

## Red Tape Review Rule Report (Due: September 1, 2026)

<b>Department Name:</b>	IEDA	<b>Date:</b>	6/10/26	<b>Total Rule Count:</b>	5
<b>IAC #:</b>	223	<b>Chapter/ SubChapter/ Rule(s):</b>	Chapter 417	<b>Iowa Code Section Authorizing Rule:</b>	15.121; Chapter 15, Subchapter II, Part 27
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**PLEASE NOTE, THE BOXES BELOW WILL EXPAND AS YOU TYPE**

**What is the intended benefit of the rule?**

The intended benefit of chapter 412 is to describe the policies and procedures applicable to the certified local government program administered by the state historic preservation office (SHPO) within IEDA.

**Is the benefit being achieved? Please provide evidence.**

Yes. SHPO is able to efficiently administer its responsibilities related to the program.

**What are the costs incurred by the public to comply with the rule?**

Costs may be incurred by applicants to gather materials necessary for a certification request.

**What are the costs to the agency or any other agency to implement/enforce the rule?**

Authority staff time is required to review certification requests.

**Do the costs justify the benefits achieved? Please explain.**

The program supports the enrichment of local historic preservation programs.

**Are there less restrictive alternatives to accomplish the benefit?  YES  NO**

**If YES, please list alternative(s) and provide analysis of less restrictive alternatives from other states, if applicable. If NO, please explain.**

No less restrictive alternatives were identified.

**Does this chapter/rule(s) contain language that is obsolete, outdated, inconsistent, redundant, or unnecessary language, including instances where rule language is duplicative of statutory language? [list chapter/rule number(s) that fall under any of the above categories]**

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Yes the chapter should be updated to be clearer and more concise throughout. Definitions should be added for clarity. Information about grants to certified local governments will be added to the chapter. Information about the grants is currently in 223—Chapter 35 which will be rescinded as part of a concurrent rulemaking.

**RULES PROPOSED FOR REPEAL (list rule number[s]):**

417.1  
417.6

**RULES PROPOSED FOR RE-PROMULGATION (list rule number[s] or include rule text if available):**

CHAPTER 417  
CERTIFIED LOCAL GOVERNMENT PROGRAM

**261—417.1(15) Definitions.** For purposes of this chapter, unless the context otherwise requires:

“*Act*” means the National Historic Preservation Act of 1966, Public Law 89-665, as amended (54 U.S.C. Subtitle II, Division A).

“*Authority*” means the Iowa economic development authority created pursuant to Iowa Code section 15.105.

“*Committee*” means the Iowa state national register of historic places committee described in rule

261—412.3(15).

“*State historic preservation officer*” or “*SHPO*” means the officer appointed and certified pursuant to Iowa Code section 15.121.

**261—417.2(15) Regulations.** The Certified Local Government program (program) shall operate in accordance with the Act; 36 CFR 61; and any applicable guidelines or instructions issued by the National Park Service. Certified local governments shall comply with Iowa Code sections 15.445 through 15.459 as applicable.

**261—417.3(15) Criteria for certification.** Any local government may be certified to participate in the program if the SHPO and the National Park Service certify that the local government meets the following conditions:

1. Secures appropriate county and municipal ordinances or resolutions for the creation of a local historical commission and the conduct of its historic preservation responsibilities;
2. Establishes an adequate and qualified historic preservation review commission by state or local legislation;
3. Maintains a system for the survey and inventory of historic properties that furthers the purposes of historic preservation;
4. Provides for adequate public participation in the local historic preservation program, including the process of recommending properties for nomination to the National Register of Historic Places; and
5. Satisfactorily performs the responsibilities delegated to it under the Act.

**261—417.4(15) Procedure for certification.**

**417.4(1)** The applicant will contact the authority for program guidelines and application procedures.

**417.4(2)** SHPO staff will review certification requests for completeness and eligibility within 30 days of receipt and advise applicants of the results of the review. If the certification request is deemed unsatisfactory, staff will advise the applicant and specify the changes that are needed.

**417.4(3)** When a certification application is accepted, a certification agreement is sent to the local government for signature.

**417.4(4)** Following execution of the agreement, eligible applications for certification are subject to review and approval by the National Park Service.

**417.4(5)** Certification may be revoked pursuant to the terms of the certification agreement. A certified local government may also request decertification.

**261—417.5(15) Certified local government subgrants.**

**417.5(1) Generally.**

- a. Only certified local governments are eligible to apply for and receive a grant through this program.
- b. The SHPO is not required to award funds to all certified local governments.
- c. The program shall operate as a competitive grant program.
- d. Following the award of a grant a contractual agreement specifying the terms of the grant shall be executed between the authority and the grant recipient.

**417.5(2) Procedure.**

- a. Application packets are sent to all eligible applicants at least 45 days prior to each application deadline.
- b. All applications shall be submitted on the forms provided by the authority. All applications will contain a description of the proposed project; schedule for implementation; the amount of grant funds requested; the amount, kind, and source of local match committed to the project; a budget for the project; written assurance that the applicant shall follow the Secretary of the Interior’s Standards for Archaeology and Historic Preservation; and written assurance that the applicant shall select a principal investigator who meets the Secretary of the Interior’s professional qualification standards.
- c. Local match of at least 40 percent of the total project cost is required.
- d. Staff may consult with applicants regarding the development of project proposals.
- e. Staff will review applications for completeness and eligibility. Incomplete or ineligible applications will be returned to the applicant. The applicant may correct and return the application prior to the grant deadline.
- f. Program staff will conduct a preliminary review of each application to determine eligibility, completeness, consistency with program purpose, and amount of local match. Applications that do not meet these criteria shall not be considered for funding. Results of the staff review will be transmitted to the committee.
- g. The date of review of applications by the committee is established by the SHPO. Recommendations from the committee are submitted to the director of the authority for formal approval. Final authority for funding rests with the SHPO.

**417.5(3) Grant awards.**

- a. Applicants approved for grants shall enter into a grant agreement with the authority that specifies the terms and conditions of the grant, including the grant amount, project description, matching requirements, and dates for the submission of specified products.
- b. The grant agreement shall be signed by the SHPO and the chief elected local official of the certified local government or authorized designee.
- c. If a certified local government that has been awarded grant funds determines that the awarded project cannot be completed, staff may recommend alternatives for expenditure of the funds to the SHPO. The decision of the SHPO regarding alternatives for expenditure of the funds shall be final.

**261—417.6(15) References.** All references to the Act, United States Code, or Code of Federal regulations in this chapter are to the laws as in effect on [effective date of rulemaking].

These rules are intended to implement Iowa Code section 15.121.

**\*For rules being re-promulgated with changes, you may attach a document with suggested changes.**

**METRICS**

<b>Total number of rules repealed:</b>	<b>0</b>
<b>Proposed word count reduction after repeal and/or re-promulgation</b>	<b>0</b>
<b>Proposed number of restrictive terms eliminated after repeal and/or re-promulgation</b>	<b>0</b>

**ARE THERE ANY STATUTORY CHANGES YOU WOULD RECOMMEND INCLUDING CODIFYING ANY RULES?**

No.