

# Historic Preservation Regulations and Housing Development

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# What is the RIHPHC?

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- Independent state agency
- Overseen by a commission of 15
  - (10 governor appointed, 5 ex-officio)
- Professional staff of 16
  - Architects, archaeologists, architectural historians, historians, heritage coordinator, administration
- Not the Historical Society





# RIHPHC Programs

- Historic property identification
  - Above-ground, below-ground, and underwater
- Grants
- Project Review
  - Federal and State
- Historic Preservation Easements
- Historic Preservation Tax Credits
  - Federal and State
- Heritage





# National Historic Preservation Act

- Established state historic preservation programs
  - Included State Historic Preservation Officer
- Established the National Register of Historic Places
- Established policies for Tribal Historic Preservation Offices
- Established the Advisory Council on Historic Preservation
- Established review of federal undertakings through the process known as “Section 106”





# State Historic Preservation Act

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- RIGL 42-45-1
- Established the Commission
- Established powers and duties
  - Compile the State Register of historical, architectural, and cultural sites, buildings, places, and landmarks
  - Ability to receive easements
  - Inventory state buildings, sites, objects, and artifacts of historical, architectural, or archaeological interest
  - Provide technical assistance to agencies with jurisdiction over historic properties
  - Review proposed alterations to state-owned historic properties



# State Historic Preservation Act



- RIGL 42-45-5

“The state, a city or town, or any subdivision or instrumentality thereof shall not undertake, fund, or license any activity which will encroach upon, damage, or destroy, physically, visually, or environmentally, any site, building, place, landmark, or area included in the state register without first obtaining the advice of the historical preservation and heritage commission.”

- 530-RICR-10-00-1

Describes the review process in detail



# Easements

- RIHPHC holds over 160 historic preservation easements statewide
- Term and perpetuity
- Exterior and interior
- Determinations made by the Commission, not the staff



# Our Process



Lead federal  
agency (or its  
designee)  
notifies us of a  
project

## Includes:

- Federal and/or state involvement
- Area of potential effects
- Historic resources identified
- Determination of effect on historic properties

We review  
for  
concurrence  
with the  
agency  
findings





# Determination of Effect

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- Determination options:
  - No significant resources
  - No effect on historic resources
  - No adverse effect on historic resources
  - Adverse Effect

If it is any of the first three, the process is complete

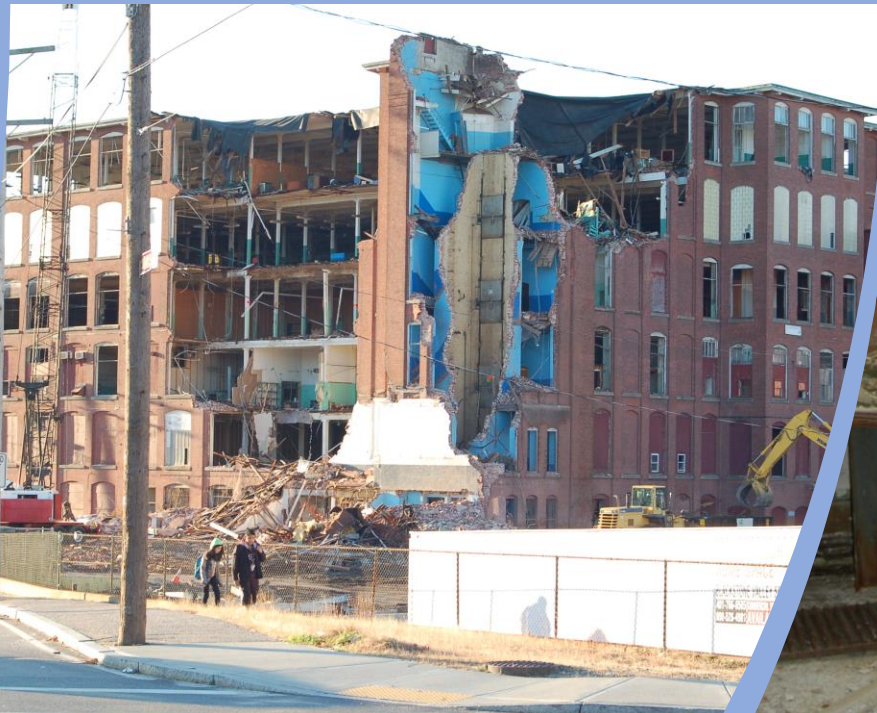




# Adverse Effect

If Adverse Effect, consultation continues toward resolution

- Redesign the project to eliminate the adverse effect
- Redesign to minimize the adverse effect
  - Still an adverse effect
- Mitigate the adverse effect







# Historic Preservation Tax Credits