

NCSHPO

National Conference of State Historic Preservation Officers

SUITE 342 HALL OF THE STATES
444 NORTH CAPITOL STREET, N. W., WASHINGTON, D. C. 20001-1512

202-624-5465 FAX 202-624-5419 WWW.NCSHPO.ORG

NATIONAL CONFERENCE OF STATE HISTORIC PRESERVATION OFFICERS

Minutes of the Board of Directors Meeting

July 16, 2006

Santa Ana Star Casino, Santa Ana Pueblo, NM

Participants

Jay D. Vogt, President; Cathie Matthews, Vice-President; Ruth Pierpont, Secretary; Jean Cutler, Wayne Donaldson, James Hamrick, Kathleen Kilpatrick, Ray Luce, Larry Oaks, Franco Ruffini, Kak Slick, Michael Stevens, Directors; Ted Sanderson, Immediate Past President; Nancy Schamu, Executive Director; Elizabeth Szufnar, Assistant Director; John Fowler, Executive Director, Advisory Council on Historic Preservation; Jon Smith, Assistant Associate Director for Heritage Assistance Programs, National Park Service; Tracey Silverman, Agency Planner, Texas Historical Commission

Absent: Jim McConaha, Treasurer; Elizabeth Hughes, David Morgan, Merl Paaverud, Directors

Call to Order

President Jay D. Vogt called the meeting to order at 8:44am MDT.

Announcements

Jay D. Vogt welcomed the new members of the Board of Directors - Jean Cutler, Wayne Donaldson, James Hamrick, Merl Paaverud, and Michael Stevens - and guests at the meeting - Jon Smith, John Fowler, and Tracey Silverman.

Jay D. Vogt also thanked Kak Slick for hosting the meeting. Kak Slick briefly summarized the schedule.

Minutes

Larry Oaks moved, Kak Slick seconded, and the Board of Directors voted unanimously to approve the minutes of the September 27, 2005 Board of Directors meeting.

Treasurer's Report

Mid-Year Financial Review

The Executive Director indicated that the NCSHPO is on track with their 2006 budget. Ray Luce moved, Cathie Matthews seconded, and the Board of Directors voted unanimously to accept the Treasurer's report.

Investment Advisor Resolution

The Executive Director stated that the NCSHPO Investment Committee - composed of the Treasurer and Past Presidents - reviewed proposals from two investment advisors at the 2006 NCSHPO Annual Meeting in March. The NCSHPO goal was to have an advisor who specialized in non-profit organizations in the Washington, DC area. Following the interviews, the Investment Committee recommended SunTrust Investments where the NCSHPO already maintains bank accounts. The charges for doing business between the different advisors were about the same - about 1% of the total investment. In response to questions from the Board of Directors, the Executive Director noted that SunTrust has experience working with non-profit organizations and the NCSHPO is expecting SunTrust to earn a better return on our investments.

Larry Oaks moved, Michael Stevens seconded, and the Board of Directors unanimously voted to adopt the following resolution:

WHEREAS, the National Conference of State Historic Preservation Officers has an investment account intended to provide income for operations in the future; and

WHEREAS, the Investment Committee believes the National Conference will be better served by an advisor who specializes in non-profit investing, is located in the Washington, DC, area, and is linked to our existing financial administrative structure; and

WHEREAS, the Investment Committee after interviewing two advisory firms who meet those criteria recommends that the National Conference move its investments to SunTrust Investment Services, Inc., Thomas J. Gletner, Jr., Senior Vice President;

NOW THEREFORE BE IT RESOLVED that the Board of Directors of the National Conference of State Historic Preservation Officers accepts the recommendation of the Investment Committee, directs the Treasurer and the Executive Director to take such steps as may be necessary to move our investments from Kobren Insight Management to SunTrust Investment Services, and authorizes the Executive Committee to adopt any future resolutions or actions as may be necessary to complete the this action.

National Park Service (NPS) Cooperative Agreement Renewal

The Executive Director reported that the renewal of the National Park Service (NPS) Cooperative Agreement is going along well. The NCSHPO attorney is currently reviewing the draft agreement. The term of the new agreement is five years.

The Executive Director briefly explained the agreement, noting that it is beneficial because preservation work is getting done for the SHPOs. The agreement currently supports about 23 staff with about \$1million running through it. The administration fee is 10%. The Board of Directors questioned the amount of the fee indicating that the fee must cover all NCSHPO expenses, or the agreement should be terminated. The Executive Director indicated that there is a 30-day termination clause in the agreement and she will discuss increasing the fee with the NPS.

President's Report

President Jay D. Vogt noted that concern expressed by the western SHPOs over the closure of the western office of the Advisory Council on Historic Preservation (ACHP) has been diminished. It was discovered that SHPOs nationwide had some of the same concerns with the responsiveness of the ACHP as did the western SHPOs. The ACHP hired Reid Nelson from the Navajo Tribal Historic Preservation Office as the Assistant Director for the Federal Property Management Section

President's Report *continued*

John Nau was re-appointed as chairman of the ACHP and Susan Barnes as vice-chair. The committee structure has been reorganized and the President now serves as the vice-chair of the Preservation Initiatives Committee. The Executive Director attends the Federal Agencies Committee and the Assistant Director the Communications, Education, and Outreach Committee.

The President commented that the Preserve America Summit is scheduled to be held in New Orleans on October 19-20, 2006. The NCSHPO has been asked to co-chair two issues areas - Jay D. Vogt the infrastructure issue area and Ruth Pierpont the diversity issue.

Prior to the Summit, the eleven issue area chairs will convene meetings of expert panelists to prepare reports for the Summit. The President and the Executive Director provided a list of SHPOs to serve on each issue area panel.

The Board of Directors briefly discussed the goals/expected outcomes of the Preserve America Summit. The NCHSPO will work to include as many SHPOs as possible

The President recognized Rodney Little, Maryland SHPO, and Director Elizabeth Hughes, Maryland Deputy SHPO, who received a 2006 Preserve America Presidential Award.

Historic Preservation Fund

Status Report for FY2007

Administrative Task Force

Report submitted by Jay D. Vogt prior to the meeting. See Appendix.

The President indicated that the NCSHPO is implementing a 2-pronged approach for FY2008 - working with the Administration and with Congress. John Nau has been very instrumental in working with the Administration and very receptive to the SHPOs and their needs, but the NCSHPO should begin developing a strategy for the next Administration, too.

The Executive Committee met with Fran Mainella, the Director of the National Park Service (NPS) on May 2, 2006 to discuss the FY2008 appropriation for SHPOs. Following the meeting, the Executive Committee committed to: develop a one-pager to help the Director of the NPS understand how SHPOs benefit the NPS; ask Larry Oaks to contact the First Lady to understand the role of the SHPOs; continue to coordinate with the ACHP and their chairman on the FY2008 SHPO appropriation. This represents a new approach to focus on a higher number from the Administration, rather than from Congress.

Appropriations Task Force

Report submitted by Cathie Matthews prior to the meeting. See Appendix.

Cathie Matthews stated that the Appropriations Task Force deals with Congress. The Task force serves as an on-call task force - responding to requests from the NCSHPO President, Executive Director, or Assistant Director to contact the appropriate Members of Congress at the appropriate times.

Kathleen Kilpatrick mentioned that she is interested in organizing a field trip for Members of Congress and/or the Historic Preservation Caucus.

Plans for FY2008

The President reiterated the details of the Executive Committee Meeting with Fran Mainella who said that SHPOs will not get more money in FY2008 unless the Department of the Interior gets more money from the Office of Management and Budget (OMB). The SHPOs have been level-funded and not cut because of the OMB PART Audit which demonstrates that the program is well-run.

Plans for FY2008 *continued*

In response to a question, Jon Smith agreed to work on finding out what sort of information on the Historic Preservation Fund (HPF) Programs reaches the Department of the Interior and OMB.

Meeting with Secretary of the Interior Kempthorne

The Executive Director noted that the NCSHPO has extended an invitation to the new Secretary of the Interior, Dirk Kempthorne, to meet with the Executive Committee during their January 2007 meeting in Washington, DC, and to address the 2007 Annual Meeting.

Hurricane Supplemental for FY2006

Congress recently appropriated \$43 million - \$40 million for restoration grants and \$3 million for the Alabama, Louisiana, and Mississippi SHPOs to deal with the increased Section 106 workload. Jon Smith, the Assistant Associate Director for Heritage Assistance Programs at the National Park Service (NPS), explained how the NPS got the appropriation through the Office of Management and Budget (OMB) in an expeditious manner. He noted that the SHPOs were very cooperative and fast in providing necessary information. The President noted that this appropriation should set a precedent for future disaster relief to aid historic preservation activities.

Legislation

Update on Historic Preservation Fund (HPF) Reauthorization

Both the House of Representatives and the Senate have put forth bills - H.R. 3446 and S.1378, respectively. S.1378 has been reported out of the Energy and Natural Resources Committee and it may be voted on by the full Senate before the August recess. In the House of Representatives, Representative Stevan Pearce and House Resources Committee staff member Rob Howarth are continuing to work on the "discussion draft" from April 2005. John Nau, the chairman of the Advisory Council on Historic Preservation (ACHP), is working with Representative Pearce and hopes to have a bill that can be introduced by July 21, 2006. John Fowler, the Executive Director of the ACHP indicated that Representative Pearce is concerned with some of the alleged "abuses" of Section 106 - namely how the SHPOs define the area of potential effects (APE). Kak Slick noted that Representative Pearce has not subscribed to the "discussion draft," but does acknowledge that there must be some changes to Section 106.

Representative Pearce Strategy

The Board of Directors noted that the SHPOs' reputation derives from complaints from our customers. One delayed Section 106 project ends up typifying all projects. Kak Slick noted that, as result, Representative Pearce perceives the SHPOs to be unpredictable.

The dialogue between Representative Pearce and Representative Mike Turner, co-chair of the Historic Preservation Caucus, has focused on the perception that SHPOs ask for too much information and hold projects "hostage." The Board of Directors indicated that all SHPOs have a stake in finding a solution: SHPOs need to address the customer's perception of problem, and to address it. Larry Oaks suggested that a customer service number be established to report problems.

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

NCSHPO Task Force Reports

Reports submitted by Task Force chairs prior to the meeting. See Appendix.

Rehabilitation Tax Credit Task Force

National Park System Advisory Board

Ted Sanderson indicated that a draft set of recommendations is currently under review by the National Park Service (NPS). The NPS Advisory Board and the NPS staff agreed that the Secretary of Interior's Standards for Rehabilitation are not the problem. More flexibility exists in the process than some had thought. The NPS staff will prepare guidance clarifying where the flexibility exists: interiors, additions, and when a project should be approvable even though it may not satisfy 100% of the recommended treatments. The recommendations will be adopted in September 2006 by the NPS Advisory Board.

Preservation Partners' Reports

National Park Service (NPS)

The President congratulated Jon Smith on his new position as the Assistant Associate Director for Heritage Assistance Programs at the NPS. Jon briefly described what his job entails - the Heritage Assistance Programs include: the Federal Historic Preservation Tax Incentives Program; the National Heritage Areas Program; the National Center for Preservation Technology and Training (NCPTT); the American Battlefield Protection Program; the Federal Preservation Institute; the Heritage Education Services Program; and the Historic Preservation Grants Program.

Jon Smith followed up on Ted Sanderson's previous report on the NPS Advisory Board and noted that SHPOs should contact him if they have any suggestions.

Advisory Council on Historic Preservation (ACHP)

John Fowler, the Executive Director of the ACHP, reported that the comment date for the human remains policy has been extended to July 27, 2006. Nine regional meetings have occurred and the goal is to have something to present at the November 2006 ACHP Meeting.

The Archeology Task Force expects to complete several policy statements between August and December 2006. Many will deal with the issues raised by the House of Representatives Resources Committee National Parks Subcommittee.

The revision of the ACHP's strategic plan will begin in August 2006 and is scheduled to be adopted in November 2006.

The ACHP is currently recruiting for two historic preservation specialist positions - to complete the build-out due to the closure of western office; and to replace Karen Theimer-Brown.

The May ACHP meeting focused on the Energy Policy Act. That discussion may lead to the establishment of a Bureau of Land Management (BLM) liaison position at the ACHP.

Preserve America Summit and Opportunities for SHPOs

The Preserve America Summit will be held in New Orleans October 19-20, 2006. Eleven issue areas have been identified - building a preservation ethic and public appreciation for history; coordinating the stewardship and use of our cultural patrimony; determining what is important; protecting places that matter; improving the preservation program infrastructure; dealing with the unexpected; addressing security; using historic properties as economic assets; involving all cultures; fostering innovation; and participating in the global preservation community. Each of the issue area co-chairs have been asked to nominate a panel of experts that they will work with over the course of the summer to come up with recommendations to be considered at the

Preserve America Summit and Opportunities for SHPOs *continued*

Summit. The Summit is being managed by the ACHP, but there is significant involvement from the White House. The goal of the Summit is to develop recommendations about how to move the preservation movement forward.

Regarding the infrastructure issue area, the Board of Directors discussed at length whether there is a need for an independent preservation agency to oversee the nation's historic preservation activities, rather than the bifurcated leadership from the ACHP and the NPS. The Summit will be a good opportunity to examine the current state of historic preservation and if there are there better ways of doing business. The Board of Directors discussed the question: "If you were designing the historic preservation program today, what would you do?" It was the initial consensus of the Board of Directors that one independent agency would be a better partner for the national preservation program.

NCSHPO Strategic Planning Process

Cathie Matthews thanked Larry Oaks for providing Tracey Silverman, the Agency Planner for the Texas Historical Commission, to lead the NCSHPO in their strategic planning process. Tracey Silverman briefly summarized the process which will take place on July 17, 2006.

NCSHPO Staff Reports

Whistle-blower Policy

The Executive Director indicated that one of recommendations from the NCSHPOs 2005 audit was that the organization have a whistle-blower policy. There was a brief discussion about whether the NCSHPO attorney should review the policy and it was concluded that the Executive Director will send the draft whistle-blower policy to Raffa & Associates, the NCSHPO auditors, for their determination of whether an attorney first needs to review the policy before adoption. Kak Slick moved, Ray Luce seconded and the Board of Directors voted unanimously to adopt whistle blower policy in the employee manual after first asking Raffa & Associates about the necessity of a legal review.

Upcoming Meetings

The Assistant Director noted that the Fall Board of Directors Meeting will be held October 30-31, 2006 in Pittsburgh, Pennsylvania in conjunction with the National Trust meeting.

Both the Wyoming SHPO and the Virginia SHPO have offered to host the Board of Directors in 2007. The Executive Committee will discuss this issue on a future conference call.

The Wisconsin and Arkansas SHPOs have also offered to host future Board of Directors meetings.

Working Visits to Louisiana and Mississippi SHPOs

The Assistant Director recounted her experiences working for the Louisiana SHPO from June 14 -16, 2006 and the Mississippi SHPO from June 19-21, 2006. The purpose of the visits was to assist the two SHPOs during a time of increased workload due to the continuing recovery efforts from Hurricanes Katrina and Rita. The Assistant Director noted the tireless efforts of both SHPOs and their staffs in the aftermath of the hurricanes.

Resolution of Thanks for January 2006 Executive Committee Meeting in South Dakota

WHEREAS, the Executive Committee of the NCSHPO set off in the dead of winter, January 21, 2006, to meet at the request of our President, Jay D. Vogt, in Deadwood, South Dakota; and

WHEREAS, after flying over the Badlands and grassland and mountains we landed in the middle of a vast pasture of grazing beef cattle in Rapid City, South Dakota; and

WHEREAS, to our surprise we were greeted with weather too good to be true - sunny, warm, an open landscape - surely besting the odds at any Deadwood gambling table; and

WHEREAS, we were whisked away by Jay to Dinosaur Park, where we observed numerous concrete CCC dinosaurs, including the rare T-Vogt; and

WHEREAS, we stayed at the historic Alex Johnson Hotel, walked the historic streets of Rapid City and toured the outstanding Journey Museum, featuring South Dakota through the Millennia, learned the meaning of "Dead Man's Hand (it's over, Partner)", and ate buffalo burgers to die for; and

WHEREAS, we then gathered in Deadwood, stayed at the historic Bullock Hotel and learned what kind of preservation you can do with \$6 million in preservation funds from the gambling industry in a town of 1300; and

WHEREAS, we did serious NCSHPO work at our all-day meeting in the board room of the Chamber of Commerce, were served a locally-prepared and delicious lunch, and surely set a record for the most inexpensive NCSHPO meeting ever; and

WHEREAS, we checked out Mt. Moriah Cemetery, where Calamity Jane and Wild Bill Hickok are buried side-by-side; Kevin Costner's Restaurant, which is short on the Secretary's Standards; Saloon # 10, where you learn never to sit with your back to the door; and enjoyed some of the best food in the country and never paid more than \$3 for a drink (Ted, where were you?); and

WHEREAS, we toured Lead, home of the Homestake Gold Mine (the largest and richest in the World) and learned that it's "In Gold We Trust", and then set off for Spearfish taking a beautiful and winding drive through the Black Hills on the Spearfish Canyon Scenic Byway; and

WHEREAS, we toured the D.C. Booth Historic Fish Hatchery where we learned all we wanted to know about fish hatchery artifacts and more; Jay's inability to tell the male trout from the females; and we fed the fish and watched them go crazy, thinking we were all going to go crazy if we didn't get something to eat, but eventually satisfied our hunger at Rowe's Restaurant with a fabulous meal and prices to kill for; and

WHEREAS, we headed home with a final stop at spectacular Mt. Rushmore and a great behind the scenes tour - Crazy Horse next time - and a departure from a magnificent State with some of the nicest people in America;

NOW, THEREFORE, BE IT RESOLVED, the Executive Committee of the NCSHPO Board of Directors hereby extends its belated, but no less sincere, thanks to Jay D. Vogt and the outstanding members of his staff, Chris, Steve, and Paige, Faith, and Claire, for hosting this meeting and for establishing a new standard of appreciation of our wonderful Country, and enjoyment and excellence for winter board meetings.

75th Anniversary of the New Deal

2008 is the 75th anniversary of creation of New Deal. Kathy Flynn, the Executive Director of the National New Deal Preservation Association briefly iterated what the organization is hoping to accomplish to mark the anniversary and sought to enlist the SHPOs to show off their New Deal projects in their states. The organization recently launched a website: www.newdeal75.org.

Adjournment

Ray Luce moved, Cathie Matthews seconded, and the Board of Directors voted to adjourn at 3:37 pm MDT.

Elizabeth Szufnar, Assistant Director, for Ruth Pierpont, Secretary

APPENDIX – TASK FORCE REPORTS

ADMINISTRATION STRATEGY TASK FORCE

Members: Jay D. Vogt, SD, Chair; Ted Sanderson, RI; Larry Oaks, TX; and Ruth Pierpont, NY

Purpose: Increase the visibility of the national preservation program and the Historic Preservation Fund appropriation for the States with the Administration.

1. NCSHPO president will meet in the spring of 2006 with the Director of the National Park Service (NPS) or the Associate Director for Cultural Resources of the NPS to discuss the FY2008 appropriation for SHPOs. COMPLETED - meeting held May 2, 2006.

Follow-up

- Develop a one-pager for NPS Director. Pending.
- NCSHPO President writes key administrative decision-makers. Completed.
- Larry Oaks, TX SHPO and NCSHPO Executive Committee Member writes First Lady Laura Bush for support. Pending.

2. NCSHPO President will coordinate with the Chairman of the Advisory Council of Historic Preservation (ACHP) on the approaches for the FY2008 appropriation for SHPOs. PENDING - meeting held May 31, 2006.

Follow-up

- ERA report, et al. given to ACHP Chairman. Completed.
- NCSHPO Executive Director arranges meeting with ACHP Chairman and ERA staff. Pending
- SHPO/ERA staff revises support material.
- NCSHPO President continues further coordination with ACHP Chairman on Administrative contacts.

APPROPRIATIONS TASK FORCE

Members: Cathie Matthews, AR, Chair; Franco Ruffini, OH; Ray Luce, GA; Elizabeth Hughes, MD; Judy Bittner, AK; Terry Colley, TX; David Morgan, KY

Purpose: to work with SHPOs, particularly ones with Appropriators, to contact their members of Congress to increase the Historic Preservation Fund in the federal budget

The list of 28 Senate appropriators was divided among the task force members who contacted the appropriate SHPOs to ask their respective Senators serving on the Senate Interior Appropriations Interior and Related Agencies Subcommittee to work to appropriate \$50 million to the states. Also these callers encouraged the SHPOs to contact their partners in preservation and the private sector for their assistance in this endeavor.

The Appropriations Task Force will be ready to make more calls when the need arises.

RESOURCES TASK FORCE

Members: Dorothy Guzzo, NJ, Chair; Wayne Donaldson, CA

Purpose: to work with SHPOs, particularly ones with key members, to contact Congress about non-appropriations historic preservation issues.

No report provided.

HERITAGE TOURISM TASK FORCE

Members: Elizabeth Hughes, MD, Chair; Wilson Martin, UT; Larry Oaks, TX; Kak Slick, NM

Purpose: Develop the “critical path” for achieving the goal of positioning SHPOs as leaders or significant partners in the tourism and travel industry with Congress, federal and state agencies, and private sector partners.

No report provided

HOMELAND SECURITY TASK FORCE

Members: Allyson Brooks, WA, Chair; Wayne Donaldson, CA; Kathleen Kilpatrick, VA; Susan Pierce, WV; Ruth Pierpont, NY

Purpose:

No report provided

REHABILITATION TAX CREDIT IMPROVEMENTS TASK FORCE

Members: Jim Garrison, AZ, Chair; James Hamrick, OR; David Morgan, KY; Larry Oaks, TX; Ruth Pierpont, NY; Brona Simon, MA

Purpose:

Since the 2006 NCSHPO Annual Meeting, the Task Force distributed a questionnaire and received 56 responses. The questionnaires were tabulated and responses consolidated. Below is the status of our task list issues. This information has been forwarded to Sharon Park at NPS.

Summary of Tax Act Process Issues:

1. Request for examples of projects that required changes even though the state felt they already minimally met the standards.
The survey indicates that 35% of the respondents felt that NPS required the retention of a feature or space even though the state did not feel the feature or space was character defining. We did not ask for specific examples.

REHABILITATION TAX CREDIT IMPROVEMENTS TASK FORCE *continued*

2. List of training courses related to project review.

The following training ideas were mentioned in the survey:

- i. Rehabilitation defined
- ii. Applying the SOIS – Understanding the Standards from a Homeowners Perspective and Helpful Hints in Dealing with Local Building Departments
- iii. I ALWAYS LIKE TO SEE MORE EXAMPLES AND IDEAS FOR ADAPTIVE REUSE.
- iv. RESTORATION VS REHABILITATION
- v. Something that leads to more consistency and promotes big picture preservation rather than ticky detail emphasis that causes owners and developers to opt out of the process...thereby, we lose event the big picture preservation. :
- vi. “Assessing Deteriorated Windows: How to Determine When Replacement Windows are Necessary”
- vii. Tax credits and the reuse of religious properties
- viii. Examples of successful ITC case study projects documented through the entire tax credit process
- ix. Interpretation of BRAC properties under the ITC program.
- x. Hands-on interpretation of typical issues such as storefronts, corridors, windows, code impacts, and infill and related new construction.
- xi. “Merging the Standards with LEED Certification”
- xii. Our SHPO already offers two regularly scheduled workshops a year on the tax credits and the Secretary’s Standards, not to mention all of the additional workshops and presentations that are specifically requested and designed. We also offer individual attention to those who ask and freely let everyone know that we are available. The only thing that the NPS could add to that is from their presence, not necessarily the content of the training. In that regard they participate in our annual statewide Preservation Conference every time we ask.
- xiii. Storefront design
- xiv. Modern materials for new construction.
- xv. TRAINING EVERY YEAR, HOW TO INCLUDE NON-PROFITS, CIRCULATION IN INDUSTRIAL BUILDINGS
- xvi. Window condition assessments
- xvii. “Qualifying for historic tax credits, from the investors’ point of view.”
- xviii. “Do I need a consultant to prepare the tax credit application?”
- xix. Determining interior significance
- xx. Rehabilitating a former industrial building: dos & don’ts
- xxi. Windows, historic steel, wood, & aluminum – have the review standards changed at NPS regarding true divided light?
- xxii. Applying the Secretary’s Standards consistently
- xxiii. Dealing with tax credit projects before Part II has been approved
- xxiv. HOW TO REVIEW TAX PROJECTS – offered annually
- xxv. Compatible new materials – but NPS is reluctant to put any guidance in writing
- xxvi. I would like to understand more about the syndication process/sale of credits
- xxvii. Please continue with the regular training programs for reviewers
- xxviii. I find the NPS reviewer training courses very helpful. It would be great if more scholarship money could become available so that more reviewers could attend
- xxix. Any courses or training offered by NPS would be appreciated and helpful
- xxx. The Black and White (rather than the Gray) Application of the Standards
- xxxi. We believe that the best approach is for new state reviewers to take advantage of the currently available new reviewer training put on by NPS. When other reviewers are encountering reviews that do not line up with NPS policy, we suggest that those reviewers take advantage of the new reviewer training as a reminder course.

REHABILITATION TAX CREDIT IMPROVEMENTS TASK FORCE *continued*

- xxxii. "Sensitivity Training for Developers of Historic Properties?"
- xxxiii. Rather than a title, how about encouraging (paying for even) states to send new (hired within the past six months) tax reviewers to DC to meet with the NPS staff and shadow them for a few days, rather than waiting for one of the every other year conferences. This would help new reviewers get to know NPS staff and vice versa – it always seems easier to call someone you know. They would also get to see a wide range of projects and identify the issues. I don't directly review projects and sometimes things that didn't seem like a problem to my untrained eyes, actually are when pointed out by more experienced reviewers. And then on the next project I can pick these things out more easily. It seems like giving new staff this kind of immersion would be very helpful. Could also offer a one-day refresher for experienced reviewers.
- xxxiv. Examples of projects that met the Standards
- xxxv. PHASING, LIFE SAFETY

3. List of future "Interpreting the Standards" bulletin topics that need to be addressed.

Suggestions from the survey:

- i. Compatible/Differentiated
- ii. Dealing with local building departments
- iii. MAYBE HOW TO DEAL WITH MODERN ARCHITECTURAL STYLES AND MATERIALS THAT ARE REACHING THE 50-YEAR MARK.
- iv. Tin ceilings (get Mike Jackson from Illinois to do it!)
- v. I think there needs to be a more grounded discussion of windows. I also think there needs to be a clarification on what needs to be preserved in interior spaces. It seems odd to me that we look only at the exterior for NR listing, but then get hung up on interior changes for Tax Act projects. It makes sense if/when the interior spaces/features of monumental or public use buildings are part of the features that qualify it for listing, but not otherwise.
- vi. INTERIOR FLOORPLANS: WHEN TO KEEP, WHEN TO REDESIGN.
- vii. "Treatment of Ghost Signs on Historic Buildings"
- viii. Infill and new construction
- ix. BRAC property interpretation and functional relationships
- x. New interior construction within large interior volumes/spaces
- xi. Code related issues and impacts, including ADA
- xii. Signage and lighting updates
- xiii. "Greening" your historic home
- xiv. Insulating historic buildings
- xv. Storm windows: design and energy conservation
- xvi. No, but a fully updated Rehabilitation Certification Handbook would be great
- xvii. What makes an interior significant
- xviii. Replacement windows
- xix. Standards #1 and #9
- xx. I would like to see additional information about "counting buildings" – that is, determining whether a property is one building or two, or more. We have had several submissions lately for buildings that are difficult to categorize.
- xxi. The bulletins and Briefs are great. Any and all additions are appreciated.
- xxii. Acceptable modifications to entrances for ADA access and acceptable rooftop additions
- xxiii. More information on rehabilitating textile mill properties. We are seeing a deluge of these projects.
- xxiv. Stone repair/replacement
- xxv. Textile mills, rehabilitation issues for mid-20th century buildings

REHABILITATION TAX CREDIT IMPROVEMENTS TASK FORCE *continued*

4. Consolidation of Rehab version of the Standards with the Grants version of the Standards (36CFR67 vs 36CFR38).

The survey found 86% supported the approach of adopting the newer version of the standards for tax projects. The strongest opposition is found in the following statement: "We STRONGLY disagree with using the "will" version of the Standards (36CFR68) over the "shall" version (36 CFR67). The 36CFR67 version is more attuned to the tax program and we urge great caution in changing the wording without careful consideration."

5. Insure guidance material references are to rehabilitation not restoration.

Not addressed in the survey.

6. Move to a more formal expedited or facilitated review process.

Not addressed in the survey.

7. Guidelines for owners seeking preliminary review.

Not addressed in the survey.

8. Potential benefits of using a Character Defining Features Check-list.

The survey found:

- i. 60% felt that the character-defining features or spaces should be identified at the beginning of the project. The main reasons respondents felt they should not be identified were 1) They may be hidden at the start of the project; 2) Don't add a step. It could add to the overall time burden; 3) This may become a rigid checklist that preempts thought and the understanding of a building that comes from working with it; 4) Ideally yes, but if it is done at the beginning that does not leave any "outs" if something is missed; 5) Don't consider backing the review into a corner because of some agreement made long before the full story of the building/project is known; 6) why define this for the entire building when the project scope may end up only affecting a small portion of the resource and 7) This is something that evolves as work, design and research progress.
- ii. When it came to documenting the character defining features or spaces 24 felt this should be done as notations on a pre-rehab as-built plan. 18 felt it should be a summary list taken from Part 2 of the application.
- iii. When asked if the character defining features and/or spaces should be triaged 52% said yes while 48% said no. Therefore there is no clear consensus on this issue. But one respondent said, "They already are- NPS sent out to the states in 1987, a memo on 'Rehabilitating Interiors of Historic Buildings.'" A copy of this has traveled with me and details what are the character defining features. I would suggest that this memo be pulled out and reread, or ask TPS/NPS to republish this."
- iv. When asked if the identification of character defining features and/or spaces should be thought of as a means to clarify eligibility, as a means to determine treatment or both, 62% said both, 37% treatment and 1% eligibility.

The conclusions I see from these answers, from the discussion at the Annual Meeting in March 2006 and from issue 1 above are:

1. The goal of any rehab project is to allow the building to house a contemporary use while preserving the character that makes it eligible for listing on the National Register; therefore, defining the character of the building is critical and has as much to do about eligibility as it does with treatment.
2. The sooner the character defining features and/or spaces can be identified the better, but there must be some way to deal with discovery of hidden features during the project.

REHABILITATION TAX CREDIT IMPROVEMENTS TASK FORCE *continued*

3. NPS becomes involved in the projects too late to be making significant eligibility calls on character defining features and/or spaces.
4. Using a pre-rehab plan as the means to record the character defining features and/or spaces has the following advantages: 1) the project architect must generate this plan anyway; 2) this plan forms the basis of any proposed demolition plan; 3) notations can be made during a walk through, 4) this approach comes the closest to the informal way states deal with this issue already.
5. Although many felt the character defining features and/or spaces should be documented in the Part 2 and in fact, this is the approach the Part 2 format suggests; it's simply too late in the project to second guess what the character defining features and/or spaces are while reviewing the Part 2. All the rehab decisions have already been made.

NATIONAL PARK SERVICE PROGRAMMATIC AGREEMENT TASK FORCE

Members: Judy Bittner, AK, Chair; Jim Garrison, AZ; Sara Needles, WY Ken P'Pool, MS

Purpose: The NPS/NCSHPO Programmatic Agreement Task Force is charged with negotiating, drafting, and implementing an active programmatic agreement between the two organizations.

- Judy Bittner was asked to Chair the NCSHPO NPS/PA Task Force when Jon Smith left the Indiana SHPO to take a job with the National Park Service.
- The Task Force has not met since the last report was submitted at the NCSHPO annual meeting in March 2006.
- The NPS emailed a revised timeline to Task Force members in April 2006.

The NPS revised timeline is as follows:

JANUARY 2005

- WASO E-mail information packet to all task force members

FEBRUARY 2005

- Feb 27 – Mar 2: NCSHPO Annual Meeting in DC: WASO meet with ACHP and NCSHPO to discuss strategy and role of NCSHPO task force members

APRIL 2005

- Apr 19: Kick-off conference call (NPS participants only)
- WASO circulate meeting notes for concurrence of task force

AUGUST 2005 – FEBRUARY 2006

- Aug 17: TASK FORCE MEETING in DC
- WASO develop consultation strategy based on meeting
- WASO circulate meeting notes to task force
- WASO develop Tribal and interested party mailing lists
- WASO prepare an informational mailing to Tribes and interested parties, including an invitation to participate in the development process

FEBRUARY - MARCH 2006

- WASO receive input/response from information mailing (deadline for responses: March 24, 2006)

MARCH - APRIL 2006

- WASO develop consultation strategy based upon response to informational mailing
- WASO circulate consultation strategy to task force for comment

NATIONAL PARK SERVICE PROGRAMMATIC AGREEMENT TASK FORCE *continued*

MAY 2006

- WASO schedule and organize consultation meetings (locations, invitees, number of meetings, etc. TBD based on response to mailing)

JUNE - SEPTEMBER 2006

- Conduct consultation meetings with Tribes and interested parties

OCTOBER 2006

- WASO develop “key components” (format and content) discussion paper based upon Tribal and interested party consultations
- WASO circulate discussion paper to all task force members for concurrence

NOVEMBER 2006

- WASO circulate discussion paper to all task force members, Tribes and interested parties for comment
- WASO develop 1st draft of PA

DECEMBER 2006

- WASO circulate 1st draft of PA to task force members
- WASO revise PA based on comments received

FEBRUARY 2007

- WASO circulate 2nd draft of PA to task force members, Tribes and interested parties

APRIL – AUGUST 2007

- Conduct consultation meetings with Tribes and interested parties on Draft PA
- Publish Draft PA in Federal Register
- WASO revise PA draft based on comments received

SEPTEMBER – DECEMBER 2007

- WASO circulate 3rd draft of PA to task force members, Tribes and interested parties for comment
- Publish “Final” PA in Federal Register
- WASO revise PA based on comments received

JANUARY 2008

- WASO will staff Final PA

FEBRUARY 2008

- Execution of Final PA at ACHP Quarterly Meeting

Tribal consultation meetings scheduled by the NPS

The NPS would like, to the extent possible, have the NPS Task Force members attend the meetings nearest their location. In addition, they will be inviting SHPOs and THPOs that are geographically appropriate for each meeting location. A meeting announcement was sent to all tribe in the Continental US Tribes in Alaska will be notified in a separate mailing when their meeting time/location has been set.

June 5, 2006

United South and Eastern Tribes Semi-Annual Meeting (on the agenda of the Cultural Committee meeting), Turning Stone Resort and Casino, Verona, NY

June 28, 2006 9:00 – 12:00

Spa Resort Casino, 100 North Indian Canyon, Palm Springs, CA

July 10, 2006 9:00 -12:00

Daybreak Star Indian Cultural Center, Discovery Park, Seattle, WA

August 1, 2006 9:00 – 12:00

Grand Casino Hinckley, 777 Lady Luck Drive, Hinckley, MN

August 3, 2006 9:00 – 12:00

Prairie Knights Casino & Resort, 7932 Highway 24, Fort Yates, ND

NATIONAL CONFERENCE OF STATE HISTORIC PRESERVATION OFFICERS

Minutes of the Summer Board of Directors Meeting

July 16, 2006

16

NATIONAL PARK SERVICE PROGRAMMATIC AGREEMENT TASK FORCE *continued*

September 19, 2006 9:00 – 12:00

Indian Pueblo Cultural Center, 2401 12th Street NW, Albuquerque, NM

September 21, 2006 9:00 – 12:00

Cherokee Casino Resort, 777 West Cherokee Street, Catoosa, OK

October 23, 2006 Meeting Time: TBD

Anchorage, AK Natives Annual Convention, Location: TBD

BUREAU OF LAND MANAGEMENT PROGRAMMATIC AGREEMENT TASK FORCE

Members: Alice Baldrice, NV, Chair ; Judy Bittner, AK; James Hamrick, OR; Wayne Donaldson, CA; Suzi Neitzel, ID; Mark Baumler, MT; Kak Slick, NM; Wilson Martin, UT; Claudia Nissley, WY

Purpose: The BLM PA Task Force will determine whether there are problems with the existing nationwide agreement between NCSHPO, BLM and the Advisory Council, and suggest solutions. Second, because the Advisory Council has targeted the BLM PA for revision sometime in the future, the recommendations/solutions of the NCSHPO can be used in this revision process.

Response from John Fowler:

On April 3, 2006, the NCSHPO BLM Task Force received a response from the Advisory Council on Historic Preservation (ACHP) to our letter (please refer to attachment). In the letter, Mr. John Fowler, the Executive Director of the ACHP stated:

1. The intention of the ACHP to “give attention” to the BLM PA in which a timeline was lacking; and,
2. A commitment by the ACHP to work on creating a BLM liaison position in Washington DC but not in Denver.

Mr. Fowler’s response was forwarded to Task Force members on April 27, 2006 with a request for Task Force members to submit comments to the chairman. I received two responses that indicated encouragement over the ACHP letter but indicated caution and a “wait and see” attitude.

Attendance at the Advisory Council for Historic Preservation Meeting:

Representing the BLM Task Force, I attended a meeting of the ACHP in Salt Lake City, UT on May 17-18, 2006 to hear a discussion of the Energy Policy Act of 2005 and its implications for historic preservation. In addition, I attended the Federal Agency Program Committee meeting to present BLM Task Force recommendations and discuss issues regarding the BLM. I explained the recommendations the BLM Task Force had made in our report and the head of the committee took the task force recommendations forward to the full ACHP for action. The ACHP passed a resolution to support the creation of a BLM liaison position on the ACHP staff (in Washington DC) and committed to moving the national PA to the top of the list for review. The ACHP was also interested in how BLM could use pilot funds for the energy states to update archaeological databases and provide additional staff to SHPO to process Section 106 on energy projects (WY, CO, NM, MT, and UT).

BLM Preservation Board Meeting:

On June 7, 2006, at the invitation of BLM, I attended a BLM Preservation Board Meeting in Salt Lake City, UT with Reid Nelson of the ACHP to discuss the implementation of the nationwide PA. I have covered some of the pertinent points from the meeting in an attachment to this letter. Official meeting minutes will be issued at some point in the future. There is actually a lot more detail to the minutes than discussed in the attachment but this may have captured the major points.

BUREAU OF LAND MANAGEMENT PROGRAMMATIC AGREEMENT TASK FORCE *continued*

Future of the BLM Task Force

1. The BLM is not supportive of opening the PA to amendment. BLM made it very clear to the ACHP that the PA and the state protocols are necessary to enact provisions of the Energy Policy Act. I believe the BLM doesn't want to involve numerous players in a process that might take years to resolve.
2. The ACHP is interested in canvassing tribes and public on how effective tribal consultation and public involvement have been. The ACHP also assured the BLM that it would not seek to terminate the PA. If amendments were deemed necessary following the information gathering process, the current PA would remain in force until the amendments were agreed upon and executed.
3. The BLM's Preservation Board has created its own small task force to work with NCSHPO and the ACHP in determining the best means of obtaining this information. All players have proposed to stay in touch for what may be a lengthy process.

NATIONAL REGISTER TASK FORCE

Members: Jim Draeger, WI, Chair; Jo Antonson, AK; Cynthia Howse, CA; Barbara Mattick, FL; Barbara Powers, OH; Claudette Stager, TN

Purpose:

No report provided