

## HPAB Recommendation to Los Alamos County

As a Certified Local Government, Los Alamos County has made a commitment to follow national historic preservation standards to preserve, protect, and increase awareness of our unique cultural heritage. The local Historic Preservation Advisory Board (HPAB) is currently tasked with ensuring that we meet our commitments.

HPAB believes that due to the number of cultural properties in Los Alamos County (# per capita), the number of properties owned by Los Alamos County, and the limited authority of the HPAB, a Cultural Resources Manager is needed in order to carry out the duties required.

According to the CERTIFIED LOCAL GOVERNMENT PROGRAM managed by the Department of Cultural Affairs, State Historic Preservation Division,

### 4.10.10.12 PROFESSIONAL CONSULTANT TO CERTIFIED LOCAL GOVERNMENT:

A. In order to carry out the duties delegated to it, the CLG shall employ or have regular access by contract or letter of agreement to the equivalent of one professional who meets the professional qualification standards of the secretary of the interior's standards and guidelines for archaeology and historic preservation. The HPD will consider written proposals for alternative arrangements for CLGs who submit evidence that they have not been able to obtain such expertise due to a lack of financial resources or available professionals. Such alternatives must ensure that adequate expertise exists to allow the CLG to undertake its responsibilities.

B. Consultants shall be approved by the HPD to ensure that personnel have the necessary skills to carry out the specific responsibilities of that CLG. Staff requirements will vary according to the types of programs which the CLG 4.10.10 NMAC 4 undertakes and the duties delegated to it. Annual funds transferred to CLGs, as discussed in 4.10.10.19 NMAC below, may be used toward retaining a preservation consultant. [4.10.10.12 NMAC - Rp, 4 NMAC 10.10.12, 1/1/08]

### Cultural Resources Manager (CLG standards "highlighted")

Roles and Responsibilities:

Promote local preservation initiatives.

- Maintain a system for the survey and inventory of historic properties
- Participate in or oversee archaeological fieldwork, including surveys, excavations, and site monitoring, depending on the specific project.
- Manage the inventory of local historic properties.
- Be the main contact for the contractor (RFP) updating the list of historic properties.
- Enforce appropriate state or local legislation and county codes for the designation and protection of historic properties
- Identify and Evaluate historic properties. Conduct and or manage surveys, research, and assessments to identify and evaluate cultural resources, including archaeological sites, historic structures, and cultural landscapes.

- Stakeholder Engagement. Collaborate with LANL, SHPPO, developers, community members, LACDC- Mainstreet and Creative District, and other stakeholders to address cultural resource concerns, ensure effective management, and leverage funding (write grants).

Preserve and protect historic properties owned by the county.

- Enforce appropriate state or local legislation for the designation and protection of historic properties
- Regulatory Compliance. Ensure LAC projects comply with local, state, and federal laws and regulations related to cultural resource management, such as the National Historic Preservation Act (NHPA).
- establish an adequate and qualified historic preservation review commission
- Prioritize preservation initiatives.
- Develop and manage a cultural resource plan to ensure the preservation, protection, and regular maintenance of LAC historic properties. (budgets, schedules, and work plans for projects involving construction or land development.)
- Work with Public Works, and . . . to provide expert timely advice when working on or near historic properties.
- Track regular project updates that take place on/in historic properties (2024-25 --Rose Garden, Picnic Shelter at the Pond, Manhattan Project Dorm, Baker House, Little Theater, trails, Fuller Lodge, Guest Cottage, etc.)
- Provide regular project updates to the public.
- Reporting and Documentation. Prepare technical reports, research designs, treatment plans, and other documentation related to cultural resource management.

Increase awareness of our unique cultural heritage.

- Provide expertise about our cultural heritage to the marketing and tourism departments.
- Ensure accurate information is published: brochures, social media, walking tours, etc.
- Provide regular communication to the community through newspaper articles, public presentations, booths
- Collaborate with Los Alamos Historical Society and the MPNHP. These two organizations not only occupy historic LAC owned properties, but also share our local history with the public.

-----Resources-----

DESCRIPTION AND STATEMENT OF PURPOSE: Pursuant to 36 CFR 61, the certified local government program is designed

to promote the identification, evaluation, nomination and protection of cultural properties by establishing a partnership between the local government and the HPD which seeks to encourage and expand local involvement in preservation issues. Such partnerships will help to assure that:

A. historic preservation issues are understood and addressed at the local level and are integrated into the local planning and decision-making process at the earliest possible opportunity;

B. local interests and concerns are integrated into the historic preservation process of the HPD;

C. information concerning local historic preservation issues is provided to the HPD and to the public;

D. local historic district and landmark legislation and historic preservation review commissions are established in local governments where they do not yet exist and are updated, if necessary, where they already exist;

E. existing archaeological records and historic cultural properties inventory information maintained by the HPD is made available to the local community to use in identifying and defining community and neighborhood development and historic district areas; and

F. by participating in the preservation of cultural properties within their communities, CLGs: (1) assume a leadership role in the preservation of the community's prehistoric and historic resources;

(2) have a formal role in the national register nomination review process;

(3) participate in the establishment of regional and state historic preservation objectives;

(4) are eligible to apply for subgrants from a designated certified local government fund established annually by the HPD whenever such funds are available; and

(5) receive technical and advisory services from the HPD. [4.10.10.8 NMAC - Rp, 4 NMAC 10.10.8, 1/1/08] 4.10.10.9 ELIGIBILITY: A. Any general purpose political subdivision of the state such as a city, village, county or town which meets the criteria set forth in this rule is eligible to apply for certification. B. The National Historic Preservation Act and the historic preservation fund grants manual contain five broad standards which must be met by a local government seeking certification. The local government must: (1) enforce appropriate state or local legislation for the designation and protection of historic properties; (2) establish an adequate and qualified historic preservation review commission by state or local legislation; (3) maintain a system for the survey and inventory of historic properties; (4) provide for adequate public participation in the local historic preservation program including the process of recommending properties to the national register; and (5)

satisfactorily perform the responsibilities delegated to it under the act. C. Each state is required to see that CLGs satisfy these minimum requirements and may specify additional requirements. The minimum requirements for certification of local governments in New Mexico are further defined below. [4.10.10.9 NMAC - Rp, 4 NMAC 10.10.9, 1/1/08]

4.10.10.10 MINIMUM REQUIREMENTS FOR LOCAL LEGISLATION: Each CLG shall enact a local preservation ordinance which shall contain, at a minimum, the following provisions for the designation and protection of cultural properties by CLGs in New Mexico: A. an authorizing statement citing Sections 3-22-1 through 3-22-5 NMSA 1978 of the Historic District and Landmark Act; B. statement of purpose; C. definitions; D. membership and duties of a historic preservation review commission; E. designation and protection procedures for local landmarks and districts pursuant to Section 3-22-3 NMSA 1978 and the National Historic Preservation Act; F. criteria for designation of local landmarks and districts pursuant to Section 3-22-3 NMSA 1978 and the National Historic Preservation Act; G. provisions for holding a public hearing on proposed designations of local landmarks and districts and adequate public notification of such hearing; H. mandatory review of alterations, demolitions or new construction to listed landmarks and cultural properties within listed historic districts; I. specific guidelines to be used by the historic preservation review commission including as appropriate the secretary's standards for rehabilitation in 36 CFR 67 and the secretary's standards and guidelines for archaeology and historic preservation, available on the the national park service website at [http://www.nps.gov/history/locallaw/arch\\_stnds\\_0.htm](http://www.nps.gov/history/locallaw/arch_stnds_0.htm); J. specific timeframes for reviews and for consideration of alternatives; K. penalties for noncompliance; and L. criteria to enforce appropriate state or local legislation related to the preservation of cultural properties of historic and prehistoric significance. 4.10.10 NMAC 3 [4.10.10.10 NMAC - Rp, 4 NMAC 10.10.10, 1/1/08] [Additional information on standards for the treatment of historic properties with guidelines for preserving, rehabilitating, restoring and reconstructing buildings is available from the national park service web page at

[http://www.nps.gov/history/hps/tps/standguide/.](http://www.nps.gov/history/hps/tps/standguide/)] 4.10.10.11 MINIMUM REQUIREMENTS AND DUTIES OF HISTORIC PRESERVATION REVIEW COMMISSIONS A. The minimum membership and procedural requirements for historic preservation review commissions for CLGs in New Mexico are detailed below. (1) The commission shall have at least five members, all of whom have a demonstrated positive interest, competence or knowledge in the professions of architecture, historic architecture, architectural history, archaeology, anthropology, history, historic preservation, planning, real estate, design, building trades, landscape architecture, conservation, law, finance or related disciplines to the extent that these professionals are available in the community. The chief elected local official shall appoint all commission members. (2) The commission is encouraged to appoint two historic preservation review commission members who meet the professional qualifications standards in appendix A of 36 CFR 61. (3) Terms of office for commission members shall be no less than two years and shall be staggered; (4) Rules of procedure shall be established and made public; (5) The commission shall meet as often as necessary to complete commission responsibilities in a timely fashion, holding no less than four meetings per year, and the meetings shall be held at regular intervals, in a public place, advertised in advance and open to the public; notices of each public meeting shall

be mailed to the HPD in advance. (6) Commission decisions shall be made in a public forum and applicants shall be notified of meetings and advised of decisions. (7) Written minutes, detailing, at a minimum, the actions and decisions of the commission, and reasons for such actions or decisions, shall be made available for public inspection except when confidentiality of site location is required pursuant to Section 18-6-11 NMSA 1978 and the Archaeological Resources Protection Act, 16 U.S.C. 470hh. (8) An annual report of its activities shall be provided to the SHPO as detailed at Section 4.10.10.16 NMAC below. (9) Vacancies on the commission shall be filled within 90 calendar days, unless an extension is requested.

B. Duties of the historic preservation review commissions shall include, at a minimum, the following: (1) conducting or causing to be conducted a continuing survey of cultural properties in the community according to guidelines established by the HPD; (2) making recommendations for designation of local landmarks and historic districts to the appropriate local governing body; (3) establishing and using written guidelines for the conservation of designated local landmarks and historic districts and cultural properties of historic and prehistoric significance in decisions on requests for permits for alterations, demolition or additions to listed landmarks and buildings within historic districts; (4) acting in an advisory role to other officials and departments of local government regarding the protection of local cultural properties; (5) acting as a liaison on behalf of the local government to individuals and organizations concerned with historic preservation; and (6) working toward the continuing education of citizens within the CLG's jurisdiction regarding historic preservation issues and concerns. C. Each commission is required to set aside at least one regular meeting for informational or educational purposes per year, to be attended by HPD staff, pertaining to the work and functions of the commission or to historic preservation. D. The CLG historic preservation review commission, in addition to the above stated duties, reviews all proposed national register nominations for properties within the boundaries of the CLG's jurisdiction. When a commission reviews a nomination or other action that will impact properties within the boundaries and such reviews are normally evaluated by a professional in a specific discipline which is not represented on the commission, the commission shall seek expertise in this area before rendering its decision. E. Pursuant to chapter 3 of the grants manual, historic preservation review commission members shall not engage in activities that would appear to conflict with the fair, impartial and objective performance of commission responsibilities. [4.10.10.11 NMAC - Rp, 4 NMAC 10.10.11, 1/1/08] 4.10.10.12 PROFESSIONAL CONSULTANT TO CERTIFIED LOCAL GOVERNMENT: A. In order to carry out the duties delegated to it, the CLG shall employ or have regular access by contract or letter of agreement to the equivalent of one professional who meets the professional qualification standards of the secretary of the interior's standards and guidelines for archaeology and historic preservation. The HPD will consider written proposals for alternative arrangements for CLGs who submit evidence that they have not been able to obtain such expertise due to a lack of financial resources or available professionals. Such alternatives must ensure that adequate expertise exists to allow the CLG to undertake its responsibilities. B. Consultants shall be approved by the HPD to ensure that personnel have the necessary skills to carry

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LOCAL GOVERNMENT CERTIFICATION AGREEMENT Pursuant to the provisions of the National Historic Preservation Act, as amended, to applicable federal regulations ( 36 CFR 61), and to 4.10.10 NMAC Certified Local Government Program, the City/Town/County of NAME HERE agrees to:

- (1) Enforce appropriate legislation for the designation and protection of historic properties [specify legislation or cross reference requirements from State procedures].
- (2) Maintain an adequate and qualified historic preservation review commission composed of professional and lay members [list or cross reference specific requirements from State procedures].
- (3) Maintain a system for the survey and inventory of historic properties [list or cross reference specific requirements from State procedures].
- (4) Provide for adequate public participation in the historic preservation program, including the process of recommending properties to the National Register [list or cross reference specific requirements from State procedures].
- (5) Adhere to all Federal requirements for the Certified Local Government Program.
- (6) Adhere to requirements outlined in the State of New Mexico regulation titled 4.10.10 NMAC, issued by the State Historic Preservation Office.