

*a national trust publication*

# Basic Preservation Procedures





# Basic Preservation Procedures

**H**ow do we accomplish the job of historic preservation? What basic tools, procedures, laws, resources, and regulations help preserve the historic resources in our communities? Where can we go for financial assistance, technical advice, or helpful publications? This booklet covers four basic subjects that have to do with the business of preservation: forming a preservation organization, surveying historic resources, legal and financial tools, and raising money. The extensive resource guide at the end will help you to explore these topics in greater depth.

## What is Preservation?

Why should we bother to preserve historic churches, riverboats, burial grounds, battlefields, or neighborhoods in first place? The following excerpt from an essay by National Trust Senior Communications Associate Dwight Young eloquently describes why we should preserve and why so many dedicated individuals across the country spend time and money to preserve their community's heritage.

*Cover: Volunteers remove modern entry to the rectory of the Old Stone Church in Buffalo, North Dakota. This all volunteer preservation organization successfully restored both the church and the rectory for use as a Heritage Center for Buffalo and surrounding counties in western Cass County.*



*Historic sites surveyor conducts first phase of a survey of the Central High neighborhood in Little Rock, Arkansas, representing a significant step toward documenting this neighborhood's architecture and history.*

*— Photo courtesy of Quapaw Quarter Association*

Preservation describes a simple activity that all of us engage in every day—and for some very simple reasons. We preserve something because it's good to look at, because it works, because it links us with a past that we need to remember.

Preservationists seek to preserve more than a single building; it's whole communities. And it's a tough job, too, particularly for those who come from communities that are not like Nantucket or Charleston or Boston or San Francisco. The fact is many of us come from places that most people have never heard of. And another fact is those "ordinary" places are eminently worth preserving.

Recently we have begun to realize that our interpretation of the past has some major gaps in it. It focuses on politics and war, the cataclysmic and the unique, and pays scant attention to the broad and ordinary flow of commonplace human experience. Most people's lives have proceeded along other, quieter paths. These quieter paths, these places where we live and work, these aspects of our lives that affect us most deeply and every day, are conspicuously absent in most History as we are taught it. Our hometowns—the places that no one



has ever heard of—are worth saving because they are exceptions to the general tendency to overlook or ignore the overwhelming importance of the ordinary in history.

There are many times when you ask yourself, “Why bother?” Why strain your brain trying to forge relationships and alliances among preservationists and shopkeepers and city managers who seem to have been born with blinders on? Why go to the trouble of identifying and inventorying the cultural resources of your community and developing plans to protect and enhance them? Why bother? Fortunately, the answer to that question has been answered often and eloquently many times.

One of the most moving passages in John Steinbeck’s *Dust Bowl* novel *The Grapes of Wrath* comes when the women of the Joad family sit in their house, poring over their possessions. The Joads are leaving the next morning in search of a better life in California, and they have to decide which of their treasures can be taken along and which must be left behind. Here’s how the passage goes:

...the women sat among doomed things, turning them over and looking past them and back. “This book, my father had it. He liked a book. *Pilgrim’s Progress*. Used to read it. Got his name in it, right here. Why, here’s his pipe—it still smells rank. And this picture—an angel. I looked at it before the first three children were born. Didn’t seem to do much good. Think we could get this china dog in? Aunt Sadie brought it from the St. Louis fair. See—it says right on it. No, I guess we can’t take that. Here’s a letter my brother wrote the day before he died. Here’s an old-time hat. These feathers—I never got to use them. No, there isn’t room.... How can we live without our lives? How will we know it’s us without our past?”

It’s important to note that the women in that scene aren’t members of any local historical society or planning commission. They’re just people facing the imminent loss of their own heritage. The

anguish of their experience should teach us once and for all that our heritage is not the sole property of our historians. It belongs to all of us. A sense of place can grow by being shared, but it also can be lost. As historian Sidney Hyman has pointed out, a place can fall victim to amnesia. It can lose the memory of what it was, and thereby lose touch with what it is, what it wants to be. That loss of community memory happens most dramatically in the destruction of familiar landmarks and landscapes which are tangible manifestations of who we were, what we believed, what shaped us.

One of the most profound statements about preservation was made more than a century ago by John Ruskin. Actually, he was writing about architecture, but his remarks apply beautifully to preservation, too:

When we build, let us think that we build forever. Let it not be for present delight, not for present use alone; let it be such work as our descendants will thank us for; and let us think ...that a time is to come when men will say, “See! This our fathers did for us.”

Just as we learn about our fathers—who they were, what they believed, how they lived—from the buildings and landscapes they left for us, our children will learn about us in the same way. It is entirely proper for us to say, as Ruskin suggested, “See! This our fathers did for us: they found a land of subtle beauty and richness, they built solidly and simply, with a respect for materials and an innate sense of style, and they created ornaments in harmony with the land.” And if we do our job well, it is possible that our children will say, “See! This our fathers did for us: they saw the beauty of this landscape and the worth of these buildings, they protected and nurtured them, and they passed them on to us—alive.”





*In Galveston, Tex., volunteers paint and repair an older home as part of Galveston Historical Foundation's Paint Pals program. This community outreach initiative involves volunteers from local churches, youth groups, student organizations and local businesses.*

— Photo courtesy of Galveston Historical Foundation

## Forming a Preservation Organization

Strong, continuous, well-organized local action is the key to successful preservation efforts. The National Trust for Historic Preservation and other national and statewide organizations can provide advice on preservation problems, however, it is essential that local preservation groups develop their own programs and encourage community support for them.

Before developing a preservation program in your community, determine first if any preservation-related organizations exist in your locality. If there are such groups, explore the possibility that one of them will assume a leadership role in preservation efforts and coordinate the activities of other groups pursuing similar goals. This arrangement avoids duplication of efforts and

provides a forum for achieving consensus on the proper course of action. If no preservation organization exists in your area, explore the possibility of forming one to deal with both immediate and long-term problems. The group could function on either an ad hoc basis or through a more formal structure.

Ad hoc groups often form to solve imminent problems such as opposing the demolition of a historic building or supporting the establishment of a historic district. These informal associations operate with no legal documents and members of these organizations may be individually liable for the actions of the group.

Groups with long-range objectives usually seek a more formal structure and organize as a corporation. Corporations have the advantage of limited liability of members for any of the organiza-

tion's actions. While incorporation for profit is possible, most historic preservation organizations are established as private, tax-exempt nonprofit corporations.

The status and activities of nonprofits are regulated by Section 501(c) of the Internal Revenue Code. Most preservation groups meet the 501(c)(3) classification because their activities are qualified as charitable and/or educational by the Internal Revenue Service (IRS). The IRS requirements for 501(c)(3) organizations limit the political activities of the organization to those specifically allowed by the federal tax code. The tax code also stipulates that no part of the net earnings can be distributed to private shareholders or individuals.

Besides not having to pay taxes, there are additional advantages of 501(c)(3) status. Donations to these groups are



*The Fund for Landmark Indianapolis Properties (FLIP) is a revolving fund operated through the central regional office of Historic Landmarks Foundation of Indiana. The foundation purchases endangered historic properties, such as the one pictured here, before and after rehabilitation. It performs minimum maintenance and resells the property with protective covenants. Attached to the deeds of all FLIP properties, these covenants guarantee the restoration work to the foundation's standards as well as continued maintenance for 75 years.*

—Historic Landmarks Foundation of Indiana



deductible as charitable contributions by individual taxpayers. Organizations may obtain—subject to the payment of an annual fee—a special third-class, bulk mailing permit, which permits the mass mailing of printed literature at reduced postal rates. Most private foundations and federal grant programs will award grants to 501(c)(3) organizations only. Finally, most states exempt 501(c)(3) organizations from paying property taxes.

In addition to applying to the IRS for tax-exempt status, a preservation group must follow certain procedures to incorporate as a nonprofit. These procedures are outlined in state laws and vary from state to state. Contact your state's Office of the Secretary of

State, Corporation Commission or Department of Administration for information on incorporation requirements. Incorporation usually involves the following steps: drafting articles of incorporation, filing articles of incorporation and paying the filing fees, submitting annual reports and filing fees connected with them, drafting bylaws, holding an organizational meeting for the election of directors and officers and adoption of bylaws, and holding an annual meeting and other regular meetings. It is usually a good idea to engage the services of an attorney who has worked for other nonprofit organizations to help your group achieve nonprofit status.

While the legal paperwork goes through its various channels,

a newly-formed preservation group can begin to focus on programs and objectives. It is advisable to develop written goals and objectives and a work plan for at least a one-year period. A budget and fund-raising strategy should also be established.

Preservation programs are most successful when they have strong community interest. Preservation organizations should seek a broad spectrum of community supporters including elected officials, representatives of business and professional groups, and residents. To build support and interest, the organization must clearly articulate its goals and programs. The most effective way to achieve a preservation goal, whether it is to save a historic theater or intro-



duce heritage education programs in local schools, is to make sure that all the facts are well publicized and that all the issues are thoroughly understood.

Use a variety of techniques to publicize your preservation efforts. Promotional literature, videos, public meetings, seminars, workshops, web sites, conferences, and tours of historic areas or buildings can stimulate public interest. Approach local newspapers for coverage of preservation issues and events. Target letters to appropriate editors in the real estate, business, metro, and lifestyle sections. Seek interviews on local radio or television stations. Distribute bumper stickers, posters, buttons, and T-shirts to draw attention to preservation issues. Publish a flyer, illustrating a threatened property or listing the main points of the preservation plan. Make flyers available at public meetings, for display in store windows and libraries and for posting on bulletin boards, or mail them to a targeted audience.

## Preserving Historic Resources

A survey or study of an area's historic, architectural, and cultural resources provides the basic information essential to an effective, informed preservation program. You must be familiar with the resource you are trying to preserve, whether it is 19th-century workers' housing or a historic farmstead. A careful survey pinpoints buildings and districts deserving recognition, provides the basis for possible official designation, and helps establish preservation goals. A survey listing may also help delay—and perhaps avert—actions that would adversely affect a historic building or district.

Surveys also provide the foundation for establishing preservation priorities and encouraging the incorporation of preservation concerns into the local and state planning process. A survey can take many forms. It might include an overview of an entire

community or neighborhood; a thematic study focusing on specific property types such as railroad depots; or a listing of archeological resources.

A survey can be undertaken either by professionals with training in history, archeology, or architectural history or by volunteers or students under the guidance of professionals. All states have standard recording forms, and many have guidelines for completing survey work. Survey forms can be obtained from your state historic preservation office (SHPO), which can also provide valuable advice about methods to use, sources of background data, and professionals in various preservation-related fields who might be consulted. The SHPO would also know if your community has been included in an earlier survey. Those properties surveyed that meet a set of criteria of significance usually form the basis of a list or inventory of historic resources.





Of particular importance to preservationists is the national inventory of historic places, the National Register of Historic Places. Administered by the National Park Service of the U.S. Department of the Interior, the National Register is implemented in each state by the SHPO. The National Register includes properties important in the history, architectural history, archeology, engineering, and culture of the United States, its states and regions, and its communities. The National Register includes buildings and structures such as houses and bridges; sites such as battlefields and burial grounds; districts or groups of buildings such as a neighborhood or school campus; and objects such as fountains and monuments.

Benefits of National Register listing include recognition of the property's significance, consideration in planning for federal or federally-assisted projects, eligibility for certain federal and state tax benefits, and qualification for federal preservation grants, when funding is available. National Register listing provides no controls over private demolition or unsuitable alterations.

Usually the SHPO, the local preservation organization, or local government nominates properties for listing in the National Register, although anyone may submit a nomination. Completed nomination forms are sent to a state review board for approval. If the state board and the SHPO approve the listing, the nomination is forwarded to the National Park Service for review. Once approved, the property is officially entered into the National Register and the SHPO notifies the owner.

If the owner of an individual property or the majority of owners in a historic district object to listing by means of notarized letters,

the property or district will not be listed but may be determined eligible for listing. "Eligible" properties receive the same consideration in the planning for federal or federally-assisted projects as do those actually listed in the National Register.

Many states and municipalities have state or local registers of historic resources. Listing in a state or local register is not necessarily the same as being listed in the National Register. Federal, state and local recognition programs differ in the degree of protection they provide, if any. The SHPO can provide information on any state or area recognition programs, state or local tax benefits, and on the legal protection that may exist for listed properties and districts.

The National Historic Landmark program, also administered by the National Park Service recognizes nationally significant buildings, sites, objects, and districts that possess exceptional value in illustrating or interpreting the heritage of the United States. National Historic Landmarks are designated by the Secretary of the Interior after careful evaluation by an advisory board and are automatically listed in the National Register of Historic Places.

Proper recording and documentation of historic structures is an important component of preservation efforts. Such documentation provides a record for future generations and gives added recognition to a property. The Historic American Buildings Survey (HABS) and the Historic American Engineering Record (HAER) are two federal programs that provide documentation assistance.

Since 1935, HABS has produced and collected drawings, photographs, and documentation of buildings for a national archive in the Library of Con-

gress. HAER has completed similar collections since 1969 for technological and engineering sites and structures. To find out whether a structure has been documented, write to HABS or HAER, National Park Service, U.S. Department of the Interior, 1849 C Street, Suite NC300, NW, Washington, D.C. You can also search online at [www.nps.gov](http://www.nps.gov). Copies of the material on file are available from the Division of Prints and Photographs, Library of Congress, Washington, D.C. 20540. Both HABS and HAER give highest priority to recording structures in danger of demolition, with the goal of preserving through documentation those that may be lost forever.

It is not necessary, however to rely on federal assistance to document buildings. A community can accomplish much on its own, using the services of local architects, architectural students, historians, photographers, and researchers.

## Financial Incentives and Legal Tools

Preservationists should be familiar with the various legal and financial tools—easements, federal tax credits, local preservation ordinances, and required review processes—that can be used to protect historic resources.

### Tax Incentives

The Economic Recovery Tax Act of 1981 created a three-tiered tax credit for investment in old and historic buildings favoring certified historic structures. The Tax Reform Act of 1986 reduced the rehabilitation tax credits to a two-tiered credit and placed restrictions on the investment benefits.

Under the 1986 law, the federal income tax credit is equal to 20 percent of the cost of rehabilitat-



ing a historic building and 10 percent of the cost of rehabilitating a nonhistoric building constructed before 1936. Only properties that are used for industrial, commercial, or rental residential purposes qualify for the tax credit. The tax credit is not available for rehabilitation of property that will be used as a residence by the owner.

To qualify for the 20 percent rehabilitation credit, a building must be a "certified historic structure." A certified historic structure is one that is listed individually in the National Register of Historic Places or located in a registered historic district and certified by the Secretary of the Interior as being of historical significance to the district.

In addition, the rehabilitation work must qualify as a "certified rehabilitation." A certified rehabilitation is one that is approved by the Secretary of the Interior as consistent with the historic character of the building and, where applicable, with the district in which the building is located.

To obtain the necessary approvals, a building owner must follow a three-step application process. The application form, the Historic Preservation Certification Application, is available from your SHPO or the National Park Service online at [www.nps.gov](http://www.nps.gov).

"Part 1" of the application is used to evaluate the historic significance of buildings located within a historic district. If a property is individually listed in the National Register, it is already a certified historic structure and it is not necessary to complete Part 1 of the application.

A 10 percent rehabilitation credit is available for nonresidential, nonhistoric buildings built before 1936. No certification is required for these buildings. The 10 percent rehabilitation credit is not available for certified historic

structures. If a building is located within a registered historic district, it is eligible for the 10 percent credit as long as it is certified by the Department of the Interior as not contributing to the historic significance of the district. A request for certification of non-significance is made through Part 1 of the Historic Preservation Certification Application.


"Part 2" of the certification application describes the rehabilitation work. All elements of the rehabilitation project must meet certain standards to ensure that the historic character of the building is preserved in the process of rehabilitation. These standards,

the Secretary of the Interior's Standards for Rehabilitation, are available from the SHPO or the National Park Service.

Once the project is completed, the owner submits "Part 3" of the application or Request for Certification of Completed Work with photographs documenting the completed rehabilitation in order to receive final certification.

All applications are reviewed by the SHPO before submission to the National Park Service which makes the final certification decisions after considering the SHPO's recommendations. It is a good idea to submit the proposed plans and specifications to



# SAVE SAGAMORE



## VOTE YES November 8 Ballot Proposal 6

Co-Chairman, Coalition to Save Camp Sagamore  
 Senator Alfonso D'Amato      Brendan Gill  
 Senator Daniel Patrick Moynihan      Mrs. James Houghton

For more information, contact:  
 Preservation League of New York State  
 307 Hamilton Street  
 Albany, N.Y. 12210  
 518-462-3608

**Your vote will help**

- Rebuild and preserve Camp Sagamore, listed on the National Register of Historic Places, for future generations
- Save 13 historic buildings from decay or destruction
- Add 200 acres of wild forest land to the Adirondack Forest Preserve
- Do all this at no cost to New York State taxpayers

**This ballot proposal is supported by the following organizations:**

Adirondack Conservation Council•Adirondack Council•Adirondack Museum of the Adirondack Historical Association•Adirondack Mountain Club•Adirondack North Country Association•Association for the Protection of the Adirondacks•Chautauque Institution•Environmental Planning Lobby•Landmark Society of Western New York•Municipal Art Society of New York•National Audubon Society•National Trust for Historic Preservation•Natural Resources Defense Council•New York Landmarks Conservancy•New York State Association of Architects/AJA•New York State Board for Historic Preservation•N.Y.S. Department of Environmental Conservation•N.Y.S. Office of Parks, Recreation and Historic Preservation•Preservation League of New York State•Regional Conference of Historical Agencies•Saratoga Lake Chamber of Commerce•Sagamore Institute•Scenic Hudson, Inc. •Society for the Preservation of Long Island Antiquities and many others.

*An eye-catching poster design was important in the Preservation League of New York State's campaign to obtain voter support for a statewide referendum to allow the camp to remain on forest preserve land. Camp Sagamore is an Adirondack Great Camp, a wilderness retreat with a complex of buildings all constructed in the rustic style using native timber. The camp was threatened with demolition in order that a large parcel of land could be added to the forest preserve. The campaign was successful, and ballot approval was obtained that resulted in "saving Sagamore."*



the SHPO before starting rehabilitation work to ensure that the proposed work complies with the Secretary of the Interior's Standards for Rehabilitation.

Many state and local governments have enacted laws that afford tax relief to owners of historic buildings. Some of the various state tax laws include income tax deductions, a credit or abatement for rehabilitation, a special assessment for property tax, sales tax relief, tax levies and property tax exemption. To find out more, contact your state historic preservation office or National Trust regional office.

### How Does the Historic Rehabilitation Tax Credit Work?

The following hypothetical case study illustrates how the 20 percent tax credit for rehabilitating a certified historic structure is calculated. While these numbers are simplified, this example does show the potential financial benefits of the federal tax incentive program.

#### Project Costs:

|   |                 |
|---|-----------------|
| Acquisition of Land and Building .....    | \$80,000        |
| Direct Rehabilitation Costs .....         | \$320,000       |
| Architectural and Engineering Fees.....   | \$25,000        |
| Other indirect costs                      |                 |
| (Legal, Accounting General Partner) ..... | \$20,000        |
| <hr/> Total Project Costs .....           | <hr/> \$445,000 |

Investment Tax Credit Calculation  
 $\$320,000 + \$25,000 \times 20\% =$  .....\$69,000

*(The \$69,000 historic rehabilitation tax credit can be spread up to fifteen years forward or carried three years back on amended returns as a credit to taxes owed. Most architectural and engineering fees are eligible for tax credit purposes; most legal fees are not.)*

### Section 106 Review

Under Section 106 of the National Historic Preservation Act of 1966, P.L. 89-665, properties included or eligible for inclusion in the National Register of Historic Places are afforded some protection from the adverse effects of projects undertaken by federal agencies. This statute requires that federal agencies allow the Advisory Council on Historic Preservation the opportunity to comment on federal, federally assisted or licensed undertakings that may adversely affect these properties. Programs of federal agencies that affect local historic resources might include a road-widening project, the construction of a new hydroelectric dam, or the relocation of a federal courthouse. These laws place no restrictions, however, on a private owner or a state or local government acting without federal involvement.

The SHPO is a key participant in the Section 106 process. The SHPO works with the federal agency to identify historic properties and assess the effects of the proposed undertaking and then works with the agency to find ways to avoid or reduce any adverse effects. Although it is the legal responsibility of the federal agency involved to inform the Advisory Council or the SHPO of proposed actions, individuals and organizations concerned about potential adverse effects of the actions may also bring them to the SHPO's or the council's attention.

### Environmental Impact Statements

Federal programs or actions that may significantly affect the quality of the environment require an environmental impact statement under the provisions of Section 102 of National Envi-

ronmental Policy Act of 1969, P.L. 91-190 (NEPA). These provisions are intended to assess in detail the environmental impact of a proposed action and to afford an opportunity for comment by interested parties. Because one of the objectives of the act is to "preserve important historic, cultural, and natural aspects of our national heritage," these statements must, for example, assess the effect of federal projects on properties listed or eligible for listing in the National Register.

As a first step, the federal agency involved, or, if more than one agency is involved, the "lead agency," must prepare an "environmental assessment" for all projects that may have significant effects on the environment. This assessment provides the lead agency with the information it needs to determine whether a full environmental impact statement (EIS) is needed. If no adverse effect is determined, the environmental assessment is usually all that takes place.

The Office of Federal Activities at the Environmental Protection Agency (EPA) is responsible for overseeing federal efforts to comply with NEPA. Each federal agency must publish its own regulations for implementing NEPA regulations. Preservationists should become familiar with environmental impact statement procedures. If a federal program or action appears to affect historic properties, check with EPA to see if a draft environmental impact statement has been prepared, and, if it has, exercise your option to comment. If one has not been prepared, bring this to the attention of the EPA or the environmental compliance officer of the federal agency involved.



## **Easements**

Another legal tool, the historic preservation easement, is a partial interest in a property acquired through donation or purchase and carried as a deed restriction or covenant to protect important open spaces, building facades, and interiors. Easement programs have been established to protect farmland around rural villages, a block of commercial buildings, or a stretch of scenic roadway.

A preservation easement is created by deed and is typically donated to a public or private preservation organization. The recipient of the easement is granted the right to restrict the use or development of the property in specific ways to ensure its preservation. In the case of a building, the easement recipient is normally given the right to review and approve proposed development. In some instances, easement recipients may also control changes to interior features of a building.

Easements may last for a limited number of years or may be perpetual. They usually are binding on all present and future owners of the property during the term of the easement.

The availability of a federal tax deduction for the value of a perpetual easement donated to a public or private preservation organization exclusively for conservation purposes provides an incentive to use preservation easements to protect historically important properties and land areas. The tax deduction may be an important financial consideration if the appraised value of the easement is a significant portion of the total value of the property. By reducing the value of the property, an easement may also result in reduced property taxes.

## **State and Local Level Legislation**

Some states require review of state-financed or approved projects through laws modeled on Section 106 requirements. These procedures vary greatly in form and intent from locality to locality. In a typical situation, a state agency must consult with the state historic preservation office before undertaking a state-funded project that could adversely affect designated historic properties. In some instances, the agency must then demonstrate that there is no alternative to the project or find a way to reduce any adverse effects. Information on review procedures in your state can be obtained from the state historic preservation office.

Many states have state environmental policy acts that require state agencies to consider any adverse environmental effects of projects they fund, approve, license, or permit. These laws can be a useful tool for preservationists because in most cases historic properties are included within the definition of the environment.

More than 2300 municipalities have enacted ordinances creating preservation commissions or architectural review boards with the power to regulate exterior changes to all buildings designated for their historical or architectural significance. A cluster of significant structures may be designated as a historic district, or individual structures may be designated as landmarks.

Depending on the authority delegated to a preservation commission in a preservation ordinance, the commission itself may survey and designate structures or may only be empowered to recommend designations to the city council.

Local preservationists seeking to protect a building should determine whether their community has enacted a preservation ordinance, appointed a preservation commission, and designated the structure in question. If the structure has been designated, preservationists should work to ensure that procedures in the local ordinance governing applications to alter, move, or demolish the structure are followed carefully. If the structure has not yet been designated, preservationists should encourage its designation by working with the commission.

Preservationists should become familiar with the zoning laws and master plans for their municipalities, counties, or regions as these are other important tools for protecting historic sites.

Land-use proposals that may adversely affect historic structures or districts and that are not in accord with zoning or master plans should be brought to the attention of the appropriate government office, and steps should be taken to ensure citizen comment on the proposed actions.

It is important to establish an official record of participation in the appropriate administrative processes in the event that a given preservation issue is ultimately taken to court. Ascertain whether a public hearing is required. To participate in a public hearing, make arrangements to be included on the official agenda and prepare a written statement of your position.



## Raising Money

Preservation activities, from publishing a brochure for a self-guided walking tour to hiring a contractor to stabilize the foundation of a 19th-century schoolhouse, require money. With a little creativity many preservation groups are able to accomplish a great deal on a shoestring budget by relying on volunteers, in-kind donations, matching grants, and low-interest loans.

Potential sources of financial assistance for preservation activities include private foundations, corporations, federal, state, and local funding programs, and individuals. An organization set up as a nonprofit is the usual recipient for grants or charitable donations.

The reference section at your local library contains directories that list private foundations and corporations along with their areas of interest. Keep in mind that foundations may support preservation activities even though "preservation" is not listed as a primary area of interest. Preservation-related areas of interest might include local history, low-income housing, or economic development. Two useful directories, the *Taft Corporate Giving Directory* and the *Taft Foundation Reporter* ([www.routledge.com/taft](http://www.routledge.com/taft)) provide information on foundation and corporate giving programs. Updated annually, these directories are cross-referenced by grant size, geographical area, and areas of interest.

Information on private foundations is available from the Foundation Center, a national clearinghouse for information on foundation and corporate giving. The center publishes the *Foundation Directory*, which contains descriptions of more than 10,000 private foundations and their pri-

mary areas of interest. Foundation Center libraries with material on private funding sources are located in numerous cities and are open to the public. Additional information on the center may be obtained from the Foundation Center, 79 Fifth Avenue, New York, N.Y. 10003 (212) 620-4230 ([www.fdncenter.org](http://www.fdncenter.org)).

In seeking financial assistance, a key element is often some degree of local financial participation. Those awarding funds want to be sure that their assistance will not go to waste and that the applicant will be able to carry through a proposed preservation project. A record of successful local activity increases the chances of receiving financial assistance. It is also important to know exactly how much money will be needed and how it will be used before undertaking fund-raising activities or applying for grants and loans.

Some statewide nonprofit preservation organizations have grant and loan programs, as do some state historic preservation offices. For information on these programs contact your SHPO or statewide preservation organization directly.

Other sources of income include membership dues, fund-raising projects such as house tours and festivals, and in-kind services such as free use of a meeting hall or office equipment donated by a local business.

### **Grant and Loan Programs**

The National Trust for Historic Preservation offers a variety of financial assistance programs. Based on the availability of funding, the National Trust awards more than \$2 million in grants and loans each year for preservation projects nationwide. Con-

tact your National Trust regional office for further information on the programs listed below.

The National Trust Loan Funds provide below-market rate loans up to \$350,000 to nonprofits and public agencies to help preserve historic properties. Funds may be used to create or expand local and statewide preservation revolving funds; acquire properties; stabilize, rehabilitate or restore buildings; or undertake pre-development activities.

The Preservation Services Fund provides matching grants ranging from \$500 to \$5,000 to nonprofit organizations, and public agencies to initiate preservation projects. Funds may be used to support consultants with professional expertise in areas such as architecture, law, planning, economics, and graphic design; conferences that address subjects of particular importance to historic preservation; and curriculum development in preservation directed at selected audiences.

The Johanna Favrot Fund offers grants ranging from \$2,500 to \$10,000 to nonprofit organizations and public agencies for projects that contribute to the preservation or the recapture of an authentic sense of place. Individuals and for-profit businesses may also apply for funding to support projects related to National Historic Landmarks.

The Cynthia Woods Mitchell Fund for Historic Interiors provides grants ranging from \$2,500 to \$10,000 to nonprofit organizations and public agencies to assist in the preservation, restoration, and interpretation of historic interiors. Individuals and for-profit businesses may also apply for funding to support projects related to National Historic Landmarks.



## Revolving Funds

In addition to outright grants or low-interest loans, many innovative financing techniques can be used to preserve historic resources. One such technique, a revolving fund, is used to accomplish a specific type of task or activity with the condition that money used will be repaid to the fund for reinvestment in subsequent activities of a similar type. In a typical scenario, a preservation group purchases and rehabilitates or stabilizes a historic commercial or residential building. The group then sells the building with restrictions to ensure that the historic character of the building is preserved. The money from the sale of the building goes back into the revolving fund to be used to purchase additional buildings.

Another type of revolving fund uses loans to current property owners of historic buildings to accomplish the preservation goals, without the local group actually owning the building and having to assume the role of

property owner and developer. Usually these loans are at below-market interest rates and the preservation work to be accomplished with the loan is clearly established at the beginning of the project.

These two types of revolving funds are frequently intermingled by local groups. Loans are made when there is a willing and sympathetic investor for an endangered property. When no private owner is willing to undertake a preservation project, the local preservation group steps in to undertake the rehabilitation of the property as a last resort.

## Summary

Bylaws, IRS regulations, National Register nominations, and environmental impact statements may seem cumbersome and overwhelming when faced with the imminent destruction of the local railroad depot or with the loss of downtown businesses to the regional mall. These basic procedures, however,

help preservation groups achieve their goals, and it is important to understand the various tools available to preserve the historic resources in your community.

There are many successful community preservation programs, some of which developed from the hard lessons learned in early preservation struggles. Even if initial battles are lost, the interest generated can result in greater preservation consciousness in the community and encourage the formation of an effective local preservation group and comprehensive plan.

Do not hesitate to contact the groups listed in the resource section for further information on the subjects covered in the booklet. The National Trust for Historic Preservation along with other national and state organizations can provide information on effective local preservation techniques and preservation activities throughout the country that may serve as models or provide impetus for other preservation efforts.



*National Register listings can include an entire neighborhood such as this residential district in Minneapolis, Minn.*

*—Photo courtesy of the  
Minneapolis Community  
Development Agency*





*The Preservation Trust of Vermont holds a facade easement on the Cobblestone House in Brattleboro, Vt. Preservation easements can be used to protect significant open spaces, building facades, and interiors.*

—Photo by Liz Pritchett

## Acknowledgments

*Basic Preservation Procedures* is an update of the 1980 booklet with the same title. The earlier edition was prepared by the Information Services Division of the National Trust. This update was prepared in 1991 by Byrd Wood and Priscilla Ditchfield of the National Trust with assistance from National Trust regional office and legal staff. It was revised in 1995, and again in 2000 by Byrd Wood and Liz Weaver.

## Resources

Preservation activity in the United States takes place in both the private sector and at all levels of government: local, state and federal. The legal and organizational structure of the preservation network reflects a wide distribution of power and responsibility.

The **National Trust for Historic Preservation** (NTHP) is a non-profit organization chartered by Congress in 1949. It provides leadership, education, and advocacy to save America's diverse historic places and revitalize our communities. The National Trust acts as a clearinghouse for information on all aspects of preservation, assists in coordinating efforts of preservation groups, provides

professional advice on preservation, conducts conferences and seminars, owns or operates 20 historic house museums, and administers grant and loan programs.

Six regional offices provide services to state and local organizations and individuals. These services cover all preservation activities, including field visits, advisory assistance, conferences, and special projects on issues of particular concern to each region. Contact your regional office first if you have questions about preservation issues in your community. Regional office addresses are listed on the inside back cover of this booklet.

Financial support for preservation activities is provided through several different funds that are described in more detail earlier in this booklet. For more infor-



mation on grant and loan programs contact your National Trust regional office.

National Trust Forum is an expanded membership program for the organized preservation movement. Benefits of this membership program include subscriptions to *Forum Journal* and *Forum News* as well as *Preservation* magazine, participation in financial/insurance assistance programs, technical advice, access to Forum Online and substantial discounts on professional conferences and publications. For more information call (202) 588-6053.

Forum Online is a password-protected website designed for the preservation community. Forum members can access information on job listings, upcoming events, current preservation issues, a preservation resource directory, preservation case studies, and Forum-L, an online discussion list for preservationists. For more information call (202) 588-6067.

As the only national organization that regularly goes to court to protect America's historic places, the National Trust—through its Legal Defense Fund—plays a unique role in historic preservation advocacy. Since 1970, the National Trust has appeared as a plaintiff or *amicus curiae*—friend of the court—in more than 130 cases involving critical preservation law issues. Even when the National Trust does not formally appear in a case, National Trust lawyers often work closely with preservation groups from around the country, sharing research, and providing advice on a range of legal issues. The National Trust also publishes the *Preservation Law Reporter*, a quarterly journal for lawyers and preservation advocates interested in new developments in historic preser-

vation, land use, and environmental law. A one-year subscription to *Preservation Law Reporter* is available for \$95 (\$55 for Forum members). For information about the Legal Defense Fund or the *Preservation Law Reporter* please call (202) 588-6035. If you have questions regarding a specific preservation controversy in your area, call your National Trust Regional Office.

Other National Trust programs include the National Main Street Center, which assists states, communities, and others in the revitalization of historic business

districts ([www.mainst.org](http://www.mainst.org)); the Heritage Tourism Program, a fee-for-service program that helps communities, states, and regions create sustainable tourism programs by focusing on their historic and cultural resources; and the Rural Heritage Program that focuses on rural historic preservation issues and rural public policy ([www.ruralheritage.org](http://www.ruralheritage.org)).

The National Trust's **Preservation Books** catalog lists publications that provide concise information on basic and frequently used preservation techniques. More than 100 different



*Special events such as street festivals and tours help promote historic downtown commercial districts. Residents enjoy the annual downtown festival in Clarksville, Tenn.*

—Photo by Linda Glisson



booklets cover topics relating to organizational development, historic district commissions, special building types, and general preservation issues. To obtain a list of titles and an order form, contact Preservation Books, 1785 Massachusetts Avenue, N.W., Washington, D.C. 20036 (202) 588-6296 or view online at [www.nthpbooks.org](http://www.nthpbooks.org). Several publications of interest are listed below.

- *With Heritage So Rich*. Preservation history is presented in the classic study.
- *Preservation Revolving Funds*. Learn how to establish a preservation revolving fund and gain an understanding of organizational issues, rehabilitation options, marketing and resale, publicity and funding.
- *What Style is It?: A Guide to American Architecture*. Overview of U.S. architectural styles using pictures and text to help users easily identify building styles.
- *Quest for Funds: A Fund-Raising Starter Kit*. Guides organizations through the development process and explains how to build support from foundations, corporations and individuals.
- *Preservation Yellow Pages*. A 277-page handbook with names, addresses, facts and figures about preservation.
- *Appraising Easements: Guidelines for Valuation of Historic Preservation and Land Conservation Easements*. This publication provides property owners, preservation and conservation organizations a quick overview of the easement valuation process.
- *Legal Considerations in Establishing a Historic Preservation Organization*. Ways to structure a new organization and information on tax considerations and legislative/lobbying restrictions.

- *Design Review in Historic Districts*. An explanation of the design review process, the role of historic district commissions, design guidelines, legal issues, and the significance of certified local government status.

**National Park Service, U.S. Department of the Interior**, is the principal federal agency responsible for preservation law and activities. The National Historic Preservation Act of 1966 with amendments, creates the basic framework for community preservation planning and provides the legal structure for the retention of historic properties. The act established the National Register of Historic Places to recognize, identify and evaluate significant historic properties.

The federal government provides funding for the listing and federal review processes and provides incentives to encourage reuse of income-producing historic properties. The National Park Service administers the certification program for federal tax incentives. For more information contact: National Park Service, 1849 C Street, NW, Washington, D.C. 20240 or visit their website at [www.nps.gov](http://www.nps.gov).

The National Park Service offers many publications on topics such as historic site surveys, the National Register, historic preservation tax incentives, archeology, preservation commissions, zoning and historic preservation, and conservation districts. Two important publications include *The Secretary of the Interior's Standards for Rehabilitation with Guidelines for Rehabilitating Historic Buildings* and the *Preservation Briefs*.

*The Secretary of the Interior's Standards for Rehabilitation* are used to determine whether the historic character of a building is preserved in the process of rehabilitation. The guidelines recommend responsible methods and approaches and also list treatments that should be avoided. *Preservation Briefs* assist owners and developers of historic buildings in recognizing and resolving common preservation and repair problems prior to work. The briefs are especially useful to preservation tax incentive program applicants because they recommend those methods and approaches for rehabilitating historic buildings that are consistent with their historic character. For a list of available titles contact: Heritage Preservation Services, Technical Preservation Services, 1849 C Street, NW, NC330, Washington, D.C. 20240 (202) 343-9583 or view the Briefs online at [www.nps.gov](http://www.nps.gov).

#### Telephone numbers:

- Archeology & Ethnography Program (202) 343-4101
- Historic American Buildings Survey (202) 343-9598
- National Register of Historic Places (202) 343-9536
- National Historic Landmarks (202) 343-8175
- Heritage Preservation Services (202) 343-9573
- Heritage Preservation Services Publications (202) 343-9583

**The Advisory Council on Historic Preservation** advises federal agencies, the President, and Congress on preservation policy. The council also reviews proposed projects in which federal funds are involved in order to evaluate and mitigate potential effects on historic properties. Two publications of interest are



*Protection of Historic Properties* (36 CFR Part 800), available online and, *Section 106, Step-by-Step*. For more information contact: Advisory Council on Historic Preservation, 1100 Pennsylvania Avenue, N.W., Suite 809 Washington, D.C. 20004 (202) 606-8503 ([www.achp.gov](http://www.achp.gov)).

**State Historic Preservation Offices** (SHPOs) are the state-level public-sector preservation partners. Each state is required to appoint a state historic preservation officer and to appropriate funds to match federal preservation dollars. States are required to identify historically significant properties and nominate them to the National Register. SHPOs also administer state and/or federal grant programs, provide technical assistance on rehabilitation and the National Register, and participate in the federal rehabilitation tax incentives certification program. For an up-to-date list of SHPOs, with addresses and telephone numbers, contact: National Conference of State Historic Preservation Officers, Suite 342, Hall of the States, 444 North Capitol Street, N.W. Washington, D.C. 20001 (202) 624-5465 ([www.sso.org/ncshpo](http://www.sso.org/ncshpo)).

**Statewide Preservation Organizations** are private nonprofit groups that serve as a preservation network and represent local preservation activities within their state. The National Trust's Statewide Partners program seeks to promote preservation, communication, and information sharing among statewide organizations. For more information, contact your National Trust regional office.

**Historic District Commissions** are the principal local level, public sector preservation partners. Commissions may also go by the name of architectural review board or historic preservation commission. Frequently appointed by the mayor, commissions have a range of responsibilities and powers depending upon state and local laws. Typically, commissions conduct town and/or countywide surveys, designate locally significant landmarks and administer permit programs for applications to alter designated properties and construct new buildings. Decisions to alter or demolish historic buildings are generally made at this level of government and are affected most of all by local zoning laws and ordinances.

**The National Alliance of Preservation Commissions** provides information regarding historic preservation law, local ordinances, design review, and local preservation planning. It publishes the periodic *Alliance Review*. For more information contact: National Alliance of Preservation Commissions, P.O. Box 1605, Athens, Georgia, 30603 (706) 542-4731 ([www.arches.uga.edu/~napc](http://www.arches.uga.edu/~napc)).

**Certified Local Governments** (CLG) are local governments with historic preservation programs that meet prescribed standards, making them eligible for special enhanced participation in national preservation programs and grants-in-aid and technical assistance from the state historic preservation offices to assist in carrying out preservation activities at the local level. For further information, contact your SHPO or the National Park Service, Certified Local Government Program, (202) 343-6005.

**Preservation Action** is a national grassroots citizen lobby, with lobbying coordinators in each state. For more information contact: Preservation Action, 1350 Connecticut Avenue, N.W., Suite 401, Washington, D.C. 20036 (202) 659-0915 ([www.preservationaction.org](http://www.preservationaction.org)).

Many other related preservation organizations provide assistance and information depending on your need and interest. The following list includes some of the larger, national groups, as well as key federal agencies.

**The American Association of State and Local History** (AASLH) is a nonprofit educational organization dedicated to advancing knowledge and appreciation of local history in the United States and Canada. For more information contact: American Association for State and Local History, 1717 Church Street, Nashville, Tenn. 37202 (615) 320-3203 ([www.aaslh.org](http://www.aaslh.org)).

**The American Planning Association** (APA) is a national association of professional planners, elected and appointed officials, and developers who are concerned with creating a better planned environment. One publication of interest to preservationists is *Preparing a Historic Preservation Ordinance* by Richard J. Roddewig. This report covers purposes, uses and benefits of historic preservation ordinances; criteria for landmark/historic district designation; economic hardship, appeals from preservation commission decision; and fines and penalties. For more information contact: American Planning Association, 122 S. Michigan Ave., Suite 1600, Chicago, Ill., 60603 (312) 431-9100 ([www.planning.org](http://www.planning.org)).



The **American Institute of Architects (AIA)** represents the interests of architects across the country. The AIA's Committee on Historic Resources is concerned with issues related to historic resource conservation, preservation, restoration, adaptive use, and the management of changes affecting the cultural environment. The AIA provides urban design assistance to communities through Regional Urban Design Assistance Teams. For more information contact: American Institute of Architects, 1735 New York Avenue, N.W., Washington, D.C. 20006 (202) 626-7300 ([www.aia.org](http://www.aia.org)).

The **Government Printing Office** carries many publications of interest to preservationists. The following number can be used to order publications as well as to check on recently released titles. Contact: Superintendent of Documents, Government Printing Office, Washington, D.C. 20402-9325 (202) 512-1800 ([www.gpo.gov](http://www.gpo.gov)).

The **U.S. Committee of the International Council on Monuments and Sites (US/ICOMOS)** is the focus of international cultural resource exchanges in the United States. Contact: International Council on Monuments and Sites, 401 F Street, NW, Suite 331, Washington, D.C. 20006 (202) 842-1866 ([www.icomos.org/us/icomos](http://www.icomos.org/us/icomos)).

The **National Center for Nonprofit Boards** has numerous publications available for nonprofit organizations that cover such topics as volunteer management, board recruitment, and legal issues. For more information call or write: National Center for Nonprofit Boards, 1828 L Street, NW, Suite 900 Washington, D.C. 20036 (202) 452-6262 ([www.ncnb.org](http://www.ncnb.org)).

## Other Publications

- *Saving the Neighborhood*. Peggy Robin. New York: John Wiley & Sons, 1995. This how-to guide provides a practical, step-by-step approach to organizing your neighborhood to stop unwanted development. To order a copy write or call John Wiley & Sons, Customer Service Department, 1 Wiley Dr., Somerset, N.J. 08875-1272 (732) 469-4400. ([www.wiley.com](http://www.wiley.com)).
- *The Conservation Easement Handbook: Managing Land Conservation and Historic Preservation Easement Programs*. Janet Diehl and Thomas S. Barrett. Alexandria, Va.: Land Trust Alliance and Trust for Public Land, 1988. This publication covers IRS criteria for tax-deductible easement gifts, tax benefits, easement negotiation and acquisition, baseline data, and monitoring and enforcement. Available from the Land Trust Alliance, 1319 F Street N.W., Suite 501, Washington, D.C. 20004-1106 (202) 638-4725 ([www.lta.org](http://www.lta.org)).
- "How to Apply for Recognition of Exemption of an Organization." IRS Pamphlet 557. To order, call (800) 829-3676 or view online at [www.irs.gov](http://www.irs.gov).
- *The Board Member's Book*. Brian O'Connell. New York: The Foundation Center, 1985. Revised 1993. Call (800) 424-9836. ([www.fdncenter.org/marketplace](http://www.fdncenter.org/marketplace)).

- *Foundation Fundamentals: A Guide for Grantseekers*. Patricia Read Kurzing. New York: Foundation Center, 1986. Rev. 1999. This manual offers the basic guidelines on how to make your grant application successful with insights into how foundations function and how to best approach them for funding. Call (800) 424-9836. ([www.fdncenter.org/marketplace](http://www.fdncenter.org/marketplace)).
- *The Grass Roots Fundraising Book: How to Raise Money in Your Community*. Joan Flanagan. Chicago: NTC/Contemporary Publishing, 1995. To order a copy, write or call: NTC/Contemporary Publishing, 4255 W. Touhy Ave., Lincolnwood, Ill. 60712. (800) 323-4900 ([www.ntc-cb.com](http://www.ntc-cb.com)).
- *Handbook on Revolving Funds*. Raleigh: Historic Preservation Foundation of North Carolina, 1987. To order contact: Historic Preservation Foundation of North Carolina, Inc., P.O. Box 27644, Raleigh, N.C. 27611-7644 (919) 832-3652 ([www.presnc.org](http://www.presnc.org)).



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