



CULTURAL RESOURCE FUND

THE MICA GROUP

To: Tim Strafford, Association of American Railroads
From: Peggy Mainor, Executive Director, The MICA Group
Date: July 1, 2015

Cultural Resource Fund Report February – June 2015

Background

In May 2014, the Federal Communications Commission and seven Class I freight railroads signed memoranda of understanding to create a \$10 million Cultural Resource Fund (CRF) to address issues relating to Positive Train Control construction. The CRF allows for grants to be made to eligible Tribal Nations and State Historic Preservation Officers (SHPOs).

The MICA Group, a project of the Tides Center, applied and was selected to serve as Administrator for the CRF, and signed a contract with the railroads in February 2015. Tides supports the CRF as the fiscal administrator for the Fund. MICA's proposal included an Advisory Board, consisting of national leaders in Indian Country and a State Historic Preservation expert, to guide the initiative.

In March 2015, the FCC issued its "List of Tribal Nations and State Historic Preservation Officers Eligible for Grants from Positive Train Control Cultural Resource Fund."

Summary

During the first operational quarter, the CRF Advisory Board considered a number of strategic funding scenarios. The Advisory Board's goal was to arrive at a distribution plan that would allow all eligible Tribal Nations and SHPOs, large or small, including those with limited resources, to receive a grant from the CRF, while also creating opportunities to leverage CRF grants to allow the fund to have broad, lasting impact. The Board decided on a three-phase grant structure composed of both non-competitive and competitive grant opportunities, with later phases that can potentially be leveraged to develop larger initiatives. Pursuant to the railroads' requirement that some funding correlate with the number of PTC poles, Phase 1 grants have been made available in the amount of \$10,000 or \$15,000, depending on the number of PTC poles in the applicant's state.

In April and May, MICA mailed CRF introductory letters to all Tribal Nations and SHPOs on the FCC list. Shortly thereafter, copies of these letters were emailed to all Tribal and SHPO contacts on the FCC's PTC contact list. Three CRF Liaisons were hired in early May to follow up by phone with every Tribal Nation and SHPO to ensure that they are aware of the CRF and had received the communications.

In May, MICA emailed brief applications for Phase 1 grants to all Tribal Nations and SHPOs on the FCC list. In May and June, CRF Liaisons began individually contacting eligible Tribes and SHPOs by phone and/or email. The response has been overwhelmingly positive. We have begun processing a steady flow of grant applications, and the first checks have been sent out.

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Significant Milestones

- Feb. CRF Contract signed
CRF Advisory Board Planning Meeting (Mark Mitchell, former Governor and current THPO, Tesuque Pueblo, presented on THPO issues)
- Mar. FCC issues final list of Eligible Tribal Nations and SHPOs
- Apr. Meetings with potential partner foundation, Washington, D.C.
CRF introductory letters mailed to 237 Tribal Chairs
CRF Advisory Board Meeting
- May CRF introductory letters mailed to 41 eligible SHPOs
Copies of introductory letters to Tribal Chairs emailed to 237 FCC Tribal contacts
3 CRF Liaisons hired to assist all Tribes and SHPOs
FCC/PTC Meeting, Washington, D.C.
Phase 1 Grant Applications emailed to 237 FCC Tribal contacts
Statewide Meeting: Nebraska Tribes (Peggy Mainor presented on the CRF)
Phase 1 Grant Applications emailed to 41 eligible SHPOs
- Jun. Northwestern Regional SHPO Meeting (Kak Slick, CRF Advisory Board member, presented on the CRF) 45 participants representing 5 SHPOs, NCSHPO and federal agencies attended
Southern Regional SHPO/THPO Meetings (Kak Slick presented on the CRF) 100 participants representing 10 SHPOs, 2 THPOs, NATHPO, NCSHPO, and federal agencies attended
Statewide Meeting: North Dakota Tribes (Carty Monette presented on the CRF)

Tribal Nations Update

In May, applications for Phase 1 Grants were emailed to all 237 Tribal Nations identified by the FCC as eligible to apply for the CRF grants. CRF liaisons have initiated follow-up contact with all eligible Tribes by phone and email and have had one-to-one contact with 219 of the 237 Tribes. Individual outreach to Tribes continues as the liaisons identify contact information for updated leadership and administrative personnel. CRF liaisons have also conducted statewide meetings with Tribes in two states (Nebraska and North Dakota). Although applications for Phase 1 grants are not due until August 31st, MICA has received Phase 1 grant applications from 48 Tribes. The Fund has approved a total of 54 grants and recommended disbursement of \$625,000 in grant funding. Liaisons will continue to assist all eligible and interested Tribes in completing applications.

State Historic Preservation Officer Update

MICA's liaisons have successfully contacted all 41 SHPOs identified by the FCC as eligible to apply for CRF grants. Communications have been conducted by letter, email, and phone, and response has been enthusiastic. Applications for Phase 1 grants are due by August 31st, and MICA has already received applications from 6 SHPOs. Several SHPOs have expressed interest in working with Tribal Nations in planning for their CRF grants. CRF Advisory Board member Kak Slick successfully presented at two regional SHPO meetings. A total of fifteen SHPOs and two THPOs, as well as representatives from NATHPO, NCSHPO, and federal agencies, attended the regional meetings.



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Phases 2 and 3 Grant Applications

Planning for Phases 2 and 3 grant applications has begun. Tribes and SHPOs have been asked to identify their cultural and historic preservation priorities. The CRF Advisory Board will use this information to structure later-phase grants. Phase 2 is expected to be released in Fall 2015, and Phase 3 in early 2016.

Leveraging the CRF and Matching Grants

Information-gathering from Tribal Nations and SHPOs is underway for potential SHPO/Tribal Partnerships, and interest is being gauged for a mapping initiative.

Responding to a primary issue Tribal Nations have identified, MICA has been invited to submit a concept paper to a national foundation to support Tribes who wish to develop language revitalization initiatives.

CRF Outreach

The May 11 meeting at the FCC made clear a need for continued outreach to the applicant pool. MICA continues to participate in meetings and activities in an effort to provide technical assistance to Tribes and SHPOs as needed. Federal agency meetings are scheduled for upcoming weeks.

MICA is currently developing a website for the CRF that will provide on-line access to grant applications, progress reports and contact information. The website should be live by mid-July.

We hope that this outreach will allow every Tribe and SHPO to have increased access to information and stay up to date on the latest developments concerning the CRF.

Director's Note

The MICA Group is pleased to present this report on the progress of the first five months of the administration of the Cultural Resource Fund. MICA is honored to serve as Administrator for the CRF and will continue to distribute the CRF's assets in a fair, prompt, and meaningful way.

Respectfully submitted,

Peggy Mainor
Executive Director
The MICA Group