

07 NCAC 04R .0202 DEFINITIONS

The following definitions apply to this Subchapter unless otherwise indicated within the Rules:

- (1) "Adverse Effect" is defined as in 36 C.F.R. 800.5(a)(1).
- (2) "Area of Potential Effects" is defined as in 36 C.F.R. 800.16(d).
- (3) "Effect" is defined as in 36 C.F.R. 800.16(i).
- (4) "Historic property" is defined as in 36 C.F.R. 800.16(l).
- (5) "Office of State Archaeology" (OSA) is a section of the Division of Historical Resources, North Carolina Department of Natural and Cultural Resources. The OSA is responsible for protecting archaeological sites in North Carolina.
- (6) "State Historic Preservation Office" (HPO) is a section of the Division of Historical Resources, North Carolina Department of Natural and Cultural Resources. The HPO is responsible for administering historic preservation programs pursuant to State and federal law.
- (7) "State Historic Preservation Officer" (SHPO) is the Deputy Secretary, Office of Archives and History, North Carolina Department of Natural and Cultural Resources, and is further defined in 36 C.F.R. 800.16(v).
- (8) "Undertaking" means any project, activity, or program that can result in changes in the character or use of historic properties located in the area of potential effects. The project, activity, or program must be under the direct or indirect jurisdiction of a Federal or State agency, including those carried out by or on behalf of a Federal or State agency; those carried out with Federal or State financial assistance; and those requiring a Federal or State permit, license, or approval. Undertakings include new and continuing projects, activities, or programs and any of their elements, including changes to the project's scope and location.
- (9) "Underwater Archaeology Branch" (OAB) is a unit of the OSA. The OAB is responsible for identifying, studying, interpreting, and protecting archaeological resources that represent the maritime history of North Carolina.

*History Note: Authority G.S. 121-8; 121-12(a); 121-23; 143B-62; 54 U.S.C. 302301, 302303, 306108; 36 C.F.R. 800.3-800.6, 800.16;
Eff. February 1, 1985;
Amended Eff. June 1, 1989;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 26, 2015;
Amended Eff. June 1, 2017.*