



Preserving America's Heritage

**MEETING
ADVISORY COUNCIL ON HISTORIC PRESERVATION
Russell Senate Office Building, Kennedy Caucus Room
Washington, D.C.
October 4, 2018**

PROVISIONAL AGENDA

Call to Order 8:30 a.m.

- I. Chairman's Welcome
- II. Presentation of the ACHP-HUD Award for Historic Preservation Achievement
- III. Transition to Full-Time ACHP Chairman
 - A. Member Questionnaire Responses
 - B. Strategic Plan Development
 - C. Unassembled Meetings
- IV. Section 106 Issues
 - A. Department of Veterans Affairs Program Comment on Underutilized Properties
 - B. Proposed Exemption Regarding Railroad and Rail Transit Rights of Way
 - C. Administration Infrastructure Initiatives
- V. Historic Preservation Policy and Programs
 - A. White House Initiative on Historically Black Colleges and Universities and the ACHP
 - B. ACHP Approaches to Commenting on Historic Preservation Legislation
- VI. New Business
- VII. Adjourn



Preserving America's Heritage

**MEETING
ADVISORY COUNCIL ON HISTORIC PRESERVATION
ANNOTATED AGENDA**

- I. Chairman's Welcome.
- II. Presentation of the ACHP-HUD Secretary's Award for Excellence in Historic Preservation. *Chairman Wayne Donaldson and Associate Deputy Secretary Janet Golrick will present the award.*
- III. Transition to Full-Time ACHP Chairman. *Chairman Donaldson will introduce a discussion on actions the membership will need to address with the confirmation of a new full-time ACHP chairman. These include updating the ACHP Operating Procedures, adopting a new Strategic Plan, and reviewing the ACHP organizational structure. No formal action.*
 - A. Member Questionnaire Responses. *Transition Working Group Chairman Jordan Tannenbaum will lead a discussion on possible operational and organizational improvements that have been identified in the responses to the questionnaire sent to members in May. Discussion only, no formal action.*
 - B. Strategic Plan Development. *Chairman Donaldson will lead a discussion on the process to develop the required ACHP strategic plan. Members will be asked for their recommendations to be shared with the incoming chairman. Possible vote on recommendations.*
 - C. Unassembled Meetings. *Chairman Donaldson will lead a discussion on the use of "unassembled meetings" to transact ACHP business. Members will be asked for their recommendations to be shared with the incoming chairman. No formal action.*
- IV. Section 106 Issues
 - A. Department of Veterans Affairs Program Comment on Underutilized Properties. *Federal Agency Program Committee Chairman Jordan Tannenbaum will report on the development of a Program Comment to address the historic preservation impacts of VA's initiative to dispose of vacant and underutilized facilities. Members will be asked to vote on adopting the Program Comment. Formal action needed.*
 - B. Proposed Exemption Regarding Railroad and Rail Transit Rights-of-Way. *Committee Chairman Tannenbaum will lead a discussion on issues raised by members during the development of a Program Comment to exempt certain rail and transit rights-of-way from Section 106. Members may offer suggestions to address concerns. No formal action needed.*

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- C. Administration Infrastructure Initiatives. *Committee Chairman Tannenbaum will report on the progress of initiatives to advance the Administration's policy goals. ACHP staff will provide updates on ongoing activities, including the Energy Transmission Industry Working Group, and invite guidance from members to advance preservation goals within the initiative. No formal action.*

- V. Historic Preservation Policy and Programs
 - A. White House Initiative on Historically Black Colleges and Universities and the ACHP. *Communications, Education, and Outreach Committee Acting Chairman Reno Franklin will report on recent ACHP efforts to promote the engagement of minority students in historic preservation. Members will have the opportunity to hear from the leadership of the White House Initiative as well as students who recently participated in a program jointly sponsored by the ACHP, the National Park Service, and the National Trust. Members will be invited to provide recommendations and guidance on the future direction of this effort. No formal action needed.*

 - B. ACHP Approaches to Commenting on Historic Preservation Legislation. *Preservation Initiatives Committee Chairman Brad White will lead a discussion on how the ACHP should deal with congressional bills that focus on specific sites. The members will have the opportunity to recommend or adopt a policy on the subject. Formal action possible.*

- VI. New Business. *There is no new business at this time.*

- VII. Adjourn. *The meeting will adjourn by 1 p.m.*



Preserving America's Heritage

**ACHP COMMITTEE MEETINGS
SUMMARY OF EVENTS
National Building Museum
Washington, D.C.
October 3, 2018**

FEDERAL AGENCY PROGRAMS COMMITTEE

Attendees: Jordan Tannenbaum, FAP Committee Chairman; Wayne Donaldson, ACHP Chairman; Leonard Forsman, ACHP Vice Chairman; Dorothy Lippert, Terry Guen, Brad White, ACHP members; Shasta Gaughen, Melinda Young, National Association of Tribal Historic Preservation Officers (NATHPO); Mark Wolfe, Erik Hein, National Conference of State Historic Preservation Officers (NCSHPO); Kevin Hildebrand, Architect of the Capitol; Maureen Sullivan, Alicia Sylvester, Michelle Volkema, Department of Defense (DoD); Beth Savage, Caroline Alderson, Serena Bellew, Jeffrey Jensen, General Services Administration (GSA); Colleen Vaughn, David Clarke, Laura Shick, Katherine Zeringue, Department of Transportation (DOT); Tony Costa, Doug Pulak, Department of Veterans Affairs (VA); Jen Hass, Department of Homeland Security (DHS); Nancy Boone, Department of Housing and Urban Development (HUD); Caroline Henry, Department of the Interior (DOI); Ranel Capron, Kristen Martine, Bureau of Land Management (BLM); Joy Beasley, Jeffrey Durbin, Jennifer Talken-Spaulding, National Park Service (NPS); Ben Horter, Department of Agriculture (USDA); Tom Cassidy, Adam Jones, Betsy Merritt, Anne Nelson, National Trust; Jill Springer, Federal Communications Commission (FCC); Maryann Petrole, William LeRoy, Environmental Protection Agency (EPA); Valerie Gomez, Federal Emergency Management Agency (FEMA); Matt Thomas; John Fowler, Reid Nelson, Jaime Loichinger, Tom McCulloch, Blythe Semmer, Kristen Bastis, William Dancing Feather, Chris Daniel, John Eddins, Kelly Fanizzo, Katty Harris, Valerie Hauser, Kirsten Kulis, Guy Lopez, Javier Marqués, Angela McArdle, Mandy Ranslow, Sarah Stokely, Christopher Wilson, Alexis Clark, ACHP staff

Chairman Jordan Tannenbaum welcomed Kevin Hildebrand as the Architect of the Capitol's new representative to the Federal Agency Programs (FAP) Committee.

Staffing and Recruitment Update

Reid Nelson introduced Mandy Ranslow, the ACHP's new Federal Highway Administration (FHWA) liaison, and Valerie Gomez, FEMA's designated liaison to the ACHP for disaster recovery activities. He also introduced Alexis Clark, an intern working with the ACHP's Section 106 training program this fall. Several recruitments are underway or on the near horizon, including a BLM Liaison, a U.S. Forest Service Liaison, and the Assistant Director for Federal Permitting, Licensing, and Assistance.

Strategic Planning Preparation

Chairman Tannenbaum noted that the committee is asked to provide some preliminary input into the process of developing an updated strategic plan, a process that will occur formally once a new ACHP chairman has been confirmed. Mr. Nelson described how the committee is involved, including by

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providing specific analysis and recommendations based on the issues on which the FAP Committee focuses. He asked members to look at the sections of the existing strategic plan, particularly those about improving federal preservation programs and fostering the protection and enhancement of historic properties, which relate to oversight of the Section 106 review process.

The committee raised a number of questions about how a new plan would be formulated, including how actions will be prioritized or broken down by year within the six-year term, how outcomes will be measured, how performance on the current strategic plan informs preparation of the next one, and how to measure success in using the expertise represented on the FAP Committee toward achievement of plan objectives. Chairman Tannenbaum suggested that a new plan should recognize the ACHP's current emphasis on involving youth in historic preservation and the role of the ACHP Foundation in furthering agency goals. David Clarke suggested that how the National Environmental Policy Act and Section 106 work together should factor into the new plan, and that tribal consultation merits its own "pillar" or goal statement. Erik Hein recommended a comparative analysis with the statutory language of the National Historic Preservation Act (NHPA) to bring focus to the set of new goals. Chairman Tannenbaum suggested identification of historic properties figured prominently in that and should be specifically mentioned.

Discussion followed about the audience for the plan and how terms like the "protection and enhancement of historic properties" should be described in plain language or supported by examples so that a public reader would understand the goals of the ACHP. With respect to the federal audience, member discussion considered the use of the word "improve" and how to represent the ACHP's work as a federal agency in partnership with other federal agencies. Other suggestions included revisiting the requirements set out in EO 13287 ("Preserve America"), developing strategies to increase participation by assistance agencies in FAP Committee proceedings, and aligning the plan with the Section 3 report.

Members suggested the plan should include accountability measures to guide staff and member actions toward attainment of its goals. Mr. Nelson noted that certain elements of the plan address those ongoing responsibilities of ACHP staff to work on issues related to Section 106 and federal agency programs.

Review of the Program Comment to Exempt Effects to Rail Properties within Rail Rights of Way

Laura Shick provided an assessment of the process of developing the Program Comment and the product from the federal agency's perspective. She noted the difficulty in working within the confines of a legislative mandate. The Program Comment has already been used by the Federal Railroad Administration (FRA) 27 times for activities within the fill and ballast of existing rail lines since issuance. FRA is securing consultant support to develop the required guidance on the property-based approach, for which the agency anticipated conducting multiple rounds of review. Ms. Shick noted FRA has three archaeologists on staff who meet the Secretary of the Interior's Professional Qualifications Standards and two professionals with parallel qualifications in the built environment. The agency is hiring for a four-year term position to oversee the activities-based approach.

Kelly Fanizzo reviewed the history of the Program Comment's development, and then the committee expressed observations and concerns about the development process. There was general agreement that ACHP and DOT staff involved did admirable work in an "impossible" situation, but some committee members voiced concerns that the Program Comment sets an uncomfortable precedent for minimizing interaction and consultation with SHPOs/THPOs and Indian tribes, particularly about the identification of historic properties, that may represent a wedge for other types of linear projects. Vice Chairman Leonard Forsman and Shasta Gaughen voiced concern with the lack of member face-to-face discussion and shared concerns about how elimination of new identification efforts within areas characterized as disturbed does not fully consider the complete range of resources significant to Indian tribes, nor those that may have been overlooked at the time rail resources were originally constructed. Ms. Gaughen expressed

disappointment that the Program Comment does not mention any staff role related to tribal outreach or requirement to conduct such outreach. Chairman Wayne Donaldson expressed concern about the pursuit or granting of exemptions in the Section 106 process as a result if the parties cannot negotiate workable outcomes together.

Mr. Nelson acknowledged there are opportunities for improvements on some individual parts of the implementation process, and that he welcomes input from members on how the membership could be engaged in the development of the forthcoming property-based approach guidance. This may offer an opportunity to improve relations between states and tribes and the rail industry.

Ms. Shick noted the importance of including a description of how the Program Comment's scope was significantly limited from the language included in the FAST Act of 2015 when FAQs on the Program Comment are released by the ACHP. Ms. Fanizzo noted those FAQs will be completed soon, and Mr. Nelson promised to share the guidance development timeline with committee members before the next committee teleconference.

Department of Veterans Affairs Program Comment on Vacant and Underutilized Properties

Chairman Tannenbaum began the discussion with appreciation for how the recent teleconference on this subject was helpful to members and informed the committee that a vote on the Program Comment is scheduled for the business meeting on Thursday. Doug Pulak observed that this Program Comment has a more limited scope than the rail and transit right-of-way one and that VA had made recent efforts to address all member concerns raised during the teleconference and after. Mr. Nelson noted that the draft members received the Friday prior to this meeting was significantly changed based on this member feedback.

Angela McArdle offered a summary of those changes based on a review of around 270 comments. They grouped into three themes: 1) greater process transparency, including consultation with parties external to VA, 2) clarification of the definition of "utilitarian," and 3) how resources other than built resources—such as archaeological sites, landscapes, and properties of religious and cultural significance to Indian tribes—would be handled under the Program Comment. These have been addressed by requiring annual publication of a list of properties subject to the Program Comment that specified whether each is considered utilitarian so that stakeholders can provide comments, by further defining "utilitarian," and by a new section (8) that addresses non-built environment properties and when additional identification efforts are needed. Ms. McArdle walked members through some specific text changes.

Members were cautioned by Javier Marques that any text changes should be worked out today during the committee meeting in order for the Program Comment to proceed to a vote during the ACHP business meeting. Otherwise, an extension should be requested.

Caroline Henry raised concerns with language referencing application for federal rehabilitation tax credits by VA lessees. Her concern was in avoiding NPS staff taking on a de facto Section 106 role in deciding whether a proposed redevelopment project meets the Secretary of the Interior's Standards for the Treatment of Historic Properties. General discussion ensued about the appropriate way to reference the tax credit application process in a way that provides a decision about adherence to the Standards with SHPO participation. The committee decided that the reference to the tax credits should stay in rather than removing it in favor of a more general statement that VA would determine whether plans would meet the Standards. Part 2 of the tax credit application process was generally seen as the appropriate reference point. ACHP staff will revise the language and share it with NPS Technical Preservation Services.

Terry Guen asked about how the landscape characteristics of VA campuses would be considered, and Mr. Pulak described how most VA historic properties are located within historic districts. The VA's

identification and National Register nomination efforts have generally considered areas of significance beyond architecture, so landscape qualities and context are captured and will be shared with developers. Mr. Nelson said this information is something that could be captured in FAQs on application of the future Program Comment.

Chairman Donaldson voiced concerns about labeling buildings as vacant, underutilized, or utilitarian when they may have achieved significance for reasons unrelated to architectural distinction. Mr. Pulak explained that VA's identification work on its campuses has included assessment based on other types of significance. The review period for the list of properties to which the Program Comment will apply also offers an opportunity for others to provide new information to VA about why those properties may have historic significance.

Members briefly described other issues they wanted to raise with the draft. Ms. Gaughen mentioned how ground disturbing activities are defined and expressed concern that pressure to revise and finalize the Program Comment quickly, during the meeting, might lead to a faulty product. Tony Costa asked if an extension to consider other issues could be limited to those mentioned in the meeting. Mr. Marques suggested a two-week extension and a rough timeline for how remaining issues could be considered during that period, to be closed with an unassembled meeting to vote. Mr. Costa said VA could agree to a two-week extension. Mr. Nelson promised a clean, revised final draft along with an annotated draft demonstrating how final member comments were integrated for ACHP members' consideration as well as another conference call to continue the discussion cut short by time limits on today's committee meeting.

Infrastructure and Section 106

Blythe Semmer provided an update on the ACHP's working group on Infrastructure Projects and Section 106 Reviews. She called members' attention to the summary of recent work in fulfillment of the working group's plan of action included in meeting materials and noted that member feedback on the future direction of the working group was requested. Members can respond directly to staff on the questions in the meeting book paper and with any other ideas about whether the initiative should be expanded to encompass other sectors or participants or whether it should address additional topics, such as the use of program alternatives to develop infrastructure efficiencies. Tom Cassidy noted the importance of adequately funding SHPO and THPO efforts to identify historic properties and make digital survey information about their location accessible for project planning and siting.

Executive Order 13287 "Preserve America" Section 3 Report Work Plan and Implementation

Tom McCulloch briefed the committee on the action plan for implementation of the 2018 Section 3 report. He reviewed the three findings the committee prioritized during its August meeting that are being incorporated into the work plan for the report, which will be more focused with a reduced number of action items than previous cycles. The ACHP will be polling about gathering and managing data as it relates to the third priority, encouraging wider use of federal and local-state-tribal partnerships.

NATIVE AMERICAN AFFAIRS COMMITTEE

Attendees: Reno Franklin, Committee Chairman; Dorothy Lippert, Committee Vice Chairman; Wayne Donaldson, ACHP Chairman; Leonard Forsman, ACHP Vice Chairman; Jordan Tannenbaum, ACHP member; Maureen Sullivan, Alicia Sylvester DoD; Jennifer Talken-Spaulling, Madeline Konz, Jamie-Lee Marks, NPS; Shasta Gaughen, Melinda Young, NATHPO; Kevin Hildebrand, Architect of the Capitol; Laura Shick, Katherine Zeringue, DOT-FRA; Valerie Gomez, FEMA; Phillip Washington, Ben Horter, USDA; Ranel Capron, Kristen Martine, BLM; Serena Bellew, GSA; Laurie Donaldson; Matt Thomas; John Fowler, Valerie Hauser, Bill Dancing Feather, Kelly Fanizzo, Kristen Bastis, Guy Lopez, Javier Marques, Katry Harris, Lynne Richmond, Alexis Clark, ACHP staff

Strategic Plan Discussion

The committee discussed the process by which the ACHP will develop a new strategic plan and offered some suggestions for consideration. Mr. Tannenbaum suggested that there be an evaluative process regarding implementation. He also suggested that there be a six-year goal that focuses on education of and outreach to non-traditional audiences such as industry. Mr. Tannenbaum also suggested there should be a six-year goal regarding the ACHP Foundation, because it provides important support for ACHP programs including Native youth. Chairman Donaldson said the ACHP should have input in the strategic plan from preservation partners. Maureen Sullivan suggested infrastructure needs to be included in the new plan and that the members should receive periodic updates on the plan's implementation. Dorothy Lippert said much of the strategic plan could apply to tribal issues but wondered if it helps others to think of and consider Indian tribes when they are more visible in the plan. She went on to explain that archaeologists and the public do not know much about Indian tribes, so the ACHP website should feature examples of how things work, how tribes are involved in preservation. Chairman Reno Franklin suggested that the strategic plan include recovery processes for tribes struggling to overcome natural disasters like wildfires and hurricanes. Chairman Donaldson added that Indian Country also does not know what the ACHP does and that there needs to be more attention to state laws.

Review of Program Comment to Exempt Effects to Rail Properties Within Rail Rights-of-Way

Chairman Franklin began the discussion of the Program Comment by expressing his discomfort with unassembled votes and the process by which this Program Comment was developed and considered by the members. He also explained that his position comes from his responsibilities, like other tribal representatives, to protect tribal cultural resources.

Ms. Fanizzo clarified how the Program Comment will work and then explained that there are two documents under development. One is implementing guidance being developed by DOT. This guidance will be developed by a contractor hired by DOT, and the ACHP members will have an opportunity to review and comment on it. ACHP staff will develop a "frequently asked questions" document which the members will also have an opportunity to review.

Draft Social Media Plan for Native American Heritage Month

Lynne Richmond described the social media plan to promote Native American heritage during November and asked members for recommendations. Mr. Tannenbaum followed with information about the Holocaust Museum's work regarding historical trauma and the connection to the trauma experienced by Native Americans. Jennifer Talken-Spaulding mentioned NPS' plans for celebrating Native American Heritage Month, and Dr. Lippert suggested the work of other federal agencies be highlighted. Chairman Franklin suggested including the people who worked on the interagency Sacred Sites training program.

Staff Updates

Office of Native American Affairs staff provided updates on the ACHP's participation in the Annual NATHPO Conference and follow up email to all tribal contacts; the recently issued Guidance on Agreement Documents; and recently issued information paper on treaty rights. Members expressed interest in knowing about guidance and information papers prior to issuance. Staff also provided an update on the newest initiative involving traditional knowledge as well as the progress of the training course on early coordination with Indian tribes.

Member Comments and Questions

Vice Chairman Forsman asked for an update on the recent court decision regarding oil and gas leases in Badger-Two Medicine. Katty Harris provided background on the leases, the ACHP involvement in the Section 106 process, and the outcome. Ms. Fanizzo explained the recent court decision on two of the leases, one of which was the undertaking that was the subject of the ACHP's review.

PRESERVATION INITIATIVES COMMITTEE

Attendees: Brad White, Committee Chairman; Wayne Donaldson, ACHP Chairman; Terry Guen, Luis Hoyos, ACHP members; William LeRoy, Maryann Petrole, EPA; Nancy Boone, HUD; Stephanie Paul, National Alliance of Preservation Commissions (NAPC); Mark Wolfe, Erik Hein, Ted Monoson, NCSHPO; Joy Beasley, Kristen O’Connell, John Renaud, NPS; Tom Cassidy, Adam Jones, National Trust for Historic Preservation; Katherine Slick, ACHP Foundation; John Fowler, Dru Null, Kirsten Kulis, Javier Marques, Lynne Richmond, Maya Doig-Acūna, ACHP staff

Chairman Brad White opened the meeting by updating the members on the status of Aimee Jorjani’s confirmation as the next chairman of the ACHP. Her nomination remains pending in the Senate, which is considering a backlog of nominations.

ACHP Strategic Planning

Chairman White noted that while strategic planning cannot move significantly forward pending the new chairman’s confirmation, the business meeting provides an opportunity to begin discussion of key issues. In general, the group agreed the proposed process for developing a new plan is sound. Discussion then turned to the content of the plan.

Mr. Hein stressed the importance of the plan going back to basics by carefully considering exactly what the NHPA states are the ACHP’s responsibilities. There was a general consensus that the relevance of all parts of the plan should be considered up for revision.

Katherine Slick noted that the Preserve America Summit influenced development of the 2011 plan, and that the ACHP’s 50th NHPA anniversary recommendations should be considered in framing the new plan. She also stressed that the ACHP should consider what role the public may be able to play during plan development. Ms. Guen flagged the importance of the plan being written so as to be understandable by the general public.

Ms. Guen noted that the new plan should prioritize activities (unlike the current plan) and should include more discussion of information technology, building a more inclusive preservation program, cultural landscapes, and sustainability. William LeRoy and Maryann Petrole indicated that EPA has taken the approach of stressing prioritization in its plan. Nancy Boone indicated that HUD has had success in strategic planning through focused discussion of key questions rather than a more “random” approach. There was general support for more prioritization in the new plan.

Mr. Cassidy stressed the importance of the plan addressing Administration goals and programs, notably infrastructure redevelopment and addressing disasters. He noted that both raise issues of streamlining environmental review and investment in digitization of cultural resources data. There was general consensus on these points.

Transition Questionnaire

Specific to the questions in the Transition Questionnaire regarding the committees, Chairman White noted that the Preservation Initiatives (PI) Committee has not been undertaking many new policy initiatives pending the new chairman being confirmed. John Fowler described the important role the committee can play in supporting the new chairman, who may have an expanded focus on policy and legislative affairs. Chairman White noted that the chairman may spend more time on Capitol Hill, and Mr. Cassidy mentioned the NPS Office of Legislative and Congressional Affairs as a model. Mr. Fowler stressed that the chairman and members will need to decide how active the agency should be on legislative affairs, and how to address that through the PI Committee and staff.

Preserve America

Mr. Hein voiced concerns that ACHP resources for doing Section 106 could be adversely affected by attempting to revitalize the program. He also noted that the grants program is no longer funded and that the initiative competes with the Certified Local Government program. In contrast, Ms. Slick recommended capitalizing on the existence of a congressionally approved grant program and a resource base of more than 900 communities. Chairman Donaldson noted that a number of Preserve America Communities are underrepresented communities, and that designation contributes to the ACHP goal of building a more inclusive preservation program.

Mr. Fowler said Preserve America can be reinvented, perhaps without White House involvement, by reusing the brand and network of communities. A partnership could be rekindled between the ACHP and DOI. Ms. Guen agreed that it is unfair to communities to have federal recognition wax and wane depending upon the Administration. Mark Wolfe stressed that the brand would need to be rebuilt, and that previously designated communities would need to be vetted again. Mr. Cassidy suggested that the chairman should convene a group of members to consider the issue.

Unassembled Meetings

Chairman White voiced his view that no one likes unassembled meetings, but that they sometimes are necessary. He supported discussion of key topics at face-to-face meetings where members can express their viewpoints publicly and have an opportunity to discuss and negotiate. A discussion ensued on how staff could involve members in negotiations on Section 106 program alternatives when a regulatory timeclock may necessitate use of an unassembled meeting. Mr. Fowler supported the idea of working with agencies to “front load” discussion of the issues before invoking the regulatory time frames. Mr. Marques recommended having a small group of members work directly with staff during development of program alternatives.

Legislative Update

Mr. Cassidy explained that the Senate Energy and Natural Resources Committee favorably marked up the Restore Our Parks Act. There also has been forward movement on bills in the House and Senate that would reauthorize the Land and Water Conservation Fund. Both bills would provide permanent reauthorization, but only the Senate bill would mandate full funding. He indicated that there did not appear to be any realistic chance of providing full funding for the Historic Preservation Fund through either bill.

Dru Null mentioned that the Senate Energy and Natural Resources Committee had reported out its version of the Golden Spike 150th Anniversary Act. As revised by the committee, the bill no longer mentions projects by adjacent landowners and streamlining of Section 106 review. The committee also replaced creation of a network of properties associated with the Transcontinental Railroad with creation of a program to assist such properties. Joy Beasley noted concern from NPS that the agency had insufficient resources to fund implementation of the network concept.

Guidance on Site-Specific Legislation

Chairman White provided background on the need for guidance regarding when the ACHP should comment on site-specific legislation. Mr. Wolfe noted the importance of having guidance in place in order to respond to requests by ACHP members or Members of Congress for comments on site-specific bills. He suggested that the term “highly significant historic property” needs better definition. Ms. Slick agreed. Ms. Guen asked whether the ACHP should say anything about bills that it elects not to comment on. Mr. Cassidy voiced the opinion that there is little value in a “thank you” letter that just acknowledges the bill addresses preservation. There was a general consensus that the proposed criteria to guide decision making are sound and will assist the new chairman upon her confirmation.

COMMUNICATIONS, EDUCATION, AND OUTREACH COMMITTEE

Attendees: Acting Committee Chairman Reno Franklin; Wayne Donaldson, ACHP chairman; Luis Hoyos, ACHP member; Joshua Wilkes, Melanie Bishop, Katie Orr, Paloma Bolasney, NPS; Kevin Murphy, National Trust for Historic Preservation; Christine Miller, Department of Education; Stephanie Paul, NAPC; Katherine Slick, ACHP Foundation; John Fowler, Susan Glimcher, Valerie Hauser, Lynne Richmond, Patricia Knoll, Shayla Shrieves, Maya Doig-Acuña, ACHP staff

Chairman Franklin began the meeting noting that CEO Committee Chairman Robert Stanton was unable to attend as he was participating in the annual conference of the Association for the Study of African American Life and History in Indianapolis, Indiana, moderating a panel titled *Military Service of African Americans Recognized in Public Spaces: A Discussion on Inclusive Military History*. The ACHP produced an advertisement that was placed in the conference program, and organizers liked it so much they included it in the *Journal of African American History* which is viewed by a scholarly audience.

Youth Outreach

Susan Glimcher gave an overview of *Touching History: Preservation in Progress*, now a model for the White House Initiative on Historically Black Colleges and Universities, as well as for ACHP projects in future years. Ms. Glimcher was a presenter at the recent conference of HBCUs discussing partnerships and leveraging investment, and used the pilot project with Morgan State University as an example of a successful partnership. Working with HBCUs has opened up a new audience for ACHP messaging and getting the word out about preservation careers. Luis Hoyos noted this project has been an incredible success and suggested there is still a lot to learn and reach students in many other schools. The committee discussed the long-term ACHP goals of the program and how the concepts of conservation and skilled craftsmanship can be shared across the country and internationally. Chairman Franklin suggested thinking about how to set it up for five years down the road and how to make it sustainable. Valerie Hauser noted the ACHP has expertise in developing national policies. Mr. Hoyos said the challenge for students nowadays is the technical training. Many universities cannot afford the technology. One of the themes that could be presented to potential partners for sustainable programming could be sponsorships. Katie Orr suggested reaching out to the European Association of History Educators for brainstorming. US/ICOMOS was another suggestion.

Another ACHP project regarding engaging youth is one the Office of Native American Affairs is managing with Salish-Kootenai College in Montana. Ms. Hauser noted the school's coursework is training the next generation of Tribal Historic Preservation Officers, and the ACHP is going to be offering lectures and a summit for students, as well as one-on-one mentorship.

Maya Doig-Acuña discussed her work as the new ACHP/Smithsonian fellow. This is the second year of the ACHP's partnership with the Smithsonian Institution on a cultural heritage immersion study and fellowship. Ms. Doig-Acuña will be researching Afro-Latino history in Washington, D.C. and is considering Mount Pleasant or the historic U Street corridor as her "historic" areas.

Shayla Shrieves gave an update on the History in Humboldt County project, working in partnership with a school district in northern California and the Department of Education. Connections have been made with the BLM and the local National Wildlife Refuge for student mentoring. Christine Miller said the grant the northern California district received is funded for two years, and she is eager to continue working with the ACHP to disseminate projects.

General Outreach

Ms. Richmond engaged members in a discussion about the ACHP Speakers Bureau with an overview of proposed topics. The goal of the project is to expand the reach of ACHP messaging and offer the public a

chance to engage ACHP members and staff in thematic discussions. Mr. Hoyos suggested climate change and sustainability would be good topics to cover. Paloma Bolasney suggested video conferencing would be smart to consider.

Members also discussed increasing the visibility of the ACHP during meetings. They weighed in on the use of Facebook Live technology to live stream business meetings, finding venues for easier public access, and listening sessions. They agreed that the value of getting out of Washington, D.C. and into other areas of the country and hosting meetings with local preservationists and the public is high.

Ms. Richmond introduced the next social media campaign for Native American Heritage Month in November. The new ACHP website has also been getting positive feedback, as staff continues to update content and design. She also introduced a new piece of collateral to hand out at meetings: a wallet sized TDAT information card. TDAT is HUD's Tribal Directory Assessment Tool, a database that helps users identify tribes that may have an interest in the location of a HUD-assisted project, and provides tribal contact information to assist users with initiating Section 106 consultation.

Awards

Patricia Knoll updated the committee on the 2018 ACHP/HUD Secretary's Award for Excellence in Historic Preservation. The award was to be given at the next day's business meeting. As well, plans are in discussion for a local event in the Chicago community where the project took place. The ACHP will also participate in the National Trust's annual conference in November in San Francisco.

Strategic Planning

The committee discussed the accomplishments and the process for the next round of strategic planning. Full plans have been on hold since the new full-time chairman has not yet been confirmed. The committee has the opportunity now to generate ideas about what needs to be included in the next strategic plan. They said consultation with the public, the youth strategic plan, and items from the Preservation50 report need to be included.



Preserving America's Heritage

MINUTES

FALL BUSINESS MEETING

ADVISORY COUNCIL ON HISTORIC PRESERVATION

OCTOBER 4, 2018

WASHINGTON, D.C.

ADVISORY COUNCIL ON HISTORIC PRESERVATION

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MEETING
ADVISORY COUNCIL ON HISTORIC PRESERVATION
Conference Room SVC 201-200, U.S. Capitol Visitor Center
Washington, D.C.
October 4, 2018

PROVISIONAL AGENDA

Call to Order 8:30 a.m.

- I. Chairman's Welcome
- II. Presentation of the ACHP-HUD Award for Achievement in Historic Preservation
- III. Transition to Full-Time ACHP Chairman
 - A. Member Questionnaire Responses
 - B. Strategic Plan Development
 - C. Unassembled Meetings
- IV. Section 106 Issues
 - A. Department of Veterans Affairs Program Comment on Underutilized Properties
 - B. Proposed Exemption Regarding Railroad and Rail Transit Rights of Way
 - C. Administration Infrastructure Initiatives
- V. Historic Preservation Policy and Programs
 - A. White House Initiative on Historically Black Colleges and Universities and the ACHP
 - B. ACHP Approaches to Commenting on Historic Preservation Legislation
- VI. New Business
- VII. Adjourn

IN ATTENDANCE

Milford Wayne Donaldson, Chairman
Leonard Forsman, Vice Chairman
Terry Guen
Luis Hoyos
Dorothy Lippert
Jordan Tannenbaum
Brad White

Architect of the Capitol

Stephen T. Ayers
Kevin Hildebrand
Director of Architecture
and Preservation

Secretary of Defense

Represented by:
Maureen Sullivan
Deputy Assistant
Secretary of Defense
(Environment, Safety &
Occupational Health)

Administrator, General Services Administration

Represented by:
Beth Savage
Director, Center for
Historic Buildings,
Public Buildings
Service

Secretary of Homeland Security

Represented by:
Tom Chaleki
Chief Readiness Officer

Secretary of Housing and Urban Development

Represented by:
Janet Golrick
Associate Deputy
Secretary
Danielle Schopp
Director, Office of
Environment and
Energy

Secretary of the Interior

Represented by:
Andrea Travnicek
Principle Deputy
Assistant Secretary-
Water and Science

Secretary of Transportation

Represented by:
Grover Burtney
Deputy Assistant
Secretary for
Policy

Secretary of Veterans Affairs

Represented by:
Anthony Costa
Acting Executive
Director, Office of
Construction and
Facilities Management

Native American/Native Hawaiian Member

Reno Keoni Franklin
Chairman Emeritus, Kasha
Band of Pomo Indians

President, National Conference of State Historic
Preservation Officers

Mark Wolfe
Texas State Historic
Preservation Officer

General Chairman, National Association of Tribal Historic
Preservation Officers

Shasta Gaughen
Pala Band of Mission Indians
Tribal Historic Preservation
Officer

Chair, National Trust for Historic Preservation

Represented by:
Thomas Cassidy
Vice President for
Government Relations

OBSERVERS

Managing Director, Council on Environmental Quality

Represented by:
Ted Boling
Associate Director for
NEPA

Chair, National Alliance of Preservation Commissions

Represented by:
Stephanie Paul
Program Director

President, ACHP Foundation

Katherine Slick
Historic Preservation Consultant

In attendance and participating in the meeting were ACHP Executive Director John M. Fowler; Betsy Merritt, Deputy General Counsel, National Trust for Historic Preservation; Doug Pulak, Federal Preservation Officer, Department of Veterans Affairs; Johnathan Holifield, Executive Director, White House Initiative on Historically Black Colleges and Universities; Taylor Proctor, Morgan State University architecture graduate; Susan Glimcher, Dru Null, Javier Marques, Reid Nelson, ACHP staff.

PROCEEDINGS

Chairman's Welcome

Advisory Council on Historic Preservation (ACHP) Chairman Milford Wayne Donaldson opened the fall business meeting at 8:30 a.m. He asked Leonard Forsman to lead the Pledge of Allegiance. Brad White requested that agenda item 4 be moved between items 2 and 3. Maureen Sullivan seconded that request. Chairman Donaldson appointed Shayla Shrieves recorder of the meeting. He introduced Andrea Travnicek, the new representative of the Secretary of the Interior. He mentioned Stella Fiotes has retired from the Department of Veterans Affairs (VA), and Tony Costa succeeds her as the secretary's designee. Chairman Donaldson noted that Stephen Ayers has announced his retirement. Mr. Ayers gave members a

brief history of the meeting room they were in and mentioned they were sitting less than 50 feet away from the FBI's letter and background investigation on Supreme Court Justice Nominee Brett Kavanaugh. Chairman Donaldson said it has been a pleasure to know Mr. Ayers all these years and thanked him for what he has brought to the ACHP and the nation at large. Mr. Ayers said it has been an honor and a pleasure to work with the chairman and the ACHP, and thanked them for all the good work. He then introduced Kevin Hildebrand who will be his replacement on the ACHP. At this time, Mr. Ayers left the meeting.

Chairman Donaldson noted that Bob Stanton was unable to be at the business meeting, as he was moderating a session at the Association for the Study of African American Life and History this week. The theme for the conference is "African Americans in Times of War," and a copy of the ad the Office of Communications, Education, and Outreach (OCEO) produced is in the table packet.

Ms. Sullivan holds the proxy for the Department of Transportation (DOT). The minutes of the March business meeting were adopted with a motion from Reno Franklin and second by Jordan Tannenbaum.

Chairman Donaldson thanked Katherine Slick and the ACHP Foundation for organizing the reception the previous night and staff luncheon. He also mentioned the portfolio OCEO put together to commemorate his eight years in office. He noted there are seven new Section 106 Success Stories, bringing the total to 93.

John Fowler announced Dru Null has been named director of the Office of Preservation Initiatives (OPI) and reported on additional staff changes. Charlene Vaughn retired right after the August meeting, and Jaime Loichinger is acting as the assistant director for the Federal Permitting, Licensing, and Assistance section of the Office of Federal Agency Programs (OFAP). The new Federal Highway Administration liaison is Mandy Ranslow. The ACHP has rekindled a partnership agreement with the Federal Emergency Management Agency (FEMA). They have hired a liaison, Valerie Gomez, who is the ACHP's main point of contact for working on disaster recovery efforts in seven states and two territories. The 2018 ACHP-Smithsonian Fellow is Maya Doig-Acuña. She is working with the ACHP and the Anacostia Museum on Afro-Latino community and culture in the U Street corridor in Washington, D.C. Alexis Clark is a fall intern. She is working with Javier Marques on drafting the Spanish language translation of the ACHP's on-demand e-learning course. She will also work on PowerPoint presentations on regulations. Mr. Fowler noted there is a Forest Service liaison partnership in the works as well.

The chairman asked everyone to introduce themselves around the table.

Shasta Gaughen said National Association of Tribal Historic Preservation Officers (NATHPO) President Bambi Kraus took a job as the tribal advisor for FEMA. After 19 years, the organization is having a transition in directorship. Melinda Young is the interim director until at least the end of this year. She comes to NATHPO from the THPO office at Lac du Flambeau in Wisconsin.

ACHP-HUD Secretary's Award for Achievement in Historic Preservation

Chairman Donaldson noted he was privileged to honor a special historic preservation project by presenting the 2018 ACHP/HUD Secretary's Award for Excellence in Historic Preservation. He asked Janet Golrick to join him at the podium. This is the second year of bestowing this award.

The award was presented to the Rosenwald Courts Apartments in Chicago. Chairman Donaldson thanked Ms. Golrick for representing the HUD Secretary and partnering with the ACHP in honoring this wonderful project, not only for the community and the City of Chicago, but as an exemplary project to be a model throughout the country.

Ms. Golrick thanked Chairman Donaldson for his leadership and the ACHP for the great work it does. She said she has been a practitioner of affordable housing for a long time and has seen the Section 106 process at work and the successful projects that come out of it. She congratulated Iceberg Development, Evercore Companies, RCAP LP, Lightengale Group, Roos Enterprises, and, the nominator, MacRostie Historic Advisors. Ms. Golrick noted that a key financing component of this project was the federal Historic Tax Credit and that HUD recently produced a webinar on using the credit for affordable housing. She said an increasing number of projects are taking advantage of the credit to renovate significant historic buildings for affordable housing. Members then watched a video presentation of the winning project.

Jim Bergman of Iceberg Development Group, the managing member of the Rosenwald Courts Apartments, accepted the award and said as a developer his hope is that the projects he chooses to work on positively impact not only the future residents of the building but also the surrounding community. He sought creative ways to preserve the historic fabric of the building while solving the considerable challenges that had previously thwarted redevelopment efforts by others.

As a result, the Rosenwald should be held up as a shining example of what can be done as a result of a successful, well-planned, private-public partnership.

Rail Right-of-Way Program Comment

Chairman Donaldson introduced the discussion about the recently issued Program Comment regarding railroad and rail transit rights-of-ways. Mr. Tannenbaum said the FAP Committee heard from ACHP and DOT staff on plans for implementing the rail Program Comment.

The exemption component of it has already been used 27 times since its adoption on August 17. Staff also reminded the committee that the slightly more controversial resource component of the Program Comment, which allows for the identification of historic properties that might be excepted from the exemption, does not take effect until nine months after its adoption, which would be in May 2019, and only after DOT issues guidance on how to implement that part. Staff from DOT and the ACHP are working together, and there has been a lot of input from both sides on the development of the guidance.

He recounted the challenging circumstances of developing the Program Comment emanating principally from the 2015 legislation that mandated the ACHP issue an exemption consistent with the interstate highway exemption and that it be done within a specified timeline. The close and constant involvement of congressional staff and industry in the development of this Program Comment also proved challenging.

Mr. Tannenbaum said he is aware that a number of members voted against adopting the comment so he wanted to hear more about why they did so. Reid Nelson said the DOT staff are clearly interested in working with ACHP staff and members on developing guidance on implementing the resource-based component of this Program Comment.

Chairman Donaldson said nobody likes exemptions, and this was a tough one to do, but it is a sign of the times, especially with infrastructure.

Mr. Franklin said it is alarming to tribes anytime there is a body like this and all of the tribal people on it vote a certain way. He sees some fundamental flaws within it, in particular the language that states that on previously disturbed areas, no additional work is necessary. Railways are often built on Indian trails and therefore filled with tangible sites and intangible sites. Tribal people are not necessarily against exemptions, but he asked that if exemptions are granted, that respect is given for those resources.

Ms. Gaughen said she sees this as having the potential to be a precedent for other projects being allowed to be exempted from review by THPOs and SHPOs. It is that uneasiness that caused NATHPO to vote against the Program Comment.

Terry Guen said that agencies advancing transportation or other infrastructure projects typically have the resources to identify historic properties during phase one planning, however not all agencies have the same resources and access to data to effectively do so. She also acknowledged that historic preservation suffers from not being able to fund its own survey of historic cultural resources and that making digital maps more available would facilitate better cultural resource planning .

Mark Wolfe said in this particular instance some of the National Conference of State Historic Preservation Officers' (NCSHPO) comments were considered and others were ignored. He understands that there are timing implications to decisions like these. He said members did not see the draft for a number of months and then were asked to quickly vote on it. There has got to be a way to adjust timelines when that happens, he said.

Tom Cassidy said the National Trust has been engaged in this process and asked Betsy Merritt to come to the table to make some comments. Ms. Merritt said the National Trust was not satisfied but voted yes despite the unprecedented degree of interference from Congress and the railroad industry. The reason is they feared that without this, Congress would come forward with something much worse, something that would truly eviscerate preservation laws in the transportation arena.

Luis Hoyos asked about provisions for periodic review; if it is not going well, are there rules of rescinding it? Mr. Nelson said there are provisions for annual reviews to learn how the Program Comment is being used and whether there are challenges or issues that might emerge. He said he is comfortable that the ACHP staff has adequate opportunities to meet regularly with DOT to better understand how it is operating. The ACHP holds absolute control over whether the Program Comment continues to be implemented or whether the ACHP might want to amend or rescind the comment.

Grover Burtney said DOT was placed in a situation where it had to manage many stakeholders and many different interests and then produce an outcome. This was a congressional mandate that required a resolution. He appreciated the engagement with the ACHP staff and the robust discussions. He suggested the forthcoming guidance will also be a collaborative effort, as well as the annual review process, to showcase the collaborative approach to implementation.

Mr. Burtney said the Administration has several different initiatives related to project streamlining, some related to historic preservation. Within the range of outcomes, he thought this is a good one, considering many of the other efforts going on. It retains a lot of the spirit of Section 106. The hope is that the focus will be on routine activities that will be largely noncontroversial. Chairman Donaldson expressed his concern about having SHPOs and THPOs not vote for the Program Comment, noting that sends a strong message to the members and staff as well as to DOT. He is hoping Congress will take note of it as well. He said THPOs and SHPOs are the ones who exercise all these programs and review them. Mr. Fowler encouraged members to think about how the ACHP might be able to build bridges between THPOs, SHPOs, the preservation community, and the rail industry so that this Program Comment works the way it should.

VA Program Comment

Chairman Donaldson discussed the VA Program Comment on under-utilized properties. Last year, the Secretary of Veterans Affairs launched an initiative to dispose of several hundred unused and underutilized VA properties. Many of the buildings are listed on or eligible for the National Register. The VA immediately turned to the ACHP to help it address decisions about the future of the historic

properties on the list. Chairman Donaldson noted that VA has been a wonderful partner to the ACHP. They funded a liaison position since 2008, which has been essential for development of the Program Comment. Chairman Donaldson recognized Mr. Nelson, Mr. Marques, and Angela McArdle who is the VA liaison for all their work on this.

Mr. Tannenbaum said the VA and the ACHP staff have done a great deal of work to revise and improve the earlier draft of this Program Comment. After a teleconference, staff shared the improved version with the membership, then changed it a bit further. He had hoped those final adjustments would put him in a position to recommend that this draft be considered for adoption at the business meeting.

But after the FAP Committee meeting the previous day, it was revealed that several members still had outstanding questions and recommendations on adjustments to the Program Comment that the committee could not completely sort out in the time they had. He asked the VA to consider giving two more weeks to sort out these issues before going to vote on the matter. They agreed to do so at the committee meeting.

Mr. Nelson said the committee was able to come up with a list of nine or so issues that deserve additional attention. He gave a timeline of actions culminating in an unassembled vote that would conclude by close of business on October 19. Mr. Costa said it was a good, substantive discussion.

Doug Pulak came to the table. He explained the need to address those properties which VA does not have a mission need for. When there is no primary mission need for the space, the agencies have to look at ways to address that, whether it is through external partnerships, leases, or disposing of that property. In some cases, eliminating that unneeded space could be through demolition.

The Program Comment is intended to cover what VA feels are the least important historic properties in its portfolio. It does not mean that these lack historic significance there but that the adverse effect is limited. The Program Comment would allow VA to focus more on properties that are more significant from a historic perspective.

Chairman Donaldson appreciates that VA campuses are generally open to the public. He said that offers communities the chance to look at how buildings could be adapted or reused for the community.

Mr. Wolfe said the extension gives members an opportunity to take a look because of the public's interest at the potential role of consulting parties. Particularly in sections 5.1 and 5.2, NCSHPO felt there could be a role for the consulting parties there.

Mr. White asked how the Program Comment is supposed to work if it is decided after consultation with the SHPO that they are not going through a tax credit project. Mr. Pulak said the intent is to still try to find a viable reuse, to put the vacant building back in service, recognizing that perhaps that means some character-defining features will be lost. The VA position is that reuse of the building is better than loss of the building. There may be some acceptable trade-offs to achieve that. Mr. White questioned if that would require an additional, if not abbreviated, consultation process. Mr. Pulak said additional review by VA and the SHPO would be to identify what those features might be and then to discuss what might be appropriate mitigation for the loss of those features.

Vice Chairman Forsman asked about the evaluation of significance. Mr. Pulak said that would be required. It includes the land that the vacant buildings and structures are on. If it was a large portion of land or an entire campus, the Program Comment only applies if a property has been evaluated. If the property has not been evaluated, it is not eligible for the Program Comment until it has been evaluated or VA would go through standard Section 106 consultation. Mr. Franklin thanked VA for the additional two weeks, especially for members who are not in the FAP Committee and have to hear about it at the business meeting.

Infrastructure Initiatives

Chairman Donaldson moved on to the Administration infrastructure initiatives, noting that one of the primary policy initiatives announced by the President is major investment in rebuilding the nation's infrastructure. The ACHP has been working with the Office of Management and Budget, the Council on Environmental Quality, and the Federal Permitting Improvement Steering Council (Permitting Council).

Mr. Nelson pointed out that the meeting books contain a summary of the work done in the last couple of years on infrastructure and environmental reviews. Table packets have a copy of the Lead Federal Agency Guidance that the ACHP recently issued. The guidance is designed to help those agencies that wish to comply with the One Federal Decision Mandate, which requires that major infrastructure projects and National Environmental Policy Act (NEPA) reviews be concluded with a single federal decision. The ACHP guidance shows how Section 106 reviews can be incorporated into that process.

Mr. Nelson noted that a year ago the ACHP convened a group of industry representatives, contractors, state, tribal, and other representatives to give guidance on energy transmission. The group has provided useful advice on areas where Section 106 improvements can be made. The Federal Energy Regulatory Commission (FERC) is also being engaged in the effort.

Mr. Nelson asked if there are other sectors the ACHP should be engaging and whether there are other infrastructure and Section 106-related issues that staff should investigate.

Mr. Cassidy said it is important for the ACHP to continue looking at these issues in the Section 106 context. It is also even more important to ensure that the planning for infrastructure incorporates, at the very earliest stage of planning, consideration of historic and cultural resources. He said many properties are not yet mapped in a digital format that permits evaluation of them at these early stages. There needs to be funding for GIS and digital mapping. He suggested DOI might propose a competitive grants program within the Historic Preservation Fund (HPF) that would fund SHPO and THPO capacity to get their data digitized. Ms. Travnicek said she used to work with the Federal Geographic Data Committee and understands the need for funding and data sharing.

Mr. White said it is time to partner with the National Trust and others on the ACHP to take a hard look and come up with strategies and solutions to get to the survey. He recognized that there are also sensitivities with cultural properties and tribal properties along the survey.

Ms. Sullivan said part of the problem for members to provide advice is they need more understanding of what is going on in the Permitting Council, particularly what is on the dashboard. Members need to have a better sense of what the challenges are so they can provide better advice. Dr. Lippert said it is hard to give advice on directions without having an overall picture of what the common elements are and where members might be able to offer commentary. She noted tribal concerns about constructing databases that relate to property and to geography because tribes cannot talk about some of that. Tribes have issues with multiple tribes wanting to comment on a certain area.

Ted Boling said on the dashboard, www.permits.performance.gov, there is an attempt for transparency on where things stand, including in the Section 106 process. He commended the ACHP staff for their engagement in the Permitting Council and participation in problem solving on Section 106 issues.

Ms. Guen said in terms of permitting and planning, large-scale landscapes have elements of what some people might consider design, which needs to be considered.

Mr. Fowler said there is a disconnect between agency members sitting at the ACHP table and the people sitting on the Permitting Council.

Mr. Franklin said tribes support digitizing of information in sites and mapping, and making this an easier process, as long as that process does not take the place of tribal consultation but enhances consultation.

Mr. Nelson said in the FAP Committee meeting they discussed the status of the work plan developed to implement the recommendations of the latest Section 3 report. Key among them is working on developing and promoting the use of a national inventory. Permitting and funding agencies are not as widely represented on the ACHP as land and property managing agencies. Yet it is often the permitting and funding agencies that have the important infrastructure issues. He said the staff is often challenged in seeing emerging concerns and problems. To the extent that other federal members or non-federal members can help staff identify those issues, they would appreciate it.

Mr. White moved that the chairman establish a taskforce to deal with the issue of obtaining and using digital information in the infrastructure planning process. Ms. Guen seconded it. The motion passed unanimously.

White House Initiative on Historically Black Colleges and Universities

Chairman Donaldson mentioned that the ACHP recently joined the White House Initiative and completed a partnership project with Morgan State University. This new partnership is an excellent example of how the ACHP is building a more inclusive preservation program. Susan Glimcher was recently a panelist as part of the HBCU Annual Conference talking about public-private partnerships. He congratulated Ms. Glimcher for bringing awareness to this mission with a new audience.

He welcomed Johnathan Holifield and Taylor Proctor to the table.

Ms. Glimcher reminded members that the ACHP led a partnership program in conjunction with the National Park Service (NPS), Morgan State University, and the National Trust's HOPE Crew. The goals of the program included increasing diversity in the field of architecture and to bring attention to the rich cultural legacy of HBCUs.

Thanks to Joy Beasley and funding provided by NPS, six architecture students from Morgan State traveled to the Western Center for Preservation Training in Grand Teton National Park. Next, the students completed a two and a half week HOPE Crew project at the Peale Center in Baltimore. The students were able to spend time with ACHP expert members and staff, visiting historic sites. The outcomes were powerful. Ms. Glimcher noted that Queen Elizabeth heard about this project and was so impressed that she is creating an international study abroad project with Morgan State architecture students, which will allow them to work on government housing buildings in England, Antigua, and Barbuda.

Ms. Proctor, a participant in the program, thanked the ACHP for making this happen. She had been interested in architecture and interior design but never had the opportunity to really hear what historic preservation is about. The program gave her an understanding of what historic preservation is and how an architect fits in. It was also a great networking experience and an introduction to a real-life job experience. She enjoyed uncovering the stories within these historic buildings, especially as they related to African American history.

Ms. Proctor encouraged the ACHP to keep doing this project and provide opportunities for students who are looking at careers in the architecture and historic preservation fields.

Mr. Holifield said the White House HBCU Initiative was established by Executive Order 13779, and it is housed in the Executive Office of the President and the Department of Education. His focus is U.S. competitiveness, which includes HBCU-competitiveness. He said the infrastructure of more than 100

institutions is essential to maintaining and improving a U.S. competitive position around the world and to achieving a greater degree of shared prosperity.

He recounted his work with the Buffalo Olmsted Parks Conservancy, a system of urban parks that connect an entire city that also helps improve conditions for private sector investment. He is interested in how the professional planning, implementation, and execution practices of the ACHP and the preservation community can be applied to the restoration and revitalization of HBCU campuses.

Mr. Holifield expressed his interest in continuing to work with the ACHP to explore how, based on joint mandates and working with associated institutions, to create centers of excellence around preservation and restoration for HBCUs and the surrounding communities as well.

Mr. Cassidy suggested Mr. Holifield make a request in the FY 2020 budget to include funding for the HPF preservation grant program. Ms. Guen said the design professions are on the same track of trying to diversify, to increase the number of students of all complexions. She sees it as a generational challenge.

Mr. Hoyos said the CEO Committee is fully behind this initiative, which is consistent with the ACHP's strategic plan for engaging youth. It is a very good pilot program that should be repeated. He suggested supporting the coming generations of preservationists. Academia is sometimes lagging behind because of a lack of resources.

Mr. Tannenbaum said Ms. Proctor is going to be taking over this field in a number of years, along with her colleagues, and there can be no better investment in the emerging leaders in the country than this program. He hoped it would make it into the strategic plan.

Ms. Proctor said it is important to let the students know there are opportunities beyond what they are used to hearing. It is important to do that on a level and in a space where diversity is promoted and other races and cultures are able to diversify the architecture field, given the small number currently in the profession.

Legislative Affairs

Chairman Donaldson continued with the discussion of ACHP approaches to commenting on historic preservation legislation. Mr. White said the PI Committee discussed the issue of commenting on historic preservation legislation. Staff had recommended four criteria for the ACHP to consider when deciding whether to comment on site-specific legislation. The committee agreed that these are the appropriate criteria. One issue that came up is how to define "highly significant." Some more work needs to be done to better define this.

At this time Chairman Donaldson left the table and Vice Chairman Forsman took the gavel.

Ms. Null said driving development of these criteria is an unwritten rule that the ACHP does not normally comment on site-specific legislation. Yet sometimes there are bills where it would like to do that, and staff recommended that there be guidance from the membership for addressing those situations.

Vice Chairman Forsman said most citizen members are going to be advocates for historic preservation and make their comments known on important issues. He said members are going to continue to have the desire to take positions as their constituencies will be urging them to weigh in. He said there will not be a perfect solution to this, but having guidance will provide a little bit better control.

Mr. White said the intent is not to stifle discussion, or stifle bringing up issues that come to a member's attention. It is to give the ACHP a filter to say, yes, that is an issue that the membership really needs to take a position on, or no, it is not. Mr. Fowler said this discussion touched on the role of the ACHP in

advocating for legislation on the Hill. It is the kind of thing that members can get into in depth when they work on strategic planning, and when the new full-time chairman arrives.

No objections were raised to the proposed criteria, and the general consensus was to move forward as proposed.

At this time Chairman Donaldson returned to the table.

Full-Time Chairman Discussion

Chairman Donaldson said the ACHP is anticipating the arrival of the full-time chairman. The impetus for the position stemmed from the 2006 Preserve America Summit, and was codified with the National Historic Preservation Act (NHPA) amendments in December 2016. Aimee Jorjani has been nominated, but the Senate has not yet acted to confirm her appointment.

Chairman Donaldson has been looking at transition plans, because a full-time chairman will definitely change the way the ACHP is doing business. It will also have a big impact on how the ACHP's mandated strategic plan will come together. Mr. Fowler said the ACHP needs to look at overhauling the operating procedures, examining the organizational structure, and developing a new strategic plan.

The revision of the strategic plan will occur after the new chairman is in place. A transition working group has been created and reviewed the questionnaire that staff put together and sent it out to the members. The goal at present is to prepare a process to recommend to Ms. Jorjani for developing a strategic plan.

Mr. Tannenbaum said 25 of 27 members and observers filled out the questionnaire. There were issues where there was general consensus, like the idea of standing committees and the approach to setting up working groups. Other items had differing views from members, such as the operation of the executive committee and the frequency of business meetings. Additional matters with diverse opinions from members included whether meetings should all be in Washington or be periodically in other places; whether video conferencing should be used for meetings; and is the current committee structure sound.

Ms. Guen said in the past, members have had an opportunity to meet in different cities, which is beneficial to them. It has also allowed the members to hear from members of the preservation community and the public. Travel opportunities when the budget allows have been enriching. Mr. Franklin said it is great for the ACHP to expand its presence out in the rest of the world. He suggested meeting at an HBCU.

Vice Chairman Forsman suggested flexibility on committee meetings on the first day. He suggested perhaps one meeting has a smaller agenda and the other could be expanded, so there is not an overlap of meeting times whereby people are excluded from meetings they would like to attend.

Mr. Fowler noted that past council schedules varied in duration from time to time. If the members want to spend more time together, the business meeting could continue beyond noon with a break for lunch. Chairman Donaldson said it is good to get out of Washington. When the ACHP has met out of town, members have learned a lot and benefited from interaction with stakeholders and the public. Mr. Fowler added out-of-town meetings are an excellent team building experience for the members because they do not just come for three hours of a meeting and then go back to their desks. The members participate in shared activities, social events, tours, and listening to the public and preservationists. It builds different relationships among the members.

Dr. Lippert said she really appreciated in August when the committees were sequential and she was able to attend the CEO Committee meeting, which she normally does not attend. She would appreciate if the ACHP kept something like that, so members had the ability to go to the other meetings as well. She added it is extremely important to get out and be present in communities where people who are not in preservation can see what the ACHP does, addressing issues that relate to citizens in their daily lives.

Ms. Sullivan suggested thinking strategically about where to have meetings in the DC area to get more public engagement in the meetings.

At this time Vice Chairman Forsman left the meeting.

Ms. Glimcher said the CEO Committee addressed the question about how to engage a larger audience at ACHP meetings. This covered everything from broadcasting the meetings live and doing social media live broadcasts to ways to engage the public and actually get them participating in meetings. There were some concerns that the members should consider: would this impact member votes or would members feel inhibited in a controversial discussion while there was a “Facebook Live” going on. A related issue was whether to invite the public to speak at a business meeting. One option would be to conduct listening sessions. She reminded members of the listening sessions in Santa Fe and Boston, which worked well.

Ms. Sullivan said this is a public meeting and is being recorded. She suggested an option in addition to having the public meeting would be to have some closed meetings for more discussion.

Strategic Planning

Chairman Donaldson introduced the strategic plan development. Mr. Tannenbaum said the FAP Committee recognized that the current strategic plan was developed before the Native American Affairs Committee existed. More attention should be paid to the work of what that committee oversees. A number of federal committee members noted that the tone in the part of the current plan that focuses on improving federal preservation programs is somewhat negative. They commented about getting more licensing and permitting agencies engaged in the ACHP’s business, in addition to the property managing agencies. They also discussed the need to give attention to the ACHP Foundation, particularly in the area that talks about resources.

He suggested looking at metrics to determine if the ACHP is successfully carrying out its mission and programs.

Mr. White said the PI Committee had a robust discussion about this, and there was overwhelming consensus that the strategic plan is an opportunity for a new look at what the ACHP does and to ensure that the mission statement is reflective of the agency mission today. During planning, he suggested looking at the roles of the ACHP as defined in the NHPA and other relevant legislation and executive orders. It would be worthwhile for council members to be involved more in the action items, at least on a reviewing basis, to help them understand the priorities. This plan is both an internal and external document, and he advocated that the plan be written in such a way that it is understandable to the general public.

Mr. Franklin said the CEO Committee wanted to ensure the youth strategic plan is included within the new agency-wide plan. There was a discussion about the Preservation50 research and including some of the documents from that research. In the Native American Affairs Committee it was noted that the committee was not in existence when the last plan was developed. The committee determined it would think further not so much about a process but about content for discussion at its next meeting.

Mr. Fowler said the intention would be that the next meeting is when there would be the strategic planning session. He wondered how to structure this next meeting including how many days to block off. This is going to be up to Ms. Jorjani when she comes onboard.

Unassembled Meetings

Chairman Donaldson said he agrees that unassembled meetings are difficult because members cannot talk face-to-face, and hearing everybody on the phone is often difficult. He knows some people feel like they cannot get in to the discussion on the phone. Mr. Fowler said the ACHP operating procedures authorize unassembled meetings. They are useful to have the full council act on an issue in between business meetings that happen every three or four months. He suggested setting up criteria for when to use them. He could look at improving communication among the members before there is a vote on something. He said although the ACHP budget does not support this, perhaps if an agency is in dire straits about getting something done, it might want to underwrite the cost of bringing members in for a special meeting. There might be a member working group or taskforce that oversees the development of a specific issue that is being presented to the membership.

Mr. Nelson said the FAP Committee determined that, in order for something to be successfully considered via an unassembled meeting, there needs to be adequate and properly timed opportunities for discussion with the members in advance. He urged that members consider the use of more video- and tele-conferencing to provide member input at critical points. He suggested keeping the flexibility of using unassembled meetings for Program Comments but make sure they have had the discussion ahead of time.

Mr. White said periodic check-ins with members are needed as well as appropriate timelines for members to comment.

Mr. Marques said trying to hold the vote on a Program Comment at a business meeting is flawed. It is better to schedule it so it is 20 days or so after discussion at a meeting. He also liked having a panel of council members to guide development and test ideas with.

Mr. Fowler reminded members under the ACHP regulations when a Program Comment arrives, it starts a 45-day clock, and the ACHP has to act or choose not to act. He suggested federal agencies think about how to frontload the back and forth that occurred during the last 45 days on the VA comment. The goal would be to have reasonable time for the members to review something that has been pretty well refined once the clock starts ticking.

Mr. Hoyos said members would benefit from more context and more background from staff when a particular solution is proposed, or knowing if there is a historical perspective that this has worked or not worked before.

Ms. Guen suggested sending all the invitations for member action electronically and make the subject line "Program Comment," which would differentiate it from other ACHP email.

Mr. Nelson agreed that getting member involvement and guidance sooner is important on many issues. He wants to look at engaging members more in that predevelopment stage.

New Business

There was no new business. Mr. Cassidy expressed his appreciation to Secretary of the Interior Ryan Zinke for his leadership on catalyzing action by both the House and Senate committees on the Restore America Parks legislation.

In his closing remarks, Chairman Donaldson said it has been a wonderful journey and that he has been blessed for the last eight years. It has been incredible meeting all of the members and staff and all the great support he has received.

Mr. Fowler said on behalf of staff, it has been a great run for eight years. Chairman Donaldson has brought vision and direction, and he has brought it with passion and warmth and a great sense of humor. He has given the ACHP fresh ideas and fresh ways of looking at preservation, and he has left a great legacy.

Mr. Fowler said achievement in promoting diversity and inclusiveness, embodied in the building a more inclusive preservation program initiative, is one of the great milestones of the chairman's achievements. Chairman Donaldson was the person who got the full-time chairman and the NATHPO membership amendments. He has built a great bond between the staff and the membership, and that is very important for getting work done and getting it done in a pleasant and collegial way.

There was a round of applause for the chairman.

Chairman Donaldson said he is particularly proud to have worked for the Obama Administration in getting appointments of diverse members. He thanked everyone for all the support, noting this is really a joint effort.

The meeting adjourned at 12:25 p.m. with a motion from Mr. Franklin and second by Mr. Cassidy.