



**DEPARTMENT OF  
ADMINISTRATION**  
STATE HISTORIC PRESERVATION OFFICE

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**MINNESOTA CERTIFIED LOCAL GOVERNMENT  
PROCEDURES MANUAL**

October 2020

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State Historic Preservation Office  
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## Introduction

Since its initial enactment in 1966 and through several amendments, the National Historic Preservation Act, as amended (16 U.S.C. 470 et seq.), has provided the statutory framework for the national historic preservation partnership. Federal, State, Tribal and local governments have well-defined and significant roles in the identification, evaluation, designation and protection of historic and prehistoric properties. The State Historic Preservation Office (SHPO) develops and administers a comprehensive preservation program which in Minnesota, is housed at the Minnesota Historical Society.

The success of the federal-state relationship prompted Congress to expand the partnership to include local governments in 1980. Local units of government were given the opportunity to participate in the national preservation program by becoming a Certified Local Government (CLG). The role of CLGs in the partnership includes the responsibilities of administering local preservation ordinances, maintaining systems for survey of historic resources, and participating in the National Register of Historic Places program. In order to become certified, a local government must meet several requirements, chief of which are to have enacted an historic preservation ordinance and appointed a qualified Heritage Preservation Commission (HPC). The federal act directs the State Historic Preservation Officer (SHPO) and the Secretary of the Interior to certify local governments to participate in the partnership.

The Certified Local Government program is the primary way through which qualified and interested local governments participate in the national historic preservation partnership. This handbook describes how the CLG program operates in Minnesota.

## I. Purpose of The CLG Program

The CLG program seeks to encourage and expand local involvement in preservation issues through a partnership between the CLG and the SHPO. To strengthen existing local preservation programs and to promote the development of new ones, CLGs are eligible to apply annually for grants administered by the SHPO from a designated federal CLG pass-through allocation (see Section VI. Process for Allocating CLG Grant Pass-Through Funds to CLGs). CLGs assume a leadership role by identifying, evaluating and protecting historic resources within their communities; receiving technical advisory services from the SHPO; and having a formal role in the National Register process.

CLGs can choose to assume other responsibilities such as participating in the review of federal projects, reviewing state tax credit projects and administering covenants.

The primary goal of participating in the CLG program is to strengthen the historic preservation program at the local level. The CLG program ensures that historic preservation issues are understood and addressed at the local level and are integrated into the local planning and decision-making process at the earliest possible opportunity. Historic preservation should be considered equally with other planning issues in a CLG and not be viewed as superfluous to decision-making. CLG status can bring pride and official recognition to a community that is committed to historic preservation.

## II. Eligibility

Any general-purpose subdivision of the state, such as a city, town or county, which meets the criteria set forth in this document is eligible to apply for certification.

## III. Requirements for Certification of Local Governments

Five broad federal standards, all of which must be met by a local government seeking certification, are amplified by the specific Minnesota CLG requirements.

**A. The local government must enforce appropriate state or local legislation for the designation and protection of historic properties.**

1. The local government must adopt a municipal heritage preservation ordinance under the provisions of Minnesota Statutes 471.193 (Appendix B). The purpose of the ordinance must be clearly stated and be in conformance with definitions set forth in Section 101 (c) (4) of the National Historic Preservation Act, as amended, and 36 CFR 61.6. For the purpose of the CLG program, the Act defines:

“Designation” as “the identification and registration of properties for protection that meet criteria established by the State or the locality for significant historic and prehistoric resources within the jurisdiction of a local government.” Designation includes the identification and registration of resources according to State or local criteria which must be consistent with the Secretary of the Interior’s Standards for Identification and Registration.

“Protection” as “a local review process under State or local law for proposed demolition of, changes to, or other action that may affect historic properties designated pursuant to” a local government becoming a Certified Local Government. The CLG’s local protection review process of the Act applies only to properties designated pursuant to State or local laws and procedures. This would not include properties listed on or determined eligible for the National Register of Historic Places unless such properties also were designated under the appropriate local process.

2. The ordinance must contain a clearly defined process for the survey, designation and protection of individual properties and/or districts of historic, architectural or archaeological significance. Both the criteria for determining significant properties and the procedure for designating those properties must be defined, either within the ordinance or in other procedures adopted by the local government. The process shall include forwarding all proposed designations to the Minnesota SHPO for comment before final local designation is made, pursuant to Minnesota Statutes 471.193 Subd. 6. Properties shall not be removed from designated status except in cases where there has been a procedural or professional error in the designation process or where the property has been destroyed or radically altered. The process for local designation must provide for public comment.

3. The ordinance must contain a clearly defined process for the review of all proposed alterations, relocations, demolition, or new construction within the boundaries of locally designated properties and/or districts. Both the criteria to be utilized in the evaluation of proposed actions and the procedure for reviewing those actions must be clearly stated, either within the ordinance or in other procedures adopted by the local government. The Secretary of the Interior's Standards for Treatment of Historic Properties should be utilized in developing the review criteria (Appendix C). The process of permit review must provide for public comment.
4. The HPC must adhere to Minnesota Statutes 138.17 and the procedures of the State Archives Department, Minnesota Historical Society, regarding commission records.
5. Local governments should consult 36 CFR 67.8 to ensure that local ordinances meet the certification criteria pursuant to the Economic Recovery Tax Act of 1981 and the Tax Reform Act of 1976. Note that certification of a local government under the CLG procedures does not constitute certification of a commission under the preservation tax incentives process.

**B. The local government must establish an adequate and qualified heritage preservation commission by State or local legislation.**

1. The local government shall create a heritage preservation commission (HPC) to carry out the provisions of the ordinance.
2. All commission members must have a demonstrated interest, competence or knowledge in historic preservation. If available in the community, at least two members of the HPC shall be drawn from professionals in architecture, history, architectural history, planning, prehistoric and historic archaeology, folklore, cultural anthropology, curation, conservation, and landscape architecture or related disciplines. Other related professions might include the building trades, real estate or law. For the purposes of commission membership as described in this section, the professional standards stipulated in Appendix A need not be met. One member of the HPC must be a designated representative of the county historical society in which the commission is located, if available, pursuant to the Minnesota Statutes, 471.193 Subd. 5.

*who is  
the Ramsey  
Rep*

Specific disciplines and professional qualifications must be represented on the commission (or professional expertise must be sought) when considering National Register nominations (see III.B.4.) and other actions that will impact properties which are normally evaluated by a professional in such a discipline.

Regarding conflicts of interest, it is federal policy that no person shall participate in the selection, award, or administration of any HPF-assisted program activity, subgrant, contract, or subcontract if a conflict of interest, real or apparent, exists. By definition, "person" includes CLG commission members, agents, or staff. Commissions are encouraged to adopt procedures for a conflict of interest situation. The SHPO can provide examples of the conflict of interest statements used by its boards and committees.

3. The HPC shall meet as often as is necessary to complete the workload in a timely fashion.
4. The HPC's responsibilities regarding local designation of properties and building permit review are mentioned in III.A.2. and III.A.3. above. Federal law prescribes that the commission participate in the National Register nomination process as follows:
  - a. Before a property within the jurisdiction of the Certified Local Government may be considered by the State to be nominated to the Keeper of the National Register for inclusion on the National Register, the SHPO shall notify the owner, the applicable chief local elected official, and the local HPC. The HPC, after reasonable opportunity for public comment, shall prepare a report as to whether or not such property, in its opinion, meets the criteria of the National Register. Within sixty days of notice from the SHPO, the chief local elected official shall transmit the report of the commission and his/her recommendation to the SHPO. Except as provided below, after receipt of such report and recommendation, or if no such report and recommendation are received within 60 days, the State shall make the nomination pursuant to established procedures. The state may expedite such process with the concurrence of the Certified Local Government.

If the HPC chooses to initiate the nomination of a property to the National Register and submits that nomination to the SHPO, the HPC may include the comments of the chief local elected official and the HPC with the initial submittal to the SHPO, along with a request that the 60 day comment period for CLGs be waived. In such cases, the SHPO will give the standard required 30 day notice to both the property owners (s) and the local government of the State Review Board meeting. The required 60 day CLG review period may thus be waived.

- b. If both the commission and the chief local elected official recommend that property not be nominated to the National Register, the SHPO shall take no further action, unless within thirty days of the receipt of such recommendation by the SHPO an appeal is filed with the State. If such an appeal is filed, the State shall follow the procedures for making nomination pursuant to established procedures. Any report and recommendations made under this section shall be included with any nomination submitted by the State to the Keeper of the National Register.

c. All nominations, when sent by the SHPO to the CLG for comment, will be classified as primarily historic, archaeological, and/or architectural in nature. If an HPC does not have professional expertise in accordance with the necessary federal qualifications in the appropriate area(s)<sup>1</sup> (see Appendix A), the HPC can 1) choose not to comment on that nomination through the CLG review process (in which case it should advise the SHPO of that choice), or 2) obtain the opinion(s) of a qualified professional or qualified professionals in the subject area and consider the opinion(s) in their recommendation. Under 2), both the credentials and the opinion(s) of the consulted professional(s) should be submitted to the SHPO with the CLG recommendation. Even if the HPC chooses not to comment under the CLG process outlined above (e.g., when professional expertise is not available), comments on a nomination may be submitted to the SHPO in as much as any interested party may submit comments. The provisions of 3.b. above, however, would not apply in such cases. The SHPO can provide assistance in locating qualified professionals.

5. Federal guidelines also require that the unit of government and the HPC possess certain financial qualifications in order to receive federal pass-through funds. These will be explained in Section VI.
6. The functions of the HPC must be complimentary to and carried out in coordination with the responsibilities of the SHPO as defined in 36 CFR 61.
7. The SHPO shall make available to HPCs orientation materials and training workshops designed to provide a working knowledge of the roles and operations of federal, state and local preservation programs and historic preservation in general.

**C. The local government must maintain a system for the survey and inventory of historic properties.**

The local government must maintain an ongoing process to survey and inventory all buildings, structures, sites and districts within the local jurisdiction. This survey information must be clearly organized and accessible to the public (excluding restrictions on locations of archaeological sites). The SHPO should be consulted in the initial development of such a system, and the inventory forms of the SHPO should be used or, alternatively, local inventory forms should be approved by the SHPO. The local inventory should clearly indicate those properties that have been designated locally as well as those

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<sup>1</sup> For an architectural nomination, the commission must have a member who qualifies under the federal architectural history or historic architecture standards. For a history nomination, the commission must have a member who qualifies under the federal history standards. For an archaeological nomination, the commission must have a member who qualifies under the federal archaeology standards. If a nomination is classified in more than one area, the commission must have expertise in all appropriate areas in order to comment through the CLG comment process.

listed in the National Register of Historic Places. All surveys should be conducted according to the 2017 Historic and Architectural Survey Manual or the 2005 Archaeology Survey Manual.

1. The local government must submit a copy of the local inventory form for each locally designated property and district to the SHPO.
2. The local government must advise the SHPO on the status of the local inventory on an annual basis (see E.2.e).
3. The local survey information submitted to the SHPO will be integrated into the statewide inventory. The SHPO may request additional survey and inventory data from the local government as part of the development of the state's comprehensive planning process.

**D. The local government shall provide for adequate public participation in local historic preservation programs, including the process of recommending properties for nomination to the National Register.**

1. All meetings of the commission shall adhere to the Minnesota Open Meeting Law (Minnesota Statutes 471.705).
2. All National Register nominations on which the commission chooses to comment (as outlined under III.B.4. above) must be considered at an open meeting of the commission, with opportunity for public comment.
3. Both the local designation process and the building permit review process (see III.A.2. and III.A.3.) must contain a provision for public comment on proposed actions.
4. Minutes of all commission decisions and actions, including the reasons for making those decisions, must be kept on file and available for public inspection.

**E. The local government shall satisfactorily perform the responsibilities listed in points A-D above and those specifically delegated to it under the Act by the Minnesota SHPO.**

1. The local government will demonstrate performance of the responsibilities listed in points A-D in an annual report to be submitted to the SHPO by October 30 for each preceding year (October 1 - September 30).
2. This report must demonstrate an active commitment of the HPC to an effective community preservation program. It should contain, at minimum, the following information:
  - a. Number, names, and dates of local designations made during the year. (Inventory forms on these sites should have been submitted to the SHPO during the year as part of the local designation process - see III.A.2.).
  - b. Number of building permits reviewed during the year, and a summary of findings of the HPC on those reviewed.

c. Listing of members and officers of the HPC including preferred mailing address, phone number and e-mail address, resumes for any new members, and an indication of the commissioner who represents the county historical society.

*Reporting*

d. Listing of 1) National Register nominations on which the HPC has commented, and 2) National Register nominations submitted to the State Historic Preservation Office for nomination, during the year.

e. A summary of available inventory information currently included in the local inventory. This might be done with a simple listing of inventoried property addresses. Maps and other material may also be useful. The location of the inventory records should also be indicated.

f. Assurances that the HPC has adhered to 1) the public participation provisions as stipulated under Section III.D. and 2) the procedures of the State Archives Department, Minnesota Historical Society, regarding commission records.

g. Descriptions of other activities, publications or events undertaken by the HPC during the previous year and planned by the HPC for the coming year.

3. The performance standards for the items listed in III.E.2., above, will be as follows:

*1 designation annually*

a. The HPC must demonstrate an ongoing process of local designation with a minimum of one designation a year. (In situations where this may not be possible, as in very small cities where the entire area of jurisdiction is designated, the city should explain the reasons for a lack of action.)

b. The HPC must show that all permits related to designated properties are being reviewed; according to the procedure set forth in the ordinance.

c. The requirements of Section III.B.2 must be met.

d. (No minimum.)

e. The inventory should be shown to be clearly organized and accessible to the public.

f. (No minimum.)

g. (No minimum.)

4. At least one member of the HPC must attend SHPO-sponsored training each year. (If attendance at a statewide workshop or conference is not possible, the SHPO should be consulted for an alternate means of meeting this training requirement.) Technical and other information for commissions is available from the SHPO.

*1 person trained @ state annually*

## IV. Process for Certification of Local Governments

**A. The chief elected official of the local government shall request certification from the Minnesota SHPO. The request for certification shall include the following:**

1. A copy of the local historic preservation ordinance.
2. Copies of local inventory forms for all sites and districts locally designated, and a summary of available inventory information on properties not locally designated (property addresses, maps, etc.).
3. Resumes for each of the members of the historic preservation commission. These resumes must clearly show that all members have a demonstrated interest, competence or knowledge in historic preservation, and that at least two members are preservation-related professionals (see III.B.2.). (If these professionals are unavailable, an explanation should be attached.) The resumes should also indicate expertise in the areas of architectural history, archaeology, and history, for the purpose of establishing expertise to review National Register nominations (see III.B.3.c.)

**B. SHPO and National Park Service Review**

The SHPO will respond to the chief elected official within 60 working days of the receipt of an adequately documented written request. If the local government meets the criteria for certification, the SHPO will prepare a written certification agreement that lists the specific responsibilities of the local government when certified and forward that agreement to the local government for signature (see Appendix D for model agreement). When the signed agreement is returned to the SHPO the request and agreement will then be forwarded to the National Park Service for review with a request for concurrence. If the NPS does not take exception to the request within 15 working days of receipt, the local government shall be regarded as Certified. A Certification Agreement is not effective until it is signed by the chief elected official and the SHPO, and concurred with in writing by NPS. The effective date of certification is the date of NPS concurrence. When NPS concurs with the SHPO recommendation for certification, NPS will notify the SHPO in writing, and send a copy of that letter to the CLG.

## V. Process for Monitoring and Decertifying CLGs

- A. The SHPO will review the annual reports submitted by certified local governments, records of the administration of funds allocated from the Historic Preservation Fund, and other documents as necessary, to assure that each government is fulfilling the required standards. Other review and monitoring may be conducted as necessary.
- B. If the SHPO evaluation indicates that the performance of a CLG is inadequate, the SHPO shall document that assessment and delineate for the local government ways to improve performance. The CLG shall

have a period of not less than 30, nor more than 180 days to implement improvements. If the SHPO determines that sufficient improvement has not occurred, the SHPO will recommend decertification of the local government to the Secretary of the Interior citing specific reasons for the recommendation.

- C. If the local government is decertified, the SHPO will conduct financial assistance closeout procedures as specified in the HPF Grants Manual.

## VI. Process for Allocating CLG Grant Pass-Through Funds to CLGs

The Minnesota SHPO administers the CLG Grant program and produces and distributes a CLG Grants manual each year that describes the application process, matching requirements and priorities for the given year. Under this program, in accordance with the Department of the Interior requirements for the Historic Preservation Fund programs, at least ten (10) percent of Minnesota's annual HPF appropriation is designated as pass-through funding to Certified Local Governments (CLGs) each year. This pass-through grant program has assisted CLGs across the state of Minnesota build and strengthen their local preservation programs.

The CLG Grants Manual includes information on General Grant Conditions, Eligible Program Activities and Priorities for Projects, the Application Process, Instructions for Completing Application Forms, and Project Administration and Reporting. Application Forms, a sample CLG Grant Agreement and sample Project Description (Attachment A), a CLG Request for Reimbursement Form, Supplemental Information on Allowable Costs, and forms for fiscal documentation are also included. Because federal funds are used for CLG grants, numerous federal regulations apply. Federal regulations will be enforced, and failure on the part of a CLG to meet them will result in the cancellation of a grant project. All work accomplished under these grants must meet the Secretary of the Interior's Standards for Archaeology and Historic Preservation.

Providing matching funds may be an annual prerequisite and is one of the selection criterion for CLG grants. Applicants are encouraged to provide a match that exceeds the minimum requirement. Matching funds may be cash, in-kind and/or donated services or materials contributed to the project or a combination of the three.

There are six areas of eligible program activity for CLG grants: (A) Comprehensive Planning; (B) Survey; (C) Evaluation; (D) Local Designation Forms; (E) National Register Nomination Forms; and (F) Public Education. The CLG Grants Manual provides guidance and examples for each category. Projects receive special priority are those that: reflect the goals and strategies in the statewide preservation plan; promote sound preservation planning through historic context development and the completion of historic and archaeological surveys; result in local designations; and involve properties associated with the history of heretofore under-documented groups or communities (ethnic or racial minorities for example, but also other groups defining themselves as communities).

Projects will be evaluated on the following criteria (total points available 100):

1. How well the applicant addresses questions for each category in the CLG Grants Manual (0-25 points);
2. How well the annual priorities and criteria outlined in the CLG Grants Manual are addressed and how well the project is related to the state preservation plan (0-15 points);

CLG  
Grants  
Manual

3. Clearly stated measurable goals that can be realistically attained within the funding period (0 to 15 points);
4. Demonstrated community support and leveraged funds (0 to 15 points);
5. Products and past performance of previously administered CLG grants (0 to 15 points);
6. Quality and practicality of the budget (0 to 15 points).

The CLG Grants Manual is available electronically at: <https://mn.gov/admin/shpo/preservation/clg/> or by contacting the Minnesota SHPO, 203 Administration Building, 50 Sherburne Avenue St. Paul, MN 55155; telephone (651) 201-3287.

## **APPENDIX A: Professional Qualifications 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 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.

### **Archaeology**

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

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

In addition to these minimum qualifications, a professional in prehistoric archaeology shall have at least one year of full-time professional experience at a supervisory level in the study of archaeological resources of the prehistoric period. A professional in historic archaeology shall have at least one year of full-time professional experience at a supervisory level in the study of archaeological 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 course work 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, 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.

### **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 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.

## APPENDIX B: State Enabling Legislation for Heritage Preservation Commissions (from 2001 Minnesota Statutes)

### 471.193 MUNICIPAL HERITAGE PRESERVATION.

Subdivision 1. Policy. The legislature finds that the historical, architectural, archaeological, engineering, and cultural heritage of this state is among its most important assets. Therefore, the purpose of this section is to authorize local governing bodies to engage in a comprehensive program of historic preservation, and to promote the use and conservation of historic properties for the education, inspiration, pleasure, and enrichment of the citizens of this state.

Subd. 2. Heritage preservation commissions. The governing body of a statutory or home rule charter city, county, or town as described in section 368.01, subdivisions 1 and 1a may establish a heritage preservation commission to preserve and promote its historic resources according to this section:

Subd. 3. Powers. The powers and duties of any commission established pursuant to this section may include any power possessed by the political subdivision creating the commission, but shall be those delegated or assigned by the ordinance establishing the commission. These powers may include:

- (1) the survey and designation of districts, sites, buildings, structures, and objects that are of historical, architectural, archaeological, engineering, or cultural significance;
- (2) the enactment of rules governing construction, alteration, demolition, and use including the review of building permits, and the adoption of other measures appropriate for the preservation, protection, and perpetuation of designated properties and areas;
- (3) the acquisition by purchase, gift or bequest, of a fee or lesser interest, including preservation restrictions, in designated properties and adjacent or associated lands which are important for the preservation and use of the designated properties;
- (4) requests to the political subdivision to use its power to eminent domain to maintain or preserve designated properties and adjacent or associated lands;
- (5) the sale or lease of air rights;
- (6) the granting of use variations to a zoning ordinance;
- (7) participating in the conduct of land use, urban renewal, and other planning processes undertaken by the political subdivision creating the commission; and
- (8) the removal of blighting influences, including signs, unsightly structures, and debris, incompatible with the physical well-being of designated properties or areas. No power shall be exercised by a commission which is contrary to state law or denied a political subdivision by its charter or by law.

Powers of a commission shall be exercised only in the manner prescribed by an ordinance and no action of an ordinance unless expressly authorized by the ordinance.

Subd. 4. Exclusion. If a commission is established by the city of St. Paul, it shall for the purpose of this section exclude any jurisdiction over the capitol area as defined in section 15.50, subdivision 2.

Subd. 5. Commission members. Commission members must be persons with demonstrated interest and expertise in historic preservation and must reside within the political subdivision regulated by the ordinance establishing the commission. Every commission shall include, if available, a member of a county historical society of a county in which the municipality is located.

Subd. 6. Communication with the state historic preservation officer. Proposed site designations and design guidelines must be sent to the state historic preservation officer, who shall review and comment on the proposal within 60 days. By October 31 of each year, each commission shall submit an annual report to the state historic preservation officer. The report must summarize the commission's activities, including designations, reviews, and other activities during the previous 12 months.

## **APPENDIX C: Secretary of the Interior's Standards for Treatment of Historic Properties**

Preservation is defined as the act or process of applying measures necessary to sustain the existing form, integrity, and materials of an historic property. Work, including preliminary measures to protect and stabilize the property, generally focuses upon the ongoing maintenance and repair of historic materials and features rather than extensive replacement and new construction. New exterior additions are not within the scope of this treatment; however, the limited and sensitive upgrading of mechanical, electrical, and plumbing systems and other code-required work to make properties functional is appropriate within a preservation project.

1. A property will be used as it was historically or be given a new use that maximizes the retention of distinctive materials, features, spaces and spatial relationships. Where a treatment and use have not been identified, a property will be protected and, if necessary, stabilized until additional work may be undertaken.
2. The historic character of a property will be retained and preserved. The replacement of intact or repairable historic 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. Work needed to stabilize, consolidate, and conserve existing historic materials and features will be physically and visually compatible, identifiable upon close inspection, and properly documented for future research.
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. The existing condition of historic features will be evaluated to determine the appropriate level of intervention needed. Where the severity of deterioration requires repair or limited replacement of a distinctive feature, the new material will match the old in composition, design, color, and texture.
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.
8. Archaeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.

# APPENDIX D: Model Local Government Certification Agreement

This agreement is made between the \_\_\_\_\_ of \_\_\_\_\_ [insert proper name of local government] and the Minnesota State Historic Preservation Office.

1. As a Certified Local Government (CLG) established under the provisions of the "Minnesota Certified Local Government Handbook" and of 36 CFR 61.5 and 36 CFR 61.7, made a part of this agreement by reference, the of \_\_\_\_\_ agrees to:
  - A. Enforce appropriate state and local legislation for the designation and protection of historic properties. The CLG will conduct design review of designated properties according to the Secretary of the Interior's Standards for Rehabilitation.
  - B. Maintain an adequate and qualified historic preservation review commission by State and Local legislation.
  - C. Maintain a system for the survey and inventory of historic properties.
  - D. Provide for adequate public participation in the local historic preservation program, including the process of recommending properties for nomination to the National Register.
  - E. Satisfactorily perform the responsibilities listed in points A-D above and those specifically delegated to it under the Act by the State Historic Preservation officer (SHPO).
2. The specified obligations of the CLG under each of the above areas are outlined in the document "Minnesota Certified Local Government Procedures Manual." Performance of these responsibilities will be demonstrated in the annual report submitted by the CLG to the SHPO by November 1 of each year. Failure to report or unsatisfactory performance may be grounds for potential decertification as described in Section V of the Manual.
3. It is mutually understood that upon final execution of this agreement, the Local Government will achieve, subject to final review by the Secretary of the Interior, Certified Local Government status.

Transference of funds pursuant to said status will require compliance with this Manual, and the current CLG Grants Manual.

4. The Certified Local Government agrees to indemnify and save and hold the State of Minnesota, its agents, contractors, and employees harmless from any and all claims or causes of action arising from the CLG's performance of this agreement.
5. The Certified Local Government will comply with Title VI of the Civil Rights Act of 1964; Public Law 88-352 (78 Stat. 241; 42 U.S.C. 2000d) which prohibits discrimination and is made a part of this agreement by reference.

STATE OF MINNESOTA

LOCAL GOVERNMENT

\_\_\_\_\_  
State Historic Preservation Officer

\_\_\_\_\_  
Date

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Deputy State Historic Preservation Officer

\_\_\_\_\_  
Date

\_\_\_\_\_  
Chair, \_\_\_\_\_ Heritage Preservation Commission  
Print Name:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Contracting Officer

\_\_\_\_\_  
Date