

News in Review

Periodic Mailing from the
South Carolina State Historic Preservation Office
Review and Compliance Division
February 2008

TABLE OF CONTENTS

1. **NEW REVIEW PROCESS BEGINNING MAY 1, 2008**
2. Upcoming Things to Watch For
3. Guidance for Assessing Visual and Indirect Effects to Historic Landscapes
4. Revised templates for OCRM MOAs and covenants
5. Advisory Council on Historic Preservation Guidance on Section 106 and archaeology
6. New website for Coastal Communities

1. NEW REVIEW PROCESS BEGINNING MAY 1, 2008

Our office is reorienting and revising our review and compliance process. Most notably, we will be separating the review processes for federal projects that require our review under the National Historic Preservation Act and for state projects that require our review under the Coastal Zone Management Act.

- Beginning May 1, 2008, we will **no longer** provide comments on projects until a **federal or state agency** is clearly identified.
- Beginning May 1, 2008, any discussions with our office prior to agency involvement will be considered preliminary and informational and will not progress beyond determinations of eligibility for historic properties.
- Beginning May 1, 2008, completed **project review forms must be submitted for every project.**

2. Upcoming Things to Watch For:

1. In the next few months, the SHPO website will be reformatted, and the Review and Compliance section of the website will be updated. New templates, guidance documents, and links will be posted to aid in consultation with our office. For an example of the new format, please visit the Department of Archives and History website at <http://scdah.sc.gov/>.
2. The SHPO has been meeting with federal and state agencies to review the roles and responsibilities in each of our compliance processes. We are currently planning workshops to educate the agencies, their applicants, and the consulting community on “correcting” these processes. When the workshops have been completed, we will set a date after which our office will **no longer** provide review comments on architectural plans or specifications, data recovery plans, Memoranda of Agreement, covenants, etc. **without a federal or state agency** involved in the process. More information on these workshops will be forthcoming in *News in Review* and on our updated website.

3. Guidance for Assessing Visual and Indirect Effects to Historic Landscapes

The SHPO has prepared a guidance document to aid in producing the appropriate documentation for the assessment of visual and indirect effects to historic landscapes. This

document also suggests means to minimize and avoid adverse effects to historic landscapes. Please e-mail Rebekah Dobrasko at dobrasko@scdah.state.sc.us if you would like to receive a copy.

We are in the process of updating and reformatting our Review and Compliance website. Once the website is reformatted, this guidance document will be posted on the web.

4. Office of Ocean and Coastal Resource Management MOA and Covenant Templates

Through our agency partnership with the South Carolina Department of Health and Environmental Control, Office of Ocean and Coastal Resource Management, OCRM last year developed a template for MOA documents and restrictive covenants for historic resources that may be affected by OCRM permits and approvals. These templates have been revised and updated. Please e-mail Rebekah Dobrasko at dobrasko@scdah.state.sc.us to receive copies of the updated templates.

We are in the process of updating and reformatting our Review and Compliance website. Once the website is reformatted, these templates will be posted on the web.

5. Advisory Council on Historic Preservation Guidance on Section 106 and Archaeology

Five new questions and answers have been posted on the Advisory Council on Historic Preservation's website in the Section 106 Archaeology Guidance section.

This guidance, while keyed to the special responsibilities of federal agencies, is also intended to help other stakeholders, such as State and Tribal Historic Preservation Officers, private sector consultants, and the interested public, navigate issues posed by archaeological properties in the Section 106 process. As with current questions and answers, each has links to pertinent federal law, regulation, standards and other agency guidance, as well as related questions.

The guidance is available at: <http://www.achp.gov/archguide>.

New questions and answers include:

- * Can archaeologists participate in Section 106 review as consulting parties?
- * Does issuance of an ARPA permit constitute an undertaking requiring Section 106 review?
- * Who owns the artifacts recovered from private land?
- * Can the NHPA be used to restrict access to information about an archaeological site?
- * What is a "reasonable and good faith effort" to identify historic properties under the ACHP's Affordable Housing Policy?

6. New Website for Coastal Communities

The South Carolina Coastal Information Network is a collaboration of state natural resource agencies, coastal regional governments, universities, and other organizations to maximize the efficient delivery of quality training and educational material to coastal decision makers, community planners, and local officials through a Web-based information portal. See www.sccoastalinfo.org. If you know of any upcoming events related to historic properties that should be included, please send the information to Rebekah Dobrasko at dobrasko@scdah.state.sc.us.