

SECTION 106 AND PLANNING BULLETIN 2018-01

PCoP WEBINAR SERIES

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US Army Corps
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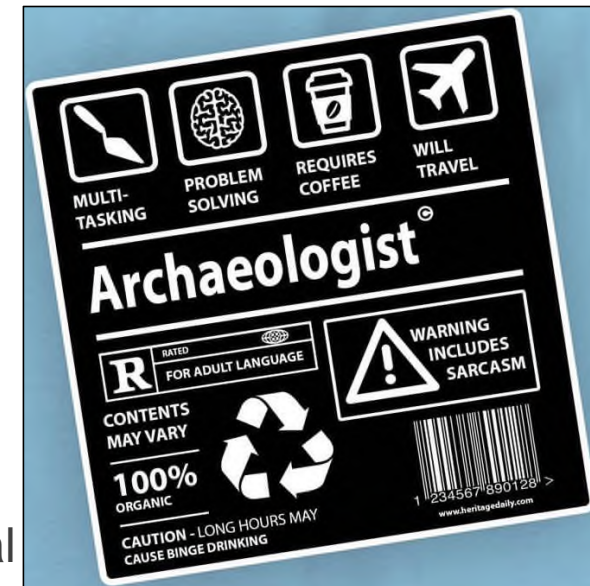


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Planning Bulletin 2018-01, *Feasibility Study Milestones*, was issued September 2018

- Purpose was to clarify procedures associated with milestone decision meetings, report submittals and study approvals.
- Identified three decision milestones and four product milestones
 - Decision Milestones
 - Alternatives Milestone Meeting
 - Tentatively Selected Plan (TSP) Milestone Meeting
(Report released for Public Review 30-60 days after meeting)
 - Agency Decision Milestone Meeting
 - Product Milestones
 - Draft Feasibility Report
 - Final Feasibility Report
 - Major Subordinate Command (MSC) Final Report Approval
 - Chief's or Director's Report





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Table 1 identified “Key Feasibility Study Tasks” that were noted to be not all inclusive. Specific references to cultural resources included:

- Completed before Alternatives Milestone – “...early engagement with other PDT disciplines (...cultural resources...)”
- Completed before TSP Milestone:
 - National Historic Preservation (NHPA) Section 106 Effects Determinations
 - Coordination with State/Tribal Historic Preservation Office (SHPO/THPO) on Area of Potential Effects (Cultural Resources)
 - Draft Conceptual Mitigation Proposal



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Table 1 identified “Key Feasibility Study Tasks” that were noted to be not all inclusive. Specific references to cultural resources included:

- Completed before Agency Decision Milestone:
 - Public/Agency Review of Draft Feasibility Report/NEPA Document
 - PMP and Review Plan updated; document scope and schedule including proposed level of detail to Final Report Transmittal
- Completed before the Final Report Package:
 - Final Feasibility Report/NEPA Document
 - Programmatic Agreement approved by SHPO/THPO (Cultural Resources)



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Planning Bulletin 2018-01 text related to cultural resources:

- Alternatives Milestone Meeting: “...preliminary analysis...environmental impacts of the focused array of alternatives...” and “...status of environmental compliance activities...”
- TSP Milestone Meeting:
 - “...continuing environmental and cultural compliance documentation and activities (NEPA, FWCA, ESA, NHPA, etc.)...”
 - “...draft feasibility report/NEPA documentation will be largely complete by the milestone meeting...”
 - “Locally Preferred Plans:...ensure NEPA compliance documentation in the draft feasibility report is broad enough to address the impacts of any potential LPP...”



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- Completed before Alternatives Milestone – “...early engagement with other PDT disciplines (...cultural resources...)”
- Alternatives Milestone Meeting: “...preliminary analysis...environmental impacts of the focused array of alternatives...” and “...status of environmental compliance activities...”
- Cultural Resources is a PDT member and must be involved in development of project schedule and scope
 - Provides input to PMP on activities, schedule and budget
 - Part of discussion on course of study
- Writing and consulting/coordinating a Programmatic Agreement is not the sole task for cultural resources
 - 36 CFR 800, *Protection of Historic Properties*
 - Determine what investigations are needed
 - Document in Decision Log and Risk Register
- Alternatives Milestone Meeting
 - Identify interested/consulting parties
 - Identify initial APE
 - Initiate investigations to identify historic properties





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- Completed before TSP Milestone Meeting:

- *National Historic Preservation (NHPA) Section 106 Effects Determinations*
- *Coordination with State/Tribal Historic Preservation Office (SHPO/THPO) on Area of Potential Effects (Cultural Resources)*
- *Draft Conceptual Mitigation Proposal*

- Revise APE and update literature/record search based on results of Alternatives Milestone and development of the TSP
- Complete other investigations, if identified in the PMP
- Using literature/record search, other data if collected, develop summary of effect(s) determinations for alternatives
- Using literature/record search, other data if collected, develop conceptual/rough order of magnitude mitigation costs for alternatives to include in project costs/BCR
- Participate in Cost and Schedule Risk Analysis
- Update the PMP, decision log and risk register as necessary



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- TSP Milestone Meeting
 - “...continuing environmental and cultural compliance documentation and activities (NEPA, FWCA, ESA, NHPA, etc.)...”
 - “...draft feasibility report/NEPA documentation will be largely complete by the milestone meeting...”
 - “Locally Preferred Plans:...ensure NEPA compliance documentation in the draft feasibility report is broad enough to address the impacts of any potential LPP...”
- Milestone Read-aheads/presentation should include status of cultural resources, particularly likely adverse effects, particularly likely result of coordination (No adverse effect letter, MOA or PA).
- Locally-preferred plan
 - Draft feasibility report/NEPA documentation should address both TSP and locally-preferred plan
 - Section 106 compliance process should identify APE, historic properties within the APE and effect determination, etc.



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- Completed before Agency Decision Milestone:
 - *Public/Agency Review of Draft Feasibility Report/NEPA Document*
 - *PMP and Review Plan updated; document scope and schedule including proposed level of detail to Final Report Transmittal*
- Complete input to the Draft Feasibility/NEPA Document
- Circulate for public review
- Participate in public meetings, if held
- Consultation and Coordination on the TSP with SHPO,
 - Tribes, interested parties
- Include feedback, comments, questions, etc., in Agency Decision Milestone meeting consideration of comments
- Based on comments, are additional investigations needed?



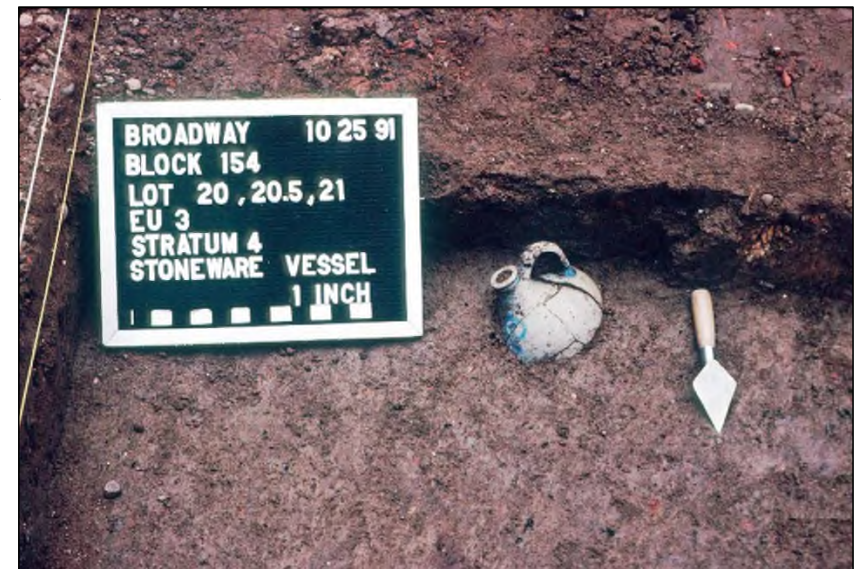


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- Completed before the Final Report Package:
 - Final Feasibility Report/NEPA Document
 - Programmatic Agreement approved by SHPO/THPO (Cultural Resources)
- Respond to Comments
- Update Report including resolution of adverse effects and mitigation costs (Cost Account 18)
- Document in the Final Feasibility Report and NEPA document
- FONSI/ROD Template requires dated of executed agreement (date of last signatory)
- Correspondence for No Historic Properties present/No Adverse Effect included in report appendix, or
- Copy of executed agreement in appendix



Questions?

Type questions in the chat box.
We will answer as many
as time allows.

This webinar will be posted to the
Planning Community Toolbox:
<http://www.corpsplanning.us>



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