

# Section 106 of the National Historic Preservation Act

Triggered by a Federal Action (money, permit, etc)

- Federal Funding

Federal agencies must consider project impacts on historic properties

- Federal Highway Administration

Initiate consultation with State Historic Preservation Office and Tribal Historic Preservation Offices

- Maine Historic Preservation Commission
- Penobscot Nation
- SHPOs & THPOs concur or do not concur with Section 106 findings



# Section 106 of the National Historic Preservation Act



Identification of historic properties within Area of Potential Affect (APE)

- Listed in or eligible for listing in the National Register of Historic Places
- Secretary of Interior qualified professional
- MHPC has concurred with eligibility for above ground resources

National Register Criteria

Criterion A

- Associated with events that have made a significant contribution to the broad patterns of history

Criterion B

- Associated with the lives of persons significant in our past

Criterion C

- Embodies a distinctive type, period, method of construction, represents work of a master, possess high artistic values

Criterion D

- Yielded or likely to yield information important in prehistory or history

Areas of Significance (31)

- Historic contexts



# Section 106 of the National Historic Preservation Act

National Register Criteria, continued

Seven Aspects of Integrity

1. Location
  - Place of construction or event
2. Design
  - Combination of elements that create form, plan, space, structure, style
    - Districts: relationship between buildings, roads, streetscape or visual rhythm
3. Setting
  - Physical environment of property
    - Relationship between buildings and other structures
4. Materials
  - Elements combined during a particular period in a particular configuration to form a property
    - Must retain key exterior features, materials
5. Workmanship
  - Physical evidence of crafts of a particular culture or people during any period
    - Illustrates the aesthetic of a period
6. Feeling
  - Expression of the aesthetic or historic sense of a particular period of time
7. Association
  - Direct link between important event or person and a property



# Section 106 of the National Historic Preservation Act

## Determination of Effect

- FHWA & DOT responsible for applying adverse effect criteria in consultation with SHPO, THPO, and Consulting Parties
- Adverse effects based on action's impact on characteristics that qualify it for listing
  - Diminished integrity

## Examples of Adverse Effects

- Take, removal, demolition (direct)
- Introduction of atmospheric, audible, and visual elements (indirect)
- Change of use

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## Identify Mitigation

If a project results in Adverse Effects to historic properties:

- FHWA, DOT, SHPO, THPO negotiate appropriate stipulations to mitigate any adverse effect
- Consulting Parties may provide input on stipulations

Stipulation examples:

- Recordations/Documentation
- Interpretive panels
- Booklets
- Use of Secretary of Interior Standards for design

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## Consulting Party Role

### What to expect:

- Attend meetings as part of Section 106 process
- Provide information on historic properties if not already identified
- Provide comments on Determination of Effect
  - Comments rooted in historical significance of properties, historic property integrity, and effect criteria
- Provide comment on mitigation stipulations

# Section 106 and National Environmental Policy Act (NEPA)

Section 106 is one of many factors weighed to determine a preferred alternative.

## Other Factors:

- Endangered species
- Bridge condition
- Bridge functionality
- Critical habitats
- Contaminated soils
- Water quality

# Historic Properties

## *Blue Hill Falls Bridge*

- National Register-eligible
- Criterion C
- Area of Significance: Engineering
- Level of Significance: State
- Period of Significance: 1926-c.1960
- Character Defining Features:
  - Concrete tied arch thru bridge
  - Granite faced concrete abutments
  - Ashlar wingwalls
  - Concrete rail
  - Tidal setting





# Historic Properties

## *Arcady*

- National Register-eligible
- Criteria A & C
- Area of Significance: Architecture, Entertainment/Recreation, & Landscape Architecture
- Level of Significance: Local
- Period of Significance: 1903-c.1960
- Character Defining Features:
  - Renaissance Revival style
  - Stucco exterior
  - Three terraced lawn with limestone staircases and landscaped elements
  - Contributing garage and guest house



# Historic Properties

## *Wakonda*

- National Register-eligible
- Criteria A & C
- Area of Significance: Architecture & Entertainment/Recreation
- Level of Significance: Local
- Period of Significance: 1903-c.1960
- Character Defining Features:
  - Queen Anne-style architectural features and massing
  - Wooded setting



# Historic Properties

## *Blue Hill Falls Historic District*

- Criteria A & C
- Area of Significance: Architecture, Engineering, Entertainment/Recreation, Landscape Architecture
- Level of Significance: Local/State
- Period of Significance: 1903-c.1960
- Character Defining Features:
  - High style architecture
  - Coastal and wooded setting
  - Landscape architect designed gardens
  - Concrete tied arch thru bridge

