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Cover art: City of Palestine, certified in 1990
Introduction to CLG

The Certified Local Government Program in Texas

The purpose of the Texas Historical Commission’s CLG Program is to empower local communities to better protect historic resources by identifying local priorities, meeting recognized historic preservation standards and providing access to financial and technical services to further the identification, evaluation, designation, and protection of buildings, sites, districts, structures, and objects. In 1966, Congress passed the National Historic Preservation Act, establishing preservation as a national priority and creating programs to encourage preservation including State Historic Preservation Offices (SHPOs). The Texas Historical Commission (THC) serves as the SHPO and is charged with administering federal preservation laws and policies in Texas.

Congress amended the National Historic Preservation Act in 1980. The amendment built upon the successes of the original legislation and outlined a program to encourage participation in preservation at the local level, known as the Certified Local Government (CLG) Program. The CLG Program formally recognizes a partnership between the local, state, and federal governments to enhance preservation.

The THC’s CLG Program is part of the agency’s responsibilities in administering the National Historic Preservation Act of 1966, which along with the Historic Preservation Fund (HPF) Grants Manual, and Chapter 15.6 of the Texas Administrative Code, dictates how the CLG Program is administered.

The HPF Grants Manual dictates the minimum requirements states must follow in administering the CLG Program, and Chapter 9 outlines the purpose of statewide CLG Programs:

1. 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. Enrich, develop, and help maintain local historic preservation programs in cooperation and coordination with the SHPO; and
3. Provide financial and technical assistance to further these purposes.

Texas cities and counties that meet the criteria set forth in this document are eligible to apply for certification as a CLG. An American Indian tribe may be certified and participate in the CLG program if the tribe effectively meets the definition of a local government in Section 301(3) of the National Historic Preservation Act.

Communities participating in the CLG Program must follow the requirements set forth in the National Historic Preservation Act of 1966 (16 U.S.C. 470 et.seq.), the National Park Service Historic Preservation Fund Grants Manual, Chapter 15.6 of the Texas Administrative Code, the CLG Certification Agreement, and the policies contained in this handbook.

HELPFUL HINT: HOW TO USE THIS HANDBOOK

The CLG Handbook is intended to address the needs of current CLGs as well as potential CLGs. In the first half of this document, current CLGs will find requirements to stay in compliance with the program. CLGs must be in good standing to qualify for CLG grant opportunities. Communities interested in becoming a CLG will learn more about the benefits of the program and the steps necessary to become a CLG in the second half of this handbook.
EXISTING CLGs

Requirements and Expectations

City of Beaumont, certified in 1986
1. **Adopt and maintain a local historic preservation ordinance that meets the CLG Program standards.**

**Requirements for the Preservation Ordinance**

City CLGs must comply with the following to remain in good standing with the CLG Program. Preservation ordinances must meet the following standards to adequately protect the community’s historic resources and meet the CLG Program standards.

- Clearly define the purpose of the ordinance;
- Establish a board or commission to carry out the business of the ordinance, and explain its duties;
- Appoint a city Historic Preservation Officer (HPO) to administer the ordinance;
- Establish a process for designating individual properties and districts;
- Use criteria based on the National Register of Historic Places for the designation of properties and districts;
- Enable the preservation commission to locally designate properties, or recommend designation to the jurisdiction’s governing body;
- Follow municipal zoning codes, and detail how a designated historic property’s zoning changes after designation;
- Establish provisions for the Certificate of Appropriateness application review for locally designated properties and districts;
- Criteria used to rule on a Certificate of Appropriateness must be based on, and consistent with, the Secretary of the Interior’s Standards for Rehabilitation;
- Define how the local government will enforce the protection of locally designated historic properties;
- Describe the path to appeal a decision made by the preservation commission;
- Address demolition by neglect;
- Require a minimum of a 60-day stay on the demolition of designated historic properties.

All new CLGs must fully meet the requirements for preservation ordinances stated above. Current CLGs certified before 2012 must meet ordinance requirements a-k. Requirements l-m were added in 2012; therefore, some existing CLGs may not meet all requirements. As the city updates or revises its preservation ordinance, the CLG shall be expected to comply with all CLG preservation ordinance requirements.

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**PRESERVATION ORDINANCE:** A preservation ordinance is a local statute which gives a city the ability to protect its historic places through zoning.

**DEMOLITION BY NEGLECT:** Improper maintenance, neglect in the maintenance of, or lack of maintenance of a designated structure or property, which results in deterioration of the structure and threatens the preservation of the structure.
Maintain a designated city official, staff person, or other appropriate representative of the municipal entity to serve as a local Historic Preservation Officer (HPO) for the purpose of administering the local preservation ordinance. The HPO must meet the Secretary of the Interior’s Professional Qualification Standards.

The CLG shall submit the HPO Appointment Form and HPO’s résumé to CLG Program staff each time a new HPO is appointed.

The CLG must make every effort to appoint a HPO who meets the Secretary of the Interior’s Professional Qualification Standards. The CLG Program recommends selecting a HPO who meets the qualification standards under History, Architectural History, Architecture or Historic Architecture. If the city is unable to find a qualified HPO, they must summarize unsuccessful efforts to hire a qualified HPO and explain how the appointed HPO will successfully perform the duties of the position. This summary and explanation shall be submitted as part of the HPO Appointment Form.

Secretary of the Interior’s Professional Qualification Standards
The following requirements are those used by the National Park Service, and have been previously published in the Code of Federal Regulations, 36 CFR Part 61. The qualifications define minimum education and experience required to perform identification, evaluation, registration, and treatment activities. In some cases, additional areas or levels of expertise may be needed, depending on the complexity of the task and the nature of the historic properties involved. In the following definitions, a year of full-time 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 of a year of full-time experience.

HISTORY
The minimum professional qualifications in history are a graduate degree in history or closely related field; or a bachelor’s degree in history or closely related field plus one of the following:

1. At least two years of full-time experience in research, writing, teaching, interpretation, or other demonstrable professional activity with an academic institution, historic organization or agency, museum, or other professional institution; or
2. Substantial contribution through research and publication to the body of scholarly knowledge in the field of history.

ARCHEOLOGY
The minimum professional qualifications in archeology are a graduate degree in archeology, anthropology, or closely related field plus:

1. At least one year of full-time professional experience or equivalent specialized training in archeological research, administration or management;
2. At least four months of supervised field and analytic experience in general North American archeology; and
3. Demonstrated ability to carry research to completion.

HELPFUL HINT: CITY HPO
The city HPO is an individual who oversees the historic preservation program for the city and administers the historic preservation ordinance. Typically, the HPO is appointed by City Council or the City Manager and works with the THC’s CLG Program staff to ensure all CLG Program requirements are being met.
In addition to these minimum qualifications, a professional in prehistoric archeology shall have at least one year of full-time professional experience at a supervisory level in the study of archeological resources of the prehistoric period.

A professional in historic archeology shall have at least one year of full-time professional experience at a supervisory level in the study of archeological resources of the historic period.

ARCHITECTURAL HISTORY
The minimum professional qualifications in architectural history are a graduate degree in architectural history, art history, historic preservation, or closely related field, with coursework in American architectural history, or a bachelor's degree in architectural history, art history, historic preservation or closely related field plus one of the following:
1. At least two years of full-time experience in research, writing, or teaching in American architectural history or restoration architecture with an academic institution, historical organization or agency, museum, or other professional institution; or
2. Substantial contribution through research and publication to the body of scholarly knowledge in the field of American architectural history.

ARCHITECTURE
The minimum professional qualifications in architecture are a professional degree in architecture plus at least two years of full-time experience in architecture; or a state license to practice architecture.

HISTORIC ARCHITECTURE
The minimum professional qualifications in historic architecture are a professional degree in architecture or a state license to practice architecture, plus one of the following:
1. At least one year of graduate study in architectural preservation, American architectural history, preservation planning, or closely related field; or
2. At least one year of full-time professional experience on historic preservation projects.

Such graduate study or experience shall include detailed investigations of historic structures, preparation of historic structures research reports, and preparation of plans and specifications for preservation projects.
Maintain, by the local preservation ordinance, a qualified review commission, board, or committee for historic preservation having specific powers, such as review responsibility pertaining to proposed National Register nominations as well as actions that will affect local historic properties.

Requirements for City Preservation Commissions

Preservation commissions, through the powers and duties assigned to them in the city’s preservation ordinance, should actively seek opportunities to promote preservation and proactively take steps to ensure protection of significant properties. Below are the requirements for city CLG preservation commissions.

a. The preservation commission shall have a minimum of five members;
b. All commission members must be appointed by either the chief elected official or City Council;
c. All commission members must have a demonstrated interest, knowledge, or training in historic preservation;
d. All commission members are required to complete Texas Open Meetings Act training provided by the Texas Attorney General’s Office;
e. All commission members must attempt to remain current concerning historic preservation issues and techniques. At least once a year, one or more commission members must attend a THC-led or THC-approved training;
f. At least 60 percent of the commission membership shall be drawn from the preservation-related professions defined by the National Park Service. These professions include Architecture, History, Architectural History, Planning, Prehistoric and Historic Archaeology, Folklore, Cultural Anthropology, Curation, Conservation, and Landscape Architecture. This requirement may be waived if the local government can provide written documentation to the THC that it has made a reasonable effort to fill those positions;
g. Terms of office of commission members shall be staggered and of at least two years duration. There need not be a limit on the number of consecutive terms served by one member;
h. The local appointing authority shall act within 60 days to fill a vacancy, including expired terms. The THC shall be provided with the résumés and qualifications of new appointments;
i. All meetings of the commission shall be open to the public. Minutes shall be kept of each meeting and shall be available for public inspection. A copy of the minutes of each meeting shall be sent to the THC following approval at the next regularly scheduled meeting;
j. The commission must meet no less than six times a year. All commission meetings shall be properly posted and conducted in accordance with the Texas Open Meetings Act;
k. All responsibilities and duties assigned to local preservation commissions shall be complementary to and carried out in coordination with those assigned to the State in 36 C.F.R. 61.6 (e) Procedures for State, Tribal, and Local Government Historic Preservation Programs.

CERTIFICATE OF APPROPRIATENESS: The certificate issued by the city approving alterations, rehabilitation, construction, reconstruction, or improvement of a locally designated property.

City of Waxahachie, certified in 2003
Enforce the local historic preservation ordinance for the designation and protection of local historic properties.

The preservation commission shall carry out the business of the ordinance. This includes designating local historic landmarks and districts, and reviewing Certificate of Appropriateness applications for demolitions, alterations, modifications, or additions to designated properties.

Adopt the Secretary of the Interior’s Standards for Rehabilitation as the standards by which the preservation commission will review all work applications brought before it under the terms of the local historic preservation ordinance.

The criteria by which the preservation commission reviews Certificate of Appropriateness applications shall be based on the Secretary of the Interior’s Standards for Rehabilitation.

Secretary of the Interior’s Standards for Rehabilitation

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships;
2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided;
3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken;
4. Changes to a property that have acquired historic significance in their own right will be retained and preserved;
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved;
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence;
7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used;

**CLG CASE STUDY: Galveston**

In 2014, every local historic district in Galveston was also listed on the National Register, except the Lost Bayou Historic District. City staff recognized that designation of this district would allow property owners to take advantage of state and federal tax incentives as well as floodplain and building code exemptions during a natural disaster. With the help of a FY15 CLG grant, Galveston hired a consultant to prepare the National Register nomination, and the district was listed in 2017.
8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken;

9. New additions, exterior alterations or related new construction will not destroy historic materials, features and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale, and proportion, and massing to protect the integrity of the property and its environment;

10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

6 Ensure, to the maximum extent possible, public participation in the local historic preservation program, including the process of nominating properties to the National Register of Historic Places.

CLGs shall include the public in the local designation, design review, and National Register nomination process. Successful local preservation programs fully engage the public in preservation efforts beyond public meetings; these activities include educational events, programming for a variety of ages, and sharing information on the city’s website or social media platforms.

HELPFUL HINT: CLG RESOURCES

In addition to the Secretary of the Interior’s Standards for Rehabilitation, CLGs may also find the following resources helpful in conducting design review:

- Secretary of the Interior’s Treatment Standards: https://www.nps.gov/tps/standards.htm
- Secretary of the Interior’s Sustainability Guidelines: https://www.nps.gov/tps/standards/rehabilitation/guidelines/index.htm

REHABILITATION: The act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural, or architectural values.
Maintain a system for the survey and inventory of local historic properties that is coordinated with the statewide cultural-resource-survey-process, with technical assistance provided by the National Register Program of the Texas Historical Commission’s History Programs Division.

Every CLG must maintain a system for the survey and inventory of historic properties that is coordinated with the statewide cultural resources survey process. Inventories shall be updated as changes occur; and surveys shall be updated every 10 years. If the city is unable to update the survey every 10 years, it shall submit a written survey plan to the THC detailing the city’s plan to update the survey within a reasonable and agreed upon timeframe. In addition, CLGs shall continue to document new areas, or expand survey areas, as more resources reach historic age (50 plus years).

An updated survey allows the CLG to prioritize the designation of properties at the federal, state, and local level. Publishing the results of the survey may also raise the community’s awareness of its cultural heritage and increase the public’s preservation ethic.

To ensure that CLGs use a system of survey and inventory in a manner consistent with the Texas Statewide Preservation Plan, CLGs shall follow the requirements for historic resources surveys below.

1. The CLG shall use a system to maintain a survey and inventory of historic properties within its jurisdiction;
2. The CLG shall notify the THC’s Survey Coordinator of its survey efforts;
3. All new surveys shall utilize the THC Historic Resource Survey Form, or a pre-approved, compatible format;
4. All survey and inventory materials shall be accessible to the public;
5. Copies of materials from all survey efforts conducted by the CLG shall be provided to the THC;

The THC recommends that historic resources surveys include the following.

1. Survey Report: includes survey methodology, a historic context, survey results, and survey recommendations. The report should be in conformance with the U.S. Secretary of the Interior’s Guidelines for Identification;
2. Survey Forms: each property located in the survey area should be described using a survey form. Survey forms are often organized in an electronic database. It is recommended the CLG use the THC’s historic resources form, or a compatible alternative;
3. Inventory Table: includes basic information about each resource in the survey area (image, address, historic and current name, historic and current function, construction date, existing designations, National Register of Historic Places eligibility, and priority rating);
4. Photo Documentation: color, digital images of each surveyed resource
5. Detailed Maps: identifying locations of all surveyed resources.

Inventories is an organized list of historic resources that is regularly updated as changes occur. An inventory typically includes a photograph, current and historic name, address and geographic location, property type, date of construction, architect (if known), current and historic use, current historical designations, eligibility and contributing status, and priority level for each resource.

Historic Resources Survey: A systematic method of documenting historic resources through fieldwork and historic research. A survey includes the same information as an Inventory with additional documentation of a written physical description, historical background, photographs, maps, and historical recommendations on a form for each resource. The THC recommends that the survey be updated approximately every 10 years.
Review and comment upon nominations to the National Register of Historic Places for properties within its jurisdiction, and within 60 days of being notified that a nomination has been posted on the THC website (www.thc.texas.gov/sbrmeeting), submit the Preservation Commission's report and the recommendations of the chief elected official of the city to the National Register Program Office as to whether or not the nominated properties meet the criteria of the National Register.

As a participant in the CLG program, the Preservation Commission and the chief elected official are required to coordinate review and separately notify both the THC’s National Register program and CLG program of their opinions in regard to nominations before consideration by the State Board of Review.

The THC will notify the HPO of the CLG when a nomination has been submitted within its jurisdiction at least 60 days prior to the State Board of Review’s consideration. If the HPO position is vacant, due to a period of transition, notification will be sent to the chief elected official. In order to comply with CLG Program requirements, the CLG must complete the following steps.

1. Review the nomination at a meeting of the Preservation Commission and allow the public the opportunity to comment on the nomination during the meeting. During the Commission’s review of the National Register nomination, at least one member of the Commission must meet the Secretary of the Interior’s Professional Qualifications Standards. If no one on the Commission meets the Secretary of the Interior’s Professional Qualifications Standards, or does not meet the standards in the applicable subject relevant to the nomination in question, the CLG shall seek the advice of an expert in the particular field or consult with the THC. The expert must meet the Secretary of the Interior’s Professional Qualifications Standards;

2. After the meeting, the CLG will prepare a report as to whether or not such property meets the criteria of the National Register;

3. Within 60 days of first receiving notification of the nomination, the Preservation Commission and the chief elected official are required to separately notify both the THC’s National Register program and CLG program their opinions in regard to the nominations.

This process does not apply when a federal agency nominates a property under its ownership or control.

HELPFUL HINT: CLG REPORT

In most instances, the CLG’s “report” is a letter addressed to the THC summarizing the Preservation Commission’s review and opinion of the National Register nomination. The letter is typically written by the Chair of the Preservation Commission or the HPO.
Monitor and report to the Texas Historical Commission any actions affecting any county courthouse, Recorded Texas Historic Landmark, State Antiquities Landmark, National Register property, and any locally designated landmark.

The THC maintains lists of state- and national-level historic designations, including National Register properties, Recorded Texas Historic Landmarks (RTHL), and State Antiquities Landmarks (SAL). Both RTHL and SAL designations include some measure of protection under state law. Proposed alterations to, or demolitions of, RTHLs and SALs require coordination with THC project review staff. The CLG shall notify the THC, or refer the property owner to the THC, if a permit is sought for demolition or alterations to a RTHL or SAL. Ultimately, the property owner is responsible for complying with state law; however, CLGs are in a position to help the THC communicate with property owners, leading to better protection of historic resources.

Designation in the National Register alone does not restrict an owner’s ability to alter, move, or demolish his or her property. As the entity responsible for maintaining an updated list of properties listed in the National Register of Historic Places, the THC asks that CLGs notify the THC’s National Register Program of alterations, relocations, or demolitions of properties listed on the National Register within the CLG’s jurisdiction.

Actions affecting locally designated landmarks shall be communicated to the THC through the regular submittal of the Preservation Commission’s meeting minutes. See “Requirements of City Preservation Commissions.”

1. **RECORDED TEXAS HISTORIC LANDMARK (RTHL):** Recorded Texas Historic Landmarks are properties judged to be historically and architecturally significant. The Texas Historical Commission (THC) awards RTHL designation to buildings at least 50 years old that are worthy of preservation for their architectural and historical associations.

2. **STATE ANTIQUITIES LANDMARKS (SAL):** State Antiquities Landmarks are designated by the Texas Historical Commission (THC) and receive legal protection under the Antiquities Code of Texas. This designation can apply to buildings as well as archaeological sites and stipulates that a property cannot be removed, altered, damaged, salvaged, or excavated without a permit from the THC.
Provide appropriate training for the Historic Preservation Officer, city staff, and members of the Preservation Commission.

The Historic Preservation Officer and at least one member of the preservation commission must attend one THC-sponsored or THC-approved training a year. The training shall focus on historic preservation or a topic directly related to the attendee’s roles in the local preservation program.

Submit an Annual Report to CLG Program staff each year that describes the actions of the local preservation commission and other preservation-related activities of the previous fiscal year.

Each year, CLG Program staff will develop an annual report for the CLG to complete by an achievable deadline. One report is used to collect data for both NPS and THC purposes. Typically, reports are sent electronically at the end of the calendar year.
1 Appoint a county official, staff person, or other appropriate representative of the county to serve as a local Historic Preservation Officer (HPO).

The CLG shall submit the HPO Appointment Form and HPO’s résumé each time a new HPO is appointed.

The CLG must make every effort to appoint a HPO who meets the Secretary of the Interior’s Professional Qualification Standards. The CLG Program recommends selecting a HPO who meets the qualification standards under History, Architectural History, Architecture, or Historic Architecture. If the county is unable to find a qualified HPO, they must summarize unsuccessful efforts to hire a qualified HPO and explain how the appointed HPO will successfully perform the duties of the position. This summary and explanation shall be submitted as part of the HPO Appointment Form.

Secretary of the Interior’s Professional Qualification Standards
The following requirements are those used by the National Park Service, and have been previously published in the Code of Federal Regulations, 36 CFR Part 61. The qualifications define minimum education and experience required to perform identification, evaluation, registration, and treatment activities. In some cases, additional areas or levels of expertise may be needed, depending on the complexity of the task and the nature of the historic properties involved. In the following definitions, a year of full-time 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 of a year of full-time experience.

HELPFUL HINT: COUNTY HPO

The county HPO is an individual who oversees the county’s Certified Local Government Committee. Typically, the County HPO is either the Chairperson for the County Historical Commission or the CLG Committee Chair. The HPO is usually appointed by the judge or County Commissioners Court and works with the THC’s CLG Program staff to ensure all CLG Program requirements are being met.
HISTORY
The minimum professional qualifications in history are a graduate degree in history or closely related field; or a bachelor’s degree in history or closely related field plus one of the following:
1. At least two years of full-time experience in research, writing, teaching, interpretation, or other demonstrable professional activity with an academic institution, historic organization or agency, museum, or other professional institution; or
2. Substantial contribution through research and publication to the body of scholarly knowledge in the field of American architectural history.

ARCHAEOLOGY
The minimum professional qualifications in archeology are a graduate degree in archeology, anthropology, or closely related field plus:
1. At least one year of full-time professional experience or equivalent specialized training in archeological research, administration or management;
2. At least four months of supervised field and analytic experience in general North American archeology; and
3. Demonstrated ability to carry research to completion;
4. In addition to these minimum qualifications, a professional in prehistoric archeology shall have at least one year of full-time professional experience at a supervisory level in the study of archeological resources of the prehistoric period. A professional in historic archeology shall have at least one year of full-time professional experience at a supervisory level in the study of archeological resources of the historic period.

ARCHITECTURE
The minimum professional qualifications in architecture are a professional degree in architecture plus at least two years of full-time experience in architecture; or a state license to practice architecture.

HISTORIC ARCHITECTURE
The minimum professional qualifications in historic architecture are a professional degree in architecture or a state license to practice architecture, plus one of the following:
1. At least one year of graduate study in architectural preservation, American architectural history, preservation planning, or closely related field; or
2. At least one year of full-time professional experience on historic preservation projects;
3. Such graduate study or experience shall include detailed investigations of historic structures, preparation of historic structures research reports, and preparation of plans and specifications for preservation projects.
Maintain an adequate and qualified CLG Committee established by the County Historical Commission by-laws.

Requirements for County CLG Committee
The county must establish an adequate and qualified historic preservation committee, also known as a CLG committee. The committee shall be recognized in the County Historical Commission's bylaws.

a. The committee shall consist of a minimum of five members;
b. Committee members shall be appointed to either the County Historical Commission or the CLG Committee by the County Judge or the County Commissioners Court;
c. All committee members shall have a demonstrated interest, knowledge, or training in historic preservation;
d. All committee members are required to complete Texas Open Meetings Act training provided by the Texas Attorney General’s Office;
e. All committee members must attempt to remain current concerning historic preservation issues and techniques. At least once a year, one or more committee members must attend a THC-led or THC-approved training;
f. At least 60 percent of the committee membership shall be drawn from the preservation-related professions defined by the National Park Service. These professions include Architecture, History, Architectural History, Planning, Prehistoric and Historic Archaeology, Folklore, Cultural Anthropology, Curation, Conservation, and Landscape Architecture. This requirement may be waived if the local government can provide written documentation to the THC that it has made a reasonable effort to fill those positions;
g. Terms of office of committee members shall be staggered and of at least two years duration. There need not be a limit on the number of consecutive terms served by one member;
h. The local appointing authority shall act within 60 days to fill a vacancy, including expired terms. The THC shall be provided with the resumes and qualifications of new appointments;
i. All meetings of the committee shall be open to the public. Minutes shall be kept of each meeting and shall be available for public inspection. A copy of the minutes of each meeting shall be sent to the THC following approval at the next regularly scheduled meeting;
j. The committee must meet no less than six times a year. All committee meetings shall be properly posted and conducted in accordance with the Texas Open Meetings Act;
k. All responsibilities and duties assigned to the committee shall be complementary to and carried out in coordination with those assigned to the State in 36 C.F.R. 61.6 (e) Procedures for State, Tribal, and Local Government Historic Preservation Programs.
3 Ensure, to the maximum extent possible, public participation in the local historic preservation program, including the process of nominating properties to the National Register of Historic Places.

Successful local preservation programs fully engage the public in preservation efforts beyond public meetings; these activities include educational events, programming for a variety of ages, and sharing information on the county’s website or social media platforms.

4 Maintain a system for the survey and inventory of local historic properties that is coordinated with the statewide cultural-resource-survey-process, with technical assistance provided by the National Register Program Office of the Texas Historical Commission’s History Programs Division.

Every CLG must maintain a system for the survey and inventory of historic properties that is coordinated with the statewide cultural resources survey process. Inventories shall be updated as changes occur; and surveys shall be updated every 10 years. If the county is unable to update the survey every 10 years, it shall submit a written survey plan to the THC detailing the county’s plan to update the survey within a reasonable and agreed upon timeframe. In addition, CLGs shall continue to document new areas, or expand survey areas, as more resources reach historic age (50 plus years).

An updated survey allows the CLG to prioritize the designation of properties at the federal, state, and local level. Publishing the results of the survey may also raise the community’s awareness of its cultural heritage and increase the public’s preservation ethic.
To ensure that CLGs use a system of survey and inventory in a manner consistent with the Texas Statewide Preservation Plan, CLGs shall follow the requirements for historic resources surveys below.

1. The CLG shall use a system to maintain a survey and inventory of historic properties within its jurisdiction;
2. The CLG shall notify the THC’s Survey Coordinator of its survey efforts;
3. All new surveys shall utilize the THC Historic Resource Survey Form, or a pre-approved, compatible format;
4. All survey and inventory materials shall be accessible to the public;
5. Copies of materials from all survey efforts conducted by the CLG shall be provided to the THC.

The THC recommends that historic resources surveys include the following.

1. Survey Report: includes survey methodology, a historic context, survey results, and survey recommendations. The report should be in conformance with the U.S. Secretary of the Interior’s Guidelines for Identification;
2. Survey Forms: each property located in the survey area should be described using a survey form. Survey forms are often organized in an electronic database. It is recommended the CLG use the THC’s historic resources form, or a compatible alternative;
3. Inventory Table: includes basic information about each resource in the survey area (image, address, historic and current name, historic and current function, construction date, existing designations, National Register of Historic Places eligibility, and priority rating);
4. Photo Documentation: color, digital images of each surveyed resource;
5. Detailed Maps: identifying locations of all surveyed resources.

**Helpful Hint: CLG Report**

In most instances, the CLG’s “report” is a letter addressed to the THC summarizing the CLG Committee’s review and opinion of the National Register nomination. The letter is typically written by the HPO.
at least one member of the Commission must meet the Secretary of the Interior’s Professional Qualifications Standards. If no one on the Commission meets the Secretary of the Interior’s Professional Qualifications Standards, or does not meet the standards in the applicable subject relevant to the nomination in question, the CLG shall seek the advice of an expert in the particular field or consult with the THC. The expert must meet the Secretary of the Interior’s Professional Qualifications Standards;

2. After the meeting, the CLG will prepare a report as to whether or not such property meets the criteria of the National Register;

3. Within sixty days of first receiving notification of the nomination, the Preservation Commission and the chief elected official are required to separately notify both the THC’s National Register program and CLG program their opinions in regard to the nominations.

This process does not apply when a federal agency nominates a property under its ownership or control.

Monitor and report to the Texas Historical Commission any actions affecting any county courthouse, Recorded Texas Historic Landmark, State Antiquities Landmark, or National Register property.

The THC maintains lists of state- and national-level historic designations, including National Register properties, Recorded Texas Historic Landmarks (RTHL), and State Antiquities Landmarks (SAL). Both RTHL and SAL designations include some measure of protection under state law. Proposed alterations to, or demolitions of, RTHLs and SALs require coordination with THC project review staff.

The CLG shall notify the THC, or refer the property owner to the THC, if the CLG becomes aware of plans for demolition or alterations to a RTHL or SAL. Ultimately, the property owner is responsible for complying with state law; however, CLGs are in a position to help the THC communicate with property owners, leading to better protection of historic resources.

- **NATIONAL REGISTER OF HISTORIC PLACES**: The National Register of Historic Places is the official list of the Nation’s historic places worthy of preservation. Authorized by the National Historic Preservation Act of 1966, the National Park Service’s National Register of Historic Places is part of a national program to coordinate and support public and private efforts to identify, evaluate, and protect America’s historic and archeological resources.

- **RECORDED TEXAS HISTORIC LANDMARK (RTHL)**: Recorded Texas Historic Landmarks are properties judged to be historically and architecturally significant. The Texas Historical Commission (THC) awards RTHL designation to buildings at least 50 years old that are worthy of preservation for their architectural and historical associations.

- **STATE ANTIQUITIES LANDMARKS (SAL)**: State Antiquities Landmarks are designated by the Texas Historical Commission (THC) and receive legal protection under the Antiquities Code of Texas. This designation can apply to buildings as well as archaeological sites and stipulates that a property cannot be removed, altered, damaged, salvaged, or excavated without a permit from the THC.
Provide appropriate training for the Historic Preservation Officer, county staff, and members of the CLG Committee.

The Historic Preservation Officer and at least one member of the CLG Committee must attend one THC-sponsored or THC-approved training a year. The training shall focus on historic preservation or a topic directly related to the attendee’s roles in the local preservation program.

Submit an Annual Report to CLG Program staff each year that describes the actions of the CLG Committee and other preservation-related activities of the previous fiscal year.

Each year, CLG Program staff will develop an annual report for the CLG to complete by an achievable deadline. One report is used to collect data for both NPS and THC purposes. Typically, reports are sent electronically at the end of the calendar year.

CLG CASE STUDY: Comal County and Travis County

Regions of Texas are experiencing unprecedented growth, and as more people move to these areas, there’s increased development pressure. In Texas, two CLGs have been working over the past several years to proactively identify historic resources in their communities before it’s too late by taking advantage of annual CLG grants.

Starting with a FY12 CLG grant, Comal County embarked on a county-wide historic resources survey. The entire county, outside of the city limits, was surveyed in three years using annual CLG grant funds. The county has continued to use CLG grants to nominate individual properties and districts to the National Register of Historic Places using the survey data that was collected.

Travis County also began to systematically survey historic resources throughout the county through the assistance of a FY13 CLG grant. The project was broken up into four phases and geographic regions. The surveys are shared with the public through the county’s website, and there are plans to display the information on an online interactive map.

Comal and Travis counties have reaped abundant and diverse benefits from their work to identify and designate historic properties. The counties can now educate new and longtime residents about the history of their communities. Survey and National Register data is immediately available to county planning staff and developers, as well as for projects that trigger Section 106 reviews. The Texas Historical Commission is committed to helping CLGs accomplish these important projects that make a significant impact on preservation in Texas.

Moore’s Crossing Bridge (left) in Travis County, certified in 2004, and Fischer Store (right) in Comal County, certified in 2001.
The THC shall conduct a comprehensive review of each CLG every four years. The purpose of the Four-Year Evaluation is to ensure that each CLG fulfills its responsibilities in accordance with the requirements found in the Texas Administrative Code, CLG Handbook, and the Certification Agreement.

The THC may ask to review the following for the purposes of the Four-Year Evaluation:
1. CLG Annual Reports;
2. Reports and documents pertaining to the fiscal management of CLG Grant funds;
3. Relevant records, including historic resources survey reports, preservation commission or CLG Committee meeting minutes, preservation ordinance, public information and education handouts, letters and other documents regarding the review of National Register nominations, etc.

THC staff may attend a regularly scheduled Preservation Commission or CLG Committee meeting or meet with the HPO to complete the evaluation. Upon completion of the review, THC staff will issue a written report summarizing the findings, including any mandatory improvements and recommendations to the HPO and the CLG’s highest elected official.

If the evaluation determines the CLG is not satisfying the minimum requirements for participating in the CLG Program, THC staff will work with the CLG to establish a timeframe to correct deficiencies. All efforts will be made to assist the CLG in returning to compliance with state and federal regulations. If the CLG is unable to demonstrate substantial compliance, the THC may recommend to the decertification of the CLG to the National Park Service.
The THC may initiate the decertification process at any time upon determining that a CLG is not meeting the minimum requirements as stipulated in the CLG Handbook, Certification Agreement, HPF Grants Manual, and the Texas Administrative Code. If a CLG is not meeting program requirements, THC staff will issue written recommendations and a timeframe for compliance. THC staff will make every effort to assist the CLG in satisfying the minimum requirements. If the CLG is unable to demonstrate compliance with the minimum standards within the allotted time, the THC will initiate decertification.

The CLG will be notified in writing of the THC’s intent to recommend decertification of the CLG to the National Park Service. Following notification, the THC may suspend financial and technical services to the CLG. The CLG shall be notified in writing of the National Park Service decision and the date of the letter serves as the date of decertification.

Following decertification, a CLG will not be eligible for recertification until all previous deficiencies are addressed to the satisfaction of the THC and the National Park Service.

Decertification may also be initiated by the CLG at any time. The THC will recommend decertification to NPS if the CLG submits a written request to the THC. Effective date of decertification will be when NPS concurs with THC’s recommendation in writing.

If a CLG is not meeting program requirements, THC staff will issue written recommendations and a timeframe for compliance.
Section 106 of the National Historic Preservation Act requires federal agencies to take into account the effects that their proposed work might have on historic resources listed, or eligible for listing, in the National Register of Historic Places (NRHP).

Examples of the types of projects subject to Section 106 include work on federally owned or controlled property, such as a military installation; a project receiving federal funds, grants, or loans, in whole or in part, including pass-through funds, such as bridge rehabilitation funded by the Federal Highway Administration; projects requiring a federal permit, license, or approval such as communications infrastructure requiring a permit from the Federal Communications Commission.

Under Section 106, the local government of an area in which the effects of a project may occur is entitled to be a consulting party and THC encourages CLGs to actively participate in the review process. Consulting parties participate in the identification of historic properties and in conversations about the project’s effect on historic properties. CLGs can also help determine appropriate mitigation.

If one or more NRHP-eligible properties are adversely affected by a project, the federal agency responsible for the undertaking, the THC, and any other consulting parties will develop a Memorandum of Agreement that includes specific measures to minimize or mitigate the loss or adverse effect. Mitigation might include documentation or interpretation related to the adversely affected resource. Consulting parties may be involved in suggesting appropriate approaches to address mitigation agreements.

The purpose of the THC’s CLG Program is to empower local communities to better protect historic resources by identifying local priorities, meeting recognized historic preservation standards and providing access to financial and technical services to further the identification, evaluation, designation and protection of buildings, sites, districts, structures, and objects.

Once certified, CLGs are considered leaders in preservation. As such, CLGs are uniquely positioned to participate in the designation process for the National Register of Historic Places. CLGs are also called on to participate in the Section 106 review process and provide feedback during the establishment of state historic preservation goals and objectives.

Section 106 assigns state-level review authority to the State Historic Preservation Office, in Texas, the THC. Under the Historic Preservation Act, the THC may delegate its review authority; however, this is very rare. Typically, the THC will work with the CLG throughout the Section 106 process.

HELPFUL HINT: SECTION 106 REVIEW PROCESS

For more information on the Section 106 Review Process, see the THC’s website. www.thc.texas.gov/project-review/national-historic-preservation-act/section-106-review-process

City of San Marcos, certified in 1990
In 1941, the DeLuxe Theater opened in the Fifth Ward as the first African American movie house in Houston. The Streamline Moderne theater operated for 28 years as one of the few venues open to black residents during segregation until closing in 1969. It re-opened in 1971 to house the DeLuxe Show, one of the first interracial exhibitions of contemporary artists under sponsorship of the Menil Foundation and continued to host exhibits through 1973. Despite hopes of continuing to use the theater as an arts venue, the structure sat vacant and abandoned for 40 years until the City of Houston acquired it in 2009. The DeLuxe Theater was determined eligible for the National Register of Historic Places in 2008.

In 2008, the City of Houston and Fifth Ward residents decided to build a cultural and arts center on the DeLuxe Theater site to spark development and serve the Fifth Ward community and surrounding neighborhoods. The city planned to purchase the DeLuxe Theater using Community Development Block Grant (CDBG) funds from the Department of House and Urban Development (HUD) and considered demolition or rehabilitation.

Section 106 of the National Historic Preservation Act requires federal agencies to take into account the effects of projects they carry out, fund, or permit on historic properties prior to making final decisions on projects. The law creating the CDBG Program delegates that responsibility to HUD’s grantees, so the City of Houston undertook compliance with Section 106.

Through evaluation and consultation with the THC, the city decided to rehabilitate the DeLuxe Theater and an adjoining storefront. After years of neglect, all that was left of the theater was a shell, but the vision was to maintain the characteristic of the theater including the concrete surfaces, rounded corners, semicircular bays, metal windows, and other Art Deco design details. Completed in 2015, the re-created 8,000 square foot theater is back to its original 1940s Art Deco exterior, with a new marquee, rebuilt structure, and renovations. The $5.7 million project was a collaborative effort between the City of Houston, Texas Southern University, and the Fifth Ward Community Redevelopment Corporation.
FUTURE CLGs

Benefits & Application Process
Benefits of Becoming a CLG

CLGs continuously strive to meet high standards in preservation by pursuing the following:

1. Identifying and designating historic assets within the community;
2. Integrating historic preservation tools and solutions into the local planning and decision-making process;
3. Engendering pride in the history of the community and an understanding of how local events shape the course of Texas history through local education and outreach efforts;
4. Adopting incentives to encourage proper maintenance and rehabilitation of the historic assets.

In order to help CLGs meet high standards in local preservation, the CLG Program provides access to training opportunities, technical assistance, matching grants for preservation projects, and a network of preservation professionals from other CLG communities.

Training
The CLG Program provides a range of training opportunities to participating cities and counties. CLG Program staff lead trainings for Historic Preservation Officers, Preservation Commissioners, city or county staff, and elected officials upon the community’s request. The CLG Program also organizes periodic regional trainings, hosts online webinars, and shares information on upcoming preservation-related trainings.

Technical Assistance
The THC’s CLG Program staff is always available to help participating CLGs with preservation-related challenges. This may include the review of a preservation ordinance, help with developing an education or outreach program to enhance the local preservation ethic, or working with the preservation commission to set meaningful and achievable goals.

CLG CASE STUDY:
Paris

The J.J. Culbertson fountain stands in the center of Town Plaza in downtown Paris, Texas. Town Plaza is a gathering place for residents and tourists of Paris, and community gatherings and events are frequently held in the parklike setting. The original floor of the fountain was replaced in the 1980s; however, the tiles had begun to pop out of place and posed a serious tripping hazard. Exposure to the elements had also led to the deterioration of the water lines within the fountain so that it no longer pumped water as originally designed. Recognizing the need to restore the fountain as a symbol of the community, the City of Paris applied for and received a FY14 CLG grant. The funds were used to appropriately replace the 1980s tilework and restore the water lines allowing the fountain to once again function properly. This project represents the city’s commitment to the revitalization of downtown and can now be used as an example of proper maintenance and repair.

J.J. Culbertson fountain, Paris
Matching Grants
Participating communities in good standing with the CLG Program are eligible to receive funding through the CLG grant program. This matching grant is available each year for projects that provide a lasting impact on preservation in the community. Typical projects include historic resources surveys, National Register nominations, development of preservation plans or design guidelines, education and outreach projects, and rehabilitation work on properties listed in the National Register.

The National Historic Preservation Act of 1966, as amended, provides that at least 10 percent of the THC’s annual Historic Preservation Fund allocation be distributed as subgrants exclusively among CLGs. All Texas CLGs in good standing with the CLG Program are eligible to apply for CLG funds but not all will receive funding.

Available CLG funds shall be granted on an annual basis through a competitive process as outlined in the CLG Grants Manual and Application. The THC may choose to score specific types of projects higher based upon agency goals and objectives.

CLG Grants can be utilized to fund a variety of projects; however, projects which further the goals of identification, evaluation, nomination, and protection of the community’s historic resources and are complementary to the statewide comprehensive preservation plan are prioritized for funding. Allowable and unallowable grant activities are outlined in the

STATEWIDE PRESERVATION PLAN:
Every 10 years the Texas Historical Commission, in collaboration with its partners, develops a Statewide Historic Preservation Plan for Texas. The plan is an opportunity to lay a pathway for Texans to preserve, protect, and leverage our historic and cultural fabric for the betterment of our communities statewide.

CLG CASE STUDY: Longview

The City of Longview became a CLG in 2014. One year later, the city received a FY15 CLG grant for $20,000 to update the city’s Historic Resource Survey. There had not been an update since the survey was first completed in 1986! A consultant was hired to complete a survey of the downtown core as well as a survey plan identifying and prioritizing later survey efforts. The project took about six months to complete, and included an intensive level survey of approximately 400 properties. The city now has color photographs, and the update corrected incorrect information in the 1986 survey. The survey has allowed the local preservation program to function more efficiently and be more proactive about design review, designation, and preventing demolition.
Application and Steps to Become Certified for Cities

A complete CLG application includes the following:

a. “Request for Certified Local Government Status” form;

b. A copy of the city’s preservation ordinance, including any and all amendments to the same;

c. A listing of individual properties and/or districts designated under the city historic preservation ordinance, including addresses, and statements of significance for each landmark or district;

d. A list, with appropriate location maps, of Recorded Texas Historic Landmarks, State Antiquities Landmarks, and any individual properties and/or districts identified and/or listed in the National Register of Historic Places with statements of significance for each property or district;

e. Resumes of the designated historic preservation officer and members of the historic preservation commission, indicating their qualifications, credentials, or expertise in fields related to historic preservation;

f. A copy of the local preservation plan, if available, or a statement of goals and objectives for the preservation program; and,

g. A completed “Historic Preservation Officer Appointment” form.

If the application meets all CLG Program requirements, the THC will ask the mayor to sign the CLG Certification Agreement. Once the Certification Agreement is signed, the application is considered complete, and a copy will be submitted to the National Park Service with the THC’s recommendation.

The local government will officially become certified once the National Park Service approves the application in writing.

HELPFUL HINT: CLG PROGRAM STAFF

Interested local governments are encouraged to contact the CLG Program Coordinator early in the process. Staff can review preservation ordinances for compliance with the program requirements.

CLG CASE STUDY: Tyler

In 2015, the City of Tyler applied for a FY16 CLG grant to hire a consultant to develop a Preservation Plan for the city. The plan identified the preservation program’s strengths and weaknesses and set realistic and achievable goals to help the program overcome challenges and get to the next level of preservation success. The plan was completed and adopted by City Council in 2017 and the city’s planning department continues to implement the strategies identified in the plan such as pursuing training for city staff, preservation commission members, and the public.
A complete CLG application includes the following:

a. A signed “Request for Certified Local Government Status” form;

b. A copy of by-laws adopted by an appointed County Historical Commission;

c. A list, with appropriate location maps, of Recorded Texas Historic Landmarks, State Antiquities Landmarks, and any individual properties and/or districts identified and/or listed in the National Register of Historic Places with statements of significance for each property or district;

d. Resumes of the designated historic preservation officer and members of the historic preservation committee, indicating their qualifications, credentials, or expertise in fields related to historic preservation;

e. A copy of the local preservation plan, if available, or a statement of goals and objectives for the preservation program; and,

f. A completed “Historic Preservation Officer Appointment” form.

If the application meets all CLG Program requirements, the THC will ask the County judge to sign the CLG Certification Agreement. Once the Certification Agreement is signed, the application is considered complete, and a copy will be submitted to the National Park Service with the THC’s recommendation.

The local government will officially become certified once the National Park Service approves that application in writing.

HELPFUL HINT: CLG PROGRAM STAFF

Interested local governments are encouraged to contact the CLG Program Coordinator early in the process.

CLG CASE STUDY: Gonzales County

In coordination with the CLG Program, Gonzales County hosted a regional workshop in August 2018. The training was led by Texas A&M professor, Dr. Andrea Roberts and focused on outreach methods to build an effective and more diverse CLG organization. Over 35 Historic Preservation Officers, county CLG committee members, and city preservation commissioners from around the state gathered to learn about the importance of recognizing personal and organizational biases and working toward recruiting and retaining members and leaders of the community to serve on preservation committees and commissions so all histories are identified and documented. Dr. Roberts connected this lesson to her own research of Texas Freedom Colonies and the successes that result in telling more inclusive histories. The CLG Program is committed to offering regional trainings and creating places for participating CLGs to learn, share, and network.
Contact Information and Helpful Links

Texas Historical Commission
Texas Historical Commission
P.O. Box 12276
Austin, TX 78711-2276
512.463.6100
www.thc.texas.gov

Certified Local Government (CLG) Program Staff
Kelly Little
CLG State Coordinator
512.463.7812
kelly.little@thc.texas.gov

Helpful Links
Certified Local Government Program

Cemetary Preservation Program
http://www.thc.texas.gov/preserve/projects-and-programs/cemetary-preservation

County Historical Commission Outreach Program

Historic Resources Survey Program
http://www.thc.texas.gov/preserve/projects-and-programs/historic-resources-survey

How THC Reviews Projects
http://www.thc.texas.gov/project-review/how-thc-reviews-projects

National Register of Historic Places Program

State Historical Markers Program
http://www.thc.texas.gov/preserve/projects-and-programs/state-historical-markers