

BLM Preservation Board Report

December 4-6, 2012
Alexandria, Virginia

Attendees: Bureau of Land Management (BLM) Acting Preservation Officer, Kate Winthrop (WO); BLM Tribal Liaison, Jerry Cordova; Deputy Preservation Officers (DPO) Robert King (AK), Charlotte Hunter (CA), John Sullivan (ES), Kirk Halford (ID), Gary Smith (MT), Tom Burke (NV), Signa Larralde (NM), Stan McDonald (OR), Byron Loosle (UT), Ranel Capron (WY); Field Office Manager Michael Stiewig (UT); Field Office (FO) Specialist Buck Damone (WY).

Additional BLM attendees included David Blackstun, Acting Division Chief (WO-240 Division of Cultural, Paleontological Resources and Consultation), Alice Hart (WO), Heidi Hadley (WO), Jenna Gaston (by phone, ID), for portions of the meeting. Richard Hanes, recently retired Chief of WO-240 and Nancy Brown, BLM liaison with the Advisory Council on Historic Preservation (ACHP) also attended for part of the meeting.

Welcome

Mike Pool, Acting Director of the BLM, and Ed Roberson, Assistant Director for Renewable Resources and Planning opened the meeting and thanked the Preservation Board for their efforts. Mike Pool noted that the evolving landscape approach to planning will likely replace or augment the current Resource Management Plan model. He directed us to engage in the new planning model that is developing within the BLM, incorporating a landscape approach to management and reflecting the public's desire to understand resource values at this scale. He directed us to develop a way to discuss and portray areas of significant cultural value that may be useful for planning. He also emphasized this administration's focus on tribal consultation and the expectation that this will continue to be important in the second term.

Mike and Ed also presented the BLM's Spirit of Service Award to Richard Hanes, upon his retirement.

WO-240 Division Update

Richard Hanes introduced Alice Hart, the new national Museum Curator and NAGPRA lead, as well as David Blackstun, Acting Division Chief. Richard reviewed the current staffing situation for WO-240, and stated that the cultural program has strong support from BLM leadership and that vacancies in our staff positions will be filled.

Field Committee Liaison: It is the sense of the Preservation Board that having a liaison to the Field Committee is a good idea, and that the liaison should attend as a member of the Board. It will take a charter amendment to make the liaison a Board member; this is also needed to formally incorporate the Tribal Liaison. This issue is deferred until Robin Hawks returns. Ranel Capron will update Mary Jo Rugwell, Wyoming's Associate State Director and designated Field Committee liaison, regarding this December meeting. The Board would like to invite Mary Jo Rugwell to the meeting in Idaho in June.

Training Committee: Stan McDonald led the discussion for the Training Committee. Annamaria Rago is our new coordinator at the National Training Center. Annamaria comes to this position with good credentials and a solid background in the field. Stan led the discussion on training and reviewed current courses available. Several follow-up items were discussed:

- Identify recurrent or important issues that arise during the Fundamentals course so that the Board may consider addressing these concerns for the program as a whole.
- The Solar Programmatic Agreement training course needs several volunteers to participate as instructors.
- Stan will request Annamaria Rago to compile a status report on all relevant course offerings, including what is recommended and expected for new staff, managers, others.
- The Board agreed that the new course on "The History of the Relationship between the US Government and American Indian Tribes" should qualify for EEO credit. WO agreed to pursue this matter.

Major Infrastructure Projects: Kate Winthrop gave a brief update on WO-240's participation in the administration's and Department's infrastructure project initiatives, including renewable energy projects, major transmission lines, and infrastructure projects of national and regional significance. IM 2013-020, *Section 106 Compliance on Major Infrastructure Projects*, was released in November, 2012, and provides policy guidance. Interim guidance providing best practices and tools for compliance and consultation on major infrastructure projects is expected to be released in early 2013.

State Protocols: State Directors must notify the ACHP of progress on reviewing and revising their state Protocol agreements with their respective SHPOs by February 9, 2013. The Board heard brief statements from each DPO on the progress of their state protocol revisions. All affected states are progressing satisfactorily.

Landscape Discussions, BLM's Initiatives Program: Heidi Hadley, national science coordinator and representative of the BLM's Initiative Team, gave a presentation on BLM's landscape approach. This approach relies in part on good geospatial data at the landscape and regional level. Discussion revolved around the fact that the cultural program's data has not been rolled up at the national level although there is a lot of work done that should be relevant. The cultural program can request eGIS to develop a GIS layer for cultural resources data. There appears to be frustration that program data, though it may be very good, is dispersed and not integrated into any larger BLM management framework such as the developing landscape approach and Rapid Ecoregional Assessment projects.

Landscape Discussions, Cultural Landscapes: Nancy Brown from the ACHP presented a PowerPoint on identifying and addressing cultural landscapes in the Section 106 process. Nancy provided guidance and examples as well as suggestions for finding qualified professionals to work on these issues, and referenced the ACHP website at:

<http://www.achp.gov/natl-qa.pdf>, for more information. Discussion concerned the difficulties in assessing indirect and cumulative effects, finding appropriate mitigation measures, identifying cultural landscapes when the cultural concerns are very broad and diffuse, how to best get information to the field, and other such challenges.

Coal Programmatic Agreement: Buck Damone presented an overview of the 1980 coal PA among various agencies which is still in effect and needs to be reviewed and revised or terminated. The ACHP is a signatory and Nancy Brown agreed to raise the issue with the ACHP. The PA has a clause requiring the signatories to meet periodically to review the PA, but these meetings have never taken place. The ACHP may request a meeting to get the review process going.

Visual Criteria Form: Jenna Gaston from Idaho gave an over-the-phone presentation of a revised visual assessment form they are planning to use for large-scale projects such as transmission lines. Jenna Gaston will provide the Board with a revised form and other information.

ACHP Issues: Nancy Brown noted several issues of concern to the ACHP, especially the national Programmatic Agreement requirement for the Board to institute annual field office reviews. The Board agreed with this concern. A review of a field office in Wyoming is currently taking place.

Tribal Consultation: Jerry Cordova provided an update on tribal consultation issues. This administration is emphasizing tribal relations and there are a number of issues of concern to us including implementation of the DOI Tribal Consultation policy and the interagency MOU on sacred sites (signed November 2012). There was also some discussion of self-governance agreements and funding, and of the next steps to revise the tribal consultation manual. Steve Fosberg, former DPO, will be taking the lead to revise the 8120 manual addressing tribal consultation for cultural resources programs. There was general agreement that there is a need for a tribal consultation manual that cross-cuts BLM programs, but that it should not necessarily be situated in the WO-240 program.

Manuals 8100, 8110, 8130, 8140, 8150: The team lead for each manual led the Board's discussion on the revisions of that Manual. These revisions were captured electronically and will be reviewed by manual teams and posted on the internal BLM SharePoint site for the next iteration. It was agreed that:

- Manual Review Process: Individual manual team leads will post all changes made based on Board comments and discussion on the Preservation Board website. A "rolling review" of manual sections will follow with the Board reviewing one manual at a time, starting with Manual 8100. Team leads are in charge of the process for their respective manuals. This review should be completed for all manuals by summer 2013, and ready at that time for coordinated reviews to ensure consistency among the various manuals. The goal is to have Final Draft Manuals ready for internal review by field offices and affected programs by December 2013.
- Manual Development Process: The Board expressed an interest in learning more about the process involved in revising the Manuals. Kate Winthrop agreed to discuss this with the BLM's Directives program.
- Manuals 8100, 8140: WO-240 will go ahead with the IM to revise Manuals 8100 and 8140, to provide interim guidance to meet the requirements of the nPA to be consistent with the regulations at 36 CFR 800 for definitions of "adverse effect" and "consulting parties".
- Manual 8130: Manual 8130, Planning, needs to identify a way of capturing cultural values on the land at a landscape scale that will be useful in land use as well as project planning.
- Manual 8150: The manual team (Tom Burke, team lead) will draft a white paper laying out issues regarding limited testing and collection with regard to permits, for discussion with our solicitors.

June 2012: The next meeting of the Preservation Board will be hosted by the Idaho State Office.