

BLM Preservation Board Report

June 5-8, 2012
Lewistown, Montana

In attendance: Bureau of Land Management (BLM) Preservation Officer Robin Hawks (WO), Deputy Preservation Officers (DPO) Robert King (AK), Michael Johnson (AZ), Kirk Halford (ID), Gary Smith (MT), Tom Burke (NV), Signa Larralde (NM), Stan McDonald (OR), Byron Loosle (UT), and Ranel Capron (WY), Field Managers, Beth Maclean (AK), Will Runnoe (ID), and Michael Stiewig (UT), District Manager Chris McAlear (NV), field office (FO) Specialists G. L. "Buck" Damone (WY) and Alicia Beat (CO), and BLM Tribal Liaison Officer Jerry Cordova (WO). DPOs Dan Haas (CO), Charlotte Hunter (CA), and John Sullivan (ES) were unable to attend.

Additional attendees were Montana Tribal Coordinator Mark Sant (MTSO) and Dr. Mark F. Baumler (Montana State Historic Preservation Officer), Lewistown Field Office Manager Geoff Beyersdorf, and Lewistown Field Office Archaeologist Zane Fulbright. Richard Hanes (WO), Kate Winthrop (WO), Diana Hawks (Arizona Strip DO), Victoria Atkins (Canyons of the Ancients National Monument, CO), and Nancy Brown (ACHP) attended by conference phone.

Welcome

The Board was welcomed to Lewistown by Lewistown Field Office Manager Geoff Beyersdorf and Lewistown Field Office Archaeologist and former Preservation Board (Board) member Zane Fulbright. The Board welcomed new members, Field Manager Michael Stiewig and Specialist Alicia Beat. Michael Johnson announced the Arizona Governor's Preservation Heritage Honor Award presented to Dr. Connie Stone in Arizona, and Signa Larralde announced the Lifetime Achievement Award presented to Jim Copeland by the Historic Preservation Division in New Mexico.

BLM Montana and Montana State Historic Preservation Office Orientation

Gary Smith and Dr. Mark F. Baumler, Montana State Historic Preservation Officer (SHPO) gave a presentation on Montana BLM and State of Montana cultural resources management programs. Gary noted that there are four districts and a total of 12 field offices in Montana and North and South Dakota. The cultural resources program is managed by ten permanent and one term archaeologist, one curator, one tribal coordinator, and one paleontologist. The collections center in Billings contains artifacts from over 3,000 sites and is at 50% capacity. Since 1997, the Montana State Office has inventoried 1.4M acres and recorded over 10K sites. Its responsibilities include two historic districts and two national monuments. The Montana State Office consults with tribes on the 19 reservations within its three state jurisdiction and two tribes in other states.

Mark Baumler has been with the Montana SHPO for 24 years. The office is located in the Montana Historical Society in Helena and oversees a total budget of \$1.4M (funding/matching activities) with nine full-time and one part-time staff. The budget is 60% federally-funded and receives a match from some state appropriated funds and "overmatches" from the state's Certified Local Governments (CLG). There are about 55K known sites, including 8K teepee rings, 4.5K rock cairns, 4K mining sites, 2.5K transportation-related sites, 900 rock art sites, 300 buffalo jumps, and 2.5K homestead-related sites. Over 300 of the historic period sites precede Montana statehood in 1889.

The 55K extant site records along with approximately 33K cultural resource reports are maintained by the SHPO in Helena in both paper and digital format. The SHPO manages the records using two systems: the Cultural Resources Information System (CRIS) and Cultural Resources Annotated Bibliographic System (CRABS). About 1,000-1,500 new sites and 750-1,000 new reports are added every year. About 50% of survey reports have been scanned and the SHPO now requires Geographic Information System (GIS) polygons when available. This information is available through the SHPO office, where consultants access the information for a fee. At this time the office cannot accept e-mailed reports, but does provide for online file transfers; paper copies are still required as well. There are 7 Tribal Historic Preservation Officers (THPO) in Montana. The Montana SHPO offers technical assistance to THPOs, including hosting reservation inventory information.

The SHPO sees about 1,500 Section 106 undertakings per year and their average turn-around is 10 days, significantly less than the regulatory requirements. Montana has an active National Register of Historic Places (National Register) program and counts 1,094 National Register listings that include 18,000 individual

contributing properties. There are also 33 National Historic Landmarks. Zane Fulbright has submitted several successful BLM nominations and participates in the local CLG.

Mark and Gary discussed the process of reviewing their BLM–SHPO protocol. Montana has a first generation protocol and Mark and Gary have begun discussing a process for review. Mark noted that the BLM’s Cultural Resources Data Sharing Program (CRDSP), which is tiered to the national PA and BLM-SHPO protocol, is a model of good agency-state relations and invaluable for facilitating a collaborative approach to tackling common data management issues. It, along with special assistance from the BLM Miles City Field Office, has been critical to the success of SHPO initiating a statewide cultural resource GIS for sites and inventories in Montana.

WO-240 Update

Richard Hanes, WO-240 Division Chief, gave the Board an overview of events since the December Board meeting. Richard congratulated the Board on significant accomplishments including: (1) execution of the revised BLM programmatic agreement on February 9, distributed to the field as Instruction Memoranda 2012-06, *Revised Programmatic Agreement Regarding the Manner in which the Bureau of Land Management will meet its Responsibilities under the National Historic Preservation Act* (February 13, 2012); (2) issuance of IM 2012-067 *Clarification of Cultural Resource Considerations for Off-Highway Vehicle Designations and Travel Management* after a lengthy period of development; (3) issuance of critically needed guidance in IM 2012-108 *Coordinating National Historic Preservation Act and National Environmental Policy Act Compliance* (May 1, 2012); and (4) issuance IB 2012-033, *Resource Guide for Site Steward Partnership Programs* (January 21, 2012). These will be the building blocks for the 8100 Manual Section updates as we move forward. Richard cautioned the Board that there is still much work to be done as cultural resources compliance was recently identified as the BLM’s greatest challenge in implementing the President’s Executive Order 13604 on Infrastructure Permitting and Review, and work toward the administration’s renewable energy goals.

Richard thanked the Board for their assessments of tribal consultation practices and policies for conformity with the December 1, 2011, Secretarial Order No. 3317, in response to IM 2012-062 *Implementation of Department of the Interior Tribal Consultation Policy* (February 13, 2012). Richard also briefed the Board on the FY12 and FY13 budgets and alerted the Board that the FY 13 Proposed Target Allocations (PTA) will be released on Monday, June 11. Richard reminded the Board that WO-240 had a unique opportunity in FY12 to envision a fully-funded program in support of the America’s Great Outdoors initiative and said that this exercise will inform future efforts. Richard told the Board that we had been successful in advocating for the CRDSP as a WO-200 Cross-Cutting Initiative, and received \$200K in FY12. Richard told the Board that travel dollars will continue to be limited. The Board noted that travel was critical to implementing Departmental tribal consultation policy.

Implementation of revised national Programmatic Agreement -- Key Issues

Robin reminded the Board that IM 2012-061, *Revised Programmatic Agreement Regarding the Manner in Which the Bureau of Land Management will meet its Responsibilities under the National Historic Preservation Act* requires State Offices to report on their progress in completing the implementation actions in IM 2012-061 with a preliminary report by August 9, 2012 and a final report by February 9, 2012. Reports may be submitted to Robin via e-mail. Actions to be completed by February 9, 2012 include reviewing the BLM-SHPO protocol under the PA and reporting the results of that review to the ACHP and WO-240. Protocols requiring review must be revised within 24 months. In addition, BLM State Directors are to begin contacting Indian tribes affected by BLM undertakings on a regular basis to foster better communication and address a series of specific issues that will partially implement the DOI tribal consultation policy. Robin asked the Deputy Preservation Officers what Washington Office can do to assist state offices. The Board discussed the best way to engage the ACHP during protocol review and how to incorporate the public and consulting parties in Section 106 review without losing efficiencies based on our ability to move ahead expeditiously with routine activities. The Board agreed that modifying the National Environmental Policy Act (NEPA) logs on the internet is the only feasible method of making comprehensive information on pending activities and ongoing Section 106 consultation available. The Board also addressed field training and tool kits, including a formal training video.

Action Items:

§ Robin will work with the BLM Liaison Nancy Brown to provide answers to general questions during protocol review and revision.

§ The Training Committee will approach the National Training Center (NTC) about a short video on the revised PA, possibly as part of the updated 8100 training.

§ Bob King will share his reference book for new field specialist with the Board as a model for creating a national specialist “Survival Kit.”

Review and Discussion of the 8100 Manual Sections

Manual Section review team leads walked the entire Board through the results of their reviews of 8100 (Gary Smith), 8110 (Byron Loosle), 8130 (Diana Hawks and Beth McLean), 8140 (Buck Damone), and 8150 (Tom Burke). Board discussion highlighted consistency issues among individual manual sections and issues for further discussion.

National Implementation of the Revised PA – Next Steps

The Board decided to retain the existing review teams to incorporate the results of the discussion at the Board meeting, identify specific issues that require additional Board discussion, and recommend representatives from other programs to participate in developing the draft revisions.

Action Items:

§ Review team leads will incorporate the results of the Board meeting into their sections of the manual, identify issues for further Board discussion, and recommend candidates from affected programs to participate in the revisions.

Renewable Energy Work Group & 2012 Priority Projects

Kate Winthrop gave the Board an overview of the renewable energy initiative by conference phone, and Richard Hanes and Nancy Brown also participated. Kate provided the framework for the policies and procedures being developed to advance the President and Secretary's large infrastructure permitting initiative. She mentioned the E.O. 13604, the August 2011 Presidential Memorandum on permitting, the BLM Renewable Energy Coordination Offices, the various interagency renewable energy, priority project, and transmission teams, the ACHP-BLM Energy and Historic Properties Workgroup. Kate noted that the goal is to develop tools for the field that address the special challenges of the "large infrastructure projects." Tools will include: (1) criteria for identifying projects that meet the "large infrastructure" threshold and require alternative procedures; (2) IM 2012-108 in coordinating NEPA and NHPA compliance; (3) informational materials to educate applicants on their responsibilities; (4) checklists for Pre-Application Meetings; (5) landscape level ethnographic studies; (6) and regional mitigation plans.

Action item:

§ Board members will send Kate information on any materials on hand that could contribute to this effort.

8100 Fundamentals Course

Bob King and Stan McDonald updated the Board on the 8100-01 Fundamentals for Managing BLM's Cultural Heritage Program course. A session of the class is scheduled for September 17-21, 2012 and the National Training Center (NTC) can support some per diem costs. Board members have been asked to poll their field offices to identify prospective attendees from their states. The Board asked the Training Committee to explore the possibility of holding the funding over to FY13 and postponing the class to later in the fall. The Training Committee will confirm plans following their conference call with NTC at the end of the month.

Metal Detection Brochure.

Signa Larralde reported that the brochure on appropriate use of metal detecting will be underway as soon as the National Operations Center provides its approval. She will involve the Board in review

Tribal Consultation Policy – Initiatives and lessons Learned

Jerry Cordova and Mark Sant presented an overview of the BLM's recent assessment of existing tribal consultation policy and initiatives for implementing that strategy. Jerry said he was pleased to be a member of the Board and described his background as a member of Taos Pueblo, a traditional practitioner, and someone with experience in all aspect of tribal government and tribal relations. Jerry briefed the Board on the development of the Department of the Interior Tribal Consultation policy, the BLM's response to Secretarial Order 3317, the DOI Tribal Consultation policy, and ongoing implementation efforts. He thanked the Board members for their responses to the Secretarial Order and IM 2012-060 and asked them to keep the good ideas coming. Jerry also reported on the tribal consultation training he held for the Executive Leadership Team at the request of then Deputy Director Mike Pool. Jerry stressed the importance of relationships between the BLM, especially BLM managers, and tribes and reminded the Board that they were working to overcome 200 years broken promises and double dealings.

Mark Sant then described his experience in tribal relations in multiple agencies and states, and discussed his vision as the first Tribal Coordinator for the Montana State Office. There are 19 reservations in Montana and North and South Dakota and 16 of the 32 Tribal Colleges and Universities. Mark is working on multiple tribal initiatives including internships through the Tribal College and University system, the "Bridging the Divide" program for youth, working with tribal elders to revive tribal languages, and providing career coaching for students interested in tribal and Federal jobs.

Mark is also working within the BLM and with other agencies to facilitate tribal meetings and relationship building. He told the Board that several issues need work including: the cost to tribes of travel for

consultation, the differences among agencies on travel reimbursement policy, the distinction between compensation and reimbursement, and confusion regarding what constitutes government-to-government consultation. He noted that there is an active interest in opportunities for tribes to partner with the BLM on resource management. He also mentioned that the United Nations Declaration on the Rights of Indigenous People needs to be addressed through policy in the near future.

December 2012 and June 2013 Meetings: The December meeting will be in Washington, DC from December 4-6, 2012 and the June meeting will be hosted by the Idaho State Office from June 4-6, 2013. The Wyoming State Office will host the June 2014 meeting. Robin will schedule off-quarter conference calls and additional calls on specific subjects as needed.

Field Trip: The Lewistown Field Office and Upper Missouri River Breaks National Monument staff conducted a boat tour of the Monument and associated homestead resources between Judith Landing and Kipp Landing. The Board visited the Frank Hagadone and Gus Nelson homesteads, recently listed on the National Register, as well as the Ervin cabin, which is proposed for listing. Following the Field trip, Mr. and Mrs. George F. Damone, II and Board member George L. Damone, III, hosted the Board for a dinner at the Damone home.