

Next, we're going to cover other requisites of the Solar PA.

Stephen, please tell us about reporting requirements, the duration of the PA, and performance bonding.

During the negotiations over the Solar PA, both SHPOs and the National Trust for Historic Preservation expressed concerns that, in the past, they rarely heard back regarding how PAs were being enforced. Were they successful? How often were they used? Were there any problems implementing them? And so on.

Consequently, we will require feedback to assess how often the PA was applied to particular undertakings, how well it worked, whether any amendments are needed to address specific issues, and the reach and effectiveness of this training.

Each of the 6 BLM solar states will provide this information as part of annual reporting already required by the Washington Office and BLM-SHPO Protocol Agreements.

Brief summaries will be provided for all solar projects, whether or not the threshold for Advisory Council review and consultation was met.

The Cultural and Paleontological Resources and Tribal Consultation Division and the Minerals and Realty Management Directorate are coordinating the reporting requirements.

You will begin providing this assessment for FY 13 when that data call is prepared at the end of this calendar year.

We hope this reporting will offer a "field office perspective" on how well the PA is working, and whether or not it should be modified and improved.

The Solar PA will remain in effect for 20 years, unless it is terminated or another agreement is executed superseding it.

It could extend beyond the 20 years if the Consulting Parties agree. Of course, any amendments, modifications, or needed adjustments in the Section 106 process identified and negotiated over the years will be included in an updated version.

If the BLM has not implemented any of the stipulations of the Solar PA within 5 years, it will expire. If several years pass, and no solar applications have been submitted that would fit under the terms of the Agreement, the BLM will consult with the Signatories and Concurring Parties to consider whether or not the Solar PA should be extended or its terms amended.

Next, we'd like to draw your attention to Appendix C of the Solar PA.

The BLM will address coverage of all expenses tied to cultural resources identification, protection, and mitigation within regulations for Performance Bonding for Solar Applications. These are now under development.

We will require that solar applicants include sufficient funds within a Performance Bond to cover all costs needed to complete the cultural resource requirements for a particular undertaking.

These may include, but aren't limited to

- Ethnographic studies
- Inventory
- Data recovery
- Curation
- Monitoring
- Treatment of damaged/discovered sites
- And the generation and submission of all reports

BLM managers will review these bonds at the time of Right-of-Way assignment, amendment, or renewal.

The amount of the bond can be increased or decreased at any time consistent with the regulations.