

ACHP Comments – Pebble Project Preliminary Draft EIS, Section 4.8 - Historic Properties

Agency	Comment No.	Section, Paragraph, and Page #	Cooperating Agency Comment (and Purpose of Comment)	Proposed Resolution (Additions or Deletion of Text)	Response
ACHP	1	4.8 Intro	Section 106 (54 U.S.C. § 306108) of the National Historic Preservation Act (NHPA) (54 U.S.C. § 300101 et seq.) and its implementing regulations, “Protection of Historic Properties” (36 C.F.R. Part 800), in the Statute at 54 U.S.C. 300308, and in 33 Code of Federal Regulations (CFR) 325 Appendix C and National Historical Preservation Act (NHPA) the Section 106 requirements for considering the project’s potential to cause effects on historic properties in the Area of Potential Effects (APE) for the undertaking as defined in association with the permit area.	See comments in Section 3.8 regarding referencing 36CFR 800 and Appendix C. Reference both equally without suggesting either overrides the other. We’ll work out details of permit area and APE for this case during the Section 106 consultation.	Section edited to include the 36 CFR 800 regulations in conjunction with Appendix C. The USACE looks forward to resolving these issues with ACHP and SHPO during the Section 106 process.
ACHP	2	4.8.2 Effects on Historic Properties	Compliance with the procedures established by the approved executed PA would satisfy the USACE’s federal agency NHPA Section 106 responsibilities for the project.	Don’t forget that Corps is the lead federal agency for Section 106. The PA to be developed will cover all federal agencies that have an action related to the project.	Comment noted. The section has been edited per this comment.