



Preserving America's Heritage

TRADITIONAL CULTURAL LANDSCAPES IN THE SECTION 106 REVIEW PROCESS

Background. Since 1992, when Congress amended the National Historic Preservation Act to clarify that historic properties of religious and cultural significance to Indian tribes and Native Hawaiian organizations (NHOs) may be eligible for the National Register of Historic Places (National Register), the ACHP has seen a steady increase in the number of Section 106 reviews involving such historic properties. Improvements in federal agency consultation with Indian tribes and NHOs and greater recognition of their expertise in identifying historic properties of significance to them have likely contributed to this increase. It is equally likely that there have also been increasing development pressures in places not previously developed. An early 2011 Tribal Summit co-hosted by the ACHP in Palm Springs, California, underscored the fact that the nation's renewed emphasis on the development and transmission of renewable energy, as well as the continued focus on conventional energy, is placing additional pressures on landscapes throughout the country, and particularly in the west.

There have also been an increasing number of Section 106 reviews involving large scale historic properties which have included multiple, linked features that form a cohesive landscape of significance to a tribe or tribes or NHOs. The recognition and understanding of such places can often be a struggle for the non-tribal or non-Native Hawaiian participants in the process, partly due to the lack of experience in addressing such places and partly due to the lack of a vocabulary for identifying and evaluating these properties. Likewise, these expansive landscapes pose challenges for consulting parties in assessing and effectively addressing the impacts of federal actions on them.

There are numerous places of this nature either listed in the National Register or determined eligible for inclusion in the National Register as a result of the Section 106 process, including Zuni Salt Lake in New Mexico, Bighorn Medicine Wheel/Medicine Mountain in Wyoming, Nantucket Sound in Massachusetts, Mauna Kea in Hawaii, and Mount Graham in Arizona. While the formal recognition process addresses some of the questions of significance and extent, the tribes or NHOs to whom they are significant often indicate that these expansive landscapes are part of a larger whole that is often not fully recognized or understood by those considering them through the Section 106 process. For example, although the area included in the Bighorn Medicine Wheel National Historic Landmark has just been expanded to approximately 4,000 acres, an area many times that size is of significance to the tribes. Likewise, the National Park Service acknowledged in its eligibility determination for Nantucket Sound that the recognized area was part of a larger significant landscape. Significant mountains such as Mount Taylor in New Mexico and Mount Graham, too, are often considered to be components of an even broader cultural landscape that retains significance for many tribes.

With the growing recognition that there are large scale historic properties of significance to Indian tribes and NHOs and that such places are increasingly being threatened by development, the ACHP initiated informal discussions with Indian tribes in 2009 about how to address these issues. The ACHP began by advancing the idea that these large scale properties might be best addressed as landscapes and looked to the field of landscape architecture for both a methodology and a vocabulary to apply to properties of

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religious and cultural significance. While these discussions continue, most have agreed that such properties warrant the attention of the preservation community. Pressing Section 106 issues, such as energy development across the country, also underscore the need to address these issues now.

Recognizing the importance of this issue, the ACHP and the National Park Service (NPS) co-hosted a forum on August 10, 2011, to introduce to the ACHP members the range of issues and challenges regarding the identification and treatment of traditional cultural landscapes. While the ACHP staff have for many years been involved these issues, the increasing pressures on tribal and Native Hawaiian cultural resources warranted elevating the dialogue to the policy level within the ACHP and the broader preservation community.

The forum included brief presentations from a federal agency that has experience in considering tribal landscapes through the Section 106 process, as well as representatives from the ACHP, NPS, Indian tribes, and the National Conference of State Historic Preservation Officers who have addressed these issues for many years. These presentations helped to identify the broad range of issues related to the recognition, evaluation, and treatment of such places through the Section 106 process.

In response to the forum, the ACHP members endorsed the *Native American Traditional Cultural Landscapes Action Plan* at the business meeting on November 10, 2011. The plan calls for the ACHP and DOI to promote the recognition and protection of Native American traditional cultural landscapes both within the federal government and the historic preservation community as well as at the state and local levels and to address the challenges of the consideration of Native American traditional cultural landscapes in the Section 106 review process as well as in NEPA reviews. The plan includes specific actions to meet these goals through partnerships with other federal agencies, State Historic Preservation Officers, intertribal organizations, Indian tribes, and Native Hawaiian organizations.

The ACHP's Office of Native American Affairs oversees the action plan in conjunction with staff from the Office of Federal Agency Programs. For more information about the action plan, send an email to landscapes@achp.gov.

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