



Integrating *National Historic Preservation Act* Section 106 Compliance into the NEPA Process

Notify Consulting Parties and Initiate Consultation

- ◆ Secretary of the Interior, State Historic Preservation Officers, Advisory Council on Historic Preservation, Tribal Historic Preservation Officers and other tribal representatives, and other stakeholders.
- ◆ Identify/discuss historic preservation issues associated with the Black Hills Health Care System reconfiguration alternatives.

Identify Historic Properties and Traditional Cultural Properties

- ◆ Establish areas of potential effect for the EIS alternatives.
- ◆ Identify known and potential cultural resources and their status or eligibility for listing on the National Register.
- ◆ Document findings as the Affected Environment for cultural resources in the EIS.

Assess Potential Effects

- ◆ Evaluate potential impacts to cultural resources using Section 106 criteria.
- ◆ With consulting parties, identify measures to avoid, minimize, or mitigate effects on historic properties.
- ◆ Document findings in the EIS as part of the Environmental Consequences and Mitigation Measures for cultural resources impacts.

Additional Consultation and Public Involvement

- ◆ Provide adequate opportunity for consulting parties' input prior to finalizing the Draft EIS.
- ◆ Notify National Park Service of potential effects on the Battle Mountain Sanitarium, a National Historic Landmark.
- ◆ Provide ongoing information to the public on the Section 106 process and its integration into the NEPA process.
- ◆ Document all Section 106 consultation activities in the EIS and its Administrative Record.

Concluding Section 106 Consultation

- ◆ If preferred alternative can potentially affect a historic property, identify mitigation strategy: Memorandum of Agreement, Programmatic Agreement, other binding mitigation commitment made in the VA's Record of Decision.
- ◆ Implement the selected alternative and any associated mitigation.

Section 106 of the *National Historic Preservation Act*:

Federal agencies must:

- Identify and assess effects of actions on historic properties
- Avoid, minimize, or mitigate those effects
- Provide the Advisory council on Historic Preservation a reasonable opportunity to comment

Agencies are encouraged to coordinate Section 106 compliance with NEPA.

Federal regulations permit "substitution" of NEPA review for the Section 106 process. Historic properties analysis is integrated into NEPA public involvement, agency coordination, impact analysis, and the agency decision.