

United States Department of Agriculture



Natural Resources Conservation Service  
P.O. Box 2890  
Washington, D.C. 20013

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December 15, 2011

Aloha Conservation Partner,

The United States Department of Agriculture Natural Resources Conservation Service (NRCS), by this letter, is initiating consultation with you and invites your participation in the development of a new nationwide program alternative for compliance with Section 106 of the National Historic Preservation Act. The NRCS has been involved in preliminary discussions with the Advisory Council on Historic Preservation (ACHP) regarding this matter and is moving forward with discussions that would provide for better consultation and efficiencies in the NRCS' Section 106 compliance.

As you may be aware, the NRCS works with landowners through conservation planning and assistance designed to benefit the soil, water, air, plants, and animals that result in productive lands and healthy ecosystems. Section 106 of the NHPA requires federal agencies, such as the NRCS, to consider the effects of the undertakings we carry out, approve, or fund on historic properties.<sup>1</sup> Where a proposed undertaking may affect historic properties of significance to Native Hawaiian organizations, the NRCS must consult with officials of those organizations. This process provides Native Hawaiian organizations an opportunity to participate in federal decision making. To tailor our compliance with Section 106, the NRCS is currently operating under a nationwide 'Programmatic Agreement among the United States Department of Agriculture Natural Resources Conservation Service, the Advisory Council on Historic Preservation and the National Conference of State Historic Preservation Officers relative to: Conservation Assistance'. This nationwide programmatic agreement encourages the development of Consultation Protocols with interested Native Hawaiian organizations and Federally Recognized Indian tribes and State Level Agreements (SLAs) with State Historic Preservation Officers (SHPOs). This current program alternative will expire on May 30, 2012.

In an effort to continue a program of tailored compliance with Section 106, we are contemplating the development of a new nationwide prototype programmatic agreement (prototype agreement). The ACHP can designate an agreement document as a prototype agreement that may be used for the same type of program or undertaking in more than one case or area. Should the ACHP designate a nationwide prototype agreement for the NRCS, the NRCS Pacific Area Office in Honolulu would be able to develop subsequent agreements with interested Native Hawaiian organization(s) and with the State Historic Preservation Officer following the direction and principles of the national prototype without need for ACHP participation in consultation or the ACHP's signature.

We will be hosting two teleconferences over the next few months to hear your initial thoughts on the proposal to develop this program alternative and to inform the discussion with lessons learned during the past decade in coordinating NRCS Section 106 reviews.

We invite your participation in one or both teleconferences on the following dates:

- **Saturday, January 21, 2012 at 3:00 pm EST (10 am Hawaii time)**
- **Wednesday, February 1, 2012 at 3pm pm EST (10 am Hawaii time)**

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<sup>1</sup> For more information on the Section 106 process, please visit the ACHP's website, <http://www.achp.gov/work106.html>.

The number for each call will be the same:

Dial in (access) numbers:	Toll Free:	1-866-904-4709
	Toll:	1-203-310-2682
Participant Passcode:		6379651#

**All participants joining the conference must use a touch-tone phone to participate in the “Instant Meeting” conference.** Please be sure the passcode is followed by the pound sign (#).

Following these teleconferences and based upon your feedback, we will continue consultation, to include face to face meetings upon your request, as we draft the prototype agreement. We will keep you informed of relevant timelines and milestones for this effort.

Because the NRCS and the ACHP agree that this effort should be transparent given the breadth and scope of NRCS programs throughout the nation, we need to consider how to fully engage stakeholders. Currently, we are considering the development of a webpage that would be hosted through the ACHP’s publicly accessible website, [www.achp.gov](http://www.achp.gov). This webpage would provide current information on the development of the prototype agreement, the program schedule, draft documents for review and comment, and contact information for the relevant NRCS and ACHP staff.

Further, to allow the NRCS’ current Section 106 program to continue while a new nationwide program alternative is considered, we are contemplating a proposal to amend the existing nationwide programmatic agreement to extend its duration. We would anticipate this limited extension lasting no longer than six months. We would welcome your thoughts and suggestions on such a proposal.

Thank you in advance for your time in this initiative. If you have any questions, please do not hesitate to contact me via phone (202) 720-4912 or email [sarah.bridges@wdc.usda.gov](mailto:sarah.bridges@wdc.usda.gov).

Sincerely,



Sarah Bridges  
Federal Preservation Officer and National Cultural Resources Specialist  
Ecological Sciences Division  
United States Department of Agriculture  
Natural Resources Conservation Service  
Ecological Sciences Division

- cc. Kelly Fanizzo, NRCS Liaison/Attorney Advisor, ACHP
- Angel Figueroa, Director, NRCS Pacific Islands Area State Office
- Kathleen Dobler, Deputy Director, NRCS Pacific Islands Area State Office
- Anthony Ingersoll, Assistant Director for Technology, NRCS Pacific Islands Area State Office
- Astor Boozer, NRCS Regional Conservationist for the West