

Federal-Tribal Roundtable on Tribal Cultural Landscapes  
National Association of Tribal Historic Preservation Officers Annual Meeting  
9/10/12  
ACHP Staff Summary Notes

Panel:

Wayne Donaldson, Chairman, ACHP

Leonard Forsman, Chairman, Suquamish Tribe

Stephanie Toothman, Associate Director for Cultural Resources, NPS

Buck Damone, Archaeologist, BLM

Tom Gates, Consultant

Sequoyah Simmermeyer, Counsel, DOI-ASIA

Valerie Hauser, Office of Native American Affairs, ACHP

Roundtable began with short statements from the panel:

Toothman:

- There are very few formal determinations of traditional cultural properties but there are likely many more consensus determinations. However, NPS does not see those.
- The NR guidance, as a whole, needs to be looked at; need to determine if there are barriers to listing tribal places.
- The addition of traditional cultural landscapes as a property type is being considered by NPS.

Damone:

- A NEPA context might be a better fit to address tribal concerns than the Section 106 process.

Gates:

- There are several main issues:
- Plants and animals are cultural resources (in relationship to National Parks where tribes cannot carry out traditional practices such as hunting).
- There is a need to define landscapes and to determine how to document them for management.
- There is a terminology problem: historic properties, sacred sites, TCPs, traditional cultural landscapes.
- The guidance is inarticulate.
- For federal agencies and developers, there is a fear factor in acknowledging large properties.
  
- Challenges include:
  - Confidentiality templates
  - Multiple lines of evidence
  - The bigger the landscape, the bigger the challenge of integrity
  - How much do we need to know to determine something eligible? Need to define the thresholds for information necessary to make informed decisions.

Chairman Forsman:

- There is a political reality.
- Federal agencies have to own their responsibility to tribes.

- Tribes have a responsibility to give the information they are comfortable sharing and to do their best to participate in consultation.
- Need to get more tribal leadership involved.
- Tribes have to build alliances: locals need to be educated as do project proponents and elected officials.
- Tribes have to start thinking of solutions.
- There are currently enough regulations and procedures that traditional cultural landscapes can be found eligible; it comes down to who the technician is.

Discussion with and comments from the audience:

- The way federal agencies consult is crippling tribes.
- Tribes are not interested in nominating properties.
- Program alternatives diminish the opportunities for tribal consultation; ACHP keeps signing them.
- Trust responsibility.
- The critical need for a sacred sites definition.
- The problem is not just about terminology; part of the problem is that identification is being done by archaeologists and they are not qualified to identify historic properties of significance to a tribe including landscapes.
- Consultation is a problem at the local level because it never includes tribes.
- Big push for solar and wind power development so the tribes are powerless to deal with these when the projects are coming from upper level federal management. Agency staff at the field level cannot do anything about them.

There was also a fair amount of discussion about the challenges in energy development, Appendix C, BLM consultation, and pipeline construction.