

DEFINING YOUR AREA OF POTENTIAL EFFECTS – VIRGINIA DEPARTMENT OF HISTORIC RESOURCES –

What is an Area of Potential Effects?

The Area of Potential Effects (APE) is defined in the regulations implementing the Section 106 review process as "The geographic area or areas within which an undertaking may directly or indirectly cause changes in the character or use of historic properties, if any such properties exist. The area of potential effects is influenced by the scale and nature of an undertaking and may be different for different kinds of effects caused by the undertaking." [36 CFR Part 800.16(d)].

Determining the APE is one of the most critical steps in the 106 process. Before you can determine what a project will affect you need to determine where to look. Knowing you have a project with the potential to affect historic properties does not mean you have to know if any historic properties are present. Many people confuse the "project area" with the APE. The APE is the maximum geographic area where your project could potentially have an effect on historic properties, if any are present.

How Do I Determine the Area of Potential Effects for My Project?

The APE will vary with the type of project. To determine the APE you must know the nature and full extent of your project. For example, the APE for a natural gas pipeline might include not only the actual pipeline trench, but also includes the construction right-of-way, compressor stations, meter stations, staging areas, storage yards, access roads, and other ancillary facilities. The APE for a construction project will include the construction site, but might also include the buildings in a downtown area adjacent to the construction where vibrations may cause foundations to crack.

What Types of Effects Do I Need to Consider?

You need to consider not only the direct physical effects of your project, such as grading or demolition, but the full range of effects that might occur, including visual and audial effects. Consider rehabilitation of a building. If your work is on the interior only, the APE may be just the building itself. If you are doing a facade rehabilitation in a downtown area, that building will also have an effect on how the neighborhood looks.

In addition to direct effects, you will also need to consider indirect effects, including those that may occur at a later time, be further removed in distance or be cumulative. For example, if you are doing a sewer project, your project will likely impact more than just the trench where you are laying the pipes. If trees need to be removed in the project corridor, you may be opening views from older neighborhoods previously screened from strip malls or other modern intrusions. If you extend the sewer to an existing portion of your county that has not already

been built up, you might assume that the new sewer will encourage new construction in that area. If the sewer is planned to serve a proposed industrial park, you may also need to consider the development of the new industrial park, and its accompanying access road, lighting, electrical lines, etc.

The APE may be different for different types of effects. The APE for direct effects for the sewer line will include all areas of ground disturbance, the trench, temporary construction areas, equipment storage areas, the access road to the industrial park, the areas to be graded within the park. The APE for visual effects will include areas around the park and the access road. Where will the lighting be visible at night, for example? Factors to consider are topography, vegetation, current land use.

The APE does not need to be a contiguous area. It can include multiple alternative project areas or multiple areas where possible effects can reasonably be anticipated. Consider a highway construction project, for example. The APE might include alternative project corridors, wetland mitigation areas, locations from which borrow may be obtained, areas where access could be provided to archaeological sites resulting in their disturbance by artifact hunters, areas where visual or audible changes could occur and areas where the project could result in traffic patterns that might affect changes in the life style or economic sustainability of a downtown area.

How Do I Document the Area of Potential Effects when Consulting with DHR?

Your APE should include:

- all locations where the project will cause ground disturbance;
- all locations from which the project may be visible or audible; and
- all locations where the project may result in changes to land use, public access, traffic patterns, etc.

Submit a copy of a USGS topographic map clearly showing the boundary of each APE. You may want to distinguish the APE for direct effects from the APE for visual effects, for example, by using a different color or other type of line.

Provide a verbal justification of how you determined these boundaries.

Provide representative photographs that illustrate the project area and the entire APE. Photographs should be color and high-resolution digital photographs. All photographs should be numbered and keyed to a site map, site plan or floor plan, as appropriate. The keys should indicate the vantage point of the photographer.