Environmental Reviews: Introduction and Basics



Toni Lynn Giffin, Lead Regulatory Reviewer Cathy Draeger-Williams, Archaeologist

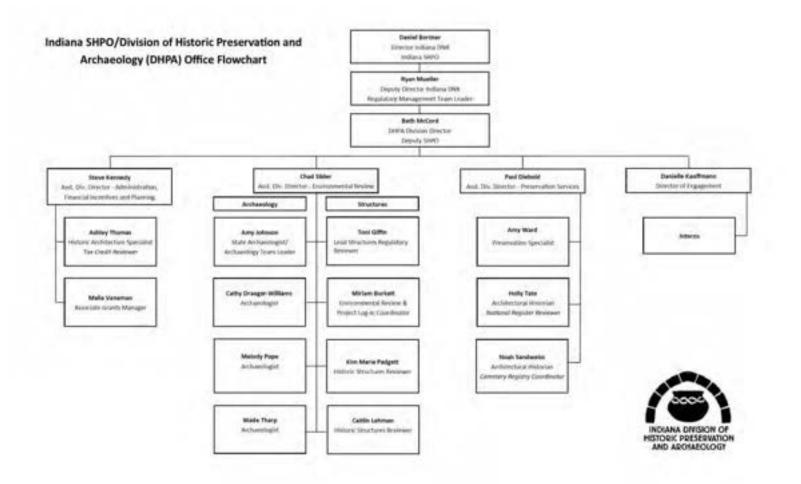




Who We Are

- State Historic Preservation Officer (SHPO)
 National Historic Preservation Act of 1966
- Indiana Department of Natural Resources Division of Historic Preservation and Archaeology (DHPA)







Environmental Reviews

2,000 Federal Reviews per year





350 to 400 State Reviews per year



National Register of Historic Places Indiana Register of Historic Sites and Structures



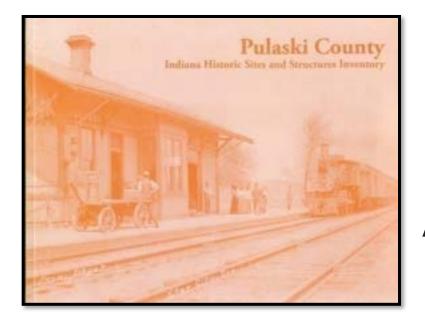
2,000+ National Register listings in Indiana

450+ Historic Districts





Survey and Data Management



Interim Reports

Indiana State Historic Architectural and Archaeological Research Database (SHAARD)

IN.gov

Welcome to SHAARD

The Indiana State Historic Architectural and Archaeological Research Database (SHAARD) allows users to search cultural resources information on known historic and archaeological resources throughout Indiana. The data contained in SHAARD was collected from previously conducted cultural resource inventories, National Register nominations, and cultural resource management projects.

SHAARD

At this time, there is not a GIS component to SHAARD. The DHPA is currently digitizing site locations through different initiatives and hopes to have a GIS component of SHAARD available in the future.

The quality of the data varies with the completeness and precision of the original records and may be out-of-data. Absence of data does not necessarily indicate the obsence of resources. The SHAARD is an ongoing initiative, and the associated data will undergo staged enhancements and constant updating.

THE ACT OF CHECKING SHAARD DOES NOT RELIEVE THE USER OF COMPLYING WITH APPLICABLE LOCAL, STATE OR PEDERAL LAWS AND REGULATIONS. Purthermore, the majority of properties included in SHAARD are privately owned and are not open to the public. Please respect property owners' privacy.

Users are encouraged to notify the DHPA about additions or corrections that may be necessary at <u>SHAABDAdmintUdor.Hubur</u>. Please include references or other documentation to substantiate requested changes or additions. New sites will be added to the database as they are received.

SHAARD was made possible with financial support from the Pederal Highway Administration, the Indiana Department of Netural Resources, and the Historic Preservation Fund of the U.S. Department of the Interior, National Park Service.

© 2007 <u>DNB-OHPA</u>. All rights received

Comments on the site? Small <u>docewebmasterBidmin.cov</u>

Web access to all of the historic resource data is open to the public, except for anchaeological information.

Enter SHAARD as a guest

Access to archaeological site locations:

and detailed site information is restricted and password protected and will be

pranted to qualified individuals who meet

a specialty in prehistoric, historic and/or

Sign In

If you forgot your password or ane having problems logging in, please email

Request a SHAARD Account

SHAARD Prequently Asked Oucstions

the Secretary of the Interioric Professional Qualification Standards with

underwater archaeology or geomorphology. Access will be granted to

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Sten In

Username:

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Grants & Tax Credits

Historic Preservation Fund Grants





Federal Rehabilitation Investment Tax Credits

State Residential Historic Rehabilitation Tax Credits





Special Initiatives

Cemetery and Burial Ground Registry

Underground Railroad

Green Book Sites







Public Outreach

Speakers

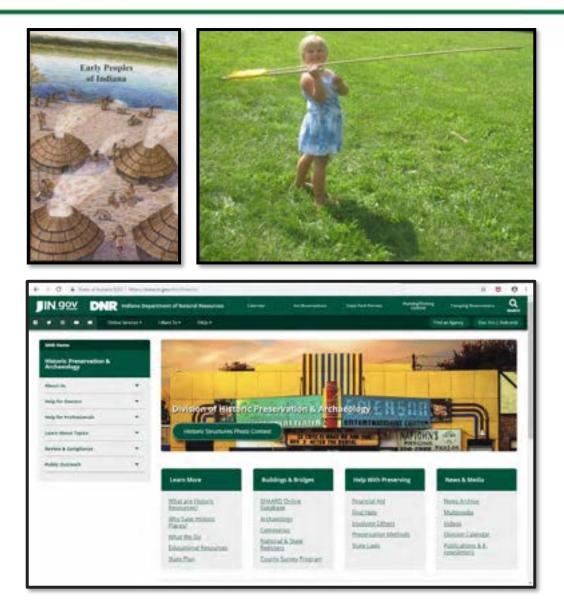
Educational Materials

Resource Materials

Website

Training

Facebook





Environmental Reviews

- Federal Review Section 106
 - What is it?
 - What is the process for the review?
- State Review
 - Different types of reviews required by Indiana Code





National Historic Preservation Act of 1966

Federally-funded public works projects, such as the construction of reservoirs, highways, and urban renewal initiatives were resulting in widespread destruction of historic and cultural properties across the nation.

In response to increasing public concern, the National Historic Preservation Act of 1966 (NHPA) was enacted to establish a means of identifying, listing, and protecting historic properties.



Photo courtesy Heritage Photo & Research Services Construction of I-65 occurs just south of the Morris-Butler House at 1204 N. Park Ave., circa 1970.





Image from: http://maps.indy.gov/MapIndy/index.html

1962

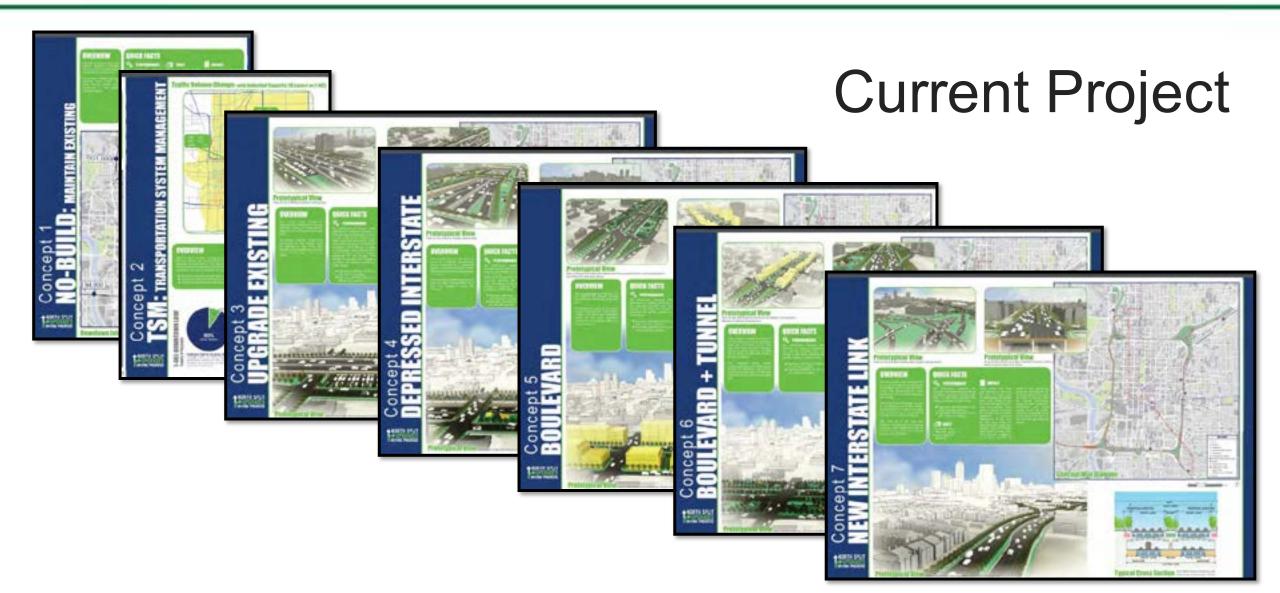




Image from: http://maps.indy.gov/MapIndy/index.html

1978







Section 106 of the NHPA

36 CFR Part 800

Any project receiving federal funding, licensing, permits, or approval must consider the impact on historic properties.

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The Goals of Section 106 36 CFR Part 800.1(a)

Identify historic properties potentially affected by the project

Assess effects on the identified properties

Seek ways to avoid, minimize or mitigate any adverse effects on historic properties



What are historic properties? 36 CFR Part 800.16(I)(1)

Any prehistoric or historic district, site, building, structure or object included in, or eligible for the National Register of Historic Places









Section 106 – Who is responsible?

- Federal agency or their delegatee
 - U.S. Department of Housing and Urban Development (HUD)
 - Responsibility goes to the lowest level of government involved (State, County, City); see 24 CFR Part 58 for more details
 - Federal Highway Administration (FHWA)
 - Indiana Department of Transportation (INDOT)
 - Federal Communications Commission (FCC)
 - Responsibility delegated to applicants/consultants









Federal Agencies

- Federal Highway Administration
- Federal Communications Commission
- U.S. Department of Housing and Urban
 Development
- U.S. Department of Agriculture Rural Development
- National Park Service
- U.S. Fish and Wildlife
- National Oceanic and Atmospheric Administration
- U.S. Army Corps of Engineers
- Department of the Army

- Department of the Navy
- U.S. Marine Corps
- U.S. Air Force
- U.S. Coast Guard
- U.S. Forest Service
- U.S. Department of Veterans Affairs
- Federal Energy Regulatory Commission
- Federal Emergency Management Agency
- Federal Aviation Administration
- Environmental Protection Agency
- Surface Transportation Board

- Federal Transit Authority
- Federal Deposit Insurance Corporation
- Office of Comptroller of Currency
- Department of Commerce
- Department of Education
- U.S. Nuclear Regulatory Commission
- U.S. Postal Service
- Federal Bureau of Investigation
- Department of Health and Human Services
- U.S. Department of Energy
- Farm Service Agency



Programmatic Agreements (PAs)

- Federal Communications Commission (FCC)
 - New construction
 - Collocation
- Federal Highway Administration (FHWA) & Indiana Department of Transportation (INDOT)
 - Minor Projects PA
 - Historic Bridges PA
- National Park Service (NPS)
- Federal Emergency Management Agency (FEMA)
- U.S. Department of Energy



HUD PAs

Due to the number of projects each year, some cities in Indiana have PAs with the SHPO for HUD projects

> Bloomington Evansville Fort Wayne Indianapolis

Lafayette Muncie New Albany South Bend

If you are doing work on a HUD project in any of the above listed cities, please contact the City first to determine their process for review



Who else is involved? 36 CFR Part 800.2

- State Historic Preservation Officer (SHPO) and/or Tribal Historic Preservation Officer (THPO)
- Indian tribes
- Representatives of local governments
- Federal agency's applicant for funding or license, if applicable (& consultants)
- Additional consulting parties with a demonstrated interest (e.g., local historical societies, neighborhood associations, county historians, Indiana Landmarks, state and national preservation groups)
- Advisory Council on Historic Preservation
- General public



Section 106 – The Process

- Federal Agency Initiates the Process
 - Submits letter with project information to SHPO
 - May authorize consultant to act in their place
 - Should include list of consulting parties contacted
 - Project information <u>must</u> include source of federal involvement, location of project, scope of work, identification of historic properties, photographs, maps, and drawings as needed



Section 106 – The Process

- Federal Agency Initiates the Process
 - Submits letter with project information to SHPO
- SHPO has 30 days to respond (36 CFR part 800.3(c)(4)
 - May request additional information or finding
- Federal Agency makes finding
- SHPO concurs or objects to finding



Findings

- "no historic properties affected"
 - No historic properties in area of potential effects
 - There are historic properties, but they will not be affected by the project
- "no adverse effect"
- "adverse effect"



Will there be an adverse effect? 36 CFR Part 800.5(a)(1)

- Apply Criteria of Adverse Effect
 - Will it alter, <u>directly or indirectly</u>, the characteristics that qualify the property for listing in the National Register of Historic Places?
 - You must know what makes a property eligible to determine any potential effects

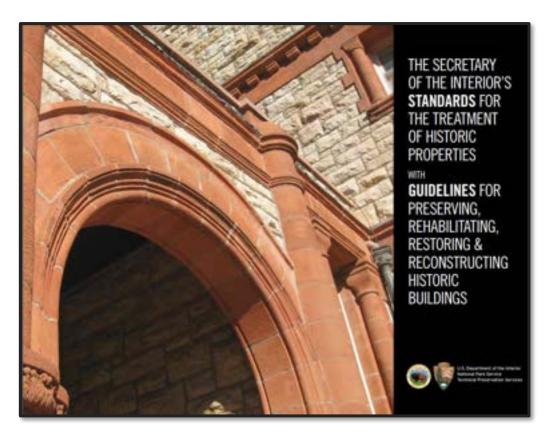


T.C. Steele Boyhood Home Montgomery County



Secretary of the Interior's Standards and Guidelines

- Published by the National Park Service
- Cover 4 different treatment methods:
 - Preservation
 - Rehabilitation
 - Restoration
 - Reconstruction
- https://www.nps.gov/tps/standards.htm





Treatment Methods

- Preservation
 - maintain and repair existing form, integrity, and materials
- Rehabilitation
 - Convert to compatible use through repair, alterations, and additions while preserving the significant features
- Restoration
 - Restore to a specific point in time
- Reconstruction
 - New construction to replicate the appearance of a resource at a specific period of time in its historic location



	MASONRY: STONE, BRICK, TERRA COTT	A, CONCRETE, ADOBE, STUCCO, AND MORTA
	RECOMMENDED	NOT RECOMMENDED
	Cleaning solled masonry surfaces with the gentlest method pos- sible, such as using low-pressure water and detergent and natur bristle or other soft-bristle brushes.	 abrasive methods (including sandblasting, other media blasting, o high-pressure water) which can damage the surface of the masons and mortar joints. Using a cleaning or paint-removal method that involves water or liquid chemical solutions when there is any possibility of freezing temperatures.
		Cleaning with chemical products that will damage some types of masonry (such as using acid on limestone or marble), or failing to neutralize or rinse off chemical cleaners from masonry surfaces.
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https://www.nps.gov/tps/standards.htm

Download the file labeled: Guidelines for the Treatment of Historic Properties



Interpreting the Standards Bulletins

- Explain rehabilitation project decisions made by the National Park Service in its administration of the Historic Preservation Tax Incentives program
- Many include photo examples of before and after
- Currently 56 different bulletins
- https://www.nps.gov/orgs/1739/its-bulletins.htm





Preservation Briefs

- Published by the National Park Service
- Good reference for appropriate treatments for various repair methods common in preservation projects and how to deal with some types of unique resources
- Currently 50 different briefs
- https://www.nps.gov/orgs/1739/preservation-briefs.htm







Reading List Descripted the PDF



Appropriate cleaning of Natoric manimy, Photo: nor flas.

Inappropriate cleaning and conting treatments are a major cause of damage to historic masonry buildings. While either or both treatments may be appropriate in some cases, they can be very destructive to historic masonry if they are not selected carefully. Historic masonry, as considered here, includes stone, brick, architectural terra cotta, caet stone, concrete and concrete block. It is frequently cleaned because cleaning is equated with improvement. Cleaning may sometimes be followed by the application of a water-repellent coating. However, unless these procedures are carried out under the guidance and supervision of an architectural conservator, they may result in irrevocable damage to the historic resource.



The purpose of this Brief is to provide information on the variety of cleaning methods and materials that are available for use on the exterior of historic masonry buildings, and to provide guidance in selecting the most appropriate method or combination of methods. The difference between waterrepellent coatings and waterproof coatings is explained, and the purpose of each, the suitability of their application to historic masonry buildings, and the possible consequences of their inappropriate use are discussed.

The Brief is intended to help develop sensitivity to the qualities of historic masonry that makes it so special, and to assist historic building owners and property managers in working cooperatively with architects, architectural conservators, and contractors. Although specifically intended for historic this information is sends this to, all pressures haddenes. This subdivision condition and over an

PRESERVATION BRIEFS

Assessing Cleaning and Water-Repellent **Treatments for Historic Masonry Buildings**

Robert C. Mack, FAIA, and Anne E. Grimmer

Preparing for a Cleaning Project

Understanding the Building Materials

Cleaning Methods and Materials

Planning a Cleaning Project

Water-Repellent Coatings and Waterproof Coatings

Summary and References



Examples of Adverse Effects

- Demolition
- Creation of a false historical appearance
- Alteration
- Removal from historic location
- Change of use
- Alteration of setting
- Introduction of intrusive elements
- Neglect
- Transfer out of Federal ownership





It's an adverse effect... now what?

- Continue consultation
- Notify the Advisory Council on Historic Preservation (ACHP)
- Memorandum of Agreement (MOA)
 - Avoiding, Minimizing, Reducing, or Compensating for the impact
- Implement any conditions or agreements



MEMORANDUM OF AGREEMENT

BETWEEN THE "PEDERAL AGENCY OR DELEGATED" AND

THE INDIANA STATE HISTORIC PRESERVATION OFFICER

SUBMITTED TO THE ADVISORY COUNCIL ON RESTORIC PRESERVATION.

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Common Mitigation for an MOA

- Documentation of the resource
 - architectural drawings and photographs, archaeological excavation
- Redesign of projects or establishing design review procedures
- Relocation of buildings or structures
- Interpretive signage or exhibits
- Walking tour brochures
- National Register nominations





Archaeological Steps

- Phase la Reconnaissance
- Phase Ic Deep testing in alluvial soils
- Phase II Testing to determine eligibility
- Phase III Mitigation/data recovery
- Archaeological Monitoring







Dig Indy Tunnel Project



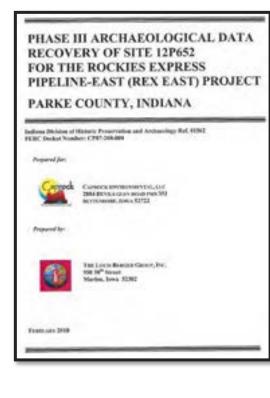








Archaeological Phase III Mitigation







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What happens if an agreement can't be reached?

- In very rare cases, the federal agency and the SHPO may not reach an agreement on resolving adverse effects
- In that case, the federal agency must seek comments from the Advisory Council on Historic Preservation
- Federal agency must consider the Council's comments and document and notify public of Federal agency's decision, but need not follow Council's advice



Key Points to Remember

- Section 106 is not triggered by the presence of historic properties, it is triggered by federal funding, licensing, permitting
- Plan ahead and allow time for completion of the Section 106 process.
- A project CANNOT be separated into multiple phases to avoid an adverse effect
- Precluding talk to us BEFORE the work is started



Other Important Federal Acts

- Archeological Resources Protection Act (ARPA)
- Native American Graves Protection and Repatriation Act (NAGPRA)
- National Environmental Policy Act (NEPA)
- Several shipwreck Federal regulations



National Environmental Policy Act (NEPA) - 1969

Requires federal agencies assess the environmental effects of their proposed actions prior to making decisions.

air surface and ground water noise biological cultural socio-economic



•Apply a Categorical Exclusion -no significant individual or cumulative effect

Prepare an Environmental Assessment (EA)
 -if a proposed action or its alternatives have potentially significant environmental effects

•Finding of No Significant Impact (FONSI)

Prepare an Environmental Impact Statement (EIS)
 -most rigorous level of NEPA compliance, an EIS has more regulatory requirements than an EA
 -ends with the completion of a Record of Decision



State Reviews

• State Review Indiana Code 14-21-1

-State transfer of lands (Section 14)

-State property (Section 16)

-State funding (Section 18)

- Water reviews (Navigable Waters)
- Plans to conduct archaeological investigations
- Accidental discoveries
- Cemetery development plans (Section 26.5)



Certificate of Approval Application

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105	Provide a vire plan for projects that will another new construction, additions to contract buildings, changes in cight of way to exclusioning anticities, cleaning the length of existing and/or proposed buildings or elements with the length of construction, changes in tight of way to aethomolog activities on a particulation for the depictulate provinity in produkt.
0.0	For projects insolving the additions to, or the reliabilitation or neteration of, an historic structure, provide copies of architectural or engineering plans or specifications. Plans are required when the scope of works includes attentions to the three plans or changes in the configuration of the scope of socil- matheters within their executing specings, and include require to realizing materials typically dis net require architectural plans. If you are somet if plans works would be method for your project planse thesis with 1992's statisticating the advective time independence would be method for your project planse thesis with 1992's statisticating the advective time independence workshow the independence of the interact spectrum one three solid be advective frames and planse should be very developed be advective on the scheres are non-advective and the schere should be regretable of the interact spectrum of spectrum on tange protein or provided digitable, as a TOU. Similarly, if the approximation diversions, or schere advecture and the provide organic of provided digitable, as a typical schere work is evaluable to small be provide organic of approximations. For interactive delivering discuts their work is evaluable instantion of planse transition of the interaction of historication.
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125	learners, face plane reproduce only the start relevant pages from the specifications. If an Motorie site or towerse structure will be alread, denoisided, or restored as part of the project, then advertify any distruction that were, or manophly could be considered that would not have as prove an impact
11)	Confilcents of approval granted by the balance literative Preservation Review Fluant explor two (22 years been localized, which otherwise specified or controled by action of the board. If expending a longer interfaunt for complexion, please more the literative particle and blochy state manet(c) follow.
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Historic Property (State)

"Historic property" means any historic site or historic structure

"Historic site" means any site that is important to the general, archaeological, agricultural, economic, social, political, architectural, industrial, or cultural history of Indiana.

"Historic structure" means any structure that is important to the general, archaeological, agricultural, economic, social, political, architectural, industrial, or cultural history of Indiana. A historic structure includes any adjacent property that is necessary to the preservation or restoration of the structure.



Sewer Manhole Indianapolis





What constitutes ground disturbance?











Grave 1 (John Sheckell)

Grave 1 was John Sheckell, who was born December 3, 1820, and who died at the age of 42 years old on August 3, 1863 (Figure 3). His grave was at the southern end of the westernmost row, and it was to the immediate south of Grave 2 (John Sheckell's wife, Isabella Land [she was remarried twice after John Sheckell died]).

No outer box was identified and the coffin was hexagonal in shape. The coffin was made from wood and utilitarian hardware consisted of late cut nails, wood screws, and plain tacks, and the only decorative hardware used in coffin construction were decorative screws and tacks. The lack of highly ornate hardware and an outer box suggest the coffin was homemade or made locally. Personal items consisted of poorly preserved footwear (represented by shoe or boot cyclets, leather soles, and leather heels), metal and porcelain buttons, and a copper alloy straight pin. Human remains were poorly preserved and were represented primarily by bone meal, but recoverable elements consisted of a somewhat intact skull, and fragments of the humerii, left radius, femora, and some of the left tarsals and metatarsals. Four fragmentary dental elements were recovered, but all were in poor condition. The human remains, coffin hardware, and personal items were consistent with the identity and dates of birth and death from the gravemarker.



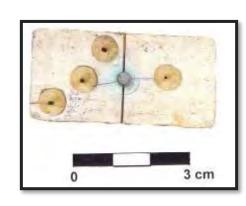




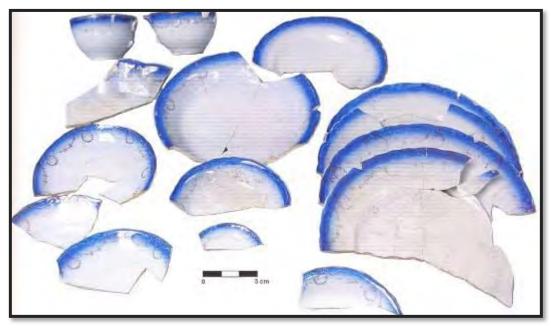














If any human remains, burial objects, artifacts, or grave markers are uncovered...













































Reasons Cemeteries are Lost



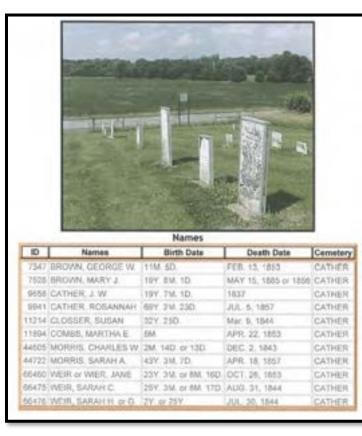
Lack of care Vandalism Falling off deed Not recorded Records not available No grave marker Grave marker deteriorated Time/Nature



Any ground disturbance within 100 feet of a cemetery may require that a cemetery development plan be submitted to the DHPA (IC 14-21-1-26.5).



Cemetery Development Plans







HETH LOOKING South SHOWING SW COENER CEMETERY AND STAKE SHOWING NEAREST Paint of Home to Cemet



IC 14-21-1-24 and IC 35-43-1-2.1









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