

# NCSHPO

## National Conference of State Historic Preservation Officers

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### **NATIONAL CONFERENCE OF STATE HISTORIC PRESERVATION OFFICERS**

Minutes of the Board of Directors Meeting

September 27, 2005

Hilton Portland and Executive Tower, Portland, OR

#### **Participants**

Jay D. Vogt, President; Cathie Matthews, Vice-President; Lisa Burcham, Secretary; Jim McConaha, Treasurer; Allyson Brooks, Christy Davis, Jim Garrison, Elizabeth Hughes, David Morgan, Larry Oaks, Ruth Pierpont, Franco Ruffini, Kak Slick, Directors; Judy Bittner, AK SHPO; Fred Gaske, FL SHPO; Jon Smith, IN Deputy SHPO; Mark Wolfe, CO Deputy SHPO; Suzi Neitzel, ID Deputy SHPO; Britta Bloomberg, MN Deputy SHPO; Tim Wood, OR SHPO; James Hamrick, OR Deputy SHPO; Members; Nancy Schamu, Executive Director; Elizabeth Szufnar, Director of Communications and State Services; John Fowler, Executive Director, Advisory Council on Historic Preservation; Jan Matthews, Associate Director for Cultural Resources, National Park Service; Emily Wadhams, Vice President for Public Policy, Richard Moe, President, National Trust for Historic Preservation; Heather MacIntosh, President, Preservation Action.

Absent: Edward Sanderson, Immediate Past President; Dorothy Guzzo, Kathleen Kilpatrick, W. Ray Luce, Directors.

#### **Call to Order**

President Jay D. Vogt called the meeting to order at 8:45am PDT.

#### **Minutes**

Jim Garrison moved, Ruth Pierpont seconded, and the Board of Directors voted unanimously to approve the minutes of the July 12, 2005 meeting.

#### **Annual Planning Session**

The Vice President led the Board of Directors in an overview of the draft 2006 Work Plan as distributed. This is the final year of the three-year strategic plan and in 2006, the NCSHPO will create and adopt another strategic plan. Larry Oaks has agreed to provide one staff person to assist in this process.

The Board of Directors discussed the draft 2006 Work Plan in detail adding a working group (composed of Judy Bittner, Chair, Kak Slick and Suzi Neitzel) to communicate with the Advisory Council on Historic Preservation (Council) regarding future service to the Western SHPOs after the closure of the Council's western office. After discussion, Cathie Matthews moved, Jim Garrison seconded and the Board of Directors unanimously voted to approve the 2006 Work Plan as amended.

Lisa Burcham suggested that future work plans include financial implications.

## **Treasurer's Report**

### **Adoption of the Budget and Dues for 2006**

The Treasurer presented the draft budget and dues for 2006 as distributed to the Board. He noted that the proposed 2006 dues are identical to the 2005 figures. The draft budget anticipates a level of State dues payments equal to 2005. During the discussion, the Board inquired about the purpose of the Reserve Account and if it would be possible to use funds from this account for special projects i.e. NCSHPO Scholarships. The Board discussed the benefits of bringing key historic preservation representatives/state commissioners to the NCSHPO Annual Meeting and agreed that the NCSHPO Resources Task Force will devise a proposal, present it to the NCSHPO Executive Committee during their next conference call, and the 2006 budget will be revised if necessary to reflect this.

The Executive Director noted that sufficient funds do need to be maintained in the Reserve Account for cash flow purposes. The Executive Director and the Treasurer will propose a policy setting a minimum balance.

Jim McConaha moved, Larry Oaks seconded, and the Board of Directors unanimously adopted the 2006 budget and dues as presented.

### **Staff Changes**

The Executive Director announced the promotion of the Director of Communications and State Services to Assistant Director.

The Board of Directors expressed its gratitude for the service of Anita Zepp who will retire on September 30, 2005. The Executive Committee will discuss an appropriate expression of that gratitude during their next conference call.

### **2005 Financial Review**

#### **Resolution for Corporation and Federal Accounts**

WHEREAS on May 2, 2001, the Executive Committee of the National Conference of State Historic Preservation Officers (NCSHPO) acting on behalf of the Board of Directors did pass a resolution to establish one corporate and one federal account with Sun Trust Equitable Corporation (STES) for the purchase, sale, assignment, transfer, or exchange of, or for any other transactions with respect to any and all forms of securities and other instruments;

NOW, THEREFORE, BE IT RESOLVED that the NCSHPO Board of Directors authorizes that any one of the persons holding the following titles: President, Secretary, Treasurer, Executive Director is authorized to give written, oral, telephonic, electronic or other instructions to STES on behalf of the NCSHPO regarding the purchase, sale, assignment, transfer, or exchange of, or other transactions with respect to securities or other instruments, as well as regarding payment of monies and/or delivery of securities and/or other instruments into or out of any of the NCSHPO's accounts with STES or with any bank affiliated with STES, and to execute any documents necessary with respect to any of the foregoing on behalf of the NCSHPO, in each case whether STES is acting in the capacity of principal, agent, or otherwise in connection therewith.

BE IT FURTHER RESOLVED that the Secretary of the NCSHPO is authorized and directed to furnish STES a copy of this resolution and the names and specimen signatures of the persons holding the above titles with the NCSHPO, and that the STES shall be authorized to rely thereon until written notice to the contrary is received.

#### Resolution for Brokerage Account

WHEREAS on January 13, 2004 the Executive Committee of the National Conference of State Historic Preservation Officers (NCSHPO) acting on behalf of the Board of Directors did pass a resolution to establish a Sun Trust Securities Brokerage Account (STSBA) in order to ladder the NCSHPO funds in Certificates of Deposit

NOW, THEREFORE, BE IT RESOLVED that the NCSHPO Board of Directors authorizes that any one of the persons holding the following titles: Vice President, Treasurer, Executive Director is authorized to give written, oral, telephonic, electronic or other instructions to STSBA on behalf of the NCSHPO regarding the transfer of marketable securities

BE IT FURTHER RESOLVED that the Secretary of the NCSHPO is authorized and directed to furnish STSBA a copy of this resolution and the names and specimen signatures of the persons holding the above titles with the NCSHPO, and that the STSBA shall be authorized to rely thereon until written notice to the contrary is received.

Kak Slick moved, Franco Ruffini seconded, and the Board of Directors unanimously voted to adopt the Resolution for Corporation and Federal Accounts and the Resolution for Brokerage Account.

#### **President's Report**

The President addressed the closure of the western office of the Advisory Council on Historic Preservation (Council) and noted that several SHPOs have already spoken to the Executive Director of the Council and/or sent letters. Several Board members expressed dissatisfaction with level of service being offered during the transition and agreed that the Council could operate out of their Washington DC office, however, there are some service issues that need to be addressed and work out. The recently-formed NCSHPO working group will define what the issues are and present them to the Board at a later date for action.

The President noted that the NCSHPO submitted testimony in support of Senate Bill 1378 - the reauthorization of the Historic Preservation Fund (HPF) and amendments related to the Advisory Council. At a September 22, 2005, hearing on the subject, Jan Matthews, Associate Director of the National Park Service proposed that the HPF be reauthorized until 2015 – 4 years longer than is currently proposed. The NCSHPO has supported the National Park Service's position to the Senate.

The President recounted a recent article in a South Dakota newspaper that stated that the National Historic Preservation Act (NHPA) was responsible for installing four cellular communications tower projects implying that the SHPO was at fault. In fact, the delay rests with the Federal Communications Commission (FCC). The Board noted that the FCC appears to be "holding" 106 cases with tribal consultation problems. The Board agreed that the FCC needs to take responsibility

for the Section 106 review process and the Council should be taking a larger role in explaining the process. The staff will request the Council to look into this matter.

John Nau, Chairman of the Council, had contacted the President with a proposal to take 1% of the FY2006 HPF allocation to the States for historic preservation efforts in the states affected by Hurricane Katrina (apparently this idea originated at the Office of Management and Budget). The President indicated that he recently responded to Chairman Nau, indicating that the NCSHPO does not support reducing State allocations and provided information on some of the voluntary donations given by SHPOs for hurricane relief.

The President reiterated the importance of SHPOs in the Preserve America initiative – by encouraging/assisting communities and projects to apply as well as recognizing their own efforts. Larry Oaks and David Morgan both discussed their own experiences and agreed to summarize this in written form to be posted to the NCSHPO website. The Board agreed that, for little outlay, the rewards are great – it's a good way for SHPOs to get name recognition, as well as the financial incentives that are available in the FY2006 budget.

### **Historic Preservation Fund**

#### **Administrative Task Force**

The President reiterated that the purpose of the task force is to get the best appropriations possible from the Administration. The Conference will work on a fiscal year 2007 Historic Preservation Fund request that reflects the realities of federal expenditures for Katrina relief and the realities in the States of declining allocations.

The Board also discussed a special appropriation for historic site survey to improve disaster preparedness.

The President concluded the discussion by stating that the SHPOs need to be more political by increasing contact with their members of Congress and sharing their successes stories.

#### **Appropriations Task Force**

*Report submitted by Cathie Matthews prior to the meeting*

The Task Force on Appropriations worked very hard to encourage our fellow SHPOs with appropriators to keep in close touch with their members to hold the line on the Senate numbers until the final conference on the HPF took place. Because the House-Senate conference took a while to be scheduled, the SHPOs with appropriators stayed in close contact with the members' offices and spoke to them more than once. Task Force members participating included Franco Ruffini, OH; Ray Luce, GA; Elizabeth Hughes, M; David Brooks, KY; Judy Bittner, AK; and Cathie Matthews, AR. We were all disappointed with the final numbers, but not with the hard work done by our task force members and the NCSHPO staff to keep the HPF at the higher Senate numbers.

The timeline for this task force must be fluid because of the nature of its work. As the Administration and Congress put forth their appropriations numbers, this task force will respond accordingly and continue to press for increased funding of the HPF.

Elizabeth Hughes expressed concerns that not enough information about the House of Representatives Historic Preservation Caucus (Caucus) is known and, as a result, it can be

difficult to get other members of Congress to join. The Board briefly discussed what some states have done in regards to their state historic preservation caucuses and if some of those same activities might work to engage the Caucus more. The Board concluded that they would like to see Preservation Action take a more active role in this.

## **Legislation**

### **Resources Task Force**

*Report submitted by Christy Davis prior to the meeting*

The Resources Task Force participated in conference calls on July 29 and August 25, 2005.

Below is a report of their activities.

#### Proposed Changes to Section 106

The task force developed a spreadsheet that includes the names of House Resources Committee members and names/contact information for SHPOs and Statewides in the states that have representatives on the Committee. The list was sent to Nancy Schamu, Jay Vogt, and Preservation Action in August. We suggest as a next step that statewides and SHPOs in key states be contacted and encouraged to develop lists of persons in their states who have connections with committee members. The goal is to be prepared for any upcoming debate on proposed changes to Section 106.

#### National Heritage Areas

The Senate passed the bill establishing a heritage area program. Legislation to establish individual heritage areas continues to be introduced.

#### Hurricane Katrina

In light of the devastation of Hurricane Katrina, the task force is concerned about the threat to historic properties that is yet to come. The Resources Task Force recommends that, in consultation with SHPOs from the affected states, NCSHPO write letters to FEMA, HUD, and other federal and state agencies that may fund reconstruction efforts, encouraging them to take advantage of the expertise available to fully evaluate damaged structures before proceeding with demolition. We believe this event has the potential to affect the direction of proposed changes to Section 106. We are encouraged about the coverage regarding the area's culture – and hope it will bring to light the importance of thinking twice before using federal funds to demolish buildings that interpret this culture.

#### House Resources Committee

Christy Davis indicated that she has prepared a spreadsheet of the Resources Committee members and contact information. She agreed to send a copy of the spreadsheet to all the SHPOs.

### **Hurricane Katrina Initiatives**

The Executive Director briefly updated the Board on the recent activities being undertaken by the SHPOS in response to Hurricane Katrina.

## **Task Force Reports**

### **Rehabilitation Tax Credits**

Jim Garrison reported that the National Park System Advisory Board has appointed a committee to review the federal rehabilitation tax credit and the Standards for Rehabilitation. Former NCSHPO president Ted Sanderson represents the NCSHPO. This committee will be meeting in October and December of 2005. The President directed the Board to the Memorandum prepared by Ted Sanderson which highlighted several aspects of the current regulations that may merit discussion by the committee. Jan Matthews, the Associate Director of the National Park Service discussed the itineraries for the two meetings. She urged all interested parties to provide information to the committee.

The Board of Directors recessed at 12:00pm PDT and the meeting reconvened at 1:58pm PDT.

## **Preservation Partners' Reports**

### **National Trust for Historic Preservation (Trust)**

Richard Moe, the President of the National Trust, gave an update on the Hurricane Katrina relief efforts being pursued by the Trust. The efforts include sending survey/assessment teams to the affected areas to work with the SHPOs and pursuing an aggressive legislative agenda which consists of: 1) petitioning the IRS for waivers to the federal rehabilitation tax credit, making the process easier to administer and giving the SHPOs more authority in the review process; 2) proposing a historic homeowner tax credit of 30% which would be implemented on a one-time basis to the affected states; and 3) requesting \$60million for grants-in-aid to be administered by the SHPOs.

In addition, Richard Moe briefly mentioned several other Trust initiatives/programs: Digitizing the National Register of Historic Places remains a Trust priority.

The Trust has initiated the State Advocacy Capacity-Building Pilot Program – a program to build advocacy at the state level. Five pilot states will be selected in mid-October.

The Trust's Public Lands Initiative is to acquire funding to protect the National Landscape Conservation System.

### **Preservation Action (PA)**

Heather MacIntosh, the President of Preservation Action, reported that membership has increased 20% since last year and they are looking to do the same in the coming year. She also announced that PA is creating a new membership database and will be producing the *Politics of Place in America* – an online project designed to increase advocacy efforts.

Lisa Burcham repeated the Board's earlier request to engage the House of Representative's Historic Preservation Caucus (Caucus) more. Preservation Action and the Trust mentioned that they had conducted a briefing for the Caucus staff on July 14, 2005 and plan at least one more briefing in 2005. The Board suggested that, following future Caucus events, it might be a good idea for the SHPOs to send a thank you letter/email to the Caucus member.

**Advisory Council on Historic Preservation (Council)**

John Fowler, the Executive Director of the Council, reported on the Council's response to Hurricane Katrina and noted that the recent effort by the NCSHPO detailing what the SHPOs are doing to assist the SHPOs in the affected states was well-received. The Council is working with the Federal Emergency Management Agency (FEMA) to set-up a Gulf Coast region coordinator who will initially focus on FEMA activities and later work with all federal recovery agencies i.e. the Department of Housing and Urban Development (HUD), and the Army Corps of Engineers. In addition, FEMA has asked the Council to provide four additional staff persons to assist with the workload. John Fowler concluded by noting that John Nau, the Chairman of the Council, is working to get a "preservation message" to the Administration before any rebuilding efforts begin.

John Fowler indicated that he had not heard anything more regarding the discussion draft of the proposed amendments to the National Historic Preservation Act. However, House Resources Committee Chairman Richard Pombo (R-CA) has proposed an amendment to the energy bill that would exempt Section 106 from oil and gas development on private land unless requested by the property owner. Chairman John Nau is currently talking to Mike Turner (R-OH), co-chair of the House of Representative's Historic Preservation Caucus.

The National Park Service (NPS) has written guidelines and an application for the FY2006 Preserve America grants. The minimum grant amount is \$20,000. SHPOs will be able to bundle the grants, enabling several smaller communities to combine their grant requests to meet the \$20,000 minimum. There will be 2 grant rounds – the first in December 2005 and a second one in 2006.

Regarding the closure of the western office of the Council, John Fowler noted that the Council is in the process of recruiting an assistant director and four historic preservation specialists. The President informed John Fowler that the NCSHPO has created a working group that hopes to work with the Council on several service issues.

Allyson Brooks suggested that the NCSHPO send the four departing western office staff a thank you.

Judy Bittner relayed the earlier concerns expressed by the Board regarding the Federal Communications Commission (FCC) Programmatic Agreement (PA). The NCSHPO will gather information from the SHPOs on what the issues are and present these issues to the Council for action.

The President requested that the Board introduce themselves to Tim Wood, the Oregon SHPO, who had joined the meeting.

**Preservation Partners' Reports**

**National Park Service (NPS)**

Jan Matthews briefly detailed the recent reorganization of the Cultural Resources department and noted that by moving the Keeper of the National Register position to the Associate Director level gives the position more prominence.

## Resolution of Thanks

WHEREAS, the pioneers of the NCSHPO journeyed to the great Pacific Northwest and the City of Roses where the bold convergence of the mighty Columbia and the waters of the Wilamette feed the rich rural landscape of the Wilamette Valley;

WHEREAS, this westward trek was marked by awesome views from sky and land of Mounts Hood, Jefferson, and the Three Sisters, the bountiful landscape of the great Wilamette Valley and the thriving urban streetscape of the City of Portland;

WHEREAS, the greeting by our SHPO guide, James Hamrick, and wagonmaster Rolf was well-received by these new pioneers as they traveled overland to the OR state capitol, the fourth newest in the land and built of marbles of many states, to climb the 121 steps and view the strapping young golden pioneer and take in the stately dignity of the Supreme Court Building;

WHEREAS, after a gourmet lunch and passionate presentation and backstage tour on the restoration of the historic Elsinore Theater, SHPOs migrated north to the place where Oregon began, known by the native peoples as Champeog where tales of a great flood, a historic marker, a barn restoration/recreation, and a squirrel entertained, intrigued and amazed all;

NOW, THEREFORE, BE IT RESOLVED, that as the great migration concluded with a glorious repast at Higgins, a Portland landmark, we, the assembled pioneers raised our glasses of Oregon Pinot Noir, Chardonnay and microbrews to toast the beauty and history of Oregon and extend out heartfelt thanks to the hospitality of our guide, James Hamrick, and the SHPO staff of the Great State of Oregon.

## ERA Study

Tom Moriarity of ERA gave a status report of the study to identify costs associated with Section 106. He has received information from SHPOs which demonstrates a high level of efficiency. Unfortunately, Federal agencies were unable to provide data on Section 106 costs. He will submit the draft report to the NCSHPO.

## Task Force Reports *continued*

### Heritage Tourism

*Report submitted by Elizabeth Hughes prior to the meeting*

The following report summarizes progress on those Heritage Tourism Task Force action items outlined in the report presented at the 2005 Annual Meeting.

#### Products:

1. *Create a heritage tourism tool kit geared towards SHPO partners.*

Potential Funding Source: Preserve America grant to SHPO provided funding is available in FY06.

Status: In FY06, Preserve America was funded at approximately \$5 million. No grant application deadline has been set at this time. However, it is now time for the Task Force to begin developing a more concrete proposal. A "Disaster Response Heritage Tourism Tool Kit" that would include state-to-state assistance has been proposed by one Task Force member, for example.

2. *Assess what SHPOs are doing in the area of heritage tourism currently and analyze where SHPOs can bring added value.*

Potential Funding Source: It may be possible to accomplish this information sharing item at no cost via an electronic survey created by the Task Force provided that states can be relied upon to respond.

Status: The Task Force has begun surveying SHPOs electronically. Relevant portions of the resultant data will be added to the National Trust for Historic Preservation web site ([www.culturalheritagetourism.org](http://www.culturalheritagetourism.org)) and will be placed on the "Members Only" section of the NCSHPO website. To date, respondents have included AZ, AR, CO, FL, IL, IA, KS, NM, NC, ND, PA, SD, VA, and WI.

3. *Develop SHPO heritage tourism best practices or case studies.*

Potential Funding Source: Preserve America grant to SHPO provided that funding is available in FY06.

Status: In FY06, Preserve America was funded at approximately \$5 million. No grant application deadline has been set at this time. However, it is now time for the Task Force to begin developing a more concrete proposal.

4. *Adopt tourism principles.*

Status: No progress.

Partnerships:

4. *Work closely with ACHP on the Preserve America initiative.*

Status: Ongoing by NCSHPO staff.

5. *Continue to participate in Partners in Tourism.*

Status: NCSHPO staff attend these meetings on an ongoing basis. Elizabeth Hughes (MD), Kerri Post (Visit Florida), and Susan Wilcox (CA Tourism Commission) participate as rotating state representatives.

6. *Serve on Advisory Committee for the Cultural and Heritage Tourism Summit.*

Status: Ongoing by Jon Smith.

7. *Learn from NATHPO's experience in the area of heritage tourism.*

Status: This is a SHPO self-study item. The NATHPO toolkit can be found at: [www.nathpo.org/Toolkit/NATHPO.pdf](http://www.nathpo.org/Toolkit/NATHPO.pdf)

8. *Explore collaboration opportunities with the Council of the Americans for the Arts "State Arts Action Network."*

Status: Jay Dick of the State Arts Action Network has not yet responded.

9. *Seek opportunities to educate state and local elected officials through their national organizations.*

Status: Nancy Schamu, Richard Moe, and Tyler Gearhart (Executive Director of Preservation Maryland) met with Maryland Delegate John Hurson, President of the National Conference of State Legislatures (NCSL), in the spring of 2005 in an effort encourage Delegate Hurson to bring historic preservation and heritage tourism issues to the attention of the NCSL. Delegate Hurson has now completed his term as president of the NCSL. Other educational opportunities have not been identified.

10. *Work with the National Park Service Director of Tourism to identify areas of common interest.*

Status: Dean Reeder assumed the duties of managing the NPS Office of Tourism on September 6, 2005. Reeder is filling a position that was established in the late 1960s. He succeeds Georgette Tolbert who retired in 2003 and Edie Shean-Hammond who has been acting in the position. He formerly served as the Executive Director for the State of Utah's Division of Travel Development.

Within the course of the first year of his leadership, he expects to develop a strategic plan that will guide the Office's tourism efforts. Input from and review by affinity groups such as SHPOs will be sought as part of this plan development process.

11. *Explore opportunities to partner directly with the Travel Industry Association and the National Council of State Travel Directors.*

Status: NCSHPO staff and Elizabeth Hughes participated in a March meeting with TIA staff to explore collaboration opportunities. While immediate opportunities for partnership remain unclear, it was agreed to keep the door open via PIT activities. A call is in to the Chair of the National Council of State Travel Directors who is Todd Davidson of the Oregon Travel Division.

#### Needs

1. *Standardized formula for measuring return on investment.*

Status: The National Trust has launched a new Rural Heritage Development Initiative, funded in large part by a grant from the W. K. Kellogg Foundation, to work with two rural pilot regions over a three-year period on tourism-related economic development strategies. A key component of this project is an independent evaluation of the success of the strategies and of the project itself. Valecia Crisafulli of the NTHP asked that members of the NCSHPO Heritage Tourism Task Force review the RFP for the evaluation component of the project.

The firm selected to conduct this work is Public Sector Consultants from Lansing, MI. A meeting with the consultant will take place in October or November at the NTHP offices in Washington, DC to develop an initial outline of performance indicators. Elizabeth Hughes will attend and solicit Task Force input to share at that meeting. It is hoped that this exercise might substitute for or at least inform any ROI activities that NCSHPO may wish to lead in the future.

Announcement of the two pilot regions will take place on September 19<sup>th</sup>. Notably, both of those proposals that were selected include strong collaboration with SHPO offices.

2. *Access to training for heritage tourism development specialists.*

Status: The National Trust for Historic Preservation web site ([www.culturalheritagetourism.org](http://www.culturalheritagetourism.org)) maintains an up to date list of heritage tourism training opportunities. With that in mind, it would seem that NCSHPO activities in this regard would be duplicative.

**National Park Service (NPS) Programmatic Agreement (PA)**

*Report submitted by Jon Smith prior to the meeting*

The task force members representing both NPS and NCSHPO discussed a timeline that would conclude with a signed and active programmatic agreement by mid to late 2007. Due to the need for several regional meetings, and the various public comment requirements (including listing in the Federal Register), it was decided that 2007 was a reasonable timeline. The dates and locations of future meeting will be decided early this fall.

Summary of NPS/NCSHPO Programmatic Agreement Meeting on August 17, 2005

Attended by NCSHPO NPS PA Task Force Members Jon Smith (Chair), IN Deputy SHPO; Ken P'Pool, MS Deputy SHPO, Dennis Gimmsted, MN SHPOffice; and NCSHPO staff, Elizabeth Szufnar.

Meeting Summary

Based on the comments received by the SHPOs prior to the meeting and the members of the NCSHPO Task Force, the general consensus is that the PA works well, but it simply needs to be tweaked in a few places.

Issues from SHPO Perspective

- Park staff may not be qualified to do 106 and lack of training for park staff, as well as including SHPOs when training is offered.
- The bi-annual meetings as specified in the PA have not occurred.
- Difference in how exclusions are interpreted from park to park i.e. one park interpreted preservation maintenance as permitting them to gut an interior.
- Recognition that some of the exclusions should not be exclusions i.e. rehab of trails or roads if these may be historic, erecting signage that may alter a historic viewshed.
- How to deal with undertakings in non-traditional parks (i.e. parks without true boundaries).

The NPS is concerned that information from DC is not received and/or transmitted uniformly. . . sometimes information goes to the park superintendent and the regional office never sees it. The regional offices are willing to do more to ensure compliance with the PA but expressed some concern that the superintendents have too much authority, thus explaining why there may be some issues with the PA.

Both the NPS and the NCSHPO agreed that getting tribal input and consensus could be challenging and it may not be conducive to have the tribes as invited signatories (although they could be involved as consulting parties).

Several PA options:

- 1) Different PAs for each state, perhaps even each park.
- 2) One PA with option for a park to further refine to suit it's own needs

The NPS has developed a proposed timeline. The NCSHPO noted that many of the comment periods on the timeline coincide with meetings of the organization, which is ideal. The NPS will be refining the timeline and will send out the final version to all task force members in the near future.

There was a general consensus that since this is the first PA to be revised since the ACHP decided to review all nationwide PAs, the parties should focus on making this a good example of how to work together and achieve positive results.

### **Bureau of Land Management (BLM) Programmatic Agreement (PA)**

*Report submitted by Alice Baldrica prior to the meeting*

In February, a number of western states SHPOs met over breakfast in Washington DC at the request of Kak Slick, to discuss the performance of the Bureau of Land Management under the nationwide PA signed in 1997. At the end of the meeting Kak offered to chair a task force and proposed to create a matrix that would highlight any problems SHPOs were having with implementation of the agreement and propose changes. Kak stepped down from the chairmanship of the committee and Alice Baldrica took her place around June 1, 2005.

### SHPO Status Assessment Survey

In June, Alice sent out questionnaires to members of the BLM PA task force. The questions relate to BLM commitments made within the nationwide PA. The aim of this questionnaire was to discover SHPOs views on how well BLM is doing in meeting its obligations, whether or not changes are needed, and if so, whether modifications should be made to a state's protocol or to the nationwide programmatic agreement.

### SHPO Responses

Alice asked for responses by July 31, 2005 and to date have responses from nine of the ten SHPOs on the task force: Alaska, California, Colorado, Idaho, Montana, New Mexico, Nevada, Oregon and Utah responded; Wyoming did not. The Wyoming SHPO did call and respond that the existing agreement disregards 36CFR800 and that the agreement should not be considered counterpart regulations. Further that it does not involve consulting parties or Native Americans sufficiently. One other state, Arizona, could have participated but did not. Survey responses are included in a separate document.

### Southwest NCSHPO Meeting of August 31, 2005 in Las Vegas, Nevada

Alice Baldrica presented the results of the questionnaire and asked for recommendations to take to the NCSHPO Board of Directors. She also solicited comments by e-mail from Task Force members unable to attend the meeting in Las Vegas. The task force requested the above report be forwarded to the NCSHPO Board and ask the Board to:

1. Accept the report recommendations to amend but not terminate the Nationwide Programmatic Agreement with BLM.
2. Post all state protocols on the NCSHPO web site so that states could use other states' solutions to modify their own protocols.
3. Request SHPOs to confer with their counterparts at the Bureau of Land Management to initiate changes that can be made now in the protocols.
4. Approve and send letter to Advisory Council (see attached correspondence) requesting that the BLM PA be moved to the top of the list for amending as soon as possible.
5. In the same letter, request the Advisory Council create a BLM liaison position at the Council, in the BLM Denver Office for dealing with BLM issues, similar to the Department of Agriculture liaison at the Council in Washington DC.

6. Acknowledge that tribes and the National Trust have indicated a need to revise the BLM Programmatic Agreement to comport with the 1992 Amendments to the National Historic Preservation Act. Given tribal interests in government-to-government consultation, the NCSHPO as a State-based organization believes the Council should take the lead in this area. Acting in a supporting role, SHPOs and the NCSHPO endorse the importance of tribal consultation.

Jim Garrison reiterated the six recommendations to the Board. Jim Garrison moved and Kak Slick seconded a motion to accept these recommendations. All were in favor.

#### **NCSHPO Awards**

Lisa Burcham reported that Kak Slick, Jim McConaha, Franco Ruffini, James Hamrick, and Mary Edmonds have agreed to serve on the Awards Selection Committee for 2006. There will be several changes to the 2006 Awards: 1) the Staff award will be eliminated; 2) there will be no nominations accepted without the knowledge of the nominee; and 3) the awards ceremony will be held in conjunction with the NCSHPO Banquet at the NCSHPO Annual Meeting.

#### **National Center for Preservation Technology and Training (NCPTT)**

Jim Garrison informed the Board that he is now on the Board of the NCPTT and he will be exploring partnership opportunities between the NCSHPO and the NCPTT.

#### **Upcoming Meetings**

Kak Slick offered New Mexico as the host state for the Summer 2006 Board of Directors Meeting.

#### **Adjournment**

Kak Slick moved, Christy Davis seconded, and the Board of Directors moved to adjourn at 4:55pm PDT.

Elizabeth Szufnar, Assistant Director, for  
Lisa Burcham, Secretary