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Preserving America's Heritage

February 3, 2009

Mr. Jeffery F. Paniati
Acting Deputy Adminstrator
Federal Highway Administration
U.S. Department of Transportation
South East Federal Center Builing, 1200 New Jersey Avenue, SE
Washington, DC 20590

Dear Mr. Paniati:

As Congress and the incoming Administration move forward with plans to revive the economy, I wanted to bring to your attention an important consideration to ensure the smooth and efficient delivery of federal assistance and support. While the final form of the stimulus efforts has not emerged, it is evident that many components, such as support for public works and infrastructure improvement, energy development, and assistance for private sector job creation, will have the potential to impact historic properties across the Nation. Avoiding delay from environmental reviews, including the requirements of Section 106 of the National Historic Preservation Act to consider the impacts of federal actions on historic properties, will be critical to the success of these initiatives

The ACHP has primary responsibility for general oversight of the Section 106 process. Under our regulations, federal agencies routinely consult with State and Tribal Historic Preservation Officers (SHPOs and THPOs) and the ACHP to integrate historic preservation values into their projects. We are confident that foresight and preparation can ensure that economic stimulus initiatives carried out by your department can likewise move smoothly and swiftly forward.

I would like to offer some suggestions to help your department meet the upcoming challenges and extend the assistance of the ACHP to address your specific needs. First, let me urge that you consider the ways historic preservation goals and values can be linked to your stimulus projects. Many are the examples of successful economic development projects that use historic properties to meet their objectives. Reuse of historic properties can provide sustainable solutions to a wide variety of current needs and rehabilitation has been proven to produce more jobs per dollar invested than new construction. Similarly, projects that advance heritage tourism are proven economic generators, leveraging existing resources to achieve immediate results for a wide range of local businesses. ACHP staff would be delighted to work with your program staff to incorporate preservation tools into your stimulus efforts.

Second, we are committed to assisting federal agencies to maximize the efficiency of the Section 106 review process. To this end, I would encourage you to have your program staff examine whether using program alternatives that are specified in Section 800.14 of the ACHP's regulations might be useful tools.

I would also urge you to make sure that the preservation review infrastructure, ranging from your internal environmental and preservation review staff to SHPOs and THPOs, have adequate resources to complete reviews in a timely fashion. Our experience has shown it is critical for agencies, when confronted with extraordinary efforts to move projects in the most expeditious way, to be able to program administrative funds to support the essential efforts of SHPOs, THPOs, and even the ACHP review staff. In 1978, the Economic Development Administration funded staff at preservation review agencies to successfully expedite economic recovery projects. More recently, the ability to fund additional staff at State historic preservation offices contributed immensely to Gulf Coast recovery efforts in the wake of Hurricane Katrina. Again, our staff is prepared to discuss both the administrative and the financial arrangements that might be pursued to mutual benefit.

The ACHP stands ready to assist your department in meeting the challenges that efficient delivery of economic stimulus programs will present. Our Office of Federal Agency Programs is prepared to work with your staff and to explore opportunities for further collaboration. I urge you to take advantage of our experience in this area and to work closely with us early in the development and implementation of new regulations, policies, and directives related to economic stimulus efforts. We look forward to further consideration of this important issue at our next business meeting on February 20, 2009.

Sincerely yours,

John L. Nau, III

cc: Mary Ann Naber, Federal Preservation Officer