

DAH - HISTORIC PRESERVATION

Enabling Laws

Act 237 of 2010

A.C.A. §13-7-101 et seq.

A.C.A. §13-7-501 et seq.

History and Organization

The Arkansas Historic Preservation Program (AHPP) was created by the Arkansas General Assembly in 1969. The mission of the Arkansas Historic Preservation Program is to fulfill the objectives of the National Historic Preservation Act through the identification, preservation, and protection of the cultural resources of the State of Arkansas. The AHPP is charged with "conducting relations with representative of the federal government, the respective offices in other states, governmental units within Arkansas, organizations and individuals with regard to matters of historic preservation including the program carried out under Public Law 89-655 (16 U.S.C. & 470, et seq.)" by Act 480 of 1977 as amended. In 1975 AHPP became a division of the Department of Arkansas Heritage.

Statutory Responsibilities:

The state and federal legislation that jointly set out the AHPP responsibilities specify areas in which the Agency must operate. These include: the development of a plan for the historic, architectural, and cultural resources of the State; the conduct of surveys of those resources; the acceptance of conservation easements on those resources; the preparation of nominations to the National Register of Historic Places; administration of a review procedure for publicly funded undertakings that may affect historic properties within the state; administration of the federal preservation tax incentives program for the state; the provision of technical assistance to historic property owners; and administration of the Certified Local Government (CLG) program (currently there are 18 CLG cities).

Activities:

The AHPP administers an annual County Courthouse Restoration Grants program, a Historic Preservation Restoration Grants program and a Documentary Media grant program utilizing Real Estate Transfer Tax (RETT) funds.

The AHPP administers the Main Street Arkansas program and various grant programs. Act 729 of 1987, which established the Arkansas Natural and Cultural Resources Council (ANCRC) and Trust fund, provides funding for operation of Main Street Arkansas and AHPP activities

utilizing RETT funds. Also utilizing RETT funds AHPP is administering a Model Business grants program, Slipcover grant program and a Downtown Revitalization grants program for the active Main Street cities. Main Street Arkansas runs the Arkansas Downtown Network to provide services to a broader audience. Main Street Arkansas also is a key partner in the Rural Heritage Development Initiative, using heritage based economic development to strengthen the economy in the Arkansas Delta. Arkansas was chose in 2006 as one of two national pilots and partners with the National Trust for Historic Preservation and the W.K. Kellogg Foundation in this effort.

The agency also administers the federally funded Certified Local Government (CLG) grant program. A minimum of 10% of the annual federal funds received are required to be passed through to CLG cities under this competitive grant program. In addition, AHPP will supplement the federal funds with RETT funds for these CLG grants.

AHPP personnel visit schools around the state to make presentations on Arkansas's historic resources and also offers a variety of lesson plans. The AHPP provides programming for adult audiences through the agency's popular "Sandwiching in History" and "Walks Through History" tour programs and presentations for historical societies, service organizations, local government meetings and other groups. The AHPP helps sponsor the Arkansas Historic Preservation Conference, which focuses on current issues in preservation, giving attendees the latest information on preservation. The annual conference is sponsored in part by the Historic Preservation Alliance of Arkansas and other preservation organizations.

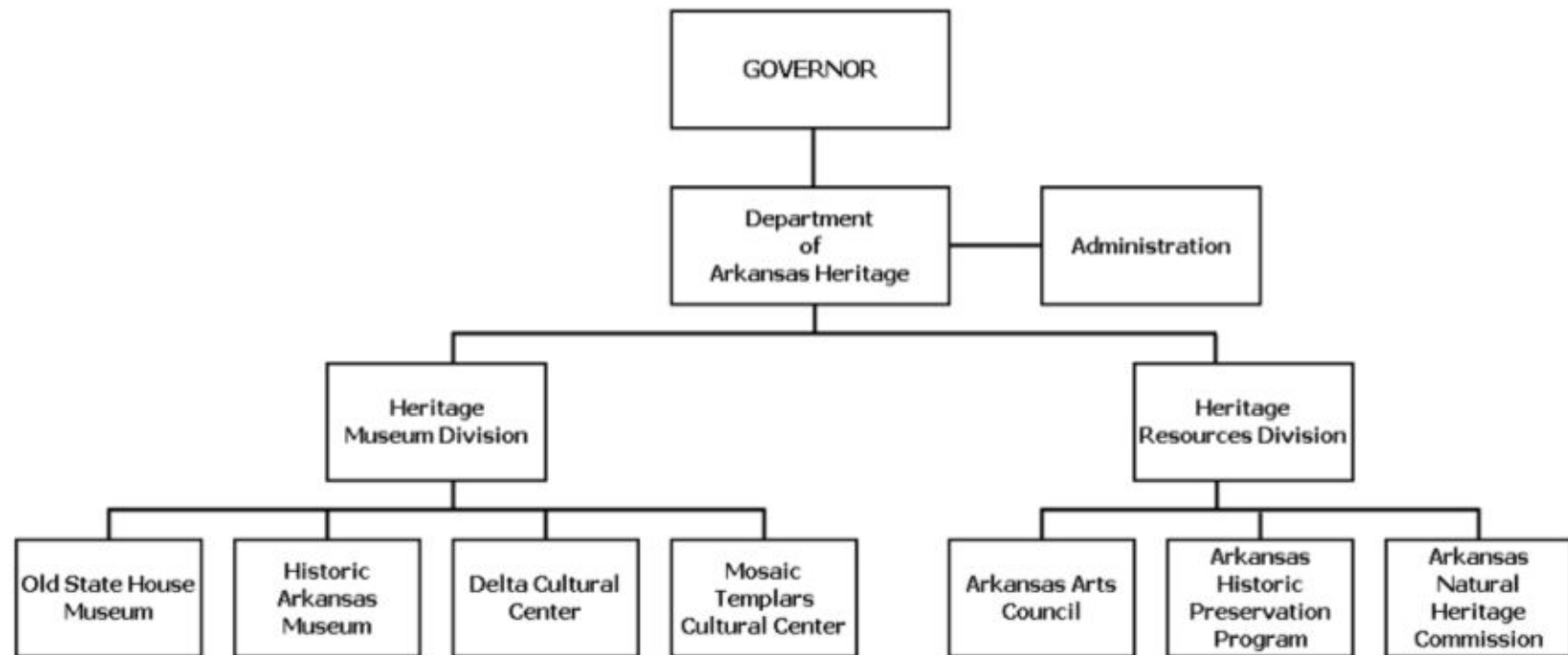
The AHPP's public information efforts include regular press releases to media around the state as well as e-newsletters from both the AHPP and Main Street Arkansas. In addition, www.arkansaspreservation.org includes a wide range of information. The agency also provides educational materials through publications, including studies of specific Arkansas history subjects and a popular series of driving tours based on thematic listings of National Register properties.

The AHPP houses the Arkansas Civil War Sesquicentennial Commission, which seeks to support a statewide observance of the 150th anniversary of the American Civil War between 2011 and 2015. The agency also coordinates the efforts of the Arkansas Civil War Heritage Trail, a group of six regional volunteer organizations that work to identify, protect, interpret and promote Civil War-related properties around Arkansas. The AHPP documents the activities of the regional trail groups in the Arkansas Battlefield Update newsletter.

The AHPP works with the National Park Service and the Trail of Tears Association, as well as with State Historic Preservation Offices in other states, to identify and preserve properties associated with the Cherokee Removal of the 1830s.

Review Committee:

The Arkansas Historic Preservation Program maintains a Review Committee whose members' appointments, qualifications and responsibilities in the administration of the program are in accordance with those defined in 36 CFR 61.4 and Act 1977, #480.



Agency Commentary

See Agency Commentary in DAH - Central Administration.

Audit Findings

DIVISION OF LEGISLATIVE AUDIT
AUDIT OF :
DEPARTMENT OF ARKANSAS HERITAGE
FOR THE YEAR ENDED JUNE 30, 2008

Findings

Audit findings are reported under DAH-Central Administration.

Recommendations

Employment Summary

	Male	Female	Total	%
White Employees	12	10	22	92 %
Black Employees	0	2	2	8 %
Other Racial Minorities	0	0	0	0 %
Total Minorities			2	8 %
Total Employees			24	100 %

Publications

A.C.A. 25-1-204

Name	Statutory Authorization	Required for		# of Copies	Reason(s) for Continued Publication and Distribution
		Governor	General Assembly		
None	N/A	N	N	0	N/A

Department Appropriation Summary

Historical Data								Agency Request and Executive Recommendation											
Appropriation		2009-2010		2010-2011		2010-2011		2011-2012						2012-2013					
		Actual	Pos	Budget	Pos	Authorized	Pos	Base Level	Pos	Agency	Pos	Executive	Pos	Base Level	Pos	Agency	Pos	Executive	Pos
477	Historic Preservation-Real Estate Trsfer Tax	2,179,513	17	3,000,000	8	0	8	0	8	0	10	0	8	0	8	0	10	0	8
491	Historic Preservation-Federal Program	760,776	8	1,546,854	17	1,529,464	17	1,547,327	17	1,547,327	17	1,547,327	17	1,547,327	17	1,547,327	17	1,547,327	17
960	Hist Pres - Main Street - Cash in Treasury	18,803	0	9,247	0	12,342	0	9,247	0	9,247	0	9,247	0	9,247	0	24,247	0	24,247	0
Total		2,959,092	25	4,556,101	25	1,541,806	25	1,556,574	25	1,556,574	27	1,556,574	25	1,556,574	25	1,571,574	27	1,571,574	25

Funding Sources		%		%			%		%		%		%		%		%
Fund Balance 4000005	6,257	0.2	5,804	0.1		11,557	0.7	11,557	0.7	11,557	0.7	17,310	1.1	17,310	1.1	17,310	1.1
Federal Revenue 4000020	760,776	25.7	1,546,854	33.9		1,547,327	98.3	1,547,327	98.3	1,547,327	98.3	1,547,327	98.0	1,547,327	98.0	1,547,327	98.0
Cash Fund 4000045	18,350	0.6	15,000	0.3		15,000	1.0	15,000	1.0	15,000	1.0	15,000	0.9	15,000	0.9	15,000	0.9
Inter-agency Fund Transfer 4000316	2,179,513	73.5	3,000,000	65.7		0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Total Funds	2,964,896	100.0	4,567,658	100.0		1,573,884	100.0	1,573,884	100.0	1,573,884	100.0	1,579,637	100.0	1,579,637	100.0	1,579,637	100.0
Excess Appropriation/(Funding)	(5,804)		(11,557)			(17,310)		(17,310)		(17,310)		(23,063)		(8,063)		(8,063)	
Grand Total	2,959,092		4,556,101			1,556,574		1,556,574		1,556,574		1,556,574		1,571,574		1,571,574	

The FY11 Budget exceeds Authorized in the Historic Preservation-Real Estate Transfer Tax appropriation due to a transfer from the Natural and Cultural Resources Council Grant Fund (481) by authority of A.C.A. §15-12-103 (3).
The Inter-agency Fund Transfer reflects the transfer of Real Estate Transfer Tax funding from the Natural and Cultural Resources Council (Business Area 0887).
The FY11 Budget in the Historic Preservation-Federal Program appropriation exceeds the authorized due to salary adjustments during the 2009-2011 biennium.

Agency Position Usage Report

FY2008 - 2009						FY2009 - 2010						FY2010 - 2011					
Authorized in Act	Budgeted			Unbudgeted Total	% of Authorized Unused	Authorized in Act	Budgeted			Unbudgeted Total	% of Authorized Unused	Authorized in Act	Budgeted			Unbudgeted Total	% of Authorized Unused
	Filled	Unfilled	Total				Filled	Unfilled	Total				Filled	Unfilled	Total		
25	24	1	25	0	4.00 %	25	25	0	25	0	0.00 %	25	24	1	25	0	4.00 %

Analysis of Budget Request

Appropriation: 477 - Historic Preservation-Real Estate Trsfer Tax

Funding Sources: TGP - Natural & Cultural Resources Historic Preservation Fund

This appropriation provides for state grant funding collected from the Real Estate Transfer Tax for Historic Preservation/Main Street Programs. The Director of the Department of Arkansas Heritage is designated as the disbursing officer for grant funding and appropriation provided by the Natural and Cultural Resources Council (NCRC).

According to A.C.A. §15-12-103 (3), "Ten percent (10%) of the net amount [of the Real Estate Transfer Tax, after deducting 3% for the Constitutional Officers Fund] shall be credited to a fund to be known as the 'Natural and Cultural Resources Historic Preservation Trust Fund', to be used by the Council for providing a source of funds for the operation of the state historic preservation program and the 'Main Street' program."

Under this authority, the Natural and Cultural Resources Council is authorized to grant appropriation and funding to the Historic Preservation Program pursuant to special language in Section 35 of Act 237 of 2010 [Appropriation 481]. This authorization entrusts the Director of the Department of Arkansas Heritage to allocate grant appropriation and funding as determined by the conditions of the grant and the state agency.

Base Level includes eight (8) Regular positions and four (4) Extra Help positions. Base Level salaries and matching do not include appropriation for a Cost of Living Adjustment or Career Service Payments. The Base Level salary of the unclassified position reflects the FY11 line item maximum.

The salary and matching appropriation for these positions (as well as any supporting operations appropriation) is not reflected on the Appropriation Summary Report for the Historic Preservation-Real Estate Transfer Tax appropriation (477). The appropriation and funding will be transferred from the NCRC-Main Street Program appropriation (481) by authority A.C.A. §15-12-103(3).

The Agency requests the following two (2) additional positions, each with an annual salary of \$32,249 and related matching of \$11,184.

- One (1) new G186C DAH Program Coordinator Position (grade C117) to help administer the agency's grant programs, by reviewing applications and properties, selecting recipients, negotiating project priorities and budgets, communicating and coordinating with technical and professional staff and other entities, contracting development and administration, reviewing and approving all grant documents for processing payments, enforcing rules and deadlines and training recipients.
- One (1) new G186C DAH Program Coordinator Position (grade C117) to assist with the Section 106 Program. Section 106 of the National Historic Preservation Act of 1966 (NHPA) requires Federal agencies to take into account the effects of their undertaking on historic properties, and if the agency's undertaking could affect historic properties, the agency must review background information,

consult with the State Historic Preservation Officer and others, seek information from knowledgeable parties, and conduct additional studies as necessary. This position is necessary due to an ever increasing workload (in part resulting from economic stimulus funding).

Appropriation for these positions will come from Real Estate Transfer Tax appropriation transfer authority.

The Executive Recommendation provides for Base Level.

Appropriation Summary

Appropriation: 477 - Historic Preservation-Real Estate Trsfer Tax

Funding Sources: TGP - Natural & Cultural Resources Historic Preservation Fund

Historical Data

Agency Request and Executive Recommendation

Commitment Item		2009-2010	2010-2011	2010-2011	2011-2012			2012-2013		
		Actual	Budget	Authorized	Base Level	Agency	Executive	Base Level	Agency	Executive
Regular Salaries	5010000	793,013	444,930	0	0	0	0	0	0	0
#Positions		17	8	8	8	10	8	8	10	8
Extra Help	5010001	37,443	42,838	0	0	0	0	0	0	0
#Extra Help		4	4	4	4	4	4	4	4	4
Personal Services Matching	5010003	227,466	130,192	0	0	0	0	0	0	0
Operating Expenses	5020002	305,031	600,000	0	0	0	0	0	0	0
Conference & Travel Expenses	5050009	38,376	50,000	0	0	0	0	0	0	0
Professional Fees	5060010	70,690	100,000	0	0	0	0	0	0	0
Data Processing	5090012	0	0	0	0	0	0	0	0	0
Grants and Aid	5100004	669,089	1,622,040	0	0	0	0	0	0	0
Capital Outlay	5120011	38,405	10,000	0	0	0	0	0	0	0
Total		2,179,513	3,000,000	0	0	0	0	0	0	0
Funding Sources										
Inter-agency Fund Transfer	4000316	2,179,513	3,000,000		0	0	0	0	0	0
Total Funding		2,179,513	3,000,000		0	0	0	0	0	0
Excess Appropriation/(Funding)		0	0		0	0	0	0	0	0
Grand Total		2,179,513	3,000,000		0	0	0	0	0	0

The FY11 Budget exceeds Authorized appropriation due to a transfer from the Natural and Cultural Resources Council (NCRC) Grant Fund (481) by authority of A.C.A. §15-12-103 (3).
The Inter-agency Fund Transfer reflects the transfer of Real Estate Transfer Tax funding from the Natural and Cultural Resources Council (Business Area 0887).

Change Level by Appropriation

Appropriation: 477 - Historic Preservation-Real Estate Trsfer Tax
Funding Sources: TGP - Natural & Cultural Resources Historic Preservation Fund

Agency Request

Change Level		2011-2012	Pos	Cumulative	% of BL	2012-2013	Pos	Cumulative	% of BL
BL	Base Level	0	8	0	0.0	0	8	0	0.0
C01	Existing Program	0	2	0		0	2	0	

Executive Recommendation

Change Level		2011-2012	Pos	Cumulative	% of BL	2012-2013	Pos	Cumulative	% of BL
BL	Base Level	0	8	0	0.0	0	8	0	0.0
C01	Existing Program	0	0	0		0	0	0	

Justification

C01	<p>The Arkansas Historic Preservation Program (AHPP) requests two new staff positions that are critical to comply with federal and state requirements and to keep up with continual increases in requests from our constituency. The first position requested is a G186C - DAH Program Coordinator (Grade C117) position for the Grants Program. With six active grant programs and awards between 1.8 – 3.5 million, this position is necessary to administer these often long-term projects that may span three year grant cycles. A typical grant project includes review of applications and properties; selection of recipients; negotiation of project priorities and budgets; communication among technical and professional staff, recipients, other government agencies, contractors and architects and municipalities; contract development and administration; review and approval of all grant documents for processing payment; enforcement of rules, regulations and deadlines; training recipients; and coordination with agency director, deputy director and fiscal officer. A grants coordinator would facilitate all these responsibilities which are currently spread out among AHPP staff. The second position requested is a G186C - DAH Program Coordinator (Grade C117) position for the Section 106 Review Program. This program area typically reviews around 4,000 projects per year but that number has dramatically increased to approximately 13,000 projects per year. Currently, the Agency has one archeologist on the AHPP staff and another one on loan from the AHTD. For standing structure review, the Agency have one architect who reviews 106 projects as part of his duties and an architectural historian who has been added to provide assistance. This level of staffing has made it nearly impossible for the agency to meet its mandated 30-day review period yet many of the stimulus projects require an even quicker turn-around time. Additional personnel would assure that the agency is in compliance with federal law and is able to facilitate projects for other state and federal agencies in a timely fashion.</p>								
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Analysis of Budget Request

Appropriation: 491 - Historic Preservation-Federal Program

Funding Sources: FHP - Historic Preservation Federal

The Historic Preservation Program is charged with coordinating the State Historic Preservation Plan with the representatives of the Federal Government, other States, and governmental units within Arkansas, State Agencies, organizations, and individuals with regard to matters of historic preservation (A.C.A. §13-7-106). This appropriation provides federal funding from the United States National Park Service for the Historic Preservation Program.

Base Level salaries and matching do not include appropriation for a Cost of Living Adjustment or Career Service Payments.

The Agency requests the continuation of Base Level appropriation of \$1,547,327 each year with 17 Regular positions and 2 Extra Help positions.

The Executive Recommendation provides for the Agency Request.

Appropriation Summary

Appropriation: 491 - Historic Preservation-Federal Program

Funding Sources: FHP - Historic Preservation Federal

Historical Data

Agency Request and Executive Recommendation

Commitment Item		2009-2010	2010-2011	2010-2011	2011-2012			2012-2013		
		Actual	Budget	Authorized	Base Level	Agency	Executive	Base Level	Agency	Executive
Regular Salaries	5010000	342,254	700,013	679,765	694,113	694,113	694,113	694,113	694,113	694,113
#Positions		8	17	17	17	17	17	17	17	17
Extra Help	5010001	15,178	18,672	18,672	18,672	18,672	18,672	18,672	18,672	18,672
#Extra Help		2	2	2	2	2	2	2	2	2
Personal Services Matching	5010003	102,800	214,629	217,487	221,002	221,002	221,002	221,002	221,002	221,002
Operating Expenses	5020002	146,974	205,394	205,394	205,394	205,394	205,394	205,394	205,394	205,394
Conference & Travel Expenses	5050009	1,920	5,046	5,046	5,046	5,046	5,046	5,046	5,046	5,046
Professional Fees	5060010	0	44,000	44,000	44,000	44,000	44,000	44,000	44,000	44,000
Data Processing	5090012	0	0	0	0	0	0	0	0	0
Grants and Aid	5100004	151,650	359,100	359,100	359,100	359,100	359,100	359,100	359,100	359,100
Capital Outlay	5120011	0	0	0	0	0	0	0	0	0
Total		760,776	1,546,854	1,529,464	1,547,327	1,547,327	1,547,327	1,547,327	1,547,327	1,547,327
Funding Sources										
Federal Revenue	4000020	760,776	1,546,854		1,547,327	1,547,327	1,547,327	1,547,327	1,547,327	1,547,327
Total Funding		760,776	1,546,854		1,547,327	1,547,327	1,547,327	1,547,327	1,547,327	1,547,327
Excess Appropriation/(Funding)		0	0		0	0	0	0	0	0
Grand Total		760,776	1,546,854		1,547,327	1,547,327	1,547,327	1,547,327	1,547,327	1,547,327

The FY11 Budget in Regular Salaries exceeds the authorized due to salary adjustments during the 2009-2011 biennium.

Analysis of Budget Request

Appropriation: 960 - Hist Pres - Main Street - Cash in Treasury

Funding Sources: NNH - Natural and Cultural Resources Historic Preservation Cash

The Main Street Program was established in 2001 and works with local communities to revitalize downtown commercial areas throughout Arkansas. The Agency utilizes this appropriation to provide professional services and educational training meetings to support Main Street activities. Funding is derived from cash funds generated by technical assistance receipts collected for the Historic Preservation Main Street Program.

The Agency Base Level Request includes appropriation of \$9,247 each year of the biennium.

The Agency Change Level Request includes additional Professional Fees appropriation of \$15,000 in FY13 only. The additional appropriation will be used for the Agency to host a tri-state conference and to provide training and technical assistance relating to downtown revitalization to communities joining the Arkansas Downtown Network (ADN) and to provide training and technical assistance to communities joining the Main Street Arkansas Network, which uses a community driven, comprehensive methodology to revitalize older, traditional business districts throughout the United States.

The Executive Recommendation provides for the Agency Request. Expenditure of appropriation is contingent upon available funding.

Appropriation Summary

Appropriation: 960 - Hist Pres - Main Street - Cash in Treasury

Funding Sources: NNH - Natural and Cultural Resources Historic Preservation Cash

Historical Data

Agency Request and Executive Recommendation

Commitment Item		2009-2010	2010-2011	2010-2011	2011-2012			2012-2013		
		Actual	Budget	Authorized	Base Level	Agency	Executive	Base Level	Agency	Executive
Operating Expenses	5020002	8,165	4,342	4,342	4,342	4,342	4,342	4,342	4,342	4,342
Conference & Travel Expenses	5050009	0	0	0	0	0	0	0	0	0
Professional Fees	5060010	10,638	4,905	8,000	4,905	4,905	4,905	4,905	19,905	19,905
Data Processing	5090012	0	0	0	0	0	0	0	0	0
Capital Outlay	5120011	0	0	0	0	0	0	0	0	0
Total		18,803	9,247	12,342	9,247	9,247	9,247	9,247	24,247	24,247
Funding Sources										
Fund Balance	4000005	6,257	5,804		11,557	11,557	11,557	17,310	17,310	17,310
Cash Fund	4000045	18,350	15,000		15,000	15,000	15,000	15,000	15,000	15,000
Total Funding		24,607	20,804		26,557	26,557	26,557	32,310	32,310	32,310
Excess Appropriation/(Funding)		(5,804)	(11,557)		(17,310)	(17,310)	(17,310)	(23,063)	(8,063)	(8,063)
Grand Total		18,803	9,247		9,247	9,247	9,247	9,247	24,247	24,247

Change Level by Appropriation

Appropriation: 960 - Hist Pres - Main Street - Cash in Treasury
Funding Sources: NNH - Natural and Cultural Resources Historic Preservation Cash

Agency Request

Change Level		2011-2012	Pos	Cumulative	% of BL	2012-2013	Pos	Cumulative	% of BL
BL	Base Level	9,247	0	9,247	100.0	9,247	0	9,247	100.0
C01	Existing Program	0	0	9,247	100.0	15,000	0	24,247	262.2

Executive Recommendation

Change Level		2011-2012	Pos	Cumulative	% of BL	2012-2013	Pos	Cumulative	% of BL
BL	Base Level	9,247	0	9,247	100.0	9,247	0	9,247	100.0
C01	Existing Program	0	0	9,247	100.0	15,000	0	24,247	262.2

Justification

C01	Main Street Arkansas will host a tri-state conference during the second year. Additionally, Main Street Arkansas will accept new communities into the Arkansas Downtown Network and will provide extensive training and technical assistance to those communities. Some of those new communities will officially join the Main Street Arkansas network and will need additional training and technical assistance in the Main Street Four Point Approach to downtown revitalization.
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