

SECTION 106 CONSULTATION

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Introduction



What is consultation?



Who does it?



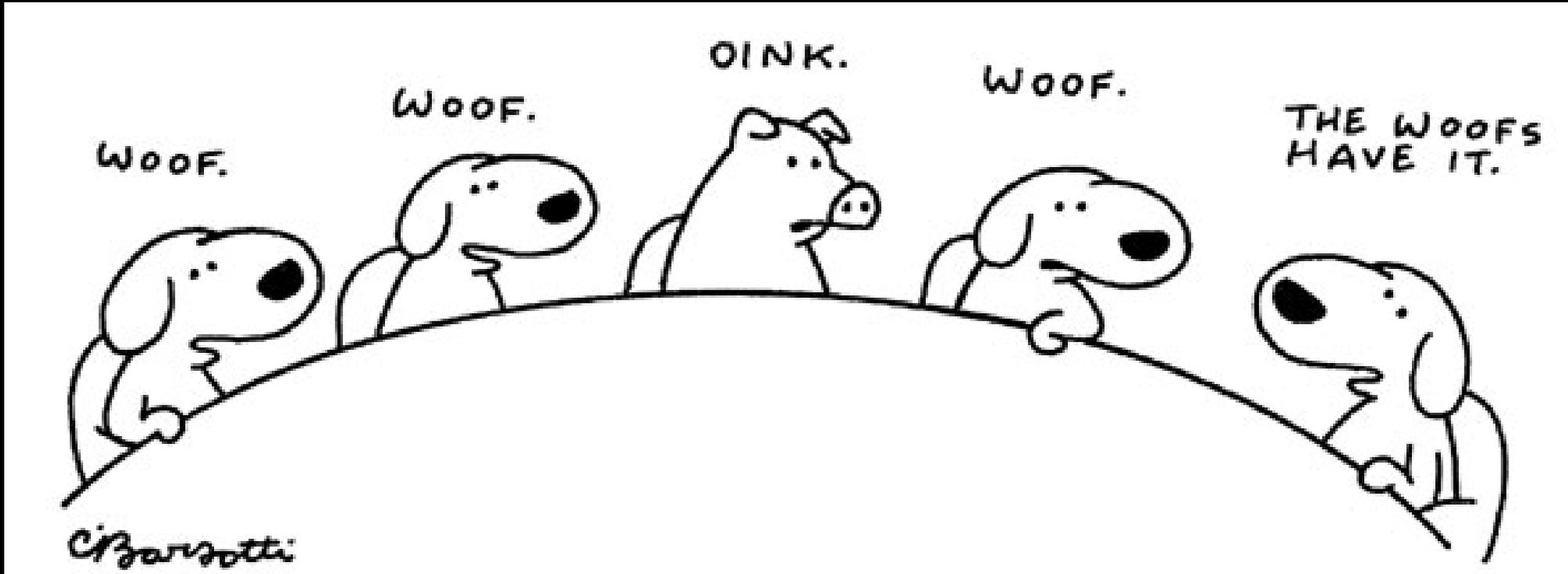
How do you participate?



How long does it take?



Implementing Regulations *36 CFR 800*



CONSULTATION IS KEY.

- Identify consulting parties
- Initiate consultation
- Determine schedule
- Provide meaningful opportunity to comment
- Create and send out documentation
- Confidentiality
- Delegation of authority



*The federal agency
drives the bus.*

Consulting Parties



- State Historic Preservation Officer (SHPO)
- Tribal Historic Preservation Officer (THPO)
- Indian Tribes and Native Hawaiian Organizations
 - Federally Recognized Tribes and ANCSA Corporations
- Local Governments
- Applicants
- Interested Parties
- Public

- **Parties can request to be a consulting party.**

- ACHP Guidance to Consulting Parties
 - <https://www.achp.gov/digital-library-section-106-landing/guidance-assistance-consulting-parties-section-106-review>

Identify Consulting Parties



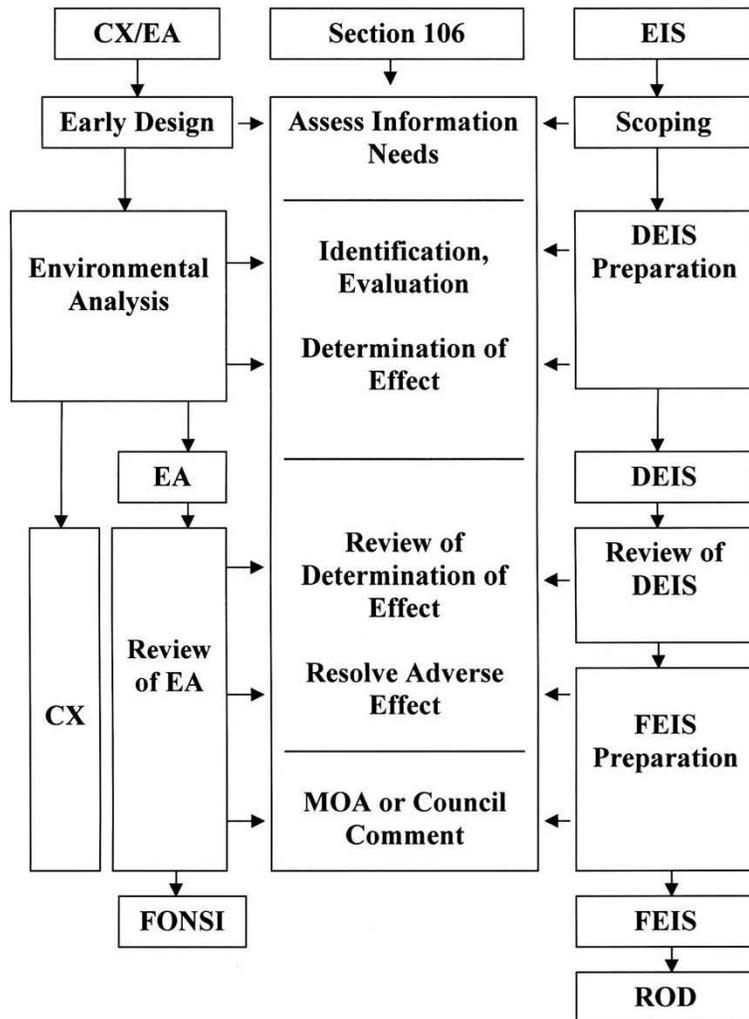
- State Historic Preservation Officer (SHPO)
 - oha.revcomp@alaska.gov
 - <http://dnr.alaska.gov/parks/oha/>
- Local Governments
 - Alaska Community Database Online
 - <https://dcra-cdo-dccd.opendata.arcgis.com/>
 - Certified Local Governments (CLGs)
 - <http://dnr.alaska.gov/parks/oha/clg/clgcontacts.pdf>
- Interested Parties



Tribes

- Includes ANCSA Corporations
- Government to Government Consultation
 - Federally Recognized Tribes
- Identifying properties of religious and cultural significance
- Tribal Historic Preservation Officer (THPO)
 - Kake
 - <http://www.kake-nsn.gov/realty--trust.html>
- Resources:
 - Tribal Leaders Directory Map
 - https://www.bia.gov/sites/bia.gov/libraries/maps/tld_map.html
 - Tribal Directory Assessment Tool (TDAT)
 - <https://egis.hud.gov/TDAT/>

COORDINATION BETWEEN NEPA AND SECTION 106



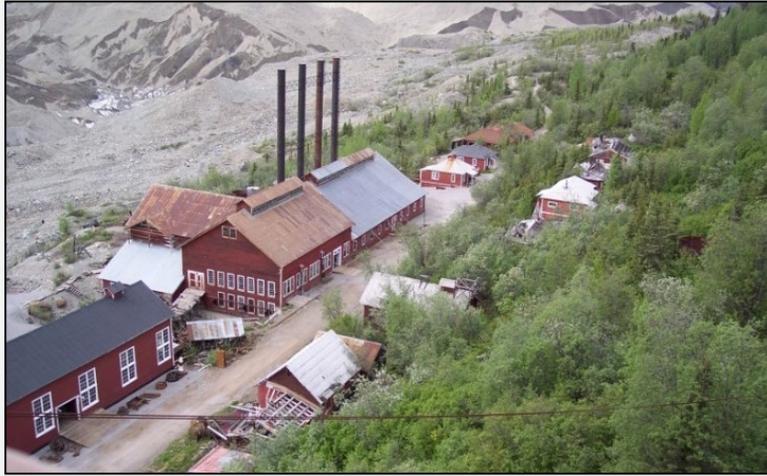
The Public and Consulting Parties must be notified and given the opportunity to comment during each step of the Section 106 review process.

SECTION 106 – NEPA COORDINATION



Best Practices

- Make a consultation plan
 - Time of year
 - Lead time
 - Size and scope of project
- Consider staffing obligations
 - Regular staff meetings
 - Multiple projects
- Consult outside of projects
 - Establishing and maintaining relationships with consulting parties



Best Practices

- **Allow sufficient time for comment**
 - Do not wait to contact SHPO
 - 30 day review period
- **Provide organized documentation**
 - Clearly stated determinations and findings
 - Adequate information
 - Consider using tables for large numbers of sites
 - Maps and photographs

Questions?

