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CULTURAL RESOURCE MANAGEMENT AND HISTORIC PRESERVATION IN TEXAS: A COMPREHENSIVE GUIDE

A breakdown of the key programs, designations, and regulations you need to know if you're considering development in Texas.





Cultural Resource Management (CRM) in Texas is a carefully regulated process governed by state statutes, landmark designation programs, and a specialized body of law aimed at protecting cultural and historic resources. The Texas Historical Commission (THC) plays a pivotal role in managing and enforcing these policies.



THE ANTIQUITIES CODE OF TEXAS

Origins and Purpose

Enacted in 1969, the Antiquities Code of Texas was a response to the unregulated looting of a 16th-century Spanish shipwreck. This pivotal event led to the creation of a legal framework to protect archaeological sites and historic structures on public lands.

Scope of the Law

The Code mandates that:

- All ground-disturbing activities on non-federal public lands or that involve political subdivisions of the state of Texas (e.g., utility districts) must be reported to the THC.
- Projects involving state-owned historic buildings or archaeological sites require THC review and possibly an antiquities permit.

- State Antiquities Landmarks (SALs) can be designated to protect buildings and archaeological sites with historical value.

Examples of projects requiring THC review:

- Construction of reservoirs by water authorities
- Expansion of public parks
- Energy exploration on public land
- Installation of municipal water and wastewater infrastructure
- Renovation or demolition of historic state-owned buildings

Permitting Process

- An archaeological permit under the Code is issued only to [professional archaeologists](#) who qualify as principal investigators under the THC's Rules of Practice and Procedure. Once a project is submitted, the THC has 30 days to review it and may require further archaeological investigation.



THE ROLE OF THE THC

The THC is the state's primary authority on historic preservation. It oversees laws, regulations, and preservation programs that protect Texas's historic buildings, archaeological sites, and cemeteries on non-federal public land. It also provides guidelines and oversight to ensure that these resources are treated with care and respect.

RECORDED TEXAS HISTORIC LANDMARKS (RTHL)

The RTHL program is one of the THC's most prestigious designations. To qualify, a building must be at least 50 years old and demonstrate architectural and historical significance. Once designated, these landmarks are granted legal protection under state law, safeguarding their physical integrity and cultural value.

Types of marker programs under this initiative include:

- Subject markers
- Historic Texas Cemetery markers

More information can be found at [THC's RTHL webpage](#).

Regulatory Archaeology and CRM

The THC's regulatory archaeology functions are embedded in its administration of the Antiquities Code. State and local agencies must give the THC advance notice of projects that could affect SALs or disturb public lands. The THC then has the authority to:

- Request [archaeological surveys](#)
- Require an Antiquities Permit
- Enforce protective measures under the Texas Administrative Code (TAC)



CEMETERY PROTECTIONS UNDER TEXAS LAW

Health & Safety Code Chapter 711

Cemeteries in Texas—whether public or private—are governed under this code. Cemeteries are broadly defined to include any area with one or more graves, including:

- Graveyards
- Mausoleums
- Burial parks

The THC oversees policies related to historic-age cemeteries, including:

- Abandoned or unverified cemeteries
- Unmarked burial sites

If a previously unknown cemetery is discovered, the individual must file a Notice of Existence of Cemetery within 10 days.





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Historic preservation in Texas is more than just safeguarding old buildings—it is a comprehensive system governed by legal mandates, landmark recognition, and archaeological oversight. Whether you're a developer, public official, or property owner, understanding the role of the THC and the legal requirements of preservation can help ensure that Texas's rich historical legacy is protected for generations to come.

Business-focused Cultural Resource and Heritage Management in Texas

Chronicle Heritage offers CRM consulting in Texas with multiple offices in the Lone Star and surrounding states. Our work has earned the trust of government agencies such as the U.S. Army Corps of Engineers, Veterans Affairs, the Texas Commission on Environmental Quality (TCEQ), TxDOT, as well as municipal agencies across Texas. We have developed crucial positive relationships with numerous state, local, and tribal stakeholders.

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