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FEDERAL UPDATE

Oberstar Rolls Out Surface Transportation Reauthorization

House Transportation and Infrastructure Committee chairman James Oberstar (D-MN) rolled out his draft six-year, \$450 billion surface transportation authorization this week in spite of objections by the White House to delay the consideration of the bill by as much as 18 months. Oberstar was adamant in moving forward and has scheduled a committee markup for June 24th and also reiterated his threat not to extend the existing authorization past the end of the fiscal year. Included among the draft was a proposal to consolidate the Transportation Enhancements (TE) program -- the single largest source of federal preservation funding -- into a new Office of Livability with several other DOT programs that will emphasize intermodal planning and transit plans. Unfortunately, the draft authorization also consolidates or terminates more than 75 existing programs, including the National Historic Covered Bridge Program.

Also of concern to preservationists is a proposal to provide \$50 billion over six years to develop 11 authorized high-speed rail corridors linking major metropolitan regions in the United States. Siting of new high-speed rail could drastically impact smaller Main Street communities that have historic resources that can be affected by close proximity to rail. For example, in the Midwest, many of these rail routes will slice through dozens of community main streets -- disrupting traffic and creating new 110mph vibrations. Since many of these Main Street towns will see no tangible benefit from high speed rail service, it will be difficult to convince lawmakers to accommodate planning for these routes in a way that minimizes impact on these communities.

Under the proposed reauthorization, transit projects also would get a larger federal funding match under the plan. Currently, a 20 percent state and local investment in new highway projects is matched by 80 percent in federal funding. Transit projects, however, receive only a 50 percent federal match. Under Oberstar's plan, transit projects also would qualify for an 80 percent federal match. In addition, to expedite completion of projects, the new authorization would create an office in the Transportation Department to coordinate reviews by various agencies. The National Trust will be closely monitoring the streamlining and coordination of surface transportation project review to ensure they meet the standards set for Section 4(f) of the Department of Transportation Act.

House Appropriations Committee Approves Increases for
Preservation Funding for FY 2010

The House Appropriations Committee markup took place in the House on Thursday and approved the subcommittee-passed levels for the Historic Preservation Fund (HPF) of \$90.5 million, including \$30 million for Save

House While
Senate
Subcommittees
Receive Budget
Allocations for
Pending Mark
Ups Next Week

America's Treasures (SAT), \$46.5 million for the States, \$8 million for the Tribes, and \$6 million for Preserve America. The Committee also approved funding for the National Landscape Conservation System (NLCS), which included a \$2 million increase over the president's budget, for total proposed funding of \$74.135 million

In the Senate, the Full Appropriations Committee met on Thursday to approve its subcommittees' budgetary allocations and included \$32.1 billion in budget authority for the Interior-Environment Appropriations Bill for FY 2010. Senate mark ups should begin next week although the Interior Bill mark up schedule is still pending. Below is a complete breakout of funding approved by the Committee for FY 2010 in comparison to FY'09-passed levels and FY10 proposed budget levels:

Historic Preservation Fund (HPF) Program	FY'09 Omnibus Levels	FY10 Proposed Budget	House Mark Up Level
State Historic Preservation Offices	\$42.185	\$46.5	\$46.5
Tribal Historic Preservation Offices	\$6.948	\$8.0	\$8.0
Save America's Treasures	\$19.851	\$20.0	\$30.0
Historically-Black Colleges & Universities (HBCUs)	--	--	--
Preserve America Program	\$0	\$3.175	\$6.0
National Inventory of Historic Properties	\$0	--	--
TOTAL	\$68.984	\$77.675	\$90.5

Eminent Domain
Provisions
Remain in
Renewable
Energy Bill for
Siting National
Interstate
Electric
Transmission
Corridors

Senate Energy Committee Finishes Work Renewable Energy Bill

The Senate Energy and Natural Resources Committee completed its markup of the renewable title of the Senate energy bill that mandates 15% of the nation's power come from renewable sources and also allows the federal government to exercise eminent domain and overrule state objections to siting transmission lines that would carry electricity produced from renewable sources. The National Trust remains opposed to the eminent domain provisions and supported a Federal district court ruling in February that upheld states' right to object to Federal siting decisions, particularly as they could affect historic and cultural resources.

Although the committee approved the bill in final by a 15-8 vote, serious divisions still exist over offshore drilling provisions that would open a vast new area of the eastern Gulf of Mexico to oil and gas exploration. Senator Ben Nelson (D-FL) reiterated his threat to filibuster the bill on the Senate floor if the offshore provision remains in the bill because it violates an agreement to

preserve a large buffer off Florida's beaches that was made to win support for a 2006 drilling bill (PL 109-432). The 2006 law expanded drilling in the Gulf and allowed four coastal states to share royalties. Sen. Robert Menendez (D-NJ) has backed Nelson's opposition to the expansion of offshore drilling and also vowed to join him in a filibuster, while Sen. Mary Landrieu (D-LA) objected to the panel's rejection of language that would expand the sharing of royalty revenue from new drilling with the states.

Senate Banking Committee Hearing Focuses on Green Communities and Sustainable Growth Policies

The Senate Banking, House and Urban Affairs held a hearing on June 16th to examine the potential benefits of coordinating federal policies in furthering the goals of greener communities and sustainable growth patterns. The hearing provided a platform for the announcement of a landmark agreement and partnership between the Department of Housing and Urban Development (HUD), the Department of Transportation (DOT), and the Environmental Protection Agency (EPA) to coordinate housing, transportation and environmental policy in new ways that will emphasize integrated land use, housing and transportation planning through state-of-the art modeling and regional development plans.

HUD Secretary Shaun Donovan took the lead in touting his department's new "Sustainable Communities Initiative" that will establish a single point of contact for the new interagency partnership and create a \$100 million to fund a vigorous competition for integrated planning partnerships and the state and regional levels that span jurisdictional boundaries and barriers. In addition, \$40 million in grants will be made available for competitive grants that specifically target research into innovative "inclusionary zoning" and land use that emphasizes location-efficiency and housing affordability. The National Trust and the preservation community hope to capitalize on this new source of funding to study role of preserving and retrofitting historic structures in creating sustainable communities.

EPA Secretary Lisa Jackson and DOT Secretary Ray LaHood provided ample backing for Donovan's testimony by emphasizing the need for more transportation choices and 'preserving unique communities.' Jackson noted that the goal of the partnership should be to reduce vehicle miles traveled and to foster smart growth policies that allow people to live close to where they work. Jackson also gave strong support for addressing brownfield sites for environmental remediation. Donovan added that HUD will take the lead in the partnership to establish an 'affordability index' that will use sophisticated mapping and tracking technology that examines the relationship between housing, transit, schools and other factors in growth and land use patterns.

STATE AND LOCAL UPDATE

California State Parks Struggle to Survive Budget Crisis

California
Lawmakers
Propose State
Park Access
Program to
Create Revenue
Stream for State
Parks

State budget woes continue to plague the future of the California parks system and California legislators are struggling to keep the parks open in the face of additional budget cuts approved this week by a Budget Conference Committee in the California State Assembly. The conference committee voted to eliminate \$70 million in General Fund support for state parks, placing more than 200 park units at risk for closure. However, in a separate action the Budget Conference Committee also voted to implement the State Park Access Pass, a measure that would create a dedicated funding source to keep California's state parks open. The State Park Access Pass would institute a \$15 surcharge on annual vehicle license fees for non-commercial vehicles in order to provide Californians with free day-use access to state parks and generate much-needed revenues for the system. Without the State Park Access Pass revenue, the elimination of General Fund support will have a devastating impact on California state parks and the unique heritage they protect. The National Trust is mobilizing its California members and preservation advocates and asking them to contact their legislators and support the \$15 surcharge provision.

The California's state park system, the largest state park system in the U.S., encompasses a vast array of historic sites that chronicle the state's rich and storied heritage. The system includes 51 designated State Historic Parks, and protects and interprets sites ranging from the Angel Island Immigration Station, just restored and reopened to the public, to the 101-year-old Colonel Allensworth State Historic Park, recently saved from a proposed factory farm on its border. In addition, one of the National Trust Historic Sites, the Cooper Molera Adobe (located within the Monterey State Historic Park), would be affected by this action.

