

NHPA (Section 106) Compliance & Bonneville Cultural Resource Program Updates



Two Goals:

Brief Cultural resource compliance training/discussion

Program-specific process improvements



NATIONAL HISTORIC PRESERVATION ACT (1966)

SECTION 106: The head of any Federal agency having direct or indirect jurisdiction over a proposed Federal or federally assisted undertaking in any State and the head of any Federal department or independent agency having authority to license any undertaking shall, prior to the approval of the expenditure of any Federal funds on the undertaking or prior to the issuance of any license, as the case may be, take into account the effect of the undertaking on any district, site, building, structure, or object that is included in or eligible for inclusion in the National Register. The head of any such Federal agency shall afford the Advisory Council on Historic Preservation established under Title II of this Act a reasonable opportunity to comment with regard to such undertaking.



Section 106 process

- Parties in Section 106 process
 - Agency official
 - Advisory Council on Historic Preservation (ACHP) Independent Federal agency with responsibility for commenting on Federal undertaking's affects on historic properties.
 - State Historic Preservation Officer (SHPO) Must be consulted by agency official during Section 106
 process. Responsible for state historic preservation standards and for reviewing federal determinations of
 eligibility and effect during Section 106 process. Established by Section 101 of the NHPA.
 - Tribal Historic Preservation Officer (THPO) Similar to SHPO but with responsibility only on tribal lands (area within exterior boundaries of an Indian reservation).
 - Indian tribes consulted when an undertaking could affect properties of religious and cultural significance.
 - Other consulting parties
 - Local governments
 - o Parties with a demonstrated interest in the undertaking



BPA must take into account the effects of its undertakings on historic properties and afford the Advisory Council on Historic Preservation opportunity to comment.

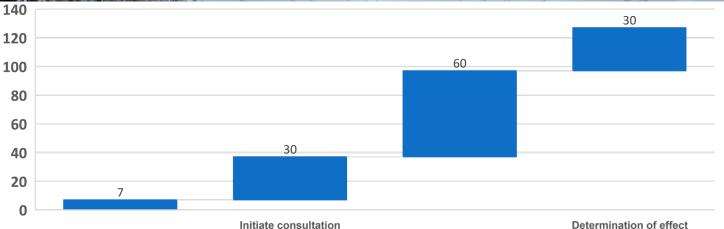
Historic properties = districts, sites, buildings, structures or objects that are eligible for inclusion in the National Register of Historic Places

Four steps:

- Initiate consultation
- Identify historic properties Determine effects*
- **Resolve effects**

*Most BPA projects end at this step

urrent timeframe to complete Section 106 for routine O&M



Cultural resources request/initiat...

Determination of effect

- Cultural resources field survey
- Typically a minimum of 120 days to complete the Section 106 process. This timeline requires a complete/finalized project description. Modifications impact timelines.
- Can be much shorter (30-45 days) in some instances where discrete project areas have been previously surveyed for cultural resources.
- Can also be much longer due to staff availability, land ownership, consultation issues, contracting timelines, adverse effects requiring completion of an MOA, etc.

PROCESS IMPROVEMENTS



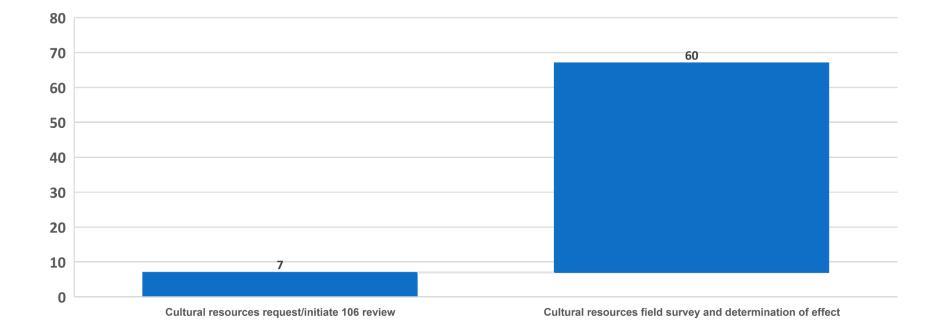
Programmatic Agreement (PA)

- The regulations implementing Section 106 allow for "program alternatives" to tailor the standard Section 106 process to better fit agency programs.
- Two types of PAs:
 - Project PA
 - o Program PA
- A PA is typically executed to increase the efficiency of the Section 106 process by allowing some types of actions to proceed with limited or expedited review.
- PAs are typically executed between a Federal agency, State Historic Preservation Officer(s) (SHPO), and the Advisory Council on Historic Preservation.
 - The exception is a PA executed at a regional or national level when the National Conference of SHPOs is participating in consultation.

Goals in developing Nationwide Programmatic Agreement

- Avoid increasing frequency of impacts on cultural resources
- Draft and execute agreement as quickly as possible while still ensuring meaningful engagement with consulting parties
- Develop agreement that is as broadly focused as possible
- Shorten timeline to complete Section 106 process for routine O&M projects
- Lessen amount of effort necessary for BPA staff to complete Section 106 process for routine O&M
 - Allow more time for BPA staff to focus on Section 106 compliance for new/larger projects with greater potential to impact cultural resources
 - Allow more time for BPA staff to consult with states and tribes regarding potential impacts on cultural resources from new/larger projects

otential future timeframe to complete 106 for routine O&M



Staffing and Re-organization

Current Organization

GS-0170/0190/0193-15 J08833 GS-0170/0190/0193-14 GS-0170/0190/0193-14 Director Supervisor Superviso Cultural Resources FW/FCRPS EH Transmission GS14 Supervisor Sunshine Schmidt 108839 108834 J06917 EHT EHF 00000772 00006062 00000772 Jenna Peterson Tama Tochihara Supervisory Archaeologist Sunshine Schmidt GS-0170-13 GS-0193-13 GS-0193-13 G5-0193-13 CETE GS-0170/0190/0193-14 GS-0193-13 CFTE SR Historian 6513 G\$14 CETE 6513 6513 SR FCRPS Arch SR FW Arch Senior Policy Advisor SR SCM TS Arch SR TS Arch GS13 CFTE CFTE Admin 3 PSS I J08211 108671 106157 106157 JO6157 JO6157 FW Arch JO7239 Historian 2 JO8211 JO6157 TS Arch 106157 106157 Nicole Spisak 00003702 00002214 00002709 00002709 00000131 00002214 Matt Armstrong 00003702 00002709 Patrick Reed 000002461 00000131 00002461 Melissa Teoh VACANT Kevin Cannell Tom Becker Tia Cody SR TS Arch Anna Neugil Katherine Tipton SR FW Arch SR FCRPS Arch Policy Adviso SR Historian . Jenna Peterson Tama Tochihara MACANT CFTE Kevin Cannell G5-0170-12 GS-0193-12 Geographer 3 Patrick Keller GS-0193-12 GS-0193-12 GS-0343-12 GS-0193-12 Historian TS Arch ECRPS Arch FW Arch Program Analyst TS Arch G\$12 G\$12 CFTE CFTE CFTE CFTE 10821 J01488 G\$12 GS12 J08797 101488 101488 101488 00000000 00000178 JO1488 JO1488 JO1488 FW Arch PSS 2 Historian 2 JO1488 TS Arch 00000232 00005200 00000455 00005884 VACANT Michelle Zinda Olivia Schiffman 00004748 00000232 00005200 00000178 Kelly Phillips Christina Sinkovec L. Michelle Zinda VACANT/SCM FCRPS Arch FCRPS Arch FW Arch TS Arch GS-0193-12 Kelly Phillips Christina Sinkoved Tia Codv Celia Moret-GS-0193-12 G5-0193-12 GS-0193-12 TS Arch FCRPS Arch FW Arch Ferguson TS Arch 101488 CFTE JO1488 JO1488 CFTE 101488 GS12 GS12 GS12 00000128 00005680 00005199 CETE Geographer 3 00000000 JO1488 JO1488 Librarian JO1488 VACANT Michelle Stegner Sarah McDaniel Mat Sisneros Historian 2 VACANT (SCM 00005680 00005199 Libby Burke 00003339 Matt Armstrong FCRPS Arch FW Arch TS Arch GS-0193-12 GS-0193-12 GS-0193-11/12 Michelle Stegner Katherine Tipton Tom Becker TS Arch FCRPS Arch FW Arch GS-15:1 101488/0193 101488 JO1488 GS-14: 3 Current BFTE OFTE 00003339 GS12 CFTE 00004748 00000000 GS-13: 5 Historian 2 Ross Smith Celia Moret-Crockett Librarian 2 JO1488 Olivia Schiffman GS-12: 12 Current CETE Tina Kay 00000455 Total - 21 GS-0193-12 TS Arch VACANT TS Arch Anna Neuzil OFTE 101488 CFTE: 10 Librarian 00000455 Proposed/future need G\$12 Libby Burke OF TE PSS 1 Bob Cromwell CETE Current BFTE/CFTE 101488 FW Arch Grand total - 31 00000128 Jasmine Castro Melissa Tech GS-0193-12 In Process TS Arch OFTE TS Arch FY24 approved allocation 21 BFTE JO1488 Sarah McDaniel Librarian Tina Kay 00000000 CFTE FW Arch Gillian Dean CFTE TS Arch Kaltlyn Gutierrez

2023 Organization



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