

**CONSULTATION,
HISTORIC, &
ENVIRONMENTAL
RESOURCES
WORKGROUP NOTES**

Tuesday, May 6, 2025

Chincoteague National Wildlife Refuge, Bateman Education Center, Chincoteague, Virginia
0900-1016

Consultation, Historic, Environmental Resources Workgroup Session

John Nelson, DOI & Myles Bartos, US EPA

- NAGPRA Guidance
 - Susan made changes. Will move forward for approval and send to executive committee. 30-day open window for executive committee to review, then finalize.
 - Officially there are no federally recognized tribes in Maryland.
 - Dave Pugh – Was this guidance for FOSC? Add clarification for only federal and tribal discoveries.
 - Reformat to match other guides.
- Environmental Unit (EU) Job Aid – Quick Reference Guide
 - Elisha passes out guide to the workgroup.
 - Added everyone's comments and added placeholder under EPA for additional information.
 - EPA and USCG have EU guides, but USCG is not as robust.
 - USCG has qualification for EU. EPA has order 2073
 - USCG encourages the use of natural resources trustees to be the EU during a response.
 - Can finalize the guide before the December meeting. Frank wants to get the guide out ASAP, possibly July or August. Aim to have document prepped for review June 1.
 - Susan wants to add more regarding tribal, SHPO, THOP, tribal officer.
 - John proposes all CHER group members become EU qualified to assist if the need arises.
 - USCG encourages natural resources trustees to be the EU in response.
 - Frank says EU should be a manager, not an expert but needs scientific background to understand what they could be managing.
 - Myles/john says EPA can support USCG as EU in smaller responses. Need to make this support known so it can be utilized.
- RCP Workplan – Process and Products
 - Unanticipated Discovery Plan
 - Susan suggests writing it for everyone. If a group objects, then leave them out and move forward.
 - Include what EPA actions could be excluded activities.
 - Preidentified activities
 - Myles asks about qualifiers for specific areas that may have greater impacts for disturbances.
 - Instances for emergency responses or time-critical
 - Stop work when discoveries are made and consult archeologist for further action.

<ul style="list-style-type: none"> • Add clauses for different discoveries. • Is the activity intrusive enough that would qualify for the register? If they do, further conversation needed. <ul style="list-style-type: none"> ○ Myles wants to add a categorical exclusion section. Need to be careful that it doesn't close off conversation though. <ul style="list-style-type: none"> ▪ Troy can send out examples for language. Myles will draft concepts ○ Give special access for sensitive information. ○ Priority for workgroup is to work on unanticipated discovery plan <ul style="list-style-type: none"> • What should workgroup focus on next? <ul style="list-style-type: none"> ○ Work plan signed and issued in December. ○ Elisha – environmental consultation form <ul style="list-style-type: none"> ▪ Is there anything like that for an HPA? Or is it a phone call ▪ What info does tribal need? <ul style="list-style-type: none"> • Susan – sediment impacts/actions around properties? ▪ Can USCG and EPA do a combined consultation form? <ul style="list-style-type: none"> • Troy advises for two different letters due to different environments/activities.
Concluded at 10:16

Meeting Attendance Roster	
Attendee Name	Attendee Organization
Anderson, Ben	DE DNREC
Banda, Jo Ann	DOI - FWS
Bartos, Myles	US EPA
Ciani, Lydia	START – Tetra Tech
Cook, Elisha	USCG D5
Csulak, Frank	DOC - NOAA
Gaynor, Kevin	US EPA
Langley, Susan	MD SHPO
Lohman, Elizabeth	VADEQ
Nelson, John	DOI
Nilsen, Ashley	US EPA
Nowak, Troy	MD SHPO

Smith, Jessie	START – Tetra Tech
Towle, Michael	US EPA