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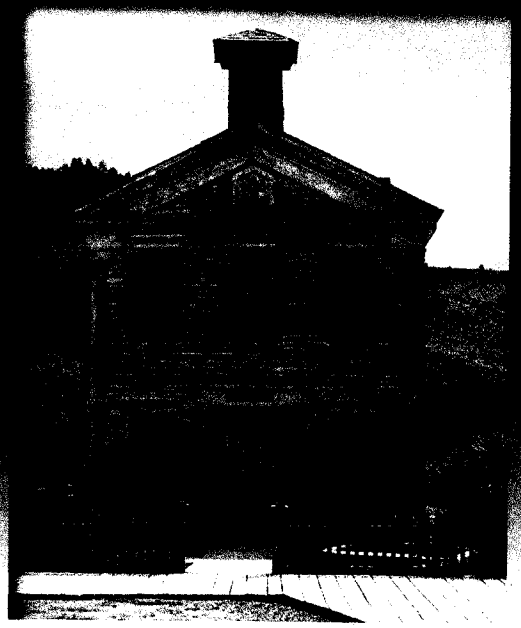
Montana
Historical Society

MONTANA'S SHARED HERITAGE

First Biennial Report on the Status, Condition, and Stewardship of Montana's State-owned Heritage Properties



EDUCATION & LOCAL GOV'T IC
SEPTEMBER 13, 2012
Exhibit 11

Submitted to the Governor of Montana
and the Montana State Legislature
(Education and Local Government Interim Committ

In compliance with MCA 22-3-423 (13)
Montana State Antiquities Act

Report prepared and submitted by the Montana Preservation Review Board
and the State Historic Preservation Office of the Montana Historical Society

August 2012

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Montana
Historical Society

Madison Buffalo Jump State Park, Gallatin County
Cover photo: Masonic Hall; Bannack State Park, Beaverhead County

FRONT MATTER

Preface

In 2011, the 62nd Legislature of Montana passed Senate Bill 3 amending Sections 22-3-422, 22-3-423, and 22-3-424 of the Montana State Code. The revised sections require state agencies and the Montana university system to biennially report to the Preservation Review Board on the status and maintenance needs of the agencies' heritage properties. The findings from this reporting are to be conveyed by the State Historic Preservation Officer to the legislature, along with recommendations regarding management of the properties.

The need for this information gathering was previously identified by both a Governor's and a Legislature's task force. In 2005, Governor Brian Schweitzer created the Montana Governor's Council on Historic Properties (E.O. 18) to study and report on the state's policies for the preservation of publically-owned historic properties (Report to the 60th Legislature 2007; http://mhs.mt.gov/shpo/HCadvisoryCouncil.asp). In 2009, the 61st Legislature also passed a resolution (HJR32) requesting an interim study to evaluate the economic impact of historic preservation projects and strategies (Community Service: Final Report of the Education and Local Government Interim Committee 2009-2010 Interim, 2011, pp II: 1-18; http://leg.mt.gov/css/Between-Sessions/final-interim-reports-2009-10.asp). It was recognized in both these studies that of the hundreds of heritage

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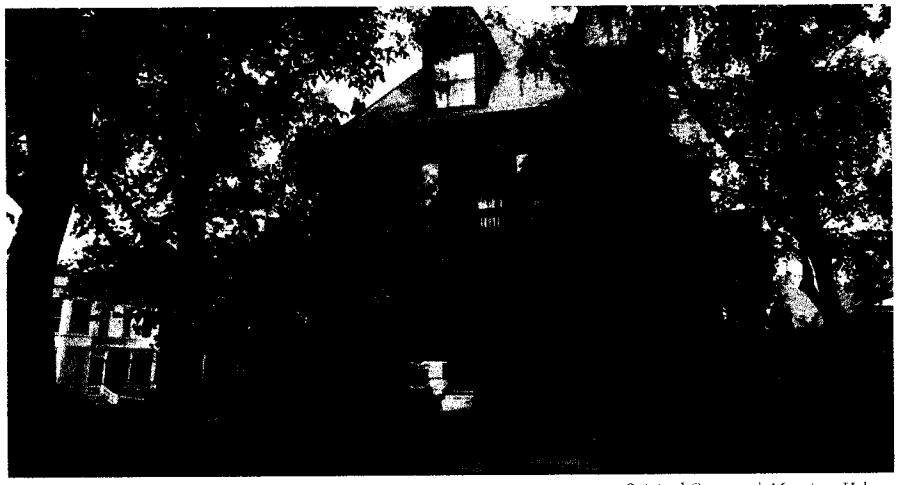


Original Governor's Mansion, Helena

properties entrusted to the State of Montana, many were in danger of disappearing or falling into a state of disrepair from which they might never recover. The importance of preserving and maintaining these properties was stressed as a means to foster a strong sense of identity and community, as well as to realize the economic benefits of reusing these valuable resources. Full and appropriate state stewardship begins with regular assessment by state agencies on the condition of the heritage properties under their care.

This document represents the first reporting cycle of this Act, hence is an initial snapshot of the state's current preservation efforts for the properties in their care. This exploration has been welcomed as the beginning of a widespread evaluation intended to generate constructive processes for planning that will benefit the heritage properties under state stewardship and, by extension, the citizens of Montana. The State Historic Preservation Office (SHPO), Preservation Review Board (Board), and state agencies have identified avenues for improvement of this reporting and for viewing the role of historic preservation in the management of their properties.

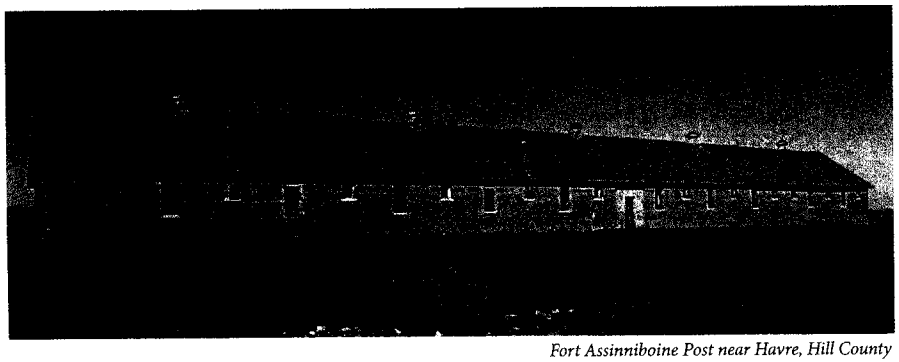
Acknowledgements

The State Historic Preservation Office and Preservation Review Board are grateful for the efforts of the agencies that reported in this inaugural cycle of documentation and analysis, and the Montana State Legislature for the enabling legislation. No funding was associated with this legislation, yet all parties recognized the current and future value of this reporting.

Hardy Bridge, Cascade County

EXECUTIVE SUMMARY

This first biennial report to the Montana State Legislature fulfills the intent of the revisions to MCA 22-3-422, 22-3-423, and 22-3-424. This report is based upon the information submitted by eleven state agencies that manage heritage properties on state-owned land and provides insightful information to their administration, interpretation, and operation. In assessing the strategies employed by the agencies, the SHPO and Montana Preservation Review Board have articulated twelve key findings about the current state of property stewardship. These have generated six overarching recommendations on how the state can continue to improve performance in these areas.



Fort Assinniboine Post near Havre, Hill County

Findings

These findings are summarized as follows and are expounded upon in the following pages:

DEFINITION OF STATE HERITAGE PROPERTY

"Heritage properties" are defined as those districts, sites, buildings, structures, or objects located upon or beneath the earth or under water that are significant in American history, architecture, archaeology, or culture (MCA 22-3-421).

1. Of the 437 known state-owned heritage properties, only 265 were reported on in this cycle. There are also numerous unknown and undocumented potential heritage properties. The state's inventory is incomplete.
2. The status of several properties is unresolved; the SHPO and agency disagree about the heritage status of these properties.
3. Other unreported properties represent outstanding questions of responsibility for the management of properties on state-owned land. Not all agencies accept responsibility for properties they manage on state-owned and federally-leased land.
4. Properties with divided ownership, including mineral rights, create confusion among the agencies and other entities.
5. Based upon the agency reports, it appears that 9.1% of the reported properties are endangered and 58.9% have a satisfactory status.
6. Thirty-four percent of the heritage properties are described as in excellent condition, while 11.7% are poor or have failed. The condition of 13.6% is unknown.
7. Repair and maintenance of heritage properties is not sufficiently funded.
8. Some agencies have heritage properties that don't fit with their mission.
9. State agencies would benefit from expanded guidance and instruction from SHPO for both reporting and for consideration and management of heritage properties.
10. Statewide stewardship costs for the last two years are reported to have been $5 million. Of this, nearly $3 million was dedicated to restoration projects and $1.1 million to maintenance.
11. Some agencies have supplemented their state and, if any, federal, funds for heritage property stewardship with grants and partnerships.
12. Those agencies with cultural resource specialists have access to valuable input and coordination in terms of preservation efforts.

Recommendations

The analysis of the agency reports and the above findings resulted in the following six recommendations. The full range of actions associated with these recommendations is provided near the close of this report.

1. Include historic preservation and stewardship in facilities and resource master planning to address priority preservation maintenance needs.
2. Designate and train a historic preservation officer (HPO) within each agency to oversee agency identification and consideration of state-owned heritage properties and to coordinate agency consultation with SHPO.
3. Provide agencies with professional expertise in preservation.
4. Promote a proactive relationship between the agencies and SHPO. Cultivate a positive, helpful working relationship to include early planning, training of agency personnel, assistance with agencies' legal responsibilities, and development of working teams and processes.
5. Hold agencies accountable for their consideration of the impact of their undertakings on heritage properties and for their reporting.
6. Enable greater consistency of meaningful reporting in the next reporting cycle.

THE REPORTING AGENCIES

- Department of Administration (DOA)
- Fish Wildlife and Parks (Fish and Wildlife Division)
- Fish Wildlife and Parks (Montana State Parks Division)
- Montana Department of Commerce (Montana Heritage Commission)
- Montana Historical Society (MHS)
- Montana Department of Military Affairs (DMA)
- Department of Natural Resources and Conservation (DNRC)
- Department of Public Health and Human Services (DPHHS)
- Montana Department of Transportation (MDT)
- Montana State University (MSU)
- University of Montana (UM)

INTRODUCTION

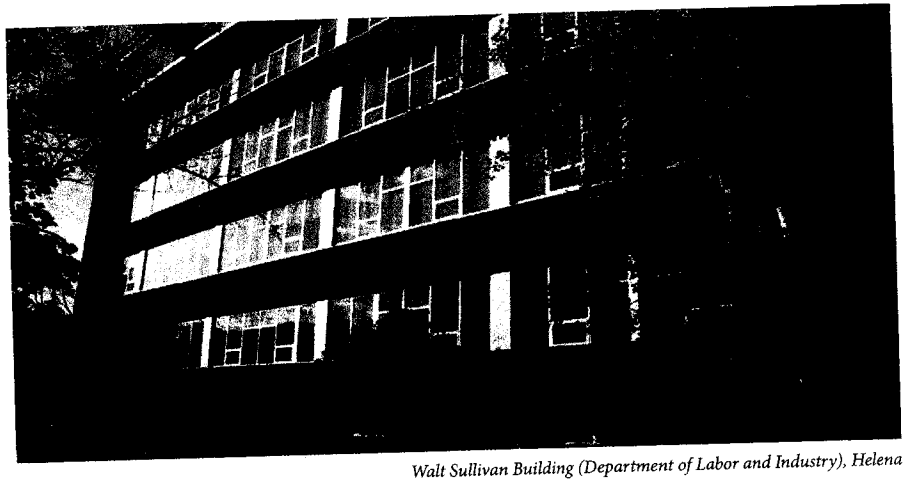
Revisions to the Montana State Antiquities Act

This reporting is required by amendments in 2011 to the state code, the basis of which is referred to as the Montana State Antiquities Act (MCA 22-3-422, -423, and -424). The intent of the revised code is to gather pertinent information from the state agencies on the status and maintenance needs of their heritage properties. "Heritage properties" are defined as those districts, sites, buildings, structures, or objects located upon or beneath the earth or under water that are significant in American history, architecture, archaeology, or culture (MCA 22-3-421). Eligibility for this designation is established through consultation with the State Historic Preservation Office, using criteria established by the National Park Service for the National Register of Historic Places program. Specifically, the amended Act requires each agency to provide the following information on a biennial basis:

1. A list of the heritage properties managed by the agency as those properties have been identified pursuant to this section;
2. The status and condition of each heritage property;
3. The stewardship efforts in which the agency has engaged to maintain each heritage property and the cost of those activities;
4. A prioritized list of the maintenance needs for the properties; and
5. A record of the agency's compliance with subsections (1) and (2) of MCA 22-3-424. (These subsections require the agencies to consult with the State Historic Preservation Office to: (1) adopt rules for identifying and preserving heritage properties and, (2) to develop methods and procedures to give appropriate consideration of heritage properties in state agency decision making.)

The Reporting Process

Eleven of the twelve identified agencies responsible for management of state-owned heritage properties reported on 265 properties (several of which contain multiples buildings or sites). The Department of Corrections did not submit a report; hence, this report is not fully complete.



Walt Sullivan Building (Department of Labor and Industry), Helena

This amendment to the State Antiquities Act added new stewardship responsibilities to the SHPO and the Board. The SHPO is a department of the Montana Historical Society, staffed with preservation professionals with expertise in evaluating and listing properties in the National Register of Historic Places; maintaining an inventory of all heritage properties; disseminating information regarding historic properties; assisting local, state, and federal government agencies in comprehensive planning for the treatment of heritage properties; and consulting on the impact of projects on heritage properties, among other duties outlined in MCA 22-3-423. SB3 further requires SHPO to report the information received, and the ensuing recommendations, from this agency reporting to the appropriate legislative interim committee.

The Board is an advocate for historic preservation in Montana and is comprised of nine governor-appointed citizen members representing various professional and public categories, including historians, archaeologists, historic preservation architects, cultural specialists, and interested public. SB3 provides for the Board to accept the agency stewardship reports and to make recommendations regarding management of these properties.

Soon after the passage of SB3, the Board and SHPO developed a pilot process for agency reporting, for Board and SHPO review of agency reports, and for Board and SHPO reporting to the Legislature, with the understanding that this process would set precedents, yet also evolve over the years. With these parameters and the Act's framework in mind, the Board and SHPO met three times before the agency report due date and twice afterwards.

- May 2011: Meeting in Columbus with Senator Bob Hawks, who introduced SB3 to the legislature, to discuss ways to implement the statute's legislative intent. This included development of the reporting mechanism and SHPO staff guidance to the agencies.
- September 2011: Meeting in Missoula to ascertain how to proceed once the agency reports were received.
- January 2012: Meeting in Helena to review the three agency reports submitted early and to establish guidelines. A three-person committee was formed to lead the Board's reporting effort to the legislature.

Concurrently, the work of the Board was supported by SHPO staff, which met three times with state agencies in 2011 to provide guidance and assistance in the preparation of agency stewardship reports under SB3: April 29, July 26, and October 25. SHPO developed and provided agencies with a working list of documented state-owned heritage properties, a uniform template for reporting information on the properties as requested under SB3, and a recommended outline for writing agency narrative reports. SHPO also created a webpage: (http://mhs.mt.gov/shpo/State-owned%20Heritage%20Properties.asp) to host this information and the copies of the submitted agency reports. Eleven agency reports were received by the February 7, 2012 due date.

In March 2012, the three-person Board committee met in Hamilton to review the eleven agency reports and take note of trends and commonalities, incorporating responses and feedback from the rest of the Board and the SHPO. Letters to each of the agencies were developed, with the aim of providing useful feedback on their individual reports and the specific issues addressed therein. The full Board met in Kalispell in May 2012 to craft the structure of the report and approve revisions to the individual agency feedback letters. At this time, the Board asked themselves five fundamental questions that guided their response to the reporting:

- What have we as a Board and as individual members of the Board learned about Montana's properties on state-owned land?
- What do we hope the agencies have learned?
- Given what we have learned, what are the most important pieces to include in the report?
- What do we hope the report accomplishes?
- Can this exercise be a teaching moment for the Board, the agencies, and the legislature?