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Changes to the Procedures for Section 106 Consultation in Michigan

The Michigan State Historic Preservation Office (SHPO), in an effort to better follow the federal regulations laid out in [36 CFR Part 800.11](#), will be making changes to the procedures for initiating consultation in Michigan under Section 106 of the National Historic Preservation Act of 1966, as amended.

Delegated Authority from Federal Agency

As of July 1, 2020, the SHPO is requiring any Section 106 consultation initiated by an entity other than the federal agency include documentation that the federal agency has delegated their authority to initiate consultation with the SHPO on the federal agency's behalf. The federal agency remains responsible for determinations of effect made on its behalf. Any consultation that is initiated without such documentation will not be reviewed until such documentation is received by our office.

Federally Qualified Professionals

Beginning July 1, 2020, applications for Section 106 consultation may be submitted by anyone with delegated authority from a federal agency, but the SHPO will require that all identification of historic properties, both archaeological and architectural, be completed by individuals meeting the applicable federal qualifications outlined in [36 CFR Part 61](#). If an applicant fails to meet this standard, the application for consultation will be returned without comment for resubmittal with adequate documentation of identification efforts. The Michigan SHPO provides a list of individuals meeting the federal qualifications for Architectural History, History, and Archaeology on the website.

New Forms Coming

In addition to these changes, the Michigan SHPO is in the process of developing new Section 106 consultation forms that will be made public beginning on or after August 1, 2020. There will be an adjustment period and the old forms will continue to be accepted through the end of 2020. [Beginning on January 1, 2021, submissions on the old forms will be returned without comment for resubmission on the correct form.](#) The Michigan SHPO will be rolling out educational initiatives to assist applicants with these changes.

Additional Information:

www.michigan.gov/shposection106