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Stimulus Proposal
Assembled for
Consideration in
Early January
May Include
Important
Preservation
Proposals

FEDERAL UPDATE

110th Congress Adjourns But \$850 Billion Stimulus Bill in the Works for Early January

The 110th Congress will officially sine die adjourn on January 3rd after a stuttering lame duck session failed to pass either an auto industry bailout or even a limited stimulus package to address the downward spiral of the U.S. economy this month. However, the Democratic leadership took the lead in announcing that a much bigger stimulus package – in the upper range of \$850 billion – was in the process of being assembled and readied for consideration in early January when the 111th Congress convenes on January 6th. In the interim, the National Trust and its preservation partners developed a stimulus proposal of its own for lawmakers' consideration to benefit a wide range of historic and cultural resource needs at the Federal and state level, either directly through grants or expansion of existing tax credits.

At the heart of the preservation stimulus package are the following proposed programs and policies.

- [Renewed Investment in America's Historic and Older Public Buildings and Infrastructure](#)
- [Main Street Reinvestment Grants for Strengthening Communities](#)
- [Historic Tax Credit Improvements for Jobs, Housing and Investment](#)
- [Historic Preservation Fund Emergency Jobs Program](#)
- [Federal Incentive Funding for State Rehab Tax Credit Programs](#)
- [Disaster Assistance for Iowa and Texas](#)
- [Public Land Investments for Jobs, Energy Delivery and Revitalization](#)

Under the proposed Emergency Jobs program, for example, the preservation stimulus proposal would provide \$100 million for state grants to historic sites to promote economic viability and energy efficiency retrofits; \$100 million for state grants for home energy assistance “for owner-occupied homes that contribute to National Register historic districts and emphasize energy efficiency upgrades and retrofits”; an additional \$30 million for Save America’s Treasures (SAT) grants for funding “priority for projects of national significance that specify a measureable jobs creation/maintenance component in a broad variety of eligible activities”; and \$100 million for State Historic Preservation Offices to provide Section 106 review for these expanded programs providing grant money to historic sites.

To learn about the full text of the preservation stimulus package, please visit <http://www.preservationnation.org/take-action/advocacy-center/platform/economic-stimulus.html>.

Nominees Will Shape the Policy Agenda for Historic Preservation Policy in the Coming Year in Key Areas such as Public Lands, National Parks, Cultural Resource Protection

Omnibus Public Lands Bill Kicked into Next Congress with SAT, Preservation America and

Obama Names Key Cabinet Posts for Interior, Transportation

President-elect Obama selected his two nominees for the Departments of the Interior and Transportation this week — two agencies that will dramatically shape the direction and scope of historic preservation policy in the new administration. Obama named Senator Ken Salazar (D-CO) as his administration's next Secretary of the Interior on December 16th. Salazar is a first-term Senator from Colorado with a keen interest in public lands and has been at the forefront of the political debate in the Inter-mountain West over oil shale leasing.

Salazar is considered a policy centrist and has been a strong advocate for increased funding and better management of the national parks. For example, he sponsored S. 2817 in the 110th Congress, a bill to create a \$100 million revolving fund to carry out a variety of initiatives in the parks, including a Cultural Resource Protection Centennial initiative. The purpose of this initiative would be to increase the knowledge of the National Park Service of cultural resources located within the National Park System through means such as surveys, studies, mapping, and documentation of the resources; and, improve the condition of documented cultural resources within the National Park System.

Obama named retiring Rep. Ray LaHood (R-IL) to be the next Secretary of Transportation. LaHood will be a key figure in the coming reauthorization of surface transportation programs next year which could have a great impact on key historic preservation protections under Section 4(f) of the Department of Transportation Act of 1966. Given the Obama transition team's pledge to have the greatest investment in public infrastructure since the building of the interstate highway system in the 50s, the importance of securing existing legal protections for cultural resources from highway and infrastructure projects from potential streamlining efforts will be paramount. In addition, the urgency and exuberance to spend stimulus money for infrastructure in a short span of time to boost the economy also potentially threatens to override or exempt highway projects from 4(f) review. The new Secretary will undoubtedly be faced with such pressures to streamline statutory reviews as stimulus funding is authorized and obligated next year.

Senate Omnibus Lands Package Delayed Until Next Year

The Senate leadership announced early in the lame duck session that it would be unable to take up a 150-bill omnibus lands package that included two key preservation bills which are caught up in the mire of negotiations over the lands package — S. 2262, a bill authorizing the Preserve America and Save America's Treasures programs, and S. 1139, a bill codifying the National Landscape Conservation System, which was previously listed on the National Trust's Eleven Most Endangered Historic Places list. Although the Senate

Conservation
System Bills

leadership has promised to bring up the lands package in early January, consideration of a huge stimulus package could push the lands bill back to February or even later.

National Trust Joins Legal Effort to Save Nine-Mile Canyon in Utah

Oil and Gas Lease
Sales for
Hundreds of
Thousands of
Acres in Nine-
Mile Canyon
Region Threaten
Significant
Prehistoric Rock
Art and
Archeological
Sites

The National Trust joined a coalition of environmental and preservation groups in a lawsuit on December 18th that will temporarily prevent the Bureau of Land Management (BLM) from issuing oil and gas leases on 80 contested parcels of Utah wilderness, including land adjacent to Nine Mile Canyon and other national parks, for thirty days (until January 19). Although BLM will go forward with auction, the agency has agreed not to issue the contested leases and will hold the proceeds from the sale in escrow until a decision is rendered by the U.S. District Court. If the leases are allowed, affected park sites in Utah would include areas in and near Nine Mile Canyon as well as areas just outside of Arches National Park, Canyonlands National Park and Dinosaur National Monument. If issued as proposed, the lease sale would elevate the already high levels of industrial traffic in the canyon, placing additional rock art sites in "world's longest art gallery" at risk.

In addition to the Trust, the environmental and preservation groups filing the case include: Earthjustice, Grand Canyon Trust, National Parks Conservation Association, the Natural Resources Defense Council, Sierra Club, the Southern Utah Wilderness Alliance, and the Wilderness Society. They issued the following joint statement:

"Our legal actions have delayed today's transfer of pristine Utah wilderness, but the fight is not over. We will get our day in court with BLM, and we will do all we can to protect Utah's unspoiled landscapes. Yet President Bush can still do something to save these areas: he can take Utah's unprotected wilderness off the auction block for good. This is not a mess that should be left to the Obama administration."

The Trust has been spearheading an effort to save the significant cultural resources of Nine Mile Canyon in Utah from inappropriate oil and gas development initially by placing the site on its 2008 Eleven Most Endangered Historic Places List. In addition, the Trust filed an official protest and began a grass roots campaign directed at the Bureau of Land Management (BLM) to stop the leasing of these lands, which include more than 10,000 prehistoric rock art images. In addition, although only a small portion of the Canyon has been systematically surveyed for cultural resources, at least 830 prehistoric sites have been formally recorded by archaeologists. It is estimated that these sites, which constitute the basis of the proposed Nine Mile Canyon Archaeological District, represent only about 10 percent of the overall total within the canyon.

What's Next?

The outcome of legal proceedings will depend on the following steps:

1. The coalition has negotiated a deal that will postpone issuance of the challenged leases until the U.S. District Court holds a hearing to address our arguments. The judge in the case will issue an order today setting a hearing date for January 16th.
2. The hearing will be on the coalition's motion for a preliminary injunction (PI) which will not be easy. If a PI is obtained, the lands will have been saved for the incoming Obama administration. If the coalition loses on the PI, the lease deal will be completed.
3. The BLM (Bush administration) agreed not to issue the challenged leases before January 19th. If the coalition does not get a PI and the lease deal is completed, the case will proceed to summary judgment and a new round of briefing and another hearing later in 2009. The judge may still in the end declare the leases unlawful. However, even before that, the Obama administration could take action to return the money paid for the lands and withdraw them from further consideration for leasing.

Prior to the lawsuit, the National Trust asked BLM for additional deferrals on the proposed leasing sites, which are available for review at http://www.preservationnation.org/issues/public-lands/additional-resources/NMC_Dec_19_2008_Protest.pdf. To review the legal brief filed with the District Court please visit http://docs.nrdc.org/land/files/lan_08121901a.pdf.

National Trust Fights VA Proposal to Demolish Historic Mid-City Area and Charity Hospital in New Orleans

In response to site selection announcements by the U.S. Department of Veterans Affairs (VA) and Louisiana State University (LSU) for their proposed new hospitals in New Orleans' [Mid-City neighborhood](#), the [National Trust for Historic Preservation](#) strongly urged the VA to work with the incoming Obama Administration to explore the alternative sites that would restore needed health care facilities faster and at less cost, while preserving much more of the historic Mid-City neighborhood from demolition. At the same time, the Trust noted that the VA's decision is based on the desire to co-locate with an LSU medical facility — whose projected \$1.2 billion funding is far from assured. "In selecting these sites, the VA and LSU have made a serious error. They chose the alternatives that will not only be the most time-consuming, costly, and complex, to implement, but will needlessly destroy a historic neighborhood where residents are struggling to rebuild their community in the wake of Hurricane Katrina" said Richard Moe, president of the National Trust for Historic Preservation. "The VA and LSU had other options, yet they chose

National Trust
Proposes
Alternative Site
for VA Medical
Facilities to save
Mid-City
Neighborhood
and Charity
Hospital in New
Orleans

the most difficult and destructive route to delivering health care to the region's veterans and a medical teaching facility to the community. We strongly urge the VA and LSU to reconsider, and take another look at other less harmful alternatives on the table."

"We placed [Charity Hospital and the adjacent Mid-City neighborhood](#) on our list of [America's 11 Most Endangered Historic Places](#) this year due to the threat these decisions pose to this historic neighborhood," Moe noted. "We believe that homeowners who have returned to New Orleans post-Katrina to rebuild their homes and their community should not lose their homes when other viable alternatives would be faster and more cost-effective in accomplishing the VA's and LSU's goals."

"The sites selected by the VA and LSU would demolish fifteen square blocks within the Mid-City National Register Historic District, including some 165 historic structures, most of them homes, to make way for the new hospitals," said Walter Gallas, director of the National Trust for Historic Preservation's New Orleans Field Office. "This is a lose-lose situation all around."

The National Trust for Historic Preservation, working with its partner the Foundation for Historical Louisiana (FHL) and local neighborhood groups, has identified other alternatives for siting the medical facilities. For more details on the Trust's alternative siting plans, go to <http://www.preservationnation.org/about-us/press-room/press-releases/2008/VA-Hostpital-Announcement.html>.

2008 Save America's Treasures Grant Recipients Announced

The President's Committee on the Arts and the Humanities (PCAH) and the National Park Service (NPS), jointly announced the awarding of \$10.52 million in federal competitive Save America's Treasures (SAT) grants on December 23rd, which are administered by the National Trust and made in collaboration with the National Endowment for the Arts (NEA), National Endowment for the Humanities (NEH), and the Institute of Museum and Library Services (IMLS). With these funds, 40 organizations and agencies will act to conserve significant U.S. cultural and historic treasures, which illustrate, interpret and are associated with the great events, ideas, and individuals that contribute to our nation's history and culture.

The 40 projects awarded competitive grants this year contribute key pieces to our nation's cultural and historic narrative. The 2008 awards span centuries from prehistoric artifacts at the **Utah Museum of Natural History** to our nation's founding told by the collections of **Historic Jamestowne** and **Valley Forge** to a 20th-century relic of World War II the **USS Becuna**. Some of this year's projects focus on great historical events, such as a rare broadcast of the **1963 March on Washington**, and others like the **Eastern State**

Forty Historic
Sites to Receive a
Total of \$10.52
million in SAT
Competitive
Grants

Penitentiary reflect our nation's ideals. This prison's innovative design—emulated for a century in dozens of countries—was the flagship of 19th century social reform, carrying out the Quaker belief that prisoners could repent and re-make their lives through reflection and hard work rather than harsh punishment and ill treatment. All of these projects face a variety of threats to their integrity and some like the Penitentiary and Frank Lloyd Wright's Annie Pfeiffer Chapel have been recognized by the private, nonprofit World Monuments Fund as endangered architectural and cultural treasures.

To review the complete list of the 2008 SAT grant recipients please visit <http://www.nps.gov/history/hps/treasures/download/2008SAT AwardsList.doc> and to full press release go to http://www.nps.gov/history/hps/treasures/SAT_Press_Release08.pdf.

STATE & LOCAL UPDATE

Michigan Rehab Tax Credit Enhancements Sent to Governor

On December 29, after years of effort by the Michigan Historic Preservation Network (MHPN) and a strong advocacy coalition, legislation (SB973 and HB 6496) expanding the state historic preservation tax credit program was presented to Governor Jennifer Granholm (D) for her signature. Nancy Finegood, Executive Director of MHPN said "We are excited about the potential this has for stabilizing and enhancing our state's communities while promoting historic preservation."

Among the enhancements to the state rehab credit include:

- Additional rehabilitation tax credits are available with a program cap of \$8 million in 2009, increasing \$1 million annually to reach \$12 million by 2013; with 25% of the additional credits to be allocated for smaller projects with less than \$1 million in qualified expenditures;
- State officials will also have the ability to award additional tax credits for a limited number of "high impact community projects" (e.g., those that demonstrate a dramatic positive community impact and the critical need for the additional credit in order to make the project feasible);
- A qualified taxpayer may assign all, or part, of the rehabilitation tax credit to another entity that has a Michigan tax liability (either income or business tax);
- For projects with less than \$250,000 in credits, the taxpayer may opt to collect a refund of the portion that exceeds their tax liability for the year; and
- The legislation increases the types of eligible projects to include those properties not located within a local historic district but are under historic preservation easements and are listed on the National Register

Michigan
Preservation
Advocates
Celebrate Major
Victory in
Securing State
Rehab Credit
Enhancements

of Historic Places, or within a National Register historic district.

For more details about the enhancements to the Michigan rehab tax credit please visit

[http://www.legislature.mi.gov/\(S\(ivol0xqsgk1jaczfztkpbmj\)\)/mileg.aspx?page=getObject&objectName=2008-HB-6496](http://www.legislature.mi.gov/(S(ivol0xqsgk1jaczfztkpbmj))/mileg.aspx?page=getObject&objectName=2008-HB-6496) and/or Michigan Historic Preservation Network at <http://www.mhpn.org/>.

OTHER NEWS ...

New Policy Features Available on PreservationNation.org

Preservation advocates can enjoy major upgrades to public policy content on PreservationNation.org that will help keep them informed of all of the National Trust's preservation policy efforts.

In December, a revamped Take Action platform landing page was created providing detailed information on the Trust's major platform policy and advocacy interest areas for the new Congress and the incoming Obama administration. Individual briefings have been posted on the following policy areas: sustainability, economic development, transportation, public lands, and federal stewardship and funding.

In addition, the new landing page includes new features that highlight preservation advocates and their policy work (Faces in Preservation); the Trust's proposal for a preservation economic stimulus package; interactive poll results that sampled advocates preservation priorities for the new administration; an election analysis of the November election and the fallout on Capitol Hill; and, a new interactive policy map that uses geo-coding to help web visitors and advocates explore and track state and local ballot initiatives across the country that have a major impact on State and local preservation policy efforts.

To view all of the exciting new policy web site features, go to <http://www.preservationnation.org/take-action/advocacy-center/platform/>.

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