



What is Section 106?

Section 106 of the National Historic Preservation Act of 1966 requires Federal agencies to consider the effects of their actions on historic properties. The NHPA created the Advisory Council on Historic Preservation (ACHP), primarily to ensure Federal agencies consider historic preservation concerns throughout project planning. Section 106, the implementing regulations of the NHPA codified at 36 CFR Part 800, requires the Federal agency official to consult with other parties with an interest in the effects on historic properties. Section 106 defines other parties as Consulting Parties. The Section 106 process, used by ODOT for projects like this one, seeks to incorporate historic preservation values into project planning through consultation with the agency official and Consulting Parties.

Who are the Consulting Parties?

Required Consulting Parties include:

- Ohio Department of Transportation
- State Historic Preservation Office (SHPO)
- Tribal Historic Preservation Office (THPO)
- Local Public Agency (City, Township, etc.)

Invited Consulting Parties include:

- Individuals or organizations with a demonstrated interest in the effects of the undertaking on historic properties
- Certified Local Governments
- Local Historical Societies

ODOT, in conjunction with the SHPO, will review all written requests and applications to be considered a Section 106 Consulting Party. Upon acceptance, ODOT will issue a formal written notification to the applicant. Consulting Parties will be provided opportunities to participate in the Section 106 process throughout project development. They assist in the identification of other Consulting Parties, provide local expertise, review and comment on documentation, and participate in the identification of measures to mitigate adverse effects to historic properties. Consultation is a dynamic good-faith process of discussing options, considering multiple views, and seeking agreement among a variety of parties. Regular attendance, active participation, and constructive comments from all Section 106 Consulting Parties is encouraged throughout the process.