



Historic Preservation and HUD Opportunities for Development and Protection

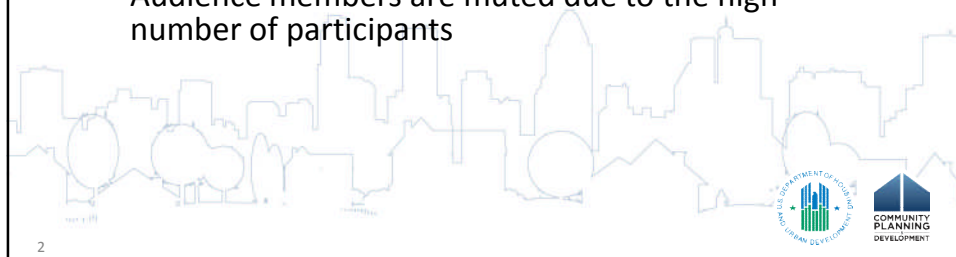
Nancy E. Boone

September 12, 2012



Webinar Format

- Presentation will last approximately one hour followed by 30 minutes of Q&A
- Recording of webinar will be posted on HUD's [Office of Environment and Energy Website](#)
- Audience members are muted due to the high number of participants



Audio Issues During the Webinar

- For audio, please use the following phone number: 866-893-1635, or listen through your computer.
- If you have technical difficulty with the audio or video portions of this webcast, try:
 - Logging off, then logging in again
 - Requesting help through the Q & A box that will appear on your screen.

3



How to Submit Questions

Type your questions in the Q & A box that will appear on your screen during the presentation. Technical questions will be addressed right away; content questions will be answered after the presentation.

4



Objectives

Participants will gain an understanding of general historic preservation principles, including what makes a building historic.

Participants will understand the range of development and protection tools available to promote the preservation of historic buildings, districts, and archeological sites, including Section 106 and historic tax credits.

Participants will see examples of HUD assistance that helped communities reach local housing and community development goals through preservation.

5



Background



MISSION

**Create strong, sustainable,
inclusive communities and quality
affordable homes for all**

6



Background

- HUD assists tens of thousands of projects each year
- Projects include new construction and rehabilitation for affordable housing, mortgage and loan guarantees, community planning, and development



- Assistance goes to state and local governments, tribal governments, non-profit organizations, and individual recipients

7



What is Historic Preservation?

- Using historic buildings and places
- Preserving a “sense of place”
- Protecting irreplaceable resources
- In a few instances, setting aside buildings and sites for museums and study



8



National Historic Preservation Act

Congress finds and declares that--
“the spirit and direction of the Nation
are founded upon and reflected in its
historic heritage”



9



National Historic Preservation Act

Congress finds and declares that--
“the historical and cultural foundations of the Nation
should be preserved as a living part of our
community life and development in order to give a
sense of orientation to the American people”



10



National Historic Preservation Act

Congress finds and declares that--

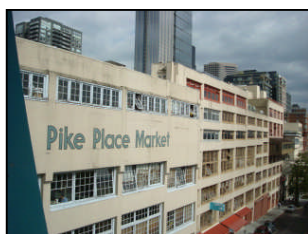
“the preservation of this irreplaceable heritage is in the public interest so that its vital legacy of cultural, educational, aesthetic, inspirational, economic, and energy benefits will be maintained and enriched for future generations of Americans”



11



Preservation is: Community Development



12



Preservation is: Affordable Housing



13



Preservation is: Main Street Revitalization



<http://www.preservationnation.org/main-street/>

14



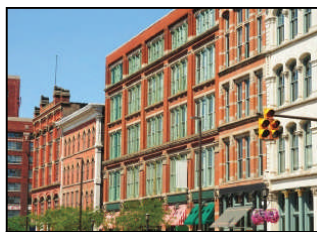
Preservation is: Economic Development



Studies show residential rehabilitation **creates 50% more jobs** than new construction.



Preservation is: Sustainability



The Greenest Building:
Quantifying the Environmental
Value of Building Reuse



It takes energy to construct a new building.
It saves energy to preserve an old one.

<http://www.preservationnation.org/information-center/sustainable-communities/sustainability/green-lab/valuing-building-reuse.html>

“The greenest building is the one already built.” Carl Elefante



Preservation is: Sustainability

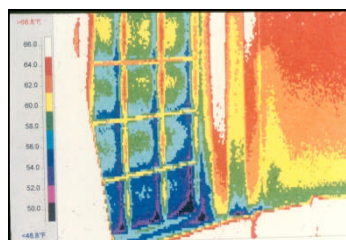
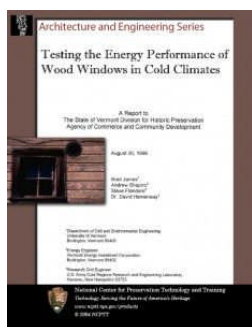


<http://www.nps.gov/tps/standards/rehabilitation/sustainability-guidelines.pdf>

17



Preservation is: Sustainability



Window studies:

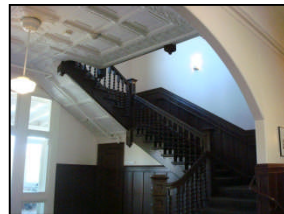
<http://www.nps.gov/tps/sustainability/research.htm>

<http://ncptt.nps.gov/testing-the-energy-performance-of-wood-windows-in-cold-climates-a-report-to-the-state-of-vermont-division-for-historic-preservation-agency-of-commerce-and-community-development-1996-08/>

18



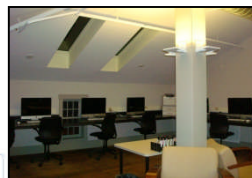
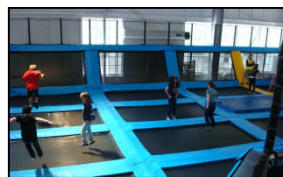
Preservation is: Sustainability



19



Preservation is: Adaptive Reuse



20



National Register of Historic Places

- Official list of historic properties worthy of preservation
- Maintained by the National Park Service
- The threshold for Section 106

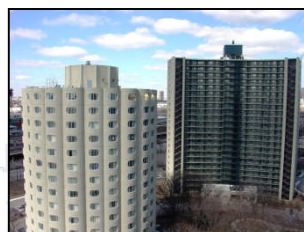


21



National Register of Historic Places

Age : Over 50 years old



22



National Register of Historic Places

Criteria

- A. Historic Significance
- B. Famous Person
- C. Architectural Significance
- D. Ability to Yield Important Information



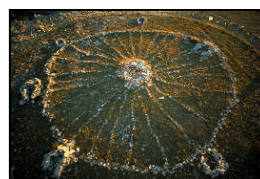
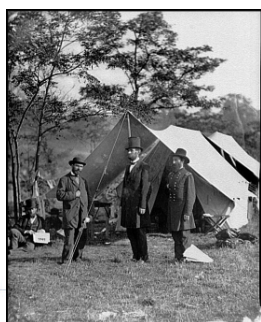
Level of Significance: local, state or national

23



National Register of Historic Places

A. Historic Significance



24



National Register of Historic Places

B. Association with Important Person



25



National Register of Historic Places

C. Architectural Significance



26



National Register of Historic Places

D. Ability to Yield Important Information (Archeology)



27



National Register of Historic Places

Integrity

Location, design, setting, materials, workmanship, feeling, and association



(Courtesy: University of Vermont Historic Preservation Program)

28



National Register of Historic Places

Historic District

- Individual parts comprise a greater whole
- Neighborhood, downtown, other area with a concentration of historic buildings
- Contributing Buildings
 - Non-contributing Buildings
 - Lack age
 - Lack Integrity

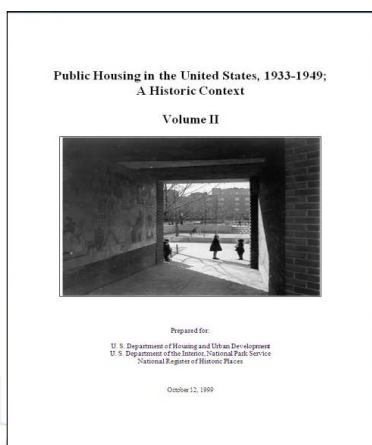


Map of New Orleans Historic Districts



29

Historic Context Multiple Property Documentation



- Theme
- Geographic area
- Time Period
- Registration Requirements

<http://www.nps.gov/nr/publications/guidance/Public%20Housing%20in%20the%20United%20State%20MPS.pdf>



30

Where to find information on Historic Buildings

National Register database
<http://www.nps.gov/nr/index.htm>

SHPO offices with databases on the web
<http://www.nps.gov/nr/shpoinventories.htm>

SHPO offices
<http://www.ncshpo.org/find/index.htm>

31



State Historic Preservation Officer



32



Effects of Designation

- Pride and recognition of historic quality
- Protection in projects that use federal funds, permits or licenses
- Qualification for federal preservation grants if there is funding (none since 1980)
- Qualification for federal and state preservation tax credits
- Consideration in decision to issue a surface mining permit for coal



33



Local Historic Districts



34



Secretary of the Interior's Standards

- Find a compatible use
- Retain historic materials and features
- Repair rather than replace
- If necessary, replace in kind



35



Secretary of the Interior's Standards

- Preserve archeological resources
- Distinguish new construction from the old

National Park Service guidance on the Standards

<http://www.nps.gov/tps/standards.htm>

Preservation Briefs

<http://www.nps.gov/tps/how-to-preserve/briefs.htm>

36



20% Historic Tax Credit

Listed on National Register of Historic Places

Income-producing property

Substantial Rehabilitation

Adjusted Basis

Purchase Price

- minus value of land

- minus depreciation

+ plus value of capital improvements



Work meets Secretary of the Interior's Standards for Rehabilitation

<http://www.nps.gov/tps/tax-incentives/before-you-apply.htm>



20% Historic Tax Credit

Can be used in combination with the Low Income Housing Tax Credit (LIHTC)

Case Studies in AFFORDABLE HOUSING Through Historic Preservation

Number 6: Numbata Hotel, Fort Collins, Colorado

Number 6 Numbata Hotel in Colorado, acquired the property for its historic preservation rehabilitation and reuse. The historic hotel was previously a landmark for its architecture and for the first time, there is a hotel in Fort Collins. The Numbata Hotel is a landmark for its architecture and for the first time, there is a hotel in Fort Collins.

Case Study Highlights:

- Completed part of the historic rehabilitation. The quality of historic preservation is high.
- Completed part of historic rehabilitation and reuse.

Project Details:

Location: Fort Collins, Colorado
Address: 1111 North College Street
Building Type: Hotel
Date of construction: 1910
Date of rehabilitation: 2008-2010
Site area: 1.5 acres
Size of construction: 150,000 sq. ft.
Cost building cost: \$15 million, including the historic preservation
For more information: www.nps.gov/tps/tax-incentives/before-you-apply.htm

Case Studies in AFFORDABLE HOUSING Through Historic Preservation

Number 5: Van Alen Apartments, Chicago, Illinois

Number 5 Van Alen Apartments in Chicago, Illinois, is a landmark for its architecture and for the first time, there is a hotel in Chicago. The Van Alen Apartments is a landmark for its architecture and for the first time, there is a hotel in Chicago.

Case Study Highlights:

- Completed part of historic rehabilitation. The quality of historic preservation is high.
- Completed part of historic rehabilitation and reuse.

Project Details:

Location: Chicago, Illinois
Address: 1111 North College Street
Building Type: Hotel
Date of construction: 1910
Date of rehabilitation: 2008-2010
Site area: 1.5 acres
Size of construction: 150,000 sq. ft.
Cost building cost: \$15 million, including the historic preservation
For more information: www.nps.gov/tps/tax-incentives/before-you-apply.htm

Case Studies in AFFORDABLE HOUSING Through Historic Preservation

Number 3: South School Apartments, New York, New York

Number 3 South School Apartments in New York, New York, is a landmark for its architecture and for the first time, there is a hotel in New York. The South School Apartments is a landmark for its architecture and for the first time, there is a hotel in New York.

Case Study Highlights:

- Completed part of historic rehabilitation. The quality of historic preservation is high.
- Completed part of historic rehabilitation and reuse.

Project Details:

Location: New York, New York
Address: 1111 North College Street
Building Type: Hotel
Date of construction: 1910
Date of rehabilitation: 2008-2010
Site area: 1.5 acres
Size of construction: 150,000 sq. ft.
Cost building cost: \$15 million, including the historic preservation
For more information: www.nps.gov/tps/tax-incentives/before-you-apply.htm



Easements

- Restrictions to protect historic property
- Easements on building exterior and/or interior, and on historically important land
- Property remains in private ownership
- Easement held by qualified organization with responsibility to enforce restrictions
- Stewardship fee
- Owner may claim value of easement as tax deduction
- Value affected by level of new restriction imposed

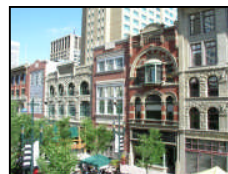
<http://www.nps.gov/tps/tax-incentives/taxdocs/easements-historic-properties.pdf>

39



Section 106

- The National Historic Preservation Act of 1966 requires federal agencies to consider the impact of their projects on historic properties
- Process known as “Section 106” review
- Implementing regulations – 36 CFR Part 800
- Incorporated by reference in HUD regulations
24 CFR Part 50 and Part 58



40

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Section 106

- Step 1: Initiate Consultation
- Step 2: Identify and evaluate historic properties
- Step 3: Assess effects
- Step 4: Resolve any adverse effects



41

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Section 106

- General Guidance in ATEC (Assessment Tools for Environmental Compliance) on HUD website

http://portal.hud.gov/hudportal/HUD?src=/program_offices/comm_planning/environment/atec

or search on the Internet for “**HUD ATEC**”

42

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Agency Official

- Certifying official for Part 58 Responsible Entities
- HUD approving official for Part 50 programs
- Agency is responsible for ensuring compliance before project approval
- Agency Official is the decision-making party
- Engage cultural resource professionals as needed

43



Step 1: Initiate Consultation

- Determine whether there is an undertaking
- Identify the appropriate SHPO/THPO
- Decide what other consulting parties should be involved
- Clarify how the public will be involved in project planning

44



Consulting Parties

- Agency Official
- Applicants
- State Historic Preservation Officer (SHPO)
- Federally recognized Indian tribes and Native Hawaiian organizations
- Tribal Historic Preservation Officer (THPO)
- Local governments
- Organizations with demonstrated interest
- Public
- Advisory Council on Historic Preservation (ACHP)

45

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Consultation is a process, not an event

Consultation means the process of seeking, discussing, and considering the views of other participants, and, where feasible, seeking agreement with them regarding matters arising in the Section 106 process.

[36 CFR Section 800.16 (f)]



46

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Step 1: Initiate Consultation

TDAT -- Tribal Directory Assessment Tool

<http://egis.hud.gov/tdat/Tribal.aspx>

- Information on counties of interest was gathered from tribes in 2011
- Will be updated as contact information changes

47

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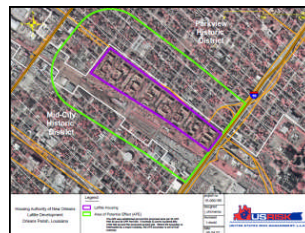
Tribal Directory Assessment Tool (TDAT)

48



Step 2: Identify Historic Properties

- Determine scope of identification efforts
- Determine and document the area of potential effects (APE)
- Identify historic properties
- Evaluate historic significance by applying the National Register Criteria



49

Step 3: Assess Adverse Effects

- Apply the “Criteria of Adverse Effect” to each property that will be affected
- Evaluate whether Adverse Effects can be avoided through project design, location, or treatment
- Determine whether the undertaking will have an effect on one or more properties within the APE

50

Examples of Adverse Effect

Damage, destruction, or removal of historic properties



51



Examples of Adverse Effect

Change in the character of use/setting
Alteration not according to the Secretary's Standards



52



Examples of Adverse Effect

Removal

Introduction of visual, audible, or atmospheric elements



53



Step 4: Resolve Adverse Effects

- If Adverse Effect, notify Advisory Council and invite their participation in consultation
- Council will respond within 15 days
- Criteria for Council participation
36 CFR Part 800 Appendix A



54

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Step 4: Resolve Adverse Effects

Consult to avoid, minimize or mitigate Adverse Effects

- Consider alternatives
- Consider mitigation measures



Memorandum of Agreement (MOA)

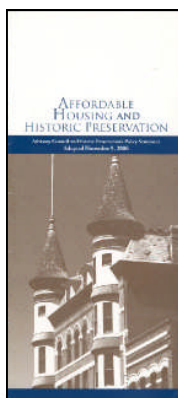
- Required signatories – RE, SHPO/THPO, ACHP
- Invited signatories – THPO, tribe, other consulting parties
- Must be executed prior to decision point for project

55

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Step 4: Resolve Adverse Effects



ACHP Policy Statement on Affordable Housing and Historic Preservation

<http://www.achp.gov/afford.html>

56



Step 4: Resolve Adverse Effects

Mitigation

- Mitigation measures may relate to the specific property that is being affected, or other historic properties in a similar location or of a similar type.

Avoidance	Modification of project
Documentation	Research/Publication
Education	Interpretation
Curation	Off-site Preservation
Monitoring	Landscaping/screening

57



Section 106

Programmatic Agreement (PA)

- Used to cover multi-year programs with multiple undertakings, potential adverse effects
- Could be city-, state-, or nation-wide in scope
- Exempt activities
- Streamlined review process
- Possible delegation of review authority

58



Unanticipated Discoveries

- If historic properties are discovered during construction, stop construction and notify SHPO, THPO, tribes, and ACHP within 48 hours, and reenter consultation
- If discovery includes human remains, respectfully cover over and secure the remains, and notify same parties plus local law enforcement officials
- Follow ACHP “Policy Statement Regarding Treatment of Burial Sites, Human Remains, and Funerary Objects”

59

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Record of Compliance

Revised Request for Release of Funds (RROF) form (7015.15)

- Old form required certification of compliance with all relevant environmental laws and regulations
- Revision adds certification of compliance with Section 106 process including consultation with SHPO and Indian tribes
- Ties consultation to approval of release of funds
- <http://www.hud.gov/offices/adm/hudclips/forms/hud7.cfm>

60

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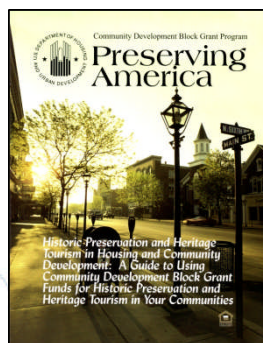


HUD-assisted Projects

Community Development Block Grant (CDBG)

- Building Rehabilitation
- Planning
- Feasibility Studies
- Survey and Nomination

http://portal.hud.gov/hudportal/HUD?src=/program_offices/comm_planning/communitydevelopment/programs



http://portal.hud.gov/hudportal/documents/huddoc?id=DOC_14211.pdf

61

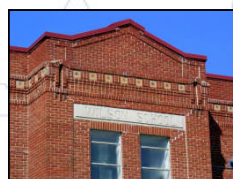


HUD-assisted Projects

Community Development Block Grant (CDBG)



Former Wilson School
Casper, Wyoming

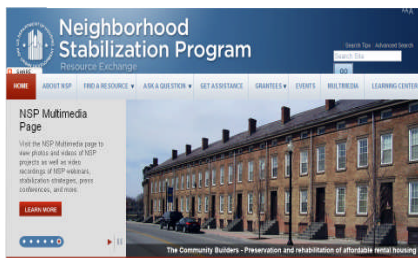


62



HUD-assisted Projects

Neighborhood Stabilization Program (NSP)



<https://hudnsphelp.info/>

Foreclosed and Abandoned Homes

- Purchase
- Rehabilitate
- Landbank
- Demolish
- Redevelop

Choices are Local



63

HUD-assisted Projects

Neighborhood Stabilization Program (NSP)



Lafayette Place Lofts (former Sears), Pontiac, Michigan



64

HUD-assisted Projects

Neighborhood Stabilization Program (NSP)



Archeological sensitivity map and monitoring program

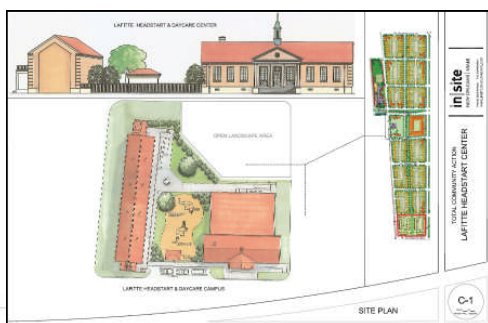
Flint, Michigan

65



HUD-assisted Projects

Public Housing



Lafitte Headstart and Daycare Center

New Orleans, LA

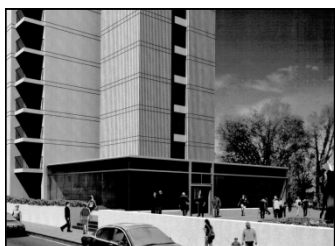
http://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/programs/ph

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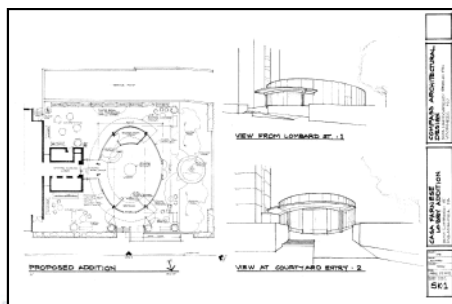


HUD-assisted Projects

Multi-Family Section 223(f)



Casa Farnese, Philadelphia, PA



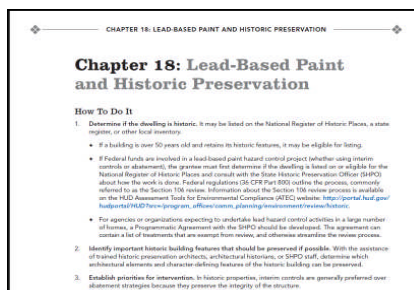
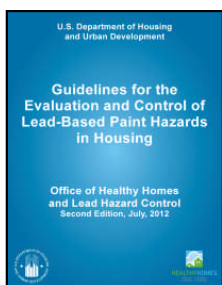
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67



HUD-assisted Projects

Lead Hazard Control



http://portal.hud.gov/hudportal/HUD?src=/program_offices/healthy_homes/lbp/hudguidelines

68



HUD-assisted Projects

HOPE VI Main Street Grant



El Dorado, Kansas



Mayesville, SC

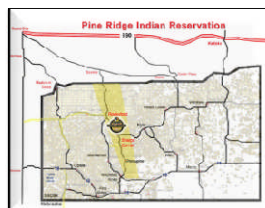
http://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/programs/ph/hope6/grants/mainstreet

69



HUD-assisted Projects

Sustainable Communities Planning Grant



Thunder Valley CDC
Oglala Lakota Nation



http://portal.hud.gov/hudportal/HUD?src=/program_offices/sustainable_housing_communities/sustainable_communities_regional_planning_grants

70



HUD-assisted Projects

HOME Program



Lincoln Avenue Apartments
Goshen, IN

<http://www.hud.gov/offices/cpd/affordablehousing/programs/home/>



71

Resources

- General Guidance in ATEC (Assessment Tools for Environmental Compliance) on HUD website

http://portal.hud.gov/hudportal/HUD?src=/program_offices/comm_planning/environment/atec

or search on the Internet for “**HUD ATEC**”

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72

Resources

Local HUD Environmental Officers

http://portal.hud.gov/hudportal/HUD?src=/program_offices/comm_planning/environment/contact/localcontacts

HUD Federal Preservation Officer

Nancy E. Boone

Office of Environment and Energy

Community Planning and Development

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