To: AIA HRC

Re: Comment on FR Doc # 2019-03658

Subject: Express your objection to the National Register rules changing

You are invited to join me in the teleconference to object to the changes planned for the National Register program by the Secretary of Interior Barnhard and his interim Director of the NPS.

Join me or request your own appointment and please spread the word. Click the link below and see how to add your objections to the office of OMB that is taking comments before final rulemaking.

<https://www.reginfo.gov/public/do/eo/eomeetingrequest;jsessionid=E54C7FC85CCEBDA942D6AA8941121938?id=8GGI_EZd7Q1BuiI72mXMbLB6g3DN3Kt-4z510sz2fDC2IoY7jkAEFwb0R3J6B6pVKdWC1p9AKEK5GG8zlNqULqMuxRm8jBjMgX3xgM8>

Barry Sulam

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P.S. There were at least **3,304 Comments to the 2016 amendments to the National Register regulations affecting all of the USA, the rights of SHPO and THPO ACHP**

<https://www.regulations.gov/docketBrowser?rpp=25&so=DESC&sb=commentDueDate&po=0&dct=N%2BFR%2BPR%2BO%2BSR%2BPS&D=NPS-2019-0001>

------------------------------------------------------------------------------------------------------------------------------------------ I have included two comments from organizations where I have an interest and one legal opinion from a Law Professor for you to consider before permitting this objectional rule change.

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**ID:** NPS-2019-0001-2307

**Tracking Number:** 1k3-99ml-guwk

AIA Comments to Rulemaking changes to NR programs:

The American Institute of Architects (AIA) is opposed to the proposed rule that would change the nomination process for the National Register of Historic Places. Enacted in 1966, the expressed intent of the National Historic Preservation Act (NHPA) was to “expand and maintain a National Register of Historic Places composed of districts, sites, buildings, structures, a nd objects significant in American history, architecture, archeology, engineering, and culture.” The AIA is concerned that the proposed changes would negatively impact the ability of the

National Register to appropriately execute this important mission. The proposed rule would constrain the public’s ability to recommend federal resources to their State Historic Preservation Office (SHPO) for nomination to the National Register. In addition, it also restricts the ability of the Keeper of the National Register to make eligibility determinations about federal properties,

requiring that the determination be made only “after consultation with and request from the appropriate SHPO and concerned Federal agency.” This will likely result in significant delays in the nomination process. These changes would limit the professional discretion of the Keeper and diminish the public’s voice in the process. By altering the process to determine eligibility, the proposed rule By altering the process to determine eligibility, the proposed rule could negatively

impact access to federal funding, including historic tax credits, to support historic preservation work. This would impair the work of architects and communities across the country to protect cultural heritage, preserve community identity, and reinvigorate local economies. Thank you for your careful review of the AIA’s concerns. Please do not hesitate to contact me if you have any additional questions or would like more information from the AIA.

Sincerely,

Kara Kempski

Manager, Federal Relations

The American Institute of Architects

**ID:** NPS-2019-0001-1123

**Tracking Number:** 1k3-99i2-zw9c

Sara C. Bronin

CT Trust for Historic Preservation (Board Chair)

Law professor Hartford Conn Historical

Today is Earth Day a day when we should be thinking about how to make it easy to reduce consumption and recycle existing resources. One of the smartest ways to realize these goals is to promote the retention and reuse of historic buildings, structures, sites, districts and objects. We have to make it easier, not harder, to engage in historic preservation activities at all levels of government. With this brief introduction in mind and with the acknowledgement that, of course, preservation has tremendous cultural, social, psychological, and economic value, beyond just its environmental value! I am writing in strong opposition to certain proposed revisions relating to the National Historic Preservation Act regulations.

As a professor at the University of Connecticut School of Law, I have written two books on historic preservation law, chair the Connecticut Trust for Historic Preservation, and serve as an Advisor to the National Trust for Historic Preservation. As a resident of Hartford, I am a former vice chair of the historic properties commission and am the current chair of the planning & zoning commission. As an architect and developer, I have seen firsthand how investment in historic assets can transform communities. In all of this work, I am deeply immersed in the laws that establish our preservation framework.

The proposed regulatory revisions appear to aim to conform federal regulations with amendments to the National Historic Preservation Act, which were adopted in 2016. I am strongly opposed to the regulatory revisions identified in this comment, because they would undermine the federal statutory framework for preservation and would make it harder to preserve Americas great places for future generations in that they:

(1) Unlawfully contradict federal statutes setting forth agency responsibilities,

(2) Unlawfully misinterpret the federal statutory provision regarding owner objection,

(3) Jeopardize full use of the federal rehabilitation tax credit,

(4) Place undue and unfunded mandates on State Historic Preservation Offices, and

(5) Are being proposed, unlawfully, without required tribal consultation.

**ID:** NPS-2019-0001-3075

**Tracking Number:** 1k3-99na-f7o0

RE: Proposed Revision of Regulations Governing Nominations to the

National Register of Historic Places

RIN 1024-AE49; Docket: NPS-2019-0001

84 Fed. Reg. 6,996 (Mar. 1, 2019)

Dear Acting Associate Director Beasley:

On behalf of the National Trust for Historic Preservation, I am writing to express the

National Trust’s deep concern over the proposed revisions to regulations promulgated by

the National Park Service (NPS) governing the listing of properties in the National

Register of Historic Places. Our view is that the revisions as proposed are not only

incompatible with the legal requirements of the National Historic Preservation Act

(NHPA), but would undermine the National Register as an essential tool used to protect

and preserve the Nation’s historic places, as envisioned in the NHPA. We strongly

oppose the revisions and respectfully urge that the proposal be withdrawn.