[Choose: Section 106 Conclusion Memo or Section 106 Conclusion Memo When a Lead Agency Has Been Established]

[Date]

RE: [Choose: Finding of No Historic Properties Affected or No Adverse Effect]

[Insert Project Name]

[Insert Project Location]

Under the [Choose: Rural Electrification Act of 1936, as amended, Housing Act, as amended, Consolidated Farm, and/or Rural Development Act], the [Choose: Rural Utilities Service (RUS), Rural Business-Cooperative Service (RBS), or Rural Housing Service (RHS)] is considering funding an application from [Insert Applicant Name] to construct [Insert Project description, include location information and map as supporting documentation] (Project). [Choose: RUS, RBS, or RHS] has determined that this Project is an undertaking subject to review under Section 106 of the National Historic Preservation Act, 54 U.S.C. § 300101 et seq., and its implementing regulations, 36 CFR Part 800 (Section 106 review).

In accordance with 36 CFR § 800.2(c)(4), and 7 CFR § 1970.5(b)(2) of the regulations, “Environmental Policies and Procedures” (7 CFR Part 1970), [Choose: RUS, RBS, or RHS] has issued a blanket delegation for its applicants to initiate and proceed through Section 106 review. Under this delegation, [Choose: RUS, RBS, or RHS] may conclude Section 106 review on the basis of an agreement reached between [Insert applicant Name], [Insert name of State] State Historic Preservation Office (SHPO) and other consulting parties on the recommended finding of effect.

Based on review of the project documentation provided by [Insert applicant Name], [Choose: RUS, RBS, or RHS] has determined that a finding of [no adverse effect in accordance with 36 CFR § 800.5(b) or no historic properties affected in accordance with 36 CFR § 800.4(d)(1)] is appropriate for this undertaking. This finding will conclude Section 106 review process as it agrees with the recommendations of the [Identify the Applicant, SHPO and the date of concurrence as well as that of any other consulting parties].

[Choose: There no additional conditions to which the Applicant Name and SHPO agreed to, to support this finding or There are additional conditions to which the Applicant Name and SHPO agreed to, to support this finding of no adverse effect, they are (Insert the conditions). The commitment on the part of the Agency to their implementation is (Insert the Agency’s Commitment)]. [Choose: RUS, RBS, or RHS] will include an inadvertent discovery provision, developed in accordance with 36 CFR § 800.13(b) and (c), as a condition of obligation in order to address any historic properties which might be inadvertently discovered or affected during project construction.

Should you have any questions, please contact [Insert RD Reviewer Contact Information].

Sincerely,

[Delete and Insert Signature]

Name

Title

Organization

CC

Section 106 Conclusion Memo Completion Instructions (Delete before Sending)

To complete the finding letter templates, staff and applicants will need to insert project specific information in the appropriate areas indicated by the red placeholder text. The information provided below explains what is needed to complete these sections and/or why they’re important. Before finalizing the letter change all of the red text to black.

Staff and applicants will also notice that many of the red placeholder text sections are wrapped in form fields that appear as grey rectangles around that select text. The form fields that are not drop down menu selections can be turned off by right clicking on them and selecting “Remove Content Control”. Do not “Remove Content Control” for the drop down menu form fields, it will completely erase the text required to complete the letter.

**Choose: Section 106 Conclusion Memo or Section 106 Conclusion Memo When a Lead Agency Has Been Established**

If one of the RD programs has been designated the title of Lead Federal Agency for the purposes of the Section 106 process, choose “Section 106 Conclusion Memo When a Lead Agency Has Been Established”. Remember, just because a program has been identified as the lead federal agency for NEPA does not mean that they are or need to be the lead federal agency for Section 106.

**Choose: Finding of No Historic Properties Affected or Finding of No Adverse Effects (Subject Line)**

Choose whether the Section 106 determination is “No Historic Properties Affected” or a “Finding of No Adverse Effects”.

**Insert Project Name (Subject Line)**

Insert the name of the project. The project name should be consistent across all of the project documents. When inserting the project name in the letter’s subject also include the SHPO or THPO project identification number when available.

**Insert Project Location (Subject Line)**

Insert the project location. Include at least the City, County, and State.

**Choose: Rural Electrification Act of 1936, as amended, Housing Act, as amended, Consolidated Farm, and/or Rural Development Act (Letter body text)**

Choose the authorizing statute for the RD program financing the undertaking.

**Choose: Rural Utilities Service (RUS), Rural Business-Cooperative Service (RBS), or Rural Housing Service (RHS) (Letter body text)**

Choose which RD agency the undertaking falls under.

**Insert Applicant Name (Letter body text)**

Insert the name of the RD applicant followed by their abbreviated name in parentheses. Example: Goals Total Inc. dba Fiscal Utilities Cooperative (Fiscal Utilities). The abbreviated name should be use throughout the rest of the letter.

**Choose: only no adverse effect or no historic properties affected (Letter body text)**

In accordance with 36 CFR 800.5(b), an undertaking may be determined to have “No Adverse Effect” to historic properties if the undertaking’s effects will impact the historic properties, but the effect would not alter a characteristic that qualifies the resource for inclusion in the NRHP in a manner that diminishes the significant aspect of integrity, then the finding for that aspect of integrity is “No Adverse Effect.”

In accordance with 36 CFR 800.4(d)(1), no historic properties are present within the APE or historic properties may be present but the undertaking will have no effect on them. The no effect means the undertaking would not alter any aspects of integrity or character-defining features on any historic property.

**Identify the Applicant, SHPO and the date of concurrence as well as that of any other consulting parties (Letter body text)**

When completing the Section 106 conclusion memo, identify the parties that concur with the finding being made and the date(s) that concurrence was made.

**Choose: There no additional conditions to which the Applicant Name and SHPO agreed to, to support this finding or There are additional conditions to which the Applicant Name and SHPO agreed to, to support this finding of no adverse effect, they are (Insert the conditions). The commitment on the part of the Agency to their implementation is (Insert the Agency’s Commitment) (Letter body text)**

Make the appropriate selection based on whether the agreed upon Section 106 finding was conditioned on the applicant agreeing to specific mitigating or avoidance measures. List these measures.