

Glossary of Section 106 Terminology

Adverse Effect - Found when an undertaking may alter, directly or indirectly, any of the characteristics of a historic property that qualify the property for inclusion in the National Register in a manner that would diminish the integrity of the property's location, design, setting, materials, workmanship, feeling, or association. Consideration shall be given to all qualifying characteristics of a historic property, including those that may have been identified subsequent to the original evaluation of the property's eligibility for the NRHP. Adverse effects may include reasonably foreseeable effects caused by the undertaking that may occur later in time, be farther removed in distance, or be cumulative. Adverse effects may include, but are not limited to physical destruction or damage to all or part of a historic property; alterations that are not consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties (36 CFR part 68); removal of the property from its historic location; change of the character of the use or physical features that contribute to its significance; and/or introduction of visual, atmospheric, or audible elements that diminish the integrity of the property's significant historic features.

Advisory Council on Historic Preservation (ACHP) - An independent federal agency that promotes the preservation, enhancement, and productive use of our nation's historic resources, and advises the President and Congress on national historic preservation policy.

Area of Potential Effects (APE) - the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties if any such properties exist. The area of potential effects is influenced by the scale and nature of an undertaking and may be different for different kinds of effects caused by the undertaking.

Aspects of Integrity - Location; Design; Setting; Materials; Workmanship; Feeling; Association. These aspects influence the property's ability to convey its significance. Eligible and listed properties usually retain several aspects of integrity.

Historic Properties Affected - In accordance with 36 CFR 800.4(d)(2), at least one historic property is present within the APE. Consulting parties should then be invited to provide their views on the effects the undertaking. The federal agency is then responsible for making effect determinations, which are described in Section 4.

No Adverse Effect - In accordance with 36 CFR 800.5(b), an undertaking may be determined to have "No Adverse Effect" to historic properties if the undertaking's effects will impact the historic properties, but the effect would not alter a characteristic that qualifies the resource for inclusion in the NRHP in a manner that diminishes the significant aspect of integrity, then the finding for that aspect of integrity is "No Adverse Effect."

No Effect - In accordance with 36 CFR 800.4(d)(1), if no historic properties are present or an undertaking may have no effect to historic properties present in the APE, a finding of "No

Effect” may be determined for an undertaking. This finding indicates that an undertaking would not alter any aspects of integrity or character-defining features for any historic properties.

No Historic Properties Affected - In accordance with 36 CFR 800.4(d)(1), no historic properties are present within the APE or historic properties may be present but the undertaking will have no effect on them. The no effect means the undertaking would not alter any aspects of integrity or character-defining features on any historic property. If the federal lead agencies renders a “no historic properties affected” determination, and the SHPO concurs, the Section 106 process is then concluded.

Historic Property - Properties listed in or determined eligible for listing in the NRHP. The NRHP Criteria is applied to evaluate a property’s historic significance.

Memorandum of Agreement (MOA) or Programmatic Agreement (PA): Cooperative written agreement between parties that communicates the agreed upon project or objective. Generally used in the Section 106 process to resolve adverse effects, describe mitigation, or stipulate project procedures.

National Historic Landmark (NHL) - nationally significant historic places designated by the Secretary of the Interior because they possess exceptional value or quality in illustrating or interpreting the heritage of the United States.

National Register of Historic Places (National Register) - Administered by the National Park Service (NPS), the official list of the nation’s historic places worthy of preservation. It includes districts, buildings, structures, and objects significant in American history, architecture, archaeology, engineering, and culture.

National Register Criteria - The Criteria state that the quality of significance in American history, architecture, archaeology, engineering, and culture must be present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and that:

- A. are associated with events that have made a significant contribution to the broad patterns of our history
- B. are associated with the lives or persons significant in our past; or
- C. embody the distinctive characteristics of a type, period, or method of construction, or represent the work of a master, or possess high artistic values, or represent a significant and distinguishable entity whose components may lack individual distinction; or
- D. have yielded, or may be likely to yield, information important in prehistory or history

Built resources are typically evaluated under Criterion A, B, and C; Criterion D applies primarily to archaeological resources.

State Historic Preservation Officer (SHPO) - Administers the national historic preservation program at the state level, reviews National Register of Historic Places nominations, maintains data on historic properties that have been identified but not yet nominated, and consults with federal agencies during Section 106 review.

Undertaking - In accordance with CFR 800.16(y), a project, activity, or program funded in whole or in part under the direct or indirect jurisdiction of a federal agency. It includes 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.