Section 106 Process under the National Historic Preservation Act

This is a general overview of the Section 106 process for a non-technical reader.

The Section 106 process is conducted by a FEMA EHP Specialist who meets the Secretary of the Interior’s Professional Qualification Standards. Applicants can provide information to help inform the process; however, FEMA makes all decisions. The Section 106 process may involve and require input from the SHPO, federally-recognized tribes and Native Hawaiian Organizations, interested parties, and/or members of the public. The Section 106 process must be completed prior to project approval and obligation.

Decision point

Outcome

* Undertaking is defined in 36 CFR Part 800. Generally an undertaking is a project, activity, or program funded directly or indirectly by a Federal agency; a project carried out with Federal financial assistance; and/or a project requiring a Federal permit, license or approval.

** The subrecipient, as the project proponent, is uniquely situated to consider how their proposed scope of work may affect historic properties. The subrecipient will be required to provide information to the Recipient, FEMA, and consulting parties, to inform the consultation process regarding avoidance and minimization measures considered.

End of Section 106 Review Process

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“FEMA’s mission is to support our citizens and first responders to ensure that as a nation we work together to build, sustain, and improve our capability to prepare for, protect against, respond to, recover from, and mitigate all hazards.”