

*Preserving America's Heritage*

## CURRENT ACTIVITIES AT THE ACHP MARCH 2011

### **America's Great Outdoors Initiative and Preserve America**

The report on America's Great Outdoors (AGO) was unveiled at a White House event on February 16. The AGO Initiative provides an opportunity to link natural and cultural heritage, both public and private lands stewardship and better care for historic and cultural resources, and community preservation with community open space, recreation, and environmental education. While the recommendation for full



funding for the Land and Water Conservation Fund and significantly increased funding for the Historic Preservation Fund (HPF) over the next five years have attracted the most attention, there are real opportunities to expand and enhance federal historic preservation programs. Agencies are looking at their existing programs and how they can contribute to carrying out AGO's goals, and the ACHP will work closely with the National Park Service (NPS), the Forest Service, and others. The ACHP will serve on the interagency AGO Council, which is tasked with overseeing implementation of the initiative, and also participate on the 21st Century Conservation Service

Corps working group. A number of key components of the Preserve America program, including Preserve America Communities, Preserve America Stewards, and youth engagement initiatives, can further AGO goals, and the ACHP will pursue that over the coming months.

### **ACHP Strategic Plan**

The ACHP membership adopted a revised six-year strategic plan that the Government Performance and Results Act requires each agency to have. The plan follows the organization of the previous plan, with the ACHP's five major activity areas defined as promoting historic preservation policy and programs, improving federal preservation programs, fostering the protection and enhancement of historic properties, promoting the importance of historic preservation, and developing and managing ACHP organizational capacity. The new plan incorporates goals of promoting diversity in the ACHP's work and addressing sustainability issues. The plan in its entirety is at [http://www.achp.gov/docs/strat\\_plan.pdf](http://www.achp.gov/docs/strat_plan.pdf).

### **ACHP Web Site Overhaul**

The ACHP is working on the final phase of its new Web site to improve the site's usability and "find-ability." The revisions are based on extensive surveying of the ACHP's stakeholders and are designed to

make the site a more effective preservation tool. The new site will launch in early May, and the ACHP looks forward to further user feedback.

### **ACHP Economic Benefits Study**

Using funds provided by the Economic Development Administration, the ACHP has a contract with Donovan Rypkema and his firm Place Economics to produce an assessment with recommendations on how to better measure the economic impacts of historic preservation. Part of the task is to review state and local studies (many commissioned by SHPOs and supported through state and HPF funds) that have been done since 2005 and glean the most effective measures that should be pursued nationally. A report with recommendations, along with a popular summary publication with a snapshot of important findings, is expected in May. The ACHP will make this information widely available for use by the historic preservation community.

### **Sustainability Task Force**

The ACHP Task Force on Sustainability and Historic Preservation is addressing two key areas of concern—energy efficiency and community livability—and is working to promote the full integration of historic preservation into the federal government’s policies and programs addressing sustainability. NCSHPO is a member of the Task Force, along with the National Trust for Historic Preservation, the Environmental Protection Agency (EPA), Department of Housing and Urban Development (HUD), Department of the Interior (DOI), and Department of Transportation (DOT). The Task Force has assisted the ACHP in commenting on drafts of several important pieces of guidance and policy, including the following: the revised LEED green building rating system; NPS Guidelines on Sustainability for Rehabilitating Historic Buildings; the International Green Construction Code; EPA school siting guidelines; and the sustainability research agendas of the National Center for Preservation Technology and Training and HUD. The Task Force is also overseeing development of ACHP guidance on sustainability and historic federal buildings to assist federal agencies in complying with Executive Order 13514 on sustainability.

### **Renewable Energy**

The ACHP is actively addressing the implications of renewable energy development and transmission on historic properties through a variety of groups and interagency forums. Experience with the Cape Wind case and the high priority of the Administration to move forward rapidly with renewable energy development and transmission initiatives demonstrated the need for guidance to federal agencies and applicants on how best to incorporate historic preservation into the project planning process. The ACHP is working with DOI to establish a framework for this discussion within the federal government, a discussion which will also include other stakeholders like NCSHPO, NATHPO, and the National Trust. The ACHP is also participating in a number of other Administration initiatives, such as the Council on Environmental Quality’s (CEQ) Renewable Energy Rapid Response Team and on- and off-shore wind energy development forums initiatives to ensure that federal planning properly addresses preservation interests. The ACHP is developing a dedicated subpage on the ACHP’s homepage on renewable energy development, which will include information, tools, guidance, contacts, and the like. A first component of this is a fact sheet on federal Section 106 “triggers” for wind projects. ([http://www.achp.gov/news\\_windfarmproject.html](http://www.achp.gov/news_windfarmproject.html)).

## Tribal Summits on Renewable Energy

The ACHP and NATHPO convened a Tribal Summit on Renewable Energy on January 11-13, in Palm Springs, California. Recognizing that renewable energy and its potential effects on historic properties remain areas of concern for Indian tribes, the summit brought together more than 150 tribal



representatives and officials from federal, state, and local government and the private sector to share information and discuss local and national implications. The summit provided an unprecedented opportunity for tribal leaders and federal officials to address the broad implications of renewable energy development and transmission on historic properties. It included an overview of upcoming federal renewable energy projects and highlighted issues of tribal concern such as consultation, timeframes, and indirect and cumulative effects to sites of religious and cultural significance. The

ACHP will use the results of these discussions in a variety of energy related working groups and in shaping its continuously evolving response to the challenge. The ACHP is also considering plans to continue the dialogue with Indian tribes on energy development and transmission through another forum in the plains or northwest in August.

## Distance Learning

The ACHP is focusing its efforts to expand its Section 106 training program with the addition of distance learning opportunities, including on demand e-learning, webinars and other technologies. The agency recently began work with a consultant on the development of a needs assessment and implementation plan for distance learning. The effort will include gathering information from stakeholders, and any feedback from SHPOs on what they would like to see from Section 106 distance learning will be timely and welcome. The ACHP offered its first Section 106 webinar on February 15 to a group of THPOs and tribal cultural resources personnel. The first experiment with converting a classroom course to webinar format will occur when we present an introductory Section 106 course to HUD recipients in Montana this spring. Regarding the ACHP's onsite training, planners who are members of the American Institute of Certified Planners and architects who seek continuing education learning units for the American Institute of Architects can earn 12 credits/learning units for attending the Section 106 Essentials course. Check the Web site for upcoming course offerings around the country

(<http://www.achp.gov/106select.html>).

## NEPA and Section 106 Guidance

In 2010 the ACHP formed a workgroup to begin developing guidance on coordinating and integrating National Environmental Policy Act (NEPA) and Section 106 reviews. Such guidance is intended to assist agencies with improving compliance with both NEPA and the National Historic Preservation Act (NHPA) while streamlining reviews. The first component on coordinating reviews has been drafted and is undergoing review and revision. The ACHP is also moving forward with a second component on the integration of NEPA and Section 106 reviews using the provisions of our regulations at 36 CFR Part 800.8(c). The ACHP is developing this section in coordination with CEQ and other NEPA stakeholders. The guidance will promote the earlier consideration of historic properties in the federal environmental review process and affords greater efficiencies in the process.

## **Major Section 106 Program Alternatives**

The ACHP continues work with federal agencies, NCSHPO and/or SHPOs, Indian tribes, and others on a host of major program alternatives. Work continues with NCSHPO and the Bureau of Land Management (BLM) on revisions to the BLM's nationwide Programmatic Agreement (PA) to modernize the agreement and more fully incorporate the role of Indian tribes in BLM's program. BLM will be commencing consultation with Indian tribes on a government to government basis on the draft it released last summer. Work is underway on a PA for implementation of the BLM Solar Programmatic Agreement covering major solar energy development projects on public lands. ACHP staff also continues to work with the Natural Resource Conservation Service (NRCS) on revising its nationwide PA to incorporate lessons learned through the implementation of the PA over a number of years and, like BLM, more fully incorporate Indian tribes into these projects and programs. Finally, the ACHP is also working with the Federal Emergency Management Agency (FEMA) on the development of a Prototype PA that will allow states to develop individual PAs under the Prototype for a variety of FEMA programs in each state. The ACHP is hopeful it will provide the same sort of successes that the first prototype PA developed for the Department of Energy for its Recovery Act weatherization programs did last year.

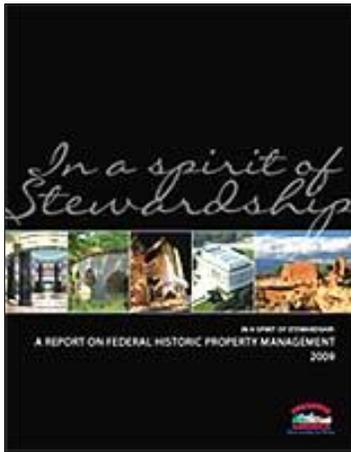
## **HUD Delegation of Tribal Consultation Responsibilities**

The ACHP has been working with HUD, the United South and Eastern Tribes (USET), and the National Congress of American Indians (NCAI) to resolve a longstanding issue that has, in some cases, hindered the Section 106 process for certain HUD-funded projects and programs. HUD holds the position that it has the authority pursuant to the Housing and Community Development Act of 1974 and other HUD program statutes to delegate to its grant recipients its responsibilities to carry out government-to-government consultation with Indian tribes. That view is not shared by many Indian tribes, USET, and NCAI and has been the subject of much discussion and negotiation with HUD. However, the parties have recently made progress in working toward a solution that may allow for HUD's grant recipients to coordinate with Indian tribes provided that HUD notifies tribes of the release of funds and steps in to resolve any disagreements should they arise in the course of the review process.

## **Section 106 Improvements**

While Section 106 improvements are the everyday work at the ACHP, additional focus on improvements was cast by the National Trust last year through its "Back to the Basics" report. This report has given us the occasion to highlight many of the efforts that have been underway. The ACHP made major strides in its assistance to the public by issuing a revised "Citizen's Guide to Section 106." More than 10,000 copies have gone out so far, and the guide is available online at <http://www.achp.gov/citizensguide.html>. The ACHP is also approaching user assistance by issuing guidance, opinions, broadcast e-mails, and the like on preservation issues of interest and placing them on the Web site under "Section 106 Assistance for Users." Recent entries include a legal opinion on Section 110(g) and the guidance on wind energy projects. On a somewhat different note, the ACHP is also midway through ensuring all if its staff members engaged in individual Section 106 cases are formally trained in Alternative Dispute Resolution.

### Planning for Senior Policy Official Meeting and Section 3 Reporting



Plans are underway to host a meeting with Senior Policy Officials (SPO) from key federal agencies this spring to advance the consideration of historic preservation issues at the federal policy level. The SPO meeting will provide an opportunity for the ACHP to work with agencies at the policy level to promote federal stewardship of historic properties under their ownership or control, further incorporate preservation goals in agency strategic plans, and to identify key preservation issues of concern to agencies. The meeting will also address the next triennial progress report on agency efforts to identify, use, and protect historic properties under federal ownership and control. These reports are due to the ACHP and the NPS on September 30, 2011, in accordance with Executive Order 13287 "Preserve America." The ACHP will in turn report on their overall progress to President Obama on February 15, 2012.

### Emerging Section 106 Policy Issues

There are a number of emerging issues the ACHP expects to remain involved in that present a variety of potential challenges to the protection of historic properties:

- While it is not yet clear on what form a surface transportation reauthorization will take, the ACHP has been working closely with DOT and the Federal Highway Administration (FHWA) to consider how best to incorporate appropriate provisions for historic preservation planning, recognizing full well that the mood for past provisions for transportation enhancements and other programs may be changing in this new fiscal era.
- The ACHP is working with a number of federal agencies, SHPOs, and cities like New Orleans and Detroit to consider how to address the potential destruction of thousands of potentially historic homes as cities attempt to "right-size" themselves due to a variety of economic changes and upheavals. Success in this case will no doubt require critical thinking and planning about how to incorporate the consideration of how some historic places might be identified early on, and potentially reused and saved, as cities themselves accelerate plans to demolish unwanted and blighted structures.
- Finally, the federal government itself is planning to undergo its own rightsizing event by potentially removing from its inventory large numbers of underperforming federal buildings. GSA is at the forefront of this planning effort, and the ACHP will work with them to develop procedures for considering preservation issues as agencies rush to develop lists of properties to divest.

## Youth Involvement



Both the AGO initiative and the NPS Second Century Report call for doing more to involve young people in historic preservation. This has been a priority for the ACHP for several years and assumes new stature in the new strategic plan. ACHP member Ann Pritzlaff has worked with Colorado Preservation, Inc., the NPS, the Forest Service, BLM, and other federal partners for the past six years to launch an annual Colorado Youth Summit and create HistoriCorps. The ACHP will be working to encourage replication of these efforts in other states and to advance them in the AGO initiative. The ACHP is also

partnering with the Corporation for National and Community Service, DOI, the Department of Agriculture, and others to incorporate hands-on academic involvement strategies like service learning into federal youth education and involvement programs and activities. The ACHP has created a federal interagency working group to inform its efforts in this direction.

## Outreach and Communications

A strategic goal of the ACHP is to raise the visibility of the agency and historic preservation in general. The ACHP is focusing on partnerships in 2011 and beyond, especially working toward the 50th anniversary of the NHPA. We plan to work closely with SHPOs to get stories in local and regional newsletters and blogs. The ACHP will also be working closely with the National Trust and other preservation partners to increase media awareness about the importance of historic preservation. The ACHP and several other federal agencies have come together to propose an educational session at the next National Trust annual conference. The proposed session is designed to make Section 106 and other basic federal components of the NHPA more relevant and accessible to people in the historic preservation community, as well as to underscore their foundational importance to the national historic preservation infrastructure.

## Updated Awards Program

The ACHP recently revised criteria for its Chairman's Award for Achievement in Historic Preservation to raise the profile of significant accomplishments. For the first time, non-federal entities can receive this award on an equal basis with federal departments and agencies. The first of these went to NCSHPO and the Department of Energy for a Prototype Programmatic Agreement that streamlined and speeded compliance with the NHPA for a series of Recovery Act programs and projects administered by the Department of Energy.

