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TO: Applicants for U.S. Department of Housing and Urban Development (HUD)-funded Projects
FROM: Kathryn Leonard, Arizona State Historic Preservation Officer (SHPO)
RE: Efficiencies in Section 106 Consultation for HUD-funded Projects
Date: July 15, 2026

Section 106 of the National Historic Preservation Act and its implementing regulations at 36 CFR Part 800, require federal agencies to consider the effects of their undertakings on historic properties. 24 CFR Part 58 authorizes states, units of general local government, and tribal governments to assume HUD's environmental compliance responsibilities as Responsible Entities, including obligations under Section 106 consultation for many HUD-assisted activities. This memorandum applies to the State of Arizona, certain units of general local government in the State of Arizona that have assumed those responsibilities for Undertakings subject to 24 CFR Part 58.

To improve efficiency in the Section 106 review process and to assist communities and applicants with swift navigation of regulatory review for housing projects, the Arizona SHPO, with input from HUD, has determined that certain undertakings may proceed with a finding of **No Historic Properties Affected** without formal consultation when there is little to no potential to affect historic properties.

The specific criteria that qualify under this recommendation are listed below.

- Buildings less than 50 years old at the time of the Undertaking/within its period of completion; or
- Buildings previously determined by the SHPO to be ineligible for listing on the National Register of Historic Places (NRHP); or
- Mobile/Manufactured homes of any age; or
- Refinancing for buildings of any age without any associated building improvements or ground disturbing activities beyond minor landscaping or paving.

The Arizona SHPO also finds that certain maintenance activities or alterations have little to no potential to adversely affect properties determined eligible for listing in the NRHP. As such, SHPO will waive review of projects with scopes limited to select activities (see table below.) Determinations of NRHP eligibility will not be required and for purposes of regulatory compliance, properties without a determination of eligibility on file will be treated as NRHP-eligible, and a finding of **No Adverse Effect** is appropriate.

A. Systems Maintenance

1. Replacement of interior plumbing
2. Replacement of electrical systems
3. Replacement of heating and air conditioning systems, including interior ductwork in any location or exterior equipment in their existing location
4. Repair or replacement of water heaters in existing location
5. Installation of smoke detectors / sprinklers

B. Interior Maintenance

1. Repainting interior surfaces that are already painted
2. Removal of hazardous materials
3. Replacement of kitchen and bathroom fixtures
4. Interior door and hardware replacement
5. Accessibility improvements

Undertakings with scopes of work not specifically referenced in this memo must be submitted to SHPO for consultation. Consultation must include a letter on letterhead, a written scope of work, photographs, plans (as appropriate), and a Historic Property Inventory Form (HPIF) to document the current conditions of the property and determine its eligibility for listing in the NRHP. Consultation should be sent via email to azshpo@azstateparks.gov.

The HPIF is available to download at <https://azstateparks.com/shpo-forms-and-publications>. Email us at azshpo@azstateparks.gov if you have any questions.

We recommend this memo be included in the HUD Part 58 Environmental Review Record.

This protocol is effective immediately and supersedes other agreements; it shall be in force until formally noticed by the SHPO.