when performance is inadequate. The CLG shall have a period of not less than 30 nor more than 120 days, depending on the corrective measures required, to implement improvements. The SHPO may elect to extend this period in unusual circumstances. If the MHPC determines that sufficient improvement has not been made after the specified time period, the MHPC will recommend decertification of the Local Government to the Secretary of the Interior. This recommendation will cite specific reasons for the request. If the Secretary does not object within 30 working days of receipt, the decertification will be considered approved.

* Local certified governments may petition the SHPO to be decertified voluntarily and without prejudice.

* Upon decertification, CLG grant funding to the local government may be terminated.

10. TRANSFER OF HISTORIC PRESERVATION FUNDS TO CLGs

A minimum of 10% of the state's annual appropriation from the Historic Preservation Fund of the Department of the Interior will be designated for funding projects by Certified Local Governments as provided by Congress. All grants in Maine will be awarded on a 60/40 matching basis (federal/local). Funding of specific projects or activities must meet federal and state criteria for use of CLG funds. CLGs receiving HPF grants from the CLG share shall be considered subgrantees of the State.

In any year in which the annual HPF appropriation exceeds \$65,000,000.00, one-half of the excess shall also be transferred to CLGs according to procedures to be provided by the Secretary.

All funds will be awarded on a competitive basis and must be sufficient to provide a specific impact. The State will ensure that the funds awarded will be sufficient to generate effects directly as a result of the funds transferred, and that no CLG will receive a disproportionate share of the allocation. These requirements will not be waived even if there are more eligible applicants for them than the amount set aside for the CLG share.

All CLGs within the State are eligible to receive funds from the CLG pass-through. However, the SHPO is not required to award funds to all governments that are eligible to receive funds. MHPC shall make available to the public, upon request, the rationale for the applicants selected and the amounts awarded. Awards will be based on priorities established in the state historic preservation plan.

Project application forms, sample contracts, selection criteria, and funding priorities will be available in the MHPC Survey and Planning grants manual. The criteria will be coordinated with those used to select survey and planning grants during a specific fiscal year. Funds must be applied for annually. Funding in any prior year does not guarantee continued funding.

Each CLG must complete a project application and budget form by the annual deadline. Application forms, annual MHPC priorities for funding and criteria for awarding survey and planning grants will be made available in September of each year. Applications for grants must be received by this office by the deadlines described in the materials for funding in the next fiscal year. MHPC will review all applications and make a tentative decision within ninety days of that date. A final decision must await approval of the MHPC annual grant by the National Park Service.

In general, eligible activities will include any project which furthers the goals of identification, evaluation, nomination, and protection of the community's cultural resources. This would include survey, nomination of properties to the National Register, public education programs, planning studies, research, and the development of a comprehensive historic preservation plan. Priority will be given to projects which assist the local government in incorporating historic preservation goals and objectives into the community planning process, and which increase the capability and effectiveness of the local government in acting on local historic preservation issues and needs.

All CLGs which receive funding are considered subgrantees of the State and shall adhere to all requirements of the Historic Preservation Fund Grants Manual and maintain an adequate financial management system as specified in Office of Management and Budget circular A-102 Attachment G, "Standards for Grantee Financial Management Systems," as well as any specific requirements mandated by Congress regarding the use of such funds. Local financial management systems shall be auditable in accordance with the General Accounting Office's Standards for Audit of Governmental Organizations Programs, Activities & Functions. The MHPC is responsible for proper accounting of Historic Preservation Funds grants to CLGs in accordance with Office of Management and Budget circular A-133 entitled "Audit Requirements." Grants made from the Historic Preservation Fund cannot be used as matching share for other federal grants, unless authorized. Only direct costs may be charged as part of the project unless the CLG has a current indirect cost rate approved by a cognizant Federal agency.

Use of federal funds will be limited by all existing restrictions imposed by the federal government. The intent of HPF assistance is to augment, not replace, existing local commitment to historic preservation activities.

Local governments may be certified and may participate in review and approval of National Register nominations whether or not they elect to apply for grants from the Historic Preservation Fund.

Once a local government is certified it remains certified, without further action, unless officially decertified. Grants for CLGs, on the other hand, are awarded on a yearly competitive basis, according to availability. Because a local government is given a grant one year does not mean a grant will be available the following year.

11. AMENDMENTS TO NATIONAL PARK SERVICE-APPROVED STATE PROCEDURES

With the exception of changes required as a result of National Park Service (NPS) directives or regulatory changes, the MHPC will follow appropriate consultation procedures as described below when amending National Park Service-approved State certification and Pass-Through CLG Procedures:

- * For proposed amendments affecting the major requirements for becoming a CLG or operating a CLG program, or the policy for allocating Pass-Through funds, the MHPC will consult with local governments, local historic preservation commissions, and all other parties likely to be interested in the CLG program and CLG issues; it will consider local preservation needs and capabilities, and invite comments on the proposed amendment from local governments, commissions, and parties in the state likely to be interested. The MHPC will allow for a 60-day period for public comment on the proposed amendment.
- * For minor changes, technical corrections, and changes required by NPS policy directives, the MHPC will send a written notification to all CLGs.

If the National Park Service approves the amendment (s), the MHPC will: notify all CLGs in writing; and send amended certification agreements to NPS for each CLG affected by the amendment of the State procedures within 120 calendar days.

RESUME FORM

Historic Preservation Commissioner:
Background Material and Qualifications

Name: _____

Address: _____

Telephone: Residence _____

Business _____

Occupation: _____

I. Area of Expertise

History____ Architectural History____ Prehistoric Archaeology____

Historic Archaeology____ Architecture____ Other (Specify)____

II. Education

III. Related Work Experience

IV. Demonstrated Interest in Historic Preservation

[Use other side if more space is required]

APPLICATION FOR CERTIFIED LOCAL GOVERNMENT STATUS

Official Name of Government
Requesting Certification: _____

Name of Chief Elected Official: _____

Address: _____

Name of Contact Person: _____ Phone: _____

Name of Historic Preservation
Commission: _____

Name of Historic Preservation
Commission Chairman: _____

Address (if different than
above): _____

_____ Phone: _____

Time and Place of
Commission Meetings: _____

MODEL CLG CERTIFICATION APPLICATION CHECKLIST

State: _____

Jurisdiction: _____

Date submitted to State: _____

Date approved by State: _____

(1) Application meets the Federal definition of local government and has the authority to enforce acceptable legislation for the designation and protection of historic properties. _____

(2) Applicant has established a historic preservation review commission consisting of __ members. This meets State procedure requirements for number of members. _____

There are __ lay members.

There are __ professional members qualified in the fields of

_____, _____, _____,
_____, _____, _____,

This meets State procedures requirements for professional membership _____

(3) All commission members have a demonstrated, positive interest, competence, or knowledge in historic preservation. _____

(4) Professional members of the commission have been appointed to the extent available in the community, and we have reviewed resumes that document professional qualifications acceptable under the Secretary of the Interior's Historic Preservation Professional Qualification Standards. If not, the applicant satisfactorily documented an adequate search for the requisite professional members *and* how it will obtain access to expertise when needed. _____

(5) The role and responsibility of the local government have been specified in detail in the enclosed agreement, including:

A. The four basic responsibilities:

1. Enforcing State or local legislation for the designation and protection of historic resources _____

2. Maintaining a system for survey and inventory of historic properties. _____

3. Provide for adequate public participation in the historic preservation program. _____

4. Reviewing National Register nominations through a qualified local commission. _____

B. Additional responsibilities:

1. Required of all CLGs in Maine:

a. Maintain adequate financial management systems. _____

b. Adhere to all requirements of the Historic Preservation Fund Grants Manual.

c. Adhere to any requirements mandated by Congress regarding use of federal historic preservation funds. _____

d. Adhere to requirements outlined in the Guidelines for the Certified Local Government Program in Maine. _____

2. Attachment requirements.

a. Letter of request for certification from the chief elected official, including assurances that CLG requirements will be met. _____

b. A copy of the historic preservation ordinance as adopted by the governing body. _____

c. A clearly defined map indicating the location of any historic resources already identified, including boundaries of any district or districts, and a list of all properties. _____

d. A sample notice of public meetings of the commission (if available). _____

e. A sample copy of an agenda and minutes of a commission meeting (if available). _____

f. A sample notice to an applicant of a decision of the commission. _____

g. A copy of the rules of procedure of the historic commission. _____

(6) The CLG contact person, including title/position, mailing address, and telephone number. _____

(7) The Certification Agreement has been signed by SHPO and Chief Elected Local Official. _____

(8) Any other information relevant to this application:

STATE REVIEWER:

Signature

Name and Title

Date

CERTIFICATION AGREEMENT

BETWEEN

THE STATE OF MAINE
BY AND THROUGH THE
MAINE HISTORIC PRESERVATION COMMISSION
AND THE _____

WHEREAS the Congress of the United States, in order to extend the state and federal preservation partnership to the local level, has required approved state historic preservation programs to cooperate with local governments in developing local historic preservation programs and establishing Certified Local Governments under §101(c)(1) of the National Historic Preservation Act of 1966, as amended (the Act); and

WHEREAS Certified Local Government (CLG) status provides communities with the opportunity to enhance the local government's role in historic preservation by formalizing and strengthening the local historic preservation program and its links with the Maine Historic Preservation Commission (the Commission); and

WHEREAS the CLG will prepare and review National Register nominations for local approval prior to State Review Board consideration and will qualify to compete for at least 10% of the fund annually allocated to the Commission through the Historic Preservation Fund of the Department of the Interior (HPF) which the Commission is required to set aside for CLGs; and

WHEREAS the State of Maine by and through the Maine Historic Preservation Commission has promulgated "Guidelines for Certified Local Government Programs" (the Guidelines) and desires to assist the _____ in becoming certified and to detail the specific responsibilities of the _____ as a Certified Local Government; and

WHEREAS the _____ desires to participate in the certified local government program by becoming a certified local government and thereby receive the benefits of participation in the designation of properties for nomination to the National Register and eligibility to apply to the State Historic Preservation Officer for matching funds:

NOW THEREFORE, in consideration of the mutual benefits derived herefrom, the State of Maine, by and through the Maine Historic Preservation Commission, 55 Capitol Street, Augusta, Maine 04333, pursuant to the requirements of the Act and 36 CFR § 61.6, covenant and agree on this ____ day of _____, 20__, that the _____, as a Certified Local Government, acknowledges and assumes the following responsibilities:

1. Enforce the local legislation for the designation and protection of historic properties in accordance with the Guidelines, and in accordance with the rules and regulations which have been or may be promulgated by the Commission;
2. Establish pursuant to local law an adequate and qualified historic preservation review

commission composed of professional and lay members who have demonstrated interest, competence, or knowledge in historic preservation in accordance with Part 4 of the Guidelines;

3. Maintain a system for the survey and inventory of historic properties pursuant to the guidelines and formats established by the Commission in accordance with Part 5 of the Guidelines;
4. Participate in the National Register Program in Maine through the preparation and review of National Register nominations prior to State Review Board consideration in accordance with the procedures and time schedules in Part 6 of the Guidelines;
5. Provide for adequate public participation in the historic preservation program, including the process of recommending properties to the National Register, in accordance with Part 7 of the Guidelines;
6. Keep such records as the Secretary of the Interior, the Commission, or the State Historic Preservation Officer (SHPO) shall prescribe, including records which fully disclose the disposition by the _____ of the proceeds of funds received, the total cost of the project or undertaking in connection with the funding, and the amount and nature of that portion of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit;
7. Maintain adequate financial management systems in accordance with the standards specified in OMB Circular A-102, Attachment G, "Standards for Grantee Financial Management Systems";
8. Maintain a financial system which is auditable in accordance with the General Accounting Office's "Standards for Audit of Governmental Organizations, Programs, Activities, and Functions";
9. Adhere to all requirements of the "Historic Preservation Fund Grants Manual" which sets forth administrative procedures and policies for Historic Preservation Fund (HPF) grants awarded by the Secretary of the Interior;
10. Adhere to any requirements mandated by Congress or the Commission regarding the use of funds from Historic Preservation Fund Grants;
11. Not apply transferred HPF monies as a matching share for any other federal grant unless meeting the established exceptions;
12. Participate in Commission training sessions designed to provide a working knowledge of the CLG's responsibilities under the Maine National Register Program, and an understanding of the rules and operations of federal, state and local preservation programs;
13. Fully cooperate with the Commission in its annual review of the CLG and submit to the Commission office the annual reports of the CLG, records of administration of funds allocated from the HPF, and other documents as necessary, in accordance with Part 9 of the Guidelines (see Appendix "A");

14. Upon notification by the Commission that the performance of the CLG is not up to satisfactory level, implement improvements within 180 days or the Commission shall recommend decertification of the local government to the Secretary of the Interior, in accordance with Part 9 of the Guidelines;
15. Satisfactorily perform the responsibilities designated to it under the Act and adhere to all applicable provisions of the Guidelines.

Signed as of the date first stated herein

STATE OF MAINE

Earle G. Shettleworth, Jr.
State Historic Preservation Officer
Maine Historic Preservation Commission

Chief Elected Local Official

Local Government

This publication has been financed in part with Federal funds from the National Park Service, Department of the Interior. However, the contents and opinions do not necessarily reflect the views and policies of the Department of the Interior, nor does the mention of trade names or commercial products constitute endorsement or recommendation by the Department of the Interior. The Maine Historic Preservation Commission receives Federal financial assistance for identification and protection of historic properties. Under Title VI of the Civil Rights Act of 1964 and section 504 of the Rehabilitation Act of 1973, the U.S. Department of the Interior prohibits discrimination on the basis of race, color, national origin, or handicap in its federally assisted program. If you believe you have been discriminated against in any program, activity, or facility as described above, or if you desire further information, please write to:

Office of Equal Opportunity

U. S. Department of the Interior
Washington, D. C. 20240