

ECONOMIC DEVELOPMENT AUTHORITY[261]

Notice of Intended Action

Proposing rulemaking related to certified local government program and providing an opportunity for public comment

The Economic Development Authority (Authority) hereby proposes to rescind Chapter 417, “Certified Local Government Program,” Iowa Administrative Code, and to adopt a new Chapter 417 with the same title.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code section 15.121.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code section 15.121.

Purpose and Summary

Pursuant to Executive Order 10, the Authority proposes to rescind Chapter 417 and adopt a new chapter in lieu thereof. The current chapter describes the policies and procedures relating to the Certified Local Government Program (program). This proposed chapter will be clearer and more concise throughout while describing the policies and procedures relating to the program. Definitions will be added for clarity. Information about grants to certified local governments will be added to the chapter. Information about the grants is currently in 223—Chapter 35, which is proposed to be rescinded as part of a concurrent rulemaking (ARC 0603D, IAB 9/16/26).

Regulatory Analysis

A Regulatory Analysis for this rulemaking was published in the Iowa Administrative Bulletin on June 24, 2026. A public hearing was held on the following date(s):

- July 16, 2026

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rulemaking, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Authority for a waiver of the discretionary provisions, if any, pursuant to 7—Chapter 2504.

Public Comment

Any interested person may submit written or oral comments concerning this proposed rulemaking, which must be received by the Authority no later than 4:30 p.m. on October 8, 2026. Comments should be directed to:

Lisa Connell
Iowa Economic Development Authority
1963 Bell Avenue, Suite 200
Des Moines, Iowa 50315

Phone: 515.348.6163
Email: lisa.connell@iowaeda.com

Public Hearing

Public hearings at which persons may present their views orally or in writing will be held as follows:

October 6, 2026	Via Microsoft Teams
9:15 to 9:30 a.m.	Information about Teams participation can be found at opportunityiowa.gov/about/iowa-economic-development-authority/ieda-red-tape-review
October 8, 2026	Via Microsoft Teams
3:15 to 3:30 p.m.	Information about Teams participation can be found at opportunityiowa.gov/about/iowa-economic-development-authority/ieda-red-tape-review

Persons who wish to make oral comments at a public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rulemaking.

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Authority and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rulemaking action is proposed:

ITEM 1. Rescind 261—Chapter 417 and adopt the following **new** chapter in lieu thereof:

CHAPTER 417 CERTIFIED LOCAL GOVERNMENT PROGRAM

261—417.1(15) Definitions. For purposes of this chapter, unless the context otherwise requires:

“*Act*” means the National Historic Preservation Act of 1966, Public Law 89-665, 54 U.S.C. Subtitle III, Division A.

“*Authority*” means the Iowa economic development authority created pursuant to Iowa Code section 15.105.

“*Committee*” means the Iowa state national register of historic places committee described in rule 261—412.3(15).

“*State historic preservation officer*” or “*SHPO*” means the officer appointed and certified pursuant to Iowa Code section 15.121.

261—417.2(15) Regulations. The Certified Local Government program (program) shall operate in accordance with the Act, 36 CFR Part 61, and any applicable guidelines or instructions issued by the National Park Service. Certified local governments shall comply with Iowa Code sections 15.445 through 15.459 as applicable.

261—417.3(15) Criteria for certification. Any local government may be certified to participate in the program if the SHPO and the National Park Service certify that the local government meets the following conditions:

417.3(1) Secures appropriate county and municipal ordinances or resolutions for the creation of a local historical commission and the conduct of its historic preservation responsibilities;

417.3(2) Establishes an adequate and qualified historic preservation review commission by state or local legislation;

417.3(3) Maintains a system for the survey and inventory of historic properties that furthers the purposes of historic preservation;

417.3(4) Provides for adequate public participation in the local historic preservation program, including the process of recommending properties for nomination to the National Register of Historic Places; and

417.3(5) Satisfactorily performs the responsibilities delegated to it under the Act.

261—417.4(15) Procedure for certification.

417.4(1) The applicant will contact the authority for program guidelines and application procedures.

417.4(2) SHPO staff will review certification requests for completeness and eligibility within 30 days of receipt and advise applicants of the results of the review. If the certification request is deemed unsatisfactory, SHPO staff will advise the applicant and specify the changes that are needed.

417.4(3) When a certification application is accepted, a certification agreement is sent to the local government for signature.

417.4(4) Following execution of the agreement, eligible applications for certification are subject to review and approval by the National Park Service.

417.4(5) Certification may be revoked pursuant to the terms of the certification agreement. A certified local government may also request decertification.

261—417.5(15) Certified local government subgrants.

417.5(1) *Generally.*

a. Only certified local governments are eligible to apply for and receive a grant through this program.

b. The SHPO is not required to award funds to all certified local governments.

c. The program shall operate as a competitive grant program.

d. Following the awarding of a grant, a contractual agreement specifying the terms of the grant shall be executed between the authority and the grant recipient.

417.5(2) *Procedure.*

a. Application packets are sent to all eligible applicants at least 45 days prior to each application deadline.

b. All applications shall be submitted on the forms provided by the authority. All applications will contain a description of the proposed project; a schedule for implementation; the amount of grant funds requested; the amount, kind, and source of local match committed to the project; a budget for the project; written assurance that the applicant shall follow the Secretary of the Interior's Standards for Archaeology and Historic Preservation; and written assurance that the applicant shall select a principal investigator who meets the Secretary of the Interior's Professional Qualification Standards.

c. Local match of at least 40 percent of the total project cost is required.

d. Staff may consult with applicants regarding the development of project proposals.

e. Staff will review applications for completeness and eligibility. Incomplete or ineligible applications will be returned to the applicant. The applicant may correct and return the application prior to the grant deadline.

f. Program staff will conduct a preliminary review of each application to determine eligibility, completeness, consistency with program purpose, and amount of local match. Applications that do not meet these criteria shall not be considered for funding. Results of the staff review will be transmitted to the committee.

g. The date of review of applications by the committee is established by the SHPO. Recommendations from the committee are submitted to the director of the authority for formal approval. Final authority for funding rests with the SHPO.

417.5(3) *Grant awards.*

a. Applicants approved for grants shall enter into a grant agreement with the authority that specifies the terms and conditions of the grant, including the grant amount, project description, matching requirements, and dates for the submission of specified products.

b. The grant agreement shall be signed by the SHPO and the chief elected local official of the certified local government or authorized designee.

c. If a certified local government that has been awarded grant funds determines that the awarded project cannot be completed, staff may recommend alternatives for expenditure of the funds to the SHPO. The decision of the SHPO regarding alternatives for expenditure of the funds shall be final.

261—417.6(15) References. All references to the Act, United States Code, Code of Federal Regulations, Secretary of the Interior’s Standards for Archaeology and Historic Preservation, or Secretary of the Interior’s Professional Qualification Standards in this chapter are to the laws as in effect on [effective date of rulemaking].

These rules are intended to implement Iowa Code section 15.121.