

Instructions for Application for Section 106 Review

Nevada State Historic Preservation Office

Section I: General Information

- a. Please provide the name of your project.
- b. Provide the street address of your project if applicable. If no street address exists, please leave this blank. Please include the Assessor's Parcel Number for the property on which this project is located.
- c. Please provide the county or counties in which this project will take place.
- d. Every project has a federal funding, licensing, or permitting agency. Include the name, mailing address, and telephone number of the contact person at the federal agency if known. A federal agency or federally delegated authority contact is helpful for our review. Projects not receiving federal assistance, nor requiring a federal permit or license, are not subject to Section 106 review. If you do not know your federal agency, please contact the party requiring you to apply for Section 106 review for this information.
- e. Include the name, *mailing address*, and telephone number of the contact person at the state agency. If this is a grant program, note the name of the program (i.e. CDBG, HOME, etc.)
- f. Please provide the name, *mailing address*, telephone number, and email address of the contact person to whom questions may be directed.
- g. Please provide a map that clearly illustrates the location of the project as well as all of the proposed activities associated with the project.
 - g.1. The map should use a USGS 7.5 minute quadrangle (1:24000 scale where 1 inch = 2,000 feet) background with the location of the project clearly marked. Provide the name of the quadrangle map that can be found on the [USGS website](#). The entire quad map does not have to be submitted; an 8.5x11 inch section of the map may be submitted. Map scales should be no larger than 1:50,000 (1 inch = 4,166 feet) and no smaller than 1:10,000 (1 inch = 833 feet). Photocopies of actual quad maps are acceptable as long as the map and location are clear. Street maps, plat maps, and satellite images are not acceptable substitutes; however, they may be included as additional information.
 - g.2. Township, Range, and Section refer to the Public Land Survey System (PLSS). These are numbers such as T21N, R2W, and Section 12 and are often incorporated into plat assignments at the county assessor's office. Do not put names of townships in this location. Alternate coordinates, such as UTM's or Latitude/Longitude, may be submitted in addition to the Township, Range, and Section.

NOTE: We need to have mailing addresses on the form in order to provide copies of letters. If you wish a party to receive a copy of our response, please ensure that the mailing address is included in Section I.

We will mail our response to the address indicated on the submission. It is the responsibility of the federal agency or their delegate to inform our office in writing that they wish to have a scan of the reply letter. We will attempt to accommodate those requests as staffing and time permit.

Section II: Project Work Description and Area of Potential Effects (APE)

- a. This is a *detailed* description of the work that will be undertaken. Include any information about the demolition, construction, or alteration of buildings and structures, and about landscape alteration such as sidewalk or tree removals, grading, and utilities trenching. The SHPO is mandated to assess the effects that a project will have on the historic resources if they are eligible for the National Register of Historic Places.
- b. Localized map highlighting the location of the project (e.g., a copy of a portion plat or a city street map). Maps must provide the precise location of the project. If the project will occur in several locations (e.g., curb and gutter replacement at several places along a roadway), all such locations must be noted. Please ensure that street/road names are included and legible.
- c. Draw/Outline/Highlight the APE for your project. The APE is defined as the geographic area or areas within which an undertaking may directly, or indirectly, cause changes in the character or use of historic properties. See II.d for further discussion of the APE.
- d. Describe the steps taken to identify the APE and justify the boundaries chosen
In most instances, the APE is not simply the project's physical boundaries, or right-of-way. The APE is influenced by the scale and nature of an undertaking and may be different for different kinds of effects caused by an undertaking. In defining the APE, you must consider not only physical effects but also visual, auditory, and atmospheric (e.g., land use, traffic patterns, public access) effects. For example, when considering visual effects, you should identify all areas from where your project will be seen—the APE for the construction of a three-story building would be larger than the APE for the construction of a one-story building.

Section III: Ground-Disturbing Activity

- a. Describe the proposed dimensions of ground disturbing activity. Plans and specifications can be included as well. Example: 4 feet wide, 20 feet long, 2 feet deep. Please include a description of all associated activities (e.g., lay down areas; borrow pits, access roads, etc.).
- b. Describe the previous use of the land. Was it farmed land, an industrial site, a homestead, etc.? Was there a utility corridor placed on the property, were sewer and waterlines placed there 10 years ago, etc.? Has the ground been previously graded or paved?
- c. Describe the current use and condition of the property.
- d. Ask the landowner(s) if they are aware of any artifacts being discovered on the property at any point in time. Include their description of items that have been found, if any.

Section IV: Identification of Historic Properties

- a. List and provide construction dates for all resources 50 years of age or older located in the APE. If research has been done and no approximate date is found, the term “not found” is acceptable. If your project is located in a National Register eligible, listed, or local historic district it is not necessary to list every structure. Identify the district and describe its general characteristics and range of construction dates.
- b. List all buildings, objects, structures, sites, objects, and districts within your APE that are listed in the National Register of Historic Places. It is your responsibility to make a reasonable and good faith effort to carry out appropriate identification efforts. Searching our website or the National Register list on the National Park Service website will not identify properties eligible for listing in the National Register, and does not fulfill your responsibility to identify historic properties. *Staffing levels, budget constraints, and federal regulation do not allow SHPO staff to conduct research for Section 106 compliance activities.*
- c. List all resources previously determined eligible for NRHP listing either by another federal agency or during a previous inventory effort. This will also require background research, consultation, or other investigative activities.
- d. You can locate a list of Certified Local Governments [here](#).
- e. The following resources can be used to initiate consultation with Indian tribes on properties of religious and cultural significance that would be affected by the undertaking: HUD’s Tribal Directory Assessment Tool (TDAT) [here](#) and the Nevada Indian Commission [here](#).
- f. It is your responsibility to determine whether any property over 50 years of age is eligible for listing in the National Register.

Part of the identification process involves consulting local governments, the public, nearby Indian tribes, or any other organization that might have an interest in, or knowledge of, historic resources in your APE. Commonly, letters are sent to the tribes, the local government(s), and organizations such as preservation or local history groups. The public is commonly notified via newspaper announcements or public meetings.

The Section 106 regulations require that the evaluation of National Register eligibility be conducted by a professional meeting the Secretary of the Interior’s Qualifications Standards, which are described [here](#). Research and evaluation may include background research, consultation, oral history interviews, sample field investigation, and field survey.

Describe the steps taken to determine if the APE contains National Register-eligible resources.

One source of this information is the Nevada Cultural Resources Information System (NVCRIS). This is an online search tool that you will need a username and password as well as specific credentials to access. If you do not have access to NVCRIS, please email the NVCRIS Coordinator at nvcris@shpo.nv.gov and she

will provide you with the information to obtain access to NVCRIS. You may also request a Positive/Negative Data Cut Report from the NVCRIS Coordinator if you do not have the credentials to access certain layers within NVCRIS. The NVCRIS Coordinator will be able to assist you with this matter. Additional information can be found on our website [here](#).

- g. Please choose one. A historic property is defined as one that is listed in, or eligible for listing in, the National Register.
- h. Describe the condition (e.g., good; has some deterioration; is in a ruinous state), integrity (e.g., past alterations, past demolitions, past additions), and history (e.g., when/why/how constructed and by whom) of each historic property in the APE.

Section V: Photographs

Photographs may be color or black and white. Printed digital photographs are acceptable provided they have a high dpi and clear resolution. Photographs must provide clear views (i.e., subject of the photograph should not be obscured by shadows, trees, cars, or any other type of obstruction) of any historic properties in the project's area of potential effects. If submitting a project which is, or may be in, a historic district (especially in commercial or residential neighborhoods fifty years of age or older) please submit representative streetscape views of the built environment in the project's area of potential effects to provide the SHPO with an idea of the architectural context. Remember to key all photographs to a map. This can be the same map that was created in Section I.g or II.b.

- a. Please photograph the location where the project will be taking place. If the project covers a large area, please provide several views.
- b. Please provide photographs of properties identified in Section IV.a. If the project is located in a National Register eligible, listed or local historic district it is not necessary to photograph every structure. Streetscape photographs that clearly illustrate the district are sufficient.

Section VI: Finding of Effect

Following a reasonable and good faith effort to identify historic properties within the project's area of potential effects provide the SHPO with your finding of the project's effect upon historic properties within the project's area of potential effects.

- a. For a finding of: (1) *no historic properties affected* [36 CFR 800.4(d)(1)] in which there are either no historic properties present or no historic properties affected, include the justification for this determination. If a historic property is present and will be somewhat affected—but not negatively—the appropriate determination is “No adverse effect” (see VI.b).
- b. For a finding of: *no adverse effect* [36 CFR § 800.5(b)]; explain why the criteria of adverse effect [36 CFR § 800.5(a)(1)] were not found applicable and include any conditions to avoid, minimize, or mitigate adverse effects. Adverse effects must be resolved in consultation with the SHPO pursuant to 36 CFR § 800.6. Please indicate

the efforts undertaken to seek views provided by consulting parties and the public pursuant to 36 CFR § 800.6(a)(4), and provide copies or summaries of this information to the SHPO. “No adverse effect” only applies to projects that have historic properties within their APEs. If no historic properties are present, use “No historic properties affected.”

- c. For a finding of: *adverse effect* [36 CFR § 800.5(d)(2)]; explain why the criteria of adverse effect [36 CFR § 800.5(a)(1)] were found applicable and include any conditions to avoid, minimize, or mitigate adverse effects. Adverse effects must be resolved in consultation with the SHPO pursuant to 36 CFR § 800.6. Please indicate the efforts undertaken to seek views provided by consulting parties and the public pursuant to 36 CFR § 800.6(a)(4), and provide copies or summaries of this information to the SHPO.

Questions: Please contact SHPO Staff

Note: Please submit a complete and adequately documented submission package with all the materials listed. In accordance with regulations, a deficient submission does not trigger a SHPO review period and staff may return the submission to the sender for completion.