

Next, we're going to discuss the types of follow-up agreements that are anticipated with the Solar PA. We have Ann Howard from the Arizona SHPO to talk about it.

Ann, what type of agreements can be set up under the Solar PA?

Most of the first stipulation of the Solar PA discusses when tiered agreement documents may be used, and how they can be tailored to specific undertakings.

Although it's hoped that the Section 106 process spelled out in the Solar PA would apply to most solar applications, Stipulation 1 provides guidance on those situations for which the development of project-specific agreements or state-specific procedures may be appropriate.

Because specific treatments to individual historic properties are not described in the Solar PA, BLM will need to execute Memoranda of Agreement or MOAs for the resolution of adverse effects in site-specific projects.

Where there's adequate information regarding the nature of historic properties within the Area of Potential Effect or APE, MOAs can specify avoidance, minimization, and/or mitigation measures that are tailored to the respective historic properties. As part of this process, it's important to note that cultural resource inventories may be necessary for those Solar Energy Zones and variance areas that do not have adequate survey data.

Creation of project-specific PAs tiered to the Solar PA are not anticipated; however, they may be needed for those undertakings where very little is known about the cultural resources situated within the APE. Project-specific PAs may also be generated when the nature of specific projects has not yet been determined.

These PAs, however, are discouraged, and should not be necessary for most site-specific undertakings where determinations of eligibility and findings of effect have been completed prior to BLM's approval of the undertaking.

State specific procedures or Memoranda of Understanding (MOUs) can be beneficial in circumstances where the BLM, SHPOs and/or Tribes want to create more specific and efficient consultative processes than those found in the Solar PA.

State specific procedures or MOUs are advantageous because they can customize the Section 106 process to best meet the needs of the consulting parties and the individual historic properties. However, these procedures or MOUs are not to be considered a substitute for the fundamental consultation process outlined in the Solar PA.