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ARIZONA STATE PARKS & TRAILS

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**National Telecommunications and Information Administration (NTIA)
and Arizona State Historic Preservation Office (SHPO)
Section 106 Consultation
(June 2023)**

Introduction

Under the Biden-Harris administration, NTIA has been delegated the authority to implement a series of grant programs to move us towards providing all Americans with access to reliable, high speed, and affordable broadband.

NTIA's grant programs include:

- Broadband Equity, Access, and Deployment (BEAD) Program
- Enabling Middle Mile Broadband Infrastructure Program
- Tribal Broadband Connectivity Program
- Digital Equity Act Programs
- Connecting Minority Communities (CMC) Pilot Program

As a federal agency, NTIA is required to comply with Section 106 of the National Historic Preservation Act (NHPA; 54 U.S.C. § 306108), and its implementing regulations at 36 CFR Part 800, which mandates that federal agencies consider the effects of their undertakings on historic properties. To assist NTIA in their Section 106 responsibilities, the Arizona SHPO has prepared a Section 106 consultation form (see azstateparks.com/shpo-forms-and-publications) for applicants to use when contacting our office for project review and concurrence.

SHPO anticipates NTIA projects will involve the installation of new underground or aerial broadband fiber, collocation of aerial broadband fiber on existing infrastructure, collocation of wireless antennas or wireless point-to-point or point-to-multipoint nodes on existing infrastructure, and installation of new wireless telecommunication towers and facilities.

Collocation with No Ground Disturbance

For projects with no ground disturbance (e.g., collocations), no cultural resources survey is required, however, SHPO will need to know if any historic properties or historic-age buildings or structures are present within the area of potential effects (APE). Please complete the consultation form and add additional lines to the List of Cultural Resources, as necessary.

New Installations and Collocation with Ground Disturbance

For projects with ground disturbance (e.g., new installations or collocations with ground disturbance), a Class I records and literature review will be required to determine whether the project has been previously surveyed to current standards, and to identify previously recorded historic properties (any prehistoric or historic sites, districts, buildings, structures, or objects listed in or determined eligible for listing in the National Register of Historic Places [NRHP]). (Note that unevaluated resources should be treated as NRHP eligible). If an APE or portions of an APE have not been adequately surveyed (no survey

or survey does not meet current standards), a new Class III pedestrian survey should be conducted. A new Class III survey may not be necessary if the ground surface is no longer observable, such as landscaped, paved, or significantly developed. To determine if a Class I review or Class III survey is required, please refer to the Arizona State Museum's list of professional consultants on their website at: <https://statemuseum.arizona.edu/crm/document/aaa-qualified-consultants>

If a Class I review or Class III survey is necessary, send the report as an attachment to the consultation form.

Establishing the Area of Potential Effects (APE)

An APE should include the project footprint, utility or access easements, staging or storage areas, and temporary construction easements. Also consider the height of your project when establishing the APE to address potential visual effects.

If your project involves utility poles, or telecommunications towers, you will also need to evaluate a larger area for visual effects. For projects under 200 feet tall, please expand the APE to a half (0.5) mile radius around the pole or tower. For projects over 200 feet tall, please expand the APE to one (1) mile. A Class III pedestrian survey is only required for areas where ground disturbance is possible, such as the project footprint, utility or access easements, staging or storage areas, and temporary construction easements.

Tribal Consultation

Under Section 106, tribal consultation is required and is separate from consultation with the SHPO. Tribal consultation should be conducted prior to submission of the consultation form and attachments (as necessary) to the SHPO. Please use the *Government to Government (G2G) Consultation Toolkit* (<https://sites.google.com/view/az-consultation-toolkit/home>) to identify tribes that ascribe a cultural connection to the APE and region. The G2G Toolkit also provides contact information and protocol for tribal consultation.

Project Submission

Please send consultation forms and attachments to AZSHPO@azstateparks.gov.

For any questions regarding the consultation form, project requirements, or the Section 106 process, please contact Caroline Klebacha, Archaeology Compliance Specialist, by email at cklebacha@azstateparks.gov or by phone at 602.542.7140.