



Preserving America's Heritage

## Section 106 Reviews for FCC Telecommunications Facility Undertakings

# Ten Tips from the ACHP

*Here are some suggestions for navigating the process of resolving adverse effects and for developing successful Section 106 agreement documents:*

1. Good consultation begins with good documentation: ensure that your Form 620 or 621 is complete and accurate.
2. There's no prohibition against going beyond what the standardized forms require. Use your judgment and the input of consulting parties to determine whether a little extra effort might benefit your Section 106 consultation process.
3. Start the Section 106 review process early so that you have the opportunity to consider alternatives to avoid and minimize (not just mitigate) adverse effects in Step 4 of the review process.
4. Coordinate Section 106 reviews with local administrative reviews to take advantage of project planning efficiencies and opportunities for public outreach.
5. Look beyond the SHPO/THPO: involve other consulting parties in developing mitigation measures by inviting them to share their ideas.
6. Acknowledge the unique expertise Indian tribes and Native Hawaiian organizations have in determining appropriate treatment measures for sites of religious and cultural significance to them.
7. Consider local plans and community preservation goals when developing mitigation measures.
8. Break the MOA habit: just because you carried out one form of mitigation for a past project does not mean it's the best choice for the next undertaking.
9. Make sure the nexus between a mitigation activity and the undertaking is clear.
10. MOA stipulations should be written so it is easy to understand who is going to do what and when they must complete the task.

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