

- AGENDA -

How NEPA and the NHPA Can Help You Achieve the Results You Want

May 8-9, 2018
Isleta Resort & Casino
Albuquerque, New Mexico

Co-sponsored by:

Pueblo of Isleta, National Association of Tribal Historic Preservation Officers,
Natural Resources Defense Council, National Trust for Historic Preservation

Preliminary Course Materials:

- *The National Environmental Policy Act (NEPA) and CEQ Regulations*
- *NHPA and ACHP Regulations*
- *NEPA 101: History & Purpose*
- *Making Your Case: Guide and Supplement*
- *The Law of Alternatives*
- *Statutory Provisions Relating to Alternatives*
- *NEPA and NHPA: Handbook for Integrating NEPA and Section 106 Reviews*
- *Preserving Native American Places: A Guide to Federal Laws & Policies that Help Protect Cultural Resources & Sacred Sites*
- *Climate Change Analysis Under NEPA*
- *Secretarial Order 3338 – PEIS*
- *NRDC Comment Letter – FCC 17-79*
- *Selected Provisions from FAST-41*
- *Recent Actions in Federal Communications Commission WT Docket 17-79*
- *Telecommunications legislation being considered in the 115th Congress*

Optional Reading Materials:

- *Earth, Wind, and Fire: Pinal Apaches, Miners, and Genocide in Central Arizona, 1859-1874*
- *Discretionary Desecration: Dził Nchaa Si An (Mount Graham) and Federal Agency Decisions Affecting American Indian Sacred Sites*

Homework Assignment Prior to Day 1:

Read NEPA and CEQ regulations; NHPA and ACHP regulations

Course Instructors and Organizers

- Sharon Buccino, Director and Senior Attorney, Land & Wildlife Program, Natural Resources Defense Council
- Will Cook, Associate General Counsel, National Trust for Historic Preservation
- James Graves, Staff Attorney & Clinical Teaching Fellow, Institute for Public Representation, Georgetown University Law Center
- John Welch, Director, Landscape and Site Preservation Program, Archaeology Southwest
- D. Bambi Kraus, President, NATHPO

Tuesday, May 8, 2018

- 8:45 am Prayer/ Blessing & Welcome
Purpose of workshop and introductions
(Bambi Kraus, Sharon Buccino)
- 9:00 am NEPA 101 (Sharon Buccino)
Includes relevance to health and economic and social issues
Course Material: NEPA 101- History and Purpose of NEPA
- 10:00 am Talk Story I – What are the challenges involving federal decisions
communities are trying to address? What information about federal
decisions do tribal representatives have? What information would you like?
(Sharon Buccino to start discussion)
- 11:00-11:15 am Break
- 11:15 am Introduction to Alternatives (Sharon Buccino)
Course Material: The Law of Alternatives; Statutory Provisions Relating to Alternatives
- 12:30 pm Lunch (provided)
- 1:30 pm NHPA 101 – Traditional Cultural Properties as a Legal Advocacy Tool (Will
Cook)
*Course Material: Preserving Native American Places: A Guide to Federal Laws &
Policies that Help Protect Cultural Resources & Sacred Sites*
- 2:00 pm Case Study: Greater Chaco Landscape (John Welch)
- 2:30 pm Integrating NEPA and NHPA review – Leveraging the Results You Want
(Will Cook, Sharon Buccino, John Welch)
Includes focus on key points of engagement and tips for effective
engagement in decision-making
*Course Material: NEPA and NHPA: Handbook for Integrating NEPA and Section
106 Reviews*
- 3:15-3:30 pm Break
- 3:30 pm Talk Story II – Incorporate case study/ies to illustrate sources of information
and tips and tools to engage. (Jim Graves to start discussion)
Course Material: Recent Actions in FCC WT Docket 17-79
- 5:00 pm Report back – Summarize Day and Morning Ahead
5:30 pm Adjourn for the day
6:00 pm Group Dinner (provided)
Guest Speaker: Mark Maryboy (Navajo) to discuss the “InterTribal
Effort to Create Bears Ears National Monument”

Wednesday, May 9, 2018

- 9:00 am Comments, questions, and feedback from first day
- 9:10 am Introduction to NEPA Litigation (Sharon Buccino)
Course Material: Making Your Case – Guide and Supplement
- 9:45 am Talk Story III – Revisiting the role of traditional knowledge in NEPA and
NHPA review, especially as part of infrastructure expansion, including FAST
41 and other measures intended to expedite the NEPA and NHPA
processes. (Sharon Buccino, Will Cook, John Welch, and Jim Graves to start
discussion)
*Course Material: Selected Provisions of FAST-41, EO 13807, Federal Permitting
Improvement Steering Council background*
- 10:30-10:45 am Break
- 10:45 am Making Use of Monitoring and Mitigation (Sharon Buccino, Will Cook, John
Welch)
- 11:15 am Programmatic EISs and Tiering in the Context of Energy Development
(Sharon Buccino)
Course Material: Secretarial Order 3338, NEPA Climate Change Guidance
- 11:45 pm Wrap up and Reflections
- 12:00 pm Prayer/ Blessing & Conclude