## The Cultural Heritage Program: A Course for Managers

### Module 2: Who is Responsible for Performing the Professional Work of the Program?

Who develops and performs the annual program of work?

Managers need to understand who is responsible for developing and carrying out the program of work for the cultural heritage program. They need to know who can provide advice to ensure that the work is done in accordance with professional standards and formal guidance. It also helps to understand the range of tasks that are required of field office staff. We'll review a typical month in the life of a field office specialist.

First, let's keep in mind these general guidelines. Staff specialists serve as the subject matter experts. They ensure that program work is done to professional and legal standards, and they provide expertise and support to other BLM programs. To managers, they provide concise but thorough documentation, recommendations relating to proposed actions and decisions, and early alerts of potential issues.

Managers are responsible for considering the staff's recommendations and making decisions, in accordance with applicable laws and regulations. In addition, consultation and negotiation are important aspects of cultural resource management. Managers often must play a key role in conducting consultations, particularly with Indian tribes and in cases that are controversial or require a conflict resolution process.

Cultural resource specialists work at field and district offices and units of the NLCS. Most are professional archaeologists with degrees in anthropology or cultural resource management. Specialists may also include anthropologists, historians, architectural historians or other preservation experts, and museum specialists and curators who focus on the management of collections. Some offices have staff who serve primarily as tribal liaisons, helping to manage and maintain relations with Indian tribes and communities.

State office specialists provide guidance and support to district and field offices, which can involve direct assistance with projects and programs. They play a key role in helping the other offices develop the annual work plan and budget. A specialist in each state office is assigned the role of Deputy Preservation Officer. This role supports the BLM's Federal Preservation Officer in the Washington Office. The Preservation Officer is a formal role established in conformance with the National Historic Preservation Act. State offices sometimes have additional staff assigned to specific programs, such as Renewable Energy Coordination Offices.

Some program specialists are based at the BLM's regional curation facilities, interpretive centers, and the National Training Center. Others manage the Heritage Education Program. Regional paleontologists provide much needed expertise, as few archaeologists are trained in paleontology.

The cultural heritage program is administered in Washington, DC by WO-240, the Division of Cultural and Paleontological Resources and Tribal Consultation. The Division includes the following professional and administrative positions:

- Division Chief
- Deputy Division Chief

- Staff Assistant
- Federal Preservation Officer
- Archaeologist
- Historian
- Geospatial Archaeologist
- National Curator & Native American Graves Protection and Repatriation Act Coordinator
- Tribal Coordinator
- National Paleontologist

Others are involved in carrying out the work of the cultural heritage program. BLM law enforcement officers investigate and document cases of vandalism and resource theft, in coordination with cultural resource specialists and prosecutors. Qualified contractors are hired by project proponents to conduct required work or are contracted by BLM to accomplish projects that require considerable effort or special expertise. Partners often share costs to accomplish a variety of tasks, from site monitoring to scientific research based at a field school. Partners can include other federal or state agencies, organizations of avocational archaeologists, and universities or museums. Well-trained volunteers and interns also provide invaluable assistance.

<u>What sources provide guidance for completing the work in accordance with laws, regulations, and professional standards</u>?

The BLM's 8100 Series of Manuals and Handbooks provides clear and comprehensive guidance on completing cultural resource work in accordance with laws, regulations, and professional standards.

The 8100 manuals are consistent with a national Programmatic Agreement or PA that provides the basis for BLM's compliance with the National Historic Preservation Act. The national PA benefited the BLM in many ways, for example, by streamlining the legal compliance process and clarifying the roles of key parties to the process. First signed in 1997 and updated in 2012, the national PA is an agreement between the BLM, the Advisory Council on Historic Preservation, and the National Conference of State Historic Preservation Officers. It provides detailed guidance on many aspects of cultural resource work, including tribal consultation. The national PA enabled individual states to work with State Historic Preservation Officers or SHPOs to establish protocols. State protocols vary according to each state's unique resources, management needs, and relationship with its SHPO. Protocols provide the framework for consultation and coordination with individual SHPOs and incorporate state-specific guidelines established by SHPOs.

Field specialists and managers can seek advice from Deputy Preservation Officers, as well as the BLM's Preservation Board, which was established by the national PA in 1997. Its purpose is to advise the Director, State Directors, and line managers who have decision-making authority. The Preservation Board provides advice on implementing policies, procedures, and training programs for compliance with the National Historic Preservation Act and other laws that apply to cultural resources. Chaired by the agency's Federal Preservation Officer, its members include the Deputy Preservation Officers from each state office and the national Tribal Coordinator. Rotating term positions are occupied by at least four line managers and two cultural resource specialists from district or field offices. Between meetings twice each year, Board members communicate informally to discuss issues and provide consistent advice to BLM offices.

The national and regional paleontologists provide advice on implementing policies and procedures relating to paleontological resources.

What is the nature of the work?

Let's consider a month in the life of a field office archaeologist. Here we can see the time that staff might devote to various tasks and the primary legal authorities for the work.

| Days | Task | Primary Legal Authorities |
|---|---|---|
| 12 | Section 106 compliance and Work on project teams | National Historic Preservation Act (NHPA) National Environmental Policy Act (NEPA) |
| 2 | Tribal consultation and coordination | NHPA and Executive Orders; Native American Graves Protection & Repatriation Act (NAGPRA) |
| 1 | Permitting and performance monitoring | Archaeological Resources Protection Act (ARPA) |
| ½ | Database and collections management | NHPA, NAGPRA, DOI Manuals |
| 1 | Site vandalism investigation | ARPA |
| 1 | Field inventory | NHPA Sections 106 and 110; FLPMA |
| 1 | Site monitoring, recording, and protection | NHPA, ARPA, FLPMA |
| 1 | Public education and interpretive projects | NHPA, ARPA |
| ½ | Resource management planning | NHPA, NEPA, FLPMA |
| 1 | Tracking and reporting; general office involvement | NHPA, BLM administrative processes |

Section 106 of the NHPA requires an agency to consider the effects of its proposed actions and programs on historic properties. Section 106 compliance accounts for the vast majority of work in many field offices—generally from 50 to 90 percent of a specialist's time. Cultural resource specialists in NLCS units, where many activities are restricted, typically have a smaller Section 106 workload. This enables them to devote more time to proactive projects.

Because the vast landscapes and activities on BLM-administered lands are so diverse, each office varies in the nature of tasks and the time devoted to them. For example, offices in Alaska generally do more proactive work and less Section 106 work than average.

Note that the table doesn't include time devoted to training and managing volunteers; supporting the fire management program as a resource advisor; or attending training and professional conferences. Field specialists juggle many tasks, and it can be a struggle to devote enough time to any one of them. Your staff may be stressed out with good reason. Some may need advice from the manager in setting priorities, while others may be quite capable of effectively managing

their time.  It helps when the manager appreciates the complexity and demands of the workload and is willing to listen and offer advice.

Next we'll review the nature of the work tasks and the associated roles and responsibilities of staff and managers.  Let's begin by considering Section 106 compliance.