AGENCY INFORMATION

Agency: Advisory Council on Historic Preservation

Name of Agency CERPO: Reid J. Nelson

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*If this form is submitted by a Permitting Council member's designee, please provide a delegation memo with the self-assessment submission.

SECTION 1. EXAMPLES OF BP IMPLEMENTATION

While FPISC OED does not require an implementation narrative for each BP category, it encourages each member agency to highlight its successes and challenges for each category. This can be in the form of identifying positive outcomes from implementation of a BP during FY 2020 or from identifying where a BP did not prevent the issue it was intended to prevent and how the agency or Permitting Council may want to consider addressing that. The specific BPs to be reported on are listed in Table 1 of the Fiscal Year 2020 Recommended Best Practices for Environmental Reviews and Authorizations for Infrastructure Projects and in Appendix B. Please note, BP Categories and BPs have been shortened in the dropdowns for ease of use.

Agencies are also encouraged to identify and submit "alternative BPs" that reflect where the agencies have implemented process improvements that meet the statutory BP categories but not one of the specific BPs identified in the FY 2020 BP Report. Alternative BPs should be submitted to FPISC OED by August 28, 2020 for approval before submitting the BP through this form. If your alternative BP has been approved, please choose "Alternative BP" from the "Corresponding BP" drop-down menu below for the appropriate entry.

Please adhere to a word count limit of 200 words per BP example in this section (i.e., if you provide examples of implementation of four BPs, please use four template boxes below for a total word count of 800 words), while thoroughly reflecting your accomplishments and challenges. Provide links and/or citations as appropriate, and provide as many relevant examples as possible. If you would like to provide more than four examples of BP implementation, please contact FPISC OED for a supplemental form.

Best Practice Category: (i) Early stakeholder engagem	Corresponding BP: i.2 Pre-application/ pre-offici
While the ACHP does not act on applications, it advises and assists federal agencies in engaging stakeholders as part of their responsibilities under Section 106 of the National Historic Preservation Act. In FY 2020, the ACHP released Early Coordination with Indian Tribes in Pre-Application Processes: A Handbook (https://www.achp.gov/sites/default/files/documents/2019-10/EarlyCoordinationHandbook_102819_highRes.pdf) to offer guidance on how federal agencies, industry, and Indian tribes can work collaboratively and effectively before submission of applications that will need to go through the	

Best Practice Category: (ii) Timely decisions for ERA (	Corresponding BP: ii.1 ERA process templates/ c
While the ACHP does not review applications from project sponsors, the agency has made a voluntary Electronic Section 106 Documentation Submittal System (e106) available since 2015 for use by any federal agency (or officially delegated non-federal entity) when submitting notifications required by Section 106 to the ACHP. The form and instructions (https://www.achp.gov/e106-email-form) help ensure agencies submit complete documentation, while electronic document submittal reduces mailing time for both incoming notifications and outgoing response letters. The form was expanded in FY 2020 to allow use of the e106 system in additional circumstances, such as filing agreements that	

Best Practice Category: (iii) Improving coordination	Corresponding BP: Unique to Agency
In coordination with State and Tribal Historic Preservation Officers, federal agencies, and other key stakeholders, the ACHP developed and is implementing recommendations to encourage greater availability of cultural resources geospatial data in planning for federally permitted infrastructure projects through the work of the ACHP's Digital Information Task Force. The Task Force began in FY 2019 and presented its report and recommendations to the ACHP's Chairman in March 2020. (https://www.achp.gov/digital-library-section-106-landing/digital-information-task-force-recommendations-and-action-plan) To begin implementing recommendations during FY 2020, the ACHP met with	

Best Practice Category: (iii) Improving coordination	Corresponding BP: iii.1 Standards and protocols
The ACHP encourages federal agencies to consult early and often with Indian tribes and invest in developing relationships with them not only to improve the efficiency of the Section 106 process but to honor their government-to-government relationship with and trust responsibility to tribal nations. The Chairman of the ACHP, the ACHP Tribal Member, and the NATHPO President who is an ACHP member released a joint statement regarding federal-tribal relationships during the COVID-19 pandemic in July 2020. (https://www.achp.gov/sites/default/files/2020-07/Federal%20Tribal%20Relationships%20During%20COVID-19.pdf) The statement by agency leadership affirmed the	

SECTION 2. FAST-41 PROJECT SPECIFIC PERMITTING IMPROVEMENTS/OUTCOMES

This section should highlight examples from specific projects. Please include agency innovations, initiatives, successes, and identification of and resolution to challenges. Agencies are encouraged to report on FPISC OED recommendations from the FY 2019 ARC (See OED Assessment, Part 2).

Please adhere to a total word count limit of 300 words for this section, while thoroughly reflecting your accomplishments and challenges. Provide links and/or citations as appropriate. Provide as many relevant examples as possible in the space provided below.

The ACHP is not a lead or cooperating agency responsible for a review or authorization for FAST-41 projects. However, in FY 2020 the agency participated (via FAST-41, in consultation to resolve adverse effects under the Section 106 regulations [36 CFR 800.6(b)(2)], or by providing other technical assistance on Section 106 reviews) in over a dozen covered projects. The ACHP reviewed and provided its advice to the Bureau of Land Management on the Yellow Pine Solar project under provisions in the Section 106 regulations for the resolution of disputes about findings of adverse effect to historic properties. The ACHP's advice on the dispute, and the BLM's subsequent response, enabled the lead agency to reach a conclusion to the Section 106 review process for the project.

SECTION 3. PERMITTING PROCESS IMPROVEMENTS (GENERAL)

Please document activities undertaken by the agency in FY 2020 that may be outside the information captured in the two sections above. Examples include challenges addressed or looking to be addressed through actions like: new tracking systems, procedural changes, outreach efforts/information gathering, regulatory changes, and interagency discussions/working groups/agreements/collaboration through the Permitting Council and with other Permitting Council member agencies. This section provides a space to report any new and unexpected challenges with novel solutions developed by agencies. Addressing challenges that were anticipated, then addressed by existing or new BPs can be included in sections 1 and 2.

Please provide a narrative for each process improvement in a separate section below. Please adhere to a total word count limit of 300 words for this section, while thoroughly reflecting your accomplishments and challenges. Provide links and/or citations as appropriate. Provide as many relevant examples as possible in the space provided below.

A key challenge for the ACHP and all agencies and stakeholders who participate in NHPA Section 106 reviews during FY 2020 was the impact of the COVID-19 pandemic on communication and consultation. The ACHP responded to concerns about how temporary closures or limitations on the work of State Historic Preservation Offices and tribal government offices could affect Section 106 review timelines by hosting teleconferences with Federal Preservation Officers; posting information on the agency website; distributing updates to SHPOs, THPOs, Indian tribes, and others; and addressing specific project issues on a case-by-case basis. The agency also promoted and expanded its use of electronic document processing through e106. The pandemic working environment highlights the importance of expanding digital tools, such as GIS, to inform planning for federal projects that could affect historic properties as well as to enable the communication necessary for Section 106 review decision making. The ACHP will build on these experiences in FY 2021 by collaborating with other federal agencies and non-federal partners to identify opportunities to enhance resources for digital

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This information has been reviewed by the Permitting Council Member and CERPO, and others as necessary (public affairs, legislative affairs, office of general counsel staff). I understand that this information will be used as submitted in the FPISC Annual Report to Congress and is testimony-ready for use by Administration officials. ☑

Reid Nelson

CERPO Name (or designee)	Signature

SUBMIT

Permitting Council Member Agency Self-Assessment

Agency Input to FPISC's FY 2020 Annual Report to Congress

Section 1 Supplement

Please use this section to supplement Section 1. Examples of BP Implementation. Please submit this document with your Agency Self-Assessment form to FPISC OED by October 14, 2020

Best Practice Category: (iv) Increasing transparency	Corresponding BP: iv.1 Share information about
As the ACHP is not a lead or cooperating agency responsible for establishing review timelines, this best practice does not apply. The ACHP provides advice, training, and other resources to federal agencies and other stakeholders on planning for Section 106 review timelines and coordinating reviews. However, these efforts have generally been highlighted under best practice vii.	

Best Practice Category: (v) Reducing information coll	Corresponding BP: v.2 Joint processes or progra
The ACHP has continued developing new programmatic approaches for infrastructure sectors to help federal agencies conduct Section 106 reviews efficiently and refining existing approaches to further reduce duplicative reviews in FY 2020. An existing Program Comment for broadband was amended to allow a new agency, the Office of Surface Mining Reclamation and Enforcement, to use its terms so that OSMRE's broadband projects subject to review by the FCC make use of the FCC's Section 106 review conclusions under a nationwide programmatic agreement (NPA). The ACHP also amended a 2001 FCC NPA to eliminate an unintentional inconsistency between two FCC agreements that had the	

Best Practice Category: (vi) GIS and other tools	Corresponding BP: vi.1 Knowledge sharing abou
Providing clear and reliable information about Section 106 of the NHPA and offering practical advice on using the Section 106 regulations is a central objective of the ACHP's website and training program. While training products are more fully described in best practice vii, other resources are available to federal agencies conducting reviews and other review participants on achp.gov. The site includes a flow chart illustrating the four-step review process, offers comprehensive access to the ACHP's guidance and reference material in a digital library, and features sections highlighting topics of interest such as integrating NEPA and Section 106 reviews, infrastructure project planning, and developing	

Best Practice Category: (vii) Training materials	Corresponding BP: vii.1 Provide training about F
The ACHP launched virtual Section 106 training for Indian tribes to help them participate more effectively in Section 106 consultations, including those conducted for large-scale infrastructure projects, during FY 2020. Three sessions were held in FY 2020, and the training will be offered every other month in FY 2021. The ACHP's training program also debuted a new advanced level webinar on "Resolving Disputes in Section 106" in December 2019. The course makes specific reference to managing disputes as a strategy for maintaining review timelines for FAST-41 and Major Infrastructure Projects and other undertakings. During FY 2020, the ACHP also significantly redesigned two classroom	

Best Practice Category: (viii) Other	Corresponding BP: viii.1 Outreach to stakeholde
This best practice does not apply to the ACHP, as outreach to stakeholders during a Section 106 review is conducted by the lead federal agency.	

Best Practice Category: (i) Early stakeholder engagem	Corresponding BP: i.1 Early stakeholder engager

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