



COORDINATION & CULTURAL PRESERVATION



NATHPO Sacred Sites Summit:
Collaboration, Consultation & Consent, and Early Coordination
September 23, 2021

EARLY COORDINATION/PRE-APPLICATION

Why is the ACHP advocating for early coordination with Indian tribes?

TWO INFRASTRUCTURE REPORTS

Improving Tribal Consultation and Tribal Involvement in Federal Infrastructure Decisions

January 2017

U.S. Department of the Interior
U.S. Department of the Army
U.S. Department of Justice



Preserving America's Heritage

Improving Tribal Consultation in Infrastructure Projects

*A report by the
Advisory Council on Historic Preservation
April 27, 2017*

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EARLY COORDINATION

What it is

Working together to:

- Share information
- Identify historic properties
- Find project locations or footprints that avoid impacts

What it is not

- Compliance with Section 106
- Government-to-government consultation/interaction
- Guarantee sites will be protected

SHOULD WE COORDINATE?

Pros

- Greater chance to avoid or minimize impacts to sites
- Possibly more efficient Section 106 process
- Potentially avert project delays

Cons

- More difficult to protect sensitive information
- Potential misallocation of resources
- No federal agency = no government-to-government interaction

WHAT APPLICANTS CAN DO

- Have a tribal liaison(s)
- Develop relationships with Tribes
- Develop training for staff (with Tribes)
- Develop a tribal coordination policy
- Contract with Indian tribes



WHAT AGENCIES CAN DO

- Build relationships with Tribes
- Educate applicants
- Help applicants work with Tribes
- Consult early in project planning
- Train staff
- Share documentation efficiently



AGENCIES AND APPLICANTS

- Acknowledge and consider a Tribe's special expertise
- Become familiar with Tribal-U.S history and understand its impact on Tribes



ACKNOWLEDGE SPECIAL EXPERTISE

The agency official shall acknowledge that Indian tribes and Native Hawaiian organizations possess special expertise in assessing the eligibility of historic properties that may possess religious and cultural significance to them. - 800.4(c)(1)

- Traditional Knowledge
- Ethnobotany
- Place Names
- Oral History
- Land Use
- Language
- Song and Story

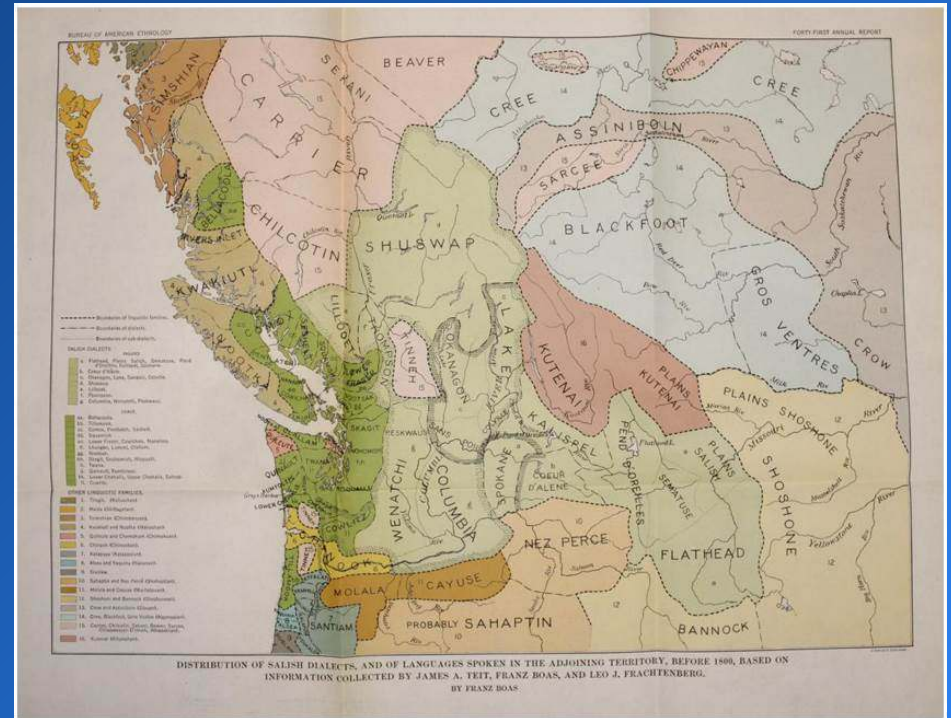
“...the best available data includes traditional knowledge, includes indigenous science...It’s really revolutionizing the way in which decisions are made and who gets a seat at the table, and creating a space for indigenous knowledge holders to be respected in these governing processes.”

Kelsey Leonard,
Shinnecock Nation
Mid-Atlantic Regional Planning Body

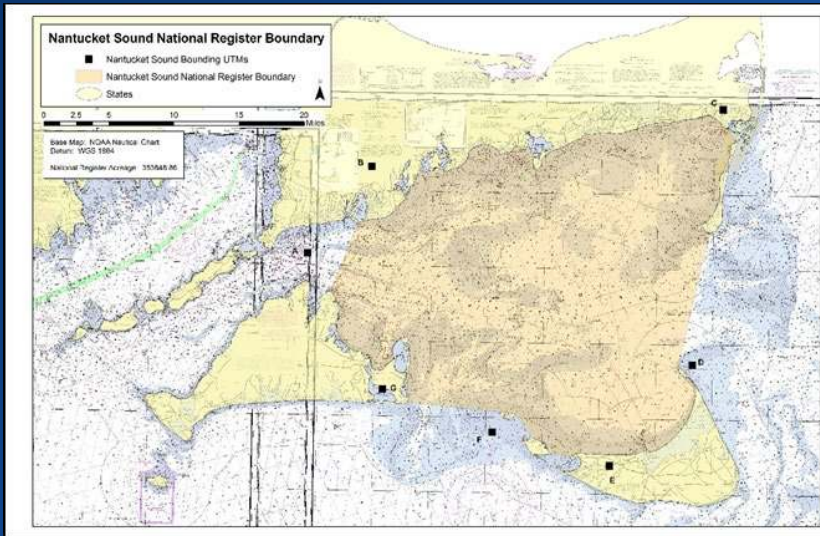
ANCESTRAL, ABORIGINAL AND CEDED LANDS

“...frequently historic properties of religious and cultural significance are located on ancestral, aboriginal, or ceded lands of Indian tribes...”

“...This requirement applies regardless of the location of the historic property...”



WHAT INDIAN TRIBES CAN DO



- Share information about areas of interest/concern
- Develop consultation protocols & share them
- Create an administrative record

WHAT INDIAN TRIBES CAN DO

- Develop protocols for early coordination
- Cultivate and maintain relationships
- Enter into agreements with agencies and/or applicants



EARLY COORDINATION WITH INDIAN TRIBES
DURING PRE-APPLICATION PROCESSES

A HANDBOOK

