

**Bureau of Land Management Preservation Board**  
**June 2019 Meeting**  
**Santa Fe, New Mexico**  
**June 4-6, 2019**

**BLM Preservation Board Members**

Ranel Capron	Federal Preservation Officer
Robert King	Deputy Preservation Officer – Alaska
Matt Basham	Deputy Preservation Officer – Arizona
Tony Overly	Deputy Preservation Officer – California
Daniel Haas	Deputy Preservation Officer – Colorado
John Sullivan	Deputy Preservation Officer – Eastern States
Kirk Halford	Deputy Preservation Officer – Idaho
Gary Smith	Deputy Preservation Officer – Montana/Dakotas
Bryan Hockett	Deputy Preservation Officer – Nevada
Cynthia Herhahn	Deputy Preservation Officer – New Mexico
Kelli Barnes	Deputy Preservation Officer – Oregon/Washington (acting)
Nathan Thomas	Deputy Preservation Officer – Utah
Kathy Boden	Deputy Preservation Officer – Wyoming
Dayne Reale	Field Archaeology Representative – Nevada
Jenny Blanchard	Field Archaeology Representative – Alaska
Aron King	Line Manager Representative – Arizona
Catrina Williams	Line Manager Representative – Nevada
Jason West	Line Manager Representative – Arizona
Melanie Peterson	Line Manager Representative – Nevada

**BLM Participants**

Steve Wells	Associate State Director – New Mexico
Byron Loosle	Division Chief – HQ-240
Kristen Martine	Deputy Division Chief – HQ-240 (acting)

**Partners/External Participants**

Bill Marzella	Advisory Council on Historic Preservation
Bob Estes	New Mexico State Historic Preservation Office
Andrew Zink	New Mexico State Historic Preservation Office

**Bureau of Land Management Preservation Board**  
**June 2019 Meeting**  
**Santa Fe, New Mexico**  
**June 4-6, 2019**

**Day 1 – June 4, 2019**

Strategic Planning – Headquarters

Kristen Martine and Byron Loosle led a discussion on strategic planning efforts for the cultural heritage program. The Headquarters 400 directorate will be reorganized to include the old HQ-240 division. This is expected to result in changes to the Table of Organizations for both the 400 and 200 directorates. In the meantime, many vacant positions will be advertised as detail opportunities. The reorganization of HQ has resulted in very low morale, and more than half of positions filled by actings. Headquarters is currently conducting budget exercises in preparation for AWP. We are operating under a continuing resolution. Cultural Resources Data Partnership funds are now available. HQ is moving forward with work on the National Cultural Resource Information Management System (NCRIMS), which will help streamline project approvals. The Department plans on releasing an Instruction Memorandum regarding the Section 106 process as procedural and not a preservation mandate.

National Programmatic Agreement (nPA) Review

The nPA will expire in 2022, so the Board discussed what changes should be proposed as BLM looks towards possible amendments to the agreement before then. The Board is expected to propose a draft amendment of the nPA by the end of the calendar year. Board members should email the Federal Preservation Officer (FPO) with any of their proposed changes. The process of amending the nPA is lengthy, so the Board could look to extend the nPA for another two years if it is not possible to meet that deadline. The discussion continued with some suggested changes for the Basis for Agreement and Components of the Agreement Sections of the nPA.

The Board separated into breakout groups to further brainstorm what changes may need to be made to the nPA. Generally, the groups agreed that the nPA needed to be reviewed and amended to provide more clarity in terms of the various options for completing the Section 106 process (e.g., using the nPA as a standalone, 36 CFR 800.8). The groups also discussed compiling a list of current undertakings from the state protocol agreements that are exempt from State Historic Preservation Officer (SHPO) consultation and consider them for inclusion in the nPA. Finally, the groups identified four paths forward: 1. Amend the nPA with minor revisions, 2. Amend the nPA with major revisions, 3. Do not amend the nPA and extend the agreement as it stands now, 4. Terminate the nPA. The Board will continue this discussion and will prepare to engage the ACHP and NCSHPO in consultation regarding next steps.

Contracts and Acquisitions

The Board closed out the day with a follow-up on a previous conversation regarding contracting. Currently, independent government cost estimates are often based on costs per acre; however, this is not always the most appropriate method. The group discussed providing more guidance to the field to support appropriate contract awards that ensure quality work is completed. The Board suggested sharing examples of producing government cost estimates. Additionally, the Board discussed the need for tracking performance in a way that can be reviewed by others when considering who to award a contract to. There have been past challenges with contractors having too many contracts at once; thus, effecting performance and the quality of deliverables. While

**Bureau of Land Management Preservation Board**  
**June 2019 Meeting**  
**Santa Fe, New Mexico**  
**June 4-6, 2019**

multiple contracts may be awarded under one solicitation, there needs to be consideration for the number of co-current projects within a year.

**Bureau of Land Management Preservation Board**  
**June 2019 Meeting**  
**Santa Fe, New Mexico**  
**June 4-6, 2019**

**Day 2 – June 5, 2019**

Review of BLM projects by ACHP

Bill Marzella, the new BLM Liaison at the Advisory Council on Historic Preservation (ACHP), introduced himself to the Board and provided an update from the ACHP. The ACHP launched a new website and Bill asked the Board to let him know if there is any information that should be included. Bill discussed the applicability of using 36 CFR 800.8 for small scale undertakings. However, this approach may not be well suited for larger, more complex, or multi-state undertakings. The recent ruling for the Dominion vs. Jamestown case has resulted in the clarification of definitions for direct and indirect effects. Visual, audible, and atmospheric effects are direct effects. Bill will provide the Board with a copy of the ruling.

Message from the New Mexico State Historic Preservation Officer

The New Mexico SHPO met with the Board and presented on the SHPO's organizational structure, how cultural reviews are completed, the NM Protocol process, and the Permian Basin PA.

NCRIMS Demonstration/Training

Kirk Halford presented on the National Cultural Resources Data Standard and NCRIMS. The objective of these efforts is to normalize and standardize data across the western states. This will allow for more proactive consideration of cultural resources as part of large-scale planning efforts. Access to NCRIMS will be managed by an active directory to protect to confidentiality of the data. Training is forthcoming for field offices.

Nevada Dispute Resolution

Nevada has entered the Dispute Resolution with their SHPO regarding the direct sale of 0.66 acres in White Pine County. The BLM recorded several structures as individual sites. The SHPO disagrees with this and believes these structures should be recorded as part of a historic district based on National Register Bulletins. The Board agreed that the NR Bulletins are guidance and not required. The sites are not eligible and should not be considered as historic district. The proposed district is located outside of the Area of Potential Effects (APE) and the size and scope of the undertaking do not merit a larger APE to include the proposed district. The FPO will send a letter to the NV SHPO with the Board's recommendations.

Mitigation and Section 106

The BLM recently received a request to remove and rebury artifacts that will be impacted by an undertaking in accordance with Subpart B of the Archaeological Resources Protection Act (ARPA). The BLM has never gone through this process and the Board discussed the pros, cons, and logistics of doing so. The Tribes feel strongly that this is a more appropriate treatment compared to curating artifacts in a museum, there are several challenges in terms of BLM's management of those items, the NEPA process, and the BLM's authority to pursue these actions.

**Bureau of Land Management Preservation Board  
June 2019 Meeting  
Santa Fe, New Mexico  
June 4-6, 2019**

**Day 3 – June 6, 2019**

Field trip