



**RIC 2007**  
**Environmental Reviews:**  
**The Role of the SHPO**  
**March 15, 2007**

Ethel R. Eaton, Ph.D.  
Manager, Office of Review and Compliance  
Virginia Department of Historic Resources

## What is a SHPO?

*The SHPO is the State Historic  
Preservation Officer*

The official appointed or designated pursuant to the  
National Historic Preservation Act to administer  
the State historic preservation program

The SHPO's representative.

The state agency that administers the state  
preservation program

# The Legal Framework: Federal Preservation Responsibilities

- The National Historic Preservation Act of 1966 sets forth national policy, a broad philosophy, and a framework for decision making
- Section 106 requires that all federal agencies consider historic properties as part of their decision-making and calls for an advisory review of all federal undertakings

## Historic Properties:



- Places where Native Americans hunted bison and mammoth before there was a Chesapeake Bay
- Places that mark the birth of a new nation
- Monumental places like Mount Vernon, Monticello and Montpelier
- Decisive battlegrounds of the American Revolution and Civil War
- Frontiers of discovery and settlement



# From the More Recent Past

## Variable Density Wind Tunnel - 1923

### National Historic Landmark

The physical principle underlying the VDT operation was to increase (by compressing) the density of the air in the vessel to 20 atmospheres (2000 psi), thereby offsetting the small size of the models tested (1/20 scale).

The test results more nearly correlated with a full-sized aircraft in flight – for the first time in the history of aeronautics research.



Engineers peered through one who occurred there, so that a tabulated, analyzed and trac



- African American schools and churches from the era of segregation and places associated with the civil rights movement
- Milestones along our nation's epic journey into space
- Places associated with World Wars I & II, the Cold War and the tragic events of September 11

# Identifying Historic Properties

What makes a property *historic*?

For the purposes of Section 106, historic properties are defined as any prehistoric or historic site, district, building, structure or object *listed* on or *eligible* for listing on the National Register of Historic Places.

## The State Historic Preservation Officer – the Federal Role

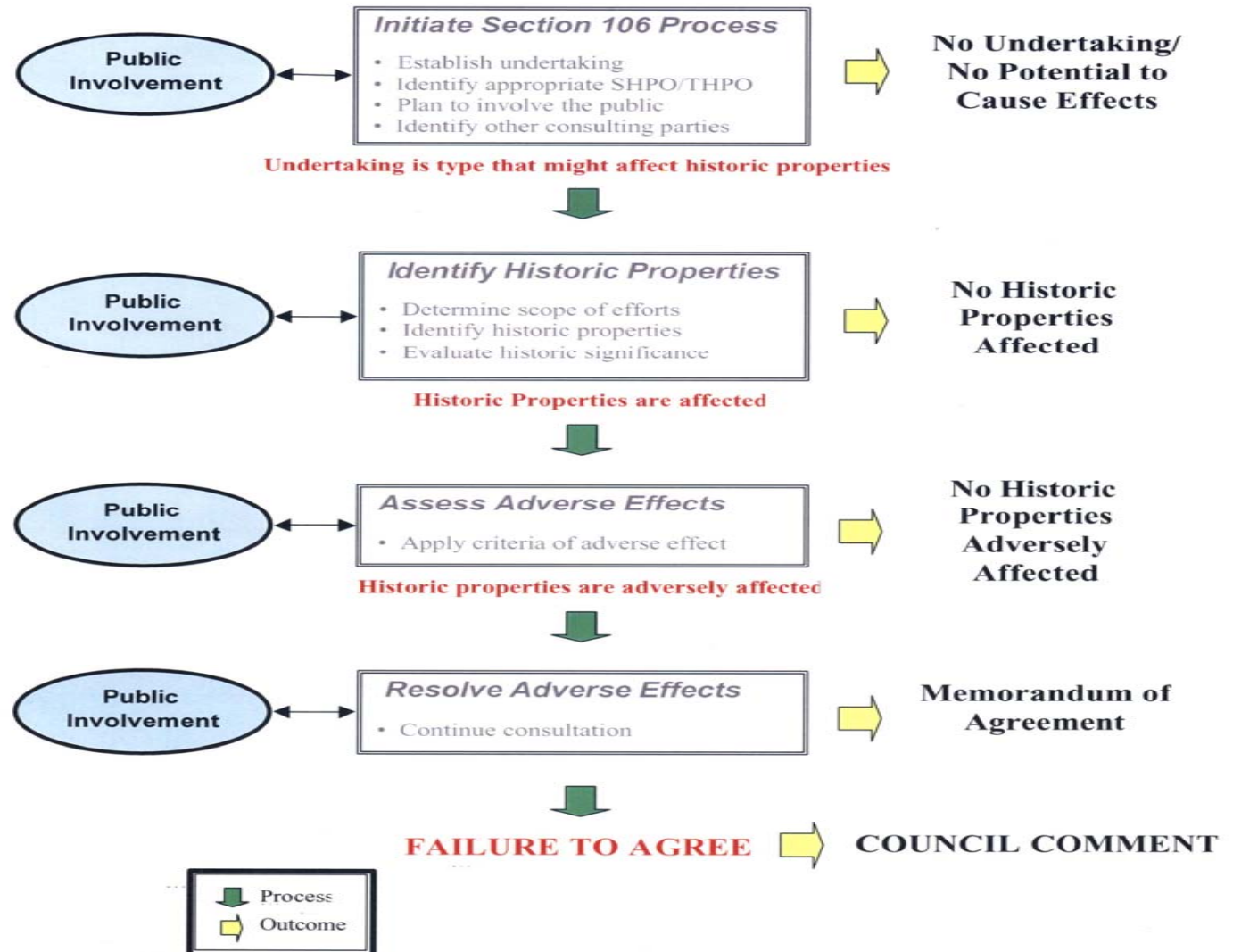
- Consults with federal agencies and guides through process
- Provides preservation expertise, and context for decisions
- Ensure appropriate consideration of historical significance and public attachment to resources
- Charged as well with identifying, evaluating, and registering historic properties and administering other federal and state mandates

# The State Historic Preservation Officer – The State Role

- Conducts state environmental reviews and supports environmental program management
- Fosters economic development and community revitalization through grants, tax credits, and other incentives
- State survey, register, historic highway markers
- Holds and manages preservation easements
- Archaeological collections
- Promotes heritage education and tourism



## THE SECTION 106 PROCESS



## Roles in the Process

- Federal agency drives the process and retains decision making authority
- Advisory Council on Historic Preservation provides federal oversight
- State Historic Preservation Officer guides federal agency through the process, providing a context for understanding specific resources, and facilitates public participation

## Roles in the Process

- Local governments with jurisdiction over the area where effects may occur
- Native Americans and other stake holders
- The public, as the recognized owners of federal lands, must be afforded participation in decisions about significant resources

## **Roles in the Process**

### Applicants

Federal agencies may use may use the services of applicants, consultants, or designees to prepare information, analyses and recommendations under Section 106.

The agency official remains legally responsible for all required findings and determinations.

## How long will review take?

- The SHPO is expected to respond within 30 days of receipt of a finding or determination.
- According to the regulations, *each step* of the Section 106 process has a 30-day review period.
- If a project will affect historic properties, the process will take longer than 30 days.
- ORC responded to 92% of review requests within 30 days during the last quarter.

## Strategies to Avoid Delays



- **Plan carefully for section 106 consultation**
- **Begin consultation with SHPO as early as possible**
- **Budget time for each step in the 106 process**
- **Provide complete information at each step of the process**

# Environmental Review

ACHP website: [www.achp.gov](http://www.achp.gov)

Section 106 regulations

Native American Program Guidance

Working with Section 106