



Montana State Historic Preservation Office
1301 E. Lockett Ave.
P.O. Box 201202
Helena, MT 59620-1201
406-444-7715

September 1, 2022

To: Senator Edie McClafferty, Montana Legislative Education Interim Committee

From: Pete Brown, State Historic Preservation Officer

Dear Madam Chair and Education Interim Committee members:

Please find the State Historic Preservation Review Board's (Board) and the Montana State Historic Preservation Office's (SHPO) attached report reflecting state agency heritage stewardship in the 2020-2021 biennium. The Board and SHPO present these findings per statutes 22-3-423 and 22-3-424. A more detailed dashboard of state heritage properties and stewardship is online at:

<https://mhs.mt.gov/Shpo/ReviewComp/StateHeritageProperties>

Thank you for your and the committee's interest in Montana's heritage properties. Please contact me with any questions about this report.

Sincerely,

A handwritten signature in black ink that reads 'Pete Brown'.

Pete Brown
State Historic Preservation Officer

MONTANA'S SHARED HERITAGE

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

2020-2021 State Agency Heritage Stewardship Report from the

The Montana State Historic Preservation Office (SHPO); and the Montana State Historic Preservation Review Board (Board)

Submitted to the Governor of Montana and the Montana State Legislature (EDIC)

SEPTEMBER 2022

FINDINGS

The agency reports yield several patterns of agency practice, as follows:

1. Agencies with cultural resource managers and a frequent need to consult under the Antiquities Act demonstrate an ability to fulfill the Act's intent.
2. Agencies without cultural resource managers with a frequent need to consult under the Act demonstrate gaps in compliance in the 2020-2021 biennium.
3. Thanks to Heritage Stewardship reporting, agencies with infrequent need to consult under the Act and no cultural resource staff are aware of the obligation to consult. Agencies that fit this description have reached out to SHPO for guidance on how best to consult and treat their properties in the 2020-2021 biennium.
4. Cultural resource managers pro-actively survey and evaluate properties for their heritage status and increase the agency's inventory of heritage properties each biennium. This groundwork improves heritage stewardship.
5. Ongoing use of historic buildings increases the likelihood of sustained stewardship.
6. Training agency law enforcement and site managers to monitor archaeological and historic sites in their jurisdiction is a form of stewardship.
7. Confusion remains among agencies about the State Architecture and Engineering's (A/E) role in consultation. A/E can support agencies in meeting the obligation to consult but cannot act on behalf of the agency.
8. One agency pointed to lack of staff as the reason for non-compliance with the Act.

BEST PRACTICES

While historic preservation efforts vary among state agencies, examples of successful preservation efforts continue to emerge and serve as guidance for all agencies. The agency reports revealed the following best practices:

1. *Reporting*—Montana State University provided the most coherent inventory of the status, condition, and prospects for buildings in their care.
2. *Expertise*-- Montana State Parks, the Dept. of Transportation, and the Dept. of Natural Resources and Conservation illustrate the benefit of cultural resource management staff who identify new heritage properties, consult, and promote agency stewardship.
3. *Training*-- Montana State Parks' training of Wildlife Management Area staff, Fishing Access Site managers, and Game Wardens to recognize damage and vandalism to archaeological sites broadens the agency cultural resource manager's reach.
4. *Mothballing*—Protecting Heritage properties without an immediate use or rehabilitation funds is stewardship—keeping buildings available for re-use. The Dept. of Justice demonstrated this with repairs to the Boulder Campus Main Hall.
5. *Early and meaningful consultation*—The Parks Division of Fish, Wildlife and Parks, the Department of Transportation, and the Department of Natural Resources and Conservation all consult with SHPO in a timely and thorough way, which ensures Heritage properties are considered in all actions.

PURPOSE

Montana's 62nd Legislature amended the State Antiquities Act to require agencies to report on their heritage property stewardship

WHEREAS, hundreds of heritage properties have been entrusted to the state of Montana, state agencies are responsible for maintaining those properties on behalf of Montana citizens; and

WHEREAS, these properties are in danger of disappearing or falling into a state of disrepair; and

WHEREAS, preserving and maintaining heritage properties is important for a sense of identity and community, and for the economic benefits realized through building reuse, tourism, and revitalization; and

WHEREAS, agencies' regular assessment on the condition of their heritage properties will help ensure the ongoing stewardship of these valuable resources.

RECOMMENDATIONS

SHPO and the Board have seen improvements in the reporting process, consultation, and in agency stewardship since reporting began in 2012. To build on agencies' positive stewardship efforts, SHPO and the Board offer the following recommendations:

1. SHPO will develop a standardized reporting format involving fill-in tables and short, elaborative narratives.
2. SHPO will continue to help agencies through the consultation process in part by sharing SHPO's online training materials, established in 2021 at agencies' requests.
3. SHPO will continue to establish programmatic agreements (PA) with agencies that have a frequent need to consult. PAs re-affirm agencies' obligation to consult and provide an efficient means of consultation by removing certain routine stewardship activities from review.
4. SHPO will continue to emphasize to agencies that the State Architecture and Engineering Division can assist agencies through consultation with technical guidance but cannot consult on behalf of the agency.
5. Agencies should identify a heritage stewardship contact/liaison and where possible, employ staff with cultural resource expertise and training. Where FTE positions are difficult to establish, agency revenue-funded *modified positions* may be possible.
6. Where available, agencies should consult with local historic preservation officers and local historical societies.
7. Heritage stewardship occurs best when agencies proactively identify, evaluate, and care for historic resources, especially when strategic plans exist.
8. Funding for a comprehensive survey of unevaluated state-owned historic and pre-historic properties (> 50 yrs. old) would help state agencies meet more of their Act requirements and help assess deferred maintenance and infrastructure needs.

AGENCIES REPORTING

Department of Administration
Department of Corrections
Department of Justice
Department of Military Affairs
Department of Natural
Resources and Conservation
Department of Public Health
and Human Services
Department of Transportation
Fish Wildlife and Parks
Montana Heritage Commission
Montana Historical Society
Montana State University
University of Montana

OUTCOMES

1. During June and July, the Board wrote to the 12 agencies that own heritage properties. Letters thanked agencies for their stewardship and reporting, and provided comments with the added perspective of SHPO staff. Some letters asked agencies to follow up with SHPO or offered comments for the 2024 report.
2. SHPO is initiating a programmatic agreement with the University of Montana (UM-Missoula, MT Tech, UM-Western) to streamline consultation and establish expectations for complete and timely consultation.

A story map chronicling agencies' heritage stewardship reporting is available at:

<https://storymaps.arcgis.com/stories/b5151a8c54c1423db628da1924dc8aa5>