

**DEPARTMENT OF PARKS AND RECREATION  
OFFICE OF GRANTS AND LOCAL SERVICES**

**Outdoor Recreation Legacy Program Procedure for Section 106**

All projects recommended to National Park Service for federal funding through the Outdoor Recreation Legacy Partnership Program (ORLP) must comply with Executive Order 11593 and Section 106 of the National Historic Preservation Act, as amended (Section 106), and its implementing regulations found at 36 CFR Part 800. Applicants must complete the following process, presented in Table 1 below, to document that Section 106 compliance has been met for their project. Section 106 **documentation cannot be older than 5 years** from date submitted to the State Historic Preservation Officer (SHPO) for approval.

## ORLP ENVIRONMENTAL TIMELINE

Event	Date/Deadline
NPS ORLP Announcement	September 24, 2024
OGALS Environmental Workshop	October 24, 2024
NEPA/ESA/Federal Permit Notification or Concerns to Kristen	December 2, 2024
Section 106 APE Letter and Maps to Katie	December 6, 2024
Existing CEQA Documents to ShareHub	December 15, 2024
NAHC List to Katie	January 6, 2025
Highlighted CEQA Documents to ShareHub (if applicable)	May 15, 2025
Section 106 LOE/FOE Letter and Documentation to Katie Vallaire	June 6, 2025
A&R Form Section 3C to Kristen	June 16, 2025
ALL Post Selection Federal Requirement Documents to OGALS	September 17, 2025

Table 1 ORLP Section 106 Process

SECTION 106					
Step	Phase	Action	Responsible Org. & Due Date	Responsible Person	Notes
1	Initial Contact	Contacts the Grantee to inform them that their ORLP application was approved by NPS	OGALS	N/A	<a href="#">Technical Assistance &amp; Forms Library</a> <a href="#">CA LWCF Post Selection Hub - City of Beaumont - All Documents</a>
2	Tribal Consultation	<p>Request a <a href="#">Sacred Lands File search and contact list</a> from the Native American Heritage Commission (NAHC). * When the NAHC responds, forward the results and the list of potentially interested tribal representatives to OGALS.</p> <p>Grantee prepares a draft initial outreach letter with maps and submits it to OGALS for review. OGALS will coordinate with the Grantee and NPS to send letters to the tribal representatives listed on the NAHC contact list. Grantee makes follow up telephone calls to representatives that do not respond to the initial outreach. Outreach should be done as early as possible, if feasible, anytime between Steps 2 and 6.</p>	<p>Grantee or their Consultant, OGALS, and NPS</p> <p><b>January 6, 2025</b></p>	Cogstone	<p>NPS Section 106 Consultant Standards - <a href="https://www.nps.gov/articles/sec-standards-prof-quals.htm">https://www.nps.gov/articles/sec-standards-prof-quals.htm</a></p>

3	Consultant Selection	<p>Review the <a href="#">Office of Historic Preservation (OHP) Checklist for Section 106</a> that outlines the Section 106 process and requirements. *</p> <p>The Grantee hires a consultant that meets the professional qualification standards set by the Secretary of Interior, found in 36 CFR Part 61. Grantees may wish to refer to the California Historical Resources Information System (CHRIS) Consultant List as a tool: <a href="http://chrisinfo.org">chrisinfo.org</a>.</p>	Grantee	Cogstone	<p>California Historical Resources Information System's Consultants List <a href="#">Search - CHRIS Consultants List (chrisinfo.org)</a></p>
4	Define Undertaking and Delineate Area of Potential Effect (APE)	<p>Propose a Description of Undertaking (a detailed project scope) and development of an APE (including, if warranted, an Indirect APE and Direct APE).</p> <p>Prepare a <i><u>draft</u></i> APE transmittal letter * in Microsoft (MS) Word format that addresses all elements in <b>Section III and III(A) of the <a href="#">OHP Checklist for Section 106</a></b>.</p> <p>Submit the draft APE transmittal letter to OGALS. The APE transmittal letter must include, as attachments, APE map(s) and resumés for consultants or individuals assisting with the Grantee's Section 106 tasks demonstrating they meet the professional qualification standards found in 36 CFR Part 61.</p> <p>APE delineation is a critical step of the Section 106 process. The APE is based on the Description of Undertaking, so it is critical that all proposed scope items and their associated construction activities are reported in the Description of Undertaking.</p>	Grantee's Consultant	COGStone & Placeworks	<p><b>APE Partner Share Hub folder</b> <a href="#">APE for ORLP</a></p>

5	Level of Effort/Finding of Effect	<p>Conducts tasks to identify Historic Properties and propose a Finding of Effect for the project. See <b>Section IV and V in the <a href="#">OHP Checklist for Section 106</a></b>. Tasks will include, but may not be limited to, the following bulleted items. If resources are identified in or adjacent to the APE, additional steps may be required. Contact OGALS for more details.</p> <ul style="list-style-type: none"> <li>• Request a record search through the appropriate CHRIS Information Center.</li> <li>• Conduct a pedestrian survey and background research to compile the necessary historic context and data for evaluation.</li> <li>• Conduct outreach to interested parties to request input regarding historic, tribal, or archaeological resources.</li> <li>• Identify the appropriate Finding of Effect for the project.</li> </ul>	Grantee's Consultant	Cogstone/Place works	<a href="#">Step 6 and 7 Level of Effort and Finding of Effect</a>
7	Section 106 Findings Letter	<p>Prepares a Level of Effort/Finding of Effect (LOE/FOE) transmittal letter in MS Word format * and submits to OGALS for review. The letter must include, as an attachment, a report summarizing the methods and results from Step 6. Other attachments, if not included as appendices to the report, must include a consultation log summarizing the outreach conducted to date and all copies of NAHC and tribal consultation documentation, the records search results, and any cultural resource records and/or evaluations prepared or identified as part of the study.</p>	Grantee's Consultant	Cogstone/Place works	<a href="#">Step 6 and 7 Level of Effort and Finding of Effect</a>

8	Concurrence	<p>OGALS submits the final LOE/FOE transmittal letter and associated documentation to SHPO and requests comments on the level of effort, consensus on eligibility determinations, and concurrence on the finding of effect. If eligibility evaluations are included in the submittal, SHPO's review may take up to sixty calendar days. OGALS will notify the applicant upon SHPO concurrence and provide a copy of the response letter.</p> <ul style="list-style-type: none"> <li>OGALS submits the LOE/FOE letter with all supporting documentation to SHPO</li> <li>SHPO has 30-60 days to review</li> <li>OGALS will forward you the response letter and advise on any revisions that may be necessary.</li> <li>Once SHPO concurs with your Finding of Effect, CONGRATULATIONS! This is the "concurrence letter" NPS will require as documentation that the Section 106 process has been completed.</li> <li>If conditions are recommended by SHPO or other consulting parties, additional consultation will be necessary. Section 106 conditions will be included in an Action Plan provided to you by OGALS.</li> </ul>	OGALS and SHPO	N/A	
9	Project Implementation	<p>Grantee agrees to follow all Section 106 conditions set forth to treat, protect, and/or avoid effects to cultural resources during project implementation.</p> <p><u>Construction or ground disturbance within the APE cannot begin until NPS makes their final Section 106 determination of effect.</u> OGALS will provide an Action Plan to the Grantee that stipulates all environmental commitments for the project.</p>	Grantee	N/A	

NEPA					
1	Existing Documents	<p>Submit all existing environmental documents:</p> <ul style="list-style-type: none"> <li>- Notice of Exemption (<b>submitted – CEQA</b>)</li> <li>- Initial Study (IS) or Environmental Impact Report (EIR)</li> <li>- Biological Report</li> <li>- Air emissions analysis report</li> </ul>	Grantee  December 15, 2024		<p>Can submit either drafts or final of these documents.</p> <p><a href="#">NPS NEPA Handbook</a></p>
2	A&R Form	<p>Table 1, assess how the product will affect various resources, indicate positive impacts for all positive or neutral resource impacts, indicate negative impacts where the resource will be permanently and adversely impacted, and indicate a “?” or “unknown” only if there is ongoing environmental study and the full impacts of the project for that resource are unknown.</p> <p><i>*Please note</i> that the question mark signifies additional work by your agency is being done or will be done prior to construction on the project.</p> <p>If a resource is not found on or near the site, you can leave that row blank and include a note at the bottom of the table.</p> <p>Table 2 asks to address the possibility of significant or controversial effects the project may have. The document indicates that if the answer to any of these items is marked “yes” or “unknown” an EA or EIS needs to be prepared. Please reach out to NPS ASAP.</p>	Information for Section 3C prior to 6/16/2025		<p><a href="#">A&amp;R Form and Guide</a></p> <p><i>*includes a guide with the required sections highlighted</i></p>

**Email Address for Section 106 Submittals and Questions:**

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