

PENNSYLVANIA TRANSPORTATION and TRIBAL CONSULTATION NEWSLETTER

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Issue 8

Spring 2007

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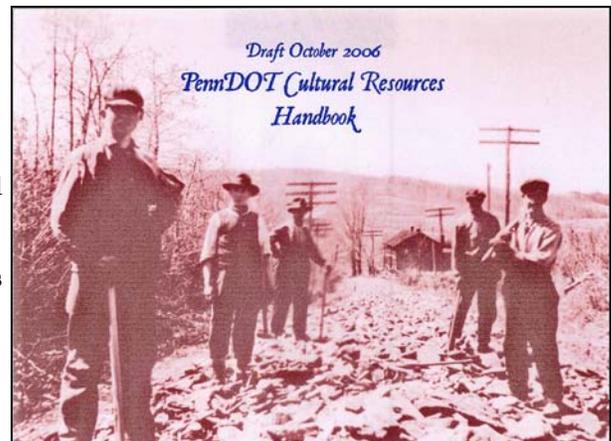
ByWays to the Past Conference VIII

PennDOT, the Federal Highways Administration, the Pennsylvania Historic and Museum Commission, Preservation Pennsylvania, the Pennsylvania Turnpike Commission, and Indiana University of Pennsylvania are proud to once again be sponsoring the ByWays to the Past Conference on May 16 and 17 at Indiana University of Pennsylvania. The conference brings together engineers, environmentalists, planners, archaeologists, and historians from federal, state and local agencies along with private sector individuals to discuss transportation topics. One such topic that generates very diverse opinions in the transportation, archaeology and Native American communities is site encapsulation. When a site can not be avoided can it and/or should it be buried under 10, 20, 30, or more feet of fill or under the road or bridge its self? This topic will be presented during the conference. The panel discussion will include representatives from the private sector, FHWA, and PennDOT. Kathy Mitchell, THPO of the Seneca Nation of Indians, has also been invited to be a member of the panel discussion.

PennDOT Cultural Resources Handbook

Comments on the draft Cultural Resources Handbook (CR Handbook) were received in early December. These comments are being addressed and incorporated into the handbook. When all this is completed, a second draft will be widely circulated for comment, and Federally Recognized Tribes will be among the recipients. Following this second round of comments and revisions, the CR Handbook will be published and distributed for use by PennDOT personnel and partners. The CR Handbook will be available electronically on PennDOT's website and in hardcopy form to any of the Tribes that wish to have a copy.

As mentioned in the Winter '06 Newsletter, the CR Handbook is intended to standardize how PennDOT will evaluate cultural resources, conduct cultural resources surveys, and mitigate cultural resources on transportation projects in Pennsylvania. One of the chapters in the CR Handbook is about Tribal Consultation. This chapter relies strongly on the PennDOT Tribal Consultation Handbook (Publication 591) and Tribal Handbook Appendix (Publication 592). The CR Handbook does not have specific information or histories on the Tribes. The reader of the CR Handbook is directed to Publications 591 or 592 for specific guidance on Tribal Consultation.



Tribal Memoranda of Understanding

The MOU with the Stockbridge-Munsee Band of the Mohican Nation of Wisconsin has been executed by all signatories. This brings to three the number of executed MOUs. Two other MOUs have been executed by PennDOT and FHWA and await the signature of the Absentee-Shawnee Tribe of Oklahoma and the Shawnee Tribe. PennDOT and FHWA are excited about starting out 2007 with having MOUs signed and in hand. The MOUs document the process that the individual Tribes, FHWA, and PennDOT have agreed to follow regarding tribal consultation. The MOUs are just a formal way to present the procedures and have a signed document between PennDOT, FHWA, and the Tribe. If any of the Tribes that have not had an MOU created and are interested in beginning the process please contact PennDOT or FHWA. If these Tribes would like to begin the process with a meeting, PennDOT and FHWA would be willing to discuss a mutually agreeable time and place.

PennDOT District Archaeologist Steps Downs

Steve Barry the District 5-0 and 8-0 Archaeology Qualified Professional left PennDOT in March to take a position with a private cultural resources management company in Harrisburg, PA. PennDOT wishes Steve well on his new position. Private consultants who have been trained and delegated by PennDOT as Qualified Professionals will be filling in while a new district archaeologist is sought. The Tribes will continue to be notified and consulted as before.

Meeting with Tribes From New York

PennDOT and FHWA are in the planning stages for a meeting with the Tribes from New York on June 5 and 6. The meeting will take place in Pennsylvania along the New York border. The agenda for the meeting will be to present to the Tribes the Statewide Transportation Improvement Plan (STIP). The STIP represents the first four years of the Twelve-Year Program for highways and transit.

In Pennsylvania, as elsewhere, the need for transportation improvements exceeds available resources. The programming process is designed to help Pennsylvania prioritize its many transportation projects within the limited available funding. This approach has created a fiscally responsible program that provides resources for projects that can be realistically delivered.

The STIP, along with other documents, is the most current indicator of which projects will be undertaken in the future and where construction activity will be occurring over the next several years.

By presenting this information the Tribes will have an earlier opportunity to provide comments on locations of concern and thus possibly minimizing potential impacts. By having this information early on from the Tribes it will help PennDOT and FHWA in the design of a project. This will of course not alleviate all impacts, but it will help with the design of a project to hopefully minimize those impacts to areas of concern for the Tribes.

The Tribes will be provided with a packet several weeks prior to the meeting. This packet will be tailored to the geographic areas of interest for each Tribe. The packet will contain maps and project information for all projects where ground disturbance activities are anticipated, particularly road widening projects, new alignment projects, and bridge replacements.

Also on the agenda will be time for showing the Tribes specific websites within PennDOT that can be accessed to view video of some of the project locations, maps showing project locations, and other useful websites that can provide additional information beyond the project notification letters that are currently sent out by PennDOT. A second meeting is also being planned for late summer or early fall. After both of these meetings are complete, PennDOT, FHWA, and the Tribes will evaluate their effectiveness and possibly make them an annual meeting. If providing the STIP turns out to be a big benefit, it will be provided to all the Tribes later this year.

Announcements

The annual summer meeting for the **Transportation Research Board** committee ADC-50-**Archaeological Preservation in Transportation**, along with the sub-committee, **Tribal Issues in Historic Preservation**, will be held on July 22-25, 2007 in Flagstaff, Arizona. Visit the committee's website at www.itre.ncsu.edu/ADC50/index.htm for more information in the coming months.

As a reminder the **PA Tribal Consultation Handbook (Pub 591)** and **PA Tribal Consultation Handbook Appendix (Pub 592)** can be found at the following addresses:

Handbook:

[ftp://ftp.dot.state.pa.us/public/bureaus/BEQ/thb.pdf](http://ftp.dot.state.pa.us/public/bureaus/BEQ/thb.pdf)

Appendix

[ftp://ftp.dot.state.pa.us/public/bureaus/BEQ/thpa.pdf](http://ftp.dot.state.pa.us/public/bureaus/BEQ/thpa.pdf)

The **Handbook** and **Appendix** are also available from PennDOT's website at www.dot.state.pa.us. If you would like a hardcopy or a CD, please contact Michael Stanilla at 717-214-8713 or c-mstanill@state.pa.us.

The **Advisory Council on Historic Preservation** : Native American Program offers training courses. They can be contacted directly for dates and locations. Valerie Hauser, Coordinator (202) 606-8530 vhauser@achp.gov

The **Tribal Consultation Website** is up and running at <http://www.penndotcrn.org>. This page contains a brief description of the consultation process, helpful publications, a list of tribal websites, and miscellaneous useful links. Once again, comments, criticisms, and suggestions are welcomed. New links, information, or corrections would be particularly useful. Please address any concerns to Joe Baker at josebaker@state.pa.us.

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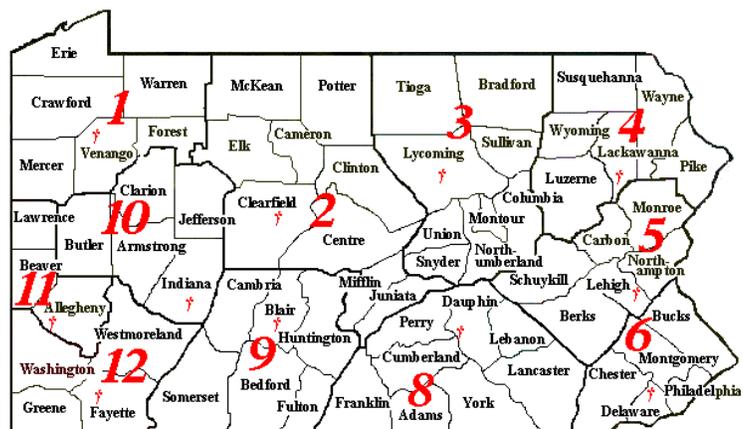
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Is there a topic or a story you would like to include in the next issue of this newsletter? Please contact:

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