



Preserving America's Heritage

HIGHLIGHTS
ADVISORY COUNCIL ON HISTORIC PRESERVATION BUSINESS MEETING
November 9, 2017
Washington, D.C.

The members of the Advisory Council on Historic Preservation (ACHP) met on November 9, 2017, in the Russell Senate Office Building. Chairman Wayne Donaldson spoke about the previous night's Chairman's Award presentation to the Williams Companies, National Park Service, New York State Historic Preservation Office, and Federal Energy Regulatory Commission for their work on the renovation and repurposing of airplane hangars at Floyd Bennett Field in Brooklyn, New York. (read more about the award here: <http://www.achp.gov/docs/floyd-bennett.pdf>)

Members discussed the pressing issue of infrastructure programs across the country. It is a major policy initiative by the President, and Chairman Donaldson said the ACHP members should plan to be prepared for the approval processes under tight timelines. The Section 106 process is one of the key environmental review processes in the approval of infrastructure projects.

Architect of the Capitol and Federal Agency Programs (OFAP) Committee Chairman Stephen Ayers discussed the work the ACHP is now doing along with other federal agencies to implement Executive Order 13807 regarding discipline and accountability in the environmental review and permitting process for infrastructure. Two key requirements of this EO have particular relevance to the Section 106 review process, one being that major infrastructure projects must be reviewed and approved through "One Federal Decision," and the other that these reviews be completed within an average of two years. Ted Boling (Council on Environmental Quality) reiterated that the ACHP has been an active participant in the interagency working group that is working toward developing instruction to agencies on how to achieve these goals. Executive Director John Fowler reported that the ACHP is convening a group of industry representatives and preservation stakeholders to identify ways the Section 106 process can be made more efficient for energy transmission projects.

Dan Jiron (Department of Agriculture) noted the USDA supports more streamlined procedures as an advantage for all those involved. Grover Burtney (Department of Transportation) said the DOT is working on target timelines with earlier engagement and advice as a good outcome. Danielle Schopp (Department of Housing and Urban Development) said her agency has been highlighting its tribal directory assessment tool to exhibit early engagement resources for infrastructure projects. The discussion continued about GIS and other federal resources.

Members discussed the natural disasters that caused widespread destruction throughout Texas, Florida, California, Puerto Rico, and the U.S. Virgin Islands. While cleanup and recovery efforts are advancing, historic preservation needs have not yet been fully assessed as communities struggle to deal with the devastation to homes, roads, power lines, infrastructure, and natural resources. Mr. Ayers reported that ACHP staff is participating in regular calls and meetings with agencies and other stakeholders on the status of recovery efforts thus far. While Texas and Florida seem to be further along in assessing the

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damage to historic properties and the level of resources they may need to deal with the damage, Puerto Rico and the Virgin Islands are behind, hampered by lack of electricity and phone service, as well as damage to their own residences and facilities. Recovery from the devastating wildfires in California also is underway. The ACHP is also engaging partners under the Unified Federal Review process and is working to provide support for effective and efficient environmental reviews across the board. The Federal Emergency Management Agency (FEMA) has committed to detailing a liaison with the ACHP for two years. This position will allow the ACHP to have a presence in these disaster areas and better address FEMA's activities and communities' needs in the affected areas.

Jeff Orner (Department of Homeland Security) said FEMA has been looking for subject matter experts to serve in its corps of employee volunteers who are helping with recovery and rebuilding efforts. National Conference of State Historic Preservation Officers President Mark Wolfe said in Texas they are trying to get buildings back in working order so people can get back to work. It is a symbol of the resilience of their communities.

Members were also reminded that staff is working with the DOT to complete work on a Program Comment regarding an exemption of railroad and transit rights-of-way. The draft Program Comment was recently published in the *Federal Register* for public comment, and a revised final draft will be presented to the members for adoption via unassembled meeting in early January. OFAP Director Reid Nelson reported that the ACHP is beginning work to establish an online Section 106 forum to encourage communication, problem solving, and collaboration among those who implement the Section 106 review process.

As a result of an informal review undertaken pursuant to Executive Order 13777 on regulatory reform, the members voted to rescind the ACHP's regulations on the now-defunct Urban Development Action Grants Program. It was also reported that the ACHP's Freedom of Information Act regulations would be updated.

There was a lengthy discussion on the current controversy over commemorative works and the development of a policy statement from the ACHP. Chairman Donaldson announced he would establish a task force and invited members to express their interest in serving. Members discussed the ACHP addressing this issue in both Section 106 and in broader policy contexts.

Members also discussed the future of the national historic preservation program since the ACHP had adopted a series of recommendations earlier in the year to improve the effectiveness of the program. Opportunities to move forward on many of the recommendations have been limited due to the slow pace of the appointment of policy-level officials in the Administration. Preservation Initiatives Committee Chairman Brad White suggested overlaying the Administration's priorities with the stated recommendations to see if some may get traction.

The members passed five motions regarding recent legislation:

- The ACHP supports funding for the Historic Preservation Fund equal to or above that proposed in H.R. 3354. (motion passed with 12 ayes, no nays, eight abstentions)
- The ACHP opposes Section 115 of H.R. 3354, which prohibits the use of National Park Service (NPS) appropriations on any action regarding the Trestles Historic District's eligibility for listing on the National Register, as setting an unnecessary precedent that would undermine protection of historic properties under the NHPA. (motion passed with 12 ayes, no nays, eight abstentions)
- The ACHP opposes Section 451 of H.R. 3354, which bars the use of NPS appropriations on any action regarding establishment of a national heritage program in counties in Southeast Colorado, as setting an unnecessary precedent that impedes the application of federal heritage recognition. (motion passed with 12 ayes, no nays, eight abstentions)

- The ACHP supports retention of the historic preservation and rehabilitation tax incentives during comprehensive tax reform. (motion passed with 12 ayes, no nays, eight abstentions)
- The ACHP opposes H.R. 3990, which would significantly scale back the protections of National Monument designation under the Antiquities Act. (motion passed with 11 ayes, no nays, nine abstentions)

The members also adopted a resolution for the ACHP, in cooperation with the ACHP Foundation, to develop a speakers bureau to increase visibility and awareness of the ACHP and historic preservation. Communications, Education, and Outreach Committee Chairman Robert Stanton noted that the ACHP and HUD are moving forward with the second ACHP-HUD Secretary's Award for Excellence in Historic Preservation and noted other members should consider partnering on awards that would benefit their missions as well.

Michelle McVicker addressed the members to give an overview of her research project about Latino heritage and intangible history. Ms. McVicker is the first ACHP-Smithsonian Fellow who has worked for the past two months in Washington, D.C. and in Los Angeles.

Members applauded Mr. Stanton on his receiving the Louise du Pont Crowninshield Award at the upcoming National Trust meeting. Read more about it here: <http://www.achp.gov/docs/crowninshield-award.pdf>.

Next year's business meetings have been scheduled for March 21-22, July 25-26, and November 7-8.