

CHAPTER 50
HISTORIC SITE PRESERVATION GRANT PROGRAM

223—50.1(303) Purpose. The purpose of the historic site preservation grant program is to provide matching grants to nonprofit organizations, governmental bodies, and Indian tribes for the restoration, preservation, and development of historical sites.

The state historical society of Iowa, the historical division of the Iowa department of cultural affairs, shall administer the historic site preservation grant program.

223—50.2(303) Definitions.

“Administrator” means the administrator of the state historical society of Iowa, the historical division of the department of cultural affairs.

“Director” means the director of the department of cultural affairs.

“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.

“Facility” means a site, structure, building, or object such as a sculpture or monument.

“Historical site” means a property that is listed or declared eligible by the state historic preservation officer for listing on the National Register of Historic Places, or a facility in which Iowa’s history or the heritage of Iowa’s people is interpreted. Historical sites shall relate to the human occupation of Iowa, but may be of prehistoric or historic age.

“Indian tribe” means any tribe, band, nation, or other organized group or community of Indians that is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.

“Infrastructure” is defined in Iowa Code section 8.57(5c) as “vertical infrastructure” and shall include only land acquisition for construction, major rehabilitation of buildings, all appurtenant structures, utilities, and site developments.

“Society” means the state historical society of Iowa, the historical division of the department of cultural affairs, established in Iowa Code section 303.1.

223—50.3(303) Application procedures.

50.3(1) Eligible applicants. Grants shall be awarded to any local political subdivisions of the state, state agency, Indian tribe, or nonprofit organization that is duly authorized and charged with responsibilities for construction, maintenance and operation of historical sites.

50.3(2) Eligible projects. Grants under this program shall be used for “vertical infrastructure” as defined in Iowa Code section 8.57(5c). Applicants shall submit only one grant application per funding cycle. Projects that received designated legislative earmarking of funds in the current fiscal year shall not be eligible for funding through this program. Projects that received funding from this program are ineligible to apply for three years from the date of grant award.

50.3(3) Project requirements. When applicable, all project work shall meet the Secretary of the Interior’s Standards and Guidelines for Archaeology and Historic Preservation. All applicants shall submit project information to the society’s community programs bureau for review as part of the application process. Successful applicants shall consult with the society’s historic preservation staff to ensure that the standards are met. Failure to meet the standards shall result in cancellation of the grant.

50.3(4) Form of application. Grant applications shall be on forms provided by the society and shall follow all prescribed guidelines. Completed applications shall provide sufficient detail to clearly describe the scope of the project.

50.3(5) Application timing. Grant applications (1 original and 11 copies) shall be received by 4:30 p.m. in the program coordinator’s office at the State Historical Society of Iowa, 600 East Locust, Des Moines, Iowa 50319-0290, on or before the deadline date, or shall have a United States Postal Service postmark, dated on or before the fourteenth day of September.

50.3(6) Assistance ceiling and cost share. Grants to any individual project shall not exceed \$100,000. Project sponsors shall provide cash match at the rate of one dollar for each state grant dollar.

An applicant shall certify that it has committed its share of project costs by the time final payment is made. State funds shall not be used as cash match for this program. Indirect costs and staff salaries shall not be used as match.

50.3(7) *Minimum grant amount.* No application requesting less than \$40,000 in grant funds shall be considered.

50.3(8) *Geographic distribution of funds.* No more than two projects may be awarded in any grant cycle within a single county.

223—50.4(303) Project review and selection.

50.4(1) *Staff review.* Applications shall be reviewed by society staff to ensure compliance with the program's administrative rules and guidelines. All applications meeting the requirements shall be forwarded to the review and selection panel. Ineligible applications shall not be considered.

50.4(2) *Review panel.* A review and selection panel, hereinafter referred to as the review panel, comprised of ten members appointed by the administrator, shall review and evaluate project applications and shall develop funding recommendations to be forwarded to the state historical society board of trustees for approval.

The review panel shall be comprised of the following members:

1. Panel chairperson, appointed by the administrator.
2. Five citizens, each with a background in archaeology, history, architectural history, architecture, museum studies, Iowa heritage, or a closely related field. Citizens serving on the committee shall be selected from a wide geographic area.
3. One member of the society's board of trustees.
4. One staff representative selected by the administrator of the Iowa division of tourism, Iowa department of economic development.
5. One staff representative selected by the administrator of the Iowa division of parks, recreation and preserves, Iowa department of natural resources.
6. One staff representative selected by the administrator of the division of project planning, Iowa department of transportation.

50.4(3) *Final review and selection of grants.* The society's board of trustees shall review the recommendations of the review panel and shall make recommendations to the administrator. The administrator shall make final funding decisions.

50.4(4) *Conflict of interest.* If a project is submitted by an eligible sponsor, one of whose members or employees is on the review panel, that panelist shall not participate in discussion and shall not vote on that particular project.

223—50.5(303) Application rating system. The review panel shall apply a numerical rating system to each grant application that is considered for funding assistance. The criteria, with a weight factor for each, shall include the following:

1. The historical or cultural significance of the project, and the degree to which the project is of regional, state, or national significance (30 percent);
2. The quality of the plans to interpret the historical resource (25 percent);
3. The extent to which the project will enhance educational opportunities for a broad and diverse audience (25 percent);
4. The degree to which the budget is reasonable and appropriate to the project (10 percent);
5. The degree to which the applicant demonstrates a commitment to the future viability of the resource by planning for the ongoing operation and maintenance of the project (10 percent).

Each criterion shall be given a score from 1 to 10, which is then multiplied by the weight factor.

223—50.6(303) Grant administration.

50.6(1) *Contract agreement.* Successful applicants shall enter into a contract agreement with the society.

50.6(2) *Timely commencement of projects.* Grant recipients are expected to carry out their projects in an expedient manner. Projects shall be under contract by February 1 in the year following their approval and shall be completed by the date specified in the contractual agreement. Failure to initiate projects in a timely manner may be cause for termination of the agreement and cancellation of the grant.

50.6(3) *Funding acknowledgement.* The grantee shall agree to include in all printed lists of contributors the following credit line: "State Historical Society of Iowa, Historic Site Preservation Grant Program."

50.6(4) *Disbursement of funds.* All project moneys, including grant funds and matching funds, shall be expended within the period established by legislation. Disbursement of grant funds shall be made on a schedule as determined in the contractual agreement.

50.6(5) *Record keeping and retention.* Grant recipients shall keep adequate records relating to the administration of a project, particularly relating to all incurred expenses. These records shall be available for audit by representatives of the society and the state auditor's office. All records shall be retained in accordance with state laws.

50.6(6) *Penalties.* During the contract period, whenever any property, real or personal, acquired or developed with grants under this program passes from the control of the grantee or is used for purposes other than the approved project purpose, it shall be considered an unlawful use of the funds.

50.6(7) *Remedy.* Funds used without authorization, for purposes other than the approved project purpose, or unlawfully, shall be returned to the society for deposit in the account supporting this program. In the case of diversion of personal property, the grantee shall remit to the department funds in the amount of the original purchase price of the property. The grantee shall have a period of two years after notification by the society in which to correct the unlawful use of funds. The remedies provided in this subrule are in addition to others provided by law.

50.6(8) *Ineligibility.* Whenever the administrator determines that a grantee is in violation of this rule, that grantee shall be ineligible to receive further grant funds until the matter has been resolved to the satisfaction of the state historical society board of trustees.

50.6(9) *Technical assistance.* The department may use up to 2 percent of the total appropriation for providing technical assistance to grant applicants and for administrative costs incurred in implementing the program.

223—50.7(303) Informal appeals. Eligible applicants or grantees may informally appeal a decision of the society not to grant historic site preservation grant funds on any of the following bases:

1. Action was outside statutory authority;
2. Decision was influenced by a conflict of interest;
3. Action violated state law, administrative rule, or written policy;
4. Insufficient public notice was given; and
5. Alteration of the review process was detrimental to the applicant.

Informal appeals in writing may be directed to the director within 15 days of the incident. All informal appeals shall be directed to the Director, Department of Cultural Affairs, Historical Building, 600 East Locust, Des Moines, Iowa 50319-0290. All informal appeals shall contain facts of the case, argument in favor of the appeal, and remedy sought.

The director shall consider and rule on the informal appeal after receiving all documentation from the appellant and shall notify the appellant in writing of the decision within 30 days. Decisions by the director may be appealed through the contested case process as set out in Iowa Code sections 17A.10 to 17A.19.

223—50.8(303) Emergency grants.

50.8(1) *Eligible applicants.*

a. Emergency grants may be awarded to any local political subdivision of the state, state agency, Indian tribe, individual or nonprofit organization that is duly authorized and charged with responsibilities for construction, maintenance and operation of historical sites, or to the owner of a historical site as defined in rule 50.2(303).

b. Emergency grants may be awarded for projects arising in counties for which a gubernatorial disaster emergency proclamation has been issued for natural disasters arising during the period of April 1, 2008, through June 30, 2008.

50.8(2) *Eligible projects.* Emergency grants may be awarded to projects for emergency stabilization of historical sites. All emergency grant projects shall meet the U.S. Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation.

50.8(3) *Grant amount.* Any application requesting less than \$1,000 in grant funds or more than \$50,000 in grant funds shall not be considered.

50.8(4) *Application deadline.* Applications (one original and four copies) will be received on a continuous basis and will be reviewed monthly.

50.8(5) *Review panel.* A review and selection panel, hereinafter referred to as the review panel, comprised of four members appointed by the administrator, shall review and evaluate emergency project applications and shall develop funding recommendations to be forwarded to the administrator of the historical division for approval.

50.8(6) *Application rating system.* The review panel shall apply a numerical rating system to each grant application that is considered for funding assistance. The criteria shall include all of the following:

a. The emergency status of the project as evaluated against the definition of emergency in rule 50.2(303) and eligibility criteria identified in subrule 50.8(1);

b. The historical or cultural significance of the project and the degree to which the project is of regional, state, or national significance;

c. The quality of the plans to stabilize the historical resource;

d. The degree to which the budget is reasonable and appropriate for the project; and

e. The degree to which the applicant demonstrates a commitment to the future viability of the resource by planning for the ongoing operation and maintenance of the project following stabilization.

These rules are intended to implement Iowa Code sections 303.1A and 303.2.

[Filed emergency 8/6/98—published 8/26/98, effective 8/6/98]

[Filed emergency 7/23/99—published 8/11/99, effective 7/23/99]

[Filed emergency 7/25/08—published 8/27/08, effective 7/25/08]