

# HUD Environmental Review Process: Historic Preservation

## IHCDA Staff Training

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# Agenda

- **Introduction to Historic Preservation**
  - The Basics – What, Why, Who, and When
- **The Indiana SHPO Review Process**
  - When and Why It's Needed
- **How to Complete Archaeology**
  - The Process and Who to Contact
- **Potential Project Impacts**

# Introduction to Historic Preservation

The Basics – What, Why, Who, and When

# Historic Preservation

- National Historic Preservation Act of 1966
- This process is called the Section 106 Review and has its own guiding regulations (36 CFR Part 800) – and is done in conjunction with the ER.
- Components of this review:
  - ALL new construction must undergo a 30-day archaeology review with the State Historic Preservation Office (SHPO).
  - DNR historic maps show if a site is of historic relevance (in a historic district or listed) In historic district, include SHAARD for district only. Only need Notable or Outstanding. Contributing only if in district.
  - Applicants must provide scope of work, site photos in cardinal directions, and building plans. Be sure to label
  - Consulting party letters – applicants must consult with outside parties and provide these letters and their responses with application even if there is no historic properties within APE!



# Historic Preservation, Cont.

- Based on the information provided, we determine:
  - No historic properties affected (not in a historic district and not a historic resource)
  - No adverse effect (in a historic district or a historic resource, but the scope of work won't impact the historic nature of the building)
  - Adverse effect (a historic building or resource will be impacted)
- If there IS an Adverse Effect – we have to work with SHPO, consulting parties, and others to determine appropriate mitigation. This may/may not allow for the development to move forward.



# Historic Preservation, Cont.

- Tribal Consultation is required when the construction of homes or excavation will result in ground disturbing activities
  - This is completed by the local unit of government (LUG) associated with the project.
  - The LUG is typically IHCDA itself UNLESS the applicant is a LUG (ex. The City of Indianapolis)
  - Non-profits and for-profits who are not local units of government will send Word versions of their consulting party correspondence to IHCDA, who will reach out to the tribes



# Development Fund – Certificate of Approval

- As a side note, any project using Development Fund (as a stand-alone or with RHTC and no other federal funds), we must also do a state historic review
- We use the same DNR Mapping tool to show if a site is historically significant (on the national register or in a historic district)
- If it is, we have to do a “Certificate of Approval” with SHPO – they review for 30 days
- Projects with special concerns have to be reviewed by the Indiana Historic Preservation Review Board – they meet quarterly



# The Indiana SHPO Review Process

When and Why It's Needed



# INSHPO Review

- All new construction requires a 30-day Indiana SHPO review (SJCA is responsible for coordinating this review).
- Any project with ground disturbance will undergo an archaeological review
  - Ex. Digging for foundations, plumbing, etc.
- The following items are needed for SJCA to submit to SHPO:
  - A completed Exhibit A from the ERR workbook
  - A completed 3-5 Section 106 Historic Properties Review from the ERR workbook
  - An Aerial Map with the project area outlined.
  - An Aerial Map on the IHBBC with an APE
  - Soil Map with the project area outlined
  - Site Photos and Site Plans

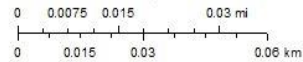


DHPA IHBBC Map



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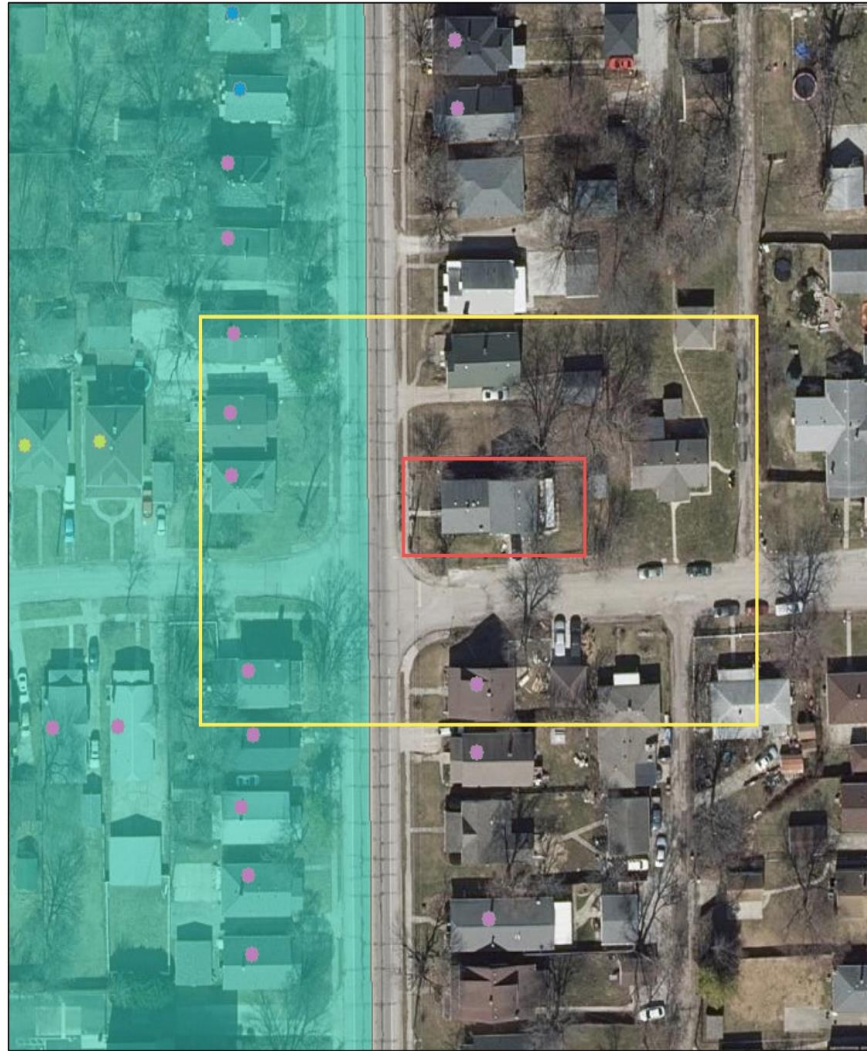
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- Counties
- County Survey Sites
- Notable
- Contributing
- Non-Contributing
- National Register Historic Districts
- Civil Township Boundaries
- USGS Topo Quads

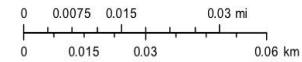
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DHPA IHBBC Map



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DNR Mapping Tool, editing to show the Project Area and the Area of Potential Effect (APE)

**Shaded areas = Nationally Registered Historic Districts**  
**Stars = Nationally Registered Landmarks**  
**Purple Dots = Contributing**  
**Green Dots = Notable**  
**Red Dots = Outstanding**

Tool Found At:  
<https://indnr.maps.arcgis.com/home/item.html?id=1593429c17c34942a0d1d3fac03c4a80>

# How to Complete Archaeology

The Process and Who to Contact

# INSHPO Review: Archaeology Required

- After 30 calendar days, the Indiana SHPO will determine whether the project requires archaeology. If its not required, the project is cleared and SJCA will continue the Environmental Review.
- If archaeology is required, the process requires the following steps:
  - 1. Hire a Qualified Professional Archaeologist.
    - [Qualified Professionals Roster](#)
  - 2. Complete a Phase 1a Archaeology Report.
  - 3. Have the archaeologist upload the report to SHAARD and notify the ER reviewer (SJCA Inc.) in an email, attaching a copy of the report and SHAARD submittal acknowledgement document.
  - 4. The ER reviewer will submit a new review request to SHPO for the archaeology report. This will take another 30-day review.



# Example Project: Landin Pointe

- New Construction using HOME funds; 50 townhouse units with driveways and sidewalks
- There were no structures on site in the past
- SHPO requested archaeology because the environmental setting was suitable for potential archaeological resources
- Archaeology Timeline: 8-10 Weeks
  - DHPA First Review: February 14, 2024
  - DHPA Response: February 22, 2024
  - Archaeology Submission: March 15, 2024
  - DHPA Response: March 27, 2024



# Potential Project Impacts

The Process and Who to Contact

# Criteria of Adverse Effect

- Uncovering archaeological resources requires further correspondence with SHPO to determine if resources are potentially eligible.
- You will need to complete section 3-5-4 of the environmental review workbook
- If there IS an Adverse Effect – SJCA/IHCDA will work with SHPO, consulting parties, and others to determine appropriate mitigation. This may/may not allow for the development to move forward.



# Memorandum of Agreement

- A common form of mitigation is the creation of a Memorandum of Agreement (MOA) between IHCD and the INSHPO
- The MOA determines stipulations to the construction of a housing development to ensure historic and archaeological resources have potential effects mitigated during the construction process
- Examples of mitigation:
  - Preservation of historic architectural elements
  - Posting of interpretive signage
  - The preservation of artifacts discovered during construction





# Example: Downtown Sullivan Townhomes

- The project intended to demolish a building in Sullivan in Hamilton Township that was within the preexisting Sullivan Courthouse Square Historic District
  - The resource was a contributing property to the district and therefore was significant for preserving its historic character and significance
- The MOA between IHCDA and INSHPO including the following stipulations:
  - IHCDA and the housing developer would document the buildings before demolition to IDNR standards
  - A commitment to meaningful design review
  - The posting of an interpretive signage panel
  - IHCDA and the housing developer would pursue a National Register nomination for a previously identified historic district within the APE
- Can affect the timeline of a project: Often 3-5 months



# Further Training and IHCD Resources

# HUD's Environmental Review Resources

- HUD Exchange
  - Orientation to the Environmental Review Process :  
<https://www.hudexchange.info/programs/environmental-review/orientation-to-environmental-reviews/#overview>
  - Building HOME On-Demand Training on ER Process :  
<https://www.hudexchange.info/trainings/courses/building-home-other-federal-requirements/>
  - Related Laws and Authorities Trainings :  
<https://www.hudexchange.info/programs/environmental-review/federal-related-laws-and-authorities/>

# IHCDA's Environmental Resources

IHCDA ER and Section 106 Webpage:

- <https://www.in.gov/ihcda/developers/environmental-review-and-section-106/>

Things to Take a Look At:

- 2024 Environmental Review and Section 106 User's Guide
- ER Workbook
- Resources Guide
- Funds Layering Flowchart