

# A New Chapter for Preservation in Kentucky



Section 106 Review Planning Tool – Ideas and Input from  
and for the Site Protection Team

# Kentucky Heritage Council State Historic Preservation Office

## Who We Are

An agency of the Kentucky Tourism, Arts and Heritage Cabinet, the Kentucky Heritage Council is the State Historic Preservation Office, responsible for the identification, protection and preservation of prehistoric resources and historic buildings, sites and cultural resources throughout the Commonwealth.

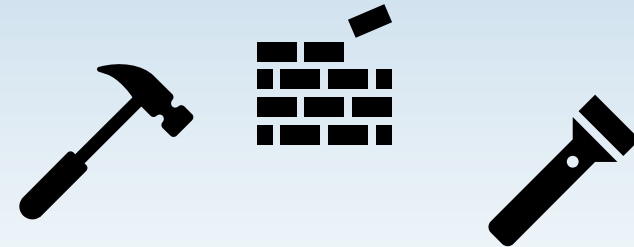
# KHC's Historic Preservation Team and Tools

## Site Identification

- Kentucky Main Street Program
- Heritage Commissions
- National Register Program
- Certified Local Government Program
- Survey Coordinator

## Administration

- **State Historic Preservation Officer**
- Budget Specialist
- Administration Specialists



# KHC's Historic Preservation Team and Tools *(Part 2)*

## Site Development

- Preservation Easements
- Historic Rehabilitation Tax Credits

## Site Protection and Archaeology *(aka Section 106)*





Nicole – Archaeology



RaShae  
Historic Preservation



Patti  
Archaeology



Gabby  
Historic Preservation



Steph - Archaeology



Ellis Archaeology



Kim  
Historic Preservation

KHC Site Protection Team  
*Protecting Kentucky's Unique Resources One  
Review at a Time*

# Site Protection Team

100 % Complete

100 % Digital



# Kentucky Laws Pertaining to Archaeological Sites

## KRS 164.705-735; KRS 164.990

It is the policy of the Commonwealth to preserve archaeological sites. Ground disturbance within or near archaeological sites owned or maintained by a city, county, or state government within Kentucky requires a permit from the Office of State Archaeology at the University of Kentucky prior to work beginning.

<https://anthropology.as.uky.edu/museum-osa>

### **Museum and Office of State Archaeology**

- William S. Webb Museum of Anthropology
- Kentucky Office of State Archaeology
- NAGPRA
- Archaeological Geophysics Laboratory
- Museum and OSA Staff
- Curation

# Planning for Section 106

<https://dlg.ky.gov/grants/federal>

## FEDERAL GRANTS

- [Grants](#)
- Federal Grants

### Federal Grant Application Deadlines

#### **Appalachian Regional Commission 2025**

ARC Pre-Applications- October 31, 2024

#### **Delta Regional Authority**

Please contact your respective ADDs

**Land and Water Conservation Fund** - May 31, 2024

**Recreational Trails Program** - May 31, 2024

#### **Community Development Block Grant**

Applications in all program areas will be accepted in the following dates:

- Community Projects - April 1, 2024 - September 2, 2024
- Housing - April 1, 2024 - January 31, 2025
- Economic Development - April 1, 2024 - January 31, 2025
- Public Facilities - April 1, 2024 - September 2, 2024
- Public Services - April 1, 2024 - January 31, 2025

ALL APPLICATIONS SHOULD BE EMAILED TO [Office of Federal Grants](#).

<https://kydlgweb.ky.gov/eClearinghouse>



<https://heritage.ky.gov/compliance/Pages/overview.aspx>



# Application for Section 106 Submissions

<b>KENTUCKY HERITAGE COUNCIL COVER SHEET FOR SECTION 106 REVIEW AND COMPLIANCE</b>	
<p><i>When federal (and some state) funds, permits or approvals are needed for a project, regulations such as 36 CFR Part 800 require these agencies or their delegates to consult with the Kentucky Heritage Council/State Historic Preservation Office regarding the project's potential effects on historic properties. To facilitate our review, please provide the following information and applicable attachments. Our office will generate a response within 30 days of receipt. Incomplete submissions may be returned for more information.</i></p>	
<b>SECTION 1: APPLICANT INFORMATION</b>	
Project Sponsor or Applicant:	
Contact Person (name & position):	
Return Address:	
Telephone:	E-mail:
Project Title:	
<b>SECTION 2: AGENCY INFORMATION</b>	
Funding/Permitting Agency:	
Agency Contact Person (name & position):	
Telephone:	E-mail:
<b>SECTION 3: PROJECT LOCATION</b>	
E911 Street Address (or other description):	
City/Township:	County:
Latitude:	Longitude:
<b>SECTION 4: PROJECT TYPE (please check all that apply)</b>	
Proposed Activity: <input type="checkbox"/> Demolition <input type="checkbox"/> Rehabilitation <input type="checkbox"/> Structural Relocation <input type="checkbox"/> Trails <input type="checkbox"/> New Construction <input type="checkbox"/> Land and/or Building Acquisition <input type="checkbox"/> Sewer/Water Lines <input type="checkbox"/> Roads/Bridges <input type="checkbox"/> Non-Construction Planning/Refinancing <input type="checkbox"/> Other (describe):	
<b>SECTION 5: IDENTIFICATION OF KNOWN HISTORIC PROPERTIES</b>	
OSA Preliminary Site Check #:	
If your project involves ground disturbance, has the site been previously disturbed? <input type="checkbox"/> Yes (describe in detail below) <input type="checkbox"/> No	
Is there anything over 50 years of age in or visible from the project location? <input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>SECTION 6: ELECTRONIC ATTACHMENTS - Attach all as applicable</b>	
All documentation should be labeled with the project name or site address. <ul style="list-style-type: none"> <li><input type="checkbox"/> Clear, current photographs of the project site and anything over 50 years of age in or visible from it.</li> <li><input type="checkbox"/> Site map/plan indicating the exact location and boundaries of the project area.</li> <li><input type="checkbox"/> Detailed description of the project (may include plans, scope of work, and other available information.)</li> <li><input type="checkbox"/> Documentation of prior ground disturbance (e.g. maps, photographs, underground utility plans, etc.)</li> <li><input type="checkbox"/> Any known information about the history/use of the property and local significance.</li> </ul>	
NOTE: Submit all information to <b>Craig Potts, Executive Director/SHPO</b> Via E-mail to: <b>khc.section106@ky.gov</b> PAPER SUBMISSIONS WILL NOT BE ACCEPTED	

We are no longer accepting paper documents for above or below ground review. Please submit all electronic documents for Section 106 Review to [khc.section106@ky.gov](mailto:khc.section106@ky.gov). DO NOT SUBMIT ANY PHYSICAL SECTION 106 REVIEW MATERIALS TO AN INDEPENDENT REVIEWER. Failure to submit documents to the dedicated Section 106 email address will result in our staff not receiving these documents for review.

Dear KHC,

Please see the attached submission for Section 106 review. Please provide us with your **comments** on our project and advise us as to whether there will be any **effect to historic properties**. Should you have questions or require additional information, please email [WayCoolApplicant@ky.gov](mailto:WayCoolApplicant@ky.gov) or call Priscilla Preservation at 502-555-1212.

Love,  
Your Favorite Applicant

The Submission Letter / Email

Name of Applicant/Consultant:

Point of Contact:

Phone:

Fax:

EMAIL ADDRESS OF CONTACT:

Project Title:

Unique Identifier



## **Applicant** Information

Is your ADD involved? If so, include their contact information too.

Funding Agency:  
LEAD FEDERAL AGENCY

This is the **federal agency**  
giving you **money** or a  
**permit**.

Point of Contact:

Phone:

Fax:

EMAIL ADDRESS OF CONTACT:



**Agency Information**  
DLG is not a federal agency.

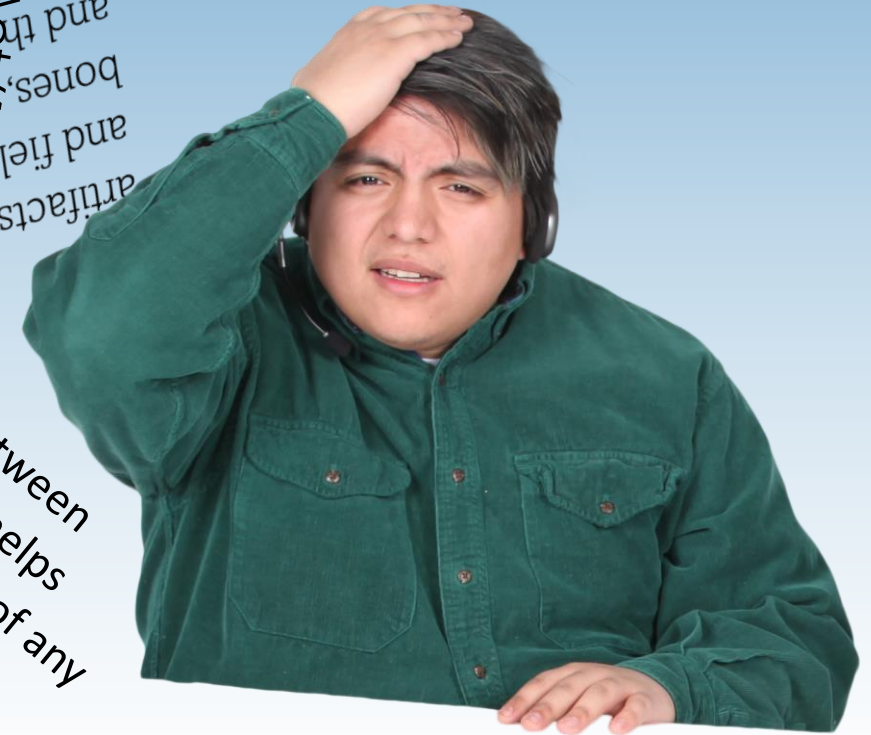
# Lead Federal Agency: Why This is IMPORTANT



FEMA



archeological preservation of government, Federal private organizations and individuals (NPS Archeology Program)



# Logistical and Administrative Needs

All submissions should be complete and emailed in a single email to [khc.section106@ky.gov](mailto:khc.section106@ky.gov) for distribution.

WHY???

- 45 federal agencies
- 120 counties
- 100s of email and phone inquiries per day
- 1,000s of reviews per year
- Multiple PAs / MOAs



6  
Reviewers

# Administrative Requirements of SHPO

KHC ID

Date In

Date Out

City

County

Federal Agency

Applicant

Staff

Project Title

Document Type

Project Number

Status

Determination

Survey Acreage

No. of Survey Forms

Total AG Properties

Total BG Properties

Ineligible

Unassessed

Potentially Eligible

Eligible

Listed

Demolished

Notes



Nicole – Archaeology



Patti  
Archaeology



Steph - Archaeology



RaShae  
Historic Preservation



Gabby  
Historic Preservation



Ellis Archaeology



Kim  
Historic Preservation

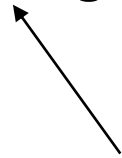
KHC Site Protection Team  
*Protecting Kentucky's Unique Resources One  
Review at a Time*



# Has the Site Been Previously Disturbed?



This is within existing ROW.  
This was also a significant site.



Never say Never

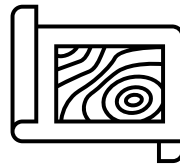
Street Address:



County:



Lat/Long:



Project Location

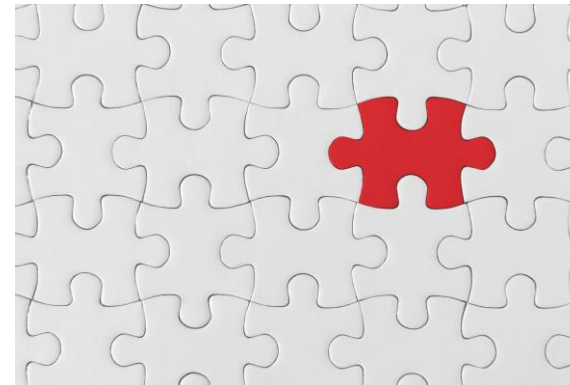
If you project is long and linear, we require more than point data on your background info 😊

Activity:  
Check all that apply

Land/Building Acquisition



Non-Construction Planning/  
Refinancing



Project Type

## Attachments

- Clear, current photographs of the project site and anything over 50 years of age in or visible from it.
- Site map/plan indicating the exact location and boundaries of the project area.
- Detailed description of the project (may include plans, scope of work, and other available information.)
- Documentation of prior ground disturbance (e.g. maps, photographs, underground utility plans, etc.)
- Any known information about the history/use of the property and local significance.

## Attachments

## Attachments

# A Need to Know Basis

The more useful information an applicant provides us, the less likely it is we will have to recommend field investigations, particularly when asking for **photographs**, information on **disturbance**, and **records reviews**.

If we have to request additional information, we require an entirely new comprehensive submission. This starts the 30-day clock over.

Everyone's submission is the most important project to them. Everyone puts a High Importance tag on their submissions.

# Information on How and What to Submit for a Section 106 Review

<https://heritage.ky.gov/Pages/index.aspx>

**Introduction** to Section 106 guidance

<https://heritage.ky.gov/compliance/Pages/overview.aspx>

Specifics on **what** types of **information** we require

<https://heritage.ky.gov/compliance/applicants/Pages/default.aspx>

Help on finding **where** to get the **information**

# Information on How and What to Submit for a Section 106 Review *(part 2)*

<https://heritage.ky.gov/historic-places/resources-survey/prelim/Pages/default.aspx>

(information on previously documented **above ground sites** and surveys) –  
PRELIMINARY SITE CHECK PORTAL IS FREE

<https://anthropology.as.uky.edu/office-state-archaeology>

Direct link for requesting OSA site checks

(information on previously documented **archaeological sites** and surveys)

<https://heritage.ky.gov/compliance/consultants/Pages/default.aspx>

More indepth information on projects and processes

# Common Misconceptions about the Section 106 Review process and the National Historic Preservation Act

A project area within  
existing ROW is not  
Less likely to contain  
significant cultural  
resources.



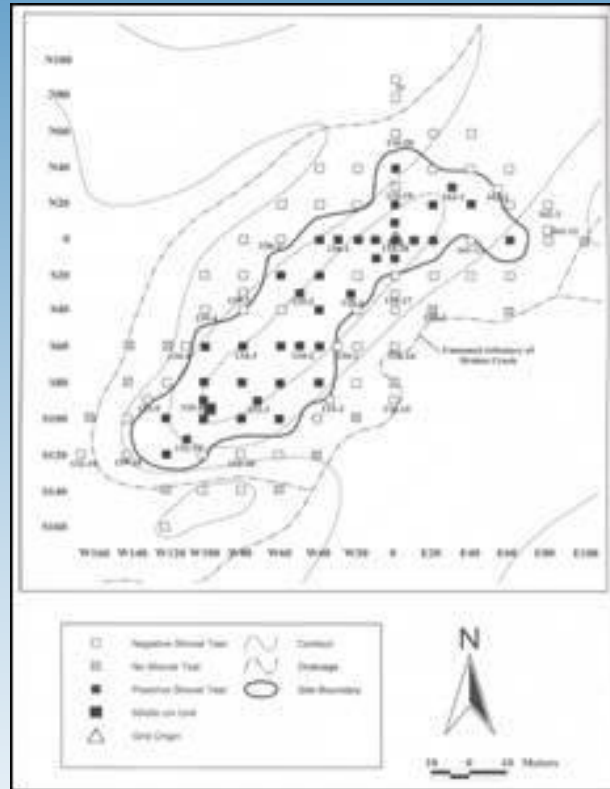
Having a property listed  
on the National Register  
does NOT protect it

Section 106 does NOT stop construction  
or slow down projects

The goal of Section 106 is NOT to  
protect every cultural resource



# How Can Site Protection Help Community Planning



Phase I Archaeological Survey

# Investigation doesn't have to break the bank



Still Step 1

KENTUCKY HERITAGE COUNCIL COVER SHEET FOR SECTION 106 SUBMISSIONS	
<i>We want to help you with your project as early in the process as possible. Our reviewers need up to 30 days to review and provide comments to you for your proposal. If you are using federal funds or permits, you definitely need us. If you are working through the e-Clearing House (KHC does not use e-Clearinghouse), or need environmental review, you'll likely need us. DON'T WAIT! We're here to help. Email your submissions in a single attachment to, and only to <a href="mailto:khc.section106@ky.gov">khc.section106@ky.gov</a>. If you have questions, visit our webpage, or email <a href="mailto:Nicole.Konko@ky.gov">Nicole.Konko@ky.gov</a>.</i>	
<b>SECTION 1: APPLICANT INFORMATION</b>	
Project Applicant:	
Contact Person (name & position):	
Return Address:	
Telephone:	E-mail:
Project Title:	
<b>SECTION 2: AGENCY INFORMATION</b> Area Dev District email here, if applicable	
*Funding/Permitting Agency:*	
Agency Contact Person (name & position):	
Telephone:	E-mail:
<b>SECTION 3: PROJECT LOCATION</b>	
Street Address (or other location):	
City:	County:
Lat (Dec/Deg):	Long (Dec/Deg):
<b>SECTION 4: PROJECT TYPE (please check all that apply)</b>	
Proposed Activity: <input type="checkbox"/> Demolition <input type="checkbox"/> Rehabilitation <input type="checkbox"/> Structural Relocation <input type="checkbox"/> Trails	
<input type="checkbox"/> New Construction <input type="checkbox"/> Land and/or Building Acquisition <input type="checkbox"/> Sewer/Water Lines <input type="checkbox"/> Roads/Bridges	
<input type="checkbox"/> Non-Construction Planning/Refinancing <input type="checkbox"/> Other (describe):	
<b>SECTION 5: IDENTIFICATION OF KNOWN HISTORIC PROPERTIES</b>	
OSA Preliminary Site Check #:	
Provide a detailed description of your project. If necessary, include it in your pdf attachments.	
Is there anything over 50 years of age in or visible from the project location? <input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>SECTION 6: ATTACHMENTS - Attach All.</b>	
All documentation should be labeled with the project name or site address.	
<input type="checkbox"/> Clear, current photographs of the project site and anything over 50 years of age in or visible from it.	
<input type="checkbox"/> Site map/plan indicating the exact location and boundaries of the project area.	
<input type="checkbox"/> Detailed description of the project (may include plans, scope of work, and other available information.)	
<input type="checkbox"/> Documentation of prior ground disturbance (e.g. maps, photographs, underground utility plans, etc.)	
<input type="checkbox"/> Any known information about the history/use of the property and local significance.	
<input type="checkbox"/> Results of your Preliminary Records Review from the Site Identification web portal.	

Submit all information in a single email to [khc.section106@ky.gov](mailto:khc.section106@ky.gov). Submission of initial Section 106 documentation to any individual reviewer will delay distribution and review.

# New Possibility for Step 2 Literature and Records Reviews



Often this should be completed by a qualified Cultural Resource Management professional BUT they do not even have to leave their desk to generate it.

Our goal in requesting and accepting this interim document is to further minimize requests for field investigations for above or below ground cultural resource assessments.

# New in Between Option No-Find Archaeology Reports

No-find Archaeological Survey  
of  
(Project Name)  
(Consultant Company/University/Agency/Other Entity Name)  
(Signature of Principle Investigator)

County:

Date(s) Visited:

Principle Investigator:

Recorder(s):

Project Area Location:

Area Covered (acres – maximum 5 acres):

OSA Project Registration Number:

7.5 Minute Topographic Quadrangle Name and Date (Figure 1 Attachment Provided):

Landform and Vegetation:

Photographs Attached: (Enter # of Photos – minimum 2 photos):

## Report Narrative

Upon submission of a proposal by (enter applicant and agency) to (describe proposed activities resulting in ground disturbance) at (enter APE location), (name all field staff) conducted a site visit to this location. The purpose of this site visit was merely to determine the presence or absence of archaeological materials.

Previous disturbances to the area of potential effect (APE) include (disturbances). Historic map data indicated (a structure, etc., if any – describe where); however, no evidence was found during this survey. A Project Registration and Request for Archaeological Site and Project Area Information was conducted with the Office of State Archaeology on (date), (number) sites were mapped within a 2-kilometer buffer of the APE, the closest of which was (site, type, distance and direction from APE). No previously recorded archaeological sites were mapped within or adjacent to the APE.

The entire APE was investigated. Field methods included a pedestrian survey and the excavation of (enter # of stps). Shovel tests were excavated to subsoil and averaged a depth of (enter stp depth). Soil from shovel tests was screened through ¼-inch mesh. (enter total #) shovel tests were excavated at (describe spacing of stps). Soils (were/were not) consistent with expectations based on (NRCS data, previous disturbance of the APE, etc.) No cultural material was identified, and no archaeological sites or isolated finds were documented as a result of this survey.

Figure 1. 7.5 Minute Topographic Map Depicting APE investigated (include scale, north arrow, and key).

Figure 2. Aerial Map Depicting APE investigated (include scale, north arrow, and key).

Figure 3. Map Depicting Survey Methods, Shovel Test Locations (if any), Photograph Locations (where standing) and Landmark Features as needed (include scale, north arrow, and key).

Figure 4. Photograph or Drawing of Typical Shovel Test Profile.

Figure 5. General Photograph of APE toward (enter direction).

Figure 6. General Photograph of APE toward (enter direction).

Figure 7+. Additional Historic Documents or Photographs as needed (optional).

# How To Submit your Section 106 documentation so as not to hold your project up

## **KHC: Above Ground Cultural Resources**



If you have visible project elements and above ground properties 50 years of age or more in or visible from your project area, we need the information.

## **OSA: Below Ground Cultural Resources**



If your project involves ground disturbance of any kind other than replacement within the exact footprint - nothing more - we need this information.

# How Can Archaeology and Architecture Aid with Community Planning and Economic Development



Expand Heritage Tourism

Cultural Education

Pride in Community

Let's Talk!!!

What does Section 106 do for US



This is my favorite thing 😊





Discover Kentucky Archaeology

[www.archaeology.ky.gov](http://www.archaeology.ky.gov)





Discover Kentucky Heritage  
Fresh Off the Press!!!

We need YOUR help



Great video clips are coming but until that time...



Invite us over.  
We'll share.

# Questions?

## HOW CAN WE HELP?

Thank you to everyone for inviting us, for giving us this opportunity, and for sharing your questions and concerns!!!

