



The Department of Arkansas Heritage

Mike Huckabee, Governor
Cathie Matthews, Director

Arkansas Arts Council

Arkansas Natural Heritage
Commission

Historic Arkansas Museum

Delta Cultural Center

Old State House Museum



Arkansas Historic Preservation Program

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July 15, 2004

Mr. David Reese
Environmental Planning
Department of Homeland Security
Office of Safety and Environment
Management Directorate
Washington, D. C. 20528

RE: Multi County - General
Section 106 Review - DHS
Department of Homeland Security Seeks Comment on Environmental Planning
Program
AHPP Tracking No: 53727

Dear Mr. Reese:

My staff has reviewed the proposed directive relating to the Department of Homeland Security Environmental Planning Program. While issues related to cultural resources are normally reviewed under the terms of Advisory Council on Historic Preservation regulations (36 CFR Part 800) that implement Section 106 of the National Historic Preservation Act, provision is made in those regulations for coordinating Section 106 review with the NEPA process. 36 CFR Part 800.8 specifies how this can be accomplished and we recommend that your staff familiarize themselves with its terms.

We also point out that Advisory Council regulations (36 CFR 800.2(c)(2)) require consultation with federally recognized Indian Tribes and Native Hawaiian organizations and that this consultation be on a government to government basis. Thus the standard NEPA scoping process is not adequate to meet this requirement and can become a source of conflict.

Thank you for your interest and concern for the cultural heritage of Arkansas. If you have any questions, please contact Steve Imhoff of my staff at (501) 324-9880.

Sincerely,

Ken Grunewald

Deputy State Historic Preservation Officer

cc: Dr. Richard Allen, Cherokee Nation
Mr. Bill Anoatubby, Chickasaw Nation
Mr. Earl J. Barbry, Tunica-Biloxi Tribe of Louisiana, Inc.
Mr. Robert Cast, Caddo Tribe of Oklahoma
Mr. Terry Cole, Choctaw Nation of Oklahoma
Mr. Tracy L. Copeland, State Clearinghouse
Dr. Ann M. Early, Arkansas Archeological Survey
Mr. James L. Edwards, Absentee Shawnee Tribe
Mr. Charles O. Enyart, Eastern Shawnee Tribe of Oklahoma
Mr. Ron Sparkman, Shawnee Tribe
Mr. Anthony Whitehorn, Osage Nation
Ms. Carrie V. Wilson, Quapaw Tribe of Oklahoma

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