

Guidelines for Defining the Area of Potential Effects (APE)

Virginia NRCS in consultation with the Virginia State Historic Preservation Office

Section 106 of the National Historic Preservation Act requires federal agencies to define and document the Area of Potential Effects (APE) in consultation with the State Historic Preservation Office (SHPO). This requirement applies to any federal undertaking and should take place early in the environmental review process. The SHPO also uses Section 106 procedures as guidelines for consultation in certain state regulatory processes.

In the Section 106 process, the federal agency, or a representative of the federal agency, must identify historic properties and determine the effect of the proposed project on them. Thus, the reason for defining an APE is to determine the area in which historic properties must be identified, so that effects to any identified properties can, in turn, be assessed. (Historic properties are buildings, structures, objects, sites, and districts with significance in American history, architecture, archaeology, engineering, and culture. These properties may be **listed** in or **eligible** for the National Register of Historic Places.)

Definition

According to 36 CFR 800.16(d), the *Area of Potential Effects is the **geographic area** or areas within which an undertaking may directly or indirectly cause changes in the character or use of historic properties, if such properties exist. The area of potential effects is influenced by the **scale and nature of the undertaking** and may be different for different kinds of **effects** caused by the undertaking.*

Determining APE is a hypothetical process that considers the interplay of the three factors in bold.

Geographic Area

The project setting is an important factor in defining the APE. Varying combinations of geographical location, topography, soils, vegetation, and other environmental factors increase or decrease the likelihood of a project having physical, visual, and auditory effects on historic properties.

Consider how various environmental factors influence the APE:

- Is the setting a rural or urban area?
- Is the surrounding landscape wooded? open fields? hilly? flat?
- What is current land use—developed or agricultural?
- If developed, how? Industrial, residential, commercial? Define size and scale of development.
- What are the views from the project area and toward the project area?

Scale and Nature of the Undertaking

The scope of the project greatly affects the effort required to identify historic properties, and thus the way an APE is defined.

Consider different aspects of the scale and nature of undertaking when defining the APE:

- If new construction—how large, how many stories, and how many square feet?
- What is the extent of the ground disturbance? Are access roads or staging areas needed?
- Are additions to or demolition of an existing building involved?
- Is rehabilitation involved—entire building or just a few elements?

- What is the scale of new construction in relation to the surrounding setting?

Effects

The effects a project might have on historic properties vary with the **setting** and the **scale and nature** of the undertaking. Consider these examples of effect when defining an APE and remember that effect can be direct or indirect, beneficial or adverse:

- Physical changes to the area—actual takings, ground disturbance
- Visual changes, including changes to the appearance of buildings, structures, sites, or districts. Also changes in view sheds.
- Changes to existing pedestrian and traffic patterns.
- Changes in land use.

Key Points to Remember about the APE

- The federal agency, in consultation with the SHPO (or Tribal Historic Preservation Office), establishes the *Area of Potential Effects (APE)* in which identification efforts will occur.
- The APE is defined before identification actually begins, so it may not be known whether any historic properties are within the APE.
- The APE should include:
 - all alternative locations for all elements of the undertaking
 - all locations where the undertaking may result in ground disturbance
 - all locations from which elements of the undertaking (e.g. structures or land disturbance) may be visible or audible; and
 - all locations where the activity may result in changes in traffic patterns, land use, public access, etc.
- An APE may include areas that are not contiguous to the project tract, and may not be the same area of effect defined under the National Environmental Policy Act (NEPA).

The Next Step – Identification

The Identification process begins once the APE has been clearly defined. Archaeological and architectural surveys are often required as part of the identification process. Archaeological surveys are generally limited to the project footprint, whereas the survey area for above ground resources--such as buildings, structures, sites, districts, and landscapes--may be larger, taking into account the potential for visual, auditory, and other effects.

For more information:

- Contact the NRCS Cultural Resources Specialist/Coordinator at the State Office.