



FDM 26-20-1 Compensation Regarding Historic Preservation

November 17, 2010

To support the consultation process, WisDOT frequently has the need to obtain field services (including survey, testing, and monitoring), oral history interviews, and archival and background searches. Separate from their participation in consultation, Tribes frequently have the resources to provide these and other services; such as, ethnographic reports and National Register nominations. These support services are separate and distinct from the Tribe's direct participation in the Section 106 consultation process. WisDOT has the discretion to obtain these support services from any qualified individuals, firms, or organizations, including Tribes and Native American firms and individuals, through appropriate procurement procedures. When appropriate, WisDOT personnel are encouraged to obtain such support services from Tribes, Tribal firms, and Tribal members. The procurements may be undertaken on an individual project basis, or through a broader agreement, consistent with applicable WisDOT procurement procedures and requirements.

However, WisDOT does not compensate any entity, including Tribes, for consultation required by law, regulation, or other authorities, where the consultation is part of administrative processes designed to protect the interests of the consulting entity.

It is WisDOT's goal to limit the costs to tribes for their participation in the Section 106 consultation process. Therefore, WisDOT seeks to schedule meetings at locations on or near Indian reservations or Tribal offices.

When WisDOT has provided sufficient opportunity to consult and has documented the process, and the intended consultation partner declines or refuses to consult, WisDOT's requirement is met.