



# Section 106: Consideration of Adverse Effects

Section 106 of the National Historic Preservation Act (NHPA) requires that federal agencies consider any effect or potential effect of projects they carry out, approve, or fund on historic properties listed in or eligible for listing in the National Register of Historic Places. Army National Military Cemeteries (ANMC) has determined that the proposed monument removal is a federal undertaking with the potential to cause adverse effects on historic properties. Therefore, ANMC is implementing the multi-step NHPA Section 106 process shown at the bottom of this page.



ANMC is currently in Step 3: Assessment of Effects, which involves a) examining potential effects to all historic properties previously identified in Step 2 of the NHPA Section 106 process and b) determining if the undertaking will have any effects on those properties. To assess effects, ANMC is applying the criteria of adverse effect to historic properties within the area of potential effects. ANMC initiated Step 3 of the Section 106 process by providing an Assessment of Effects to the Virginia State Historic Preservation Office.

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An **adverse effect** is found when an undertaking may alter, directly or indirectly, any of the characteristics of a historic property that qualify it for inclusion in the National Register in a manner that would diminish the integrity of the property's location, design, setting, materials, workmanship, feeling, or association.

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## Examples of adverse effects:

- Physical destruction of or damage to all or part of the property
- Alteration inconsistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties
- Relocation and/or removal of the property
- Neglect and deterioration
- Change in the character of the property's use or setting
- Introduction of incompatible visual, atmospheric, or audible elements
- Transfer, lease, or sale of a historic property out of federal control without adequate preservation restrictions

Based on adverse effects identified, ANMC will develop and consider alternatives or modifications to avoid, minimize, or mitigate adverse effects, working with consulting parties to reach agreement on a resolution. This will occur during Step 4: Resolution of Adverse Effects. The final agreement reached will be formalized in a memorandum of agreement.

## NHPA Section 106 Process



See "A Citizen's Guide to Section 106 Review" on the Advisory Council on Historic Preservation website for more information about adverse effects: <https://www.achp.gov/citizens-guide-section-106-review>.

For more information about the project: <https://www.arlingtoncemetery.mil/About/Confederate-Memorial-Removal>