

## Historic Preservation Checklist-Alaska

24CFR Part 58

General requirements	Legislation	Regulation
Protect sites, buildings, and objects listed on or eligible for the National Register of Historic Places. Identify effects of project on properties	National Historic Preservation Act, 16 U.S.C. 470(f), section 106	36 CFR part 1294 36 CFR Part 800

**1. Does the project include repair, rehabilitation or conversion of existing properties, new construction, the acquisition of undeveloped land, or any construction that requires ground disturbance?**

- ☐ No: STOP here. The Section 106 Historic Preservation review is complete. **Record your determination on the Statutory Worksheet or Environmental Assessment.**
- ☐ Yes: PROCEED to #2

**2. Does the project involve only those activities permitted without further consultation under the programmatic agreement between the City/Tribe and the State Historic Preservation Officer (SHPO)/Advisory Council on Historic Preservation (The City/Tribe must be a party to this agreement, if you are unsure contact your HUD Representative, i.e. Grants Management Specialist or CPD Representative.)**

- ☐ Yes: STOP here. The Section 106 Historic Preservation review is complete. **Record the date of the programmatic agreement, the section of the Programmatic Agreement that identifies your specific project and your determination on the Statutory Worksheet or Environmental Assessment.**
- ☐ No: PROCEED to #3

**3. Consult with SHPO or THPO and any tribes or groups that may have an interest in the project to determine if the project is eligible for the National Historic Register.**

- You must define and consider the Area of Potential Effect (APE). The APE is the geographic area within which an undertaking may directly or indirectly cause changes in the character or use of historic properties. The APE is influenced by the scale and nature of an undertaking. (36 CFR Part 800.16).
  - In Alaska, for ground-disturbing activities, you must make a reasonable and good faith effort to identify Indian tribes & Native Villages that may have an interest in the historic aspects of the project. Use of the State of Alaska's [Community Database](#)— which provides mapping capabilities and directories related to tribes and Alaska Native Corporations (ANCs)— and HUD's [Tribal Directory Assessment Tool](#) (TDAT) is highly recommended to locate and contact the appropriate tribes.
1. **Do not** use the Address Information box in TDAT when working on Alaska projects.
  2. **For Anchorage, Juneau, Sitka, Skagway, and Wrangell:**
    - On the TDAT homepage, select “Alaska.”
    - Use the County drop-down list to choose the city or municipality where the project is located.
  3. For boroughs and census areas outside those five municipalities:
    - Do not use TDAT\*
    - Look up the community where the project is located in the Alaska Community Database Online.

- From the dropdown menu, select the appropriate community name.
- Under “Community Details,” choose “ANCSA.”
- Note the federally recognized tribes and Alaska Native Corporations (ANCs) associated with that community, as well as any tribes mentioned under the “Culture and History” section.
- Return to the TDAT homepage and, for each tribe identified, select “Option 2: Select a Tribe” to obtain current contact information.
- Consult with the ANCs you identified as well as the tribes.

4. The Alaska Community Database can help you verify and locate tribe or ANC information, and offers mapping capabilities and directories for additional research.

\*The boroughs and census areas listed in the County drop-down for Alaska cover too broad a geographic area and are not accurate for identifying the specific tribes that may need to be consulted in a given community.

- Consult the State Historic Preservation Officer (SHPO), or if the project is on certain tribal lands, the Tribal Historic Preservation Officer (THPO), with details of the project and project site and your determination if it is eligible for the National Historic Register. SHPO or THPO has 30 days from receipt of a well-documented request of review of your determination. We recommend sending the letter with a return receipt form to document the contact. If they do not respond within the timeframe, or provide a description of additional information needed, you may proceed with the next step of the process based on your finding or consult with the Advisory Council on Historic Preservation (ACHP).

Proceed as appropriate based on the Finding:

☐ **No Historic Properties Affected:** STOP here. The Section 106 Historic Preservation review is complete.

Attach SHPO/THPO concurrence, copies of letters to and from other interested parties and the tribes, and your response to the ERR. If SHPO/THPO did not respond within 30 days, your dated letter documents compliance. Record your determination of no historic properties affected on the Statutory Worksheet or Environmental Assessment.

☐ **No Adverse Effect on Historic Property:** STOP here. The Section 106 Historic Preservation review is complete. **Categorically Excluded projects (24 CFR Part 58.35(a)) CANNOT convert to exempt with this determination.**

Attach SHPO/THPO concurrence, copies of letters to and from other interested parties and the tribes, and your response to the ERR. Record your determination of no adverse affect on historic properties on the Statutory Worksheet or Environmental Assessment.

☐ **Adverse Effect on Historic Property** Resolve Adverse Effects per 800.6 in consultation with SHPO/THPO, the ACHP if participating, and any consulting parties. The loan or grant may not be approved until adverse effects are resolved according to 800.6 or you have complied

with 36 CFR Part 800. **Categorically Excluded projects (24 CFR Part 58.35(a)) CANNOT convert to exempt with this determination.**

**Make sure that the resolution is fully documented in your ERR with all SHPO/THPO correspondence, copies of letters to and from other interested parties and the tribes, surveys, MOAs etc.**

**DISCLAIMER:** This document is intended as a tool to help grantees and HUD staff complete NEPA requirements. This document is subject to change. This is not a policy statement. Legislation and Regulations take precedence over any information found in this document.

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