

Trip Report
Visit to Montana Tribal Historic Preservation Officers
Sandra Talley, FSTB and Ron Linton, URLB
May 15-24, 2016

Background

As part of Tribal Policy Statement Implementation Plan activities, the Tribal Liaison team initiated outreach to Tribal Historic Preservation Officers (THPOs) for Tribes that have previously consulted or will be invited to consult on NRC licensing actions. In fiscal year 2015, staff (Sandra Talley) and a representative from the Advisory Council for Historic Preservation (Sarah Stokley) visited three THPOs in September 2015: the Northern Arapaho, the Rosebud Sioux, and the Cheyenne River Sioux Tribes. As a continuation of this effort, staff from URLB (Ron Linton) accompanied Tribal Liaison staff (Sandra Talley) for visits to reservations in Montana: the Fort Belknap Indian Community, Chippewa Cree Tribe of the Rocky Boy's Reservation, the Crow Nation, the Confederated Salish and Kootenai Tribes, the Blackfeet Nation; and the Northern Cheyenne Tribe. The purpose of the trip was as follows:

- (1) To provide an opportunity for the Tribal Historic Preservation Officer for Tribes located in Montana who have participated in or may be invited to participate in consultative activity for NRC's licensing actions to comment on NRC's consultation and communications processes and provide information on good practices in consultation that could be shared with NRC's licensing staff.
- (2) To continue to enhance and improve NRC's relationship with these Tribal representatives.
- (3) To provide input toward the future development of formal consultation protocols, as prescribed by the NRC Tribal Policy Statement Implementation Plan.

Trip Activities

Staff visited with individuals in the table below. Mr. Darrell Youpee, THPO Fort Peck Assiniboine and Sioux was unable to meet with NRC staff, but he offered comments by phone.

Name	Date
Mr. Michael Black Wolf, THPO Fort Belknap Indian Community Harlem, MT	5/16/2016
Mr. Alvin Windy Boy, THPO Ms. Kelsey Myers, Tribal Archaeologist Ms. Michelle Holiday, Asst. to the THPO Chippewa Cree Tribe of the Rocky Boy's Reservation Box Elder, MT	5/16/2016
Ms. Marie Vogel, Permitting and Compliance Officer The Crow Tribe of Indians Crow Agency, MT (meeting held in Billings, MT)	5/17/2016

Name	Date
Ms. Clarinda Burke, Acting THPO Ms. Kay Swaney, newly appointed THPO Ms. Mary Rogers, Database and Records Manager Mr. Daniel Stiffarm, Director, Kootenai Culture Committee Confederated Salish and Kootenai Tribes Pablo, MT	5/18/2016
Mr. John Murray, THPO The Blackfeet Nation Browning, MT	5/19/2016
Ms. Diana Hammer, Tribal Program Manager Ms. Jennifer, Tribal Program Manager Environmental Protection Agency, Region 8 Helena, MT	5/20/2016
Ms. Teanna Limpy, THPO Northern Cheyenne Tribe Lame Deer, MT	5/23/2016
Mr. James Daychild, Communication Specialist The Crow Tribe of Indians Crow Agency, MT	5/23/2016

During the meetings, THPOs and staff from the THPO offices discussed THPO office operations and internal procedures for processing consultation requests, NRC's consultation practices and the effectiveness of these activities, best practices in Tribal consultation among Federal agencies and THPO recommendations for effective consultation procedures. In each meeting, NRC staff shared information with Tribes on current and potentially upcoming licensing in uranium recovery and the status of these projects. Staff also shared information on the request by the State of Wyoming to become an Agreement State. All THPOs indicated that they would like more information on this application and the impact of this request on Tribal consultation. A summary of the feedback from the interviews is attached.

On 5/20/2016, staff (Sandra Talley) met with staff from the Environmental Protection Agency Region 8 Tribal Assistance Program. The discussion included EPA's communication and consultation procedures, regional Tribal meetings, and opportunities for collaboration between NRC and EPA on regional Tribal outreach. EPA staff provided suggestions for participation in EPA-sponsored meetings and other contacts and resources for Tribal outreach in the region.

Outcome – Suggested Next Steps

- 1.** Share information gathered from THPOs with ERB and URLB and others within NRC who are interested in understanding some Tribal perspectives on NRC's consultation practices and general issues in developing an effective consultation strategy. THPOs have provided useful information on consultation practices and the operations of their offices that could be incorporated into any procedures involving outreach and consultation on licensing actions.
- 2.** Consider strategies for increasing awareness and knowledge of NRC's project proponents on the role of Tribes in NRC's licensing actions. Many THPOs expressed an interest in having some direct communication early in the life of a project. Explore opportunities for dialogue between THPOs, Tribal environmental staff, and NRC's project proponents.
- 3.** Develop and implement strategies to share more information with THPOs on the Agreement State Program and Wyoming's application to join this program. As the draft NRC Tribal Policy Statements directs staff to engage Tribes early on any program activity that will impact the relationship between Tribes and the agency, staff should make an effort to explain the Agreement State process and how the WY application may impact future consultation and current Section 106 Programmatic Agreements.
- 4.** Follow up on EPA Tribal Liaison staff suggestions to reach out to coordinators for regional Tribal meetings as possible settings for sharing information on the NRC. Working with other Federal agencies or other organizations will permit NRC to try to continue outreach efforts within ongoing budget constraints.
- 5.** Continue to communicate with participants to lay the foundation for the development of protocol agreements, as prescribed by the NRC Tribal Policy Statement Implementation Plan.