

SHPO Architectural Reviews - Supplemental Guidance

NHPA (Section 106) or the State Historic Preservation Act (ARS §41-861, et al)

The first step for reviews under the National Historic Preservation Act (Section 106) or State Historic Preservation Act (ARS §41-861, et al) is to initiate consultation with the State Historic Preservation Officer (SHPO) through submission of a letter of request for consultation. The purpose of the letter is to present a *Finding of Effect*. An “effect” is the result of a federal or state funded or permitted undertaking on any listed or eligible historic properties. The *Finding of Effect* needs to be stated in the letter, and supported by documentation sufficient for the SHPO reviewer to understand the basis of your Finding. The SHPO reviewer will provide a *concurrence* with your Finding, or notify you if they do not concur, and further consultation will be required.

Findings of Effect

There are three possible *Findings of Effect*:

- No Adverse Effect
A Finding of *No Adverse Effect* (NAE) results when a property meets the criteria for listing in the State or National Register of Historic Places, and is either listed or eligible to be listed; but the project will result in no adverse effect to those features and characteristics that qualify the property for listing. The most common reason is that the proposed work is consistent with the Secretary of the Interior’s Standards for Treatment of Historic Properties, and will not alter the characteristics of the property that qualify it for listing, or not alter those characteristics in a manner that would diminish its historic integrity.
- Adverse Effect
A Finding of *Adverse Effect* results when the property is listed or eligible for listing; but the proposed work does not meet the Secretary of the Interior’s Standards for Treatment of Historic Properties. Further consultation will be required to avoid, minimize, or mitigate the adverse effect. The Section 106 process may be completed with a Memorandum of Agreement that stipulates the manner in which the project will be carried out in order to resolve the adverse effect. (Most actions funded under HUD programs for Affordable Housing are limited to repair and maintenance; and should not result in a finding of *Adverse Effect* of an historic property.)
- No Historic Properties Affected
A Finding of *No Historic Properties Affected* (NHPA) results when the property is neither listed nor eligible to be listed in the State or National register of Historic Places. The most common reason is that the property is less than 50 years old and not of exceptional historical significance, or that alterations and additions over time have diminished the property’s historical integrity in a manner that would render it ineligible for listing.

Supporting Documentation

The documentation necessary to support your Finding consists of:

- Treatment (Scope of Work)
Provide a detailed description of the proposed work. It is not enough to state that it is a rehabilitation project. Provide the scope of work, such as: roofing replacement, window or door or siding replacement; or new electrical, mechanical or plumbing systems. Include new ground disturbing activities, which triggers archaeological review (define the depth of trenches, etc.).

- Affected Property Information

Provide photographs of the property. Even if you can obtain the age from the Assessor's Office and eligibility of the property from your local government Historic Preservation Commission, photographs indicate the effect on historic integrity due to alteration and/or deterioration. Provide the address of the property or the parcel number to assist in records research. Current photographs of the building and of the building features affected by the proposed action will suffice. The date of construction is important because if the property is less than 50 years old, it may be determined historic only if it is of "exceptional" significance. In most cases, buildings less than 50 years of age will not meet the test for exceptional significance; and the appropriate finding would be: *No Historic Properties Affected*.