

Guide for Review of Historic Preservation and Archeology			
Name of Program Participant:			
Staff Consulted:			
Name of Grant Program(s):			
Name(s) of Reviewer(s):		Date:	

NOTE: All questions that address requirements contain the citation for the source of the requirement (statute, regulation, NOFA, or grant agreement). If the requirement is not met, HUD must make a finding of noncompliance. All other questions (questions that do not contain the citation for the requirement) do not address requirements, but are included to assist the reviewer in understanding the participant's program more fully and/or to identify issues that, if not properly addressed, could result in deficient performance. Negative conclusions to these questions may result in a "concern" being raised, but not a "**finding.**"

Instructions: This Exhibit is designed for REOs/FEOs to conduct in-depth monitoring of the Responsible Entity's (RE's) compliance with the requirements governing historic preservation and archeology [24 CFR 58.5(a)]. A selected sample of project files comprising the RE's Environmental Review Record (ERR) provides the basis for assessing and documenting compliance.

Questions:

1.

Of the Environmental Review Records (ERRs) reviewed, did they document that:			
a. historic properties were considered in the Environmental Review?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Yes	No	N/A
b. information checks were made with the National Register and the State Historic Preservation Officer/Tribal Historic Preservation Officer (SHPO/THPO) and/or other appropriate sources? [36 CFR 800.4]	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Yes	No	N/A
Describe Basis for Conclusion:			

2.

Have all projects or activities categorically excluded from NEPA reviews been the subject of a historic property evaluation and information check, when required? [36 CFR 800.3 and 36 CFR 800.4]	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Yes	No	N/A
Describe Basis for Conclusion:			

3.

For projects where historic properties were found to be present, do the ERRs include:			
a. documentation of consultation with the SHPO/THPO/any Indian tribe or Native Hawaiian organization that attaches religious or cultural significance to the identified properties concerning the application of Criteria for Eligibility for the National Register of Historic Places? [36 CFR 60.4, 36 CFR 800.4(c) and 36 CFR 800.11]	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Yes	No	N/A
b. if the Responsible Entity (RE) and SHPO/THPO/any Indian tribe or Native Hawaiian organization that attaches religious or cultural significance to the identified properties agreed on findings of eligibility, documentation of the findings? [36 CFR 800.4(c)(2) and 36 CFR 800.11]	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Yes	No	N/A
c. if the RE and the SHPO/THPO/any Indian tribe or Native Hawaiian organization that attaches religious or cultural significance to the identified properties disagreed on eligibility, copies of requests made to the Keeper of the National Register (DOI) for Determinations of Eligibility? [36 CFR Part 63 and 36 CFR 800.4(c)(2)]	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Yes	No	N/A
d. if the RE and SHPO/THPO/ACHP agreed on both findings of eligibility and that the undertakings will have no effect on historic properties, documentation of the Determinations of No Historic Properties Affected? [36 CFR 800.4(d)(1) and 36 CFR 800.11]	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Yes	No	N/A
e. if the RE and the SHPO/THPO/other consulting parties agreed on findings of eligibility and agreed on findings of no adverse effect on historic properties, documentation of the Determinations of No Adverse Effect? [36 CFR 800.5(d)(1) and 36 CFR 800.11]	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Yes	No	N/A

<p>f. if the RE and the SHPO/THPO/other consulting parties agreed on findings of effect and determined the effects to be adverse, documentation of notification to the Advisory Council and determinations of Advisory Council participation? [36 CFR 800.6(a)(1)]</p>	<p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A</p>
<p>Describe Basis for Conclusion:</p>	

4.

<p>If there are findings of adverse effect on historic properties on, or eligible for, the National Register, do the ERRs contain executed Memoranda of Agreement or Programmatic Agreements (MOA/PA)? [36 CFR 800.6(b) and 36 CFR 800.14(b)]</p>	<p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A</p>
<p>Describe Basis for Conclusion:</p>	

5.

<p>Where the RE and the SHPO/THPO/Tribes/other consulting parties could not agree on MOA/PA, was the ACHP notified so that it could consider the matters? [36 CFR 800.6(b)(1)]</p>	<p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A</p>
<p>Describe Basis for Conclusion:</p>	

6.

If the MOA/PA provided for measures to avoid, mitigate, or minimize adverse effects on historic properties, did the RE proceed in accordance with the MOA/PA? [36 CFR 800.6(c) and 36 CFR 800.14(b)(2)]	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion: 	

7.

In an effort to determine whether the RE needs assistance or guidance on historic preservation (HP) issues, does the RE have outstanding requests from:	
a. SHPO/THPO/Tribes/other consulting parties to undertake surveys?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
b. SHPO/THPO/Tribes/other consulting parties or ACHP to request final determinations of eligibility from the Keeper of the National Register (DOI)?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
c. ACHP or other consulting parties for additional information in order to comment?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion: 	

8.

Does the RE have outstanding objections, complaints, or litigation on HP grounds?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Yes	No	N/A
Describe Basis for Conclusion:			

9.

Is a member of the RE's staff designated to handle all HP matters, including communication with local, State, and Federal HP authorities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Yes	No	N/A
Describe Basis for Conclusion:			