

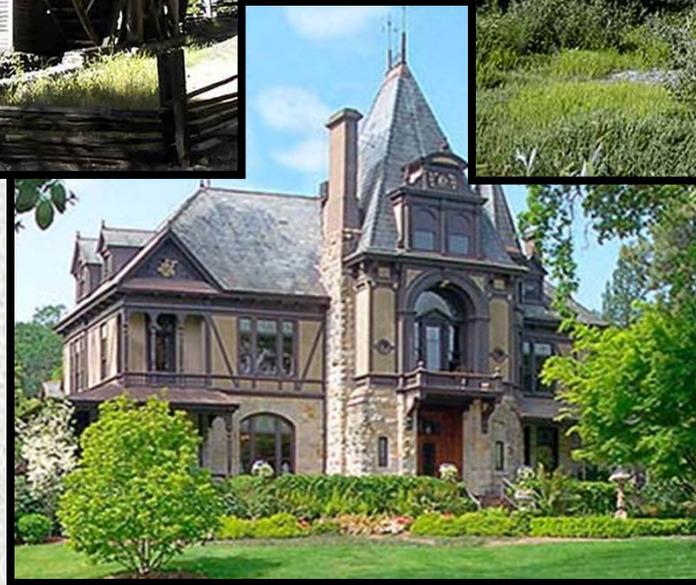


Historic Preservation Review Section 106 of the National Historic Preservation Act

Presented by
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California Office of Historic Preservation

HUD Environmental Training Seminar
San Francisco
February 8, 2011

Section 106 for the Uninitiated, Agitated, and Under Informed



Overview of Section 106

- Section 106 of the National Historic Preservation Act requires all federal agencies to take into account the effects of their undertakings on historic properties.
- Section 106 is “triggered” by the nature of federal involvement, not by the believed presence of historic properties.

Best Ways to Slow Down the Section 106 Process

Call the SHPO for assistance and then admit you’ve never seen, **much less read** the Section 106 regulations
Call the SHPO and state that you want a “SHPO letter”

36 CFR Part 800

36 CFR PART 800 -- PROTECTION OF HISTORIC PROPERTIES (incorporating amendments effective August 5, 2004)

Subpart A -- Purposes and Participants

- Sec.
800.1 Purposes.
800.2 Participants in the Section 106 process.

Subpart B -- The Section 106 Process

- 800.3 Initiation of the section 106 process.
800.4 Identification of historic properties.
800.5 Assessment of adverse effects.
800.6 Resolution of adverse effects.
800.7 Failure to resolve adverse effects.
800.8 Coordination with the National Environmental Policy act.
800.9 Council review of Section 106 compliance.
800.10 Special requirements for protecting National Historic Landmarks.
800.11 Compliance standards.
800.12 Construction of historic properties.
800.13 Post-review discoveries.

Subpart C -- Program Alternatives

- 800.14 Federal agency program alternatives.
800.15 Tribal, State and Local Program Alternatives. (Reserved)
800.16 Definitions.
Appendix A -- Criteria for Council involvement in reviewing individual section 106 cases

Authority: 16 U.S.C. 470a.

Subpart A-Purposes and Participants

§ 800.1 Purposes.
(a) Purposes of the section 106 process. Section 106 of the National Historic Preservation Act requires Federal agencies to take into account the effects of their undertakings on historic properties and afford the Council a reasonable opportunity to comment on such undertakings. The procedures in this part define how Federal agencies meet these statutory responsibilities. The section 106 process seeks to accommodate historic preservation concerns with the needs of Federal undertakings through consultation among the agency official and other parties with an interest in the effects of the undertaking on historic properties, commencing at the early stages of

project planning. The goal of consultation is to identify historic properties potentially affected by the undertaking, assess its effects and seek ways to avoid, minimize or mitigate any adverse effects on historic properties.

(b) Relation to other provisions of the act. Section 106 is related to other provisions of the act designed to further the national policy of historic preservation. References to those provisions are included in this part to identify circumstances where they may affect actions taken to meet section 106 requirements. Such provisions may have their own implementing regulations or guidelines and are not intended to be implemented by the procedures in this part except insofar as they relate to the section 106 process. Guidelines, policies and procedures issued by other agencies, including the Secretary, have been cited in this part for ease of access and are not incorporated by reference.

(c) Timing. The agency official must complete the section 106 process prior to the approval of the start-up of a Federal undertaking, including construction of the undertaking, or prior to the issuance of any license. This does not prohibit agency official from conducting or authorizing nondestructive project planning activities before completing compliance with section 106, provided that such actions do not restrict the subsequent consideration of alternatives to avoid, minimize or mitigate the undertaking's adverse effects on historic properties. The agency official shall ensure that the section 106 process is initiated early in the undertaking's planning, so that a broad range of alternatives may be considered during the planning process for the undertaking.

§ 800.2 Participants in the Section 106 process.

(a) Agency official. It is the statutory obligation of the Federal agency to fulfill the requirements of section 106 and to ensure that an agency official with legal and financial responsibility for section 106 compliance in accordance with subpart B of this part. The agency official has approval authority for the undertaking and can commit the Federal agency to take appropriate action for a specific undertaking as a result of section 106 compliance. For the purposes of subpart C of this part, the agency official has the authority to commit the Federal agency to any obligation it may assume in the

implementation of a program alternative. The agency official may be a State, local, or tribal government official who has been delegated legal responsibility for compliance with section 106 in accordance with Federal law.

(1) Professional standards. Section 112(e)(1)(A) of the act requires each Federal agency responsible for the protection of historic resources, including archeological resources, to ensure that all actions taken by employees or contractors of the agency shall meet professional standards under regulations developed by the Secretary.

(2) Lead Federal agency. If more than one Federal agency is involved in an undertaking, some or all the agencies may designate a lead Federal agency, which shall identify the appropriate official to serve as the agency official who shall act on their behalf, fulfilling their collective responsibilities under section 106. Those Federal agencies that do not designate a lead Federal agency remain individually responsible for their compliance with their section 106 obligations.

(3) Use of consultants. In cases with applicable conflict of interest laws, the agency official may use the services of applicants, consultants, or designees to prepare information, analyses and recommendations under this part. The agency official remains legally responsible for all required findings and determinations. If a document or study is prepared by a non-Federal party, the agency official is responsible for ensuring that its content meets applicable standards and guidelines.

(4) Consultation. The agency official shall involve the consulting parties described in paragraph (c) of this section in findings and determinations made during the section 106 process. The agency official should plan consultations appropriate to the scale of the undertaking and the scope of Federal involvement and coordinated with other requirements of other statutes, as applicable, such as the National Environmental Policy Act, the Native American Graves Protection and Repatriation Act, the American Indian Religious Freedom Act, the Archeological Resources Protection Act and agency-specific legislation. The Council encourages the agency official to use to the extent possible existing agency procedures and mechanisms to fulfill the consultation requirements of this part.

(b) Council. The Council issues regulations to implement section 106.

When all else fails, read the regulations !

www.achp.gov

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 http://www.hud.gov/offices/cpd/environment/library/subjects/preservation/index.cfm

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Homes & Communities
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Historic Preservation

Congress made the Federal Government a full partner in historic preservation with passage of the **National Historic Preservation Act** in 1966. As amended in 1992, Section 110 of the Act calls for, among other things, Federal agencies **to establish preservation programs, commensurate with their mission and the effects of their activities on historic properties, that provide broadly for careful consideration of historic properties.**

HUD and governments which assume responsibility for administering environmental HUD environmental laws must comply with historic preservation review requirements found in **Section 106 of the National Historic Preservation Review Act**

The Advisory Council on Historic Preservation issues regulations implement The Historic Preservation Act. HUD assistance must comply with the **ACHP Regulations**.

Historical Preservation Review Resources

The National Register Collection
 These files hold information on nearly one million individual resources-historic buildings, sites, districts, structures, and objects. The documentation on each property consists of photographs, maps, and a National Register registration form, which provides a physical description of the place, information about its history and significance, and a bibliography.

- ▶ [Look Up Historic Places by State and County](#)
- ▶ [Other Resource Links](#)

Information by State
[Print version](#)

What's New
HUD Wins ACHP Chairman's Award for Federal Achievement in Historic Preservation
 Holsten Corporation, Chicago Housing Authority, Illinois Historic Preservation Agency Among Partners Honored for Effort to Preserve Raymond M. Hilliard Center Historic District
[more...](#)

Historic Preservation Documents

- ▶ **Preserving America**
 Historic Preservation and Heritage Tourism in Housing and Community Development: A Guide to Using Community Development Block Grant Funds for Historic Preservation and Heritage Tourism in Your Communities
[Press Release](#) | [CDBG Website](#)
 - [PDF](#) High Resolution (10.2 MB)
 - [PDF](#) Low Resolution (0.4 MB)
 - [WORD](#) (0.3 MB)
- ▶ **Linking Historic Preservation to CDBG Objectives**
 Published in 1991, this Guide illustrates the various methods by which historic preservation can be linked to other eligible activity under the CDBG Program.
[more...](#)

Related Information

- ▶ [Advisory Council on Historic Preservation](#)
- ▶ [National Park Service](#)
- ▶ [State Historic Preservation Officers](#)

Community Planning and Development

- Community Planning and Development
- About CPD
- Economic Development
- Community Development
- Affordable Housing
- Homeless Assistance
- HUDVet
- Environment
 - Environmental Contacts
 - Review Requirements
 - Laws and Regulations
 - Training
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- Acquisition/Relocation
- Energy
- HIV/AIDS Housing
- Technical Assistance
- Online Systems/Databases
- Library
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HUD news

Homes

Resources

Communities

Working with HUD

Tools

- Webcasts
- Mailing lists
- RSS Feeds
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www.hud.gov/offices/cpd/environment/library/subjects/preservation/index.cfm

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Historic Preservation

The National Historic Preservation Act (**NHPA**), 16 U.S.C. 470 et seq., directs each Federal agency, and those Tribal, State, and Local governments that assume Federal agency responsibilities, to have a historic preservation program - that is, a program to protect historic resources and avoid or minimize possible harm that may result from agency decisions and actions. The NHPA does not prohibit change to historic properties, but it does require that alternatives be considered. Early consideration of historic places in agency planning and full consultation with all concerned citizens are the keys to effective historic preservation. Federal agency responsibilities are mandated particularly in **Sections 106** and **110** of the Act.

HUD Guidance and Technical Assistance

- ▶ [Webcast: HUD, Historic Preservation & Section 106 Basics, September 18, 2008](#)
- ▶ [Section 106 Flowchart](#)
- ▶ [Historic Preservation/Section 106 Consultation Checklist](#)
- ▶ [CDBG Publication, "Preserving America"](#)
- ▶ [Linking HP to CDBG, 1991](#)
- ▶ [Neighborhood Stabilization Program Section 106 Toolkit](#)
- ▶ [Section 106 Guidance for NSP Land Banking](#)

Memos

- ▶ [Authorization of NSP2 Non-Profit Grantees to Initiate Consultation per 36 CFR Part 800, "Protection of Historic Properties"](#)
- ▶ [Strategies to Expedite Environmental Reviews for NSP2](#)
- ▶ [Acquisition/Resale Activities Determined to have "No Potential to Cause Effects" to Historic Properties](#)
- ▶ [Guidance for categorizing an activity as maintenance for compliance with HUD's environmental regulations, 24 CFR Parts 50 and 58](#)
- ▶ [Historic Properties and the Lead Safe Housing Rule](#)
- ▶ [HUD Environmental Regulations and Section 106 Agreement Documents](#)

Information by State
[Print version](#)

Related Information

 **Assessment Tools for Environmental Compliance**

Historic Preservation Resources

- ▶ [Advisory Council on Historic Preservation](#)
- ▶ [National Register of Historic Places](#)
- ▶ [Preserve America](#)
- ▶ [National Park Service](#)
- ▶ [National Conference of SHPOs](#)
- ▶ [National Association of THPOs](#)
- ▶ [National Trust for Historic Preservation](#)
- ▶ [Historic Preservation Learning Portal](#)

Did You Know?

 **HUD Environment Q & A**
 Answers to frequently asked questions on [Historical Preservation](#)

Want More Information?

Tribal Resources:

- ▶ [Section 106 Agreements Database](#)
- ▶ [Tribal Directory Assessment Tool \(TDAT\) v1.0](#)
- ▶ [HUD Tribal Consultation Policy](#)
- ▶ [HUD/ONAP CodeTalk Homepage](#)
- ▶ [National Park Service Tribal Preservation Program](#)
- ▶ [NPS American Indian Liaison Office](#)

start |  | [Inbox - Microsoft Out...](#) | [HUDSection106Revie...](#) | [HUDTrainingQ&A1-13](#)

www.hud.gov/offices/cpd/environment/review/historic.cfm

Are You a Federal Agency?

- Responsible Party defined by 24 CFR Part 58
 - State agency
 - Tribal government
 - City or County government
 - Any direct grantee of HUD for a special project
- Acts on behalf of HUD under Section 106
- Becomes the “agency official” in Section 106 consultation

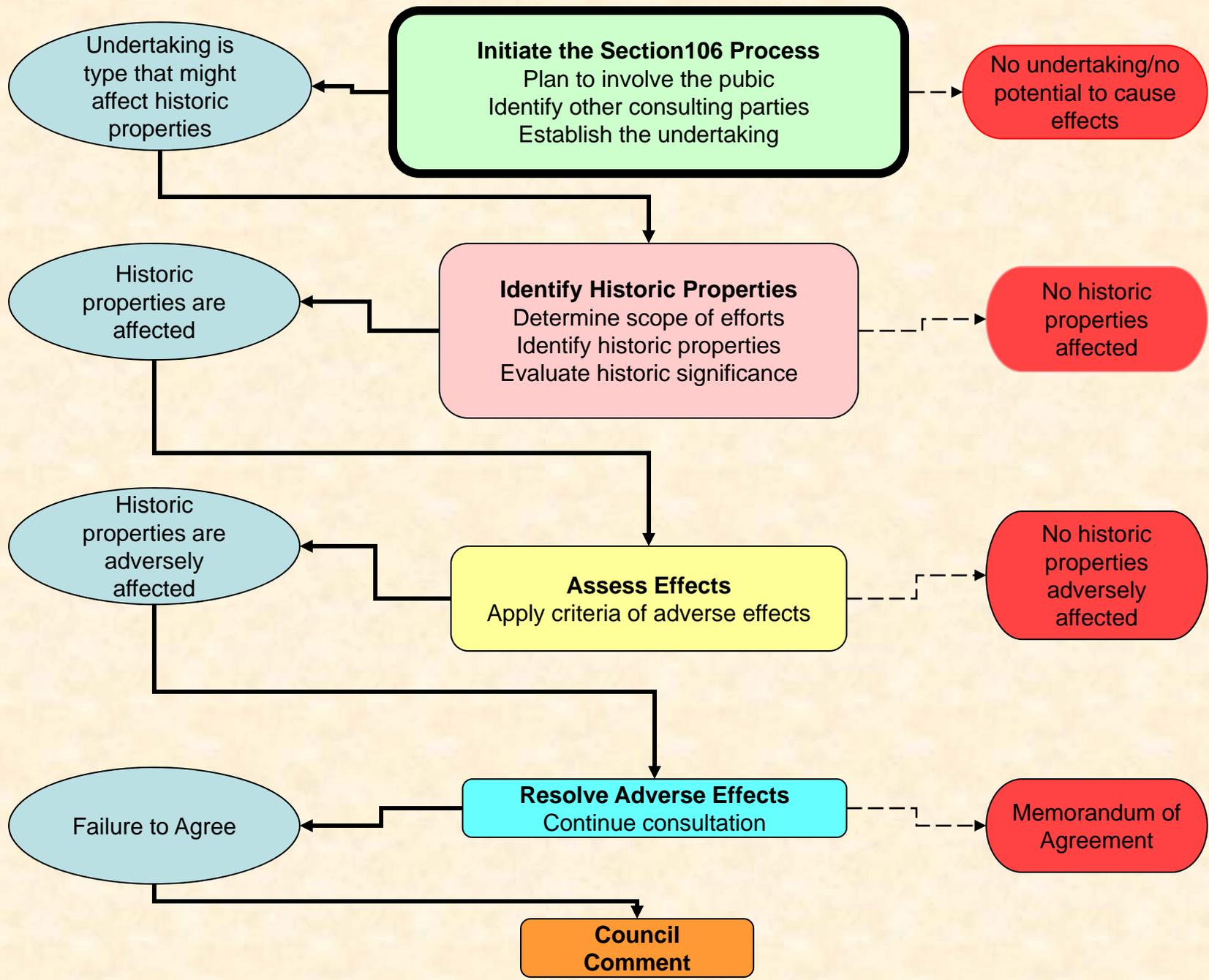
Project Planning

- Section 106 is:
 - Planning tool
 - Early in the planning process



Section 106 and NEPA

- Section 106 and NEPA are not the same
- Ideally, Section 106 **first** and then NEPA
- “Categorically excluded” projects under NEPA are not exempt from Section 106 review



Initiate the Section 106 Process

- Purpose
 - *Section 106 of the National Historic Preservation Act requires Federal agencies to take into account the effects of their undertakings on historic properties and afford the Council a reasonable opportunity to comment on such undertakings. (36 CFR 800.1(a))*

Initiate the Section 106 Process

- Establish the undertaking.
 - *The agency official shall determine whether the proposed Federal action is an undertaking as defined in Sec.800.16(y) and, if so, whether it is a type of activity that has the potential to cause effects on historic properties [36 CFR § 800.3(a)]*
 - Two part test: the action must be an undertaking and it has the potential to cause effects on historic properties
- Not all projects are undertakings.

Initiate the Section 106 Process

- What is an “undertaking?”

“Undertaking means a project, activity, or program funded in whole or in part under the direct or indirect jurisdiction of a Federal agency, including those carried out by or on behalf of a Federal agency; those carried out with Federal financial assistance; those requiring a Federal permit, license or approval; and those subject to State or local regulation administered pursuant to a delegation or approval by a Federal agency.” [36 CFR § 800.16(y)]

Initiate the Section 106 Process

- Establish the Undertaking
 - The determination of whether or not an undertaking exists is the Agency Official's decision.
 - That determination is based on the nature of the federal action, not whether or not you believe a historic property is involved.
 - Have you considered the entire scope of the project, even if parts do not have direct federal involvement?
 - **The agency official is in the driver's seat but make sure your action/decision is defensible**

Residential Rehabilitation

Is there an undertaking?



Residential Rehabilitation

Is there an undertaking?

Is there an undertaking if the windows are being replaced?



...if the door is being repaired?



...a wheel chair ramp is being added to the entrance?



...if you purchase ADA hand rails
for a shower?



What If the purchase of the hand rails was part of a larger rehabilitation, funded “in whole or in part” with money from HUD, do you have an undertaking?

New Development

Is there an undertaking?



Is there an undertaking if a low income multi-family housing complex will be constructed?



Is there an undertaking if land will be acquired that will later have a senior housing complex constructed on it?



In the last situation what is the undertaking?

- The purchase of the land?
- The land acquisition, and the later development?

And the answer is...

the land acquisition, and the later development.

Initiate the Section 106 Process

- Who are the participants?
 - **Agency Official**
 - Local government official under 24 CFR Part 58
 - Use of Secretary of the Interior's Standards
 - Use of National Register of Historic Places criteria
 - Use of contractors
 - Responsible for consultation

Initiate the Section 106 Process

Use of Contractors

“ . . . The agency official may use the services of applicants, consultants, or designees to prepare information, analyses and recommendations under this part. The agency official remains legally responsible for all required findings and determinations. If a document or study is prepared by a non-Federal party, the agency official is responsible for ensuring that its content meets applicable standards and guidelines.”
[36 CFR § 800.2(a)(3)]

Best Ways to Slow Down the Section 106 Process

Hire a consultant who hasn't got a clue about historic preservation and expects SHPO staff to provide hands-on training

Initiate the Section 106 Process

- Who are the participants?
 - **Advisory Council on Historic Preservation**
 - Responsible for promulgating Section 106 regulations
 - Responsible for advising federal agencies
 - Including local governments when they are the agency official

Initiate the Section 106 Process

- Who are the other participants?
 - Consulting Parties
 - State Historic Preservation Officer/Tribal Historic Preservation Officer
 - Indian Tribes/Native Hawaiians
 - Representatives of local governments
 - Applicants for federal assistance, permits, licenses and other approvals
 - Individuals and organizations with a direct interest in the project—legal, economic, concern about effects
 - Public

Protecting Historic Properties

ADVISORY COUNCIL ON HISTORIC PRESERVATION

Protecting Historic Properties:

A CITIZEN'S GUIDE TO
SECTION 106 REVIEW



www.achp.gov/pubs.html

WWW.ACHP.GOV



Preserving America's Heritage



Preserving America's Heritage

CONSULTATION WITH INDIAN TRIBES
IN THE
SECTION 106 REVIEW PROCESS:
A HANDBOOK

www.achp.gov/nap/html

|

November 2008

Initiate the Section 106 Process

- Role of the State Historic Preservation Officer (SHPO) and staff
 - Mandatory consulting party
 - Peer review
 - Liaison
 - Guidance on Section 106

Initiate the Section 106 Process

Role of SHPO – **What we do not do**

- Research, identify historic properties, or determine project effects
- Have a complete list of all historic properties within the State
- Conduct site visits for every project
- Stop projects

Initiate the Section 106 Process

- Role of the Agency Official
 - Determine if there is an undertaking
 - Consult with interested parties
 - Define area of potential effects (APE)
 - Identify historic properties
 - Assess effect(s)
 - Consult with SHPO

Initiate the Section 106 Process

- Role of Agency Official
 - Have a plan to involve the consulting parties and the public
 - Can be informal, general, ongoing programmatic approach
 - Can be formal and project specific
 - Can use your historic preservation commission

Initiate the Section 106 Process

- Timing
 - The agency official must complete the Section 106 process “prior to the approval of the expenditure of any Federal funds on the undertakings or prior to the issuance of any license.”

Best Ways to Slow Down the Section 106 Process

Begin your project, **and then** contact the SHPO

Call or email that you must have the SHPO's response **Immediately**, otherwise the City will lose a million dollars

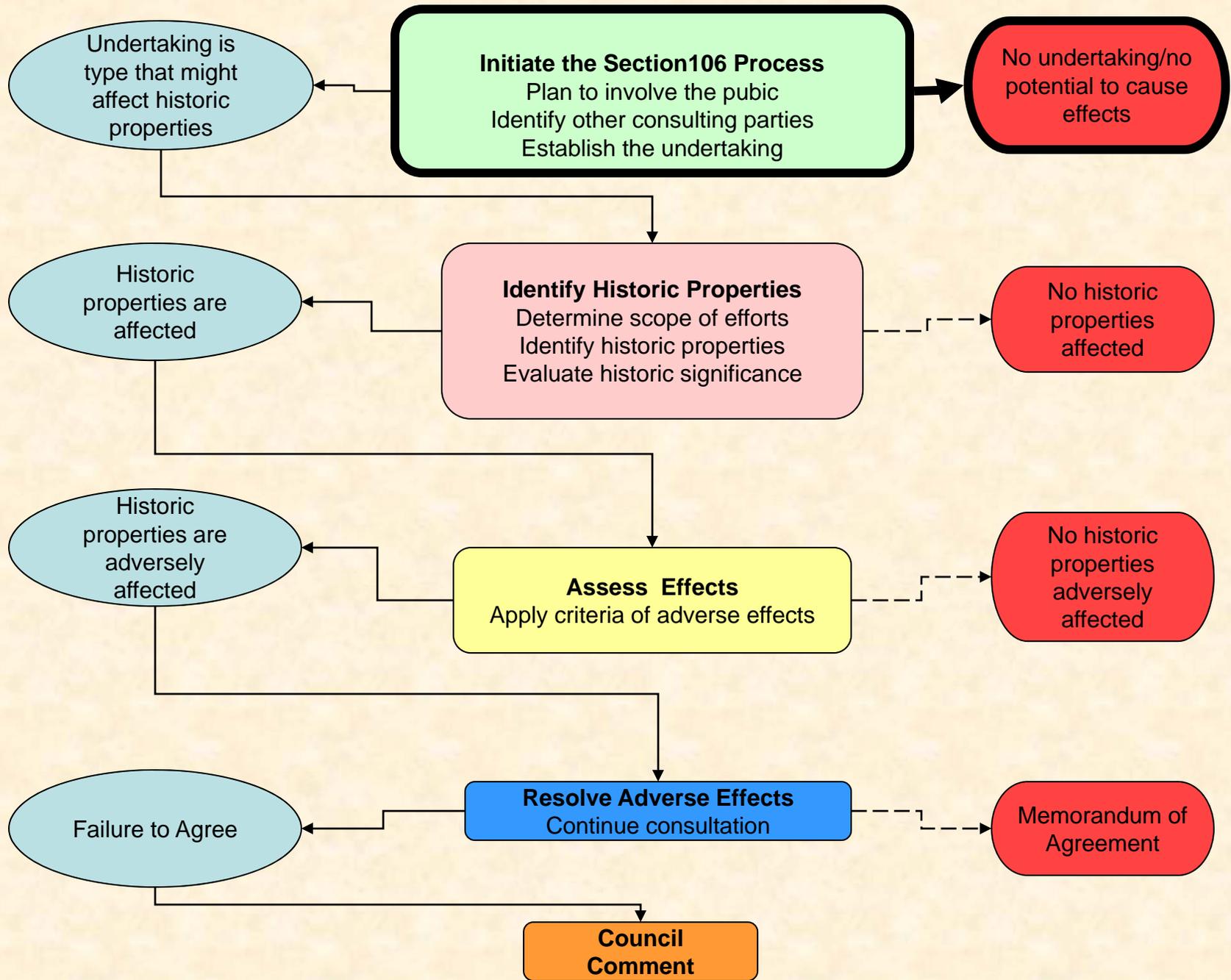
Initiate the Section 106 Process

If the agency official determines there is no undertaking, or

If there is an undertaking but it is not the type of activity that has the potential to cause effects on historic properties, then

That concludes the Section 106 review

Advice: Keep appropriate records



Initiate the Section 106 Process

If the Agency official has determined that the undertaking is the type of activity that has the potential to cause effects on historic properties, then

The agency proceeds to identify historic properties that might be affected, and
Initiates consultation with the SHPO

HUD's Checklist

HISTORIC PRESERVATION/SECTION 106 CONSULTATION CHECKLIST (Suggested Format)

Project Name: _____ Address: _____

The Section 106 process, as described in 36 CFR Part 800, consists of four basic steps, with each step having a series of tasks to complete. You may use this checklist to track the progress of your review.

- Remember that Section 106 needs to be completed "prior to the approval of the expenditure of any Federal funds"

Step 1: Initiate Consultation (§ 800.3)

- ___ Yes/No - Project meets the definition of an "undertaking"¹
- ___ Yes/No - "Undertaking" has no potential to cause effects to historic properties¹
- ___ Yes/No - Review of "undertaking" is subject to an existing Programmatic Agreement (PA)²
- ___ Identify appropriate State/Tribal Historic Preservation Office (SHPO/THPO) and federally-recognized Indian tribes/Native Hawaiian organizations, as appropriate
- ___ Plan to involve the public (may use existing agency public participation procedures)
- ___ Consider if, what, and how some project information may need to remain confidential
- ___ Identify other consulting parties (e.g., developers, interested parties, local government); proceed to Step 2

¹If no, then you have completed Section 106 review and are in compliance. These first two Step 1 tasks do not require consultation with SHPO/THPO. Refer to the lists of "exempt activities" and/or "categorical exclusions not subject to related laws" in Part 50 or 58.

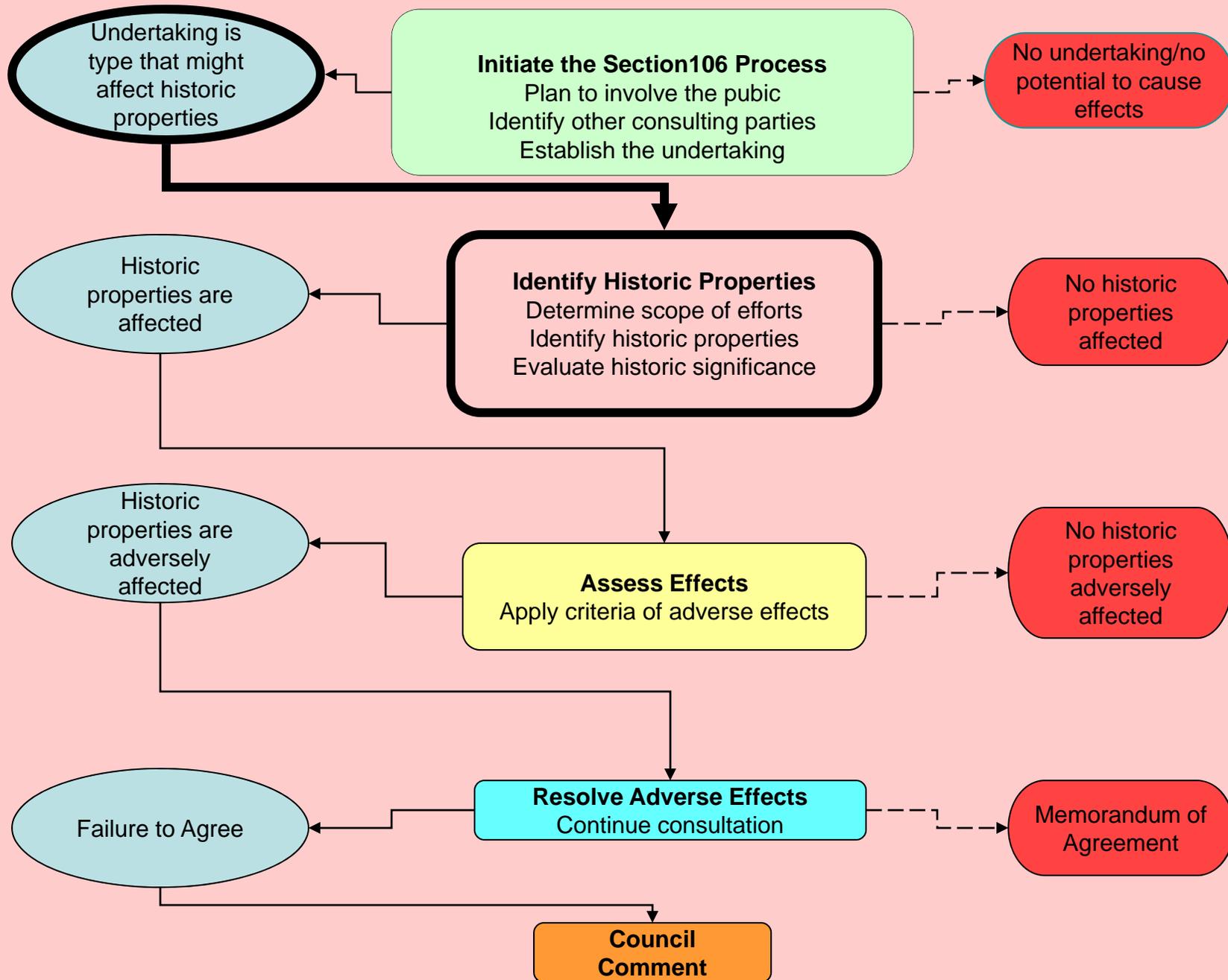
²If yes, once you record how the project complies with the terms of the PA, Section 106 review is complete and you are in compliance. To remain in compliance, you must implement the project in accordance with the PA.

Step 2: Identify and Evaluate Historic Properties (§ 800.4)

<http://www.hud.gov/offices/cpd/environment/sec106checklist.pdf>

Dear SHPO Letter

- Describe the physical aspects of the undertaking
 - Define the Area of Potential Effects in consultation with SHPO
 - Describe efforts to identify and evaluate historic properties within the APE
 - Research efforts
 - Consultation efforts
 - Provide results of identification and evaluation determine if historic properties could be affected.
-
- Photos
 - Maps
 - Views of consulting parties
 - Reports



Identify Historic Properties Area of Potential Effects

The step known as “identification” includes

- Defining the area of potential effects (APE)
- Actual efforts to identify potential historic properties within the APE
- Evaluation of identified properties to determine if they are “historic” or significant

Best Ways to Slow Down the Section 106 Process

Write the SHPO and ask “Please tell us what you think.”

Identify Historic Properties

- In consultation with the SHPO, determine the scope of efforts to
 - Determine and document the **area of potential effects (APE)**
 - Area directly or indirectly **potentially affected** by the action
 - Determined by nature of the undertaking. It is not determined by whether or not you think historic properties are nearby

Identify Historic Properties

- Defining the **APE**--What to Consider
 - Direct effects
 - Visual effects
 - Audible effects
 - Socio-cultural effects

Identify Historic Properties

Defining the **APE**—What the SHPO Needs

- Complete description of the undertaking
 - Will there be ground disturbance?
 - Physical parameters—height, depth, width, length
- How did you choose your boundaries?
- Support documents
 - Maps
 - Drawings
 - Photographs

Residential Rehabilitation

What is the APE?



The subject parcel?

The subject parcel and all adjacent properties?

A ½ mile radius around the parcel?

For a rehabilitation project the APE is typically limited to the subject parcel.

New Development

What is the APE?



The subject
parcel?

The subject
Parcel and all
adjacent
parcels?

A ½ mile project
radius?

For New Development APEs

- Think broadly
- There is more chance to adversely affect the surrounding properties during new development undertakings

For a new development project the APE
is often the subject parcel and all
adjacent parcels.

Identify Historic Properties

Is it Historic?

A historic property is defined as

“any prehistoric or historic district, site, building, structure or object included in, or eligible for inclusion in, the National Register of Historic Places.” (36 CFR § 800.16)

Identify Historic Properties

- The standard for adequate identification is a “reasonable and good faith effort” to identify history properties.

Identify Historic Properties

Reasonable & Good Faith Effort



- Review existing data
 - Information Centers
 - Planning Department
 - Preservation Commissions
- Background research
- Consultation
- Oral History
- Field survey

Identify Historic Properties

- In consultation with the SHPO, determine the scope of efforts to
 - Review existing information about historic properties within the APE, **including any data concerning possible historic properties not yet identified.**

Best Ways to Slow Down the Section 106 Process

Refuse to consider archeological properties because this is a urban area, or because the area has been under cultivation, or you can't see any archeological properties

(Of course you can't see them, that's why we rely on our regional Information Centers to provide professional advice.)

Identify Historic Properties

California Historical Resources Information System (CHRIS)

- Eleven regional information centers
 - Information about the built environment
 - Information about archeological properties
 - (some information is confidential with limited access to non-professionals)

http://ohp.parks.ca.gov/?page_id=1068

Identify Historic Properties

- In consultation with the SHPO, determine the scope of efforts to
 - Seek information from parties likely to have knowledge or for concerns about the area

Best Ways to Slow Down the Section 106 Process

Fail to contact staff in your own local government that are responsible for planning and/or historic preservation

Identify Historic Properties

- In consultation with the SHPO, determine the scope of efforts to
 - Gather information from Indian tribes and Native Hawaii organizations about properties to which they attach religious and cultural significance, while remaining sensitive to any concerns they may have about the confidentiality of this information

Identify Historic Properties

California Native American Heritage Commission

The Mission of the Native American Heritage Commission is to provide protection to Native American burials from vandalism and inadvertent destruction, provide a procedure for the notification of most likely descendants regarding the discovery of Native American human remains and associated grave goods, bring legal action to prevent severe and irreparable damage to sacred shrines, ceremonial sites, sanctified cemeteries and place of worship on public property, and maintain an inventory of sacred places.

<http://www.nahc.ca.gov/>

Identify Historic Properties

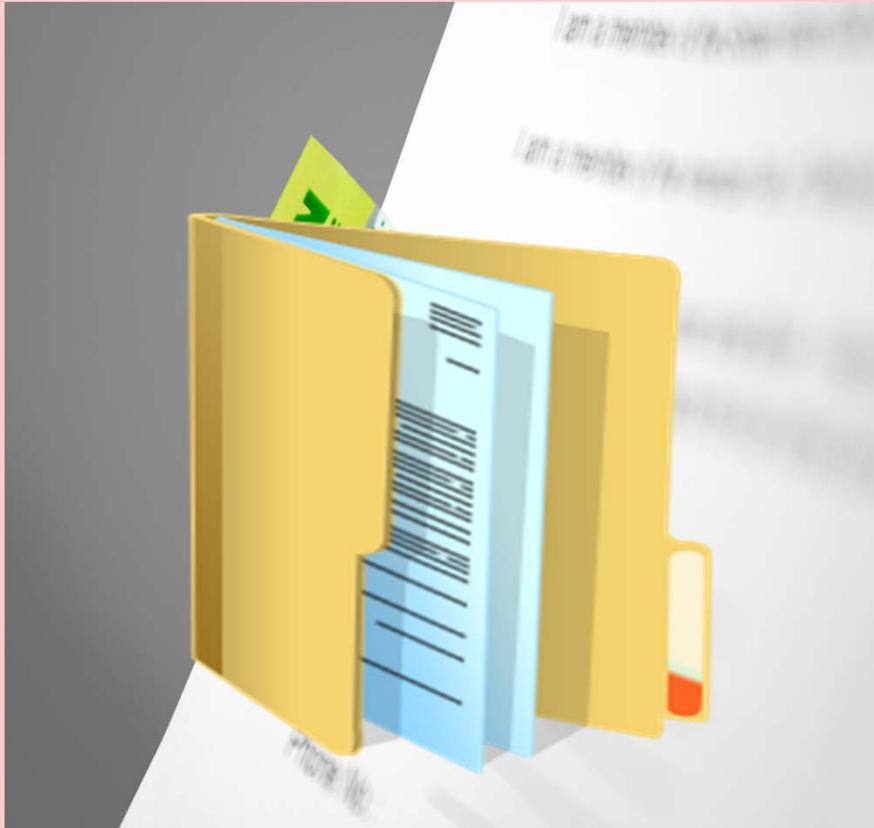
- Evaluate Historical Significance
 - Just because it is old, doesn't mean it is significant!
 - Apply the National Register criteria to properties identified within the APE

Best Way to Slow Down the Section 106 Process

The property is not on your local register, therefore, it is not a historic property.

Ask the SHPO to determine for you if the property is eligible for the National Register.

- Old determinations of eligibility may need to be re-evaluated due to passage of time or other factors



The project type will determine the amount & type of documentation required.

Identify Historic Properties

What the SHPO Needs for Review

- Photographs
- Construction/alteration dates
- CHRIS record search
- Cultural Resource Reports/Surveys
- Drawings
- DPR 523s
- Maps
- Consultation letters

& keep in mind...

**Archeology,
Archeology,
Archeology!!!**

Identify Historic Properties

Whenever an undertaking involves ground disturbing activities, the California SHPO expects a records search to be conducted for the undertaking APE at your regional California Historical Resources Information System center.

Identify Historic Properties

DPR 523 Forms—Your Documentation Tool

State of California -- The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
PRIMARY RECORD

Primary # _____
HRI# _____
Trinomial _____
NRHP Status Code _____

Other Listings
Review Code _____ Reviewer _____ Date _____

Page _____ of _____ *Resource Name or #: (Assigned by recorder) _____

P1. Other Identifier: _____

***P2. Location:** Not for Publication Unrestricted

a. County _____ and (P2c, P2e, and P2b or P2d. Attach a Location Map as necessary.)

b. USGS 7.5' Quad _____ **Date** _____ **T** _____ **R** _____ **1/4 of 1/4 of Sec** _____ **B.M.** _____

c. Address _____ **City** _____ **Zip** _____

d. UTM: (Give more than one for large and/or linear resources) **Zone** _____ **mE/** _____ **mN** _____

e. Other Locational Data: (e.g., parcel #, directions to resource, elevation, etc., as appropriate) _____

***P3a. Description:** (Describe resource and its major elements. Include design, materials, condition, alterations, size, setting, and boundaries) _____

***P3b. Resource Attributes:** (List attributes and codes) _____

***P4. Resources Present:** Building Structure Object Site District Element of District Other (Isolates, etc.) _____

P5a. Photograph or Drawing (Photograph required for buildings, structures, and objects.) _____

P5b. Description of Photo: (view, date, accession #) _____

***P6. Date Constructed/Age and Source:** Historic Prehistoric Both _____

***P7. Owner and Address:** _____

***P8. Recorded by:** (Name, affiliation, and address) _____

***P9. Date Recorded:** _____

***P10. Survey Type:** (Describe) _____

***P11. Report Citation:** (Cite survey report and other sources, or enter "none.") _____

***Attachments:** NONE Location Map Continuation Sheet Building, Structure, and Object Record Archaeological Record District Record Linear Feature Record Milling Station Record Rock Art Record Artifact Record Photograph Record Other (List): _____

DPR 523A (1/95) *Required information

State of California -- The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
BUILDING, STRUCTURE, AND OBJECT RECORD

Primary # _____
HRI # _____

Page _____ of _____ *Resource Name or # (Assigned by recorder) _____

*NRHP Status Code _____

B1. Historic Name: _____
B2. Common Name: _____
B3. Original Use: _____
B4. Present Use: _____
*B5. Architectural Style: _____
*B6. Construction History: (Construction date, alterations, and date of alterations) _____

*B7. Moved? No Yes Unknown Date: _____ Original Location: _____

*B8. Related Features: _____

B9a. Architect: _____ b. Builder: _____

*B10. Significance: Theme _____ Area: _____

Period of Significance: _____ Property Type: _____ Applicable Criteria: _____
(Discuss importance in terms of historical or architectural context as defined by theme, period, and geographic scope. Also address integrity.)

B11. Additional Resource Attributes: (List attributes and codes) _____

*B12. References: _____

B13. Remarks: _____

*B14. Evaluator: _____

*Date of Evaluation: _____
(This space reserved for official comments)

Sketch Map with north arrow required.

DPR 523B (1/95) [ACROBAT WEBDOC Posted 11/98] *Required information

www.ohp.parks.ca.gov/?page_id=1069

A quality photo of the subject property is an essential part of the information submitted to SHPO for review of a rehabilitation project.

State of California — The Resources Agency DEPARTMENT OF PARKS AND RECREATION PRIMARY RECORD		Primary # HRI # Trinomial NRHP Status Code
Other Listings Review Code	Reviewer	Date

Page 1 of 2 *Resource Name or #: 8317-024-003

P1. Other Identifier:

***P2. Location:** Not for Publication Unrestricted *a. County: Los Angeles
and (P2b and P2c or P2d. Attach a Location Map as necessary.)

***b. USGS 7.5' Quad:** Date: T ; R ; ¼ of ¼ of Sec ; M.D. B.M.
c. Address: 976 Collingswood Dr. City: Pomona Zip: 91767
d. UTM: Zone: 10 ; mE/ mN (G.P.S.)
e. Other Locational Data: (e.g., parcel #, directions to resource, elevation, etc., as appropriate) Elevation

***P3a. Description:** (Describe resource and its major elements. Include design, materials, condition, alterations, and boundaries)
The building is a single-story single-family residence constructed in 1955 per Pomona Building and Safety permit records. The residence is an example of the Ranch style of architecture evidenced by the following features:

- Low-pitched cross gabled roof;
- Little decorative detailing; and
- Attached two-car garage.

The residence sits on a concrete slab foundation and has a two-car garage attached to southwest corner of the front of the house. The house has a low-pitched cross gabled roof that features side facing gable peaks on either side of the house and a lower portion of each gabled end that resembles a hiped gable roof. The main roof features a decorative monitor along the ridge of the roof and a front porch. The garage door is oriented to west side of the property and is sheltered by an extension of the main roof. Windows are multi-pane casement. The front door is obscured by a metal screen door. The exterior walls are clad in a combination of board and batten wood siding and stucco. The front yard features a concrete driveway that was rebuilt in 1995 and an iron wall that was built in 1981. A concrete "L" shaped driveway connects the garage with the street. The home appears to be in good condition and integrity is good.

***P3b. Resource Attributes:** (List attributes and codes) HP2

***P4. Resources Present:** Building Structure Object Site District Element of District Other (Isolate, etc.)

***P5b. Description of Photo:** (View, date, accession #)
Front elevation photo was taken on 12/4/2008.

***P6. Date Constructed/Age and Sources:** Historic
 Prehistoric Both
Constructed 1955 per Los Angeles County Assessor's records.

***P7. Owner and Address:**

***P8. Recorded by:** (Name, affiliation, and address)
Sandra Campbell
Senior Planner
Planning Division
City of Pomona
505 S. Garey Ave.
Pomona, CA 91769

***P9. Date Recorded:**

***P10. Survey Type:** (Describe)
Reconnaissance

***P11. Report Citation:** (Cite survey report and other sources, or enter "none.") None

***Attachments:** NONE Location Map Sketch Map Continuation Sheet Building, Structure, and Object Record
 Archaeological Record District Record Linear Feature Record Milling Station Record Rock Art Record
 Artifact Record Photograph Record Other (List):

DPR 523A (1/85) *Required information

An accurate and detailed building description of the subject property is necessary.



State of California — The Resources Agency DEPARTMENT OF PARKS AND RECREATION PRIMARY RECORD		Primary # HRI # Trinomial NRHP Status Code
Other Listings Review Code	Reviewer	

Page 1 of 2 *Resource Name or #: 8317-024-003

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 and (P2b and P2c or P2d. Attach a Location Map as necessary.)

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c. Address: 976 Collingswood Dr. City: Pomona Zip: 91767

d. UTM: Zone: 10 ; mE/ mN (G.P.S.)

e. Other Locational Data: (e.g., parcel #, directions to resource, elevation, etc., as appropriate) Elevation:

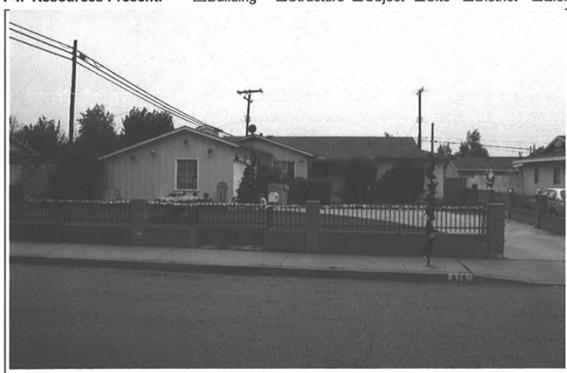
***P3a. Description:** (Describe resource and its major elements. Include design, materials, condition, alterations, size, setting, and boundaries)
 The building is a single-story single-family residence constructed in 1955 per city of Pomona Building and Safety permit records. The residence is an example of the Ranch style of architecture as evidenced by the following features:

- Low-pitched cross gabled roof;
- Little decorative detailing; and
- Attached two-car garage.

The residence sits on a concrete slab foundation and forms an "L" shaped plan with the garage attached to southwest corner of the front of the house. The home is sheltered by a cross gabled roof that features side facing gable peaks on either side of the house and a shed roof extending from the lower portion of each gabled end that resembles a hiped gable roof. The garage is sheltered by a gabled roof and features a decorative monitor along the ridge of the roof and the garage door appears to be a roll-up type. The garage door is oriented to west side of the property. The front of the house features a small front porch sheltered by an extension of the main roof. Windows on the front elevation appear to steel frame, multi-pane casement. The front door is obscured by a metal mesh security door. The exterior walls are clad in a combination of board and batten wood siding and stucco. The home sits behind a modest front yard which features a concrete driveway that was rebuilt in 1995 and enclosed with a combination block and wrought iron wall that was built in 1981. A concrete "L" shaped driveway connects the garage with the street. The home appears to be in good condition and integrity is good.

***P3b. Resource Attributes:** (List attributes and codes) HP2

***P4. Resources Present:** Building Structure Object Site District Element of District Other (isolates, etc.)



P5b. Description of Photo: (View, date, accession #)
 Front elevation photo was taken on 12/4/2008.

***P6. Date Constructed/Age and Sources:** Historic Both
 Prehistoric Constructed 1955 per Los Angeles County Assessor's records.

***P7. Owner and Address:**

***P8. Recorded by:** (Name, affiliation, and address)
 Sandra Campbell
 Senior Planner
 Planning Division
 City of Pomona
 505 S. Garey Ave.
 Pomona, CA 91769

***P9. Date Recorded:**

***P10. Survey Type:** (Describe)
 Reconnaissance

***P11. Report Citation:** (Cite survey report and other sources, or enter "none.") None

***Attachments:** NONE Location Map Sketch Map Continuation Sheet Building, Structure, and Object Record
 Archaeological Record District Record Linear Feature Record Milling Station Record Rock Art Record
 Artifact Record Photograph Record Other (List):

DPR 523A (1/95) *Required information

Always include the property's original construction date. The date of any substantial modifications is also helpful.

State of California — The Resources Agency DEPARTMENT OF PARKS AND RECREATION PRIMARY RECORD		Primary # HRI # Trinomial NRHP Status Code
Other Listings Review Code	Reviewer	Date

Page 1 of 2 *Resource Name or #: 8317-024-003

P1. Other Identifier:
***P2. Location:** Not for Publication Unrestricted *a. County: Los Angeles
 and (P2b and P2c or P2d. Attach a Location Map as necessary.)
***b. USGS 7.5' Quad:** Date: T ; R ; % of % of Sec ; M.D. B.M.
 c. Address: 976 Collingswood Dr. City: Pomona Zip: 91767
 d. UTM: Zone: 10 ; mE/ mN (G.P.S.)
 e. Other Locational Data: (e.g., parcel #, directions to resource, elevation, etc., as appropriate) Elevation:

***P3a. Description:** (Describe resource and its major elements. Include design, materials, condition, alterations, size, setting, and boundaries)
 The building is a single-story single-family residence constructed in 1955 per city of Pomona Building and Safety permit records. The residence is an example of the Ranch style of architecture as evidenced by the following features:

- Low-pitched cross gabled roof;
- Little decorative detailing; and
- Attached two-car garage.

The residence sits on a concrete slab foundation and forms an "L" shaped plan with the garage attached to southwest corner of the front of the house. The home is sheltered by a cross gabled roof that features side facing gable peaks on either side of the house and a shed roof extending from the lower portion of each gabled end that resembles a hiped gable roof. The garage is sheltered by a gabled roof and features decorative monitor along the ridge of the roof and the garage door appears to be a roll-up type. The garage door is oriented to west side of the property. The front of the house features a cross gabled roof sheltered by an extension of the main roof. Windows on the front elevation appear to be double hung with pane casement. The front door is obscured by a metal mesh security door. The exterior features a combination of board and batten wood siding and stucco. The home sits behind a moderate sized driveway that features a concrete driveway that was rebuilt in 1995 and enclosed with a combination of board and batten wood siding and iron wall that was built in 1981. A concrete "L" shaped driveway connects the garage with the main house. The home appears to be in good condition and integrity is good.

***P3b. Resource Attributes:** (List attributes and codes) HP2
***P4. Resources Present:** Building Structure Object Site District Element of District Other



P5b. Description of resource (date, accession #)
 Front elevation photo taken on 12/4/2008.

***P6. Date Constructed/Age and Sources:** Historic
 Prehistoric Both
 Constructed 1955 per Los Angeles County Assessor's records.

***P7. Owner and Address:**
***P8. Recorded by:** (Name, affiliation, and address)
 Sandra Campbell
 Senior Planner
 Planning Division
 City of Pomona
 505 S. Garey Ave.
 Pomona, CA 91769

***P9. Date Recorded:**
***P10. Survey Type:** (Describe)
 Reconnaissance

***P11. Report Citation:** (Cite survey report and other sources, or enter "none.") None

***Attachments:** NONE Location Map Sketch Map Continuation Sheet Building, Structure, and Object Record
 Archaeological Record District Record Linear Feature Record Milling Station Record Rock Art Record
 Artifact Record Photograph Record Other (List):

DPR 523A (1/95)

*Required information

Evaluate Historical Significance



Page 2 of 2 *NRHP Status Code 6Z
*Resource Name or # APN: 8317-024-003

B1. Historic Name: 976 Collingswood Drive
B2. Common Name:
B3. Original Use: Single-family residence B4. Present Use: Single-family residence

*B5. Architectural Style: Ranch
*B6. Construction History: (Construction date, alterations, and date of alteration)
The city of Pomona has the following building permits on file for the property:
1954, new single-family residence with two-car garage attached to residence

*B7. Moved? No Yes Unknown Date: Original Location:

*B8. Related Features: None

B9a. Architect: Jaska Investment b. Builder: Jaska Investment

*B10. Significance: 1950s residential subdivision Theme: Mid 20th century residential
Area: Northeast quadrant of city

Period of Significance: Property Type: Single-family residential
Applicable Criteria: The single-family residence is a modest example of the Ranch style of architecture located in a residential subdivision in the northeast quadrant of the city of Pomona. The building is not an outstanding example of the style, period or method of construction and does not represent the work of a master. The property does not have any known associations with persons or events important in local, state or U.S. history. Therefore, neither the property nor the building meet criteria a, b or c. for listing on the National Register. There is no known evidence that the property would yield or is likely to yield information important in historic or prehistory. Therefore, the property does not meet criteria d. For the same reasons, the property does not meet the criteria for designation as a local historic landmark or for inclusion in a locally designated historic district. Therefore, the building does not meet any of the criteria for listing on the National Register of Historic Places.

B11. Additional Resource Attributes: (List attributes and codes)

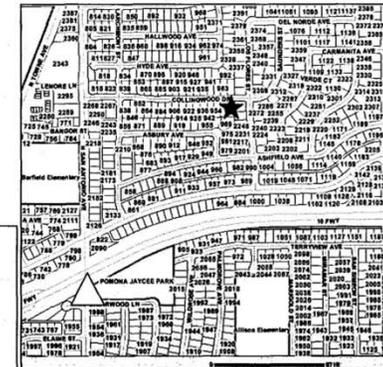
*B12. References: City of Pomona Building and Safety Department permit files; Los Angeles County Assessor's web site www.lacountyassessor.com

B13. Remarks: A project is proposed for the residence using federal funding that involves installation of new windows on the front elevation. Because the building is not historically significant, the proposed project will not have an impact on a historic resource.

*B14. Evaluator: Sandra Campbell, Senior Planner, Planning Division, City of Pomona

*Date of Evaluation: 12/16/08

(This space reserved for official comments.)



Identify Historic Properties

- Generally, to be listed or to be eligible for listing, properties must be at least 50 years of age

Identify Historic Properties

- The National Register of Historic Places documents properties significant in our nation's history and prehistory
- Levels of significance
 - Local, state, or national level of significance
 - National Register eligibility does not mean nationally significant

Identify Historic Properties

- National Register of Historic Places
 - a. Associated with events that have made a significant contribution to the broad patterns of our history



Nevada City

Identify Historic Properties

- National Register of Historic Places
 - b. Associated with the lives of persons significant in our past



Sutter's Fort

Identify Historic Properties

- National Register of Historic Places
 - c. Embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction



Gamble House
Designed by Green and Green

Identify Historic Properties

- National Register of Historic Places
 - d. Have yielded or may be likely to yield, information important in history or prehistory



Identify Historic Properties

- Sometimes, a single property doesn't seem significant



San Francisco

Identify Historic Properties

- But they make take on significance when they are identified as part of a historic district or neighborhood



Alamo Square
San Francisco

Identify Historic Properties

- Is this a significant historic property?



Identify Historic Properties



Locke

- Not all historic properties are pretty! You have to understand its historical context.
- This is Locke in the Sacramento Delta. It is considered the most intact rural Chinatown in the United States and it is a National Historic Landmark.

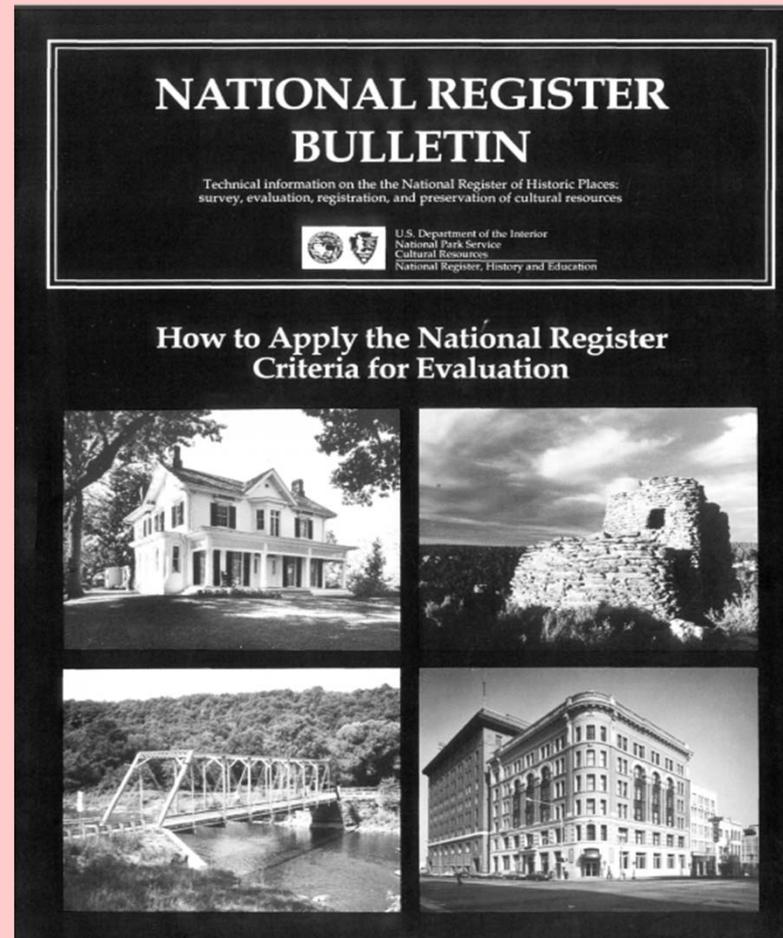
Identify Historic Properties

- Properties must be significant
- **and**
- Properties must have the integrity necessary to convey their historical significance
- Things to look at include
 - Location, design, setting, materials, workmanship, feeling, and association
 - Type of integrity depends on why it is significant

Identify Historic Properties

- Evaluate Historical Significance
 - Acknowledge the expertise of Indian Tribes and Native Hawaii organizations when assessing the eligibility of a property to which they attach religious or cultural significance

Identify Historic Properties



www.nps.gov/history/nr/publications/bulletins/nrb15

Identify Historic Properties

You have completed your documentation and evaluation, and it is time to submit your information to SHPO.

Should your letter to SHPO say that the local government requests that SHPO determine if the property is historic?

Or that the local government is requesting SHPO “clearance”?

And the answer is. . . **No!**

Identify Historic Properties

...Or that the local government has determined that the subject property is, or is not, eligible for listing on the National Register of Historic Places, and is requesting SHPO concurrence with their determination.

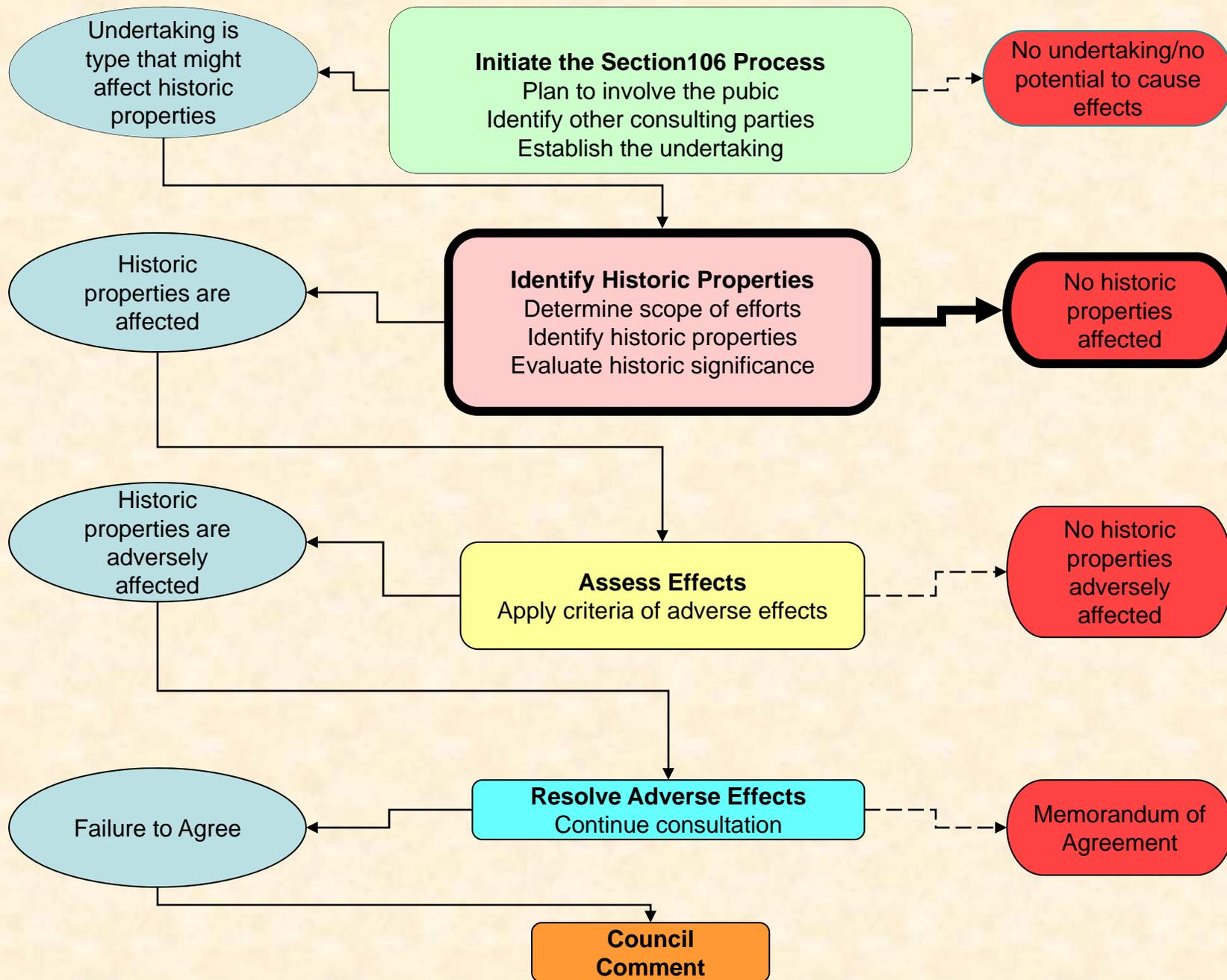
And the answer is...**Yes!**

Identify Historic Properties

- Agency official makes a formal determination whether that property does or does not meet the criteria for listing in the National Register
 - Make an affirmative statement-don't ask the SHPO to make the decision
- SHPO reviews and concurs, or not
 - Formal disagreements referred to Keeper of the National Register

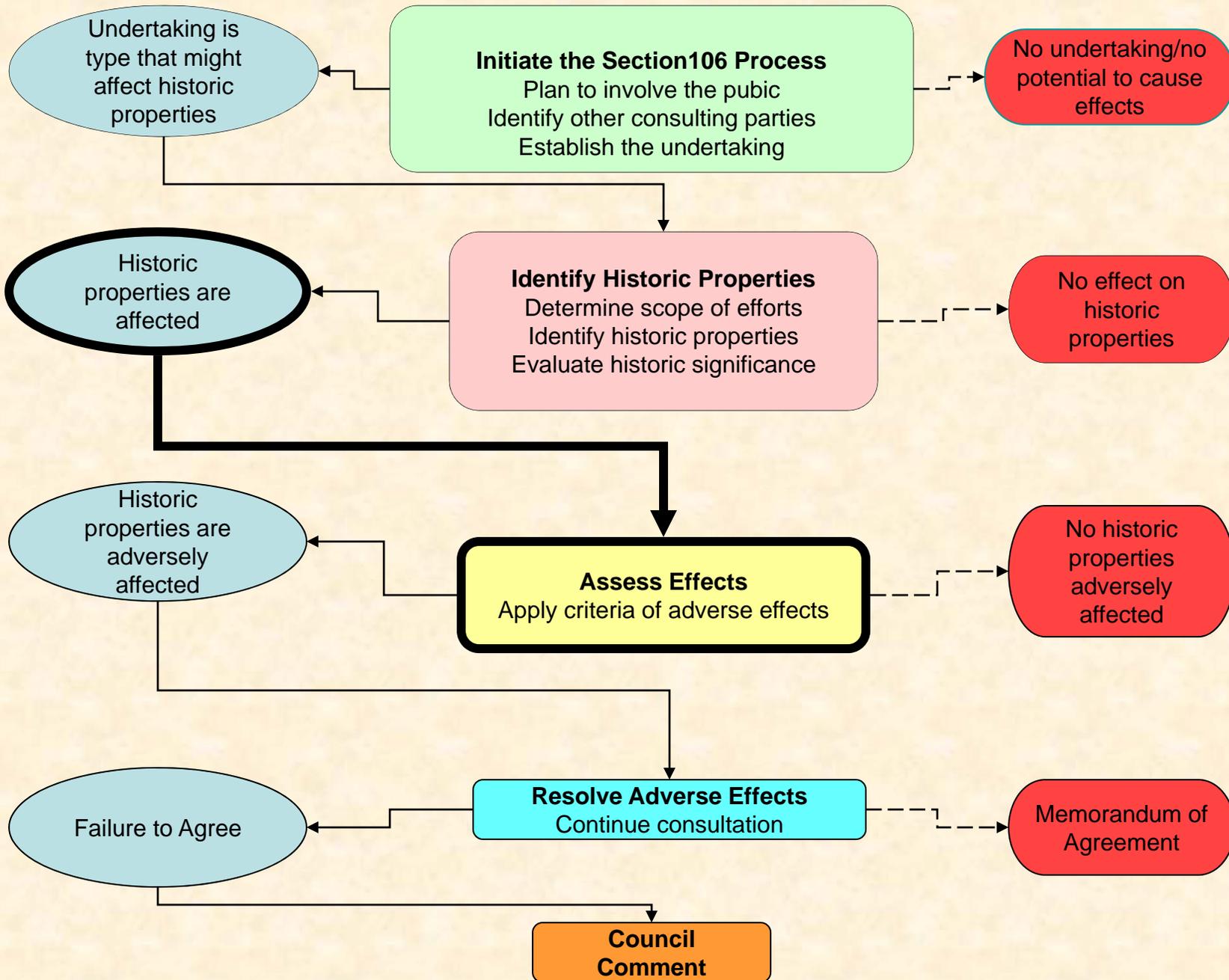
Identify Historic Properties

- If no historic properties are found, or
- If no effects on known historic properties are found, then
- Agency official makes determination that no historic properties are affected
 - Agency official must place documentation in a public file prior to approving the undertaking
 - SHPO has 30 days to object



Identify Historic Properties

- When the agency official finds that historic properties are present and may be affected, or
- The SHPO or ACHP objects to a finding of no historic properties affected, then
- The agency official proceeds to the assessment of effects
 - Agency official must notify all consulting parties and invite their views



Assess Effects



- Apply the criteria of adverse effect
- Will the action have an adverse effect on historic properties within the APE?
 - No adverse effect
 - Adverse Effect

Assess Effects

- The SHPO and Indian tribes/Native Hawaii organizations attaching religious and cultural significance to identified properties, must be consulted when agencies apply the criteria of adverse effect.
- The agency official needs to consider the views of consulting parties and the public.

Assess Effects

- Apply criteria of adverse effects
 - When an undertaking may directly or indirectly alter characteristics of a historic property that qualify it for inclusion in the National Register
 - Reasonable foreseeable effects caused by the undertaking that may occur later in time, be farther removed, or be cumulative also need to be considered.

Assess Effects

- Examples of adverse effects
 - Physical destruction or damage
 - Alteration not consistent with the Secretary of the Interior's *Standards for Rehabilitation*
 - Relocation of a property
 - Change of use or physical features of a property's setting
 - Neglect or abandonment
 - Introduction of visual, atmospheric or audible elements

Assess Effects

- Examples of adverse effects
 - Visual, atmospheric, or audible intrusions
 - Neglect resulting in deterioration
 - Alteration or destruction of an archeological site is an adverse effect, whether or not recovery of archeological data from the site is proposed. ACHP has issued guidance.

Assess Adverse Effects



Inappropriate alterations

Assess Effects

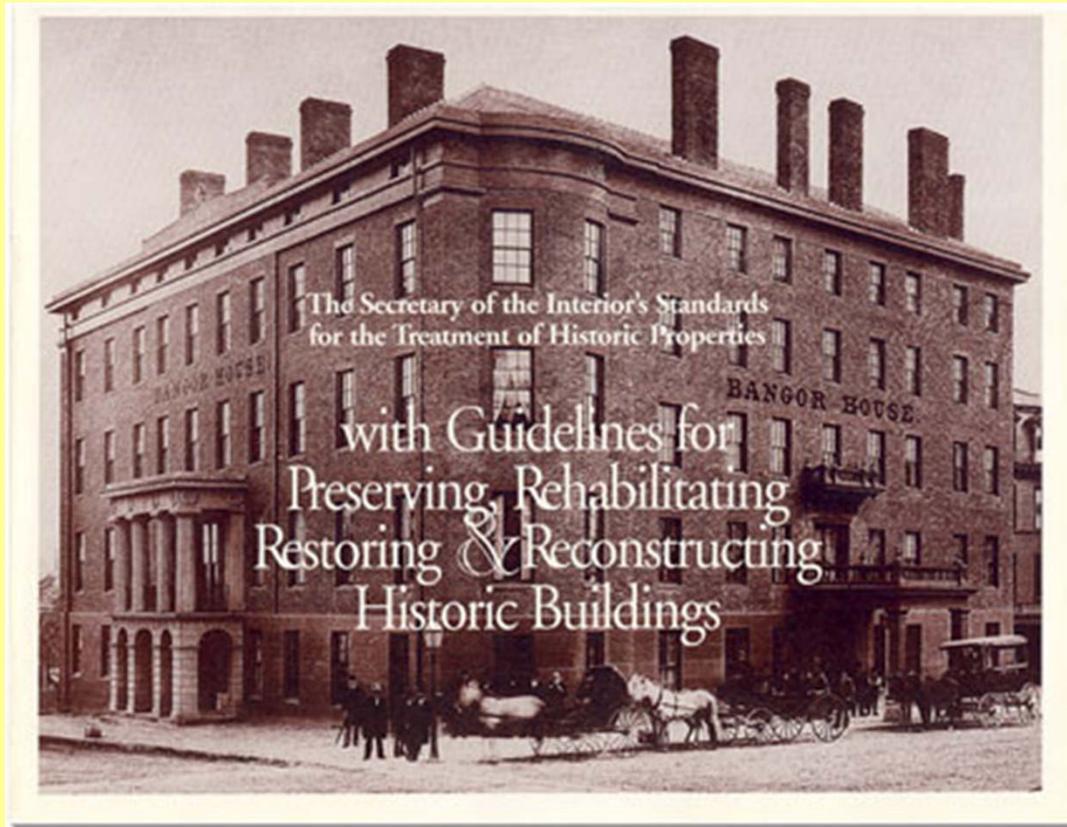
New construction that is out of character with adjacent historic properties



Assess Effects

If a property is eligible for the National Register, individually, or as a contributor to a district, how can the local government ensure that the undertaking does not adversely affect the historic property?

Assess Effects



<http://www.nps.gov/hps/tps/Standards/index.htm>

Assess Effects

- No Adverse Effects
 - A property that is restored, rehabilitated, repaired, maintained, stabilized, premeditated, or other changed in accordance with the *Secretary's Standards*
 - Minor changes that do not adversely impact character defining features

Assess Effects

What the SHPO needs to review:

- Narrative
 - Describe effects
 - Reasoning behind your finding of effect
- Alternatives considered
- Supporting documentation
 - Specifications
 - Photo simulations
 - Maps
 - Drawings

Assess Effects

- Agency official makes a format determination of effect
 - Adverse or no adverse effect
- Make an affirmative statement—don't ask the SHPO to make the decision
- SHPO reviews and concurs, or not
- Formal disagreements are referred to the Advisory Council on Historic Preservation

Assess Adverse Effects

No Adverse Effects

- Rehabilitation done using Secretary of the Interior's Standards



Assess Adverse Effects

No Adverse Effects



Appropriate pocket park and street furniture at Locke, a National Historic Landmark District

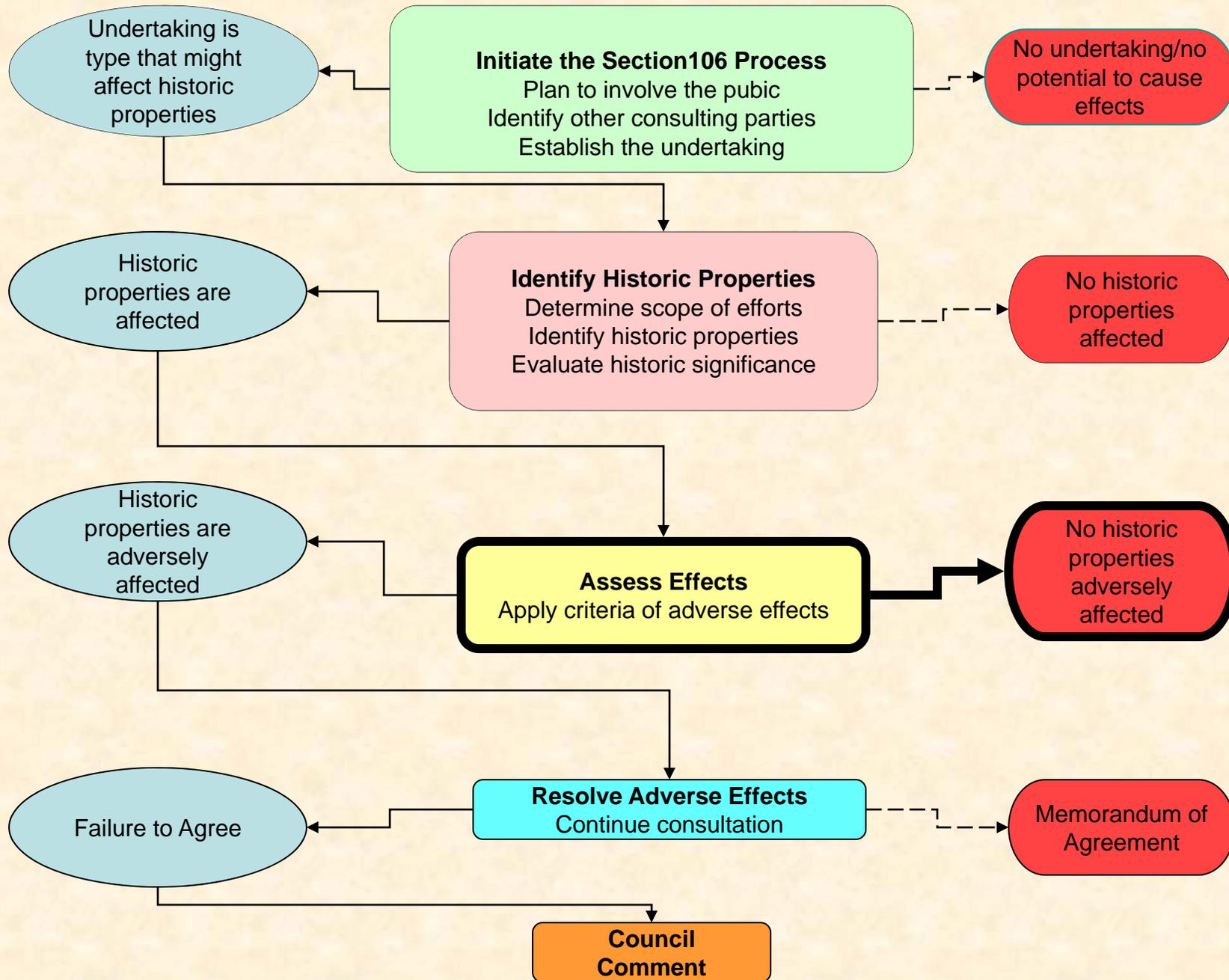


Assessing Effects

- SHPO may suggest changes in a project or impose conditions so that adverse effects can be avoided and thus result in a no adverse effect determination
 - Conditional no adverse effect

Assessing Adverse Effects

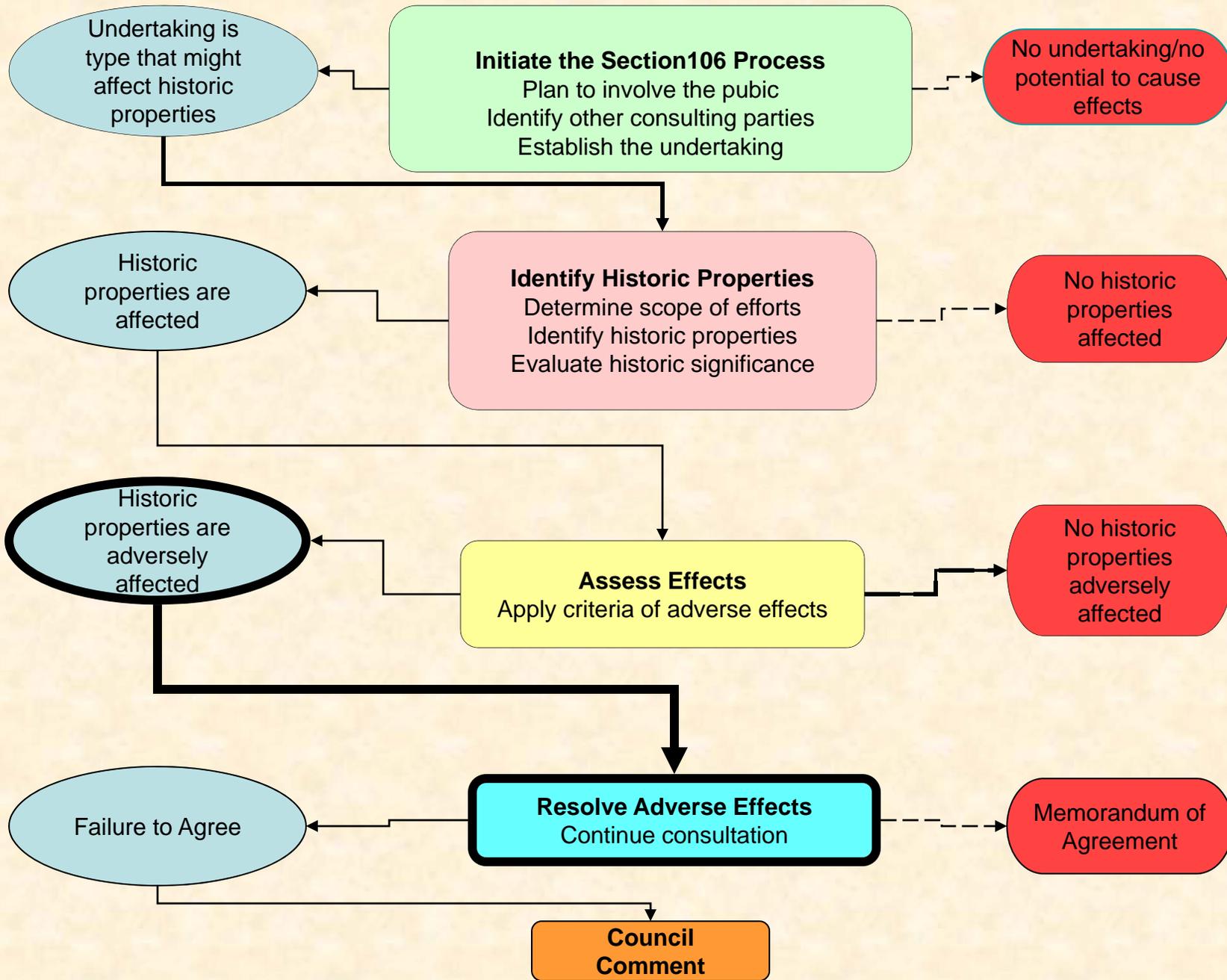
- Agency must retain records of no adverse effect findings and make them available to public
- Failure of an agency to carry out the undertaking in accordance with the finding requires the agency official to reopen the Section 106 process and determine whether the altered course of action constitutes an adverse effect.



Assessing Adverse Effects

- A finding of adverse effect requires further consultation on ways to resolve it.





Resolve Adverse Effects

- Continue consultation among the agency official, SHPO and consulting parties
- Agency official must notify ACHP when adverse effects are found and invite them to participate
 - ACHP will let agency official know within 15 days

Best Ways to Slow Down the Section 106 Process

Replacement windows are the only solution or, **we already have our minds made up!**

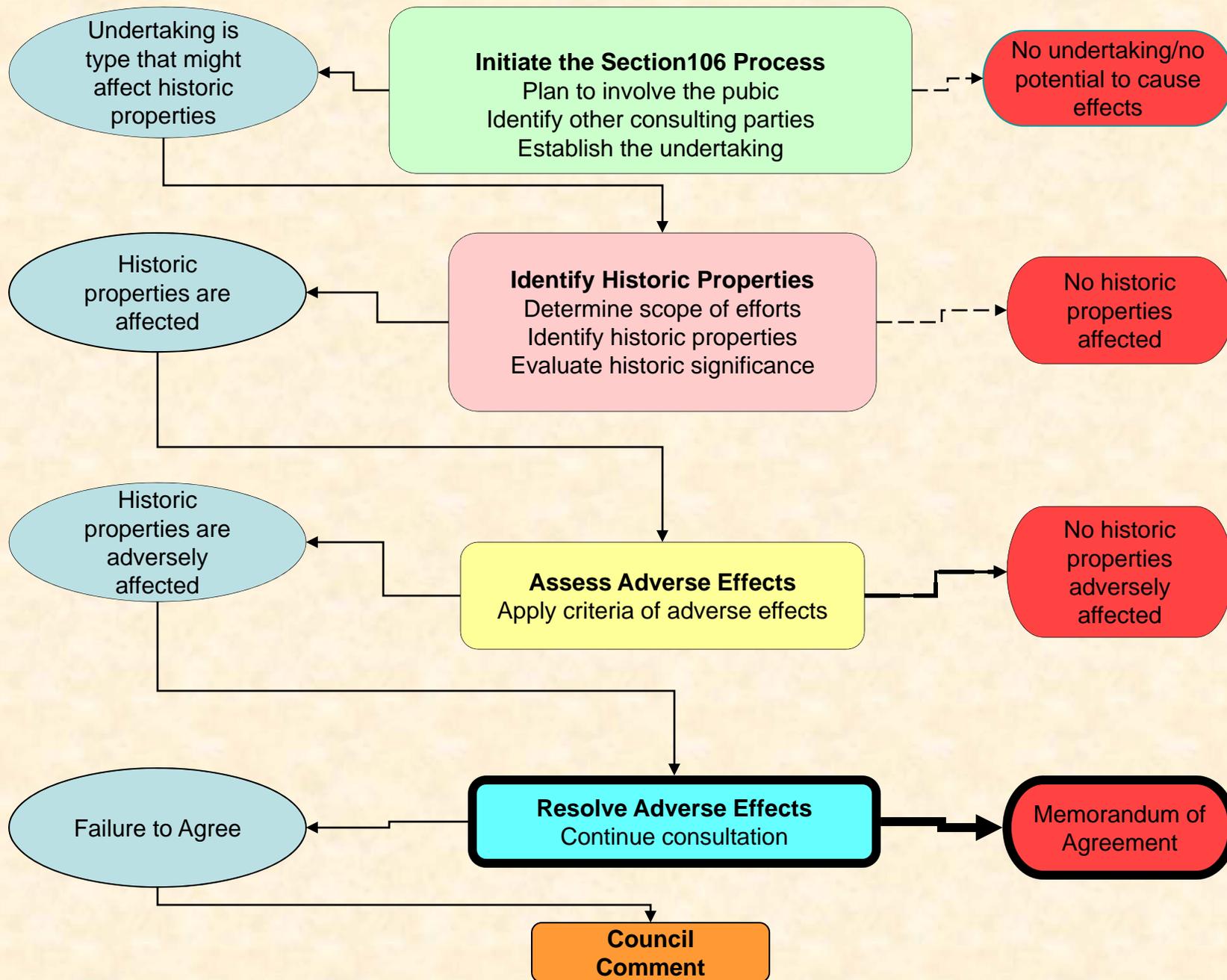
Section 106 consultation is part of the planning process—it is not a mitigation program

Resolve Adverse Effects

- Memorandum of Agreement (MOA)
 - Signatories—Agency official, SHPO, Advisory Council on Historic Preservation
 - Concurring parties—tribes, property owners, interested parties
 - Outlines terms and conditions
 - May include continued review of plans by SHPO
 - MOA does not reduce the adverse effects to a no adverse effect determination
 - Formal conclusion of the Section 106 process

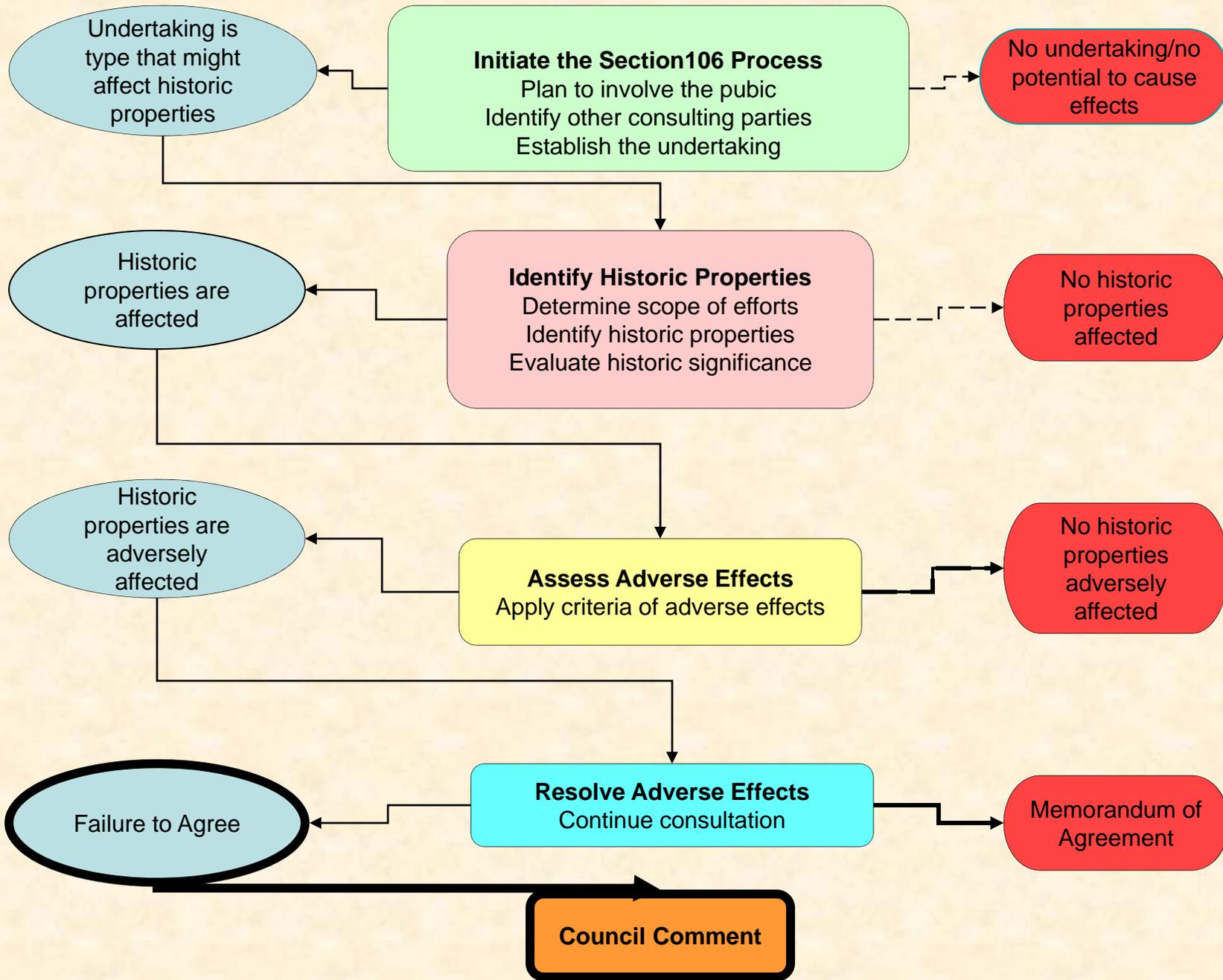
Resolve Adverse Effects

- **MEMORANDUM OF AGREEMENT**
 - **BETWEEN**
 - **THE SACRAMENTO HOUSING AND REDEVELOPMENT AGENCY,**
 - **AND THE CALIFORNIA STATE HISTORIC PRESERVATION OFFICER**
 - **REGARDING THE LOCKE FIRE SUPPRESSION SYSTEM PROJECT,**
 - **TOWN OF LOCKE, SACRAMENTO COUNTY,**
 - **CALIFORNIA**
- WHEREAS, the Sacramento Housing and Redevelopment Agency (SHRA) has determined that the Locke Fire Suppression System Project (Undertaking) will have an effect on the Locke Historic District, a National Historic Landmark (Locke) or on properties listed in or eligible for listing in the National Register of Historic Places (NRHP) (Historic Properties) and has consulted with the California State Historic Preservation Officer (SHPO), and has notified the Advisory Council on Historic Preservation (Council), pursuant to 36 CFR 800 regulations effective January 11, 2001 implementing Section 106 of the National Historic Preservation Act (Act) of 1966, as amended (16 U.S.C. 470f) ; and



Resolve Adverse Effects

- Failure to resolve adverse effects
 - What happens when the consulting parties cannot reach agreement?
 - ACHP provides advisory comments to the head of the agency which must be considered when the final agency decision on the undertaking is made.



Programmatic Agreements

What is a Programmatic Agreement?

- Programmatic agreement means a document that records the terms and conditions agreed upon to resolve the potential adverse effects of a Federal agency program, complex undertaking or other situations in accordance with Sec. 800.14 (b). [36 CFR 800.16(t)]
- It becomes a substitute for the step-by-step approach in the Section 106 regulations. It must still meet the intent of the regulations.

When do we use a PA?

- A programmatic agreement may be used when effects on historic properties are similar and repetitive or are multi-State or regional in scope.
 - Rehabilitation programs
 - Lead remediation program
 - Façade improvement program
 - Handy worker program

When do we use a PA?

- A programmatic agreement may be used when effects on historic properties cannot be fully determined prior to approval of an undertaking.
 - Large phased mixed used project with residential, commercial, parking, etc. with potential for archeological work
 - Need HUD \$\$ up front to develop plans, but you don't have anything to submit to SHPO yet. Entering into Agreement Document is evidence that agency has complied with Section 106.
 - Project will also use federal historic preservation tax credits

When do we use a PA?

- A programmatic agreement may be used when nonfederal parties are delegated major decision-making responsibilities.
 - Rehabilitation of a large historic hotel into senior housing. Work is carried out by developer. PA says upfront what will be done, who will do the work, and how. Defines a review process and roles.

What can a PA do for you?

APPLICABILITY OF THE AGREEMENT

- Limits the PA to certain programs or activities
- Timing
- Establish standards and protocols to be followed
- Defines is not included in PA

What can a PA do for you?

UNDERTAKINGS NOT REQUIRING FURTHER REVIEW

- Section 106 regulations do not provide for exemptions or exclusions, such as those found in CEQA or NEPA.
- A proposed action is either an undertaking or it is not.
- PA is the legal way to mutually agree that certain undertakings will not be reviewed

Appendix A

- **The following Undertakings require only administrative review by the CITY and not the SHPO or the ACHP pursuant to Stipulation III of this PA.**
- Demolition and rehabilitation of facilities that are not Historic Properties, except when a proposed addition of such facilities may affect a surrounding or adjacent historic district;
- Repair, replacement and installation of the following systems provided that such work does not affect the exterior of a property or require new duct installation throughout the interior:
 - electrical work;
 - plumbing pipes and fixtures, including water heaters;
 - heating and air conditioning system improvements;
 - fire and smoke detector system installation;
 - sprinkler system installation;
 - ventilation system installation;
 - interior elevator or wheelchair conveying system; and
 - bathroom improvements where work is restricted to an existing bathroom.

What can a PA do for you?

AREA OF POTENTIAL EFFECTS

- Can establish up front, agreed upon APEs for certain situations, such as rehabilitation projects and associated infrastructure improvements

What can a PA do for you?

IDENTIFICATION OF HISTORIC PROPERTIES

- Establishes local government's responsibilities and authority
- Outlines when re-review of property already evaluated is not necessary
- Steps to follow in evaluation process by local government
- What to do if SHPO concurs with local government's finding
- What to do if SHPO does not concur with local government's finding

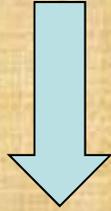
What can a PA do for you?

- If a local government has professionally qualified staff or is committed to hiring professional consultants, authority of local government can be expanded to make more decisions
- Expand the applicability of the PA
- More authority to determine historic properties

What can a PA do for you?

- If a local government has professionally qualified staff or is committed to hiring professional consultants, authority of local government can be expanded to make more decisions
- Expand the applicability of the PA
- More authority to determine historic properties

Is a PA worth the effort?



- Upfront investment of time developing PA
- Submission of biannual Programmatic Agreement Compliance Report (PACR)



- Once in place, reduces consultation time
- Provides predictability
- Provides exemptions from review

More Information

- Advisory Council on Historic Preservation
 - www.achp.gov
- State Historic Preservation Officer (California)
 - www.ohp.parks.ca.gov
- California Historical Resources Information System
 - www.ohp.parks.ca.gov/default.asp?page_id=1068
- Native American Heritage Commission
 - www.ceres.ca.gov/nahc/default.htm
- National Register Information
 - www.nps.gov/history/nr/publications/bulletins/nrb15
- HUD Community Planning and Development
 - <http://www.hud.gov/offices/cpd/environment/library/subjects/preservation/index.cfm>
 - <http://www.hud.gov/offices/cpd/environment/review/historic.cfm>

More Information

Lucinda Woodward, Supervisor of Local Government
Unit, California Office of Historic Preservation

Lwoodward@parks.ca.gov

(916) 445-7028

Shannon Lauchner, State Historian II, Local Government
Unit, California Office of Historic Preservation

Slauchner@parks.ca.gov

(916) 445-7013