

LOCAL AGENCY CHANGES

All new projects will be sent to MDOT For Section 106 review instead of the SHPO.

Local Agencies will no longer coordinate directly with Tribes.

Local Agencies will no longer need to hire Qualified Professionals to prepare applications for most projects.

Large surveys will still require Local Agencies to hire qualified consultants.

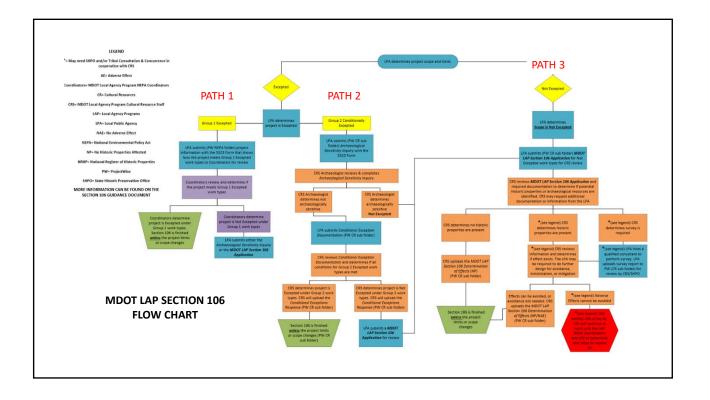
The entire 5323 Form has been updated, but this training is only focusing on the updated Section 106 LAP process.

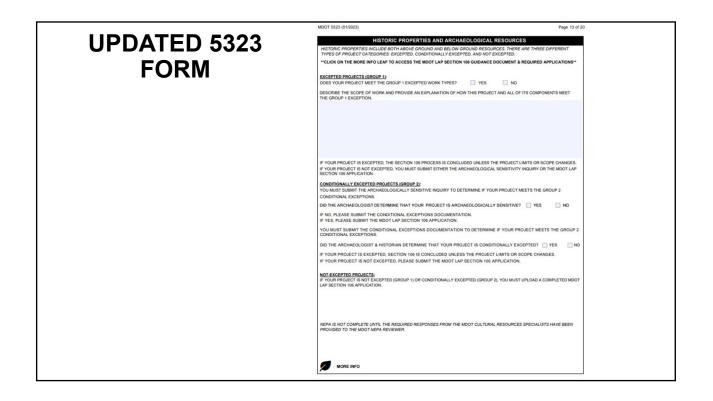
There will be new forms to complete which must include adequate documentation for the Section 106 review

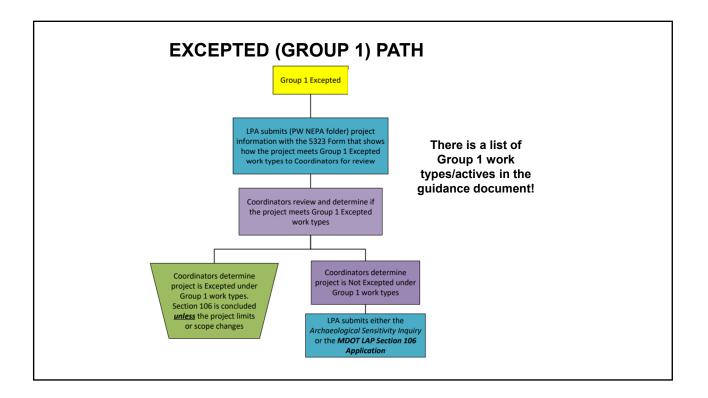
"Excepted" projects replace the former "Exemptions" list.

There are three different types of project categories: Excepted (Group 1), Conditionally Excepted (Group 2), Not Excepted (full review)

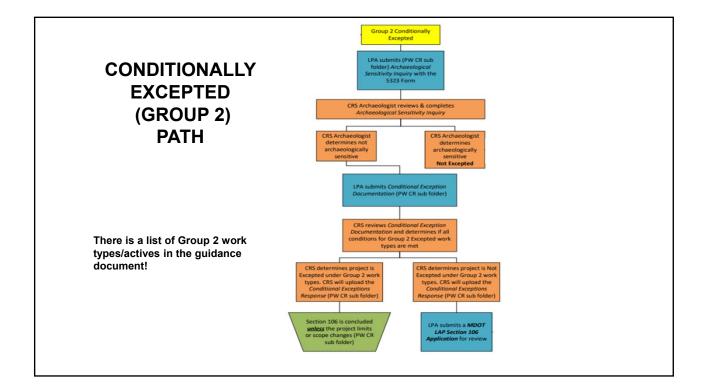
JobNet	
ProjectWise	
ProjectWise Folders & Documents	
ProjectWise Naming Conventions & Attributes	
ProjectWise Documents Changing State	
Section 106 Review	
Updated 5323 Form	
Excepted Project Guidance (Group 1)	MDOT LAP
Conditionally Excepted Project Guidance (Group 2)	SECTION 106
Archaeological Sensitivity Inquiry	GUIDANCE
Conditional Exception Documentation	DOCUMENT
Not Excepted Project Guidance (Full Review)	
MDOT LAP Section 106 Application	
Urban Project Mapping Example	The second se
Rural Project Mapping Example	
Photo Map Example	
50 Years	
Cemetery	
Photo Examples of Historic Work Types/AFeatures	
Tribal Consultation/Coordination	*** · · · · · · · · · · · · · · · · · ·
Activities List	GMDOT
Frequently Used Terms	1 Version Date November 2022







RURAL RIGHT-OF-WAY GROUP 1: EXCEPTIONS The following project types are excepted as long as there is no other work included in the project: VARIES -10-12 10-12 TRAVEL LANE MARCH DOTON Rehabilitating*, crushing/shaping, resurfacing, milling, and profiling pavement, 24 pavement joint repair, ditch or culvert cleanout, culvert liners*, pavement marking, signing with driven posts, all within the road footprint (see Images F and G for rural and urban road footprints). *Rehabilitating = work on existing paved surfaces. *Any culvert liners where the heavy machinery stays on the existing pavement and/or shoulders can be excepted under Group 1. *Any culvert liners that includes the use of heavy machinery outside **URBAN RIGHT-OF-WAY** of the edge of the pavement and/or shoulders including bank excavation, water course or drainage/ditch excavation, equipment staging, temporary access, or grading permits would not meet Group 1 exceptions.



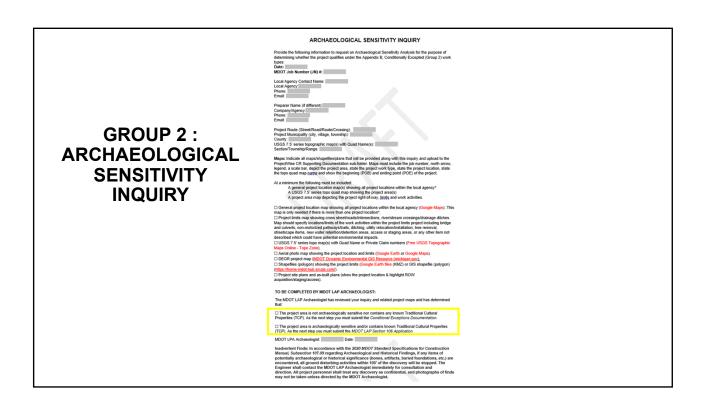


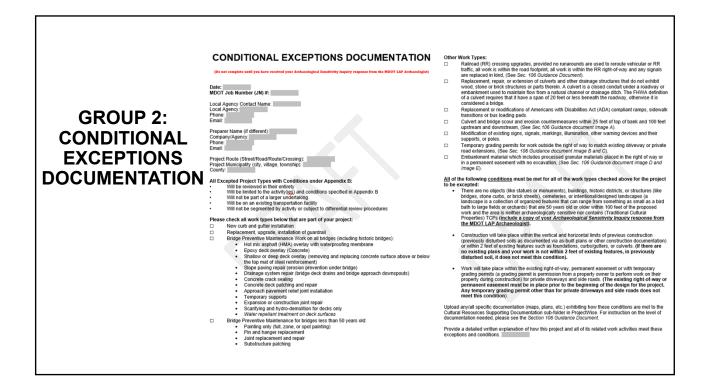
CON	DITION 1 = 3 PARTS	
1. Archaeologically Sensitivity	The area is <u>neither archaeologically sensitive nor</u> <u>contains TCPs</u> . MDOT Cultural Resources Specialists will determine archaeological sensitivity and potential for impacts to TCPs."	
2. Cemeteries	"There are nocemeteriesthat are <u>50</u> <u>years old or older within 100 feet</u> of the proposed work"	
3. 50 Years:	" <u>There are no objects</u> (like statues or monuments), buildings, historic districts, or structures (like bridges, stone curbs, or brick streets), cemeteries, or intentional/designed landscapes (a landscape is a collection of organized features that can range from something as small as a bird bath to large fields or orchards) that are <u>50 years old or older within 100 feet</u> of the proposed work"	

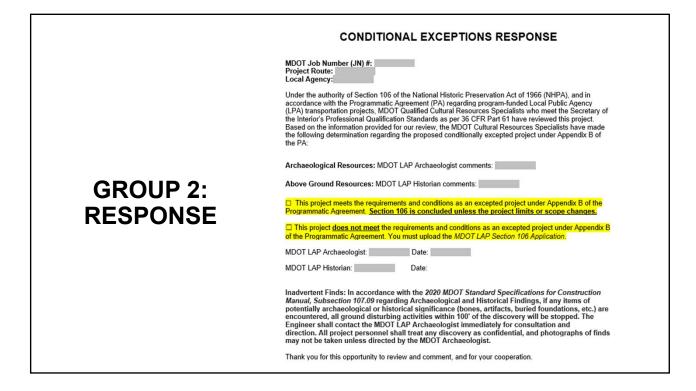
Conditions from the Programmatic Agreement, Appendix B:

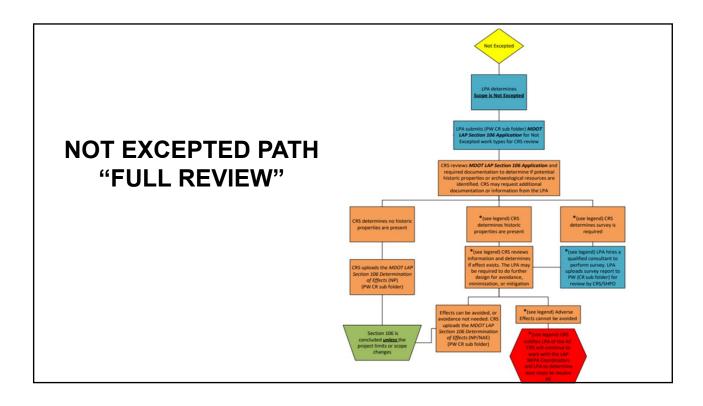
- <u>Construction will take place within the vertical and horizontal</u> <u>limits of previous construction (previously disturbed soils as</u> documented via as-built plans or other construction documentation) <u>or within 2 feet of existing features</u> such as foundations, curbs/gutters, or culverts. (If there are no existing plans and your work isn't within 2 feet of existing features in previously disturbed soil, it does not meet this condition).
- Work will take place within the existing right-of-way, permanent easement or with temporary grading permits (a grading permit is permission from a property owner to perform work on their property during construction) for private driveways and side roads. (The existing right-of-way or permanent easement must be in place prior to the beginning of the design for the project. Any temporary grading permit (consent to construct) other than for private driveways and side roads does not meet this condition).

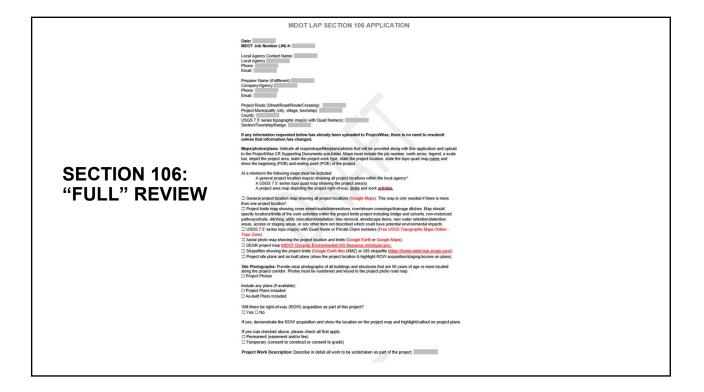


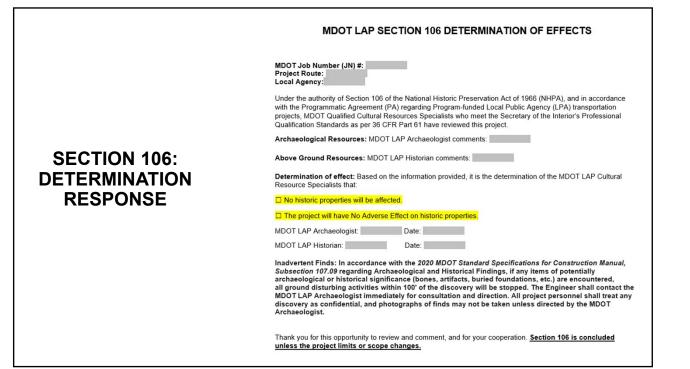


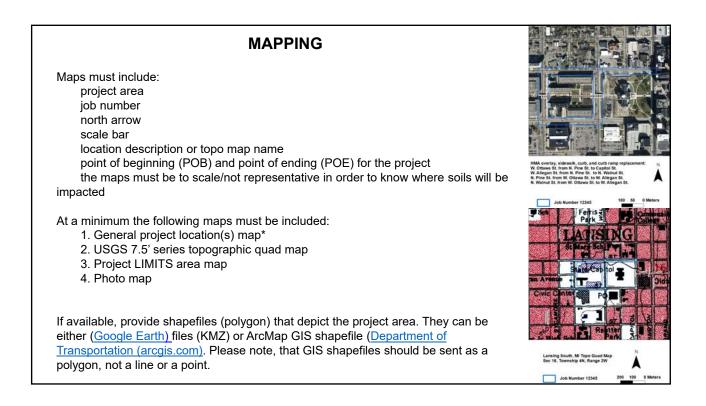










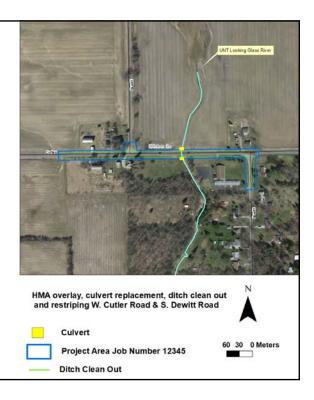


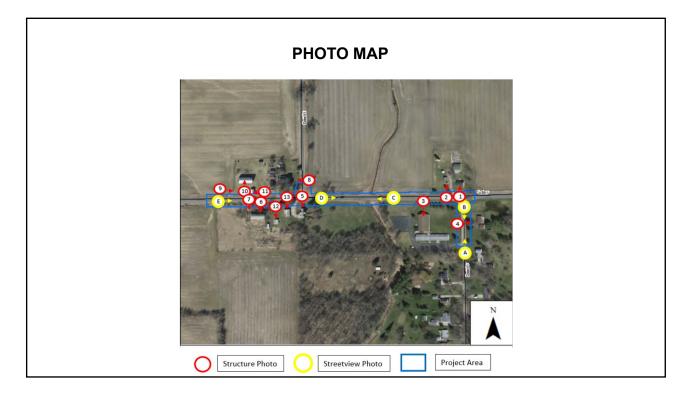
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WORK DESCRIPTION RURAL

BAD Example: Repaving & Culvert Replacement on Cutler Rd. all work is within the ROW.

GOOD Example: HMA Overlay & Culvert Replacement on W. Cutler Rd in DeWitt Township, Clinton County. The project extends 963 feet west to 580 feet east of UNT Looking Glass River for a length of 1543 feet. The work will include a 30 feet concrete box culvert 'in kind' replacement with erosion control measures (riprap), as well as approach work on both intersections of S. Dewitt Road. Associated work activities include a HMA overlay, ditch clean out, site distance improvements at both intersections, restriping and possible tree removal. All of the work will occur within the existing ROW and no additional ROW acquisition is anticipated for this project.





SITE PHOTOGRAPHS

Provide clear photographs that illustrate the general project area(s), as well as any buildings and structures that are 50 years of age or more located along the project corridor. If the project covers a large area, or multiple locations, provide several views. Include addresses if possible

Street View:





Individual Property View:



Figure 8. 10960 S. DeWitt Rd. view West

WHEN IS SURVEY REQUIRED?

1. If the LAP archaeologist determines the location is sensitive, or there is potential for archaeological resources.

2. If the LAP historian determines survey is necessary based on the proposed work and the resources potentially affected.



TRIBAL CONSULTATION/COORDINATION

Local Agencies are no longer responsible for Tribal consultation/coordination. All Tribal coordination under the new PA must be overseen by the MDOT LAP Archaeologist.

Tribal coordination is initiated when: Projects are identified by Tribes during Early Coordination as being of a concern. MDOT's qualified archaeologists identifies possible concern during project review. Presence of Native American burial grounds. Projects requiring an archaeological survey or monitoring. Projects within or adjacent to Tribal reservation lands. Projects within or adjacent to known TCP'S Traditional Cultural Properties. In all instances in which Native American human remains are encountered.

An Early Coordination Tribal Portal is in development (2025).

SHPO COORDINATION

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

After January 3, 2023 All new projects must be submitted to MDOT, and <u>we</u> will consult with the SHPO if necessary (when Historic Properties and/or potential effects are identified).

QUESTIONS?

E-mail: MDOT-LAP-Section106-Reviews@michigan.gov

Brian Grennell, (MDOT LAP Historian) *Phone: 517-388-5838* Patty Jo Korzeniewski, (MDOT LAP Archaeologist) Phone: 517-582-3232