

FCRPS Cultural Resources Sub-Committee
Summary Notes
February 5, 2008
Boise, Idaho

*The CRSC met at the Bureau of Reclamation office in Boise, Idaho on February 5, 2008 .
The meeting started at 10:00 AM and concluded at 5:00 PM.*

Participants at the meeting included:

Lynne MacDonald (BR)
Jenny Huang (BR)
Kimberly St. Hilaire (BPA)
Rebekah Pettinger (BPA)
Kristen Martine (BPA)
Hope Ross (BPA)
Gail Celmer (Corps, Northwestern Division)
Lawr Salo (Corps, Seattle District)
David Grant (Corps, Seattle District)
Rebecca Kalamasz (by phone) (Corps, Walla Walla District)
Ray Tracy (by phone) (Corps, Walla Walla District)

1. FY07 and FY08 Performance Indicators. The group reviewed due dates for the FY08 PIs. The following PI milestones have been completed: 1) Chief Joseph Co-op Group completed an initial review of a draft HPMP; 2) Albeni Falls Co-op Group outlined a draft project PA; 3) Systemwide PA was distributed for formal review and comment.

It was suggested that a joint meeting or call be held between the Libby and Hungry Horse Groups to discuss development of Project Pas, because these PAs will have some of the same signatories.

2. Status of Conference Notes. BPA is attempting to insert speaker's names in the notes when that information is available from the transcripts. Not all statements can be assigned to a specific speaker and so the general affiliation (Tribal, Federal agency, SHPO, ACHP) will be inserted, when available.. A disclaimer will be added to the notes that explains these limitations. A brief acknowledgement of the Elder's Dinner will also be included in the notes. The final conference notes will be distributed through the Co-op groups; notes should be ready by the end of February.

3. Update on Baseline Study Report. BPA will have Paul Nickens review the narrative report (minus the bibliography and GIS data) prior to finalizing. Expected completion date for the narrative report is mid- to late March. BPA will make hard copies and CDs of the final report for distribution to the Co-op groups. The group discussed the need to establish an arbitrary date for which data gathering will stop (e.g. end of calendar year 2007) so the report can be finalized, although the database will require annual updates. It

will be important to distinguish between Projects where there is no data because there was no work done and those Projects where data exists but has yet to be verified and included in the database. When old data is added to the GIS database, accomplishments for that reporting year may be artificially skewed. Connie Reiner is available to help the Co-op groups with GIS technical issues.

4. Systemwide Research Design. Due to workload, no additional discussion has occurred regarding development of the Systemwide Research Design (SRD) since the last CRSC meeting. The group discussed a principal purpose of the SRD was to show why certain analytical data are necessary for reporting and for consistency across the system. It is not expected to focus solely on National Register criterion D and would be applicable to any type of fieldwork including monitoring. Use of existing curated collections should be considered.

5. Update on Systemwide PA and Schedule. The draft PA was distributed to the FCRPS consulting and interested parties group on January 31, 2008. Written comments are requested by April 11, 2008. In the interim, technical meetings will be held with those who request a meeting. Currently, meetings are planned for SHPOs, and possibly four tribes. Cultural Resource Program Project Managers/Archeologists are invited to attend meetings within their Co-op group areas. The draft PA includes a new TCP stipulation (Stipulation V). The content of the TCP stipulation originated from agency discussions with ACHP and information shared and discussed at the annual conference. The ACHP suggested the agencies develop a list of previous and on-going TCP studies as well as develop processes for documentation and evaluation of TCPs. Initial discussions to implement the TCP stipulation may occur at the next FCRPS conference.

The need to include maps of individual Project APEs within the systemwide PA was discussed. Some co-op groups have already defined an APE for their projects, other groups will require more discussion before APEs can be finalized. The APEs that have been defined thus far are for direct erosional effects around the reservoir pools. These APEs associated with direct impacts from Project operations are more easily defined than APEs associated with downstream or indirect effects, TCPs and viewsheds. Direct impact zones around the reservoirs typically coincide with lands that were acquired for project purposes. For some Projects, it may be necessary to establish an arbitrary distance from the shoreline as a starting point for APEs associated with TCPs (this is currently being done at Lake Roosevelt) to aid in establishing the area in which investigations will take place. The distance could be adjusted outwards (or reduced) later based on information collected during research within the initially defined area. A schedule for reviewing the initial determinations of APEs would help ensure that APEs are refined in a timely manner.

6. Cooperating Group Issues. Wana Pa Koot Koot Co-op Group recently discussed law enforcement responsibilities off of federal lands. CRSC viewed a legal analysis prepared by Corps and BPA, in which BPA and Corps agree that we have a responsibility to monitor within the APE for the purposes of Section 106. ARPA and NAGPRA do not apply outside of federal and reservation lands. There is often an overlap between

monitoring under Section 106 and ARPA. FCRPS joint funding is to be used for Section 106 activities with the exception of initial discoveries under NAGPRA and some ARPA-related monitoring. ARPA damage assessments and prosecutions should be funded by the Corps outside of the joint funding agreement when they are the federal land manager.

7. Common Definition of “Formal Determination of National Register Eligibility”.

The group discussed the need to have a common understanding of what “formal determination” means for the purposes of the FCRPS program. The group was in agreement that this should entail written documentation of consultation between the federal agency and the appropriate SHPO/THPO or a written determination from the Keeper of the Register. A recommendation by a contractor is not a formal determination of eligibility, nor is internal determination by the agency without consultation with SHPO/THPO. Each state has their own preferred documentation process for determinations of eligibility, and concern was expressed at the increased complexity of those processes in recent years, with associated increased cost. It was suggested the agencies should discuss either simplified processes with each SHPO, or simplified processes systemwide with the four SHPOs to reduce paperwork as a potential streamlining function of the Systemwide PA.

8. Establishing a Process for Supplemental Funding and JOC Notification. Because of recent questions raised by Reclamation and BPA JOC representatives associated with budgeting for a proposed expensive stabilization project at Lake Roosevelt, the need for advance planning and coordination regarding potential requests for supplemental funding (funds in addition to the FCRPS fenced funding) was discussed. Large stabilization projects and some inadvertent discoveries have the potential to use a large share of the annual FCRPS cultural resources budget. JOC has asked that we develop a planning process to identify and inform JOC and Project management early on if there is the potential that a proposed activity might trigger a request for supplemental funding. This potential request would have to be considered well in advance of proposed implementation because it would need to be included as an item when developing rate cases. There also would need to be consideration of any request across the 14 FCRPS Projects so that BPA would know if more than one request might be made within the same year or several year period. The group discussed having a “Top 10” list at each Project for priority sites, with a process established if extraordinary costs might be associated with any of those priority actions. Requests for supplemental funding would be a rare event and approval would not be guaranteed. At their next meeting, CRSC will discuss a draft plan for identifying potential stabilization projects or other compliance activities that might trigger supplemental funding requests, prioritization of these requests at a systemwide level, and development of alternatives analyses and budgets. Planning, implementation and ongoing maintenance/monitoring obligations, and communication protocol will be considered.

9. Next Meeting. June 10-11, 2008 in Walla Walla, WA. A two-day session may be necessary to discuss PA comments.