Meaningful Mitigation: Not Just Another Recordation
Objectives:

- What is mitigation?
- What is meaningful mitigation?
- How to generate/vet mitigation ideas?
THE SECTION 106 PROCESS

1. INITIATE the process [800.3]
   - Establish undertaking
   - Notify SHPO/THPO
   - Identify tribes and other consulting parties
   - Plan to involve the public

2. IDENTIFY historic properties [800.4]
   - Determine APE
   - Identify historic properties
   - Consult with SHPO/THPO, tribes, and other consulting parties
   - Involve the public

3. ASSESS adverse effects [800.5]
   - Apply criteria of adverse effect
   - Consult with SHPO/THPO, tribes, and other consulting parties
   - Involve the public

4. RESOLVE adverse effects [800.6]
   - Notify ACHP
   - Avoid, minimize, or mitigate adverse effects
   - Consult with SHPO/THPO, tribes, and other consulting parties
   - Involve the public

FAILURE to agree [800.7] ⇒ Formal ACHP comments
Consultation

*Consultation* means the process of seeking, discussing, and considering the views of other participants, and, where feasible, seeking agreement with them regarding matters arising in the section 106 process. 36 CFR 800.16(f)
What is mitigation?

- Follows efforts to avoid or minimize
- Compensates to balance loss
- Provides a public benefit
PA SHPO Statewide Plan Goal

- Establish a committee to develop more **creative** and **effective** mitigation strategies.
Criteria for Meaningful Mitigation

Criteria for Meaningful Mitigation*

Significance of the Property
- Relevant to the area of significance or property type
- Commensurate with the property's significance
- N-I-I.S or property's of national significance warrant greater levels of mitigation

Public Benefit
- N-I-I.S recognizes that preservation is a public interest
- Developed through dynamic consultation (seek, discuss, and consider)
- Should give back to the community in which the resource is located

Accommodates the Needs of all Parties
- Consider the needs of those who ascribe value or importance to a property
- Consider the interests and constraints of the agency/applicant

Enhances Knowledge and Protection of Historic Properties
- Identify broader needs for a resource or property type
- Consider off-site mitigation option that is a benefit to the community

Cost
- Commensurate with project effects and significance of the resource
- Use of tax payer money must be justifiable

*Please note not all criteria need to be met
Significance of the Affected Property
Public Benefit
Accommodates the Needs of All Parties
Enhances knowledge and protection of historic properties
Cost

- Justifiable--in the public interest
- Proportionate to property’s significance and project impacts
- Mitigation does not have a specific price tag--it is decided through consultation!
Sources of Information:

ACHP Guidance on Section 106 Mitigation:
http://www.achp.gov/agreementdocguidance.html#ch3-2

ACHP Citizens Guide:
http://www.achp.gov/citizensguide.html
Break Out Session #1:
Point Park University Playhouse

320, 322-328, and 330 Forbes Ave (to be demolished)

North Side of Fourth Ave (area of new construction)
Break Out Session #1:
Point Park University Playhouse

North Side of Fourth Ave (to be retained)

Stock Exchange Building, Fourth Ave (to be retained)

Colonial Trust, 318 Forbes Ave (to be retained)
Break Out Session #2:
Keating Twp. Wastewater Treatment Plant
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Keating Twp. Wastewater Treatment Plant