SECTION 106 REVIEW PROCESS

INITIATE THE PROCESS
• Establish undertaking, Coordinate with other reviews
  ❖ Consult Indian tribes, THPOs/SHPOs, other consulting parties
• Plan to involve the public
  UNDERTAKING MIGHT AFFECT HISTORIC PROPERTIES

IDENTIFY HISTORIC PROPERTIES
• Determine APE, scope of efforts, Make reasonable good faith effort, Evaluate historic significance, Determine NR eligibility
  ❖ Consult Indian tribes, THPOs/SHPOs, other consulting parties
  HISTORIC PROPERTIES MAY BE AFFECTED

ASSESS ADVERSE EFFECTS
• Apply criteria of adverse effect
  ❖ Consult Indian tribes, THPOs/SHPOs, other consulting parties
  HISTORIC PROPERTIES ARE ADVESELY AFFECTED

RESOLVE ADVERSE EFFECTS
• Develop and consider alternatives or modifications to avoid, minimize, or mitigate adverse effects
• Notify the ACHP
  ❖ Consult Indian tribes, THPOs/SHPOs, other consulting parties

NO UNDERTAKING/ NO POTENTIAL TO CAUSE EFFECTS
Section 106 Complete

NO HISTORIC PROPERTIES AFFECTED
Section 106 Complete

NO HISTORIC PROPERTIES ADVERSELY AFFECTED
Section 106 Complete

MEMORANDUM OF AGREEMENT
Section 106 Complete

FAILURE TO AGREE
COUNCIL COMMENT
36 CFR § 800.3-7
Property Types
Buildings • Structures • Objects • Sites • Districts

Eligibility = Significance + Integrity

36 CFR § 60.4 Criteria for Evaluation
(Significance)

A. Event
Associated with events that have made a significant contribution to the broad patterns of our history.

B. Person
Associated with the live of significant persons in our past.

C. Design/Construction
Embody the distinctive characters of a type, period, or method of construction, or that represents a significant and distinguishable entity whose components may lack individual distinction.

D. Information Potential
Has yielded or may be likely to yield information important in history or prehistory.

Aspects of Integrity

Setting MATERIALS LOCATION

Workmanship design

Feeling Association

Measure Change from Present Condition

36 CFR § 800.5(a)(1)
Criteria of Adverse Effect

An ADVERSE EFFECT is found when any undertaking may alter, directly or indirectly, any of the characteristics of a historic property that qualify the property for inclusion in the National Register (NR) in a manner that would diminish the property’s integrity.

ADVERSE EFFECTS may include reasonably foreseeable effects caused by the undertaking that may occur later in time, be farther removed in distance, or be cumulative.

36 CFR § 800.5(a)(2)
Examples of Adverse Effect

- Destruction or Damage of all or part of historic property
- Alteration not consistent with SOI Standards
- Removal from its Location
- Change in Use or Setting
- Addition of Visual, Audible, or Atmospheric Elements out of Character
- Neglect (when not an expected characteristic)
- Transfer, Sale, or Lease out of Federal Control