

Consultation Under Section 106 of the National Historic Preservation Act (NHPA) with focus upon consultations with Native Americans

SECTION 106 CONSULTATIONS

1. What is the federal undertaking?
 - Project by or on behalf of the federal government
 - Federal funding
 - Federal permit or license
 - Federal approval

2. What is the area of potential effect (APE)?
 - Direct physical impact
 - Vibration
 - Sight
 - Smell
 - Noise

3. What is the historic property in the area of potential effect?
 - Listed on the National Register of Historic Places
 - Eligible for listing under the four criteria
 - a. Association with historic event
 - b. Biographical association
 - c. Construction characteristics
 - d. Data – information benefit
 - e. Properties of religious or cultural importance to tribes per Section 101(d)6(B) of the NHPA

4. Evaluate the impacts of the undertaking on the historic property in the area of potential effect. Are any of the impacts adverse? Do they diminish any of the four criteria characteristics by which the property qualified for listing or eligibility?

5. Resolve the adverse impacts in consultation with the SHPO, interested parties, and the ACHP or NPS (if necessary).
 - Avoid
 - Minimize
 - Or mitigate

6. Document the resolution of the adverse impacts through a memorandum of agreement (MOA) or a programmatic agreement (PA).