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FEDERAL UPDATE

House Debates Climate Change Bill with Incentives for Retrofits of Historic Structures

The House of Representatives debated the American Clean Energy and Security Act of 2009 (HR 2454) late into the day on June 26th. HR 2454 includes a Building Retrofit Program (Section 202) that supports development of standards and processes for retrofitting existing residential and nonresidential buildings. Section 202 also authorizes the Secretary of Energy to provide funding to states to conduct cost-effective building retrofits, using local governments, other agencies or entities to carry out the work through flexible forms of financial assistance up to 50 percent of the costs of retrofits, with funding increasing in proportion to efficiency achievement, including retrofits of historic buildings.

Section 202 also contains a 120 percent boost in incentives promoting performance-based, energy efficiency for homes and buildings listed in the National Register of Historic Places included under the bill's Retrofit for Energy and Environmental Performance (REEP) title. For example, under the REEP Residential Buildings Program, awards include \$3,000 for demonstrated energy savings of 20 percent, pursuant to a performance-based building retrofit program; and \$1,000 for each additional 5 percentage points of energy savings. For nonresidential buildings, incentives are \$0.15 per square foot of retrofit area for demonstrated energy use reductions from 20 percent to 30 percent; \$0.75 per square foot for demonstrated energy use reductions from 30 percent to 40 percent; \$1.60 per square foot for demonstrated energy use reductions from 40 percent to 50 percent; and \$2.50 per square foot for demonstrated energy use reductions exceeding 50 percent.

House Passes FY 2010 Interior Appropriations and Increases Historic Preservation Funding

Higher Funding
Levels Approved
for SAT and
Preserve
America in House
but are Rejected
by Senate
Appropriators in
Mark Up

The House voted 254-173 to pass its fiscal 2010 Interior-Environment appropriations bill (HR 2996) on Friday that provides \$90.675 million for the HPF, which includes 46.5 million for the states, \$8.0 million for tribal preservation programs, \$30 million for Save America's Treasures (SAT) and \$6.175 million for Preserve America (PA). The figure for PA was slightly higher than the previously-reported \$6.0 million. Earmarked projects under SAT were limited to \$5.310 million under the report language (HRept. 111-180) released earlier in the week. In addition, the House committee report also stated its strong support of Historically-Black Colleges and Universities (HBCUs) historic preservation activities but noted that the stimulus bill passed earlier this year provided \$15 million to support these projects. The report language further stated that "there continues to be significant carryover balances in this program" (HBCUs) and "the Committee looks forward to providing additional funding once the carryover balances have been reduced."

The Senate Subcommittee on Interior marked up its version of Interior bill on

Tuesday and approved funding levels of \$46.5 million for the states, \$8 million for the tribes, \$20 million for the SAT from the Historic Preservation Fund (HPF) and \$3.175 million for Preserve America but out of the National Recreation and Conservation account of the Interior bill. The full Senate Committee on Appropriations marked up the bill on Thursday and approved the subcommittee's funding levels. The differences between the House and Senate on SAT and Preserve America funding levels will have to be ironed out in conference committee.

Historic Preservation Fund (HPF) FY 2010 Funding Levels (\$ millions)			
Historic Preservation Fund (HPF) Program	FY10 Proposed Budget	House Mark Up Levels	Senate Mark Up Levels
State Historic Preservation Offices	\$46.5	\$46.5	\$46.5
Tribal Historic Preservation Offices	\$8.0	\$8.0	\$8.0
Save America's Treasures	\$20.0	\$30.0	\$20.0
Historically-Black Colleges & Universities (HBCUs)	--	--	--
Preserve America Program	\$3.175	\$6.175	\$3.175*
TOTAL	\$77.675	\$90.675	\$74.5

* Funded in National Recreation and Preservation account, not HPF.

House Field Hearing Examines Impact of Climate Change on Chesapeake Bay's Historic and Cultural Resources

The National Parks, Forests, and Public Lands Subcommittee (Chairman Grijalva, D-Ariz.) and the Insular Affairs, Oceans and Wildlife (Chairwoman Bordallo, D-Guam) of House Natural Resources Committee held a joint field hearing on the impacts of climate change on historic and cultural resources located on the Chesapeake Bay on June 23rd. The hearing included a broad range of witnesses that included: Marvin Moriarty - regional director, U.S. Fish and Wildlife Service; Robert Wood - director, Cooperative Oxford Laboratory, National Oceanic Atmospheric Administration (NOAA); Michael Bojokles - mayor, North Beach, Md.; Donald F. Boesch - president, Center for Environmental Science; Anson H. Hines - director, Smithsonian Environmental Research Center; Bernie Fowler - former Maryland state senator; Skip Stiles - executive director, Wetlands Watch; Stuart Parnes - president, Chesapeake Bay Maritime Museum; and Tommy Leggett - waterman, Wicomico, Va.

During the hearing National Parks subcommittee chairman Raul Grijalva (D-AZ) was most supportive of historic preservation aims to save historic and cultural

Examination of Federal Policy Exposes Lack of Planning for Mitigating Impact of Sea-Level Rise and Climate Change on Historic and Cultural Resources Located in Coastal Areas

resources potentially affected by sea-level rise on the Bay, in particular George Washington's birthplace and the historic Jamestown settlement. NPS/Interior was represented by NOAA's witness, Robert Wood, who acknowledged that the Park Service's efforts to mitigate effects of rising sea levels were in a nascent phase, but included plans to map the Bay's cultural resources and historic sites and establish triage procedures for saving sites that are potentially endangered. The National Trust is submitting testimony for the hearing record to bolster these proposed federal policy efforts to address climate change's effects on historic and cultural resources nationwide.

In addition, Insular Affairs, Oceans and Wildlife subcommittee chairwoman Madeleine Bordallo (D-GU) used the hearing as a platform to promote her recently-introduced bill (HR 2685) which includes a title that authorizes the President to establish a National Climate Enterprise Administrator. Under the Bordallo bill, the Administrator would "coordinate international, Federal, and non-Federal activity to provide scientifically-based, authoritative, timely, and useful climate and climate impact data, meta-data, information, products, and services to Federal agencies, non-Federal contributors, and public and private end-users."

STATE AND LOCAL UPDATE

Preservationists Appeal to Governor to Save Charity Hospital in New Orleans

Governor Holds
Key to Fair
Hearing and
Analysis of
Competing
Proposals for
New Orleans
Medical Center

The National Trust is spearheading a grassroots effort with Louisiana preservationists asking them to urge Governor Bobby Jindal to support an independent cost benefit analysis of either restoring historic Charity Hospital or building an entirely new, state-of-the-art medical center that would completely devastate the surround historic Mid-City neighborhood in the process. More than 60 local, regional and national organizations, joining forces with the Foundation for Historical Louisiana (FHL) and the Trust are calling on Governor Jindal to order a third-party comprehensive cost-benefit analysis of the two leading medical center plans.

The battle to save the existing hospital continues to be plagued by contradictory claims about how to best bring a state-of-the-art medical center to New Orleans, with one plan espousing the benefits of rehabbing the historic Charity Hospital and another proposing the abandonment of Charity in favor of new construction. As recently as last month, Governor Jindal pointed out that Louisiana State University (LSU) needed a more detailed business plan for its new hospital. Reinforcing this, Louisiana State Treasurer John Kennedy testified to the Louisiana Legislature that "it would be a disgrace if we took all of this property, ask people - who were flooded, came back, and rebuilt - to move again, shut down business and level all of the buildings and then find out that we're not going to build a hospital there."

Meanwhile, in the state legislature, a bill (HB 780) that requires LSU to have a financing plan approved by the legislature before homes and businesses are seized by eminent domain passed with widespread support in the House by a vote of 94-2. Although the House saw the value in requiring a financing plan, the measure was unfortunately tabled by the Senate Education Committee.

To stay abreast of breaking developments on the Charity Hospital campaign, please visit <http://www.preservationnation.org/travel-and-sites/sites/southern-region/charity-hospital/>.

Pennsylvania House Approves Historic Preservation Incentive Program but State Budget Cuts Loom

The Pennsylvania House passed a bill (HB 42) on Wednesday establishing a Historic Preservation Incentive Program by a 193-2 vote. HR 42 will provide grants of up to \$15,000 for rehabilitation of historic residential buildings; state tax credits of up to \$500,000 for rehabilitation of historic commercial properties; and priority funding to properties located in Main Street and Elm Street areas, Enterprise Zones and Historic Districts. The bill now heads to the Senate.

However, the state's budget deadline of June 30th is fast approaching and the legislature is not close to having an approved budget. The Governor's Budget, the House Budget and the Senate Budget all propose varying degrees of program cuts and eliminations that will affect historic preservation programs, including:

- Elimination of the Museum Assistance line in the PHMC Budget that funds project grants, general operating support grants, and statewide grants, for statewide organizations like Preservation Pennsylvania, museums and historical societies.
- Elimination of funding for PA Heritage Areas.
- Significant reductions in the operating budget of the Pennsylvania Historical and Museum Commission which would affect not only staff but all the state-owned historic sites, the state museum, library and archives.
- Elimination or reduction of funding for Keystone Historic Preservation Grants.
- Reduction or elimination of funding for the Main Street and Elm Street programs.
- Reduction in the Housing and Redevelopment Assistance program.

