

TEXAS HISTORICAL COMMISSION

HOW TO COMPLETE THE *REQUEST FOR SHPO CONSULTATION FORM*

The [Request for SHPO Consultation Form](#) standardizes the information sent to the Texas Historical Commission (THC) for review, which will expedite Section 106 and Antiquities Code of Texas coordination by reducing inadequate submissions. Please complete the form and attachments as described below. **Submission of the form only initiates consultation with the SHPO; additional information may be necessary to complete the review for some projects.**

This form is ONLY for compliance reviews for Section 106 and Antiquities Code of Texas. DO NOT USE THIS FORM for FCC projects when submitting Form 620/621 for communications towers, Antiquities Permit applications, Recorded Texas Historic Landmark reviews, Texas Department of Licensing and Regulation variance requests, or for other non-compliance coordination with the THC.

Section 106 of the National Historic Preservation Act of 1966, as amended, requires federal agencies to consider the effects of their undertakings on historic properties and consult with the State Historic Preservation Officer (SHPO). In Texas, the SHPO is the Executive Director of the THC. Any project that is carried out by, or on behalf of, a federal agency, receives federal funds, or requires a federal license, permit, or approval is an undertaking. The regulations governing the Section 106 review process (36 CFR 800) are available on the Advisory Council on Historic Preservation website at <http://www.achp.gov/regs.html>. **These regulations specify that the SHPO has 30 days to review your request upon receipt of documentation.**

The **Antiquities Code of Texas** (Title 9, Chapter 191 of the Texas Natural Resources Code) is intended to protect historic and archeological landmarks on public lands owned by the state of Texas or political subdivisions of the state. It applies to all state agencies, counties, cities, school districts, public colleges and universities, and other public authorities and districts. The THC must be notified before breaking ground at a project location on state or local public land.

Please see our website at <http://www.thc.state.tx.us/crm/crmdefault.shtml> for additional information on review under Section 106 of the National Historic Preservation Act and the Antiquities Code of Texas.

You may download the Request for SHPO Consultation Form at <http://www.thc.state.tx.us/crm/crmsend.shtml>. The form requires Adobe Reader, free software available from <http://get.adobe.com/reader>. You can save data typed into the form by selecting "Save As" under the File menu. **Please complete the form using Adobe Reader; hand-written or typewritten submissions are strongly discouraged.**

INSTRUCTIONS FOR THE REQUEST FOR SHPO CONSULTATION FORM

NEW SUBMISSION/ADDITIONAL INFORMATION

Indicate whether this is your initial submission for SHPO review or you are providing additional information related to a prior submission. If the latter, indicate THC tracking number(s) referenced in the subject line of previous correspondence from the THC.

PROJECT INFORMATION

Provide the project name and location, **including county** and complete street address or nearest intersection. Indicate the project type and give a brief description of the scope and nature of the project. Additional information should be provided as an attachment; see "Project Work Description" below.

PROJECT CONTACT INFORMATION

Provide contact information for the person and organization responsible for coordinating the project with the SHPO. **The mailing address and email address are REQUIRED**, and inclusion of a phone number is strongly encouraged so staff may follow up to ensure timely review of the project.

FEDERAL INVOLVEMENT

Indicate whether the project involves approval, funding, permit, or license from a federal agency. This may include pass-through funding administered by a state agency or other local entity. If you have been instructed to obtain a review under Section 106 of the National Historic Preservation Act, check “Yes” and complete this section.

List the federal agency responsible for oversight of the project, as well as the federal program, funding, or permit type. **This is critical to ensure that your project is routed to the appropriate reviewer(s)**. Include contact information for the primary person responsible for administering the project. If the project is part of a program administered by a state or local agency, you must indicate the federal agency and program type in the first two fields but may include contact information for the state or local agency on the form or as an attachment.

STATE INVOLVEMENT

Indicate whether the project occurs on land or property owned or controlled by the State of Texas or a political subdivision of the state. Political subdivisions include state agencies, counties, cities, school districts, public colleges and universities, and other public authorities (any entity that contains the word “authority” or “district”). Control includes any easement that would allow a public entity to construct utility lines or other infrastructure across private property. If this section is applicable, provide the name of the public owner of the property and contact information for the primary contact person with that entity. If ownership or control of the project area by a political subdivision is planned in the future, provide the name of the future public owner.

IDENTIFICATION OF HISTORIC PROPERTIES

Archeology

If the project entails ground disturbance, describe the nature of the project, including the proposed impacts that will occur to the ground surface, noting the surface area that will be impacted and the depth of impact. Describe the current and previous land use, including depths of impacts of known infrastructure and land use activities. Include any extenuating circumstances that may be important for the review, such as evidence of severe erosion or previous construction within the project area.

Structures

Indicate whether there are any buildings, structures, designed landscape features (such as parks or cemeteries), or historic districts 45 years old or older within the project area (and area of potential effects (APE) for Section 106 projects; see below). Consult the Texas Historic Sites Atlas at <http://atlas.thc.state.tx.us> to determine if previously identified historic properties or districts are located within or adjacent to the project area or APE. Include the address or location of each feature over 45 years of age, an actual or estimated date of construction, and the source for the construction date (such as deed research, county tax records, or estimate based on physical characteristics). As an attachment, list additional features, if necessary, and provide more in-depth information on all features; see “Identification of Historic Properties” below.

INSTRUCTIONS FOR ATTACHMENTS

FOR ALL PROJECTS, INCLUDE:

Project Work Description

Attach a detailed description of the project that fully explains what will be constructed, altered, or demolished. Include a written scope of work, specifications, site plans, architectural or engineering plans, or other material as necessary to fully illustrate the scope and nature of the project.

Maps

Attach map(s) indicating the location and specific boundaries of the project. Identify the project location and boundaries (and area of potential effects (APE) for Section 106 projects; see below) on the map(s) as precisely as possible. Suggested maps include U.S. Geological Survey (USGS) 7.5 minute quadrangle maps, tax maps, satellite images, or street maps. The number and type of maps will depend on the nature and complexity of the project as well as the extent of the project area or area of potential effects. **Projects involving ground disturbance must include the project footprint plotted on a color copy of a 7.5 minute USGS quadrangle, with the map name clearly noted on the copy.** Inclusion of a street map is also strongly recommended to ensure road names are legible.

Identification of Historic Properties

List features in addition those described on the form, if necessary, and include supplemental information on all properties 45 years of age or older and potential or known archeological resources within the project area (and area of potential effects (APE) for Section 106 projects; see below). Indicate the distance between the resource and project area, where applicable. For buildings, structures, and landscape features, provide a brief history and the names of architects or builders, if known. Based on this information, the THC may determine that archeological and/or historic resource survey reports must be conducted for your project and reports submitted for further review.

Photographs

Attach clear, high-resolution **color** photographs that illustrate the project area (and area of potential effects (APE) for Section 106 projects; see below). Images from the internet are not acceptable due to low resolution; do not include print-outs from Google Street View or other online image resources. Photographs should document the project area and properties within the APE, including clear views of any buildings or structures. Number and label all photographs, and include a map or site plan labeled to show the location and direction of each view. Where applicable, include photographs of the surrounding area taken from the project site and streetscape images. Should your project entail the alteration of existing buildings or structures, please also provide photographs of the current condition and areas to be affected by the work.

FOR SECTION 106 COORDINATION, ALSO INCLUDE:

Consulting Parties/Public Notification

The SHPO is only one consulting party under Section 106 (refer to 36 CFR 800.2). Other participants entitled to comment on the Section 106 process include Indian tribes, interested parties, and the public. Consultation with the SHPO is not a substitute for consultation with Indian tribes. For additional information on consultation with tribes, please see the [Guidelines for Tribal Consultation](#) on our website. When identifying historic properties and determining the effect of an undertaking, applicants should consider consulting with the county historical commission and local historic preservation officer, if any.

Describe the actions taken to notify the public or invite consultation with parties other than the SHPO. Provide a summary of any consultation and comments received from consulting parties and the public.

Area of Potential Effects

The area of potential effects (APE) includes the entire area within which historic properties could be affected by the project (refer to 36 CFR 800.4(a)(1) and 36 CFR 800.16(d)). This includes all areas of construction, demolition, and ground disturbance (direct effects) and the broader surrounding area that might experience visual or other effects from the project (indirect effects).

Provide a written description of the APE. Discuss the potential for the project to have direct and indirect effects on historic properties and justify the boundaries chosen for the APE. Show the APE on the maps provided.

Determination of Eligibility

Determine whether properties identified within the APE are listed in or eligible for listing in the National Register of Historic Places (refer to 36 CFR 800.4(c)). All determinations should be made by professionals meeting the [Secretary of the Interior's Professional Qualifications Standards](#) in an applicable field. For archeological sites, the determination should be made by an archeologist; for above-ground features, the determination should be made by a historian, architectural historian, or historic architect. For additional guidance, see the [National Register Criteria for Evaluation](#) and the [National Register Bulletins](#) applicable to the property type. **If a professional is not involved in completing the form and attachments, the THC will make a determination of eligibility based on the information provided.**

Determination of Effect

An effect occurs when an action alters the characteristics of a property that qualify it for listing in the National Register of Historic Places, including changes to the property's location, design, setting, materials, workmanship, feeling, and association. Effects can be direct or indirect, and can be physical, visual, audible, or economic. They may include a change in ownership or use.

Determine the effect of the undertaking on historic properties identified in the APE, and explain the rationale for your determination. Possible determinations include **No Historic Properties Affected**, **No Adverse Effect** on historic properties, or **Adverse Effect** on historic properties (refer to 36 CFR 800.5). This determination should be made by a professional meeting the [Secretary of the Interior's Professional Qualifications Standards](#) in an applicable field. **If a professional is not involved in completing the form and attachments, the THC will make a determination of effect based on the information provided.**

If the project meets the criteria of adverse effect, include an explanation of how the adverse effect could be avoided, minimized, or mitigated. Under these circumstances, efforts to involve consulting parties and the public are critical.

Submit completed form and attachments to the mailing or physical address listed below. Faxes and email are not acceptable.

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