



DRAFT

NEVADA CERTIFIED LOCAL GOVERNMENT HANDBOOK



NEVADA
**STATE HISTORIC
PRESERVATION OFFICE**

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I. PURPOSE OF THE CERTIFIED LOCAL GOVERNMENT (CLG) PROGRAM

This Handbook is designed to support Nevada's Certified Local Governments (CLGs) in developing and maintaining their local historic preservation programs in a manner consistent with federal and state statutes and regulations. It clarifies the formal CLG Agreements between the State Historic Preservation Office (SHPO) and the local government, and it provides discussion and additional information about best practices and the resources available to CLGs in preserving their important places.

The State Historic Preservation Office's (SHPO's) Role

In 1966, Congress passed the National Historic Preservation Act (54 U.S.C. 300.101 et. sq.), which established preservation as a national priority and created programs that encouraged preservation at the federal, state, and local levels, including State Historic Preservation Offices (SHPOs). SHPOs are federally-mandated offices that are administered by State Historic Preservation Officers and partially funded by the Department of the Interior through the National Park Service. In Nevada, the state program is administered through the Nevada State Historic Preservation Office, which:

- Maintains a [State Historic Preservation Plan](#).
- Surveys and maintains an inventory of historic properties and archaeological sites in [NVCRIS](#).
- Processes nominations of properties to the [National Register of Historic Places](#) and the [State Register of Historic Places](#).
- Coordinates the [survey and inventory](#) of historic resources within the state to evaluate them for National Register eligibility.
- Reviews [federally-funded or licensed projects](#) for their potential impact on historic properties within state borders.
- Reviews and makes recommendations on rehabilitation work for federal [historic preservation tax credits](#).
- Runs the [Certified Local Government](#) Program
- Oversees the [State Historical Marker](#) program.
- Administers the [Commission for Cultural Centers and Historic Preservation](#) grant program.
- Provides volunteer support for archaeological monitoring on public lands via the [Nevada Site Stewardship Program](#).
- Administers the [Comstock Historic District](#).
- Provides technical assistance and guidance to federal, state, and local government agencies, organizations, and individuals on general preservation issues.

What is a Certified Local Government?

In 1980, Congress enhanced the role of local governments in the nation's historic preservation network through amendments to the NHPA. The 1980 amendments created a federally-funded, state-administered grant program for local governments that were willing to make a local commitment to historic preservation by meeting federal and state preservation standards. Local governments wishing to become a CLG must first apply to their SHPO, who approves the application and forwards it to the National Park Service for certification. CLGs demonstrate a commitment to historic preservation by passing a preservation ordinance and creating a citizen-led commission to oversee the local preservation program.

Principles of Nevada's Certified Local Government Program

Since the beginning of the American historic preservation movement in the mid-nineteenth century, preservation has primarily been driven by local advocates and local governments. Nevada's CLG program seeks to empower local governments and their citizens to preserve important places, and advocates the following principles:

- Historic preservation issues are often best understood and addressed at the local level.
- Historic preservation is most effective when integrated into local planning and decision-making processes.
- The interests and concerns of local governments should be integrated into the identification, evaluation, nomination, and protection processes of the State Historic Preservation Office (SHPO) so they can enable federal and state governments to recognize, support, and raise awareness about local preservation efforts.
- Information and resources concerning local historic preservation issues should be made available to the public.
- Local governments should develop local preservation efforts that benefit from and contribute toward state and federal programs.
- Participation by local governments should result in increased awareness within their community about local preservation issues, programs, policies, and procedures.



First Church of Christ-Scientist in downtown Reno, designed in 1939 by Paul Revere Williams, one of the United States' most important African American architects of the twentieth century. It is now known as the Lear Theater (NVSHPO, 2016).

Why Become a Certified Local Government?

The most powerful members of the nation's historic preservation network are local advocates, elected officials, and administrators in local governments. Obtaining CLG status not only provides enhanced access to certain federal preservation programs, but helps a local government in the following areas:

- **Credibility:** CLG status establishes a level of credibility for a local historic preservation program. When a local preservation program is consistent with the *Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation*, it has a certain level of consistency and transparency. Consistency with national and state regulations and established preservation practices insulates the local preservation program from charges of being arbitrary and capricious. Similarly, use of the *Secretary of the Interior's Standards for Treatment of Historic Properties* provides established criteria for evaluating projects and issuing decisions under a local ordinance that have stood the tests of time, reasonableness, and legal challenges.
- **Involvement:** The CLG program seeks to bring local preservation boards and commissions into broader local, state, and federal land use planning and project approval processes. CLGs have the responsibility to involve their boards/commissions in the federal undertaking review process, as well.
- **Technical Assistance:** CLGs gain access to training, technical expertise, and planning support from the SHPO, coordinated through the State's CLG Coordinator. Staff is available to assist in training commissioners, city staff, local/regional non-profit partners, and other stakeholders in local communities about preservation programs. SHPO staff is also available on request to facilitate trainings or planning meetings related to historic preservation issues at the local level.
- **Funding:** Each state is required to pass through 10% of its annual Historic Preservation Fund grant from the National Park Service to CLGs on a competitive basis to fund their preservation activities. This funding can support important projects including completion of a preservation plan, development of an historic context, conducting a survey, preparation of a National Register historic district application, or the update of a local preservation ordinance. Work funded by a CLG grant is expected to conform to state and federal preservation standards.
- **Autonomy:** CLG status is an optional certification for the local government, and in no way diminishes the autonomy of the local government. When a local government decides to become a CLG, it agrees to carry out the intent of the NHPA and the *Secretary of the Interior's Standards*. However, the SHPO recognizes that individual local governments and individuals employed by those local governments often do not have all the background, training, and skills to achieve a good balance between development and preservation. For that reason, the SHPO periodically provides training, and reviews the structure and processes of the local preservation program, and may comment on or make suggestions about strategies a local government can use to accomplish its goals and objectives. However, the SHPO is rarely involved in specific decision-making without the formal request of the local government. Although CLG status does not diminish the autonomy of a local government, a CLG may be decertified if it establishes policies or adopts practices that violate federal or state law regarding historic preservation.
- **Economic Benefits:** The direct economic benefits for CLGs consist primarily of the opportunities to apply for certain federal grants, including CLG grants from the SHPO. However, a CLG's commitment to historic preservation does result in multiple indirect economic benefits to the community. Where historic preservation is supported by local government policies and incentives, preservation practices can increase or stabilize property values and pride of place. Revitalization of historic downtowns and

adaptive reuse of historic districts and buildings conserves resources, uses existing infrastructure, generates local jobs and purchasing, supports small business development and heritage tourism, and enhances quality of life and community character.

Local governments that become CLGs:

- Foster leadership in the preservation of the community heritage.
- Have a formal role in reviewing National Register nominations and in seeking public input regarding the nomination of properties.
- Are eligible to apply for competitive grant opportunities only available to CLGs to support local historic preservation projects. The Nevada SHPO is required to pass through at least 10% of its annual Historic Preservation Fund allocation to CLGs on a competitive basis.
- Participate in state preservation planning.
- Receive technical and advisory services from the SHPO.



Harrison's Guest House in Las Vegas' historically African American Westside neighborhood and built by 1942. Through careful cooperation between the City of Las Vegas' Historic Preservation Commission, the Nevada SHPO, and the Fifth Ward Chamber of Commerce, this important place was listed in the National Register in 2016. It is also listed in the Nevada State Register of Historic Places, and is listed in the City of Las Vegas' Historic Property Register (NVSHPO, 2015).

Who is Eligible to be a CLG?

Any city or county in Nevada that meets the requirements set forth in this handbook and accompanying regulations for the CLG program is eligible to become a CLG. The local government must have jurisdiction to implement planning and zoning law within its boundary.

Counties that become CLGs typically will not have jurisdiction within incorporated areas, unless a municipality and a county have established a formal cooperative agreement. Intergovernmental agreements with municipal jurisdictions can allow the county CLG to designate and protect resources within those areas. Records of these agreements must be included in the certification packet (*see section II-6*). In general, local governments that wish to participate must meet the following minimum requirements:

1. Establish by state law or local ordinance an adequate and qualified historic preservation commission consisting of professional and lay members.
2. Build, maintain, and enhance an inventory of historic properties in the community.
3. Provide for adequate public participation in the historic preservation program, including the process for nominating properties to the National Register of Historic Places.
4. Encourage local historic preservation planning efforts.
5. Enforce appropriate state and local legislation for the designation and protection of historic properties.
6. Maintain a satisfactory ongoing performance of these duties.

Current CLGs in Nevada

Nevada currently has 4 Certified Local Governments, listed below in order of certification, including year of certification:

- Storey County - 1986
- Carson City - 1987
- City of Reno - 1993
- City of Las Vegas – 1998

II. BECOMING AND STAYING A CERTIFIED LOCAL GOVERNMENT

In order to continuously meet the requirements to become a CLG, it will be necessary for the CLG to establish a local historic preservation program consistent with federal and state regulations. Those regulations are cited and linked to below:

Federal Regulations (apply to all CLGs)

- [National Historic Preservation Act, 54 U.S.C. 300.101 et. sq.](#)
- [36 CFR 61.6](#)
- [Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation](#)
- [Secretary of the Interior's Standards and Guidelines for the Treatment of Historic Properties](#)

State Regulations (apply to all local historic preservation programs in Nevada)

- [NRS 241 – Meetings of State and Local Agencies](#)
- [NRS 278 – Planning & Zoning](#)
- [NRS 383 – Historic Preservation & Archaeology](#)
- [NRS 384 – Historic Districts](#)

The Nevada Revised Statutes (NRS), specifically [NRS 278.150](#) and [278.160](#), obligate local governments in Nevada to develop master plans. Although not required in most cases, the inclusion of an historic preservation element in a city or county master plan is common and is strongly recommended. The materials below in Section II outline how those local jurisdictions can move beyond the basics and enhance their Master Plan's historic preservation elements. By following the steps below, local governments can establish local historic preservation programs that can be approved by the Nevada SHPO and certified by the National Park Service for participation in the federal preservation network.

At minimum, the Nevada SHPO requires an historic preservation ordinance adopted by a local government include:

- A statement of purpose
- Establishment of an historic preservation commission (HPC), including provisions for appointing members. *See Item #1 below for more detail.*

The Nevada SHPO recommends an historic preservation ordinance adopted by a local government include:

- Criteria and procedures for designating buildings, sites, structures, and districts within the jurisdiction of the local government. *See item #2 below for more detail.*
- Definition of actions that require review by the HPC before they can be carried out. *See Item #3 below for more detail.*
- Standards, criteria, and procedures for review of alterations, demolitions, or new construction that are consistent with the *Secretary of the Interior's Standards and Guidelines for the Treatment of Historic Properties*.

For specific questions about ordinance language, please contact the state CLG coordinator.

1. Establishing & Maintaining a Historic Preservation Commission

Perhaps the most important part of sustaining a local historic preservation program is establishing and maintaining a historic preservation commission (HPC). The HPC serves as the primary implementing body for a local government's historic preservation program. Appointed under local procedures for commissions (usually appointment by city council or the county commission), preservation commissioners bring expertise, professional skills, and an enthusiasm for preserving historic places to bear in support of their local government's preservation goals. HPC members are appointed to make recommendations to their overseeing Council or Board about historic preservation policy. It is also recommended that these commission have the power to recommend places for historic designation and review developments on those locally-designated historic buildings. If well trained, selected, and supported, an HPC can support a preservation program that aligns closely with and in support of a community's broader mission and goals for sustainable development.

CLGs in Nevada are required in their agreement with the Nevada SHPO to do the following:

1. Establish an historic preservation commission with at least five (5) members
2. To maintain a minimum of one (1) appointed commissioner that meets the *Secretary of the Interior's Professional Qualifications Standards* in a preservation-related field, as defined in the Handbook, unless alternatives have been agreed to by the undersigned.
3. That at least one (1) commissioner from the local government's historic preservation commission shall attend a training event related to historic preservation, as outlined in the Handbook, at least once every state fiscal year (July 1-June 30).
4. The local government's preservation program must have jurisdiction to operate and make recommendations on all property within the boundaries of the local government's jurisdiction. Consistent with state law, the jurisdiction of a local HPC that conducts development review is limited to those properties or districts designated as historic *under the local government's ordinance*.
5. The commission must meet at least four (4) times per calendar year, with quorum established.

a. Building a Commission: How Big and Who to Recruit?

To become a CLG in Nevada, a local government's HPC must be comprised of at least five individuals who have a demonstrated interest, or professional expertise, in historic preservation. The Nevada SHPO does not specify how many commissioners an HPC must have beyond the minimum of five, as the most effective number of commissioners will vary heavily from government to government. Larger municipalities may benefit from having a larger commission (7 to 13 members) and allowing for the creation of subcommittees to handle the workload, while smaller municipalities and predominantly rural counties may benefit from smaller commissions (5 to 9 members) for easier recruitment. Larger commissions or programs may also benefit from at least one full-time historic preservation specialist as staff support.

A minimum of one local HPC member must meet the [Secretary of the Interior's Professional Qualifications Standards](#) (SOI-PQS) in any preservation-related field. If a local government cannot find a volunteer who meets those requirements, they must demonstrate to the SHPO that they attempted to fill that position with someone who met the SOI-PQS and how long they left the announcement open before moving on to non-SOI qualified applicants or candidates. The Nevada SHPO does not specify any specific positions or areas of expertise that a CLG's HPC must have, but having at least an architect and an historian is recommended. An

architect is a valuable resource when conducting design review on historic properties and balancing the *Secretary of the Interior's Standards* with the needs of current building code. Historians provide valuable context about the local area, and the ability to understand and critically evaluate nominations for historic status at the local, state, and federal level. The U.S. Department of the Interior currently recognizes the following five areas of expertise with subsequent definitions of the qualifications necessary to meet the SOI-PQS (other fields may qualify – check with the State CLG Coordinator for more information):

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:

- 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
- Substantial contribution through research and publication to the body of scholarly knowledge in the field of history.

Archaeology

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

- At least one year of full-time professional experience or equivalent specialized training in archeological research, administration or management;
- At least four months of supervised field and analytic experience in general North American archeology, and
- Demonstrated ability to carry research to completion.
- In addition to these minimum qualifications, a professional in prehistoric archeology shall have at least one year of full-time professional experience at a supervisory level in the study of archeological resources of the prehistoric period. A professional in historic archeology shall have at least one year of full-time professional experience at a supervisory level in the study of archeological resources of the historic period.

Architectural History

The minimum professional qualifications in architectural history are a graduate degree in architectural history, art history, historic preservation, or closely related field, with coursework in American architectural history, or a bachelor's degree in architectural history, art history, historic preservation or closely related field plus one of the following:

- At least two years of full-time experience in research, writing, or teaching in American architectural history or restoration architecture with an academic institution, historical organization or agency, museum, or other professional institution; or
- 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:

- At least one year of graduate study in architectural preservation, American architectural history, preservation planning, or closely related field; or
- 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.

Building A Strong Commission		
Aspect of Commission	Required	Recommended
# of Commissioners	5 (minimum)	Varies depending on size of program and community.
# of SOI-qualified members	1 (in architecture, architectural history, historic architecture, history, or archaeology)	More than 1, but can include additional fields such as engineering, real estate, relevant non-profit groups, building contractors, etc. If expertise is needed but unavailable on the commission, the commission should seek that expertise through other means, including consultation with the SHPO.
Staff Support	None	Planner and attorney strongly recommended; for larger preservation programs, at least one full- or part-time historic preservation specialist is recommended.

b. Sustaining the Commission – Training Requirements & Best Practices

Sustaining a successful local HPC depends on two main pillars of best practices: education and outreach. Maintaining a well-informed, well-connected, and motivated commission is the key to ensuring that a local preservation program grows effectively, and that it maintains its relevancy to the community.

i. Education: Training the HPC and its Partners

Any local historic preservation program rises or falls based on the quality of its educational programming. Specific to maintaining the HPC, education both for commission members and its key partners (city council or county commission, planning commission, local non-profits, business organizations, etc.) is critical to ensuring that a preservation program continues to have support from the community in which it is based. Active education programming for the public, training opportunities for City/County staff and elected officials, and networking within local government to ensure the preservation program is connected to other local processes is essential for maintaining community “buy-in” and interest in preserving historic places.

As it logically follows, it is critically important that members of a local HPC receive consistent and persistent training to ensure they are effective representatives of their local government’s historic preservation program. To that end, the Nevada SHPO requires that at least one (1) commissioner from each CLG attend at least one (1) approved training event related to historic preservation per state fiscal year (July 1-June 30). The SHPO is fairly flexible as to what constitutes a preservation-related training, which may include any of the following:

- Attending a SHPO-provided workshop or conference

- Attending [CAMP](#) (a training program provided by the [National Alliance for Preservation Commissions](#), or NAPC)
- Attending [FORUM](#) (the biennial conference of the NAPC)
- Attending a preservation training provided by a local, regional, or state-wide non-profit organization such as [Preserve Nevada](#) or the [Nevada Preservation Foundation](#).
- Attending the regular HPC meeting of another CLG (either in Nevada or another state) to learn about alternative methods of conducting preservation business
- Another training or workshop not listed above. If using this option, in order to receive credit toward the annual training requirement, the commissioner or CLG Historic Preservation Officer (HPO) should obtain prior written approval from the State CLG Coordinator and provide that as part of their annual report.

Training is a critical element for the success of any local commission, especially for historic preservation. It is imperative that local governments provide their preservation commissioners with adequate training on local preservation-related ordinances, policies, and procedures. HPC members must ensure that their decisions or comments on record are consistent with the laws and procedures of their local government. This ensures a consistent and fair application of the local government's preservation ordinance in the community. The Nevada SHPO is available to assist with commission training, and may be able to offer CLG grant funding in support of attendance at the training opportunities listed above.

ii. Outreach: Building a Strong Preservation Network

To maintain a strong and adequately qualified preservation commission, a CLG and its existing commission should maintain close ties to the community and its cultural institutions. This will be especially important in local jurisdictions where commissioners are subject to term limits. Consider collaborative projects with nearby educational institutions such as local high schools, universities, or museums that might also yield interested future commissioners, including those who may help meet the requirement for a professional member. Consider ongoing partnerships with the AIA (American Institute of Architects) and its local members to recruit a preservation architect or architectural historian onto the commission who can assist with design review. For long-term sustainability, consider youth-oriented preservation programs that may help educate and recruit the next generation of a community's preservation advocates, and consider the possibility of including a youth commissioner on the HPC. Outreach not only provides an HPC with additional resources, but provides an avenue to recruit new members when current members step down.

Maintaining A Strong Commission		
Aspect of Commission	Required	Recommended
Meetings	4 per year	Minimum of 4 for HPCs without design review; monthly for those with design review.
Commissioner Training	1 commissioner to 1 approved training per state fiscal year	As much as possible, including NAPC FORUM (biennial in even years), NAPC CAMP (may be held regionally or hosted by the CLG using HPF funding), SHPO training, etc.
Staff Training	Optional	Same as above.
Annual Planning Retreat	Optional	Annual
Outreach to other City Departments	Optional	Planning Commission and Planning Department (if not already housed there; high priority), Economic Development, Parks & Rec, Tourism/Visitor's Bureau
Outreach to Elected Officials	Optional	Regular involvement, up to regular attendance at HPC meetings.
Outreach to local non-profits and associations	Optional	Real estate organizations, preservation organizations, history/culture organizations, building trades, construction management network, developers, tourism agencies, etc.
Publication of Agendas	At least 5 days before meeting (NRS 241)	1 week in advance, with Commissioners provided packets of supporting materials in advance of meeting.
Availability of Meeting Minutes	Must be available on request	Post online and archive permanently.



Las Vegas Grammar School, also known as the Fifth Street School, built in 1936 and now a revitalized multi-purpose office space in downtown Las Vegas. (NVSHPO, 2016).

2. Establishing & Maintaining Local Historic Designations

To become a CLG, the Nevada SHPO recommends that a local government create a system for designating historic places under a local ordinance. Local historic registers with protections in a city or county ordinance are a strong tool to ensure that a community's historic resources are preserved for the benefit of current and future residents. However, establishing local designations and development review for those designations is not required as a condition of certification (see Section 3).

Local historic designation programs allow the most flexibility in the realm of historic designations. Local governments can create their own property types and criteria for evaluation for local historic designations, provided that they are consistent with established state statutes regarding historic preservation and planning & zoning. In Nevada, NRS 278 and 384 govern the designation of historic resources under local historic preservation programs. It is recommended that local governments authorize a combination of individual landmarks (authorized under [NRS 278.0201](#)) and historic districts (authorized under [NRS 384.005](#)) for their historic designations. Additional categories may benefit a local government depending on the types of resources and modes for preservation adopted by the city or county.

Establishing a meaningful and effective local register depends both on the participation of property owners in the process of identification and designation of historic resources, and on clear documentation about what is being designated and why. NRS 278.0201 requires that individual landmarks be designated with agreement of the property owner. Establishment of a larger historic district under NRS 384.005 does not require direct agreement with the owners but does require at least one noticed public hearing by the governing body of that local government to confirm district boundaries and allow for public input before the governing body decides to designate or not designate the district. Local governments can, if they desire, establish provisions in their ordinances that define a certain threshold of necessary, confirmed owner support within a proposed historic district before the nomination can move forward, but this is not required under state law or the CLG program. Furthermore, it is recommended that local governments require clear documentation prior to considering local historic designations. Documentation for historic nominations provides more transparency in decision-making and clarifies subsequent regulation of a designated historic area. Local governments may want to consider requiring, at minimum, the following:

- A legal boundary description and map of the nominated area.
- A list of contributing and non-contributing resources, if applicable within the nominated area.
- A description of character-defining elements within the nominated area.
- An historical narrative that explains why the place is important to the community.

The name, location, and boundary of local designations made by CLGs should be submitted to the SHPO as part of the annual reporting process. Clear documentation has the added benefit of supporting outreach and education efforts in the community that hinge on an explanation of why historic places matter.

Creating and Maintaining an Effective Local Register		
Local Register Aspect	Required	Recommended
Types of Properties	Optional	Individual landmarks and historic districts
Owner approval of initial designation	Notification and public hearing (NRS 278 and 384)	Individual – yes District – at least 51% by direct owner approval. Should be counted by owner not property (i.e., an owner should receive one vote, regardless of the amount/percentage of property they own in the proposed district.
Documentation for nominations	Written record of decision with a boundary map (i.e., Resolution passed by Council or Board of Supervisors)	Full nomination packet, including statement of eligibility, description of nominated resources, site plan including a legal boundary, current and historic photographs, etc.
Communication to owners after designation	Optional	Annual
Inventory of designated properties¹	Optional	5 years
Survey Plan	None, but strongly implied under 36 CFR 61.6	Establish as early as possible on a 10-15 year cycle; re-assess every 5 years
Relationship to National Register?	None	Advisory only; due to differences in due process and outcomes, local governments are strongly discouraged from automatically listing properties into their local register based on National or State historic designation alone.

¹ Many local governments find it helpful to inventory their historically-designated properties on a regular basis to review conditions and assess the effectiveness of their design review program. For example, an inventory may find that the collective decisions on new additions within an historic district, while individually defensible, have resulted in a noticeable deterioration of historic character, perhaps necessitating a change in the district's design review guidelines.

a. CLG Participation in the National Register Process

The CLG program establishes a partnership between the CLG and the SHPO regarding the National Register of Historic Places (NRHP). Both the SHPO and the CLG have responsibilities under the NHPA when a nomination for the NRHP moves forward in their jurisdiction. The SHPO is required to give the CLG up to sixty (60) days to review a nomination and agree as to whether the nominated property is eligible for the National Register. As part of that review, the CLG is required to forward a report of its findings to the SHPO; in Nevada, this is documented via the CLG Approval Form, which requires signatures from the chair of the CLG's preservation commission as well as their chief elected official (mayor or chair of the county commission).

It is important to note that while listings in the National Register of Historic Places may inform a local preservation program, listing in the NRHP is honorary only. It does not authorize a local government to impose design review on a private property owner. Local governments may wish to protect National Register-listed property using their local ordinance, but do so, they must designate the property separately under their local preservation ordinance. The need for separation between federal and local designation is primarily because the two historic designations have separate legal outcomes and separate thresholds of due process.

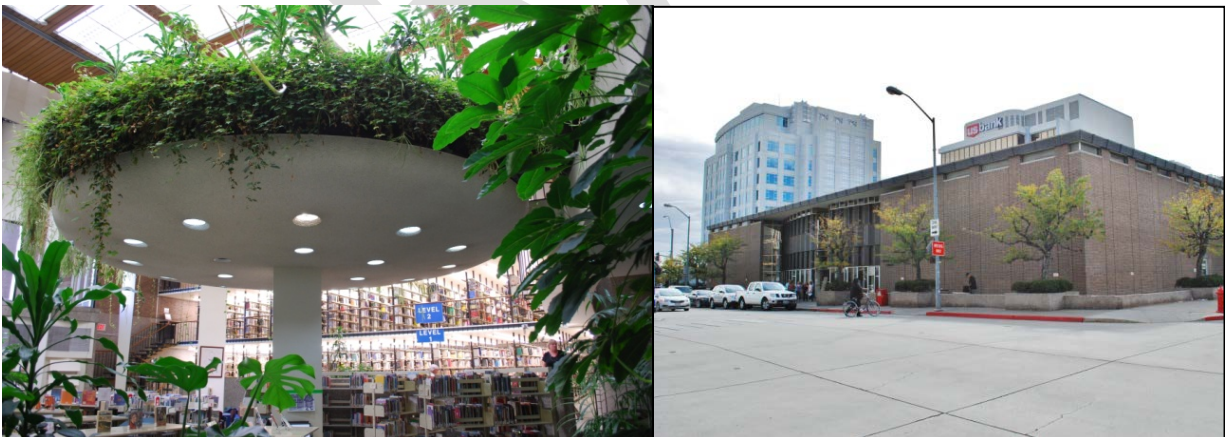
A CLG's HPC is also responsible for providing informal monitoring of historic properties and historic districts listed in the National Register of Historic Places. The commission can recommend to the SHPO that a property or district that has lost its historic integrity because of the demolition or alteration of structures and should be considered for removal from the National Register.

What is a National Register nomination?

Simply put, a National Register nomination is the compilation of official forms and research that the National Park Service requires for any historic property that is under consideration for listing in the NRHP. This body of information typically includes historical narratives, photos, maps, drawings, charts, and other archival information that demonstrate the significance and physical integrity of an historic property.

- Nominations of properties in Nevada to the National Register of Historic Places should be submitted directly to the SHPO. Nominations may be made by any party, but prior consultation with the SHPO's National Register Coordinator is strongly recommended to avoid confusion and reduce unnecessary costs.
- Upon receipt of an adequately thorough nomination of a property within the jurisdiction of a CLG, the SHPO will notify the property owner, the CLG's chief elected official, and the local HPC of the proposed nomination. CLGs are given 60 days in which to review and provide comment on the documentation, and to concur with the eligibility of the resource being nominated.
- After providing reasonable opportunity for public comment, the HPC should complete the one-page CLG Approval Form (available from the SHPO) indicating whether or not the property meets the criteria for the National Register. The form should be signed by both the HPC chairperson and chief elected official of the CLG, then submitted to the SHPO. The form should concentrate on the property's eligibility under the National Register eligibility criteria.
- If the HPC and the chief elected official agree that the proposed nomination meets the criteria for the National Register, the SHPO will forward the proposed nomination and the CLG's comments to the Nevada state review board, the [Board of Museums and History](#).

- If the HPC and the chief elected official disagree as to whether the proposed nomination meets the criteria for listing in the National Register, both opinions will be forwarded to the SHPO, who will forward the proposed nomination with both opinions to the Board of Museums and History.
- If the HPC and the chief elected official agree that the proposed nomination does not meet the criteria for listing in the National Register, the SHPO is not permitted to proceed with the nomination of the property. An appeal may be filed with the SHPO by any person. If an appeal is filed, the SHPO will process the nomination, including submittal to the state review board, submitting the CLG's recommendations and the nomination to the Keeper for a final decision.
- Failure by the CLG to submit, at minimum, the CLG Approval Form for National Register nominations within its jurisdiction may be considered by the SHPO in its review of the CLG.
- Appeals of the SHPO's decisions regarding the National Register of Historic Places may be made directly to the Keeper of the National Register in accordance with federal regulations (36 CFR 60.12).
- For proposed nominations of historic districts to the National Register of Historic Places, the CLG can assist the SHPO by:
 - Aiding the preparer of the form by verifying the names and addresses of the owners of properties within the proposed districts.
 - Providing public meetings at times and places agreeable to the SHPO and the CLG.
 - Providing formal notification of pending nominations to the owners of the property or properties (this is a SHPO responsibility, but a CLG may volunteer to take on this task if language in the notification is approved by the SHPO in advance..
 - The SHPO will notify the CLG, the property owner, and the applicant when a property within the CLG's jurisdiction is listed in the National Register.



The Washoe County Library in downtown Reno, which includes lavish interior landscaping as part of its mid-century Modern design (NVSHPO, 2015).

3. *Establishing & Maintaining a Local Preservation Ordinance*

To become a CLG, a local government must pass an ordinance that governs its historic preservation program. [NRS 278.0201](#) and [NRS 384.005](#) jointly stipulate that local governments have the authority to establish ordinances that regulate private property for their historic value and quality-of-life benefit to the community. Establishing local designations (see Section 2) and reviewing development over those designations is not required as a condition of certification in Nevada. However, if adopted, those provisions must be consistent with the federal and state regulations (36 CFR 61.6 and NRS 278 and 384).

It is strongly recommended that local governments seeking to become CLGs establish within their preservation ordinance the authority for the local government to designate property, and for the HPC to review development over those designations. With the exception of property within the Comstock Historic District, local governments are the only governing body in Nevada that has the authority to review privately-funded developments on private property. As the governing body of each local government typically makes historic designations, elected officials responsible to the public are typically in a position to expand or restrict their historic designations in a manner that is reasonable to their local citizens.

As stipulated in the National Historic Preservation Act, §302503, subsequent federal regulations, and NRS 278.0201 and 384.005, if a local government includes designations in its ordinance, then the following provisions are necessary:

- Authority for the local HPC to review development and demolition on property designated as historic by the local government, if the local government has adopted that authority from the NRS.
- Clear and reasonable authority to review development that affects locally-designated resources, if the local government has adopted that authority from the NRS. In order to meet the stipulations for “protection” under the CLG requirements, a review of an owner’s plans by the HPC must be required at a public meeting. Although binding decision authority is recommended by the SHPO, advisory review is acceptable, provided the review itself is mandatory.
- Adoption of the *Secretary of the Interior’s Standards and Guidelines for Treatment of Historic Properties* as the basis for review.

As historic preservation is an important sub-set of a community’s or county’s broader planning and zoning goals, collaboration and coordination between a local planning commission and its HPC will be necessary. The means that implementing permit-level review of developments affecting locally designated properties will vary from jurisdiction to jurisdiction. It is required by the Nevada SHPO that an HPC with design review authority issue a record of decision to the property owner in writing to confirm approval, approval with conditions, or denial of a particular development. As such, it is imperative that the HPC render decisions in a fair and impartial manner at a noticed public meeting. As such, the Nevada SHPO also requires the use of the *Secretary of the Interior’s Standards and Guidelines for Treatment of Historic Properties* as the basis for CLGs in their decision-making process. Although in most cases, Rehabilitation (adaptive reuse) will be the most appropriate treatment method for local design review, CLGs are encouraged to adopt the full set of Standards to cover cases where Preservation, Restoration, or Reconstruction may be appropriate.

Maintaining a Local Preservation Ordinance		
Aspect of Ordinance	Required	Recommended
Review of developments on locally-designated resources	Not required, but if adopted, must be consistent with NRS 278 and 384.	Decisions by HPC are binding on the owner, similar to building permits.

Review of developments on NRHP-listed properties	Not required and not legally binding without local designation. CLGs can informally monitor NRHP properties, but have no authority to review development on private property.	Informal monitoring only. Design review only if the property is also listed under a local ordinance.
Use of SOI Standards for Treatment of Historic Properties	If design review adopted, is required	Create design review guidelines for locally-designated historic districts.
Issue decisions/review results in writing to applicant/owner	If design review adopted, is required	N/A
Appeals of HPC decisions	If design review adopted, is required – CLG ordinance determines process	Directly to governing body; Planning Commission should be notified but not directly involved unless governing body requests.
Demolition Review/Delay for properties over 50 years of age	Optional	Recommended, but with clear deadlines, and decision options. <i>(Not a substitute for survey)</i>
Allowances for financial hardship	None	Recommended, with clear documentation requirements to avoid misuse.

a. The Secretary's Standards

The Department of the Interior, specifically the National Park Service, maintains the *Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation*, including a subset of those Standards specific to caring for historic properties: the [*Secretary of the Interior's Standards and Guidelines for Treatment of Historic Properties*](#) (the Standards). The Standards and Guidelines are a library of guidance regarding the best practices of historic preservation. These Standards provide a national standard of decision-making about historic preservation, and how to evaluate developments that might affect them. Although adaptive reuse and fair negotiation are important aspects of local design review, beginning with the recommended approaches of the Secretary of the Interior supports a consistent and transparent decision-making process. A CLG that establishes development review over locally-designated properties must adopt the Secretary's Standards as the basis of its design review process.

4. Establishing & Maintaining a System for Survey & Inventory

Every CLG should establish a process by which to identify important historic resources for local, state, and/or federal designation. Having this information easily available not only assists a CLG in determining what properties are most important to protect, but provides an array of broader planning benefits in relation to sustainable community development. *Survey* is generally the documentation of historic areas for the first time, while *inventory* is the result of that survey, including data that should be re-surveyed regularly to update conditions, including alterations and demolitions.

Regarding Survey & Inventory Systems, CLGs must:

- Establish survey and preservation planning elements that are compatible with the survey and planning guidance published by the Nevada SHPO.
- Maintain a detailed inventory of the historic buildings, sites, structures, and districts within the CLG, including those that have designated under local law, if any.
- All inventory materials must be reasonably accessible to the public and compatible with the SHPO's statewide database (NVCRIS).

a. Preservation Planning in Survey & Inventory

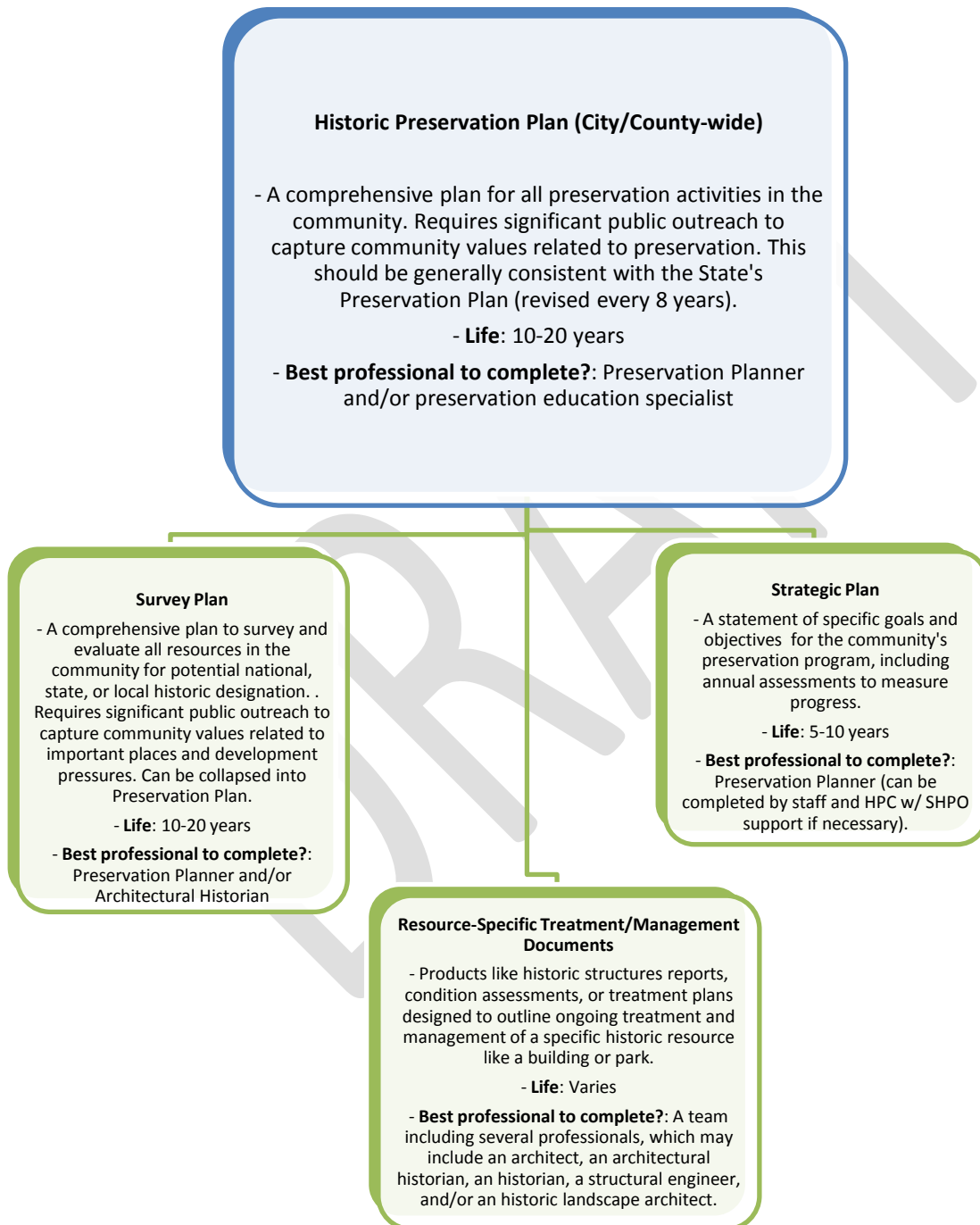
The process of surveying and inventorying historic properties is part of a state or CLG's broader preservation planning activities. As such, CLGs should develop a plan for how they intend to survey and maintain an inventory of historic properties in their jurisdiction. This data will benefit the CLG not only in prioritizing its preservation activities, but can also assist in forming larger city/county-wide development plans, emergency management plans, and disaster response.

The Nevada SHPO is generally flexible in how CLGs meet the requirement to have a plan for survey and inventory. Some larger CLGs might benefit from a formal Historic Resource Survey Plan that outlines goals and priorities for research and documentation of the community's historic areas. Smaller communities may not require such larger plans, but still may benefit from a planning process that prioritizes, in writing, its research, survey, and inventory needs. The Nevada SHPO provides the following recommendations regarding systems of survey and inventory:

- Consider whether a formal Historic Resources Survey Plan is necessary to plan out future research, survey, and inventory (see next page for definition).
- Consider establishing a regular inventory schedule for historic districts to document conditions and provide long-term data for the assessment of treatment approaches. Consider tracking economic impact along with this inventory.
- Consider partnerships with local organizations or institutions to conduct research or survey projects.
- Engage the public. Prioritizing research and documentation efforts will be more successful if aligned with the goals and desires of the community at large, City/County staff, and local elected officials.

b. Types of Preservation Plans

There are several kinds of preservation plans that are helpful in keeping a local preservation program moving forward in a positive and supported direction. The graphic below outlines the various types of plans and how they relate to one another.



c. Using the Nevada Cultural Resource Information System (NVCRIS)

The Nevada SHPO maintains NVCRIS (Nevada Cultural Resources Information System), a statewide geographic information system for cultural resources ranging from archaeological sites to historic buildings and neighborhoods. The SHPO maintains both a Restricted and an Unrestricted NVCRIS. The Restricted NVCRIS service is available to those users who meet the [Secretary of Interior's Professional Qualifications Standards for Archaeology](#), as the service contains confidential archaeological information restricted under the National Historic Preservation Act (NHPA) and the Archaeological Resources Protection Act (ARPA). Unrestricted NVCRIS contains non-sensitive architectural resources and inventories, as well as some archaeological inventory data. In most cases, CLG staff will qualify for the Unrestricted NVCRIS, and can subscribe to NVCRIS for their own planning purposes by contacting the NVCRIS Coordinator.

CLGs that conduct historic resource surveys within their jurisdictions are encouraged to submit that information for inclusion to NVCRIS. However, in order to be included in NVCRIS, data must be submitted in accordance with the [Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation](#) and survey guidance from the SHPO. It is strongly recommended that CLGs contact the National Register Coordinator prior to beginning a survey project to ensure scoped products are consistent with data collection requirements for NVCRIS. When feasible, survey projects by local governments that are documenting architectural resources (buildings, structures, parks, trails, signs, etc.) should use the Nevada SHPO's survey forms.

5. Providing for Adequate Public Participation

As with all public programs, the CLG program requires that a local government ensure public participation in the historic preservation program. At its most basic, this means the CLG's historic preservation activities, including meetings of the HPC, must comply with Nevada's Open Meeting Law ([NRS 241](#)). However, the CLG program is meant to engage and educate the public through education, transparency, and consistency in all aspects of the preservation program. To meet this obligation, CLGs should:

- Develop educational programs and materials that enhance public awareness of their historic preservation activities or historic preservation in general. This may include provisions for a public education component in any survey or research project, participation in National Historic Preservation & Archaeology Month (typically May), or walking tours led by City/County staff, preservation commissioners, or a local non-profit organization.
- Make all HPC decisions in a public forum, and, in CLGs that have development review over locally-designated property, applicants/owners wishing to make alterations to their historic properties must be given written notification of any decisions by the HPC regarding proposed development affecting local historic landmarks or districts.
- Ensure that decisions rendered and actions taken by the HPC are clear, legally defensible, and understandable to the general public. Records of such decisions must be kept on file and available for public inspection.
- Follow proper parliamentary procedure, such as *Robert's Rules of Order* or other adopted rules of procedure during meetings of the HPC.
- Ensure meetings are properly noticed in places where interested citizens will see them.
- Provide for public involvement in the National Register nomination process as required under the NHPA, §302504.

6. Maintaining CLG Status

Provided that the CLG continues to meet the requirements outlined in the federal and state statutes and clarified above, the CLG will retain its status. CLG Agreements between the local government and the SHPO can be terminated by the local government, in writing, at any time and for any reason. The SHPO may also recommend to the NPS the revocation of a local government's CLG status if the local government persistently fails to meet the requirements of the CLG program. It is the goal of the SHPO through its State CLG Coordinator to avoid the need for such action by providing consistent communication, education, and support to local governments.

Reporting to the SHPO

The Nevada SHPO requires an annual report be sent to the State CLG Coordinator at the end of every state fiscal year (June 30) to document the ongoing activities of each CLG, to ensure each CLG is meeting its obligations under the CLG Agreement, and to assess what needs the CLG might have. Copies of the annual reporting form are available from the SHPO website at <http://shpo.nv.gov/clg> or by contacting the State CLG Coordinator. The Coordinator will generally send a blank reporting form to the CLG's HPO with ample time to complete and return the report.

The SHPO will monitor the performance and evaluate each CLG at least once every four years; more frequently if resources allow. This may include:

- Review of the annual reports submitted by the CLG, minutes of HPC meetings, records of administration of federal grant funds, and other documents as necessary.
- The SHPO may send staff representatives to HPC meetings.

The SHPO will use the following criteria when evaluating the CLG's performance and providing comments and recommendations for future growth:

1. Roster of qualified HPC members.
2. Number and frequency of HPC meetings.
3. Quality of local historic resource survey/inventory.
4. Number of requests—and CLG performance in reviewing requests—for alterations, infill development, or demolitions (if local designations and design review are authorized).
5. Consistency of HPC design review decisions with the *Secretary of the Interior's Standards and Guidelines for Treatment of Historic Properties*.
6. Number of National Register nominations commented upon by the CLG.
7. Timeliness and quality of comments on National Register nominations.
8. Compliance with the CLG agreement, State CLG procedures, and federal requirements.
9. Delegated responsibilities carried out according to program requirements.
10. Timely filing of a complete Annual Report.
11. Timely completion of work pursuant to CLG grants.
12. Submittal of minutes to the SHPO.
13. Attendance of HPC members at SHPO-approved educational sessions.
14. Educational activities or programs conducted or sponsored.

If a CLG is found to be deficient in fulfilling its responsibilities, the SHPO shall document the assessment and recommend in writing to the local government specific steps to bring performance to an acceptable level. Persistent and long-term failure to meet CLG requirements may result in the SHPO recommending to the National Park Service that a CLG be decertified.

7. Process for Certification in Nevada

Applications for CLG status must come in writing from the local government, specifically the local government's chief elected local official. The SHPO will respond to requests in writing within 30 calendar days of receipt.

In their request for CLG certifications, the chief elected official of the jurisdiction in question must include in a transmission to the SHPO:

- A written assurance by the chief elected official that the local government is eligible and fulfills the requirements of their document.
- The name and address of the local CLG's designated Historic Preservation Officer who is or will be responsible for carrying out CLG program responsibilities.
- A copy of the local historic preservation ordinance, and, if one exists, the local preservation plan.
- The name and address of every building, site, structure, and district designated as historic under the local ordinance. The material should be presented as a listed inventory and, if available, a map for historic districts should be included.
- A list of members comprising the historic preservation commission, including a statement of each member's demonstrated interest or knowledge in historic preservation and/or their professional qualifications within fields related to historic preservation. If no HPC members are professionals in fields related to historic preservation, the local government should demonstrate to the SHPO that it has made an effort to find and appoint such members through advertisements, communications with a local university, or other means and is willing to seek professional advice as needed to make qualified decisions.
- A proposal of how the HPC will review items requiring specialized expertise, such as National Register nominations, if relevant professional fields such as history, architectural history, architecture, or archaeology are not represented in HPC membership.

If the SHPO can certify that the local government meets the requirements of the CLG program, the SHPO then drafts and executes a CLG Agreement with the local government. The SHPO then submits the CLG Agreement and any additional relevant documents to the National Park Service for approval by the Secretary of the Interior, who has fifteen days to either certify the local government or request more information in writing. The National Park Service then issues a letter with the date of certification to the SHPO, with a copy sent to the CLG.

Glossary

Certified Local Government (CLG) - A local government whose local historic preservation program has been certified by SHPO and National Park Service. It is the local government, and not the Commission, that is certified. 36 CFR 61.

Certification agreement - The document signed by the chief elected official and the State Historic Preservation Officer that specifies the responsibilities agreed to as a condition of being a Certified Local Government.

CLG Jurisdiction - The legal and geographic boundaries of the local government. Because city and county jurisdictions are separate, city and county certified local governments must be established separately also. However, city and county certified local governments may cooperate and share purposes, sub-grant agreements, reporting forms, preservation Commissioners, and a local Historic Preservation Officer.

Chief elected official - The elected head of a local government. This official, according to federal statute, is the CLG program's official contact. This official must sign all programmatic sub-grant agreements and other documents. If the local government grants signatory authority to another, such as an administrative manager, both should sign sub-grant agreements and both should be kept informed of project changes.

Commission - A historic preservation commission, board, council, or similar collegial body that is established by local legislation, composed of professionals and persons appointed as specified in the local legislation that perform the duties and responsibilities outlined in the legislation.

Commission members - Duly appointed persons who demonstrated special interest, experience, or knowledge in history, architecture, or preservation-related disciplines. Commissioners are responsible to the SHPO only as representatives of the local government.

Commission professionals - Professionals in the disciplines of architecture, history, architectural history, planning, prehistoric and historic archeology, folklore, cultural anthropology, curation, conservation, and landscape architecture, or related disciplines.

Consulting party - An individual or entity providing professional advice, expertise, demonstrated interest, or legal or economic relationship to a matter. Under the provisions of 36 CFR 800, federal agencies are required to seek and consider the views of state agencies, other federal agencies, Tribal Historic Preservation Offices, local and certified local governments, local preservation groups, other interested parties, and the public in their consultation regarding information needs and possible effects to historic properties.

Designation - The identification and registration of properties for protection that meet criteria established by the National Register, state, or the locality for significant historic and prehistoric resources within the jurisdiction of a local government. Designation must be consistent with the Secretary of the Interior's Standards for Identification and Registration.

Historic preservation - Includes identification, evaluation, recordation, documentation, curation, acquisition, protection, management, rehabilitation, restoration, stabilization, maintenance, research, interpretation, conservation, and education and training regarding these activities or any combination.

Historic Preservation Fund (HPF) - Monies appropriated to fund matching grants-in-aid program to State and Tribal Historic Preservation Offices for carrying out the purposes of the National Historic Preservation Act, as

amended (16 USC 470 et seq.). By law, a minimum ten percent (10%) of each state's allocation must be subgranted to the certified local government program.

Historic property - Any prehistoric or historic district, site, landscape, building, structure, object, or traditional cultural property included in, or eligible for, inclusion in the National Register, including artifacts, records, and material remains related to such a property or resource.

Integrity - The authenticity of a property's historic identity, evidenced by the survival of physical characteristics that existed during the property's significant historic or prehistoric period. Integrity is based on seven aspects of originality: location, design, setting, materials, workmanship, feeling, and association.

Local Historic Preservation Officer (HPO)- The local Historic Preservation Officer (HPO) coordinates local historic preservation programs, helps in the development of local surveys, projects and historic preservation planning documents, advises and provides assistance to the local historic preservation Commission, government agencies and the public, and ensures to the extent practicable, that the duties and responsibilities delegated by local ordinance are carried out.

Local ordinance - An ordinance, resolution, or other legal instrument to meet the requirements of the certified local government program.

Local government - Any general purpose political subdivision of the state, such as an incorporated city, town, county, or planning district.

National Historic Preservation Act - A federal law that established the certified local government program, National Register of Historic Places, and a process requiring federal agencies to consider the effects of their undertakings on National Register properties, and it encourages preservation on state and private lands, National Historic Preservation Act, as amended (16 USC 470 et seq.).

National Register of Historic Places - The national list of districts, sites, buildings, structures, and objects significant in American history, architecture, landscape, archeology, engineering, or culture, maintained by the Keeper of the National Register at the National Park Service in the Department of the Interior. 36 CFR 60.

National Register criteria - The established criteria for evaluating the eligibility of properties for inclusion in the National Register of Historic Places.

Criterion A.) the property is associated with events that have made a significant contribution to the broad patterns of our history.

Criterion B.) the property is associated with the lives of persons significant in our past.

Criterion C.) the property embodies the distinctive characteristics of a type, period, or method of construction or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components lack individual distinction.

Criterion D.) the property has yielded, or is likely to yield, information important in prehistory or history.

National Trust for Historic Preservation - The nationwide private, nonprofit organization chartered by legislation approved by Congress on October 26, 1949, with the responsibility of encouraging public participation in preservation.

Nomination - A form accompanied by maps and photographs that adequately documents an individual property or district and is technically and professionally correct and sufficient. To nominate is to propose that a district, site, building, structure, or object be listed in the National Register of Historic Places or, where a private owner or majority of owners object to listing, that property be determined eligible by the Keeper of the National Register.

Protection - The application of measures designed to affect the physical condition of a property by defending or guarding it from deterioration, loss, or attack or to cover or shield the property from danger or injury. Also, protection means a local review process under state or local law for any proposed demolition of, changes to, or other action that may affect historic properties listed in an established local register.

Public participation - The active involvement of a wide range of public, private, and professional organizations and individuals. In Nevada, public participation is mandated under NRS 241.

Registered historic district - Any significant historic district that is listed in, and meets the criteria for, the National Register of Historic Places or an established local register.

Review and compliance - The federally mandated state review of an undertaking's affect on historic properties, as specified under Section 106 of the National Historic Preservation Act, as amended (16 USC 470 et seq.). If agreed upon by the SHPO and the certified local government, this responsibility may be delegated in part or whole to the certified local government.

SHPO - State Historic Preservation Office or the State Historic Preservation Officer. "SHPO" is used interchangeably throughout this manual to refer to the state level organization and designated officer that oversees the state preservation programs.

SOI Standards - Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation which provide technical information and guidance about historic preservation activities and methods. The subjects include: Preservation Planning, Identification, Evaluation, Registration, Historic Research and Documentation, Architectural and Engineering Documentation, Archeological Documentation, Treatment of Historic Properties (Restoration, Rehabilitation, Stabilization, and Reconstruction), Professional Qualifications, and Preservation Terminology.

Sub-grant - A pass-through award of financial assistance from the federal government, under the National Historic Preservation Act, as amended (16 USC 470 et seq.) through SHPO to a certified local government to carry out specific objectives for a specified period of time consistent with the terms of a sub-grant agreement.

Sub-grant agreement - The written contractual agreement and any subsequently approved amendments between SHPO and a CLG (sub-grantee) in which the terms and conditions governing the grant award are stated and agreed to by both parties, and that documents the obligations of the funds.

Undertaking (federal undertaking) - A project, activity, or program funded in whole, or in part, under the direct or indirect jurisdiction of a federal agency, including those carried out by or on behalf of the agency (carried out with federal financial assistance, or requiring a federal permit, license, or approval.