

Conceptual Overview

Program Comment
for Regular Maintenance, Capital Projects, and Leasing at
National Park Service Mission 66-Era Facilities (1945-1972)
for Compliance with Section 106
of the National Historic Preservation Act

National Park Service
Cultural Resources, Partnerships, and Science Directorate
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1. Introduction

The National Park Service (NPS) preserves unimpaired the natural and cultural resources and values of the National Park System for the enjoyment, education, and inspiration of this and future generations. NPS manages 425 park units covering more than 85 million acres in all 50 states, the District of Columbia, and U.S. territories. The NPS has jurisdiction over 7,561 historic properties listed in the National Register of Historic Places (NRHP).

The NPS Cultural Resources Stewardship, Partnerships, and Science (CRPS) Directorate provides leadership for the protection and interpretation of the nation's heritage, guides a national historic preservation program that embraces national parks and heritage resources, engages all American peoples with the places and stories that make up their national identity, and serves as a model for the stewardship of cultural resources throughout the world.

NPS CRPS developed this conceptual overview for a Program Comment ([Program Comment](#)) to serve as the basis for consultation on an new optional compliance method for park superintendents to use to meet their responsibilities under Section 106 of the National Historic Preservation Act (NHPA, 54 U.S.C. § 306108, Section 106) for certain undertakings focused on NPS facilities built between 1945 and 1972 (Mission 66-era). All comments received during consultation will inform the nature and scope of the NPS agency request to the Advisory Council on Historic Preservation (ACHP) for the Program Comment, which NPS plans to submit in 2024.

Federal agencies may request the ACHP comment on a category of undertakings, via a program comment, in lieu of requesting the ACHP's comments on a case-by-case basis (36 CFR § 800.14(e)). The agency request must specify: the types of undertakings to be covered; the likely effects on historic properties and the steps the agency official will take to ensure that the effects are taken into account; the time period for which the Program Comment is requested; and a summary of comments received, including copies of any written comments provided by affected Indian and Alaska Native Tribes or Native Hawaiians. NPS anticipates that upon receipt of the agency request, ACHP will conduct its own consultation and then proceed with formal consideration by their membership of a final Program Comment.

The Program Comment would allow park superintendents to determine these Mission 66-era facilities, of which there are approximately 20,000 nationwide, as eligible for the NRHP and expedite reviews for certain proposed undertakings. The Program Comment would also help NPS address these facilities' often-undetermined historic status and fair or poor condition and utilize the \$1.9 billion in funding that is allocated for them. Moreover, the Program Comment would support NPS efforts to use Mission 66-era historic properties to meet mission needs, fulfill legislated mandates to improve the visitor experience and accessibility, address longstanding deferred maintenance, and advance ongoing stewardship efforts. With the Program Comment, many Mission 66-era historic properties will continue to fulfill their original purpose – helping the public access and enjoy their parks – well into the 21st century.

2. NPS Park Compliance with Section 106

Among many key responsibilities, the NPS CRPS Directorate's archeologists, architects, curators, historians, and other cultural resource professionals, assist America's national parks to preserve, protect, and share the history of this land and its people. Projects that are carried out in parks are often considered undertakings requiring NPS compliance with Section 106 (36 CFR § 800.16(y)). The regulations set forth at 36 CFR Part 800, *Protection of Historic Properties*, were issued by the ACHP in 2004 and implement Section 106.

Each park superintendent serves as the responsible agency official for the purposes of Section 106 compliance for their park. NPS CRPS supports park staff Section 106 compliance efforts by developing guidance, assisting with training, and providing advice on a case-by-case basis as needed. In addition, in 1995 NPS, the National Conference of State Historic Preservation Officers (NCSHPO), and ACHP signed a nationwide programmatic agreement that tailored the Section 106 process to suit NPS park program needs. In 2008, NPS replaced the 1995 agreement when it entered into a new Nationwide Programmatic Agreement ([2008 Nationwide PA](#) or PA) with NCSHPO and ACHP to govern NPS implementation of routine management activities. NPS updated its [PA guidance](#) in the spring of 2022.

The PA addresses NPS compliance with Section 106 including its consultation with State Historic Preservation Officers (SHPO), federally recognized Indian tribes, Native Hawaiian organizations, and the ACHP. The PA has not been signed by any Indian or Alaska Native Tribes, nor any representatives from the Native Hawaiian Community.

The PA is central to the NPS Section 106 compliance program, and the Program Comment will build on and reference existing elements of the PA, such as for staffing and teams. Those elements and others are described below. The Program Comment would not replace, amend, or otherwise change the PA nor any other Section 106 agreements.

The NPS Nationwide PA

When an undertaking is being planned, the park superintendent works with the park's Section 106 coordinator and the park's Cultural Resource Management (CRM) Team to fulfill the Section 106 requirements as set forth in the PA. Early in project planning, park Section 106 coordinators help park superintendents determine whether compliance for a proposed routine management activity will occur via the streamlined review process set forth in that document, or instead via the standard Section 106 review process ([36 CFR Part 800](#) and as described in this ACHP [flowchart](#)).

For example, among other requirements, in order to use the PA's streamlined process, the park superintendent, with support from the park Section 106 coordinator, must ensure all historic properties within the Area of Potential Effects (APE) for the proposed undertaking have been identified, in consultation with the SHPO, Tribal Historic Preservation Officer (THPO), Indian Tribes, or Native Hawaiian organizations, as set forth in 36 CFR Part 800. Further, the proposed

routine management activities must either not involve historic properties or not pose adverse effects to them.

When a proposed undertaking requires compliance with Section 106 but the park superintendent determines the PA's streamlined review process cannot be used, the standard Section 106 review process is typically used instead. NPS does not have any other agency-specific nationwide program alternatives for park superintendents to use.

When the park superintendent determines the PA's streamlined review process can be used, the PA requires not only park 106 coordinator involvement, but also support from an NPS CRM team. NPS has utilized CRM teams regularly since the PA was executed. CRM team members must be subject matter experts appropriate to the various resource types found in the park. The number of individuals on the CRM team may vary from park to park as needed to represent all disciplines appropriate to the park's resources and the type of undertaking. For example, an undertaking involving a historic building must have a historical architect on the CRM team. Typical CRM teams include a historical architect, a historical landscape architect, an archeologist, a cultural anthropologist, a historian, and a museum curator. CRM team members may include park staff or staff from other parks, NPS regional staff, NPS centers, federally recognized Indian Tribes or Native Hawaiian organizations, or others from the public or private sector.

The PA requires individuals who participate on the park's CRM team meet either the qualification standards established in NPS [Director's Order 28](#), which references the Office of Personnel Management (OPM) Personnel Qualifications Standards, or the Professional Qualification Standards in the *Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation*. These qualification standards define minimum education and experience required to perform identification, evaluation, registration, and treatment activities. In some cases, additional areas or levels of expertise may be needed, depending on the complexity of the task and the nature of the historic properties involved. Further information about professional qualifications can be found on this [website](#).

Park superintendents are further supported by regional Section 106 coordinators, NPS center staff, and at the Washington, D.C. office, a Federal Preservation Officer (FPO) and two deputies. Roles, responsibilities, qualifications, and training and reporting requirements are described in the PA and the 2022 guidance linked above. Please see the NPS Section 106 Compliance Program [website](#) for more information about the PA.

The NPS Planning, Environment, and Public Comment System (PEPC)

Since 2017, it has been mandatory for NPS to track and document all Section 106 compliance efforts, including those that occur in accordance with the PA, in the web-based [Planning, Environment, and Public Comment system](#) (PEPC) system. PEPC supports NPS project planning, compliance tracking, as well as public communication efforts, comment analysis, and response. It is used by NPS employees, contractors, members of the public, and others, and

would be central to internal and external Program Comment communications, including for commenting and reporting.

3. Program Comment Concept and Proposed Application

As noted above, NPS CRPS developed this Program Comment conceptual overview to serve as the basis for consultation on a new optional compliance method for park superintendents to use to meet their responsibilities under Section 106 for certain undertakings focused on NPS facilities built during the Mission 66-era. All comments received during consultation will inform the nature and scope of the NPS agency request to the Advisory Council on Historic Preservation (ACHP) for the Program Comment, which NPS plans to submit in 2024.

The Section 106 regulations identify that: “An agency official may request the Council to comment on a category of undertakings in lieu of conducting individual reviews under §§ 800.4 through 800.6” (see 36 CFR § 800.14(e)). ACHP guidance further clarifies that: “Program comments are especially advantageous to agencies that may have repetitive management actions for a large inventory of similar historic properties or for agencies that have programs that generate a large number of similar undertakings. Program comments can help an agency achieve a broader perspective in planning for similar historic properties it manages on a nationwide basis, allowing those resources to be placed within a national context.”

NPS anticipates that upon receipt of the agency request, ACHP will conduct its own consultation and then proceed with formal consideration by their membership of a final Program Comment.

NPS and Mission 66

The massive NPS “Mission 66” building campaign that occurred between 1945 and 1972 improved, standardized, and democratized the public’s national park experience with new facilities including comfort stations, picnic shelters, campgrounds, visitor centers, park staff housing, maintenance buildings, warehouses, roads, and other infrastructure. This period of feverish construction was supposed to have been completed by 1966, in time for the fiftieth anniversary of the founding of the NPS. Research indicates work related to the campaign began prior to a WWII funding pause (1945) and then stretched six (6) years beyond the 1966 target completion date (1972). It is the subject of the monograph, [Mission 66: Modernism and the National Park Dilemma](#) (Ethan Carr, LALH, 2007), and other publications.

Current NPS data indicates NPS has approximately 20,000 Mission 66-era facilities. Many have been in use for fifty (50) years or more and remain critical to park functionality. A map showing the geographic distribution of Mission 66-era facilities, by state and NPS region, can be found at the end of this document. The NPS region with the greatest number of Mission 66-era facilities is the Intermountain Region (5,500), followed by the Pacific West (4,700), Southeast (3,700), Northeast (3,100), and Midwest (1,500). The National Capital (900) and Alaska (300) regions have the fewest Mission 66-era facilities.

Historic Status

Identification of NPS facilities for eligibility for listing in the NRHP is completed by parks. In 2000, NPS published an online book, [*MISSION 66 VISITOR CENTERS: The History of a Building Type*](#), by Sarah Allaback, Ph.D. and in 2015, NPS completed a NRHP Multiple Property Documentation Form (NRIS #64501248) ([MPDF](#)) to provide a framework for park identification of Mission 66-era historic properties. The MPDF established the period of significance as 1945 to 1972. It mentions certain properties as early or exemplary embodiments of the period, lists the ninety-five (95) parks that were established as part of Mission 66, sets eligibility evaluation criteria for individual listings and park-wide districts, and focuses on consideration of small area use-specific districts.

It indicates that while some of the facilities, especially visitor centers, were designed by renowned architects, many others were built using standard plans such as for comfort stations and interpretive areas, staff housing, staff offices and administrative buildings, maintenance garages and workshops, storage buildings, and mechanical equipment buildings. It also explains that during the Mission 66-era, some adjustments were made to the standard plans to address changing park needs as well as both the suitability and availability of construction materials in different regions.

To further support park identification efforts, the NPS also recently developed a study on Mission 66 campgrounds, including [process guidelines](#) for determinations of eligibility for campgrounds from the era. Nonetheless, evaluation of facilities from the era has been a challenge for many parks, especially when older or named-in-legislation historic properties compete for limited funds. Based on NPS data, about 75% of Mission 66 facilities have not been evaluated, a key requirement for all Section 106 compliance.

Condition

NPS's agency-wide maintenance backlog, exacerbated by ever-increasing visitor use, has been reported in the media. In 2018, Lena McDowall, NPS Deputy Director for Management and Administration, testified about lack of funding and deferred maintenance at NPS, before the U.S. Senate Energy and Natural Resources Committee. McDowall testified that NPS had \$11.6 billion in deferred maintenance costs for the prior year.

NPS data indicates that some Mission 66-era facilities contribute to that total. While a majority of Mission 66-era facilities are in "fair" condition, about 25% are in "poor" or "serious" condition. In certain cases, the utility of Mission 66-era facilities is diminished due to wear and tear or changing technology. In other cases, deferred maintenance costs have mounted because the Mission 66-era facilities are in park staff-serving areas; about half of Mission 66-era facilities are located in staff-serving areas, and NPS has focused limited funding on maintenance of public-serving historic facilities instead.

In 2020, the U.S. Congress provided NPS with \$1.5 billion of the needed funding via legislation including the Great American Outdoors Act (Pub. L. 116-152), and other legislation followed. The laws called out NPS's deferred maintenance generally, but also the need for NPS to ensure people with disabilities have equal opportunity to benefit from NPS facilities, programs, services, and activities. Unfortunately, many visitor centers still lack accessible restrooms, water fountains, and entrances. Also, paths between parking lots, sidewalks, buildings, and interpretive programs are often not accessible. Many staff-serving facilities are also in need of accessibility improvements, from staff housing to maintenance facilities, as detailed in NPS reports and testimony before the U.S. Congress ([ALL IN! Accessibility in the National Park Service 2015-2020](#) and [NPS Disability Access](#)).

Purpose

In response to the aforementioned laws, NPS entered a period of intense project planning. This resulted in plans to address approximately 30% of the Mission 66-era facilities with \$1.9 billion in funding between 2023 and 2027. Some of the Mission 66-era facility types to receive funding include buildings, roads and parking areas, maintained landscapes (i.e., campgrounds and other maintained areas) and trails, utilities, and interpretive areas.

Most of the proposed projects are undertakings that require compliance with Section 106. In certain cases, this should be accomplished via existing park- or new project-specific agreements. In certain limited circumstances, the PA could also be a useful compliance method. However, as noted above, it is only for routine management activities and some of the proposed projects are intended to address deferred maintenance, accessibility, and other mission needs, and have a broader scope.

Also as noted above, the PA requires full identification of historic properties within the APE, in consultation with the SHPO, Tribal Historic Preservation Officer (THPO), Indian tribes, or Native Hawaiian organizations, as set forth in Section 110 of the NHPA or 36 CFR Part 800. Unfortunately, such identification has not been completed for a majority of the NPS facilities from this era. Finally, use of the PA is limited to those routine management activities which either do not involve historic properties or would not pose adverse effects to them, and NPS CRPS anticipates that the majority of the proposed undertakings will not only involve historic properties but also that some of the proposed undertakings may pose adverse effects to Mission 66-era historic properties.

As such, NPS CRPS is developing a Program Comment agency request as an optional compliance method for park superintendents to meet their responsibilities under Section 106 for certain undertakings focused on NPS facilities built during the Mission 66-era. The purpose of the Program Comment is to facilitate the reuse and preservation of Mission 66 historic properties by allowing park superintendents to determine them as eligible for the NRHP and expediting reviews for proposed undertakings. As noted above, the Program Comment would support NPS efforts to utilize Mission 66-era historic properties to meet mission needs, fulfill legislated

mandates to improve the visitor experience and accessibility, address longstanding deferred maintenance, and advance ongoing stewardship efforts.

In addition, NPS plans to achieve the following with the Program Comment:

- implement the Mission 66 MPDF on a national level, to address the NPS identification backlog and alleviate workloads;
- utilize the existing NPS compliance structure at the headquarters, regional, and park levels, specifically with park 106 coordinators and CRM teams supporting park superintendents;
- encourage preservation in project planning by allowing for reviews for undertakings that pose no adverse effects to historic properties to be administered by CRM teams, or when the condition for such a finding, by a park superintendent, is that the project will follow the [*Secretary of the Interior's Standards for Rehabilitation*](#) (Secretary's Standards);
- improve predictability with shortened external reviews for undertakings for which a park superintendent has made certain findings (i.e., no historic properties, no adverse effect with conditions other than following the Secretary's Standards, or adverse effects). (Note that for undertakings that are likely to affect historic properties, other than those from the Mission 66-era, the Program Comment would be prohibited.);
- encourage accountability by ensuring the NPS FPO and deputies have access to PEPC records for oversight, regular reporting purposes, to provide information to support a process for suspension of use of the Program Comment if a park has a pattern of not following the Program Comment (e.g., mitigation); and,
- provide national-level interpretation for and additional documentation of Mission 66-era historic properties as mitigation for adverse effects, to inform ongoing NPS stewardship.

The Program Comment would not apply to any NPS activities outside of the National Park System. It would not replace, amend, or otherwise change the PA nor any other Section 106 agreements.

Proposed Application

The NPS proposes that the Program Comment would provide park superintendents with a new optional Section 106 compliance method to address certain undertakings at Mission 66-era facilities. For a park superintendent to select the Program Comment as the compliance method for a planned undertaking, the park superintendent must determine that it is appropriate to do so. The park superintendent must determine that at least one (1) of the qualifying undertakings listed below is planned at a single facility (or a substantial majority of NPS facilities) within the APE that was (or were) built between 1945-1972:

- regular maintenance (i.e., activities listed in the PA);
- leasing with complete rehabilitation in accordance with the Secretary's Standards; and/or,
- rehabilitation in accordance with the Secretary's Standards, alteration, accessibility improvements, hazardous materials abatement, stabilization, mothballing for reuse,

demolition of non-historic properties, both new construction and construction of additions in accordance with the Secretary's Standards or with design guidelines, and completion of associated work (i.e., site, site signage, and utilities).

Then, the park superintendent must work with the park 106 coordinator, and a CRM team if the coordinator or the regional 106 coordinator recommends their involvement, to confirm that the Program Comment may be used; the park superintendent must complete and sign a checklist, a scan of which must be uploaded to PEPC as part of the administrative record. Among other things, the checklist requires park superintendents to confirm that the undertaking is focused on Mission 66-era facilities and does not trigger any of the kick-outs listed below:

- There are highly complex circumstances such as likely effects to historic landscapes and/or historic linear areas (i.e., historic roads and rustic trails);
- It may affect National Historic Landmarks (NHLs);
- It may affect Tribal lands, as defined in the NHPA, or properties of religious and cultural significance to Indian and Alaska Native Tribes, and the Native Hawaiian Community;
- It may affect NRHP-listed/eligible battlefield areas;
- It may affect burial sites, human remains, and/or funerary objects;
- It is likely to affect non-Mission 66-era historic properties, including archaeological sites; and/or,
- It may affect Mission 66-era historic properties such that it/they would be ineligible for NRHP listing or a candidate(s) for NRHP de-listing.

If the park superintendent determines, in consultation with park 106 coordinator and/or the CRM team, that any of the kick-outs are triggered by a planned undertaking, the Program Comment cannot be used. Section 106 compliance must be accomplished via another means for that undertaking (i.e., standard Section 106 review, a park-specific programmatic agreement, or a project-specific memorandum of agreement).

Identification of Historic Properties

To identify historic properties within the proposed undertaking's APE, via the Program Comment, NPS would utilize the Mission 66 MPDF and other relevant context studies (i.e., for former Forest Service facilities now in the National Park System, their forthcoming context study on Operation Outdoors) and consider all unevaluated Mission 66-era facilities to be reviewed as eligible for listing in the NRHP. This would not include Mission 66-era facilities already formally determined as ineligible for the NRHP, nor Mission 66-era below grade-utilities and utility covers, which would be ineligible when the Program Comment is the selected compliance method.

Facilities that are in an undertaking's APE, but not from the Mission 66-era, would need to be identified (i.e., via the PA which states that occurs in consultation with the SHPO, THPO, Indian tribes, or Native Hawaiian organizations, as set forth in Section 110 of the NHPA, or 36 CFR Part 800) and/or relevant standing determinations of eligibility can be referenced. If this has not occurred, Section 106 compliance must be accomplished via another means for that undertaking

(i.e., standard Section 106 review, a park-specific programmatic agreement, or a project-specific memorandum of agreement).

Mission 66-era facilities considered eligible via the Program Comment would be required to be documented accordingly in each park's PA annual and biennial reports and NPS databases. Once a Mission 66-era facility has been determined to be a historic property, via the Program Comment, all Program Comment-qualifying undertakings for that property must be pursued via the Program Comment (i.e., not the PA) during the Program Comment's duration. This would permit NPS to make an accurate assessment of the Program Comments effectiveness, which would be a requirement of Program Comment reporting.

The Program Comment would require an external review of at least fifteen (15) days if a park superintendent proposes to make a finding of no historic properties present, because: no historic Mission 66-era facilities (nor any other historic properties) are present within the APE, or because the integrity of a Mission 66-era facility has been diminished to such an extent that it should not be considered as NRHP-eligible.

External Reviews

All findings that require external reviews must be posted on a public-facing PEPC website and the park superintendent must also correspond (i.e., via e-mail) with the State Historic Preservation Officer (SHPO) and Tribal Historic Preservation Officer (THPO), as applicable, to let them know the information has been posted. If written objections to the finding are raised that cannot be resolved within the allotted timeframe, the Program Comment cannot be used and compliance must be accomplished via another means (i.e., standard Section 106 review, a park-specific programmatic agreement, or a project-specific memorandum of agreement).

Assessing Effects

To encourage preservation, the Program Comment would allow for reviews for undertakings that pose no adverse effects to historic properties to be administered by CRM teams. This would occur when the park superintendent finds that the undertaking does not pose adverse effects at all or when the condition for such a finding, by a park superintendent, is that the undertaking will follow the Secretary's Standards. This approach is an extension of various laws and NPS policies including the Organic Act (1916) which established the NPS and its preservation-focused mission, and Director's Order 28 (referenced above) which emphasizes the importance of preservation of NPS's historic properties.

As noted above, use of the Program Comment would be prohibited if a proposed undertaking is likely to adversely affect any non-Mission 66-era historic properties. For undertakings reviewed via the Program Comment, adverse effects must be limited to Mission 66-era historic properties, and they must not affect a Mission 66-era historic property(ies) such that it/they would become ineligible for NRHP listing or a candidate(s) for NRHP de-listing. To be clear, under the

Program Comment Mission 66-era historic properties may be adversely affected, but they must not be so severely affected as to endanger their eligibility for listing in the NRHP, nor to invoke a reconsideration of an already-listed Mission 66-era historic property's status.

NPS's park 106 coordinators and CRM teams will support park superintendents to help them make informed determinations and take cumulative effects into consideration. The administrative record must support the park superintendent's findings, and will be overseen by the NPS FPO and deputies.

For undertakings that pose adverse effects to historic properties (again, which would be limited to Mission 66-era historic properties) the Program Comment would provide an external review of at least fifteen (15) days and the finding documentation must include mitigation plans. All findings would be informed by the park 106 coordinator and the CRM team, and follow the external review process noted above.

Mitigation and Reporting

Planned mitigation must be selected from a menu of measures to be listed in the Program Comment, including national-level Mission 66-focused documentation and interpretation. Other mitigation measures may also be identified in Program Comment agency request consultation (e.g., data collection, studies, training programs, etc.), as described below. For those facilities that were determined NRHP-eligible via the Program Comment, and reported as such in each park's annual report, a master list of Mission 66-era historic properties at all parks will be managed by the FPO and deputies, so they can keep track as parks endeavor to formalize those nominations.

Mitigation associated with projects that utilize the Program Comment for compliance must be funded or completed in conjunction with the project at the park level, and documented in PEPC. As noted above and as with the PA, the NPS FPO and deputies will have access to all PEPC records, so they can keep track of mitigation efforts. Mitigation progress for all parks must be detailed in national-level annual reporting, developed by the FPO, which would occur on the same biennial schedule as reporting with the PA – but with additional reporting every other year.

A park's use of the Program Comment may be suspended if PEPC records indicate a park has not made substantial progress on mitigation, as determined by the NPS FPO in consultation with regional leadership, and with input from the respective superintendent and the CRM team, or if a park has a pattern of not following the Program Comment.

The proposed duration of the Program Comment is ten (10) years. Three (3) years before the Program Comment sunsets, a headquarters-level report from the NPS FPO to the ACHP and NCSHPO would detail progress made with the Program Comment, mitigation measures completed, formal NRHP nomination status, challenges encountered, and the NPS's plans for the final two and a half (2.5) years of the Program Comment. In the final six (6) months of the Program Comment's duration, regardless of the status of any amendments (if pursued), NPS

would submit a final report from the NPS FPO to ACHP and NCSHPO detailing progress made and providing links to completed mitigation deliverables.

4. Proposed Consultation Process

In the coming months, NPS will host a series of virtual consultation meetings and by-request meetings, as needed, on the development of the Program Comment agency request, including on this conceptual overview as well as an outline/plan. Links to register for consultation sessions will be provided through direct communications and on PEPC.

The consultation will culminate in an agency request in 2024, which is a submission from NPS to the ACHP. The agency request must specify: the types of undertakings to be covered; the likely effects on historic properties and the steps the agency official will take to ensure that the effects are taken into account; the time period for which the Program Comment is requested; and a summary of comments received, including copies of any written comments provided by affected Indian and Alaska Native Tribes or Native Hawaiians. NPS anticipates that upon receipt of the agency request, ACHP will conduct its own consultation and then proceed with formal consideration by their membership of a final Program Comment. (ACHP's consultation is not discussed in this document.)

NPS will also host a virtual consultation meeting with Indian and Alaska Native Tribes, and the Native Hawaiian Community. NPS determined that the Program Comment may have “the potential to affect historic properties of religious and cultural significance to an Indian tribe or a Native Hawaiian organization that are located off tribal lands, and requires government-to-government consultation with Indian Tribes.” (36 CFR § 800.14(f)) Consultation meetings will be led by Ms. Joy Beasley, Associate Director, CRPS, when they are with leaders from Tribes as part of government-to-government consultation.

NPS has formally initiated consultation with direct communications, and details regarding the consultation process were provided in those communications and on a dedicated [PEPC website](#), as well as a dedicated NPS Program Comment website which can be found through [this link](#). All NPS websites that address the Program Comment will be updated regularly.

NPS will accept oral and written comments. NPS will review comments on the Program Comment concept, as described in this document and in the meetings, and then develop an outline/plan. In the coming months, the NPS will also conduct consultation with Indian and Alaska Native Tribes, Native Hawaiians, and consulting parties on the Program Comment outline/plan. All comments received during consultation will inform the nature and scope of the NPS agency request to the ACHP for the Program Comment.

NPS anticipates that consultation on the Program Comment agency request will occur in accordance with the proposed schedule below.

Schedule

Phase 1: NPS Internal and Early Coordination (Fall 2023)

Phase 2: NPS Consultation (Fall and Winter 2023-2024)

Phase 3: Request & ACHP Consultation (Winter and Spring 2024)

Phase 4: ACHP Action (Spring 2024)

Phase 5: Implementation (Spring and Summer 2024)

Providing Comments

Comments can be provided through [PEPC](#) or by email to: mission_66_program_comment@nps.gov. Please contact David Louter, Ph.D., Deputy Associate Director, Park Programs and Heritage Areas, with any questions, at the email address above or david_louter@nps.gov.

5. Frequently Asked Questions

Why is NPS developing an agency request for a Program Comment for Mission 66-era facilities now?

The NPS is developing an agency request for a Program Comment, a new optional compliance method for park superintendents to use to meet their responsibilities under Section 106 of the National Historic Preservation Act (NHPA, 54 U.S.C. § 306108, Section 106), for certain undertakings focused on NPS facilities built between 1945 and 1972 (Mission 66-era). The Program Comment would allow park superintendents to determine these Mission 66-era facilities, of which there are approximately 20,000 nationwide, as eligible for the NRHP and expedite reviews for certain proposed undertakings. The Program Comment would also help NPS address these facilities' often-undetermined historic status and fair or poor condition and utilize the \$1.9 billion in funding that is allocated for them. Moreover, the Program Comment would support NPS efforts to use Mission 66-era historic properties to meet mission needs, fulfill legislated mandates to improve the visitor experience and accessibility, address longstanding deferred maintenance, and advance ongoing stewardship efforts.

How did NPS identify the inventory of historic properties to be covered by the Program Comment?

NPS identified the inventory after reviewing NPS data, the Mission 66 MDPF (NRIS #64501248) and discussing project plans with NPS staff at the national, regional, and park levels.

ACHP guidance clarifies that: “Program comments are especially advantageous to agencies that may have repetitive management actions for a large inventory of similar historic properties or for agencies that have programs that generate a large number of similar undertakings. Program comments can help an agency achieve a broader perspective in planning for similar historic properties it manages on a nationwide basis, allowing those resources to be placed within a national context.”

While some of Mission 66-era facilities, especially visitor centers, were designed by renowned architects, many others were built using standard plans such as for comfort stations and interpretive areas, staff housing, staff offices and administrative buildings, maintenance garages and workshops, storage buildings, and mechanical equipment buildings.

Are there too many types of undertakings to be covered by the Program Comment?

NPS believes the proposed scope is appropriate. NPS welcomes comments if there are questions about specific undertaking types.

Will the Program Comment be utilized as the method of Section 106 compliance for undertakings with potential to affect National Historic Landmarks (NHLs) or for undertakings planned to occur on or affect Tribal lands or properties of religious and cultural significance to Indian and Alaska Native Tribes or the Native Hawaiian Community?

No. In such cases, NPS must follow the standard Section 106 review process pursuant to 36 CFR §§ 800.3 through 800.7 or another applicable program alternative or agreement. Use of the Program Comment would be prohibited in certain circumstances, as determined by the park superintendent.

Will undertakings that utilize the Program Comment pose adverse effects to historic properties and if so, how will they be mitigated?

Yes. Superintendents may select the Program Comment as the compliance method for a qualifying undertakings, but associated adverse effects must be limited to historic properties from the Mission 66-era, and they must not affect a Mission 66-era historic property(ies) such that it/they would be ineligible for NRHP listing or a candidate(s) for NRHP de-listing. To be

clear, under the Program Comment Mission 66-era historic properties may be adversely affected, but they must not be so severely affected as to endanger their eligibility for listing in the NRHP, nor to invoke a reconsideration of an already-listed historic property's status. NPS plans to mitigate adverse effects to historic properties from the Mission 66-era via measures such as, but not limited to, documentation and interpretation. Additional mitigation measures will be considered during consultation on the Program Comment agency request.

How will NPS address existing agreements?

The Program Comment would not replace, amend, or otherwise change the PA nor any other Section 106 agreements. Also, the Program Comment would not apply to any activities outside of the National Park System units.

Did NPS consider the other available Section 106 program alternatives?

NPS evaluated the available Section 106 program alternatives (36 CFR § 800.14). NPS determined that a program comment (36 CFR § 800.14(e)) would best facilitate NPS use of the historic Mission 66-era facilities to meet mission needs, so that NPS can move forward with plans to spend \$1.9 billion on Mission 66-era facilities in the coming years. Given time constraints associated with proposed funding, the Program Comment was identified as the most appropriate Section 106 program alternative. Please also see the answer to the second FAQ, "How did NPS identify the inventory of historic properties to be covered by the Program Comment?" (above).

Where are NPS Mission 66-era Facilities located in the United States?

For information on where NPS Mission 66-era facilities are located, please see the map, "NPS Mission 66-era Facilities (1945-1972) in the United States" on the following page.

Map of NPS Mission 66-Era Facilities (1945-1972) in the United States

