



National Preservation Institute

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Section 106: An Introduction

Seminar Overview

Learn the basics of Section 106 of the National Historic Preservation Act. Explore practical approaches to working through the compliance process, including identification, eligibility, and integrity of different types of properties, places, and landscapes. Review other federal laws that may require consideration of historic properties. Consider how to engage in consultation and coordination throughout the process. Discuss how to differentiate direct and indirect effects, address the impact of cultural biases, and understand the principles behind agreement documents.

Agenda

Day 1

- Introductions
- Overview of federal laws that impact historic properties
- What is Section 106?
- The four steps of the Section 106 process
 - Initiation of the process
 - Identifying historic properties
 - Assessing effects
 - Resolving adverse effects
- Initiating Section 106 compliance
- Identifying historic properties
- Identifying people and concerns
- Engaging in consultation and coordination
- Defining the Area of Potential Effects
- Determination of eligibility
- Elements of integrity
- Meeting the “reasonable and good faith” standard
- *Exercise:* Defining an area of potential effects

Day 2

- Definition of effect
- Direct and indirect effects
- Applying the criteria of adverse effect
- Special situations—National Historic Landmarks
- Resolving adverse effects
- Addressing cultural biases
- Guidelines for effective consultation
- *Exercise:* Preparing for a consultation meeting
- Developing a Memorandum of Agreement
- Failure to resolve adverse effects
- Programmatic Agreements
- Emergency situations