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## *Native American Program News August 2007*

### **Greeting from ACHP Chairman John L. Nau, III**

The Advisory Council on Historic Preservation (ACHP) is pleased to be launching the first edition of the Native American Program News. It has truly been an honor working with all of you over the past five years. Your willingness to teach me about your cultures and traditions is greatly appreciated. My thanks also for your forthrightness in conveying the need for meaningful consultation on federal undertakings that may affect historic properties of religious and cultural significance to Tribes and Native Hawaiian organizations (NHOs).



ACHP Chairman John L. Nau, III speaks to the Board of Directors of the United South & Eastern Tribes (USET) at their June 2007 meeting in Houston.

The need for improved consultation and interaction between Indian tribes, NHOs, and federal agencies quickly became apparent. In order to begin to address this need, the ACHP established an ACHP member task force to raise the profile of Native issues within the ACHP. One result was the development of the ACHP Action Plan on Native American Initiatives [<http://www.achp.gov/docs/napactionplan.doc>].

The Action Plan is a long-term strategy for improving consultation and interaction between Indian Tribes, NHOs, and federal agencies. Among the most important of the Plan's objectives was the establishment of the ACHP's Native American Advisory Group (NAAG). NAAG's history, membership, and activities are profiled in their own section of this newsletter. The Action Plan sets forth the ACHP's commitment to work with NAAG in a variety of areas, including policy matters affecting Native peoples, heritage preservation initiatives including heritage tourism, and the development of effective consultation tools. NAAG's members shared with the ACHP the issues of greatest concern in their respective regions, and I am proud that the ACHP has been able to facilitate their current work with the White House Office of Intergovernmental Affairs (Intergovernmental Affairs) to ensure that those concerns receive attention at the senior policy levels of our government.

The important work of NAAG would not have been possible without the support of the Bureau of Indian Affairs (BIA) through an interagency agreement with the ACHP. In addition to providing funding, the Office of the Assistant Secretary has

participated in NAAG meetings and discussions. Both NAAG and ACHP believe that this relationship is critical to addressing many of the pressing cultural resource issues in Indian Country.

This Native American Program electronic newsletter also reflects the ACHP's commitment to improving communication with Indian Tribes and NHOs. ACHP's Native American Program is dedicated to providing outreach that keeps readers informed about ACHP activities and initiatives, provides resources associated with Section 106 process, and also provides a forum for NAAG.

We look forward to hearing from you and hope that you will find the newsletter informative.

Sincerely,  
John Nau

### **ACHP Native American Council Member G. Peter Jemison**

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*The 1992 Amendments to the National Historic Preservation Act (NHPA) created a permanent seat on the Advisory Council on Historic Preservation (ACHP) for a Native American or Native Hawaiian representative. Gerald Peter Jemison was appointed to this seat in 2005. (Prior to the start of his term, the seat was held by Native Hawaiian Ray Soon.) Jemison is a member of the Seneca Nation of Indians and a Faith Keeper for his people. It is appropriate that this first issue of the ACHP Native American Program newsletter includes a section where Jemison communicates directly with readers about the perspectives he brings to the ACHP.*



Photo: G. Peter Jemison

Important work takes place within the Advisory Council on Historic Preservation (ACHP). Individuals with a wealth of knowledge and experience are assembled to work with and advise federal agencies about the necessity of preserving our nation's history. Native Americans, Alaskan Natives and Native Hawaiians share a distinct history as the original occupants of the land. Therefore, the oldest histories of America belong to them. This history and the unique resources attached to it must be protected and preserved for future generations. Burial sites, sacred sites, and cultural properties are of paramount concern to America's indigenous peoples.

My role on the ACHP is to speak up on behalf of Native Americans, Alaska Natives and Native Hawaiians. In addition, ACHP Chairman John Nau has had the wisdom to create the Native American Advisory Group (NAAG)--comprised of indigenous representatives--to further advise the ACHP on historic preservation issues of concern to Indian tribes and Native Hawaiian organizations (NHOs). The individuals who compose NAAG are a welcome addition to the work of the ACHP as they provide additional perspectives that I, as an individual, cannot. It remains my task to remind federal agencies that we exist in the present with a status defined by treaties, statutes, and Indian law, and to ensure that our rights in the Section 106 consultation process are upheld in policy and practice.

My life experience as a member of the Seneca Nation of Indians and my role as our Native American Graves Protection and Repatriation Act (NAGPRA) representative has given me the background necessary for my present responsibilities on the ACHP. In addition, my ongoing work as historic site manager for the historic and sacred Seneca town site called Ganondagan has provided me with "hands-on" experience in the historic preservation of a unique cultural property. Together with my staff and our Friends of Ganondagan organization, I am responsible for the protection and interpretation of Ganondagan, which is New York state's only historic site dedicated to a Native American theme.

Within my cultural tradition I am committed to the perpetuation of our Indian way

of life. I, along with others, take responsibility for our ceremonial ways. This honor has prepared me to be sensitive to the cultural traditions and ceremonies of others. It is both a privilege and an honor to serve on the ACHP, and to work with its dedicated staff and my fellow council members.

## **The ACHP's Native American Program**

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### **About the ACHP's Native American Program**

The Native American Program (NAP) was established in 1998 in order carry out the Native American initiatives of the Advisory Council on Historic Preservation (ACHP). The NAP is staffed by Valerie Hauser, Native American Program coordinator, and Monique Fordham, Native American Program specialist.

#### **NAP's Mission**

The NAP's mission is to advise the ACHP chairman, members, and executive director on policy matters and historic preservation issues affecting Indian tribes and Native Hawaiian organizations (NHOs); provide technical assistance and outreach to Section 106 participants regarding the role of Indian tribes and Native Hawaiian organizations (NHOs) in the Section 106 review process [<http://www.achp.gov/regs-tribes.html>] and the national historic preservation program; and to participate in interagency and Native American historic preservation or related initiatives.

#### **Policy**

The NAP has been directly involved in the development of the ACHP's Policy Statement Regarding the Council's Relationship with Indian Tribes (2000) [<http://www.achp.gov/policystatement-tribes.htm>]; and the ACHP's Action Plan on ACHP Native American Initiatives (2003) [<http://www.achp.gov/docs/napactionplan.doc>]. In addition, the NAP is currently developing a policy statement regarding the ACHP's relationship to Native Hawaiian organizations (NHOs).

The NAP works directly with the ACHP's Native American Advisory Group (NAAG), which is comprised of 13 members representing 12 Indian tribes and one NHO, and their alternates. The NAAG was established by ACHP Chairman John L. Nau, III in 2004 in order to both advise and work directly with the ACHP on historic preservation matters of concern to Indian tribes and NHOs.

#### **Interagency Initiatives**

The NAP facilitates NAAG's ongoing work with the White House Office of Intergovernmental Affairs (IGA) and specific federal agencies to develop or modify policies and programs that improve consultation with Indian tribes and NHOs within the Section 106 process. The NAP staff also participates in the IGA's Indian Affairs Executive Working Group and its Native American Projects and Natural/Cultural Resources subcommittees, which are dedicated to developing and advancing policies and directives that improve federal-tribal relations. In addition, the NAP works with the Federal Interagency Working Group on Environmental Justice's Native American Task Force, which addresses environmental justice issues in Indian Country.

#### **Technical Assistance and Outreach**

Since its inception, the NAP has held Section 106 training sessions for approximately 200 Indian tribes, including Alaska Native Villages, as well as dozens of NHOs. Section 106 training and outreach for Indian tribes and NHOs is an ongoing NAP initiative.

In February 2006, the NAP co-hosted the "Sacred Places" training workshop with the Association on American Indian Affairs (AAIA) [<http://www.indian-affairs.org/>] at the United South and Eastern Tribes' (USET)[<http://usetinc.org>], "Impact Week" Meeting.

The NAP has also offered training for federal agencies regarding their responsibilities to consult with Indian tribes and NHOs in the Section 106 process.

To date, the U.S. Department of Transportation (USDOT), the Federal Highway Administration (FHWA), the Federal Energy Regulatory Commission (including their hydropower applicants), and the Federal Communications Commission (including telecommunications industry representatives), have received this training.

In 2004, FHWA and the ACHP entered into an interagency agreement for an intensive and expanded training program to be offered to USDOT employees. As a result of this agreement, the NAP has trained approximately 150 transportation personnel in both federal and state agencies. Under this agreement, the ACHP produced guidelines on tribal consultation for FHWA. The Federal Emergency Management Agency also entered into an interagency agreement with the ACHP to provide technical assistance in the development of guidance on consultation with Indian tribes and NHOs.

The NAP also assists Indian tribes and NHOs, federal agencies, applicants, Tribal Historic Preservation Officers and State Historic Preservation Officers with specific issues that arise in the course of Section 106 case reviews.

For assistance or additional information about the ACHP's Native American Program, contact Valerie Hauser at (202) 606-8530, [vhauser@achp.gov](mailto:vhauser@achp.gov), or Monique Fordham at (202) 606-8530, [mfordham@achp.gov](mailto:mfordham@achp.gov).

### The ACHP's Native American Advisory Group

The Native American Advisory Group (NAAG) was established in 2004 by ACHP Chairman John L. Nau, III and chartered in 2005 to both advise and work directly with the Advisory Council on Historic Preservation (ACHP) regarding legislation, regulations, policies, and programs affecting historic preservation and cultural resource concerns of interest to the Indian tribes, Native Hawaiian organizations, and Native villages, Regional Corporations, and Village Corporations under the Alaska Native Claims Settlement Act.



The NAAG's membership is comprised of 13 representatives--one tribal member from each of the Bureau of Indian Affairs regions and one Native Hawaiian organization member--and their alternates.

- **NAAG Chairman Gordon Puller**, President, Lesnoi Village; **Miranda Wright**, Doyon Ltd. (alternate);
- **NAAG Vice Chairman Arden Kucate**, Councilman, Pueblo of Zuni; **Pablo Padilla** (alternate);
- **Michael Jandreau**, Chairman, Lower Brule Sioux Tribe; **Scott Jones** (alternate);
- **William Jones, Sr.**, Vice Chair, Lummi Nation; **William Jones, Jr.** (alternate);
- **Ben Shelly**, Vice President, Navajo Nation; **Arvin Trujillo** and **Alan Downer** (alternates);
- **Jay St. Goddard**, Councilman, Blackfeet Nation;
- **Eddie Tullis**, Councilman, Poarch Band of Creek Indians; **Ken Carleton**, Mississippi Band of Choctaw Indians (alternate);
- **Vernelda Grant**, Tribal Archaeologist, San Carlos Apache Tribe; **Ramon Riley**, White Mt. Apache Tribe (alternate);
- **Kelly Jackson-Golly**, Tribal Historic Preservation Officer, Lac du Flambeau Band of Lake Superior Chippewa Indians; **Carol Brown** (alternate);
- **Jeremy Finch**, Tribal Historic Preservation Officer, Citizen Potawatomi Nation; **Caleb Finch** (alternate);
- **Lona Barrick**, Administrator, Division of Arts and Humanities, Chickasaw Nation; **Lorie Robins** (alternate);

- **Hillary Renick**, Sherwood Valley Rancheria; **Mark LeBeau**, Pit River Tribe (alternate); and
- **Shad Kane**, Ike Āina Native Hawaiian Land Trust; **Fred Cachola** (alternate).

The NAAG's projects to date include ongoing work with the White House Office of Intergovernmental Affairs to address the consultation practices of federal agencies, participation in the 2006 Preserve America Summit, and the planning and development of an ACHP tribal notification system.

Photo: The NAAG at the Hotel Washington, October 2006

*Front Row Seated (L to R):* Lorie Robins, Gordon Pullar, Lona Barrick, Fred Cachola, Kelly Jackson-Golly, William Jones, Sr. *Back Row Standing (L to R):* Maxine Etter (former alternate), Ken Carleton, Caleb Finch, Jeremy Finch, ACHP member G. Peter Jemison, Vernelda Grant, Mark LeBeau, Carol Brown, Arden Kucate, Pablo Padilla, William Jones, Jr., Frank Dayish, Jr. (former member). *Not pictured:* Michael Jandreau, Scott Jones, Ben Shelly, Arvin Trujillo, Alan Downer, Eddie Tullis, Jay St. Goddard, Shad Kane.

### **Message from NAAG Chairman Gordon Pullar**

I am honored and humbled by being chosen as chairman by my peers on the Native American Advisory Group (NAAG), a group established to advise the Advisory Council on Historic Preservation (ACHP) on Native American and Native Hawaiian issues in historic preservation. I offer my sincere praise for Jeremy Finch and Fred Cachola, the two previous chairmen, from whom I have learned a lot. I will continue to look to them, as well as to the other NAAG members, for assistance over the next year. I pledge to do the best job I can.



There are always limitations to the influence an "advisory group" can bring to bear on the larger body. In our case, however, ACHP Chairman John L. Nau's vision and foresight in establishing the NAAG to advise the ACHP on issues of concern to Native Americans and Native Hawaiians puts us in a unique and influential position. I know Chairman Nau is sincere in asking for our advice on Native issues and we, in turn, are in a strong position to provide valuable counsel to the ACHP.

Native peoples have always struggled to have a voice in decisions that impact their cultures or threaten the sacred places that are so important to them. As a very multicultural group, the NAAG brings viewpoints from many Native cultures throughout the United States. The NAAG members take their responsibilities very seriously.

I am a Kodiak Island Sugpiaq from Alaska and the president of Lesnoi Village, a federally recognized tribe. While serving as president of the Kodiak Area Native Association I was fortunate to lead the successful effort for the return of the remains of more than 1,000 of our ancestors that had been removed from our sacred places and stored in the Smithsonian Institution for more than 50 years. This was but one small part of the organized effort to protect and retrieve our culture and heritage.

Section 106 of the National Historic Preservation Act (NHPA) guarantees that Indian tribes and Native Hawaiian organizations (NHOs) receive consulting party status--a seat at the table--when a proposed federal undertaking might impact historic properties that hold religious and cultural significance to us. We should strive to make certain that all tribes and NHOs understand the valuable role that Section 106

of the NHPA can play in the protection of our sacred places.

I am excited about our possibilities and look forward to working with the NAAG and the ACHP over the coming year.

Photo: Dr. Gordon Pullar (Kodiak Island Sugpiaq) flanked by two of his traditional mask carvings

## NAAG Members Participate in 2006 Preserve America Summit

Representatives from the ACHP's Native American Advisory Group (NAAG) participated in the Preserve America Summit, which was held in New Orleans Oct. 18-20, 2006 to mark the 40th anniversary of the National Historic Preservation Act (NHPA). First Lady Laura Bush led the Summit.



The NAAG members served on four of 11 pre-Summit Issue Area panels comprised of representatives from various federal agencies and public and private preservation partners. These expert panels were tasked with examining major components of the national historic preservation program and developing innovative ideas that could influence policy as well as support programs on the ground. Each panel approached a specific issue area and then reported their respective recommendations at the New Orleans Summit.

The NAAG members participated in the following panels:

- *Determining What's Important* (Arden Kucate);
- *Building a Preservation Ethic & Public Appreciation for History* (Jeremy Finch);
- *Improving the Historic Preservation Infrastructure* (Kelly Jackson-Golly); and
- *Using Historic Properties as Economic Assets* (Lona Barrick).

These reports and those from the seven other Issue Areas from the Preserve America Summit are available at [[http://www.preserveamericasummit.org/pa/hay\\_reg\\_index.asp?page=1022](http://www.preserveamericasummit.org/pa/hay_reg_index.asp?page=1022)].

Other key elements of the Summit included announcement of Preserve America Grants and Communities, Corporate Achievement in Preservation Awards, a youth summit, and remarks by state and federal officials.

Photo: NAAG Vice Chair Arden Kucate (Zuni), right, at the 2006 Preserve America Summit, along with California SHPO Milford Wayne Donaldson

## Indigenous Participation in the Preserve America Program

### White Mountain Apache Tribe, Table Bluff Wiyot Tribe are Recipients of Preserve America Grants

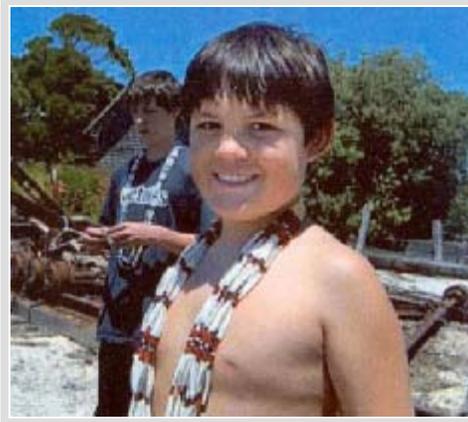
The White Mountain Apache Tribe, a designated Preserve America community, was one of the Preserve America FY 2006 Grant Recipients. White Mountain received the funding to develop a new master plan for Fort Apache Historic Park in Arizona, a National Register historic district, which will provide long-term guidance for



stabilization, restoration, and adaptive reuse of the park's 27 historic buildings. White Mountain Apache tribal member businesses will serve as principal contractors.

A major goal of these historic preservation activities is to improve opportunities for sustainable tourism. As rehabilitation progresses, visitors will enjoy increasing interpretation, activities, and services throughout the historic district to add to the existing tribal Cultural Center and Museum, old military cemetery, recreated Apache village, and recreational trails. For more information about visiting Fort Apache, contact the White Mountain Apache Office of Tourism at (928) 338-1230, or the White Mountain Apache Cultural Center at (928) 338-4625, or visit [www.wmat.nsn.us](http://www.wmat.nsn.us).

Photo: Officer's Row at Fort Apache (courtesy of K. Hoerig/WMAT)



### **The Table Bluff Reservation**

**Wiyot Tribe** is a FY 2007 Preserve America Grant recipient. The Tribal Historic Preservation Office received a grant for its Indian Island Interpretation and Education project. The project will include funding for interpretative trail markers, educational kiosks, development of tour guide curricula, printed educational material for visitors, and living history enactments to be situated on Indian Island, site of the tribe's ancestral village of Tuluwat, a National Historic Landmark site.

The Indian Island Interpretation and Education Project is a subcomponent of the larger Indian Island Cultural & Environmental Restoration Project, a collaborative project with the city of Eureka, California.

In 2000, the Wiyot purchased a portion of Indian Island (Tuluwat), located in California's Humboldt Bay. In 2004, the city of Eureka deeded an additional 60 acres of adjacent land on the island to the tribe. The reacquisition has enabled the tribe to begin restoring the island and reestablishing a sacred ceremony there. The Wiyot people had been driven from Tuluwat, site of the World Renewal Ceremony, after settlers massacred women, children, and elders there in 1860.

Once the Indian Island Interpretation Project is in full swing, the tribe plans to arrange educational tours on the island that highlight the legacy and living culture of California Indians and also provide the opportunity to learn about the ecology of Indian Island and Humboldt Bay. The project involves partnerships with the Humboldt Bay Maritime Museum, the Humboldt Bay Harbor Recreation and Conservation District, Eureka Main Street, and the Humboldt County Visitors and Convention Bureau.

For more information on the restoration of Tuluwat Village, visit [www.wiyot.com](http://www.wiyot.com).

Photo: Wiyot Youth at Tuluwat (courtesy of Wiyot Tribe)

### **Increasing Indigenous Participation in the Preserve America Program**

The Preserve America program is an Administration initiative developed in cooperation with the Advisory Council on Historic Preservation and the U.S. Departments of the Interior, Agriculture, and other agencies. It highlights the efforts of the President and Mrs. Laura Bush to preserve America's diverse cultural and historic resources.

The "Preserve America" Executive Order 13287 signed by President Bush on March 3, 2003 identifies Indian tribes as key potential partners for federal agency development of heritage tourism and other economic development programs.

There are two pathways by which federally recognized Indian tribes can become eligible to apply for Preserve America grants like the ones received by the White

Mountain Apache Tribe and the Table Bluff Wiyot Tribe:

1. Federally recognized tribes can apply for Preserve America Grants by having their 101(d)(2) Tribal Historic Preservation Officer (THPO) file the Preserve America Grant application, which is downloadable at <http://www.cr.nps.gov/hps/hpg/PreserveAmerica/index.htm>; or
2. If a tribe does not have a 101(d)(2) THPO, it can apply for a Preserve America Community designation. Once a tribe has applied for and received Preserve America Community designation, it becomes eligible to apply for a Preserve America Grant.

### **New Tribal Procedure for Becoming a Preserve America Community**

New guidance and a special application form designed to clarify requirements for Preserve America Community designation for Indian tribes has just been completed and is now available online in PDF and Microsoft Word formats at [<http://www.preserveamerica.gov/tribal-communities-form.pdf>] or [<http://www.preserveamerica.gov/tribal-communities-form.doc>].

The new application and guidance for Indian tribes strives to accommodate the different political structures and needs of Indian Country, as demonstrated in the following excerpt about the eligibility of tribal communities:

1. 'Indian tribe' or 'tribe' means 'an Indian tribe, band, nation, or other organized group or community, including a Native Village, Regional Corporation or Village Corporation, as those terms are defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602), which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians' (National Historic Preservation Act, as amended, 16 U.S.C. Sec. 470w(4)).
2. Subdivisions of such Indian tribes as defined in "1" above that are distinct communities and that are represented by elected officials in the greater tribal government, including, as appropriate, districts, villages, chapters, or other equivalent communities, may also be eligible for this designation. Representatives of such units are encouraged to contact the ACHP to discuss preparation of their applications prior to their submission."

Ron Anzalone, director of ACHP's Office of Preservation Initiatives, has been consulting with the ACHP's Native American Advisory Group and the Department of the Interior on ways to encourage greater participation in the Preserve America initiative by Indian tribes and Native Hawaiian organizations (NHOs). How to best accommodate the needs of NHOs and the communities they represent within the Preserve America initiative continues to be a topic of discussion.

### **Preserve America Grants**

Designated Preserve America Communities, 101(d)(2) Tribal Historic Preservation Offices, and State Historic Preservation Offices are all eligible to apply for Preserve America Grants. The Preserve America matching grant program provides funding to support preservation efforts through heritage tourism, education, and historic preservation planning. This program does not fund bricks-and-mortar projects, but rather helps local communities develop sustainable resource management strategies and sound business practices for the continued preservation and use of heritage assets.

In 2006, 68 Preserve America Grants totaling \$5 million were awarded in two rounds, and an additional 43 grant winners were announced in July 2007. Winners of a second 2007 round are expected to be announced in September. The president's budget requests \$10 million for grants in FY 2008. The grant application and its general guidelines are available at <http://www.cr.nps.gov/hps/hpg/PreserveAmerica/index.htm>. Information about the projects funded by the previous rounds of grants is at this site as well.

Preserve America Grants are awarded through a competitive process, and each grant requires a dollar-for-dollar, non-federal match, which can be in the form of cash or in-kind donated services for grant-assisted work. The grant and the non-federal match must be expended during the grant period (1 to 2 years). The minimum grant request is \$20,000 federal share (resulting in a total project cost of \$40,000). The maximum grant request for any project is \$150,000 federal share (resulting in a total

project cost of \$300,000).

Please note that the grants are administered by the National Park Service, and detailed questions regarding Preserve America Grants should be addressed to David Banks at (202) 354-6968 or Hampton Tucker at (202) 354-2067.

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