

# Joint Reservoir Committee and Authority Board Meeting

Agenda Item 3.1:  
Section 106, Cultural Resources Update

October 20, 2023



# Section 106 of the National Historic Preservation Act – The basics

- Section 106 requires the lead federal agency to:
  - *“take into account the effects of the undertaking on any district, site, building, structure, or object that is included in or eligible for inclusion in”* the National Register of Historic Places (NRHP)
- National Register of Historic Places can include
  - Sites, districts, objects, buildings, structures
  - Places of traditional cultural significance to Native American tribes
- At December 2023 AB/RC meeting, staff anticipate asking for approval for the Executive Director to sign once completed

# Concluding Section 106 through a Programmatic Agreement

- Reclamation is lead federal agency
  - Will also address US Army Corps needs
  - Necessary prior to Reclamation signing a ROD
- Section 106 compliance will be achieved through the execution of a Programmatic Agreement
- Programmatic Agreement is anticipated to identify process for:
  - Phased approach for identifying historic properties once land access is obtained
  - Assessing effects of the Project on historic properties
  - Resolving any adverse effects

# Programmatic Agreement will largely implement Final EIR/EIS mitigation

- Programmatic Agreement works in conjunction with the Final EIR/EIS
  - Will implement the Cultural Resources mitigation measures
  - Will implement many of the Tribal Cultural Resources mitigation measures
- Adds specify to *who* the Authority will consult with and *timelines* for consultation as site-specific information is developed
- Authority responsible for implementing most of the activities in the Programmatic Agreement

# Status of the Programmatic Agreement

- Reclamation submitted draft to consulting parties
  - Awaiting last comments, then revise
- Reclamation submits revised draft for 2<sup>nd</sup> review
  - Changes based on comments
- Reclamation then finalizes
- Executed when Reclamation, State Historic Preservation Officer, and Advisory Council on Historic Properties sign
  - Authority will be invited to sign

Questions?