Section 106 Process

This flowchart generally describes the four basic steps of the Section 106 historic preservation review process. Each step requires the appropriate level of consultation and public participation. For details, please refer to 36 CFR Part 800. Step 1: Is Proposed Action an NO **Initiate Consultation** 800.3 YES Potential to Cause NO **LEGEND** YES Identify the SHPO/THPO Decision Review Period Identify consulting parties, including tribes Bold boxes denote major consultation Finding Plan public involvement Define Area of Potential Effect (APE) Review existing information regarding APE Identify and Evaluate Properties in APE Talk to consulting parties Talk to Federally recognized Tribes or Native Hawaiian orgs Historic No Historic National Register listed or eligible properties Properties Properties Affected Affected Evaluate all other properties in APE Step 2: 30-Day Review **Identify and Evaluate** Consulting Parties Historic Properties 800.4 Objection * If objection can't be resolved, see 800.4(c)(2) and/or 800.4(d)(1)(ii). NO Apply Adverse Effect Criteria Step 3: **Assess Effects** 800.5 No Adverse Adverse Effects Effects 30-Day Review Consulting Parties Objection? * If objection can't be resolved, see 800.5(c)(2) & (3). YES Changes to Avoid Adverse Effects? NO Invite ACHP to Step 4: Notify Advisory Council on Historic Preservation Participate Resolve Adverse **Effects** 800.6 Negotiate with Consulting Parties on ways to: Avoid, Minimize, or Mitigate 15 Days to Respond * If negotiations deadlock, see Adverse Effects 800.7. File Draft and Sign Agreement Agreement Document Document with ACHP