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Information Related to Responsibilities of the Secretary of the Interior
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INTERIM POLICY FOR AHPA

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The Department of the Interior Office of the Solicitor has recently prepared a legal opinion on how to implement the Archeological and Historic Preservation Act (AHPA) of 1974 (Public Law 93-291). The Office of Management and Budget is seeking internal comment on this opinion, which will serve as the interim policy of the Department of the Interior until formal procedures are issued. The opinion was developed as a result of comments on the "Statement of Program Approach," which the Department circulated to State Historic Preservation Officers and federal agencies in August 1975. The comments indicated a need to further clarify the legislation. Some of the more frequently asked questions were:

What is the purpose of the Archeological and Historic Preservation Act?

Basically, the Archeological and Historic Preservation Act attempts to make federal or federally related projects, programs, or activities take into account the effect they may have on historic and archeological resources. It is important to note that the act was not designed to have any bearing on the planning process, but rather to be applicable only after an agency has shown initial compliance with the appropriate federal planning requirements (that is, the National Environmental Policy Act, the National Historic Preservation Act, Executive Order 11593, and the procedures of the Advisory Council on Historic Preservation). An agency may not simply inform the Department of the Interior of a proposed project and request assistance to prepare an environmental analyses or to conduct data recovery operations separate from the planning requirements. The agency must instead make an independent effort to identify cultural resources.

What is the distinction between section 3(a) and section 3(b) of the act?

Section 3(a) refers to the full range of federal activities, "Federal construction project or federally licensed project, activity or program . . ." Section 3(b) involves a more narrow category of activities, such as financial loans and grants programs, available without regard to any major construction undertakings and is to be

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SOUTH CAROLINA REGIONAL COUNCILS AID PRESERVATION

State-Region Partnership

by Christie Z. Fant
Assistant Director, Archives and
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Since 1971, when the statewide historic preservation program first included the regional councils of government as active participants, South Carolina has made considerable progress in its preservation programs. For example, people in the Low Country have begun to take pride in their old houses, churches, and villages. In Columbia recently, the Central Midlands Regional Planning Council of Government held its first four-county preservation conference to which it invited realtors, government officials, and business and professional leaders. Additionally, in the Piedmont area, an inner-city residential neighborhood in Greenville is being proposed for nomination to the National Register as a historic district and, because of a cooperative partnership between local government and local citizens, is slated for revitalizing Community Development funds.

The 10 planning regions were invited to become actively involved in preservation by the South Carolina Department of Archives and History. The invitation reflected the philosophy of State Historic Preservation Officer Charles Lee that preservation cannot operate successfully in a vacuum, but must be a part of total environmental planning, accomplished through cooperative efforts.

The Department of Archives and History is responsible for administering the statewide historic preservation program. Using survey and planning funds, the department brought two other state agencies into the preservation partnership: the South Carolina Department of Parks, Recreation, and Tourism; and the Institute of Archeology and Anthropology at the University of South Carolina.

South Carolina's planning regions provide a ready-made opportunity for advancing the preservation movement throughout the state. With councils already existing for the explicit purpose of coordinating planning development within their own regions, it seemed a little coordination between regions could bring about a geographically comprehensive approach to historic preservation within the state.

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In the beginning, the regions were each offered, and agreed to match, a \$7,000 annual survey and planning grant to develop basic regional surveys and historic preservation plans. They were given basic questions as guidelines: What do you want to save? What can you afford to lose? Why do you want to save it? How do you propose to do it?

By involving historical societies, governments, and people locally, the regions have developed a network of contacts that reach to the grassroots of the counties and communities. Through this network—involving the people most knowledgeable about their history, needs, and resources—South Carolina's most comprehensive statewide inventory of historic places has been accomplished with thoroughness and speed otherwise impossible for a small Columbia staff. The approach has stimulated interest in the possibilities and goals of historic preservation; in fact, by the end of the second year of regional participation, interest was so widespread that every region had printed its own survey of historic places. Most regions reported that these illustrated surveys were the most popular planning council publication.

In 1975 the Department of Archives and History and the 10 councils of government jointly reviewed the regional contributions to the statewide historic preservation program and found them to be valuable, thus concluding that the partnership should be continued. A new agreement was then drawn up between the Department of Archives and History and each respective region "in order to provide for the highest and best representation of the region and its counties in the South Carolina Historic Preservation Plan and to make possible the assistance of the region in implementing the ongoing statewide preservation program

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implemented at the discretion of the Secretary of the Interior. This category includes financial assistance to a broad range of nonfederal applicants and may include assistance varying from quite small amounts to very large construction grants. This section has been written to provide the Secretary of the Interior with the latitude to decide whether an unreasonable burden would exist and, therefore, to use funds appropriated under the authority of section 7(b). If no unreasonable burden is created by a data recovery requirement placed upon the applicant, then the agencies making the loan or grant should use the authorities of section 3(a) to stipulate conditions of the federal support.

In short, section 3(a) is the basic authority for all agencies to expend money for mitigation purposes; 3(b) is a narrower, discretionary authority to the Secretary of the Interior that is intended to be a logical complement to 3(a) for use when there is no federal construction appropriation and when a request for an applicant to pay would work an unreasonable burden.

How does the Archeological and Historic Preservation Act authorize funding?

Section 3(a) contains the legislative authority for federal agencies to seek appropriation for survey and recovery responsibilities. The portion of the section which represents that authority states that an agency "may with funds appropriated for such project, program, or activity, undertake such activities."

The 1% provision referred to in section 7(a) is designed to be a limitation both on the amount that can be transferred and on the amount an agency can use for recovery purposes. The legislative history of the act supports the interpretation that the intent of the Congress is to limit such expenditures to 1% of the total amount authorized to be appropriated for each direct federal construction project, program, or activity. The limitation does not apply, however, to the authorities of section 3(b) or 4(a), or when the total project cost does not exceed \$50,000, so that discretionary authority for expenditures of more than 1% is authorized where, in the Secretary's judgment, such expenditures are required for adequate mitigation.

Must an agency covered by section 7(a) transfer up to 1% of the project funds or perform the work itself?

Agencies should do one or the other: transfer money or perform the work themselves. There is no authority for an agency to do neither.

Section 7(a) authorizes agencies responsible for construction projects (either directly or by means of federal assistance) to provide the Secretary of the Interior with other assistance as may be available and appropriate regardless of the 1% limitation, stating "any Federal agency responsible for a construction project may assist the Secretary and/or it may transfer to him such funds as may be agreed upon, but not more than 1 per centum of the total amount authorized to be appropriated for such project . . ." This assistance may be rendered through section 3(a) by an agency

requesting the Secretary to undertake preservation of data or by undertaking such activities itself. Assistance may take the form of personal services, machine equipment with operators, storage facilities, protective surveillance, supplies, or any other appropriate amenities that may be agreeable.

Based on the Department of the Interior's legal analysis, the following summary of the operation of the Archeological and Historic Preservation Act can be developed.

1. Initially, all federal agencies have a responsibility to conduct environmental analyses, which include identifying and assessing archeological and historic resources as an integral part of the federal planning process. The analyses are conducted independently and prior to the process outlined in the Archeological and Historic Preservation Act.
2. If such surveys disclosed the existence of historic and archeological data that might be lost or destroyed because of altering the terrain during any federal construction project or federally licensed activity or program—and it is impossible to modify the project to preserve such sites as revealed through the environmental planning and compliance processes—then all federal agencies have a responsibility to recover, protect, and preserve the threatened data, either directly or through the Department of the Interior. Agencies must provide adequate opportunity for the Advisory Council on Historic Preservation, the Council on Environmental Quality, other federal agencies, the State Historic Preservation Officers, and the public to comment on the project.
3. Whenever a federal agency finds its activities connected with federal or federally licensed projects, activities, or programs may cause loss or damage to data, it may perform the required recovery, protection, and preservation itself in accordance with guidelines developed by the Department, or it may request that the Secretary of the Interior perform the work usually based upon a transfer of up to 1% of the total amount authorized to be appropriated for the project, program, or activity.
4. Federal agencies not involved in a federal construction project or major grant-assisted project (such as construction of federal aid highways and waste water treatment facilities) that provides financial assistance by loan, grant, etc., are treated differently. After an agency completes the environmental planning process and notifies the Secretary of the Interior, then the Department may perform the recovery, protection, and preservation subject to the availability of funds. Such agencies may also elect to use other authorities to fund data recovery should these be available.

5. Finally, the act provides a safety valve, or transition provision in section 4(a). Until federal agencies fully develop their programs, the Department of the Interior is authorized to survey, recover, and preserve data that, in the Secretary of the Interior's opinion, "are not being, but should be, recovered and preserved in the public interest" subject to available appropriations and the completion of the environmental planning process.

Any comments or questions should be directed to the Departmental Consulting Archeologist, Interagency Archeological Services, National Park Service, US Department of the Interior, Washington, DC 20240.

AMENDMENT TO WITHHOLD SITE LOCATION

An amendment to the National Historic Preservation Act of 1966 was recently passed and signed into law. Designated as Public Law 94-458, it amends section 101(a) of Title I of Public Law 89-665 by adding a new paragraph:

(4) to withhold from disclosure to the public, information relating to the location of sites or objects listed on the National Register whenever he (the Secretary of the Interior) determines that the disclosure of specific information would create a risk of destruction or harm to such sites or objects.

The amendment should solve a problem that particularly affects archeological sites. In the past there has been uncertainty over whether or not to release archeological site locations under the Freedom of Information Act. This amendment, however, provides necessary additional authority to withhold these site locations from those who would encourage vandalism and pot hunting.

TECHNICAL PRESERVATION SERVICES READING LISTS

In addition to preparing a series of publications on the technical aspects of preservation, the Technical Preservation Services Division provides reading lists on early building technology and maintaining historic properties. Ten of these lists are currently available. The latest, on the adaptive use of historic buildings, has been enclosed with this issue. Additional lists may be obtained from the Technical Preservation Services Division, Office of Archeology and Historic Preservation, National Park Service, U.S. Department of the Interior, Washington, D.C. 20240.

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administered by the South Carolina Department of History under the National Historic Preservation Act of 1966."

Regional responsibilities were broadened, and each region agreed to employ a preservation officer to supervise its program. The Department of Archives and History agreed to offer a 50% reimbursable grant to regions based on each region's requests for preservation programs. In FY 1976, the 10 South Carolina regions matched a total of \$111,179 for a 12-month survey and planning period. In FY 1977 the Archives and History Commission has approved an allocation totalling \$124,915 to the 10 regions, or 45% of the state's total survey and planning funds for FY 1977.

Although performance has varied from region to region, and sometimes within a region, the partnership has helped the Department of Archives and History move more rapidly toward the state's preservation goals than would otherwise have been possible. A considerable boon to the state has been the addition to regional staffs of young professionals trained in historic preservation. Additionally, the progress made in the planning establishment itself has been of great importance, providing a growing understanding that historic preservation planning is part of total environmental planning, and that environmental planning involves not only feeding, housing, and keeping people healthy but also providing people with surroundings that contribute to their sense of identity, their pride of heritage, and their love of beauty.

For further information, including addresses of the South Carolina Regional Historic Preservation Planners, contact the Historic Preservation Division, SC Department of Archives and History, P.O. Box 11669, Columbia, SC 29211.

Regional Planning Office

by W. Wayne Gray
Regional Preservation Planner

Today it is generally recognized that many problems and opportunities facing city and county governments cut across traditional political boundaries, and that in an increasing number of areas the action of one community can and often does have a major impact on the development of surrounding areas. The resulting interdependency of local governments has led to an increasing need for multicounty planning councils.

Typically, these multicounty planning agencies are directly involved in assisting local governments plan for sound development and obtain financial and technical assistance to make that development possible. In South Carolina, regional councils of governments have been and continue to be involved in a wide range of projects and programs including economic development, physical facilities planning, public safety, recreation, and environmental planning. In addition, a significant and meaningful effort is being made to integrate historic preservation goals into the traditional planning programs.

Through the initiative of the South Carolina Department of Archives and History a contractual agreement with each of 10 regional councils of government was made in 1971 making funds available from the state's annual survey and planning grant from the National Park Service for the support of a regional historic preservation program. The grants are matched by 50% local funds and are used to support a full-time qualified preservation planner who is responsible for administering certain aspects of the state's program while providing technical assistance to local governments. The program affords greater grassroots participation in planning and implementing the statewide historic preservation plan and inventory while providing a valuable resource to local governments and organizations.

By working with local governments and institutions on comprehensive planning efforts, the regional planning office is in an excellent position to analyze local preservation needs in the context of overall community development. Additionally, because many preservation problems and opportunities facing local governments involve political, legal, and economic issues of broad consequence, the regional offices are in a unique position to promote and coordinate local, state, and federal programs affecting preservation.

In order to provide for the highest and best representation of the respective regions in South Carolina's preservation plan and to make possible the assistance of the council in implementing the ongoing statewide preservation program, the regional preservation planners are responsible for: 1) organizing a regional task force to advise and otherwise assist in the regional preservation program; 2) reviewing and expanding the region's Survey and Inventory of Historic Places to include accurate site description, location, ownership status, and photographs; 3) reviewing and submitting the region's eligible properties for nomination to the National Register; 4) assisting the Department of Archives and History in implementing federal protection under section 106 of the National Historic Preservation Act, Executive Order 11593, the National Environmental Protection Act, and section 4-F of the Department of Transportation Act; 5) assisting in identifying and evaluating grant-in-aid projects; and 6) providing a "Preservation through Information" program to promote public awareness of the region's heritage.

In addition to assisting the Department of Archives and History in administering the state program, the regional councils assist local governments by providing technical information concerning preservation programs and assistance in obtaining financial support for these programs. Typical of the services offered by the regional program, the regional preservation planner might serve on local architectural review boards; act as project coordinator on preservation projects; provide technical assistance to local governments in establishing historic districts and appropriate zoning ordinances; assist in the formation of local historical organizations; provide information concerning local

historic sites; and interpret state and federal legislation affecting preservation.

Additionally, a regional planning council affords the unique opportunity to coordinate numerous federal programs that can be used to support preservation activities. The Santee-Wateree Regional Council (serving Lee, Clarendon, Kershaw and Sumter counties), for example, used HUD 701 planning funds to develop a Historic Site Assessment Handbook for local organizations to use in surveying and evaluating their architectural heritage; prepared a comprehensive master plan for the development and interpretation of the Battle of Camden site, a National Historic Landmark; coordinated use of National Park Service funds with Bureau of Outdoor Recreation funds in developing an historic village complex in Camden, South Carolina, and coordinated HUD Community Development Block Grant funds with Park Service funds to restore a commercial historic district in Sumter, South Carolina.

The ultimate success of a state's historic preservation program depends upon the degree to which its goals and objectives are implemented on the local level. If the suggestions and recommendations outlined in the state's planning document are never acted upon, or if project implementation is undertaken without consideration of future impact or consequences, then the plan itself is virtually useless. The concept of implementation is the foundation upon which preservation programs must rest. A conscious and concentrated effort must be made to see that preservation is action oriented and premised on citizen education and local government participation. The regional historic preservation program offers the mechanism for achieving those results.

Further information may be obtained about regional council participation in historic preservation by writing the author, Santee-Wateree Regional Council, P.O. Box 1837, Sumter, SC 29150.

ERRATA

Some information was inadvertently omitted from two articles in the November issue of 11593 (Vol. 1, No. 3). The omissions are italicized below.

From "New Tax Law," page 2:

Demolition of certified historic structures is further discouraged under the Tax Reform Act by a provision that forbids the taxpayer to take the most advantageous type of depreciation (accelerated depreciation) on any new building, constructed, reconstructed, erected, or used after December 31, 1975, and before January 1981, on the site which was on or after June 30, 1976, occupied by a certified historic structure that was demolished or substantially altered, except by a certified rehabilitation.

From "State Archeological Co-ops," page 8: Small sites, sites with little complexity, and most historic sites were *not* valuable.

REVOLVING FUNDS AND REUSE

by **F. Aldrich Edwards**
Director, Architectural
Heritage Foundation

The ideas and opinions expressed in this article are strictly those of the author.

Those interested in historic preservation today are focusing more and more attention on financial techniques capable of assisting in the retention and viable reuse of buildings of architectural or historic significance to their communities. One of the major financial tools available is the revolving fund.

The revolving fund is best described as a pool of money from which funds are used to either carry direct real estate acquisitions and development, or to make loans to other interested property owners and developers. Money is infused into the pool from a variety of public and private sources in the form of outright grants and borrowings. With the initiation of every project undertaken new sources of funding are sought, and at completion maximum recovery of the money is aggressively pursued. Recovered funds, after debts are repaid, are then available for later projects permitting the recycling of buildings with reusable dollars.

Programs using revolving funds were initiated by effective private commitments of dollars and time in Charleston and Savannah in the late 1950s. The funds began to meet preservation objectives and notoriety increased as similar efforts were later undertaken in Annapolis and Pittsburgh. Public funding has now joined in partnership with private resources, and project activities have moved from concerns with individual buildings to those of renewing entire districts of important structures, in both commercial centers and residential neighborhoods.

Individual communities throughout the country now want to establish these same vehicles to accommodate the needs of their built environments. New statewide programs are emerging to assist in stimulating local efforts where previously little conservation activity had taken place. The National Trust for Historic Preservation has also provided seed loans from its National Historic Preservation Fund to assist these programs.

Most revolving fund programs are being administered within private, tax-exempt, nonprofit organizations. This provides for timely and effective management of the financial transactions involved, and helps avoid encumbrances often imposed by public regulations and laws. It also assures that monies recovered from individual projects will be kept at work in continuing preservation activities in accordance with each organization's corporate purposes.

The newly enacted Tax Reform Act of 1976 has provided a new means of enhancing private investment in the rehabilitation and reuse of historic buildings with its provision to allow the write-off of the costs of rehabilitation on a straight-line basis over a fast 5-year period. This would apply to properties that are listed as individual buildings on the National Register of Historic Places, within designated National Register Historic Districts, or within designated state or local districts whose standards for such

designation are acceptable to the Secretary of the Interior. (See "New Tax Law," 11593, November 1976.)

The National Park Service will soon be developing regulations to permit the incentives provided by the new law to be realized by private investors. Among the significant issues to be considered are the methods for confirming eligible properties, the procedures for approving rehabilitation plans before work is begun, and a means of assuring compliance once the project is completed. To maintain investor confidence and motivation those regulations will have to be expeditious and not lead to any unexpected denials of tax benefits at completion of the project.

Architectural Conservation Trust (ACT) for Massachusetts, a newly formed statewide revolving fund, has conceived of a plan by which direct real estate activity uses the Tax Reform Act of 1976 as a means of generating additional funding for its program. This plan, described in the following paragraphs, may serve as a model for other organizations that wish to return previously underutilized buildings to a more productive role in their communities.

In selecting projects for its nonprofit development activity, ACT for Massachusetts will choose publicly-owned downtown properties that have been designated historic structures, and have a projected new use that can be sustained economically in the foreseeable future. It is understood that some subsidy in the form of public and private grants will be needed to achieve the last criteria.

Local Public Commitment

When a desirable project has been identified within a community, local public officials will be asked to make the first commitment in what will become an effective public/private partnership. They will be asked to lease the building to ACT for Massachusetts for a 99-year period, to commit Community Development (CD) Block Grant Funds to aid in financing the rehabilitation work, and to use additional local funds to enhance the streetscape in the immediate environs of the historic building.

The 99-year lease will permit the revolving fund to obtain rights to the use of the land and building without an acquisition cost, thereby avoiding a major front-end expense. Lease payments to the municipality will be set based upon a percentage of gross rents to be derived from the ultimate use of the building. This will permit the city or town to receive income from the property as rent in lieu of taxes, returning the property to an income-producing asset within the community. ACT for Massachusetts will benefit because no tax payments need be made until income from the use of the property is derived. There is no loss to the community, because no tax revenue is being generated due to its public ownership. Another significant benefit will be the predictability of the future payments to the community. As lenders are asked to provide financing for the project, the amount of these payments can be accurately forecast, dependent only on the level of future gross income from the property and not subject to

the actions of a city assessor. Eliminating such uncertainty should enhance the ability of the revolving fund to obtain credit from institutional lenders.

After resolving the lease terms, the local community will be asked to provide that portion of the funding which cannot be derived from institutional lenders. This can be provided from CD Block Grant Funds. Because there was no private developer interest in renewing the target property before this, some form of public subsidy is now needed to assure the retention of the historic building. ACT for Massachusetts will endeavor to recover this grant later.

Finally, the local community will be asked to designate other funds for landscaping and other improvements in public areas near the target property. Experience in Boston and elsewhere has proven that such amenities not only enhance the market attraction of the recycled buildings, but have an effect on neighboring buildings as well.

It is important that these local public grants be identified as sources of funding for exterior improvements related to the project. In this way they can be considered as being more of a public benefit, than if they are simply considered a substitute for equity which might be construed by local officials as only being a benefit to the few long-term private investors.

Obtaining Credit from an Institutional Lender

Once there is initial support from the community, a financial plan for the project will be prepared; this will become the essential document to be submitted to a bank or other institutional lender. A maximum construction loan and permanent mortgage will be secured which can be supported by the expected cash flow from the completed project and the value created by its future operating profit. If total costs for rehabilitation were to amount to \$100,000, it is likely that financing in the amount of \$80,000 could be arranged. By taking a first mortgage on the leasehold improvements, as well as the land and building, the lender will have collateral valued at more than simply the costs of rehabilitation. The remaining \$20,000 needed to finance the construction costs would be derived from the CD grant mentioned before.

Tax Benefits from Rehabilitation Costs

It must be remembered that tax deductions, related to the amortization of the rehabilitation costs, are only of value to those entities that have taxable income in excess of the amount each year to be amortized. For this reason the write-off has no value to the nonprofit, revolving fund organization, but the tax benefit can be of value to other potential investors who can derive after-tax income through its inclusion on their individual, or corporate tax returns.

In the example given, the tax shelter, or the amount of the rehabilitation costs to be written off, will amount to \$20,000 per year over the 5-year period. If it is assumed that the potential investors are in a 50% tax bracket, a \$10,000 of additional after-tax income will be available if they invest in the revolving fund's project. By becoming

limited partners, these tax benefits can be derived by the outside investors with only the amount of their investment to purchase the shelter at risk.

How much will these investors pay? Given today's money market conditions, the present value of the income from the tax shelter over the 5 years amounts to approximately \$25,000; therefore, an amount approaching this sum would be paid to derive the income. This \$25,000 payment, received by the revolving fund, then becomes a pure recovery of dollars into the revolving fund money pool, since the construction costs were completely financed by the combined loan and grant.

The revolving fund organization must be careful to assure that its project activity will have a continuing value to the outside investors after the 5 years of benefit due to the tax shelter. Normal operations thereafter must provide sufficient yield to induce the investors to retain their ownership beyond 15 years in order to avoid recapture provisions, whereby some of the earlier tax benefits could be lost if the property is sold.

National Park Service Funding

When the project being undertaken by the revolving fund involves properties on the National Register, it is quite likely that grants-in-aid from the NPS would be available as part of the development package. In the example cited, the \$20,000 of local CD funding might become a match for an additional \$20,000 of NPS funds, granted through the local SHPO. The amount of the mortgage should not change, thus a total of \$120,000 would be generated to cover the \$100,000 in rehabilitation costs. Immediately, a surplus of \$20,000 exists as an add-on to the revolving fund to which the additional \$25,000 is added when the tax shelter is sold.

Although this represents a simplified model of an exciting program for interaction between the public and private sector in accomplishing historic preservation objectives, it offers the framework of a technique for using revolving funds which can be followed throughout the country. For further information and assistance, Architectural Heritage Foundation, founders of ACT for Massachusetts, may be contacted at 45 School Street, Boston, MA 02108. Public funding from NPS through the Massachusetts Historical Commission and the National Endowment for the Arts, matched by grants from several private foundations, has enabled basic research to be conducted in revolving fund techniques which can be of assistance to other organizations. A book entitled *The Revolving Fund Handbook—A Guide to Preservation Development* will be available in the spring.

PUBLIC BUILDINGS COOPERATIVE USE ACT

by **Steven R. Ruttenbaum**
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The Public Buildings Cooperative Use Act of 1976, signed into law last October 18, is expected to have considerable impact on state historic preservation programs, as well as the National Register. Designated as Public Law 94-541, the act directs the

Administrator of the General Services Administration (GSA) to acquire space for federal offices in historically, architecturally, or culturally significant buildings (unless such use of space would not prove feasible and prudent compared with available alternatives).

Before determining the federal government's need for public buildings within a geographical area, the Administrator will request the Chairman of the Advisory Council on Historic Preservation to identify within selected communities those existing buildings of architectural, cultural, or historical interest suitable for purchase and conversion into federal office space. Another section of the act encourages the Administrator to lease space in federal buildings to persons or firms engaged in commercial, cultural, educational, or recreational activities in order to encourage public use of public buildings.

All historically, architecturally, or culturally significant buildings may be considered for purchase by GSA. These buildings may include all properties listed, or determined eligible for listing, in the National Register, but are not limited strictly to them. SHPOs will feel a direct impact from the act in that their state inventories, especially in urban areas, must be complete in order to provide the Advisory Council with the necessary information regarding eligible buildings in the selected communities. However, states should be more readily able to complete inventories with proposed 70% federal/30% state match for survey and planning activities (see 11593, November 1976).

The Advisory Council and GSA are currently drafting guidelines to implement the act, and the Advisory Council will distribute information about the act to all SHPOs and others who may be interested as it is developed. Single copies of the act itself may be obtained by writing the House Document Room, The US Capitol, H-226, Washington, DC 20515. When requesting items from the House Document Room, refer to the public law number and be sure to provide the clerks with your correct address on a self-adhesive mailing label.

TEXAS COURTHOUSES PROTECTED

In August 1969 the Speaker of the Texas House of Representatives appointed a Speaker's Special Committee on Historic Preservation to study the effectiveness of current programs in historic preservation and to make suggestions for new programs. State Representative R.B. McAlister of Lubbock headed the committee.

As soon as the committee was appointed, Texas State Historic Preservation Officer, Truett Latimer, met with Representative McAlister and offered assistance in the committee's studies and endeavors. McAlister and Latimer organized a trip for the committee to the Val Verde pictographs in Seminole Canyon near Del Rio, as well as a meeting at Washington-on-the-Brazos State Park and visits to the small communities of La Grange and Round Top.

At the 1970 annual Texas Historical Commission's meeting in Fredericksburg, Latimer invited the committee to attend a

presentation prepared by the Texas Society of Architects. The society had initiated a statewide conservation program entitled Texas—Handle with Care, part of which involved a study of the Lavaca County Courthouse and its square in Hallettsville.

After the committee members had seen the presentation and had visited the restored courthouse in Fredericksburg, they began a discussion on how courthouses could actually be saved from demolition. The Texas Legislative Council drew up a proposed statute at McAlister's request that, when finally approved by the Speaker's committee, was passed by the 1971 Texas Legislature.

Section 14 of the Texas Historical Commission's enabling statute specifically prohibits counties from selling, leasing, damaging, or demolishing their courthouses, present or past, without first giving at least 6 months notice to the new commission.

After the commission receives notice of a proposal that will affect a courthouse and has in turn notified the county commissioner's court, the law requires the county wait 180 days before conducting any change. By providing this delay in the alteration or demolition of a courthouse, the law allows the commission an opportunity to explore alternative ways in which the proposed changes could be made, and to reach a suitable agreement that would retain the historical or architectural integrity of the courthouse.

The law also provides a penalty of "not less than \$50 nor more than \$1000 for each day of the violation," and states further that "any resident of this state may file suit in the district court to restrain and enjoin any violation or threatened violation of this act."

According to Truett Latimer there has been a problem with enforcing the act in that sometimes the required 6-month notice of a change proposal is not given. Unless the county commissioner's court, the county historical society, or some other concerned local group notifies the commission, the courthouse may be altered or demolished, before the commission is aware of the plan, or before it has a chance to explore possible alternatives and thus implement the law. However, most county commissioners' courts want to comply and have re-examined their courthouses to see how they can be restored and can continue to be used as the county seat of government.

TEXAS HISTORICAL COMMISSION

Article 6145 Vernon's Texas Civil Statutes

Section 14. (1) No county may demolish, sell, lease, or damage the historical or architectural integrity of any courthouse of the county, present or past, without first giving six months notice to the Texas Historical Commission.

(2) If, after notice, the Commission determines that a courthouse has historical significance worthy of preservation the Commission shall notify the commissioners court of the county within 30 days after receiving notice from the county. A county may not demolish, sell, lease, or damage the historical or architectural integrity of any such courthouse for 180 days after receiving notice from the Commission. The Commission shall cooperate with interested persons during the 180-day period to preserve the historical integrity of any such courthouse.

(3) A county may carry out ordinary maintenance and repairs without notice to the Commission.

HAER EMERGENCY RECORDING

by Eric Delony
Principal Architect, Historic
American Engineering Record

The Emergency Recording Team (ERT) is a highly trained, special unit that has been compared to the team in the television series *Mission Impossible*; however, instead of apprehending criminals, the ERT records industrial archaeology threatened with demolition. The ERT has operated since 1973 and, over the past four summers, has explored techniques and procedures that enable accurate and efficient recording of threatened structures at the lowest possible cost. The program was established primarily to provide professional recording services to small preservation groups who owned or had identified a threatened structure that merited some form of documentation but who could not afford the costs of a full-fledged recording team. The emergency recording concept has expanded to include significant technological monuments that, because of their stature, belong in the HAER collection at the Library of Congress.

Those requesting the services of the ERT are asked to cover the travel and per diem expenses of the team while in the field; HAER assumes the larger costs of the team's salary, the cost of professional photographs, and the production of any necessary drawings and historical reports. It should be noted that HAER does not guarantee finished measured drawings and historical reports within a set period of time unless one is specified, although the cooperating sponsor is welcome to use the HAER data. The purpose of emergency recording is to complete measurements, photography, and historical research on threatened structures while they are extant. Final drawings and reports can be completed later, in a timely manner when staff is available.

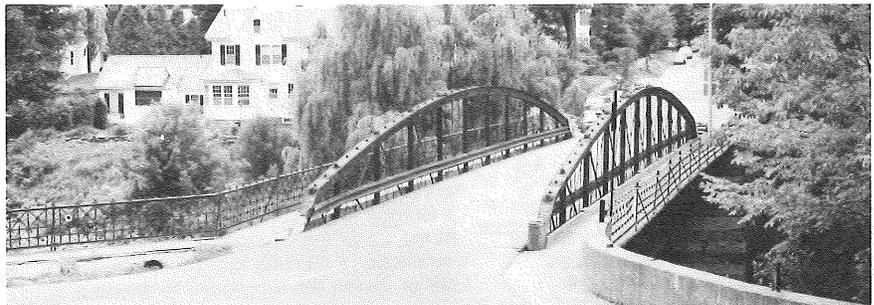
The most important benefit of emergency recording is the psychological support and publicity a local organization receives for a threatened structure. The presence of a HAER team at a site enhances local preservation efforts and is a demonstration of federal interest, often tipping scales in favor of preservation. The team's findings establish the significance of the resource and place it into a broader, national context. Emergency recording projects have ranged from large and complex structures, such as the Gruber Wagon Works, a late-19th—early 20th-century rural manufactory located within the impact area of the Corps of Engineers' Blue Marsh Reservoir near Reading, Pennsylvania, to a simple 1870 Parker patent pony truss bridge such as the one in Woodstock, Vermont. HAER emergency recording is set up to be as flexible as possible, responsive to any sincere requests, and accepts any reasonable challenge that results in the salvation of a structure either in its three-dimensional form or as a two-dimensional written and graphic record.

To date, only 5 of the 27 sites the ERT has recorded have been destroyed. Two sites documented this past fall typify the emergency recording situation, and demonstrate what can be accomplished when there is good cooperation.

Test of 1970 Bridge Replacement Act

The Elm Street Bridge, an 1870 Parker patent truss built by the National Bridge and Iron Company of Boston, is shaping up into a classic test of the Federal Emergency Bridge Replacement Act of 1970. Nominated to the National Register in 1972, the structure serves as the historic northern gateway to the town of Woodstock, Vermont, a pristine example of a New England community situated around a town green. Besides crossing the Ottauquechee River, the bridge serves an important environmental purpose: The bridge's limited width forces traffic to slow down to the posted 25 mph speed limit and thus maintain the human scale and 19th-century character of the village. Although the case is too involved to explain in detail (the Emergency Bridge Replacement Program and its impact on historic bridges will appear in a future issue of *11593*), its main issue is that the Elm Street Bridge is fifth of the first ten bridges in the state scheduled for replacement. Upon learning of this threat, a HAER representative contacted the Federal Highway Administrator responsible for Vermont's federal aid highway bridges, reminding the administrator of his agency's responsibilities under the National Historic Preservation Act and the Department of Transportation Act, and offered HAER's services in compiling the requisite documentation as called for under Executive Order 11593. The Federal Highway Administration (FHWA) regional administrator replied that HAER would be contacted should its services be required. In the meantime, an ad hoc committee requested that the ERT place the Elm Street Bridge on its schedule for the summer of 1976. HAER advised the committee that it was not the direct responsibility of HAER to have the bridge recorded, but rather the responsibility of the federal agency involved, which was FHWA. Because of a very tight schedule and limited funds during the summer, the ERT did not get to Woodstock. When requested again in September to record the bridge, HAER explained that the ERT had been disbanded for the summer; however, if students from the University of Vermont's graduate program in historic preservation could volunteer their services, members from the HAER staff would supervise a recording. In October the necessary forces assembled in Woodstock and the job was done. The students' measurements and field notes proved to be adequate, and drawings are presently being prepared in Washington. A historical report has been drafted, and Vermont's Department of Transportation has submitted professional photographs.

Elm Street Bridge, Woodstock, Vermont



Students Help Record Ice House

Following Woodstock, the ERT traveled to Trumbull, Connecticut, to work with students who volunteered their services to record the 1926 Kaatz Ice House. This time, however, volunteers were not college students, but 15 honor students from the Trumbull High School Bicentennial Club. After the principles of architectural recording were explained to them in detail, the students were divided into working units under HAER direction and were assigned to record various components of the ice storehouse. Though dating from the early 20th century, Kaatz Ice House is a rare structure representative of the New England historic ice industry, which was important in the area's economy during the late 18th and early 19th century when New England was the main source of ice for Southern plantations and West Indies sugar islands. Kaatz Ice House survived until the 1950s because Bridgeport's more exclusive hotels and a selective clientele preferred natural ice rather than artificial ice produced in refrigeration plants.

The recording sessions went extremely well, considering the students had no previous experience in this type of work. The Connecticut State Historic Preservation Office deserves much of the credit for the success of this project, since one of its senior staff members requested HAER's assistance and arranged the local cooperation.

Whether the Elm Street Bridge or the Kaatz Ice House is preserved depends upon continued efforts at the local and state levels. In the event they are destroyed, a historic record is in hand and can be transcribed into a permanent record when time and staff permit. Most important, these two projects demonstrate local interest in an area's industrial and engineering resources, and the potential resources we have in the country's high school and university programs.

The purpose of the ERT is to document as many threatened structures as possible, so that a record survives in the event of demolition. Ideally, the service should be available year-round and the recording should incorporate such sophisticated techniques as photogrammetry (see *11593*, November 1976) with a fully equipped mobile field vehicle available. Even though funding is presently inadequate to provide the most efficient recording services, the ERT remains one of the best bargains in historic preservation. *Requests for this service may be directed to Emergency Recording, Historic American Engineering Record, National Park Service, US Department of the Interior, Washington, DC 20240.*

HAER INVENTORY PROJECTS

by T. Allan Comp
Senior Historian, Historic American
Engineering Record

For the last four years, the Historic American Engineering Record has been developing a national inventory of historic engineering and industrial sites. Beginning with a survey of the five New England states in 1972, HAER has since worked with a number of private historical agencies and State Historic Preservation Offices, assisting them in conducting inventory projects aimed specifically at the rich technological heritage of the United States. In all of these projects, HAER has demonstrated the efficacy of its accumulated expertise and experience as well as the efficiency of topically-oriented survey work.

Each of the HAER inventory projects is administered and directed by HAER working with the cosponsor. HAER provides inventory cards, USGS maps, film, and other materials. HAER also usually locates and, when necessary, trains an individual to carry out the project, making sure that each site is properly researched, described, and located, and insuring that all areas of engineering and industrial activity in the area receive the proper attention. When the project is completed, all cosponsors receive a copy set of the completed inventory cards for their files.

In many cases, it has been private historical agencies that have taken the lead in sponsoring such a project. For the HAER Long Island inventory, it was the Society for the Preservation of Long Island Antiquities; in Delaware, the Eleutherian Mills - Hagley Foundation. The Lower Merrimack River Valley was surveyed by the Merrimack Valley Textile Museum, and the Slater Mill Historic Site is now completing an inventory of historic engineering and industrial sites in Rhode Island.

The results of each of these projects were forwarded to the SHPO and also—and perhaps more importantly—the results were published and widely distributed. These publications, still available from the cosponsors, made possible the wide dissemination of information gathered by the inventory to planners, teachers, preservationists, and many others.

More recently, some SHPOs have realized the value of their technological heritage and the sad neglect of this resource. North Carolina pioneered a state-sponsored inventory in 1974, asking HAER to administer the project, thus giving the state free access to the experience and knowledge of the HAER staff. Even before the final results for North Carolina were published, Michigan, again with HAER assistance, initiated a project that ran two summers, and documented over 650 sites in the Lower Peninsula. Next summer Michigan will again receive HAER assistance, this time for the Upper Peninsula. Finally, in New York State, the SHPO is working with the Landmark Society of Western New York and HAER to complete an inventory of the 17 counties in the western end of the state.

Each of these HAER inventory projects has been or will soon be published: each state can now demonstrate its full recognition of

the complete range of historic sites in its area. Equally important, these inventory projects have introduced new groups to a preservation consciousness. Often those groups most concerned with modern engineering and industry are ignored by preservation, except perhaps when it comes to fund-raising. However, once these groups find that their states are responsible for recognizing historical contributions and historic sites associated with engineering and industry, their support is gratifying.

Hundreds of hours of technical assistance and thousands of dollars have been added by these groups to HAER inventory budgets, and there seems little reason to assume that their interest and support will diminish so long as they continue to find historical sites relevant to their own experiences added to the National Register.

Planning is already underway for HAER summer inventory projects; as Inventory Coordinator, the author is considering projects in Colorado, Iowa, Michigan, and other areas. Those State Historic Preservation Offices able to act quickly and stimulate projects will benefit most from cooperation with HAER. HAER stands ready and able to assist in inventorying the Nation's extant, technological heritage, bringing its full range of inventory experience and historical knowledge to bear on each project.

DIRECTIONS IN PRESERVATION LEGISLATION

Tersh Boasberg's¹ article, "Historic Preservation: Suggested Directions for Federal Legislation,"² in the symposium issue of the *Wake Forest Law Review*, is especially timely and useful in light of recent passage of the Tax Reform Act of 1976, the Land and Water Conservation Bill, and other legislation affecting historic properties. The article is divided into three sections: background information on the preservation movement, current sources of funding, and suggested directions for preservation legislation.

The author attributes the growth of the preservation movement in recent years to the spillover of concern from the natural environment to the man-made environment, the skyrocketing cost of new construction, the changing nature of urban housing problems, the rising concern of city dwellers for the quality of their habitat, and the encouragement offered local preservation efforts by grants from federal agencies. He warns that unless unmet local preservation demands are soon addressed by the national government, "the shimmering promise of the movement will become a tarnished image."

¹B.A., Yale University; LL.B., Harvard Law School; partner, Boasberg, Hewes, Finkelstein & Klores, Washington, DC; General Counsel, Preservation Action.

²Reprints of the 17-page article are available for \$1 from Ms. Nellie Longworth, Executive Director, Preservation Action, 2101 L Street NW, Washington, DC 20037.

Inadequacy of Present Funding

Several current sources of funding for local projects mentioned briefly in the article are the National Park Service grants-in-aid authorized by the National Historic Preservation Act of 1966; Department of Housing and Urban Development funds provided by the 1974 Housing and Community Development Act; National Endowment for the Arts grants offered through its Architecture and Environmental Arts Program; and National Trust for Historic Preservation consultant service grants. (See *Sources of Preservation Funding* for other programs that offer assistance.) Although Boasberg acknowledges that these programs have stimulated interest in preservation at the community level, he points out several major problems such as the difference between the amount of assistance offered and local funding capabilities, and the low priority that funding programs are given in agencies with broad responsibilities.

Suggested Legislative Alternatives

The examination of suggested legislative alternatives for historical preservation, which constitutes the core of the article, includes seven areas: Money, Financial Devices, A National Bank for Historic Preservation, Flexibility, Tax Reform, Education, and Legal.

The present inadequacy of federal funding available for community preservation programs is illustrated by the author's comparison of the roughly \$16 million that is going into local preservation programs and the estimated annual need of \$400 million, as expressed in a letter dated Sept. 30, 1974, from Ronald H. Walker, then Director of the National Park Service, to Senator Edward M. Kennedy. The disparity between the amount of money going into preservation and the amount being devoted to other national efforts is underscored by the difference between the appropriation for preservation and for urban interstate highway construction. As is pointed out, "the total fiscal year 1975 appropriation under the Historic Preservation Act is equal to less than the cost of four miles of interstate highway."

Because the possibility of having \$4 or \$5 hundred million in annual federal historic preservation funding anytime in the near future is unrealistic, legislation must be designed to encourage private and federal efforts that can generate the additional money needed to do the job. Several financial devices that help do this—revolving funds, long-term low-interest loans, loan and lease guaranties, and federal bond guaranties—are described in the article.

As suggested by the author, the creation of a National Bank for Historic Preservation would facilitate the implementation of these devices. Such an institution could possess long-term lending and guaranty authority for local and state government units, as well as for nonprofit, tax-exempt preservation organizations; initiate and replenish local revolving funds; underwrite preservation bonding obligations of public bodies and quasi-municipal corporations; work closely with existing federal housing programs; and examine and experiment with some of the most complex financial and tax alternatives available to local communities and states.

The need for increased "front-end" money for the planning and developmental stages of

Continued on page 8

local projects is emphasized and several suggestions for increasing the flexibility in implementing existing legislation are given. It is recommended that communities be allowed a greater role in determining the local matching portion of grants; that the federal share for grants be increased; that National Register criteria be expanded and the process of registering properties be opened to include state or local listing of landmarks, historic districts, and conservation areas; and that congressional landmarks legislation serve as an example for state and local governments.

Tax reform is emphasized as an important means of advancing preservation interests. Increasing the benefits available to owners of historic properties, encouraging the restoration of older buildings, and reducing the current tax incentives for demolishing historic structures are cited as prime areas of concern.³

Education and preservation law also receive too little attention. Boasberg points out that although some efforts have been made to assist in funding preservation education and training programs, there is little doubt that the demand for assistance greatly outweighs the resources available. At a time when an increasing amount of legislation affecting historic properties is being passed, many universities and law schools are neglecting to offer courses in preservation law.

In order to facilitate a better understanding of the laws that are vital to the success of many local, state, and national preservation efforts, consideration must be given to the establishment of a National Preservation Law Institute. Such a legal center could become the focal point for legal research; draft model local and state legislation for progressive building codes, eminent domain and condemnation procedures, and zoning measures; suggest more effective mechanisms for the protection of structures; and study and recommend changes for federal, state, and local income and property tax reform.

Need for Citizen Action

Boasberg concludes by stressing the urgency for preservationists to join in lobbying for effective preservation legislation. He cites the example of Preservation Action, a national citizens lobby that has been established for the protection and enhancement of the man-made environment. The board of the fledgling organization comprises leaders of nonprofit community groups, historical societies, and local and state preservation organizations, as well as interested mayors, state legislators, urban designers, architects, and lawyers. Other similar activist groups formed at the local and national level could influence the direction of future legislation.

The article was reviewed by Sally Marusin, Writer/Editor, National Register.

³The Tax Reform Act of 1976, recently signed into law by President Ford, corrects many of these deficiencies in the tax code which have worked against preservation (see 11593, November 1976).

SOURCES OF PRESERVATION FUNDING

There are several publications that preservationists can consult for information on preservation funding. *A Guide to Federal Programs* (1974) and the 1976 supplement (current through December 1975), published by the National Trust for Historic Preservation, provide a comprehensive survey of federal programs that can be used to benefit preservation (such as Federal Surplus Property, VA, Farmers Home, SBA, National Endowment, HABS, and HAER). Both guides are available through the National Trust Bookstore, 740-748 Jackson Place NW, Washington, DC 20006. A good source of information on local programs is *Neighborhood Preservation: A Catalog of Local Programs*, which can be purchased from the Superintendent of Documents, US Government Printing Office, Washington, DC 20402.

Other publications that may be of interest are:

Federal Programs for Neighborhood Conservation by the Advisory Council on Historic Preservation, 1522 K Street NW, Suite 430, Washington, DC 20005.

Guide to Federal Programs for Rural Development by the Rural Development Service, US Department of Agriculture, Washington, DC 20250.

Digest of Insurable Loans (HUD Handbook 4000.1), dated September 1975, by the Department of Housing and Urban Development, Washington, DC 20410.

The following material summarizes information that is not available in the above publications and includes recent revisions in federal and other programs that create new sources of preservation funding, that extend funding resources, or that act to encourage preservation in other ways.

To keep abreast of current developments it is useful to subscribe to such publications as the *Federal Register*, the *Community Development Digest*, and the *Catalogue of Federal Domestic Assistance*. Issued weekdays, the *Federal Register* contains regulations, procedures, orders and other documents that pertain to the programs of the various federal agencies (subscriptions available from the US Government Printing Office, Washington, DC 20402 for \$50/year). The *Community Development Digest* is issued biweekly and provides current information on federal, state, and local programs affecting community development nationwide (subscriptions available from Community Development Services, Inc., 1319 F Street NW, Washington, DC 20004 for \$90/year). For those interested in programs affecting all aspects of community planning, a comprehensive listing and description of federal programs is provided, with periodic updates, by the *Catalogue of Federal Domestic Assistance* (available from the Superintendent of Documents, US Government Printing Office, Washington, DC 20402 for \$16 plus \$4 for mailing).

National Park Service Grants. Matching grants are issued to states, the District of Columbia, territories, and the National Trust for Historic Preservation. Funds may be used to survey the state for historic and cultural resources, prepare nominations to the National Register, and acquire and preserve properties listed in the Register. Grants now provide 50% of costs for survey and planning (with a proposed increase to 70%), and 50% for acquisition or development. Funds may be transferred by State Historic Preservation Officers (SHPOs) to private organizations, individuals, or governmental subdivisions. The appropriation for FY 1977 is \$17.5 million. The Land and Water Conservation Fund Act (passed September 28, 1976) authorizes \$24.4 million for FY 1977, \$100 million each for FY 1978 and FY 1979, and \$150 million each for FY 1980 and FY 1981 for NPS grants. SHPOs are also good sources of information on funding available within the state, preservation techniques, and protection of cultural resources. For more information write the appropriate State Historic Preservation Officer or the National Park Service, Washington, DC 20240.

The Archeological and Historic Preservation Act of 1974

makes federal construction programs and all programs licensed or otherwise assisted by federal agencies responsible for the damage they may cause to the Nation's scientific, prehistoric, historic, and archeological resources. The act provides agencies with specific authority to conduct necessary data recovery investigations in conjunction with authorized, funded projects. Federal agencies may seek appropriations, obligate existing funds, or use 1% of project funds to pay expenses. For more information write: Office of Archeology and Historic Preservation, Department of the Interior, Washington, DC 20240.

Consultant Service Grants, provided by the National Trust on a matching basis, go to nonprofit or public member organizations to pay for consultants on preservation problems. Grants average \$1,000 to \$2,000 and support projects such as historic district and property feasibility studies. Write National Trust for Historic Preservation, 740-748 Jackson Place NW, Washington, DC 20006.

National Historic Preservation Fund, sponsored by the National Trust, provides low-interest loans to nonprofit or public member organizations to establish revolving funds for improving properties listed in or eligible for listing in the National Register. The original \$300,000 fund has been enlarged by a \$500,000 grant from the Mellon Foundation. Loans are expected to average between \$25,000 and \$50,000. Organizations intending to apply for these loans are encouraged to send a letter to the Trust explaining how the loan will be used before the application is submitted. Further information about this program may be obtained from the National Trust, 740-748 Jackson Place NW, Washington, DC 20006.

Economic Development Administration.

Aside from its normal programs, the EDA of the Department of Commerce is periodically charged with the administration of emergency public works programs, such as the Local Public Works Capital Development and Investment Program authorized by the Local Public Works Employment Act of 1976. On October 2, 1976, \$3.2 billion was appropriated to fund state or local public works projects in areas of high unemployment, especially where unemployment was related to the construction industry. Preservation benefited not only from projects that involved the rehabilitation of state or locally owned structures, but also from improvements to basic neighborhood conditions (sewers, pavements, etc.). Because emergency public works programs of this type are only introduced sporadically, preservationists must be ready to capitalize on such programs when they are announced. For more information, contact the appropriate EDA regional office.

Title I Home Improvement Loan program provides FHA insurance for loans made by private financial institutions to finance property improvements that protect or increase the livability or utility of residential or other properties. Currently an owner of a single-family home can borrow up to \$10,000 for 12 years. Maximum loans on multifamily structures are \$5,000 per dwelling unit, not to exceed \$25,000. All loans are made at market rates. For more information, contact the appropriate HUD area office.

Historic Preservation Loan program is a new program which expands the existing Title I Home Improvement Loan program by providing FHA insurance for loans to finance the preservation, restoration, or rehabilitation of residential properties listed in or determined eligible for listing in the National Register, including all residential properties within a National Register district. Available from private lending institutions at market rates, these loans will be for up to \$15,000 per dwelling unit (not to exceed \$30,000) for 15 years. (Community development block grants may be used to subsidize the market interest on both historic preservation and Title I loans.) Proposed improvements must be reviewed by SHPOs. The program is not yet operational, but preservation organizations can begin informing property owners and convincing local financial institutions of the need to make money available for loans. For more information write the Secretary, Department of Housing and Urban Development, 451 7th Street SW, Washington, DC 20410, or call the Title I Insured Loan Division (202)755-8686.

Community Development Block Grant program supplies federal funds directly to communities for projects that will improve urban living conditions through housing and environmental changes. The community can use block grants to fund such preservation-related activities as surveys of cultural resources; development of a historic preservation plan; studies for the adoption of regulatory or protective ordinances; establishment of financial programs, including low-interest loans and

grants for rehabilitation of historically and architecturally significant structures; establishment of a revolving fund for the acquisition, rehabilitation, and disposition of historic properties; or easement programs. While considered local money for the purposes of federal matching grant programs (such as the NPS grants-in-aid program), block grant funding carries with it the responsibility to comply with federal laws and regulations protecting cultural resources. A total of \$3.148 billion has been appropriated for FY 1977, of which not more than \$100 million is designated for "hold harmless" grants to metropolitan cities, urban counties, and other units of general local government within metropolitan areas. At least \$100 million has been earmarked for discretionary grants to suburban areas, and another \$100 million has been appropriated for urgent community development needs. For more information write the appropriate HUD area office.

HUD Section 8 encourages the provision of lower-income housing through rent payment contracts with property owners made on behalf of eligible families occupying new, substantially rehabilitated, or existing rental units. Owners must find their own sources of funding for construction or rehabilitation; buildings must meet appropriate standards. In the case of existing units, it may be public housing agencies that will contract with property owners. The Housing Authorization Act of 1976 directs HUD to allocate Section 8 funds in accordance with block grant communities' Housing Assistance Plans; therefore, the priority assigned to the rehabilitation of units is established by the individual community. A total of \$675 million has been appropriated for rent payments for FY 1977. For more information, call the appropriate HUD area office.

701 (Comprehensive Planning Assistance) can be used for the following preservation-related activities, as long as they are part of a comprehensive plan: development of criteria for evaluation of historic properties; surveys; identification of historic properties subject to destruction and/or deterioration; consideration of the relationship of historic properties to other elements of comprehensive planning in the jurisdiction; determination of preliminary cost estimates for the rehabilitation or restoration of significant buildings or districts; preparation of district legislation, model preservation contracts, and general administrative and budgetary measures; and preparation of a historic preservation program outlining action needed. The FY 1977 appropriation is \$62.5 million. It is still unresolved whether (because of reduced funding for 701) communities receiving block grants will be permitted to use block grant funds for planning purposes as outlined in the 701 program. For more information call the appropriate HUD area office.

HUD Section 312 Loans are for repairs and improvements needed to make a privately owned property comply with local building codes. A total of \$50 million has been appropriated for FY 1977. This, together with \$30 million in funds that have been carried over or repaid into the Section

312 revolving fund, should provide for an \$80 million rehabilitation loan program in FY 1977.

Property Release Option Program (PROP). Through this program, HUD sells properties it owns with a value of less than \$5,000 to local governments for \$1. The localities can rehabilitate, demolish, and/or sell the properties at their discretion. So far HUD has disposed of 3,458 properties through the program. Preservationists can (1) periodically call HUD area offices for a list of available properties, and (2) buy appropriate properties to restore or to demolish to provide open space.

Urban Renewal. Although the Urban Renewal program has been terminated some areas still have unexpended funds for uncompleted Urban Renewal projects. Where such Urban Renewal programs are still in effect, it is still possible for local agencies to write down the cost of historic properties to as little as \$1 where circumstances dictate, write down cleared land around historic properties, and provide \$90,000 for restoration and/or \$50,000 for moving properties listed in or determined by the Secretary of the Interior to be eligible for inclusion in the National Register.

HUD Section 202 Housing For the Elderly and Handicapped Program provides for new construction or substantial rehabilitation of properties. A \$750 million loan limitation was appropriated for FY 1977.

In addition, final regulations were issued on September 23, 1976 for the Seed Money Loan program. No-interest loans are available to incorporated private, nonprofit organizations and will cover as much as 80% of the planning costs of Section 202 projects (e.g., preliminary site engineering, organization expenses and fees for design, loan commitment, legal assistance, and consultations). As of September 30, 1976, over \$6 million remained in the fund.

HUD Urban Homesteading Program provides for the conditional conveyance, at low cost, of unoccupied residential property to an individual or family. To attain ownership the recipient must occupy the property for a minimum of 3 years, make necessary repairs, and permit periodic inspections. On October 6, 1976, HUD announced an additional \$6.25 million in HUD-acquired properties and \$8 million more in low-cost rehabilitation loans for FY 1977 for 23 cities already participating in the program as well as some new cities (not yet announced). This new commitment of funding boosts HUD's commitment to the Urban Homesteading Program to \$11.25 million in property and \$13 million in loans.

HUD Section 235 provides subsidies to low- and moderate-income families to purchase new or substantially rehabilitated single-family homes or condominiums. The Housing Authorization Act of 1976 revised this program so that benefits could be provided to a wider range of lower-income families. The eligible income ceiling was raised from 89% of the median family income in an area to 95% of the median income. The mortgage limits were also

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increased to \$25,000 (\$29,000 for a family of five or more), and in designated high-cost areas to \$29,000 (\$33,000 for a family of five or more). For more information write the appropriate HUD area office.

The Urban Reinvestment Task Force

operates programs that help neighborhoods fight deterioration and disinvestment. Through the Task Force's Neighborhood Housing Services program, neighborhood partnerships are set up between the residents, the private sector, and the local government. These partnerships are provided technical assistance and receive Task Force grants that are used to create high-risk revolving loan funds which stimulate lending by financial institutions. Grants are also available for the Task Force's Neighborhood Preservation Projects program. These grants are made to existing neighborhood programs for specific projects which, if successful, might provide useful models for other neighborhoods. Provision has been made for \$4.5 million to fund Task Force programs in FY 1977. For additional information, write the Urban Reinvestment Task Force, 320 1st Street NW, Washington, DC 20552.

Revenue Sharing is a form of financial assistance in which federal funds are allocated to state and local governments, to be used in accordance with the same state and local laws and procedures that govern other forms of state and local spending. On October 13, 1976, the President signed into law a measure which appropriates \$25.6 billion over the next 3½ years. The new law also allows revenue sharing funds to be used as a match for other federal programs. For more information, write the Office of Revenue Sharing, Department of the Treasury, Washington, DC 20226.

Coastal Zone Management Act of 1976.

Signed into law on July 26, 1976, this new act authorizes grants for the development of land management programs affecting the land and water resources of a state's coastal zone. The management program for each coastal state must meet nine requirements to be eligible for grant funding. Significant for historic preservation is the requirement (effective as of October 1, 1978) that the management program include a planning process for the protection of, and access to, among other things, public coastal areas of environmental, recreational, historical, aesthetic, ecological, or cultural value. This could be an important new opportunity for funding preservation planning. A total of \$20 million has been authorized for the grants program for each of fiscal years 1977, 1978, and 1979. Final regulations for the program are expected by January 1977. For more information, contact the National Oceanic and Atmospheric Administration, Department of Commerce.

Rail Transportation Improvement Act of 1976 (Public Law 94-555)

was signed into law October 19, 1976. It contains an amendment that authorizes the National Endowment for the Arts to administer a \$5 million matching grants program to encourage the acquisition and utilization of space in suitable buildings of historic or architectural significance to house rail

facilities. Pending completion of reuse plans, \$2.5 million is authorized for interim maintenance and \$2.5 million for planning costs. Appropriations have not been made yet.

Small Business Administration.

On October 29, 1976, SBA published in the *Federal Register* an amendment to its regulations that will encourage rehabilitation of residential and commercial properties. The amendment provides that loans for the acquisition and rehabilitation of such properties will be granted by SBA if the rehabilitation is prompt and significant (costing more than one-third of the purchase price). Such rehabilitation will be for properties that will be sold immediately for the contractor's profit. This financial assistance will be on a deferred participation (guaranty) basis, repayable within 18 months (plus the period of rehabilitation), and secured by a first lien on the land and improvements. For more information, contact the Small Business Administration, 1441 L Street NW, Washington, DC 20416.

State Funding Sources

Many states have programs and laws that may be used effectively to encourage and finance preservation efforts. Contact the appropriate State Historic Preservation Officer for information on such programs and other preservation-related legislation in a given state.

For example, several states have *preservation grant programs* funded by state appropriations; e.g., Alaska, Colorado, Connecticut, Florida, Georgia, Kentucky, Massachusetts, Michigan, and Vermont. Also many states have *state housing finance agencies* which provide rehabilitation loans and grants to stimulate housing; e.g., Colorado, Hawaii, Maryland, Massachusetts, Minnesota, New Jersey, New York, Pennsylvania, Rhode Island, and Utah. The Secretary of HUD is authorized to provide such agencies technical assistance in planning and implementing activities.

Inducements for Preservation

Tax Reform Act of 1976. Section 2124 of the act, "Tax Incentives to Encourage the Preservation of Historic Structures," provides several new incentives for historic preservation. The new section allows for the amortization of rehabilitation expenditures over a 5-year period for National Register properties, properties in a National Register historic district that are certified by the Secretary of the Interior as being significant to the district, or for properties located in historic districts designated under a statute of the appropriate state or local government if such statute is certified by the Secretary of the Interior as containing criteria that will substantially achieve the purpose of preserving and rehabilitating buildings of historic significance to the district. Rehabilitation must be "certified." A taxpayer who substantially rehabilitates a certified historic structure will be permitted a more advantageous method of depreciation. The law also disallows deductions for demolition of certified historic structures and accelerated depreciation for properties

erected on a site previously occupied by a historic structure on or after June 30, 1976. Finally, the act provides that a deduction is allowed for the contribution to a charitable organization or a governmental entity exclusively for conservation purposes of (1) a lease on, option to purchase, or easement with respect to real property of not less than 30 years' duration or (2) a remainder interest in real property. Conservation purposes include the preservation of historically important land areas or structures.

Public Buildings Cooperative Use Act of 1976

became law on October 18, 1976. The act directs the Administrator of the General Services Administration to acquire space for federal offices in buildings of historic, architectural, or cultural significance, unless use of such space would not prove feasible and prudent compared with available alternatives. The act directs the Administrator, prior to undertaking a planning survey, to determine the public buildings needs of the federal government within a geographical area, to request the Chairman of the Advisory Council on Historic Preservation to identify existing buildings in the community that are of architectural, cultural, or historic interest and that are suitable for purchase to convert into federal office space. The act states that buildings of "historic, architectural, or cultural significance" include, but are not limited to, "buildings listed or eligible to be listed on the National Register . . ." The staff of the Advisory Council expects to begin drafting regulations for implementation of the act this year. In the interim, the Advisory Council is putting together an informational mailing regarding the act for interested parties.

National Flood Insurance Program. The Housing Authorization Act of 1976 amends the Flood Disaster Protection Act of 1973 to allow certain types of loans to be exempted from the flood insurance requirement—these exemptions could help to encourage rehabilitation in areas that have been designated special hazard areas but that have not yet begun to participate in the flood insurance program. Eligible loans include:

1. Any loan to finance the acquisition of a residential dwelling occupied as a residence prior to March 1, 1976, or 1 year following identification of the area within which such dwelling is located as an area containing special flood hazards, whichever is later, or any loan made to extend, renew, or increase the financing or refinancing in connection with such a dwelling.
2. Any loan that does not exceed an amount prescribed by the Secretary of HUD, to finance the acquisition of a building or structure completed and occupied by a small business concern, as defined by the Secretary of HUD prior to January 1, 1976. (It is expected that the definition of "small business" will be defined in accordance with the Small Business Administration's definition of the term and that the amount will be \$100,000.)

3. Any loan or loans which in the aggregate do not exceed \$5,000 to finance improvements to or rehabilitation of a building or structure occupied as a residence prior to January 1, 1976.
4. Any loan or loans, which in the aggregate, do not exceed an amount prescribed by the Secretary, to finance nonresidential additions or improvements to be used solely for agricultural purposes on a farm (it is expected that the amount will be \$25,000).

This amendment does not change the insurance requirements for properties funded through National Park Service historic preservation grants.

Complete regulations for the National Flood Insurance Program were published in the October 26, 1976, issue of the *Federal Register*. For additional information write to the Federal Insurance Administrator, National Flood Insurance Program, Department of Housing and Urban Development, 451 7th Street SW, Washington, DC 20410.

PRESERVATION TOOLS

Tax Increment Financing. Through this technique, property taxes collected above a designated amount in a particular district are set aside for use only within the designated area. Money can immediately pay for any special needs of the area or can be invested for future use. This may require state enabling legislation; California, Colorado, and Minnesota have it.

Revolving Funds, a technique to multiply funds, can be established with block grants, NPS grants, National Trust funds, Urban Reinvestment Task Force funds, or other sources. Some systems acquire, preserve, and sell historic properties; other systems are for preservation loans to owners. Proceeds return to the fund for other projects, so the funds and their impact are multiplied. Private organizations as well as local and state governments can utilize this technique (e.g., the State of Maryland has a revolving fund program). An excellent guide to establishing and operating a revolving fund is *Revolving Funds for Historic Preservation: A Manual of Practice* by Arthur Ziegler, Leopold Adler, and Walter Kidney; it is available from the National Trust Bookstore, 740-748 Jackson Place NW, Washington, DC 20006. Architectural Heritage, a nonprofit organization, is providing management services for revolving funds on the state and regional level. For more information write: Architectural Heritage Foundation, 45 School Street, Boston, MA 02108.

This information was prepared by Julie Wortman, Program Assistant of the Planning Branch, National Register of Historic Places, Department of the Interior, Washington, DC 20240, November 19, 1976.

PUBLISHING WITH COMPUTERS

by Robert Haynes
Writer/Editor, National Register

Publications not only inform people but also motivate them. Through timely and well-presented publications, concerned people may be aroused to react to a proposed project that endangers one of their cultural resources and to initiate a movement to save it from damage. Such was the case in 1968 with the *Vieux Carre Historic District Demonstration Study*, which provided an in-depth evaluation of how a proposed elevated riverfront highway would significantly damage the aesthetics of the district. In 1967 the well-wrought presentation *College Hill* actually provided the impetus needed to initiate the preservation of an otherwise deteriorating section of Providence, Rhode Island. Publications can be of property inventories worthy of preservation as well as listings, such as the National Register, of properties already receiving a degree of protection from federally funded or licensed projects. Such publications can instill in owners the desire to preserve their valuable assets.

However, producing accurate, quality publications is not always easy, especially in an area where a large inventory of properties is requisite for many of the publications a program may need. Fortunately for those of us concerned with disseminating information, the computer has eased many of our burdens, making publishing of state inventories, catalogs, and the like faster and more reliable.

The National Register of Historic Places is an example of a computer-assisted publication. The 1976 edition contains approximately 9,500 entries with a technical property description for each. A computerized filing system was used (which is further discussed) to store manuscript data until all material had been collected and compiled. This same system earlier produced the 1972 volume and the 1974 supplement.

Phototypesetters

Since 1456 when Johann Gutenberg announced the production of the *Marizin Bible* on something called moveable type, publishing has been a mysterious occupation run by editors, artists, printers, and typesetters. It is estimated that Gutenberg spent from four to six years producing his famous Bible, a reasonable amount of time considering each procedure was manual. Today large-format publications cast with hot-metal typesetting devices, and slowed by the accompanying mass of paperwork required to edit and proof them, still takes months, if not years, to produce. The advent of the computer into publishing virtually eliminated the necessity for awkward mechanical devices that cast letter images one by one into molten metal. Electronic phototypesetters (such as Video Comp or Linotron) set type a page at a time by projecting a lighted image of each letter onto photosensitive paper. The electronic typesetter receives instructions on what letters to produce and how to arrange them,

as well as every bit of information it needs to operate, from a driver tape containing all the codes for the page makeup program.

Computer-Assisted Publishing

Besides being able to assist in typesetting, computers can cut the amount of time editors need to work with manuscripts. In producing property listings, inventories, surveys, or catalogs, generally about 80% of publishing time involves compiling, editing, and typesetting; previously editors had to constantly check typeset galleys against new errors that crept in while old ones were being fixed.

Today a number of computer-assisted publishing systems are available, the most common being purchase of computer time and space to store information until a publishable document has been compiled. Those who select to use this system prepare according to a designated format batches of manuscripts, which are ultimately entered into a computerized file. Such systems can conveniently and reliably store a large volume of material without threat of damage or loss, and users of such a system can have material retrieved and delivered in the form of printouts for checking in some cases overnight. To read the printouts, editors must learn codes used to identify particular elements of text and type. Some systems produce typewritten galleys that render representations of the printed page including line length, hyphenation and justification, and typesetting codes. Whatever the style of printout, corrections and changes are accomplished by checking several successive versions of a printout until the information in the file is accurate. Once editors have proofed the text, however, they need concentrate only on incorrect portions without wading through the entire file each time a correction is made.

After the file is accurate and complete, some systems offer their users a program that will manipulate the data in the file and recreate all the information in publishing sequence with typesetting codes onto a magnetic tape. This tape can then be run through a second software package, which adds phototypesetter instructions including page makeup and hyphenation and justification. At the US Government Printing Office, this software, called the Master Typography Program (MTP), produces a phototypesetter (Linotron) driver tape. The driver tape is needed to operate the phototypesetter and contains all information in the data base in publishing sequence, typesetting codes, page makeup information, and phototypesetting instructions to produce camera-ready copy.

Time-Sharing Systems

Another available option in computer publishing allows an agency to have "interactive communication" with its data file. This is generally achieved by connecting some form of in-house terminal with the data base. Such terminals (which are available in a variety of sizes and formats, such as video screen projection or hard-copy printer) provide editors with the ability to enter their material and subsequent changes into the computer's data bank. This single feature

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can eliminate a significant amount of the paperwork ordinarily involved in publishing, as well as provide maximum editorial control over the printed material. Such systems allow editors to make single or multiple corrections to an entire file in a matter of minutes, which may have taken days to perform manually on galleys or printouts. An instruction typed into the computer via the on-line terminal directs the computer to search its file and change only material it is told to change. The agency initiates all search and retrieval operations, thus saving the time and cost of transporting printouts and changes between them and the computer contractor.

Systems can vary in size and capability but the core element in all of them is the computer. Many self-contained text editing or word processing units can provide adequate capabilities for medium and small files, and can come equipped to provide a variety of functions ranging from data manipulation (or text editing) to photocomposition, but these units are often restricted by their limited memory or storage capacity. Files larger than 4-5 million characters would probably be best served by storage in a computer with a larger memory capacity, and probably on a time-sharing basis.

Differences of operating costs between an in-house and outside system are generally small. Although the in-house and/or time-

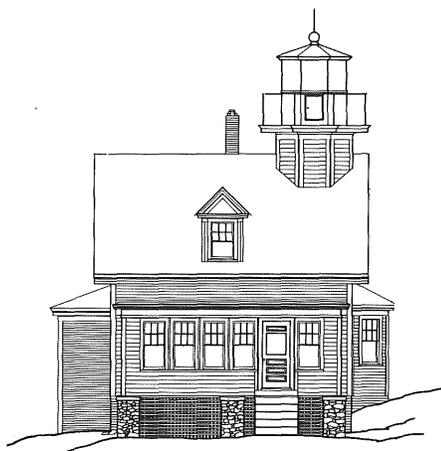
sharing system saves time and paperwork, the deciding factor should be the size of the agency's data file. Some of the smaller units provide phototypesetting as well as text editing; others provide a tape that must be further processed through MTP or similar page makeup programs to produce driver tapes for use on Linotron or Video Comp.

Some texts stored in computer data bases, particularly tabular data, may be published directly from the file onto computer output microfilm (COM) or microfiche (COM-fiche). This compact and inexpensive medium uses rolls or cassettes of 35mm or 16mm film or 4" by 6" plastic sheets (fiche). In the COM method, the final text is never committed to paper, but is instead transmitted electronically and photographically from computer to film. Stored data is processed through a computer program (output processor), which functions like the MTP in arranging text in proper page formats and adding certain coded instructions to the COM generator. Processed data, usually stored on tape, is read by the COM generator and text is displayed onto a high contrast, high resolution video screen. A microfilm or microfiche camera photographs the screen, producing a master film from which duplicates may be made. The concept is similar to photocomposition, but because the composition is committed to a master film instead of paper (camera-ready copy), reproduction becomes a simple inexpensive

photographic process. Although paper is not needed, COM requires a microfilm or microfiche reader, or projector to enlarge the film image enough to read.

Today more written communications are printed and circulated than ever before, and much of this is because of new methods for getting our language into a physical format. Some types of computers presently used as information systems may be adaptable for use in publishing—key ingredients being programming and a uniform data base. The kinds and quality of publications then become a matter of an agency's resources and creativity.

Several sources are available for further information: The Seybold Publications, Inc., 15 Mechanic Street, Haddonfield, NJ 08033 provides independent consultation services and publishes a twice-monthly *Seybold Report*, which is available through subscription. The Graphic Communications Computer Association, 1730 North Lynn Street, Arlington, VA 22209 provides its own consultation service and maintains a list of agencies and services related to computer publishing. The Micrographic Association, 8728 Colesville Road, Silver Spring, MD 20910 provides a variety of microfilming services and publishes the *Journal of Micrographics*, which is also available through subscription.

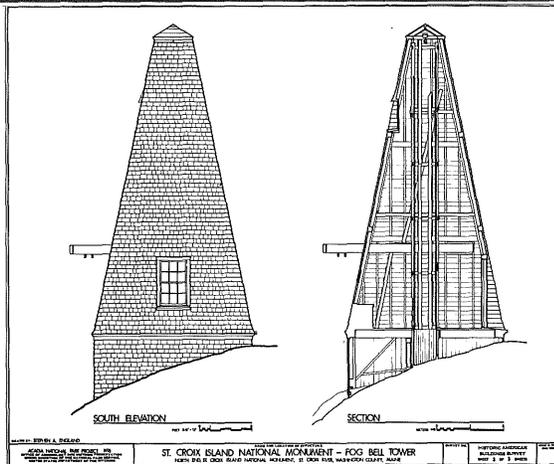


WEST ELEVATION

1/8" = 1'-0"
1/4" = 3'-0"

St. Croix Island National Monument: Fog Bell Tower (south elevation) drawn by Stephen A. England, 1976 for HABS; Lighthouse and residence (west elevation) drawn by Lennard Roberts, 1976 for HABS.

The lighthouse was authorized by Congress in 1854, to make navigation in the St. Croix River less hazardous. The frame lighthouse keeper's dwelling with lantern was constructed in 1856, along with a barn or storage building. The dwelling was extensively remodeled and the barn enlarged in the early 20th century. Various supporting structures were added from 1885 to 1907. In 1957, a light tower was constructed that did not require the services of a keeper. Since that time, the island has been unoccupied. Now only a tower, a boat house, and a brick oil house remain.



SOUTH ELEVATION

SECTION

ST. CROIX ISLAND NATIONAL MONUMENT - FOG BELL TOWER

HABS RECORDING—ST. CROIX NATIONAL MONUMENT

by Ursula M. Theobald
Writer/Editor, *Historic American Buildings Survey*

Established in 1933, HABS is the program of the National Park Service responsible for documenting the historic architecture of the Nation with measured drawings, photographs, and written historical and architectural data. The survey sets qualitative standards for documentation, organizes recording projects, and selects the subjects to be recorded. HABS also directs the preparation of the records and edits and deposits them in the Library of Congress. The Library preserves the records, makes them available for study, and supplies reproductions through its photoduplication services. Measured

drawings and photographs produced by HABS in the early 1930s form the nucleus of our national archives of historic architecture. Now, each year, eight or more summer teams—normally consisting of a supervisor, a historian, and four student architects—are sent into the field. About 180 structures are recorded in a summer, with over 17,000 historic structures recorded to date.

St. Croix Island Light Station Recorded

During the past summer, as part of a cooperative project in Acadia National Park and nearby areas, cosponsored by the North Atlantic Region of the National Park Service, a HABS recording team measured and drew the historic St. Croix Island lighthouse complex. On October 19, less than two months after the drawings had been completed, three of the five structures drawn—the bell tower, the lightkeeper's dwelling with lantern, and the barn—were

destroyed by fire. The drawings, being edited in the HABS office, will be transmitted to the collection in the Library of Congress, where they will be available for public use and reproduction.

The St. Croix Island recording team consisted of three student architects supervised by a graduate architect with previous HABS experience. During the 12-week summer project, the team developed 18 architectural measured drawings of the lighthouse complex, as well as drawings of the Augustus Saint-Gaudens estate in New Hampshire and several small structures in the Acadia National Park. Because the three St. Croix Island buildings burned before the HABS staff photographer could take backup photographs, NPS historians currently preparing historic structure reports on the lighthouse complex must rely on the HABS measured drawings as accurate representations of these buildings.

Emergency Recording

Of the approximately 17,000 historically or architecturally significant structures recorded by HABS, around one-fourth have been demolished, and in many cases the HABS documentation in the Library of Congress is the only remaining record of the lost structures. Consequently, the HABS archives is one of the most active collections in the Library. It is used extensively by American scholars, professionals involved in restoration architecture and adaptive use, and the general public; it is also frequently used by international preservationists and scholars.

Most HABS summer recording projects are scheduled well in advance. The survey does, however, occasionally undertake an emergency recording effort. In April 1974, for example, a HABS emergency recording team documented the Union Station in New London, Connecticut, a threatened structure designed by noted architect H. H. Richardson. (The station was subsequently saved from demolition.) HABS often employs photogrammetric techniques in emergency situations. Just prior to demolition of St. Mary's Seminary in Baltimore in 1974, Professor Perry Borchers of Ohio State University made photogrammetric (see 11593, November 1976) stereopairs of the structure for the HABS archives. Threatened structures are always recorded on a priority basis on HABS summer projects. In the 1973 cooperative project in the Ybor City district of Tampa, Florida, several buildings scheduled for demolition that summer were the first structures recorded by the HABS field team.

HABS records are used primarily for preservation purposes. Should a structure be destroyed, however, the records are available to preservationists and restorationists who may wish to analyze or rebuild the structure. Such was the case when HABS measured drawings were used as a basis for the reconstruction of St. Michael's Cathedral in Sitka, Alaska, after its destruction by fire in 1966.

Inquiries about the HABS recording program should be directed to the Historic American Buildings Survey, National Park Service, US Department of the Interior, Washington, DC 20240.

ANNUAL MEETING ISSUES

by Charles A. Herrington
Sarah Glennan Oldham
National Register

The annual meeting of the State Historic Preservation Officers and Federal Representatives provides an excellent opportunity for informal dialogue among the OAHP staff, SHPO staffs, and Federal Representatives. In addition to learning more about programs and problems at different levels, the meeting provides a forum for reaching a consensus on what direction the Nation's historic preservation program should take. This year the meeting, to be held in Washington February 27-March 2, will be particularly important because the recent signing of the Land and Water Conservation Fund Bill and the Tax Reform Act of 1976 has presented all of us with new challenges and new responsibilities. Topics that need to be discussed at the meeting include OAHP efforts to develop procedures to implement the tax act, and proposed procedures and regulations for planning, for determinations of eligibility, for recent archeology-related legislation, and for grants administration.

An issue that should be discussed is the proper role of the Nation's historic preservation program in its interaction with the neighborhood conservation and urban revitalization movement. This question has been raised at conferences held in the past by the National Endowment for the Arts and several conferences recently held in Washington. Other federal programs that can help fund neighborhood preservation efforts such as those of the Small Business Administration and the Economic Development Administration of the Department of Commerce hold great potential for urban preservation. Methods need to be explored to encourage communities to use Community Development Block Grant funds to create incentives for private investment instead of using these monies strictly for capital improvements.

This year there will be small workshops to discuss nominations. Further improvement in the quality of nominations is desirable in order to expedite the review process and to make the forms more useful to researchers and planning officials. It is particularly important that future district nominations form a solid basis for the certification of individual structures for purposes of the Tax Reform Act of 1976.

In considering the number of separate nominations that will be necessary to register all of the cultural resources in towns or rural areas, not to mention large cities, the possibility of "multiple resource nominations" has recently been discussed; these nominations could include all the individual historic properties and districts in a geographical area or political jurisdiction on a composite form. Completed inventories could serve as the basis for this type of nomination. Naturally, this broadened concept of National Register listing raises many questions: How would multiple resource nominations impact local preservation efforts? Are completed

inventories adequate as a basis for these nominations? How would such nominations affect the work of state staffs and state review boards? Would multiple resource nominations provide good planning tools for local and state governments?

As we look ahead to the increased growth and influence of historic preservation programs in the United States, we are aware of the constant need to exchange ideas and experiences with state staff members and federal agency representatives. In preparation for the annual meeting Carole Huberman and Sally Oldham of the National Register have assembled a group of articles on matters of particular concern to our various constituencies. The articles which follow have been written by preservationists and interested individuals, and represent their own viewpoints and not necessarily those of their agencies and organizations. The upcoming meeting should provide the opportunity for discussing these ideas and many others that could improve the coordination and effectiveness of our programs.

The ideas and opinions expressed in the articles in this special section of 11593 are strictly those of the authors. A minimum of editing was done to retain the authors' style while ensuring that the issues are clearly presented—ed.

COMMUNICATING WITH LOCAL OFFICIALS

by Gee Gee (Mrs. Bland) Platt
President, Landmarks Preservation
Advisory Board, San Francisco

Communications between the various governmental entities involved in historic preservation has improved immeasurably in recent years; however, there is still a tendency to bypass local preservation officials, especially in times of crisis. It is essential that these officials be informed, particularly of unpopular actions, before they are announced, so that the officials can pave the way for state and national action, or at the very least can provide an appropriate explanation of a decision. This is especially important because to most local officials the local preservation agency is historic preservation—they know us and generally trust us.

Officials in San Francisco expect even more from the Landmarks Preservation Advisory Board. The Board is mandated to represent the city and county in all matters dealing with historic preservation, whether at the local, state, or national level. As preservation coordinators and facilitators, we are expected to be able to explain and interpret applicable legislation and established procedures, as well as any actions that might be taken at a higher level.

The need for communicating with local preservation officials cannot be overemphasized. In this office, our job is facilitated by a remarkable communications system established by the California Office of Historic Preservation, which relies heavily on local advice and informs us of all

Continued on page

relevant matters within our jurisdiction. However, this system recently failed for a brief but significant moment when the press was advised of a determination of eligibility before the Landmarks Board was notified. Because of this, the Landmarks Board and the entire National Register and Executive Order processes came under fire and experienced a substantial loss of credibility. If such sentiment persists, the Landmarks Board may well lose its power and ability to coordinate and facilitate.

Another area of concern at the local level is the surveying and evaluation of Federally-owned installations and properties. Often those charged with surveying these resources are not properly qualified to do so and, therefore, employ unacceptable standards and criteria, which may even be self-serving. Although paragraph (a) of Executive Order 11593 allows "State and local historic preservation officials" to assist in evaluating and surveying Federally-owned properties, few owners of such properties welcome assistance from the SHPO's staff or local officials or experts. A directive from the Secretary of the Interior that could be included in federal historic preservation manuals would be extremely useful in correcting this situation, and would encourage objective study of and thorough supervision over the inventory process by state and local experts.

Archeology is another area of concern. Local preservation officials are as responsible for the protection of archeological resources as they are for architectural and historic resources, and although we may not be as expert in that field as in others, we have felt quite adequate until recently. Suddenly, we find ourselves confronted with archaeological concepts, methods, and techniques that seem irrational, and with the possible expenditure of millions of dollars for reasons that we cannot fathom.

Although archeologist Tom King's article in the November issue of *11593* was enlightening, *11593* is not generally available at the local level, and there is an immediate need for far more advice and guidance. Such must of necessity come from the federal government for it seems that archeologists do not even agree among themselves. Briefly stated—the reasoned approach that is necessary for some of us seems definitely lacking.

SAVING OLDER URBAN NEIGHBORHOODS

by **Kenneth E. Dobson**
Director, Technical Assistance Services
National Council for Urban Economic Development
Washington, DC

Most of the Nation's older central cities have been experiencing serious fiscal and economic decline in recent years. This has been reflected in chronic, depression-level unemployment, underemployment, fiscal shortfalls, increased demands for public services, eroding tax bases, small business failures, and large business disinvestment

and out-migration of middle- and high-income population groups.

Although the most obvious results of these deteriorating processes has been the physical and structural decay of the city's buildings and economic infrastructure, the cultural and social aspects of urban life have also been adversely affected. The socio-economic conditions of this urban decline are best seen in certain low-income neighborhoods or collections of neighborhoods—unemployment pockets, "poverty" or "special impact areas," as they are often called. These neighborhoods often bear a disproportionate share of the burden for the economic and fiscal imbalances of the city, and at the same time often provide the city with eligibility standards and criteria which enable it to receive various forms of federal assistance. Still, our neighborhoods have been seldom recognized, until recently, as primary building blocks in efforts to strengthen the foundations of our cities.

The lifeblood of cities and their neighborhoods is the revenue that flows and circulates within and through the local economy. This revenue comes from several sources, but primarily from employment and business income which, in turn, provide tax revenues. The quality of life in our neighborhoods—cultural, social, economic, and otherwise—is often based on the quality and circulation of that lifeblood.

When the revenue (tax) base is high, the tax burden felt by residents is generally low (healthy economy), and when the tax base is low, the tax burden is generally high (signs of an ailing economy). Most of the older cities in this country, particularly in the northeast, fall into the first category. As preservationists, we must seek to preserve for more than the sake of holding on to the old, and as urban economic developers, we must seek to develop for reasons other than trying to transform the old into the new.

The challenge facing us is the conservation of resources and efforts in redesigning policies, programs and projects in such a way as to rid ourselves of these economic and fiscal ills which threaten the fibers of our urban existence. We must work to restore economic vitality so that our cities and neighborhoods can once again become healthy vigorous places to work.

However, in our attempts to stimulate the rebirth of our cities and neighborhoods through residential, cultural, industrial, and commercial development, we must be mindful of the cost-effectiveness of efforts that tend to overemphasize the stable at the expense of the relatively risky, the historic at the expense of the present, the desired at the expense of the needed, the large at the expense of the small, the established at the expense of the emerging, the city at the expense of its neighborhoods, and suburbanism, metropolitanism, and regionalism at the expense of our cities.

Although serious efforts have been undertaken in recent years to preserve, conserve, and redevelop cities and their neighborhoods, there still seem to be as many questions and concerns as answers.

Is an unstable neighborhood simply one that is changing from one social-economic-political level equilibrium to another?

Conversely, what is a stable neighborhood, and is stability always a desirable factor in healthy urban life? Can urban preservationists and urban economic developers systematically contribute to this process, and if so, how?

Should neighborhoods maintain for all time the same social-cultural-political-economic equilibrium, or is it in the best interest, given our rapidly changing environment, for them to evolve in character? What role does preservation play in this equilibrium?

What factors cause neighborhoods to change? Are there consistent leading indicators which, under certain circumstances, signal or even trigger change? Are the factors that most often "tip" the balance and cause a previously stable neighborhood to change cultural, economic, both, or neither?

Once a neighborhood appears to be changing, should steps be taken to reverse the trend or to insure that the new conditions in that neighborhood and the quality of life for its new residents not deteriorate? If so, what steps?

Does revitalization of a commercial shopping strip induce redevelopment of the residential area that forms its market?

Is it smarter to concentrate on housing first in a neighborhood, in order to restore merchant confidence, or to concentrate first on neighborhood job creation—the idea being that people with money in their pockets can improve their own housing, seek their own cultural needs, and attract merchants anxious to get their share?

Finally, there's the key question of whether and how the forces that drive the neighborhood economy can, once identified, be influenced in desirable directions?

Clearly, the answers to these limited questions are not as simple as they may seem, especially when realizing that we are involved in dynamic processes that are extremely difficult to isolate or hold static. CUED is interested in seeking practical solutions, and we are looking forward to exchanging ideas and information on the subject with interested urban conservationists and preservationists.

CONCERNS OF A LAND-MANAGEMENT AGENCY

by **Kent Mays**
Recreation Planning and Inventory
Division of Recreation, Forest Service

The Forest Service, US Department of Agriculture, is an organizationally decentralized, land-management agency with variable management authorities. The agency is responsible for 187 million acres in 42 states; typically each state contains one National Forest, although some states—such as California with portions of 20—include several.

Each of the Forest Service's 9 regional offices has a professional cultural resources specialist providing staff support for history and archeology, and several of the National Forests with well-established programs have professional specialists. Elsewhere expertise may exist on a zone basis. Overall, there are more than 27 professional cultural resource specialists in the Forest Service. Of course, this figure does not include the many less-than-permanent professionals or services provided on a contractual basis.

As an indicator of accomplishment, over 2,400 individual cultural resource surveys were performed during an 18-month period in 1975 and 1976. For FY 1977, the Forest Service has budgeted \$1.9 million for cultural resource management. In a program of this size, there is great potential for interaction between the agency and the SHPO.

With realization of interest, complexities, state-federal cooperation, and positive benefits to the national cultural resource management program there is much to be gained from a discussion of difficult issues at the annual meeting of State Historic Preservation Officers and Federal Representatives.

Most issues result from difficulties or problems an agency has experienced in implementing the program. Program variabilities between states are to be expected, since each state may represent a separate cultural resource situation. However, the accepted role of the State Historic Preservation Office and its authorities should be clarified. Also, is there a minimum agency program level attainment needed before a SHPO can, or should cooperate with a federal agency? Conversely, is there a minimum level needed within a state program before an agency cooperates with the SHPO?

Confidentiality of data is another issue worthy of discussion. Recent legislation authorized the Secretary of the Interior under certain circumstances to hold locations of cultural resources confidential. What responsibility or authority does the SHPO inherit when he is provided with site location information that an agency wishes to be held confidential?

Questions of significance continue to create uncertainties. Varying interpretation of the criteria for eligibility have led to requests to conduct expensive excavations and excessive documentation. Are more specific criteria needed or desirable? This issue leads to the question, what is the National Register? Continually, we hear comments that the National Register is a total inventory concept. Opposing statements support a concept that the Register should consist of items known to contain especially significant historical value. What is the position of the SHPOs on this question? Is further interpretation needed?

Many additional issues exist. With such tremendous potential for accomplishment, close cooperation is worth the effort. Specific localized situations require specific solutions. Are individual memoranda of understanding potential tools in guiding cooperation between an agency and the SHPO? Is there an opportunity for joint agency and state cooperative surveys and planning? Is there a need for memoranda of

understanding between federal agencies at the national level to establish guidelines that will facilitate SHPO relationships with agency field offices? What additional steps should a federal agency take to establish, improve, or strengthen its contact with the SHPO? These questions and issues may be resolvable only on local levels; however, discussion will prepare the way to understanding the scope and potential of possible resolutions.

An attitude of cooperation and trust between the state and federal representatives is vital if we are to fully integrate proper consideration for our historic heritage into the mission of line-agencies. An extension of agency stewardship of natural resources to include appropriate cultural resource values should be the ultimate goal.

VOLUNTEER SURVEY— SALINE, MICHIGAN

**by Janet N. Frank
Chair, Saline Historic District
Commission**

Yes, historic preservation is a lot more than historic districts. However, what if a community comes up with a plan that doesn't include historic districts at all?

Saline, Michigan has a population of 6,000, some good historic buildings, not a very distinguished downtown, and is conservative and blessed with an historic district commission.

In the fall of 1975, the Saline Historic District Commission (the moniker is due to the wording of the state enabling legislation) began an ambitious volunteer preservation survey of every building over 50 years old in town. There were no crises or endangered buildings, no National Register applications being rushed through, no bad streets needing cleaning up, and even those buildings with "inappropriate modifications" were in good repair.

Recognizing our historic assets as a resource for the future, we intended for the survey to be the beginning of some good urban planning. Something workable was needed that would at the same time foster inner-city cooperation and planning. We felt that just as city planning without historic concepts is incomplete, historic preservation without planning cooperation was irresponsible.

Michigan's historic districts constitute basically a policing-power regulation, and as such could not be considered as part of the Saline plan because they could not gain local support. However, more important is the fact that there are no concentrated areas of consistently high preservation value. A large district would simply include too many buildings of little or no preservation value and the restrictions on the many for the few would be unfair.

In the absence of designated historic districts, there is little in the way of guidelines for nonprofessional, local commissions to use in formulating preservation policies and programs. If a conservation approach is to be used, tools are needed for self-help, such as tax information, newsletters, community information programs, walking and bike

tours, and locally oriented awards programs. Perhaps the National Register also needs to provide more appropriate materials for local, nonprofessional use.

We feel that it is important to enter in the National Register ten buildings that are not in close enough proximity to include in a National Register district. The length of time and the detail needed for individual applications (along with the discouragement by state officials of individual applications, due to a backlog) indicates that there should be another way to handle this situation in a small city or neighborhood—perhaps with the creation of a noncontiguous district designation [or with implementation of the multiple-resource nomination concept—ed.].

Historic preservation in Saline must progress without historic districts, at least for now. This requires a careful conservation approach, building up broad-based local support operating in a non-crisis atmosphere. Except for the very special gems, perhaps historic preservation would be best served in small communities without historic districts.

Is this a case of a king without a kingdom? Must historic district commissions go out of business if they have no district to justify their existence, or is it time to just quietly change our names?

Complete procedures of the survey and plan are more thoroughly documented in a report to the community, *Saline Has a Past In Its Future*, available from the National Trust Bookstore, 740 Jackson Place NW, Washington, DC 20006.

LET'S GET IT STRAIGHT

**by Arthur M. Skolnik
State Conservator,
Washington State Parks**

At this crucial point in the evolution of historic preservation—with increased funding, a new administration, and generally a public more sensitive to environmental issues—it is important for us to take a step sideways to assess the preservation movement and hopefully to change gears in the second decade of an intense preservation effort. The first step in this shifting is to get our definitions straight.

The use of or interpretation of the words "preservation" and "conservation," which are so frequently used interchangeably, needs to be clarified. In order to define the American concept of conservation, i.e., preservation, we have plagiarized the terminology of our European counterparts. But the fallacy of this plagiarism is that the American perspective of conservation is much broader, owing primarily to the environmentalists' efforts in pleading for the conservation of our wild and wilderness areas. This differs from the European concept in that we are not conserving these areas for human use, such as parks and recreation, but for ecological reasons and for balancing man's consumption of natural resources against the maintenance of an ever-diminishing natural environment.

The American definition then must start with the broad category of conservation that has two main subject headings—the conservation of the natural or wild areas

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and the conservation of our man-made environment. Both of these may be broken down into more definitive subsections, but for the purposes of this article I will concentrate only on the subdivisions of the man-made environment.

When dealing with conservation of the man-made or built environment we are primarily concerned with the efficient use of these structures or sites. Viable reasons for continuing use would include areas such as energy efficiency; conservation of natural resources; labor intensity; and economic, social, psychological, and/or cultural impact. It is under the element of cultural impact that we find the preservation of our historic resources the prime concern, and it is this small part of our man-made environment that has been "the tail wagging the dog."

Because of the high visibility of our cultural resources (churches, city halls, etc.), we have been able to secure public attention concerning the need for cultural preservation in light of increasing demolitions and loss of our cultural heritage. We have argued in favor of preservation of our cultural resources through economic, social, and a variety of other conditions that would hold true for any reuse of the built environment, yet under the guise of historic preservation the program has been self-limiting. Too often the expertise of preservationists is not thought to be relevant to the problems of tenants and owners of minority, inner-city neighborhoods. Residents of these neighborhoods have not turned to preservationists to discuss rehabilitation plans that could form part of larger plans to help solve social and health problems.

So let's get it straight! Our national policy should be oriented toward the conservation of our built environment to conserve those man-made resources that are becoming more and more irreplaceable due to diminishing man-made and natural resources. The new federal administration must be made aware that the conservation of our man-made environment must be our main thrust and that within the scope of that effort the preservation of our cultural resources plays an integral role. Based on this kind of conservation perspective, we can then expect to see federal organizations that will align the various existing programs defining this new conservation. The federal government must be the catalyst for the type of reorganization that will enable us to get down to the problem solving of the second decade of the preservation movement.

PUBLICATIONS

HISTORIC PRESERVATION SYMPOSIUM

The Bicentennial issue of the *Wake Forest Law Review* (Vol. 12, No. 1), published last spring, is a symposium on historic preservation. The publication describes the present state of preservation law in most jurisdictions and attempts to pinpoint both weaknesses and new directions in preservation law and administration in the public and private sectors.

With a dedication by R. Arthur Spaugh, Jr., President of Old Salem Inc., in Winston-Salem, North Carolina, and a foreword by Robert E. Stipe of Chapel Hill, North Carolina, the issue contains articles on preservation laws in North Carolina, federal and state preservation laws, and suggested directions for federal legislation. It includes a collection of historic preservation cases and a bibliography of legal periodicals published between 1922 and 1975, which deal with historic preservation laws and aesthetic regulations.

The symposium issue is available for \$5 from the *Wake Forest Law Review*, P.O. Box 7206, Reynolda Station, Winston-Salem, NC 27109 until next spring; following that it will be available from Fred B. Rothman & Company, 57 Leuning Street, South Hackensack, NJ 07606.

HABS PHILADELPHIA CATALOG

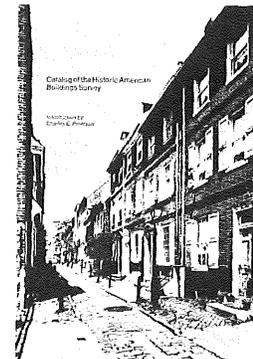
The Historic American Buildings Survey catalog for Philadelphia, *Philadelphia Preserved*, is now available. The catalog was prepared by Richard J. Webster, Associate Professor of History and American Studies, West Chester State College, Pennsylvania.

Entries for the more than 600 buildings included in the catalog are arranged alphabetically within neighborhood groupings, which facilitates use of the book as a guide for walking tours, as well as a catalog of HABS holdings. Each entry contains a brief architectural description, historical statement, and list of the holdings—measured drawings, photographs, and written data—that HABS has on each building. The author has provided a comprehensive essay, which discusses settlement patterns, social history, and architectural development, on each of

the neighborhoods covered in the book.

The catalog also contains an introductory essay on the preservation of the city's architectural heritage by Charles E. Peterson. Peterson, a resident of Philadelphia whose name is familiar to all who are interested in American architectural history and preservation, was the founder of HABS.

Publication of the clothbound catalog was sponsored by the Philadelphia Historical Commission, Temple University Press, and HABS. It contains 512 pages and 127 illustrations, including photographs, measured drawings, and maps, and may be ordered from the Preservation Bookstore, 740 Jackson Place NW, Washington, DC 20006 for \$20.



SIGNERS OF THE CONSTITUTION

Signers of the Constitution is the latest in the National Survey of Historic Sites and Buildings series. The 356-page book honors the Founding Fathers who framed the Constitution and recounts the series of events that led to its adoption, ratification, and amendment. The illustrated edition brings to life the men who created our Nation by including individual biographical sketches of the 39 signers, the text of the Constitution, and a selected bibliography. The volume is available for \$6.40 (Stock No. 024-005-0649-4) from the Superintendent of Documents, US Government Printing Office, Washington, DC 20402.

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