September 10-14, 2018





OUR HOSTS

Suquamish Clearwater Casino Suquamish, Washington





Suquamish is one of many Indian Tribes in the Pacific Northwest who thrived in their traditional life ways before the arrival of non-Indians. Taking their name from the traditional Lushootseed phrase for "people of the clear salt water" these expert fisherman, canoe builders and basket weavers have lived in harmony with the lands and waterways along Washington's Central Puget Sound Region for thousands of years.



Agenda at a Glance



NATIONAL ASSOCIATION OF TRIBAL HISTORIC PRESERVATION OFFICERS P.O. Box 19189 • Washington, D.C. 20036-9189 • Phone: (202) 628-8476 • Fax: (202) 628-2241 • www.nathpo.org

20TH NATIONAL TRIBAL PRESERVATION CONFERENCE AGENDA-AT-A-GLANCE, AS OF SEPT. 7, 2018 (SUBJECT TO CHANGE)

	Monday (9/10/18)	Tuesday (9/11/18)	WEDNESDAY (9/12/18)	THURSDAY (9/13/18)	FRIDAY (9/14/18)
	Pre-Conference Workshop and Field Trips Optional. Separate Registration and Fee	Conference at Clearwater Casino Resort. Register 8am-12noon	Conference at Clearwater Casino Resort. Register 8am-12noon	Federal agency outreach at House of Awakened Culture	Northwest Tribal Summit at Clearwater Resort – Kitsap Room
MORNING	Registration open at 7am in Clearwater Casino Resort	Starts at 8:30am:	Starts at 8:30am:	Starts at 9:00am:	Starts at 9:00am:
INCLUDES BREAK	Pre-Conference Workshop: THPO Toolkit (\$) starts 9am Field Trips (\$) leave at: * Makah 8am * Skokomish 8:30am	Opening Remarks • Hosts • NATHPO Updates • Participant Introductions • Legal Win for Tribes in the Northwest	U.S. Army Corps of Engineers NRCS Tribal Ancestral Land Guidance Sec. 106 PAs	National Park Service training on applying for tribal grants. Also, THPO Time.	Washington, Idaho, and Oregon tribal representative discussion session.
LUNCH 12NOON-1:00PM	Lunch (on your own)	Lunch (provided) Speaker: Canoe Journeys	Lunch (provided) Speaker: GAO on Native American Cultural Property	Lunch (on your own)	Conference concludes no later than 12 noon.
AFTERNOON INCLUDES BREAK	Pre-Conference Workshop continued from morning: THPO Toolkit Field Trip (\$) leaves at: * Suquamish Port Madison Reservation 1pm	General Sessions: • Coastal Tribal Cultural Landscapes • "Good Faith" Consultation • BLM and TCPs • G2G Toolkit • Short updates	General Sessions: Tribal Discussion – Closed Session Listening Session with ACHP NPS Updates & Announcements, including Nat'l NAGPRA Program	Bureau of Ocean Energy Management (BOEM) discussion.	Safe travels home!
EVENING	Opening Reception at Clearwater Casino Resort 6-8:00pm	NATHPO Bus. Dinner 6-8:00pm (members only)	Culture Night House of Awakened Culture (dinner provided)		

Welcome to the Conference

September 10, 2018

To Conference Participants and Honored Guests -



Welcome to the 20th Annual National Tribal Preservation Conference, convened by the National Association of Tribal Historic Preservation Officers and hosted by the Suquamish Tribe. We extend our sincere appreciation to the Suquamish Tribe, Chairman Leonard Forsman, and tribal staff and the Clearwater Casino Resort staff for their hospitality and support. The Tribe's overall efforts to provide local jobs – as well as preserve their culture and honor their past – are an encouraging model for all of Indian country.

We look forward to learning more about tribal work in this region, including challenges and success stories in the areas of cultural and natural resource management. It is encouraging to see so many returning THPOs this year and we all look forward to meeting the new THPOs. It is also good to see our Federal partners in attendance. We look forward to the sharing of information and spirited discussions on a variety of topics.

We say it every year and it continues to be true – we hope that you get a chance to interact with your friends and colleagues from earlier meetings, as well as build new working relationships and make new friends. One of the main purposes of the conference is to bring people together to share information, to provide a national showcase of tribal preservation accomplishments, and to celebrate your dedication to preserving American Indian, Alaska Native, and Native Hawaiian cultures.

Thank you for your interest and support of NATHPO over the years and welcome to Suquamish.

Shasta Gaughen, Pala Band of Mission Indians THPO, and NATHPO General Chair

NATHPO Board Members

Shasta Gaughen (Pala), Pacific, Chair John Murray (Blackfeet), Rocky Mountain, Vice Chair Janine Ledford (Makah), Northwest/Alaska, Secretary/Treasurer Everett Bandy (Quapaw), Eastern Oklahoma Richard Begay (Navajo), Navajo John Brown (Narragansett), Eastern Kurt Dongoske (Zuni), Southwest Michon Eben (Reno-Sparks), Western Lance Foster (Iowa KS/NE), Southern Plains Cheyanne St. John (Lower Sioux), Midwest Vacant (Great Plains)

D. Bambi Kraus, President, ex officio

From Our Host





September 10, 2018

Dear NATHPO attendees:

On behalf of the Suquamish Tribe, I welcome you to our homeland. Our traditional lands include all of present Kitsap County and beyond and our fishing grounds extended into what is now British Columbia. We traveled these waters in cedar canoes to harvest the salmon and other foods provided to us by the Creator. In 1855, our primary leader, Chief Seattle signed the Treaty of Point Elliott with the United States that established the Port Madison Indian Reservation, the location for this year's NATHPO conference. The Treaty also reserved certain rights, including hunting and fishing, in exchange for title to our lands.

Your work in preserving our cultural sites, sacred places and the ancient stories of your homelands are crucial to our survival as Indian nations. As you already know, Tribes cannot separate our ancestral lands and waters and the animals and plants that live there from the cultural sites we are fighting to protect from destruction. As the former Native American Member and present Vice-Chairman of the Advisory Council on Historic Preservation, I have done my best to bring our traditional values to the table in our efforts to implement the National Historic Preservation Act in a manner that protects our precious cultural resources.

I hope you have a productive week and come together to develop new strategies to face the new challenges that face us in accomplishing our mission to protect our way of life. I hope you have a chance to enjoy the natural beauty of our reservation located here on Salish Sea. I regret not being able to join you here as I am on vacation with my family, but I wish you safe travels home and hope to see you in the future.

Respectfully,

Leonard Forsman

Chairman

Suquamish Tribe

About NATHPO

National Association of Tribal Historic Preservation Officers Founded in 1998, the Association is a national non-profit membership organization of Tribal government officials who implement federal and tribal preservation laws. NATH-PO's overarching purpose is to support the preservation, maintenance and revitalization of the cutlure and traditions of Native peoples of the United States. This is accomplished most importantly through the support of Tribal Historic Preservation Programs as acknowledged by the National Park Service.

Tribal Historic Preservation Officers (THPOs) have the responsibilities of State Historic Preservation Officers on tribal lands and advise and work with federal agencies on the management of tribal historic properties. THPOs also preserve and rejuvenate the unique cultural traditions and practices of their tribal communities.

NATHPO activities include monitoring the U.S. Congress, Administration, and state activities on issues that affect all Tribes and monitoring the effectiveness of federally mandated compliance reviews and identification, evaluation, and management of tribal historic properties. Examples of completed and ongoing projects: "Tribal Tourism Toolkit for the Lewis and Clark Bicentennial and Other Tribal Opportunities (2002)," and "Many Nations Media Project - News from the Lewis & Clark Trail (2002-5)," and "Treaty Research Project for Continental U.S. (2001)." NATHPO also offers training and technical assistance on federal historic preservation laws.

Principles and Purposes of NATHPO guided by three main principles)

- Tribal Sovereignty the inherent right of Indian Nations to self-government
- Confidentiality recognition of the need to respect the confidentiality of information regarding Native cultural and ceremonial practices and places of religious or cultural significance.
- No boundaries NATHPO recognizes that the cultural and heritage preservation interests of Indian Nations and their peoples often extend far beyond the boundaries of present-day reservations -- often crossing state and national boundaries -- and stands ready to assist in activities relating to transboundary cultural and environmental issues.



20TH NATIONAL TRIBAL PRESERVATION CONFERENCE

September 10-14, 2018

Suquamish Clearwater Casino Resort, Suquamish, Washington

as of September 7, 2018

Sunday, September 9, 2018

Travel day. Hotel check-in starts at 4:00pm

3pm to 5pm Registration open for workshop, field trips, conference, and consultation room.

Location: Tower hotel lobby.

Evening (on your own)

Monday, September 10, 2018

7am to 6pm Registration open for workshops, conference, and consultation room.

Location: Tower hotel lobby.

NATHPO is offering educational opportunities for THPOs, tribal staff, and other conference attendees.

Pre-Conference Workshop

"THPO Toolkit Training" led by Dr. Thomas Gates for NATHPO using the THPO Toolkit that was developed by NATHPO with partial funding provided by the NPS.

Cost \$50. Time: 9am to 4pm. Location: Deer B

This educational session will focus on pertinent issues faced by THPOs and their staff and is geared for new THPOs and those seeking basic training and information on the THPO program. Topics include, but are not limited to: the THPO-Federal Preservation Program Relationship; Strategic Planning to Scope and Focus THPO Programs; Survey, Inventory, and National Register Programs; Section 106 Dynamics; Advising and Cooperating with other Governments; THPOs as Sovereignty Advocates; and more.

Pre-Conference Field Trip Options

"Field Trip to Makah Indian Tribe" Any openings filled on-site.

Cost \$50. Time: 8:00am to 5pm. Meet in Tower hotel lobby.

Participants will travel to Neah Bay, Washington, and have a private tour of the Makah Cultural and Research Center (MCRC) and nearby environs. Transportation, entrance fees, and lunch included. Must register to take this field trip.

"Field Trip to Skokomish Indian Tribe" Any openings filled on-site.

Cost \$50. Time: 8:30am to 2pm. Meet in Tower hotel lobby.

Participants will travel to Skokomish, Washington, and have a private tour of an estuary, the tribe's community center, and learn more about the tribe's culture and traditions. Transportation and lunch included. Must register to take this field trip.

Monday, September 10, 2018 continued

"Field Trip of Suquamish Port Madison Reservation" Any openings filled on-site.

Cost \$50. Time: 1:00pm to 4pm. Meet in Tower hotel lobby.

Participants will receive a private, guided tour of the Old Man House Park, the House of Awakened Culture, the Suquamish Museum, and the Chief Seattle Gravesite. Transportation included. Must register to take this field trip.

6 to 8pm Opening Reception

Enjoy light refreshments, find your old friends and make new ones! **Location:** Canoe Corridor/Potlatch Porch (4th floor of Tower hotel)

Tuesday, September 11, 2018

8am-12noon Registration open for conference and consultation room.

Location: Pre-function space outside of Canoe Corridor/Potlatch Porch on the 4th floor

of the Tower hotel.

8am-5pm Private consultation room for Federal Agencies and Tribal Representatives

Note: See sign-up sheet at NATHPO Registration Table for more information.

8:30 to 10:15am Welcome and Opening Remarks

Location: Whale Hall Welcome to the Community NATHPO Introductions Attendee Introductions

10:15 to 10:30am Break

10:30 to 11:15am NATHPO Updates

Reports on important national initiatives will be provided on current legislation and legal activity related to historic preservation, including FY2019 federal appropriations, lawsuit challenging the Federal Communications Commission efforts to reform infrastructure deployment, and Bears Ears National Monument.

- Elizabeth Merritt, Deputy General Counsel, National Trust for Historic Preservation, Washington, DC
- James Graves, Institute for Public Representation, Georgetown University Law School, Washington, DC
- D. Bambi Kraus, NATHPO President

11:15 to 11:45am Legal Win for Indian Tribes in the Northwest

In June 2018, the U.S. Supreme Court in a 4-to-4 deadlock let a lower court ruling stand that the State of Washington must make billions of dollars in repairs to roads and culverts that have damaged salmon habitat and population. This decades-long legal battle is of interest in Indian country because of its implications for Indian treaty rights and state sovereignty.

• Rit Bellis, Director, Suquamish Legal Department

Tuesday, September 11, 2018, continued

Lunch Break 11:45am to 12:45pm

Lunch (provided)

Tribal Canoe Journeys

Location: Salmon Hall

This celebrated annual event started in 1989 for the Indigenous peoples of Washington state, the southeast coast of Alaska, and British Columbia. Canoe families travel in ocean-going canoes -- many made of cedar, others made using more modern techniques and materials -- and visit Native Nations en route to the final host destination. In 2009, the Suquamish Tribe hosted the 20th anniversary Canoe Journey in their new House of Awakened Culture, and had 84 canoes and more than 6,000 guests.

Suquamish Tribe

1:00 to 1:45pm

Characterizing Coastal Tribal Cultural Landscapes

In 2015, two federal agencies and three Indian tribes released a guidance document that presents a method for agencies to consult with Indian tribes more effectively and appropriately in advance of any proposed undertakings. Participants included the Bureau of Ocean Energy Management (BOEM) of the Interior Department; the National Oceanic and Atmospheric Administration (NOAA) of the Commerce Department; the Makah Tribe of Washington; the Confederated Tribes of Grand Ronde Community of Oregon; and, the Yurok Tribe of California. Panelists will share their experiences and recommendations from this unique collaboration.

- Janine Ledford, Makah Tribe THPO
- Rebekah Monette, Makah Tribe
- Briece Edwards, Conf. Tribes of Grand Ronde
- Rosie Clayburn, Yurok Tribe
- David Ball, BOEM
- Valerie Grussing (formerly with NOAA)

1:45pm to 2:30pm

Agency Negligence to Conduct Consultation in "Good Faith": Experiences from the Pueblo of Zuni

A bevy of statutes, regulations, executive orders, and federal policies direct federal agencies to conduct government-to-government consultation with Indian tribes in good faith. While "good faith" has no formal legal definition, the very term suggests consultation should at least consist of principles and practices of fairness, openness, respect, and honesty. These principles, however, are often neglected in and by all-too-common agency practices. This session discusses Pueblo of Zuni experiences with the U.S. Bureau of Reclamation (BOR) and Bureau of Land Management (BLM) over the last several years to highlight agency failures in good faith consultation and to offer potential ways that federal agencies can better fulfill their consultation and compliance responsibilities to the Pueblo of Zuni specifically and Indian tribes, Alaska Natives, and Native Hawaiians more generally.

- Kurt Dongoske, Pueblo of Zuni THPO
- Giorgio H. Curti, Ph.D., Ethnographer and Cultural Geographer

2:30pm to 2:45pm

Break

Tuesday, September 11, 2018, continued

2:45pm to 3:30pm

Overcoming BLM Institutional Resistance to Landscape TCPs

The Bureau of Land Management's (BLM) implementation of Federal laws and policies under Section 106 - particularly when applied to Traditional Cultural Properties (TCPs) – varies within BLM from state to state, office to office, and even by staff. In addition, even when BLM staff appear to be working formally toward acknowledging and recognizing TCPs, there can be an informal resistance toward designating landscape TCPs. Some of this informal, staff level resistance comes from BLM policies that have been enshrined in BLM national and state level management plans. These management plans contain standards based on archeology, not cultural resource protection. Presentation will include a case study of a TCP in Nevada.

Rollie Wilson, Partner, Fredericks Peebles & Morgan LLP

3:30pm to 4:15pm

G2G Toolkit

The Arizona State Historic Preservation Office (SHPO) and Salt River Pima-Maricopa Indian Community (SRP-MIC) collaborated on the Government-to-Government Consultation Toolkit (G2G Toolkit), which was designed to facilitate the consultation process for and among Tribes and State and Federal agencies meeting the requirements of the National Historic Preservation Act or State Historic Preservation Act, as well as other state and federal statutes. The G2G Toolkit contains agency and Tribal contact information, consultation protocol, Tribal claims maps, and quick links to Tribal and Agency pages for additional information. The G2G Toolkit was developed by SHPO and SRP-MIC with assistance from the Google Earth Outreach Trainer Network and SWCA Environmental Consultants. Funding was provided by a Cultural Resource Fund (CRF) grant administered by the MICA Group and awarded to SHPO. Additional technical assistance was provided during a Google training workshop with staff from the Arizona State Department of Transportation, State Land Department, Game and Fish Department, Department of Forestry and Fire Management, and State Parks; and by the Bureau of Indian Affairs.

 Angela Garcia-Lewis, Cultural Preservation Compliance Supervisor, Salt River Pima-Maricopa Indian Community

4:15pm to 5:00pm

Short Presentations:

- Alex Watts-Tobin (Karuk THPO) on Western Klamath Restoration Partnership,
 2018 Update.
- Elizabeth Merritt (National Trust for Historic Preservation) and Janine Ledford (Makah THPO) on the Collaborative Effort to Save Cape Flattery Lighthouse
- Emerson Bull Chief (former Crow THPO) on iTHPO Application

Dinner

Dinner on your own (except for NATHPO members)

NATHPO Business Dinner for NATHPO members only

Time: 6-8pm **Location:** Deer B

Wednesday, September 12, 2018

8am-12noon Registration open for conference and consultation room.

Location: Pre-function space outside of Canoe Corridor/Potlatch Porch on the 4th floor

of the Tower hotel.

8am-5pm Private consultation room for Federal Agencies and Tribal Representatives

Note: See sign-up sheet at NATHPO Registration Table for more information.

8:30am Conference reconvenes in Whale Hall

8:30 to 9:30am U.S. Army Corps of Engineers

Update on ongoing and upcoming initiatives. Topics to include but not limited to updates to the USACE Tribal Consultation Policy to ensure a more robust policy and the process for Tribal Consultation.

• Lisa T. Morales, Senior Tribal Liaison, Army Corps

9:30 to 10:30am NRCS Tribal Ancestral Land Consultation Guidance Follow-Up and Coordination Initiative

The USDA - Natural Resources Conservation Service (NRCS) has been developing Tribal Ancestral Lands Consultation (TALC) guidance over the last several years and a draft was presented at the 2016 NATHPO conference. In June 2018 NRCS released the final guidance as an NRCS National Instruction. NRCS will discuss the final document and announce an initiative with NATHPO that will assist in training NRCS staff and facilitate meetings between NRCS and Tribal partners to develop ancestral lands consultation agreements.

- Dana Vaillancourt, NRCS Federal Preservation Officer (FPO)
- Ira Matt, Senior Program Analyst, ACHP Office of Native American Affairs

10:30 to 10:45am Break

10:45 to 11:45am Negotiating and Enforcing Section 106 Programmatic Agreements

Using a Programmatic Agreement (PA) to implement Section 106 for a particular resource can have pros and cons. PAs are sometimes seen as allowing development to move forward without first properly identifying impacts, avoidance and mitigation. PAs can also be effective in providing a tribe with ongoing oversight and involvement in development activities and providing an ongoing supply of information about development activities. PAs can also be difficult to enforce. Based on a case study of TCPs in Nevada, presentation will identify issues in negotiating and enforcing PAs and recommend solutions.

• Rollie Wilson, Partner, Fredericks Peebles & Morgan LLP

Wednesday, September 12th continued

Lunch Break 11:45am to 1pm

Lunch provided

Native American Cultural Property: Additional Agency Actions Needed to Assist Tribes with Repatriating Items from Overseas Auctions

Location: Salmon Hall

The GAO publicly released this report on September 5, 2018, that found federal agencies have not adopted some leading collaboration practices and face challenges proving violations of existing U.S. laws. The GAO recommended that the agencies assess whether and how amending U.S. laws would facilitate the return of these items to tribes.

- Ms. Jamie J. Meuwissen, U.S. Government Accountability Office
- Erik L. Kjeldgaard, U.S. Government Accountability Office

1:00 to 2:30pm

Tribal Discussion - Closed Session

NATHPO is setting aside this time for tribal representatives to have a closed session to discuss issues of concern.

2:30 to 3:15pm

Tribal Historic Preservation Priorities: Listening Session with the ACHP

In preparation for the first full-time chair of the Advisory Council on Historic Preservation (ACHP), Council Members and staff would like to hear from you about your historic preservation priorities.

- Milford Wayne Donaldson, ACHP Chair
- Shasta Gaughen, NATHPO Chair, NATHPO Representative to the ACHP
- John Fowler, ACHP Executive Director
- Valerie Hauser, Director, Office of Native American Affairs

3:15 to 3:30pm

Break

3:15 to 5:00pm

National Park Service Updates & Announcements

Staff from the State, Tribal, Local Plans and Grants Division (STLPG) based in Washington, DC, will provide updates on current issues related to the Historic Preservation Fund grant programs.

- Ginger Carter, Manager, THPO HPF Grant Program
- Madeline Konz, Manager, Heritage Preservation Grant Program

The Tribal Relations and American Cultures Division

• Jamie Lee Marks, Manager, Tribal Historic Preservation Officer program

National NAGPRA Program Update

Staff from the National NAGPRA Program will provide an update on recent events and issues in NAGPRA.

Sarah Glass, Notice & Grant Coordinator, National NAGPRA Program

NPS Headquarters

Reed Robinson, NPS Acting Tribal Liaison

6:00 to 8:00pm

Culture Night!

The Suquamish Tribe is hosting all NATHPO conference participants to a dinner of traditional foods prepared by Suquamish community members.

Location: House of Awakened Culture (off site)

Note: Casino shuttles will run a loop between the House of Awakened Culture, the Suquamish Museum, and the Tower hotel lobby between 5:45pm and 8:00pm.

Thursday, September 13, 2018

Location: All events of this day to be at the House of Awakened Culture

8:30am First shuttle leaves Tower hotel lobby for House of Awakened Culture8:45am Second shuttle leaves Tower hotel lobby for House of Awakened Culture

9:00 to 12noon National Park Service (NPS)

NPS staff will provide more information and a short training on applying for Tribal Heritage Grants. NPS staff will also be available during a "THPO Time" session that will include discussing THPO-specific issues, such as grant reporting and fiscal management.

• Ginger Carter, Manager, THPO HPF Grant Program

Madeline Konz, Manager, Heritage Preservation Grant Program

The Tribal Relations and American Cultures Division

• Jamie Lee Marks, Manager, Tribal Historic Preservation Officer program

NPS Headquarters

• Reed Robinson, NPS Acting Tribal Liaison

12noon to 1:00pm Lunch (on your own)

12noon
12:15pm
First shuttle leaves House of Awakened Culture for Tower hotel lobby
Second shuttle leaves House of Awakened Culture for Tower hotel lobby.

1:00pm First shuttle leaves Tower hotel lobby for House of Awakened Culture
 1:15pm Second shuttle leaves Tower hotel lobby for House of Awakened Culture

1:30pm to 3:30pm Federal Agency Information and Conversation Session

Bureau of Ocean Energy Management (Interior Department)

Overview of Offshore Programs

BOEM, a federal agency under the Department of the Interior, is tasked with managing the development of Outer Continental Shelf (OCS) energy and mineral resources for environmental sustainability, economic development, and national security. This session will provide an overview of BOEM's program offices and highlight recent and upcoming activities proposed for the OCS.

- Jennifer Ewald, Chief of Staff, Office of Environmental Programs
- Dave Ball, Pacific Region Historic Preservation Officer

Friday, September 14, 2018 (ends by 12noon)

Location: Kitsap Room, Resort building

9am to 12noon Washington, Idaho, and Oregon Tribal Representative Discussion Session

Suquamish Tribe hosts Washington, Idaho, and Oregon tribal representatives to meet and discuss

tribal issues.

Hosted by the Suquamish Tribe

12noon Conference concludes.

Safe travels home!











Thanks to all of our sponsors, supporters, and volunteers:

Forest County Potawatomi Foundation
Suquamish Tribe and THPO Program
Suquamish Museum
Skokomish Tribe and THPO Program
Makah Tribe, THPO Program,
and Makah Cultural and Research Center
Clearwater Casino Resort
National Trust for Historic Preservation
Conference Presenters









20th Annual National Tribal Preservation Conference September 10-14, 2018 Suquamish, Washington





Frances and Bambi Kraus thank all the wonderful people we've met and worked with over the past 19 years.

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