



# NATIONAL ASSOCIATION OF TRIBAL HISTORIC PRESERVATION OFFICERS

## NEWSLETTER

### **UPCOMING COMMENT DEADLINES AND CONSULTATIONS**

**COMMENT DUE TODAY, 7/22/24 | Draft DHS Environmental Justice Strategic Plan:** The Department of Homeland Security (DHS) is revising its Environmental Justice (EJ) Strategy (Fiscal Year 2021-2025). You can find more details about DHS's announcement on NATHPO's Events Page [HERE](#). **DHS is also accepting written comments by TODAY, July 22, 2024.** You can submit those comments to [DHSEnvironmentalJustice@hq.dhs.gov](mailto:DHSEnvironmentalJustice@hq.dhs.gov). NATHPO has submitted its own comment letter, which you can access [HERE](#) and is also attached.

**HAPPENING JULY 23 & 24: NPS Draft Consultation Policy:** The National Park Service (NPS) is soliciting feedback from Tribal representatives as to proposed edits/recommendations on how the NPS Tribal Consultation policy will best serve the needs of Indian Country. The draft policy includes the requirements within President Biden's Memorandum on Uniform Standards for Tribal Consultation released at the 2022 Tribal Summit. The draft also covers various divisions within NPS that work closely with Tribal Nations. NPS will be holding two Tribal consultations - one on July 23, 2024, and another on July 24, 2024, both at 3:00 PM Eastern. For more information about this proposed policy update and information about how to register for the consultation, please visit NATHPO's Events Page [HERE](#).

**FEMA Public Assistance Program and Policy Guide Update - Tribal Consultation August 7 & 8, 2024.** The Federal Emergency Management Agency (FEMA) is inviting Tribal Nations to attend virtual consultations on FEMA's Public Assistance Program and Policy Guide Update. The agency is soliciting feedback on proposed updates to Version 5 of the Public Assistance Program and Policy Guide (PAPPG). Check out the NATHPO Events page for information on the proposed upgrades, as well as how to register for the consultations on [August 7](#) and [August 8](#). The 60-day comment period ends August 19, 2024. NATHPO will

be submitting comment, which we will post [HERE](#) when it is finalized.

**EPA Tribal Oil Spill Prevention Webinar - August 21 & September 17:** The Environmental Protection Agency (EPA) is hosting two more 90-minute sessions that provide a basic overview of the Spill Prevention, Control and Countermeasure (SPCC) oil spill prevention program, regulatory requirements, program implementation, and federal oil spill reporting requirements. The session will also include a question-and-answer segment where participants can interact with the SPCC national program manager. For more information about the SPCC program and the two remaining webinars, please visit the NATHPO Events Page [HERE](#).

*NATHPO regularly submits comment letters to federal agencies advocating on behalf of Tribal communities and their THPOs. You can find several of our most recent letters [HERE](#), and if you know of an upcoming deadline and want NATHPO to consider submitting comment, please contact Melissa Madrigal at [melissa@nathpo.org](mailto:melissa@nathpo.org).*

## **CONFERENCE UPDATES**

**The 24th Annual NATHPO Conference and Sacred Places summit is right around the corner!** Team NATHPO is busy finalizing the details and looking forward to seeing friends and colleagues, old and new, from around the country as we gather at the Ho-Chunk Gaming Resort in the Wisconsin Dells.

Click [HERE](#) for a sneak peak at the latest draft agenda! It's packed full of sessions we hope you'll find impactful, educational, and fun!

***If you haven't registered yet, please do so soon! The rates will increase after August 1.*** You can register right [HERE](#).

## **WHAT'S NATHPO BEEN DOING?**

**Happening This Week! Indigenous Journalists Association Conference:** Members of Team NATHPO will be traveling to Oklahoma City to participate in the [Indigenous Journalists Association National Conference](#). We're excited to bring a small group of THPOs to conduct a panel to have a conversation with the assembled journalists about issues important to THPOs and the Tribes they serve. The panel will include Valerie Grussing, PhD, NATHPO Executive Director; Jon Eagle, Sr. (Hunkpapa Lakota); Nicholas Laluk, PhD (White Mountain Apache Tribe); and Stacy Laravie (Ponca), NATHPO Indigenization Director.

**Last Week - ACHP Business Meeting:** On July 18, 2024, the Advisory Council on Historic Preservation (ACHP) held a regular business meeting. Executive Director Valerie Grussing

attended on NATHPO's behalf. You can see the agenda for the meeting [HERE](#).

**NATHPO At The Pentagon:** Last week, several members of Team NATHPO, including Executive Director Valerie Grussing, Repatriation Advisor Timothy McKeown, and Government Affairs Coordinator Ted Monoson, visited the Pentagon at the request of Deputy Assistant Secretary of Defense for Real Property Ron Tickle. Sec. Tickle requested the meeting at a recent ACHP meeting, and the team was happy to meet with him and bring him up to speed on Tribal issues and how the partnership between Tribes and the Department of Defense can work better.

### **FOR THPOs: IT'S TIME TO VOTE!**

**ATTENTION THPOs!** The time has come to elect a new NATHPO Board of Directors! Voting opened one week ago today, and closes this Friday, July 26 at Midnight, Eastern Time. To find voting information, please refer to the email you received last Monday with the subject line, "NATHPO Members: Vote Now for Board of Directors!"

***Voting is open to all NATHPO members in good standing.*** To check your standing or to pay dues, please contact Amy Garcia at [accounting@nathpo.org](mailto:accounting@nathpo.org). If you are not yet a member of NATHPO, please consider joining at this time via the online form (Membership Information & Benefits) or contact Melissa Madrigal at [melissa@nathpo.org](mailto:melissa@nathpo.org).

### **NATHPO Community Calendar & Job Board & Grant Opportunities**

Stay current on important happenings using our new [Calendar of Events](#), and post your own to share! And let us know if you have a job posting you would like to share and we'll post it on our [Community Job Board](#). AND don't forget to browse our listing of relevant [Grant Opportunities](#).

### **Save The Date! 2024 NATHPO Annual Conference & Sacred Places Summit**

The 24th Annual NATHPO Conference & Sacred Places Summit will take place August 12-16, 2024, at the Ho-Chunk Gaming Resort in the Wisconsin Dells. [Register here before rates go up on August 1](#), and [stay tuned](#) for more details, and be sure to mark these days on your calendars!

*If you would like to become one of our conference sponsors, please contact please contact Melissa Madrigal at [melissa@nathpo.org](mailto:melissa@nathpo.org). Information about sponsorship rates is available [HERE](#).*

*Thank you for all you do to protect culturally important places that perpetuate Native identity, resilience, and cultural endurance, and to empower Tribal preservation leaders.*

Valerie J. Grussing

Valerie J. Grussing, PhD

NATHPO Executive Director

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## **PROTECTING NATIVE PLACES**

THPOs: this is your organization! Your participation and support through membership and dues make our work possible. **[JOIN OR RENEW TODAY!](#)** Founded in 1998, the Association is a national non-profit membership organization of Tribal government officials who implement federal and Tribal preservation laws.



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## **ANNOUNCEMENTS**

### **NATHPO STANDS WITH TRIBAL NATIONS DEPRIVED OF MEANING CONSULTATION IN THE SAN PEDRO VALLEY**

***A Newly-Filed "Friend Of The Court" Brief Seeks To Hold Federal Officials Accountable For Failing To Consult With Tribes Before Beginning Construction Of A New Transmission Line Impacting Their Sacred Places.***

On Monday, July 29, 2024, The National Association of Historic Preservation Officers (NATHPO) [filed an amicus brief](#) in support of the Tohono O'odham Nation and the San Carlos Apache Tribe in their lawsuit against the U.S. Department of the Interior (DOI) for failing to properly consult with the Tribes under Section 106 of the National Historic

Preservation Act (NHPA).

The NHPA requires federal agencies to consult with Tribes before embarking on projects that could harm places of religious or cultural importance and consider alternatives to avoid or mitigate that harm. In this instance, the Tribes were not consulted until *after* DOI had allowed SunZia Transmission, LLC, to begin construction on a transmission line running through the San Pedro Valley, which runs between the Tohono O’odham Nation and the San Carlos Apache Tribe and is of great importance to both communities.

**“Meaningful consultation means allowing a conversation to happen at a point where outcomes and solutions like re-routing or even canceling a project remain on the table. In this case, that simply did not happen. The Department of Interior failed in its duty to the affected Tribal Nations when it authorized construction through a landscape-level traditional cultural property and only then, as construction began, met with the Tohono O’odham Nation and San Carlos Apache Tribe,”** said NATHPO Executive Director Valerie J. Grussing, Ph.D.

Represented by the Native American Rights Fund (NARF), NATHPO argues in the brief that the federal government owes Tribal Nations special consideration when it considers projects' potential effects to places of cultural and historic significance.

**“Section 106 of the NHPA requires federal agencies to engage in meaningful consultation with Tribal Nations early in the planning process so that measures to avoid adverse effects to culturally important places can be fully developed and considered. The federal government cannot wait until after it approves construction to start consulting with Tribal Nations,”** said NARF Staff Attorney Wesley James Furlong.

You can read NATHPO's Amicus brief [HERE](#).

Who we are – NATHPO is a national non-profit 501(c)(3) membership organization, founded in 1998, of Tribal preservation leaders protecting culturally important places that perpetuate Native identity, resilience, and cultural endurance. Connections to cultural heritage sustain the health and vitality of Native peoples. We provide guidance to preservation officials, elected representatives, and the public about national historic preservation legislation, policies, and regulations. We promote Tribal sovereignty, develop partnerships, and advocate for Tribes in governmental activities on preservation issues. For more information visit our website at [www.nathpo.org](http://www.nathpo.org).

*Thank you for all you do to protect culturally important places that perpetuate Native identity, resilience, and cultural endurance, and to empower Tribal preservation leaders.*



Valerie J. Grussing, PhD

NATHPO Executive Director

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