



State of Tennessee
Tennessee Historical Commission/State Historic
Preservation Office
2941 Lebanon Road
Nashville, TN 37243-0442
Telephone (615) 770-1092
ASSESSING PROJECT EFFECT CHECKLIST

ASSESSING PROJECT EFFECT CHECKLIST

Federal Agency Officials and their authorized representatives requesting a review from the Tennessee State Historic Preservation Office (SHPO) of a Federal finding of effect under Section 106 of the National Historic Preservation Act must submit all appropriate documentation contained in this Checklist to the Tennessee SHPO to initiate consultation pursuant to the requirements of the 36 CFR 800.5 and .6 regulation. The Tennessee SHPO Review and Compliance staff will return any review request that fails to contain all applicable documentation. This review request will trigger the SHPO's assessment of the Agency Official's finding of effect upon National Register of Historic Places (NRHP) eligible Historic Properties identified within the Federal undertaking's Area of Potential Effects (APE).

This Checklist deals only with the documentation necessary to support a finding of effect. Review by the SHPO of Federal project-related determinations of eligibility for listing in the National Register of Historic Places has already occurred with an SHPO concurrence with the Agency Official that at least one Historic Property is located within a Federal undertaking's APE or a similar determination by the Office of the Keeper of the National Register of Historic Places.

By submitting information collected through the use of this Section 106 review request Assessing Project Effects Checklist to the Tennessee SHPO, you have identified the Tennessee SHPO as the appropriate SHPO to assist and advise you as you move through the Section 106 review process (36 CFR 800.16(f), 800.3(c), 800.3(f), 800.3(f)(1) and 800.3(f)(2)). If your undertaking reaches beyond the borders of the State of Tennessee, you should obtain contact information for additional State Historic Preservation Officers/Tribal Historic Preservation Officers from the www.achp.gov website. In Tennessee, the State Historic Preservation Officer is:

Mr. E. Patrick McIntyre, Jr.
Tennessee Historical Commission
2941 Lebanon Road
Nashville, Tennessee 37243-0442

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Those persons requesting Section 106 review and comment upon a finding of effect from the Tennessee SHPO should submit only the documentation contained in this Checklist. For any Checklist items that do not apply to your particular undertaking, place an "NA" in the appropriate check block. Because Agency Officials are required to plan consultations appropriate to the scale of their undertaking, the scope of Federal involvement, and other factors, the level of appropriate documentation you will submit to the Tennessee SHPO and other Consulting Parties will vary according to that scale and scope. However, this office will not review additional documents to those specified here unless we request them.

This checklist has been prepared to provide Federal Agency Officials and Applicants for Federal Assistance helpful guidance about the Tennessee State Historic Preservation Officer's (SHPO) review requirements for Section 106 of the National Historic Preservation Act and 36 CFR 800. Publication and transmittal of this Checklist should not mandate an absolute pre-requisite for consultation with the Tennessee SHPO. Those Agency Officials and Applicants with special needs should contact the Review and Compliance Section of the Tennessee SHPO and consult on acceptable alternatives.

PLEASE USE THIS CHECKLIST AS A GUIDE FOR YOUR HARD COPY SUBMISSION TO THE TENNESSEE HISTORICAL COMMISSION. PREPARE ALL REQUESTED SUPPORT DOCUMENTATION.

PART 1: GENERAL CONTACT INFORMATION

A. Your Contact Information:

Your Name					
Organization					
Street Address (P. O. Box Number)					
City		State		Zip Code	
Email Address			Telephone Number		

B. The Project To Be Reviewed

Full Name of the Federal Agency					
Project Title					
Address/Location		City / If outside city limit, enter "Unincorporated"		County	

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PART 2: CARTOGRAPHIC AND PHOTOGRAPHIC DOCUMENTS

Checklist

1.) A PHOTOCOPY OF A USGS 7 1/2 minute series, 1:24000 scale TOPOGRAPHIC MAP (NOT CELLULAR PHONE REPRODUCTION OF THE MAP / NOT GOOGLE MAPS / NOT MAPQUEST / NOT TOPOZONE / NOT BING DIRECTIONS MAPS) TO SCALE (BE SURE TO INCLUDE THE NAME AND NUMBER OF THE QUAD MAP IN ITS CAPTION) clearly indicating:

- The proposed Federal undertaking's PRIMARY AND SECONDARY APE (A CLEARLY MARKED, PROTRACTED BOUNDARY ON THE QUAD MAP) indicating the LOCATION OF ALL ASSOCIATED PROJECT ELEMENTS AND EXTENDING TO ENCOMPASS AN AREA WITHIN SIGHT OR SOUND OF THE UNDERTAKING

AND

- the LOCATION OF ALL IDENTIFIED CULTURAL RESOURCES AND NRHP ELIGIBLE OR LISTED HISTORIC PROPERTIES marked on Tennessee SHPO Site Survey File Maps and the Tennessee Historical Commission Viewer <http://tnmap.tn.gov/historicalcommission/>

You may obtain a suitable topographic map by contacting the Tennessee Department of Environment and Conservation / Division of Geology / Office of Map Sales at (615) 532-1516

- BE SURE TO ATTACH A COPY OF THIS CAPTIONED, TO-SCALE SECTION OF THE TOPOGRAPHIC QUADRANT WITH THE PROJECT, ITS AREA OF POTENTIAL EFFECTS, ITS PROJECT ELEMENTS, AND IDENTIFIED CULTURAL RESOURCES CLEARLY MARKED ON IT. BE SURE YOUR SUBMITTED QUADRANT SECTION IS TO SCALE WITH THE ORIGINAL.

- Name of the USGS Map-

- Quadrant Number of the Map

Check

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<p>2.) Original, clear, DIGITAL JPEG GROUND-LEVEL (NOT GOOGLE STREET VIEW / NOT CELLULAR TELEPHONE REPRODUCTIONS) SUITABLY CAPTIONED PHOTOGRAPHS from the closest boundary of each surveyed cultural resource or NRHP eligible or listed property toward the proposed Federal undertaking aimed directly toward the location of the proposed Federal undertaking within its indirect APE</p> <p style="margin-left: 20px;">- BE SURE TO INSERT NO MORE THAN TWO JPEG PHOTOGRAPHS WITH AN ABSOLUTE ASPECT RATIO OF 3.00" x 5.00" PER EACH 8.5" x 11" PAGE OF YOUR REVIEW REQUEST. CAPTION EACH PHOTOGRAPH BELOW IT. BE SURE TO ATTACH A COPY OF EACH PAGE OF PREPARED, CAPTIONED PHOTOGRAPHS</p>	Check		
PART 3: PROJECT NARRATIVE			
<p>1.) A COPY OF A TYPED PROJECT NARRATIVE that describes the undertaking in enough detail to enable a reviewer unfamiliar with the undertaking or its location to gain a full understanding of the undertaking and all of its elements and their potential to affect directly and indirectly any Historic Properties within the APE. Describe the PURPOSE AND NEED of the project, your reason for proposing your project at this time, and the mission your project hopes to accomplish</p> <p style="margin-left: 20px;">- BE SURE TO ATTACH A COPY OF THIS PROJECT NARRATIVE</p>	Check		
PART 4: APPLY CRITERIA OF ADVERSE EFFECT			
Apply the Criteria of Adverse Effect (800.5(a)(1) and 800.5(a)(2)) in seeking to decide the type and nature of project effect upon Historic Properties.			
Checklist			
The Criteria of Adverse Effect includes, but are not limited to the following.			
1. Any physical destruction or damage of a Historic Property which would diminish its integrity for listing in the NRHP currently or in the foreseeable future (the SHPO will be especially mindful of effects which make a Historic Property ineligible for listing in the National Register currently or in the foreseeable future).			
If "Yes", discuss the type of physical destruction or damage -	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; text-align: center; padding: 2px;">Yes</td> <td style="width: 50%; text-align: center; padding: 2px;">No</td> </tr> </table>	Yes	No
Yes	No		
2. Any alteration of a Historic Property not in accordance with the "Secretary of the Interior's Standards for Rehabilitation".			
If "Yes", discuss the type of alteration -	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; text-align: center; padding: 2px;">Yes</td> <td style="width: 50%; text-align: center; padding: 2px;">No</td> </tr> </table>	Yes	No
Yes	No		

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3. Any removal of a Historic Property from its location when location and setting have been determined to be part of the resource's eligibility.		
If "Yes", discuss the type of removal -	Yes	No
4. Any changes to the Historic Property's character or setting that diminish its integrity (the SHPO will be especially mindful of effects which make a Historic Property ineligible for listing in the NRHP currently or in the foreseeable future).		
If "Yes", discuss the change in character or setting -	Yes	No
5. Any introduction of out of character elements into the affective vicinity of the Historic Property which diminish its integrity (again, the SHPO will be especially mindful of effects which make a Historic Property ineligible for listing in the NRHP currently or in the foreseeable future).		
If "Yes", discuss the out of character elements -	Yes	No
6. Any neglect that causes the Historic Property to lose integrity (unless the resource has demonstrable significance wholly as a religious or cultural property and the consulting party making the assertion of significance deems neglect as not adverse).		
If "Yes", discuss the type of neglect -	Yes	No
7. Any lease, transfer, or sale of a Historic Property out of federal control without adequate protection.		
If "Yes", discuss the type of lease, transfer, or sale -	Yes	No
8. Any data recovery of any archaeological Historic Property unless determined eligible wholly under National Register Criterion "D" (this adverse effect may be resolved by using the Advisory Council on Historic Preservation's "Recommended Approaches for Consultation on Recovery of Significant Information from Archaeological Sites" 64 FR 27085-27087).		
If "Yes", discuss the type of data recovery -	Yes	No
PART 5: FINDING (36 CFR 800.5)		
<p>A. If the answer to any of the preceding questions is "Yes", you must make an <u>adverse effect finding</u> and follow the requirements of 36 CFR 800.6 (Resolve Adverse Effect). Attach all documents listed in appendix "a". Attach a copy of this Checklist to a cover letter (see Appendix "A") requesting SHPO review of and comment upon your adverse effect finding</p>		

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ADVERSE EFFECT		
<p>B. If the answer to all of these preceding questions is "No," you should make a <u>no adverse effect</u> finding and continue this Checklist to complete Step Three (36 CFR 800.4(d)(2) and 800.5(a)).</p>		
NO ADVERSE EFFECT		
Checklist		
1. Notify all Consulting Parties of your <u>no adverse effect</u> finding and invite their views on the matter.	Yes	No
2. Make a good faith effort to obtain the <u>written comments</u> of all Consulting Parties (Attach copies of Consulting Party written comments).	Yes	No
3. Apply the Criteria of Adverse Effect AGAIN in direct consultation with the SHPO and any Tribe or other Consulting Party that attaches cultural or religious significance to the identified and designated Historic Property being reviewed.	Yes	No
4. Take into account the findings of all Consulting Parties.	Yes	No
5. Take into account the views of the public.	Yes	No
NOTE: Do not proceed until you have answered all of the preceding questions "Yes".		
<p>NOTE If you desire formal written concurrence from the Tennessee SHPO and other Consulting Parties that the undertaking will <u>not adversely affect Historic Properties</u>, SUBMIT A COPY OF YOUR EFFECT FINDING AND ALL APPENDIX "A" DOCUMENTATION TO THE SHPO FOR REVIEW AND COMMENT. Once you have formal written concurrence from the SHPO, you have <u>completed Section 106 review</u> unless another Consulting Party CHALLENGES the agreed-to "no adverse effect" finding or the "no adverse effect" finding is CONDITIONAL.</p>		
SUPPLEMENTAL CHECKLIST		
<p>PREPARE A MATRIX LIST of ALL CONSULTING PARTIES invited to participate in consultation relative to the proposed Federal undertaking, the names, addresses, and telephone numbers of authorized representatives of these additional Consulting Parties who may be contacted regarding the undertaking, and RETURN CORRESPONDENCE from these Consulting Parties ONLY IF THEY HAVE CHALLENGED YOUR FINDING OF PROJECT EFFECT</p>		

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INCLUDE ONLY: <ul style="list-style-type: none"> a LIST of tribal contacts / contact information a LIST of representatives of local government / contact information a LIST of applicants for Federal assistance / contact information a LIST of any authorized representatives of Federal agencies whose jurisdictions fall within the undertaking's Area of Potential Effects / contact information 		
BE SURE TO ATTACH THIS MATRIX TO YOUR SUBMISSION		
If a Consulting Party challenges your "no adverse effect" finding, you will consult with that party and the SHPO to resolve the challenge and take the comments of the Consulting Party and the SHPO into account when reaching a final decision on project effect NA		
1. Did you consult with the challenging Consulting Party?	Yes	No
Describe the nature of the challenge -		
2. Did you take into account the comments of the challenging Consulting Party?	Yes	No
Describe the resolution to the challenge -		
A "conditional no adverse effect" finding means that, after due consultation, you have placed mutually agreed upon conditions upon the undertaking that will make the undertaking not adversely impactful. Such conditions may include, but are not limited to:		
Checklist		
1. Mutually-agreed-to rehabilitation plans that adhere to the "Secretary of the Interior's Standards for Rehabilitation"/ ATTACH A COPY OF THE PLANS TO YOUR SUBMISSION		
If "Yes", discuss the main features of rehabilitation plans -	Yes	No
2. Mutually-agreed-to Historic Preservation covenants attached to transfer documents / ATTACH A COPY OF THE COVENANT TO YOUR SUBMISSION		
If "Yes", discuss the main features of the covenant -	Yes	No
3. Mutually-agreed-to Historic Preservation conditions to be carried out during the project		
If "Yes" describe the mutually-agreed-to Historic Preservation conditions to be carried out during the project -	Yes	No
<b style="color: red;">NOTE: Do not proceed until you have answered at least one of the preceding questions "Yes".		
You should notify all Consulting Parties promptly of the conditional or non-conditional "no adverse effect" finding and request their		

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comments. If you obtain complete concurrence from the SHPO and Consulting Parties for a conditional or non-conditional no adverse effect finding, you have completed the Section 106 process. If you have concurrence from the SHPO that the undertaking as currently proposed constitutes an adverse effect to Historic Properties, continue consultation with the SHPO and PROCEED TO (36 CFR 800.6).

SUBMIT A COMPLETED HARD COPY OF YOUR PROJECT EFFECTS REVIEW REQUEST COVER LETTER AND ALL SUPPORTING DOCUMENTATION ADDRESSED TO:

Joseph Y. Garrison, PhD
Review and Compliance Coordinator
Tennessee Historical Commission
2941 Lebanon Road
Nashville, Tennessee 37243-0442

Dr. Garrison will contact you with any additional documentation requests, if any are needed to complete this review. Upon completion of this review, this office will reply promptly to your request for Section 106 of your Federal undertaking

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APPENDIX "A" REQUIRED DOCUMENTATION IN SUPPORT OF A "NO ADVERSE EFFECT" FINDING

A. The 36 CFR 800.11(e) regulation lists the following required documentation to accompany a "no adverse effect" finding. ATTACH A COPY OF THAT DOCUMENTATION TO THIS CHECKLIST.

(1) A description of the undertaking, specifying the Federal involvement, and its area of potential effects, including photographs, maps, and drawings, as necessary;

(2) A description of the steps taken to identify historic properties;

(3) A description of the affected historic properties, including information on the characteristics that qualify them for the National Register;

(4) A description of the undertaking's effects on historic properties;

(5) An explanation of why the criteria of adverse effect were found applicable or inapplicable, including any conditions or future actions to avoid, minimize or mitigate adverse effects; and

(6) Copies or summaries of any views provided by consulting parties and the public.

B. ATTACH A SIGNED COVER LETTER (on contact information letterhead) requesting Tennessee SHPO Section 106 review of your "no adverse effect" finding, relative to your the proposed Federal undertaking. This letter should contain:

A CAPTION in the letter placed directly below the salutation containing:

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1. The INITIALS OF THE FEDERAL AGENCY funding, licensing, permitting, or approving the proposed Federal undertaking
2. The NAME of your project
3. The IDENTITY OF THE APPLICANT for Federal funding, licensing, permitting, or approval and the name, address, and telephone number of the staff person employed by the applicant organization who may be contacted regarding the proposed Federal undertaking
4. The LOCATION (ADDRESS, CITY, AND COUNTY) of the proposed Federal undertaking