



Section 106 - Federal Agency Compliance

The OHP is charged with ensuring that projects and programs carried out or sponsored by federal and state agencies comply with federal and state historic preservation laws and that projects are planned in ways that avoid or minimize adverse effects to heritage resources. OHP reviews and comments on several thousand projects annually.

Federal and federally-sponsored programs and projects are reviewed pursuant to Sections 106 and 110 of the National Historic Preservation Act. [Section 106](#) of the **National Historic Preservation Act (NHPA)**, as amended, requires federal agencies to consider the effects of proposed federal undertakings on historic properties. NHPA's implementing regulations found in 36 CFR Part 800, require federal agencies (and their designees, permittees, licensees, or grantees) to initiate consultation with the State Historic Preservation Officer (SHPO) as part of the Section 106 review process.

[Updated Submission Guidance](#)

Section 106 Submission Checklist

The OHP offers a [Section 106 Submission Checklist](#) that identifies the information that should be submitted to us for review of undertakings pursuant to Section 106.

This checklist is intended as a tool for entities consulting with our office – it should not be submitted with your request for consultation.

Consultation with the SHPO

We are currently accepting and encouraging electronic submissions of consultation requests and materials.



requesting any requested information is not received in the community, the assigned OHP reviewer will contact the agency (or applicant) and request this information. The 30-day review clock resets each time OHP makes a request for additional information.

OHP webinar: [I Concur: Consulting with the SHPO under Section 106](#)

Findings of Adverse Effect

Should it be determined that the project may have an adverse effect to any historic property, the Advisory Council for Historic Preservation is notified by the agency and negotiations begin to find ways to avoid, minimize, and/or mitigate the adverse effects to the historic property (36 CFR Part 800.6). These measures are memorialized between the appropriate parties (e.g., the federal agency, the SHPO, the Advisory Council, and others) in either a Memorandum of Agreement or a Programmatic Agreement. Such agreements are initially drafted by the agency (or the applicant in some cases) and reviewed and responded to by the SHPO, and the Advisory Council (if the Council decides to participate in the document). There is no time limit for the preparation of an agreement document; however, OHP reviewers make every attempt to respond to draft agreements within 30 days of their receipt. For more information on preparing agreement documents, see the [Advisory Council's Guidance on Agreement Documents](#).

Section 106 Review - Helpful Links

[Uniform Standards for Tribal Consultation](#)

(Presidential Memorandum, November 30, 2022)

Advisory Council on Historic Preservation (ACHP):

[ACHP Section 106 Tool Kit](#)

[ACHP Citizen's Guide to Section 106 Review](#)

[ACHP Citizen's Guide to Section 106 Review-Spanish](#)

[ACHP Section 106 Regulations Questions and Answers](#)



[ACHP Guidance on Agreement Documents \(GAD\)](#)

[ACHP Guidance on Assistance to Consulting Parties](#)

[ACHP Guidance on Tribal Consultation](#)

[ACHP Improving Tribal Consultation in Infrastructure Projects](#)

[National Environmental Policy Act](#)

National Park Service (NPS)

[National Register Bulletins](#)

[Technical Preservation Services](#)

[The Secretary of the Interior's Standards and Guidelines for
Treatment of Historic Properties](#)

[Secretary of Interior's Standards and Guidelines for Archeology
and Historic Preservation](#)

[HABS/HAER/HALS/CRGIS](#)

Related Pages

- [> The FCC & Section 106 Review](#)
- [> American Recovery Act & Section 106 Reviews](#)
- [> PRC 5024/5024.5 - State Agency Compliance](#)
- [> Climate Action](#)

Main Address:

Office of Historic Preservation
1725 23rd Street, Suite 100



State programs and projects are reviewed pursuant to California [Public Resources Code 5024 & 5024.5](#).

Local governments often have ordinances that require review of projects at the local level. For information on these types of programs, contact the local government with jurisdiction over the resource in question.

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Important Links

- [> Archaeology](#)
- [> Architectural Review](#)
- [> Certified Local Government \(CLG\)](#)
- [> CA Historical Resources Info. Sys.\(CHRIS\)](#)
- [> Federal Historic Tax Credits](#)
- [> Forms](#)
- [> Funding for Historic Preservation](#)
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