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CHAPTER 20. HISTORIC PRESERVATION

20-1. Historic Preservation Review. The requirement for a historic preservation review is triggered by either of the following:

- a. A project is listed in or is eligible for inclusion in the National Register of Historic Places (NRHP); or
- b. A project is not listed on the NRHP, but is located in a Historic District listed on the National Register of Historic Places, and alterations are proposed to the exterior.

If either of the above applies, the project may be subject to review under the National Historic Preservation Act of 1966 (16 U.S.C. 470) and the Field/Regional Office Environmental Officer should be contacted to assist in the environmental compliance review.

20-2. Review Requirements. Projects for which rehabilitation is planned will require an environmental review. A portion of this review involves determining the effect on historic properties.

Loan Management Staff, with the assistance of the appropriate Field Office Staff, will normally document compliance for this type of review on HUD Form 4128.1, Compliance and LAC Conditions Record. Instructions for completion requirements concerning this form can be found in Handbook 1390.2, Environmental Assessment Guide for Housing.

Generally, rehabilitation with in-kind replacements will not trigger review under the National Historic Preservation Act of 1966.

- a. If the project is listed or eligible to be listed on the National Register of Historic Places and exterior in-kind replacement is not planned, consultation with the State Historic Preservation Officer (SHPO) must be pursued.

- b. If the project is located in a Historic District listed on the National Register of Historic Places and proposed alterations to the exterior are not in-kind replacement, consultation with the State Historic Preservation Officer (SHPO) must be pursued.

If either of these situations exist or if in-kind replacement is in question, Loan Management Staff must request guidance and assistance from the Environmental Staff in conferring with the SHPO and resolving issues prior to the recommendation of funding. Documentation of this compliance action must be recorded on the form HUD 4128.1.

For projects not listed, eligible to be listed or in a Historic District on the National Register of Historic Places, the HUD form 4128.1 should indicate review of the environmental data base including National Register of Historic Places, as compliance documentation.

- 20-3. Contacting the State Historic Preservation Officer. The State Historic Preservation Officer should be contacted concerning any property which falls into any of the above categories only after and in consultation with the Field/Regional Office Environmental Officer.
- 20-4. Historic Preservation and Handicap Accessibility. HUD regulations do not require accessibility requirements to be met if in doing so it will destroy or impair historical qualities (24 CFR 8.31). Loan Management Staff should take historic preservation requirements into consideration when an owner is planning to implement handicap accessibility measures. This will particularly affect the widening of historic doorways and/or walkways on the exterior of the building.