

Historic Preservation

24 CFR Part 58

General requirements	Legislation	Regulation
Protect sites, buildings, and objects with national, state or local historic, cultural and/or archeological significance. Identify effects of project on properties	National Historic Preservation Act, 16 U.S.C. 470(f), section 106	36 CFR Part 1294 36 CFR Part 800 24 CFR Part 58.5(a)

1. Does the project include repair, rehabilitation or conversion of existing properties 45 years or older, new construction, the acquisition of undeveloped land, or any construction that requires ground disturbance (defined as one cubic foot of disturbed soil)?

- No: STOP here. The Section 106 Historic Preservation review is complete. Record your determination that the project type will not adversely affect historic properties on the Statutory Worksheet or Environmental Assessment.
- Yes: PROCEED to #2

2. Does the project involve only those activities permitted without further consultation under a programmatic agreement among the responsible entity, the State Historic Preservation Officer (SHPO) or Tribal Historic Preservation Officer (THPO) and the Advisory Council on Historic Preservation?

- Yes: STOP here. The Section 106 Historic Preservation review is complete. Record the date of the programmatic agreement and your determination that your project fits within the agreement on the Statutory Worksheet or Environmental Assessment.
- No: PROCEED to #3

3. Does the project involve a structure that is less than 45 years old with no ground disturbing activities and you have determined there is no potential to cause effects on historic properties per 36 CFR 800.3(a)(1)?

- Yes: STOP here. The Section 106 Historic Preservation review is complete. Record your determination that there is no potential to cause effect, including the age of the existing building if appropriate, on the Statutory Worksheet or Environmental Assessment.
- No: PROCEED to #4

4. In consultation with SHPO/THPO and any tribes or groups that may have an interest in the project have you determined that there are no historic properties affected?

- Remember-you must consider the Area of Potential Effect (APE). The APE is defined as the geographic area within which an undertaking may directly or indirectly cause changes in the character or use of historic properties. The APE is influenced by the scale and nature of an undertaking. (36 CFR Part 800.16)
- Consult the State Historic Preservation Officer (SHPO) or if the project is on tribal land, the Tribal Historic Preservation Officer (THPO) with details of the project and project site. In Washington and Oregon, the SHPO has developed forms to help with the consultation process. Links to these forms are included in the attached Pacific Northwest Contact Sheet. SHPO or THPO has 30 days from receipt of a well-documented request to make a determination. We recommend sending the letter with a return receipt form to document the contact. If they do not respond within the timeframe, you may proceed with your determination or consult with the Advisory Council on Historic Preservation (ACHP). Contact information for State Historic Preservation Officers is available at www.achp.gov/shpo.html, and for Tribal Historic Preservation Officers at <http://www.achp.gov/thpo.html>.
- Determine if there are tribes or groups that have demonstrated interest in the historic aspects of the project and invite them to participate in the consultation. You must make a reasonable and good faith effort to identify Indian tribes that may have an interest. This website offers a database of Indian Tribe interest by county: <http://home.nps.gov/nacd/index.cfm>. Your state's Office of Indian Affairs may also have information on tribes in your area. (Please see attached Pacific Northwest Contact sheet for details.)

- Yes: STOP here. The Section 106 Historic Preservation review is complete. Attach SHPO concurrence to the ERR and copies of letters to and from other interested parties and your response. If SHPO/THPO did

not respond within 30 days, your dated letter documents compliance. Record your determination of no historic properties affected on the Statutory Worksheet or Environmental Assessment.

No: Continue to #5

5. Will the project have an adverse effect on any property(ies) listed or eligible for inclusion on the National Register of Historic Places?

- Consult the State Historic Preservation Officer (SHPO) or if the project is on tribal land, the Tribal Historic Preservation Officer (THPO) and any tribe that attaches religious and cultural significance to identified historic properties and apply the criteria of adverse effect within the APE (§800.5(a)(1)). Determine whether your project will directly or indirectly alter any of the characteristics of the property or its Area of Potential Effect in a manner that would diminish the integrity of the property's location, design, setting, materials, workmanship, feeling or association.

No: A categorically excluded project (24 CFR Part 58.35(a)) cannot convert to exempt under §58.34(a)((12)-you must go through the RROF process. The Section 106 Historic Preservation review is complete. Attach SHPO concurrence to the ERR and copies of letters to and from other interested parties and your response.

Yes: Resolve Adverse Effects per 800.6 in consultation with SHPO/THPO, the ACHP if participating, and any consulting parties. The loan or grant may not be approved until adverse effects are resolved according to 800.6 or you have complied with 36 CFR Part 800. A categorically excluded project (24 CFR Part 58.35(a)) cannot convert to exempt under §58.34(a)((12)-you must go through the RROF process.

Pacific Northwest Historic Preservation Contacts

National Contacts

National Parks Service-National Historic Register

www.cr.nps.gov/nr/research (click on NRIS Database)

Advisory Council on Historic Preservation

Office of Planning and Review

1100 Pennsylvania Avenue, NW, Suite 809

Washington, DC 20004

Phone: (202) 606-8503

Fax: (202) 606-8647

E-mail: achp@achp.gov

Website: www.achp.gov (The Council's Website includes a "Users Guide to Section 106 Review" and contact information for Federal agencies, State Historic Preservation Officers (SHPOs), and tribes.)

Oregon

State Historic Preservation Office

Oregon Parks and Recreation Dept

State Historic Preservation Office

725 Summer St NE, Suite C

Salem OR 97301

Phone: 503-986-0677

Fax: 503-986-0793

Website: http://www.oregon.gov/OPRD/HCD/SHPO/preservation_106.shtml (Includes contact names and addresses, fill-able Section 106 documentation forms, and useful links.)

Tribal Historic Preservation Officers

There are currently two designated THPOs in Oregon. Please visit the Advisory Council on Historic Preservation website for up-to-date THPO contact information: <http://www.achp.gov/programs.html>

Confederated Tribes of the Umatilla Indian Reservation Cultural Resources Protection Program PO Box 638 Pendleton, OR 97801 541-276-3629 website: www.umatilla.nsn.us	Confederated Tribes of Warm Springs Department of Cultural Resources PO Box C Warm Springs, OR 97761 541-553-3548 website: www.warmsprings.com
--	---

For contact information for other tribes in Oregon, visit the Oregon State Legislative Commission on Indian Services: <http://www.leg.state.or.us/cis/>

Washington State

State Historic Preservation Office

Department of Archeology & Historic Preservation

1063 S Capitol Way, Suite 106

Olympia, WA 98501

Phone: 360 586-3065

Fax: 360-586-3067

Web site: <http://www.dahp.wa.gov/> (Includes contact names and addresses, fill-able Section 106 documentation forms, and useful links.)

Tribal Historical Preservation Officers

There are currently eight designated THPOs in Washington. Please visit the Advisory Council on Historic Preservation website for up-to-date THPO contact information:

<http://www.achp.gov/programs.html>

For contact information for other tribes in Washington, please visit the Washington Governor's Office of Indian Affairs: <http://www.goia.wa.gov/>

Idaho

State Historic Preservation Office

Idaho State Historical Society

1109 Main Street, Suite 250

Boise, Idaho 83702

Phone: 208-334-2682

Fax: 208-334-2774

Website: <http://www.idahohistory.net/shpo.html> (Includes contact names and addresses, guidance on submitting Section 106 consultation requests, and useful links.)

Tribal Historic Preservation Officers

Coeur D'Alene Tribe Mr. Quanah Matheson, THPO PO Box 408 Plummer, ID 83851 208.686.0675 phone 208.686.1901 fax	Nez Perce Tribe PO Box 365 Lapwai, ID 83540-0365 208.843.7400 phone 208.843.7419 fax
--	---

Please visit the Advisory Council on Historic Preservation website for up-to-date THPO contact information:
<http://www.achp.gov/programs.html>

Alaska

State Historic Preservation Office

Department of Natural Resources

Division of Parks and Outdoor Recreation

550 W 7th Ave, Suite 1310

Anchorage, Alaska 99501-3565

Phone: 907-269-8721

Fax: 907-269-8908

Website: <http://www.dnr.state.ak.us/parks/oha/index.htm> (Includes contact names and addresses, and the Alaska Heritage Resources Survey map-based inventory.)

Tribal Historic Preservation Officers

There are currently no designated THPOs in Idaho. Please visit the Advisory Council on Historic Preservation website for up-to-date THPO contact information: <http://www.achp.gov/programs.html>