

*TITLE VI*  
*GRANT PROGRAMS*

CHAPTER 49  
HISTORICAL RESOURCE DEVELOPMENT PROGRAM

**223—49.1(303) Purpose.** The Iowa historical resource development program provides grants and loans to preserve, conserve, interpret, and enhance the historical resources of the state.

**223—49.2(303) Definitions.** The definitions listed in Iowa Code section 17A.2 and rules 223—1.2(303), 223—1.6(303), 223—13.2(303), 223—22.2(303), and 223—35.2(303) shall apply for terms as they are used throughout this chapter. In addition, the following definitions apply:

“*Acquisition*” means the act or process of acquiring fee title or interest other than fee title to real property, including the acquisition of development rights or remainder interest; or the act or process of acquiring legal title to personal property.

“*Administrative costs*” means all reasonable and necessary costs to the grantee associated with the planning and execution of an approved project including, but not limited to, accounting and auditing, travel, consumable supplies, project management, and printing.

“*AIIM*” means Association for Information and Image Management.

“*ANSI*” means American National Standards Institute.

“*Application*” means a formal, written request for funds available in this program.

“*Cash match*” means donated real property or cash directly contributed by the grantee to meet the match requirements of this project. Funds provided by the state of Iowa through any other source shall not be acceptable as cash match. Federal funds may be used as cash match.

“*Coapplicant*” means cooperating eligible parties who are mutually responsible to complete a proposed project as identified in the grant application.

“*Conservation*” means action to chemically stabilize or physically protect historical documents or artifacts to ensure their long-term survival.

“*Cost*” means all costs associated with the completion of a proposed project.

“*Development*” means the improvement of a historic property.

“*Documentary collections*” means collections of current or historical materials that are or might become valuable in interpreting Iowa history including, but not limited to, newspapers, photographic images, machine readable data, manuscripts, and printed materials.

“*Documentary collections review panel*” means the Iowa historical records advisory board, a federally mandated review panel for the review of historical records, established in 36 CFR 1206.38, February 13, 1996.

“*Eligible applicant*” means any applicant as defined by Iowa Code section 303.16, subsection 3.

“*Emergency*” means a threat to a historical resource that is not the result of delinquency by the current owner and that requires timely action to prevent immediate loss of the resource.

“*Grantee*” means any applicant receiving grant funds from this program.

“*Historical resource*” means any site that is listed or declared eligible by the state historic preservation officer for listing on the National Register of Historic Places or personal property which has inherent historical value due to its association with the history of Iowa or the heritage of its people.

“*Historic preservation review panel*” means the Iowa state national register of historic places nominations review committee as provided in subrule 35.6(6).

“*HRDP*” means the historical resource development program as established by Iowa Code section 303.16.

“*Indirect operating expenses (overhead)*” means rent, utilities, security costs, and insurance on real property.

“*Interpretation*” means the presentation of Iowa history to the public through exhibitions, exhibition catalogs, education programs, historical markers, and other appropriate means.

“*Legally authorized representative*” means the individual who acts on behalf of the eligible applicant(s) to assume financial responsibility for the project.

“*Listed on the National Register of Historic Places*” means a property has been entered by the National Park Service into the National Register of Historic Places or is a contributing resource to a property entered by the National Park Service into the National Register of Historic Places.

“*Museum review panel*” means a committee of seven Iowa museum professionals appointed by the administrator for a three-year term to review and recommend approval for funding of museum projects submitted under this program. Terms shall expire in a rotation of two per year.

“*Operating expenses*” means all direct project expenses and indirect expenses directly associated with the project.

“*Postmark*” consists of a legible U.S. Postal Service dated postmark, a legible receipt stamped by the U.S. Postal Service or a legible dated shipping label, invoice or receipt from a commercial carrier. Private metered postmarks or private mail receipts shall not be accepted without a date stamped by the U.S. Postal Service.

“*Preservation*” means the stabilization and rehabilitation of a property eligible for or listed on the National Register of Historic Places, or the salvage or reformatting of information contained in a historical document or artifact by the use of various surrogate media.

“*Property*” means real or personal property.

“*Publication*” means any published material except that produced directly in support of a funded project and integral to the successful completion of that project.

“*REAP*” means the resource enhancement and protection Act as established in Iowa Code section 455A.16.

“*REAP/HRDP steering committee*” means SHSI staff committee appointed by the administrator consisting of the REAP/HRDP coordinator, the bureau chief of the community programs bureau, and professional staff members from historic preservation, museum and documentary collections interest areas.

“*Review panel*” means the documentary collections review panel, the historic preservation review panel, or the museum review panel.

#### GRANT PROGRAM

### **223—49.3(303) Eligible projects.**

#### **49.3(1) Grant categories.**

*a. Historic preservation.* Project applications in this category may include, but are not limited to, acquisition, development or preservation of real property eligible for, or listed on, the National Register of Historic Places until May 1, 1997. Effective May 1, 1998, real property in this category must be listed on the National Register of Historic Places. Projects in this category may also include acquisition, development, or preservation of archaeological property listed on or eligible for the National Register of Historic Places; survey of prehistoric and historic sites; nomination of properties to the National Register of Historic Places; interpretation, public education, staff training or consultation related to historic preservation; and the equipment and facilities necessary for any of the foregoing tasks.

*b. Museum.* Project applications in this category may include, but are not limited to, acquisition, preservation, conservation, and interpretation of artifact collections; cataloging; exhibitions; treatment of collections necessary to accomplish any of the foregoing tasks; public education, staff training or consultation related to museum activities; and equipment and facilities necessary for any of the foregoing tasks.

*c. Documentary collections.* Project applications in this category may include, but are not limited to, acquisition, preservation, conservation, and interpretation of documentary collections; treatment of collections necessary to accomplish any of the foregoing tasks; cataloging; public education, staff training or consultation related to documentary collections; and equipment and facilities necessary for any of the foregoing tasks.

**49.3(2) Project standards.**

*a. Historic preservation.* All project applications under this category shall demonstrate to the panel knowledge of, intention to, and ability to adhere to the Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation (notice published by the Department of the Interior, National Park Service, Federal Register, Volume 48, No. 190, Thursday, September 29, 1983) and the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings (Revised 1990), published by the National Park Service.

*b. Museum.* All project applications under this category shall demonstrate the commitment and ability of the applicant to provide care for their collections on a long-term basis. Applicants shall demonstrate knowledge of and intention to adhere to applicable national standards or to follow technical guidelines generally accepted by the museum profession. The review panel members will use their judgment to determine that the applicant has knowledge of and a commitment to meet acceptable standards for collections management and care.

*c. Documentary collections.*

(1) All project applications under this category shall demonstrate the commitment and ability of the applicant to provide care for their collections on a long-term basis. All project applications under this category shall demonstrate to the panel knowledge of and intention to adhere to national standards, where they apply, or otherwise follow technical guidelines generally accepted by the library, archives, and conservation communities.

(2) All microfilming project applications under this category shall produce first and second generation masters on silver halide film meeting ANSI PH 1.41 (preferred) or ANSI PH 1.28. Production procedures are to be guided by ANSI/AIIM MS 23 or other relevant standards, such as ANSI/AIIM MS 5 for microfiche. Storage for first generation camera masters must be in accordance with ANSI PH 1.43. Film enclosures must adhere to ANSI PH 1.53.

*d. Museum or documentary collections.* All proposed projects in the museum or documentary collections categories which propose work on real property listed on or determined eligible for the National Register of Historic Places shall adhere to the recommended approaches in the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings (Revised 1990), published by the National Park Service. Project applications which propose work on real property which is 50 years old or older but is not yet listed on or determined eligible for the National Register of Historic Places are strongly encouraged to adhere to the Secretary of the Interior's Standards for Rehabilitation.

**223—49.4(303) Other eligibility issues.**

**49.4(1)** Participation in the grant program is open to any government, state agencies, nonprofit corporations, private corporations and businesses, individuals, governments and traditional tribal societies of recognized resident American Indian tribes in Iowa.

**49.4(2)** Applications by cooperating individual and coapplicants shall be acceptable.

**49.4(3)** All projects shall involve historical resources. Acquisition of an Iowa historical resource for the purpose of returning it to Iowa is an eligible activity. An applicant may be nonresident if the resource is located within the state.

**49.4(4)** All government, nonprofit corporation, or Indian tribe applicants shall demonstrate that the historical resource is accessible to the public no less than an average of 16 hours per week or provide a statement concerning actions to be taken in the forthcoming 36 months to provide this minimal accessibility of the funded project to the public, unless access is restricted by specific federal or state Code. Archaeological sites that are part of funded projects are not required by this program to be accessible to the public.

**49.4(5)** All private corporations, businesses, and individual applicants shall demonstrate that the historical resources which benefit from being acquired, developed or preserved, or the portions of the historical resource so benefited, shall be accessible to the public no less than an average of 96 hours per year or provide a statement concerning actions to be taken in the forthcoming 36 months to provide this minimal accessibility of the funded project to the public, unless access is restricted by specific federal or state Code. This shall be in effect for 60 months after approval of the final disbursement request. Archaeological sites that are part of funded projects are not required by this program to be accessible to the public.

**49.4(6)** The applicant shall choose the category for the application from among historic preservation, museum or documentary collections, in accordance with 49.3(1) and 49.3(2).

**49.4(7)** An applicant or coapplicant may not submit more than one application in any single category in any grant cycle.

**49.4(8)** An applicant or coapplicant shall not apply or use any program funds for the purpose of regranteeing.

**49.4(9)** In the event the applicant is not the owner of the real property identified in the application, the application shall include the owner as a coapplicant.

**223—49.5(303) Annual application procedure.**

**49.5(1) Procedure.** All applications shall be submitted on current REAP/HRDP forms obtained from the REAP/HRDP Coordinator, State Historical Society of Iowa, 600 East Locust Street, Des Moines, Iowa 50319-0290, telephone (515)242-6194.

**49.5(2) Required information.** All applications shall provide the required information. As a minimum, all applications shall contain the following information:

- a. Name, address, and telephone number of the applicant(s);
- b. Funding category of project;
- c. For acquisition, development or preservation of real property in the historic preservation category, provide documentation indicating the property is listed on the National Register of Historic Places or, for archaeological sites only, that the property is listed on or eligible for the National Register of Historic Places;
- d. Letter from National Park Service approving Certified Local Government status, if appropriate;

- e. Description and explanation of the project;
- f. Plan of work for the project;
- g. Detailed budget for the project;
- h. Relationship of the proposed project to the long-term objectives of the applicant; and
- i. Applications shall be signed on the assurances page by the legally authorized representative.

**49.5(3) Annual deadlines.**

- a. If an applicant wishes to have an application critiqued for technical requirements and general eligibility, the draft application plus one copy must be postmarked by March 1.
- b. Applicants shall submit the original application and 11 copies to the REAP/HRDP coordinator.
- c. Applications shall be postmarked by, or delivered to the REAP/HRDP office during regular business hours, no later than May 1.

**49.5(4) Ineligible applications.** Applications shall be declared ineligible for the following reasons:

- a. If the applicant has not used the current year's forms;
- b. If the applicant has not filed the application in accordance with 49.5(3);
- c. If the applicant has not completed all questions on the application form;
- d. If the applicant has not attached all required attachments to the application;
- e. If the applicant has not budgeted the required match (cash and in-kind) to support the requested grant amount;
- f. If the applicant's legally authorized representative has not signed the application's assurance page;
- g. If the applicant has not filed the required number of copies;
- h. If the project is ineligible per 49.3; or
- i. If the applicant is ineligible per 49.4(303).

**223—49.6(303) Annual application review and selection.**

**49.6(1) Procedure.**

- a. Each application shall be reviewed by the REAP/HRDP coordinator for eligibility. The REAP/HRDP steering committee shall determine ineligible applications.
- b. All eligible applications shall be reviewed by an appropriate review panel. Three review panels—historic preservation, museum, and documentary collections—shall exist for this purpose. Members of review panels shall individually critique and collectively review the applications and make funding recommendations to the state historical society board of trustees.
- c. The state historical society board of trustees shall review and make funding recommendations to the administrator of the society no later than October 1 of each year.
- d. The administrator shall award funding and provide notification to recipients no later than October 15 of each year.

**49.6(2) Selection criteria.** Projects shall be evaluated on the basis of the following equally weighted criteria:

- a. Significance of the historical resource as it relates to the proposed project;
- b. Significance or contribution of the project to enhance the preservation, conservation or interpretation of Iowa's historical resources;
- c. Knowledge and understanding of accepted professional standards as they relate to the proposed project;
- d. Degree of threat to the resource;
- e. Degree to which the goals and objectives of the project enhance the applicant's long-range plan;
- f. Degree to which the project supports the economic, educational and cultural health of the local area, region or state;

- g. Degree of cooperation between organizations or individuals within a local area, region, or the state as evidenced by but not limited to the number of volunteers, cash match and in-kind match; and
- h. Degree to which the budget is reasonable, appropriate to the project, complete and mathematically correct.

**49.6(3) Emergency applications.**

a. Purpose. If a historical resource is threatened with an emergency as defined by 49.2(303), an emergency application to evaluate conditions, stabilize, rehabilitate, restore or recover the resource may be filed with the REAP/HRDP Coordinator, State Historical Society of Iowa, 600 East Locust Street, Des Moines, Iowa 50319-0290, telephone (515)242-6194.

b. Eligibility. Participation in the REAP/HRDP emergency grant program is open to all eligible projects and applicants for regular REAP/HRDP grants as identified in 49.3(303) and 49.4(303).

c. Procedure. REAP/HRDP emergency grant applications may be obtained from the REAP/HRDP Coordinator, State Historical Society of Iowa, 600 East Locust Street, Des Moines, Iowa 50319-0290, (515)242-6194.

(1) The annual application procedure as defined in 49.5, excluding 49.5(3) (application deadlines), shall apply to REAP/HRDP emergency grant application.

(2) An original and five copies of the application shall be submitted to the REAP/HRDP coordinator.

(3) Emergency grant applications may be submitted at any time, using the current year's regular application form.

(4) Emergency grant applicants shall identify the emergency which threatens the historical resource, shall address the immediacy of the emergency, and shall identify steps and funding required to stabilize the resource until a rehabilitation, restoration or recovery plan for the resource can be implemented. The identification of these issues shall be presented in a cover letter which becomes an integral part of the emergency grant application.

(5) The applicant shall, in the application, include workplans and budgets appropriate to preserve, rehabilitate or fully restore the resource.

d. Review.

(1) Determination of the existence of an emergency shall be made by the administrator upon recommendation of the REAP/HRDP steering committee. It is the responsibility of the applicant to convince the REAP/HRDP steering committee that an emergency, as defined, exists.

(2) If an emergency is determined to exist, the REAP/HRDP steering committee shall review the emergency grant application. The review criteria for emergency applications shall remain the same as those used in the regular grant round as defined in 49.6(2) with special emphasis on the degree and immediacy of threat to the resource.

(3) Following a check for eligibility by the REAP/HRDP coordinator and within 15 days after receipt of the application, the application shall be sent with a recommendation from the REAP/HRDP steering committee to the administrator. Within 30 days, the administrator shall respond to the applicant.

e. Limitations. Emergency funding shall be limited to no more than \$30,000 per application and no more than \$30,000 per applicant in a 12-month period. This limitation shall not affect funds acquired by other than state appropriations.

**223—49.7(303) Grant administration.****49.7(1) Financial management.***a. Awards.*

(1) No more than \$100,000 or 20 percent of the annual allocation, whichever is more, shall be awarded in any grant cycle to grantees within any single county. No more than \$100,000 or 10 percent of the annual allocation, whichever is more, shall be awarded in any single fiscal year to a single grantee.

(2) Grant awards may be made on the basis of full or partial funding as recommended by the review panel and the board of trustees and determined by the administrator.

(3) No applicant may receive more than two grant awards in a given grant cycle for all categories of grants.

(4) Final decisions concerning these award limitations shall be made by the board of trustees upon the recommendation of the REAP/HRDP steering committee.

*b. Contracts.*

(1) Upon certification of the grant award by the administrator, the society shall, within 60 days, provide a contract to the grantee. This contract shall state the terms and conditions of the grant as well as the amount of the award. The grantee shall enter into a contract within 90 days following certification of the grant award. Failure of the grantee to meet this deadline shall result in termination of the grant offer.

(2) Contracts for partially funded projects shall be based on a revised scope of work and budget submitted by the applicant within 30 days following certification of the grant award. This revised scope of work and budget shall be limited to those items included in the original workplan and budget.

(3) The applicant may be required to submit proof of nonprofit status, proof of ownership of the historical resource(s) in the grant application or evidence of agreement between the owner(s) of personal property and the applicant before a contract will be written.

(4) All contracts shall be approved by the administrator and the legally authorized representative of the grantee. The legally authorized representative of the grantee shall be clearly identified and shall be the only contact with the society on financial matters concerning the grant.

(5) All subcontracts for services and products shall give preference to Iowa vendors. If Iowa vendors are unavailable or deemed by the grantee and society to be unable to meet the requirements of the project or acceptable professional standards, vendors from other states may be used.

(6) All grantees shall award subcontracts on the basis of a competitive bid. If only a single vendor exists, the society shall be so notified.

(7) All contracts shall be completed within 24 months from the date of the signature by the administrator of the society.

(8) All contracts for acquisition and development of real property by individuals and private corporations and businesses shall require that ownership be retained by the grantee for 60 months after approval of final disbursement request. In the event of a change of ownership within 24 months, the entire amount of the grant shall be returned to the society. In the event of a change of ownership within 25 to 60 months, 50 percent of the grant shall be returned to the society. In the event the grantee is a governmental unit or nonprofit organization, the sale of property is exempt from payback provisions when the sale places the property on tax rolls. In the event of the death of an individual owner this provision shall not apply.

(9) Salaries of the applicant or applicant's employees are allowable up to 50 percent of the minimum required cash match. Documentation shall be provided to indicate the salary rate and amount of time devoted to the project. Verification of the salary match shall be provided during the life of the contract. Paid staff time shall not be used as in-kind match.

(10) Indirect expenses (overhead) shall not be used as cash match, in-kind match, or grant expense.

(11) Grant awards to combined public, private, and individual applicants shall receive the least favorable match ratio as provided by Iowa Code section 303.16(6).

(12) All grant contracts involving real property shall be signed by the grant recipient and the property owner, if other than the grant recipient.

(13) All projects involving personal property shall demonstrate a legal relationship to the property appropriate to the project as determined by the review panel.

(14) Cash and in-kind match and grant expenditures shall only be spent during the contract period.

(15) Costs of producing any required reports and products are an eligible grant expense.

(16) The costs of writing and copying of grant applications for this program and lobbying expenses shall not be eligible grant expenses.

(17) FICA and unemployment taxes are eligible grant expenses under this contract.

*c. Payments.*

(1) Disbursement of grant funds shall be made on a schedule as determined in the contract. Documentation of all grant expenditures, including cash and in-kind match, shall be submitted and approved before disbursement of grant funds can be made.

(2) Twenty percent of every grant shall be withheld until the REAP/HRDP coordinator verifies that the project is complete and all conditions of the contract have been met. Final payment shall be made within 90 days of completion of all conditions of the contract.

*d. Record-keeping and retention requirements.*

(1) Financial records (original invoices and canceled checks), supporting documents, statistical records, and all other records pertinent to the program shall be retained by the grantee. All records shall be retained for three years beyond the grant or longer if any litigation is begun or if a claim is initiated involving the grant covered by the record. In these instances, the records shall be retained until the litigation or claim has been resolved.

(2) Representatives of the society and the state auditor's office shall have access to all books, accounts, documents, records, or other property belonging to or in use by the grantee pertaining to the receipt of funds under this program.

*e. Audits.* The recipient of any grant of \$25,000 or more in any single grant cycle or \$100,000 or more over any two-year period shall have conducted an on-site financial compliance audit. This audit shall not be an eligible grant expense. A copy of the audit report shall be forwarded to the REAP/HRDP office within 90 days of audit report.

**49.7(2) Reporting requirements.**

*a.* The grantee shall provide reports, as outlined in the contract, concerning the progress of the project on forms provided by the society.

*b.* The grantee shall provide a final project report upon completion of the project, as outlined in the contract, on forms provided by the society.

*c.* The society may perform any reviews or field inspections it deems necessary to ensure program compliance, including reviews of grantee reports. When problems of compliance are noted, the society may require corrective actions to be taken.

*d.* The society may, for cause, find that a grantee is not in compliance with the requirements of this program or the terms of the contract. At the society's discretion, remedies for noncompliance may include penalties or the return of program funds. Reasons for a finding of noncompliance include, but are not limited to: the grantee's using program funds for activities not described in its application or permitted under this program; the grantee's failure to complete approved activities in a timely manner; the grantee's failure to comply with any applicable professional standards, state rules or federal regulations; the lack of a continuing capacity of the grantee to carry out the approved program in a timely manner; or violation of the terms of the contract.

*e.* All grantees shall provide a written procedure stating the means by which the project shall be made available to the public.

*f.* All grantees shall submit documentation of the issuance of statements, press releases, and signage describing projects or programs funded with REAP/HRDP funds, specifically to include the following credit line: "This project was partially supported by a Resource Enhancement and Protection (REAP)/Historical Resource Development Program (HRDP) Grant from the State Historical Society of Iowa."

### **223—49.8(303) Appeals.**

**49.8(1)** Applicants or grantees may appeal a decision of the society on any of the following bases.

- a.* Action was outside the statutory authority;
- b.* Decision was influenced by a conflict of interest;
- c.* Action violated state law, administrative rules, or policy;
- d.* Insufficient public notice was given; and
- e.* Alteration of the review and certification processes was detrimental to the applicant.

**49.8(2)** Appeals in writing may be directed to the director of the department within 30 days of the final certification or the incident. All appeals shall be directed to the Director, Department of Cultural Affairs, Capitol Complex, Des Moines, Iowa 50319, telephone (515)281-7471.

**49.8(3)** All appeals shall contain:

- a.* Facts of the case;
- b.* Argument in favor of the appeal; and
- c.* Remedy sought.

**49.8(4)** The director of the department of cultural affairs shall consider and rule on the appeal after receiving all documentation from the appellant, and shall notify the appellant in writing of the decision within 30 days. The decision of the director of the department of cultural affairs shall be final except as provided in Iowa Code sections 17A.19 and 17A.20.

These rules are intended to implement Iowa Code sections 303.1A, 303.2, 303.16 and 455A.15 to 455A.20.

LOAN PROGRAM  
Reserved

[Filed emergency 8/31/89—published 9/20/89, effective 8/31/89]  
 [Filed 3/2/90, Notice 10/20/89—published 3/21/90, effective 5/16/90]  
 [Filed 3/29/91, Notice 2/20/91—published 4/17/91, effective 5/22/91]  
 [Filed 4/2/93, Notice 3/3/93—published 4/28/93, effective 6/2/93]  
 [Filed emergency 8/11/93—published 9/1/93, effective 8/11/93]  
 [Filed 1/27/94, Notice 12/22/93—published 2/16/94, effective 3/23/94]  
 [Filed 5/18/95, Notice 12/21/94—published 6/7/95, effective 7/12/95]  
 [Filed 3/7/97, Notice 1/29/97—published 3/26/97, effective 4/30/97]