

Georgia Department of Natural Resources
Historic Preservation Division

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MEMORANDUM

TO: Site File Users

FROM: Mark R. Edwards, State Historic Preservation Off

ISSUE: Consulting with the GaSHPO in Compliance with Section 106

Section 106 of the **National Historic Preservation Act** (NHPA) requires a Federal agency head with jurisdiction over a federal, federally assisted, or federally licensed undertaking to take into account the effects of the agency's undertakings on historic properties (e.g., archaeological sites) included in or eligible for the National Register of Historic Places. The State Historic Preservation officer's (GaSHPO) responsibilities under NHPA include the following:

Consulting with the appropriate Federal agencies in accordance with the Act on Federal undertakings that may affect historic properties and on the content and sufficiency of any plans developed to protect, manage, or to reduce or mitigate harm to such properties; and

Advising and assisting, as appropriate, Federal and State agencies and local governments in carrying out their historic preservation responsibilities.

Therefore, a federal agency official, or the agency's representative (consultant or contractor), must consult directly with the GaSHPO for the purposes of assessing information needs, of locating archaeological sites, and of evaluating archaeological significance to comply with Section 106 and the Advisory Council's regulations. Although research of the Site file is an important step in compiling information about archaeological sites in a project area, discussion of a project or compliance needs with the site file staff does not replace or fulfill an agency's Section 106 requirement to consult with the GaSHPO. Any recommendations or advice given by the site file staff should not be construed as coming from the GaSHPO.