



PRESERVATION
PARTNERS

September 30, 2024

Advisory Council on Historic Preservation
401 F Street NW, Suite 308
Washington, DC 20001

Dear Members of the Advisory Council:

On behalf of the below organizations, we would like to express our collective concerns regarding the process of introducing the proposed *Program Comment on Accessible, Climate-Resilient, and Connected Communities*. We believe that historic preservation has a role in addressing the climate crisis, and we share the Council's desire to expand the reuse and rehabilitation of historic buildings for housing, but these goals must be harmonized with sound preservation policy. This proposed Program Comment is novel in its conception, design, and scope, and will likely set a precedent for future ACHP actions. With this in mind, we ask that you proceed with careful consideration, according to the same guidelines you've crafted for other agencies.

The ACHP's guidance is clear about the need to consult with stakeholders in developing an outline, timeline, and outreach plan before the request for a Program Comment is made. Given the number of existing state and local level agreements that would be deeply impacted by the provisions of this Program Comment, such consultation is of the utmost importance. However, while the ACHP offered a short window for stakeholders to comment on the evolving concept of this Program Comment, no preliminary discussions took place.

Additionally, the official ACHP [website](#) contains a list of ten guidelines that a federal agency should consider when seeking a program alternative. These items are based on recommendations from the ACHP's 2021 Program Comment Review Panel. We respectfully point out that the following items were not fully addressed prior to the development of the draft, and we urge the Council to consider them now.

- 1) What are the federal agency's **goals** in seeking a program comment?
- 2) What is the **category of undertakings**?
- 3) What **metrics** are available to quantify the magnitude of the category of undertakings? (e.g., number of undertakings, frequency of their proposal, number of historic properties affected, workload statistics, etc.)
- 4) **Identify the part(s) of the standard Section 106 process the federal agency wants to tailor and explain why** such modifications are desired?

- 5) **What is the advantage** of using a program comment for this category of undertakings in lieu of conducting individual reviews under 36 CFR §§800.4 – 800.7? What are the anticipated benefits?
- 6) **Has the agency considered other program alternatives** that could address this need? If so, why is the program comment [or other approach in §800.14 (a)-(e)] the appropriate vehicle?
- 7) **Specify the likely effects** on historic properties that would result from undertakings to be subject to the program comment.
- 8) Specify the steps the agency official anticipates it will take to **ensure that the effects are taken into account** and any anticipated preservation benefits from this approach.
- 9) Identify the time period for which the program comment will be requested, **and why**.
- 10) **Detail any anticipated public or stakeholder interest** and how the agency official plans to arrange for public participation **appropriate to the subject matter and the scope of the category** and in accordance with subpart A of 36 CFR Part 800.

We hope that the Council will address the above guidelines prior to any further consideration of the proposed Program Comment. We welcome the chance to collaborate on ways to make historic preservation better facilitate the goals of this Program Comment, but we also fear that decisions made in haste will harm our historic places in perpetuity.

Sincerely,

National Conference of State Historic Preservation Officers

American Cultural Resources Association

American Institute of Architects

Asian & Pacific Islander Americans in Historic Preservation

National Alliance of Preservation Commissions

National Preservation Partners Network

Preservation Action

Society for American Archaeology

Society for Historical Archaeology