

Local Agency Program Information Advisory

LAP 2023-01
January 5, 2023

From Ryan Doyle and Bruce Kadzban, Interim Local Agency Program Managers

Section 106 Program Updates

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Index:

This advisory is superseded by any subsequent revisions to the references listed in this index.

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On January 3, 2023, the Michigan Department of Transportation (MDOT) Local Agency Program (LAP) Environmental Unit began accepting applications and supporting documents related to the new Section 106 requirements. Local agencies and their consultants will now submit Section 106 review requests and supporting documentation to ProjectWise for review by MDOT Environmental Unit's qualified Cultural Resources Staff (CRS), and will no longer send new applications to the State Historic Preservation office (SHPO).

All projects submitted to the SHPO prior to January 3, 2023, will remain with the SHPO until consultation is completed.

Also, the Unit has posted several new and updated forms and guidance documents for local agencies and consultants to use in preparing the Section 106 submittals. The new documents are available at the following links:

- [MDOT LAP SECTION 106 FLOW CHART](#)
- [ARCHAEOLOGICAL SENSITIVITY INQUIRY](#)
- [CONDITIONAL EXCEPTIONS DOCUMENT](#)
- [MDOT LAP SECTION 106 APPLICATION](#)
- [MDOT LAP SECTION 106 GUIDANCE DOCUMENT](#)

The links are posted on the LAP website (www.michigan.gov/mdotlap), at the [NEPA Guidance](#) link in the "Learn More" section, on the right side of the website's opening page.

This new process includes an updated MDOT Form 5323, which we expect to have posted and available in the next several days. Until the updated form is available, please use the current form, at [Local Agency Environmental Clearance Form 5323](#), and contact LAP CRS archaeologist Patty Jo Korzeniewski (KorzeniewskiP@Michigan.Gov) to obtain the updated cultural resource portion of Form 5323.

In addition, MDOT is offering a second training webinar on the new Section 106 process, on January 19, 2023. See the training flyer with a registration link at [2022MDOTLAP-new-section-106-review-process-webinar \(mtu.edu\)](https://2022MDOTLAP-new-section-106-review-process-webinar.mtu.edu).

Finally, LAP CRS staff will participate in the following workshops and conferences:

- American Council of Engineering Companies (ACEC) of Michigan partnering workshop in Lansing on February 2, 2023.
- County Road Association (CRA) Engineering Workshop in Sault Ste. Marie, Michigan on February 9, 2023.
- CRA Annual Highway Conference in Lansing on March 23, 2023.

Please contact the LAP CRS at MDOT-LAP-Section106-Reviews@michigan.gov if you have any questions or need more information.