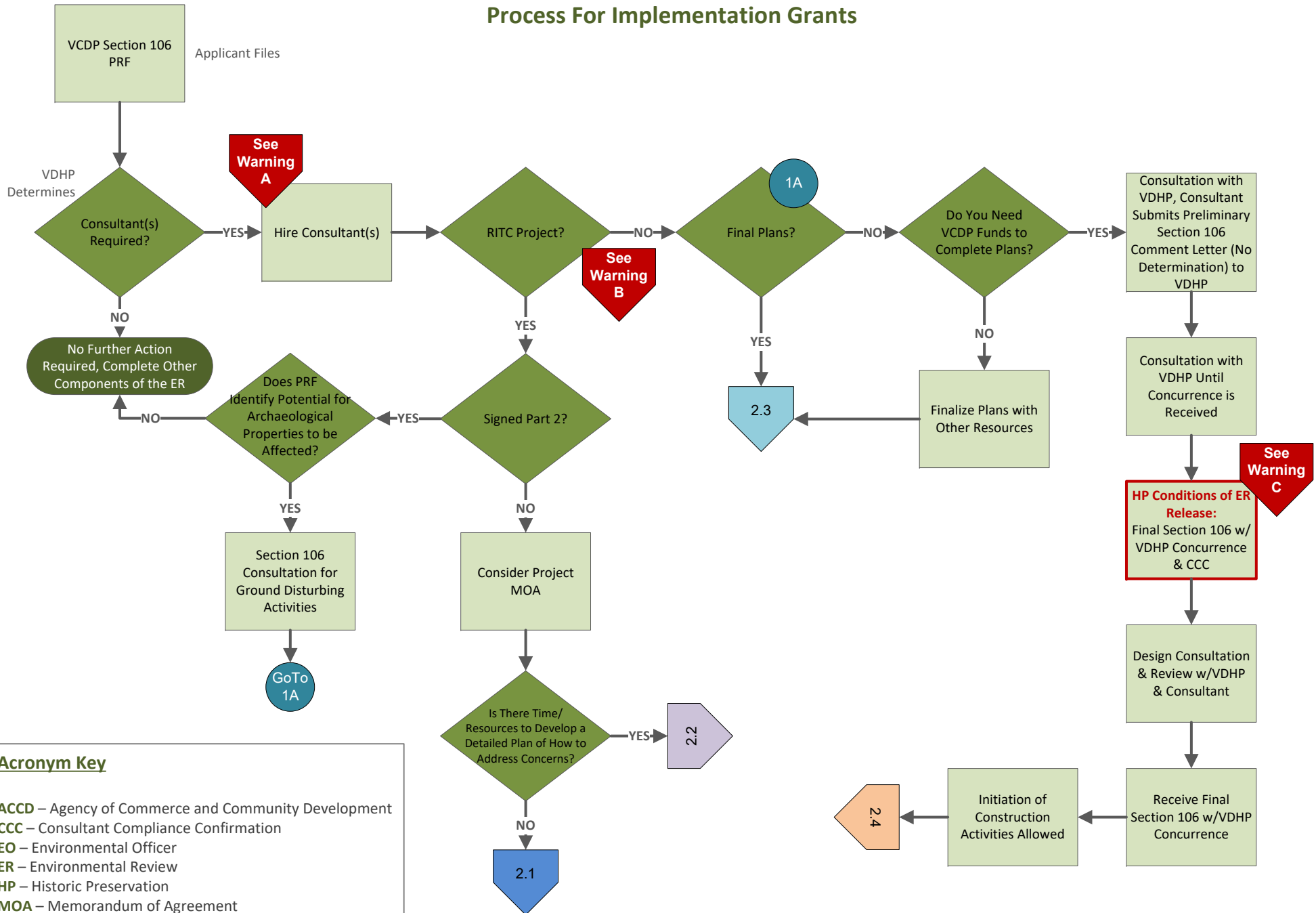


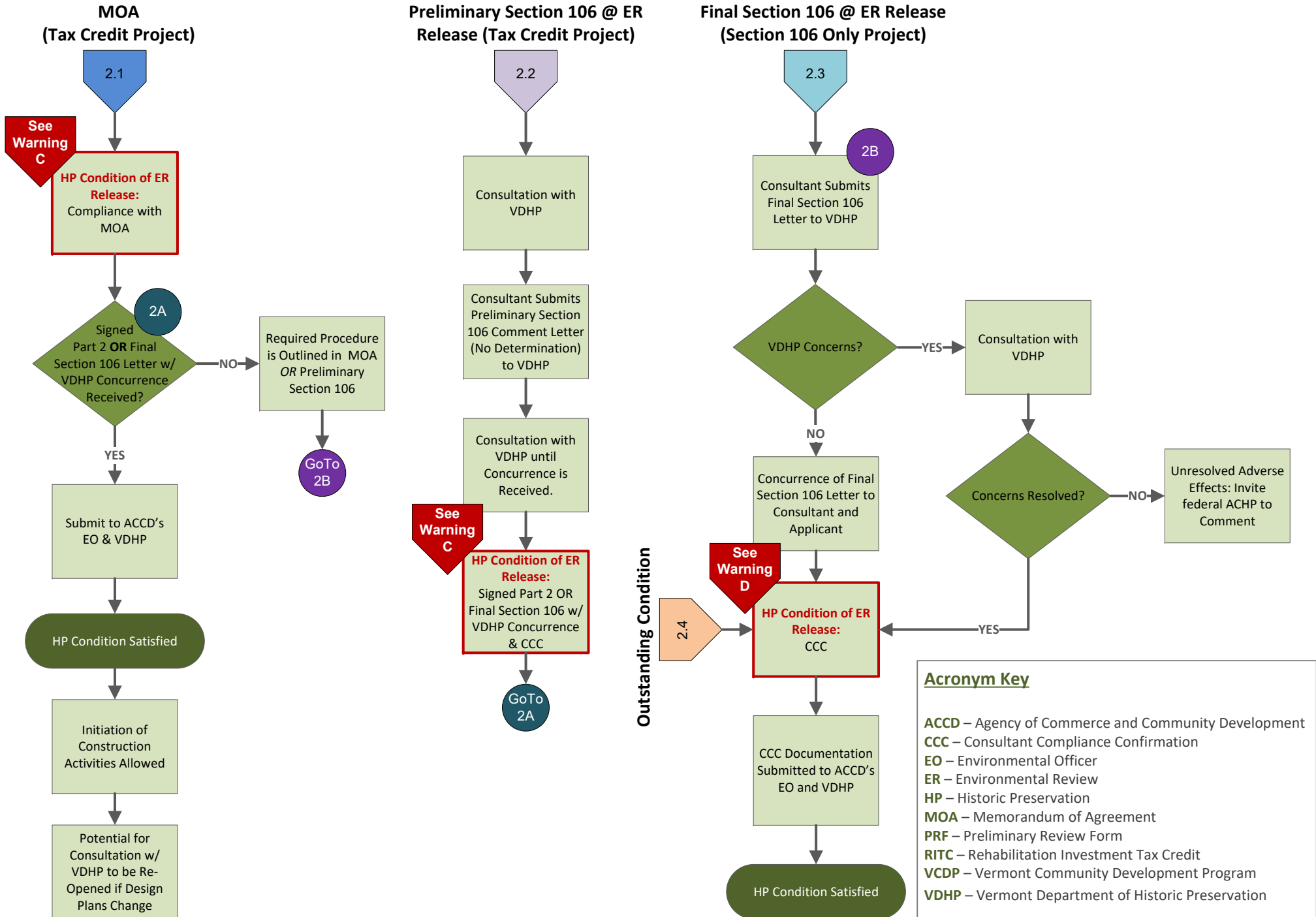
Environmental Review Section 106 Process For Implementation Grants



Acronym Key

- ACCD – Agency of Commerce and Community Development
- CCC – Consultant Compliance Confirmation
- EO – Environmental Officer
- ER – Environmental Review
- HP – Historic Preservation
- MOA – Memorandum of Agreement
- PRF – Preliminary Review Form
- RITC – Rehabilitation Investment Tax Credit
- VCDP – Vermont Community Development Program
- VDHP – Vermont Department of Historic Preservation

Environmental Review Section 106 Process For Implementation Grants



**Warning
A**

If a project's PRF has identified potential for archaeological resources to be effected, any and all archaeological investigation must be completed prior to receiving the ER Release for the project. Archaeological investigation can be very time-consuming and seasonally dependent. Therefore, any required archaeological investigation should be initiated as early in the process as possible.

**Warning
B**

If a project follows this path, receives Final Section 106 concurrence from VDHP, and THEN determines that Tax Credits will be pursued, the existing Final Section 106 sign-off in NO WAY guarantees that a project will receive Tax Credit approval. The National Park Service provides Tax Credit approval, NOT VDHP.

**Warning
C**

Conditional ER Release has been received. **What is allowed:** Acquisition and requisition of funds for planning activities. **What is NOT allowed:** Initiation of construction related activities until Final Section 106 Letter with VDHP Concurrence OR Signed Part 2 is received (Grant Agreement Special Condition). If a Final Section 106 Letter has been received (not a Signed Part 2), see **Warning D** for more information.

**Warning
D**

All Final Section 106 Letters need to include a post-review discovery clause that requires the grantee to alert the consultant and VDHP if project plans change and there are unexpected effects after final concurrence, then Section 106 consultation will recommence to ensure these new effects are resolved in compliance with the regulations prior to construction commencing (or continuing if already under way). Work cannot commence or continue until a Final Section 106 concurrence is provided by VDHP. Without a Final Section 106 the grantee runs the risk of foreclosing the Vermont Community Development Program's (functioning as Agency Official) ability to complete environmental review prior to construction commencing pursuant to §800.9(b).