Working with the Maryland Historical Trust

MD SHPO
SHPO Programs & Responsibilities

Archives and Research
SHPO Programs & Responsibilities

Rehabilitation Tax Credits
SHPO Programs & Responsibilities

Grants and Loans
SHPO Programs & Responsibilities

Historic Preservation Easements
Historical Markers

During the War of 1812, a circular 180' earthen artillery redoubt was erected as a defense for Fort McHenry on September 13, 1814. Lt George Budd commanded naval forces that assisted in repulsing a nighttime British attack on the ferry branch defenses of forts Covington and Babcock. In ca. 1828, Alfred J. Miller painted "The Bombardment of Fort McHenry" from here.

Maryland Historical Trust
Maryland State Highway Administration
SHPO Programs & Responsibilities

Preservation Planning & Museum Assistance
SHPO Programs & Responsibilities

Jefferson Patterson Park & Museum and the Maryland Archeological Conservation Lab
SHPO Programs & Responsibilities

Project Review and Compliance
Federal Law:

Section 106 of the National Historic Preservation Act of 1966 (16 USC 470)

36 CFR Part 800: Protection of Historic Properties Implementing Regulations

State Law:

The Maryland Historical Trust Act of 1985 (Sections 5A-325 and 5A-326 of the State Finance and Procurement Article, Annotated Code of Maryland)
FY 2014: 6,300+ project reviews from 102 federal and state agencies
Section 106 - Getting Started

What is an Undertaking?

A project, activity, or program that uses state or federal funds or that requires a state or federal permit or license
Section 106 - Getting Started

Project Types Subject to Review

- Construction
- Demolition
- Rehabilitation of Existing Facilities
- Infrastructure Improvements (roads, utilities, etc.)

- Ancillary Activities
- Wetland Mitigation
- Access Roads, Staging Areas
- Dredging
Contacting MHT

Begin consultation with the SHPO as early as possible!
# Contacting MHT

## Initiating Consultation

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**PROJECT REVIEW FORM**
Request for Comments from the Maryland Historical Trust (MDHPO) on State and Federal Undertakings

### Section A: General Project Information

- **Project Name:**
- **County:**
- **This is a new submission OR This is additional information related Project Log Number:**

### Section B: Primary Contact Information

- **Contact Name:**
- **Company/Agency:**
- **Mailing Address:**
- **City:**
- **State:**
- **Zip:**
- **Phone Number:**

### Section C: Description of Undertaking

#### Location
- Attach a map, preferably a section of a USGS quad, showing the location and boundaries of the project
- **Address:**
- **City/County:**

#### Federal and State Agencies/Programs (e.g., DOT, MTA, EPA) involved in this project
- **Agency Type:**
- **Agency/Program/Permit Name:**
- **Project/Permit/Tracking Number:**

#### Proposed Work
- Attach project description, scope of work, site plans/drawings
- **New Construction**
- **Demolition**
- **Remodeling/Rehabilitation**

#### Identification of Historic Properties
- **Proprietor designated as historic by a local government, listed in the National Register, or included in Maryland Inventory of Historic Properties**
- **Property Name:**
- **Subject property has not been the subject of previous archaeological, architectural, or historical investigations.**

### Attachments

- **Map**
- **Project Description/Site of Work**
- **Site Plans/Drawings**
- **Photographs**
- **Plans, Cross Sections, and Details**
- **Conditions**

### MHT Determination

- **MHT Reviewer:**
- **Date:**

**MHT USE ONLY**
- **Data Received:**
- **Ref:**
- **MHT:**
- **Log Number:**

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**MARYLAND DEPARTMENT OF PLANNING**

**Maryland Historical Trust**
Contacting MHT

Attachments

- Project description
- Map and site plans
- Photographs
- Reports
- Background information
- Scope of work
- Views of the public and other consulting parties
Archeological Sites
Maritime Resources
Identifying Historic Properties
Identifying Historic Properties

National Register Criterion A

Properties associated with events that have made a significant contribution to history
Identifying Historic Properties

National Register Criterion B

Properties associated with lives of persons significant in our past
Identifying Historic Properties

National Register Criterion C

Properties typical of a type, period, or method of construction
Identifying Historic Properties

National Register Criterion D

Properties that are likely to yield information important in prehistory or history
Types of Effect \ Determinations

- No Effect
- No Historic Properties
- No Adverse Effect
- Additional Information Needed
- Adverse Effect
No Historic Properties
No Effect
No Adverse Effect
Potential Effect/Need More Information
Phases of Archeological Investigation

**Phase I:** Identification

**Phase II:** Evaluation (National Register Eligibility)

**Phase III:** Data Recovery (Mitigation)
Adverse Effect
Resolving Adverse Effects

- Continue consultation
- Notify the ACHP
- Involve consulting parties
- Provide documentation to all consulting parties
- Involve the public
- Develop MOA
- Proceed with project
Resolving Adverse Effects

Involve Consulting Parties

- MHT / MD SHPO
- Other federal/state agencies
- Local governments
- Indian tribes / MCIA
- Applicants for federal/state assistance, permits, licenses
- Owners of affected properties
- Preservation advocacy groups
- Certified Heritage Areas
- Other organizations
- The public
Section 106 - Role of the MHT/ MD SHPO

- Key participant in consultation
- Ensure compliance with historic preservation legislation
- Assist in identifying historic properties potentially affected by an undertaking
- Assess the undertaking’s effects on the properties
- Seek ways to avoid, minimize or mitigate any adverse effects
- SHPO is both a resource agency and a facilitator
Effect Determinations FY 2014

- Not historic / no effect: 62%
- No adverse effect: 23%
- Need additional information: 11%
- Conditional no adverse effect: 3%
- Adverse effect: 1%
Section 106 - Tips for Success

- Consult early & often
- Involve all parties
- Consider alternatives
- Public participation informs planning
- Keep an open mind
- Make a good faith effort
Section 106: Tips for Success

Example of successful early coordination – Multi-Year Work Plan:
MHT reviewed 127 proposed undertakings – only 4 had the potential to impact significant historic properties and required further coordination.
Section 106: Tips for Success

Early consultation is the key to ensure success.
Section 106 - Tips for Success

Useful Tools:

- mht.maryland.gov
- achp.gov
- nps.gov/history
- ncshpo.org
- gsa.gov/technical
  preservationguidelines
- preservationnation.org
Questions?

Contact your friendly SHPO staff!
mht.maryland.gov

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