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PROGRAM EVALUATION REPORT

MAINE HISTORIC PRESERVATION
COMMISSION

Submitted to the

**Joint Standing Committee on
Education and Cultural Affairs**

In accordance with the
State Government Evaluation Act

November, 2007

**Maine Historic Preservation Commission
Program Evaluation Report**

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Introduction

The Maine Historic Preservation Commission's mandate is to preserve the architectural, historic, and environmental heritage for the people of Maine. It is also mandated to develop and promote the cultural, educational and economic benefits of these resources. This work brings the Commission into contact with and into partnership with many different kinds of projects, people, and organizations. The work is varied, closely regulated, and involves the cooperation of multiple entities. In the flow of reporting and the recording of detail, it is often easy to lose track of the accomplishments that months, sometimes years, of work have brought to a beneficial conclusion. In light of that, this introductory material highlights selected accomplishments of FY 2003. In the report the reader will find additional noteworthy accomplishments from the fiscal years 2002-2006. It is the sincere hope of the Maine Historic Preservation Commission that these highlights will bring to the reader further knowledge of the Commission's work and of the important history this work helps to preserve for Maine citizens.

FY 2003 – Highlighted Achievements

The Historic Preservation Commission worked closely with the Department of Transportation and the Federal Highway Administration on the rehabilitation (and subsequent replacement) of the Waldo-Hancock suspension bridge. This bridge is listed in the National Register and its replacement would be close to Fort Knox, a National Historic Landmark. Supplementary cables were designed to augment deteriorated and broken cables of the old structure, while the design and construction of the new bridge was underway. Strategies that arose from the work may help to preserve other important bridges in the state.

During this same period, the Commission learned that a private salvage company was searching for two Corsair aircraft that are reported to have crashed in Sebago Lake during a training mission in 1944, killing both British pilots. In consultation with the Maine State Museum, the Commission extended emergency protection to the aircraft under the State Antiquities law by declaring them eligible for listing in the National Register of Historic Places. The Attorney General's office used this declaration as a sign of the State's interest in protecting the aircraft from recovery, and the British government engaged counsel to press its interests that as war graves they should not be disturbed. In November, a Federal court in Portland, Maine, issued a decision that Sebago Lake was not a navigable waterway as the salvage company had argued, and consequently that its contents and submerged lands are, in accordance with State law, held in trust by the State of Maine for the public.

In the area of public education, the Commission was one of the underwriters of the Association for Preservation Technology's annual conference that was held in mid-September in Portland, Maine. The conference drew a record 404 participants from eight countries, and included several workshops and tours that spotlighted a number of the State's historic properties and the actions that have been taken to preserve them. Commission Director Earle G. Shettleworth, Jr. delivered a presentation on bridge preservation in Maine at the opening session of the conference. Commission staff member Amy Cole Ives served on the local conference organizing committee, and planned the post conference technical workshops. In addition, the Commission co-published with APT *Joiners and Their Price Books in Portland, Maine, 1760-1819*. This publication was distributed to all the conference attendees.

1. **Enabling legislation and other relevant mandates (State and Federal)**

Enabling Legislation

Title 27 – Maine Revised Statutes

Chapter 17 Maine Historic Preservation Commission

Chapter 13 Antiquities Act

National Historic Preservation Act of 1966 (as amended 2000)

The Maine Historic Preservation Commission operates under and complies with many other regulations while doing business; these include but are not limited to:

Title IV of the Civil Rights Act of 1964

Section 5(j) of the U.S. Public Law 89-209

Management and Use of Funds

Equal Pay Act of 1963

Conflict of Interest Policy

Grants Appeal Policy

Summary of M.S.R.A. – Title 27, Chapter 17

Chapter 17 – Establishes the function of the Commission, which is to preserve the architectural, historic and environmental heritage of the people of the State; and to develop and promote the cultural, educational, and economic benefits of these resources. It further specifies the number of Commission members, what their areas of specialty shall be, and how long the term of service is, and what their duties are in relation to administration, programs, and rules. The position of Director is established along with the duties and expectations attached to that position.

Chapter 13 – Establishes the Maine Historic Preservation Commission's duties and rights in relation to this act.

Summary of National Historic Preservation Act of 1966

The National Historic Preservation Act of 1966 defines the need for preservation and the policy of the Federal Government. This Act provides for the expansion and maintenance of the National Register of Historic Places and gives criteria for National Register and National Historic Landmarks and related rules and regulations. It covers State programs and the rules and regulations that govern those programs as well as grant monies that are available to States and other entities as well as the rules and regulations for those grants. This Act also includes archeological excavations and artifacts, prevention of illegal trafficking in artifacts, the establishment of an Advisory Council on Historic Preservation at the federal level, and the conveyance of historic lighthouses. It also covers the national initiative to coordinate and promote research, distribute information and provide training about preservation skills and technologies.

Summary of Civil Rights

The **Civil Rights Act of 1964** (Title VI) prohibits employment discrimination based on race, color, religion, sex, or national origin, and the Civil Rights Act of 1991, which among other things, provides monetary damages in cases of intentional employment discrimination.

Title IX of the **Education Amendments of 1972** provides that no person in the United States shall, on the basis of sex, be subject to discrimination under any educational program or activity receiving federal financial assistance.

The **Age Discrimination in Employment Act** of 1975, as amended provides that no person in the United States shall, on the basis of age, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any program receiving federal assistance.

Management and Use of Funds

Section 5(j) of the U.S. Public Law 89-209 requires compliance in regard to the employment of professional personnel, mechanics, and laborers, employed for any construction project, and to the health, safety and sanitary laws of the state.

18 U.S.C. Sec. 1913 regulates lobbying with appropriated money, and the Hatch Act (5 U.S.C. Sec. 1501-1508 and 7324-7328) limits the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

An adequate financial management system must be maintained to provide efficient and effective accountability and control of all property, funds and assets, in compliance with OMB Circulars A-102, A-128 (for local governments) and A-110 (for non-profit organizations and universities).

Equal Pay Act of 1963

Stipulates that employers may not reduce wages of either sex to equalize pay between men and women.

Conflict of Interest Policy

The Historic Preservation Commission uses the conflict of interest policy as written in Chapter 3, Part C of the NPS Grants Manual.

Grievance Procedure

1. Any applicant aggrieved by the grant award decision of the Director and the Commission may appeal to the Director for a review. Any such appeal must be in writing and shall set forth the manner in which the aggrieved claims a decision was arbitrary or unreasonable. An appeal must be made within 10 days of receipt of notification of adverse decision.
2. The Director may, at his discretion, hold a meeting with the aggrieved applicant. The Director shall appoint a grievance committee of three persons to conduct a review of the appeal. The committee will include representatives from the Commission. The committee shall, within 21 days, issue a report to the Director, which addresses whether the original decision was arbitrary or unreasonable.
3. The final decision of the Director, with approval of the Commission, shall be made in accordance with the selection criteria, after considering the recommendations of the grievance committee. Such a decision shall be final agency action on the matter.

An aggrieved applicant may be awarded a grant or an increased grant amount where previously denied or limited to a lower figure only when the grant would not require the denial or decrease in a grant award of other eligible applicants which have already executed contracts or covenants.

2. **Description of Each Program Including Priorities, Goals and Objective Performance Criteria; Timetables or other Benchmarks of Success in Meeting Goals, Reasons for Failure, Corrective Measures Taken**

The Maine Historic Preservation Commission is responsible for the identification, evaluation, and protection of Maine's significant cultural resources on behalf of the people of Maine.

In January, 2001, the Commission, in accordance with National Park Service rules and regulations, issued its updated comprehensive plan titled: *A Heritage for the Future: A Plan for Preserving Maine's Historic and Archaeological Resources*. The plan contained a number of short and long-term goals for each of the agency's eight primary program areas. The Commission prepared a revised Third Edition of the plan in November 2005.

The following analysis examines the goals set forth in both the 2001 and 2005 editions of the plan as a means to show the extent to which those goals were met.

National Register Program Area

The goals outlined in 2001 focused in large measure on: identifying – either through new nominations or in the re-examination and revision of old nominations – architectural properties whose area(s) of significance were underrepresented in Maine's National Register listings; expanding the rate at which Multiple Property Documentation Forms (MPDF) were prepared; and completing the remaining four prehistoric context documents. As reported in the 2005 plan, some progress was made in relation to the first set of goals in that the “frequency of nominations in several areas has risen as a percentage of overall nominations: Social History (8% vs. 2%), Politics and Government (8% vs. 5%), Agriculture (6% vs. 1.7%) and Entertainment/Recreation (5% vs. 1.7%).” On the other hand, the development of additional MPDFs and completion of the prehistoric contexts has not been achieved.

Survey Program Area

In 2001, short-term architectural survey priorities included the identification of agricultural resources (especially barns and outbuildings) and potential rural historic districts, whereas long-term goals were to initiate reconnaissance level surveys in four counties, commence an intensive survey of rural Lincoln County, and devise new methods to initiate surveys in the face of limited resources. The long-term prehistoric archaeological survey priorities involved the completion of the coastal zone survey (primarily portions of York, Sagadahoc and Hancock counties) and continuation of Paleo-Indian site identification. Historic archaeological survey priorities included the continuation of efforts to identify 17th century English and French sites, the expansion of the Maine Shipwrecks Inventory, and the education of CLGs (Certified Local Governments) and the broader public about the importance of identifying historic sites in their communities.

By 2005, a reconnaissance level architectural survey of farmsteads in Aroostook County had been completed, and several community groups had initiated volunteer based surveys with either the Commission's direct guidance or with the oversight of a qualified professional consultant. However,

larger countywide survey initiatives did not materialize but remain a long-term goal. Prehistoric archaeological survey continued in the marine coastal shoreline and lower estuaries of the state, as well as on two major Paleo-Indian sites, both sponsored by the Commission. These incomplete survey activities remain priorities in the present plan. A significant historic archaeological accomplishment reported in the 2005 plan was the intensive survey of Witherle Woods in Castine, an area that contains numerous military related sites constructed during the Revolutionary War and the War of 1812. The town sponsored the survey with funds provided through the CLG program. Finally, although the shipwrecks inventory continued to expand with additional sites identified through documentary sources, no source of funding had been found to actually identify the location and significance of those wrecks.

Review and Compliance Program Area

Priorities in this program area identified in the 2001 plan included: continuing efforts to foster cooperative relationships with other agencies and applicants; improving the means by which information gathered during consultation process could contribute to the survey database; providing guidance and technical information to applicants about the project review process on the Commission's website; and developing a GIS database that identifies surveyed areas and properties.

With regard to inter-agency cooperation and the contribution of information to the survey database, the 2005 plan reported progress as a result of the execution of both state and nationwide programmatic agreements including those with the FHWA/FTA/MDOT, FEMA, the FCC and the USDA Natural Resources Conservation Service. Work on the GIS database for prehistoric -- and to a lesser extent historic -- archaeological sites continued incrementally, whereas the inclusion of above ground resources was limited to National Register properties only. These unmet goals are still priorities in the 2005 plan.

Acquisition, Development and Covenants Program Area

In the 2001 plan, priorities for the Acquisition, Development and Covenants program included: expansion of the network of technical assistance to the stewards of Maine light stations; further promotion of the benefits of donating preservation easements; increasing public support for restoration grants; and exploring the feasibility of a summer internship program to assist with covenant monitoring.

The 2005 plan reported on the Maine Legislature's financial support of the New Century program in fiscal years 2001 and 2002, as well as the hiring of an intern in the summer of 2002 to update condition assessment reports on non-light station properties that the Commission holds preservation easements and covenants on. In order to gauge the financial need for restoration or preservation work on properties owned by non-profits and municipalities, the Commission and Maine Preservation undertook a statewide Capital Needs Survey in 2003-2004. Establishment of an ongoing internship program remains an unmet goal due to lack of funding, and efforts to sustain public support for the New Century program continue.

Preservation Tax Incentives Program Area

The principal priorities for this program, as outlined in the 2001, plan were centered on promoting the availability of federal and state rehabilitation tax credits, and raising the profile of model projects of these programs to encourage a high standard of preservation work. However, as noted in the 2005 plan, the state tax credit has not, due to its structure, proven to be a significant additional incentive for rehabilitation work on historic buildings. Thus, despite continuing efforts to promote both federal and state credits, the level of rehabilitation has remained fairly flat. The long-term goal in the current plan is to revise the state tax credit to address its deficiencies.

Certified Local Government Program Area

Certified Local Government program priorities in the 2001 plan were centered on encouraging existing Certified Local Governments (CLG) to expand their efforts to prepare new National Register nominations or update old ones and broaden their interest in identifying and protecting archaeological resources; encouraging municipalities with preservation ordinances to seek CLG status; and continuing the Commission's efforts to provide training and assist communities with the adoption of local ordinances. The 2005 plan reported on the City of Portland becoming the state's ninth CLG. Although the City had adopted a preservation ordinance in 1990, limitations on the review board's decision-making authority, and a provision that exempted certain types of development from review were inconsistent with the CLG program guidelines. The City's renewed interest in becoming a CLG resulted in amendments to the ordinance that resolved the issues. Commission staff reviewed draft language for the amendments to insure that they met the CLG guidelines, and they testified at several public meetings in support of the proposed revisions. The Commission also sponsored annual training sessions open to both CLG and non-CLG communities. Local initiatives to revise old National Register nominations or to submit new ones did not materialize in this period, although the Town of Castine did undertake intensive level archaeological survey in an area that contains significant Revolutionary War and War of 1812 military sites. Developing and delivering effective training workshops remains a priority for this program area.

Planning Program Area

The Commission's planning goals, as outlined in the 2001 plan, included the following: assist communities in the development of local preservation plans and ordinances; educate regional planning commissions about the value of preservation planning as a tool to maintain community character; participate in initiatives both in and outside of state government to promote the benefits of downtown revitalization; and support the development of heritage tourism initiatives. As noted in the 2005 plan, the Commission continued to provide historic and archaeological resource data to towns that are developing comprehensive plans, and the staff also reviewed and commented on the draft plans. The Commission is represented on the Legislature's Community Preservation Advisory Committee, as well as the Maine Downtown Center Advisory Board. Finally, Commission staff worked closely with the Office of Tourism to develop the *Maine Architecture Trail*, a sixteen-page brochure that highlights the diversity of the state's architectural heritage. An unmet goal (due largely to the lack of staff time to devote to this task) was the provision of further support to the regional planning agencies in the form of educational and technical materials on preservation planning.

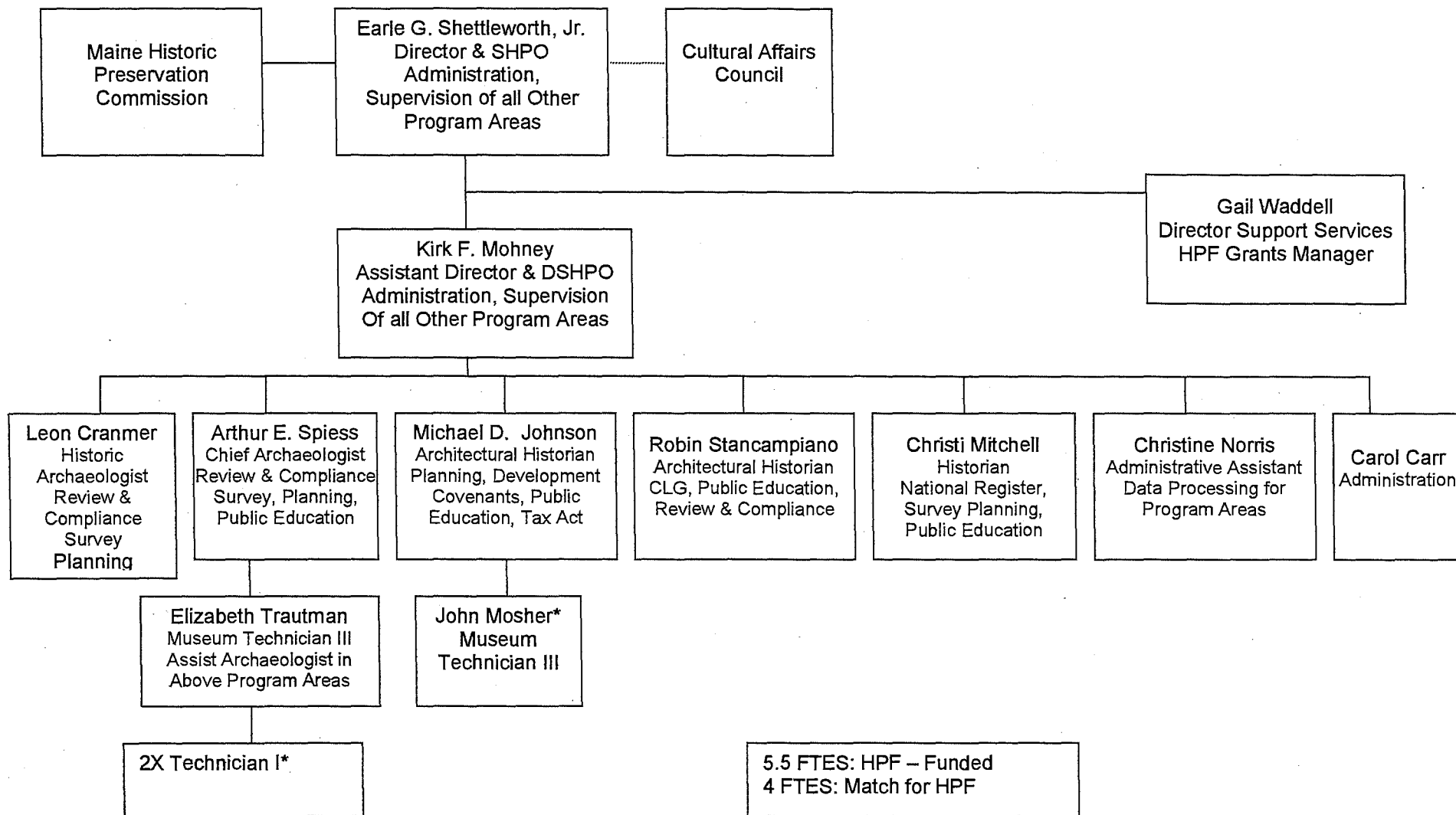
Public Education and Technical Assistance Program Area

There were a number of short and long term goals for this program area that were set forth in the 2001 plan, among which were: continue public lectures and workshops; develop, with others, a preservation education program for public schools; establish an electronic catalogue of Commission holdings; and produce an inventory for the public of National Register listings. The 2005 plan highlighted the staff's ongoing delivery of presentations to the public and participation in preservation related workshops, walking tours and conferences. In addition, although the Commission had not in the recent past been directly involved in the development of public school programming on historic preservation, both Greater Portland Landmarks and Maine Preservation sponsor programs to educate and support teachers. The provision of electronic access to the Commission's extensive technical assistance materials, as well as information on specialized topics such as architectural history and archaeology had not been achieved by 2005. This was due to the longer than anticipated time-frame for rebuilding the Commission's website (which has since been accomplished.)

3. Organizational Structure, Position Count and Job Classifications

- Organizational Structure with Position Count
- Job Classifications with Position Count

The above information follows below.



Job Classifications

Name/Title	State Classification
E. Shettleworth, Jr., Director	Public Services Exec. III
G. Waddell, Director Support Services	Director Support Services HPF Grants Manager (Pd by MSL)
K. Mohney, Assistant Director	Public Services Manager, II
L. Cranmer, Historic Archeologist	Historic Preservationist (Special Revenue)
A. Spiess, Chief Archaeologist	Chief Historic Preservationist
M. Johnson, Architectural Historian	Historic Preservationist (Federal)
R. Stancampiano, Architectural Historian	Historic Preservationist (Federal)
C. Mitchell, Historian	Historic Preservationist (Federal)
C. Norris, Administrative Assistant	Secretary Associate
C. Carr, Administration	Administration (Pd. By MSL)
E. Trautman, Museum Technician II	Museum Technician III (Federal)
J. Mosher, Museum Technician III	Museum Technician III (Special Revenue)
2X Technician I	2X Technician I (Special Revenue)

4. Compliance with Federal and State Safety and Health Laws, Including the ADA and OSHA

The Maine Historic Preservation Commission is a state agency that receives tax money appropriated by the Maine State Legislature as well as Federal grant monies. Therefore, the Historic Preservation Commission, and grant recipients, are contractually committed to abide by state and federal regulations and are mindful of those regulations in the performance of all areas of its endeavors. A summary of several important laws and/or policies follows:

People with Disabilities

Disability is defined as anyone who has a physical or mental impairment, which substantially limits one or more of such person's major life activities, has a record of such impairment, or is regarded as having such impairment.

Section 504 of the Rehabilitation Act of 1973 provides that no otherwise qualified person with a disability in the United States, as defined in Section 7(6), shall, solely by reason of his or her disability, be excluded from participation in, be denied benefits of, or be subject to discrimination under any program or activity receiving federal assistance.

The Americans with Disabilities Act of 1991 extends protections of the Civil Rights Act of 1964 by prohibiting discrimination in employment based in disabilities, requiring places of public accommodation be accessible to people with disabilities, mandating gradual replacement of buses and railroad cars with equipment that can accommodate people with disabilities, and making telephone services available to people with hearing and speech impairments, nationwide.

Occupational Safety and Health Act of 1970

Section 5 says that each employer will furnish each employee a place of employment that is free from recognized hazards that are causing or are likely to cause death or serious physical harm to the employees; and each employer will comply with the occupational safety and health standards of this act. This section covers environmental hazards, ergonomics, as well as workplace violence.

The Historic Preservation Commission has a written policy statement against sexual harassment.

Maine VDT Law

Title 26, Chapter 5, Subchapter 2-A establishes that employers shall educate and train all operators of video display terminals annually.

Drug Free Workplace

The Drug Free Workplace Act of 1988 requires that employees of the grantee not engage in the unlawful manufacture, dispensation, possession, or use of controlled substances in the grantee's workplace or work site.

5. 10-Year Financial Summary

The above information follows below.

Historic Preservation Commission Expenditures

Fund	FY07	FY06	FY05	FY04	FY03	FY02	FY01	FY00	FY99	FY98
General Fund	\$305,419	\$308,060	\$318,889	\$371,985	\$276,510	\$210,782	\$278,813	\$251,781	\$241,436	\$228,957
New Century					\$66,941	\$65,208		\$506,000		\$0
Total General Fund	\$305,419	\$308,060	\$318,889	\$371,985	\$343,451	\$275,990	\$278,813	\$757,781	\$241,436	\$228,957
Federal Fund	\$571,990	\$601,002	\$525,049	\$517,397	\$699,724	\$596,910	\$590,427	\$471,907	\$474,079	\$490,801
Special Revenue	\$368,195	\$368,734	\$349,160	\$399,544	\$336,653	\$310,170	\$226,360	\$218,378	\$219,251	\$185,214
Bond Fund	\$19,811	\$2,789	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total All Funds	\$1,265,415	\$1,280,585	\$1,193,098	\$1,288,926	\$1,379,828	\$1,183,070	\$1,095,600	\$1,448,066	\$934,766	\$904,972

Positions

General Fund	3	3	3	3	3	3	3	3	3	3
Federal Fund	6	6	6	6	6	6	6	6	6	6
Special Revenue	3	3	3	3	3	3	3	3	3	3
Total:	12	12	12	12	12	12	12	12	12	12

6. Regulatory Agenda and Summary of Rules Adopted

The Maine Historic Preservation Commission needs to make changes to its rules pertaining to Restoration Standards and Restoration Grants.

A summary of each of its existing rules follows:

Rules Adopted:

- 94 089 Chapter 100 – Rules for Implementing an Act to Preserve Maine’s Archaeological Heritage
 Chapter 810 – Maine Historic Restoration Standards
 Chapter 811 – Historic Buildings Restoration Grants
 Chapter 812 – State Historic Preservation Officer’s Standards for Archaeological Work in Maine

Summary of Rules Adopted

94 089 - Chapter 100 – Rules for Implementing an Act to Preserve Maine’s Archaeological Heritage

These rule set forth the standards and procedures for access to records in the possession of the Maine Historic Preservation Commission, the State Museum Bureau, the Bureau of Parks and Recreation and other State agencies or the University of Maine containing information regarding the locations or other attributes of archaeological sites.

94 089 - Chapter 810 – Maine Historic Restoration Standards

The Maine Historic Restoration Standards are adopted to guide and govern owners of historic buildings and structures, and local historical commissions involved in the preservation, restoration, reconstruction, and rehabilitation of historic properties. These standards shall govern all projects funded by state grants administered by the Director of the Maine Historic Preservation Commission and buildings offered for federal tax incentives pertaining to historic preservation. Otherwise, the standards serve as guides for owners of historic buildings and structures who seek to follow appropriate standards of care.

94 089 - Chapter 811 – Historic Buildings Restoration Grants

Historic Buildings Restoration Grants are awards of state monies to restore and preserve buildings and structures listed in or nominated to the National Register of Historic Places, which are in governmental, or non-profit ownership and which are open to the public.

94 089 - Chapter 812 – State Historic Preservation Officer’s Standards for Archeological Work in Maine

These rules and regulations contain the composition and functions of the Archaeological Advisory Committee, the credentials requirements for persons on the Commission’s approved lists of prehistoric archaeologist and historic archaeologists, procedure for review of credentials, procedure for removal from approved lists, method for applying for survey grants, participation in environmental impact projects, and guidelines for research and reporting.

7. Areas Where Efforts Have Been Coordinated with Other Agencies or Whether They Should Be

In its regulatory role of reviewing all federal, federally-funded, federally permitted, and federally-licensed projects, the Commission regularly interacts with several state agencies: Departments of Transportation, Conservation, Environmental Protection, Inland Fisheries and Wildlife, and the Maine State Housing Authority. Advisory comments on proposed projects are also provided to LURC. Technical services are provided to the State Planning Office and the Bureau of General Services. The Commission also works closely with two other bureaus, the State Museum and the State Bureau of Parks and Lands (Department of Conservation). These relationships are grounded principally in the areas of archaeology (Museum) and the preservation of state owned historic sites and buildings (Parks and Lands).

In accordance with Sections 106 and 110 of the National Historic Preservation Act, the Commission regularly assists federal agencies when construction activities are planned or federal properties need to be assessed for potentially significant historic resources.

One of the most far-reaching inter-agency efforts in State Government has been the collaboration since 1990 of the Commission and six other cultural partners in the Cultural Affairs Council. Among the notable achievements of this collaboration has been the New Century Community Program. This program is designed to provide a wide range of cultural services statewide to local communities.

The four Cultural Agencies (Maine State Museum, Maine Arts Commission, Maine State Library, Maine Historic Preservation Commission), and the Cultural Affairs Council have consolidated financial affairs into one Budget Office in the Maine State Library, which is responsible for the following areas:

- Fiscal Responsibilities/Budget
- Personnel/Payroll
- Workman's Compensation
- Americans with Disabilities Act of 1991
- Equal Employment Opportunities
- Procurement/Purchasing

8. Constituencies Served by the Agency, Changes or Projected Changes

The Maine Historic Preservation Commission serves the entire Maine population. Cooperation with all levels of government – federal, state, county, and municipal - is essential. Ties are also maintained with both public and private colleges and universities. In addition, technical and educational assistance is made available to local historical societies and museums. The business community is directly involved with preservation, as the Commission assists developers seeking federal investment tax credits for the rehabilitation of depreciable historic buildings and provides project review in accordance with federal laws and state regulations. Because of the Commission's public education programs (staff lectures, workshops, conferences, publications) every year more and more of the people of Maine are exposed to and share in the benefits of identifying and preserving the tangible remains of the state's heritage.

9. Efforts at Alternative Delivery Systems Including Privatization.

In 1993, in response to a state economic crisis, the State Historic Preservation Officer of South Carolina enquired of the National Park Service whether the state preservation offices could charge fees for services, such as nominating a building to the National Register of Historic Places or reviewing a rehabilitation tax credit application. The response was "no," since the state programs receive annual federal apportionments to provide these services.

As stipulated in the National Historic Preservation Act of 1966, the states are partners with the Department of the Interior in administering the program. Thus each state must have a designated State Historic Preservation Officer, advised by a specifically structured, multi-disciplinary professional staff and overseen by a likewise specifically structured, multi-disciplinary Review Board (Commission). Thus, there is no alternative delivery system for the Commission's services.

One of the most far-reaching inter-agency efforts in State Government has been the collaboration since 1990 of the Commission and six other cultural partners in the Cultural Affairs Council. Among the notable achievements of this collaboration has been the New Century Community Program. This program is designed to provide a wide range of cultural services statewide to local communities. As a collaborative effort, this Council has provided an alternative and structured means for the Cultural Agencies to most effectively deliver coordinated services to cultural entities around the State.

As noted above in Item #7, the Maine Historic Preservation Commission has consolidated business functions within the Maine State Library Business Office providing for an efficient and effective means of sharing services among the Cultural Agencies.

10. Emerging Issues for the Agency

In recent years reductions or, at best, level funding of the Maine Historic Preservation Commission's annual federal apportionment have led to the virtual suspension of the statewide survey program for archaeological and architectural resources. The reductions have also meant that, with the exception of projects in Certified Local Government communities, no such funds have been available to provide matching restoration grants to preserve historic buildings, sites, and structures. The inadequate funding for these two essential program areas is why the Commission focused exclusively on these activities in its component of the Maine Communities in the New Century program.

The Commission sees the future as an opportunity to build on the accomplishments of the past, reinvigorate the survey and preservation grants programs, and continue to maintain and build cooperative relationships with other agencies. Important progress has been made in working with municipalities on preservation efforts at the local level, a process in which the Commission is the vital link between the Federal and local governments. Historic Preservation, a program that has come of age from the state and federal standpoint, is a continuing process, which should be solidly institutionalized. This is not only because new data are collected and analyzed every year, but also because historic resources must be protected on a day-to-day basis as an element of our environment just as important as natural resources. It is vital that Maine's historic landscape - its heritage - be permanently monitored to ensure that future development of our state evolves in the best interests of the people of Maine.

11. Comparison of Related Federal Laws and Regulations to the State Laws Governing the Agency or Program

Under Maine law, the Maine Historic Preservation Commission's function is to preserve the architectural, historic and environmental heritage of the people of the State, and to develop and promote the cultural, educational and economic benefits of these resources. Specifically, the work of the Commission supports stabilization and restoration of unique historic structures, in the form of matching grants, which meet the conditions of this law. Beyond this, the Commission is authorized to hold hearings, enter into contracts for cooperative endeavors, accept gifts, etc., and may establish an endowment fund. The State Historic Preservation Officer may make rules to enable the State to comply with laws of the United States intended to promote public historic preservation services. Maine law supports and gives authority to the Historic Preservation Commission in its function as the State's authority on preservation and as custodian of historic resources for the people of Maine. Maine law also confers the ability to accept Federal funds and to act on behalf of the State in matters related to Federal laws. Maine law enables the Historic Preservation Commission of carry out the Federal regulations in the areas of Historic Preservation.

Federal laws establish the need for Historic Preservation and the Federal Government's role in regulating and assisting States in the preservation process. The Maine Historic Preservation Commission is not only answerable to the National Historic Preservation Act of 1966 (amended 2000), but is also responsible to comply with at least 26 laws regulating specific and general areas of preservation (such as marine sanctuaries, coastal zone management, public buildings, historic sites, American Indians, environmental policy, transportation, etc.), and also responsible to adhere to selected regulations from the Code of Federal Regulations, Executive Orders, and Selected Standards. Federal laws guide the work of the Commission in all the specifications of each Act. Federal law also allows the State Historic Preservation Officer to accept monies for the work of Preservation in the form of Federal grants, enter into contracts on behalf of the State, and engage in the work of historic preservation as specified under the various acts.

12. Agency policies for Managing Personal Information, Implementation of Information Technologies and Evaluation of Agency Adherence to the Fair Information Practice Principles

Managing Personal Information

Information that is submitted to the Commission as part of a grant or project review process is considered public information. The Privacy Policy for users of the Commission's website is provided at the bottom of each web page which links the user directly to the Maine.gov policy section.

Personnel files are considered confidential and treated as such.

By law, information on the location of archaeological sites is limited to those with a specific, legitimate need to know. Requests for this information must be made in writing.

Implementation of Information Technologies

The Maine Historic Preservation Commission has developed a website that is informational, educational, and that allows the user to access needed information for all phases of Preservation-related issues. There are links to related websites, and there are guidelines for each of the programs administered by the Commission. Interested parties may download necessary forms and the accompanying guidelines for those forms are available on the web.

The "National Register of Historic Places" portion of the website has links to teaching resources for educators. Having this information readily available to the public, along with the FAQ section, not only makes the work of the Commission more efficient, but it also serves as an efficient way to educate the public about the work of the Commission as well as the need for historic preservation.

The Commission is actively involved in the creation of databases, in cooperation with numerous other agencies that will become permanent sources of searchable information.

Adherence to the Fair Information Practice Principles

At the bottom of each web page is a link to the web policies of the State of Maine (the Preservation website is part of the Maine.gov site); this includes the Privacy Policy for users of the site.

13. **Lists of Reports and Similar Paperwork Required to be Filed with the Agency by the Public**

- Written requests for access to archaeological site location records
- Information Request Form with interior/exterior/notable features
- Grant Applications forms, which will include:
 - Letter of Agreement and Covenants
 - Copies of bills, receipts, etc. if awarded a grant
 - Final Project Report if awarded a grant
 - Certifications Regarding Debarment, Suspension and Other Responsibility Matters, Drug-Free Workplace Requirements and Lobbying
- Report Form for Phase I Survey (Commission-funded architectural survey with accompanying reports); there is a manual for this survey
- Project Review Applications vary according to the project but may include the following:
 - FCC Forms
 - Cover Letter
 - 7.5' USGS topographic map with boundaries clearly indicated for project
 - Photographs of buildings nearby over 50 years old, photographs of existing shorelines, photographs of nearby structures
 - Maine Historic Preservation Commission Historic Building/Structure Survey form
 - Plans, Concept Drawings, Sketches
 - Historic Barn and Agricultural Outbuilding Form
 - Historic Farmstead Survey Form
 - Continuation Sheet
 - There is a grants manual with specific information for preservation grant assisted projects (federal and state)
- Archaeological Survey Project Final Report (there are guidelines for the survey)
- Annual Reports for Certified Local Governments
- Annual Reports from stewards of lighthouses
- Archaeological projects must comply with Rules of Chapter 100 and 810
- Applicants for any project would need to comply with applicable Rules adopted by the agency (see item 6 of this report)

Optional or As-Needed Forms

- Citizen Complaint and Investigation Form

14. Other Information Specifically Requested by the Committee of Jurisdiction

The Maine Historic Preservation Commission is not aware of any other information requested by the Joint Standing Committee on Education and Cultural Affairs.

Addendum

- Maine Historic Preservation Commission Members
- Strategic Plan for 2007 - 2012

Maine Historic Preservation Commission Members

Thomas Desjardin, Ex-Officio Member

Kathy Fuller, Ex-Officio Member

Joseph R. Hanslip, Public Member
Sanford

Philip M. Isaacson, Public Member
Lewiston

Thomas B. Johnson, Historian Member
South Berwick

Dr. James F. O’Gorman, Ph.D., Chairman and Architectural Historian Member
Windham

Michael Pearson, Public Member
Enfield

Michael Pullen, Vice-Chairman and Architect Member
Hampden

Dr. Warren Riess, Ph.D., Historic Archaeologist Member
Bristol

Neil Rolde, Public Member
York

Dr. Richard Will, Ph.D., Prehistoric Archaeologist Member
Ellsworth

The Maine Historic Preservation Commission has begun looking forward to the goals and objectives of the next five-year period. The strategic plan is included with addendum material for those members of the review committee who will be interested in bridging the accomplishments and struggles of the recent past with the plans that have arisen out of the Commission's leadership role in preservation efforts within Maine.

STRATEGIC PLAN

Maine Historic Preservation Commission
October 2007

National Register of Historic Places Program Area

Goal: Broaden the scope of National Register activities and increase the participation of local community groups in it.

Objective 1: By the year 2012, expand by 10% over the 2007 baseline the number of multiple property nominations prepared or existing nominations substantively revised.

Strategy 1: Prepare context base Multiple Property Documentation Forms

Strategy 2: Identify properties which represent areas of significance that are not under-represented in the listings, or are identified as a threatened resource.

Strategy 3: Revise historic district nominations that do not appear to fully reflect in their statements of significance the complete range of applicable criteria.

Strategy 4: Revise and update nominations with errors or omissions, including spatial descriptions, address changes, alteration of function, and dated or missing photographs.

Objective 2: By the year 2012, expand by 10% over the 2007 baseline the number of community groups participating in the National Register process.

Strategy 1: Work with local historical societies, historic district commissions and other municipal bodies to submit information on properties in their communities that may be significant in those areas under-represented in listings.

Strategy 2: Encourage local historical societies/historic district commissions to carefully review existing historic district nominations and submit additional information that more fully illustrates the district's areas of significance.

Survey Program Area

Goal: Broaden the scope of architectural survey activities.

Maine Historic Preservation Commission

Objective: By the year 2012, increase by 10% over the 2007 baseline, the number of architectural surveys that are conducted for endangered property types or in areas not previously surveyed in a comprehensive manner.

Strategy 1: Identify agricultural resources, especially barns and related outbuildings.

Strategy 2: Identify and survey potential rural historic districts.

Strategy 3: Inaugurate reconnaissance level surveys in Aroostook, Piscataquis, Somerset, Washington, and York Counties.

Strategy 4: Devise ways to draw on the resources of special interest groups or adjoining municipalities to conduct multi-phase surveys of particular property types on a statewide level or comprehensive county-wide surveys.

Strategy 5: Identify and evaluate post World War II commercial and residential architecture, and start to collect materials to support survey and nominations of such resources.

Strategy 6: Undertake statewide surveys of automobile related resources, and boys and girls summer camps.

Goal: Expand the public's understanding of and appreciation for prehistoric archaeology.

Objective: By the year 2012, increase by 20% over the 2007 baseline the number of individuals, municipalities and consulting agencies that are provided technical information and services relating to prehistoric archaeology.

Strategy 1: Continue the joint public education efforts with the Maine Archaeological Society, publishing books and a semi-annual journal, and bringing archaeological activities to the public through the Archaeology Month program, and a day at the Common Ground Fair.

Strategy 2: Integrate survey and Review and Compliance results into databases and into predictive model of site locations. Most of this information will be utilized by municipalities and land trusts for planning purposes.

Strategy 3: Educate municipal governments through the Growth Management process, local historic preservation commissions, and the public about the importance of identifying and protecting significant prehistoric archaeological resources.

Strategy 4: Continue planning efforts for Forest Management with small woodlot owners and larger timberland management companies.

Strategy 5: Improve understanding of the Review and Compliance process to sponsoring agencies, applicants and the general public by providing technical information, presentations and utilizing the world wide web.

Strategy 6: Work closely with Penobscot and Passamaquoddy THPOs on archaeological matters, exchanging data and asking for consultation when appropriate.

Strategy 7: Map archaeologically sensitive areas in municipalities as part of the Growth Management process.

Goal: Expand the public's understanding of and appreciation for historic archaeology.

Objective: By the year 2012, increase by 20% over the 2007 baseline the number of individuals, municipalities and consulting agencies that are provided technical information and services relating to historic archaeology.

Strategy 1: Strengthen the link between the Review and Compliance process and the historic archaeological survey program by having relevant compliance projects contribute to the survey database.

Strategy 2: Educate Certified Local Governments, local historic preservation commissions, and the public on the importance of identifying and protecting significant archaeological resources. This can be achieved through events such as Archaeology Month, public lectures, publications, and providing opportunities for volunteers on archaeological digs.

Strategy 3: Improve understanding of the Review and Compliance process to sponsoring agencies, applicants and the general public by providing technical information, presentations and utilizing the world wide web.

Strategy 4: In coordination with other interested parties, establish an initiative to secure annual funding for the Maine Shipwrecks Survey as intended in the Maine Shipwrecks (Management) Plan.

Strategy 5: Continue the development of a GIS-based database, which identifies surveyed areas, individual properties, and sensitive areas.

Review and Compliance Program Area

Goal: Improve the efficiency of the Review and Compliance program.

Objective: By the year 2012, increase by 20% the amount of technical information available to individuals and consulting agencies that submit projects to the Commission for review.

Strategy 1: Work with other state agencies to continue developing a GIS-based database identifying surveyed areas, individual historic properties, and archaeologically sensitive areas.

Strategy 2: Consult with federal and state agencies to effectively protect historic properties while streamlining the review process.

Strategy 3: Utilize the Commission's website to provide forms, links, guidelines and information for consultants, applicants and sponsoring agencies to gather and prepare materials for review.

Strategy 4: Provide survey information (such as maps of surveyed areas, National Register status of individual properties, etc.) on the Commission's website for applicants and sponsoring agencies to use when preparing materials for review.

Strategy 5: Establish a website library of municipal historic preservation ordinances in Maine, as well as national and state level review and compliance agreements.

Acquisition, Development and Covenants Program Area

Goal: Broaden support for a publicly funded preservation grants program.

Objective: By the year 2012, increase by 10% the amount of public funding that is available for the preservation and restoration of historic properties in Maine.

Strategy 1: Update existing data from and expand the Historic Property Capital Needs Survey.

Strategy 2: Explain and demonstrate the benefits of preservation grant programs to the public at large through information on the Commission's website and promotional material for the New Century Community program.

Preservation Tax Incentives Program Area

Goal: Expand the use of preservation tax incentives for historic buildings.

Objective: By the year 2012, increase by 15% over the 2007 baseline, the number of rehabilitation projects that take advantage of federal and/or state preservation tax incentives.

Strategy 1: promote the availability of both the Federal and State Rehabilitation Tax Credit programs to the general public and municipal planning and economic development departments.

Strategy 2: Raise the visibility of model tax credit projects to encourage use of the Tax Credit programs and to encourage a high standard of preservation work.

Strategy 3: Work with Maine Preservation to improve the State Rehabilitation Tax Credit.

Certified Local Government Program Area

Goal: Broaden the participation of Maine communities in the Certified Local Government Program.

Objective: By the year 2012, increase by 10% the number of Maine communities that become certified local governments.

Strategy 1: Promote the benefits of participation in the Maine CLG program to those municipalities that have adopted historic preservation ordinances.

Planning Program Area

Goal: Expand the role of historic preservation planning at the local and statewide level.

Objective: By the year 2012, increase by 10% over the 2007 baseline, the number of instances in which preservation planning is integrated into local and statewide planning activities and initiatives.

Strategy 1: Assist communities in the development of preservation planning and the development of zoning ordinances.

Strategy 2: Educate regional planning commissions about the benefits of historic preservation planning as a tool to maintain community character.

Strategy 3: Remain involved with the Community Preservation Advisory Committee and, as opportunities exist, GroSmart Maine to ensure that historic preservation is a component of the initiatives and programs that are advanced or developed by them.

Strategy 4: Continue to be represented on the Advisory Board to the Maine Downtown Center as a means to assist in the preservation of historic downtowns.

Public Education and Technical Assistance Program Area

Goal: Expand the public's access to information about historic preservation and related topics.

Objective: By the year 2012, increase by 20% from the 2007 baseline, the amount of information about historic preservation and related topics that is accessible from the Commission's website or is delivered to the public by other means.

Strategy 1: Continue public lecture and workshop activities. Focus on specific audiences and address their particular needs for information on specialized topics. Target Aroostook and Washington counties.

Strategy 2: Provide the *Biographical Dictionary of Architects in Maine* in an electronic format from the Commission's website.

Strategy 3: Provide a list, as well as the full text of National Register nominations in electronic format from the Commission's website.

Strategy 4: Explore ways in which local preservation commissions and CLG's can provide more preservation education at the local level.

Strategy 5: Develop a news page on the Commission's website that summarizes current preservation related topics in the state, and provides full text copies of newspaper articles or links to media websites.

Strategy 6. Explore the possibility of co-sponsoring a “preservation week” as a way to raise the public’s awareness of historic preservation.

Strategy 7: Assist preservation organizations and public schools in the development of a preservation education program as part of the state’s educational curriculum.