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Understanding Requirements for Section 106 Review and Tribal Consultation

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- Federal Energy Regulatory Commission
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Schedule and Instructor Bios Inside

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Thursday, February 28

Friday, February 29

8:30	Registration and Continental Breakfast
9:00	Welcome and Introduction Overview of Day One John F. Clark, Esq., Program Co-Chair Holland & Hart, Washington, DC Amos J. Loveday Jr., PhD, Program Co-Chair Atchley Hardin Lane, Columbus, OH Jack D. Palma, Esq., Program Co-Chair Holland & Hart, Cheyenne, WY
9:15	Navigating Complex Section 106 Review and Tribal Consultation Looking for the Yellow Brick Road John F. Clark, Esq., Program Co-Chair
10:15	Morning Break
10:30	Keynote Presentation: From the BLM Issues That Arise with Native American Consultation, Historic Preservation, and Energy Transmission Projects Robert A. Bennett, State Director, Wyoming State Office Bureau of Land Management (BLM), Cheyenne, WY
11:15	Historical Overview The Evolution of Historic Preservation Regulation of Energy Projects in the United States Amos J. Loveday Jr., PhD, Program Co-Chair
12:00	Q&A Panel Members of the Faculty
12:15	Lunch Break
1:30	Natural Gas Pipeline Projects The Federal Energy Regulatory Commission and Order 687: A Statutory Solution? Laura Henley Dean, Program Analyst for Energy Advisory Council on Historic Preservation, Washington, DC Paul Friedman, Senior Technical Expert Division of Gas, Environment and Engineering Office of Energy Projects Federal Energy Regulatory Commission, Washington, DC Moderator: Jack D. Palma, Esq., Program Co-Chair
2:45	Afternoon Break
3:00	Energy Projects on and off Tribal Lands Consultation Rights of Indian Tribes, the Responsibilities of Federal Agencies, and the Role of Project Proponents Claudia Nissley, President Nissley Environmental Consultants, Denver, CO Roger B. Fragua, Former Deputy Director Council of Energy Resource Tribes, Denver, CO
4:15	Section 106 for Permitting and Land Management Agencies Two Different Perspectives Joel I. Klein, PhD, RPA, Associate Director Cultural Resources Department John Milner Associates, Croton-on-Hudson, NY
5:00	Q&A Panel Members of the Faculty
5:15	Adjourn

8:30	Continental Breakfast
9:00	Welcome Back Overview of Day Two John F. Clark, Esq., Program Co-Chair Amos J. Loveday Jr., PhD, Program Co-Chair Jack D. Palma, Esq., Program Co-Chair
9:15	Programmatic Agreements and Energy The Promise and Reality of Flexible Regulation Melissa C. Meirink, Esq. Holland & Hart, Denver, CO
10:00	Morning Break
10:15	The BLM Programmatic Agreement and State Protocols Measuring Results and Suggesting Improvements Alice M. Baldrice, Deputy State Historic Preservation Officer, Planner and Archaeologist Nevada State Historic Preservation Office, Carson City, NV
11:00	Planning for Surging Energy Development The Experience of the Bureau of Land Management Robin L. Burgess, PhD Federal Preservation Officer and Senior Archaeologist Bureau of Land Management, Washington, DC
11:45	Lunch Break
1:00	The State Historic Preservation Officer Perspective Managing Divergent Expectations of Proponents, Opponents and Responsible Agencies Katherine "Kak" Slick, State Historic Preservation Officer Department of Cultural Affairs New Mexico Historic Preservation Division, Santa Fe, NM Susan M. Collins, PhD, State Archaeologist and Deputy State Historic Preservation Officer Colorado Historical Society, Denver, CO Moderator: John F. Clark, Esq., Program Co-Chair
2:15	Ethics For the Environmental Professional James Sudler, Esq., Assistant Regulation Counsel for the Colorado Supreme Court Colorado Office of Attorney Regulation Counsel, Denver, CO
3:15	Afternoon Break
3:30	Energy Projects, Tribal Sacred Sites and Traditional Cultural Properties Solomon-Like Solutions to Achieve Agreement on Multiple Uses Kevin Thompson, Managing Principal SWCA Environmental Consultants, Westminster, CO
4:15	Plan Early and Smart to Avoid Costly Delays A Preservationist's View on Finding the Balance Between Cultural Resource Protection and Energy Development Barbara H. Pahl, Regional Director, Mountain/Plains Office National Trust for Historic Preservation, Denver, CO
5:00	Q&A Panel Members of the Faculty
5:15	Evaluations and Adjourn

Historic Preservation

meet your **instructors**

Meet Your Instructors

John F. Clark is a recognized national authority on the environmental and historic preservation regulation of communications and energy facilities. Formerly, he served as a Senior Attorney with the FCC in the Wireless Telecommunications Bureau.

Amos J. Loveday Jr. has a history and preservation consulting practice, specializing in work on federal preservation rules and historic preservation tax credit projects. He was the former Ohio State Historic Preservation Officer (SHPO) and a former federal preservation officer at the FCC.

Jack D. Palma has over 25 years of experience in natural resources and environmental law, including extensive work in federal and state public land law, NEPA, environmental regulatory compliance and permitting, oil and gas, minerals, and water. He has been lead counsel for major oil companies on NEPA and ESA compliance.

Keynote Presenter

Robert A. Bennett has been Director since 2003, and has served in the Department of the Interior for nearly 33 years. He has spent most of his career in the Rocky Mountain West including Utah, Wyoming and Montana. He previously held the position of BLM District Environmental Coordinator and Powder River Resource Area Manager in Montana.

Faculty Members

Alice M. Baldrice has been with her office since 1981. Since 1991, she has served the office as Deputy SHPO responsible for preparation of the state's historic preservation plan and negotiation of Section 106 agreements.

Robin L. Burgess previously worked for Headquarters' Air Mobility Command for 10 years, served as a Fellow on the Senate Finance Committee, and has done archaeological research in the United States and overseas.

Susan M. Collins co-directs the Colorado Office of Archaeology and Historic Preservation and is a senior manager within the Colorado Historical Society. She oversees historic preservation compliance for the State and has statutory responsibility for consultation with the Colorado Commission of Indian Affairs.

Laura Henley Dean and the Advisory Council promote the preservation, enhancement, and productive use of our nation's historic resources, and advise the President and Congress on national historic preservation policy.

Roger B. Fragua has dedicated his professional career to the development of American Indian communities. He was previously an executive at leading energy companies, promoting partnerships between tribes and industry.

Paul Friedman assesses the potential impact of natural gas pipeline projects on cultural resources, and assists the Commission in complying with the National Historic Preservation Act (NHPA).

Joel I. Klein is responsible for the management of his firm's offices in New York and New England. He has more than 30 years of experience in archaeology and historic preservation compliance associated with the licensing and permitting of large-scale development projects.

Melissa C. Meirink focuses on environmental compliance with federal and state statutes. She has experience with NEPA, the ESA, the NHPA and the Native American Graves Protection and Repatriation Act.

Claudia Nissley is a former Director of the Western Office of the Advisory Council on Historic Preservation and a former Wyoming State Historic Preservation Officer.

Barbara H. Pahl became Regional Director in 1991. She represents the Trust in the states of Colorado, Kansas, Montana, Nebraska, North Dakota, South Dakota, Utah and Wyoming.

Katherine "Kak" Slick and her organization protect, preserve and interpret the unique character of New Mexico, incorporating a philosophy of preservation, conservation, and beneficial use of historic and prehistoric sites.

James Sudler handles charges of violations of the Colorado Rules of Professional Conduct applicable to lawyers. He is a former member of the Board of Trustees of the Colorado Historical Society.

Kevin Thompson focuses on NEPA, NHPA, the Native American Graves Protection and Repatriation Act, and the Archaeological Resources Protection Act as they apply to energy-related projects. He has 28 years of project experience across the West.

Tell us what you're thinking!

Do you have specific questions or topics you hope to see covered in this program? Contact CLE INTERNATIONAL Program Attorney Michelle Messner, michelle@cle.com.

Reach your target audience!

Would you like the opportunity to exhibit at or sponsor this conference and get your name out to its many prospective and actual attendees? Contact Barbara Hollingsworth, barbara@cle.com.

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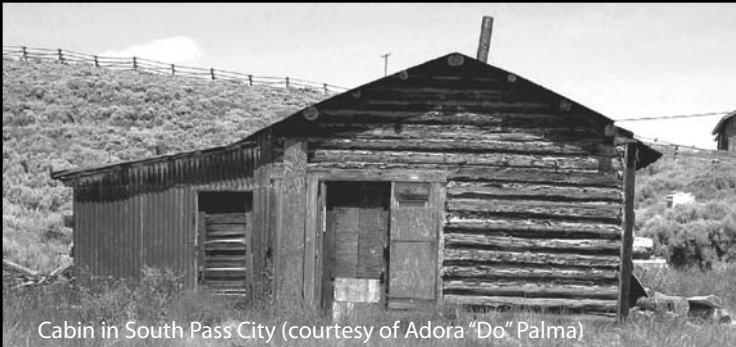
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Harmonizing Approaches and Procedures

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**Keynote Presentation: From the BLM
Issues That Arise with Native American
Consultation, Historic Preservation, and Energy
Transmission Projects**

Robert A. Bennett, State Director, Wyoming State Office
Bureau of Land Management, Cheyenne, WY

