

# SHPO Consultation Process

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# New Website!

<http://shpo.sc.gov>

- Texts of National Register of Historic Places nominations
- Guidance on consultation with our office
- Project Review Forms and Instructions
- Historic contexts
- Countywide and municipal survey reports

# [shpo.sc.gov/revcomp](http://shpo.sc.gov/revcomp)

- ◆ Project Review Guidance, including
  - Area of Potential Effects (APE)
  - Guidance on cultural resources assessments, reconnaissance surveys, intensive surveys
  - Guidance on assessing effects to historic landscapes
  - Agreement and covenant templates

# Discussion Points

- ◆ Section 106 Process
- ◆ Consultation Changes
- ◆ New Project Review Form
- ◆ Results of Review

# Section 106

## National Historic Preservation Act

- ◆ Federal agencies
- ◆ Identify consulting parties
- ◆ Identify historic properties
- ◆ Assess effects

# Consulting Parties

- ◆ State Historic Preservation Office (SHPO)
- ◆ Local government
- ◆ Interested parties
  - Local historical societies
- ◆ Public

# Native American Consultation

- ◆ Federally-recognized tribes
  - ◆ South Carolina
    - Catawba Indians
    - Eastern Band of Cherokee Indians
- ◆ Other tribes in Oklahoma, Florida, etc.

# Native American Consultation

Consultation with the SHPO is

NOT

consultation with the tribes!!

# Historic Properties

- ◆ For Section 106, a historic property is:
  - Listed in the National Register of Historic Places
  - Eligible for listing in the National Register
  - Not all of South Carolina has been surveyed for historic properties!

# National Register of Historic Places

- ◆ List of properties that contribute to our understanding of the history of our communities, state, and nation
- ◆ Buildings, structures, objects, sites, districts

# National Register of Historic Places

- ◆ A resource may be eligible for the National Register if it meets one of four criteria
- ◆ A resource can be eligible for the National Register under more than one of the four criteria

# National Register of Historic Places

- ◆ Eligibility for the National Register determined by:
  - State Historic Preservation Office
  - Federal agencies
  - Keeper of the National Register (NPS)

# National Register of Historic Places

- ◆ Formal nomination process
  - Historical significance
  - Physical description of the property
  - Photographs
  - Maps
  
- ◆ Listed in the National Register by the National Park Service

# National Register of Historic Places

## ◆ Criterion A

- Events
- Broad Patterns of History



# National Register of Historic Places

- ◆ Criterion B
  - Significant Persons



# National Register of Historic Places

## ◆ Criterion C

- Architecture
  - ◆ Type, period or method of construction
  - ◆ Work of a master
  - ◆ High artistic value



# National Register of Historic Places

## ◆ Criterion D

- Information potential
- Generally archaeological sites, but not always



# National Register of Historic Places

## ◆ Integrity:

- Location
- Design
- Materials
- Workmanship
- Setting
- Feeling
- Association



# Preliminary/Anticipatory Reviews

## ◆ "Due diligence"

- Recommend identification surveys for historic properties
- Review identification surveys
- Comments on eligibility of known and newly-recorded sites ONLY IF no additional work is needed

# Preliminary Review

## ◆ The SHPO WILL:

- Provide technical comments on rehabilitation plans for historic buildings or structures
- Provide guidance on the development of an archaeological survey for a project area

# Preliminary Review

## ◆ The SHPO WILL NOT:

- Conduct background research into historic properties or archaeological sites
- Consult with Native American tribes

# Anticipatory Review

- ◆ Expect a federal undertaking
- ◆ Federal agency not involved at time of request for review
- ◆ Provide information on potential agency

# Preliminary/Anticipatory Review

## ◆ WILL NOT COMMENT ON:

- Proposed Area of Potential Effects (APE)
- Effects of the project on historic properties
- Suggested archaeological testing methods
- Memoranda of Agreement (MOA) documents

# Preliminary/Anticipatory Review

- ◆ SHPO will keep documentation up to two years after submission
- ◆ Additional consultation or identification procedures may be needed once federal agency is identified

# Why New Form?

- ◆ Realignment to follow 36 CFR 800 "Protection of Historic Properties"
- ◆ Basic information needed for our review of projects, especially contact information
- ◆ Summary of research and comments received

# Project Review Form

Preliminaries:

This is:

A New Project (completed entire form)

Additional Information (first page only)

# Project Review Form

Preliminaries:

Status of Project:

Federal Undertaking Anticipated

- Plan to apply for grant funds; permit; license

Federal Undertaking

- Federal agency is active in project/application has been made for funds; permit; license

# Project Review Form

## General Information:

1. Project Name (internal or descriptive)
2. City
3. County
4. Federal agency
5. Authorized Delegate: Applicant, local government
6. Consultant/Agent: COG or other environmental consultant



# What is an APE?

- ◆ Area of Potential Effect: 36 CFR 800.16(d)
- ◆ Geographic area
  - Direct
  - Indirect
- ◆ Scale and nature of undertaking
- ◆ Every project has its own APE

# Project Review Form

## Area of Potential Effects (APE):

1. **Detailed** description of project
  - Ground disturbance (installation of waterlines, new construction, etc.)
  - Rehabilitation (new roof, interior rehab, new HVAC, lead-based paint abatement, etc.)
  - Site plans if large or new construction

# Project Review Form

Area of Potential Effects:

## 2. Phases of construction

- If known, describe the phases
- May not be applicable to project

## 3. Acreage:

- Direct acreage affected by actual construction activities

# Project Review Form

## Area of Potential Effects:

### 4. Current land use of property

- Farmland, forest, developed, neighborhood, etc.
- If adjacent land is used differently, describe that (i.e. undeveloped parcel adjacent to a subdivision or industrial park)

# Project Review Form

Area of Potential Effects:

## 5. Prior land use or **modifications**

- Grading, plowing, mining, drainage, utilities, infrastructure
- Undeveloped land?
- Existing buildings or other structures?

# Project Review Form

Area of Potential Effects:

6. Will the project involve:

- New construction
- Rehabilitation of structures
- Relocation of structures
- Demolition of structures

# Historic Building Supplement

## NEW FORM!

- ◆ Projects that involve **rehabilitation** to historic structures
- ◆ Provides information on planned work
  - Windows and door replacement
  - Additions
  - Demolitions
  - Masonry cleaning and repair

# Project Review Form

Area of Potential Effects:

## 7. Written description of the Area of Potential Effects:

- Direct effects
  - Demolition, rehabilitation, destruction of known historic properties
- Indirect effects
  - Traffic flow
  - Visual effects
  - Noise
  - Cumulative effects

# Project Review Form

## Identification of Historic Properties in the APE:

### 1. Use of ArchSite:

[archsite.cas.sc.edu/archsite](http://archsite.cas.sc.edu/archsite)

- Online database of known archaeological sites and all above-ground historic properties
- Surveyed areas

# Project Review Form

Identification of Historic Properties in the  
APE:

## 2. Additional consulting parties

- Local historical societies
- Local governments
- Public

# Project Review Form

Identification of Historic Properties in the  
APE:

## 3. Known structures or buildings

- Regardless of age

## 4. Age, use, photographs

- Approximate age
- Residential, commercial, outbuildings, etc.
- Photographs of front and side of ALL buildings and structures

# Project Review Form

Identification of Historic Properties in the  
APE:

## 5. Known archaeological resources

- Artifacts, arrowheads, old wells, earthworks, etc.

## 6. Cultural resources assessment or survey

- Copy of survey provided to SHPO
- Copy of comments if survey previously reviewed

# Project Review Form

Identification of Historic Properties in the  
APE:

7. Review all background information  
collected from all sources

- Known historic properties in the APE
- No known historic properties in the APE

**\*\*SHPO may request further identification  
of historic properties through a survey  
or additional consultation**

# Project Review Form

Assessment of Project Effect:

## No Historic Properties Affected:

- Research does not indicate any historic properties
- SHPO will concur or disagree with findings

# Project Review Form

## Assessment of Project Effect:

### No Adverse Effect

- Historic properties are present in the APE
- Project will not affect the significance of property or its historic integrity
- SHPO will concur or disagree with findings

# Project Review Form

## Assessment of Project Effect:

### Adverse Effect

- Historic properties are present in the APE
- Project will affect the significance of property or its historic integrity

# Required Documentation

- ◆ Completed project review form
- ◆ 1:24,000 USGS topographic map section with project boundaries
- ◆ Site plan
- ◆ Photographs of the project area (regardless of standing structures); can be aerial photograph

# Additional Documentation

- ◆ Federal agency authorization to consult
- ◆ Results of a cultural resources investigation
- ◆ Photographs of structures on property
- ◆ Historic Building Supplement

# Results of Review

- ◆ Completed project review form and background research is key
- ◆ Quick turn-around time at SHPO for projects
- ◆ Maps, photographs, and clear, detailed descriptions

# Results of Review

## No Historic Properties Affected

- No properties identified in APE
- No cultural resources survey or additional identification needed
- Project consultation completed
- SHPO will respond within 30 days

# Results of Review

## No Adverse Effect

- Historic properties identified in APE
- Project has restrictions that will protect historic properties
  - Restrictive covenant
  - Avoidance
- Conditions as part of grant
- SHPO will respond within 30 days

# Results of Review

## Adverse Effect

- Historic properties identified in APE
- Integrity will be altered
- Memorandum of Agreement (MOA)
  - Avoid
  - Minimize
  - Mitigate
- Consultation with the Advisory Council on Historic Preservation (ACHP)
- SHPO will respond within 30 days

# Avoiding Adverse Effects

- ◆ Early consultation with the SHPO
  
- ◆ Thorough background research
  - ArchSite
  - National Register of Historic Places
    - ◆ Maps, photographs, nominations online
  - Discussions with consulting parties

# Avoiding Adverse Effects

## ◆ Avoidance

- Known archaeological sites
- Restrictive covenants
- Notes on construction plans

◆ Secretary of the Interior's *Standards for the Rehabilitation of Historic Properties*

# Mitigation

## ◆ Documentation

- Archaeological excavation (Phase III)
- Photographic documentation
- Historical documentation

## ◆ Public education

- Exhibits
- Website
- Historical Marker

# Workshop Information

PowerPoints and handouts available on  
our website:

<http://shpo.sc.gov/conf/>

Enter Review and Compliance Workshops

# Upcoming Workshops

- ◆ **Historic Properties and the Coastal Zone Management Act**  
November 20, 2008  
Myrtle Beach, SC
- ◆ **Developing Agreement Documents and Appropriate Mitigation**  
March 26, 2009  
Columbia, SC (part of 2009 Annual Conference)

# Questions?

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