



The Preservation Community's Unified Voice at the State Capitol since 1980



LEGISLATIVE ALERT

PLEASE TAKE IMMEDIATE ACTION

TO OPPOSE CHANGES TO THE STATE HISTORIC PRESERVATION OFFICE

We need you to email your State Senator and State Representative **TODAY** to **OPPOSE [HB 5433, An Act Establishing a Procedure for the State Historic Preservation Officer to Make Determinations Concerning Certain Environmental Effects.](#)**

Statewide and local historic preservationists as well as the State Historic Preservation Officer (SHPO) under questioning at the public hearing testified in opposition to HB 5433 because it puts our historic resources up for bargain sales to developers. By putting developers in the driver's seat this legislation will have disastrous unintended consequences to countless historic properties in our State.

This bill will make drastic changes to the way historic properties are approved by the State Historic Preservation Officer (SHPO) and will most certainly change the face of Connecticut with the loss of historic properties to the ages if this legislation were to pass:

- First, the bill puts the developer in the driver's seat during the SHPO's mitigation process. The legislation creates a financial off ramp that the developer can use at any time during the process to avoid the SHPO's mitigation requests and bypass the entire process resulting in a takedown of the property.
- Second, the bill will modify the oversight of SHPO. The bill will create an appeals process that will allow the Commissioner of the Department of Economic and Community Development to overrule any decision made by the SHPO without any consideration of reasonable and feasible alternatives.
- Third, the bill unwittingly opens the number of grants, awards, funds, and programs that the SHPO will be required to review. This new process will likely slowdown the process dramatically, potentially leading to a massive workload for a chronically understaffed agency. As a result of this increased workload and slowdown in approvals, more developers will exercise the financial off ramp leading to more takedowns of historic properties.

HB 5433 is ready to be voted on by the legislature and it is critical that you email your State Senator and State Representative to tell them to OPPOSE this bill!

Not sure who your State Senator or State Representative are?

Use this link to [Find Your Legislator](#):

Additional Talking Points

Here are talking points that you can use when contacting/emailing your State Senator and State Representative. Include your full name and town so they know you are a constituent from their district:

Overall Message: Historic preservationists do not support HB 5433 because it puts our historic resources up for bargain sales to developers. By putting developers in the driver's seat this bill will have disastrous unintended consequences.

The bill puts developers in the driver's seat during the mitigation process by creating a financial off-ramp.

- This bill gives developers who often do not hold the best interests of our historic communities at heart a clear off-ramp from the Connecticut Environmental Protection Act process.
- While the State Historic Preservation Office (SHPO) currently has a regulatory process that can include financial mitigation options, the office does not offer financial mitigation as a first choice because there are many other solutions in the preservationists toolbox.
- Instead, developers will know that projects can opt for a 15% fee and move ahead without the mitigation and bypass the entire process.
- The 15%, while significant for certain financial awards, generally represents a small fraction of the overall cost of a larger development project. For large projects - such as the adaptive reuse of a large historic mill - state funding often only represents 10% of a total project. The 15% off ramp therefore represents only 1.5% of the total cost of a project.
- For example, on a project with a total cost of \$45 million where \$3 million comes from the SHPO, if the developer decides to use the 15% off ramp. The developer would need to offer a financial mitigation of \$450,000 which is only 1% of the total value of the project.

This bill will modify the oversight of the State Historic Preservation Office.

- The bill will alter the appeal process that is already in place to allow for the Department of Economic and Community Development Commissioner to overrule SHPO's decisions.
- This places the Commissioner in a place to have more power over decisions than other state level agency commissioners, including Department of Energy and Environmental Protection or the Department of Transportation (both of which have significant work with historic properties).
- This could lead to times when the Commissioner is influenced by outside developers to change the decisions of the State Historic Preservation Officer's decisions that are made by professionals who are trained in the study of historic preservation and archaeology.