



SECTION 106 CONSULTING PARTY PROCESS IN NEW HAMPSHIRE

In the National Historic Preservation Act (NHPA), Congress established a comprehensive program to preserve the historical and cultural foundations of the Nation as a living part of community life. Section 106 of NHPA is crucial to that program, because it requires consideration of historic preservation in the multitude of Federal actions that take place nationwide and throughout New Hampshire.

Section 106 requires Federal agencies to consider the effects of their actions on historic properties and provide the Advisory Council on Historic Preservation (ACHP) an opportunity to comment on Federal projects prior to implementation.

For more information on how you can become a consulting party contact:

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To successfully complete Section 106 review, Federal agencies must:

- Determine if Section 106 of NHPA applies to a given project and, if so, initiate the review;
- Gather information to decide which properties in the project area are listed in or eligible for the National Register of Historic Places;
- Explore alternatives to avoid or reduce harm to historic properties;
- Determine how historic properties might be affected; and
- Reach agreement with the State Historic Preservation Officer (SHPO)/tribe (and the ACHP in some cases) on measures to deal with any adverse effects.

Throughout Section 106 review, Federal agencies must consider the views of the public.

The New Hampshire Department of Transportation (NHDOT) actively seeks comments through a public participation process.

Most projects include one or more public informational meetings to inform the public and solicit input on the current status of each project as it evolves. Additional input from the general public can be obtained at the Public Hearing.

When cultural resources are located within a project area, NHDOT will ask at public meetings whether or not appropriate institutions and individuals would like to participate as consulting parties. Approved consulting parties also have the opportunity to provide input at regularly scheduled bi-monthly Cultural Resource Agency Coordination Meetings.



Who Are “Consulting Parties”?

The following parties are entitled to actively participate as consulting parties during Section 106 review:

- State Historic Preservation Officers
- Indian tribes
- Local governments
- Historical Societies
- Historical Commissions
- Property owners in the project area

Other individuals and organizations with a demonstrated interest in the project may participate in Section 106 review as consulting parties “due to the nature of their legal or economic relation to the undertaking or affected properties, or their concern with the undertaking’s effects on historic properties.”

The Federal Highway Administration will consider requests and decide who meets the criteria to become a consulting party.

Consulting parties are entitled to share your views, receive and review pertinent information, offer ideas, and consider possible solutions together with the Federal agency and other consulting parties.

Consultation does not mandate a specific outcome. It is the process of seeking consensus about how the effects on historic properties should be handled.