



# Role of the Feds

in historic preservation &  
climate policy

March 9, 2023

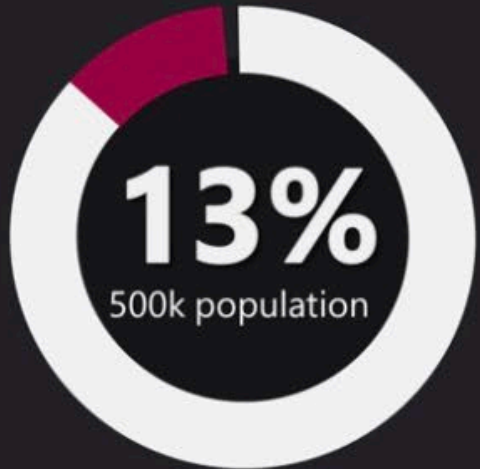


@USACHP

# Why I Care

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Sea level rise in 2100 (courtesy earth.org).



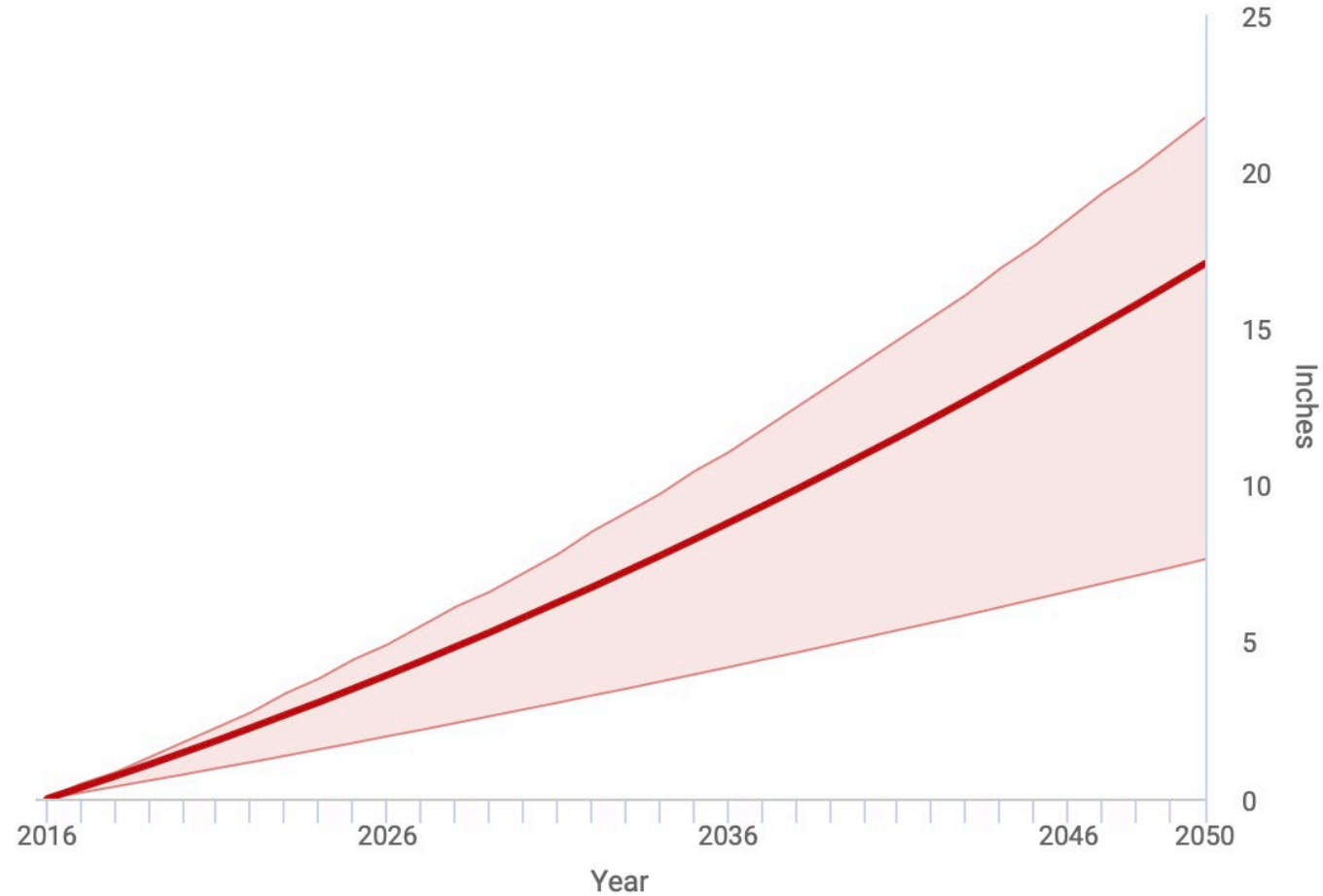


Houston, Texas, post Hurricane Harvey

# Sea Level Rise in TX

THE STATE IS PLANNING FOR 18" OF SEA LEVEL RISE IN PADRE ISLAND

Padre Island Sea Level Rise Forecasts

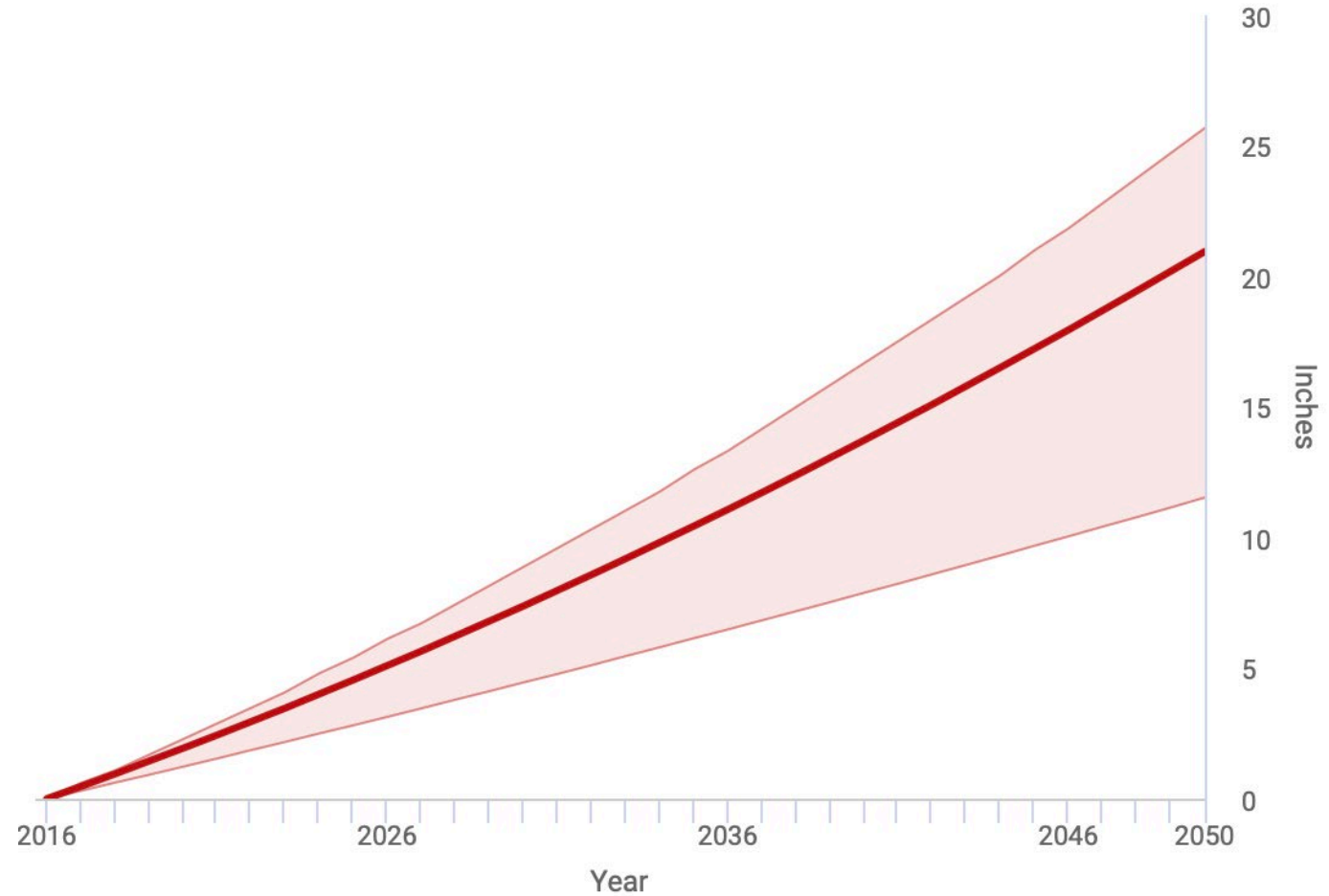


Source: University of Texas.

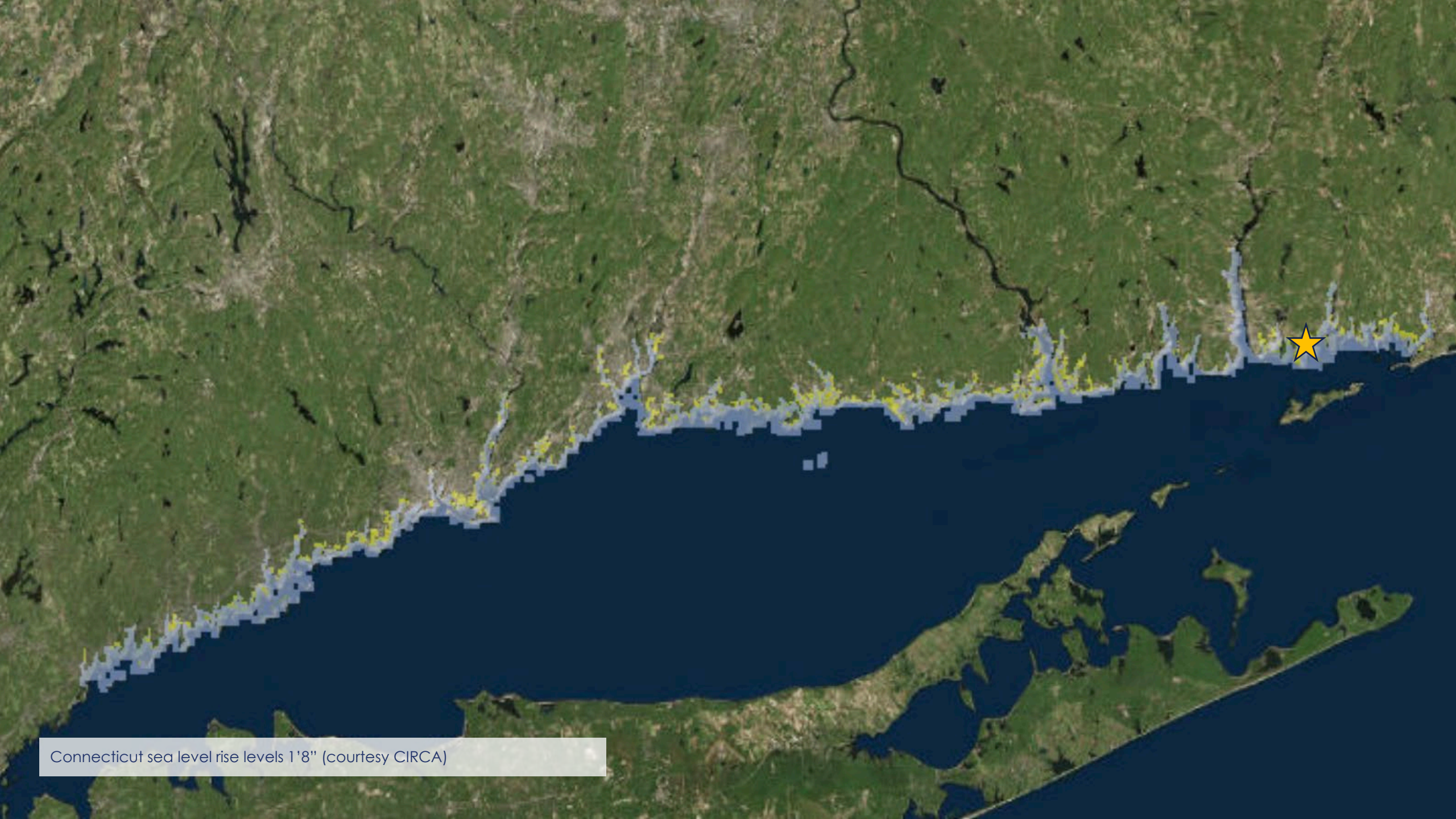
# Sea Level Rise in TX

THE STATE IS  
PLANNING FOR 22”  
OF SEA LEVEL RISE  
IN GALVESTON

Galveston Pier 21 Sea Level Rise Forecasts



Source: University of Texas.



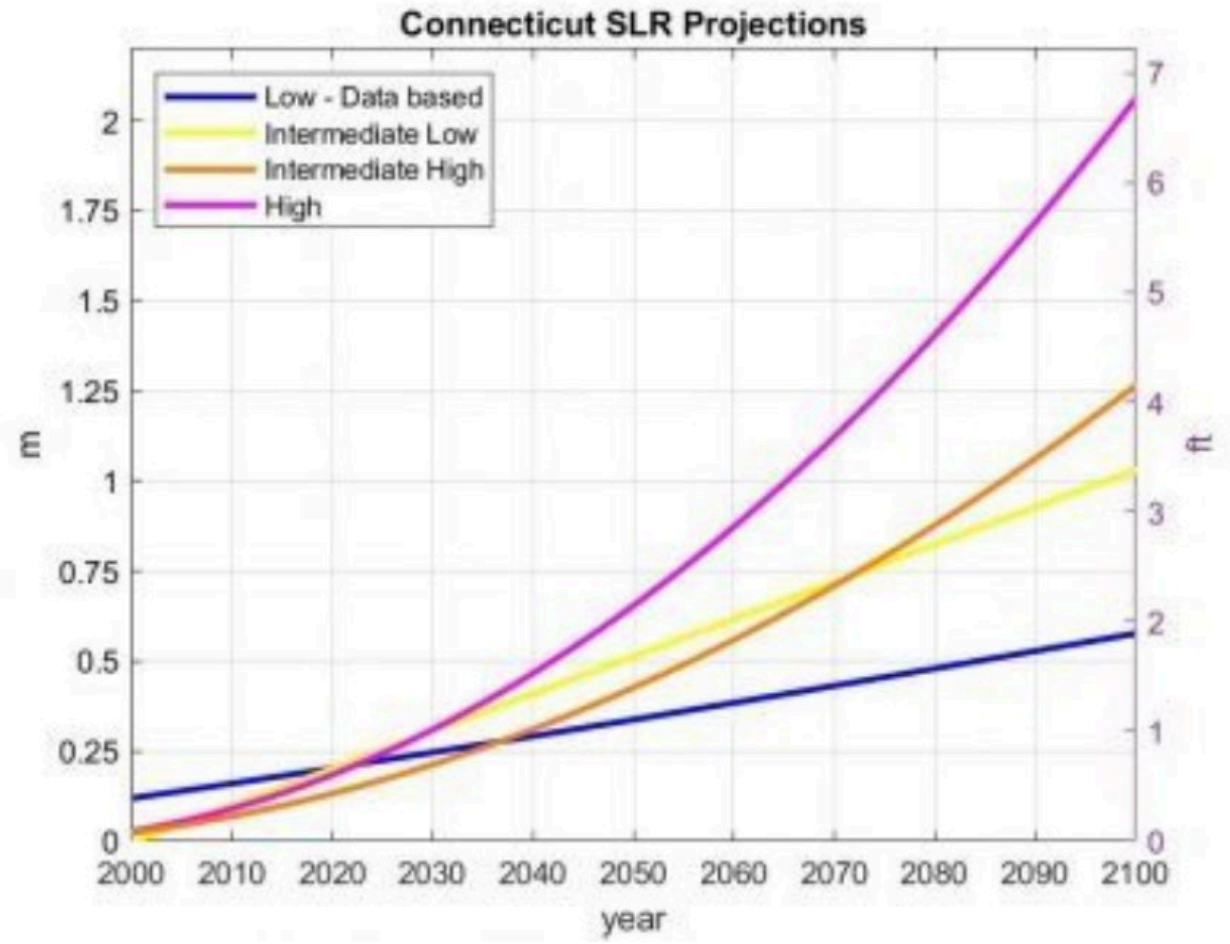
Connecticut sea level rise levels 1 '8" (courtesy CIRCA)






# Sea Level Rise in CT

THE STATE IS PLANNING FOR 20" OF SEA LEVEL RISE BY 2050.





Thomas F. Gallivan Chair of Real Property Law Sara C. Bronin  
and the Center for Energy & Environmental Law invite you to

# Historic and Green: A New Climate Agenda

Friday, January 24, 2020 | 8:30 a.m - 3:30 p.m.  
William F. Starr Hall | 45 Elizabeth Street, Hartford, Connecticut

# Local Laws Impacting Our Response

**UCONN** SCHOOL OF LAW  
CENTER FOR ENERGY & ENVIRONMENTAL LAW

MUNICIPAL RESILIENCE PLANNING ASSISTANCE PROJECT  
LAW & POLICY WHITE PAPER SERIES

## Floodplain Building Elevation Standards Current Requirements & Enhancement Options for Connecticut Shoreline Municipalities

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**Kristie A. Beahm**  
Legal Writing Fellow

May 1, 2018

This White Paper is sponsored by CIRCA, the Connecticut Institute for Resilience and Climate Adaptation. This work is made possible through a grant from the State of Connecticut Department of Housing Community Development Block Grant Disaster Recovery Program and the US Department of Housing and Urban Development.

**DISCLAIMER:** This white paper addresses issues of general interest and does not give any specific legal advice pertaining to any specific circumstance. Parties should obtain advice from a lawyer or other qualified professional before acting on the information in this paper.

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## Height Restrictions on Elevated Residential Buildings in Connecticut Coastal Floodplains

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## Statutory Adoption of Updated Sea-Level Rise Scenarios

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What is the Federal Role?

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# Advisory Council on Historic Preservation

24 MEMBERS

- Oversees the “Section 106” federal agency process reviewing impacts on historic places
- Advises the President, Congress, states, and local governments about preservation policy
- Addresses issues raised by tribal nations

# Our Draft Climate Policy

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# What's at Stake?

MORE THAN JUST  
LANDMARKS:  
NEIGHBORHOODS,  
CULTURAL  
LANDSCAPES,  
ECOSYSTEMS.

## National Landmarks at Risk

*How Rising Seas, Floods, and Wildfires Are Threatening  
the United States' Most Cherished Historic Sites*



[ Union of  
Concerned Scientists



# Who is the Policy For?

- Federal agencies
- States and tribal and local governments
- Community groups
- All of us



# What Does it Cover?

- Information Gathering
- Planning
- Mitigation
- Equity
- Flexibility
- Education
- Collaboration



# Information Gathering

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# Planning

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# Mitigation

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# Equity

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# Flexibility

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# Secretary of the Interior's Standards

- Preservation
- Rehabilitation
- Restoration
- Reconstruction





# 36 C.F.R. § 68.3

## (b) Rehabilitation.

- (1) A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces and spatial relationships.
- (2) The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces and spatial relationships that characterize a property will be avoided.
- (3) Each property will be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.
- (4) Changes to a property that have acquired historic significance in their own right will be retained and preserved.
- (5) Distinctive materials, features, finishes and construction techniques or examples of craftsmanship that characterize a property will be preserved.
- (6) Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive

feature, the new feature will match the old in design, color, texture and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.

(7) Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.

(8) Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.

(9) New additions, exterior alterations or related new construction will not destroy historic materials, features and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.

(10) New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.



# The Uses of the Standards

- Historic tax credits
- Easements
- State rules
- Local historic designation



# Sustainability Standards

2013



THE SECRETARY  
OF THE INTERIOR'S  
STANDARDS FOR  
REHABILITATION &

ILLUSTRATED  
GUIDELINES ON  
**SUSTAINABILITY**  
FOR  
REHABILITATING  
HISTORIC  
BUILDINGS



U.S. Department of the Interior  
National Park Service  
Technical Preservation Services

# Flood Adaptation Standards

2019



THE SECRETARY  
OF THE INTERIOR'S  
STANDARDS FOR  
REHABILITATION &

GUIDELINES  
ON **FLOOD  
ADAPTATION** FOR  
REHABILITATING  
HISTORIC  
BUILDINGS



U.S. Department of the Interior  
National Park Service  
Technical Preservation Services

# In My Prior Life

- A Relocation Treatment?
- A Deconstruction Treatment?



# Education

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# Collaboration

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# Thank You

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