

# ***News in Review***

Periodic Mailing from the  
South Carolina State Historic Preservation Office (SHPO)  
Review and Compliance Division  
January 2015

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### **1. State Preservation Plan: Please Take a Survey**

The SHPO is updating the state's historic preservation plan, as required by the National Park Service. We need your opinions and ideas to help formulate the plan. **Please take a few minutes to answer this [online survey](#). And please forward the link to others.**

The SHPO has responsibility under the National Historic Preservation Act for developing, and revising as needed, a statewide historic preservation plan. The plan guides the work of the State Historic Preservation Office, but it also provides a vision for historic preservation in the state. The current state plan is [Preserving Our Past to Build a Healthy Future: A Historic Preservation Plan for South Carolina 2007-2015](#).

### **2. 2015 SC Preservation Awards: Call for Nominations**

Nomination forms are now available for the 2015 South Carolina Historic Preservation Awards. The six categories are Honor Awards, Stewardship Awards, Preservation Service Awards, Heritage Tourism Award, Elected Official Honor Award, and Governor's Award. The nomination form and directions are available at <http://shpo.sc.gov/events/Pages/awards.aspx>. For more information contact Michael Bedenbaugh of the Palmetto Trust at 803-924-9979, [oldhouse@palmettotrust.org](mailto:oldhouse@palmettotrust.org). **Nominations must be postmarked by March 20, 2015.**

### **3. Guidance on Agreement Documents from the Advisory Council on Historic Preservation (ACHP)**

Check out the recently issued "Guidance on Agreement Documents" at <http://www.achp.gov/agreementdocguidance.html>. It is designed to walk stakeholders through the process of developing and writing a clear, concise agreement document to address an undertaking's effects to historic properties under Section 106 of the National Historic Preservation Act or develop a programmatic agreement.

### **4. National Historic Preservation Act (NHPA) Changes Federal Code Location**

According to the Advisory Council on Historic Preservation (ACHP) the National Historic Preservation Act (NHPA) has a new home in the United States Code (U.S. Code), the official compilation of federal statutes. While the NHPA was previously codified at title 16 of the U.S. Code (16 U.S.C. § 470 et seq.), effective December 19, 2014 it was moved to title 54. The provisions of the newly codified NHPA may be found starting at section 300101. The new citation is 54 U.S.C. § 300101 et seq.

The recodification was carried out as part of a larger effort to better organize all the statutes related to the National Park Service, which plays a key role in the NHPA with duties connected to the National Register of Historic Places and the State and Tribal historic preservation offices. It also removed obsolete provisions, changed the location of some sections and subsections so they are better grouped thematically, and corrected technical errors. However, none of the changes are substantive. The requirements and programs under the NHPA remain the same. They are simply better organized and located in a new title of the U.S. Code.

The ACHP expects stakeholders to transition to usage of the new U.S. Code citations to the NHPA as soon as they are reasonably able. However, the law that moved the NHPA to title 54 specifies that a reference to an old title 16 provision (e.g., 16 U.S.C. § 470f, for Section 106 of the NHPA) is legally deemed to refer to the corresponding provision in the new title 54. No amendments to past NHPA correspondence or existing Section 106 agreements will be needed or expected. The regulations implementing Section 106 of the NHPA, at 36 CFR part 800, are not affected by this recodification.

The ACHP intends to continue referring to Section 106 of the NHPA as “Section 106” since that refers to the section in the original public law that enacted the NHPA, as opposed to its legal citation on the U.S. Code. It is also a reference that has been in constant use for almost 50 years. If you have any questions, please contact Javier Marques, Associate General Counsel for the ACHP at [jmarques@achp.gov](mailto:jmarques@achp.gov).

## 5. Subscription Information

- You are receiving this e-mail message because of past contact with the Review and Compliance Program at the South Carolina State Historic Preservation Office.
- If you feel you have received this message in error or **wish to unsubscribe** from this mailing list, please e-mail Elizabeth Johnson at [emjohnson@scdah.state.sc.us](mailto:emjohnson@scdah.state.sc.us).
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