

**EXECUTIVE ORDER 13287**

***PRESERVE AMERICA***

**SECTION 3 PROGRESS REPORT  
ON HISTORIC PROPERTIES**



**September 30, 2023**

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## I. INTRODUCTION

The U.S. Environmental Protection Agency (EPA or Agency) is pleased to submit the 2023 update to the *Section 3 Progress Report on Historic Properties* to the Advisory Council on Historic Preservation (ACHP) and the Secretary of the Interior in accordance with the requirements of Executive Order (EO) 13287, “Preserve America,” specifically Section 3(c). Section 3 of the EO requires each federal agency with real property management responsibilities to prepare an assessment of the current status of its inventory of historic properties mandated by Section 110(a)(2) of the National Historic Preservation Act (NHPA) (16 United States Code [U.S.C.] § 470h-2(a)(2)). It also requires agencies to report on the general condition and management needs of such properties, as well as steps underway or planned to meet those needs.

In May 2023, the ACHP released the *Advisory Guidelines Implementing Executive Order 13287, “Preserve America” Section 3: Reporting Progress on the Identification, Protection, and Use of Federal Historic Properties* (hereafter referred to as *ACHP Advisory Guidelines*). This publication contains questions for federal agencies with real property management responsibilities. The ACHP will use the responses from these questions to measure the effectiveness of historic preservation within federal agencies. The broad categories of questions are Identification, Protection, and Use.

This report provides an update of the Section 3 Progress Report on Historic Properties submitted by the EPA to the ACHP and the Secretary of the Interior in September 2005, September 2008, September 2011, September 2014, and September 2017, as well as EPA’s initial Section 3 Report submitted in May 2005<sup>1</sup>. Please refer to these earlier reports for more detailed information regarding the EPA’s management policies and protocols as they relate to the care and maintenance of its historic properties.

It is important to note that currently EPA does not have any properties listed in the National Register of Historic Places (National Register). As of September 2023, EPA has three properties that are managed as eligible for listing on the National Register: 1) Edison Environmental Center, 2) Athens Office of Research and Development (ORD) Laboratory, and 3) Ada ORD Laboratory. Additionally, EPA is currently evaluating and preparing formal determination packages for four additional properties.

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<sup>1</sup> Due to programmatic staffing and the impacts associated with the COVID-19 pandemic, EPA did not submit a 2020 report.

## **II. THE U.S. ENVIRONMENTAL PROTECTION AGENCY**

Just four months after his January 1969 inauguration, President Richard Nixon established in his cabinet the Environmental Quality Council, as well as a complementary Citizens' Advisory Committee on Environmental Quality. By April 1970, the President's advisors advocated a separate regulatory agency devoted solely to the pursuit of anti-pollution programs.

Acting on their advice, the President decided to establish an autonomous regulatory body to oversee the enforcement of environmental policy. In a message to the House and Senate, he declared his intention to establish the EPA and left no doubts about its far-reaching powers. Nixon declared that its mission would center on:

- Establishing and enforcing environmental protection standards consistent with national environmental goals;
- Conducting research on the adverse effects of pollution and on methods and equipment for controlling it, gathering information on pollution, and using this information to strengthen environmental protection programs and recommend policy changes;
- Assisting others, through grants, technical assistance, and other means, in arresting pollution of the environment; and
- Assisting the Council on Environmental Quality in developing and recommending to the President new policies for the protection of the environment.

The President accompanied his statement with Reorganization Plan Number 3, dated July 9, 1970, in which he informed Congress of his wish to assemble the EPA from parts of three federal departments, three bureaus, three administrations, two councils, one commission, one service, and many diverse offices (<https://www.epa.gov/history/origins-epa>).

Today, the EPA owns or occupies approximately 8 million square feet of office buildings and laboratories located throughout the United States and its territories, a portfolio comprising both EPA and General Services Administration (GSA)-managed properties. To ensure that the EPA's buildings and practices reflect its environmental protection mission, the Agency implements a wide range of strategies to reduce the environmental impact of its facilities and operations, from building new, environmentally sustainable structures to improving the energy efficiency of older buildings and laboratories. At EPA, NHPA compliance is handled by both EPA's Office of Mission Support (OMS) for Section 110 issues and EPA's Office of Policy's Office of Federal Activities (OFA) for non-Section 110 issues, mainly Section 106 issues.

### III. IDENTIFYING HISTORIC PROPERTIES

The National Historic Preservation Act (NHPA) and Title 36 of the Code of Federal Regulations (CFR) Part 800 requires federal agencies to identify historic properties, which can occur either through an agency-wide survey (Section 110 survey) or through identification efforts tied to specific projects (Section 106 surveys). Both types of surveys are specified in the NHPA and are referenced in 36 CFR Part 800. Due to budget and manpower constraints, many federal agencies are completing their Section 110 surveys via individual Section 106 actions.

Every year, EPA engages in numerous Section 106 actions. EPA issues a wide range of environmental permits and registers and licenses pesticides, it provides grants and loans for various environmental projects, and it engages in superfund and brownfield cleanup activities across the United States and its territories. Each Agency action requires NHPA compliance through Section 106, and each Section 106 action provides the opportunity for historic property identification. Over the past three years, EPA has been building its preservation program to ensure the Agency can more robustly identify and preserve historic properties.

**ACHP Advisory Guidelines Question 1:** *How many, and what percentage of your assets, are historic as reported in: (a) your bureau or agency’s proprietary database and/or (b) your bureau’s or agency’s reports to the Federal Real Property Profile MS (FRPP MS)?*

EPA tracks and manages real property assets in its Facility Management System. As of September 2023, EPA has three properties that are managed as eligible for listing on the National Register. The properties eligible for listing on the National Register make up less than five percent of EPA’s owned property by square footage. Additionally, EPA is currently evaluating and preparing formal Determination of Eligibility (DOE) packages for four additional properties. The table below details the eligible and potentially eligible properties as well as planned future activities associated with each property.

**Table 1. Current Potentially eligible EPA-owned Properties and Historic Status**

Facility	Status	Current Cultural Management Actions	Future Activities
Edison, NJ – Region 2 Lab	<ul style="list-style-type: none"> <li>Eligible historic property: Confirmed, currently managed as such</li> <li>HRMP in place (from 1992); updated in August 2023</li> </ul>	<ul style="list-style-type: none"> <li>Historic usage of facility</li> <li>Architecture of the HQ building (Building 10)</li> <li>Former U.S. Army arsenal</li> </ul>	<ul style="list-style-type: none"> <li>Routine and recurring renovations and facility upgrades</li> <li>Demolition of Building 205</li> </ul>
Ada, OK – Robert S. Kerr Environmental Research Center (RSKERC)	<ul style="list-style-type: none"> <li>Built in 1966</li> <li>Eligible historic property: Confirmed, currently managed as such</li> <li>DOE prepared and submitted in December 2022; concurred by OK State Historic Preservation Office (SHPO) August 2023</li> </ul>	<ul style="list-style-type: none"> <li>Architectural features of main lab building</li> <li>Finalizing Section 106 Tribal Consultation – Chickasaw Nation</li> </ul>	<ul style="list-style-type: none"> <li>Significant lab renovations planned</li> </ul>
Athens, GA – Athens ORD Lab	<ul style="list-style-type: none"> <li>Eligible historic property: Confirmed, currently managed as such</li> <li>DOE prepared and submitted in August 2017</li> </ul>	<ul style="list-style-type: none"> <li>Architectural features of main lab building</li> <li>Currently engaged in a Section 106 consultation regarding major laboratory renovations</li> </ul>	<ul style="list-style-type: none"> <li>Complete lab renovation currently underway</li> </ul>

Facility	Status	Current Cultural Management Actions	Future Activities
Gulf Breeze, FL – Gulf Ecosystem Measurement and Modeling Division (GEMMD)	<ul style="list-style-type: none"> <li>Formally known as the Gulf Ecology Division Lab</li> <li>Historic eligibility currently being reevaluated</li> </ul>	<ul style="list-style-type: none"> <li>Former U.S. Public Health Service (USPHS) quarantine station</li> <li>Revisiting historic Determination of Eligibility</li> </ul>	<ul style="list-style-type: none"> <li>Routine and recurring renovations and facility upgrades</li> </ul>
Corvallis, OR – ORD/Region 9 Lab	<ul style="list-style-type: none"> <li>Built in 1966</li> <li>Formally known as Western Ecology Division (WED) Lab</li> <li>DOE currently being finalized for submission</li> </ul>	<ul style="list-style-type: none"> <li>Architectural features of main lab building</li> <li>Designed by significant architectural design firm</li> </ul>	<ul style="list-style-type: none"> <li>Lab recently completed laboratory module renovation</li> </ul>
Narragansett, RI – Atlantic Coastal Environmental Sciences Division (ACESD)	<ul style="list-style-type: none"> <li>Built in 1964</li> <li>Formally known as the Atlantic Ecology Division (AED) Lab</li> <li>DOE currently being finalized for submission</li> </ul>	<ul style="list-style-type: none"> <li>Architectural features of main lab building</li> <li>Designed by significant architectural design firm</li> </ul>	<ul style="list-style-type: none"> <li>Chemistry and physics wings recently renovated.</li> <li>Planned renovations for primary eligible structure</li> </ul>
Cincinnati, OH – Andrew W. Breidenbach Environmental Research Center (AWBERC)	<ul style="list-style-type: none"> <li>Built in 1974</li> <li>EPA is currently scheduling preparation and submittal of a formal DOE</li> </ul>	<ul style="list-style-type: none"> <li>Early planning for preparation of Determination of Eligibility</li> </ul>	<ul style="list-style-type: none"> <li>Routine and recurring renovations and facility upgrades</li> </ul>
Cincinnati, OH – Center Hill Research Facility	<ul style="list-style-type: none"> <li>Property acquired in 1973</li> <li>Main building constructed in 1967</li> <li>EPA is currently scheduling preparation and submittal of a formal DOE</li> <li>Facility owned by EPA, land leased from the University of Cincinnati</li> </ul>	<ul style="list-style-type: none"> <li>Early planning for preparation of Determination of Eligibility</li> </ul>	<ul style="list-style-type: none"> <li>Routine and recurring renovations and facility upgrades</li> <li>Future necessity currently being evaluated by ORD</li> </ul>
Manchester, WA – Region 10 Lab	<ul style="list-style-type: none"> <li>Land acquired from Navy in early 1970s</li> <li>Lab constructed by EPA in 1977</li> <li>EPA is currently scheduling preparation and submittal of a formal DOE</li> </ul>	<ul style="list-style-type: none"> <li>Early planning for preparation of Determination of Eligibility</li> </ul>	<ul style="list-style-type: none"> <li>Routine and recurring renovations and facility upgrades</li> </ul>
Duluth, MN – Great Lakes Toxicology and Ecology Division (GLTED)	<ul style="list-style-type: none"> <li>Built in 1967</li> <li>Formally known as Mid-Continent Ecology Division Lab</li> <li>Not eligible for listing due to lack of integrity.</li> <li>DOE prepared and submitted in February 2023</li> </ul>	<ul style="list-style-type: none"> <li>Finalizing Federal Property Inventory Forms at the request of MN SHPO</li> </ul>	<ul style="list-style-type: none"> <li>Significant lab renovations planned</li> </ul>

**ACHP Advisory Guidelines Question 2:** *Have your identification methods changed during this reporting period? Approximately what total percentage or portion of inventory have now been surveyed and evaluated for the National Register, and does this represent an increase from your agency's 2020 progress report, if applicable?*

The EPA has traditionally taken an ad hoc approach to preserving cultural resources, performing reviews, and initiating consultation as it became necessary during specific construction, renovation, and engineering projects. As EPA's real property inventory continues to age, it will be critical for

cultural resources preservation issues to be integrated holistically with construction and renovation project planning. EPA is currently evaluating and reestablishing its historic resources program, including undertaking several hiring actions to bolster its qualified historic resources staff and implementing a number of structural program changes that will greatly improve the Agency's historic resource management capabilities.

As identified in Table 1, four of the ten currently potentially eligible properties have been fully evaluated; these properties include the Edison, Duluth, Ada, and Athens laboratories and have a complete DOE and concurrence from the respective SHPOs. Three of the ten properties are in the process of being evaluated, and the remaining three properties will be evaluated in the near future. These evaluations represent an increase from the Agency's 2017 progress report.

The EPA commissioned historic building surveys in 2005 at each of its owned properties that were identified as being potentially historic. These surveys, which applied to three EPA-owned properties 50 years of age or older, were already part of the EPA's condition assessment update processes. As a result of these surveys, it was determined at the time that two of the facilities were ineligible for the National Register: the Gulf Ecology Division in Gulf Breeze, Florida, and the Large Lakes Research Station in Grosse Ile, Michigan. The historic status of the Gulf Ecology Division is currently being reevaluated and the Large Lakes Research Station has since been excised from EPA's real property inventory. The third facility, the EPA's Edison Environmental Center in Edison, New Jersey, is already treated as National Register-eligible under the terms of the 1992 *Memorandum of Agreement (MOA) between the U.S. Environmental Protection Agency, The Advisory Council on Historic Preservation, and the New Jersey State Historic Preservation Officer*. In 2012, Buildings 245/246 and Buildings 255/256 at the Edison Environmental Center were surveyed to determine their individual eligibility status under the 1992 MOA. All four buildings were demolished after EPA determined, in consultation and agreement with the NJ SHPO, that they were not contributing properties nor were they individually eligible.

In August 2017, EPA submitted its DOE for the ORD National Exposure Research Laboratory (NERL) in Athens, Georgia. After communication and negotiation with the state of Georgia Historic Preservation Office this property is currently managed as an eligible historic property. EPA is currently coordinating with the GASHPO regarding the ongoing laboratory renovations. Within the past year, EPA has also prepared and submitted DOEs for its ORD Ada and ORD Duluth laboratories. The ORD Ada laboratory is currently being managed as an eligible historic property, while the ORD Duluth laboratory was determined to be ineligible for listing. Finally, EPA has not acquired any other historic buildings or properties.



The Edison Environmental Center in Edison, New Jersey,  
an eligible historic property

***ACHP Advisory Guidelines Question 3:*** *Has your agency implemented any new policies or programs that promote awareness and identification of historic properties over the last three years?*

In calendar year 2022, EPA entered into an interagency agreement with ACHP to offer basic training on Section 106 to any of its employees who needed such training, with priority given to those employees who engage in Section 106 activities on a regular basis. The success of those initial trainings allowed OFA to further secure Bipartisan Infrastructure Law (BIL) funds for additional training opportunities for calendar year 2023 to augment the initial trainings. Over 400 EPA employees have received Section 106 training since 2022, with many of them having their first Section 106 training with these offerings. EPA intends to establish an official training program based on the success and continued needs of EPA staff. In 2023, OFA partnered with EPA's Office of International and Tribal Affairs (OITA) to find ways of more effectively collaborating on Section 106 Tribal consultations through EPA's Tribal Consultation process. Many of the new employees receiving Section 106 training have been Tribal Coordinators. OFA will continue to strengthen its relationship with OITA to ensure a better consultation process with Tribes not only as it relates to Section 106, but as a whole. EPA continues to implement policies to expand coordination and collaboration across the Agency to ensure its compliance with requirements under NHPA. Additionally, EPA continues to implement policies in accordance with the FY18-FY22 U.S. EPA Strategic Plan as well as established practices, and early collaboration and planning in the Cultural Resources Management process is encouraged to inform transparency and shared accountability. For archeological and Native American/tribal resources, allowing time for stakeholders to become actively engaged and provide substantive input on EPA actions fosters effective partnerships and help ensure a comprehensive evaluation.

***ACHP Advisory Guidelines Question 4:*** *Federal agencies are encouraged to share information regarding the number and percentage of historic property identification completed in the context of Section 106 for specific undertakings and programs versus that completed for unspecified planning needs (Section 110 survey). In a given year, what percentage of your agency's identification of*



*historic properties occurs due to Section 106 planning and compliance versus regular stewardship and unspecified planning needs (Section 110)?*

The number of projects EPA engages in that require NHPA compliance vary based on several reasons (e.g., permit reissuance is on a multi-year basis, not an annual basis). However, taking into account the number of projects EPA engages in under Section 106 versus Section 110 yearly, the rough percentage of EPA’s historic property identification is 95% under Section 106 and 5% under Section 110.

As a regulatory agency, EPA issues permits, conducts Superfund cleanups, issues grants, and issues loans under various programs. This occurs in every state and territory of the U.S. and is generally wholly disconnected from EPA’s owned Real Property. As a result of the breadth of EPA’s legal and programmatic responsibilities under various laws, many EPA actions require Section 106 consultation with SHPOs, Tribal Historic Preservation Officers (THPOs) and Tribes, and Native Hawaiian and Alaskan organizations, and represent the majority of NHPA-related actions conducted by the Agency.

When the EPA undertakes a project or action on one of its owned properties that could potentially affect a historic property, its policy and practice is to follow National Environmental Policy Act (NEPA) review regulations, as well as NHPA Section 106 compliance procedures. The EPA’s NEPA regulations are promulgated in 40 CFR Part 6. As the NEPA process is initiated early in the planning stage for facility construction and renovation projects, cultural resources are addressed and considered as appropriate. However, many actions conducted by the Agency occur independently of the NEPA process or involve actions where NEPA is specifically waived. In these instances, EPA must have alternate procedures in place to ensure compliance with NHPA. EPA staff is actively working to develop our capabilities and improve our programs in this regard.

Where EPA is required to coordinate the NEPA review process, including the NHPA Section 106 compliance processes allows the environmental review processes to be more comprehensive and avoids duplication of effort or unnecessary delays. Coordination entails maintaining the standard steps in the Section 106 review process while aligning them with the development of the NEPA review. Substitution authorizes agencies to apply the procedures and documentation required for the preparation of an Environmental Assessment (EA) and Finding of No Significant Impact (FONSI) or an Environmental Impact Statement (EIS) and Record of Decision (ROD) towards compliance with Section 106. Simply put, substitution involves fulfilling the purposes of a Section 106 review in the context of a NEPA review, without employing the standard Section 106 process. The ACHP’s NEPA and NHPA: A Handbook for Integrating NEPA and Section 106 (hereafter referred to as ACHP Handbook) provides a comprehensive overview of the coordination between NEPA and Section 106 compliance procedures.

**ACHP Advisory Guidelines Question 5:** *How has your agency employed partnerships to assist in the identification and evaluation of historic properties over the last three years?*

The EPA continues to effectively use partnerships to assist in the protection of historic properties. In the case of EPA’s Edison Environmental Center, EPA has conducted a number of consultations with the NJ SHPO within the last four years, including a revised delineation of the eligible historic

district, specific consultations for building renovation projects, and a comprehensive update of our Historic Resource Management Plan.

In the last several years, EPA has focused significant effort on conducting formal facility assessments on its owned properties as they have reached the critical age defined under the law. Formal Determinations of Eligibility were prepared and submitted to state historic preservation offices for our research laboratories in Duluth, MN and Ada, OK. Consultations with those SHPOs continues today.

In certain circumstances, EPA may partner with other federal agencies as well as state and local agencies (e.g. sewer districts) on specific projects such as infrastructure, clean water projects, etc. When working with federal partners, EPA may rely on these agencies to identify and evaluate historic properties with EPA’s concurrence on the findings/determinations.

Through the Section 106 process, EPA has formed both internal and external partnerships to assist in the identification and evaluation of historic properties over the last three years, and intends to continue building and strengthening them. Internally, OFA has engaged with an EPA Region-led national NHPA workgroup to better understand issues affecting NHPA compliance in the majority of EPA’s regular activities, EPA’s headquarters and regional tribal coordinators to better collaborate and engage with Tribes and National Hawaiian and Alaskan organizations on Section 106 compliance, and OMS, who leads the Section 110 efforts at the Agency. Externally, OFA has coordinated with SHPOs, Tribes, and has partnered with the ACHP to provide training opportunities and develop programmatic agreements (PAs). More recently, OFA has coordinated with other federal agencies through the drafting of the Sacred Sites MOU Best Practices Guide.



The ORD Laboratory in Athens, Georgia, an eligible historic property

#### IV. PROTECTING HISTORIC PROPERTIES

The consideration of historic properties, both Agency and non-Agency owned, is a responsibility of federal agencies that is specified in 36 CFR Part 800 and Section 106 of the NHPA and can lead to protection through the Section 106 process as various outcomes are examined, including avoidance and mitigation.



Main Laboratory Building in Ada, Oklahoma, an eligible historic property

**ACHP Advisory Guidelines Question 6:** *Have the policies and programs your agency has in place to protect historic properties changed over the reporting period in ways that benefit historic properties?*

The EPA has a systematic approach to inventory and evaluate its owned properties. As discussed above, EPA has conducted a number of formal evaluations of its owned properties over the last several years. As previously stated, three of the EPA's properties, the Edison Environmental Center, the Ada Environmental Research Center, and the Athens ORD Laboratory, are considered eligible for the National Register.

It is the EPA's policy to perform more in-depth survey work, including archaeological investigations and historic structure evaluations, within the context of NEPA reviews for qualified EPA projects. This is consistent with the EPA goal of managing these properties with consideration of both cultural and historic values, as well as environmental impacts. This policy has not changed.

Within the Administrator's Office at EPA, under the Office of Policy, OFA has historically been responsible for cultural resources and NHPA policy and compliance oversight, similar to its NEPA oversight role. OFA has taken a more active role in ensuring NHPA compliance since 2020, and the training programs OFA offers, as well as the general availability for a point of contact for Agency staff, has benefited historic properties. As mentioned above, OFA has had the opportunity to strengthen its internal partnerships and build its external partnerships, which it will continue to do for the benefit of historic properties. OFA is currently in the process of hiring a deputy FPO to create a more robust preservation program at EPA, among other initiatives.

The FPO has overall authority for cultural resources and NHPA compliance for all EPA actions (e.g., permitting, grants programs, and construction). The Office of Real Property, Safety and Security (ORPSS) within OMS has limited delegated authority for this program as it relates to EPA-owned facility actions. Within ORPSS, EPA's real property actions are financed and managed through Buildings and Facilities (B&F) funding. By supporting facility-related construction projects and the repair and improvement of an aging real estate inventory, the scope of B&F activities often includes cultural resources consideration. The Real Property Services Division (RPSD) and Safety and Sustainability Division (SSD) provide project management support for all EPA facility actions.

- **FPO: Dan Amon** – Oversees EPA's NHPA activities, to include communications with SHPOs, THPOs, and the ACHP. Will serve as signatory on all official documents.
- **RPSD Staff Architect: Huong Nguyen** – Provides oversight/review from an architectural perspective.
- **OFA** – Overall Agency responsibility for effective implementation of NHPA, to include outreach and training for all regional offices and consultation support for ORPSS.
- **SSD** – Provides direct NEPA and NHPA program management and project support for all EPA construction or renovation activities.
- **RPSD** – Oversees and manages all EPA facilities, to include construction, renovation, leasing actions, and real property transactions.



Maintenance of the Edison Environmental Center

**ACHP Advisory Guidelines Question 7:** *How has your agency used program alternatives such as programmatic agreements, program comments, and other tools to identify, manage, and protect your agency's historic properties over the last three years, if at all?*

EPA is currently in the process of updating its Historic Resource Management Plan at the Edison facility, and we will be pursuing an updated Memorandum of Agreement (MOA) with the NJ SHPO and ACHP upon completion. At this time, no additional measures are required including the use of PAs for the EPA's real property holdings.

## V. USING HISTORIC PROPERTIES

The use of historic properties enhances Agency awareness of historic preservation through constant exposure to the needs of these properties. Maintaining and using historic properties also provides a richer landscape for the public as they experience the progression of type, style, and use of properties.

It is accepted doctrine that the most effective strategy for preserving a historic building or facility is to ensure its continued use. All EPA historic structures are located on the Agency’s research laboratory campuses. Major construction and renovation activities are regularly conducted on our research campuses to ensure facilities keep pace with cutting-edge research and associated programmatic requirements. ACHP recognizes the unique preservation issues associated with scientific research facilities and has developed extensive policy and guidance for the long-term management of such facilities in the ACHP Handbook. It is EPA’s position that we can effectively modernize our facilities while preserving the inherent cultural features of all our eligible properties.



EPA Maintains this c. 1945 Historic Sign in a Maintenance Bay at the Edison Environmental Center as a Link to the Property’s History

According to EPA’s Fiscal Year (FY) 2018-2022 Strategic Plan, a long-term performance goal of the Agency is to reduce unused office and warehouse space while supporting revitalization and redevelopment of previously used sites and buildings. Cultural resources will be a common thread for these future activities and should be evaluated in the early planning stages.

**ACHP Advisory Guidelines Question 8:** *How does your agency coordinate historic preservation and sustainability/climate resiliency goals in project planning?*

The EPA is taking a number of common-sense steps to improving facility performance. These steps include collecting consumption data; increased infrastructure monitoring and conducting Agency-wide analyses to understand the effectiveness of proposed capital improvements; providing solutions for improving Agency productivity while partnering with local, state, and tribal governments, as well as internationally; and helping communities address environmental challenges.

Through the master planning process, critical infrastructure needs are identified at all EPA locations, and projects are programmed for funding and execution. A cornerstone of all funded projects is long-term facility sustainability, reduction in energy usage and overall operating costs, and climate resiliency.

EPA has drafted a climate legal tools document to assist Agency staff in including climate resiliency and sustainability into its current actions and has included NHPA compliance as an opportunity to coordinate historic preservation with climate resiliency and sustainability goals. EPA is also including climate resiliency and sustainability in general in its actions, and these goals will be considered as part of any NHPA compliance requirements (*e.g.*, for EPA-issued permits, any climate resiliency or sustainability goals included as permit conditions will have to be taken into account in the Section 106 process). Additionally, OFA has disseminated multiple training opportunities to EPA staff, including climate-specific historic preservation trainings and ACHP's publicly available training resources, which include training on how to coordinate historic preservation with sustainability and climate resiliency.

**ACHP Advisory Guidelines Question 9:** *How do your agency's historic federal properties contribute to local communities and their economies, and how have their contributions changed over the reporting period?*

All EPA-owned properties are secure laboratories and support facilities; as a result, the encouragement of heritage tourism is not consistent with the Agency's mission. However, all our eligible historic properties are prominent environmental research laboratory campuses in their respective communities and provide significant contributions to local economies as an employer and as a consumer of local goods and services.

Related to EPA's overall mission, the Agency partners with industry and the public sector on numerous programs and projects to reduce greenhouse gas emissions and encourage smart growth and sustainable planning efforts that can help protect historic properties. For example, the Partnership for Sustainable Communities, a joint effort of the U.S. Department of Housing and Urban Development, U.S. Department of Transportation, and the EPA, works to coordinate federal housing, transportation, water, and other infrastructure investments to make neighborhoods more prosperous, allow people to live closer to jobs, save households time and money, and reduce pollution; a key component of this program is increasing community revitalization and the efficiency of public works investments and safeguarding rural landscapes, including protecting historic properties.

## VI. SUCCESSES, OPPORTUNITIES, AND CHALLENGES

**ACHP Advisory Guidelines Question 10:** *Provide specific examples of major successes, opportunities, and/or challenges your agency has experienced during the past three years.*

As noted previously, the EPA owns three properties that are considered to be historic, and there have been no challenges encountered by the EPA in the use of the facility. The successful consultation for the 209B renovation improved the structural integrity of the space and implemented SHPO-approved design features while greatly improving energy efficiency of the building.

OFA has been instrumental in supporting the Drinking Water State Revolving Fund and Clean Water State Revolving Fund programs, as well as the 2022 reissuance of the Construction General Permit and continuance of the Multi-Sector General Permit. OFA continues to assist EPA's Office of Water with these and other funding programs/permits by working with the various stakeholders to ensure that clean water projects can move forward while addressing NHPA compliance responsibilities under Section 106.

With the recent passage of the BIL, EPA received significant funding from Congress which greatly enhanced the established Water Infrastructure Finance and Innovation program for new clean water projects throughout the country. OFA is working closely with OW to assure that every funded project complies with NHPA. OFA continues to encourage regional offices to work with SHPOs, THPOs, and Native Hawaiian and Alaskan organizations to identify historic properties as provided for under 36 CFR § 800.2. The EPA point of contact (POC) for NHPA continues to advise regional staff regarding superfund and brownfields projects that impact historic properties.

Through OFA's efforts, four major successes over the last reporting period include the executed and currently active interagency agreements with ACHP to provide much-needed training to EPA staff, the visibility of a headquarters POC to coordinate NHPA compliance efforts across the Agency has resulted in much better internal awareness and resolution of NHPA compliance issues, the internal coordination with EPA Tribal coordination staff has led to not only better collaboration with Tribes and Native Hawaiian and Alaskan organizations, but the opportunity to expand EPA's collaboration to other federal agencies for a more robust whole-of-government engagement with Tribes and Native Hawaiian and Alaskan organizations, and the two hiring actions EPA has announced for two deputy FPOs to more effectively implement a preservation program while being able to focus more specifically on Section 110 and Section 106 issues.

While EPA has had numerous successes and opportunities, it was not a reporting period without challenges. EPA lost its most knowledgeable staff on NHPA compliance issues and new staff, unfamiliar with NHPA, faced many challenges getting up to speed on NHPA issues at the Agency to be able to move the Agency's historic preservation efforts forward. EPA also faced challenges in consulting with Tribes, more notably in consideration of Tribes with religious or cultural significance attached to historic properties on traditional Tribal lands, (lands not currently resided upon by Tribes, Native Hawaiian or Alaskan organizations). EPA used these challenges as opportunities to grow and strengthen its overall historic preservation and will continue to use challenges faced as opportunities to better itself as an Agency.

## VII. CONCLUSION

To maintain leadership in environmental protection, the EPA must lead by example. Agency facilities, both new and existing, should serve as models for a healthy workplace with minimal environmental impacts. To achieve this goal, EPA utilizes both innovative, state-of-the-art technologies and a holistic approach to design, construction, renovation, preservation, and operations. EPA will continue to renovate and improve its facilities as necessary to support all agency programs and research goals while maintaining its commitment to its historic preservation responsibilities.

EPA's real property portfolio contains numerous buildings and facilities that require appropriate cultural resources management considerations. The Agency also has many aging campuses that will require DOEs in the near term as they approach or exceed the 50-year age threshold for historic consideration. EPA is committed to managing all eligible properties and cultural resources in accordance with the spirit and letter of the law. To that end, EPA is currently in the process of revitalizing its historic preservation program, hiring additional qualified staff, working to integrate cultural resources preservation issues more holistically into project planning, and adopting a more proactive posture for ensuring full compliance.

EPA also recognizes that maintaining leadership in environmental protection goes beyond its own real property management. To lead by example is to approach NHPA compliance how it approaches protecting human health and the environment. To that extent, EPA continues to evolve in how it effectively oversees, implements, and ensures compliance with environmental statutes, regulations, and policies to collaborate and coordinate among programs as much as possible, including ensuring NHPA compliance throughout each of its actions. EPA has historically treated compliance with environmental laws as separate and not related, but it has become increasingly clear over the past reporting year that compliance with environmental laws is more connected than is not, and that awareness has spread to the broader laws, like NHPA. EPA will continue to expand on its leadership by more effectively collaborating internally to ensure its real property management and compliance with environmental law compliments not only each other but EPA's preservation program and more specifically, its NHPA compliance.



## LIST OF ACRONYMS

ACHP	Advisory Council on Historic Preservation
CAA	Clean Air Act
CERFA	Community Environmental Response Facilitation Act
CFR	Code of Federal Regulations
CGP	Construction General Permit
CWSRF	Clean Water State Revolving Fund
DOT	U.S. Department of Transportation
DWSRF	Drinking Water State Revolving Fund
EDDP	Environmental Due Diligence Process
EO	Executive Order
EPA	U.S. Environmental Protection Agency
FMS	Facilities Management System
FMSD	Facilities Management and Services Division
FPO	Federal Preservation Officer
GSA	U.S. General Services Administration
HABS/HAER	Historic American Buildings Survey/Historic American Engineering Record
HRMP	Historic Resources Management Plan
HUD	U.S. Department of Housing and Urban Development
LEED	Leadership in Energy and Environmental Design
MOA	Memorandum of Agreement
MSGP	Multi-Sector General Permit
National Register	National Register of Historic Places
NCD	NEPA Compliance Division
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
NPS	National Park Service
OMS	Office of Mission Support
OFA	Office of Federal Activities
OP	Office of Policy
POC	Point of Contact
ROE	Report of Excess
RPSS	Real Property Services Staff
SHPO	State Historic Preservation Officer
SSPP	Strategic Sustainability Performance Plan
U.S.C.	United States Code