

In this issue ...

State and Tribal
Historic
Preservation
Offices Receive
Increases that
Boost HPF
Funding by \$8.7
Million in FY
2010 Budget

Cultural
Resources
Programs,
Historic and
Archeological
Inventories
Increased under
NPS Budget

FEDERAL UPDATE

Obama's FY 2010 Budget Boosts Historic Preservation Funding

President Obama released his entire FY2010 budget on Thursday and provided overall funding of \$12 billion for the Department of the Interior, including \$77.675 million for the Historic Preservation Fund (HPF) and \$20 million for the Save America's Treasures (SAT) program. The proposed increase for the HPF is \$8.691 million over FY'09 enacted levels and also includes an increased of +\$4.315 million to \$46.5 million for the States as well as an increase of +\$1.052 million to the Tribes to \$8.0 million. Preserve America received \$3.175 million after being zeroed out of the FY'09 omnibus spending bill earlier this year.

Below is a summary of the funding increases proposed for the HPF in comparison to FY'09 funding levels.

Historic Preservation Fund (HPF) Comparison of FY'10 Proposed and FY'09 Enacted Funding Levels (\$ in millions)		
Historic Preservation Fund (HPF) Program	FY'09 Omnibus Levels	FY'10 Proposed Budget
States (SHPOs)	\$42.185	\$46.5
Tribes (THPOs)	\$6.948	\$8.0
Save America's Treasures (SAT)	\$19.851	\$20.0
Preserve America (PA)	\$0	\$3.175
TOTAL	\$68.984	\$77.675

Other Budget Highlights

National Parks System (NPS)

- Operation of National Park System: \$2.26 Billion, including a -\$11.513 million overall reduction due to offsets of American Recovery and Reinvestment Act stimulus funds already allocated (\$146 million); however, there is +\$12.698 million increase for core operations of parks and \$401K to accelerate the preparation of recreation and resource regulations that are needed to ensure continued recreational enjoyment in balance with the protection of parks' natural and cultural resources.
- Heritage Area Partnerships: \$15.7 million (level funding)
- Cultural Programs (NPS): \$23.206 million (+371K increase)
- Park Partnership Grants (i.e. Centennial Parks Initiative): \$25 million to encourage public-private partnerships for signature projects in the national parks, including historic sites.
- Resource Stewardship: \$2 million for Historic and Archeological

Inventories, including \$1 million for historic structures and landscapes and \$1 million for archeological sites.

- Civil War Battlefield Grants: \$4 million (level funding).
- NAGPRA grants: \$2.331 million (level funding).
- Japanese American Confinement Sites Grants: \$1 million (new funding).

Bureau of Land Management (BLM)

- \$94.855 million for BLM budget which includes a cut of -\$135K in the agency's cultural resources budget.
- National Landscape Conservation System: \$28.801 million for National Monuments and National Conservation areas, which is an increase of +\$605K. \$1.754 million provided for maintenance of the Conservation System (level funding).
- BLM Land acquisition from Land and Water Conservation Fund includes \$500K for California Wilderness and \$2 million for King Range National Conservation Area (CA); \$2 million for La Cienega Area/El Camino Real de Tierra Adentro National Historic Trail (NM); and \$2.1 million for Sandy River/Oregon National Historic Trail (OR).

Department of Agriculture

- Farm and Ranchland Protection Program: \$120 million - Provides matching funds to help purchase development rights to keep productive farm and ranchland in agricultural uses. Working through existing programs, USDA partners with State, tribal or local governments and non-governmental organizations to acquire conservation easements or other interests in land from landowners. USDA provides up to 50 percent of the fair market easement value of the conservation easement. 2008 Farm bill included historic and archeological resources located on rural land as eligible for easement protection. President's budget proposes cancelling any mandatory funding for this program in excess of \$120 million.
- U.S. Forest Service Capital Maintenance: \$50 million for infrastructure improvements, including those that are restored with 2009 American Recovery and Reinvestment Act investments. The budget reflects Forest Service continued use of authorities that permit the agency to apply proceeds from the sale of excess facilities to replace other deficient facilities or perform needed rehabilitation work on existing facilities.

Independent Agencies

- Smithsonian Institution: \$125 million, including a \$15 million Legacy Fund for major restoration, renovation and rehabilitation of existing Smithsonian facilities.

House Committee
Authorizes
Additional
Funding for
Greening of
School Structures
for Energy
Efficiency

House Education Committee Approves Additional Funding for Green Schools

The House Education and Labor Committee held a markup on Wednesday and approved a \$20 billion, five-year bill (HR 2187) to renovate and rebuild school buildings with an eye toward making them more energy efficient and at the same time creating construction jobs to help the ailing economy.

Introduced by Rep. Ben Chandler (D-KY), HR 2187 would inject \$6.4 billion into school construction in fiscal 2010 to make renovations aimed at making schools safer, healthier and more environmentally friendly. President Obama has indicated he is in favor of the concepts of the bill, if not the bill itself, and backed the part of the earlier stimulus bill which provided \$8.8 billion for school "modernization". The National Trust has been working through statewide preservation organizations to ensure that older schools get their fair share of rehab and energy efficiency stimulus funding passed earlier this year. The additional funding will come as welcome news to these efforts.

The funds in HR 2187 "can be used for, among other things, roofs, including "green" roofs, storm water runoff systems, windows, acoustic enhancements, bringing buildings into compliance with safety codes, complying with the Americans with Disabilities Act, removal of asbestos or other hazardous materials, reduction of noise pollution, and renewable energy heating systems."

The measure also authorizes \$600 million from fiscal 2010 to fiscal 2015 specifically for schools in the Gulf Coast region, where many school buildings were destroyed or severely damaged by hurricanes Katrina and Rita in 2005.

Renewable Energy and Transmission Corridors Mark Up Delayed in Senate

Preservationists'
Eminent Domain
Concerns Still at
Issue in
Transmission
Corridor
Provisions

Senate Energy and Natural Resources Committee chairman Jeff Bingaman (D-NM) has delayed until next week a markup of a draft renewable energy bill that was originally scheduled for this week. The markup had already been postponed once over disagreements that remain over a renewable-electricity mandate for energy companies as well as controversial siting proposals for National Interstate Electric Transmission Corridors (NIETCs).

As a result, Bingaman released an updated draft of the transmission corridor language in the bill on Wednesday, which was rewritten to reflect the concerns of the Energy committee's ranking member, Sen. Lisa Murkowski (R-AK). The revised language addresses the issue of which agency has the authority to site transmission lines. Bingaman's revised language would move authority for siting renewable-energy power lines from the Federal Energy Regulatory Commission (FERC) to the Department of Interior. Sen. Murkowski had objected to giving FERC, an independent agency, carte blanche to site the

new power lines which could cut through private property and require the use of eminent domain. In switching authority to the Interior Department, the revised bill would preserve the federal government's eminent domain power to supersede local and state authorities in siting transmission lines, but it would make that power subject to greater congressional oversight. Sen. Murkowski has not indicated that she will support the revised title as drafted by Bingaman.

However, it is unclear whether the Bingaman revision will be sufficient in addressing the decision rendered by the 4th U.S. Circuit Court of Appeals in February, which ruled the federal government lacked authority to overrule states that reject power line routes. The National Trust was one of the parties challenging the federal claims of eminent domain in the 4th Circuit in siting transmission corridors. Preservationists remain concerned that the push to site new corridors to meet renewable energy mandates will pose problems for historic and cultural resources located on public and private lands.

Lawmakers from both parties also have concerns about how the cost for building the new transmission lines would be allocated. It is unclear whether the costs would be paid only by states and regions receiving the new electricity, or whether the costs would be distributed throughout the states that host the power lines. As written, the transmission language gives the Interior Department the authority to determine cost allocations.

