

AASHTO's Committee on the Environment and Sustainability Cultural Resources Subcommittee Meeting:

*- Properties of Traditional Religious and Cultural
Importance Panel Discussion*

Spokane, WA

July 17, 2018

Moderator: Scott Williams, WSDOT

Panel Participants:

- Tobin Bottman, Oregon Department of Transportation
- Ruth Greenspan, Arizona Department of Transportation
- Steven Lakatos, New Mexico Department of Transportation
- Scott Sundermeyer, Oklahoma Department of Transportation
- Scott Williams, Washington Department of Transportation



Tobin Bottman

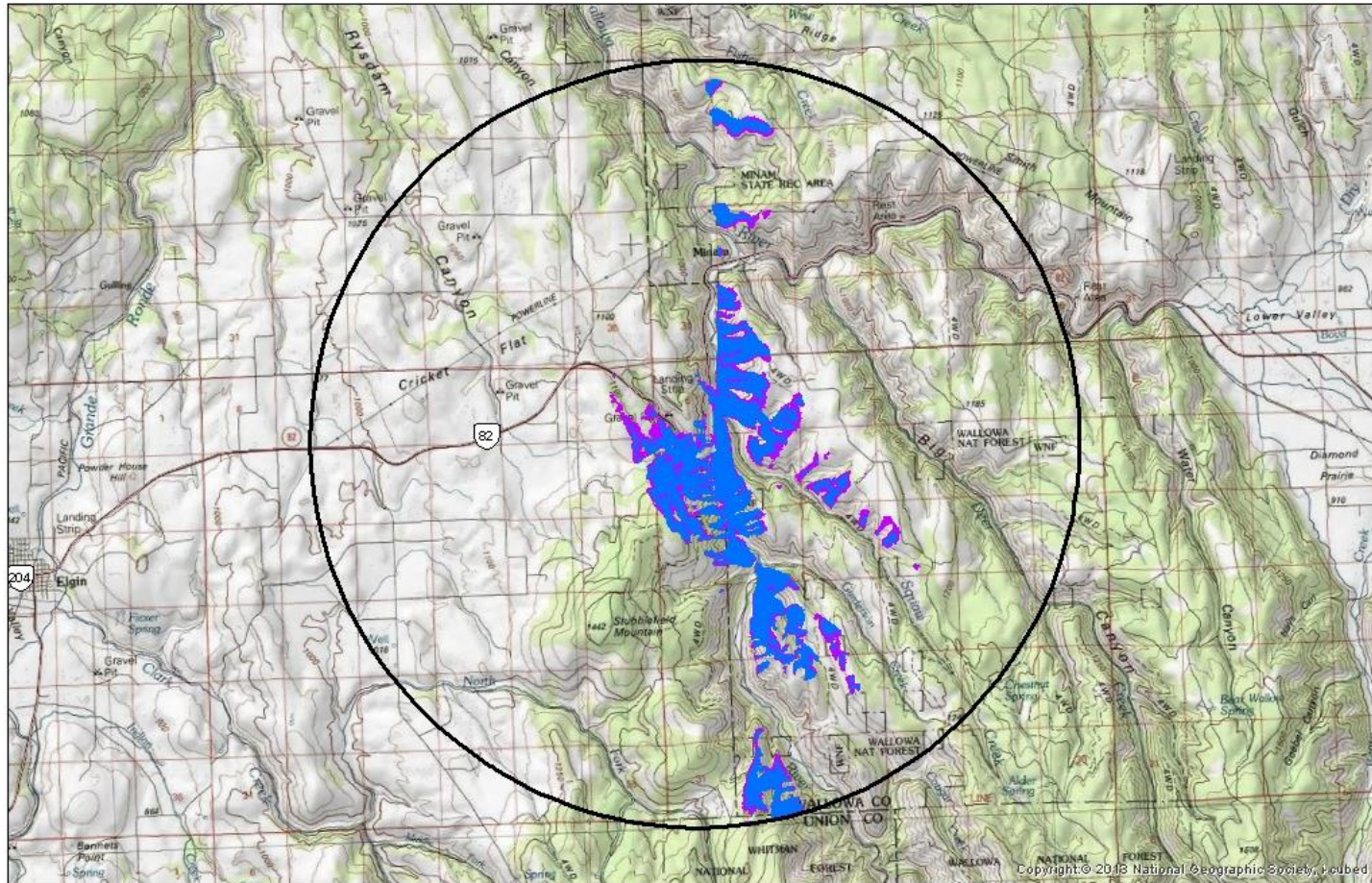
- Archaeologist, Oregon DOT since 2006
- Consult with 9 federally recognized Oregon Tribes, 10+ out of state Tribes as well
- Some Tribes concerned with TCPs, others HPRCSITs and/or viewsheds/landscapes
 - Each Tribe has own way of interpreting/managing this type of resource



Tobin Bottman Observations & Experiences

- If undertaking is within TCP boundary, and work is in-kind, usually no issue. But if visual or other changes would occur, how do you assess effects and/or mitigate for this?
- ODOT GIS Unit helped develop a visual simulation model to determine visual changes

Tobin Bottman Observations & Experiences



OREGON DEPARTMENT OF TRANSPORTATION

OR82: Minam Curve Correction, Key No. 17047

Existing Viewshed (Blue); Proposed Add'l Viewshed (Violet)



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Ruth Greenspan

Arizona Department of Transportation

- ▶ Cultural Resources Program Manager
- ▶ At Arizona DOT since 2006
- ▶ 22 federally recognized resident Tribes
- ▶ Consult with additional eight federally recognized non-resident Tribes
- ▶ TCPs may be landforms and landscapes, archaeological sites, rock art, water sources

Observations and Experiences

- ▶ Meet in person; develop trusting relationships; include engineers and designers when appropriate
- ▶ Recognize and acknowledge the deep cultural significance of TCPs, and the considerable harm that may result from their destruction or desecration
- ▶ Tribes take the lead on studies and reports
- ▶ Produce full and partial disclosure versions of reports to address confidentiality concerns
- ▶ Cultural sensitivity training for construction contractors and staff



Steve Lakatos

- Cultural Resources Section Supervisor, NMDOT since 2016
- Consult with 33 federally recognized tribes: 24 in-state tribes, pueblos, nations; 9 out-of-state
- Multi-cultural legacy (Indian, Spanish, Mexico, American)
- Tribes concerned with sovereignty; protecting places without exposing location, function, or use; maintaining traditions while developing infrastructure



Observations & Experiences

- Interpretation of “indirect effects” to the location, function or use of an identified TCP beyond the APE
- Longstanding intertribal relationships and differing concepts of appropriate treatments between NMDOT, tribes, and among tribes
- Face-to-face interaction as often as possible; pursuing tribal involvement early in the design and identification processes
- Potential for wholesale annual turnover of tribal leadership and council members

Scott Sundermeyer

- Cultural and Natural Resources Program Director, Oklahoma DOT 2008
- Consult with 38 federally recognized Tribes
 - All resident

Oklahoma DOT Observations

- Properties of Traditional Religious and Cultural Importance are difficult to assess for NRHP eligibility
 - integrity/significance
- Is it even necessary to assess such properties for NRHP? Is it more appropriate to assess their significance under NEPA; EJ?
- To date, Oklahoma DOT has had greater success in avoiding such properties rather than assessing them under the framework of NHPA and NRB 38.
- In Oklahoma, these properties tend to be family or small group-oriented, and knowledge of such properties is not evenly distributed among the community.

Challenges and opportunities





Panel Discussion:

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- Ruth Greenspan, Arizona Department of Transportation
- Steven Lakatos, New Mexico Department of Transportation
- Scott Sundermeyer, Oklahoma Department of Transportation
- Scott Williams, Washington Department of Transportation - Moderator