

Mitigate or Avoid? You Can Get There From Here!

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employed on any linear construction project. The normal process for addressing cultural resource concerns will be contrasted with the methods used on this project. Although the focus is on the BLM process, with slight modification, it could pertain to all federal agencies.

THE PROJECT

The AMOCO Elk Basin Interstate Pipeline project was implemented in Northern Wyoming (Figure 1). This eight-inch diameter pipeline crossed two BLM resource areas, two BLM districts, and two BLM state jurisdictions (Wyoming and Montana). Also involved were several other state and federal agencies, including the Wyoming Game and Fish Department, the State Historic Preservation Office (SHPO), and the U.S. Army Corp of Engineers, along with several private ownerships. While minimal in length by industry standards, the pipeline project carried with it all the requirements, pitfalls, and the real and potential problems of any pipeline. The pipeline was to be placed through an area known to have a high density of cultural resource locations. As usual, cultural resources were a major concern. AMOCO Pipeline had legitimate concerns regarding construction schedules and required delivery dates. A major additional concern was the "weather factor" in the construction area which could have significantly increased both the cost and completion time of the project if construction was delayed into the sometimes harsh winters in Wyoming and Montana.

THE NORMAL PROCESS

The normal process for cultural resource consideration during pipeline construction projects consists of several related periods of work and projects. Keep in mind that this project was an interstate pipeline,

INTRODUCTION

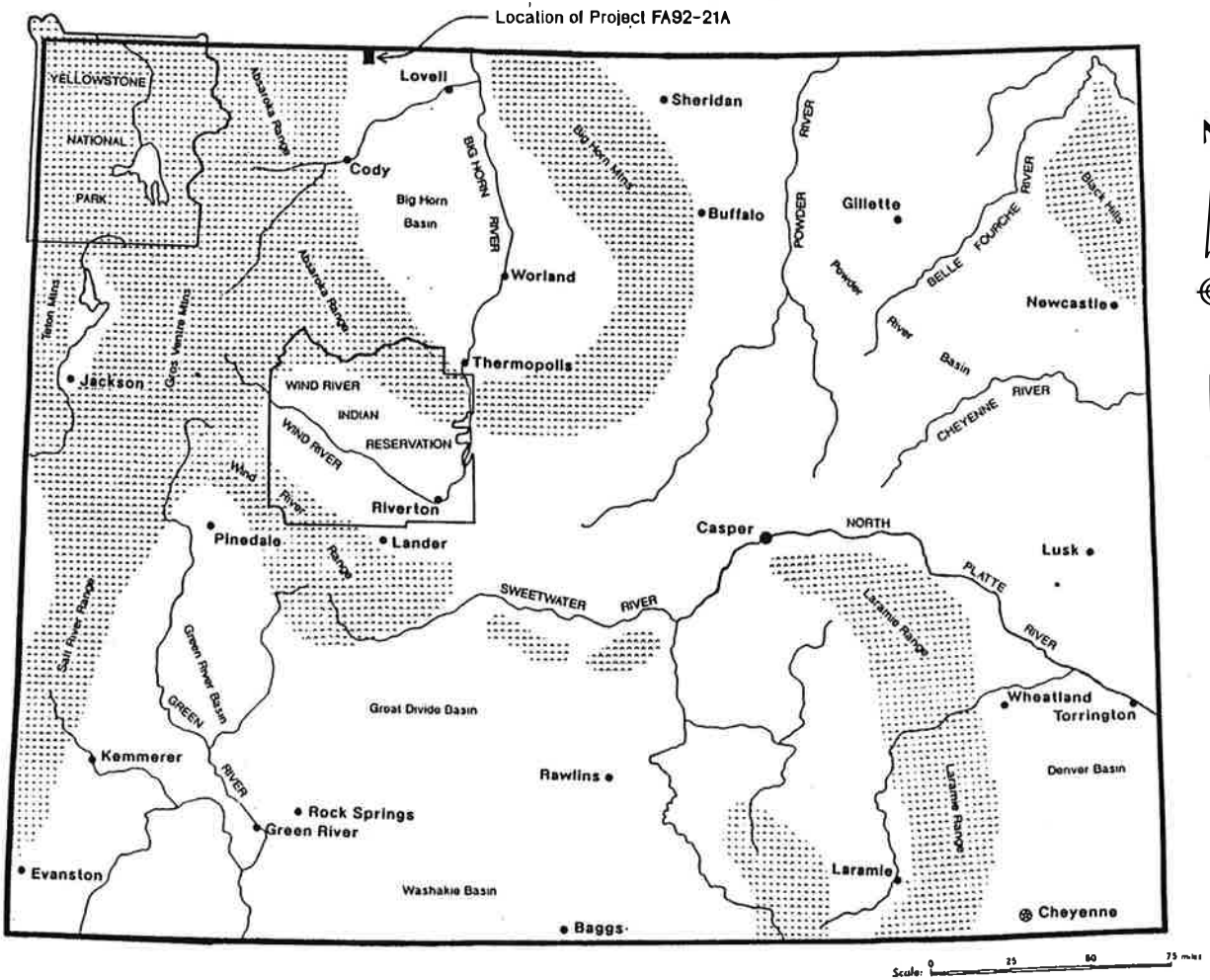
This article discusses an issue of concern to construction and right-of-way activities. The issue often cited for delaying pipeline construction and causing difficulties throughout the implementation of a project is called "cultural resources" by federal and state agencies. Many in right of way know this issue as "archaeology" or by other names, not all of which are complementary. Whatever you call it, most of you have probably been involved with this concern in one form or the other.

Cultural resources and the requirements for compliance are often shrouded in mystery (some intentional), maligned, blamed for almost everything, and usually the most contentious point on any construction project. The cultural resource compliance process is solidly based on law and regulation but subject to the vagaries of interpretation, personalities (both corporate and individual), and personal predilections. The concepts and requirements are not well understood nor accepted by all parties. Some try to circumvent the requirements, some ignore them, and some

may use the issue to slow, impede or stop projects. On the other hand, some individuals genuinely try to meet the compliance requirements while at the same time meeting the requirements of industry. Discussions about cultural resources between industry and federal agencies are often adversarial and counterproductive. Unfortunately the bad experiences, both real and imagined, perpetuate themselves, and subsequent efforts are affected by historical outcomes. There is, in general, little trust between the participants and the motives of each are the subject of some consideration.

However, cultural resources need not be an impediment to meeting the needs of industry. There are ways to address both the compliance and construction requirements. What follows is a discussion of how cultural resources were considered and the compliance needs met for one project: the AMOCO Elk Basin Interstate Pipeline in northern Wyoming, a nine-mile, interstate oil pipeline. The concepts and methods employed can be generalized and effectively

FIGURE 1 PROJECT LOCATION



crossing two BLM resource areas, districts, and state jurisdictions. Consultation with the state historical preservation officers (SHPOs) of Wyoming and Montana would be required.

The process is operationalized through the method described below. Note that the process outlined in Figure 2 has a decidedly project management look. While it was originally designed to look and operate as project management, it is rarely implemented as such. It is most often implemented in a stand-alone mode with little real consideration of the construction project it is in concert with. The sequencing and actions discussed are not absolute and some actions may not be relevant to a particular project. The sequences may be more or less complicated than those depicted when applied to a particular project, therefore the depictions are only generalizations. The description

below does not include every possible step or action in implementing a project, but only provides a general overview of the process.

Sequence Action

- 1 The applicant may call and notify the realty specialist that they are contemplating making an application for a right of way. The realty specialist may ask the cultural resource specialist if a survey is needed. Between this and the next step, many months, or even years, may transpire depending upon industry decisions.
- 2 Cultural staff personnel reviews the application to ascertain the necessity for a cultural resource class three survey (intensive pedestrian). In almost all cases, a survey is required if the area is undisturbed or if an existing survey does not cover the

project area. The cultural review will not take place until the filing of a formal application for the right of way. The determination of the cultural requirements can take between a week and a month to complete. Consultation with the respective SHPO is required. In the case of an interstate line (as in this instance), consultation is required with each state involved.

- 3 The cultural specialist notifies the realty specialist who in turn gives written notification to the applicant what the cultural and other requirements, e.g., Plan of Development (POD), will be to allow further processing of the application. This written notification can take several weeks to complete, depending upon the work load of the realty specialist.

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