



— BUREAU OF —
RECLAMATION

FACT SHEET #1

National Historic Preservation Act, Section 106 Streamlining Effort for Water Distribution Infrastructure

The Bureau of Reclamation's (Reclamation) Policy and Programs office is currently working on an effort to streamline the National Historic Preservation Act (NHPA) Section 106 compliance on water distribution infrastructure, including ditches and canals. NHPA Section 106 is a procedural law that requires review of federal undertakings (actions) for potential effects to historic properties and consultation with State Historic Preservation Officers and Native American Tribes. Reclamation has been working with the Advisory Council on Historic Preservation (ACHP) to identify possible ways to streamline NHPA Section 106 compliance on water distribution infrastructure. The effort resulted in the identification of a program comment as the most applicable alternative procedure to cultural resources Section 106 compliance as outlined in 36 CFR part 800. Reclamation sent a letter of intent to request a program comment to the ACHP on August 25, 2020.

Proposed Program Comment Request Available for Stakeholder Review and Comment

Details including proposed actions to be covered, features to be included, and the extent of exemptions sought can be found at Reclamation's cultural resources website located at <https://www.usbr.gov/cultural/>. Comments can be sent to bor-sha-cultural@usbr.gov. The comment period is open September 1, 2020 and closes on October 15, 2020. Webinar dates and times are listed below, and more information on the webinars are on the website.

Reclamation has identified water distribution features, including canals, ditches, laterals, weirs, flumes and head gates as having limited historic value due in part to their "redundant" nature. Reclamation has also documented that these types of structures have been studied extensively. In addition, Reclamation is working on an historic context focused on the water distribution infrastructure in the arid West. The program comment will allow preservation efforts to focus on documenting unique features and systems in most need of further recordation, protection, and interpretation. In short, through the Section 106 program alternative, Reclamation will be promoting a "higher-level" approach to understanding and documenting these resources, while alleviating concerns related to the current approach to compliance. In addition, these streamlining efforts will increase water conservation by facilitating the implementation of programs enacted to reduce water waste and increase water use efficiency. Further, state review agencies will see a large

reduction in the burden of review and recordation related to undertakings focused on maintenance, repair, and upgrade of water conveyance systems. There will also be a reduced need for agreement documents related to the review and mitigation process.

Webinar Dates and Times

- Webinar scheduled on September 9, 2020, 1:00 P.M. Mountain Time
- Webinar scheduled on September 16, 2020, 12:00 P.M. Mountain Time
- Webinar scheduled on September 24, 2020, 9:00 A.M. Mountain Time
- Other webinars to be scheduled as necessary