



# ADVISORY COUNCIL ON HISTORIC PRESERVATION WINTER BUSINESS MEETING

MARCH 1, 2023



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ACHP Policy Statement on Indigenous Knowledge and Historic Preservation

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**MEETING**  
**ADVISORY COUNCIL ON HISTORIC PRESERVATION**  
**March 1, 2023**

**PROVISIONAL AGENDA**

**Call to Order 8:30 a.m. EST**

- I. Chair's Welcome
  - A. Introduction and Priorities
  - B. Governance Issues Including Bylaws, Experts, and Committees
- II. Executive Director's Report
- III. Legislative Priorities
- IV. Climate Change and Historic Preservation Task Force
- V. Native American Affairs
  - A. Updating ACHP Policy Statement on Burials, Human Remains, and Funerary Objects
  - B. Policy Statement on Indigenous Knowledge and Historic Preservation
  - C. Other Reports
- VI. Section 106
  - A. Army Program Comment on Vietnam War Era Historic Housing, Associated Buildings and Structures, and Landscape Features
  - B. Nationwide Programmatic Agreements
  - C. Preserve America Executive Order 13287 Section 3 Report Planning
  - D. Other Reports
- VII. Communications, Education, and Outreach
  - A. Historically Black Colleges and Universities Outreach
  - B. Other Reports
- VIII. Historic Preservation Policy and Programs
  - A. Other Reports
- IX. Workforce Development
- X. Introducing 21st Century Leaders Fellow
- XI. New Business
- XII. Adjourn



**MEETING**  
**ADVISORY COUNCIL ON HISTORIC PRESERVATION**  
**March 1, 2023**

**ANNOTATED AGENDA**

- I. Chair's Welcome. *Chair Sara Bronin will welcome the members to the business meeting and ask members to introduce themselves.*
  - A. Introduction and Priorities. *Chair Bronin will share her vision and goals for the ACHP.*
  - B. Governance Issues Including Bylaws, Experts, and Committees. *Chair Bronin will summarize her interest in adjustments to ACHP bylaws and the organization of members. No action required.*
- II. Executive Director's Report. *Acting Executive Director Reid Nelson will report on personnel and recruitment and provide an update on office reopening.*
- III. Legislative Priorities. *Preservation Initiatives Committee Chairman Rick Gonzalez will summarize the committee's consideration of a legislative agenda for the 118th Congress and offer a resolution for its adoption. Vote anticipated. Action needed.*
- IV. Climate Change and Historic Preservation Task Force. *Vice Chairman Jordan Tannenbaum will summarize the task force's development of a Policy Statement on Climate Change and Historic Preservation and seek member input on the draft Statement. No action needed.*
- V. Native American Affairs
  - A. Updating ACHP Policy Statement on Burials, Human Remains, and Funerary Objects. *Native American Affairs Committee Chairman Reno Franklin will update the members on the development of the Policy Statement. Vote anticipated. Action needed.*
  - B. Policy Statement on Indigenous Knowledge and Historic Preservation. *Members will be apprised of efforts to develop this policy statement. No action required.*
  - C. Other Reports. *This will provide an opportunity for additional reports related to Native American Affairs.*
- VI. Section 106
  - A. Army Program Comment on Vietnam War Era Historic Housing, Associated Buildings and Structures, and Landscape Features. *Federal Agency Programs Committee Chairman Jay Vogt will update the members on the ACHP's consideration of a revised request from the Army for a program comment and summarize the results of the ACHP's effort to consult states, Indian tribes, Native Hawaiian organizations, and others on this request. No action required.*

- B. Nationwide Programmatic Agreements. *The members will be apprised of efforts to develop additional guidance on nationwide programmatic agreements and asked to provide input on its further development. No action required.*
  - C. Preserve America Executive Order 13287 Section 3 Report Planning. *Members will be apprised of efforts to develop guidance to federal agencies on the development of their upcoming reports to the ACHP and Secretary of the Interior in accordance with the Executive Order. No action required.*
  - D. Other Reports. *This will provide an opportunity for additional reports related to Section 106.*
- VII. Communications, Education, and Outreach
- A. Historically Black Colleges and Universities Outreach. *Communications, Education, and Outreach Committee Chairman Luke Nichter will update the members on efforts to further engage students and faculty from Historically Black Colleges and Universities. No action required.*
  - B. Other Reports. *This will provide an opportunity for additional reports on communications, education, and outreach issues.*
- VIII. Historic Preservation Policy and Programs
- A. Other Reports. *This will provide an opportunity for additional reports related to historic preservation policy and programs.*
- IX. Workforce Development. *Committee Chairmen Vogt and Nichter will report on committee discussions about workforce development. No action required.*
- X. Introducing 21st Century Leaders Fellow. *The members will be introduced to Matthew Kenyatta, the first 21st Century Leaders Fellow supported by the ACHP Foundation.*
- XI. New Business. *There is none at this time.*
- XII. Adjourn. *The meeting will adjourn by noon EST.*



**ACHP LEGISLATIVE PRIORITIES**  
**118th CONGRESS**  
**Office of Preservation Initiatives**

**Background.** One of the ACHP's primary responsibilities is to advise Congress on historic preservation matters, and a key way of fulfilling this responsibility is to comment on pending legislation. ACHP staff monitors and tracks the development of bills where there may be implications for historic preservation and advises ACHP leadership and the members on such intersections. In its history of doing so, the ACHP generally has avoided addressing legislation that pertains to a specific historic site. [Guidance](#) adopted by the ACHP in 2018 sets forth criteria for when it is appropriate to comment otherwise. For bills that are not site-specific, the ACHP previously has approved key issue areas to focus on, establishing a framework for member action on individual bills. These issue areas were not revised during the last Congress, pending confirmation of a new ACHP chair. With Chair Sara Bronin's recent confirmation coinciding with the launch of a new Congress, it is timely to consider legislative priorities for the 118th Congress.

**Prior Focus Areas.** The last set of legislative priorities adopted by the ACHP included the following:

- Supporting preservation-friendly programs and funding
- Building a more inclusive preservation program
- Maintaining and enhancing tax incentives for historic preservation
- Balancing regulatory reform and streamlining with protection of historic properties
- Addressing the impacts of accelerated infrastructure development on historic properties
- Preserving the fundamental integrity of the National Register of Historic Places\*
- Fostering stewardship of historic properties on federal lands or under federal management
- Supporting Presidential designation of National Monuments\*\*

(\* This priority previously was included in response to legislation that would have threatened the National Register process, including a series of bills that would have allowed federal agencies to prevent designation of federal properties as historic (and reverse existing designations) based on agency determinations of national security needs. Legislation of this type is not currently pending.)

(\*\* This priority previously was included in response to legislation that would have made extensive changes to the National Monument designation process that would have limited the types of historic properties that could be protected and restrict their protection. Legislation of this type is not currently pending.)

**Evolving Priorities.** While several prior issues of concern for the ACHP remain the same, current priorities of the Administration and Congress suggest the need for new areas of focus. Staff recommends and provides for member discussion the following revised priorities for the 118th Congress.

- Supporting preservation-friendly programs and funding
- Reauthorizing and making permanent the Historic Preservation Fund

- Promoting consideration of historic properties in the federal response to climate change, as discussed in the ACHP's [draft] Climate Change and Historic Preservation Policy Statement
- Supporting designation or protection of historic properties that reflect the full American story and discouraging proposals that would destroy or diminish diverse histories
- Supporting preservation of historic properties in community development, including in creation of affordable housing
- Maintaining and enhancing tax incentives for historic preservation
- Balancing regulatory/permitting reform and streamlining with protection of historic properties
- Digitizing and mapping known resources subject to Section 106 processes, and expanding survey work of unknown/undocumented resources
- Addressing the impacts of accelerated infrastructure development on historic properties
- Fostering stewardship of historic properties on federal lands or under federal management.

**Action Needed.** The Preservation Initiatives Committee should discuss the proposed legislative priorities for the 118th Congress. Staff suggests that the committee consider recommending the adoption of the motion below. Note that the motion does not commit the ACHP, or any of its members, to a detailed position on any specific bill pending in the Congress.

**Moved that:**

Whereas, the National Historic Preservation Act requires the ACHP to advise the President and Congress on matters relating to historic preservation,

Therefore, the ACHP will offer advice to the 118th Congress on actions affecting the nation's historic properties, focusing on, but not limited to, the following priority issue areas:

- Supporting preservation-friendly programs and funding
- Reauthorizing and making permanent the Historic Preservation Fund
- Promoting consideration of historic properties in the federal response to climate change, as discussed in the ACHP's [draft] Climate Change and Historic Preservation Policy Statement
- Supporting designation or protection of historic properties that reflect the full American story and discouraging proposals that would destroy or diminish diverse histories
- Supporting preservation of historic properties in community development, including in creation of affordable housing
- Maintaining and enhancing tax incentives for historic preservation
- Balancing regulatory/permitting reform and streamlining with protection of historic properties
- Digitizing and mapping known resources subject to Section 106 processes, and expanding survey work of unknown/undocumented resources
- Addressing the impacts of accelerated infrastructure development on historic properties
- Fostering stewardship of historic properties on federal lands or under federal management.

*February 15, 2023*



## CLIMATE CHANGE AND HISTORIC PRESERVATION POLICY STATEMENT

### Office of Preservation Initiatives

**Background.** Historic properties of all types, including buildings and neighborhoods, archaeological sites, and culturally important landscapes throughout the country, increasingly are at risk from climate change impacts. The ACHP's Climate Change and Historic Preservation Task Force was convened to address these impacts in November 2021 with the following objectives:

- Identify key intersections between climate change response and adaptation activities and historic preservation
- Advise the chair on an effective role for the ACHP in advising the Administration and Congress on such matters
- Prioritize key actions the ACHP can take to assist federal agencies and other Section 106 stakeholders regarding climate change adaptation and resiliency
- Make recommendations to the chair on this role, priorities, and key action areas, to inform overall ACHP strategic planning.

The task force concluded that the ACHP could make an important contribution through development of a policy statement on climate change and historic preservation.

**Draft Climate Change Policy Statement.** While the attached draft policy statement pertains principally to federal agency challenges and opportunities, it also speaks broadly to nonfederal parties, including but not limited to state, tribal, and local governments; preservation planners; and the public. The document defines the scope of the challenge, discussing the range of historic property types affected and the variety of climate impacts. Effects to sacred sites and other properties significant to Indian tribes and Native Hawaiian organizations (NHOs) are highlighted, as are the disproportionate impacts of climate change on historic places in underserved communities.

The bulk of the document consists of discussion of the following policy principles.

#### **Gathering Information**

- Public-serving institutions should work collaboratively to assemble information about previously designated or documented historic properties and to identify previously undesignated or undocumented historic properties, with priority on areas with the highest potential for climate impacts.
- When planning to address climate impacts on historic properties, public-serving institutions should seek out and incorporate adaptation and mitigation strategies grounded in Indigenous Knowledge.

#### **Planning For Climate Change**

- Public-serving institutions should consider impacts to historic properties as an integral part of climate-related planning and implementation.
- Public-serving institutions should consider impacts to historic properties as an integral part of disaster preparedness and response.

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- Public-serving institutions serving communities experiencing climate change-related migration, including community-driven relocation of entire communities, should address the impacts of such migration on historic properties in their planning strategies.

**Climate Change Mitigation** (reducing the amount and speed of climate change)

- Public-serving institutions should contribute to decarbonization by promoting reuse of older and historic buildings and by encouraging the retrofit of such buildings to improve operational energy efficiency.
- Development of clean energy projects and climate-friendly transportation infrastructure projects should be expedited through efficient and effective permitting processes and environmental reviews (including Section 106 reviews), while still ensuring full consideration of potential impacts to historic properties.

**Equity**

- Public-serving institutions should recognize that historic properties important to disadvantaged and underserved communities may be disproportionately affected by climate change and that such communities often are ill-equipped to undertake needed interventions.
- Federal, state, and local government entities that oversee planning, permitting processes, and environmental reviews (including Section 106 reviews) for climate adaptation and climate mitigation projects should consult regarding historic properties with Indian tribes, NHOs, and disadvantaged and underserved communities, and capacity building options should be explored for supporting their participation in consultation.

**Flexibility**

- The federal government should expand and more flexibly apply its guidance on the treatment of historic properties threatened by climate change.
- Public-serving institutions should develop sensitive and creative solutions to help communities accept and contend with the reality that many historic properties will have to be altered if they are to survive climate change, and many others inevitably will be lost to climate impacts.
- Consideration of alternatives during environmental review of climate-related projects, including during Section 106 review, should be approached flexibly to promote development of nimble, innovative, and expeditious ways to protect historic properties.

**Education**

- Public-serving institutions, and especially governments, should train employees regarding climate change impacts on historic properties.
- Public-serving institutions should educate the public about climate change impacts on historic properties and what can be done to address them.

**Collaboration**

- Cooperative efforts across agencies, between levels of government, and within communities are critically important.

***Tribal Consultation.*** The Task Force membership includes Indian Tribe/Native Hawaiian Member Reno Franklin and Shasta Gaughen, Board Chair of the National Association of Tribal Historic Preservation Officers. However, the draft policy statement still must go out for tribal consultation, pursuant to Executive Order 13175, Consultation and Coordination With Indian Tribal Governments; the 2022 Presidential Memorandum on Tribal Consultation and Strengthening Nation-to-Nation Relationships; and the ACHP's consultation procedures. While the draft policy statement builds off listening sessions that the ACHP has hosted on other topics (the ACHP's involvement in America the Beautiful and the

agency's Tribal and Native Hawaiian climate action plan), the ACHP has not offered any listening sessions or consultations specific to the policy statement. A schedule for tribal consultation is under development.

***Action Needed.*** The members should review the attached draft in advance of the business meeting and be prepared to offer any comments. Following any revisions in response to member comments and tribal consultation, the draft policy statement will be voted upon via a later unassembled meeting.

***Attachment:*** Draft Climate Change and Historic Preservation Policy Statement

*February 15, 2023*



## ACHP CLIMATE CHANGE AND HISTORIC PRESERVATION POLICY STATEMENT

DRAFT – 2/15/2023

America’s historic properties—important places that help to define and connect people to their communities—are experiencing escalating climate impacts that are increasingly leading to their damage and destruction. The Advisory Council on Historic Preservation (ACHP) has developed this policy statement to define more clearly connections between climate change and historic properties, to articulate policy principles the ACHP will integrate into the Section 106 process, and to guide public-serving institutions on how they may plan for, mitigate, and adapt to climate change impacts on historic properties.

### SCOPE OF THE PROBLEM

In 2014, the Union of Concerned Scientists released an important report, *National Landmarks at Risk: How Rising Seas, Floods, and Wildfires Are Threatening the United States’ Most Cherished Historic Sites*. Through a series of case studies illustrating climate change impacts to well-known historic places (many of them federally owned and managed), the report concluded that:

*Many of the United States’ iconic landmarks and heritage sites are at risk as never before. Sea level rise, coastal erosion, increased flooding, heavy rains, and more frequent large wildfires are damaging archaeological resources, historic buildings, and cultural landscapes across the nation. From sea to shining sea, a remarkable number of the places where American history was made are already under threat. The geographic and cultural quilt that tells the American story is fraying at the edges—and even beginning to be pulled apart—by the impacts of climate change.*

While that report focused on “iconic” sites, all kinds of historic buildings and neighborhoods, archaeological sites, tribal sites and resources, and culturally important landscapes and places throughout the country (collectively, “historic properties”) are at risk from a broad range of potential climate impacts, including sea level rise; extreme weather events; increased wildfires; drought; melting permafrost and erosion; and temperature changes. These impacts threaten not only historic properties but also the flora and fauna associated with historically and culturally important places. The loss of or damage to historic properties from such climate impacts can irrevocably change a community’s sense of place and erode people’s sense of personal identity and cultural stability.

Among the historic properties affected by climate change are sacred sites, landscapes, and other properties of religious and cultural significance to Indian tribes and Native Hawaiian organizations (NHOs). These historic properties frequently are inseparable from the natural landscape and reflect a symbiotic relationship between nature and culture that is increasingly threatened by climate change. As described in the 2021 *Status of Tribes and Climate Change Report* by the Status of Tribes and Climate Change Working Group:

*Tribes have long faced many challenges in protecting and preserving [Tribal cultural resources], including from the multiplying effects of climate change. From the erosion of ancient burials out*

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*of coastal bluffs on the Pacific coast to the disruption of habitats and life cycles for traditional subsistence foods and medicines in the Great Plains and the weathering and loss of ancient petroglyphs and pictographs in the Southwest, climate change is threatening Tribal cultural resources ranging from tangible archaeological sites to intangible cultural beliefs and values.*

Listening sessions and other outreach efforts with Indian tribes and NHOs regarding climate impacts have helped to shape this policy statement and underscore the severity of these impacts.

It also is important to acknowledge the often disproportionate impact of climate change on disadvantaged and underserved communities. These communities generally are limited in their ability to plan for and adapt to climate change, and thus may be constrained in addressing impacts on historic properties.

## **ROLE OF THE FEDERAL GOVERNMENT**

The ACHP, an independent federal agency created by the National Historic Preservation Act (NHPA), works to promote the preservation, enhancement, and sustainable use of our nation's diverse historic resources. It is the ACHP's responsibility to "advise the President and Congress on matters relating to historic preservation, recommend measures to coordinate activities of federal, state, and local agencies and private institutions and individuals related to historic preservation, and advise on the dissemination of information pertaining to those activities" (54 U.S.C. § 304102). The ACHP has developed this policy statement in keeping with this mandate.

In accordance with the NHPA, the federal government is to be a national preservation leader, manage and care for historic properties under its control, and foster both nonfederal, governmental, and private preservation activities. Section 110 of the NHPA (54 U.S.C. §§ 306101-306107; 306109-306114) sets out the broad historic preservation responsibilities of federal agencies and is intended to ensure that historic preservation is fully integrated into their ongoing programs. Section 106 of the NHPA (54 U.S.C. § 306108) requires federal agencies to consider the effects of projects they carry out, approve, or fund on historic properties. As the ACHP issues the regulations (36 C.F.R. Part 800) that guide federal agencies in completing review of federal projects under Section 106, this policy statement applies to the consideration of climate change issues during Section 106 reviews. Climate change adds new challenges to fulfilling federal responsibilities under the NHPA and calls for creative approaches.

## **INTENDED AUDIENCE**

Given the leadership role of the federal government in addressing both climate impacts and historic preservation, the following policy principles seek to promote informed federal decision making and responsible stewardship of historic properties. The ACHP also has designed this policy statement to assist community groups, nonprofit organizations, and tribal, state, and local governments (collectively, along with federal agencies, "public-serving institutions") as they seek to address the impacts of climate change on historic properties important to the people they represent.

## **POLICY PRINCIPLES**

### *Gathering Information*

- **Public-serving institutions should work collaboratively to assemble information about previously designated or documented historic properties and to identify previously undesignated or undocumented historic properties, with priority on areas with the highest potential for climate impacts.** We cannot protect historic properties if we do not know where and what they are. Climate change effects can be felt anywhere, and thus public-serving institutions should establish the long-term goal of assembling accurate, georeferenced information about historic

properties, known and unknown, wherever they are. In the near term, public-serving institutions should prioritize surveying known and unknown historic properties in areas where severe impacts to historic properties can be readily anticipated, particularly where there has been little previous survey for historic properties or where an existing survey is outdated. Often, these priority areas include disadvantaged and underserved communities that may previously have received limited attention and that may lack resources to undertake surveys of their own. Consistent with their missions and authorities, federal agencies should both prioritize the survey and identification of federal historic properties threatened by climate change and—through funding and technical assistance—encourage tribal, state, local, and nongovernmental survey efforts. In the process of conducting these surveys and documenting tribal sites and resources, federal agencies should act in accordance with the confidentiality provisions of Section 304 of the NHPA (54 U.S.C. § 307103).

- **When planning to address climate impacts on historic properties, public-serving institutions should seek out and incorporate adaptation and mitigation strategies grounded in Indigenous Knowledge.** Indian tribes and NHOs possess a body of observations, oral and written knowledge, innovations, practices, and beliefs developed through interaction and experience with the environment. The expertise embodied by such Indigenous Knowledge can be critically important to the development of climate change adaptation and mitigation strategies. Obviously, Indigenous Knowledge should be considered when addressing climate impacts on historic properties of direct concern to Indian tribes and NHOs. However, Indigenous Knowledge also can contribute to developing climate-related strategies for other historic properties, as when Indigenous Knowledge of wildfire management can assist in making areas and communities more resilient to wildfire threats.

#### *Planning for Climate Change*

- **Public-serving institutions should consider impacts to historic properties as an integral part of climate-related planning and implementation.** Governments—federal, tribal, state, and local—and other public-serving institutions are working to prepare for and adjust to both current and projected impacts of climate change. To ensure that effects to historic properties are not overlooked, thus making them more difficult to later address, public-serving institutions must proactively account for historic properties during climate change planning and implementation activities. Doing so not only serves to help protect historic properties, but also supports other aspects of public agency missions and community priorities that benefit from the continued preservation of historic properties.
- **Public-serving institutions should consider impacts to historic properties as an integral part of disaster preparedness and response.** While some climate change impacts, such as sea level rise, progress gradually, others, such as wildfires and extreme weather events, present immediate natural hazards. Plans for disaster preparedness and disaster response should assess the vulnerability of historic properties, delineate actions to help reduce or avoid disaster impacts on historic properties, and explain how such properties will be treated during post-disaster recovery efforts. Federal disaster assistance programs should encourage and incentivize tribal, state, and local governments to incorporate such considerations into disaster preparedness and response planning.
- **Public-serving institutions serving communities experiencing climate change-related migration, including community-driven relocation of entire communities, should address the impacts of such migration on historic properties in their planning strategies.** Adapting to the changing climate will in some cases mean population shifts into, out of, and within communities, resulting in a number of possible impacts to historic properties. Historic properties in less risky areas may experience population increases, and consequentially, development pressures. Historic properties in risk-prone areas may experience population decreases, including the displacement of residents with long-standing ties to the area. In extreme situations, entire populations of communities may choose to

relocate to escape climate impacts, triggering difficult choices regarding the abandonment or possible relocation of historic properties. Considering such migration-based effects during climate adaptation planning is critical to reducing negative effects.

### *Climate Change Mitigation*

- **Public-serving institutions should contribute to decarbonization by promoting reuse of older and historic buildings and by encouraging the retrofit of such buildings to improve operational energy efficiency.** About 39 percent of global carbon emissions come from the construction and operation of buildings. This impact can be reduced by reusing existing buildings, thus avoiding the embodied carbon emissions inherent in new construction. Likewise, operational carbon emissions can be reduced by making buildings more energy efficient. Since approximately 40 percent of America’s building stock is at least 50 years old, it is critical that the reuse and energy retrofit of older and historic buildings be a fundamental priority. Federal, tribal, state, and local governments should lead by example through the management of the older and historic buildings in their real estate portfolios and encourage private sector action through funding and other incentives. As part of portfolio management decision making, consideration should be given to using full life-cycle accounting to value the embodied carbon in historic buildings versus new construction in order to facilitate fact-based decision making. In addition, government standards and programs that promote the rehabilitation of historic properties should be assessed to ensure that they align with climate mitigation and adaptation goals, that they facilitate a variety of modern uses, and that they encourage implementation of energy efficiency measures.
- **Development of clean energy projects and climate-friendly transportation infrastructure projects should be expedited through efficient and effective permitting processes and environmental reviews (including Section 106 reviews), while still ensuring full consideration of potential impacts to historic properties.** Reducing climate change will require significant investment in large-scale clean energy projects—such as solar farms, wind farms, hydropower plants, geothermal plants, new and expanded transmission facilities, and mining of key minerals needed for clean energy technologies—and smaller-scale distributed generation projects, such as rooftop solar panels, that generate electricity at or near where it will be used. Climate-friendly transportation infrastructure projects—including rail, bus rapid transit, bicycle infrastructure, and pedestrian infrastructure—also are critical to climate change mitigation, since the transportation sector is responsible for more greenhouse gas emissions than any other sector of the American economy. Environmental reviews and permitting processes for these types of important projects, especially those with minimal and small-scale impacts, should be managed to proceed expeditiously. However, potential adverse effects to historic properties must be carefully addressed. Of particular concern, such projects (particularly those with landscape-scale impacts) can threaten sacred sites and other properties of religious and cultural significance to Indian tribes and NHOs, sometimes striking at the very heart of their cultures. During Section 106 review of clean energy projects and climate-friendly transportation infrastructure projects, federal agencies should explore use of program alternatives to tailor and expedite the review process while at the same time ensuring the consultation process is accessible, meaningful, and transparent to the wide variety of consulting parties and stakeholders.

### *Equity*

- **Public-serving institutions should recognize that historic properties important to disadvantaged and underserved communities may be disproportionately affected by climate change and that such communities often are ill-equipped to undertake needed interventions.** Disadvantaged and underserved communities tend to lack the economic and political capital to plan for and adapt to climate change. Many also are particularly susceptible to the physical impacts of climate change. For example, low-income residents and people of color disproportionately reside in flood-prone urban areas. Such constraints may handicap disadvantaged and underserved communities trying to make the

places they care about—including historic properties—more resilient to climate impacts. Public-serving institutions should recognize and seek to address this problem by helping those affected identify their historic properties, assess their community’s vulnerability, and develop strategies to balance appropriate adaptation and mitigation responses with the need to preserve their community identity and sense of place.

- **Federal, state, and local government entities that oversee planning, permitting processes, and environmental reviews (including Section 106 reviews) for climate adaptation and climate mitigation projects should consult regarding historic properties with Indian tribes, NHOs, and disadvantaged and underserved communities, and capacity building options should be explored for supporting their participation in consultation.** The Section 106 process under the NHPA already requires federal agency consultation with Indian tribes, NHOs, and other consulting parties. Here, the ACHP reiterates that consultation is necessary and important to ensuring climate adaptation and mitigation projects address impacts to historic properties of importance to Indian tribes, NHOs, and disadvantaged and underserved communities. Soliciting and considering their views should be done proactively, early in planning, and throughout environmental reviews and permitting processes. In some cases, limited resources may constrain their active participation in consultation. Federal, state, and local government entities should consider options for strategic investments to assist with needed capacity building. The ACHP previously has recommended capacity-building support for consulting parties pursuant to the agency’s “Guidance on Assistance to Consulting Parties in the Section 106 Review Process.” Since many Indian tribes have been incorporating consideration of climate change into their environmental reviews and permitting processes for decades, climate-related project planning should seek to adopt or align with existing practices and standards, where feasible.

#### *Flexibility*

- **The federal government should expand and more flexibly apply its guidance on the treatment of historic properties threatened by climate change.** Federal standards significantly influence the rehabilitation of historic properties, public and private alike, because they are often adopted or adapted by state and local governments and referenced in private party actions (such as preservation easements). The federal government should accelerate the development of additional guidance for acceptable treatments of historic properties facing climate risks. The guidance should extend beyond flooding to the broad range of climate impacts, should incorporate the latest technological innovations and material treatments, and should increase flexibility in retrofitting properties to be more resilient while preserving their historic character as much as possible. Likewise, the National Flood Insurance Program should be reviewed to explore how the program might further encourage the modification or relocation of historic buildings to enhance their resiliency.
- **Public-serving institutions should develop sensitive and creative solutions to help communities accept and contend with the reality that many historic properties will have to be altered if they are to survive climate change, and many others inevitably will be lost to climate impacts.** Interventions to protect historic properties from climate impacts or reduce such impacts may necessitate changes to the properties or their surroundings that are less than ideal. Such actions, while saving the properties from loss, may result in negative effects. Public-serving institutions should start talking more openly about these issues, should guide communities in how to triage priorities regarding what properties to surrender to climate destruction, and should develop sensitive and sensible strategies to help residents deal with such losses.
- **Consideration of alternatives during environmental review of climate-related projects, including during Section 106 review, should be approached flexibly to promote development of nimble, innovative, and expeditious ways to protect historic properties.** Section 106 review and

other environmental reviews provide structured processes for exploring alternatives to avoid or minimize any adverse impacts of climate adaptation and mitigation projects. Since the evolving climate crisis poses new and complex challenges for the protection of historic properties that need to be addressed on an increasingly accelerated timeline, it is important that consideration of alternatives be rooted in flexibility and creativity.

### *Education*

- **Public-serving institutions, and especially governments, should train employees regarding climate change impacts on historic properties.** Given the scope and magnitude of the climate change effects that federal, tribal, state, and local governments must address, it is understandable that impacts to historic properties may not be prioritized as highly as some other issues. However, it is critical that there be awareness of such impacts and of the importance of addressing them. Raising awareness through proactive training of government staff is essential. The ACHP and other federal agencies also should increase their understanding of relevant international approaches to protecting historic properties from, and adapting them to, climate change.
- **Public-serving institutions should educate the public about climate change impacts on historic properties and what can be done to address them.** The general public needs to be aware of the worldwide climate-related threats to historic properties and the adaptation and mitigation options that might help to address those threats. Consciousness raising efforts are needed. Likewise, there needs to be outreach to explain how environmental review processes, including Section 106 review, provide opportunities for the public to comment on the climate dimensions of projects as they arise. Such educational efforts are important to help ensure the public can effectively advocate for protecting historic properties of importance to them.

### *Collaboration*

- **Cooperative efforts across agencies, between levels of government, and within communities are critically important.** The impacts of climate change on historic properties are so wide-ranging and potentially severe that collaboration among public-serving institutions, including federal, tribal, state, and local governments, community groups, and nonprofit organizations, is essential. Cooperation and forging of partnerships will enhance implementation of each of the principles discussed above. Federal agencies can take a leadership role in this regard through their own collaborative work and by encouraging such work through funding and technical assistance.

### **GLOSSARY**

- **Adaptation:** Adjustment in natural or human systems to a new or changing environment that exploits beneficial opportunities or moderates negative effects. (*U.S. Global Change Research Program Web Site Glossary*)
- **Climate change-related migration:** Migration that can be attributed largely to the slow-onset impacts of climate change on livelihoods owing to shifts in water availability and crop productivity, or to factors such as sea level rise or storm surge. (*White House Report on the Impact of Climate Change on Migration, 2021*)
- **Community-driven relocation:** Moving a community or portions of a community away from a hazard prone area to a new location with lesser exposure to hazards or their impacts. (*Department of Housing and Urban Development's Climate Resilience Implementation Guide: Community Driven Relocation, 2022*)

- **Historic property:** Any prehistoric or historic district, site, building, structure, or object included in, or eligible for inclusion in, the National Register of Historic Places maintained by the Secretary of the Interior. This term includes artifacts, records, and remains that are related to and located within such properties. The term includes properties of traditional religious and cultural importance to an Indian tribe or Native Hawaiian organization and that meet the National Register criteria. (*Protection of Historic Properties, 36 CFR Part 800*)
- **Mitigation:** Measures to reduce the amount and speed of future climate change by reducing emissions of heat-trapping gases or removing carbon dioxide from the atmosphere. (*U.S. Global Change Research Program Web Site Glossary*) [To avoid confusion, this policy statement does not employ the term “mitigation” as used in the context of Section 106 review, where it means reducing the severity of a project’s adverse effects to historic properties.]
- **Resiliency/resilient:** A capability to anticipate, prepare for, respond to, and recover from significant multi-hazard threats with minimum damage to social well-being, the economy, and the environment. (*U.S. Global Change Research Program Web Site Glossary*)



**ACHP POLICY STATEMENT ON BURIAL SITES, HUMAN REMAINS,  
AND FUNERARY OBJECTS**  
**Office of Native American Affairs**

**Background.** In May 2022, the Native American Affairs Committee identified the need to update this policy statement 15 years after its issuance. ACHP members further determined that the current policy should be expanded to (1) more specifically speak to issues of concern to Indian tribes, Native Hawaiians, and the African American community, (2) recognize the expertise of descendant communities in identifying and considering their burial sites, human remains, and funerary objects, (3) include consideration of impacts from climate change, (4) recognize the right of descendants to request repatriation consistent with the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), and (5) to update and improve language to account for the increased diversity of perspectives that participate in the field of historic preservation. Subsequently, the Native American Affairs and Federal Agency Programs committees, along with the broader membership, have had recurring opportunities to review and comment on the updated policy statement and have supported the updated language and the proposed process to incorporate feedback from external parties. In October 2022, ACHP members concurred that the updated draft should advance to consultation with Indian tribes and Native Hawaiian organizations, and, barring any substantive changes warranting additional consultation, vote to adopt this policy statement.

**Early Coordination and Consultation with Indian Tribes and Native Hawaiian Organizations.** Between August and October, the ACHP carried out extensive outreach efforts to share the proposed updates, provide detailed presentations, and collect comments and recommendations. These efforts included the development of a OneDrive folder to facilitate ACHP member and staff access, placement of draft resources on a [webpage](#) for public access, distribution of draft resources to Indian tribe and NHO staff contacts (including Tribal Historic Preservation Officers), coordinated multiple meetings with subject matter experts in African American burial grounds and legislation, and facilitated distribution to Federal Preservation Officers and other historic preservation personnel. A listening session was also facilitated with State Historic Preservation Officers, and direct emails with applicable resources were shared with interested public upon request.

Consistent with the ACHP's [Consultation Procedures Pursuant to E.O. 13175: Consultation and Coordination with Indian Tribal Governments April 26, 2021](#), a final draft of the policy statement and other supporting documentation was shared with tribal and NHO leadership via email on January 11, 2023. This notification initiated the beginning of a 45-day comment period that included a virtual consultation on February 9, 2023. Chair Sara Bronin and Native American/Native Hawaiian Member Reno Franklin facilitated the consultation event with support from ACHP staff.

**Development of the Policy Statement.** ACHP staff has developed the final draft in response to direction provided by ACHP members and in response to comments received during early coordination and consultation. A final copy of the policy statement will be provided to members via email prior to the business meeting. Staff has worked to compile written and verbal comments resulting from early coordination and consultation efforts that identify major themes of input and address how the ACHP responded to those comments. This resource will be provided to members prior to the business meeting.

***Action Needed.*** The members will be asked to vote on the adoption of the updated version of the Policy Statement on Burial Sites, Human Remains, and Funerary Objects.

*February 15, 2023*



**ACHP POLICY STATEMENT ON INDIGENOUS KNOWLEDGE  
AND HISTORIC PRESERVATION  
Office of Native American Affairs**

**Background.** In 2018, the Office of Native American Affairs (ONAA) launched an initiative to promote an understanding of and respect for Indigenous Knowledge (IK) in the Section 106 process. The initiative coincided with the United Nation’s [efforts to advance IK](#) through its Permanent Forum on Indigenous Issues. Since that time, the ACHP has actively collaborated with Indian tribes and Native Hawaiian organizations (NHOs) to elevate IK by assisting the State Department in drafting the [U.S. statement on IK](#) and through participation in the Cultural Heritage Expert Working Group, conducting numerous webinars, and releasing the information paper [Traditional Knowledge and the Section 106 Process: Information for Federal Agencies and Other Participants](#). Throughout this process, tribal and NHO leaders have made it clear that further action from the ACHP would be needed. In May 2022, the Native American Affairs and Federal Agency Programs committees identified the development of a policy statement as the most effective mechanism to advance the integration of IK into the Section 106 process. Committee members advised that this policy statement should be expansive and that its development was best facilitated through the Native American Affairs Committee, with appropriate coordination with other committees.

**Coordination with Administration and Other Federal Agency Efforts.** Development of this policy statement aligns with several ongoing efforts to advance IK by the Administration and other federal agencies and departments. On November 31, 2022, the Council on Environmental Quality and the White House Office on Science and Technology Policy (OSTP) released a guidance document regarding integration of IK into federal agency and department decision making. The ACHP participated in the development of that guidance document and coordinated meetings between the Native American Affairs Committee and OSTP to inform its development. The ACHP is also closely coordinating with other federal agencies to align consideration of IK into their guidance documents including the National Register of Historic Places Traditional Cultural Places guidance updates, Department of the Interior’s Professional Qualification Standards, and the Interagency Sacred Sites Memorandum of Understanding, among others.

**Policy Statement.** An ACHP policy statement on IK will seek to address ongoing requests made by Indian tribes and Native Hawaiians, meet the needs of federal agencies to incorporate IK more fully, and align with Administration directives to advance IK in federal decision making. For Indian tribes and Native Hawaiians, IK is cross-cutting and has a role in all ways of knowing, including the identification and evaluation of historic properties, the assessment of an undertaking’s effects on such properties, and the resolution of adverse effects. Per member request, this policy will be broad and is intended to further the role that IK has in historic preservation broadly as an element of the “best available science.”

**Action Needed.** Committee members should be prepared to comment on the policy statement outline shared by staff via PowerPoint. Members should also be prepared to comment on the proposed outreach and early coordination efforts.

*February 15, 2023*



## **CULTURAL RESOURCES WORKFORCE DEVELOPMENT**

### **Offices of Communications, Education, and Outreach and Federal Agency Programs**

**Background.** At the fall business meeting, ACHP members discussed staffing and workload challenges stemming from anticipated increases in the volume of infrastructure project reviews in the wake of the Bipartisan Infrastructure Law (BIL), environmental review improvement measures in the Inflation Reduction Act (IRA), and other growth in the cultural resources management field. Interest in proactively taking steps to ensure preservation and cultural resources management positions can be filled in federal agencies, as well as State and Tribal Historic Preservation Offices (SHPOs/THPOs), and contracting firms that support federal agencies and applicants in Section 106 reviews, has dovetailed with the ACHP's ongoing efforts to involve youth in historic preservation and raise awareness about preservation careers among students in related disciplines.

The ACHP has championed development of an inclusive preservation program that is positioned to help all Americans explore, document, interpret, and protect historic places that are meaningful to them. Maintaining the federal government's leadership role in preservation programs of the National Historic Preservation Act (NHPA) relies in part upon ensuring qualified professionals are in place to carry out responsibilities in the law and associated regulations. Drawing from a diverse pool of applicants strengthens the preservation field.

Both the Federal Agency Programs (FAP) and Communications, Education, and Outreach (CEO) committees have discussed issues related to the cultural resources workforce for some time. Members have a broad range of interests on this topic, from building awareness of preservation at the secondary education level to training and recruiting professionals for positions in state, tribal, and federal offices.

**Current Status.** The Office of Communications, Education, and Outreach (OCEO) has worked to engage high school students in historic preservation since 2009. Those efforts were followed by the Building a More Inclusive Preservation Program, and projects such as Preservation in Practice and Cultural Heritage in the Forest continue to grow. On January 25, 2023, the Preserve the Past, Build for the Future webinar series aimed to connect students with historic preservation with a program on community preservation. On March 22, a webinar on careers in historic preservation will focus on providing students with insight into the needs of the profession, as well as the skills they should have to move into these positions.

The Office of Federal Agency Programs (OFAP) continues to offer its industry-leading Section 106 training courses to a broad audience of stakeholders and to undertake continuous improvement and enhancement of those offerings. With that role in mind, OFAP staff will join OCEO staff in preparing for and conducting listening sessions and interviews with individuals who can help the ACHP better understand the state of hiring stakeholders needs and student awareness, interest, and skill building in historic preservation in general and Section 106 more specifically.

An article by Jeffrey H. Altschul and Terry H. Klein in *Advances in Archaeological Practice* recently concluded that annual spending on cultural resources management (CRM) activities in the U.S. will increase from about \$1.46 billion to \$1.85 billion (more than 25 percent) between Fiscal Years 2022 and 2031 as a result of economic growth and additional federal government infrastructure spending (Altschul and Klein 2022). They estimate that “[a]bout 11,000 CRM jobs will be added in all CRM fields, with

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more than 8,000 of those going to archaeology.” At present graduation rates, the authors predict an emerging deficit in qualified personnel. They further caution that even those earning degrees in CRM-related fields may be graduating without many of the skills needed to carry out CRM work outside academia.

To learn more specifically what skills and knowledge federal agency and other employers are seeking in applicants for cultural resources positions, staff plans listening sessions and/or interviews with federal agency staff, SHPO/THPO representatives, and consultants. The sessions would allow for dialogue around the core competencies these groups have identified for positions working with NHPA programs generally, and the training needs of new staff in Section 106 review specifically. The information will help shape ACHP Section 106 training program offerings and focus additional information gathering about how students and young professionals interested in preservation careers can acquire the skills and experience that will help them find such positions.

A parallel effort will include convening faculty and others involved in programs in CRM, preservation, and related disciplines (such as architecture, law, planning, and history) who are currently involved in some form of preservation instruction to advise the ACHP in addressing two main questions. First, in a broader context, how are students learning about preservation as an aspect of work in multiple fields and a career choice? About the overall national historic preservation program? Second, more specifically, how are federal preservation regulations like Section 106 introduced or instructed, and in what kinds of courses or learning formats? The second question will directly benefit the Section 106 training program’s efforts to create new learning materials geared to the learning needs and interests of university students.

While staff initially examined the feasibility and structure of a broad survey on preservation career and education-related related topics, these conversations with a cross section of stakeholders will permit a more focused outreach effort and reserve the potential for a survey to a later stage of the ACHP’s work on the initiative.

In addition, OFAP staff have begun several activities to more directly connect to students studying preservation and related disciplines at the university level. Training Specialist Katry Harris met with a historic preservation studio class at the University of Mary Washington in Virginia in January as the class started investigations into the Section 106 review process and how it is explained to the public. Ms. Harris presented a brief Section 106 training webinar created for and previously presented to students at Historically Black Colleges and Universities (HBCUs).

In January, OFAP also welcomed an ACHP Alumni Foundation intern, Tarin Jones, who will work with the Section 106 training program through the spring to understand how students at the university level are learning about Section 106 and recommend ways the ACHP’s Section 106 training products can be tailored or expanded to meet the needs of this audience.

ACHP Deputy General Counsel Kelly Fanizzo and Communications Director Susan Glimcher traveled to the Cranbrook School in Michigan in December 2022 to teach preservation law to students in the high school. OCEO will also be participating in a job fair in Montgomery County, Maryland, in February to engage with students during the Montgomery County Schools HBCU college fair.

Other ongoing efforts are also advancing workforce development goals. The ACHP staff has continued to participate in discussions with the Federal Permitting Improvement Steering Council and Office of Personnel Management (OPM) tracking agency progress in using IRA funding for environmental review staff additions. Academic collaboration is a part of the ACHP’s ongoing partnerships with HBCUs, Minority Serving Institutions (MSIs), and tribal colleges and includes programs such as Cultural Heritage in the Forest and Preservation in Practice, which are partnerships with the U.S. Forest Service and the National Park Service and the National Trust for Historic Preservation, respectively. These programs

focus on bringing students of color into federal service as well as into awareness of historic preservation as a career choice and are being prepared for new cohorts in summer 2023.

**Action Needed.** Members are asked to offer suggestions for questions the staff should pose to the stakeholders described above about understanding how preservation and NHPA programs are taught at the university level and what core competencies employers seek for applicants to positions involving Section 106 review and other federal preservation planning activities. Members should also be prepared to summarize what steps their own organizations may be taking to assist in workforce development and to address ongoing needs in this area.

*February 15, 2023*

Altschul, J., & Klein, T. (2022). Forecast for the US CRM Industry and Job Market, 2022–2031. *Advances in Archaeological Practice*, 10(4), 355-370. doi:10.1017/aap.2022.18. [LINK](#)