

HISTORIC PRESERVATION GRANT PROGRAM, ALASKA

Section 106 Review

How-To for HPF Grant-Funded Development Projects

Historic Preservation Fund (HPF) grants are available annually to Certified Local Governments (CLG) on a competitive basis from the Alaska Office of History and Archaeology (OHA). These grants can be used for development projects on historic properties (listed in the National Register of Historic Places).

When funding is available, OHA may also announce available HPF grants for predevelopment and development projects. These grants are open to anyone who owns or manages a property listed in the National Register.

One requirement of any HPF grant application for development projects is the completion of Section 106 Review. This document provides guidance on submitting your project for review.

What is Section 106 Review?

In the [National Historic Preservation Act of 1966 \(NHPA\)](#), Congress established a program to preserve the historical and cultural foundations of the nation as a part of community life. Section 106 of the NHPA is crucial to that program because it requires consideration of historic preservation in the multitude of projects with federal involvement that take place across the nation. Section 106 requires federal agencies to consider effects to historic properties when conducting, assisting, approving, funding, or permitting a project. If a federal or federally-assisted project has the potential to affect historic properties, Section 106 review is required.

Why do you have to complete Section 106 Review?

The grant you are applying for is supported by the Historic Preservation Fund (HPF). Administered by the National Park Service, the HPF is the source of preservation awards to States, Tribes, local governments, and non-profits. Because these are federal funds, grant projects with the potential to affect historic resources, such as a development project, require Section 106 Review.

For HPF projects in Alaska, OHA is the liaison between the applicant and the National Park Service. OHA notifies the public when grants are available, assists applicants in preparation of grant applications, reviews proposals, distributes funds to grant recipients, oversees projects, and reviews products. OHA monitors all projects to ensure that recipients comply with relevant federal and state requirements, including Section 106 Review.

Where do you submit your request for Section 106 Review?

OHA's Review and Compliance unit evaluates all projects requiring Section 106 Review. This unit is separate from the Grants Administration unit so do not assume that the Review and Compliance unit staff are aware of your grant application, even if you have been working closely with the Grants Administration unit. Submit your project for review by mail to:

Judith E. Bittner, SHPO
Office of History and Archaeology
Alaska Department of Natural Resources
550 W. 7th Avenue, Suite 1310
Anchorage, AK 99501

Or electronically to: oha.revcomp@alaska.gov

What information is required?

Please use the [Section 106 Request](#) form to ensure you provide all the necessary information. Be sure to describe all work that will be undertaken on the property for which funding is requested. For each area that work is being proposed, explain how it will meet the [Secretary of the Interior's Standards for the Treatment of Historic Properties](#). Include a map identifying the project location, photographs of the project area, including building features that may be altered by the project (for example, doors or windows), and any drawings or specifications clearly indicating areas for proposed work. Submit the form with a cover letter that gives a brief overview of your project, as well as your anticipated finding of effect and request for concurrence.

Finding of Effect: Section 106 allows for the three findings of effect: *No Historic Properties Affected*, *No Historic Properties Adversely Affected*, and *Historic Properties Adversely Affected*. OHA will not fund HPF projects that have a finding of Historic Properties Adversely Affected.

A finding of *No Historic Properties Affected* would be appropriate if there are no historic properties present or there are historic properties present but the undertaking will have no effect upon them as defined in [36 CFR Part 800.11\(d\)](#). HPF-assisted development projects require that the buildings be listed in the National Register so this finding will likely not be appropriate.

A finding of *No Historic Properties Adversely Affected* would be appropriate when the undertakings effects do not meet the criteria found in [36 CFR Part 800.5\(a\)\(1\)](#) and listed below under adverse effect. If your project is consistent with the [Secretary of the Interior's Standards for the Treatment of Historic Properties](#), then it should meet the requirements for a *No Historic Properties Adversely Affected* determination. This should be the determination for HPF development projects.

An adverse effect is found when an undertaking may alter, directly or indirectly, any of the characteristics of a historic property that qualify the property for the National Register. Again, projects that are determined to have an adverse effect on historic properties are not eligible for HPF grant funds. Examples of adverse effects include but are not limited to:

1. Physical destruction of or damage to all or part of the property;
2. Alteration of a property, including restoration, rehabilitation, repair, maintenance, stabilization, hazardous material remediation and provision of handicapped access, that is **not** consistent with the [Secretary of the Interior's Standards for the Treatment of Historic Properties and applicable guidelines](#);
3. Removal of the property from its historic location;
4. Change of the character of the property's use or of physical features within the property's setting that contribute to its historic significance;
5. Introduction of visual, atmospheric or audible elements that diminish the integrity of the property's significant historic features.

It is the responsibility of the applicant to determine what the appropriate finding is and request OHA's concurrence with the finding.

Review process: OHA has 30 calendar days from the receipt of Section 106 documentation to respond with concurrence, comments, a request for additional information, or non-concurrence. Submit your request for Section 106 Review to the Review and Compliance unit no later than the grant application deadline to provide enough time for evaluation by the unit prior to consideration for funding by the Alaska Historical Commission. Applicants who have not completed Section 106 Review prior to the Alaska Historical Commission meeting may not be considered by the Commission for funding.