

Making Meaningful Mean Something: Priorities for Tribal Consultation

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The Journey

- Government-to-government
- NHPA Section 106
- Requirements & best practices
- Regular, meaningful, robust, effective
- Listening & respect
- Challenges, opportunities & possibilities



Requirements

- Executive Order 13175 (2000):
regular & meaningful
- Presidential Memo (2009):
accountability, plan & reporting
- Presidential Memo (2021):
strengthening, robust



What Does Meaningful Mean?

Meaningful:

1. Full of meaning! Significant
2. The thing conveyed especially by language

Meaning:

1. Significant quality!
2. Logical connotation/denotation of a word

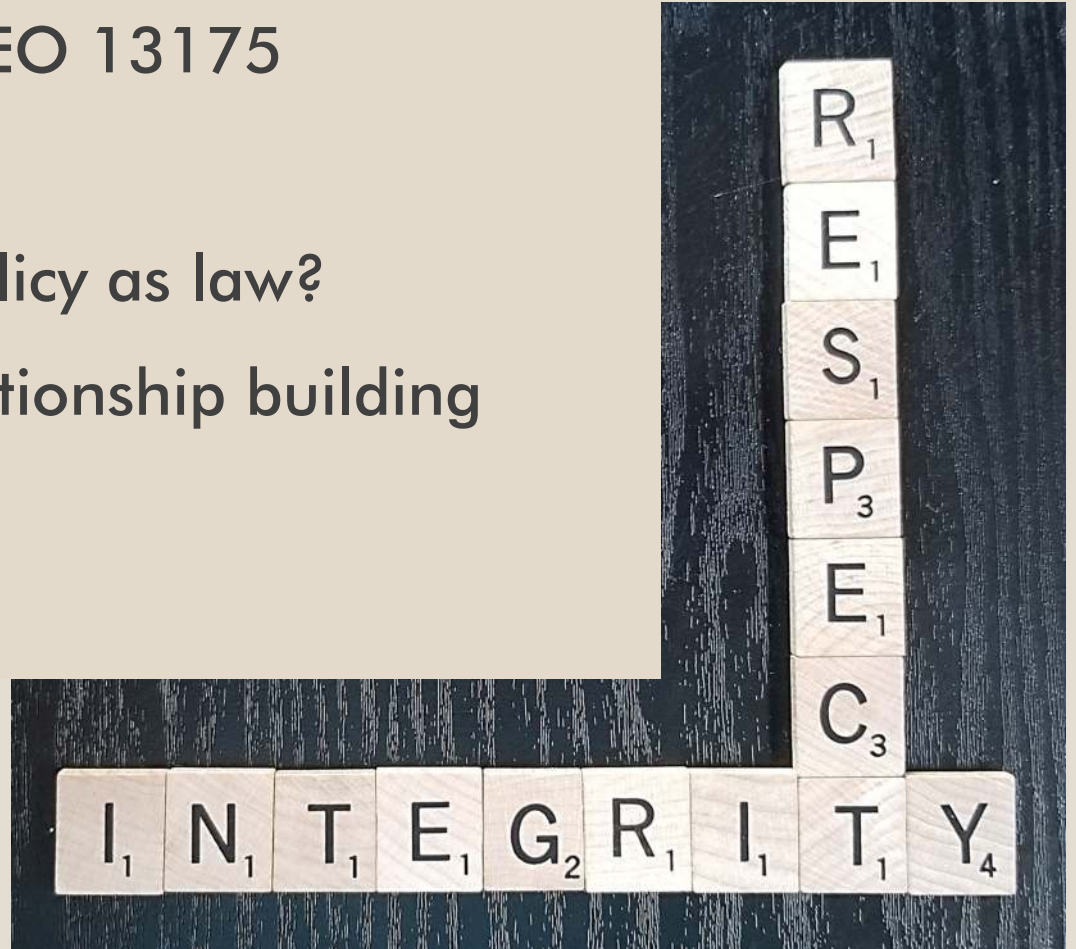
"Many words have more than one meaning"

Robust: able to perform without failure under a wide range of conditions



About Those Requirements

- Agency policies implementing EO 13175
- Tribal policies
- Unified federal consultation policy as law?
- Checking the boxes versus relationship building
- Integrity & respect



NHPA

- Section 106: agencies consider effects of undertakings
- Section 110: agencies inventory historic properties
- Section 304: sensitive info protected (if...)
- National Register of Historic Places
- SHPOs & THPOs!
- Consultation requirements
- Tribal Consultation: Best Practices in Historic Preservation (NATHPO)

Tribal Cultural Landscapes

- Guiding principles of self-determination
- Building relationships
- Integrated resource management at landscape scale
- Natural resources with cultural value
- Intangible heritage values

OCS Study
BOEM 2015-047

A Guidance Document for Characterizing Tribal Cultural Landscapes

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Yurok Tribe

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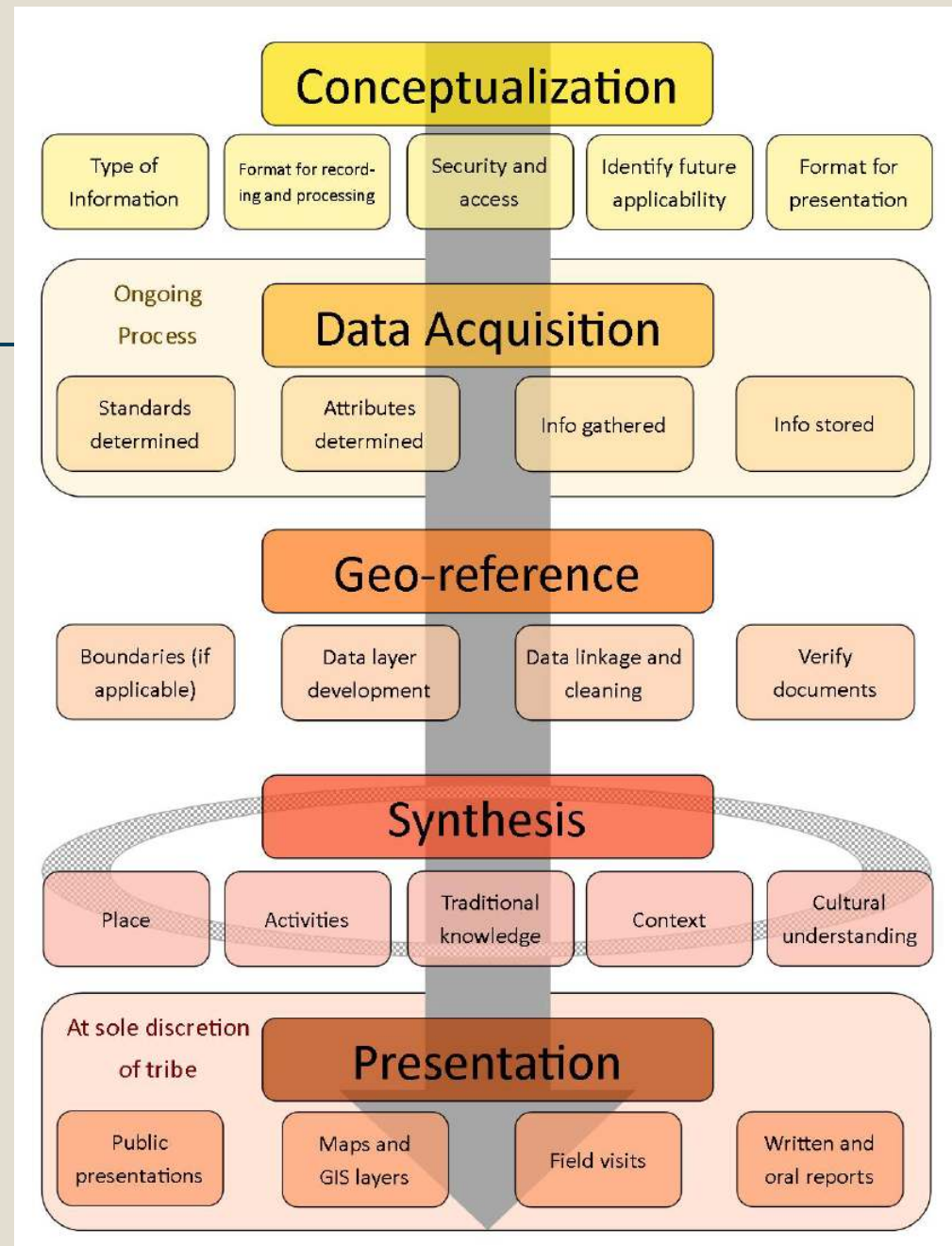
TCL for Agencies & Applicants

- Guidelines for Tribal Pre-consultation and engagement:
 - Do your homework
 - Project planning
 - Consultation & collaboration



TCL for Tribes

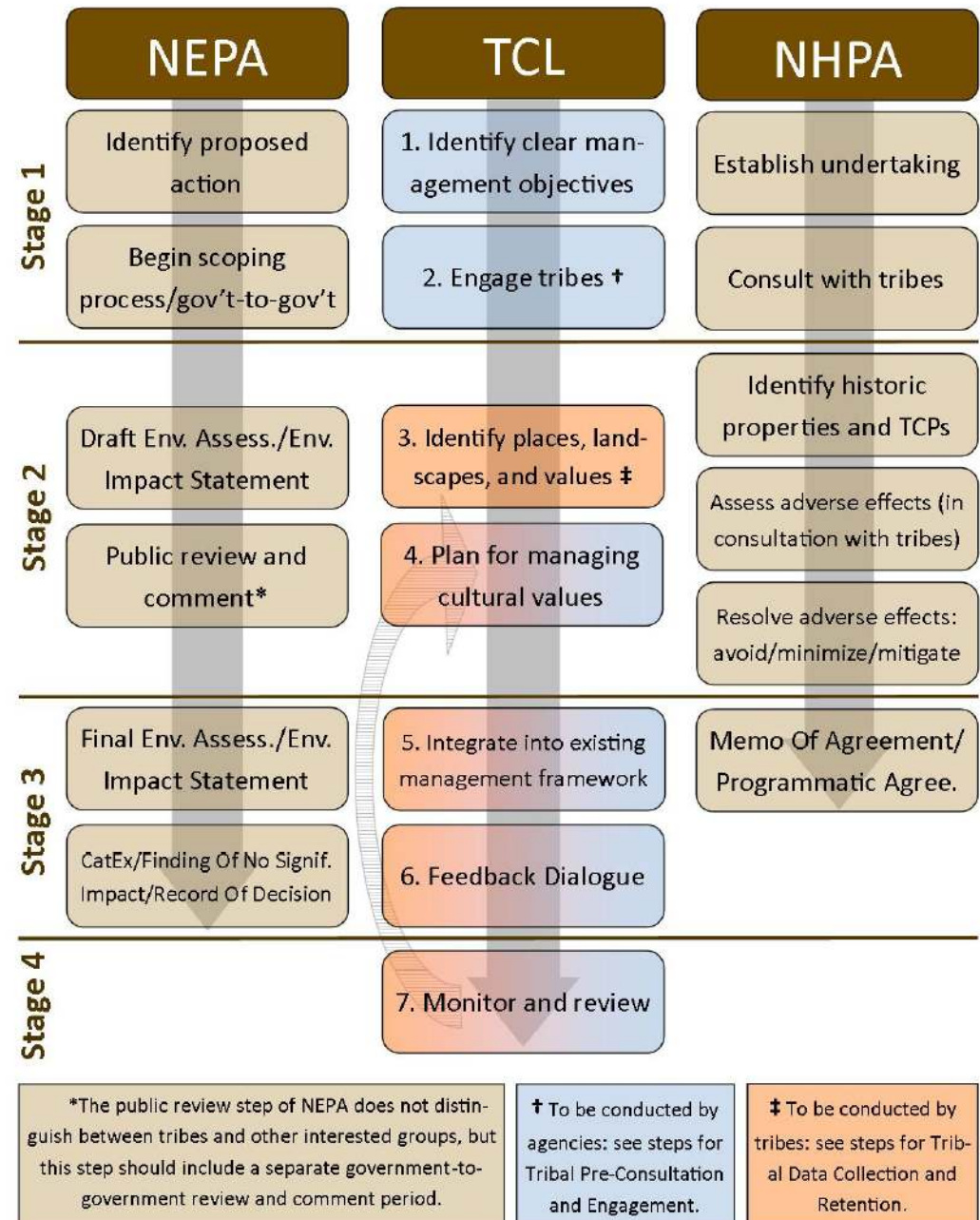
- Template for Tribal Data Collection



TCL Process

Process for Application

- Plan for managing cultural values
- Repeat as needed!



UNDRIP

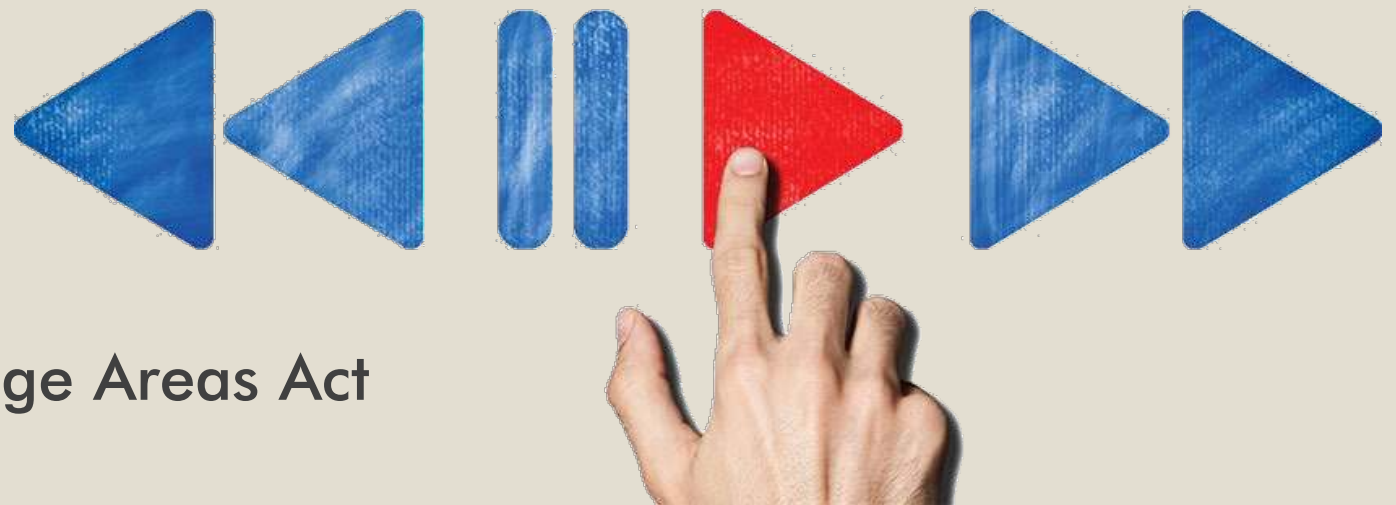
Free and Prior Informed Consent



"'Consent of the governed'? —
that could be a deal-breaker."

Just Press Play

- EO 13007, Sacred Sites MOU (2012) to implement it
- Treaty Rights MOU 2016
- 30x30 Initiative
- GAO report 2017
- Infrastructure
- American Indian Heritage Areas Act



A Seat at the Table

- Grown-up table – complete with meal and utensils.
- Which tribes, where, how?
 - Ancestral lands (NRCS)
 - Horizons contact database (NPS)
- Tribal capacity:
 - Appropriations
 - turboTHPO
 - THPO toolkit

turboTHPO Workshop Series

Expert help establishing a Tribal Historic Preservation Office

So you think you want a THPO Program?

Join NATHPO virtually April 13-14, 2021 from 1:00-4:00pm EST

Learn from current and former THPOs about:

- ♦ What THPOs do and why
- ♦ Navigating the NPS application
- ♦ Structuring a program to meet your tribe's needs

[REGISTER HERE to receive the Zoom link \(it's free!\)](#)

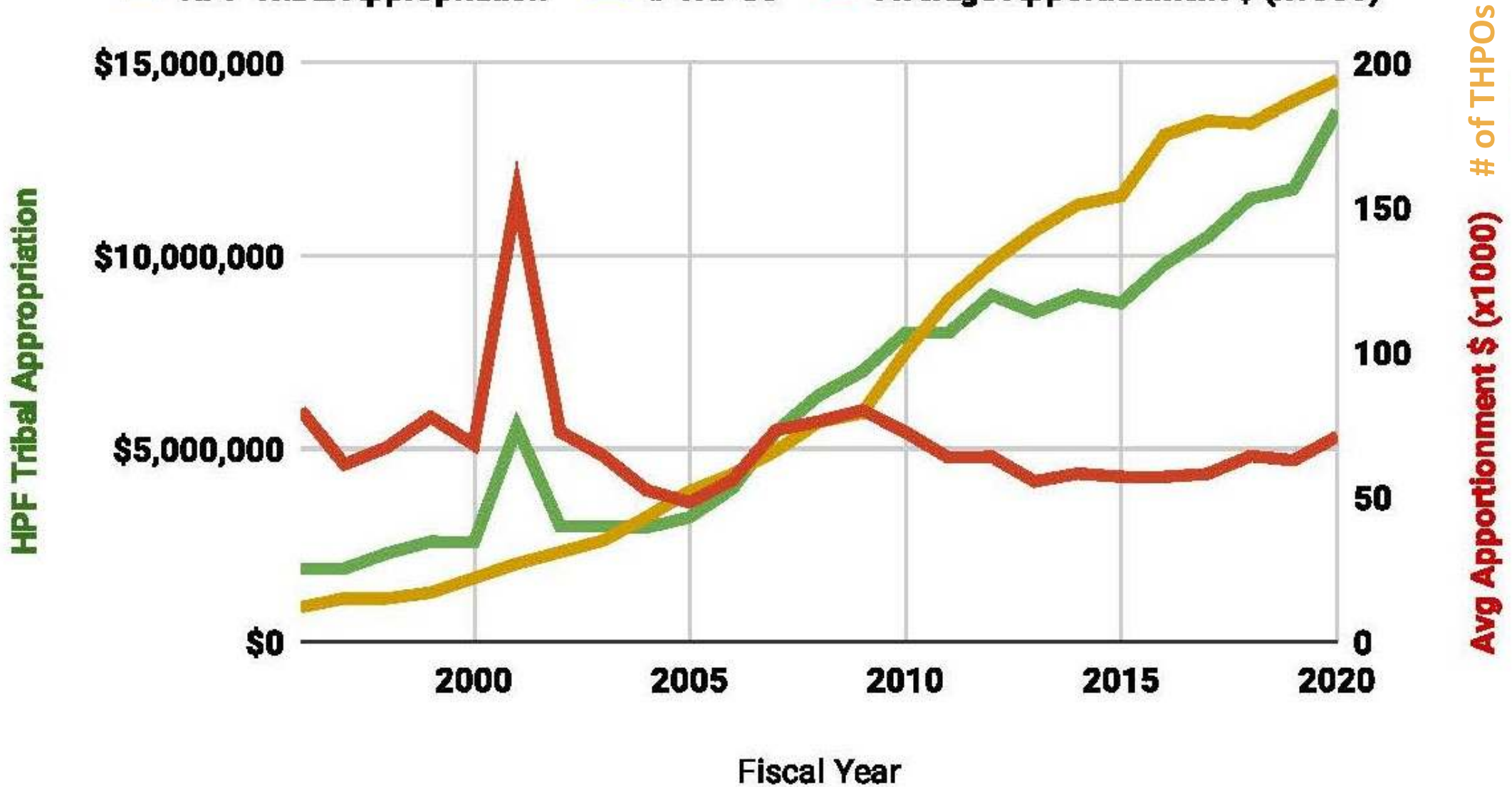
Instructors will include current and former THPOs sharing their knowledge and experience to help participants begin the process of standing up a program for their own tribe. Topics will introduce:

- ♦ Federal Preservation Program & Tribes
- ♦ What THPOs do: roles & responsibilities
- ♦ Why THPOs do it: Tribal sovereignty & self-governance
- ♦ How to create a THPO program:
 - ◊ Understanding your Tribal government & cultural responsibilities
 - ◊ Understanding & preparing for the NPS application



Historic Preservation Fund Appropriations for Tribes

HPF Tribal Appropriation # THPOs Average Apportionment \$ (x1000)



What's in a Name?

- To Bridge a Gap
- Listening to hear
- Multiple meanings
- Integrity & RESPECT!
- Requirements, Expectations, and Standard Procedures for Executive Consultation with Tribes Act



Making Meaningful Mean Something

When day comes we step out of the shade,
afame and unafraid,
the new dawn blooms as we free it.
For there is always light,
if only we're brave enough to see it.
If only we're brave enough to be it.

-Amanda Gorman

With Sincere Thanks

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If we're to live up to our own time,
then victory won't lie in the blade.
But in all the bridges we've made,
that is the promise to glade,
the hill we climb.
If only we dare.
It's because being American is more than a pride we inherit,
it's the past we step into
and how we repair it.



NATIONAL ASSOCIATION
OF TRIBAL HISTORIC
PRESERVATION OFFICERS

-Amanda Gorman