



MEETING
ADVISORY COUNCIL ON HISTORIC PRESERVATION
July 12, 2023

PROVISIONAL AGENDA

Call to Order 9 a.m. EDT

- I. Chair's Welcome
 - A. Welcome to the Council on Environmental Quality
 - B. Expanding Capacity- Budget Requests, Intergovernmental Personnel Act, and Interns
 - C. Oak Flat Update
 - D. Reflections on Site Visit/Traditional Trades
- II. Executive Director's Report
- III. Governance Issues
 - A. Operating Procedures Amendments
 - B. Committee Assignments, Names, and Scopes
- IV. Policy Issues
 - A. ACHP Comments on Legislation
 - B. Policy Statement on Housing and Historic Preservation
 - C. Policy Guidance Regarding ACHP Advising on State and Local Legislation
 - D. Updates
 - 1. Policy on Climate Change and Historic Preservation
 - 2. Secretary of the Interior Standards on Rehabilitation
- V. Native American Affairs
 - A. Policy Statement on Indigenous Knowledge and Historic Preservation
 - B. Implementation of the Policy Statement on Burials, Human Remains, and Funerary Objects
- VI. Program Issues
 - A. Preserve America E.O. 13287 Section 3 Report Key Topics/Themes
 - B. Update on the Section 106 Regulations Discussion
- VII. Communications, Education, and Outreach
 - A. Youth Engagement Concept Plan
 - B. ACHP/HUD Awards Ceremony
- VIII. New Business
- IX. Adjourn



MEETING
ADVISORY COUNCIL ON HISTORIC PRESERVATION
July 12, 2023

ANNOTATED AGENDA

- I. Chair's Welcome
 - A. Welcome to the Council on Environmental Quality. *Chair Sara Bronin will welcome the Council on Environmental Quality as the ACHP's newest voting member.*
 - B. Expanding Capacity—Budget Requests, Intergovernmental Personnel Act, and Interns. *Chair Bronin will summarize efforts to expand ACHP capacity, establish fellowships, and further develop the intern program.*
 - C. Oak Flat Update. *Chair Bronin will provide an update regarding the ACHP's 2021 comments to the Secretary of Agriculture on the Resolution Copper Mining Project and Land Exchange.*
 - D. Reflections on Site Visit/Traditional Trades. *Chair Bronin will share her perspectives on traditional trades and the July 11 site visit to Frederick, Maryland.*

- II. Executive Director's Report. *Executive Director Reid Nelson will report on efforts to develop the FY 2025 budget estimate, staff recruitment, and ACHP operations.*

- III. Governance Issues
 - A. Operating Procedures Amendments. *Chair Bronin will seek member adoption of the updated ACHP Operating Procedures. Action needed.*
 - B. Committee Assignments, Names, and Scopes. *Chair Bronin will lead a discussion on recent adjustments to committee assignments and other possible changes to the four ACHP standing committees.*

- IV. Policy Issues
 - A. ACHP Comments on Legislation. *Preservation Initiatives Committee Chairman Rick Gonzalez will summarize the committee's consideration of various draft legislation and propose that the ACHP comment on certain bills. Action needed.*
 - B. Policy Statement on Housing and Historic Preservation (discussion). *Chair Bronin will announce next steps in developing an expanded policy statement on housing and historic preservation and seek member input on the draft structure.*
 - C. Policy Guidance Regarding ACHP Advising on State and Local Legislation (discussion). *Chair Bronin will provide an overview of and seek comment on the draft of an appendix to the Operating Procedures that would guide the ACHP in determining when to comment on state and local legislation and seek member input on the draft.*
 - D. Updates
 - 1. Policy on Climate Change and Historic Preservation. *Committee Chairman Gonzalez will summarize committee discussions on the development of an implementation plan for the newly adopted Climate Change and Historic Preservation Policy Statement.*

ADVISORY COUNCIL ON HISTORIC PRESERVATION

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2. Secretary of the Interior Standards on Rehabilitation. *Chair Bronin will summarize the feedback she has received thus far on the application of the Secretary of the Interior's Standards on Rehabilitation and discuss possible next steps.*

V. Native American Affairs

- A. Policy Statement on Indigenous Knowledge and Historic Preservation (discussion). *Native American Affairs Committee Chairman Reno Franklin will update members on efforts to develop a policy statement on Indigenous Knowledge and historic preservation and seek member input on its content.*
- B. Implementation of the Policy Statement on Burials, Human Remains, and Funerary Objects. *Committee Chairman Franklin will update members on efforts to implement the recently adopted policy statement on Burials, Human Remains, and Funerary Objects and seek member input on further implementation steps.*

VI. Program Issues

- A. Preserve America E.O. 13287 Section 3 Report Key Topics/Themes (discussion). *Federal Agency Programs Committee Chairman Jay Vogt will update members on the issuance of guidance to federal agencies on the development of Section 3 reports and efforts to refine the themes and potential findings for the ACHP's upcoming report.*
- B. Update on the Section 106 Regulations Discussion (discussion). *Committee Chairman Vogt will summarize the analysis conducted by staff to determine whether updates to the Section 106 regulations may be necessary and seek member input on plans to improve implementation.*

VII. Communications, Education, and Outreach

- A. Youth Engagement Concept Plan (discussion). *Communications, Education, and Outreach Committee Vice Chairman Kristopher King will update members on efforts to develop a plan for further engaging youth in the work of the ACHP.*
- B. ACHP/HUD Awards Ceremony. *Communications, Education, and Outreach Committee Vice Chairman King will invite members to attend the ACHP/HUD Awards ceremony on July 27 at HUD Headquarters.*

VIII. New Business. *There is none at this time.*

IX. Adjourn. *The meeting will adjourn by noon EDT.*



MINUTES
SUMMER BUSINESS MEETING
ADVISORY COUNCIL ON HISTORIC PRESERVATION
JULY 12, 2023
WASHINGTON, D.C.

MEETING
ADVISORY COUNCIL ON HISTORIC PRESERVATION
National Building Museum
Washington, D.C.
July 12, 2023

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- V. Native American Affairs
 - A. Policy Statement on Indigenous Knowledge and Historic Preservation
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 - A. Preserve America E.O. 13287 Section 3 Report Key Topics/Themes
 - B. Update on the Section 106 Regulations Discussion

- VII. Communications, Education, and Outreach
 - A. Youth Engagement Concept Plan
 - B. ACHP/HUD Awards Ceremony

- VIII. New Business

- IX. Adjourn

IN ATTENDANCE

Hon. Sara Bronin, Chair
Jordan Tannenbaum, Vice Chairman
Rick Gonzalez
Carmen Jordan-Cox
Kristopher King
Jay Vogt

Architect of the Capitol

Represented by:
Joseph Imamura
Special Delegate of the
Architect of the Capitol

Chair, Council on Environmental Quality

Represented by:
Ana Unruh Cohen
Senior Director for
NEPA, Clean Energy &
Infrastructure

Administrator, General Services Administration

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

Secretary of Homeland Security

Represented by:
Tom Chaleki
Chief Readiness
Support Officer

Secretary of Housing and Urban Development

Represented by:
Kristin Leahy Fontenot
Director, Office of
Environment and
Energy

Secretary of the Interior

Represented by:
Michael Martinez
Deputy Assistant
Secretary of Fish and
Wildlife and Parks

Secretary of Transportation

Represented by:
Christopher Coes
Assistant Secretary for
Transportation Policy

Mayor Member

Hon. Randall Woodfin
Birmingham, Alabama

Indian Tribe Member

Hon. Reno Keoni Franklin
Chairman, Kashia Band of
Pomo Indians

President, National Conference of State Historic
Preservation Officers

Ramona Bartos
North Carolina Deputy State
Historic Preservation Officer

Chair, National Association of Tribal Historic
Preservation Officers

Shasta Gaughen
Tribal Historic Preservation
Officer, Pala Band of Mission
Indians

Chair, National Trust for Historic Preservation

Represented by:
Jay Clemens
Interim President/CEO

OBSERVERS

Chairman, ACHP Foundation

Susan Snell Barnes
Interim Chair

Preserve America Youth Summit

Ann Alexander Walker
Program Director

In attendance and participating in the meeting were ACHP Executive Director Reid Nelson and ACHP General Counsel Javier Marques.

PROCEEDINGS

Advisory Council on Historic Preservation (ACHP) Chair Sara Bronin called the summer business meeting to order at 9:06 a.m. July 12, 2023. She appointed Shayla Shrieves recorder for the meeting, and she called the roll of members present. The agenda was adopted with a motion by Chairman Reno Franklin and second by Mayor Randall Woodfin. The minutes from the winter business meeting were adopted with a motion by Chairman Franklin and second by Kristopher King. There was one proxy for the Secretary of Veterans Affairs to the General Services Administration.

Chair's Welcome

Chair Bronin thanked members for attending in person. She was pleased with the larger room and hopes to continue the efforts to accommodate more visitors. She said the meeting was being broadcast live on Facebook.

She welcomed new ACHP voting member the Council on Environmental Quality (CEQ). She said CEQ is a partner with the ACHP in a variety of initiatives and processes. She was grateful to the White House for promoting CEQ from Observer to Member. She noted they replace the Department of Education. Ana Unruh Cohen introduced herself and said CEQ Chair Brenda Mallory is happy to have the opportunity to join the ACHP.

Chair Bronin also introduced two newly appointed members: Mayor Woodfin and Carmen Jordan-Cox as well as agency representatives Michael Martinez from the Department of the Interior (DOI) and Christopher Coes from the Department of Transportation. She also introduced interim Chair of the ACHP

Foundation Susan Barnes, a former ACHP vice chairman.

Chair Bronin then noted in these first few months as chair, she hoped to prioritize reviewing and updating ACHP policies and expanding the agency's public presence. She has been making some budget requests to help support ACHP capacity in order to advise stakeholders on permitting matters. She also raised her interest in using the Intergovernmental Personnel Act to expand capacity for short-term staff positions funded externally. She noted the expansion of the intern program with the Chair's Interns, including eight this summer. She also thanked the ACHP Foundation for their support of the paid internship program and ACHP staff members Judy Rodenstein and Dru Null for their administration of the internship program. She said the ACHP may consider further developing its research capacity through legal and policy fellowships funded externally.

Regarding the ACHP's past comments on the Resolution Copper land exchange in Arizona that stands to affect Oak Flat, Chair Bronin noted that she and staff met with members of the San Carlos Apache Tribe and said they expressed appreciation for the ACHP's 2021 comments on the congressionally mandated land exchange. She has been making efforts to make sure that the Administration is aware of those comments and is now waiting for the Department of Agriculture to go through their process to reply to the comments before they decide on the undertaking.

She mentioned the field trip that members participated in the previous day to the Historic Preservation Training Center (HPTC) in Frederick, Maryland. Members observed a public-private partnership that is helping to train people for preservation trades. She thanked Nick Redding, President and CEO of the Campaign for Historic Trades and Preservation Maryland, and Moss Rudley, Superintendent of the HPTC, for hosting the ACHP. She reminded members the ACHP has a 2020 policy statement on traditional trades training. During the field trip, participants talked about how the agency might continue to support efforts to expand federal support should the Campaign for Historic Trades draft and promote legislation. She suggested supporting their efforts to develop templates for state and local governments to boost workforce programs based on successful programs, helping them publicize their efforts, and supporting their research efforts.

Jay Vogt said he found it interesting that the HPTC is funded by fee for services, and they see their mission as training people to go out and do this work. They will be expanding their current facility. He said they can take people who are working in the field, like in woodwork or masonry, and teach them the specific skills needed to do it in historic properties. He suggested providing certification for those who go through the program.

Chair Bronin also thanked Tanya DeVonish and Ms. Null for helping to arrange the field trip. She mentioned other recent meetings and summits that she has attended and asked members to let her know if there is an opportunity for her, Vice Chairman Jordan Tannenbaum, or Reid Nelson to participate in a public conversation that in any way touches historic preservation.

Executive Director's Report

Mr. Nelson said since the last business meeting, the ACHP has fully reopened. Like many other federal agencies, there still is a liberal telework policy. Regarding the FY 2025 budget cycle process, the President and Congress reached agreement on raising the debt ceiling earlier this summer. Part of that agreement included specific instructions for federal budgets and clear limits on federal agencies in terms of what their expenditures can be for FY 2025. He is developing the FY 2025 budget which will be submitted in early September. He is optimistic that the Administration will support a budget that will allow the ACHP to continue with existing operations.

He is also recruiting for the director of the Office of Federal Agency Programs (OFAP). He just finished

interviews, and he hopes to make an offer very soon. He introduced Max Sickler, who is the newest assistant historic preservation specialist in the Federal Permitting, Licensing, and Assistance Section of OFAP. He is also developing a position description for and beginning to recruit an equity officer.

Governance Issues

Chair Bronin turned member attention to the draft amendments to the ACHP operating procedures, noting that the last-circulated amendment had been revised based on member feedback. She asked if any member had further comments at this meeting.

Dr. Jordan-Cox offered a correction on a grammatical item under Statement of Policy, second paragraph, changing the line to include “initiates, approves, and exercises.” She noted the “s” was missing.

Chair Bronin asked if this is in Section 1, page one, second paragraph under Section 1. Dr. Jordan-Cox said yes, and Chair Bronin said she could take that as a friendly amendment.

Mr. Coes asked for some history in the thought of removing the credentials committee. Chair Bronin said as far as she knows it has not been assembled in some time and is not used.

Vice Chairman Tannenbaum said in the introduction, the last sentence talking about the executive director, it mixes use of “oversees” and “supervises” the staff and wondered which word Mr. Nelson preferred. Mr. Nelson said he preferred “oversees.” Chair Bronin said she noted this second amendment, to paragraph four in Section 1, changing “supervises” to “oversees.”

Mr. Coes asked about the member-designated observers, that there was an edit to make it a two-year term rather than four years. He proposed an amendment to making that four years, to be aligned with a typical Presidential term. He is recommending that to extend the continuity, particularly of the career staff.

Chair Bronin said the terms are intended to be renewable, and there is not a term limit.

Mr. Coes said from a federal agency standpoint, every two years is a regular bureaucratic challenge, so there may be people coming in and out. Chair Bronin said one of the things she observed in going through ACHP records was that there were not good records of who was appointed to be an observer from the agencies. She said drafting a two-year requirement was to make sure that agencies did not simply appoint somebody who had no end term.

Javier Marques mentioned the practicality of keeping track of people. Sometimes they are designated and then four, five, six years pass and they are not even at their agency or organization anymore. A two-year period might make it easier to track. Mr. Nelson added that occasionally designees have not shown up at meetings. By maintaining a two-year opportunity or a two-year limit with the chance to renew, management can re-evaluate mid-cycle whether that was still an effective designation or whether the observer still wanted to be engaged.

Mr. Coes suggested a policy whereby if a designated member does not show up for X number of meetings, that the chair is alerted and can reach out to that agency to say, “you have not had representation, etc.” He thinks the question here is about trying to encourage participation but also making sure to encourage continuity.

Chair Bronin said perhaps what she can do if this is passed, for whatever number of years, she can then set a schedule whereby she reminds federal agency members to simply reappoint people. That will put every agency on the same timeline. She said she would like to start with the two years, unless there are other concerns about that, and then she can always revisit. She will commit to doing the work of making

sure that all the agencies are informed on a regular schedule about designees and observers.

Beth Savage said the administrative burden of trying to get new designation letters through the bureaucratic processes is really challenging. She agrees that there needs to be full and substantive participation for anyone who is appointed in any role on the ACHP, and that it is incumbent upon the agencies to maintain that they remain in force regardless of the date that may be on the designation letter.

Chair Bronin clarified that this provision is about observers, not designees. The designees can last forever if they are designated as a position. Ms. Savage said it is all part of the same problem-solving that they are trying to do.

Chair Bronin said there is a provision in number four that says the appointing member, or the chairman in consultation with the appointing member, may terminate the status of a member-designated observer at any time. She asked if other federal agencies were in agreement that the four-year term would be better, at least for agency purposes. Kristin Fontenot said she agreed. Chair Bronin said she would be fine with the four-year term. She suggested the motion include three amendments which include three grammatical corrections to the verbs in the second paragraph of Section 1, a word change from “supervises” to “oversees” in the fourth paragraph of Section 1, and a change in Section 2, D1 in the second-to-last sentence from two years to four years.

Chairman Franklin made the motion. Mr. Vogt seconded it.

The motion passed after a roll call vote with 19 ayes.

Subgroups and Committees

Chair Bronin said she wanted to share a few thoughts on the subgroup (committee) structure to get member feedback before making changes. She noted that the committees are a way for members to vet, initiate, and evaluate ideas before they get to the full ACHP. Currently, there are four major committees: Native American Affairs; Preservation Initiatives (PI); Communications, Education, and Outreach (CEO); and Federal Agency Programs (FAP). She suggested the Native American Affairs (NAA) Committee’s scope should stay as is. But the other three committees might benefit from clarity, because there is overlap between them.

One thought might be to recast what is the PI Committee to a Policy and Legislation Committee that focuses sharply on the advising role of the ACHP. It would do what it has been doing but play a more direct role in focusing discussions on legislation. A lot of the work in the FAP Committee revolves around Section 106, discussion of program alternatives, policies, and procedures. She suggested recasting that committee to a Regulations and Governance Committee, or a committee that focuses sharply on Section 106 issues, program alternatives, procedures, and guidance. Then finally, she suggested the CEO Committee should go beyond what it has long done and include some of the public-facing programs that have previously been in the PI and FAP committees. She suggested pulling them in to make the CEO Committee more robust, a place for a high-level strategic planning for communications discussion, development of public-facing reports, like the Section 3 reports, as well as the development of and publicity for an ACHP research agenda.

She also suggested a re-boot of the former “Executive Committee”—a committee of committee chairpersons, whose scope would be to advise on the meeting agendas and help to discuss time-sensitive issues and advise her and Mr. Nelson on things that come up in between meetings.

Ramona Bartos said she thought this was all-encompassing with very sound ideas. However, she was uncomfortable with introducing the word “legislation” into a committee. She asked if it could just be

named the policy committee or preservation policy committee, because legislation ultimately is the implementation of policy. It might have a little bit of a lobbying flavor that might confuse those outside of the agency.

Ann Walker said these sound like helpful changes to advance some of the goals of the ACHP, particularly assigning the research and calling it out as a priority in the committee name, maybe.

Mr. Vogt said he has no problem with a name change for the FAP Committee but suggested that the agenda will remain Section 106-focused. Chairman Franklin said he appreciates having the vice chairs of the committees and thanked Chair Bronin for supporting the core mission of the NAA Committee.

Tom Chaleki asked what issues are driving what the chair is trying to do. He said he is not against the modifications but was curious as to what are the key problems that she is seeing. Chair Bronin said a reason to discuss this committee framework is that, in her observation, there has been overlap between committees. The substantive discussions have not been equally distributed among the committees. Some committees tend to report out more than other committees. It is also to help elevate the level of discussion across all of the committees and also to give a couple of things that were not clearly within a particular committee a home. Two of those functions are the research function and the governance function.

Chair Bronin said she would work with Mr. Nelson and the office directors to circulate revised committee scopes based on this feedback. She will ask members to confirm their interest in the committees based on the new scopes.

Policy Issues

Rick Gonzalez said the PI Committee discussed four bills at the previous week's meeting, all of which address preservation issues that the ACHP has advised upon in past Congresses. Details of the bills are available in the meeting book, and there was consensus among the committee members to advance motions on each of the bills for consideration by the full membership.

The first addresses the Historic Preservation Fund (HPF) Rehabilitation Act, which would authorize the HPF for an additional 10 years. Prompt passage of the bill would ensure needed action before the current authorization ends in September, so it is critical. He moved that the ACHP supports the Historic Preservation Fund Reauthorization Act (H.R. 3350), urges that further consideration be given to permanent reauthorization, and directs the chair to so advise the Congress.

Dr. Jordan-Cox seconded it.

Shasta Gaughen said from the National Association of Tribal Historic Preservation Officers' (NATHPO) perspective, they want to make sure that there is funding in place for their work, for Tribal Historic Preservation Officers (THPOs), and for all of the work done by the State Historic Preservation Officers (SHPOs). She understands the urgency because of the expiration of the current authorization in September, but nonetheless, she is hoping there might be alternatives, that there will be more equity in other suggested legislation under development. NATHPO would not want the ACHP to support this bill if there were better options for future legislation. She plans to abstain on the motion. She is hoping there is going to be an alternative bill addressing the expiration of the current authorization that would provide for a more equitable level of funding for THPOs.

Mr. Gonzalez said he was happy that the bill calls for an increase in the HPF to \$250 million. He noted that the ACHP full-time chair is going to need an assistant. He hopes that is kept that in mind for the FY 2025 budget.

Chairman Franklin asked if anyone knows why permanent reauthorization was not included in this bill. Ms. Bartos said there has been an effort over time to try to get permanent reauthorization following on the heels of achieving that milestone for the Land and Water Conservation Fund a few years ago. But given the current political climate, if Congress does not act before September, the HPF will be unauthorized. This funding is essential to the national network of SHPOs and THPOs, and she would rather try for something as pragmatically as possible under the circumstances rather than come away with nothing for anyone. Chair Bronin said there is a line in the motion that urges that further consideration be given to permanent reauthorization. She said that is an easy thing for the ACHP to take on and continue that drumbeat.

After a roll call vote, the motion passed with 11 ayes, and eight abstentions.

Mr. Gonzalez made the second motion, that the ACHP supports the Historic Tax Credit Growth and Opportunity (HTC-GO) Act (S. 639/H.R. 1785) and directs the chair to so advise the Congress.

He said as someone who works on small projects and with a lot of nonprofits in historic preservation, this is very needed. Ms. Bartos seconded the motion. After a roll call vote, the motion passed with 13 ayes and six abstentions.

Mr. Gonzalez then made the third motion, that the ACHP supports the provisions of Section 4 of the Save Oak Flat From Foreign Mining Act (H.R. 1351) and directs the chair to so advise the Congress.

Dr. Gaughen seconded it. After a roll call vote, the motion passed with 17 ayes and two abstentions.

Mr. Gonzalez made the fourth motion, that the ACHP support the Chaco Cultural Heritage Area Protection Act (S.1404/H.R. 3062) and directs the chair to so advise the Congress.

Chairman Franklin seconded it.

Mr. Martinez said notwithstanding the recent administrative decision by DOI for a 20-year withdrawal of a buffer area around Chaco from mineral leasing, he will be abstaining on the recommendation for this bill for a permanent withdrawal, absent a statement of Administration policy.

After a roll call vote, the motion passed with 17 ayes, and two abstentions.

Chair Bronin thanked everyone who voted and said the last two items are site-specific items, very important to the ACHP, and similarly she has seen the broader topics covered in the first two legislative proposals before. She thinks the ACHP can help convene discussions that will move beyond the types of actions the agency has carried out before and generate new ideas for legislation and policies.

At this time, the members took a short break. Mr. Coes left the meeting.

Policy Statement on Housing and Historic Preservation

Ms. Bartos said the PI Committee had a really great discussion. There is a lot of historic tax credit work that goes into affordable housing. A lot of practitioners and applicants for these kinds of programs are also using the low-income tax credits. She said the committee is very keen to identify more opportunities for potential policy adjustments to help further that kind of work.

Chair Bronin suggested members review the draft outline in the meeting book and provide feedback by July 24. The ACHP has an existing statement on affordable housing and Section 106 review. The new proposed policy statement on housing and historic preservation will be broader.

Mr. Gonzalez said when converting commercial buildings to residential use, the building codes are very difficult. He said in Florida there are two exceptions in the building code, including one for historic buildings. He wondered if other states had similar exceptions.

Ms. Fontenot said the Department of Housing and Urban Development (HUD) recognizes as part of its core business the criticality of affordable housing. She said they struggle with balancing that against several other requirements. She encouraged members as they continue to work through this to ensure that as they think about a national policy statement on affordable housing and historic preservation, that they also ensure that the climate realities and the challenges in that space are not absent from the broader conversation. She knows the climate policy is an important policy in its own right for many critical reasons, but certainly when thinking about affordable housing, continued use, reuse, rehabilitation across the country, that is butting up against some of the critical climate conversations as well. She suggested including such issues as flood risk and increased flood risk in this policy.

Chair Bronin said, especially at that intersection of housing and climate change, the ACHP thinks of preservation as being a climate change solution. She is continuing to have conversations about potential solutions. She will integrate it into this policy statement and welcomes HUD's comments as well as the comments of other agencies. She said many members engage in these issues and run up against historic preservation opportunities and challenges, so she wants to hear about those and to integrate them into this policy statement and use the policy statement to guide the ACHP's participation in federal agency-wide conversations.

Dr. Gaughen added that she thinks the policy statement needs to be clear, not only when it comes to repurposing historic buildings for potential housing but also when new housing and low-income housing is being proposed to help address this crisis, that we do not overlook the need to continue to do robust consultation with Indian Tribes. She said one of the things she is seeing happen in California is legislation that is in the interest of streamlining the process and removing regulatory barriers. There are loopholes being created where applicants for housing projects do not have to do historic preservation review with Tribes. She said they had to pass new legislation to close that loophole at the state level. NATHPO's position has always been that consulting early and often is actually going to save time and money on these projects. She said that is important to be a part of the ACHP's policy statement, that the agency is not supporting housing at the expense of Tribal sacred and historic sites.

Chairman Franklin said Indian Country suffers greatly with a housing crisis. The process of consultation on where a Tribe wants to build a house when it is appropriate should rest solely with the Tribes. He said he hopes that an ACHP policy statement reinforces the concept that on trust lands, on reservation lands, Tribes should be the ones that say where their housing goes.

ACHP Advising on State and Local Legislation

Chair Bronin pointed members to the agency's mandate from the National Historic Preservation Act (NHPA) to advise state and local governments on pending legislation. In the meeting book is a draft document that sets out different considerations that the ACHP could use when it opines on state and local legislation. She used the example about the recent proposed Florida legislation that would have facilitated demolition of historic properties. She said it raised the question for her as to whether the ACHP can develop its own guidance as to when to comment on such bills.

Mr. Gonzalez said the situation in Florida involves usurping local home rule by state government and is probably one of the worst things that can happen now in Florida. Anything the members can do from the federal level to help the local level is needed.

Mayor Woodfin said he has noticed the tendency in Alabama to want to connect the NHPA with trying to

maintain Confederate monuments. Chair Bronin said there are ideas out there that might hinder or infringe upon the federal preservation framework as it is laid out in the NHPA. That would be a kind of thing that the draft guidance might allow the ACHP to weigh in on through a process of legislative review.

Ms. Barnes said she concurs on what has been said about home rule. She comes from Illinois, which has a long history of home rule communities, and at the state level that is being threatened. She said, in addition to the position and policy that the ACHP is putting forward, to also encourage communities to be Certified Local Governments (CLG), because that is a way to supersede what a state might be doing.

Ms. Walker said she is fully supportive of the draft guidance as a helpful tool in commenting on state and local legislation and wanted to take it to the next step which is, how will it be shared so that the states, the nonprofits, and CLGs know that the ACHP could do that, so they could call upon staff to ask for help. Chair Bronin said she will work on an engagement plan with OCEO to help get the word out, and she is always happy to do webinars and other outreach. She said barring any objections, she plans to have an unassembled meeting to vote on this. She will suggest it as an appendix to the operating procedures.

Updates

Mr. Gonzalez said the ACHP Climate Change and Historic Preservation Policy Statement was adopted on June 16. Outreach on the policy statement has begun, as has consideration of implementation options. Some suggestions made by commenters on the draft policy statement were too specific for inclusion but were interesting implementation ideas. A summary of many of those ideas were included in the meeting book.

Chair Bronin added that there is a call for comments on the application and implementation of the Secretary of the Interior's Standards. The call was broad and asks local governments how they have treated, applied, and implemented the Standards; and state governments and private parties, how they interpret it. She said the ACHP will continue to receive comments until the July 20 deadline. ACHP staff will summarize those and present them to the PI Committee and to DOI.

Native American Affairs

Regarding the Policy Statement on Indigenous Knowledge and Historic Preservation, Chairman Franklin said this topic is important to him. He said they have had some good meetings and discussions on what indigenous knowledge is. Initially, they started calling it traditional knowledge but then that changed. He gave an example of looking at the way the ocean meets the land. In Kashia, that is a really sacred place for Kashia people. The water and the land, they fight for those brief seconds depending on the season on the prayers that are needed by people. To most people, that is a beautiful wave or a piece of sand, and the water is fighting with it. The Kashia people have a very unique perspective on what that is, and it is summarized in Kashia cultural law. It is something that can only be done and practiced by his people or taught by his people, interpreted by them.

He said he would not go to the Yurok Tribe, or to the Navajo and try and interpret their sacredness or the things that are specific to their indigenous knowledge. That is what that meaning is for so many Native Americans. It is how they interpret things, how they live. He said what the NAA Committee is trying to do is help federal agencies, and at the same time help Tribes, to navigate these issues.

He said the ACHP has developed good language and guiding principles, and he gave an overview of them. He added that he needs to make sure that as a part of federal projects, the agencies are protecting that information and knowledge. Rather than sharing it without permission, asking Tribes, "How do we share this appropriately? How do we incorporate this into our project, and the definitions, and the

meanings behind the actions that we are going to take?” He said part of the challenge at the ACHP is to help federal agencies and everybody else navigate that process. He invited members to join in the discussions at the consultation meetings.

Chair Bronin said both the indigenous knowledge statement that is under consideration and the policy statement on burials, adopted in March, are extremely important to agency work and show a commitment to Tribes. Chairman Franklin thanked the members for the unanimous vote at the last business meeting. He said if agencies need guidance, they can reach out to him or Dr. Gaughen or Office of Native American Affairs (ONAA) staff to talk about what this policy is and the intent behind it. In the future, he will continue to develop what it means, what the guidance is, how you can implement this in your federal agency, because it will be different across the agencies.

Chairman Franklin said the guidance document was released last week. He added the NAA Committee heard an update from the Truth and Healing Commission on the Indian Boarding Schools Policy Act. He is hoping it will get passed. He said it is a sad fact in Indian Country that that exists, but at the same time it is another one of those things that he feels the ACHP is ahead on. Staff has been preparing the intersection of ACHP guidance and the ACHP support with boarding schools and the unfortunate discoveries that will continue to be made at those boarding schools. He thanked ONAA staff for all the hard work.

Dr. Jordan-Cox said she is 100 percent supportive of the burial policy and noted she is particularly interested in old African American burial grounds and historic cemeteries. A few years ago, she was involved in a couple of projects in Delaware, and it would have been great to have that. She asked Chairman Franklin what kind of outreach the ACHP is doing to the African American community and what is the connection with the states. Chairman Franklin said he had reached out to former ACHP Expert Member Robert Stanton to ask how to incorporate these issues. He wants to develop a plan for further and continued outreach.

Chair Bronin said there was outreach specifically to individual scholars, practitioners, and activists who had ties to African American burial grounds or programs, including the National Trust African American Cultural Heritage Fund leadership. She has followed up since to ask if they had any opportunities for the ACHP to discuss the burial grounds policy with networks of those who are involved in African American burial grounds. What she seeks to do is to help states and local governments understand that there is a model for them to draw from.

Ms. Bartos said the National Conference of State Historic Preservation Officers network can share it widely among its constituencies. Also, the National Alliance of Preservation Commissions is another national partner in this. Vice Chairman Tannenbaum said he taught a Section 106 course in May in Guam and spoke with a number of Chamorro who claim that their cemeteries are being destroyed. The military buildup is huge. He wondered if this is something that the ACHP might want to look at and have a statement on. The Chamorro are an Indigenous population and are not covered by any of the legislation that is out there right now.

Chair Bronin said that speaks to the fact that these sites and associated objects are threatened everywhere both by public action and by private development. She said one of the projects of a Chair’s Intern was to research across different media outlets how many times this came up. She said this policy statement applies to all human remains, and she invited continued conversation.

Program Issues

Mr. Vogt started the discussion of Executive Order 13287, Preserve America, which requires the ACHP to report to the President every three years on how federal agencies are identifying, protecting, and using

historic properties. The next report is due to the President on February 15, 2024, but the FAP Committee discussed the four themes that they are encouraging federal agencies to use in developing the next report on federal agencies' historic properties stewardship. These are infrastructure, job creation, equity, and climate change. Members also talked about how to make the analysis and recommendations in the report more engaging. Because this will be an electronic publication, in addition to photographs, videos that agencies may have of their work in historic preservation are encouraged. The report should show where agencies have gone above and beyond to achieve preservation successes. Members noted areas related to the agency capacity, such as in training and in staffing, where the ACHP might urge improvement. Agency progress reports are due September 30 and will inform the ACHP's conclusions and recommendations in the final report.

Regarding the Section 106 regulations review, Chair Bronin said one of the things she wanted to do is a high-level review of whether ACHP regulations were effectively ensuring that the agency is adequately disposing of its duties under the NHPA to oversee the Section 106 review process. She asked the FAP Committee, the NAA Committee, and staff leadership to conduct their own reviews and discussions. They agreed that the regulations were generally working as they are currently drafted, but that there is an opportunity to add to knowledge and guidance as to how the Section 106 review process actually unfolds on the ground. Chair Bronin indicated that she would take this recommendation.

Mr. Vogt said after close reviewing of the texts and consideration of existing ACHP materials and case experiences, the staff noted that the strength of the current regulations is their flexibility, and they provide for a wide range of case circumstances. As a former SHPO, he concurs. While this means some areas lack complete specificity, the analysis concluded that amending the regulations is not necessary to provide clarification or amplification to help users. They can be provided most expediently through additions and updates to guidance, training, and other technical assistance efforts. The staff plans to work on updating guidance to address the issues.

Chairman Franklin said the NAA Committee appreciated the analysis and the updates from staff. They agreed that staff should seek to address any shortcomings by advancement of the indigenous knowledge policy and updating any of the documents that needed to be done after that.

Dr. Gaughen said she knows it is not the ACHP's authority to be able to mandate training to federal agencies and especially those staff members who implement the Section 106 regulations. But she has been suggesting that her Tribal colleagues want to see mandatory Section 106 training as a continuing education. She suggested the ACHP continue to advocate for training, even if it may not be mandated.

Mr. Nelson thanked Dr. Gaughen for her comments and acknowledged that over the years, he has offered to many agencies that if they would like to explore the development of some sort of certification program or even something that was a recommended set of trainings, he would be happy to work with them. He said regular training is important, and he is not convinced that everyone understands that. He also said one of the best ways to understand the Section 106 process is to teach it. All of the OFAP staff regularly stand in front of an audience and teach it. He mentioned on a separate note, that Katry Harris, who has been heading the training program for quite some time, is leaving the ACHP to go to CEQ.

Dr. Jordan-Cox said she wholeheartedly supports the training and recommended that it be engaging and interactive.

Communications, Education, and Outreach

Chair Bronin noted in the absence of committee Chair Monica Rhodes, committee Vice Chairman Kristopher King would make the report. Mr. King started with reminding members that the ACHP's previous Youth Strategic Plan was adopted in 2016 under the leadership of then-CEO Committee

Chairman Mr. Stanton. The committee members felt it was important to ensure the ACHP membership as a whole supported these ideas, so the plan was adopted by the ACHP. It has been seven years since that time, and so he thought it was time to look at the strategic plan to note accomplishments and determine where the agency should be focused in the future.

The CEO Committee members looked at each of the updated goals and discussed their thoughts. It was an active discussion trying to draw on the experience and networks of the committee members. Members suggested using social media influencers within the space of historic preservation to help reach a younger audience, connect with other affiliated organizations such as the National Council on Public History, and actually talk to students directly when discussing best tactics to reach that age group. Mr. King said in the seven years since the plan was adopted, students have changed, their interests have changed, the way to connect with them has changed.

Members also suggested having discussions with students interested in preservation and using members' own college alumni networks to make connections. Ms. Walker said it would be of value to convene a forum or some other means that provides an opportunity for students and young people to comment on the development of the concept plan and the goals that are in it.

Dr. Jordan-Cox said she sees there is good outreach through Historically Black Colleges and Universities (HBCUs) and asked if there is planned outreach to students of color in predominantly White institutions. She said sometimes when working with communities of students of color, the message has to be a little bit different. You have to be able to explain why preservation is important to those communities.

Chair Bronin explained that the ACHP has done a lot of outreach to colleges in general, including HBCUs, Hispanic-serving institutions, and Tribal colleges. This includes participating in job fairs, "office hour" discussions with the chair, webinars, internships, and job opportunities like Cultural Heritage in the Forest.

Jay Clemens noted the National Trust will be celebrating its 75th anniversary next year, and youth engagement is something they have been talking a lot about as they plan for nationwide outreach involving larger numbers of people who have not been exposed to preservation. He would welcome the opportunity to work with the ACHP on those things.

Chairman Franklin said he has been teaching a class at the University of Texas at Austin with former ACHP Member Mark Wolfe, showcasing an American Indian perspective on historic preservation. He suggested perhaps for a type of a class like that, the ACHP could sponsor it and get universities to get the word out and show them many faces of historic preservation.

Mr. Chaleki noted the Department of Homeland Security (DHS) is trying hard to engage the Anacostia community where their headquarters sits at the St. Elizabeths campus. He offered they are happy to host gatherings where they can see some significant historical adaptive reuse going on at campus. He said DHS is trying to demystify its campus, so he is open to any opportunity to engage with the community further on that.

Mr. Gonzalez said it would be good to find more ways of getting into conferences, because that is how to reach a lot of young professionals and students. If you can become a preservationist when you are young in your 20s, like happened to him, it is a lifetime experience. The younger we can get people, the better, he said.

Dr. Gaughen warned it is important not to turn away young people with social media content that makes them "cringe." She suggested having interns and other younger people vet the initiatives. She also gave a suggestion of a new campaign: a lot of young people shop at thrift stores for vintage clothing, and that

might be a theme for the ACHP. If you like to thrift store your clothes, you can thrift store your buildings too. Chair Bronin said as a federal agency, it may be necessary for social media to be conservative, but the ACHP needs to continue to show young people how they can access this very technical legal field and provide them with lots of different entry points.

Vice Chairman Tannenbaum said preservation is local. He serves on the Fairfax County History Commission and said the commission members are even much older than the ACHP members. He said he has been trying to get rotating terms, and perhaps something the ACHP can look into is suggesting that local historical commissions have a provision for a younger member or observer. Chair Bronin noted the need for research about local preservation commissions' demographics.

Mr. King reminded members that the ACHP/HUD Secretary's Award for Excellence in Historic Preservation will be presented in a live ceremony at HUD headquarters in DC on July 27. Two projects will be honored, and he invited members to attend. Ms. Fontenot said the leadership of HUD is excited to host the award ceremony and bring everyone together in their interesting historic headquarters to highlight these important projects.

New Business

There was no new business. The next business meeting will be November 15. The meeting adjourned at noon.