



MEMA



FEMA

February 11, 2008

Fact Sheet:

The Hazard Mitigation Grant Program (HMGP) Exception and Historic Preservation Considerations

Background of the HMGP Exception and How it Relates to Historic Preservation

FEMA's Hazard Mitigation Grant Program (HMGP) Exception enables property owners and communities in Mississippi, who proactively engaged in hazard mitigation activities after Hurricane Katrina in 2005, to be eligible for grant consideration even though their projects have not undergone federal environmental and historic preservation review before commencing work. Hazard mitigation activities may include structural elevation of historic buildings, mitigation reconstruction that may include demolition in some cases, retrofitting buildings to provide for hazard protection and demolition for prospective open space acquisition or reconstruction (www.fema.gov/library/viewRecord.do?id=3125).

These mitigation measures will have various impacts throughout communities in Mississippi, including lasting impacts on its historic communities and neighborhoods. FEMA is sensitive to the historic integrity of these Gulf Coast communities and has developed this Fact Sheet to clarify FEMA's legal responsibilities and to provide guidance to property owners and local governments as they balance preservation goals with their rebuilding efforts.

FEMA's Legal Responsibilities and the HMGP Exception

FEMA has carried out consultation (www.fema.gov/library/viewRecord.do?id=3124) under Section 106 of the National Historic Preservation Act (NHPA) (www.achp.gov/nhpa.html and www.achp.gov/regs-rev04.pdf) with tribal governments, the Mississippi State Historic Preservation Officer, the Advisory Council on Historic Preservation, and the National Trust for Historic Preservation to identify a mutually beneficial way for the HMGP Exception to assist local governments that work with individual homeowners of storm-damaged historic properties. Historic properties that could be impacted by HMGP projects include buildings, structures, archaeological sites, and landscapes that are significant in history, architecture, archaeology, engineering, and/or culture and which are eligible for listing in the National Register of Historic Places (NRHP) (www.achp.gov/nrcriteria.html and www.nps.gov/history/nr/about.htm).

Because of the scale of hurricane Katrina and the vital necessity to provide timely support to property owners, FEMA will conduct modified Section 106 reviews for projects funded under the HMGP Exception. FEMA will also comply to the fullest extent possible with NHPA and will not provide assistance to property owners who intentionally adversely affect historic properties.

Federal Historic Preservation Guidelines and HMGP Exception Projects

Many owners of historic buildings in the United States use federal standards, guidelines and best management practices to preserve, rehabilitate, restore and reconstruct historic structures. These standards are called the *Secretary of the Interior's Standards for the Treatment of Historic Properties*, also known as "The Standards." (www.nps.gov/history/hps/tps/standguide). While application of these Standards is not mandatory for HMGP projects already initiated (per the HMGP Exception), the Standards provide useful guidance for property owners wishing to minimize and avoid future actions that may alter the physical qualities and character-defining features that make a property historic.

Archaeological Sites and HMGP Exception Projects

Some HMGP projects have the potential to impact archaeological sites, but not all property owners may be aware that their property is located near or on top of an archaeological site. FEMA is nevertheless required to determine whether or not HMGP project activities will impact archaeological sites. Projects that involve soil disturbance work will be reviewed by FEMA archaeologists qualified to assess impacts to archaeological sites. FEMA and its preservation partners, including the Mississippi State Historic Preservation Office and participating Native American tribal governments, will work together to ensure that HMGP projects do not unnecessarily alter significant archaeological sites or locales of cultural or religious interest to Native Americans. FEMA archaeologists will provide some technical and coordination services to HMGP applicants in the event that HMGP Exception projects require further archaeological consideration.

Additional Historic Preservation Guidance on the Internet

Hazard Mitigation Planning & FEMA Historic Preservation Review

- FEMA Gulf Coast Recovery Office – www.fema.gov/gcro
- FEMA Mitigation Planning How-To Guide #6: Integrating Historic Property and Cultural Resource Considerations into Hazard Mitigation Planning - <http://www.fema.gov/plan/mitplanning/howto6.shtm>
- Environmental & Historic Preservation Guidance for FEMA Grant Applicants - <http://www.fema.gov/plan/ehp/ehp-applicant-help.shtm>
- MEMA Hazard Mitigation- <http://www.msema.org/about/mitigation/>

Mississippi Historic Resources, Disaster Recovery, and Renewal Efforts

- MDAH Historic Preservation Division in Jackson - <http://mdah.state.ms.us/hpres/>
- Governor's Office Recovery & Renewal - <http://www.governorbarbour.com/Recovery/links/>
- Mississippi Renewal Forum: Governor's Commission on Recovery, Rebuilding and Renewal - <http://mississippirenewal.com/info/plansReports.html>
- A Pattern Book for Gulf Coast Neighborhoods –Rebuilding Guide - http://mississippirenewal.com/documents/Rep_PatternBook.pdf

Section 106 Guidance

- Review and Compliance Frequently Asked Questions - <http://mdah.state.ms.us/hpres/sec106faq.php>
- A Citizen's Guide to Section 106 Review - <http://www.achp.gov/pubs-citizensguide.html>
- Section 106 Regulations Users Guide - <http://www.achp.gov/usersguide.html>

Technical Preservation Guidance

- National Park Service Publications—Preservation Briefs & Technical Notes - <http://www.nps.gov/history/hps/tps/publications.htm>
- Avoiding Incompatible Work on Historic Buildings - http://www.nps.gov/history/hps/tps/tax/incentives/avoiding_1.htm
- Identifying Visual Characteristics of a Historic Building - <http://www.nps.gov/history/hps/tps/walkthrough/index.htm>
- NPS National Center for Preservation Technology and Training (Natchitoches, LA) - www.ncptt.nps.gov