

When to consult with Tribes under Section 106

- Section 106 requires consultation with federally-recognized Indian tribes when a project may affect a traditional religious or cultural property of significance to the tribe.
- Traditional religious or cultural properties may include: archeological sites, burial grounds, sacred landscapes or features, ceremonial areas, traditional cultural places, traditional cultural landscapes, plant and animal communities, or buildings and structures with significant tribal association.
- The types of activities that may affect traditional religious or cultural properties include:
ground disturbance (digging), new construction in undeveloped natural areas, introduction of incongruent visual, audible, or atmospheric changes, work on a building with significant tribal association, or transfer, lease or sale of properties of the types listed above.
- **If a project includes any of the types of activities below, invite tribes to consult:**
 - significant ground disturbance (digging)**
Examples: new sewer lines, utility lines, foundations, footings, grading, access roads
 - new construction in undeveloped natural areas**
Examples: industrial-scale energy facilities, transmission lines, pipelines, or new recreational facilities, in undeveloped natural areas like mountaintops, canyons, islands, forests, native grasslands, etc., and housing, commercial, and industrial facilities in such areas
 - incongruent visual changes**
Examples: construction of a focal point that is out of character with the surrounding natural area, impairment of the vista or viewshed from an observation point in the natural landscape, or impairment of the recognized scenic qualities of an area
 - incongruent audible changes**
Examples: increase in noise levels above an acceptable standard in areas known for their quiet, contemplative experience
 - incongruent atmospheric changes**
Examples: introduction of lights that create skyglow in an area with a dark night sky
 - work on a building with significant tribal association**
Examples: rehabilitation, demolition or removal of a surviving ancient tribal structure or village, or a building or structure when there is reason to believe was the location of a significant tribal event, home of an important person, or that served as a tribal school or community hall
 - transfer, lease or sale of a traditional religious or cultural property**
Example: transfer, lease or sale of archeological sites, burial grounds, sacred landscapes or features, ceremonial areas, plant and animal communities, or buildings and structures with significant tribal association