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Selected Examples of State Historic Preservation Office Guidance on Climate Change and Historic Preservation

Selected Excerpts from State Historic Preservation Office Planning Documents Related to Climate Change and Historic Preservation

#### Update on Major Activities

***Please see the following papers in Tab 1 for the Preservation Initiatives Committee discussion:***

ACHP Strategic Plan Update

Climate Change and Historic Preservation Task Force

America the Beautiful

Proposed ACHP Action on Pending Legislation



**MEETING**  
**PRESERVATION INITIATIVES COMMITTEE**  
**Monday, December 13, 2021**  
**1 p.m.–2:30 p.m. EST**

Join ZoomGov Meeting  
<https://achp.zoomgov.com/j/1618365687?pwd=MFhyenlZQW0vWkZPeXF4QkpHRnJQdz09>

Meeting ID: 161 836 5687  
Passcode: 555072  
or  
Dial by phone  
+1 646 828 7666 US  
Meeting ID: 161 836 5687  
Passcode: 555072

**PROVISIONAL AGENDA**

- I. Introductions
- II. ACHP Strategic Plan Update. *Discussion of Preservation Initiatives-related aspects of the plan and the portions flagged by staff as potentially needing revision.*
- III. Proposed ACHP Action on Pending Legislation. *Consideration of recommending that the full membership adopt three motions to take action on the following bills: Frederick Jobs and Historic Preservation Training Center Land Acquisition Act; Yes In My Backyard Act; and Saving Money and Accelerating Repairs Through (SMART) Leasing Act.*
- IV. Climate Change and Historic Preservation Task Force. *The committee will be briefed and asked to comment or act on: 1) launch of the Climate and Historic Preservation Task Force; 2) the outcome of ACHP listening sessions regarding how cultural resources relate to achieving the objectives of the America the Beautiful initiative; and 3) the results of the Office of Preservation Initiatives survey of climate change-related planning and guidance by State Historic Preservation Officers.*
- V. Other Business



**CLIMATE ACTION PLANNING AND GUIDANCE  
BY STATE HISTORIC PRESERVATION OFFICERS  
Office of Preservation Initiatives**

**Background.** In response to interest expressed by ACHP members, the Office of Preservation Initiatives (OPI) has undertaken research to determine what State Historic Preservation Offices (SHPOs) are currently doing vis-à-vis climate action planning and what related guidance and other resources they are making available. The information collected to date was gathered by exploring what is available on the 50 state SHPO websites, searching the web for Statewide Historic Preservation Plans and other related plans not available through the SHPO websites, responses from several SHPOs to a request by the National Conference of State Historic Preservation Officers that their membership contact us to share information, several follow-up conversations with SHPOs, and background research.

The goal of the research has been identifying trends and patterns that will help to inform the work of the ACHP Climate Change Task Force. Determining what is and what is not currently available may help to surface opportunities for useful action by the ACHP.

Understandably, this material provides a snapshot in time and might not reflect other things SHPOs may be planning to do in the future. Additional material and updates are welcome and should be directed to Judy Rodenstein, OPI, at [jrodenstein@achp.gov](mailto:jrodenstein@achp.gov).

**Guidance, Training, and Technical Assistance.** Fifteen SHPO websites provide links to climate change-related guidance, training, and technical assistance content, either created by the SHPO alone or with partners. Many SHPOs without such content aim to create it and make it available in the near future, per their current Statewide Historic Preservation Plans. The guidance is nearly all geared to planning for and recovering from a variety of disasters, including flooding, hurricanes, and wildfires. Tools include guides, a mapping application, elevation design guidelines, and model approaches.

**Statewide Historic Preservation Plans.** Each SHPO is required by the National Historic Preservation Act to prepare and implement a comprehensive statewide historic preservation plan, and it is a prerequisite for the state receiving appropriations from the federal Historic Preservation Fund. These statewide preservation plans must consider broad social, economic, political, legal, and environmental conditions and trends related to preservation. They must also coordinate with other local, regional, state and federal planning efforts in the state. These plans are typically created for a period of 5-10 years, and their timing is not on a fixed national schedule. Some states are currently developing their next plan, and some recently did so. Most states review and update their plan halfway through the plan's applicable time.

Forty-one current statewide historic preservation plans have climate change-related content, and most of these include related goals, objectives, and actions. Some of them include climate change-related narratives which identify it as a preservation challenge or an area of special focus. While some of the older plans only address disaster recovery, other plans focus more broadly and include proactive strategies to address the foreseeable impacts of climate change and increasingly severe and frequent weather-related disasters.

Two current statewide historic preservation plans do not address climate change impacts at all, though one of these has a brief reference to the impact of clean energy development on historic properties. Six more states have no current plan available online but have previous plans online which included relevant content. One state does not currently have any plan (current or otherwise) available online to assess, while one more has only a draft plan available.

In the recent past, many SHPO Statewide Historic Preservation Plans included elements focused on sustainability and on response to natural disasters. Current plans nearly all address both natural and man-made disasters and other climate change impacts more broadly and more proactively.

***Disaster Planning.*** In the past, a few SHPOs developed stand-alone disaster plans for historic properties. But as Georgia's State Historic Preservation Plan notes, "past attempts to develop a practical and sustainable historic resources preservation disaster response plan... have been hindered by targeting efforts on an independent, comprehensive approach that would include disaster response activities beyond the normal capacity of existing staff with expectation that additional resources would be made available for implementation. Recent efforts have concentrated on ensuring HPD [Historic Preservation Division] affiliation with Georgia's existing disaster response system..." Far more common now is SHPO participation in Statewide Disaster Response or Hazard Mitigation planning with other state agencies, in order to ensure the consideration of historic and cultural resources in planning for and responding to these threats. Those SHPOs doing this successfully can be models for other states yet to develop well-coordinated planning and response.

***Climate Change Planning Partnerships.*** Some states also have developed partnerships with other state and federal agencies, interested groups, universities, and international organizations to work toward common goals. This approach also helps to extend limited resources, and to raise public awareness and support for planning to protect historic and cultural resources from the effects of climate change.

***Selected Links and Examples.*** Products of this research to date are two sets of annotated links. The first includes SHPO-issued guidance material, training, and technical assistance related to disaster planning, climate change mitigation, and adaptation. The second document includes selected climate change-related excerpts from SHPO plans and other documents, arranged topically. Covered topics include making the case for climate action, identifying the range of threats, economic impacts, and effective planning and partnerships. Also included are examples of goals, objectives, and strategies from current Statewide Preservation Plans. This material hopefully will be of use to the ACHP Climate Action Task Force, to SHPOs, and to other preservation partners. To access the documents, see the links below.

***Attachments:***

[Selected Examples of State Historic Preservation Office Guidance on Climate Change and Historic Preservation](#)

[Selected Excerpts from State Historic Preservation Office Planning Documents Related to Climate Change and Historic Preservation](#)

December 6, 2021



**UPDATE ON MAJOR ACTIVITIES**  
**Office of Preservation Initiatives**  
**July—December 2021**

***FY 2022 Budget.*** Congress did not finalize a budget for FY 2022 before September 30, instead passing a continuing resolution (CR) to temporarily fund the government through December 3 at FY 2021 levels. As of the time this report was written, debate was beginning as to whether the next CR should be short-term or long-term (into the spring). Failure to pass a new CR by December 3 would result in a government shutdown.

The ACHP requested \$8.255 million for FY 2022, and the House of Representatives included that amount in the [House spending bill](#) that was passed in July. So too did the Senate Appropriations Committee, which released its [draft Department of Interior and related agencies spending bill](#) for FY 2022 in October. Of interest, the explanatory statement accompanying the draft bill notes:

The Council’s responsibility to assist Tribes and Native Hawaiian Organizations with the National Historic Preservation Act’s Section 106 process, which requires Federal agencies to consider the effects of their projects on historic properties, is a critical opportunity for these communities to provide input about how Federal projects might affect historic, culturally significant sites.

Senate funding for the Historic Preservation Fund (HPF) is proposed at an unprecedented \$180.072 million. That is \$24.272 million more than the House figure and \$30.072 million above the HPF authorized limit. While continuing to fund State Historic Preservation Offices (SHPOs), Tribal Historic Preservation Offices (THPOs), and the slate of competitive grants that have been funded in recent years, the bill also contains Congressionally Directed Spending, aka earmarks. Forty specified restoration and collections conservation projects would receive a total of \$15.772 million. (For a list of these projects, see pages 175 through 178 of the [explanatory statement](#) that accompanied the draft bill.)

***Legislative Update.*** The [Infrastructure Investment and Jobs Act \(Pub.L. 117-58\)](#) was signed into law on November 15. It will provide \$973 billion over five years from FY 2022 through FY 2026 for investments in all modes of transportation, water, power and energy, environmental remediation, public lands, broadband, and resilience. The sheer volume of the anticipated projects will pose challenges to THPOs, SHPOs, and the ACHP in managing Section 106 reviews. (For a discussion of this issue, see “Section 106 and the Infrastructure Investment and Jobs Act Update” in Tab 3.) The act does not have major historic preservation provisions such as was envisioned in an earlier version proposed by the House that would have permanently authorized the HPF and doubled its authorized level. However, the legislation does have two references to Section 106 and several positive provisions that should encourage protection of historic properties.

The act reduces the number of days for federal agencies to review Department of Transportation plans under the Section 4(f) review process but notes that this does not affect requirements under Section 106. The legislation says the same regarding Section 106 in reference to new categorical exclusions under the National Environmental Policy Act for certain activities associated with certain oil and gas pipelines.

The legislation makes permanent both the FAST-41 coordinative process for environmental review of infrastructure projects and the Federal Permitting Improvement Steering Council (FPISC). Among changes to the FAST-41 process, information submitted by agencies relating to Native American natural, cultural, and historical resources is to be kept confidential and is exempted from FOIA requests. Also, the act expands the list of best practices FPISC must issue to include best practices on engaging with Native Americans in identifying cultural resources and locations of historic and religious significance in the area of FAST-41 projects.

Other preservation-related provisions in the act include the following: funding for Forest Service public use recreation cabins may be used for repair or reconstruction of historic cabins to be outleased under Section 111 of the National Historic Preservation Act; criteria for selecting intercity passenger rail corridors and passenger rail projects outside the Northeast Corridor include “anticipated positive economic and employment impacts, including development in the areas near passenger stations, historic districts, or other opportunity zones;” criteria that may be considered in designating National Interest Electric Transmission Corridors include whether the corridor avoids, minimizes, and/or offsets sensitive environmental areas and “cultural heritage sites.”

On November 19, the House passed the [Build Back Better Act \(H.R. 5376\)](#), developed under the budget reconciliation process, which would provide more than \$2 trillion for social spending and addressing climate change. The bill now goes to the Senate, where it is almost certain to be amended, which will trigger negotiations between the House and Senate to resolve differences. The bill includes several preservation-related provisions, while others that were in earlier drafts are not in the final bill.

The bill would provide \$25 million in new funding for historic preservation. The National Park Service (NPS) would provide the funds to states, Indian tribes, the District of Columbia, and territories over the next five years. The bill also would provide \$50 million to NPS for National Heritage Area Partnerships. The Department of the Interior would receive \$33 million to establish a Native American Consultation Resource Center. Only authorized through 2031, the Center would provide training and technical assistance to support federal tribal consultation and coordination responsibilities on several topics, including protection of natural and cultural resources of concern to Native Americans.

The bill incorporates the previously introduced Neighborhood Homes Investment Act. It would establish a new federal tax credit toward the cost of rehabilitating or constructing a home in an area where the cost of purchasing and rehabilitating a home is greater than what the home could be sold for. This could be a boon for historic buildings in these areas, although allowable costs under the bill unfortunately also include demolition.

Preservation-related provisions that were dropped from earlier drafts of the bill include the following: reversal of the Oak Flat land exchange; withdrawal of federal land around Chaco Culture National Historical Park from disposal, leasing, and mining; and enhancements to the Historic Tax Credit previously proposed in the Historic Tax Credit Growth and Opportunity (HTC-GO) Act. The concept of the Civilian Climate Corps has been scrubbed from the bill, although significant amounts of money would be channeled to existing service corps programs.

*December 6, 2021*