

11 SCOTT MANNING: All you talking back there,
12 can you mellow out for a minute. Thank you. Everyone
13 came to listen.

14 I'm just going to follow up with Uncle Ed here
15 with Section 106 regulation summary so everyone
16 understands what that is. Who's interested in that?
17 Anyone interested in that? All right, cool.

18 For the record, Section 106 of the National
19 Historical Preservation Act of 1966. NHPA requires
20 federal agencies to take into account the effects of
21 their undertakings on historic properties and afford the
22 Advisory Council on Historic Preservation a reasonable
23 opportunity to comment.

24 The historic preservation review process
25 mandated by Section 106 is outlined in regulations
1 issued by ACHP revised regulations, protection of
2 historic properties, 36 CFR Part 800, became effective
3 January 11, 2001, and are summarized below.

4 Initiate Section 106 process: The responsible
5 federal agency first determines whether it has an
6 undertaking that is a type of activity that could affect
7 historic properties. Historic properties are properties
8 that are included in the National Register of Historic
9 Places or that meet the criteria for the National
10 Register.

11 If so, it must identify the appropriate state
12 historic preservation officer, tribal historic
13 preservation officer, SHPO, THPO, to consult with during
14 the process. It should also plan to involve the public
15 and identify other potential consulting parties.

16 If it determines it has no undertaking or that
17 its undertaking is a type of activity that has no

18 potential to affect historic properties, the agency has
19 no further Section 106 obligations.

20 Identify the historic properties: If the
21 agency's undertaking could affect historic properties,
22 the agency determines the scope of appropriate
23 identification efforts and then proceeds to identify
24 historic properties and the area of potential effects.

25 The agency reviews background information,
1 consults with the SHPO/THPO and others, seeks
2 information from knowledgeable parties and conducts
3 additional studies as necessary. Districts, sites,
4 buildings, structures and objects listed in the national
5 register are considered.

7 SCOTT MANNING: Unlisted properties are
8 evaluated against a National Park Service's published
9 criteria and consultation with the SHPO/THPO and any
10 Indian tribe or Native Hawaiian organization that may
11 attach religious or cultural importance to them.

12 So I know I just have a few seconds here. But
13 public involvement is a key ingredient in successful
14 Section 106 consultation, and the views of the public
15 should be solicited and considered throughout the
16 process. The regulations also place major emphasis on
17 consultation with Indian tribes and Native Hawaiian
18 organizations in keeping with the 1992 amendments.

20 SCOTT MANNING: All right. Thank you.

21 (Applause.)