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## Housing Rehabilitation Program Projects When and How Do We Consult with the CA SHPO?

- Threshold 1: If an application calls for work that is limited to the interior of a property (and the work will not be visible from the exterior at all) you do not need to consult the SHPO, regardless of the property's age. (Your Section 106 consultation obligations are complete.)
- Threshold 2: It is important to know the date of the subject property because properties constructed less than 45- 50 ago are rarely eligible for the National Register of Historic Places and, therefore, historic properties for Section 106 consultation. If an application calls for work on the exterior of a property that is less than 45- 50 years old, you do not need to consult the SHPO. (Your Section 106 consultation obligations are complete.)
- Threshold 3: If an application calls for work on the exterior of a property that is 45- 50 years or older, you must consult the SHPO, submitting a package that includes the following documentation and analysis for our review and comment:
- Clear photographs of the exterior of the property.
  - Information about the age of the property. This can be exact if the information is available, or a best guesstimate based on the style and type of property, and development patterns of the area.
  - A description of the work associated with the undertaking.
  - A DPR 523A Primary Record and a DPR 523B Building, Structure, and Object Record for the property that includes only the information relevant to the undertaking. These forms are available on the CA SHPO website at [www.ohp.parks.ca.gov](http://www.ohp.parks.ca.gov)
  - A summary of historic information about the property obtained from sources like local historical societies, Native American tribes, interested parties, historic preservation boards or commissions, Planning Departments, etc.
  - Historic resources surveys information completed by, or for, the local government at an earlier date.

- A statement determining whether or not the local government believes the property is eligible for the National Register.

#### SHPO Response:

After reviewing the information submitted by the local government, the CA SHPO will do one of three things:

- If we agree with the information and analysis that has been submitted by the local government, we will CONCUR with the local government's determination that the property is, or is not, eligible for the National Register of Historic Places.
- If it is unclear from the documentation provided for the undertaking whether or not the property meets the National Register criteria for significance, we will ask for additional information.
- If we disagree with the local government's determination of eligibility, we will let you know that, and why we disagree.

What the SHPO response you received means for your project:

- If we concur with the local government that the property does not meet National Register criteria, the work may proceed without further consultation. (Your Section 106 consultation obligations are complete.)
- If we concur with the local government determination that the property meets the National Register criteria for significance, the project work should follow the *Secretary of the Interior's Standards Rehabilitation*. Project plans must be submitted for our review, and we will let you know if the project complies with the *Standards*.
  - If the project plans do comply with the *Standards* the project will proceed on the basis of a *Finding of no adverse effects*. (Your Section 106 consultation obligations are complete.)
  - If the project plans do not comply with the *Standards*, we will recommend project modifications that we hope you will accept.
    - If the local government and applicant cannot or will not make the recommended modifications consultation will continue to resolve the adverse effects. This a long process that can seriously delay a project, so it should be avoided whenever possible. (Your Section 106 consultation obligations are only complete once a Memorandum of Agreements is executed, memorializing the consultation to resolve the adverse effects discussed above.)