

**PROGRAMMATIC AGREEMENT
FOR SPECIFIED
U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
PROGRAMS
ADMINISTERED BY THE CITY OF RICHMOND, VIRGINIA**

WHEREAS, the City of Richmond (City), Commonwealth of Virginia, proposes to administer its programs receiving federal assistance from the U. S. Department of Housing and Urban Development (HUD) under Title I of the Housing and Community Development Act of 1974, as amended, and Title II of the Cranston-Gonzales National Affordable Housing Act, as amended, including but not limited to the Community Development Block Grant (CDBG); HOME Investment Partnership (HOME); Emergency Shelter Grant (ESG); Housing Opportunities for Persons with Aids (HOPWA), and

WHEREAS, the City has determined that the administration of said programs may have an effect on properties included in or eligible for inclusion in the National Register of Historic Places, and has consulted with the Virginia State Historic Preservation Officer and the Advisory Council on Historic Preservation (ACHP) pursuant to 36 CFR 800.14 of the regulations governing the implementation of Section 106 of the National Historic Preservation Act (16 U.S.C. 470 f); and

WHEREAS, in response to the principles set forth in the ACHP's Policy Statement on Affordable Housing and Historic Preservation (Policy Statement), the City, the Virginia State Historic Preservation Officer (SHPO) and the Advisory Council on Historic Preservation (ACHP) have determined that the City can more effectively carry out its Section 106 review responsibilities for HUD program activities if a Programmatic Agreement is used to streamline the administrative process, identify activities which can be exempted from Section 106 review because they are likely to have minimal impact on historic properties, and permit greater flexibility when addressing historic properties which have special physical or financial feasibility problems; and

WHEREAS, the principles set forth in the ACHP's Policy Statement are incorporated herein and will be taken into consideration by all parties when carrying out the stipulations of this Programmatic Agreement; and

WHEREAS, the Richmond programmatic agreement approved in 1998 shall be replaced by this document; and

WHEREAS, the City of Richmond has afforded the Alliance to Conserve Old Richmond Neighborhoods, the Greater Richmond Chapter of the Archeological Society of Virginia, the Historic Richmond Foundation, the William Byrd Branch of the Association for the Preservation of Virginia

City of Richmond, Virginia
Programmatic Agreement

Antiquities, City-funded housing providers, and neighborhood organizations throughout the City an opportunity to participate in consultation on this agreement and they have declined; and

WHEREAS, the City has been designated a Certified Local Government under Section 101(a)(c) of the National Historic Preservation Act, as amended and has agreed to integrate preservation planning and cultural resource identification into local government planning and development; and

WHEREAS, the City has designated the Director of the Department of Community Development as the Agency Official to carry out this agreement; and

WHEREAS, pursuant to 36 CFR 800.14(b)(2)(iii) the City has invited the Virginia Council on Indians (VCI) to participate in consultation in developing this Agreement and to sign as a concurring party; and

WHEREAS, the definitions given in Appendix 1 are applicable throughout this Agreement.

NOW, THEREFORE, the City, the SHPO, and the ACHP agree that the Programs shall be administered in accordance with the following stipulations to satisfy the City's Section 106 responsibilities for all individual undertakings funded by HUD through the City.

STIPULATIONS

The City will ensure that the following measures are carried out:

A. HISTORIC PRESERVATION STAFF AND ADMINISTRATION

- 1 The City will ensure that all historic preservation work pursuant to the Agreement is carried out by, or under the direct supervision of, a designated staff person who meets the qualifications published in 36 CFR Part 61. As a part of the annual Certified Local Government review of the City, the SHPO will advise the City if the qualifications of the designated staff person are sufficient for them to make determinations of eligibility, assess effects, and apply the Standards. The City will advise the SHPO of any change in staffing. If the City does not have qualified staff in place, the City and the SHPO shall consult to develop alternative administrative procedures for implementing the Programmatic Agreement.
- 2 The City will administer its programs in accordance with the terms of this Agreement and 36 CFR Part 800. To elaborate and clarify the details of the Section 106 process carried out under the terms of this Agreement, the City may develop a procedures manual in consultation with the SHPO and HUD that elaborates on the

regulations and this Agreement.

3. The City and the SHPO will continue to identify eligible historic areas of the City as they have done since 1992. Any boundary modifications, additional areas identified, or the listing of an eligible area on the National Register shall be recorded on the maps in Appendix 4 of this agreement.
4. The City shall maintain a GIS data layer for all archaeological sites located within the City and this and/or the SHPO's Data Sharing System shall be consulted before any ground disturbance related to the execution of the funding programs listed in the first whereas above. The City will update its records regarding archeological sites on at least an annual basis.

B. COORDINATION OF REVIEW

1. The City shall complete a Project Review Application Form (Appendix 5) for every undertaking funded by the funding programs listed in the first whereas above. The City shall consult the maps in Appendix 4 to determine if the undertaking is located within or adjacent to an historic district listed on the National Register of Historic Places, within or adjacent to an area that has been determined eligible for listing on the National Register, in the vicinity of a property individually listed on or eligible for the National Register, or in the immediate vicinity of a recorded or map-predicted archaeological site.
2. The City will consider both architectural resources and archaeological resources in its review. The review process for architectural resources is presented in Stipulations C, D, and E. The review process for archaeological resources is presented in Stipulation I. The review process for disposition is discussed in Stipulation F and all other treatments in Stipulation G.
3. If the undertaking is not located within or adjacent to a listed district, eligible historic area or within the vicinity of an individually eligible or listed property, the City shall note on the Project Review Application Form that shall state that no historic districts or structures will be affected by the undertaking. The City will then proceed to consider potential effects on archaeological resources as per Stipulation I.
4. If the undertaking is located within or adjacent to a listed district, eligible historic area, or in the vicinity of an individually listed or eligible property or recorded archaeological site, the City shall consult the list of excluded activities in Appendix 2 to determine if the project requires additional review for potential effects to

historic structures. If the City's review finds that the proposed undertaking has minimal potential to affect historic districts or structures, as defined in Appendix 2, and if no archaeological resources will be affected, as defined in Stipulation I.1, no consultation with the SHPO is required. The City will maintain files on all undertakings it identifies as exempt activities. Such files will include, at a minimum: a complete project review application form including the property address, photographs of the property, a site map of the property, a description of the proposed undertaking, and a determination that the project is exempt and will result in "no adverse effect."

5. If the undertaking is not exempt from review as described in Appendix 2 and stipulation I.1, the City shall submit to the SHPO for review the necessary information as described in Stipulations C, D, E, and G together with the Project Review Application Form.
6. If the undertaking involves cumulative ground disturbance of more than one (1) acre of land or is in the immediate vicinity of a recorded or map-projected archaeological site, the City shall consult with the SHPO pursuant to Stipulation I.2 through 5.
7. The City shall maintain individual project files for each undertaking reviewed under the terms of this Agreement. Each file shall include copies of all correspondence between the City, the SHPO, the ACHP, the public, consulting parties, and subrecipients. The files shall also include copies of the Project Review Application Form, photographs and the location map for each undertaking reviewed. Copies of all other applicable documentation submitted to the SHPO and the ACHP shall be included in the files.

C. REHABILITATION AND RECONSTRUCTION

1. The City shall review the rehabilitation or reconstruction of any historic property identified as per Stipulation B.1 above to ensure that the rehabilitation shall be carried out in a manner that is compatible with the historic and architectural qualities of the affected property or properties and consistent with the recommended approaches to rehabilitation set forth in *The Secretary of the Interior's Standards for the Treatment of Historic Properties* (1995). In addition to the documents referenced above, the City may, in consultation with the SHPO, develop rehabilitation and reconstruction guidelines to be used in the review of all proposed rehabilitations and reconstructions.
2. When a rehabilitation or reconstruction involves the abatement or reduction of lead paint hazards, the City will work to explore

alternatives to minimize alteration of significant historic features caused by abatement or reduction procedures. Evaluation of abatement and reduction activities shall be based upon the Standards, HUD's Guidelines for Lead Paint Abatement, and the NPS Preservation Brief No. 37.

3. The City shall submit a Project Review Application Form, location map, current photographs, a work write up including materials to be used, and architectural drawings (if available), for any rehabilitation of an historic property to which this Agreement applies, to the SHPO for review and approval. Following receipt of the SHPO's concurrence, the City shall ensure that the project does not deviate from the approved plans and specifications.
4. If the rehabilitation of an historic property to which this Agreement applies is to be presented to the SHPO in application for Federal and/or Virginia historic rehabilitation tax credits, certification of Part 3 of the tax credit application by the SHPO and/or the National Park Service shall be considered the SHPO's concurrence that the work meets *The Secretary of the Interior's Standards for the Treatment of Historic Properties* (1995) for the purposes of Section 106 compliance. Such projects shall be reviewed by the City according to Stipulation C.1 above and the City shall provide notification to the SHPO that rehabilitation designs and specifications shall be submitted to the SHPO in the form of a historic rehabilitation tax credit programs application, to be prepared in the format approved by the SHPO and the National Park Service. The City may propose to the SHPO a conditional No Adverse Effect finding for the rehabilitation, conditioned upon certification of Part 3 of the Federal and/or Virginia historic rehabilitation tax credits application. If the rehabilitation project does not proceed to Part 3 certification, the City shall consult with the SHPO according to Stipulation C.3 above.

D. NEW CONSTRUCTION

1. The City will review any proposed additions or new construction having the potential to impact historic properties as defined in Stipulation B.1 above to assure that the development is in accordance with the "Guidelines for New Additions to Historic Buildings," which are contained in *The Secretary of the Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings* (1995). In its review the City will ensure that the project design is compatible with historic properties in terms of design, scale, massing, siting, color, and materials and responsive to the guidelines set forth in the Standards. The City may, in

consultation with the SHPO develop new construction guidelines to be used in the review of proposed new construction.

2. The City shall submit a Project Review Application Form, a map, current photographs of the site and surrounding streetscape, architectural drawings and exterior materials specifications for any new construction on an historic property to which this Agreement applies to the SHPO for review and approval. Following receipt of the SHPO's concurrence, the City shall ensure that the new construction proceeds in accordance with the approved plans and specifications.

E. DEMOLITION

1. The demolition of any historic property identified in Stipulation B.1 above shall be submitted to the SHPO for review if one of the following applies:
 - a) The property has been purchased or may be purchased for development with HUD funds.
 - b) It is to be demolished by the City with local funding in an area identified for future redevelopment activity with HUD funds.
 - c) It is to be demolished as a part of a redevelopment financed wholly or in part with HUD funds.
2. Should a building collapse, be largely destroyed by fire, be substantially damaged by a storm and/or be on the verge of collapse, the City Commissioner of Buildings may issue a Demolition of Unsafe Building Imminent Danger order in accordance with Section 130 of the Virginia Uniform Statewide Building Code. For purposes of Section 106 such a condition shall be recognized as one of "other immediate threats to life or property" discussed in 36 CFR 800.12 (a) and therefore constitute an emergency for Section 106 purposes as per 36 CFR 800.12 (b and c). Upon issuance of the order the City will document the building to the extent possible and notify the SHPO as soon as possible.
3. If the City determines that a demolition of an historic property will have no adverse effect due to the loss of integrity of the property, or that the demolition is of a non-contributing property or structure, the City shall submit background documentation including photographs and a location map to the SHPO for review and comment. If the SHPO concurs with the City's determination, demolition may proceed after the City has complied with all conditions required by the SHPO. If the SHPO does not concur

with the City's determination, the City will request the ACHP's comments pursuant to 36 CFR 800.5 (e) or proceed in accordance with Stipulation P below.

4. If the City determines that a demolition constitutes an adverse effect, the City will provide the SHPO a location map, photographs, a description of the property, a summary of the reasons for demolition, and proposed mitigation measures. All mitigation measures shall include, but are not limited to, intensive level documentation in accordance with the current SHPO standards. In addition the City shall provide the following documentation on the property as applicable:
 - a) Public comments, if any, on the property.
 - b) Plans for a replacement structure for the property and a timeline for development if the demolition is proposed as a part of a redevelopment.
 - c) Code enforcement documents that support the necessity of demolition.
 - d) A structural evaluation and documentation of the building that supports the necessity of demolition.
 - e) Adequate background documentation to demonstrate that rehabilitation is not economically or structurally feasible, or that retention of the property would jeopardize the implementation of an affordable housing project.

F. DISPOSITION

The City shall ensure that in disposing of historic or contributing properties acquired with HUD funds, adequate restrictions or conditions in the transfer documents, to ensure development of the property will comply with the terms of this agreement.

G. OTHER TREATMENTS

The City shall ensure that treatments other than rehabilitation, new construction, and demolition are conducted in a manner consistent with the recommended approaches set forth in *The Secretary of the Interior's Standards for the Treatment of Historic Properties* (1995).

H. MITIGATION

1. Should any undertaking result in an adverse effect that cannot be avoided, the City shall consult with the SHPO to determine the appropriate mitigation.

2. The City shall identify possible consulting parties and ensure that they are provided with an opportunity to comment on the adverse effect and the proposed mitigation.

I. ARCHAEOLOGY

- 1 The City may proceed without archeological consultation for projects involving ground-disturbing activities provided that the City has consulted the City's GIS and/or the SHPO's Data Sharing System (DSS) and found that no recorded or map-predicted historic period archeological site considered potentially eligible or determined eligible is present and one or more of the following conditions apply:
 - a) Any new construction less than one acre in extent. The area of potential effect as defined for the purposes of this Agreement shall include all land-disturbing actions associated with the proposed construction, as for example, the footprint of construction, access roads, including temporary access roads, temporary construction easements, equipment storage areas, staging areas, below ground utilities, etc.
 - b) Any demolition, rehabilitation or renovation of buildings less than 100 years old.
 - c) Any excavation for the repair or replacement of building footings, foundations or retaining walls of buildings less than 100 years old.
 - d) The installation of utilities, such as sewer, storm, electrical, gas, steam, compressed air, leach lines, and septic tanks in road rights-of-way, existing utility corridors, or other areas previously disturbed by these activities.
2. Any projects involving ground-disturbing activities not otherwise exempted under Stipulation I.1, above, or Appendix 2 will be submitted to the SPHO for review and comment through the completion of a Project Review Application Form.
3. Should the City determine, in consultation with the SPHO, that further archeological identification is needed, the City shall prepare and implement a program to identify and evaluate archeological resources.
4. Should the City, as a result of its survey efforts, determine that an eligible archeological site will be affected, a plan for its avoidance, protection, or recovery of data will be submitted to the SHPO and other consulting parties, if any, for review and approval. The City

will consider all comments received in preparing the final treatment plan and will then implement the plan.

5. All archeological studies, resulting from this Agreement including data recovery plan(s), shall be consistent with *The Secretary of the Interior's Standards and Guidelines for Archeological Documentation* (48 FR 4434-37), and the SHPO's *Guidelines for Conducting Cultural Resource Survey in Virginia: Additional Guidance for the Implementation of the Federal Standards Entitled Archaeology and Historic Preservation: Secretary of the Interior's Standards and Guidelines* (48 FR 44742, September 29, 1983) (1999, rev. 2000), and shall take into account the ACHP's publications, *Consulting About Archeology Under Section 106* (1990) and *Recommended Approach for Consultation on Recovery of Significant Information from Archeological Sites* (1999).

J. PROFESSIONAL QUALIFICATIONS

1. All archeological work will be conducted by or under the direct supervision of a qualified archeologist who meets, at a minimum, the qualifications set forth in the Secretary of the Interior's *Professional Qualifications Standards* (48 FR 44 738-9).
2. Work concerning historic structures and districts will be carried out by or under the supervision of a qualified architectural historian or historians who meets, at a minimum the qualifications set forth in the Secretary of the Interior's *Professional Qualifications Standards* (48 FR 44738-9).

K. NATIONAL HISTORIC LANDMARKS

Should any undertaking covered by this Agreement affect a National Historic Landmark (NHL), the City shall comply with 36 CFR Section 800.10.

L. REVIEW OF DOCUMENTATION

The SHPO agrees to review documentation submitted pursuant to this Agreement within thirty (30) days after confirmed receipt. If no response is received within thirty (30) days, the City may assume concurrence with its findings.

M. MONITORING REPORTING AND REVIEW

Upon request, the City shall make available all related documentation for all HUD-funded undertakings to the ACHP, HUD, or the SHPO for periodic review and comment as to the adequacy of the documentation. The City shall cooperate with the ACHP, HUD, and the SHPO in carrying

out their monitoring and review responsibilities.

N. UNANTICIPATED DISCOVERIES

The City shall ensure that its subrecipient contracts for all HUD-funded activities shall contain the following provisions for the treatment of unexpected discoveries:

1. In the event that a previously unidentified archeological resource is discovered during ground disturbing activities, the City shall immediately notify the SHPO. All construction work involving subsurface disturbance will be halted in the area of the resource and in the surrounding area where further subsurface remains can reasonably be expected to occur. The City and the SHPO, or an archeologist meeting *The Secretary of the Interior's Professional Qualifications Standards* (48 FR 44 738-9), immediately will inspect the work site and determine the area and the nature of the affected archeological property. Construction work may then continue in the project area outside the site area. Within two (2) working days of the original notification of discovery, the City in consultation with the SHPO will determine the National Register eligibility of the resource.
2. Potentially eligible historic properties will be evaluated using the National Register criteria in accordance with 36 CFR 800.4(c). If the City determines that the resource meets the National Register Criteria for Evaluation (36 CFR Part 60.6), the City shall ensure compliance with Section 800.13(b)(3) of the ACHP's Regulations. The SHPO shall provide comments on any treatment plan submitted within two (2) business days of receipt. If the SHPO fails to comment, the City may assume concurrence and implement the plan. Work in the affected area shall not proceed until either the development and implementation of an appropriate treatment plan; or the determination is made that the located resource is not eligible for inclusion on the National Register.

O. HUMAN REMAINS

1. Human remains and associated funerary objects encountered during the course of actions taken as a result of this Agreement shall be treated in the manner consistent with the provisions of the *Virginia Antiquities Act*, Section 10.1-2305 of the *Code of Virginia*, and with the final regulations adopted by the Virginia Board of Historic Resources and published in the Virginia Register of July 15, 1991. Copies of the above-listed law and regulations are

included as Appendix 3.

2. In the event that the human remains encountered are likely to be of Native American origin, whether prehistoric or historic, the City will immediately notify the Virginia Council on Indians (VCI). The treatment of Native American human remains and associated funerary objects will be determined in consultation with the VCI. All reasonable efforts will be made to avoid disturbing Native American gravesites and associated artifacts. To the extent possible, the City will ensure that the general public is excluded from viewing any Native American gravesites and associated artifacts. No photographs of any Native American gravesites and/or associated funerary objects will be released to the press or to the general public.
3. The City may obtain a permit from the SHPO for the removal of human remains in accordance with the regulations stated above. In reviewing a permit involving removal of Native American human remains, the SHPO will notify and consult with the VCI and as required by the regulations stated above.

P. PUBLIC PARTICIPATION AND CONSULTATION

1. The City will encourage public comment regarding the impact of undertakings on historic properties. The City will regularly notify the public and concerned individuals directly regarding demolitions resulting in adverse effects through the Vacant Building Review Team Process. The City will notify the public of rehabilitations, new constructions, and reconstructions impacting historic properties through the City website or direct notification by mail.
2. In conjunction with its National Environmental Policy Act (NEPA) compliance, the City will annually advertise the Section 106 review activity covered by this Agreement, the methodology of public notification, and invite public comment.

Q. DISPUTE RESOLUTION

- 1 Should any party to this Agreement object in writing to the City regarding any action carried out or proposed with respect to the undertaking or implementation of this Agreement, the City shall consult with the objecting party to resolve the objection. If after initiating such consultation the City determines that the objection cannot be resolved through consultation, the City shall forward all documentation relevant to the objection to the ACHP, including the City's proposed response to the objection. Within (thirty) 30 days

after receipt of all pertinent documentation, the ACHP shall exercise one of the following options:

- a) Advise the City that the ACHP concurs with the City's proposed response to the objection, whereupon the City will respond to the objection accordingly;
 - b) Provide the City with recommendations, which the City shall take into account in reaching a final decision regarding its response to the objection; or
 - c) Notify the City that the objection will be referred for comment pursuant to 36 CFR 800.7(a)(4), and proceed to refer the objection and comment. The City shall take the resulting comment into account in accordance with 36 CFR 800.7(c)(4) and Section 110(l) of NHPA.
2. Should the ACHP not exercise one of the above options within (thirty) 30 days after receipt of all pertinent documentation, the City may assume the ACHP's concurrence in its proposed response to the objection.
 3. The City shall take into account any ACHP recommendation or comment provided in accordance with this stipulation with reference only to the subject of the objection; the City's responsibility to carry out all actions under this Agreement that are not the subjects of the objection shall remain unchanged.
 4. At any time during implementation of the measures stipulated in this Agreement, should an objection pertaining to this Agreement or the effect of any individual undertaking on historic properties be raised by a member of the public, the City shall notify the parties to this Agreement and take the objection into account, consulting with the objector and, should the objector so request, with any of the parties to this Agreement to resolve the objection.

R. AMENDMENT AND TERMINATION

1. Any party to this Agreement may request that it be amended, whereupon the parties shall consult in accordance with 36 CFR 800.13 to consider such an amendment.
2. If the City determines that it cannot implement the terms of this Agreement, or if the SHPO or ACHP determines that the Agreement is not being properly implemented, the City, the SHPO or the ACHP may propose to the other parties that it be terminated.

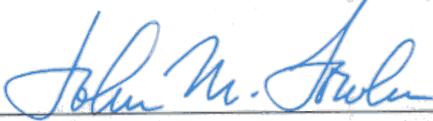
3. Termination shall include the submission of any outstanding documentation on any work done up to and including the date of termination.
4. A party proposing to terminate this Agreement shall so notify all parties to the Agreement, explaining the reasons for termination and affording them at least thirty (30) days to consult and seek alternatives to termination. The parties shall then consult.
5. Should such consultation fail and the Agreement be terminated, the City shall comply with 36 CFR 800.3 through 800.6 with regard to individual undertakings covered by this Agreement

S. DURATION OF THE AGREEMENT

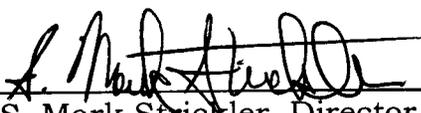
This Agreement shall continue in full force and effect until five years after the date of the last signature. At any time in the sixth-month period prior to such date, the City may request the SHPO and the ACHP to consider an extension or modification of this Agreement. No extension or modification will be effective unless all parties to the Agreement have agreed with it in writing.

Execution of this Programmatic Agreement and implementation of the provisions herein shall be evidence that the City and HUD have satisfied their Section 106 responsibilities for all individual undertakings subject to the review of this Agreement.

ADVISORY COUNCIL ON HISTORIC PRESERVATION

By:  Date: 1/19/05
John M. Fowler, Executive Director

CITY OF RICHMOND

By:  Date: 12/16/04
S. Mark Strickler, Director of Community Development

VIRGINIA COUNCIL ON INDIANS

By: _____ **Date:** _____
Deanna Beacham, Program Specialist

VIRGINIA STATE HISTORIC PRESERVATION OFFICE

By:  _____ **Date:** 12/22/04
Kathleen S. Kilpatrick, Virginia State Historic Preservation Officer

APPENDIX 1

DEFINITIONS

AREA OF POTENTIAL EFFECTS – The geographic area or areas within which an undertaking may cause changes in the character or use of historic properties, if any such properties exist there. This always includes the actual site of the undertaking, and may also include other areas where the undertaking will cause changes in land use, traffic patterns, or other aspects that could affect historic properties.

ACTIVITY – Work to be performed as an undertaking, specifically defined as one or more of the following:

- ***Acquisition.*** The purchase of a property all or in part with federal funds that will trigger all subsequent activities as undertakings.
- ***Demolition.*** The removal of the majority of an existing building's structure to either the foundation or to property grade.
- ***New Construction.*** The construction of a new building on a vacant lot or site currently occupied by a building. New construction does not attempt to directly replicate buildings that stood on the site and/or incorporate the original building footprint.
- ***Rehabilitation.*** The re-use of an existing historic property that will maintain the majority of the historic features of a building, including such elements: framing, roof structure, doors and door openings, windows and window openings, partitions, trim, chimneys, mantels, and doors in a manner consistent with *The Secretary of the Interior's Standards for Rehabilitation* (1995).
- ***Reconstruction.*** The construction of a new building that replaces a demolished building, follows the majority of the original building footprint, and rebuilds the majority of distinguishing features of the building; or the retention of a minority of an existing buildings' features (such as the façade and foundation) and incorporating these features into a new structure.

CERTIFIED LOCAL GOVERNMENT – A local government whose historic preservation program has been certified pursuant to Section 101 (c)(1) of NHPA.

CONCURRENCE – A response from the SHPO, in which the SHPO agrees with the determination of the City.

EFFECT – A determination by the City and SHPO as to the extent an undertaking will impact a historic property or historic properties. It will include one of the following:

- **No Effect on Historic Properties.** There are no historic properties that will be directly or indirectly impacted by the undertaking.
- **No Adverse Effect on Historic Properties.** The undertaking impacts a historic property or properties in such a way that the historic character is left intact.
- **Adverse Effect on Historic Properties.** The undertaking changes the historic property or properties in such a way that the character of the property is diminished. Demolition of a historic property will constitute an adverse effect. Other activities may or may not constitute an adverse effect depending on their impact on historic properties, a historic property, or historic features.

FEASIBLE – The degree to which a historic property or historic property feature can be successfully preserved. Whether or not something is feasible is essential in the consideration of an adverse effect and application of *The Secretary of the Interior’s Standards for the Treatment of Historic Properties* (1995). One or more of the following elements shall be documented and shall be given reasonable consideration by the City and SHPO in determining whether or not something is feasible:

- The physical condition of a building or building elements;
- The project scope or design constraints; the significance and integrity of the building or building elements;
- The location and setting of the historic property, or economic constraints including rehabilitation costs and market value for resale of a completed project.

FISCAL YEAR – The year beginning July 1st and ending June 30th.

HISTORIC PROPERTY – Any property that falls in one or more of the following categories:

- It is a contributing property in a historic area eligible for listing in the National Register of Historic Places.
- It is a contributing property in a historic district listed in the National Register of Historic Places.
- It is individually eligible for listing or is individually listed in the National Register of Historic Places.

INVENTORY – The on-going inventory of historic resources maintained and prepared by the City according to *The Secretary of the Interior’s Standards and Guidelines for Archeology and Historic Preservation* (48 FR 44716). The inventory documents National Register of Historic Places-listed and eligible historic resources throughout the City.

NON-HISTORIC PROPERTY – Any property that falls into one or more of the following categories:

- Is a non-contributing property located in an historic area that is either eligible for listing in the National Register of Historic Places, or is listed in the National Register of Historic Places.
- Is not located within an historic district either eligible for listing or listed on the National Register of Historic Places and is not individually listed on or eligible for listing on the National Register of Historic Places.

OBJECTION – A disagreement by the SHPO or a member of the Public with a determination made by the City on its determination of effect, conditions, or mitigation measures.

MITIGATION – Action to minimize, ameliorate, or compensate for the degradation and/or loss of those characteristics of a property that make it eligible for the National Register.

NATIONAL HISTORIC LANDMARK – A historic property that the Secretary of the Interior has designated a National Historic Landmark.

NATIONAL REGISTER – The National Register of Historic Places maintained by the Secretary of the Interior.

NATIONAL REGISTER CRITERIA FOR EVALUATION – The quality of significance in American history, architecture, archeology, engineering, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association. The criteria established by the Secretary of the Interior for use in evaluating the eligibility of properties for the National Register (36CFR Part 60). These criteria are used by the City, SHPO, and Keeper of the National Register to evaluate properties (other than areas of the National Park System and National Historic Landmarks) for the National Register. These criteria are worded in a manner to provide for a wide diversity of resources. The following are the actual National Register Criteria for Evaluation.

Criterion A: Properties that are associated with events that have made a significant contribution to the broad patterns of our history;

Criterion B: Properties that are associated with the lives of persons significant in our past;

Criterion C: Properties that embody the distinctive characteristics of a type, period, or method of construction, that represent the work of a master, or that possess high artistic value, or that represent a significant and distinguishable entity whose components may lack individual distinction;

Criterion D: Properties that have yielded, or may be likely to yield, information important in prehistory or history.

Criteria consideration: Ordinarily cemeteries, birthplaces, or graves of historical figures, properties owned by religious institutions or used for religious purposes, structures that have been moved from their original locations, reconstructed historic buildings, properties primarily commemorative in nature, and properties that have achieved significance within the past 50 years shall not be considered eligible for the National Register. However, such properties shall qualify if they are integral parts of districts that do meet the criteria or if they fall within the following categories:

- (a) a religious property deriving primary significance from architectural or artistic distinction or historical importance; or
- (b) a building or structure removed from its original location but which is significant primarily for architectural value, or which is the surviving structure most importantly associated with a historic person or event; or
- (c) a birthplace or grave of a historical figure of outstanding importance if there is no other appropriate site or building directly associated with his productive life; or
- (d) a cemetery that derives its primary significance from graves of persons of transcendent importance, from age, from distinctive design features, or from association with historic events; or
- (e) a reconstructed building when accurately executed in a suitable environment and presented in a dignified manner as part of a restoration master plan, and when no other building or structure with the same association has survived; or
- (f) a property primarily commemorative in intent if design, age, tradition, or symbolic value has invested it with its own historical significance; or
- (g) a property achieving significance within the past 50 years if it is of exceptional importance.

NOTICE TO PROCEED – A letter to a Subrecipient stating the Section 106 process is complete and the project can proceed.

SECRETARY – The Secretary of the Interior.

SUBRECIPIENT – Any for-profit or non-profit Community Development Corporation or developer, or City agency who receives Title I funds through the City of Richmond and is under contract to the City to carry out certain activities within targeted areas.

STATE HISTORIC PRESERVATION OFFICER – The official appointed or designated pursuant to Section 101 (b)(1) of the National Historic Preservation Act to administer the State Historic Preservation program or

a representative designated to act for the State Historic Preservation Officer. For purposes of this Agreement, the State Historic Preservation Officer shall refer to the Director and staff of the Virginia Department of Historic Resources.

SURVEY – The process by which historic properties are documented according to the Standards of the SHPO.

UNDERTAKING – A project, activity, or program funded in whole or in part under the direct or indirect jurisdiction of a Federal agency, including those carried out by or on behalf of a Federal agency; those carried out with Federal financial assistance; and those requiring a Federal permit, license or approval.

APPENDIX 2 ACTIVITIES EXCLUDED FROM SHPO REVIEW

Glossary

In-kind replacement: This can be defined as the installation of a new element to replace an historic element (i.e. over 50 years old), that is either missing or too deteriorated to repair, that exactly matches the original element in all respects, including design, material, dimensions, configuration and detailing.

Preservation Briefs: These are a series of leaflets compiled by the National Park Service, which provide technical information about working on historic properties. They can be found on the Internet at <http://www.cr.nps.gov/hps/tps/briefs/presbhom.htm>, where they may be downloaded.

Secretary's Standards: These are *the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for the Treatment of Historic Landscapes*. Please refer to information on meeting the Standards at <http://www2.cr.nps.gov/tps/standguide/index.htm>.

Introduction

The following activities have limited potential to affect historic properties and therefore review by the SHPO is not required. Repair of an original element should always be the preferred alternative. In-kind replacement should be considered only if repair is not an option.

All work must meet the Secretary's Standards and be consistent with the Preservation Briefs to avoid an adverse effect in accordance with Section 106 regulations, 36 CFR Part 800, section 800.5(a)(2)(ii). These regulations can be found on the web site of the Advisory Council on Historic Preservation, at www.achp.gov).

A. GENERAL EXEMPTIONS

1. Projects on residential or non-residential buildings, structures or facilities less than fifty years old that do not meet National Register of Historic Places Criteria Consideration G, for properties that have achieved significance within the past 50 years (see information on the National Register at <http://www.cr.nps.gov/nr/>) and that are not within potentially eligible, previously determined eligible, or National Register- listed historic districts, immediately adjacent to any potentially historic property, or on or immediately adjacent recorded archaeological site, and do not involve more than one (1) acre of ground disturbance.

2. Refinancing or leasing without demolition, rehabilitation or construction.
3. Architectural and engineering fees and other non-construction fees and costs.
4. Rental or purchase of vehicles or other motorized equipment.
5. Rental and installation of scaffolding.
6. Temporary bracing or shoring short of the removal of building features as part of stabilization provided that it is installed without permanent damage to the building or site.
7. Grants or loans to participants in any Economic Development program funded by CDBG which may be used for working capital, equipment, furniture, fixtures, and debt refinancing or acquisition of non-historic buildings for reuse. Such activities shall require SHPO review only if such activities may involve changes to buildings, structures, objects, or historic districts which are either listed in or are considered potentially eligible or eligible for inclusion in the National Register.
8. Projects consisting of grants or loans to eligible families or entities to be applied solely to the purchase of residences or businesses.
9. Acquisition of property which is limited to the legal transfer of title with no physical improvements or changes proposed.
10. The City may proceed without documentation or consultation with the SHPO regarding the securing of vacant and unsafe buildings by covering all openings with 3/8" exterior grade plywood installed flush with the existing frame of the opening in order to minimize any future water penetration.
11. In order to secure or mothball a building for future rehabilitation, materials and features (porches, trim, windows, doors, etc.) may be removed without consultation with the SHPO as long as the materials and features are documented in situ by the City and stored on site for future rehabilitation.
12. The demolition of unsafe structures by the City undertaken without HUD or other federal funds shall be exempt from Section 106 review if such demolition takes place outside areas of the City identified for the use of federal funds.

B. EXEMPT ACTIVITIES

1. Site Work

- a) Streets, driveways, alleys, and parking areas. Repairs, line painting, resurfacing, and maintenance of existing streets, alleys, sidewalks, and curbs, providing that a change in width, historical surface material, vertical alignment, or drainage will not result. Repair of existing concrete or asphalt surfaces for curbs, gutters, and retaining walls is also exempt.
- b) Site improvements. Maintenance and repair of existing landscape features, including planting, fences, walkways, and statuary (Note: installation or replacement of these features is considered to be new construction and is subject to review). Maintenance, repair, and in-kind replacement of street lights, traffic signals, and traffic signs. Repairs to, or in-kind replacement of walks, driveways, and steps, provided it does not involve the removal of historic materials;
- c) Park and playground equipment. Repair or comparable replacement of existing park and playground equipment, excluding buildings.
- d) Temporary structures. Installation of temporary construction-related structures (not to be in place for more than two years) including scaffolding, barriers, screening, fences, protective walkways, signage, office trailers or restrooms.
- e) Vegetation. The pruning of overgrown trees and shrubs and the removal of dead trees.

2. Exterior Rehabilitation

- a) Foundations. Below-grade repair of brick or stone foundations and repairs to all other types of foundations. Underpinning of the front façade shall be accomplished by setting the underpinning material at least two (2) inches behind the outer face of the piers.
- b) Windows and doors. Repair of windows and doors, including caulking and weather stripping of existing window or door frames, and installation of new clear glass in existing sashes or doors, including retrofitting for double and triple glazing, and replacement of glazing putty. Installation of exterior storm windows and doors, provided they conform to the shape and size of the historic windows and doors, and that the meeting rails of storm windows coincide with that of existing sash, and that their installation will not permanently damage historic elements. Installation of door

or window locks or electronic security apparatus. If historic door locks are present, they can be disabled but should not be removed.

- c) Walls and Siding. Repair of wall or siding material or in-kind replacement of deteriorated siding or trim.
- d) Paint.
 - Removal of exterior paint by non-destructive means, limited to hand scraping, low pressure water wash (less than 200 p.s.i.), or paint-removal chemicals, provided that the removal method is consistent with the provisions of 24 C.F.R. Part 35, "Lead-Based Poisoning Prevention in Certain Residential Structures," including § 35.140, "Prohibited methods of paint removal."
 - All lead paint abatement done in accordance with Chapter 18 of HUD's *Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing*, "Lead Hazard Control and Historic Preservation" and carried out in accordance with *Preservation Brief #37: Appropriate Methods for Reducing Lead Paint Hazards in Historic Housing*.
 - Application of exterior paint to previously painted surfaces when no historic decorative paint schemes, such as graining, stenciling, marbling, etc., are to be covered.
- e) Porches. Repair or in-kind replacement of existing porch elements, such as columns, flooring, floor joists, ceilings, railing, balusters and balustrades, and lattice.
- f) Roofing. Repair or in-kind replacement of roof cladding and sheeting, flashing, gutters, soffits, and downspouts with no change in roof pitch or configuration. Repair or re-framing of structural roof elements as required to improve the drainage and durability of the roof as long as the appearance of the roof lines visible from the front elevation and from other prominent, visible points (for example, the exposed side façade on a corner lot) is not affected. New installation of gutters and down spouts, as long as this does not damage historic materials or require removal of historic features.
- g) Wheelchair ramps. Repair of existing wheelchair ramps, unless the ramps are to be replaced or substantially modified. Installation of new wheelchair ramps, when the following considerations apply:

- The ramp will not be a permanent addition to the property;
 - No historic fabric will be permanently damaged in the installation or use of the ramp;
 - Every reasonable effort will be made to construct and finish the ramp in a manner that will result in a minimal amount of visual and physical impact on the property, through design considerations, use of materials, and painting wooden ramps whenever possible.
- h) Repointing. Repair or repointing of chimneys or other masonry features with the design, size, shape, materials, and repointing to match the original in color, texture, and tooling, and, for historic properties, following the recommended approaches in Preservation Brief No. 2 *Repointing Mortar Joints in Historic Brick Buildings*.
- i) Signs and Awnings. Repair or in-kind replacement of existing signs or awnings.
- j) Mechanical systems. Placement and installation of exterior HVAC mechanical units and vents not on the front elevation that will not permanently damage historic fabric.
- k) Basement bulkhead doors. Replacement or repair of basement bulkhead doors and installation of basement bulkhead doors not on the front elevation.
- l) Lighting. Repair or in-kind replacement of existing exterior light fixtures.
- m) Mothballing. Securing or mothballing a property by boarding over window and door openings, making temporary roof repairs, and/or ventilating the building. For historic buildings, mothballing procedures should follow Preservation Brief No. 31, "Mothballing Historic Buildings."

3. Interior Rehabilitation

- a) Mechanical systems. Installation, replacement or repair of plumbing, HVAC systems and units, electrical wiring and fire protection systems, provided no structural alterations or damage to historic material are involved. Included are restroom improvements for handicapped access, provided the work is contained within the existing restroom walls. For historic properties, work must be done according to the preservation briefs and there should be no intrusion into the primary spaces of the building.

- b) Interior surfaces. Repair or in-kind replacement of interior surface treatment, such as floors, walls, ceilings, plaster and woodwork. If covering historic features, such as wood floors, then carpet or sheet goods (linoleum or vinyl) shall be installed in a reversible manner, either through tacking or with an underlayment so historic floors shall not be irreversibly damaged.
- c) Paint. Application of interior paint provided no historic decorative treatments are covered. Lead paint abatement done in accordance with Chapter 18 of HUD's *Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing*, "Lead Hazard Control and Historic Preservation" and carried out in accordance with *Preservation Brief #37: Appropriate Methods for Reducing Lead Paint Hazards in Historic Housing*.
- d) Kitchens. Repair or replacement of kitchen cabinets, counters, and appliances – provided the work is contained in the existing kitchen and significant historic fabric will not be damaged or removed.
- e) Bathrooms. Replacement of bathroom facilities and fixtures – provided the work is contained within the existing bathroom and will not involve damage to significant historic fabric.
- f) Insulation. Installation of non-spray insulation in ceilings and attic spaces.
- g) Basement. Installation or repair of concrete basement floor in an existing basement provided no historic materials are damaged or concealed.
- h) Radon abatement. Provided the treatment to prevent the entry of radon gas into the building is through the basement floor and does not damage or conceal any historic material.
- i) Asbestos removal. Provided it does not involve removal or alteration of significant historic elements.

APPENDIX 3
VIRGINIA LAWS AND REGULATIONS GOVERNING
THE TREATMENT OF HUMAN REMAINS

Virginia Antiquities Act, Section 10.1-2305 of the Code of Virginia

§ 10.1-2305. Permit required for the archaeological excavation of human remains.

A. It shall be unlawful for any person to conduct any type of archaeological field investigation involving the removal of human skeletal remains or associated artifacts from any unmarked human burial regardless of age of an archaeological site and regardless of ownership without first receiving a permit from the Director.

B. Where unmarked burials are not part of a legally chartered cemetery, archaeological excavation of such burials pursuant to a permit from the Director shall be exempt from the requirements of §§ 57-38.1 and 57-39. However, such exemption shall not apply in the case of human burials within formally chartered cemeteries that have been abandoned.

C. The Department shall be considered an interested party in court proceedings considering the abandonment of legally constituted cemeteries or family graveyards with historic significance. A permit from the Director is required if archaeological investigations are undertaken as a part of a court-approved removal of a cemetery.

D. The Board shall promulgate regulations implementing this section that provide for appropriate public notice prior to issuance of a permit, provide for appropriate treatment of excavated remains, the scientific quality of the research conducted on the remains, and the appropriate disposition of the remains upon completion of the research. The Department may carry out such excavations and research without a permit, provided that it has complied with the substantive requirements of the regulations promulgated pursuant to this section.

E. Any interested party may appeal the Director's decision to issue a permit or to act directly to excavate human remains to the local circuit court. Such appeal must be filed within fourteen days of the Director's decision.

(1989, c. 656.)

Final Regulations Adopted by the Virginia Board of Historic Resources and Published in the Virginia Register of July 15, 1991

17VAC5-20-30. General provisions.

Any person conducting any field investigation involving the removal of human remains or associated artifacts from any unmarked human burial on an archaeological site shall first obtain a permit from the director.

1. No field investigation involving the removal of human remains or associated artifacts from any unmarked human burial on an archaeological site shall be conducted without a permit.
2. In cases where a field investigation may reasonably be anticipated to involve the excavation and removal of human remains or associated artifacts, the person conducting such investigation may obtain a permit prior to the actual discovery of human burials.
3. In any case where human remains are encountered in a field investigation without having received a permit, all work on the burial or burials shall cease until a permit has been obtained.
4. No field investigation involving the removal of human remains or associated artifacts from any unmarked human burial on an archaeological site shall be performed except under the supervision and control of an archaeologist meeting the qualifications stated in 17VAC5-20-40.
5. Any human remains removed in the course of field investigations shall be examined by a skeletal biologist or other specialist meeting the qualifications stated in 17VAC5-20-40.
6. Any approved field investigation shall include an interim progress report summarizing the field portion of the permitted investigation within 60 days of completion of the removal of all human remains and associated artifacts. Reports indicating progress on analysis and report preparation shall be submitted to the department at 90-day intervals until the final report and disposition are accomplished.
7. The applicant shall make the site and laboratory available to the department for purposes of monitoring progress and compliance with this chapter as requested by the department.

8. A copy of the final report including the analysis of materials removed from the burial shall be delivered to the director according to the timetable described in the application.

9. Documentation of final disposition as required by the permit shall be delivered to the department within 15 days of such disposition.

10. Work conducted under a permit will not be considered complete until all reports and documentation have been submitted to and reviewed by the department to meet all conditions cited in this chapter or specified as part of an approved permit.

Failure to complete the conditions of the permit within the permitted time limit may result in revocation of the permit and constitute grounds for denial of future applications.

11. The applicant may apply for an extension or change to the conditions of the permit, including changes in research design, principal personnel or disposition, for good cause. Granting such an extension or alteration will be at the discretion of the director, after consultation with interested parties.

Statutory Authority: §§10.1-2202 and 10.1-2300 et seq. of the Code of Virginia.

Historical Notes: Derived from VR390-01-02 §3, eff. August 14, 1991

Appendix 4
Historic Resource Maps of Richmond, Virginia
Showing the entire extent of the City in 6 Maps
12-12-2004

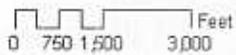
Note: The attached maps reflect the historic districts and individual properties listed on the National Register of Historic Places, as well as areas of Richmond eligible for designation. The City is in the process of updating these maps to reflect the most recent listings on the National Register.



Historic Resources in Richmond's East District



Legend



- National Register Historic Districts
- Eligible Historic Areas
- Historic Sites

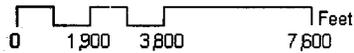
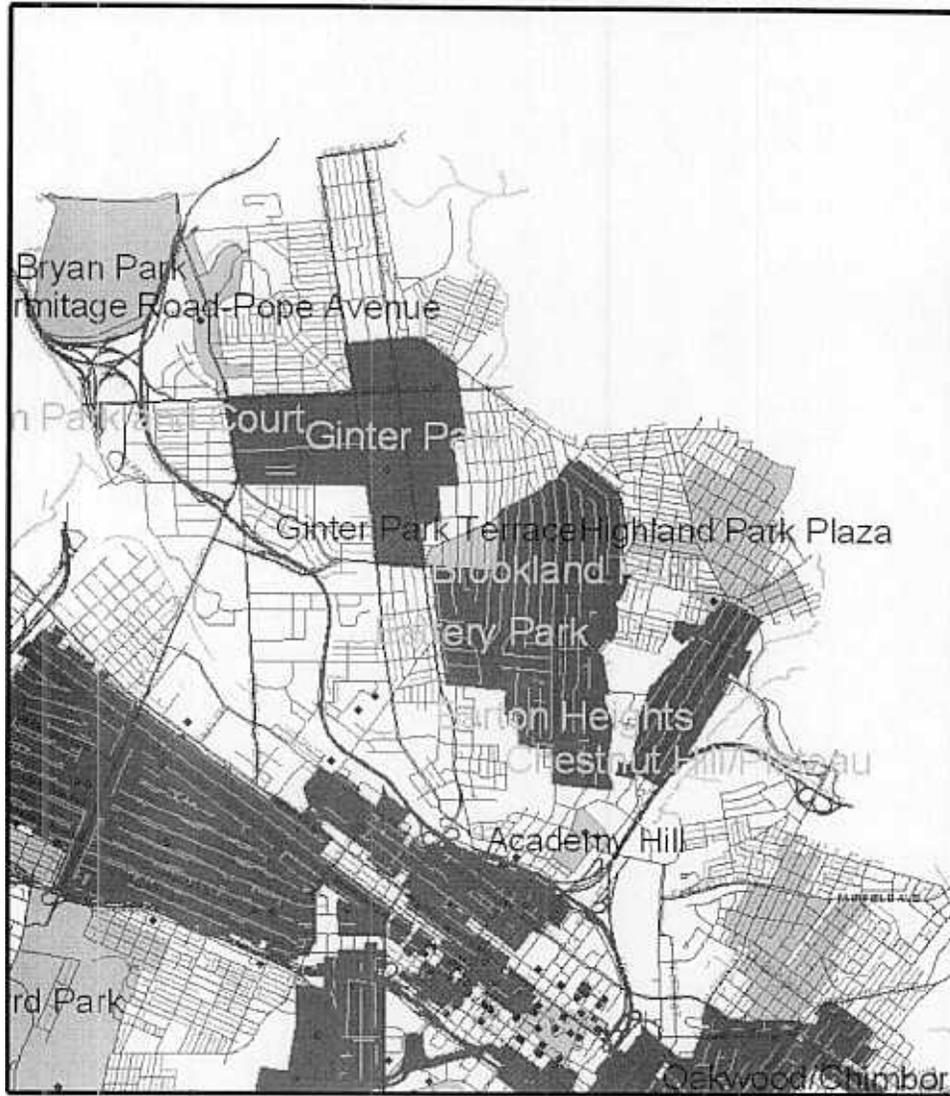


The City of Richmond is a proud member of the National Trust for Historic Preservation. We are committed to the preservation and interpretation of our historic resources. This map is a project of the City of Richmond's Historic Resources Department.

c:\ArcGIS\project\Historic District Brochure\east



Historic Resources in North Richmond



Legend

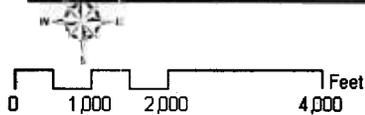
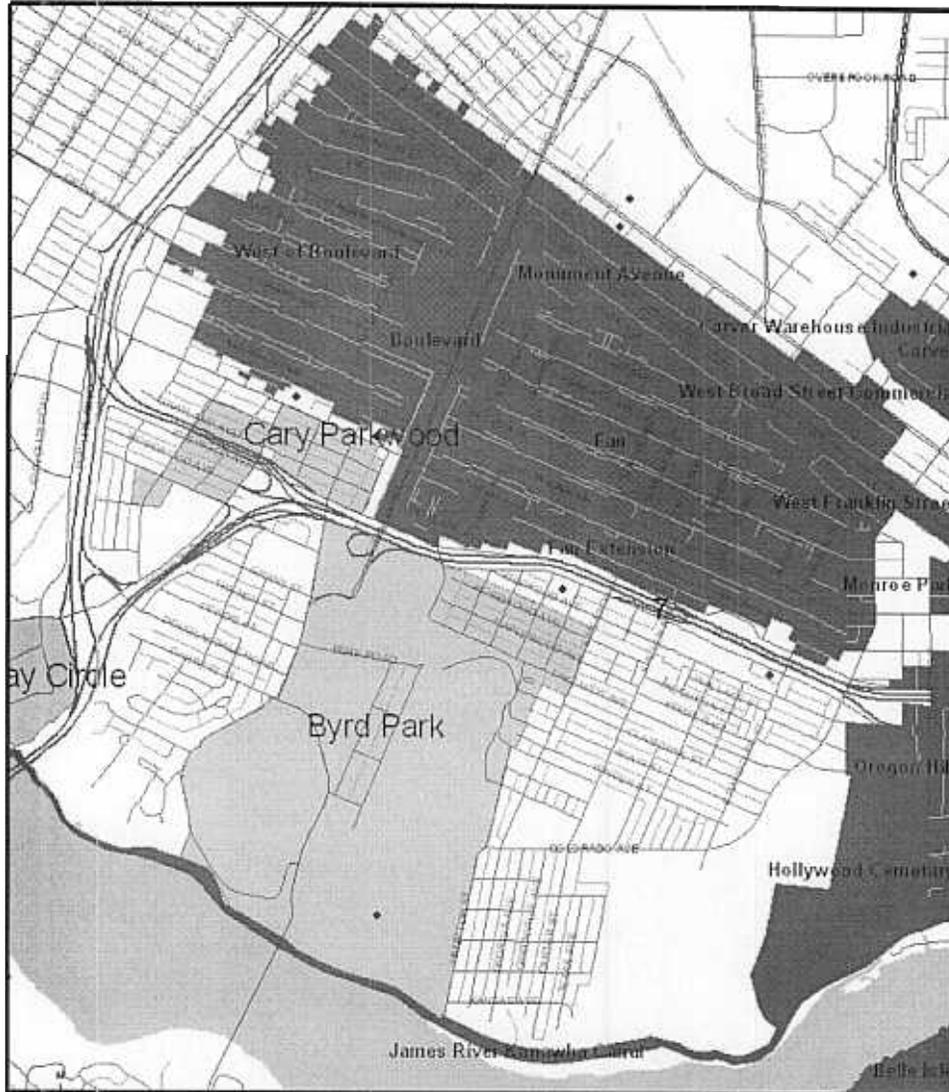
-  Eligible Historic Areas
-  Historic Sites
-  National Register Historic Districts

The Mayor
The City of Richmond accepts no liability
for any errors, omissions, or
inaccuracies in the information provided
regarding the location of such or other
information on this map, or any other
information derived therefrom.

c:\ArcGISproject\Historic District Brochure\northside



Historic Resources in Richmond's Near West



c:\ArcGIS\project\Historic District
Brochure\Nearandfarwest

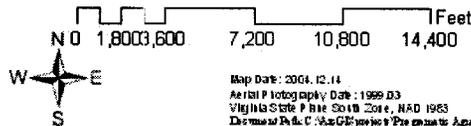
Disclaimer
The City of Richmond assumes no liability for the use of the information presented in this report. The City of Richmond is not responsible for any errors or omissions in this report. The City of Richmond is not responsible for any damages or losses resulting from the use of this report.

Legend

-  Eligible Historic Areas
-  National Register Historic Districts
-  Historic Sites



Historic Resources in Far West and Far Southwest Richmond



Map Date: 2004.12.14
 Aerial Photography Date: 1999.03
 Virginia State Plane South Zone, NAD 1983
 Document Path: C:\arcgis\proj\Pro\proj\Agreement\Historic Resources\FARWEST&SOUTHWEST.mxd

Legend
 ● Historic Sites
 ■ National Register Historic District
 ▨ Eligible Historic Areas

Disclaimer:
 The City of Richmond assumes no liability
 either for any errors, omissions, or
 inaccuracies in the information provided
 regardless of the cause of such errors or
 omissions made, actions taken, or actions not
 taken by the user or reliance on any
 maps or information provided herein.

Appendix 5
Virginia Department of Historic Resources
Project Review Application

Requesting a Project Review from the Virginia Department of Historic Resources

The Department of Historic Resources (DHR) is Virginia's State Historic Preservation Office (SHPO). Section 106 of the National Historic Preservation Act of 1966, as amended, requires federal agencies to consult with the SHPO and others who may have knowledge of historic properties in identifying known historic properties which may be affected by a federal undertaking, and in determining the need for further survey efforts to identify previously unrecorded historic properties. Information on Section 106 and the text of the Section 106 regulations are available on the web site of the Advisory Council on Historic Preservation (www.achp.gov).

THIS APPLICATION MUST BE COMPLETED FOR ALL FEDERAL UNDERTAKINGS AND SUBMITTED TO THE VIRGINIA DEPARTMENT OF HISTORIC RESOURCES FOR REVIEW. A federal undertaking is defined in the Section 106 regulations as "a project, activity, or program funded in whole or in part under the direct or indirect jurisdiction of a Federal agency, including those carried out by or on behalf of a Federal agency; those carried out with Federal financial assistance; those requiring a Federal permit, license or approval; and those subject to State or local regulation administered pursuant to a delegation or approval by a Federal agency." **This form may also be used to obtain the comments of DHR as part of a state review process.** Please provide a completed form even in cases where project information is included in a separate document, such as an Environmental Impact Report. Environmental documents may be submitted as attachments to the form if they provide an important part of the project description.

A program specific review application form for cell tower projects is available on DHR's website along with several other attachments to the project review application relating to the rehabilitation and demolition of historic structures which are intended to streamline the process.

Before You Complete the Project Review Application Form

Determine if your project constitutes an undertaking that has the potential to impact historic properties, assuming such historic properties were present (for the definition of an undertaking, go to the Section 106 Regulations, Definitions section, 36 CFR 800.16, on the web at www.achp.gov/regs.html).

2. Determine the Area(s) of Potential Effect (APE) for the project. For the purposes of Section 106, the area of potential effect (APE) is defined as the entire geographical area in which changes may occur to historic properties if any are present. The APE for archaeological resources may be different than for architectural resources. The viewshed of historic properties often extends well beyond their boundaries and is often an important contributing element to their historic significance. Therefore, projects which alter the landscape drastically - large scale subdivisions, highway construction - or those which insert a large, intrusive structure into the landscape - cell towers, water towers - must take into account the surrounding viewshed when determining the APE. A field inspection of the project area will help to establish the APE. Establishing the APE is the responsibility of the federal agency in consultation with DHR. When acting on the behalf of a federal agency, the APE that is presented to DHR must be the APE that is approved

by that agency. The boundaries of the APE should be clearly described and indicated on a U.S.G.S. quad map (original or clear copy). If there are two different APEs – one where ground disturbance is going to occur and one where viewshed is the only concern, for instance, these should be clearly indicated.

3. Gather information to identify the historic properties within or adjacent to the APE that may be affected by your project. Information on recorded historic properties is available in the DHR Archives, and this information **must** be collected prior to submitting project review application. The Archives are open to the public, and the only charges for use are 15 cents per page for copies. If it is not possible to visit the DHR Archives, the archivist will provide information on recorded properties for a fee (telephone the Archives at 804-367-2323, extension 125 for more information). Please be aware that survey in Virginia is far from complete, and the absence of historic resources in DHR records does not necessarily mean that no historic properties are present. Information that should be considered in the identification process may also be available in other repositories, such as county planning offices and historical societies. On-site inspections are an essential component of the identification process. Photographs of the subject property and any nearby properties that may be over 50 years old should be provided with your project review application. Please attach the available information on recorded historic properties within the APE and documentation resulting from field inspection to the project review application form. If no historic properties are recorded in the APE, and if no potentially historic properties were observed during field inspection, note this on the application form.
4. Following the identification process, you should complete the project review application form in its entirety by referring to the following instructions. Attach or enclose the required additional information, and submit your application packet to DHR. The Department of Historic Resources will respond to your request within 30 days.

How to Complete the Project Review Application Form

I. GENERAL PROJECT INFORMATION

1. Indicate if the project, or any part thereof, has been previously reviewed by DHR and if so, insert the file number. If we know that a project has been previously reviewed, we can often avoid asking for duplicate information.
- 2-3. Complete this section in its entirety providing the name and location (independent city or town and county) of the project. If your project involves work on a specific building, please include the street address of the building.
4. Refer to the attached list of agencies and their abbreviations and indicate the abbreviation(s) for the federal and/or state agencies involved in the project (permitting, licensing, funding, etc.). If more than one agency is involved, one must be designated the lead agency for Section 106 compliance. If the appropriate agency is not included on the list, please write the full agency name in the space provided.
- 5-6. It is important that complete mailing addresses be provided for both the lead federal or state agency contact and the applicant.

II. PROJECT LOCATION AND DESCRIPTION

Indicate the name of the USGS quadrangle on which your project area is located. An original or clear photocopy of the 7.5 minute USGS topographic quadrangle, or a **clearly**

City of Richmond, Virginia
Programmatic Agreement

labeled portion thereof, showing the exact boundaries of the project location, and the project's Area(s) of Potential Effect (APE) **must** be attached to this application. Do **not** reduce or enlarge the map. Topographic maps may be downloaded free of charge from Topozone© (www.topozone.com).

8. Indicate the acreage of the project area.
9. Indicate if an architectural or archaeological survey has been conducted as part of the identification process or in a different context by consulting DHR's Archives. Indicate the author, title, and date of the report and if a copy of it is on file at DHR. If a survey has been completed and a copy is not on file, a copy should be included with the application materials.
10. During the identification stage of the Section 106 process you should determine the presence/absence of structures 50 years old or older. Indicate if the Archives search revealed any historic properties in the APE and if the site inspection revealed any properties over 50 years of age within or adjacent to the project area which may or may not be recorded at DHR. The date of construction for structures is often indicated in county or state tax records. Photographs of all structures over 50 years of age must be included with the application materials.
- 11-12. These questions are designed to help DHR determine if your project needs to be reviewed by an architectural historian or an archaeologist or both. If the answer to either of these questions is *yes*, a complete explanation is required in the Description.
13. Description. Attach a detailed description of the project area and the proposed undertaking, making sure to include the following information:
 - a) Description of the existing land use. Include photographs of the project area.
 - b) Description of any recent modifications to the landscape. [Note: If the existing landscape appears to be markedly different from that shown on the attached quad map, please include information to that effect explaining what changes have occurred since the map was last updated.]
 - c) For projects involving the rehabilitation, alteration, or demolition of a structure over 50 years of age, a detailed description of the extent of the proposed alterations, along with photographs, architectural and engineering drawings, project specifications, and maps will be required.
 - d) Detailed project description that includes the precise location of all construction, destruction, and other proposed disturbance, the horizontal and vertical dimensions of all above and below ground construction, and the nature and extent of any previous disturbances – i.e. it is in a plowed field or disturbed VDOT right-of-way – within the APE.

Please Note: A complete project review application consists not only of the fully completed form, but also a completed Archives search, a USGS topographic map with the APE marked, a detailed project description, and all required photographs and project plans. A checklist is provided at the end of the application. Accurate and complete information will help in obtaining a timely response. If all required materials are not submitted, you will receive notification that your application is incomplete and the 30-day review period will not begin until all necessary materials are received.

**COMMONLY USED FEDERAL AND STATE AGENCIES
AND ABBREVIATIONS**

Federal Agencies

Advisory Council on Historic Preservation	ACHP
Department of the Interior, Bureau of Land Management	
Central Intelligence Agency	
Department of Defense, Army Corps of Engineers	
Drug Enforcement Administration	
Department of Defense	
Department of Defense, Army	
Department of Defense, Navy	Navy
Department of Defense, Marines	Marines
Department of Defense, Air Force	Air Force
Department of the Interior	DOI
Department of Justice	
Department of Labor	
Defense Security Service	DSS
Department of Education	ED
Department of Commerce, Economic Development Administration	EDA
Environmental Protection Agency	EPA
Department of Transportation, Federal Aviation Administration	FAA
Federal Bureau of Investigation	FBI
Federal Communications Commission	
Federal Deposit Insurance Corporation	
Federal Emergency Management Agency	
Department of Energy, Federal Energy Regulatory Commission	FERC
Federal Highway Administration	FHWA
Federal Railroad Administration	FRA
Department of Transportation, Federal Transit Administration	FTA
Department of Housing and Urban Development	HUD
General Services Administration	GSA
Department of Health and Human Services	HHS
Interstate Commerce Commission	
Library of Congress	
Metropolitan Washington Airports Authority	
National Aeronautics and Space Administration	
National Capital Planning Commission	NCPC
National Endowment for the Humanities	NEH
National Imagery and Mapping Center	NIMA
Nuclear Regulatory Commission	NRC
Department of Commerce, National Oceanic and Atmospheric	NOAA

Administration	
Department of the Interior, National Park Service	NPS
Department of Agriculture, Natural Resources Conservation Service	NRCS
Comptroller of the Currency	OCC
Department of the Interior, Office of Surface Mining	OSM
Department of Agriculture, Rural Development	RD
Rural Utilities Service	RUS
Small Business Administration	SBA
Smithsonian Institute	SI
Surface Transportation Board	STB
Technology Administration	TA
Tennessee Valley Authority	TVA
United States Coast Guard	USCG
United States Department of Agriculture	USDA
United States Department of Commerce	USDOC
United States Department of Energy	USDOE
Department of Agriculture, Forest Service	USFS
Department of the Interior, Fish and Wildlife Service	USFWS
United States Geological Survey	USGS
United States Postal Service	USPS
Department of Veterans Affairs	VA

Christopher Newport University	CNU
Central Virginia Community College	CVCC
	CWM
	DCJS
	DCR
	DEQ
	DGIF
	DGS
Department of Juvenile Justice	DJJ
Department of Mental Health, Mental Retardation and Substance Abuse Services	DMHMRSAS
Department of Mines, Minerals and Energy	DMME
Department of Motor Vehicles	DMV
Department of Accounts	DOA
Department of Corrections	DOC
	DOE

Department of Veterans Affairs	DVA
Frontier Culture Museum of Virginia	FCM
Germanna Community College	GCC
Gunston Hall	GH
George Mason University	GMU
James Madison University	JMU
John Tyler Community College	JTCC
Jamestown-Yorktown Foundation	JYF
Medical College of Virginia	MCV
North Carolina Department of Transportation	NCDOT
Norfolk State University	NSU
Old Dominion University	
Piedmont Virginia Community College	
Radford University	RU
State Corporation Commission	SCC
Science Museum of Virginia	SMV
Tidewater Community College	TCC
Thomas Nelson Community College	TNCC
University of Mary Washington	UMW
University of Virginia	UVA
Virginia Community College System	VCCS
Virginia Commonwealth University	VCU
Department of Agriculture and Consumer Services	VDACS
Department of Health	VDH
Department of Transportation	VDOT
Virginia Employment Commission	VEC
Virginia Institute of Marine Science	VIMS
Virginia Museum of Fine Arts	VMFA
Virginia Military Institute	VMI
Virginia Museum of Natural History	VMNH
Virginia Outdoors Foundation	VOF
Virginia Port Authority	VPA
Virginia Polytechnic Institute and State University	VPISU
Virginia Resources Authority	VRA
Virginia School for the Deaf and Blind	VSDB
Library of Virginia	VSLA
Department of State Police	VSP
Virginia State University	VSU
Virginia Western Community College	VWCC
Wytheville Community College	WCC
West Virginia Department of Transportation	WVDOT

If yes, list author, title, and date of report here. Indicate if a copy is on file at DHR.

10. Are any structures 50 years old or older within or adjacent to the project area?

YES ___
NO ___

If yes, give date(s) of construction and provide photographs.

11. Does the project involve the rehabilitation, alteration, removal, or demolition of any structure, building, designed site (e.g. park, cemetery), or district that is 50 years or older? If yes, this must be explained fully in the project description.

YES ___
NO ___

12. Does the project involve any ground disturbance (e.g. excavating for footings, installing sewer or water lines or utilities, grading roads, etc.)? If yes, this must be explained fully in the project description.

YES ___
NO ___

13. DESCRIPTION: Attach a complete description of the project. Refer to the instructions for the required information.

To the best of my knowledge, I have accurately described the proposed project and its likely impacts.

Signature of Applicant/Agent _____

Date _____

The following information must be attached to this form:

Completed DHR Archives search

<input type="checkbox"/> No historic properties affected <input type="checkbox"/> No adverse effect <input type="checkbox"/> Additional information is needed in order to complete our review. <input type="checkbox"/> We have previously reviewed this project. A copy of our correspondence is attached.	
Comments:	_____
Signature	_____
Date	_____
Phone number	_____
DHR File #	_____
<i>This Space For Department Of Historic Resources Use Only</i>	

MAIL COMPLETED FORM AND ATTACHMENTS TO:

Virginia Department of Historic Resources
Attention: Project Review
2801 Kensington Avenue, Richmond, VA 23221
www.dhr.virginia.gov

City of Richmond, Virginia
Programmatic Agreement