



Ambler Road Environmental Impact Statement

Guide to Understanding the Section 106 Process—Alaska

Federal agencies are required to take into account the effects of their undertakings on historic properties under Section 106 of the National Historic Preservation Act (NHPA). The Bureau of Land Management (BLM) is the Lead Federal Agency for preparing the Ambler Road Environmental Impact Statement (EIS) under both the National Environmental Policy Act (NEPA) and Section 106.

What is the Section 106 Process?

Section 106 of the NHPA requires that Federal agencies consult with State or Tribal Historic Preservation Officers (SHPOs/THPOs), tribal entities, local governments, NGOs, landowners, and other interested parties for the purpose of identifying historic properties and Traditional Cultural Properties (TCPs); assessing the effects of the undertaking (in this case, the Ambler Road project) on those historic properties; and to resolve or mitigate any adverse effects to those properties.

- General guidance on Section 106: <http://www.achp.gov/usersguide.html>
- Citizens' guide to Section 106: <http://www.achp.gov/docs/CitizenGuide.pdf>

What is a Historic Property?

A historic property is defined as "any prehistoric or historic district, site, building, structure, or object included in, or eligible for inclusion in, the National Register of Historic Places....this includes artifacts, records, and remains that are related to, and located within, such properties....[and] includes properties of traditional religious and cultural importance to tribes" or other entities [36 CFR 800.15(l)(1)].

- Federal regulations for Section 106: <http://www.achp.gov/regs-rev04.pdf>

What is the National Register of Historic Places (NRHP)?

The NRHP is a federally maintained list of historic properties that are considered important to the nation's cultural heritage and history. A historic property must meet one of the following criteria to be considered eligible:

- a) Associated with significant events that have contributed to history.
- b) Associated with a significant person in the past.
- c) Embody the characteristics of a type of construction or represent the work of a master (artist, architect, etc.).
- d) Have yielded or can yield information important to our history or prehistory.

The criteria also apply to TCPs and places of cultural or religious significance to tribes and other entities.

- NRHP guidance: <https://www.nps.gov/nr/publications/bulletins/nrb15/>

Key Section 106 Steps:

Consultation

Consultation is the dynamic and good-faith process of seeking, discussing, and considering the views of the other participants, and is a cornerstone of the Section 106 Process. The views of the consulting parties are essential for informed decision-making on matters regarding Section 106. It is the responsibility of the federal agency (in this case, BLM) to seek and consider the views of the consulting parties.

If you or your organization wishes to be a consulting party, or have information to share about historic properties within the Ambler Road project area, please contact BLM Field Office Manager Tim La Marr.

Guidance for Indian Tribes and Native Hawaiian Organizations: What to Ask the Federal Agency in the Section 106 Process:

- <http://www.achp.gov/docs/What%20to%20ask%20in%20Section%20106.pdf>

Identification of Historic Properties

Section 106 requires historic properties to be identified within an area of potential effect (APE) along the project route. The APE and identification efforts are defined through consultation, but often include consultation with tribal and local experts who are familiar with the area, and on-the-ground surveys by subject matter experts (e.g., archaeologists, cultural resource specialists, historians) to identify artifacts, structures, sites, TCPs, or other culturally significant locations within the APE.

- TCP Guidance: <https://www.nps.gov/nr/publications/bulletins/pdfs/nrb38.pdf>

Evaluation and Determination of Effects

After historic properties have been identified within the APE, they are determined either eligible or ineligible for the NRHP. Any potentially adverse effects (e.g., destruction, damage, or alteration) to eligible sites are then evaluated and resolved or minimized through consultation, if possible. If adverse effects cannot be resolved or minimized, they will be mitigated through appropriate measures that are determined by the consulting parties.

If you have questions or comments on the Ambler Road EIS Section 106 Process, please contact:

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