

SECTION 106: A VIEW FROM GEORGIA

CLAIM: SECTION 106 OF THE NHPA IS AN OBSTACLE TO DEVELOPMENT

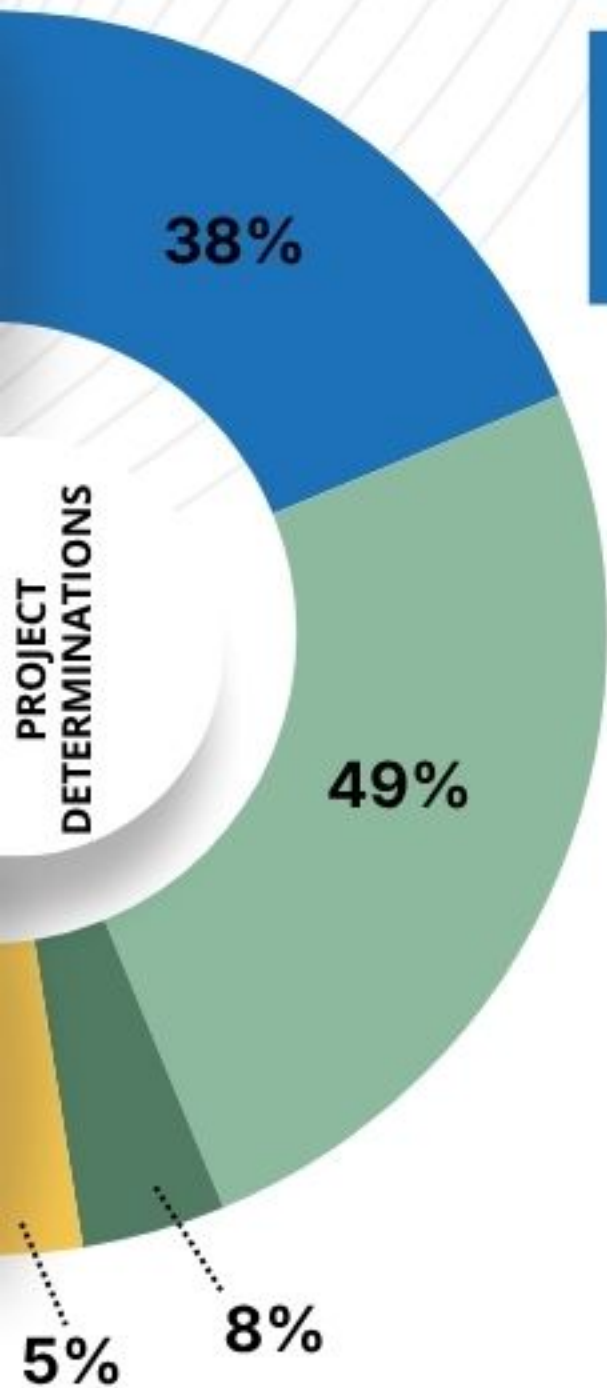
GEORGIA SHPO DOES MORE THAN SIMPLY REVIEW FEDERAL PROJECTS. THE LOW PERCENTAGE OF ADVERSE EFFECTS TO HISTORIC PROPERTIES IS A RESULT OF SHPO GUIDANCE, STATEWIDE RESOURCE SURVEYS, HISTORIC CONTEXTS TO AID EVALUATION, DATABASES, GIS TOOLS, TRAINING, AND TECHNICAL ASSISTANCE THAT ENSURE PRACTITIONERS SUBMIT SUCCESSFUL APPLICATIONS. STATISTICS REFLECT DECADES OF SUCCESSFUL POLICY INFRASTRUCTURE THAT ALLOWS APPLICANTS A PRODUCTIVE SECTION 106 PROCESS.



ONLY 7.2% OF ALL PROJECTS REVIEWED BY THE GEORGIA SHPO REQUIRED ANY ADDITIONAL STEPS TO PROTECT A CULTURAL OR HISTORIC RESOURCE. ONLY 2.3% REQUIRED FURTHER CONSULTATION BEFORE MOVING FORWARD.

DETERMINATION OUTCOMES

BETWEEN 2021 AND 2025, THE GEORGIA STATE HISTORIC PRESERVATION OFFICE REVIEWED 8,229 PROJECTS FOR THEIR POTENTIAL EFFECTS ON HISTORIC AND CULTURAL RESOURCES. HERE'S WHAT THEY FOUND:



No Historic Properties Affected (NoHPA)

No cultural resources were located within the project's area of effect at all.

No Adverse Effect (NAE)

A historic property is present, but the project won't harm it.

Conditional No Adverse Effect (CNAE)

The project won't harm the historic property, but only if specific agreed-upon protective measures are followed.

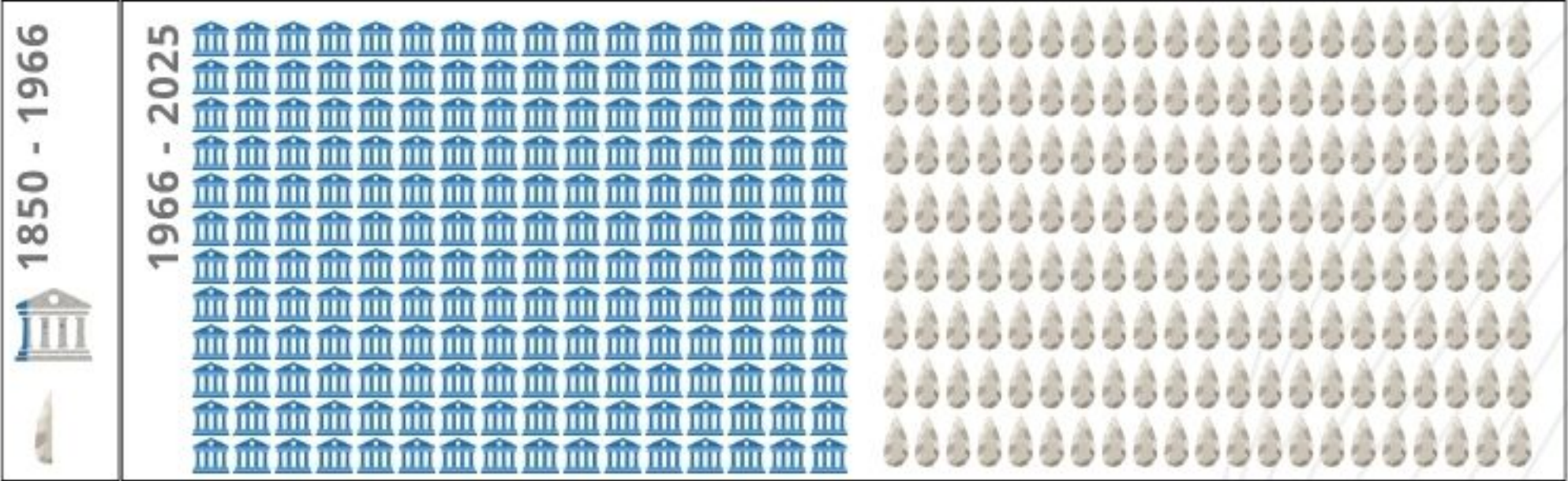
Adverse Effect (AE)

The project would harm a historic property, so further consultation is required before it can move forward.



OCMULGEE MOUNDS NATIONAL HISTORIC PARK. IMAGE FROM THE NATIONAL PARK SERVICE

PRE- AND POST-NHPA = 600 HISTORIC STRUCTURES = 381 ARCHAEOLOGICAL SITES



PRIOR TO THE ENACTMENT OF THE NATIONAL HISTORIC PRESERVATION ACT (NHPA) IN 1966, **SEVEN** HISTORICAL SITES AND **164** ARCHAEOLOGICAL SITES WERE RECORDED. BETWEEN 1966 AND 2025, THE GEORGIA SHPO HAS RECORDED **115,000** HISTORIC STRUCTURES AND **64,000** ARCHAEOLOGICAL SITES.



21 DAYS

30 DAY LIMIT

GEORGIA SHPO REVIEWS CONSISTENTLY BEAT THE STATUTORY DEADLINE BY AN AVERAGE OF NINE DAYS.



19 DAYS

25 DAY LIMIT

FOR GDOT FHWA-FUNDED PROJECTS, SHPO REVIEWERS HAVE 25 DAYS BUT DO IT IN 19.

OUR ASKS

1. SEND A LETTER TO THE ACHP **ASKING FOR DETAILS AND EXPRESSING CONCERN** ABOUT THE POSSIBLE EFFECTS OF THE RULE ON GEORGIA COMMUNITIES.
2. SENATE APPROPRIATORS TO ADD LANGUAGE TO EITHER THE CONTINUING RESOLUTION OR THE FY27 INTERIOR BILL PROHIBITING ACHP FROM USING ANY MONEY IN THE BILL TO PROMULGATE THE RULE. FOR INSTANCE: "THROUGH DECEMBER 11, 2026 THE NOTICE OF PROPOSED RULEMAKING APPROVED BY THE ADVISORY COUNCIL ON HISTORIC PRESERVATION ON JULY 24, 2026 REGARDING REVISIONS TO THE REGULATIONS IMPLEMENTING SECTION 106 OF THE NATIONAL HISTORIC PRESERVATION ACT, "PROTECTION OF HISTORIC PROPERTIES," AT 36 CFR PART 800, SHALL NOT BE ISSUED OR FINALIZED.