

# Historic Preservation/ Section 106 Review

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Presented by:

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Historic Preservation Division (HPD)  
Department of Community Affairs (DCA)



# HPD's Mission Statement

To promote the preservation and **use** of historic places for a better Georgia



# HPD Programs

## Federal Programs

- National Register of Historic Places
- Environmental Review
- Tax Incentives and Grants
- Certified Local Governments

## State Programs

- Georgia Register of Historic Places
- Tax Incentives and Grants
- Historic Resources Survey
- Archaeology
- Centennial Farm Program
- African American Preservation Network & Program



# Historic Preservation

**So, What's the CONNECTION between MY PROJECT and HISTORIC PRESERVATION and a SECTION 106 REVIEW?**

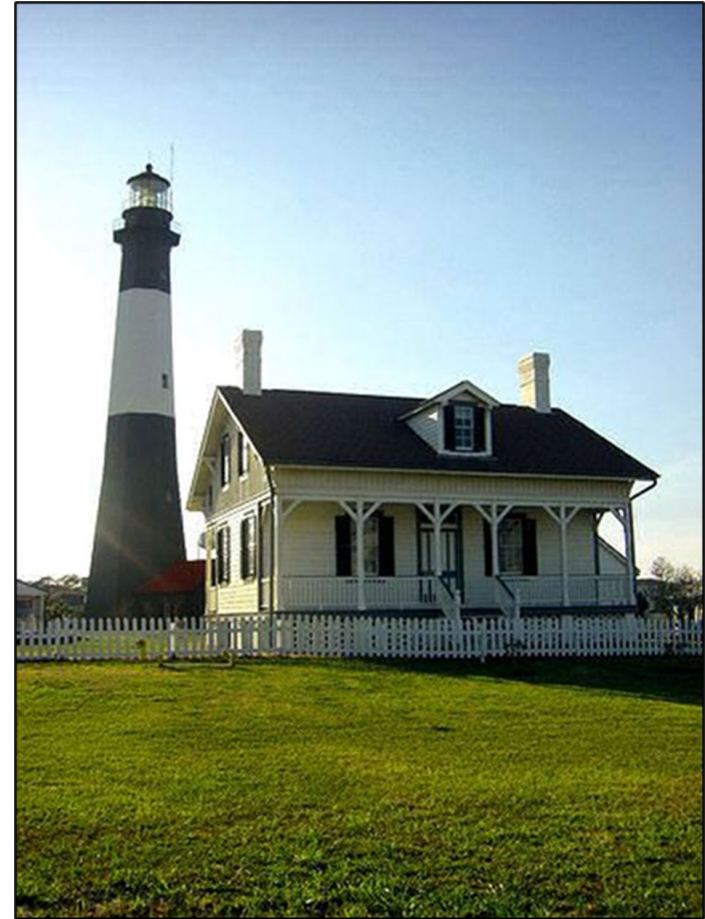
## **Why Preserve the Historic?**

- A Community's Culture and Identity are Important
- A Sense of History – the Story of a Community – is Important
- Economic Vitality is Important
- Adaptability is Important
- Sustainability and the Environment are Important

**And WHY is a Section 106 Review Required?**

# National Historic Preservation Act

- State Historic Preservation Offices
- Advisory Council on Historic Preservation
- National Register of Historic Places
- Section 106



# Project Types

- Water/Sewer Projects
- Bank Branches
- Docks
- Highway/Road Projects



Georgia Department of Community Affairs



- Public Housing
- Transmission lines
- Military Installations
- Pipelines



# Section 106 Review Process

36 CFR § 800.3-7

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## INITIATE the process

- Determine undertaking
- Coordinate with other reviews
- Identify SHPO/THPO, Indian tribes/NHOs, and other parties
- Plan to involve the public

*Undertaking with potential to affect historic properties?*

NO

YES



## IDENTIFY historic properties

- Determine APE and scope of effort
- Make reasonable and good faith effort to identify
- Determine National Register eligibility
- Consult SHPO/THPO, Indian tribes/NHOs, and other parties
- Involve the public

*Historic properties present or affected?*

NO

YES



## ASSESS adverse effects

- Apply Criteria of Adverse Effects
- Consult SHPO/THPO, Indian tribes/NHOs, and other parties
- Involve the public

*Historic properties adversely affected?*

NO

YES



## RESOLVE adverse effects

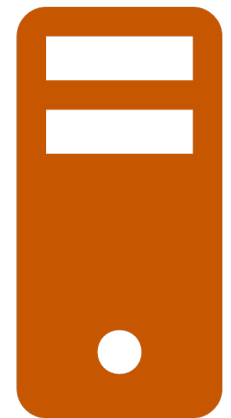
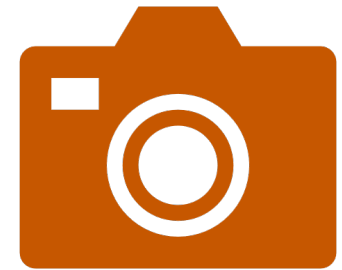
- Develop and consider alternatives or modifications to avoid, minimize, or mitigate adverse effects
- Notify the ACHP
- Consult SHPO/THPO, Indian tribes/NHOs, and other parties
- Involve the public

*AGREEMENT or Council Comment*

## PROCEED

# Consultation with HPD

- Complete the Environmental Review form
- Provide project information
- Include maps & photographs
- Submit the project materials via our online portal!





# Online Project Submission Portal

User guide can be found at:

<https://www.dca.ga.gov/georgia-historic-preservation-division/environmental-review-compliance>

Brian P. Kemp  
Governor



Christopher Nunn  
Commissioner

HISTORIC PRESERVATION DIVISION

## Welcome to the DCA – Historic Preservation Division (HPD) Environmental Review (ER) External Application System

It is our hope that this online project submittal system will make the environmental review process more efficient for all users. Electronic submission of projects via email to [ER@dca.ga.gov](mailto:ER@dca.ga.gov) also remains an option. Mailing of paper project materials is no longer available, except for archival copies of mitigation materials.

Details related to submitting a project to ER/HPD for review, including the *Environmental Review Form* and answers to frequently asked questions, can be found on our website at: <https://www.dca.ga.gov/georgia-historic-preservation-division/review-compliance>

**Link to External User Database**

<https://hpd.ga.gov/nrtigers/login>

# Environmental Review Form

**Georgia Historic Preservation Division  
Environmental Review Form**

At a minimum, the Historic Preservation Division (HPD) requires the following information in order to review projects in accordance with applicable federal or state laws. Please note that the responsibility for preparing documentation, including items listed below, rests with the federal or state agency or its designated applicant. HPD's ability to complete a timely project review largely depends on the quality and detail of the material submitted. If insufficient information is provided, HPD may need to request additional material, which will prolong the review process. For complex projects, some applicants may find it advantageous to hire a preservation professional with expertise in history, architectural history and/or archaeology, who would have access to the Georgia Archaeological Site Files and an understanding of HPD's publically available files.

**PLEASE NOTE: THERE IS A 30-DAY REVIEW PERIOD FROM THE DATE HPD RECEIVES THE SUBMITTAL. SHOULD ADDITIONAL INFORMATION BE REQUESTED, THE 30-DAY PERIOD RESTARTS.**

**I. General Information**

**A. Project Name:** \_\_\_\_\_  
**Project Address:** \_\_\_\_\_  
**City:** \_\_\_\_\_ **County:** \_\_\_\_\_

**B. Federal Agency Involved:** \_\_\_\_\_  
**State Agency (if applicable):** \_\_\_\_\_

**C. Agency's Involvement:**

<input type="checkbox"/> Funding	<input type="checkbox"/> Unknown
<input type="checkbox"/> License/Permit	<input type="checkbox"/> Other, please explain: _____
<input type="checkbox"/> Directly performing the action	

**D. Type of Review Requested:**

<input type="checkbox"/> Section 106 of the National Historic Preservation Act (Federal involvement)
<input type="checkbox"/> Section 110 of the National Historic Preservation Act (Federally owned properties)
<input type="checkbox"/> Georgia Environmental Policy Act (State involvement)
<input type="checkbox"/> State Agency Historic Property Stewardship Program/State Stewardship (State owned properties)
<input type="checkbox"/> Technical Assistance (No Federal or State involvement)
<input type="checkbox"/> Unknown

**E. Contact Information:**  Applicant     Consultant

**Name/Title/Company:** \_\_\_\_\_  
**Address:** \_\_\_\_\_  
**City/State/Zip:** \_\_\_\_\_  
**Phone:** \_\_\_\_\_ **Email:** \_\_\_\_\_

**Agency Contact Info (either State or Federal, according to review type):**

**Name/Title/Agency:** \_\_\_\_\_  
**Address:** \_\_\_\_\_  
**City/State/Zip:** \_\_\_\_\_  
**Phone:** \_\_\_\_\_ **Email:** \_\_\_\_\_

The review period for a project is a MAX of 30-days:

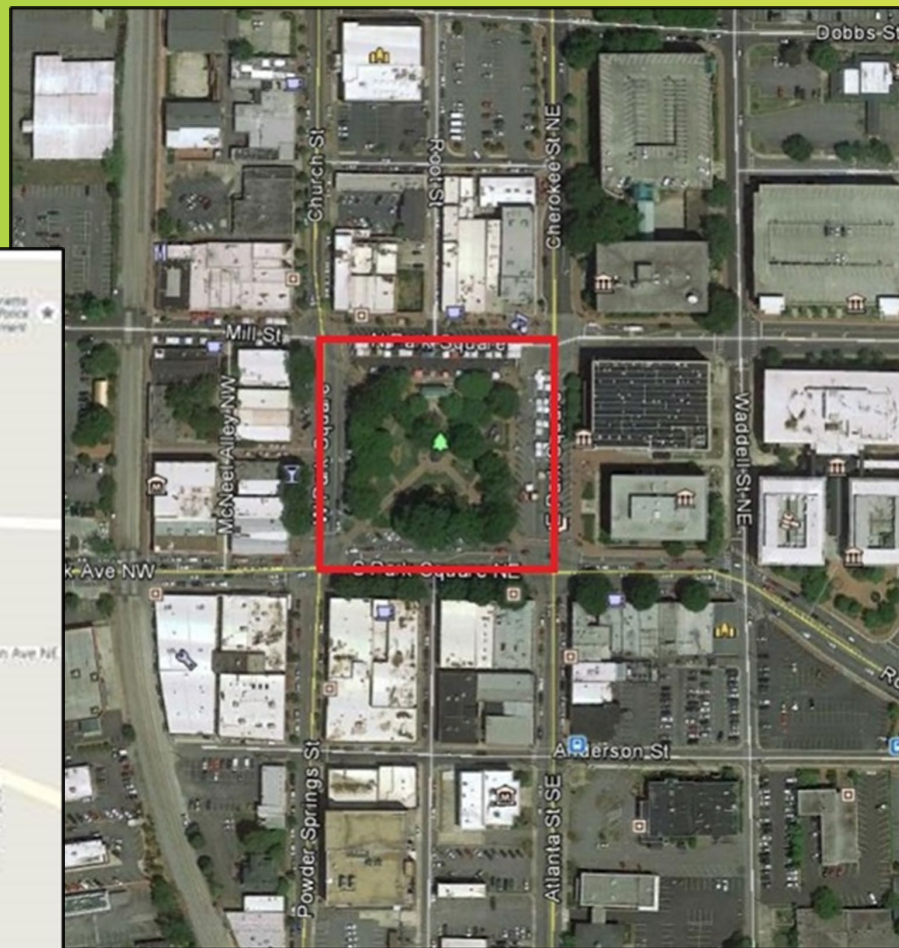
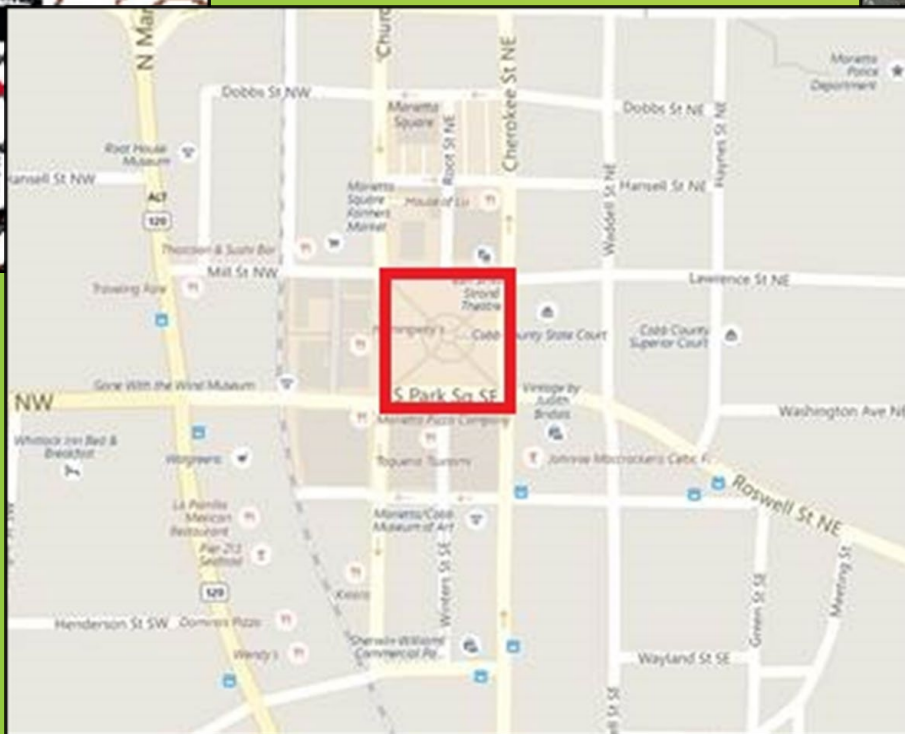
- *Be warned: the clock restarts if additional information is needed*

A completed ER form will provide HPD with:

- Basic project information
- Details about your project site
- Details about what historic resources are nearby
- Details about the effect your project will have on any nearby historic resources

The more details you provide, the fewer questions HPD will need to ask about your project!

# Supporting Documents- Maps

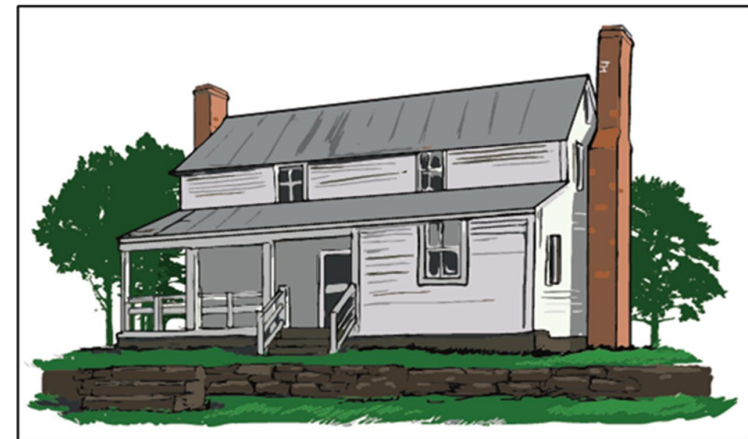


# Supporting Documents- Photos



# The Review Process

- The applicant **UPLOADS** the project to the HPD/ER online portal
- HPD/ER reviews the project within 30-days of receiving it
- HPD/ER responds to the applicant with a letter/memo via email on or by the end of the 30-day review period
- Is that all?



# Adverse Effects

## An adverse effect defined:

When an undertaking “may alter, directly or indirectly, any of the characteristics of a historic property that qualify the property for inclusion in the National Register in a manner that would diminish the integrity of the property's location, design, setting, materials, workmanship, feeling, or association.”

**36 CFR Part 800.5**

An **Adverse Effect** is **not** the end of the process!

An **Adverse Effect** does **not** mean the project cannot be completed!

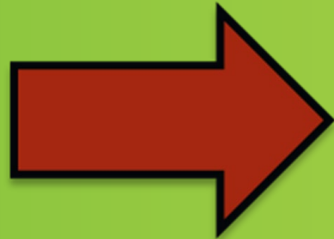
# What causes an Adverse Effect?

- Introduction of incompatible visual or atmospheric elements
- Change in use, character, or setting
- Destruction or damage
- Neglect
- And more...

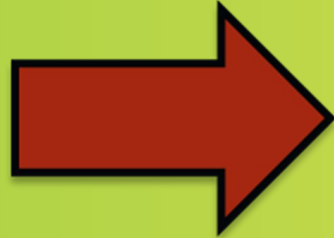


# Resolving an Adverse Effect

**Avoid**



**Minimize**



**Mitigate**





# Notify ACHP of Adverse Effects

<https://www.achp.gov/e106-email-form>

Items to include when contacting the ACHP:

- Background Info
- Photos, Maps, and Drawings
- Adverse Effect
- Correspondence
- MOA Draft



**ACHP staff contact information can be found at:**

<https://www.achp.gov/about/staff>

**ACHP Notification is ONLY required if an adverse effect is determined.**

# Memorandum of Agreement (MOA)

*ONLY required if an adverse effect is determined*

- Formalizes mitigation measures
- Assigns responsibilities
- LEGALLY BINDING

## MOAs Include:

- Whereas Clauses (preamble)
- Stipulations (mitigation)
- Stipulations (administrative)
- Conclusion
- Signatures



# Final Points to Remember

- Cold Reader
- Sufficient Documentation
- Clear/Color Photos and Maps
- Site Plans and Elevations
- Adverse Effect is NOT the end, does NOT stop a project
- HPD is here to help!



# Helpful Links

## HPD's Website:

<https://www.dca.ga.gov/georgia-historic-preservation-division>

## External User Database Link:

<https://hpd.ga.gov/nrtigers/login>

## HPD/ER Staff Contact:

Sadie Ingram

Environmental Review Historian

[Sadie.Ingram@dca.ga.gov](mailto:Sadie.Ingram@dca.ga.gov)