



# Participants in the Section 106 Process

## Maryland Historical Trust

Section 106 regulations (36 CFR 800.2) define the key participants in the review process as follows. It is the agency's responsibility to invite relevant parties to engage in consultation, although some of these parties may decline if they choose. Participants may include the following:

- **Agency official** – the specific state or federal agency responsible for undertaking the project or providing funds, permits, or licenses for the project has the primary responsibility to consult with the other parties.
- **Advisory Council on Historic Preservation (ACHP)** – the ACHP participates in the consultation for certain federal projects that may adversely affect historic properties.
- **State Historic Preservation Officer (SHPO)** – MHT serves as the SHPO office for Maryland. For projects that may involve multiple states, the National Conference of State Historic Preservation Officers (NCSHPO) provides contact information for SHPOs nationwide.
- **Indian Tribes** – Although there are currently no federally recognized tribes in Maryland, Section 106 requires agencies to consult with federally recognized Indian Tribes for projects that may affect historic properties on tribal lands or may affect historic properties for which Indian tribes attach religious and cultural significance.
- **Local governments** – Representatives of a local government with jurisdiction over the area where the project will occur are entitled to participate. For information on county and municipal historic preservation programs, Certified Local Governments, and local historic district or preservation commissions click here.
- **Applicants for state/federal assistance, permits, or licenses** – the applicants for state or federal funds, permits or licenses have a key role in the consultation. Ultimately, the involved state or federal agency remains responsible for ensuring compliance with applicable laws and regulations.
- **Additional consulting parties** – organizations and individuals with a demonstrated interest in the project may also participate in consultation. The parties' interest may entail legal or economic relation to the project or affected historic properties (such as the owner of an affected resource) or relate to their concern for the undertaking's effects on historic properties (such as a local historical society, Certified Heritage Area, or preservation advocacy organization).
- **The public** – the views and interests of the public are important to inform agency project planning decisions. It is incumbent upon the federal agency to seek and consider the views of the public in a manner that reflects the nature and complexity of the undertaking and its effects on historic properties. The federal agency must provide the public with information about the project and allow the public to comment.

**For more information, please contact:**

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