



Rulemaking: Historic Preservation Advisory Committee Procedures

**Public comments received
May 20 through May 26, 2022, 3:30 pm**



Submit a public comment on a rule

Oregon Parks and Recreation Department

Proposed rule change:

**Historic Preservation Advisory
Committee Procedures**

Commenter name (if provided):

Wendy Rahm

Location (if provided): Portland, OR

Public comment:

Please include this testimony unanimously approved on May 24 by the Downtown Neighborhood Association Board in opposition to the proposed rule change to OAR 736-050-0260(9).

Wendy Rahm
Portland, OR

Date comment received:

May 25, 2022 10:28 AM

Commenter email (if provided):

wwrahm@aol.com



Date: May 25, 2022

To: Oregon Parks and Recreation Commission

Copy: Oregon State Advisory Committee on Historic Preservation

From: Portland Downtown Neighborhood Association

Subject: Rulemaking for OAR 736-050-0260(9)

The Downtown Neighborhood Association (DNA) appreciates the service of both the Oregon Parks and Recreation Commission and the State Advisory Committee on Historic Preservation (SACHP).

The DNA was one of the groups affected by the October 2021 racist incident, resulting in the SACHP meeting being postponed which had been scheduled to hear the DNA-sponsored nomination of the South Park Blocks (SPB) to the National Register. This was expected to be the culmination of a two-and-a-half-year effort for this particular nomination, which many felt was long overdue. The DNA had managed to get testifiers to take time off from their work to be at this meeting. Its cancellation, while understandable, caused unrecognized damage to these individuals.

The temporary rule at the rescheduled meeting that created a digital firewall to protect members of the SACHP was understandable at that time. However, it eliminated the ability of presenters to be visible both to the committee and to other presenters. Public comments could not be delivered by individual testifiers, but were instead read by staff of Oregon Parks and Recreation Department.

It was soon apparent that this format harmed the voice and visible presence of the public at a public meeting. The negative impact was substantial in the case of the SPB nomination.

To respond to unjustifiable accusations, the DNA had scheduled one African American female testifier – the Oregon representative to the National Trust for Historic Preservation and Board President of the Architectural Heritage Center – and one female Native American-African American testifier, both of whom had strong personal testimony to deliver in support of the nomination. Instead of seeing their faces and hearing their testimony in their own voices, their testimony was read instead by a visible, white male staff moderator. The DNA went to great effort as did the testifiers to be sure there were demonstrable and varied perspectives at the hearing. And those who testified had taken time off to appear a second time.

It was clear to everyone that implementing this digital firewall did not serve equity interests at all. The rule was easily manipulated and misused so that the voices of some were elevated while others were neutralized.



The DNA submits that this rule is inconsistent with Oregon's Administrative Procedures Act (ORS 183). Now is not the time to add to the isolation brought on by the pandemic, nor is it the time to depersonalize (disembody) public voices or worse, silence them with baffling technology that also misfired. If implemented permanently, the new rule constitutes an undemocratic procedure.

The Portland City Council has returned to a mix of in person meetings with options for digital testimony. At a recent meeting, the atmosphere was joyous to have the City Commissioners face to face with the public. Both were smiling broadly. It restored a sense of democracy in action.

Therefore, the DNA opposes the adoption of language from the temporary rule and recommends instead that OAR 736-050-0260 should not be modified.

Thank you for your consideration.

A handwritten signature in black ink that reads "Walter E. Weyler".

Walter Weyler
Chair, DNA Board

A handwritten signature in black ink that reads "Wendy Rahm".

Wendy Rahm
Vice-Chair, DNA Board