

Texas Historical Commission Self-Evaluation Report



August 2005

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Texas Historical Commission Self-Evaluation Report

I. Agency Contact Information

Texas Historical Commission Exhibit 1: Agency Contacts				
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II. Key Functions and Performance

Provide the following information about the overall operations of your agency. More detailed information about individual programs will be requested in a later section.

A. Provide an overview of your agency's mission, objectives, and key functions.

The Texas Historical Commission (THC) is the state agency for historic preservation. Our mission is to protect and preserve the state's unique historic and prehistoric resources for the use, education, enjoyment and economic benefit of present and future generations. Professional staff members consult with citizens and organizations to preserve Texas' architectural, archeological and cultural landmarks. The THC also serves as the State Historic Preservation Office (SHPO) as required by the National Historic Preservation Act of 1966, as amended.

The THC follows the guiding principle that historic preservation is important to the quality of life and economic well-being of every Texan and that these benefits should be accessible to all. We work to empower local organizations and the public to understand and use available preservation tools. From revitalizing downtowns and restoring courthouses to discovering historic shipwrecks, the THC has a lasting role in creating economic opportunities for communities, promoting an appreciation for history and educating people of every age.

In 2001, the THC published *Preserving Our Heritage: A Statewide Plan for Texas*, a comprehensive road map for preservation efforts throughout the state. This statewide plan is a 10 year planning document that describes the cultural and historic fabric of the state, defines critical challenges facing preservation across Texas, develops a long-term vision for preservation, and identifies five key goals to guide activities of the THC and preservationists throughout the state. These five goals serve as the THC's overarching objectives and direct our key functions:

1. **Resource Identification, Preservation and Interpretation:** Expand efforts to identify, preserve and interpret historic and archeological resources.
2. **Leadership/Teambuilding:** Develop and sustain exceptional leadership qualities in both public and private preservation organizations in the State of Texas.
3. **Vision/Planning:** Advocate a preservation vision at state, regional and local levels.
4. **Education/Awareness:** Create statewide awareness, appreciation and effective utilization of historic preservation.
5. **Resource Development:** Develop and secure fiscal and human resources to accomplish preservation in Texas.

The THC's key functions closely match how we organize our internal structure and deliver services, as well as our strategies outlined in the Strategic Plan required by the state. These key functions are:

- **Archeological Heritage Protection:** Protects Texas' diverse archeological heritage through state and federally mandated cultural resource reviews, historic property management programs, volunteer efforts and public outreach. This function is managed by the Archeology Division.
- **Architectural Assistance:** Protects Texas' diverse architectural heritage by providing technical assistance for the responsible rehabilitation and preservation of properties. This function is managed by the Architecture Division.
- **Courthouse Preservation:** Provides financial and technical assistance through the Texas Historic Courthouse Preservation Program for critical county courthouse preservation projects. THCPP is managed under the Architecture Division and for the purposes of this report is described under that section.
- **Development Assistance:** Provides technical assistance to public, private and nonprofit entities to encourage the process of preservation, development and revitalization of Main Street cities, promotion and development of heritage tourism and other local and regional heritage initiatives. This function is managed by the Community Heritage Development Division.
- **Evaluate and Interpret Resources:** Provides information, programs and services to private, public and nonprofit constituents for the identification, evaluation, preservation and interpretation of historic resources. This function is managed by the History Programs Division.
- **Texas Preservation Trust Fund:** Provides financial assistance through this fund for critical preservation projects.
- **Indirect Administration:** Serves the entire agency and preservation public through effective leadership, planning and management; marketing and outreach; and staff services. This function is managed by Administration, Marketing Communications and Staff Services Divisions.

B. Do each of your key functions continue to serve a clear and ongoing objective? Explain why each of these functions is still needed. What harm would come from no longer performing these functions?

The THC's key functions continue to serve a clear and ongoing objective. Whether they be mandated by federal and state legislation, or have proven economic benefits to communities throughout the state, our functions are equally pertinent today as when they were created.

All of the agency's key functions advance the primary goal of **identifying, preserving and interpreting historic and archeological resources**. As mandated by the National Historic Preservation Act of 1966 as amended, the THC as the SHPO is required to:

- Survey and inventory historic resources
- Nominate significant historic resources to the National Register of Historic Places
- Identify and mitigate resources potentially affected by federally controlled projects (Section 106)
- Facilitate the Historic Preservation Tax Incentive program
- Foster historic preservation programs at the local level
- Prepare and implement a comprehensive statewide preservation plan
- Provide public information, education, training, and technical assistance in historic preservation
- Provide funds to the public for preservation activities

Our key functions are directly aligned with the requirements of the NHPA. **Archeological Heritage Protection** manages Section 106 for projects affecting archeological resources and provides extensive outreach, education and training to local and regional archeologists. **Architectural Assistance** manages Section 106 for architectural resources, facilitates the Historic Preservation Tax Incentive program, provides training and technical assistance to the public, and provides important funds to the public for the preservation of endangered county courthouses. **Development Assistance** fosters preservation at the local level and provides education, training, and technical assistance in historic preservation. **Evaluate and Interpret Resources** determines eligibility for Section 106, coordinates survey efforts and maintains an inventory of historic resources in the state, and nominates historic resources to the National Register. The **Texas Preservation Trust Fund** provides critical funding to the public for preservation projects. **Indirect Administration** facilitates the preparation and distribution of the statewide preservation plan and provides important preservation information to the public through our Marketing Communications Division.

These functions serve as the foundation for all SHPOs and for a unified national historic preservation effort. By not performing these baseline functions, the THC would jeopardize our standing with the National Park Service and Secretary of the Interior, along with our annual allocation from the Historic Preservation Fund, which in FY 2005 equaled \$913,957. Texas consistently ranks among the nation's top five recipients of funds due in large part to demonstrated program performance.

In many respects, our state mandate is parallel to our federal responsibilities. Just as the federal government has to rely on each state to carry out a cohesive and structured preservation program, we rely on regions, counties, communities, and volunteers to accomplish fundamental preservation activities at the local level in Texas. The Texas Government Code, Chapter 442, directs the THC to provide leadership and coordinate services in the field of historic preservation. We do this by providing a solid infrastructure of preservation services mandated by our enabling statute, and build the capacity of communities and groups so they in turn can drive successful preservation efforts locally. The skill set that we reinforce includes building effective leadership and diverse networks, a local plan for preservation,

knowledge of the tools for preservation, and access to resources both within and outside of the THC. The THC fills a critical gap in the state by infusing our services with these local capacity building skills.

The Texas Main Street Program and the Texas Heritage Trails Program, two programs under the Development Assistance function, and the Texas Historic Courthouse Preservation Program under the Courthouse Preservation function, have resulted in significant economic benefits for the state. Without these functions the state would reverse a cumulative impact of more than \$1.2 billion in the state's economy and almost 25,000 local jobs. These programs take endangered historic resources — courthouses, downtown commercial buildings, and local historic sites — and facilitate not only their preservation, but their role as vital assets and catalysts for the revitalization of communities.

The Texas Natural Resources Code, Title 9, Chapter 191, directs the THC to act as custodian of all cultural resources, historic and prehistoric, within the public domain of the state. As Texas continues to grow in population, and the need for new development and infrastructure increases, our mandate by the state to identify, preserve and interpret historic and archeological resources becomes more relevant. Without the permit process to investigate resources affected by state or local government actions performed by our Archeology Division and Architecture Division, the effects of projects on historic and archeological sites would go unchecked and unmitigated.

Texas has an estimated one million archeological sites representing 12,000 years of human occupation, and more than 90 percent are located on private land. The state's landowners must play a significant role in saving sites on their property, and the THC has implemented the annual Texas Archeology Month, a successful education and outreach tool to build local awareness across the state about cultural resources. The THC has developed a strong network of archeological stewards across the state to assist with surveying and inventorying archeological sites, and also to raise awareness of vandalism and looting of sites. Archeologists estimate that thousands of sites are damaged or destroyed by archeological looting each year. Once these artifacts are disturbed or removed, their story is gone forever.

C. What evidence can your agency provide to show your overall effectiveness and efficiency in meeting your objectives?

We evaluate our effectiveness and efficiency in meeting the objectives of the agency through a combination of standard performance measures, economic impact of our programs, success in educating and training the general public on the tools of preservation, and our ability to provide our constituents financial resources for local preservation projects.

We meet our primary objective of resource identification, preservation and interpretation through a number of outcomes that serve as the backbone of our performance measures. These numbers illustrate workload quantity in any given year, but do not take into account project size and complexity. The nature of the federal and state programs that Archeology, Architecture and History Programs Division staff manage require us to respond to projects brought forward, including federal and state review, federal historic preservation tax incentives, National Register nominations and state designations. The volume of these projects fluctuate depending on the economy, the undertaking of projects that spark Section 106 and Antiquities Code review, and the public's desire to acknowledge and rehabilitate historic resources. THC staff:

- Reviewed 22,500 projects for Section 106 in 2003–04 and more than 25,800 projects in 2001–02
- Conducted 95 percent of federal and state archeology reviews in less than 30 days in 2004
- Facilitated 83 nominations to the National Register of Historic Places, resulting in 4,301 properties being listed in 2003–04; 76 nominations and 1,269 properties were listed in 2001–02

- Designated 73 State Archeological Landmarks across the state in 2003–04; 163 sites were designated in 2001–02
- Assisted constituents with 3,848 historic buildings in 2003–04 with 99 percent preserved

The effectiveness of the agency's programs extends beyond the numbers of historic resources identified or designated. We demonstrate the impact that historic preservation can have on the local and state economy.

- The Texas Main Street Program has generated more than \$1 billion in Texas downtowns and neighborhood commercial districts, created more than 21,300 jobs and established more than 5,500 new businesses
- Within the fiscal year 2004 Historic Preservation Tax Incentive Program, staff facilitated rehabilitation projects that invested \$92,992,882 in the Texas economy
- The Texas Historic Courthouse Preservation Program has generated more than \$75 million in local direct and indirect expenditures from participating counties, 3,519 jobs, \$97,770,978 in income, and \$133,416,000 in gross state product
- Since 1997, the Texas Heritage Trails Program has generated approximately \$95 million in additional spending by tourists and hundreds of local jobs throughout Texas; visitation to historic sites in heritage trail regions have increased an average of 17 percent

In order for these impacts of historic preservation to continue in Texas, we must effectively mobilize, educate and train the public about its various tools and benefits. Our staff has proven their effectiveness in training and educating the public through a number of avenues, including doubling participation in the Archeological Stewardship Network and county historical commissions.

- Archeological stewards logged 39,510 volunteer hours in 2003–04 and 12,923 hours in 2001–02
- Staff trained 14,380 individuals in archeological preservation in fiscal year 2004, accounted for 861 volunteer-directed archeology projects resulting in \$186,252 in-kind volunteer hours, and distributed over 204,000 materials about archeology
- County historical commissions reported more than 7,000 volunteers donating an excess of 410,000 hours in 2003–04 and more than 4,500 people donated 215,000 hours in 2001–02
- Volunteers in local Main Street programs contributed more than 295,000 hours to help revitalize their districts in 2004
- The total publicity value for THC stories placed in Texas newspapers was valued at approximately 2.5 million dollars in 2004
- Each month, our web site receives approximately 700,000 visitors or more than 8 million hits annually
- In 1999 there were approximately 1,000 subscribers to *The Medallion*, our bi-monthly publication; today we have more than 10,000 subscribers

Just as our constituents require knowledge and tools, they also require financial resources for successful historic preservation efforts. The THC is an important source of funds for preservation projects and in all cases we require a monetary or in-kind local match, making the investment in preservation go that much further.

- In 2003-04 the Texas Preservation Trust Fund awarded more than \$1.1 million in matching grants for a broad array of preservation projects
- The Texas Historic Courthouse Preservation Program has granted 64 counties with nearly \$145 million for courthouse planning and restoration work since 1999

- The Certified Local Government Program has awarded \$1,252,085 in direct grants to local projects since 1986
- The Visionaries in Preservation Program’s grant program awarded \$75,000 to assist communities with priority projects, from bricks and mortar preservation to façade grant programs in 2004

D. Does your agency's enabling law continue to correctly reflect your mission, objectives, and approach to performing your functions? Have you recommended changes to the Legislature in the past to improve your agency's operations? If so, explain. Were the changes adopted?

The THC’s enabling law continues to reflect our mission, objectives and approach to performing our functions. We have recommended changes to the Legislature in various sessions, primarily in 1999, 2001 and 2005 that resulted in clarification of our statutes. Significant changes and additions were also made to our enabling law during our last Sunset review in 1995.

Specific changes we requested that were adopted include:

- Stronger requirements for county historical commissions in the Local Government Code
- Addition of the Cemetery Preservation Program and “Adopt-a-Cemetery” in the Government Code, Chapter 442
- Stronger penalties for desecration of a cemetery and abuse of a corpse in Government Code 442
- Authorization of the Texas Historic Courthouse Preservation Program and Courthouse Maintenance Program
- Authorization of the Texas Historical Artifacts Program and Fund
- Mandate to promote heritage tourism

Important changes that we requested that were not adopted include:

- Unmarked burial protection
- Removal of investment stipulation for the Texas Preservation Trust Fund

While the majority of our enabling statutes correctly reflect what we do, we have identified a mandate that is problematic for us to implement. Section 442.0084 was added in 2001 and requires the THC to create an inventory of all monuments on state-owned land other than the Capitol Complex, and in cooperation with chairs of land grant universities in the state, ensure the historical accuracy and the equitable representation of all Texans in said monuments. This is a significant and certainly worthwhile endeavor, however requires staff and monetary resources that exceeds the current capacity of the THC.

E. Do any of your agency's functions overlap or duplicate those of another state or federal agency? Explain if, and why, each of your key functions is most appropriately placed within your agency. How do you ensure against duplication with other related agencies?

The THC’s functions do not overlap or duplicate those of other state or federal agencies. We have memoranda of agreement to ensure clear relationships with partner agencies.

A significant portion of the agency’s funding comes from the Historic Preservation Fund to administer national preservation laws and regulations. Therefore, the agency has developed a strong working relationship with the National Park Service, the Advisory Council on Historic Preservation and other federal agencies.

At the state level, the agency maintains a strong network of contacts among numerous agencies. We work closely with staff from the Texas Department of Transportation (TxDOT) to protect archeological resources, research significant properties and prepare archeological and other types of reports for Section 106 review. Agencies that manage public lands (such as Texas Parks and Wildlife, the General Land Office and TxDOT) have signed memoranda of agreement with the THC to ensure that prehistoric and historic resources on their lands are protected. An interagency council composed of representatives from the Governor's Office of Economic Development and Tourism, Office of Rural Community Affairs, Governor's Office of Budget and Planning, and the Legislative Budget Board meets regularly to assess applications for participation in the Texas Main Street Program. A memorandum of understanding between the THC, Governor's Office of Economic Development and Tourism, TxDOT, the Texas Commission on the Arts and Texas Parks and Wildlife has been developed to promote tourism across the state. We strive to develop close working relationships with as many state agencies as possible so that resources may be shared, overlaps eliminated and the level of service improved for all Texans.

F. In general, how do other states carry out similar functions?

Other states carry out historic preservation functions in similar ways to the THC. All states are required to carry out basic functions outlined in the National Historic Preservation Act of 1966, such as the National Register of Historic Places, the federal historic preservation tax incentives, Section 106, Certified Local Government, and preservation planning activities.

Most states have laws protecting historic and cultural resources that trigger review of development projects on public or private land that their historic preservation agency administers. Most states also have a register of landmarks or historic places that allow individuals and entities to nominate sites — some designations come with a measure of protection. Several states have preservation tax incentive legislation that the SHPO administers.

To varying degrees and levels, state preservation agencies also manage Main Street programs, heritage tourism programs, preservation education and outreach, as well as operate historic properties and museums and provide museum services.

G. What key obstacles impair your agency's ability to achieve its objectives?

The THC's biggest obstacle is we lack basic information about historic resources throughout the state to do our jobs effectively and efficiently. Our current inventory contains more than 280,000 sites in Texas. However, with more than 90 percent of archeological resources located on private land, and the state being so vast and growing at such a rapid rate, there are large gaps of information about existing resources. We currently have little to no information on historic assets in over 70 percent of Texas counties. Identifying historic and prehistoric resources is the first and fundamental activity of historic preservation — it is the basis for all our programs, for if you do not know what is there, how do you know what to preserve, and ultimately leverage as community assets? A survey is the first step in most of our programs, including federal and state mandated reviews, and economic development programs. Having a comprehensive inventory of historic resources and a mechanism to continually maintain and update information, would allow us, along with many federal, state and local agencies and organizations that engage in cultural resource activities, to work more efficiently and effectively.

Another obstacle we face is the public's lack of awareness of historic preservation as a proven economic catalyst, and Texas residents' lack of awareness of in-state authentic, quality heritage destinations and experiences. Historic preservation is a powerful economic development tool that has resulted in billions

of dollars reinvested directly into local communities and the Texas economy. For rural communities, the Texas Main Street Program, the Texas Heritage Trails Program and the Texas Historic Courthouse Preservation Program are critical initiatives for bringing people, business and money into their economies. It is important for us to look into directing resources towards promoting our many programs, especially over the internet, where communities can learn about and access these tools for economic development. Fundamental to the success of these programs, we must promote the state's historic assets to resident Texan travelers. Heritage tourism generates \$1.43 billion annually and is the largest growing segment of the tourism industry in Texas; it also leverages \$29 more dollars per day than other travel types. The THC is the premiere source for heritage travel information and the web is an important, and neglected, portal for promoting quality heritage experiences and destinations to both Texan and non-Texan alike. We must also secure alternative media outlets including newspaper, radio and magazine, for promoting heritage destinations to our in-state travel constituents.

The THC's technology gap continues to impact our ability to promote heritage destinations, increase the public's access to preservation services and raise our staff's overall efficiency levels. We have inadequate and outdated computer equipment and infrastructure; limited information resource staff and no web programmer; and operate without a central database that tracks our services to communities. Without adequate technology resources, it is difficult to use the internet and electronic communication as an advanced medium for promoting the state's historic travel destinations to Texans. While we are diligent in explaining our services on our web site and have more than 1,000 pages of information and forms available, we would also realize immediate efficiency advances through online interactive forms, as well as providing tutorials and toolkits via the web. Because of our ratio limitations of staff to the size of the state, as well as the physical storage limitations of our buildings, we must make advances in the virtual world of service delivery and electronic file storage in order to truly streamline our functions and simplify our services to the public. The THC's technology gap continues to impair our ability to engage our constituents, keeping them well-informed and active in preservation efforts.

The agency's budget structure is another obstacle that limits our efficiency. While we are not a large state agency, we rely on many different revenue streams to meet our most basic service mandates. Each year we lose a portion of our general operating to longevity pay and state-mandated salary increases to employees paid through federal funds. We are forced to take this money away from important services in order to meet budget. Because several programs rely on interagency contracts that are structured as reimbursements, we have to use general revenue to pay expenses that are then reimbursed past the point of adequate cash flow. Rebounding from losing our capital rider in fiscal years 2004-05, we were able to have it reinstated at \$27,029 in 2006-07, however with no appropriation. The budget is a major obstacle in our ability to address the agency's technology gap.

While not in and of itself an obstacle to delivering services, there is a disconnect between state and federal planning requirements and performance measures. It is problematic that the strategic plan and performance measures required by the state to not adequately reflect our true services or accomplishments, or the statewide comprehensive preservation plan. These disparate processes and measurements are burdensome and confusing to staff and take away from their time spent serving the public. We value strategic planning and performance measures, and would like to coordinate our many planning requirements so that they relate to one another, and most importantly mirror our true goals, objectives, services and outcomes.

H. Discuss any changes that could impact your agency's key functions in the future (e.g., changes in federal law or outstanding court cases).

A draft bill is currently under discussion to change Section 106 of the National Historic Preservation Act of 1966. This significant issue could detrimentally impact the THC's key function of being Texas' voice in the Section 106 process. The law states that when a project is federally funded, licensed or permitted, the SHPO must first determine if there are resources within the project area of impact that are listed in, *or eligible for listing in*, the National Register of Historic Places, and then assess any effect the project will have on those resources. In the draft bill, only resources that are listed in, or already determined eligible to, the National Register of Historic Places would be considered under Section 106. The proposed change significantly limits what would be given consideration and would stop the evaluation of effects that federal projects may have on an overwhelming majority of Texas' historic and cultural resources.

I. What are your agency's biggest opportunities for improvement in the future?

Historic preservation is an economic engine for Texas that creates jobs, fosters heritage tourism, instills community pride, stabilizes and increases property values, and contributes a sense of identity to our towns, cities and rural areas. All of the programs of the THC help drive economic value in the state, whether through advancing heritage tourism, rehabilitating properties, or facilitating downtown and neighborhood revitalization. Using historic preservation as a mechanism for sustainable and community-based economic development is a tremendous opportunity for the state's rural and urban communities alike, and emphasizing this as a tool and educating communities about its potential is perhaps the THC's biggest opportunity for improvement. In 1999, the Center for Urban Policy Research at Rutgers University and the LBJ School of Public Affairs at the University of Texas at Austin completed a study that documented the economic impacts of historic preservation in Texas. The study found that:

- Historical designations improve property values; cities with active historic preservation programs indicate that historical designations can increase property values by as much as 20 percent.
- Incentives for historic properties attract reinvestment; more than 30 Texas cities offer property tax incentive programs resulting in millions of reinvested dollars. This reinvestment, in turn, generates thousands of in-state jobs and millions of dollars of income and state wealth.
- Historic building rehabilitation rebuilds Texas communities; private property owners invest more than \$172 million in historic building rehabilitation annually which averages more than 4 percent of all building rehabilitation activity.
- Preservation of historic properties creates jobs; rehabilitation of historic properties alone created more than 4,200 jobs in Texas in 1997. Overall, historic preservation activities created more than 40,000 jobs that year.
- Texas' heritage attracts tourists; more than 11 percent of all travelers to Texas are heritage travelers and that number continues to rise. Heritage travelers in Texas spend about \$1.43 billion annually.
- History museums draw tourists and economic vitality to communities; Texas history museums spend \$39 million annually, not including capital expenditures. Even history museums in the smallest communities across the state attract thousands of visitors annually.
- Revitalization of Texas Main Street cities makes good business sense; since the inception of the Texas Main Street Program in 1981, Main Street cities averaged \$97 million annually in reinvestments, \$56 million in income and added \$87 million in GSP to the state's economy.

It is essential that the THC play a stronger role in highlighting these economic benefits to communities throughout the state, as well as positioning our services so that the public can easily understand and access them.

The THC has an important partner in county historical commissions (CHC) for advancing historic preservation efforts at the local level. Required by the Texas Local Government Code and part of the county government structure, CHCs are required to review and recommend marker applications to the THC. They can also carry out local surveys, monitor designated properties, and educate their county about preservation issues and methods. Several CHCs are models for their activity and partnership with THC services; many CHCs struggle with their responsibilities and lack a broad and representative membership. Working to create knowledgeable and engaged CHCs whose members represent diverse populations and interests throughout each county is a big opportunity for improvement. We realize that if we strengthen this structure for preservation at the local level, every program and service we offer will be more effective, and we will enhance our ability to reach greater numbers of our constituents.

While we face a technology gap, we strive to not just get up to speed, but to use technology to our advantage in delivering services more efficiently. With the state’s population growing at a rapid rate, technology is the key to reaching out to a broader public and streamlining our programs. The THC is committed to the idea of a “paperless agency” where the public can submit forms and paperwork electronically and directly into a central database, staff can review and communicate complex development projects via email and the web, and we can streamline service delivery through on-line toolkits and tutorials. Because our staff is located in different buildings throughout the capitol complex and this space is limited, it is critical to develop a central database that logs our service delivery and maintains virtual, accessible files.

J. In the following chart, provide information regarding your agency's key performance measures included in your appropriations bill pattern, including outcome, input, efficiency, and explanatory measures.

Texas Historical Commission			
Exhibit 2: Key Performance Measures for Fiscal Year 2004			
Key Performance Measures	FY 2004 Target	FY 2004 Actual Performance	FY 2004 % of Annual Target
Number of Properties Protected Through Designations Annually	2,165	4,387	202.63%
Number of Historic Properties Provided Technical Assistance, Monitoring, and Mandated State and/or Federal Architectural Reviews in Order to Encourage Preservation	2,250	1,904	84.62%
Number of Preservation Trust Fund Grants Awarded	35	31	88.57%
Number of Construction Projects Reviewed for Archeological Impact	7,000	5,483	78.33%

Key Performance Measures	FY 2004 Target	FY 2004 Actual Performance	FY 2004 % of Annual Target
Number of Outreach and Technical Materials Distributed through Print or Electronic Media	210,000	204,529	97.39%
Number of Public Presentations and Workshops Given	70	49	70%
Number of Sites, Properties, and Other Historical Resources Evaluated	4,400	7,299	165.89%
Number of Properties and Sites Assisted	1,300	2,337	179.77%

III. History and Major Events

Provide a timeline of your agency's history, and key events, including:

- **the date your agency was established;**
- **the original purpose and responsibilities of your agency;**
- **major changes in responsibilities or statutory authority;**
- **changes to your policymaking body's name or composition;**
- **significant changes in state/federal legislation, mandates, or funding;**
- **significant state/federal litigation that specifically affects your agency's operations; and**
- **key changes in your agency's organization (e.g., a major reorganization of the agency's divisions or program areas).**

Texas Historical Commission History

- | | |
|---------|--|
| 1876 | Texas State Constitution authorized the Texas Legislature to “make appropriations for preserving and perpetuating memorials of the history of Texas.” |
| 1933–40 | Organizers of the state's centennial celebration cooperated with federal New Deal programs to restore historic buildings and erect markers around the state. |
| 1953 | The Legislature created the Texas State Historical Survey Committee to oversee state historical programs. |
| 1956 | County historical survey committees were created to carry out preservation work at the local level in Texas. |
| 1962 | The first marker of the Official Texas Historical Marker program was placed at Camp Ford in Tyler. |
| 1963 | The Legislature expanded the mandate of the Survey Committee with legal authority to preserve and protect the heritage of Texas. |
| 1966 | The U.S. Congress passed the National Historic Preservation Act to ensure protection of the nation's prehistoric and historic resources, and the governor assigned the Survey Committee to administer provisions of the act for Texas. |
| 1969 | The Legislature passed the Antiquities Code of Texas to protect all cultural resources, historic and prehistoric, within the public domain of the state, and the Texas Antiquities Committee was established as the sister agency to the Survey Committee to administer this Code. |
| 1969 | The Office of the State Archeologist was transferred to the Survey Committee to establish a statewide archeological program.

The Survey Committee established the Museum Services Department to assist small history museums in preserving and interpreting local history. |

- 1969 The Legislature granted the endangered 1856 Carrington-Covert House, 1883 Gethsemane Lutheran Church and 1940 Luther Hall to the Survey Committee, and all three buildings were renovated to house agency offices.
- 1971 The Legislature granted the Bonham home of Sam Rayburn to the Survey Committee to preserve and manage as a public museum.
- The agency completed the restoration of Gethsemane Lutheran Church.
- 1973 The Legislature revised the agency’s enabling statute to give it additional protective powers and expand its leadership role and educational responsibilities, and officially changed its name to the Texas Historical Commission (THC).
- 1975 After an extensive restoration and construction of a visitor center, the Sam Rayburn House Museum opened to the public.
- 1980 An amendment to the National Historic Preservation Act created the Certified Local Government Program, administered by the THC for the state of Texas.
- 1981 The THC created the Texas Main Street Program, affiliated with the National Trust for Historic Preservation, to assist communities with downtown revitalization.
- 1986 The THC was instrumental in the state’s celebration of Texas’ Sesquicentennial.
- 1989 Oversight authority for the Governor’s Mansion was granted by the Legislature to the THC.
- The Legislature created the Texas Preservation Trust Fund to enable the THC to accept donations and grants for the preservation of significant historic properties and sites.
- The THC initiated Los Caminos del Rio Heritage Project, a bi-national heritage tourism and conservation program.
- 1994–95 The Legislature awarded \$2.5 million in Intermodal Surface Transportation Enhancement Act (ISTEA) funding to the THC for special agency projects such as the Texas Historic Sites Atlas, marker survey and repair and Texas courthouse projects.
- 1995 The THC discovered the La Salle shipwreck off the Texas coast and a special appropriation of \$1.7 million was awarded to the agency to support the costs of the shipwreck recovery. Private sector donations for the project totaled an additional \$2.3 million.
- 1997 An electrical fire at the Sam Rayburn House Museum, the only historic structure administered by the THC outside of Austin, caused extensive structural and smoke damage.
- The 75th Legislature provided funding for the THC to implement a cemetery preservation program.

- 1998 The agency underwent a major reorganization to streamline services and improve customer outreach.
- The historic Gethsemane Church opened as the agency library.
- The Texas Forts Trail Region was launched in San Angelo, the first of 10 regions in the new Texas Heritage Trails Program, a regional tourism initiative of the THC.
- 1999 The 76th Texas Legislature provided \$50 million to the THC for restoration of historic county courthouses.
- The THC released the brochure *African Americans in Texas: Historical and Cultural Legacies* as part of the THC’s heritage tourism and education efforts.
- Curtis Tunnell, THC executive director since 1982, retired and was succeeded by F. Lawrence Oaks.
- The THC and its partner organizations completed a comprehensive study of the economic impact of historic preservation in Texas.
- The THC held 23 public meetings across Texas to discover the “State of the State of Preservation.”
- The Texas Independence Trail Region was launched as the second heritage trail region, and the THC produced a travel brochure highlighting historic sites within the region.
- The THC created the Visionaries in Preservation Program to empower Texas communities to shape the future of their historic preservation efforts through visioning, planning, training and technical assistance.
- 2000 The THC released the Texas Cultural Heritage Plan, a report containing recommendations for improvement of 42 state-owned historic sites.
- The Texas Forest Trail Region was selected as the third heritage trail region.
- 2001 The THC held regional workshops in six areas of the state to address preservation needs and deliver agency services more efficiently to communities.
- The Historic Texas Lands Plaque program was initiated to recognize landowners who preserve archeological sites on their property.
- Shackelford County rededicated its courthouse as the first completed restoration in the Texas Historic Courthouse Preservation Program.
- 2002 The THC published *Preserving our Heritage: A Statewide Plan for Texas*, a statewide comprehensive preservation plan that includes a vision for historic preservation in Texas, goals, objectives and strategies.
- The THC published the Chisholm Trail brochure.

- 2002 The THC received \$4.3 million from the Transportation Equity Act for the 21st Century (TEA-21) through the Texas Department of Transportation to continue the Texas Heritage Trails Program.
- The THC selected the Texas Lakes Trail Region and the Texas Brazos Trail Region as the fourth and fifth heritage trail regions.
- 2003 The THC celebrated its 50th anniversary with events across the state.
- The Legislature granted the Texas Historic Courthouse Preservation Program \$48.3 million to preserve courthouses around the state.
- The Texas Plains Trail Region was launched as the sixth heritage trail region.
- The La Salle Odyssey Trail opened, consisting of a network of seven museums along the central Texas coast that tell the story of La Salle’s attempt to establish a French colony in Texas.
- The THC restored the historic sites survey program and started the Historic Endangered Landmarks Program.
- 2004 First Lady Laura Bush announced the *Preserve America* program and the city of Castroville was one of the first communities to receive the award.
- A human skeleton from *The Belle*, La Salle’s 17th-century ship, was buried in the Texas State Cemetery.
- The THC selected the Texas Mountain Trail Region as the seventh heritage trail region.
- 2005 President George W. Bush awarded the Texas Heritage Trails Program, an initiative designed to promote tourism to historical and cultural sites, the *Preserve America* Presidential Award.
- The THC selected the Texas Tropical Trail Region, the Texas Pecos Trail Region and the Texas Hill Country Trail Region as the eighth, ninth and tenth heritage trail regions.
- The 79th Legislature earmarked \$80 million of federal Transportation Enhancement Program funding for county courthouse preservation.

IV. Policymaking Structure

A. Complete the following chart providing information on your policymaking body members.

Texas Historical Commission Exhibit 3: Policymaking Body (i.e. the Commission)			
Member Name	Term/ Appointment Dates/ Appointed by Governor	Qualification (e.g., public member, industry representative)	City
Mr. John Liston Nau, III, Chairman	02/01/93–02/01/09	Public member	Houston
Mrs. Jane Cook Barnhill, Vice-Chairperson	02/01/95–02/01/07	Public member	Brenham
Ms. Lareatha H. Clay, Secretary	07/11/0 –02/01/07	Public member	Dallas
Mr. Thomas E. Alexander	02/01/03–02/01/09	Historian	Kerrville
Mr. Bob Bowman	02/01/03–02/01/09	Public member	Lufkin
Mr. Earl Broussard, Jr.	02/01/05–02/01/11	Public member	Austin
Mrs. Diane D. Bumpas	02/01/99–02/01/11	Public member	Dallas
Ms. Donna D. Carter	02/01/05–02/01/11	Registered Architect	Austin
Mrs. Shirley W. Caldwell	04/20/95–02/01/07	Public member	Albany
Mr. Frank W. Gorman	02/01/96–02/01/07	Public member	El Paso
Mr. David A. Gravelle	02/01/01–02/01/07	Public member	Dallas
Mr. Albert F. (Boo) Hausser	02/01/03–02/01/09	Public member	San Antonio
Mrs. Sarita A. Hixon	02/01/05–02/01/11	Public member	Houston
Dr. Eileen Johnson	02/01/97–02/01/03	Archeologist	Lubbock
Justice Thomas R. Phillips	02/01/05–02/01/11	Public member	Bastrop
Mr. Marcus Warren Watson	02/01/05–02/01/11	Public member	Plano
Mr. Frank D. Yturria	07/11/01–02/01/07	Public member	Brownsville
Mr. T.R. Fehrenbach	Emeritus		San Antonio

B. Describe the primary role and responsibilities of your policymaking body.

The primary role of the commission is to establish policies for the operation and administration of the agency. The commission’s responsibilities include:

- Proposing and adopting policy and rules
- Appointing Advisory Boards such as the State Board of Review and Antiquities Advisory Board
- Approving the Legislative Appropriations Request, agency strategic plan, and the biennial agency internal budget
- Working with Executive Director and staff to develop and update the agency strategic plan and annual operations plan
- Advocacy with the Legislature for agency budget and programs
- Approving the federal Comprehensive Preservation Plan
- Hiring, evaluating, terminating and setting the salary of the Executive Director
- Accepting gifts and grants
- Approving or removing state historic designations and markers

- Designating Texas Main Street Cities and Heritage Trails
- Awarding Courthouse Restoration Program Grants, Certified Local Government Grants and all other grants
- Selecting winners of the Governor's Award for Historic Preservation and the T. R. Fehrenbach Book Award
- Approving curatorial facilities to hold state-associated held-in-trust collections
- Approving purchase of historic items and collections through the Texas Historic Artifacts Program and their placement in curatorial or agency facilities

C. How is the chair selected?

The chair of the commission is appointed by the Governor.

D. List any special circumstances or unique features about your policymaking body or its responsibilities.

All members of the commission must have a demonstrated interest in the preservation of the state's historical or archeological heritage. In making appointments to the commission, the governor shall seek to have each geographical section of the state represented as nearly as possible and appoint at least two members from counties with a population of less than 50,000. One commission member must be a professional archeologist, one must be a professional historian, and one must be a licensed architect who has expertise in historic preservation and architectural history.

E. In general, how often does your policymaking body meet? How many times did it meet in FY 2004? In FY 2005?

The commission is required to meet once every quarter of the calendar year. In fiscal year 2004 the commissioners met four times; in FY 2005 they met four times.

F. What type of training do members of your agency's policymaking body receive?

New commissioners are required to complete, and existing members are encouraged to attend, a training program that covers the following information:

- Enabling legislation of agency
- Programs operated by the THC
- The role and function of the Commission
- The rules of the Commission
- The current budget and most recent formal audit
- Open Meetings Law, Open Records Law and Administrative Procedure Law
- Conflict of interest laws and other laws related to public officials
- Ethics policies adopted by the THC or Texas Ethics Commission

The THC hosts an Annual Historic Preservation Conference and annual regional workshops that present a variety of topics related to the field of historic preservation. Although not required, commissioners are encouraged to attend these educational sessions to advance their knowledge of preservation tools and issues, as well as network with the preservation public.

G. Does your agency have policies that describe the respective roles of the policymaking body and agency staff in running the agency? If so, describe these policies.

Yes. The agency follows policies outlined in “Division of Powers and Duties between the Commissioners and Staff.” These policies set forth the roles and responsibilities of the executive director and commission, and outlines appropriate methods and mechanisms for communication between the commissioners and staff. Specifically, the policies define the executive director as the chief administrative officer and manager of the day-to-day operations of the agency, and the commission as the policymaker for the operation and administration of the agency. These policies identify the committee system of the commission as the primary forum for constructive discussion of agency programs, effectiveness, and changes — for clarification purposes and not operational control of the programs. Commissioners are directed to communicate input on operational concerns, local issues, or staff presentation/travel requests to the chairman, executive director or deputy director, and not directly to staff. This ensures that instruction and advice to the staff will be consistent; that they can be directed and evaluated in accordance with their appropriate roles, and that requests advance the stated goals of the agency. These policies specifically outline the powers and duties reserved to the full commission, executive committee, chairman and executive director.

H. What information is regularly presented to your policymaking body to keep them informed of your agency's performance?

At each quarterly meeting, staff members report the activities, performance measures, issues and accomplishments of the programs of the agency. This information is presented within the committee structure, with highlights to the full commission. The Audit, Administration and Real Property Committee reviews the budget, financial report, strategic plan and any completed audits each quarter.

I. How does your policymaking body obtain input from the public regarding issues under the jurisdiction of the agency? How is this input incorporated into the operations of your agency?

In addition to reviewing formal written testimony, the commission reserves time at each meeting to receive public comment. Each person who would like to give testimony must fill out a form with their contact information and topic they would like to address. The commission gives public testimony consideration prior to making decisions.

Input from the public is an important factor in the operations of the agency. The agency is proactive in requesting feedback from the public through annual customer service surveys, surveys regarding priorities for the statewide plan, and focus groups and interviews that help the agency assess preservation needs and opportunities at the local and regional level. Results from these public involvement tools are presented to the commission and impact policy direction where appropriate.

J. If your policymaking body uses subcommittees or advisory committees to carry out its duties, fill in the following chart.

Texas Historical Commission Exhibit 4: Subcommittees and Advisory Committees			
Name of Subcommittee or Advisory Committee	Size/Composition/How are members appointed?	Purpose/Duties	Legal Basis for Committee
Antiquities Advisory Board	10 members that include the governor-appointed professional archeologist, historian, and architect members of the THC; a representative from the Texas Archeological Society and the Council of Texas Archeologists who are nominated in consultation between the THC and the organization, a state agency archeologist who is nominated in consultation between state agencies that employ archeologists and the THC, two historians nominated by the THC from the discipline of Texas history, and two historic architects nominated by the THC, in consultation with the Texas Society of Architects, from the discipline of historic architecture.	Recommends State Archeological Landmark designations and non-adjudicative issues or disputes specifically related to Antiquities Code and associated permitting issues.	Required by Texas Administrative Code, Title 13, Part 2, Chapter 26
Archeology	5 members with the Chair being a professional archeologist. All members appointed by the Commission Chair.	Reviews activities that relate to archeology and artifact conservation.	
Architecture	7 members appointed by the Commission Chair.	Recommends courthouse grant recipients; reviews rules and procedures for courthouse program; reviews activities that relate to Architecture Division.	
Audit/Administration /Real Property	4 members appointed by the Commission Chair.	Reviews audits; recommends procedures for effective planning and administration; recommends budget and strategic plan.	
Collections Management/Certification	4 members appointed by the Commission Chair.	Recommends policies and guidelines for collection management and certification.	
Community Heritage Development	8 members appointed by the Commission Chair.	Reviews activities of programs in Community Heritage Development Division; recommends recipients of CLG grants, Main Street cities, and heritage trails.	

Name of Subcommittee or Advisory Committee	Size/Composition/How are members appointed?	Purpose/Duties	Legal Basis for Committee
Executive	8 members appointed by the Commission Chair.	Conducts the business of the Commission on an emergency basis when action must be taken prior to the regularly scheduled meeting, and the action is not legally required to be taken by the full Commission.	
Friends Liaison	3 members appointed by the Commission Chair.	Liaison to the Friends of the Texas Historical Commission Board of Trustees.	
History	8 members appointed by the Commission Chair.	Reviews activities of the History Programs Division; certifies Official Texas Historical Markers, Recorded Texas Historic Landmarks and Historic Texas Cemeteries; recommends appointments to the State Board of Review; recommends approval of History Museum grants.	
Marketing Communications	6 members appointed by the Commission Chair.	Reviews activities of the Marketing Communications Division.	
State Board of Review	11 members appointed by the Commission; must include one professional in the disciplines of history, prehistoric archeology, and historic archeology, and two professionals each in architectural history and architecture. Members must meet the minimum standards of professional qualifications as set forth in the Federal Register (Part V: 36 Code of Federal Regulations Part 61, §61.4(e)) and verified by the state historic preservation officer. The senior appointed representative from Texas serving as advisor to the National Trust for Historic Preservation serves as an ex-officio, voting member. Three citizen members with a demonstrated interest, competence, and knowledge in historic preservation serve as voting members.	Reviews and recommends nominations to the National Register of Historic Places.	Required by Texas Administrative Code, Title 13, Part 2, Chapter 15; and the National Historic Preservation Act

Name of Subcommittee or Advisory Committee	Size/Composition/How are members appointed?	Purpose/Duties	Legal Basis for Committee
Texas Preservation Trust Fund Advisory Board	11 members appointed by the Commission; must include one representative of a bank; one attorney with a background in preservation; two architects with experience in preservation; two archeologists with experience in Texas archeology; one real estate professional with experience in preservation; two persons with demonstrated commitment to historic preservation; and two directors of nonprofit historic preservation organizations.	Reviews and recommends projects to receive funds.	Required by state statute 442.015
Sunset Task Force	5 members appointed by the Commission Chair.	Monitors review process during time period of Sunset	

V. Funding

A. Provide a brief description of your agency's funding.

The method of finance for the THC includes general revenue, general revenue dedicated funds, federal funds, interagency funds, general obligation bonds, and appropriated receipts.

B. List all riders that significantly impact your agency's budget.

Texas Historical Commission Riders

Rider 2. Capital Budget

Personal Computers and Servers	\$27,029
Purchase of Replacement Underwater Archeology Boat	\$85,500
Other Lease Payments to the Master	\$ 7,858

Rider 6. Preservation Trust Fund

Out of the amounts appropriated in Strategy A.1.2, Preservation Trust Fund, \$500,000 in General Revenue funds may be transferred to the General Revenue-Dedicated Preservation Trust Fund Account No. 664 and are hereby appropriated to the General Revenue-Dedicated Preservation Trust Fund Account No. 664. Also included in the amounts appropriated above in Strategy A.1.2, Preservation Trust Fund, from the General Revenue-Dedicated Preservation Trust Fund account are amounts not to exceed \$450,775 in fiscal years 2006 and \$450,775 in fiscal year 2007 in interest earnings. In addition, any gifts and donations deposited in the General Revenue-Dedicated Preservation Trust Fund account on or after September 1, 2005, are hereby appropriated to Strategy A.1.2, Preservation Trust Fund. Any unexpended balances as of August 31, 2006, out of the appropriations made herein are hereby appropriated to the Historical Commission for the fiscal year beginning September 1, 2006.

Rider 7. Tourism: Promotion of Historical Sites (Interagency Agreement)

Out of amounts included in Strategy A.2.1, Development Assistance, the Texas Historical Commission, pursuant to Government Code, Chapter 481.172 and Chapter 442.005(s), shall expend \$300,000 during the biennium beginning September 1, 2005, transferred from the Office of the Governor, Economic Development and Tourism, and \$1 million during the biennium beginning September 1, 2005, transferred from the Texas Department of Transportation through interagency contract, to showcase historical sites in order to promote tourism and to encourage travel to the state's historical attractions.

Rider 9. Military Sites Program

Included in amounts appropriated in Strategy A.1.4, Evaluate/Interpret Resources, is \$22,500 in General Revenue funds in each fiscal year of the biennium for the purpose of continuing and further developing a military sites program and restoring Texas military monuments in and outside the state. Appropriation of these amounts is contingent upon receipt by the Historical Commission, or by the Friends of the Texas Historical Commission, of private contributions, gifts, and donations, for the same purpose, in an amount of \$45,000 over the biennium. In the event that private contributions, gifts, and donations received total less than \$45,000 over the biennium, the appropriation is reduced to an amount which equals the total contributions, gifts, and donations received. Any unexpended balances of these funds remaining as of August 31, 2006, are hereby appropriated to the Historical Commission for the fiscal year beginning September 1, 2006, for the same purpose.

Rider 10. La Salle Artifacts.

Included in amount appropriated in Strategy A.1.3, Archeological Heritage Protection, is \$250,000 in General Revenue funds for the biennium for the conservation, analysis, interpretation, and display of artifacts from the Belle Shipwreck, Fort St. Louis archeological site, and other La Salle sites. Of this amount, \$125,000 is contingent upon receipt of additional matching funds by the THC in private contributions, gifts, and donations, for the same purpose. In the event that private contributions, gifts, and donations received by the THC total less than \$125,000 over the biennium, the matching General Revenue appropriation is reduced to an amount which equals the total private contributions, gifts, and donations received. Any unexpended balances of these funds remaining as of August 31, 2006, are hereby appropriated to the THC for the fiscal year beginning September 1, 2006, for the same purpose.

In the event any additional Federal Funds are available for the purposes of this rider, the Commission is hereby appropriated the amounts necessary of the \$125,000 contingency appropriation identified in Subsection (a) to obtain the additional Federal Funds. Any reference to additional Federal Funds in this subsection means Federal Funds received by the Commission that are not anticipated at the time of passage of this Act and are not appropriated above. In the event that the agency receives funding not identified in this rider to be used for the same purpose, the Commission may expend these funds for that purpose only with the approval of the Governor and the Legislative Budget Board.

Rider 12. Unexpended Balances: Acquisition of Historical Artifacts.

Included in the amounts appropriated to the THC are any unexpended balances remaining as of August 31, 2005, for the appropriation made by the Seventy-eighth Legislature for the acquisition of historic artifacts, (estimated to be \$0) for the biennium beginning September 1, 2005, for the same purpose.

Rider 14. Unexpended Balances: Courthouse Preservation Program

Included in the amounts appropriated in Strategy A.1.5, Courthouse Preservation are any unobligated and unexpended balances remaining as of August 31, 2005, from the appropriation made to Strategy A.1.5, Courthouse Preservation, for the biennium beginning September 1, 2005, for the same purpose. In addition to amounts identified herein and included above, all unexpended balances remaining as of August 31, 2005 are hereby appropriated for the same purpose. Any unexpended balances of these funds remaining as of August 31, 2006, are hereby appropriated to the THC for the fiscal year beginning September 1, 2006, for the same purpose.

Rider 16. Texas Emancipation Juneteenth Cultural and Historical Commission

It is the intent of the Legislature that \$602,645 in federal Transportation Enhancement Program funds administered by the Texas Department of Transportation be made available during the biennium for the Juneteenth Memorial Monument project if the Juneteenth Memorial Monument project meets federal funding requirements of the Transportation Enhancement Program as defined by federal Department of Transportation, Federal Highway Administration federal regulations in Title 23 of the United States Code. The Texas Emancipation Juneteenth Cultural and Historical Commission in conjunction with the Texas Department of Transportation will review the Juneteenth Memorial Monument project to determine if the Juneteenth Memorial Monument project meets the federal Transportation Enhancement Program guidelines in Title 23 of the United State Code. It is the intent of the Legislature that funds appropriated above would cover the administration costs of the Juneteenth Memorial Monument project approved for federal Transportation Enhancement Program funds.

Rider 17. Contingency for House Concurrent Resolution 94

Contingent on passage of House Concurrent Resolution 94, or similar legislation approving the use of public funding from appropriations to complete the construction of a statue, monument, or exhibit on the Capitol grounds honoring contributions of Tejanos, by the Seventy-ninth Legislature, Regular Session, it is the intent of the Legislature that \$602,645 in federal Transportation Enhancement Program funds

administered by the Texas Department of Transportation be made available during the biennium for the Tejano Monument project if the Tejano Monument project meets federal funding requirements of the Transportation Enhancement Program as defined by federal Department of Transportation, Federal Highway Administration federal regulations in Title 23 of the United States Code. The Texas Historical Commission in conjunction with the Texas Department of Transportation will review the Tejano Monument project to determine if the Tejano Monument project meets the federal Transportation Enhancement Program guidelines in Title 23 of the United States Code. It is the intent of the Legislature that funds appropriated above would cover the administration costs of the Tejano Monument project approved for federal Transportation Enhancement Program funds.

Rider 18. Courthouse Preservation Program Grants

It is the intent of the Legislature that \$80 million in federal Transportation Enhancement Program funds administered by the Texas Department of Transportation be made available during the biennium for the courthouse preservation projects whenever such projects are approved by the Texas Historical Commission's Courthouse Preservation Program and meet federal funding requirements of the Transportation Enhancement Program as defined by federal Department of Transportation, Federal Highway Administration federal regulations in Title 23 of the United States Code. The Texas Historical Commission in conjunction with the Texas Department of Transportation will review courthouse preservation projects to determine if courthouse projects meet the federal Transportation Enhancement Program guidelines in Title 23 of the United State Code. It is the intent of the Legislature that funds appropriated above would cover the costs of administering courthouse projects approved for federal Transportation Enhancement Program funds.

Texas Department of Transportation Riders

Rider 13. Interagency Agreements

Out of funds appropriated in Strategy D.3.1, Travel Information \$670,000 through interagency contracts with the Commission of the Arts and \$500,000 through interagency contracts with the Texas Historical Commission each fiscal year, shall be used to showcase the arts, culture and historical diversity in Texas to promote tourism.

Trusted Programs within the Office of the Governor

Rider 15. Promotion of Historical Sites

From the amounts appropriated, the Office of the Governor, Economic Development and Tourism, pursuant to Government Code § 481.172, shall transfer \$300,000 during the biennium beginning September 1, 2005, to the Texas Historical Commission to encourage travel to the state's historical attractions.

C. Show your agency's expenditures by strategy.
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Texas Historical Commission	
Exhibit 5: Expenditures by Strategy for Fiscal Year 2004 (Actual)	
Goal/Strategy	Amount
Historical Preservation/Architectural Assistance	\$ 470,015
Historical Preservation/Preservation Trust Fund	1,079,000
Historical Preservation/Archeological Heritage Protection	1,417,308
Historical Preservation/Evaluate/Interpret Resources	1,458,771
Historical Preservation/Courthouse Preservation	25,587,043
Historical Preservation/Development Assistance	1,954,730
Indirect Administration/Indirect Administration	1,067,679
GRAND TOTAL:	\$33,034,546

D. Show your agency's objects of expense for each category of expense listed for your agency in the General Appropriations Act FY 2005-2006.

Texas Historical Commission						
Exhibit 6: Objects of Expense by Program or Function for Fiscal Year 2005						
Object-of-Expense	Architecture	Archeology	History	Community Heritage	Preservation Trust Fund	Indirect Administration
Salaries and Wages	\$680,512	\$812,961	\$793,333	\$1,024,210		\$818,293
Other Personnel Costs	8,400	16,800	26,680	104,374		16,960
Professional Fees/Services				75,245		3,000
Fuels & Lubricants	3,100	3,200	9,298	3,600		2,350
Consumable Supplies	5,600	8,000	16,700	14,360		13,850
Utilities	3,600	1,550	19,835	8,039		2,715
Travel	51,800	28,967	105,111	150,406		52,650
Rent/Building	1,550	1,000	600	7,500		1,800
Rent/Machines & Other	5,900	3,859	5,650	4,415		7,615
Other Operating Expense	104,845	922,286	1,421,239	922,128		207,917
Grants	20,675,609		10,000	480,334	370,000	
Capital Expenditures						
Total	\$21,910,916	\$1,798,623	\$2,408,446	\$2,794,611	\$370,000	\$1,127,150

E. Show your agency's sources of revenue. Include all local, state, and federal appropriations, all professional and operating fees, and all other sources of revenue collected by the agency, including taxes and fines.

Texas Historical Commission Exhibit 7: Sources of Revenue for Fiscal Year 2004 (Actual)	
Source	Amount
General Revenue Funds	\$ 4,982,241
GR Dedicated Funds	579,000
General Obligation Bonds	25,000,000
Federal Funds	837,559
Interagency Funds	352,303
Appropriated Receipts	1,283,443
TOTAL	\$33,034,546

F. If you receive funds from multiple federal programs, show the types of federal funding sources.

Texas Historical Commission Exhibit 8: Federal Funds for Fiscal Year 2004 (Actual)				
Type of Fund	State/Federal Match Ratio	State Share	Federal Share	Total Funding
Historic Preservation Fund – National Park Service	40/60	\$491,953	\$737,929	\$1,229,882
Coastal Management Program – General Land Office	40/60	26,885	40,327	67,212
Save America's Treasures – National Park Service	50/50	\$59,303	\$59,303	118,606
TOTAL		\$578,141	\$837,559	\$1,415,700

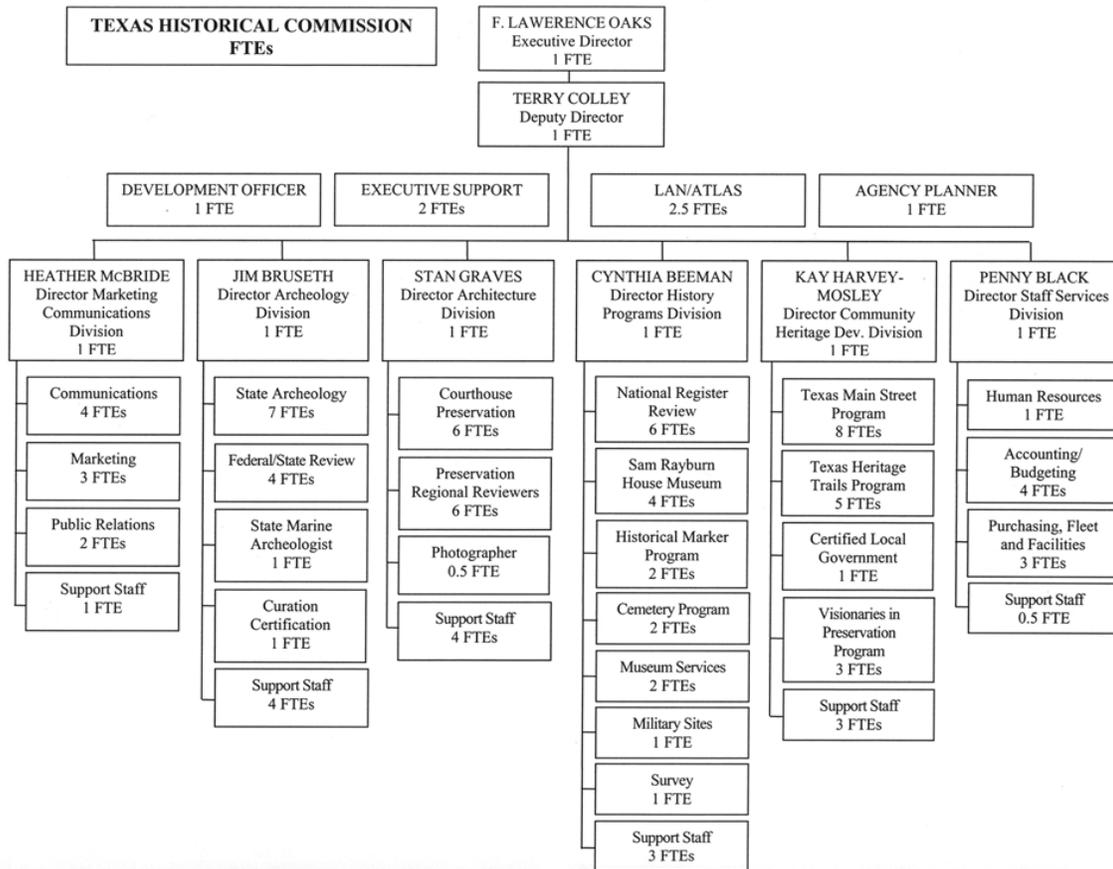
G. If applicable, provide detailed information on fees collected by your agency.

Texas Historical Commission Exhibit 9: Fee Revenue for Fiscal Year 2004				
Fee Description/ Program/ Statutory Citation	Current Fee/ Statutory maximum	Number of persons or entities paying fee	Fee Revenue	Where Fee Revenue is Deposited (e.g., General Revenue Fund)
Cost Recovery of Historical Markers/ HB 1, 78 th Leg., R.S., Article I, Rider 3 & 11/TX Gov't Code Chap 442, Sec. 442.006 (e)	Ranges from \$150.00 to \$1250.00 per marker	431	\$260,169.00	Trust and Suspense Fund 0900
Registration of Historic Cemeteries/ HB 1, 78 th Leg., R.S., Article I, Rider 5 & 11/TX Gov't Code Chap 442, Sec. 442.017 (d)	\$25.00	139	\$3,475.00	General Revenue Fund as Appropriated Receipts
Main Street City Receipts/ HB 1, 78 th Leg., R.S., Article I, Rider 11/ TX Gov't. Code Chap 442, Sec. 442.014 (d)	Ranges from \$300.00 to \$7,500.00 per Main Street Participant	69	\$42,250.00	General Revenue Fund as Appropriated Receipts

VI. Organization

A. Provide an organizational chart that includes major programs and divisions, and shows the number of FTEs in each program or division.

This organizational chart illustrates FTEs for the fiscal year 2006.



B. If applicable, fill in the chart below listing field or regional offices.

Texas Historical Commission			
Exhibit 10: FTEs by Location for Fiscal Year 2004			
Headquarters, Region, or Field Office	Location	Number of Budgeted FTEs, FY 2004	Number of Actual FTEs as of August 31, 2004
Headquarters	Austin	106	96.75
Sam Rayburn House Museum	Bonham	4	4
TOTAL		110	100.75

C. What are your agency's FTE caps for fiscal years 2004–2007?

The agency's FTE cap for fiscal years 2004–2007 are:

Fiscal Year 2004: 110
 Fiscal Year 2005: 108
 Fiscal Year 2006: 106.5
 Fiscal Year 2007: 106.5

D. How many temporary or contract employees did your agency have as of August 31, 2004?

The agency did not have any temporary or contract employees as of August 31, 2004.

E. List each of your agency's key programs or functions, along with expenditures and FTEs by program.

Texas Historical Commission Exhibit 11: List of Program FTEs and Expenditures for Fiscal Year 2004		
Program	FTEs as of August 31, 2004	Actual Expenditures
Architecture Division	17	\$26,057,058
Archeological Division	21.5	1,417,308
History Programs Division	21	1,458,771
Community Heritage Development Division	24.5	1,954,730
Texas Preservation Trust Fund	0	1,079,000
Indirect Administration	16.75	1,067,679
TOTAL	100.75	\$33,034,546

VII. Guide to Agency Programs

A. Provide the following information at the beginning of each program description.

Name of Program or Function	Archeology Division
Location/Division	Austin
Contact Name	Jim Bruseth, Division Director
Actual Expenditures, FY 2004	\$1,417,308
Number of FTEs as of August 31, 2004	21.5 FTEs

B. What is the objective of this program or function? Describe the major activities performed under this program.

The THC's Archeology Division works to identify, protect and preserve Texas' irreplaceable archeological heritage. Using a regional approach, archeologists and staff participate in a variety of activities to support this mission, which includes:

- Reviewing public construction projects that may impact significant archeological sites through Section 106 and the Texas Antiquities Code authority (federal and state review)
- Administering the State Archeological Landmark designation and Historic Texas Land Plaques
- Managing a team of Regional Archeologists who answer questions about Texas archeology and identify archeological sites and artifacts
- Assisting landowners to preserve and protect important archeological resources on their properties
- Conducting and reporting on archeological research and investigations, including the acclaimed La Salle Shipwreck Project, Fort St. Louis Archeological Project and the Red River War Battle Sites Project
- Administering an active State Marine Archeology program to locate and protect historic shipwrecks along the Texas coast
- Directing the Texas Archeological Stewardship Network, a statewide network of volunteer avocational archeologists who assist THC archeologists in preserving valuable sites and collections
- Coordinating with public and private partners in the annual observance of Texas Archeology Month each October

Federal and State Reviews

Section 106

Staff archeologists annually review several thousand federally licensed, permitted, approved or funded projects to determine if these projects will affect prehistoric or historic archeological sites. This review is required by federal law (Section 106 of The National Historic Preservation Act of 1966 as amended) in order for development projects to occur. Each archeological resource in a project area must be evaluated for eligibility to the National Register of Historic Places. When a site is determined eligible, the federal agency must develop a plan with the Archeology Division to avoid or mitigate the site.

Antiquities Code of Texas

The Antiquities Code requires state agencies and political subdivisions of the state, including cities, counties, river authorities, municipal utility districts and school districts, to notify the THC of any action on public land involving five or more acres of ground disturbance; 5,000 or more cubic yards of earth moving; or any project that has the potential to disturb recorded historic or archeological sites. Much like the federal Section 106 process, the new development project needs to minimize damage to the resources. The THC issues antiquities permits to professional archeologists that authorize archeological studies prior to construction.

Designations and Awards

State Archeological Landmarks

State Archeological Landmarks (SAL) are archeological sites or historic properties designated by the THC that receive legal protection under the Antiquities Code of Texas. Listing in the National Register of Historic Places is a prerequisite for SAL designation of a building. SAL designation stipulates that the property cannot be removed, altered, damaged, salvaged or excavated without a permit from the THC. This designation encourages preservation and ensures that resources that cannot be preserved are at least properly documented. Archeology staff review and designate SALs as well as conduct reviews and issue permits for work.

Historic Texas Land Plaque

Texas landowners have worked with the THC for decades to preserve important archeological sites all over the state. Landowners help protect historic places from frontier forts to 12,000 year old hunting camps. The THC awards landowners who are diligent stewards of archeological resources on their property with the Historic Texas Lands Plaque, a special form of recognition displayed with pride on ranch or farm property.

Regional Archeology Program

The agency uses a regional approach to support archeological preservation in Texas. The state is divided into six regions: Mountain/Pecos, Plains, Forts/Hill Country, Lakes/Brazos, Forest and Independence/Tropical. Staff archeologists are assigned to regions to provide assistance to stewards, landowners and communities when needed. Regional archeologists respond to thousands of public inquiries regarding prehistoric and historic archeological sites in Texas. They offer archeological consultation to state agencies, professional and avocational archeologists, landowners, teachers, heritage groups and interested individuals. Landowner assistance is a major focal point of this program since more than 90 percent of land in the state is in private ownership, leaving the responsibility of protecting and preserving important sites to private property owners. Staff archeologists investigate important endangered sites dating from prehistoric times to the 20th century and record archeological sites and monitor previously recorded sites to ensure their protection. Staff members also engage in significant projects related to African American, Hispanic and Native American cultural resources and is responsible for oversight of Texas Preservation Trust Fund archeological projects.

Special Archeology Projects

The La Salle Archeology Projects: The La Salle Shipwreck Project, The Fort St. Louis Archeological Project and The La Salle Odyssey Project

In 1995, the THC discovered 17th-century famed French explorer La Salle's ship, *The Belle*, in Matagorda Bay. The ship was part of an expedition to establish a colony in the New World and is one of the most important shipwrecks ever discovered in North America. THC archeologists fully excavated the *Belle* in 1996 and 1997. Conducted in a cofferdam in Matagorda Bay, the excavation lasted almost a year

and produced an amazing array of finds, including the hull of the ship, three bronze cannons, thousands of glass beads, bronze hawk bells, pottery and even the skeleton of a crew member. The one million artifacts discovered represent a kit for building a 17th-century European colony in the New World. The project has now shifted to the conservation phase, in which every artifact is carefully identified, cleaned and preserved. The hull of the ship has also been reconstructed and is undergoing chemical treatment at Conservation Research Laboratory at Texas A&M University to preserve it.

From a Watery Grave: The Discovery and Excavation of La Salle's Shipwreck, La Belle, is a newly released book about the discovery of French explorer Robert Cavelier, Sieur de La Salle's ship the *Belle* in Matagorda Bay. Authored by THC Archeology Division Director Dr. Jim Bruseth, who directed the excavation, and his wife, Toni Turner, who assisted in many aspects of the ship's recovery, the book is a vivid description of the excavation and the tale of doom that preceded it.

From 1999 to 2002, THC archeologists excavated Fort St. Louis, Texas first European colony established by La Salle and his stranded colonists on Garcitas Creek, near Victoria. The THC uncovered the remains of the French fort, human remains, thousands of French artifacts and a Spanish presidio built over the top of the French fort. Artifacts are undergoing conservation at Texas A&M University for display in Texas museums. These discoveries resulted in a unique joint venture known as the La Salle Odyssey Historical Tour, where six coastal counties in partnership with the THC interpret and have on display the *Belle* and Fort St. Louis artifacts in local museums. Many *Belle* artifacts are also displayed at the Bob Bullock Texas State History Museum in Austin.

The Red River War Battle Sites Project

During the 1874–75 Red River War, U.S. military forces removed Native American groups from the Texas Panhandle and Plains regions. The THC has confirmed and documented significant battle sites from this period. Although the general locations of most sites were known, the boundaries needed confirmation and scientific documentation to avoid further loss of historical information and damage by relic collectors. The THC Archeology Division initiated the project in 1998 as a collaborative effort with the Panhandle-Plains Historical Museum and the National Park Service's American Battlefield Protection Program. Fieldwork concluded in the spring of 2003 and the project is now in the artifact conservation, analysis and reporting stages. In addition, staff members are working with local museums in 10 counties to develop a series of educational exhibits on the Red River War.

Marine Archeology

The State Marine Archeologist is responsible for the protection, preservation and investigation of historic shipwrecks in all state-owned waters of Texas. Between the arrival of the earliest European explorers and the beginning of the 20th century, thousands of ships were wrecked along Texas shores. Ranging from sailing ships to steamboats, wooden to steel hulls, these vessels carried the vital goods of commerce between small communities, provided transportation for passengers, and performed the yeoman tasks of workboats everywhere. The State Marine Archeologist maintains an increasing inventory of these wrecks, investigates known wrecks, and reviews development projects in state waters for possible impact to historic shipwrecks. A small group of volunteer avocational archeologists exists within the Texas Archeological Stewardship Network (see below) to assist the State Marine Archeologist with the investigation of historic shipwrecks. Known as the Marine Stewards Group, these dedicated volunteers are vital to the operation of the Marine Archeology Program at the THC.

Texas Archeological Stewardship Network

The effectiveness of the THC's public archeology program greatly benefits from the assistance of Texas Archeological Stewardship Network (TASN) members. Founded in 1984, TASN is a group of highly trained and motivated avocational archeologists who work on a strictly volunteer basis. Each year these women and men devote thousands of hours to a broad range of tasks, such as assisting landowners,

recording archeological sites and giving public talks. Archeology staff organizes annual training workshops to enhance the abilities of this dedicated group. In 2001, the TASN broke new ground with the establishment of the Marine Stewards Group, dedicated to the investigation and protection of historic shipwrecks within the waters of Texas. The first of its kind in the nation, the TASN is an innovative and successful program that has served as the model for similar programs in other states.

Texas Archeology Month

Each October, Texas Archeology Month (TAM) serves as the focal point for the promotion of archeology to the public. To achieve this goal, numerous organizations, institutions and individuals sponsor special TAM events in communities across the state. TAM events range from lectures on the latest archeological finds, to archeology fairs that offer hands-on activities and demonstrations. The THC serves as the statewide TAM coordinator, assisting with publicity and distribution of resources. The THC is proud to sponsor Texas Archeology Month in association with the Texas Archeological Society and the Council of Texas Archeologists.

Historic Sites Atlas

The Atlas is an online database of more than 280,000 historic and archeological site records documenting Texas history. The Atlas was designed primarily as a planning tool for projects regulated under the Texas Antiquities Code and Section 106 of the National Historic Preservation Act. To satisfy the browsing history buff as well as the serious researcher, the database is accessible through two separate web sites, the Texas Historic Sites Atlas, and the Texas Archeological Sites Atlas. The Historic Sites Atlas provides multiple search interfaces to data on Texas Historical Markers, National Register properties, historic county courthouses, museums, historic sawmills, military sites, and, soon, cemeteries. The Archeological Sites Atlas, available only to registered users, also provides access to archeological site data. Both sites provide users with maps of site locations. The data are updated continually.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and performance measures that best convey the effectiveness and efficiency of this function or program.

The effectiveness and efficiency of the Archeology Division are measured in several of ways: quantity of services and designations; cost of reviewing projects; time efficiency in reviewing projects; outreach to the public; and projects completed.

The nature of federal and state programs that the Archeology Division manages requires staff to respond to projects brought forward, including Section 106 review, Antiquities Code review and designations such as State Archeological Landmarks and Historic Texas Land Plaques. The volume of these projects, as with other divisions in the THC, fluctuate depending on the economy, the undertaking of projects that spark Section 106 and Antiquities Code review, and the public's desire to recognize archeological resources. In FY 2004, Archeology staff reviewed 5,483 projects, which include Section 106 and Antiquities Code review. Staff contributed to the designation of 4,387 properties in Texas, double the expected target of 2,165. The average cost of each project evaluated was \$30.43, more than the FY 2004 target of \$22.50. Archeology staff reviewed more than 95 percent of projects in less than 30 days.

Because of the vastness of archeological resources on private land, the Archeology Division has a long-standing commitment to outreach and educating the public about the importance of cultural resources. Through the Texas Archeological Stewardship Network, Texas Archeology Month, and the Regional Archeology Program, Archeology staff trained 14,380 individuals in archeological preservation in FY 2004 and distributed more than 204,000 materials about archeology. This outreach and educating resulted in 861 volunteer-directed archeology projects and \$186,252 in-kind volunteer hours. These benchmarks

were within 95 percent of the target, with volunteer-directed projects exceeding the target 11 percent.

The success of the projects that Archeology staff undertakes, and the artifacts that have been unearthed and conserved, are in and of themselves measures of success. The one million artifacts from the excavation of the *Belle* and the tens of thousands of artifacts, including cannons, musket balls, gunflints, pottery, coins and many other items used by the colonists were found at the Fort St. Louis site, are important glimpses to the past and illustrate history in a tangible and significant manner.

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.

N/A

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

Section 106 requires all projects that are federally funded, licensed or permitted to be reviewed by the THC for potential impacts to historic resources. This requirement impacts federal, state and local agencies undertaking projects that require compliance with this law. Examples include reservoirs built by the U.S. Army Corps of Engineers, new highway construction by the Texas Department of Transportation that utilizes federal funds, and local municipalities that receive grant funds to rehabilitate or demolish deteriorating housing. Archeology staff review projects from more than forty federal, state and local agencies and work in cooperation with the History Programs Division staff to ensure a comprehensive review of the projects.

As required by the Antiquities Code, the THC issues antiquities permits to professional archeologists that authorize archeological studies prior to construction projects by state agencies or political subdivisions of the state. An archeological permit may be issued only to a professional archeologist who meets the definition of a principal investigator as defined in Title 13, Part II, Chapter 26 of the Texas Administrative Code. The Antiquities Code applies to all work undertaken by state agencies and political subdivisions of the state such as cities, counties, river authorities, municipal utility districts and school districts.

Many of the programs of the Archeology Division are focused on educating the general public and landowners on the importance of archeology and preservation. The Historic Sites Atlas has one of the farthest reaches to the general public. By deliberately designing the Atlas for access through the Internet, the THC provides the general public with an invaluable educational resource, heritage tourism tool, and preservation bulletin, all in one. It was also created to provide state and federal land-use planners with information on the location and condition of Texas' cultural resources. Preservationists and planners use the Atlas to identify historic or prehistoric site locations during the early stages of infrastructure development, and can modify projects accordingly. The Atlas also aids cultural resource planning by reducing the costs of research for planners, historians, archeologists and educators.

Our partnership with the state's private landowners is a relationship that the agency continues to develop through our Regional Archeology Program and State Archeological Landmark (SAL) designation. Because the vast majority of archeological sites in Texas are on private land, the agency seeks to educate landowners and help them protect important sites through SAL designation, or donation of conservation easements, so that these sites can be protected and maintained as scientific preserves or as future interpretive centers for the public. Finally, partnerships with local preservation groups further the aims

and goals of historic preservation. Through the Texas Archeology Awareness Month, local groups are given much needed assistance and educational materials for their special preservation observances each October.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

Each program of the Archeology Division has a formalized structure and process. While staff is headquartered in Austin, site visits and field work are a regular part of each program. The agency uses a regional approach to support archeology in Texas. The state is divided into six regions: Mountain/Pecos, Plains, Forts/Hill Country, Lakes/Brazos, Forest and Independence/ Tropical and archeologists are assigned to regions to provide assistance to stewards, landowners and communities when needed. Archeology staff, as with all staff at the agency, participates in interdisciplinary regional teams that coordinate outreach and an annual regional training workshop for local preservationists.

Federal and State Reviews

Archeologists examine new construction for potential impacts to archeological sites, and are most concerned about subsurface disturbance within the actual construction footprint. They check the THC's master set of U.S. Geological Survey topographic maps (now computerized and part of the Texas Historic Sites Atlas) that contain the locations of known cultural resources and areas where archeological surveys have been conducted in Texas. If no sites are plotted on the maps and a professional has surveyed the area, there is usually no need for additional archeological investigation. However, if the project area has not been surveyed, and it contains landforms considered likely to contain important cultural resources, the reviewer may recommend a survey be conducted. For federal projects, the survey must be undertaken by professionals who meet the Secretary of the Interior's Standards and Guidelines. For surveys on Texas public lands, professionals must meet the qualifications for a principal investigator found in Chapter 26 of the Antiquities Code.

The results of the survey are submitted to the THC for review. If no cultural resources were found, or if it is clear from the survey data that the resources found have no integrity, no further consultation is necessary. If cultural resources are found that might be eligible for the National Register of Historic Places, THC staff discusses the possibility of project redesign to avoid any impact to the site. If redesign is not feasible, further investigations to assess the importance of the resources may be necessary. The archeological deposits are assessed using the criteria established for determining eligibility for inclusion in the National Register of Historic Places.

If archeological deposits appear to offer potential to learn new information about history or prehistory, they will be determined eligible. Archeological sites eligible for the National Register that cannot be avoided may have to be excavated to recover the scientific information they hold. A sample of the archeological deposits is excavated, the materials are analyzed, and the results of the investigation must be documented in a report submitted to the THC for review. Copies of final reports are made available to libraries across the state.

State Archeological Landmarks

Archeological sites may be recognized as State Archeological Landmarks (SAL) if any of the following criteria are met:

- The site has the potential to contribute to a better understanding of the prehistory and/or history of Texas by the addition of new and important information

- The site's archeological deposits and the artifacts within the site are preserved and intact, thereby supporting the research potential or preservation interests of the site
- The site possesses unique or rare attributes concerning Texas prehistory and/or history
- The study of the site offers the opportunity to test theories and methods of preservation, thereby contributing to new scientific knowledge
- The high likelihood that vandalism and relic collecting has occurred or could occur, and official landmark designation is needed to insure maximum legal protection, or alternatively further investigations are needed to mitigate the effects of vandalism and relic collecting when the site cannot be protected

SAL designation stipulates that the property cannot be removed, altered, damaged, salvaged or excavated without a permit from the THC. This designation encourages preservation and ensures that resources that cannot be preserved are at least properly documented. To nominate a site or building on private property, the property owner's written consent is required. The designation of State Archeological Landmarks on private land is recorded in the county deed records and is conveyed with the property when sold.

Historic Texas Land Plaques

The Historic Texas Lands Plaque is a special form of recognition for landowners who are dedicated stewards of archeological sites on their property. Participating landowners display the Historic Texas Lands Plaque with pride on ranch or farm gates or prominently on roadside buildings. Landowners are nominated through an application process and are eligible for this recognition if they have recently completed at least one of the following:

1. Transferred ownership (via donation or sale) of an archeological site to the THC, another state agency or a suitable nonprofit organization for the purpose of permanent preservation of a site
2. Sold or donated a permanent conservation easement to the THC, another state agency or a nonprofit, that provides for permanent conservation of one or more significant archeological sites
3. Designated one or more State Archeological Landmarks
4. Allowed substantial and significant archeological research on his or her property

Marine Archeology

With the assistance from several volunteer organizations, the State Marine Archeologist conducts various projects around the state. Two ongoing projects include Threshold of Texas, which involves the investigation of numerous historic shipwrecks reported in and around Matagorda Bay, and the investigation of the wreckage of a possible ferry found at a historically active crossing on the Sulphur River during a period of extreme low water. If the vessel proves to be a ferry, it will be one of the few archeologically recorded and will be a significant addition to the history of the area.

Regional Archeology

Regional Archeologists respond to a multitude of requests for assistance from their assigned regions. These requests originate from the public, including landowners, professional and avocational archeologists, educators, heritage groups, and other interested individuals. With the aid of the members of the Texas Archeological Stewardship Network, these requests are addressed by means of on-site visits, consultations, presentations, and a variety of projects. Staff also encourages landowners to nominate important sites for State Archeological Landmark designation and seek to identify landowners worthy of recognition with the Historic Texas Lands Plaque.

Historic Sites Atlas

The Texas Historic Sites Atlas provides data about historic properties and archeological sites to users both within and outside of the agency. The Atlas Coordinator monitors and maintains the servers that

support the Atlas, works with agency staff and outside organizations to ensure that the data are current, and develops improved functions to search and display Atlas data.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

Archeology Division	
Exhibit 7: Sources of Revenue for Fiscal Year 2004 (Actual)	
Source	Amount
General Revenue Funds	\$1,066,744
Federal Funds	125,000
Interagency Funds	163,064
Appropriated Receipts	62,500
TOTAL	\$1,417,308

Archeology Division staff, working through the Friends of the Texas Historical Commission, has successfully raised additional funding from the private sector for projects including the *Belle*, Fort St. Louis, Red River War and the Marine Archeology program.

The Historic Sites Atlas was funded by an Intermodal Surface Transportation Efficiency Act award administered by the Texas Department of Transportation.

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

Architecture, Archeology and History Programs Divisions of the THC participate in Section 106 review; however each division plays a well-defined and separate role within the process.

Several state agencies have staff archeologists, including the General Land Office (GLO), Texas Department of Transportation (TXDoT), Texas Parks & Wildlife (TPWD), Texas Water Development Board (TWDB) and Texas Military Forces. Of the agencies listed, TPWD, TMF and GLO are land-holding agencies. Their staff archeologists undertake preliminary reviews to determine if proposed projects will impact sites. If so, they either undertake the required investigations in-house or contract with private archeological consulting firms mainly for large-scale surveys and data recovery investigations.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency’s customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

The THC serves the critical and required role of oversight to ensure compliance with state and federal statutes. Recommendations are forwarded to our reviewers for concurrence or further consultation. We

issue Antiquities permits for investigations undertaken on public land — lands owned by the state or political subdivisions of the state. The TWDB and TxDOT archeologists ensure compliance with both federal and state statutes through in-house reviews. Again, recommendations are forwarded to THC for review and any necessary permits. By having staff archeologists, these state agencies are able to streamline and speed up the compliance process.

J. If the program or function works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

The State Historic Preservation Office (SHPO) is mandated by the National Historic Preservation Act of 1966 to represent the interests of the state when consulting with federal agencies under Section 106 and to maintain a database of historic properties. The Advisory Council on Historic Preservation (ACHP), an independent federal agency in the executive branch, oversees the Section 106 review process. In addition to the views of the agency, the SHPO and the ACHP, input from the general public and Native American tribes is also required.

K. If this program or function is contracted out, provide a description of how you ensure accountability for funding and performance.

N/A

L. What statutory changes could be made to assist this program in performing its functions? Explain.

Archeologists estimate that thousands of sites are damaged or destroyed by archeological looting each year. Currently the Antiquities Code states the penalty for vandalism as a misdemeanor crime. This penalty has been difficult to enforce because of the nature of the penalty, as well as a lack of awareness by law enforcement officials about the Antiquities Code and the importance of enforcement. Other programs have shown that ticketing a first offense is a more effective and accessible enforcement option in the field. We would like to change the penalty structure for a first offense vandalism to be a ticket or fine.

The current threshold for triggering Antiquities Code review for a project undertaken by the state or its political subdivisions is if the project affects an area larger than five acres (or 5,000 cubic yards). In many cases, archeological sites are much smaller than five acres, and projects that fall under this threshold are not reviewed for present cultural resources or potential adverse affects. We would like to change the statute to trigger review if projects are greater than one acre, ensuring that important archeological sites and artifacts are not overlooked during development projects undertaken by the state or its political subdivisions.

Perhaps the biggest issue for archeology in Texas is the lack of unmarked burial protection legislation. Texas lags behind the country on this issue; the majority of states and all our neighboring states have passed legislation protecting unmarked burials and human remains. It is currently expensive, confusing and complicated for the local officials who handle discoveries because there is no clear protection or process for handling unmarked burials. The THC has attempted to pass unmarked burial legislation, and has assisted other interest groups in attempting to pass legislation to no success.

M. Provide any additional information needed to gain a preliminary understanding of the program or function.

N/A

- N. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe:**
- **why the regulation is needed;**
 - **the scope of, and procedures for, inspections or audits of regulated entities;**
 - **follow-up activities conducted when non-compliance is identified;**
 - **sanctions available to the agency to ensure compliance; and**
 - **procedures for handling consumer/public complaints against regulated entities.**

Pursuant to the Texas Natural Resource Code, Title 9, Chapter 191, the THC is directed to act as custodian of all cultural resources, historic and prehistoric, within the public domain of the state. As Texas continues to grow in population, and the need for new development and infrastructure increases, our mandate by the state to identify and mitigate archeological resources potentially impacted by development becomes more relevant. Without the permit process to investigate resources affected by state or local government actions, the effects of projects on historic and archeological sites would go unchecked and unmitigated.

The Antiquities Code requires state agencies and political subdivisions of the state, including cities, counties, river authorities, municipal utility districts and school districts, to notify the THC of any action on public land involving five or more acres of ground disturbance; 5,000 or more cubic yards of earth moving; or any project that has the potential to disturb recorded historic or archeological sites. The THC issues antiquities permits to professional archeologists that authorize archeological studies prior to construction.

State Archeological Landmark designation stipulates that the property cannot be removed, altered, damaged, salvaged or excavated without a permit from the THC. It is an important designation that a property owner can initiate and use to increase protection and preservation of their property into the future.

Occasionally development projects move forward without first notifying and obtaining a permit from the THC under the Antiquities Code or State Archeological Landmark regulation. Private citizens have notified the THC of activities without a permit, and in those situations the THC contacts the entity or person responsible for the work and informs them of the review requirements. We strive to maintain positive relationships while ensuring that projects are reviewed properly.

Please see Question B and F of this section for more information about Antiquities Code and State Archeological Landmark review and permitting.

- O. For each regulatory program, if applicable, provide the following complaint information. The chart headings may be changed if needed to better reflect your agency's practices.**

N/A

A. Provide the following information at the beginning of each program description.

Name of Program or Function	Architecture Division
Location/Division	Austin
Contact Name	Stan Graves, Division Director
Actual Expenditures, FY 2004	\$26,057,058
Number of FTEs as of August 31, 2004	17 FTEs

B. What is the objective of this program or function? Describe the major activities performed under this program.

The Architecture Division works to preserve and protect Texas' diverse architectural heritage. Staff members provide design and rehabilitation advice to assist with preserving properties that span the state's rich history, from majestic historic county courthouses and high-rise commercial buildings to Spanish missions and simple log cabins. The division is made up of four key activities: federal and state reviews, technical preservation assistance to property owners, the Texas Historic Courthouse Preservation Program (THCPP), and Building Services.

Federal and State Review

Section 106

Architecture staff annually reviews over one thousand federally licensed, permitted, or funded projects to determine if these projects will affect historic properties. This review is required by federal law under Section 106 of the National Historic Preservation Act of 1966 in order for development projects to occur. Each historic resource in a project area must be evaluated for inclusion in, or eligibility to, the National Register of Historic Places. When a site is determined eligible, the Architecture Division evaluates the impact the project will have on the property and works with the federal agency and local parties to avoid or mitigate any harmful effects.

Historic Preservation Tax Incentives

A federal tax credit worth 20 percent of the eligible rehabilitation costs is available for buildings listed or eligible for listing in the National Register of Historic Places. The tax credit is available only for income-producing properties (i.e., office, retail, hotel, apartments). Through consultation, site visits and the review of construction plans, staff facilitates property owners and developers through the application process and ensures that all work undertaken as part of the project meets the Secretary of the Interior's Standards for Rehabilitation. Architecture Division staff makes recommendations regarding the applications to the National Park Service who formally certify the projects. The federal tax credit regulations require the staff to review changes to the property for five years following the completion of the project.

State Landmarks Review

The Architecture Division is responsible for reviewing any exterior changes to Recorded Texas Historic Landmarks, including relocation or demolition, and providing technical assistance to building owners where needed. The Antiquities Code of Texas provides stronger protection for buildings designated as State Archeological Landmarks and requires staff review and permitting for all changes to buildings other

than routine maintenance. Architecture staff also consults with other state agencies regarding proposed changes to their public buildings eligible for historic designation.

Texas Governors Mansion

The Texas Governor's Mansion is designated a National Historic Landmark and as a State Archeological Landmark. Architecture staff provides oversight for all maintenance and preservation activities at the Governor's Mansion to ensure that the buildings and grounds retain their historic and architectural integrity. Staff conducts a thorough yearly inspection of the mansion and documents the condition of the building, alerting the Texas Building and Procurement Service and the non-profit Friends of the Texas Governor's Mansion to needed repairs and recommending preferred preservation and restoration practices.

Texas Accessibility Standards Review

The Texas Department of Licensing and Regulation (TDLR) administers the Texas Accessibility Standards, whereby most public and commercial construction projects are required to comply with state and federal law (American's with Disabilities Act). The standards give special consideration to historic buildings when the THC determines that fully meeting the Texas Accessibility Standards would threaten or destroy the historic significance of the property. Architecture Division staff formally consults with property owners, architects, and TDLR staff to determine solutions that meet the intent of accessibility without damaging the historic property.

Preservation Easements

Historic preservation covenants and easements are voluntary legal agreements made between the property owner and a qualified organization to protect significant historic properties, landscapes or archeological sites by restricting future development on the property. The THC, along with local preservation organizations, is involved in the execution of covenants and easements. To ensure that the public interest in the resource is protected, grant programs such as the Texas Historic Courthouse Preservation Program and the Texas Preservation Trust Fund may require the filing of a deed covenant or easement that controls future work at assisted properties. In addition, federal agencies usually provide preservation covenants prior to transferring historic property out of federal ownership. The Architecture Division reviews and approves proposed changes to the protected historic properties throughout the covenant or easement period.

Technical Preservation Assistance to Property Owners

The Architecture Division provides technical assistance to private and public owners of historic buildings and sites upon request. This assistance may be in preparation for the owner's involvement in other programs such as grants, tax incentives or historic designations. Most often this is a private or non-profit property owners seeking guidance on how to physically preserve, restore, or rehabilitate their historic structures. Staff provides phone consultations as well as site visits, followed often by specific architectural and technical recommendations.

Texas Historic Courthouse Preservation Program

Texas has more historic courthouses than any other state. Today, more than 225 courthouses still stand that are at least 50 years old; about 80 were built before the turn of the 20th century. Most of these structures have deteriorated significantly due to abandonment, inadequate maintenance, insensitive modifications or a combination of these problems.

The THC announced in June 1999 that the Texas Legislature and Gov. George W. Bush had established the Texas Historic Courthouse Preservation Program through House Bill 1341. The program provides partial matching grants to Texas counties for the restoration of their historic courthouses. In May 2000, the THC awarded \$42.4 million in matching grants to 19 counties in Round I of the program. An

additional \$7 million was distributed to 28 counties in Round II, which was the remainder of the original appropriation from the 76th Texas Legislature. Following another \$50 million appropriation from the 77th Texas Legislature, the THC called for applications in November 2001. The THC announced Round III grant recipients in early 2002 and 2003 and awarded approximately \$47.4 million to 22 Texas counties to help preserve their courthouses. Round IV in May of 2004, 28 counties received matching grants as a result of the \$45 million bond authority extended to the THC by the 78th Legislature. In Rounds I through IV, the THC received 123 courthouse master plans, the first step required in the assistance process. Of those 123 plans, 112 were approved. To date, THC staff has assisted in the restoration and preservation of 64 county courthouses. The estimated current need to restore courthouses that submitted approved master plans is approximately \$250 million in state funds.

In a significant step toward addressing the remaining needs, the 79th Texas Legislature earmarked \$80 million of federal Transportation Enhancement program funding provided to the Texas Department of Transportation for use in county courthouse preservation.

Building Services

The THC owns and offices in five historic buildings, including the 1857 Carrington-Covert House, the 1883 Gethsemane Church, 1940 Luther Hall, 1872 Christiansen-Leberman Building, and the 1948 Elrose Apartments. These buildings hold a variety of city, state, and federal historic designations. The Architecture Division plans and supervises their maintenance and repair according to strict preservation guidelines. Division staff, through the Friends of the Texas Historical Commission, seeks out additional financial assistance for major preservation efforts on these properties.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and performance measures that best convey the effectiveness and efficiency of this function or program.

The effectiveness and efficiency of the Architecture Division is measured in a number of ways: quantity of reviews; cost of administering programs; preservation successes; reinvestment dollars; and grants awarded.

The nature of federal and state programs that the agency manages require staff to respond to projects brought forward, including Section 106 review, federal historic preservation tax incentives, and state landmarks review. The volume of these projects, as with other divisions in the THC, fluctuate depending on the economy, the undertaking of projects that spark Section 106 and Antiquities Code review, and the public's desire to rehabilitate historic resources. In FY 2004, Architecture staff reviewed 1,904 projects, which include Section 106, tax incentive projects, state designated landmarks, covenant or easement reviews, as well as general technical assistance to owners of historic property. Within the fiscal year 2004 federal tax incentive program alone, staff facilitated rehabilitation projects that invested \$92,992,882 in the Texas economy. More than 99 percent of the historic buildings that Architecture staff assists annually are preserved.

The Texas Historic Courthouse Preservation Program (THCPP) illustrates the impact that historic preservation can have on the local and state economy. To date, THC staff has assisted 64 county courthouses in the restoration and preservation. Nearly \$145 million has been awarded to historic county courthouses for preservation work, which has generated more than \$75 million in local direct and indirect expenditures from participating counties, 3,519 jobs, \$97,770,978 in income, and \$133,416,000 in gross state product. In FY 2004 the average cost for administering each courthouse grant awarded was \$4,620, which is below the target cost of \$6,940.

The THCPP has been nationally recognized as a model program by numerous organizations. The National Conference of State Historic Preservation Officers, the National Trust for Historic Preservation, the Association for Preservation Technology International and the Texas Society of Architects awarded the THCPP with excellence in historic preservation at the state and national level.

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.

Under new legislation in 1999, it was expected that the THCPP would garner interest from only a handful of Texas counties. However, 46 counties applied in the first round and 78 in the second for a total of \$50 million in available funds. Only five years later, at least 123 counties have initiated the application process and total funding has increased to \$250 million dollars. The number of counties participating represents an overwhelming response to the program goals. To protect the state's substantial investment in this initiative, the 79th Legislature required the agency to provide a maintenance assurance program for completed projects to ensure the long-term care and stewardship of the courthouses.

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

Section 106 requires all projects that are federally funded, licensed or permitted to be reviewed by the THC for potential impacts to historic resources. This requirement impacts federal, state and local agencies undertaking projects that require compliance with this law. Examples include military projects at historic installations such as Fort Bliss in El Paso, Fort Sam Houston and Randolph Air Force Base in San Antonio; new highway construction or alteration by the TxDOT; local municipalities that receive grant funds through Housing and Urban Development's Community Development Block Grant program to rehabilitate blighted buildings; and Federal Emergency Management Administration's hazard mitigation or disaster response efforts. Architecture staff reviews projects from over forty federal, state and local agencies. Section 106 also requires that the federal agency consults with local interested parties and the Architecture Division helps to facilitate those consultations. The THC is often invited to comment about historic resources during other federal agency compliance efforts such as reviews under the National Environmental Policy Act.

The federal historic preservation tax incentives program (tax credits) directly affects owners of income-producing property who apply for this benefit, along with the building industry. These commercial projects range in cost from around \$100,000 in work to multi-million dollar projects. The average cost for tax credit projects in Texas during the 2004 federal fiscal year was approximately \$5.7 million. These projects have a significant impact on the economy of local communities, raising the local tax base for the specific property as well as creating spin-off public and private revitalization efforts at adjacent properties. Tax credit projects can be found in large urban areas as well as smaller, more rural communities.

Architecture staff works with public and private entities that own or manage designated state landmarks to review proposed changes and modifications, and also provides technical assistance for the general public who own historic properties.

Counties are eligible to participate in the THCPP. Counties must first submit a Master Preservation Plan for renovating and maintaining their historic county courthouse. Once submitted, the plan is reviewed by staff and is either accepted, accepted with suggested changes, or rejected. Upon final approval of the

Master Preservation Plan, counties can submit a grant application. Counties must commit a 15 percent match in order to be eligible, which can include master plan expenses, in-kind services or capital expenditures incurred within 30 months prior to the application. Applications are scored on a point system, reflecting categories such as age, architectural integrity, historic designations and scope of work. The Jeff Davis County Courthouse and the Denton County Courthouse were two outstanding projects completed with THCPP funds and rededicated in 2004.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

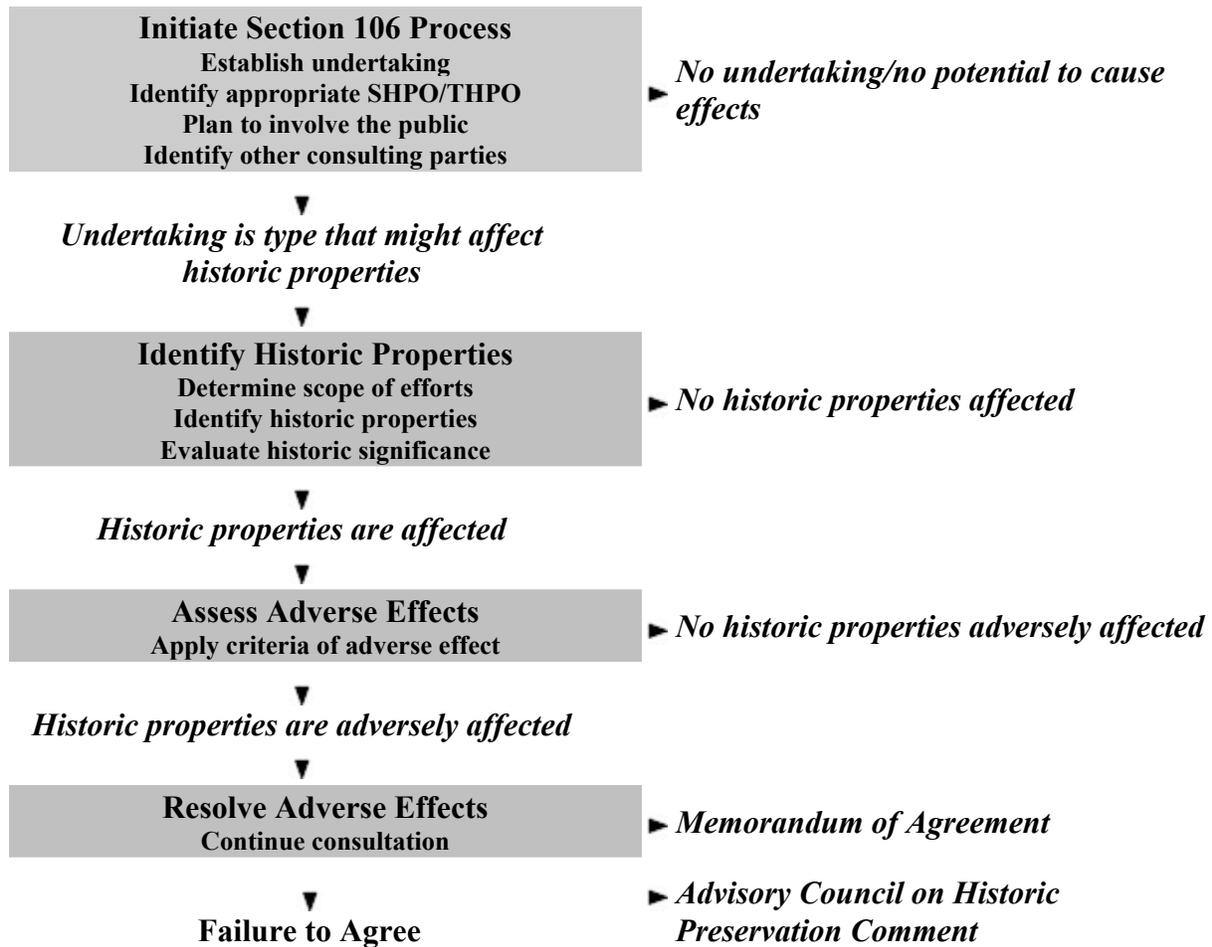
Each program of the Architecture Division has a formalized structure and process. While staff is headquartered in Austin, site visits and field work are a regular part of each program. The state is divided into six regions: Mountain/Pecos, Plains, Forts/Hill Country, Lakes/Brazos, Forest and Independence/Tropical and architects are assigned to regions for Section 106 review, historic preservation tax incentives projects, and technical assistance to property owners. Architecture staff, as with all staff at the agency, participates in interdisciplinary regional teams that coordinate outreach and an annual regional training workshop for local preservationists.

Section 106

The federal Advisory Council on Historic Preservation administers Section 106 regulations. During the process, the THC (acting as the State Historic Preservation Office) acts as the council's representative on the vast majority of projects. Sponsors of development projects that trigger Section 106 are required to consult with the SHPO to minimize adverse effects on historic properties. Each year the agency's team of architects, archeologists and historians reviews more than 11,000 projects, examining proposed actions for potential impacts to historic buildings, archeological sites and other properties of historic significance. All projects are logged into a computer database to track each review. The agency strives to examine all projects within 30 days, and most projects are reviewed in a much shorter time. Large or complex projects may involve longer or multiple periods, additional meetings or on site consultations to develop satisfactory outcomes for the federal agency and the THC.

If historians determine a building or structure is eligible for inclusion in the National Register, the project is passed along to the Architecture Division to conduct an architectural review and determine the effect the project will have on the eligible building or structure. If it is determined the project will have no adverse effect on the building, then development may continue without further coordination. If the intended development will adversely affect an eligible historic building, the THC will work with the project sponsor to develop a plan to avoid, minimize, or mitigate the adverse effect. Mitigation alternatives might include modifying construction materials or methods to maintain the structure's historical integrity, or documenting the structure by means of measured drawings and photographs.

The following flow chart illustrates the process:



Historic Preservation Tax Incentives

Property owners make a three-part application for tax incentives to the National Park Service (NPS). The THC reviews all three parts of the application prior to their submission to NPS. Staff may consult with the owners, architects, and local officials during the projects’ planning stages. Staff can also visit the property before, during, and after the project to assist the development team in complying with the program requirements and to facilitate the state’s review of the project. The THC makes recommendations to the NPS on each part of the application; however it is the NPS and IRS that legally certify the projects.

Part One, the evaluation of significance, determines if the building is eligible for the National Register and thus the credits. Part Two describes the proposed work, and documents the major features of the building prior to work beginning. Part Three of the application is submitted upon completion of the rehabilitation. The tax incentives program, which includes both NPS and IRS regulations, can be complex at times. Architecture staff works closely with property owners in understanding and applying for the credits. The IRS also allows a separate 10 percent tax credit for income-producing buildings constructed prior to 1936, but not listed in the National Register.

The tax incentives program is designed for substantial rehabilitations, not small remodeling projects. The eligible project costs generally must exceed the value of the building itself (not including the land) at the beginning of the project. Most rehabilitation costs are eligible for the credit, such as structural work, building repairs, electrical, plumbing, heating and air conditioning, roof work and painting. Some specific

costs are not eligible for the credit, such as acquisition, new additions, furniture and landscaping. An application for the tax incentives must be submitted before the project is completed, although work may begin prior to the application or approval. Ideally the application should be submitted during the planning stages of the work so the owner can receive the necessary guidance to ensure the project meets the Standards for Rehabilitation, and therefore qualifies for the credits.

State Designated Landmarks

State designated landmarks (State Archeological Landmarks and Recorded Texas Historic Landmarks) require notice and/or a permit for work other than ordinary maintenance. The THC strongly encourages owners considering changes to consult with staff early in the planning stages, as they can provide technical advice and referrals for hard-to-locate materials. By consulting with staff early in the process, property owners can avoid incorporating treatments that may be inappropriate or destructive to the particular historic landmark.

Any building designated as a State Archeological Landmark requires a Historic Structures Permit from the THC prior to any work other than routine maintenance. Owners must notify Architecture staff through a brief application and written description of the project and at least one photograph of the structure or affected portion of that structure. More complex projects may require submission of architectural plans and specifications. The THC has 60 days from receipt of the complete permit application to respond. All Historic Structures Permits, except for new construction, require a completion report at the conclusion of the project.

Owners of Recorded Texas Historic Landmarks are required to give notice to the THC at least 60 days prior to any significant exterior visual or structural changes, including the relocation or demolition of the structure. After receiving the notice, the THC may waive the waiting period or, if determined that a longer period will enhance the chance for preservation, it may require an additional waiting period of not longer than 30 days. On the expiration of the time limits imposed, the person may proceed, but must proceed not later than the 180th day after the date on which notice was given or the notice is considered to have expired.

Preservation Easements

Deed covenants and easements are filed with the county clerk of the county where the property is located. Property owners should consider the legal, economic and tax consequences of entering into these agreements, and care must be taken in crafting the language of the agreement so that all parties are satisfied and benefit from the terms. In order to receive tax benefits, very specific criteria for the property, agreement and organization must be met. When properly executed, these agreements are very effective in protecting the important characteristics of the property while still allowing acceptable use by present and future owners.

Property owners who have donated a property easement for protection and tax benefits, or as required by grant programs, should consult with Architecture staff early in the planning stages of any work. The individual easement or covenant will specify what portions of the property are to be protected and what controls or reviews are required. The agreement may restrict changes or development to the entire property or to a more limited portion such as a façade. After notification, Architecture Division staff consults with the owner or manager through written correspondence or phone conversation. On complex projects, meetings and site visits may be necessary. Final approval is granted through written correspondence from the agency. To ensure the long-term preservation of these resources, the THC must monitor and periodically inspect the property, and enforce the terms of the covenant or easement.

Building Services

Under state law, all facilities management for agency property is the responsibility of the Texas Building and Procurement Commission (TBPC). The Architecture Division staff act as the point of contact between the agency and TBPC regarding maintenance, repairs, or improvements to the facilities. The majority of the projects are initiated by THC staff to correct deterioration or damage to the historic buildings. The specific requirements of any repairs are developed by THC staff to ensure the historic landmarks are preserved according to accepted historic preservation practices and standards. TBPC is required to undertake, or contract and administer any projects to the agency property.

Texas Historic Courthouse Preservation Program

The THCPP program awards grants throughout the biennium based usually on one application round and on the funding available for that biennium. Applications are preliminarily scored by staff on 21 criteria and the THC Architecture Committee takes public comment, reviews and approves scores and announces awards at its quarterly meeting. THC staff conducts an orientation meeting for each round of awardees to review procedures and policies as outlined in the grant manual. A staff member is assigned to each recipient and makes visits to each project on a regular basis to ensure the planning or construction work meets preservation standards and the needs of the county. A formal rededication ceremony is held at the end of each major construction project.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

Architecture Division			
Exhibit 7: Sources of Revenue — Fiscal Year 2004 (Actual)			
Source	Architecture Division	Courthouse Preservation	Program Total
General Revenue Funds	\$386,467	\$587,043	\$973,510
General Obligation Bonds		25,000,000	25,000,000
Federal Funds	83,548		83,548
TOTAL	\$470,015	\$25,587,043	\$26,057,058

The Architecture Division staff, working through the Friends of the Texas Historical Commission, actively pursues additional funding for repairs, maintenance, and preservation of the agencies historic buildings. During fiscal year 2004, the agency successfully received a grant of \$21,636 to repair the roof of Gethsemane Lutheran Church from the Austin Convention and Visitors Bureau.

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

Architecture, Archeology and the History Programs Divisions of the THC participate in Section 106 review; however each division plays a well-defined and separate role within the process. When a project comes in for review, History Programs staff first evaluate if any resources are on or eligible for the National Register. If so, Architecture staff review the project for the affect it might have on those resources and if any mitigation is necessary.

Externally, several state agencies have architectural historians and preservationists on staff to conduct preliminary reviews for Section 106. The THC serves the critical and required role of oversight to ensure compliance with state and federal statutes. Recommendations are forwarded to THC reviewers for concurrence or further consultation.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

The agency has MOAs or programmatic agreements with the following agencies to streamline coordination and review as mandated by state and federal law:

- Texas Department of Transportation & Federal Highways Administration
- Federal Emergency Management Administration
- City of Dallas for Housing and Urban Development projects
- Texas Parks & Wildlife
- US Air Force and City of San Antonio for former Kelly Air Force Base
- US Department of Energy for the Pantex Plant
- US Army for Fort Bliss, Residential Communities Initiative
- US Army for Fort Sam Houston, Residential Communities Initiative
- Texas Department of Licensing and Regulation for the Texas Historic Courthouse Preservation Program.

J. If the program or function works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

The THC as the SHPO is mandated by the National Historic Preservation Act of 1966 to represent the interests of the state when consulting with federal agencies under Section 106. The Advisory Council on Historic Preservation, an independent federal agency in the executive branch, oversees the Section 106 review process. In addition to the views of the SHPO and the Advisory Council, input from the general public and Native American tribes is also required.

Under the Antiquities Code of Texas, the THC consults with state and political subdivisions regarding changes to buildings more than 50 years old. Unless the building is designated as a State Archeological Landmark or has some other restriction such as a preservation easement, the THC's role is strictly advisory.

The historic preservation tax incentives program is a partnership program among SHPOs, the National Park Service (NPS), and the IRS. The THC reviews applications and makes recommendations to the NPS, who then assess applications for conformance with the Secretary of the Interior's Standards for Rehabilitation, issue certification decisions in writing, and transmit copies of all decisions to the IRS.

Texas Historic Courthouse Preservation Program works with county governments who have submitted master plans and grant applications for restoration work to their courthouses.

K. If this program or function is contracted out, provide a description of how you ensure accountability for funding and performance.

N/A

L. What statutory changes could be made to assist this program in performing its functions? Explain.

The Texas Historic Courthouse Preservation Program requires an appropriate level of consistent and long-term funding to maximize the benefits of the state funds expended. The economic and local benefits would be greater if counties could plan ahead for their involvement in the program, for example budgeting monies that will provide their matching funds several years in advance.

The THC's offices are housed in five historic buildings within the capitol complex. Legislation requires that all facilities management functions for the THC's historic buildings be handled by Texas Building and Procurement Commission (TBPC). The THC's historic properties have been granted local, state and national landmark status. Any maintenance, repairs, or improvements must take into account the historic character of the buildings as well as their unique materials and construction techniques. The size, materials, and historic character of these buildings make them unique within the TBPC management portfolio, which is comprised of newer and larger facilities with contemporary materials and systems. The professional staff of the THC is specifically trained and has an extensive experience in the design and repair of historic properties. We would like to request an exemption to the requirement of going through TBPC for facilities management.

M. Provide any additional information needed to gain a preliminary understanding of the program or function.

N/A

- N. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe:**
- why the regulation is needed;
 - the scope of, and procedures for, inspections or audits of regulated entities;
 - follow-up activities conducted when non-compliance is identified;
 - sanctions available to the agency to ensure compliance; and
 - procedures for handling consumer/public complaints against regulated entities.

State Archeological Landmark designation stipulates that the property cannot be removed, altered, damaged, salvaged or excavated without a permit from the THC. It is an important designation that a property owner can initiate and use to increase protection and preservation of their property into the future.

Occasionally development projects move forward without first notifying and obtaining a permit from the THC under the Antiquities Code or State Archeological Landmark regulation. Private citizens have notified the THC of activities without a permit, and in those situations the THC contacts the entity or person responsible for the work and informs them of the review requirements. We strive to maintain positive relationships while ensuring that projects are reviewed properly.

Please see Question F of this section for more information about State Archeological Landmark review and permitting.

- O. For each regulatory program, if applicable, provide the following complaint information. The chart headings may be changed if needed to better reflect your agency's practices.**

N/A

A. Provide the following information at the beginning of each program description.

Name of Program or Function	Community Heritage Development Division
Location/Division	Austin
Contact Name	Kay Harvey-Mosley, Division Director
Actual Expenditures, FY 2004	\$1,954,730
Number of FTEs as of August 31, 2004	24.5

B. What is the objective of this program or function? Describe the major activities performed under this program.

The Community Heritage Development Division works in partnership with communities and regions to revitalize historic areas, stimulate tourism and encourage economic development through the use of preservation strategies. The four areas of the Community Heritage Development Division are the Certified Local Government Program, the Texas Heritage Trails Program, the Texas Main Street Program and the Visionaries in Preservation Program.

Certified Local Government Program

The Certified Local Government (CLG) Program is a local, state and federal government partnership for historic preservation. It is designed to help cities and counties develop high standards for preservation to protect a wide range of important historic properties — from ornate courthouses to working-class neighborhoods. Local governments that participate in the CLG Program act independently to develop and maintain a successful preservation program. The THC administers the program at the state level and the National Park Service (NPS) is the responsible federal agency. CLG grants are funded with money appropriated from Congress for preservation efforts through the federal Historic Preservation Fund (HPF). By federal law, the THC must set aside at least 10 percent of its HPF appropriation for CLG grants each year. CLG grants provide funding to enable local communities to develop quality programs and fully participate in the state's preservation process. CLG grants require a cash or in-kind service match from the community.

The Texas Heritage Trails Program

The Texas Heritage Trails Program is a regional initiative that combines historic preservation and tourism. This economic development effort encourages communities to partner to promote Texas' historic and cultural resources. Successful local preservation efforts, combined with statewide product development and marketing of the areas as heritage regions, increase visitation to cultural and historic sites and bring more dollars to Texas communities, especially rural areas. The program provides technical, financial and marketing assistance to ten heritage trail regions across Texas. In 1997, the Texas Legislature asked the THC to develop a formal heritage tourism program. In an effort to utilize state resources that had been invested by the Texas Department of Transportation in 1968, the THC created ten heritage regions based on the ten Texas Travel Trails. These regions provide the basis for involving every corner of the state in this heritage tourism program. Since 1998, the program has revitalized local economies, increased visitation to cultural and historic sites and raised the awareness of the importance of historic preservation to the tourism industry. Regions see many benefits when they participate in the program, including tourism evaluations of historic and cultural sites; grants to facilitate development of

the regional program; matching partnership grants for projects that enhance the heritage tourism experience; full-color travel brochure for each heritage region (approximately 500,000 copies); training for regional coordinators and regional boards; advertising and media placements; and networking opportunities with other heritage tourism organizations.

The Texas Main Street Program

The Texas Main Street Program helps Texas cities revitalize their historic downtowns and neighborhood commercial districts by utilizing preservation and economic development strategies. The program began in 1981 and is affiliated with the National Trust for Historic Preservation. The Texas Main Street Program is among the most successful downtown revitalization programs in the nation, and has assisted more than 145 Texas cities. The program has resulted in the private reinvestment of more than one billion dollars in Texas downtowns and neighborhood commercial districts, the creation of more than 21,300 jobs and the establishment of more than 5,500 new businesses.

Visionaries in Preservation Program

The Visionaries in Preservation (VIP) Program empowers Texas communities to shape the future of their historic preservation efforts through visioning and planning, and provides training and assistance tailored to achieve local preservation goals. Historic preservation is a vital part of a community's future. It creates new jobs, provides affordable quality housing, increases economic development and revitalizes downtown business districts. The VIP Program helps communities develop a path to capture these benefits. The program is modeled after an innovative planning process known as visioning, a tool that brings a community together to develop a shared image of the future and action plan. Through the VIP Program, communities can build partnerships among diverse groups and interests; foster preservation leadership; develop unified preservation goals and action plans; receive priority status for local training and assistance from the THC; and enhance their capability to secure grants and funds for preservation projects.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and performance measures that best convey the effectiveness and efficiency of this function or program.

The Community Heritage Development Division empowers local efforts for preservation and economic development; therefore its primary measures of effectiveness and efficiency are the changes that occur within communities. Because most of the programs focus on technical assistance, a second set of outcomes measure the quantity and cost of supporting local efforts.

A powerful measure of effectiveness for the Community Heritage Development Division is the cumulative impact of its programs on the Texas economy. Main Street programs throughout the state have resulted in one billion dollars in private reinvestment dollars to their downtown areas, opened more than 5,500 new businesses and created 21,300 new jobs. The program has also generated an increase in volunteerism in its member communities, with people in local Main Street programs donating more than 295,000 hours to help revitalize their commercial districts. The technical, financial and marketing assistance provided by the Texas Heritage Trails Program has facilitated an increase in visitation to historic sites that has generated over \$95 million in additional spending and hundreds of new jobs. Heritage travelers make a strong contribution to the travel industry in Texas, spending about \$29 more per day than non-heritage travelers and \$1.43 billion annually. For every \$1 million spent by heritage travelers, 22 jobs are created and the Gross State Product increases by \$825,000.

The CLG Program assists 56 communities in strengthening their city's or county's local preservation program. Since its inception in 1986, the CLG Program has awarded \$1,252,085 in direct grants to local

projects. In 2004, 429 downtown buildings were rehabilitated through the Texas Main Street Program, and 54 percent of rehabilitation work started was completed, exceeding the target of 16 percent. Developing historic and cultural sites so they are quality attractions for visitors is a key goal of the Texas Heritage Trails Program. In 2004, 30 percent of sites in the heritage trail regions were in the process of development. The success of the Texas Heritage Trails Program can be summarized by its impact on heritage travel; on average historic sites in the trail regions have seen a 17 percent increase in visitors. The Texas Heritage Trails Program is a national leader in heritage tourism development; in May 2005, it received the *Preserve America* Presidential Award for Heritage Tourism in a White House Rose Garden ceremony. This honor recognizes exemplary accomplishments in the sustainable use and preservation of cultural or natural heritage assets in heritage tourism development. Fifteen VIP communities have completed action plans and in 2004 the program awarded \$75,000 to assist with priority projects, from bricks and mortar preservation to façade grant programs.

Staff from the Community Heritage Development Division performed 30,091 technical assists in 2004, with each assist costing approximately \$26.00. In 2004, 2,337 sites or properties were assisted. In addition, 288,355 promotional materials were distributed to the public.

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.

The 78th Legislature approved funding for Main Street to give assistance to sustaining communities in 2003.

The VIP Program initiated a grant program in 2003 for direct assistance to communities in implementing priority activities in their action plan.

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

Certified Local Government Program

The CLG Program affects cities and counties that request to be certified. There are currently 56 CLGs in the program, which includes 10 counties. Current CLGs represent more than three million Texans. Urban areas are predominant, with many of the CLGs located within the state's Metropolitan Statistical Areas.

To qualify as a CLG, a local government must:

- Enforce state or local legislation that protects historic properties
- Establish a qualified review commission composed of professional and lay members
- Maintain a system for surveying and inventorying historic properties
- Provide for public participation in the historic preservation process, including recommending properties to the National Register of Historic Places

The Texas Heritage Trails Program

The Texas Heritage Trails Program is a regional heritage tourism initiative designed to promote tourism visitation to historical and cultural sites. It creates sustainable partnerships among preservation and tourism professionals while marketing heritage driving trails as destinations. The Texas Forts Trail Region was chosen in 1998 as the pilot project. Thereafter, an application process for designation was established. The Texas Independence Trail Region was the second region selected for the program in

1999. In 2000, the Texas Forest Trail Region was designated for participation in the program. The Texas Lakes Trail Region and the Texas Brazos Trail were selected in 2002 and 2003 respectively and the Texas Plains Trail Region was designated in 2004. The Texas Mountain Trail Region and the Texas Tropical Trail Region became active in 2004 and 2005 respectively. The Texas Pecos Trail Region and the Texas Hill Country Trail Region, completing the ten heritage regions of Texas, were designated in July 2005.

A detailed application covers the following criteria for Heritage Trail Region designation: geographic location (not yet represented in the program); evidence of broad-based community support, including a resolution of support from 75 percent of the counties within the heritage region and letters of support from groups and/or individuals supporting the effort; a narrative addressing the benefits and/or actions that the heritage region expects by participating in the Texas Heritage Trails Program, and demonstrating a clear understanding of historic preservation, heritage tourism and the Texas Heritage Trails Program; existence of partnership potential with groups committed to development and long-term continuation of the heritage trail region; and evidence of tourism development organizations partnerships.

The Texas Main Street Program

The Texas Main Street Program has assisted more than 145 cities, both rural and urban, since its inception. The program has a systemic effect on communities and its residents, mobilizing a large volunteer base and leveraging partnerships between city government, building owners, merchants, chambers of commerce, downtown organizations and civic interest groups.

Texas cities with historic commercial buildings in their downtowns and neighborhood business districts may apply for Main Street designation. Cities with populations up to 50,000 must agree to hire a full-time Main Street manager for three years and provide funding for the local program. Cities with a population of more than 50,000 must cooperate with a private nonprofit organization, hire a full-time staff of two for at least five years, provide funding for the local program, and pay a graduated fee of \$7,500 the first year, \$2,500 the second year and \$1,500 each year thereafter.

Visionaries in Preservation Program

There are 21 communities in the VIP Program, including two counties and one neighborhood. Any enthusiastic community group interested in developing a preservation vision can apply for the program. Cities, counties, regions or even large neighborhoods are eligible. The program does not require a financial commitment, but a community must demonstrate broad support for the initiative as well as organize and host a series of local meetings and workshops. Because the nature of the program is to bring diverse stakeholders together to form a plan for preservation, many segments of a community's population are affected.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

Certified Local Government Program

Cities or counties must apply through a series of steps for CLG status. The THC reviews CLG applications within 60 days of receipt of the formal request. Upon approval, the THC forwards a Certification Agreement to the applicant that restates the responsibilities of the CLG and the THC. After the chief elected official of the local government signs the agreement, it is returned to the THC for the executive director's signature. A copy of the application material and Certification Agreement are forwarded to the NPS for a 15-day review and approval. The NPS then issues a formal letter of designation to the new CLG and the THC. The date of that letter serves as the official date of certification. Once a CLG is certified, the community can access a number of benefits, including:

- Annual grants for local preservation projects and training
- Technical assistance and training from the THC to develop local preservation initiatives
- Review and comment on local National Register nominations
- Participation in a national information network that provides members access to helpful publications, videotapes, and instructional materials

CLG grants provide funding that enables local communities to develop quality programs and fully participate in the state's preservation process. CLG grants require a cash or in-kind service match from the community. Applications are reviewed by an interdisciplinary panel of agency staff and are approved by the THC.

Eligible grant projects include, but are not limited to:

- Training for local preservation commissions
- Completing or updating surveys of historic resources
- Developing design guidelines for historic properties
- Producing historical walking or driving tour brochures, videos or other educational materials
- Preparing preservation plans
- Preparing National Register of Historic Places nominations

The Texas Heritage Trails Program

The Texas Heritage Trails Program provides technical, financial and marketing assistance to all 254 counties in Texas to help them preserve, protect and promote their cultural and historic resources. By developing heritage-themed driving tours, communities partner to share resources, information, time and expertise. In doing so, they create enticing destinations out of locations that may not have attracted visitors on their own. The program relies on a strong coalition of leaders from the region to make an application. The Texas Heritage Trails Program staff works with these leaders to develop a regional board of volunteers, which hires a regional coordinator to facilitate the efforts of the region. Staff provides board orientation and facilitates strategic planning to develop a work plan, and also provides regional coordinator training. When the board and regional coordinator are in place, the program organizes an interdisciplinary team of historians, architects, museum specialists, tourism development specialists and marketing specialists to conduct an intensive evaluation of the region's sites. This team prepares a comprehensive report with specific recommendations for developing the region as a heritage tourism destination. Heritage Trails staff provides technical, educational and financial assistance to selected heritage regions in the areas of organizational development, product development, site interpretation, preservation practices and marketing, that help community leaders and volunteers develop, promote and enhance their heritage tourism attractions.

The Texas Main Street Program

The Texas Main Street Program accepts applications annually and selects up to five cities of any population size to participate. Applications are reviewed by the Main Street Interagency Council, comprised of representatives from the Office of the Governor, Economic Development and Tourism Division, the Office of Rural Community Affairs, a governor's advisor from the Budget and Planning Division of the Office of the Governor and Texas Main Street staff. A representative from the Legislative Budget Board serves as a non-voting proctor for the council.

The Main Street Interagency Council carefully reviews the submitted applications. The council uses a set of criteria to rank the applications, which are then forwarded to the members of THC at the fall quarterly meeting. The members of the THC make the final decision regarding the cities designated as official Texas Main Street cities.

Once a city is designated an official Main Street City, it begins a three-year intensive process which includes:

- Ongoing comprehensive training for Main Street managers and board members
- Training for communities in successful economic development approaches
- A three-day, on-site evaluation and full report with recommendations
- Design assistance
- Consultation with downtown merchants about visual merchandising and window display
- Participation in the First Lady's Tour
- Economic development assistance
- Strategic planning and facilitation
- Access to a network of preservation and revitalization tools
- Assistance with heritage tourism and marketing
- Training in volunteer management

Cities that complete the three-year program may enter the Sustaining Cities program and continue to participate in the Main Street network.

Visionaries in Preservation Program

The Visionaries in Preservation (VIP) Program accepts applications from communities once a year. An interdisciplinary review committee of staff from the THC, Preservation Texas (statewide non-profit), and preservation professionals evaluate applications based on a community's historic resources, support for planning, and an organized leadership committee. Communities accepted into the VIP Program commit to a planning process that lasts approximately 11 months. Each community organizes a leadership group to garner support for the initiative, research the issues, organize and advertise visioning workshops and sustain local momentum.

VIP staff facilitates a series of local meetings and workshops and helps each community produce a vision statement and preservation action plan. Once the local vision and plan are complete, the THC provides the necessary preservation training to facilitate successful implementation of the community's action plan. Training materials cover a range of topics, from how to survey historic resources to successfully funding local preservation projects.

The key to a successful preservation action plan is implementation. The VIP Program developed the preservation action plan implementation grant to help facilitate a community's realization of its preservation goals. Preservation action plan implementation grants have four (4) main objectives:

1. To help communities maintain their heritage and sense of place while creating new jobs, providing affordable quality housing, increasing economic development and revitalizing downtown business districts
2. To promote awareness of the benefits of historic preservation in communities
3. To leverage communities resources for investment in historic preservation
4. To promote the inclusion of diverse populations in the preservation community

The grant funds projects associated with the implementation of communities' preservation action plan. Allowable expenses include:

- Consultant for specific projects associated with action plan implementation
- Bricks and mortar projects
- Start-up funds for revolving loan

- Matching grant for salaried city preservation position
- Any priority project that is part of the preservation action plan

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

Community Heritage Development Division	
Exhibit 7: Sources of Revenue — Fiscal Year 2004 (Actual)	
Source	Amount
General Revenue Funds	\$ 612,256
Federal Funds	338,348
Interagency Funds	962,126
Appropriated Receipts	42,000
TOTAL	\$1,954,730

The CLG program is funded through the federal Historic Preservation Fund, and passes through grant money directly to communities who are certified.

The Texas Heritage Trails Program is funded by interagency transfers from the Texas Department of Transportation in the amount of \$1 million for the 2003-2004 biennium, and the Office of the Governor, Economic Development and Tourism in the amount of \$300,000 for the biennium. This funds staff salaries and some program operations. In 2002, the Texas Heritage Trails Program also received \$4.3 million from the Transportation Equity Act for the 21st Century (TEA-21) which provides for the majority of program operations, including evaluating and providing recommendations to museums and historic sites across the state; the creation of travel brochures; and marketing and advertising activities. TEA-21 funds provide \$50,000 annually for each heritage region to fund the operation of the program on a limited basis. A private foundation also contributed \$75,000 to the program over a period of two years.

The Texas Main Street Program is funded through general revenue and appropriated receipts. The program administers a small grant program for infrastructure improvements jointly with the Texas Department of Agriculture called the Texas Capital Fund Main Street Improvements grant. Non-entitlement Main Street cities (cities not already entitled to Community Development Block Grant funds) are eligible for the Texas Capital Fund Main Street Improvement grant.

The VIP program is funded through general revenue funds and the federal Historic Preservation Fund and has also been successful in raising private funds through the Friends of the Texas Historical Commission.

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

The programs of the Community Heritage Development Division are unique within and outside of the THC.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

The Texas Heritage Trails Program participates in an MOU regarding tourism with the Office of the Governor, Economic Development and Tourism; Texas Department of Transportation; Texas Parks and Wildlife Department and Texas Commission on the Arts. The purpose of the MOU is for coordination and non-duplication of tourism efforts among these five state agencies. The Texas Heritage Trails Program is also a member of the Texas State Agency Tourism Council, which partners 11 state agencies and universities involved in tourism, as well as private tourism organizations. This council meets on a quarterly basis and provides coordination of state-level tourism efforts.

The Main Street Interagency Council, which has been meeting for more than 20 years, is comprised of representatives from other state agencies that work with community development. While no formal MOU exists, there is a high level of cooperation and communication between the THC and these agencies.

J. If the program or function works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

The CLG Program works specifically with local governments and their landmark commissions and staff. The THC administers the program at the state level and the NPS is the responsible federal agency. CLG grants are funded with appropriations from Congress for preservation efforts through the federal Historic Preservation Fund.

The Texas Heritage Trails Program works with local and regional governments as they participate as volunteers and partners with each heritage region. Examples of local governments that the Texas Heritage Trails Program works with are county and city governments, as well as extensions of those governments, chambers of commerce, convention and visitor bureaus, councils of government, economic development councils and rural development organizations.

The Texas Main Street Program works closely with participating cities' governments. Local governments are required to pass a resolution affirming their commitment to hiring a Main Street Manager and funding the program for a specific period of time. In addition, the state program maintains an association with the National Trust for Historic Preservation's National Main Street Center. While not a government agency, the National Trust is the leading national nonprofit organization for historic preservation.

The VIP Program works with local governments as stakeholders in the planning process. The program requires that representatives from local government are informed or participate as a key partner in the process and action plan outcome. Often a city or county will formally adopt the action plan at the conclusion of the planning process.

K. If this program or function is contracted out, provide a description of how you ensure accountability for funding and performance.

N/A

L. What statutory changes could be made to assist this program in performing its functions? Explain.

N/A

M. Provide any additional information needed to gain a preliminary understanding of the program or function.

N/A

A. Provide the following information at the beginning of each program description.

Name of Program or Function	History Programs Division
Location/Division	Austin and Bonham
Contact Name	Cynthia Beeman, Division Director
Actual Expenditures, FY 2004	\$1,458,771
Number of FTEs as of August 31, 2004	21 FTEs

B. What is the objective of this program or function? Describe the major activities performed under this program.

The History Programs Division works with citizens, county historical commissions, museums, cemetery associations, local governments, state and federal agencies, and other interested parties to identify, evaluate and interpret the historic and cultural resources of Texas.

Major activities of the division are administering federal programs including the National Register of Historic Places, federal historic preservation tax incentives and Section 106 reviews. State programs include managing the Official Texas Historical Marker Program, county historical commissions, the Military Sites Program, the Cemetery Preservation Program, historic resource surveys and the Historic Endangered Landmarks Program (HELP), Museum Services Program and the Sam Rayburn House Museum. The Division also manages the agency library and records, and coordinates the agency awards program each year.

Federal Programs

National Register of Historic Places

The National Register of Historic Places is the nation's inventory of properties deemed worthy of preservation. The National Historic Preservation Act of 1966 created the National Register to recognize historic places that represent our country's heritage. These properties — whether districts, sites, buildings, structures or objects — are determined to be architecturally, archeologically or historically significant for their associations with important persons, events, or patterns of development. The National Register is an integral part of the THC's effort to promote preservation, providing a basis for both federal and state programs. Listing a property in the National Register encourages the preservation of historic properties, provides prestigious recognition to significant sites, aids in planning, promotes tourism and economic development, and can be a factor in financial incentives, such as the Federal Historic Preservation Tax Incentives, the Texas Preservation Trust Fund, and local tax abatements.

Historic Preservation Tax Incentives & Section 106 Reviews

History Programs Division staff participates in the federal historic preservation tax incentives program and Section 106 review. A federal tax credit worth 20 percent of the eligible rehabilitation costs is available for buildings listed or eligible for listing in the National Register of Historic Places. The work undertaken as part of the project must meet the Secretary of the Interior's Standards for Rehabilitation. The tax credit is available only for income-producing properties (i.e., office, retail, hotel, apartments). History Programs staff participates in Part One of the tax credit process, evaluating properties for their eligibility to the National Register and facilitating their listing.

Under Section 106, every project that is federally funded, licensed, or permitted, and will affect historic properties, must be reviewed by the THC to determine if it will impact historic properties listed in or eligible for listing in the National Register. The goal of this review is to ensure efficient and thoughtful expenditure of public funds and to have the opportunity to mitigate the loss of significant historic resources. Projects reviewed vary from highway projects to housing developments to military installations. Approximately 11,000 resources are reviewed annually.

State Programs

Official Texas Historical Marker Program

The Official Texas Historical Marker Program is one of the oldest and most identifiable programs of the THC. There are approximately 13,000 Official Texas Historical Markers and another 200-250 applications are processed each year. Markers are located in each of the state's 254 counties and provide Texans and visitors tangible links to the past. A vital part of the state's heritage tourism efforts, markers convey stories of local, regional and national history.

The marker program includes both subject markers, which are solely educational in nature; Recorded Texas Historic Landmark (RTHL) markers, which convey a legal designation for historic structures and buildings; and Historic Texas Cemetery markers, which interpret the history of designated cemeteries. RTHLs are properties judged to be historically and architecturally significant; buildings must be at least 50 years old and judged worthy of preservation for their architectural and historical associations. RTHL is a legal designation and comes with a measure of protection. It is the highest honor the state can bestow on a historic structure and the designation is required for this type of marker.

County Historical Commissions

The system of county historical commissions (CHC) was set up by the Texas Legislature in 1956 to assist local commissioners courts and the state in the preservation of each county's historic and cultural resources. Much of the success of preservation efforts in Texas can be credited to the dedicated volunteer corps that makes up CHCs in all regions of the state. Many CHC members have devoted decades of work on behalf of historic preservation in their counties, and these groups are a vital link in Texas' preservation network. The duties and responsibilities of CHCs are set forth in the state's Local Government Code, Chapter 318. The statute is fairly broad, leaving latitude for each CHC to organize and undertake activities appropriate to the county's size and resources. Each CHC is appointed by the county judge and commissioners court, and the THC provides training materials and guidance in all aspects of historic preservation.

Historic Resource Surveys and Special Resources Programs

The History Programs Division manages a number of programs that assist in the survey of historic resources and provide specialized assistance to unique property types, including cemeteries, military sites, and endangered landmarks. A historic resource survey is the process of identifying and documenting properties of historic and cultural significance within a defined geographic area. Surveys are the basis for local, regional and statewide preservation planning, and are important tools for economic development and incorporating preservation into broader community goals. The THC supports and assists local historic resource surveys throughout the state, providing communities with financial and technical assistance to ensure that the end product is informative and useful. The THC also serves as a central archive for local survey efforts, retaining copies of all survey reports for public use and maintaining a statewide inventory of identified historic resources. With written and photographic documentation on more than 280,000 properties in Texas, this collection represents an invaluable record of the state's cultural heritage. More than 75 percent of the state has never been surveyed, and existing records, many of which are more than 30 years old, require continuous updates. Historic resource survey remains a critical focus of the THC's work.

Historic Endangered Landmarks Program

The Historic Endangered Landmarks Program is an effort to identify, track and publicize endangered historic properties in Texas and to help local preservation partners address threats to historic properties in their communities. The THC's survey program is working to establish a network of local preservationists who will be responsible for identifying and monitoring endangered historic properties, and then will work with each monitor to prioritize local needs and develop action plans for addressing threats to important resources.

Cemetery Preservation Program

Cemetery preservation has long been a concern of the THC, but it was not until the late 1990s that funding was in place to establish a separate Cemetery Preservation Program within the History Programs Division. The program has two objectives: to locate and protect historic cemeteries, and to provide assistance to local preservationists through workshops, on-site visits and publications. The program has several facets, including the Historic Texas Cemetery designation to ensure cemeteries are properly recorded in deed records of the counties, special markers that serve to enhance public awareness of the historic burial grounds, and a survey program, known as RIP (Record, Investigate, Protect), which has updated existing map information and gathered documentation on cemeteries in 46 of the fastest growing counties of the state. This data will be posted to the THC's Historic Sites Atlas and available for use by researchers, planners, government agencies and other concerned parties.

Military Sites Program

In 1995, the Texas Legislature established the Military Sites Program within the THC. The purpose of the program is to identify, record, designate, commemorate and promote historic sites, both inside and outside the state, where Texas military forces served with distinction. This program has participated in several high-profile projects, including the popular Texas in the Civil War brochure, restoration of the ornate Texas monument in the Vicksburg National Military Park in Mississippi, and the Texas Flags exhibit in Houston in 2002. Currently the program is coordinating the Texas in World War II initiative, an ambitious plan to commemorate the significant role Texas played in the war.

Museum Services Program

There are an estimated 400 history museums in Texas and many are projects of county historical commissions. They serve as rallying points for community and county pride and assist in telling important history and stories. Community-based museums hold invaluable artifacts and unique pieces of Texas history, but in many cases lack of funding and professional training have resulted in improper storage, conservation, documentation and exhibition of these important collections.

The THC is mandated to provide assistance to Texas history museums. At present, there are two full-time staff positions devoted to the Museum Services Program, and efforts are underway to raise private funds to enhance the program. The Museum Services Program also oversees the staff and activities at the Sam Rayburn House Museum. The Museum Services Program is an information clearinghouse and provides services to small museums such as on-site individual consultations, workshops and seminars, technical assistance, and financial assistance through the History Museum Grants program. This grant program is through the operating budget of the History Programs Division, and offers \$10,000 annually as specialized conservation grants to small history museums with a limit of \$1,000 per museum. Typically requests for assistance far exceed — by as much as two to three times — the available grant funds.

Located in Bonham in northeast Texas, the Sam Rayburn House Museum is currently the only museum operated by the THC. A National Historic Landmark, the 1916 Rayburn House interprets the life of Sam Rayburn, Speaker of the U.S. House of Representatives during a significant portion of the 20th century. One of Texas' most powerful and influential politicians on the national and international stages, Rayburn was in his second of 24 terms in the U.S. Congress when he built the two-story home on a 125-acre farm just west of Bonham. Operated by the THC since 1975, the museum preserves the Rayburn family home as it existed at the time of the Speaker's death in 1961, and contains all original Rayburn family furnishings. In addition to the family home, the site also features farm outbuildings; vegetable and flower gardens; farm machinery; a visitors center; and garages housing Rayburn's 1947 Cadillac, a farm truck, and a Plymouth coupe that belonged to his sister.

Other Programs

Library and Records Management

The Library serves the agency and the public as the THC's main repository of books and other reference materials. The library, which opened in 1998, contains approximately 4,000 books about state and local history, historic preservation, museum studies, archeology and architecture in Texas. In recent years the collecting focus has been on acquiring county and city histories and books about historic preservation. The library's collection includes approximately 13,000 Texas historical marker files, 1,377 bound volumes of archeology reports, and 165 linear feet of files for Texas properties listed in the National Register of Historic Places.

The THC had a full-time librarian on staff until 2004. The librarian also served as the agency's records manager, administering a state-mandated records management program. Records management is designed to improve efficiency, conserve space and save money for the agency. Liaisons in each division worked with the librarian to facilitate the THC program. Currently the agency's records management responsibility rests with the administrative office staff.

Texas Historical Commission Awards

History Programs Division staff coordinates the agency's annual awards program. The awards program recognizes a variety of accomplishments and exemplary leadership in the preservation of Texas heritage. Most awards are presented at the THC's Annual Historic Preservation Conference, but our most prestigious award, the Governor's Award for Historic Preservation, is presented in a special ceremony arranged with the staff of the Governor's Office.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and performance measures that best convey the effectiveness and efficiency of this function or program.

The effectiveness and efficiency of the History Programs Division are measured in a number of ways: quantity of services and designations; cost of evaluating properties; outreach to the public, presentations and site visits; and projects completed.

The nature of many of the federal and state programs that the agency manages require staff to respond to projects brought forward, including National Register nominations, historic preservation tax incentives, Section 106 reviews, and the Official Texas Historical Marker applications. The volume of these projects fluctuates depending on the economy, the undertaking of projects that spark Section 106 review, the local climate for private development utilizing tax credits, and the public's desire to recognize historic resources. History Programs Division staff has a strong connection with local efforts through the county historical commissions, and encourages local preservation projects through outreach, educational workshops and site visits to communities across the state. In 2004, staff made 49 presentations throughout Texas.

In fiscal year 2004, History Programs Division staff evaluated 7,299 properties, including properties being considered for the National Register, State Markers, Historic Texas Cemeteries, and Section 106. Staff contributed to the designation of 4,387 properties in Texas, double the expected target of 2,165. The average cost per historic resource evaluated equaled \$29, 37 percent less than the target of \$46.38.

While staff must be efficient with their current workload, they also rely on county historical commissions and volunteers in the community to help carry out local preservation efforts. County historical commissions submit an annual report detailing everything from volunteer hours to training sessions attended. In 2003-2004, more than 7,000 people donated in excess of 410,000 volunteer hours to preservation throughout the state.

Statistics tell only part of the story of the effectiveness of the division's programs. Throughout the years staff has managed or partnered in many high-profile projects that raised the level of awareness around the state for the importance of history and preservation. Since the inception of the Historic Texas Cemetery designation, 713 cemeteries have been entered into county deed records. THC staff have entered data on nearly 9,000 cemeteries into the Historic Sites Atlas since October of 2001. In less than three years, three historians have surveyed published and unpublished resources on cemeteries in the state's fastest growing counties, discovered the location of several thousand previously unmapped cemeteries, and are finishing field surveys of cemeteries throughout the state.

The Military Sites Program has completed projects which include production of the *Texas in the Civil War* brochure; placement of a monument in Galveston to commemorate the Civil War Battle of Galveston and origins of the Juneteenth commemoration of the end of slavery in Texas; and restoration of the ornate Texas monument in the Vicksburg National Military Park in Mississippi with funds provided by the Texas Legislature. Under the direction of THC Chairman John L. Nau, III, and in cooperation with several historians, artifact conservators, museums, and other state agencies, staff participated in a unique program that funded the preservation and research of several Texas battle flags, culminating in the unprecedented exhibit displaying and interpreting the flags in Houston in 2002.

The most recent project is the Texas in World War II initiative. Consisting of ambitious plans to commemorate the significant role Texas played in the Second World War, the project includes a number of components for which staff is working to raise private funds through the Friends of the THC. While the coordination of the overall project rests with the History Programs Division, all divisions of the agency are involved in the project.

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.

Official Texas Historical Marker Program

The marker program expanded in the 1960s with the introduction of building medallions to honor state landmarks that represented both historical significance and architectural integrity. The first medallion was placed in Gonzales for the Eggleston House in the fall of 1962. Soon after, the THC began offering interpretive plaques to accompany the medallions, and later it developed the Recorded Texas Historic Landmark designation to provide a measure of legal protection for properties bearing the building markers.

The most recent change in the type of plaques offered by the THC came in the late 1990s with development of the Historic Texas Cemetery markers. Bearing the distinctive logo of the program, the markers are for those cemeteries that have been approved for this special designation.

Cemetery Preservation Program

In December 1998, an interim report by a committee to the 76th Legislature called for establishment of a program to “increase awareness and citizen involvement in preserving Texas cemeteries.” Legislation passed in a subsequent session called for an Adopt-a-Cemetery program, along the lines of the state’s existing Adopt-a-Highway and Adopt-a-Beach efforts. The purpose of the legislation, which was not funded, was to heighten awareness of the need to preserve cemeteries and encourage local businesses, civic organizations, churches and schools to become involved. It also set up the mechanism for locating and documenting abandoned cemeteries and for establishing grants. Because the Adopt-a-Cemetery program has remained unfunded through subsequent legislative sessions, it has not been implemented.

In 2001, the THC received a federal transportation enhancement grant to locate and document all cemeteries in the state’s fastest-growing counties, most prone to cemetery encroachment due to development pressures. The survey program, known as RIP (Record, Investigate, Protect), began in January 2002 and will conclude in August 2005.

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

The History Programs Division serves the general public of Texas through its broad-based programs that support local interest and efforts to preserve history and culture. There are no eligibility requirements for people who engage with the History Programs Division — rather the historic resources that people are interested in preserving must meet eligibility standards to be considered historic and significant.

Section 106 requires all projects that are federally funded, licensed or permitted to be reviewed by the THC for potential impacts to historic resources. This requirement affects federal, state and local agencies undertaking projects that require compliance with this law, examples of which include reservoirs built by the U.S. Army Corps of Engineers, new highway construction by the Texas Department of Transportation

that utilizes federal funds, and local municipalities that receive federal grant funds to rehabilitate or demolish substandard housing. Agencies for which the THC frequently reviews projects include the Air Force, the Army, the Economic Development Administration, Federal Communications Commission, Federal Emergency Management Agency, Federal Transit Administration, Housing and Urban Development, the Navy, National Park Service, Texas Department of Transportation and United States Post Office. The History Programs Division works in cooperation with the Architecture Division and the Archeology Division to ensure a comprehensive review of projects.

History Programs Division staff oversees and supports the work of county historical commissions whose members have been appointed by the county commissioners court. Each county has its own selection criteria within the parameters set out in Chapter 318 of the Local Government Code.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

Each program of the History Programs Division has a formalized structure and process. Staff is headquartered in Austin; however, site visits and field work are a regular part of each program. As with everyone at the agency, History Programs Division staff participates in interdisciplinary regional teams that coordinate outreach and an annual regional training workshop for local preservationists. The Sam Rayburn House Museum, located in Bonham, is the agency's only field office.

National Register of Historic Places

History Programs Division staff coordinates the process of listing properties in the National Register of Historic Places in cooperation with the National Park Service and the applicant. Staff reviews hundreds of properties each year to determine if they qualify for listing in the National Register, reviews nominations and work one-on-one with applicants to ensure the nomination is complete. Once a final draft is prepared, the nomination is considered by the State Board of Review, a citizen committee of experts in the fields of Texas architecture, history, archeology and related disciplines. In public meetings held three times a year, the board assesses each nominated property according to National Register criteria. Approved nominations undergo a final editing process by the staff, and the completed application is signed by the State Historic Preservation Officer who in Texas is the THC executive director. We then send it to the National Park Service for final review and listing.

Tax Incentive Program and Section 106

History Programs Division reviewers are the first to see applications for the federal historic preservation tax incentives program. Part One of the three-part process requires a determination of eligibility for the National Register, and upon positive review from the staff these projects are passed to reviewers in the Architecture Division for completion of Parts Two and Three, involving the actual rehabilitation of the property.

Sponsors of development projects that trigger Section 106 are required to consult with the THC to minimize adverse effects on historic properties. All projects are logged into a computer database to track each review. The agency strives to examine all projects within 30 days, and most projects are reviewed in a much shorter time. History Programs Division staff examines the historical importance or architectural merit of all buildings 50 years old or older that will be directly affected by construction or close enough to the construction site to be indirectly affected. If historians determine a building or structure is eligible for inclusion in the National Register, an architectural review by Architecture Division staff is conducted to determine the effect the project will have on the building or structure.

County Historical Commissions

Appointments to county historical commissions (CHC) are made by county judges in January of odd-numbered years. CHCs are responsible for reviewing all applications for state historical markers and Historic Texas Cemetery designations before they are submitted to the THC, and each CHC is required to submit an annual report to the county commissioners court and to the THC. CHCs also serve as advisors to their commissioners courts on matters of historic preservation; operate local history museums; develop archival collections; promote local history and historic sites; undertake surveys of historic and cultural resources; conduct oral history projects; work with THC staff and stewards on archeological projects and educational programs; and serve as official local historians in their counties.

Official Texas Historical Marker Program

The Texas marker process is unique in that it begins at the local level. Applications are first reviewed by the county historical commissions and then forwarded to the THC. We evaluate applications on criteria related to age, historical significance and, for Recorded Texas Historic Landmarks, architectural integrity. Anything that is questionable is referred to the History Committee of the THC for final review. Once an application is approved, we draft the marker inscription, which is then approved by the county historical commission and the applicant before the marker is ordered from the foundry. We also provide suggestions on how to plan and promote marker dedication ceremonies, which are popular events that attract local citizens, dignitaries and schoolchildren, while also serving as a source of community pride and promotion.

If a property is designated a Recorded Texas Historic Landmark, owners must give the THC 60 days notice before any alterations are made to the exterior of the structure. Unsympathetic changes to these properties may result in removal of the designation and historical marker. To nominate a property as a Recorded Texas Historic Landmark, the owner's consent is required.

Cemetery Preservation Program

The Historic Texas Cemetery designation is an official recognition of family and community graveyards and encourages preservation of historic cemeteries. The designation imposes no restrictions on private owners' use of the land adjacent to the cemetery, but provides for the recordation of the cemetery into the county deed records as a historically dedicated property worthy of preservation. To nominate a cemetery, the owner will be notified, though the owner's consent is not required. To receive the designation, the applicant must submit an application, show proof the cemetery is at least 50 years old, provide precise information about its location and document it using black and white photographs.

RIP (Record, Investigate, Protect) is the THC's cemetery survey program. The first phase began in October of 2001 when staff researched archival records to update existing map information. In the second phase, field historians gathered documentation on cemeteries in 46 of the fastest growing counties representing all regions of the state. Phase three of the RIP effort involves on-site documentation by field historians to enhance the maps and the earlier survey work. The RIP team photographed the cemeteries, compiled site data forms and recorded sites through use of global positioning system equipment. Data include accessibility, approximate size, identifiable cultural links, cemetery features, surrounding land use, overall conditions and descriptions of gravestone materials.

In addition to the Historic Texas Cemetery designation and RIP, the Cemetery Preservation Program provides technical assistance through workshops, on-site visits, publications, cooperative ventures, phone calls, emails and correspondence. The THC has appointed a Cemetery Advisory Committee which meets occasionally to study issues related to cemetery preservation and make recommendations for program changes and/or new legislation. Two bills recently passed by the 79th Texas Legislature — House Bill 1011 and House Bill 1012 — are a direct result of the collaborative efforts between THC staff and the Cemetery Advisory Committee.

Museum Services Program

The Museum Services Program employs trained museum professionals to assist history museums with a variety of issues. The THC provides the services free of charge to Texas' small history museums. The Museum Services Program staff is available by phone, mail, or email to answer questions regarding museum planning, exhibit design, artifact storage, fundraising, and other issues. History museums can also request an on-site consultation for a Museum Services Program staff member to visit the museum and provide a written assessment, along with recommendations for improvement and a detailed work plan.

The Museum Services Program administers the THC's History Museum Grants Program. History Museum Grants are available each year to small history museums for preservation and conservation projects and supplies. The maximum grant amount per museum is \$1,000, with grant funds payable upon completion of the project as a reimbursement for expenses incurred. A completion report and proof of purchase are required as documentation.

Library

Although library material does not circulate outside the agency, researchers, students and the public are welcome to use the collection on site. Researchers can access the library collection through the online library catalog on the THC website, or by calling for assistance. The library is currently open to the public on Monday through Friday from 1 to 4 p.m.

Texas Historical Commission Awards

Printed guidelines and the THC's web site explain the awards in detail, and nominations are due the second Friday of December each year.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

History Programs Division Exhibit 7: Sources of Revenue for Fiscal Year 2004 (Actual)	
Source	Amount
General Revenue Funds	\$1,032,324
Federal Funds	35,674
Interagency Funds	143,253
Appropriated Receipts	247,520
TOTAL	\$1,458,771

In 2001, the THC received a federal transportation enhancement grant for the Cemetery RIP Program. Additional grants, general revenue funds and in-kind services provided the agency's required match for the federal grant.

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

The Architecture and Archeology Divisions of the THC participate in Section 106 review, however, each division plays a well-defined and separate role within the process. The History Programs Division coordinates with the Architecture Division to review property eligibility for historic preservation tax incentives; again, each division's role is separate and well-defined within the process.

As part of the Section 106 process, Texas Department of Transportation (TxDOT) conducts determinations of eligibility for properties and assessments of the impact for all projects that relate to the Federal Highway Administration (FHWA). History Programs Division staff play the important role of concurring or objecting with their determinations.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

The THC has a memorandum of agreement with TxDOT that outlines the agreement for TxDOT to undertake its own Section 106 review on behalf of the FHWA, with THC acting as the representative for the Advisory Council for Historic Preservation in concurring or objecting to their determinations. Because of the volume of TxDOT/FHWA projects and the quantity of resources that are potentially eligible and impacted, this agreement serves to streamline the process for both agencies while still upholding the requirements of Section 106.

J. If the program or function works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

The National Park Service (NPS) of the U.S. Department of the Interior maintains the National Register of Historic Places in cooperation with the SHPO (the THC). We maintain a close relationship with the NPS and frequently communicate with the Keeper of the National Register. The historic preservation tax incentives program is jointly managed by the NPS and the IRS in partnership with SHPOs.

The SHPO is mandated by federal law to represent the interests of the state when consulting with federal agencies under Section 106 and to maintain a database of historic properties. The Advisory Council on Historic Preservation, an independent federal agency in the executive branch, oversees the Section 106 review process.

One of the agency's greatest strengths is the county historical commission (CHC) network comprised of more than 15,000 volunteers who work to preserve Texas' heritage on a regular basis. CHCs exist as an arm of county government and are an invaluable link in the state's preservation network. They often can provide the expertise and guidance needed at the local level to produce positive results.

K. If this program or function is contracted out, provide a description of how you ensure accountability for funding and performance.

N/A

L. What statutory changes could be made to assist this program in performing its functions? Explain.

N/A

M. Provide any additional information needed to gain a preliminary understanding of the program or function.

N/A

A. Provide the following information at the beginning of each program description.

Name of Program or Function	Texas Preservation Trust Fund
Location/Division	Austin
Contact Name	Lisa Harvell, Program Specialist
Actual Expenditures, FY 2004	\$1,079,000
Number of FTEs as of August 31, 2004	0 FTE

B. What is the objective of this program or function? Describe the major activities performed under this program.

The THC awards grants for preservation projects from the Texas Preservation Trust Fund (TPTF). Created by the Texas Legislature in 1989, the TPTF is an interest-earning pool of public and private monies. The earned interest and designated gifts are distributed yearly as matching grants to public and private owners of eligible historic properties and archeological sites. Grant awards may be used for restoration work, architectural planning, archeological investigation, preservation planning and educational training. TPTF grants pay up to one-half of total project costs to help preserve Texas' historic and cultural resources. Project types eligible for grant assistance include archeological sites; commercial buildings; public buildings such as schools, city halls, libraries and museums; unique historic structures such as bridges, water towers, lighthouses and ships; and monies for training and educating individuals and organizations about historic resources and preservation techniques.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and performance measures that best convey the effectiveness and efficiency of this function or program.

The TPTF is an important source of funding for local preservation efforts. In FY 2004 the TPTF awarded 31 matching grants totaling with an average grant award over \$16,000. For fiscal year 2005, the THC reviewed more than 60 requests for more than \$1 million in grants. Twenty-one matching grants totaling \$382,000 were awarded.

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.

N/A

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

Grants through the TPTF can be made to owners, managers, lessees and maintainers of eligible historic properties, and survey and education proponents including political subdivisions of the state and nonprofit organizations. To be eligible for grant assistance, applicants must provide a minimum of one dollar in

cash to match each state dollar for approved project costs. The match must be available at the time of project proposal submission. For approval of the project proposal, all acquisition and development projects will be required to grant an easement, in a format acceptable to the THC, to ensure the long-term preservation of the grant-assisted property. Applications are scored by level of endangerment or project urgency, significance and project viability.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

The TPTF accepts applications annually and follows a standard timeline for reviewing and accepting proposals. Any deviations from this timetable must be approved by the THC in writing. Money for grants varies each year due to earnings on the TPTF. The following 2005 timeline represents the typical cycle:

July 29, 2005: Deadline for the THC to receive complete applications.

September 2005: Public meeting of the TPTF Advisory Board to discuss the initial ranking of applications. Prior to this meeting staff review the applications to insure completeness and compliance, as well as to identify preservation and scoring issues.

November 2005: Applicants notified of initial allocation selection and invited to proceed through the TPTF process. Selected applicants must provide additional project information and documentation to secure the grant award (known as project proposals).

December 2005 through January 2006: Mandatory orientation sessions are held for professionals and representatives of selected projects. These meetings typically involve Architecture Division staff visiting the project and meeting with the applicant and their team on site.

April 28, 2006: Deadline for the THC to receive project proposals from selected applicants. Applicants provide the THC with a project proposal that clarifies the scope of work, research design (for archeological projects), and includes a copy of the easement (notarized, filed, certified), if applicable.

May 29, 2006: Deadline for THC to review Project Proposals. THC reviewers have 30 days to review applicant proposals to ensure that work will comply with preservation standards and grant policies. Reviewers will consult with applicants to resolve inconsistencies. Approved projects will receive written approval and a Project Start Date from the THC. Project work must begin within 90 days after the Project Start Date assigned by the THC. Staff will consult with recipients and often visit the site during the project.

July 2, 2007: All approved project expenses slated for reimbursement must be incurred.

July 16, 2007: Applicant must provide to the THC reimbursable project expenses and the Project Completion Report or planning document, depending on the project type. Staff reviews and approves the reimbursement and completion documents for compliance with the program rules.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

Texas Preservation Trust Fund Exhibit 7: Sources of Revenue for Fiscal Year 2004 (Actual)	
Source	Program Total
General Revenue Funds	\$500,000
GR Dedicated	579,000
Total	\$1,079,000

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

N/A

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency’s customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

N/A

J. If the program or function works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

N/A

K. If this program or function is contracted out, provide a description of how you ensure accountability for funding and performance.

N/A

L. What statutory changes could be made to assist this program in performing its functions? Explain.

The Texas Preservation Trust Fund earnings continue to decline due to statutory restrictions on how investments are handled. Because the earnings each year become the grant funds we distribute, we are interested in an investment style that is solid but more aggressive. We would like to change the stipulations for the Trust Fund to give us greater flexibility in making sound investments and thus creating a larger pool of funds to draw from each year.

M. Provide any additional information needed to gain a preliminary understanding of the program or function.

N/A

A. Provide the following information at the beginning of each program description.

Name of Program or Function	Indirect Administration
Location/Division	Austin
Contact Name	Larry Oaks, Executive Director
Actual Expenditures, FY 2004	\$1,067,679
Number of FTEs as of August 31, 2004	16.75

B. What is the objective of this program or function? Describe the major activities performed under this program.

Indirect Administration includes the Administration, Marketing Communications, and Staff Services Divisions of the THC. These functions umbrella the entire agency and provide important common resources to all staff and programs.

Administration Division

The Administration Division is responsible for oversight of division programs and operations, directs agency and statewide planning, and works closely with commission members to develop broad agency policies and goals. In addition, the executive director represents the agency at various meetings of preservation organizations and stakeholders. The executive director serves as Texas’ State Historic Preservation Officer, as mandated by the National Historic Preservation Act of 1966. The office includes the deputy director, the agency planner, the executive assistant and administrative assistant.

Marketing Communications Division

The Marketing Communications Division supports and promotes all projects the agency is involved in including archeology, architecture, history programs, heritage tourism and the annual conference. The division is responsible for developing outreach programs and increasing awareness of the agency’s initiatives through marketing, advertising, public relations, promotions, special events and print and electronic communications. The division is responsible for the overall implementation of marketing communications programs. These include:

- Marketing communications campaigns
- Heritage tourism promotions
- Promotional materials such as brochures, newsletters, invitations, advertisements, direct mail, banners and *The Medallion*, our bi-monthly newsletter
- The agency web site, videos and PowerPoint presentations
- Public and media relations
- Community relations
- The THC Annual Historic Preservation Conference, regional workshops and special events

Staff Services Division

The Staff Services Division is responsible for receipt and deposit of all revenue; accounting for all revenue and expenditures; purchasing all supplies, equipment and services; maintaining property records and inventories; preparing the payroll and maintaining related personnel records and reports; preparing financial reports; processing vouchers for vendor payments; maintaining the agency vehicles; and overseeing maintenance of agency buildings. The staff services director also serves as the equal employment opportunity officer.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and performance measures that best convey the effectiveness and efficiency of this function or program.

Administration Division

The Administration Division monitors its effectiveness through the agency's success in meeting its performance goals, annual customer service surveys and input, and regular participation in the biennial Survey of Organizational Excellence conducted by the School of Social Work at the University of Texas at Austin. Highlights of the division's effectiveness include:

- Exceeding or attaining 50 percent of the agency's state performance targets; the remaining targets were within 70 percent or greater in meeting the goal
- Instituting a major restructuring of the agency's divisions in 1998 to increase efficiency, internal communication and interdisciplinary teamwork. Since this time, the employee rating on teamwork has risen 29 percent and internal communication has risen 22 percent
- Holding a high standard for customer service, where constituent satisfaction in every area has increased every year since 2002
- Managing complaints effectively (we received two in 2003 and in 2004 and resolved them all in less than thirty days)
- Consistent customer demand for public presentations from all divisions of the agency.
- Positive findings for most internal audits
- Successfully raising private funds for projects of the agency in partnership with Friends of the THC
- Developing and implementing the Statewide Comprehensive Preservation Plan using extensive public participation
- Managing quarterly meetings so commission members' talents and feedback are used effectively

Marketing Communications Division

The Marketing Communications Division does not have formal performance measures, however, it regularly monitors the effectiveness of its services through volume of outreach to the public, value of publicity, and the outcomes of marketing heritage sites.

The total publicity value for THC stories placed in Texas newspapers was valued at approximately \$2.5 million in 2004. Each month, our web site receives approximately 700,000 visitors or more than 8 million hits annually. We began work on a major redesign of the THC web site in 2001 and launched the new site in early 2002. The THC web site has more than 1,000 pages and is more user-friendly for our audience. We are currently in the process of another redesign and plan to launch our new and improved web site by the end of 2005.

The Marketing Communications Division also supports marketing efforts for the Texas Heritage Trails Program. We coordinate the production of heritage trails brochures and other thematic heritage tourism brochures, public relations and advertising efforts, and measurement, evaluation and fulfillment. Heritage

Trails advertising print publications include *Texas Monthly*, *Texas Highways*, *Texas Co-op Power*, *See Texas First* newspaper inserts, and other unique outlets as the opportunities present themselves. Since the beginning of the Texas Heritage Trails Program in 1998, the program has invested approximately \$126,000 per year on advertising efforts with an average of 24 advertorials and/or print ads each year. The estimated public relations media value that has been generated since that time is approximately \$1.6 million per year.

We collect visitation information from selected sites within heritage regions prior to development of its travel brochure. After the travel brochure has been developed and launched, these monitored sites in each heritage region submit site visitation information on an annual basis. These visitation numbers allow the heritage tourism staff to work with regional sites and identify causes of visitation increases or decreases, and what strategy to develop accordingly. The combined average of participating sites in the five heritage regions that have travel brochures has seen an increase of 17 percent in visitors. Since the inception of the Texas Heritage Trails Program in 1998, more than 4 million brochures have been printed highlighting five heritage trail regions and three heritage tourism themes. Approximately 2.1 million brochures have been distributed.

Staff Services Division

The THC has been audited by the State Comptroller, Building and Procurement Commission, the State Auditor's Office and internal auditors over the past several years. The audits have shown that the agency has followed state purchasing guidelines and on most audits have been 100% in compliance with the Texas Building and Procurement Commissions purchasing rules and regulations.

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.

Marketing Communications Division

In September 1997 the agency was restructured and the Marketing Communications Division was formed. The agency felt it was necessary to develop a consistent look and identity for all THC materials and charged the Marketing Communications Division with developing and implementing a program to maintain a consistent professional image for all agency print and electronic publications. Since that time, staff has ensured every product produced has a consistent look identifying it as a THC product. As directed by the commissioners, all print, promotional and electronic materials intended for distribution to external audiences must first go through the Marketing Communications Division's review process. The Marketing Communications Division has continually evaluated incoming projects to upgrade the quality of each piece. The design pieces are distinctive and individually gain impact when seen collectively.

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

By nature these functions umbrella the entire agency and affect all internal divisions and programs. In addition, the statewide planning functions of the Administration Division and the activities of the Marketing Communications Division reach out to the general preservation public, building partnerships between local, regional and statewide preservation organizations.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

Administration Division

The management and leadership functions of the Administration Division are carried out through regular and open communication with division staff through weekly and monthly meetings, as well as bimonthly all agency meetings. Administration is responsible for scheduling and coordinating the Commission's quarterly meeting; facilitating agency planning activities to coordinate the different requirements and public processes; systematically collecting and addressing complaints; managing internal audits as well as the process for annual staff performance evaluations.

The Administration Division oversees a larger regional team structure that all agency staff and divisions participate in. Comprised of six regions, this structure was initiated in 2001 as a vehicle for more effective and streamlined outreach and education to the public, along with increased interdisciplinary teamwork and communication within the agency. Each regional team organizes an annual, local workshop that features topics emphasizing what preservationists in each region want to learn. Each team has at least one archeologist, architect and historian from the agency. The goal of the workshops is to reach people closer to home, provide expert advice and establish new connections among preservationists in all areas of the state. The teams rely on local assistance for planning the workshops, such as finding meeting space and giving tours of local historic resources.

Marketing Communications

The Marketing Communications Division carefully reviews all projects produced by other divisions and outside sources to maintain the following standards:

- Consistent use of agency logo and document templates
- Use of internal style guide
- Use of internal literature and logo policy
- Elimination of program logos
- Emphasis on agency as a whole rather than individual divisions
- Consistent use of standard font on all agency correspondence
- Compatible selections of paper stock and color

We use an editing process where all documents and publications are reviewed by two editors, and then examined by our senior projects coordinator and division director. All our projects are logged and tracked using a master project planner.

The Medallion, a bimonthly 16-page newsletter, is circulated free of charge to more than 10,000 preservationists throughout the state who have requested it. *The Medallion* covers historic preservation throughout Texas and includes profiles of outstanding preservationists, inspiring success stories, technical assistance, travel features and statewide preservation news. In 2003, to celebrate the Texas Historical Commission's 50th Anniversary, the September/October issue was expanded to 20 pages and was a commemorative tribute to the agency's *50 Years of Preserving Our Texas Heritage*.

We also produce all agency promotional materials such as brochures, invitations, flyers, and other newsletters including the Courthouse Cornerstones, an update on the Texas Historic Courthouse Preservation Program.

The Marketing Communications staff coordinates public and media relations and maintains the public information office. We write and send out all press releases for the agency and handle all media calls. We also place news stories in a wide variety of statewide publications to promote the state’s diverse historic and cultural resources.

Each spring the THC hosts a conference for professionals and volunteers interested in historic preservation. The THC partners with preservation organizations to offer innovative ideas and creative solutions to help preservationists achieve their goals. The conference alternates yearly between Austin and another Texas location to reach as many preservationists as possible. The Marketing Communications Division plans and coordinates the conference and works with each division to put together the program sessions and workshops. The 2006 Annual Historic Preservation Conference will be held in Galveston, Texas, April 20–22, 2006. In 2007 the conference will be held in Austin. Typically the conference is held in Austin during legislative years.

Staff Services

Staff Services is largely administered by multiple state requirements and report due dates, in which it coordinates with all divisions to maintain timely submissions. Staff Services is the main liaison for state auditors.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

Indirect Administration	
Exhibit 7: Sources of Revenue for Fiscal Year 2004 (Actual)	
Source	Amount
General Revenue Funds	\$797,407
Federal Funds	254,989
Interagency Funds	15,000
Appropriated Receipts	283
TOTAL	\$1,067,679

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

N/A

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency’s customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

N/A

J. If the program or function works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

The executive director of the THC, in his role as State Historic Preservation Officer, maintains a close relationship with the National Park Service and U.S. Department of the Interior, along with the Advisory Council on Historic Preservation. The National Park Service manages federal preservation programs in partnership with SHPOs, including the National Register of Historic Places, the Historic Preservation Tax Incentives Program, and the Certified Local Government Program.

The SHPO is mandated by the National Historic Preservation Act of 1966 to represent the interests of the state when consulting with federal agencies under Section 106 and to maintain a database of historic properties. The Advisory Council on Historic Preservation, an independent federal agency in the executive branch, oversees the Section 106 review process. John Liston Nau, III is the chairman of the ACHP as well as the THC.

K. If this program or function is contracted out, provide a description of how you ensure accountability for funding and performance.

N/A

L. What statutory changes could be made to assist this program in performing its functions? Explain.

Texas Government Code, Chapter 2113.107(g) stipulates that an agency who publishes a free periodical more than quarterly must insert a notice to readers stating they must request to continue to receive the publication in writing. The THC publishes *The Medallion* bimonthly and more than 10,000 people receive this educational publication free of charge. *The Medallion* is our agency's most consistent and direct way to reach constituents in all 254 counties in Texas and provide them with educational information as mandated by our enabling legislation. We have inserted this required notice three times to our readers and have received less than 1,000 requests to continue to receive our newsletter. We believe this is because people have not paid attention to the notice, and do not realize that they will be taken off the mailing list if they do not make a formal written request. If we follow the law, we will have to remove more than 90 percent of our readers. We would like to be exempted from this mandate as *The Medallion* is an important education, outreach and heritage tourism tool, and following this mandate would result in the loss of more than 90 percent of our readers who rely on this publication for historic preservation information.

M. Provide any additional information needed to gain a preliminary understanding of the program or function.

N/A

VIII. Statutory Authority and Recent Legislation

A. Fill in the following chart, listing citations for all state and federal statutes that grant authority to or otherwise significantly impact your agency. Do not include general state statutes that apply to all agencies, such as the Public Information Act, the Open Meetings Act, or the Administrative Procedure Act. Provide information on Attorney General opinions from FY 2001 - 2005, or earlier significant Attorney General opinions, that affect your agency's operations.

Texas Historical Commission Exhibit 13: Statutes/Attorney General Opinions	
Statutes	
Citation/Title	Authority/Impact on Agency (e.g., provides authority to license and regulate nursing home administrators)
National Historic Preservation Act of 1966	Directs the state to administer federal preservation laws and policies
The Tax Reform Act of 1986	Directs states to coordinate federally established tax incentives for the rehabilitation of historic properties
The Americans with Disabilities Act of 1990	Directs the state to determine whether building modifications to improve accessibility will threaten or destroy the historic integrity of the building
The Archeological Resources Protection Act of 1979	Declares illegal to collect artifacts or dig on archeological sites on federal land without a permit
The Native American Graves Protection and Repatriation Act of 1990	Requires federal land-managing agencies to consult with Indian tribes when burials are found on their land
Texas Government Code/Title 4, Chapter 442	Directs the THC to provide leadership and coordinate services in the field of historic preservation
Texas Natural Resource Code/Title 9, Chapter 191 (Antiquities Code of Texas)	Requires antiquities permit for projects undertaken on state or locally-controlled land
Texas Local Government Code, Chapter 318	Establishes county historical commissions and sets forth their responsibilities for carrying out preservation efforts within counties
Attorney General Opinions	
Attorney General Opinion No.	Impact on Agency
JC-0578	Held that San Fernando Cathedral in San Antonio was not eligible for a grant under the County Courthouse Restoration Program. Grants continue to be given to counties only.
JC-0465	Held that THC is the legal custodian of all artifacts removed from state lands that remain the property of the State. Impact is that the THC has authority over numerous collections in repositories throughout the State and a responsibility to ensure their safekeeping.

B. Provide a summary of recent legislation regarding your agency by filling in the chart below or attaching information already available in an agency-developed format. Briefly summarize the key provisions. For bills that did not pass, briefly explain the key provisions and issues that resulted in failure of the bill to pass (e.g., opposition to a new fee, or high cost of implementation).

Texas Historical Commission Exhibit 14: 79th Legislative Session Chart		
Legislation Enacted - 79th Legislative Session		
Bill Number	Author	Summary of Key Provisions
HB 1011	Hilderbran	Removal of dedication for certain cemeteries.
HB 1012	Hilderbran	Desecration of a cemetery and abuse of a corpse.
HB 2025	Hilderbran	Transfer of jurisdiction of the National Museum of the Pacific War from the Parks & Wildlife Department to the THC. Administration and operation of the Museum of the Pacific War. Companion Bill: SB 1497
HB 2208	Phillips	Creation of a Cultural and Fine Arts District Program by the Texas Commission on the Arts.
HB 2902	Hilderbran	Statutory authorization for the Courthouse Maintenance Program. Companion Bill: SB1496
HB 3269	Blake	Designation of the THC to administer the El Camino Real de los Tejas National Trail.
HR1611	Hunter	Commend THC and Parks & Wildlife on their collaboration in developing Texas Buffalo Soldiers Heritage Trail.
SB 920	Van de Putte	Creation of the Texas Treasure award to honor businesses that have existed in Texas for 50 years or more.
SB 1496	Fraser	Statutory authorization for the Courthouse Maintenance Program. Companion Bill: HB 2902
SB 1497	Fraser	Administration and operation of the National Museum of the Pacific War. Companion Bill: HB 2908
SB 1787	Duncan	Creation of the position of state historian and the process by which the position is filled. Companion Bill: HB 2938
Legislation Not Passed - 79th Legislative Session		
Bill Number	Author	Summary of Key Provisions/Reason the Bill Did Not Pass
HB 632	Smith	Adds a representative of the THC to the board of the San Jacinto Battleground Historical Advisory Board
HB 747	McReynolds	Designation of the El Camino East/West Corridor. The bill had several inconsistencies with our Heritage Trails Program.
HB 946	Miller	Amends current law relating to monuments or memorials located on state property to allow citizens to be honored for non-military service.
HB 2233	Keffer	Relating to state fiscal matters — contains language relating to Preservation Trust Fund
HB 2234	Keffer	Relating to state fiscal matters — comptroller's clean-up bill; contains language relating to the Texas Preservation Trust Fund.
HB 2697	Phillips	Preservation of Texas' historical resources and historic government records. This would have created a grants program to help preserve state records. We strongly support the effort.
HB 3062	Hilderbran	Creation of Texas State Music History Museum.

Bill Number	Author	Summary of Key Provisions/Reason the Bill Did Not Pass
HB 3540	Pitts	Fiscal matters affecting governmental entities.
SB 317	Staples	Designation of the El Camino East/West Corridor. Companion Bill: HB 747
SB1100	Deuell	Promotion of tourism related to musical heritage of Texas.
SB1690	Duncan	Related to state fiscal matters. Comptroller's clean-up bill Companion bill: HB 2233

IX. Policy Issues

A. Brief Description of Issue

The THC relies on a network of county historical commissions (CHC) to act as local agents for carrying out preservation activities. CHCs are appointed by each county's commissioners court and have a long history of volunteer preservation activities. CHCs have the potential to be invaluable resources for preservation, acting as extensions of the THC and helping to educate the public about the benefits of historic preservation. However, many CHCs are not active, knowledgeable or diverse entities for local preservation. **Should Local Government Code, Chapter 318, be modified to better define the role, responsibilities, and membership requirements for county historical commissions, as well as the THC's responsibilities to them?**

B. Discussion

The system of CHCs was set up by the Texas Legislature in 1956 to assist local commissioners courts and the state in the preservation of each county's historic and cultural resources. The duties and responsibilities of a CHC are set forth in detail in the state's Local Government Code, Chapter 318. The statute is fairly broad, leaving latitude for each CHC to organize and undertake activities appropriate to the county's size and resources. The statute mandates three activities for CHCs, which include regular meetings, filing of an annual report and reviewing applications for Official Texas Historical Markers. There are no penalties for inactivity. Less than half of the 254 CHCs are currently operating at basic capacity, fulfilling the three mandated functions.

Several CHCs are models for activity and partnership with THC services; many CHCs struggle with the required responsibilities and lack a broad and representative membership. Working to create knowledgeable and engaged CHCs whose members represent diverse populations and interests throughout each county is perhaps the agency's biggest opportunity for improvement. We realize that if we strengthen this structure for preservation at the local level, every program and service we offer will be more effective, and we will enhance our ability to reach greater numbers of the public. We have identified several causes for this issue, including a lack of real powers and duties for the CHCs, an ineffective appointment process, undefined composition and term limits and no training requirements.

C. Possible Solutions and Impact

The THC has identified several solutions that could strengthen the CHC structure and enable a more effective partnership. The first and most statutorily relevant solution is to give CHCs real powers and duties within the Local Government Code. Historic markers are currently the only program of the agency that CHCs are required to engage in; we are interested in adding other services of the THC that would benefit from local CHC participation and require their involvement as a condition for local participation (such as survey and inventory, the Texas Historic Courthouse Preservation Program, etc.). In addition, our enabling statute stipulates that property owners notify the THC if they are planning to alter or demolish a resource with a local, state or national historic designation located outside a municipality with a building permit procedure; it also enables counties to pass property tax abatements as an incentive to preservation. Very few counties are active in either of these programs, and they could be used as an incentive to revitalizing historic properties outside the land use authority of the city. The impact of this change would not only engage the CHCs in an important function, but would also give counties a much needed tool and incentive they can

offer property owners for historic preservation. Cities across Texas (and a few counties) have used property tax incentives successfully to catalyze economic development and rehabilitation of historic buildings, resulting in millions of dollars of reinvestment in historic neighborhoods and central business districts.

A second solution to invigorating CHCs is to examine the process for appointing members and strengthen the requirements for diversity in their membership. The current statute stipulates that members be individuals who “broadly reflect the age, ethnic, and geographic diversity of the county,” and have an interest in historic preservation. The majority of CHCs have very little member turnover and the demographic of members is overwhelmingly older Caucasian men and women. While CHCs adopt their own membership requirements and term definitions, it would be helpful to make global changes to the statute with specific diversity requirements and term limits for membership. The THC can assist member recruitment through our diversity network, marketing materials and using existing program participants as a member pool.

These statutory solutions have the potential to create stronger and more meaningful structures and functions for CHCs across Texas. We also recognize that providing training will be an important facet to knowledgeable and active CHCs. We suggest changing the statute to require annual CHC member training that we can provide through a number of venues, including our annual preservation conference and regional workshops.

A. Brief Description of Issue

We lack basic information about historic resources throughout the state to do our jobs effectively and efficiently. Our current inventory contains more than 270,000 sites in Texas. However, with 90 percent of archeological resources located on private land and less than half of the counties in Texas represented in our inventory, there are large gaps of information about existing resources. **Should the THC be statutorily mandated to coordinate, undertake and maintain a comprehensive survey and inventory of historic resources throughout Texas?**

B. Discussion

A survey is the first step in most of our programs, including federal and state mandated reviews, as well as programs that are proven catalysts for economic development including historic preservation tax incentives, the Texas Main Street Program and the Texas Heritage Trails Program. Having a comprehensive inventory of historic resources that is continually maintained and updated would enable us, as well as federal, state and local governments and organizations, to be proactive about using historic resources as a tool for proven revitalization and economic development. The THC currently manages the Historic Sites Atlas that includes all properties on the National Register of Historic Places, designated state landmarks and markers, and properties that have been surveyed up to 1997. We maintain hard files for this inventory, and any properties that have been added since 1997. While this may seem impressive, this inventory represents only one-third of the counties in the state, and by and large the information we do have is either outdated or the methodology used to survey the properties is questionable.

The THC recently created the survey coordinator position that will maintain the current inventory, serve as a resource for survey activities and develop a uniform system for all survey efforts. Undertaking a statewide survey far exceeds the capacity of one staff person. Most State Historic Preservation Offices have a plan and allocate resources and staff for systematically surveying their entire state. Good examples of statewide survey efforts include North Carolina, Nebraska, Wisconsin, New York, and Rhode Island.

C. Possible Solutions and Impact

A number of solutions could provide knowledge about historic resources throughout the state. We could change the agency's enabling statute to require a statewide survey and inventory and look at ways to focus resources to accomplish this. Because a statewide inventory would be a tremendous resource to other state and federal agencies, as well as preservation organizations across the state, we could also develop a plan to accomplish a survey in cooperation with our various partners that are engaged in historic preservation activities. Undertaking a joint project of this proportion could result in more effective relationships among partner agencies. Another option would be to develop an incremental plan for undertaking the survey, focusing on the fastest growing counties and regions initially, or specific endangered resource types (e.g., historic schools).

A survey of this scale would require a substantial financial investment, not only for conducting it, but also for maintenance and updates; however, there are ways to reduce the cost burden by engaging volunteers and programs across the state, including CHCs, Certified Local Governments, and university preservation and architecture programs. The impact of having and maintaining a statewide historic resources inventory is far reaching:

- Economic development programs such as the Texas Main Street Program, historic preservation tax incentives and the Texas Heritage Trails Program rely on survey information to identify properties for rehabilitation, attract investors to communities and to promote heritage destinations
- A survey and inventory would significantly streamline Section 106 review for the THC and all other state and federal agencies such as the General Land Office, Texas Department of Transportation, Texas Parks & Wildlife, Texas Water Development Board, Federal Highway Administration, Federal Emergency Management Administration, and Housing and Urban Development
- The THC and local communities use survey information to identify properties eligible for the National Register of Historic Places, state and local landmark designations
- A survey is the basis for city, county and regional planners to develop preservation management plans and integrating preservation into comprehensive community plans
- Survey information provides educators, civic organizations and interested citizens with a basis for learning about the history of their community

A. Brief Description of Issue

Our agency lags behind basic technology, which impacts our ability to promote services that enhance economic opportunities for communities, as well as our staff's efficiency and effectiveness in delivering these services. We have inadequate and outdated computer equipment and infrastructure; limited information resource staff and no web programmer; and operate without a central database that tracks our services to communities. **With the State mandating agencies to offer more services and communication via the internet, and with the internet being a powerful tool for service delivery, how can the THC best address its technology gap?**

B. Discussion

Our lack of technology is a pressing issue that affects the THC's ability to deliver services efficiently and effectively. We have inadequate and outdated computer equipment and infrastructure, which results in slower staff performance and general frustration. Our staff is located in six separate buildings throughout the Capitol Complex, resulting in the need to establish effective communication tools and the ability to

Capitol Complex, resulting in the need to establish effective communication tools and the ability to quickly share complex files and information about projects. With limited information resource staff, we function without a central database that tracks our services to communities and stores files electronically. This runs the risk of agency staff duplicating travel and makes it difficult to assess how communities engage and make progress with THC services.

We recognize technology as a powerful tool not only for our internal efficiency, but also as a way to effectively deliver services to the public. The Legislature has mandated that we deliver information, specifically our newsletter, to our constituents who request it via the Internet. Without a web programmer it will be a challenge for us to manage a database for notifying the public of its availability on the web. Because of the vast geography of Texas, it is difficult for staff in Austin to provide field services and one-on-one assistance for the volume of requests that we receive. The web has become the main portal for obtaining information for a large percentage of the population, evident in hits to the THC web site increasing 38 percent between 2002 and 2004. It is necessary for us to have the basic resources to promote ourselves and offer services via the web, as our programs have a significant impact on economic development not just in individual communities, but for the state as a whole. We are diligent in explaining our services on our web site and have more than 1,000 pages of information and forms available, but we would realize immediate efficiency advances through on-line interactive forms, as well as providing tutorials and toolkits for services via the web.

Fundamental to the success of all our programs, we must promote the state's historic assets to resident Texan travelers. Heritage tourism generates \$1.43 billion annually and is the largest growing segment of the tourism industry in Texas; it also leverages \$29 more dollars per day than other travel types. The THC is the premiere source for heritage travel information and the web is an important, and neglected, portal for promoting quality heritage experiences and destinations to both Texan and non-Texan alike. Without adequate technology resources, it is difficult to use the internet and electronic communication as an advanced medium for promoting the state's historic travel destinations to Texans.

C. Possible Solutions and Impact

The THC has identified several possible solutions to our technology problems, however, all of them require financial resources. Our priority is to address basic equipment and infrastructure issues, such as updating old and inadequate computer hardware, servers and backup systems, as well as addressing outdated infrastructure, as these issues cause the greatest inefficiencies at the THC. We have no money appropriated for capital expenditures in fiscal years 2006-2007, but will attempt to find resources to accomplish these basic updates. We also work with State of Texas Department of Information Resources and will continue to identify possible solutions to these technology issues.

It is necessary for the THC to not just address these basics, but to focus resources in advancing our technology beyond its current capacity, including hiring or contracting staff to develop and manage our website as a more effective tool for delivering and promoting our services. Many of our services are "paper heavy," including marker applications, Section 106 review, National Register Nominations, and survey and inventory. These functions could be streamlined through forms that can be submitted online directly into a database, reducing paper, postage and the accumulation of physical files. Web-based tutorials and toolkits for many of our services would lead to more Texans accessing resources that are immediately useful to them, and allow THC staff to focus their time with constituents on projects that are further along in development.

A. Brief Description of Issue

There are several aspects to the THC's budget structure that make it difficult to support our key functions. **Each year we encounter issues that strain our cash flow and require us to draw down our general operating budget for purposes unrelated to program operations.**

B. Discussion

The budget continues to be a complicating factor in our ability to operate effectively and provide needed public services. While it is easy to say that more money is the answer, our budgetary issues arise from structural issues and not just simple increases.

Our biggest concern is cash flow. We maintain several interagency contracts that fund programs on a reimbursement basis. We routinely cover contract expenses through general revenue which is then reimbursed, however, the lag time in which we are reimbursed results in cash flow strains.

As an agency that administers many programs through federal funding, we have difficulties matching mandated state salary increases for employees paid through the federal Historic Preservation Fund. Neither the state or federal government allocates increased funds for salaries of employees paid through federal money; as a result it is necessary for us to use the general operating budget to cover important and well-deserved increases. In addition, the state mandates longevity pay but has not allocated any resources for it, resulting in our need to use general revenue to cover the expense. These two issues alone result in a significant draw on the annual operating budget.

As described in the previous issue, the THC has inadequate technology resources. In order to address our highest priorities of updating computer hardware and infrastructure, we require an increase in appropriations to cover capital expenditures for information resource technology. Our capital budget rider was eliminated in the fiscal year 2004-05 biennium, and the agency's appropriations were reduced by \$47,000 each fiscal year. The 79th Legislature reinstated our capital budget at \$27,029 per fiscal year in the 2006-07 biennium; however, the agency's appropriations were not increased to cover the rider. Therefore, the agency is forced to allocate operating funds to cover the capital budget rider. If we are to promote preservation and heritage tourism that results in significant value to the economy, as well as address our effectiveness through technology, it is important that we seek appropriation for capital expenditures.

As the state's stewards of historic resources, it is imperative that the THC maintain the historic buildings we manage. Built in 1916, the Sam Rayburn House Museum in Bonham is currently the only historic site managed by the THC. Open to the public for three decades, the home of renowned statesman Sam Rayburn is a perfectly preserved mid-20th-century time capsule. In the 2002-03 biennium, the Legislature appropriated \$50,000 for the repair and rehabilitation of the buildings and grounds. Additional appropriations are needed to continue regular maintenance of the site, as this is the best prevention for costly, crisis-oriented repairs.

C. Possible Solutions and Impact

We realize that funding is an issue for most, if not all, state agencies. We are optimistic about working with the Legislative Budget Board to examine these obstacles and look for any solutions, whether they are actual increases to our budget, or changes to its structure to better accommodate our circumstances.

A specific solution to our cash flow dilemma could be a fund allocated by the Legislature that acts like a revolving loan; money would be specifically used for contract expenses and immediately reimbursed, taking away the burden on the rest of our programs to cover contract expenditures.

Through the Friends of the Texas Historical Commission, a 501(c)(3) nonprofit organization dedicated to supporting the THC's historic preservation mission, we have been successful in raising more than \$5 million in support from the private sector for state programs, including the La Salle Archeology Projects, the Visionaries in Preservation Program, Texas Heritage Trails Program, and the Red River War project. We will continue to be proactive in securing funding for vital programs from private sources, and hope that we can resolve underlying obstacles with our budget to enhance our ability to serve the public.

A. Brief Description of Issue

The THC has identified several statutes that complicate or inhibit our ability to reach agency objectives and perform key functions. Many of these statutes cross division and discipline lines and with simple changes or exemptions would enhance the agency's overall delivery of services. All of these statutes have been highlighted previously in the report, however, because of their importance and relative simplicity in changing, we are highlighting together as a major policy issue.

We would like to modify statutes that pertain to: investing the Texas Preservation Trust Fund; penalties for vandalism to archeological sites; the land area threshold for triggering Antiquities Code review; building facilities management by Texas Building and Procurement Commission; and notification and subscription requirements for the THC bimonthly newsletter, *The Medallion*.

B. Discussion

The first statutory issue pertains to the Texas Preservation Trust Fund (TPTF). The THC awards grants for preservation projects from the TPTF. Created by the Texas Legislature in 1989, the TPTF is an interest-earning pool of public and private monies. The earned interest and designated gifts are distributed yearly as matching grants to public and private owners of eligible historic properties and archeological sites. TPTF yearly earnings continue to decline due to statutory restrictions on how investments are handled. Because the earnings each year become the grant funds we are able to distribute, we are interested in an investment style that is solid but more aggressive. Chapter 442 of the Texas Government Code stipulates that the corpus of the TPTF will be invested in the State Treasury. This investment has in recent years yielded between 1 and 3 percent. These low earnings have reduced our annual grant distribution and inhibited our ability to reinvest earnings back into the corpus of the fund.

The second and third statutory issue applies specifically to the Texas Natural Resource Code, Title 9, Chapter 191 (the Antiquities Code). Archeologists estimate that thousands of sites are damaged or destroyed by archeological looting each year. Currently Section 191.171 of the Antiquities Code states the penalty for vandalism as a misdemeanor crime. This has been difficult to enforce because of the nature of the penalty, as well as a lack of awareness by law enforcement officials about the Antiquities Code and the importance of enforcement. Other programs have shown that ticketing a first offense is a more effective and accessible enforcement option in the field. Another issue pertains to Section 191.0525 (1)(d) stipulates that the threshold for triggering Antiquities Code review for a project undertaken by the state or its political subdivisions is if the project affects an area larger than five acres (or disturbs an area more than 5,000 cubic yards). In many cases, archeological sites are located in areas much smaller than five acres, and projects that fall under this threshold are not reviewed for present cultural resources or potential adverse affects.

The fourth statutory issue pertains to legislation requiring that all facilities management functions for the THC's buildings be handled by Texas Building and Procurement Commission (TBPC). The THC's offices are housed in five historic buildings within the Capitol Complex. These historic properties have been granted local, state and national landmark status, and the THC is mandated by Chapter 442.0072 of the Texas Government Code to preserve and maintain these buildings as significant Texas historical sites. Any maintenance, repairs, or improvements must take into account the historic character of the buildings as well as their unique materials and construction techniques. The size, materials, and historic character of these buildings make them unique within the TBPC management portfolio, which is comprised of newer and larger facilities with contemporary materials and systems. TBPC frequently lacks the specialized knowledge and sensitivity for maintaining and preserving the THC's historic properties. The professional staff of the THC is specifically trained and has an extensive experience in the design and repair of historic properties.

The fifth statutory issue affects the THC's ability to reach and educate the public about preservation issues, serve as clearinghouse and information center, and promote heritage tourism as mandated by our enabling statute. Texas Government Code, Chapter 2113.107(g) stipulates that an agency who publishes a free periodical more than quarterly must insert a notice to readers stating they must request in writing to continue to receive the publication. If a subscriber does not make this formal request, they must be removed from the mailing list. The THC publishes *The Medallion* bimonthly and more than 10,000 people receive this educational publication free of charge. *The Medallion* is our agency's most consistent and direct way to reach constituents in all 254 counties in Texas and provide them with educational information and promote heritage tourism as mandated by our enabling legislation. We have inserted this required notice three times to our readers and have received less than 1,000 requests to continue to receive our newsletter. We believe this is because people have not paid attention to the notice, and do not realize that they will be taken off the mailing list if they do not make a formal written request. If we follow the law, we will have to remove more than 90 percent of our readers from *The Medallion* mailing list.

C. Possible Solutions and Impact

In all of the statutory issues we have presented, we believe simple modifications or exemptions will have the greatest impact on our ability to carry out our key functions.

Concerning the Texas Preservation Trust Fund (TPTF), we have investigated other conservative investment options that would yield greater earnings and be a smarter choice for building the fund. We would specifically like to change the wording in Chapter 442 to allow the Comptroller to invest in the "Texas Safekeeping Trust," as opposed to the State Treasury. The Texas Safekeeping Trust guarantees an 8 percent return; 4 percent of this will be distributed annually through our matching grant program; 3.5 percent of this will be reinvested into the corpus; and 0.5 percent will cover the administrative costs of the Safekeeping Trust. This solution will be a vast improvement in our ability to provide direct grants for local preservation projects, and will help to systematically build the corpus of the Texas Preservation Trust Fund.

With respect to the two archeology issues, we propose changing the penalty for vandalism specified in Section 191.171 of the Antiquities Code to be a ticket or fine, and suggest changing Section 191.0525 (1)(d) of the code to trigger review if projects are greater than one acre (or 1,000 cubic yards), ensuring that important archeological sites and artifacts are not overlooked during development projects undertaken by the state or its political subdivisions.

Relating to facilities management of our agency's historic properties, we propose an exemption to the requirement of going through TBPC for all maintenance and repairs. This would ensure that all work to the THC's historic properties is done in a manner that is compatible and accurate. It would also utilize the

specialized knowledge of historic building preservation that our staff holds, and reduce time and duplicative efforts of THC and TBPC staff.

Pertaining to the final statutory issue, the notification and reader request to remain on the newsletter mailing list, we suggest an exemption from Texas Government Code, Chapter 2113.107(g). *The Medallion* is an essential preservation education, outreach and heritage tourism tool in Texas, and following this mandate would result in the loss of more than 90 percent of the preservation public who rely on this publication for historic preservation and travel information. An exemption from this requirement would allow us to continue to reach constituents in all 254 counties and provide them with valuable information they would not normally receive. It would also allow us to continue to grow our reader list and fully realize our mission as an information clearinghouse that promotes historic preservation's role in creating economic opportunities for communities, encourages an appreciation for history and educates people of every age.

X. Other Contacts

A. Fill in the following chart with updated information on people with an interest in your agency, and be sure to include the most recent e-mail address.

Texas Historical Commission Exhibit 15: Contacts			
INTEREST GROUPS (groups affected by agency actions or that represent others served by or affected by agency actions)			
Group or Association Name/ Contact Person	Address	Telephone	E-mail Address
Texas Municipal League Karla Vining Deputy Executive Director	1821 Rutherford Lane Suite 400 Austin, Texas 78754	512/719-6300	kvining@tml.org
Texas Association of Counties Sam Seale, Executive Director	P.O. Box 2131 Austin, Texas 78768-2131	512/478-8753	
INTERAGENCY, STATE, OR NATIONAL ASSOCIATIONS (that serve as an information clearinghouse or regularly interact with your agency)			
Group or Association Name/ Contact Person	Address	Telephone	E-mail Address
Advisory Council for Historic Preservation John M. Fowler, Executive Director	1100 Pennsylvania Ave. NW Suite 809 Washington, D.C. 20004	202/606-8503	jfowler@achp.gov
Bob Bullock Texas State History Museum Lynn Denton, Executive Director	P.O. Box 12874 Austin, TX 78711	512/936-8746	www.storyoftexas.com
Council of Texas Archeologists Kevin Miller, President		512/476-0891	kmiller@swca.com
Friends of the Texas Historical Commission, Inc. Brian Shivers, President	P.O. Box 13497 Austin, TX 78711	512/936-2241 Office: 214/357-6665	bsh55@airmail.net
Humanities Texas Mike Gillette, Executive Director	3809A South 2nd Street Austin, Texas 78704	512/440-1991	mgillette@ humanitiestexas.org
National Conference of State Historic Preservation Officers Nancy Miller Schamu Executive Director	444 N. Capitol St. NW Suite 342 Washington, D.C. 20001-1512	202/624-5465	schamu@sso.org
National Park Service Janet Matthews, Associate Director for Cultural Resources	1849 C St. NW Washington, D.C. 20240	202/208-7625	jan_matthews@nps.gov
National Trust for Historic Preservation Peter Brink, Senior Vice President	1785 Massachusetts Ave., NW Washington, DC 20036-2117	817/332-4398	peter_brink@nthp.org
Preservation Action Heather MacIntosh, President	1054 31st Street, NW, Suite 526 Washington, D.C. 20007	202/298-6180	hmacintosh@ preservationaction.org
Preservation Texas, Inc Julianne Fletcher Executive Director	P.O. Box 12832 Austin, TX 78711	512/472-0102	info@preservationtexas.org

Self-Evaluation Report

Texas African American Heritage Organization David Williams	P.O. Box 141038 Austin, TX 78714	512/837-1405	
Texas Archeological Society Glynn Osburn, President-Elect	6900 N. Loop 1604 West San Antonio, TX 78249-0658	210/458-4393	gosburn@attbi.com
Texas Commission on the Arts Ricardo Hernandez, Executive Director	P.O. Box 13406 Austin, TX 78711-3406	512/936-6561	rah@arts.state.tx.us
Texas Department of Transportation Michael Behrens, Executive Director	125 E. 11th St. Austin, TX 78701-2483	512/463-8585	www.txdot.state.tx.us
Texas Downtown Association Debra Farst Association Coordinator	P.O. Box 203455 Austin, Texas 78720	512/472-7832	info@texasdowntown.org
Office of the Governor, Economic Development and Tourism Tracye McDaniel Chief Operating Officer	P.O. Box 12428 Austin, Texas 78711	512/936-0101	www.governor.state.tx.us/ divisions/ecodev/
Texas Historical Foundation Gene Krane	P.O. Box 50314 Austin, TX 78763	512/453-2154	admin@texashistorical foundation.org
Texas Parks and Wildlife Robert Cook, Executive Director	4200 Smith School Rd. Austin, TX 78744	512/389-4802	www.tpwd.state.tx.us
Texas Society of Architects David Lancaster Executive Vice President	816 Congress Ave., Suite 970 Austin, TX 78701	512/478-7386	txranger@texasarchitect.org
Texas State Historical Association J.C. Martin, Director	2/306 Sid Richardson Hall University of Texas Austin, TX 78712	512/471-1525	jcmartin@austin.utexas.edu
Texas State Library and Archives Commission Peggy Rudd, Director	P.O. Box 12927 Austin, TX 78711	512/463-5460	dir.lib@tsl.state.tx.us
Texas State Preservation Board Gaye Polan	P.O. Box 13286 Austin, TX 78711	512/463-5495	gaye.polan@tspb.state.tx.us
Texas Travel Industry Association Paul Serff, President	812 San Antonio St., Suite 401 Austin, TX 78701	512/476-4472	pserff@ttia.org
LIAISONS AT OTHER STATE AGENCIES (with which your agency maintains an ongoing relationship, e.g., the agency's assigned analyst at the Legislative Budget Board, or attorney at the Attorney General's office)			
Agency Name/Relationship/ Contact Person	Address	Telephone	E-mail Address
Office of the Attorney General Joe Thrash	P.O. Box 12548 Austin, TX 78711-2548	512/465-4685	joe.thrash@oag.state.tx.us
Legislative Budget Board Marva Scallion	P.O. Box 12666 Austin, Texas 78711	512/463-1200	marva.scallion@lbb.state.tx. us

XI. Additional Information

A. Fill in the following chart detailing information on complaints regarding your agency. Do not include complaints received against people or entities you regulate. The chart headings may be changed if needed to better reflect your agency's practices.

Texas Historical Commission Exhibit 16: Complaints Against the Agency for Fiscal Years 2003 and 2004		
	FY 2003	FY 2004
Number of complaints received	2	2
Number of complaints resolved	2	2
Number of complaints dropped/found to be without merit	0	0
Number of complaints pending from prior years	0	0
Average time period for resolution of a complaint	30 days	30 days

B. Fill in the following chart detailing your agency's Historically Underutilized Business (HUB) purchases.

Texas Historical Commission Exhibit 17: Purchases from HUBs				
FISCAL YEAR 2002				
Category	Total \$ Spent	Total HUB \$ Spent	Percent	Statewide Goal
Heavy Construction	0	0	0	11.9%
Building Construction	0	0	0	26.1%
Special Trade	0	0	0	57.2%
Professional Services	\$6,042.36	0	0	20.0%
Other Services	\$503,376.72	\$55,049.13	10.49%	33.0%
Commodities	\$233,862.63	\$21,976.52	9.40%	12.6%
TOTAL	\$743,281.71	\$77,025.55	10.36%	
FISCAL YEAR 2003				
Category	Total \$ Spent	Total HUB \$ Spent	Percent	Statewide Goal
Heavy Construction	0	0	0	11.9%
Building Construction	0	0	0	26.1%
Special Trade	\$37,612.92	\$1,623.00	4.32%	57.2%
Professional Services	0	0	0	20.0%
Other Services	\$369,582.77	\$38,669.32	10.46%	33.0%
Commodities	\$146,320.54	\$60,519.60	41.36%	12.6%
TOTAL	\$553,516.23	\$100,811.92	18.21%	
FISCAL YEAR 2004				
Category	Total \$ Spent	Total HUB \$ Spent	Percent	Statewide Goal
Heavy Construction	0	0	0	11.9%
Building Construction	\$39,083.10	\$15,148.10	38.76%	26.1%
Special Trade	\$8,971.51	0	0	57.2%
Professional Services	\$1,665.14	0	0	20.0%
Other Services	\$188,768.11	\$15,191.45	8.05%	33.0%
Commodities	\$82,872.25	\$16,674.27	20.11%	12.6%
TOTAL	\$274,346.29	\$47,013.82	17.14%	

C. Does your agency have a HUB policy? How does your agency address performance shortfalls related to the policy?

Yes. The THC is committed to the state of Texas' effort to identify and overcome barriers that typically inhibit or restrict the success of minority- and women-owned businesses certified by the State of Texas Historically Underutilized Business (HUB) program. The agency has developed a plan in compliance with the state's HUB goals.

The goal of the THC's HUB plan is to foster increased utilization of HUBs in the agency's purchasing contracting. The objective is to meet or surpass the adjusted HUBs performance goals developed through the State of Texas Disparity Study and enforced by the Texas Building and Procurement Commission. The plan includes a good faith effort standard, a mentor-protégé program and a forum program.

The THC is as aggressive as it can be in meeting HUB goals. Because we are a small agency and do not undertake large projects, HUBs often do not often bid on contracts.

D. For agencies with contracts valued at \$100,000 or more: Does your agency follow a HUB subcontracting plan to solicit bids, proposals, offers, or other applicable expressions of interest for subcontracting opportunities available for contracts of \$100,000 or more? (Tex. Government Code, Sec. 2161.252; TAC 111.14)

N/A

E. For agencies with biennial appropriations exceeding \$10 million, answer the following HUB questions.

	Response / Agency Contact
1. Do you have a HUB coordinator? (Tex. Government Code, Sec. 2161.062; TAC 111.126)	Yes. Tina Alegria, Procurement/HUB Coordinator
2. Has your agency designed a program of HUB forums in which businesses are invited to deliver presentations that demonstrate their capability to do business with your agency? (Tex. Government Code, Sec. 2161.066; TAC 111.127)	The THC has designed a program of HUB forums in which businesses are invited to deliver presentations that demonstrate their capability to do business with our agency. During Fiscal Year 2005, had two vendor in-house presentations and participated in one Economic Opportunity Forum.
3. Has your agency developed a mentor-protégé program to foster long-term relationships between prime contractors and HUBs and to increase the ability of HUBs to contract with the state or to receive subcontracts under a state contract? (Tex. Government Code, Sec. 2161.065; TAC 111.128)	The THC has developed a mentor-protégé program to foster long-term relationships between prime contractors and HUBs and to increase the ability of HUBs to contract with the state or to receive subcontracts under a state contract.

F. Fill in the chart below detailing your agency's Equal Employment Opportunity (EEO) statistics.

Texas Historical Commission							
Exhibit 18: Equal Employment Opportunity Statistics							
FISCAL YEAR 2002							
Job Category	Total Positions	Minority Workforce Percentages					
		Black		Hispanic		Female	
		Agency	Civilian Labor Force %	Agency	Civilian Labor Force %	Agency	Civilian Labor Force %
Officials/Administration	6	0%	7%	16%	11%	33%	31%
Professional	37	2.7%	9%	2.7%	10%	59.5%	47%
Technical	19	0%	14%	5.2%	18%	42.1%	39%
Protective Services	0		18%		21%		21%
Para-Professionals	29	3.4%	18%	10.3%	31%	72.4%	56%
Administrative Support	19	5.2%	19%		27%	84.2%	80%
Skilled Craft	0		10%		28%		10%
Service/Maintenance	2		18%		44%	50%	26%

FISCAL YEAR 2003							
Job Category	Total Positions	Minority Workforce Percentages					
		Black		Hispanic		Female	
		Agency	Civilian Labor Force %	Agency	Civilian Labor Force %	Agency	Civilian Labor Force %
Officials/Administration	5		7%	20%	11%	20%	31%
Professional	37	5.4%	9%	8.1%	10%	59.5%	47%
Technical	17		14%	5.8%	18%	47%	39%
Protective Services	0		18%		21%		21%
Para-Professionals	27	3.7%	18%	14.8%	31%	70.4%	56%
Administrative Support	17		19%	5.8%	27%	88.2%	80%
Skilled Craft	0		10%		28%		10%
Service/Maintenance	3		18%		44%	75%	26%
FISCAL YEAR 2004							
Job Category	Total Positions	Minority Workforce Percentages					
		Black		Hispanic		Female	
		Agency	Civilian Labor Force %	Agency	Civilian Labor Force %	Agency	Civilian Labor Force %
Officials/Administration	5		7%	20%	11%	20%	31%
Professional	40	5%	9%	5%	10%	57.5%	47%
Technical	17		14%	5.8%	18%	52.9%	39%
Protective Services	0		18%		21%		21%
Para-Professionals	33	6%	18%	12%	31%	69.7%	56%
Administrative Support	17	5.8%	19%	17.6%	27%	94%	80%
Skilled Craft	0		10%		28%		10%
Service/Maintenance	3		18%		44%	33%	26%

G. Does your agency have an equal employment opportunity policy? How does your agency address performance shortfalls related to the policy?

The agency has an equal employment opportunity policy that states all employees receive equal opportunity in accordance with individual job related qualifications. Personnel actions will be administered without regard to race, color, sex, creed, age, national order, veteran's status, disability or political affiliation. Equal opportunity includes, but is not limited to employment, upgrading, promotion, demotion, transfer, rates of pay and selection for training.

The agency follows fair hiring practices and seeks to recruit minorities at all levels. Although improvement has been made, particularly in offering opportunities for women, the agency still has

progress to make in the hiring of African Americans, Hispanic Americans and people with disabilities. In April of 2004, the St. Edwards Capstone Project completed a diversity analysis of the THC. This analysis consisted of the present state of diversity efforts at the agency, a gap analysis outlining key components for a diversity plan, and presented a sample recruitment plan with suggestions for implementing diversity. The THC takes diversity seriously and has formed an internal diversity task force to use this analysis and to develop a strategic plan for integrating diversity into all aspects of the agency's culture and operations — from recruiting, to hiring, to fostering understanding and inclusive practices both internally and externally.

The fields of historic preservation and cultural resource management struggle with representing the experiences, history and places of minority groups in the United States. As a result, the National Park Service initiated the Cultural Resources Diversity Program in 1998, and recently completed Phase I of a Needs Assessment consulting with diverse cultural communities to better understand what aspects of heritage are important and what the federal government's cultural programs could do to better address these aspects of heritage. The THC recognizes this long-standing gap in historic preservation and is committed to advancing diverse participation in Texas preservation activities, as well as focusing on underrepresented stories and sites to ensure that an inclusive history is communicated.

The THC's 2005 Annual Historic Preservation Conference focused on the importance of cultural heritage and diversity in Texas and hosted a public meeting to begin a process of building a diversity network in Texas. The comprehensive statewide preservation plan also identifies several objectives and strategies for the THC and organizations across the state to advance cultural diversity in the field of historic preservation.

- Broadening the diversity of the preservation community through encouraging local and state preservation organizations to develop culturally diverse memberships and programs; encouraging diversity in preservation conferences, programs, workshops/training and partner organizations; creating opportunities to involve minorities in volunteer and professional activities and opportunities in the preservation community; developing strategies to attract younger participants to preservation organizations and activities
- Broadening the historic preservation constituency in Texas by emphasizing heritage education in schools and involve teachers K–12; and broadening the appreciation of diversity in historic resources
- Developing new and enhance existing strategies/tools for historic resources by being proactive in seeking and developing historical designations for underrepresented cultural topics and resources
- Improving the understanding of historic resources through better interpretive efforts by encouraging cultural sensitivity in site interpretation

We believe that we need to work hard to advance the participation of all populations, both internally and externally, in preserving the places that tell Texas' complete history.

XII. Agency Comments

The **Friends of the Texas Historical Commission, Inc.** (Friends) is a 501(c)(3) nonprofit organization dedicated to supporting the THC's historic preservation mission. The Friends' mission is to provide private sector support and assistance to the TCH for programs and activities to further the preservation, recognition and appreciation of our state's heritage. The Friends has raised more than \$5 million to support projects such as the recovery of the *Belle* that claimed worldwide publicity; the Red River War Battle Sites Project; the Visionaries in Preservation Program and excavation of Fort St. Louis.

Support from the Friends comes from grants and contributions from corporate, foundation and individual donors. The partnership between the Friends and the THC allows the agency to leverage limited public funds through matching grant opportunities. It also gives the THC quick access to funds for historic preservation when unforeseen situations arise.

The Friends is overseen by a volunteer board of 20 trustees. From each dollar raised, 90 percent is given directly to the project costs, and the remaining 10 percent funds the Friends administration.

The THC and the Friends also sponsor annual grant writing workshops to improve an applicant's chance of becoming a grant recipient. This workshop is open to anyone and attracts preservationists and non-preservationists alike. The workshop addresses issues such as where to find funding, how to approach foundations and how to write convincing proposals. For the past 25 years, workshop instructors have coached participants on effective fundraising techniques and provided tips for working with foundations and other nonprofit organizations.

ATTACHMENTS

Attachments Relating to Key Functions, Powers, and Duties

Attachment 1: Enabling Statute

Texas Government Code Chapter 442

Attachment 2: Annual Reports

Texas Historical Commission Biennial Reports (1999–2000, 2001–2002, 2003–2004)

Attachment 3: External Newsletters

The Medallion (September/October 2003–July/August 2005)

Attachment 4: List of Publications and Brochures

Attachment 5: List of Studies from Legislation or Riders

Attachment 6: List of Legislative or Interagency Studies

Attachment 7: List of State and National Studies

Attachments Relating to Policymaking Structure

Attachment 8: Biographical Information for the Texas Historical Commission Members

Attachment 9: Agency Rules

Texas Administrative Code, Title 13, Part 2

Attachments Relating to Funding

Attachment 10: Legislative Appropriations Request (FY 2006–2007)

Attachment 11: Annual Financial Report (FY 2002–2004)

Attachment 12: Operating Budget (FY 2003–2005)

Attachments Relating to Organization

Attachment 13: Map of Trail Regions of the Texas Heritage Trails Program

Attachment 14: *Preserving Our Heritage: A Statewide Plan for Texas*

Attachments Relating to Agency Performance Evaluation

Attachment 15: Quarterly Performance Reports (FY 2002 – 2004)

Attachment 16: Recent Studies by Outside Management Consultants or Academic Institutions
Survey on Organizational Excellence, 2003-2004
Diversity Analysis, St. Edwards MBA Capstone Project, 2004
Historic Preservation at Work for the Texas Economy, 1999

Attachment 17: Current Internal Audit Plan

Attachment 18: List of Internal Audit Reports (FY 2001 – 2005)

Attachment 19: List of State Auditor Reports (FY 2001 – 2005)

Attachment 20: Customer Service Report, 2004