



Preserving America's Heritage

Notice of Availability Electronic Section 106 Documentation Submittal System (e106)

The Office of Federal Agency Programs at the Advisory Council on Historic Preservation (ACHP) is introducing a voluntary **Electronic Section 106 Documentation Submittal System** as part of its broader “e106” initiative. This system will expedite the submittal of **adverse effect notifications**, including background documentation and correspondence, **as well as requests for ACHP participation in consultation to resolve adverse effects to historic properties** as set out in section 800.6(a)(1) of the regulations implementing section 106 of the National Historic Preservation Act (36 C.F.R. Part 800). This system has been in use by 12 Federal Highway Administration Divisions as part of a pilot project and is now expanded for use by any federal agency.

The attached form, in MS Word format, contains prompts for the information to be submitted to the ACHP and tracks the information requirements listed in the “Documentation Standards” section of the 106 regulations (§ 800.11(e)) for notification of a finding of adverse effect. Thus, this form is suitable for use when either a Memorandum of Agreement (MOA), or a project Programmatic Agreement (project PA) in accordance with section 800.14(b)(3), would be developed. See the ACHP’s online “Guidance on Agreement Documents” (<http://www.achp.gov/agreementdocguidance.html>) for information on when an MOA or project PA may be most appropriate.

This e106 form is designed to be completed and submitted to the ACHP as an email attachment sent to e106@achp.gov.

The form does not require any additional documentation beyond what is now required in section 800.11(e) of the ACHP’s Section 106 regulations. While federal agencies can continue to send hard copy documentation to the ACHP via regular mail, or electronically as a pdf, all agencies are encouraged to utilize e106 in their submissions to the ACHP.

What is the e106 Documentation Submittal System?

The e106 Electronic Section 106 Documentation Submittal System is designed to receive federal agency notifications of adverse effects and respond to them electronically. The intent is to ease federal agency compilation of the required information (because the form prompts the agency to provide the information) in a single transaction. Here’s how it works:

- Federal agencies complete the e106 form and compile any electronic supporting documents;
- Federal agencies send the completed e106 form and supporting documents to e106@achp.gov as an email attachment;
- Once the document is received, an automated receipt confirmation message will be sent to the email address of the sender. The ACHP has 15 calendar days to respond from receipt of information specified in the form.

- ACHP correspondence regarding its review of the case will be sent to the contact person indicated on the *e106* form via email. This would include any requests for additional information to complete our review as well as our decision on whether to participate in consultation in resolving adverse effects in accordance with section 800.6(a)(1)(iii).

Benefits of *e106* for federal agencies:

- Provides efficient submittal of time sensitive adverse effect notifications directly to the ACHP, eliminating office supplies, postal mailing times and costs and security screening delays;
- Prompts federal agencies to provide complete information to the ACHP (as required in the regulations at § 800.11(e)), potentially eliminating delays caused by requests for additional information;
- Provides an automated response when information is submitted, confirming receipt of submitted documentation, and starting the 15 day review period (assuming all specified information is provided);

***e106* requirements:**

- Federal agencies must submit completed *e106* form in Word format to e106@achp.gov;
- Electronic supporting documentation must not exceed a total of 20MB in any one file;
- When the federal agency directs the ACHP to its FTP site for background documentation, the documentation should not exceed 20 MB. Please also include the completed *e106* form.

Your use of *e106* and user feedback will be greatly appreciated. We invite your input on this new system, including concerns and future improvements. Please send comments and questions to e106@achp.gov or contact Najah Duvall-Gabriel or Tom McCulloch at (202) 517-0200.