

**Agreement between the South Carolina Department of Commerce—CDBG Program and
the South Carolina State Historic Preservation Office**

In order to allow for the timely processing of projects, it is mutually agreed that the following actions funded by State Community Development Block Grant (CDBG) Program funds will be granted a general exclusion and will not require a review by the South Carolina State Historic Preservation Office. It is further understood that if any of the CDBG grantees/local governments has reason to believe that any actions listed herein as excluded from review have the potential for impact on a historic property or archaeological remains, the grantee will initiate consultation with the SHPO. **Under no condition** will vinyl siding or vinyl clad products be allowed as replacement on dwellings greater than 50 years of age without prior review and concurrence of the State Historic Preservation Officer (SHPO).

Therefore, it is agreed that the following actions be granted a “general exclusion” from the Section 106 process:

- Demolitions, repairs, or additions to buildings less than 50 years of age which are not considered eligible for the National Register, located within or adjacent to a historic district, or located adjacent to properties individually listed in or eligible for the National Register
- Repairs or upgrades to buildings greater than 50 years of age which are not considered eligible for the National Register, located within or adjacent to a historic district, or located adjacent to properties individually listed in or eligible for the National Register, including the following:
 - Rebuilding of wheel chair ramps
 - Installation of missing glass panes if clear glass is used in existing windows
 - Repair or replacement of gutter systems
 - Installation or replacement of a new heating, ventilation, and air-conditioning (HVAC) system
 - Upgrading or replacing plumbing (including an exterior water heater cabinet)
 - Upgrading or replacing electrical systems
 - Repair of or pouring of concrete cellar floors
 - Installation of screens over windows
 - Repair of shutters
 - Repair or replacement of porch railings, ceilings, steps and step railings
 - Repair or replacement of roofing materials
 - Repair, removal, or demolitions of mobile homes
 - Repair, removal, or demolitions of concrete block homes
- Utility line and public infrastructure construction conducted completely in existing road rights-of-way or public easements where there has been previous ground disturbance
- Replacement or upgrade of operating equipment for existing public utilities,
- Installation of recreation equipment at existing parks
- Clean-up and removal of debris in existing brownfields
- Construction within an existing industrial or office park within areas with previous ground disturbance
- New construction less than one acre in extent, as long as the parcel is not located within or adjacent to a historic district or near or adjacent to properties individually listed in or eligible for the National Register
- Purchases of buildings or dwellings less than 50 years of age

- Energy efficiency insulation, windows, and other measures on buildings less than 50 years of age.

All actions not excluded by this agreement must undergo Section 106 consultation with the SHPO and other appropriate parties.

The Department of Commerce will encourage its applicants to prepare documentation for the SHPO to evaluate and assess neighborhoods, towns, and target areas in which CDBG funds are planned for use over a prolonged period of time. The SHPO will review and comment on these areas and provide its opinion on the National Register eligibility of the area as a whole. Both the Department of Commerce and the SHPO will use the overall evaluation of these target areas and no further consultation will be required for any future individual undertakings in the area. At a minimum, the Department of Commerce will ask its recipients to provide to the SHPO for review and comment:

1. A brief history of the neighborhood and land uses, including the approximate dates of construction of the majority of the buildings and a total number of buildings by type in the project area
2. A U.S.G.S. topographic map showing the boundaries of the area under review
3. Photographs of the area, including
 - a. Representative views of the front facades of commercial, religious, institutional, cemeteries, or other historically notable properties
 - b. Representative views of the front facades of residential buildings, including vacant buildings
 - c. Representative views of vacant land or lots, if applicable
 - d. Representative views of streetscapes

The SHPO will review and comment on the information within thirty (30) days.

This agreement replaces any and all previous agreements between the Department of Commerce and the SHPO. This agreement will be effective on February 15, 2009 and will remain in effect unless amended in the future. The Department of Commerce and the SHPO will review this agreement on a biannual basis to discuss the compliance process and any actions necessary to improve communications between the Department and the SHPO.

Agreed by both parties,



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