

Instructions for Completing Request for SHPO Comment on a Project Form

The State Historical Society of Iowa (SHSI), a Division of the Iowa Department of Cultural Affairs (DCA), has prepared these instructions to initiate consultation with the State Historic Preservation Office (SHPO) and obtain comments on projects subject to Section 106 review.

Individuals or organizations that are uncertain if their project should be reviewed under the Section 106 process or who would like assistance in understanding how historic properties relate to their specific projects should also use these preliminary assessment forms.

To aid SHPO review, a copy of the “Request for SHPO Comment on a Project” form should be fully completed and sent along with the supporting information, maps, photographs, or other appropriate documentation to the SHPO office on each property for which an Iowa Site Inventory form is completed. Incomplete forms and information severely limit SHPO’s ability to provide comments in a timely fashion.

The appropriate forms are available at www.iowahistory.org or from the R&C Coordinator at (515) 281-8743.

I. General Information

Please mark “new submittal” if this is the first time information has been sent to the SHPO. Mark “more information” if this is additional information regarding a project that has been previously submitted to SHPO. If the project has already been assigned a Review and Compliance (R&C) number (designated as such in the upper right hand corner of correspondence from the SHPO), please enter the R&C number on the appropriate blank line.

a. Property name:

Enter the name if known. For example, “Terrace Hill” or the “Fred and Mary Smith House.”

b. Property Street and Number:

Enter address for the project. For example, “205 Main Street” or “10065 Old Military Trail Road.” If a property such as a vacant lot or rural property does not have an address, then enter a street name or legal location. For example, NE corner of Hayes and Garfield Streets or the SW1/4, SW 1/4, NW 1/4 of Section 32, T97N-R24W.

c. County, City and Zip:

Enter the appropriate information for the property or project area. For example, “Johnson, Iowa City, 52242.”

Instructions for Completing the Request for SHPO Comment on a Project Form

d. Federal Agency:

Enter the name of the agency funding, licensing, or exercising regulatory authority for the project. For example: HUD, FCC, FDIC, RECD, EPA, NPS, etc.

e. Contact Person on Project:

Enter the name and phone number of the person that should receive a response from SHPO and contacted with questions.

f. Return Address:

Enter the address where SHPO response should be sent.

II. Identification of Historic Places and Finding or Project Effect

The primary responsibility for meeting the requirements of Section 106 of the National Historic Preservation Act rests with the Federal Agency. Federal agencies cannot delegate their legal obligation to comply with Section 106 to an applicant or non-Federal party without clear statutory authority. An exception is the Community Development Block Grant (CDBG) program where Congress has authorized HUD to delegate certain Federal environmental duties, including Section 106 compliance, to a local government.

Scope of Effort Applied:

Programmatic Agreement (PA) or Other Agreements with SHPO (if applicable).

Only check this box if you know your project falls under the provisions of an existing agreement between SHPO and federal/state agency or designee. A PA provides for project or program specific guidance on the identification and treatment of historic properties.

Includes the Attached Elements Required under 36 CFR 800.4(a).

By checking this box and those for the four required components of this documentation, agencies/applicants are officially seeking SHPO comments on their project's Area of Potential Effect (APE); their identification of potential interested and consulting parties; and the results of their review of existing information on historic properties in the project area.

1) Area of Potential Effects (APE), as defined in 800.16(d), is shown on a map and described in sufficient detail.

Describe the specific geographic area or areas where a project may directly or indirectly cause changes to the character or usage of historic properties. Potential effects are influenced by the scale and nature of a project and may be different for kinds of effects caused by an undertaking. For example, the APE for a rehabilitation of an 1898 house would likely be limited to the house and its immediate surroundings. The APE for the demolition of the same house for construction of a five-story apartment building would not only effect the house but its entire neighborhood of late 19th and early 20th century residences. On the other hand, a proposed road project a half mile away from this neighborhood might not result in the loss of any houses but would effect the neighborhood if certain streets were to be closed or traffic patterns changed. An even more complex situation might occur if a cellular phone tower was proposed adjacent to

Instructions for Completing the Request for SHPO Comment on a Project Form

or in this same neighborhood, raising the issues of direct and indirect visual effects and the impacts of topography and proximity. Providing sufficient APE documentation for a house rehab would require a map locating the APE and a brief description of the project. A complex project may require more than one map, proposed construction plans, and several pages of written documentation.

2) Existing information has been reviewed on historic properties in the project area at SHPO office and at other locations of inventory data.

To satisfy this requirement, agencies or applicants may find it necessary to examine the inventory files at the SHPO in Des Moines or the Office of the State Archaeologist (OSA) in Iowa City. Some inventory data may be available from local historic preservation commissions or other historic organizations.

Information maintained and available at the SHPO is the most complete and encompassing. SHPO staff is not available to conduct file research for agencies and applicants. In the near future, the SHPO intends to make its inventory data available via the Internet for research purposes. Inventory materials are available for research and copying at the SHPO during regular office hours. Agencies and applicants may request copies of survey reports, National Register nominations, and known inventory files, but should be aware that two or more weeks may be required to fulfill such requests. To cover staff labor costs for pulling, copying, and mailing particular files, the normal fee for copying will be doubled to 50 cents per page.

3) Information has been sought from parties likely to have knowledge about historic properties in the project area.

Agencies and applicants should report on their efforts to obtain information from consulting parties, individuals, and organizations with knowledge of or concerns about historic properties in the project area and identify issues these groups raised relating to the project's potential effects on historic properties. The SHPO can provide lists of local historic preservation commissions, historical societies, interested professionals, and other contacts to assist agencies and applicants in this endeavor.

4) Information gathered from Indian tribes, as appropriate.

Agencies and applicants should report on their efforts to obtain information from Indian tribes to assist in identifying properties. Include those located off tribal lands, in project areas, which may be of religious and cultural significance to them and may be eligible for the National Register and invite them to be consulting parties. Agencies and applicants are responsible for making a reasonable and good faith effort to identify and contact such tribes. SHPO can provide a list of tribes that either currently reside within or have formerly resided in the State of Iowa. It should be noted that an Indian tribe may be reluctant to divulge specific information about the location, nature, and activities associated with religious and cultural sites.

Instructions for Completing the Request for SHPO Comment on a Project Form

Identification Results:

Remember that both the History and Architecture section and the Archaeology section need to be completed and addressed for each project as appropriate. The following information provides guidance on what types of information should be examined and included in the documentation.

History and Architecture: An attached Iowa Site Inventory form is completed for each building 50 years of age or older.

Check this box and complete the form ONLY for buildings, sites, structures, objects, and districts that are 50 years old or older. The form should be completed in accordance with the accompanying instructions entitled "How to Complete the Form, and all items on the form should be completed unless the instructions indicate otherwise. The site form also includes continuation sheet/sheets for the Narrative Description, Narrative Statement of Significance, and Major Bibliographical References section of the form. To complete these forms adequately and accurately, agencies and applicants should familiarize themselves with "National Register Bulletin 15: How to Apply the National Register Criteria for Evaluation" and "National Register Bulletin 39: Researching a Historic Property," copies of which are available from the SHPO.

Archaeology:

Please mark the "Yes" box if this project will involve any type of excavation or subsurface disturbance of the property or has the potential to affect an archaeology site that may be eligible or potentially eligible for listing on the National Register of Historic Places. Mark the "No" box if the project does not involve ANY subsurface disturbance or will not affect an archaeology site that may be eligible or potentially eligible for listing on the National Register of Historic Places.

If the "Yes" box is checked: please submit the SHPO comment form along with the information described in the boxes. If a definite site plan is not available, please submit a hand drawn sketch of the limits of the proposed project area and proposed project excavation. Photocopies of maps are acceptable. Include a description of all previous disturbances that are known to have occurred in the project area prior to the currently proposed project along with the current conditions of the project area. Please note that when a project involves ONLY the potential for archaeology and does not involve any standing structure, only the Request for SHPO Comment form and its attachments should be submitted to the SHPO for review. The Iowa Site Inventory Forms do not need to be completed for projects involving only archaeology.

If the "No" box is checked or the property is less than 50 years of age, please complete the rest of the form, marking the appropriate boxes, and sign and date in the appropriate space.

III. Applicant Certification

Findings

Agencies or applicants MUST check a “Findings” box for each project and submit adequate documentation for such findings. The documentation needed to support a finding of “No Historic Properties Affected” can be found in 800.11(d) and that for a finding of “No Adverse Effect” or “Adverse Effect” can be found in 800.11(e).

No Historic Properties will be affected (i.e. none are present or there are historic properties present but the project will have no effect upon them) and adequate documentation under 800.11(d.) is provided.

Agencies and applicants will check this box when properties are not eligible for the National Register and their project has no direct or indirect effects on properties eligible for or listed on the National Register. In certain rare instances a project may have no effect on an eligible or listed property. For example, the rehabilitation of the interior of a noncontributing or ineligible building in a historic district would be viewed as having no effect because that project would have no impact on the character and qualities that caused the district to be found eligible or nominated. In a similar vein, a cellular phone tower or antenna might be determined to have no effect if it could not be seen or had very minimal visual impact on a historic property.

An historic property will be affected and adequate documentation under 800.11(e) is provided.

Furthermore, in applying the criteria of adverse effect under 800.5, propose the project is considered to have: (This will be the box checked for properties listed on or eligible for the National Register)

A No Adverse Effect under which, in consultation with the SHPO, the project will be modified or conditions imposed to avoid adverse effects.

Agencies or applicants should check this box when projects are planned to avoid potential adverse effects; are modified to avoid them; or are carried out in accordance with the Secretary of the Interior’s “Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings.”

An Adverse Effect is found and the applicant, or other federally authorized representative will consult with the SHPO and other consulting parties to resolve the adverse effect under 800.6.

Agencies and applicants should check this box when demolition or destruction of historic properties is proposed; projects cannot be modified to avoid potential adverse effects; and cannot be carried out in accordance with the Secretary of the Interior’s “Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings.”

Federally Authorized Signature

The individual authorized to sign for the agency or applicant should sign the appropriate space, enter the date, and type or neatly print the person’s name in the space below the signature.

IV. State Historic Preservation Office Comment

Leave this area blank. When this form and its supporting documentation is received, SHPO will:

- Process your correspondence and information by assigning your project an R&C tracking number and by logging the project into our database.
- Notify you whether the 30-day review period will be initiated for your project. If a determination of effect and appropriate documentation have been sent in by the federal agency or an authorized party who is serving as the federal agency, the letter will notify the submitter that the 30-day review period has started and will also provide the date when the 30-day comment period will expire. If the 30-day review period was not initiated, the letter will specify why the 30-day review period was not initiated and will request additional information or a determination of effect from the responsible federal agency or an authorized party who is serving as the federal agency.
- Distribute your information to appropriate review staff.
- Review your project information. SHPO staff may issue comments on a project within the 30 day review period. If the 30-day review period was initiated and SHPO staff does not respond prior to the expiration date printed on the letter and **you have allowed reasonable time for receipt of a letter written on day 30**, you may assume that we concur with your agency's findings under Section 106 of the National Historic Preservation Act and your agency's duties have been fulfilled where "No Historic Properties" will be affected or where a "No Adverse Effect" is proposed for a historic property.

Any questions about this form should be addressed to:

Review and Compliance Coordinator
600 East Locust St.
Des Moines, Iowa 50319-0290
Phone: (515) 281-8743