**SAMPLE “NO ADVERSE EFFECT” LETTER**

HUD or RE letterhead

Date

[SHPO/ mailing address]

(see: [www.ncshpo.org](http://www.ncshpo.org))

RE: Project, Address

 [HUD program]

Dear [SHPO]:

In accordance with Section 106 of the National Historic Preservation Act and its

implementing regulations, 36 CFR Part 800, we are providing information for your review and

concurrence regarding the above-referenced project. It is being considered for assistance in the [HUD program] and is subject to review under 24 CFR Part [50 or 58]. [Reference to delegation memo if applicable.]

Based on our research of the property in [SHPO records, interviews, local government tax records, Planning & Zoning, etc.], performed by [professionally qualified preservation consultant, staff, etc.] in consultation with [the consulting parties, SHPO staff, Indian tribes, local historical groups, etc.], we have defined the Area of Potential Effect (APE) as [the boundary of the project property OR other boundary].

We have determined that the project will have “No Adverse Effect” pursuant to 36 CFR 800.5 based on the following:

[Briefly describe project and neighborhood. Note if it’s refinancing with or without rehabilitation and new construction. Note any significant ground disturbance expected, or the absence of ground disturbance.]

[Enclose maps identifying project location and photographs showing site and neighborhood.]

[Briefly describe why you believe that the project will have no adverse effect on historic properties in the APE. Include the following as appropriate :

Research confirms that [building(s) on the property] is/are more than 50 years old and is/are [listed on OR may be eligible for] the National Register of Historic Places [as an individual structure AND/OR as part of an historic district].

[If the project involves significant ground disturbance, describe your efforts to identify potential archeological sites in the APE, including tribal consultation as appropriate, and your conclusion that potentially eligible archeological resources exist OR do not exist in the APE.]

Rehabilitation work on the historic buildings in the APE will meet the Secretary of the Interior’s Standards for Rehabilitation. The work consists of: [ ]

We have reviewed the Criteria of Adverse Effect and have determined that none apply to the activities that will be carried out in this project.

[The project will have No Adverse Effect provided that the following conditions are met:

 [ Conditions] The [RE OR HUD] remain responsible for ensuring successful implementation of the required conditions.]

Attached for your review are copies of relevant documents supporting our finding, including [Register or survey] forms, [copies or summaries of] views provided by consulting parties and the public, photographs, and a map showing the location of the property. This documentation satisfies requirements set forth at §800.11(e).

In accordance with §800.5(c), your office has thirty days to object to this finding. Please respond within this timeframe, otherwise we will assume that you concur with our finding. If you concur, please sign on the line below and return a copy of this letter by fax or otherwise to [ ].

If you have questions regarding this finding, please direct them to [ ]. Thank you for your attention to this matter.

Sincerely,

Concurrence:

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State Historic Preservation Officer Date