

The most comprehensive national policy on historic preservation was established by Congress with the passage of the National Historic Preservation Act (NHPA) of 1966. In this act, historic preservation is defined to include "the protection, rehabilitation, restoration, and reconstruction of districts, sites, buildings, structures, and objects significant in American history, architecture, archaeology, or culture." The act led to the creation of the National Register of Historic Places (NRHP), a listing of cultural resources of national, regional, state, and local significance.

The major provisions of the NHPA that affect FEMA are Sections 106 and 110. Both sections aim to ensure that historic properties are appropriately considered in planning federal initiatives and actions. Section 106 is a specific mandate to which federal agencies must adhere when carrying out their programs and activities. Section 110, in contrast, sets out broad federal agency responsibilities with respect to historic properties and emphasizes ongoing management of historic properties.

Section 106 requires that any federal agency having direct or indirect jurisdiction over a proposed federal or federally assisted undertaking in any state "take into account" the effect of the undertaking on historic and archaeological properties. Historic properties may include any district, building, structure, site, or object, typically 50 years in age or older. These properties may be eligible for listing in the NRHP if they possess significance at the national, tribal, state, or local level in American history, architecture, archeology, engineering, or culture. Section 106 also mandates consultation during such federal actions. Consultation agencies could include among others; a State Historic Preservation Office (SHPO), an appropriate Tribal Historic Preservation Office (THPO), local and national preservation organizations, and the general public.

A.-1 Determining if your project will affect or is in close proximity to buildings or structures greater than 50 years old

The best and most reliable way to determine if a building or structure is greater than 50 years in age (constructed after 1955), is to check the tax records for the property. However, you can also estimate the age of a structure by interviewing the current resident of the structure, a local historian or others who are familiar with the structure. Often the date of construction is posted somewhere on or in the property, especially for public buildings or structures. If you believe the project will affect a building or structure constructed during the 1950s, verify the actual date of construction using tax records.

To determine if your project will affect a building or structure 50 years or older in age, you need to consider the direct and indirect impacts that your project may have. Direct impacts refer to work on or in a building or structure 50 years old or older that could result in an alteration to the character, or diminish the integrity of the property. Examples of this include: retrofitting or replacing historic bridges; elevating, relocating, or retrofitting historic buildings; and acquiring and demolishing historic buildings. If your project application proposes any work that will directly modify a building or structure older than 50 years in age, including demolition, you must provide additional

documentation in the comments area of Section A of the PDM Environmental and Historic Preservation Questions.

Indirect impacts are project impacts that affect nearby historic properties, and are typically limited to the introduction or removal of elements into the existing visual landscape. The term “close proximity” can vary in distance depending on the project type and location (click here to see examples), and refers to a geographical area around your project site. For the purposes of your PDM application, a structure is in “close proximity” to your project if it is visible from your project site. If there are any buildings or structures 50 years old or older visible from your project site, you should document the date and location of these structures in your PDM application. If several buildings or structures 50 years old or older are visible from your project site, you should make an extra effort to determine if they are part of a larger historic district that may not be visible from your project site.

To illustrate what is meant by “close proximity,” consider these examples:

- a project involves replacing dual 24-inch diameter concrete reinforced pipe culverts with a single 60-inch diameter corrugated metal culvert. To do this, the roadway approach on either side of the culvert will have to be elevated 4 feet, causing a slight elevation in the roadway. This project will change the nature of the surrounding landscape – there will be a hump in the road now and some additional signage warning motorists of the hump. The area of close proximity for this project includes both the area from which the project is visible, and all areas visible from the project site. In this example, the area of close proximity may only be 200 to 400 feet from the proposed culvert.
- a project involves replacing 20 wooden power poles with 16 concrete power poles along a one-mile section of road. The existing wooden poles rise 45 feet from the ground, whereas the proposed poles would rise 70 feet from the ground. This project has changed the surrounding landscape by introducing 16 new elements into the skyline. The area of close proximity for this project includes both the area from which the project is visible, and all areas visible from the project site. In this example, close proximity may be all areas within 2,000 feet of any single tower.
- a project involves installing hurricane shutters on four stories of a modern building. The area of close proximity for this project includes the surrounding buildings from which the project is visible, including any adjacent buildings built before 1955.

A.-2 How to Gather Other Important Information

If it has been determined that there are any buildings or structures over 50 years of age in close proximity to your project, FEMA will need to determine if any of these properties are listed or eligible for listing in the National Register of Historic Places (NRHP). To facilitate this, you should collect additional information on those buildings and structures and include it with your application. The first information source you should utilize is the

database of NRHP listed structures on the website maintained by the National Park Service (<http://www.nr.nps.gov/>). From this site you can identify if there are any NRHP listed structures in your county or your project area.

If you are unsure as to whether the buildings or structures are NRHP listed or eligible, you can initiate contact with the State Historic Preservation Office (SHPO) (<http://www.cr.nps.gov/nr/shpolist.htm>), the local planning office of the city or town where the project is located, a local historic preservation organization, or a local historical society. If the applicant is a Tribal government, if the project will be on Tribal land, or if the project may be near properties of religious or cultural significance to a tribal group, contact the relevant Tribal Historic Preservation Officer (THPO), or other appropriate cultural resource contact in the tribe. These offices can be found on the web (<http://www.cr.nps.gov/hps/tribal/thpo.htm>).

In your communication with the SHPO, THPO, or local agency/organization, you should:

- Indicate you are applying for federal aid, and you are requesting information about the presence of historic properties in your project area [click here to see an example letter]
- Include the name of the nearest city and the names of the county where the project will occur
- Include a detailed description of the proposed project
- Include a 1:24,000 USGS map [click here to see an example map] showing the project area and the location of all buildings and structures over 50 years in age that are visible from the project site.
- Include photographs showing each of the buildings and structures that are over 50 years in age, and context photographs of the project site [click here to see example photos]

You should also make clear in your communication with the SHPO, THPO, or local agency/organization that you are **NOT** initiating consultation with their agency; the formal consultation process must be initiated by FEMA. Instead, indicate that you are only collecting information about the project site, and that formal consultation will be initiated by FEMA if the project is selected for award

SHPOs and THPOs typically take at least 30 days to respond, so it is important to initiate this correspondence early. If you have not received an agency response as you are finalizing your application, it is a good idea to follow up with them to find out when you might expect a response. Indicate the status of this correspondence with the SHPO or THPO in your project application, and scan and attach any letters, faxes, or emails you receive in response to your contact.

Read the responses from the SHPO, THPO, or local agency/organization carefully. Many times these responses can contain: important requests for information or clarification of project location or scope of work; information about nearby structures that may be affected by the project; or suggestions about how to modify your project to reduce impacts to nearby structures or a district. If the SHPO, THPO, or local historical society

have comments, or expresses an interest or concern about the structure that you are working on or a nearby structure, check “yes” to Section A, Question 1. You should only check “no” to Section A, Question 1 if the SHPO, THPO, or other interest groups indicate they have no comments about the proposed project. If no information has been gathered about historic structures in your project area, check the “Not known” box in Section A, Question 1.

In addition to requesting information from the SHPO, THPO, or local agency/organization, you should also consider involving nearby residents and business if your project may affect a historic structure. Historic structures and districts are sometimes important community resources that the general public appreciates and identifies with. If any work is going to occur on or near an historic structure of local importance, it may be a good idea to get the general reaction from the community during the planning stages of the project design.

If your project involves the demolition of any historic structure, alternatives to its demolition must be considered and included in your application. At a minimum, your application should contain a feasibility analysis for retrofitting, elevating, or relocating the structure away from the hazard, and other treatment measures that could reduce the impact of the hazard. In the analysis, give a description of the alternatives considered and make a statement about why the proposed demolition of the structure is more feasible than other alternatives.

A.-3 How to Address Adverse Effects

Adverse effects impact the integrity or intactness of a historic structure or its surroundings. If you anticipate that your project will have an adverse effect to an historic structure, then you should consider ways to avoid those effects, minimize the effects, and if necessary, compensate for the effects. When possible, all projects should be designed to avoid adverse effects to historic structures. If adverse effects cannot be avoided, develop appropriate treatment measures into the scope of work so adverse effects are reduced and minimized. Lastly, if adverse effects cannot be avoided, compensate for the adverse effects through documentation or development of other treatment measures in consultation with FEMA, the SHPO or THPO, and other interested parties. Listed below are some of the possible adverse effects that your project may have, together with possible treatment measures that you may include in your project to avoid, reduce or minimize, or compensate for adverse effects. The list is illustrative, and does not include all adverse effects that a project may have or all of the ways to potentially treat those effects.

Adverse Effect	Treatment measures
<ul style="list-style-type: none"> • Demolition of historic structure/building • Renovation or retrofit of historic structures that is incompatible with existing historic features • Intrusion of project into an historical viewshed, or construction that is incompatible with an existing historic context 	<ul style="list-style-type: none"> • Consider alternatives: eliminate or reduce the hazard to the structure by some other means. • Minimize adverse effects by retrofitting, elevating, or relocating the structure instead of demolition • Compensate for adverse effects by salvaging architectural features before demolition • Compensate effects by documenting the structure and surrounding views by photo-recording and/or measured drawings • Compensate effects by documenting the structure in a historical narrative or through oral histories • Compensate effects by erecting interpretive signage at the site documenting the structure • Avoid or minimize adverse effects by renovating or retrofitting with in-kind materials, or materials that are compatible with the historic context of the structure • Compensate for adverse effects by documenting the structure and surrounding views by photo-recording and/or measured drawings • Compensate for adverse effects by erecting interpretive signage at the site documenting the structure • Avoid adverse effects by moving the project to another location • Avoid or minimize adverse effects by designing the project with in-kind elements of the existing historic context • Follow design guidelines set by municipal zoning laws or the SHPO • Avoid or minimize adverse effects by documenting the structure and surrounding views by photo-recording

	and/or measured drawings
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A.-4 How to provide relevant and helpful support Documentation

If you answered “yes” to Section A, Question 1, there are several things items you should attach to your application as support documentation.

First, include the address and original date of construction for each building or structure fifty years or older that is part of your project or in close proximity to your project and indicate how you determined the date of construction. If this information is provided somewhere else in your application or as an attachment, please comment to that effect in the comments area of Section A of the PDM Environmental and Historic Preservation Questions.

Second, attach a minimum of two color photographs showing at least three sides of each building or structure fifty years or older that will be affected or is in close proximity to your project to your application [[click here to see an example photos](#)]. The resolution of most digital cameras is sufficient to document the nature of the structure. It is important to clearly label your photographs and indicate the compass direction in which the photograph is being taken.

Third, attach a tax map (available from most municipality or county governments), a 1:24,000 scale USGS topographic map [[click here to see an example map](#)], or other scaled diagram showing the location of the identified buildings or structures relative to the project area. All of the structures and the project area must be marked clearly on the map.

Fourth, attach a narrative, describing the results of the information gathered, including:

- a list significant events in the history of the structure
- the names and brief histories of any notable persons associated with the structure
- comments about the integrity of the structure
- comments about the setting of the structure
- a description of the materials used in the construction of the structure and any notable workmanship
- a description of any elements of the structure that have architectural significance

Finally, attach documentation of your contact with the SHPO, THPO, or local agency/organization, including:

- scanned and attached copies of response letters, faxes, or emails
- summaries of relevant telephone conversations
- the status of any outstanding correspondence

Date

Name, Director
State Historic Preservation Office
Address
City State Zip

Subject: Request for information about proposed FEMA project; Pre-Disaster Mitigation Competitive (PDM-C) Program, in the Town of Blackrock, Seneca County, State

Dear Director:

The City of Blackrock has applied to the Federal Emergency Management Agency (FEMA) for a grant under FEMA's Pre-Disaster Mitigation-Competitive (PDM-C) program. PDM-C grants provide funding for measures designed to reduce or eliminate future disaster damage and disaster relief expenditures. The Town of Blackrock proposes to make stream improvements including channel straightening and stream bank armoring along Seneca Creek to alleviate flooding damage to Blackrock Road and the bridge over Seneca Creek. The project area is located next to Blackrock Road where it crosses Seneca Creek (see attached map).

One of the requirements for the FEMA PDM-C application is to identify the presence of any regulated resources in the project area. At this time, the city of Blackrock would like to inquire about the potential for nearby historic structures or archeological sites. Attached to this correspondence is a USGS map indicating the project area, pictures showing the project site and the nearby structures, and a narrative describing the proposed scope of work.

The proposed project involves straightening about 800 linear feet (lf) of the channel of Seneca Creek west of the bridge over Seneca Creek. This would require excavating the existing bank between 0 and 30 feet to the south to allow the stream to follow a straighter path. The excavated bank would be lined with rip-rap to protect it from future erosion. The second element of the project is upstream of the bridge over Seneca Creek, and involves the placement of rip-rap armor on about 400 lf of the north side of the stream (see photos).

Adjacent to the project site is Blackrock Mill. It is said that this structure was built in the 1820s, but it has been abandoned and out of use since the early 1900s. Since then it has fallen into serious disrepair; it no longer has any windows or doors, and it has been without a roof for over 50 years. The current landowner is repairing the mill for his personal use. The owner of the Mill lives about 200 feet up the hill in a house constructed in the 1850s. According to the owner, the 2-story house used to have clapboard siding, but has since been upgraded to vinyl siding. There are also new windows and additions on the building. The current owner constructed a new garage next to the house in 1995.

Your assistance in this matter is greatly appreciated. If you have any questions regarding this project, please contact me by phone (xxx) xxx-xxxx, fax (xxx) xxx-xxxx, by email (Blackrock.us.town.state), or by letter at the letterhead address.

Sincerely,



View showing Blackrock Mill looking northeast.



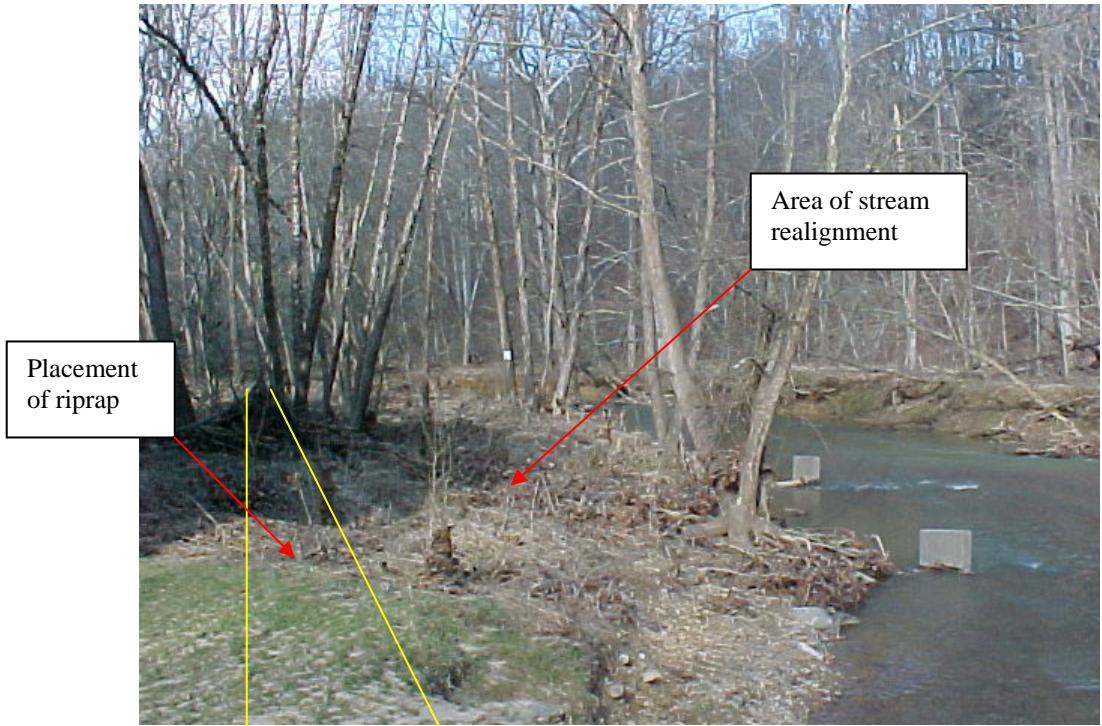
View showing Blackrock Mill looking west.



View showing 111 Blackrock Road looking south.



View showing 111 Blackrock Road looking east.



View showing approximate area of stream realignment and placement of riprap west of the bridge over Seneca Creek.



View showing approximate area of placement of riprap east of the bridge over Seneca Creek.

Topographic maps can be ordered from the USGS directly (<http://topomaps.usgs.gov/>), or can be obtained free of charge online from the United States Department of Agriculture (<http://datagateway.nrcs.usda.gov/>).

