

**To:** aurelia\_skipwith@ios.doi.gov[aurelia\_skipwith@ios.doi.gov]  
**From:** Bennett, Karen C.  
**Sent:** 2017-07-24T12:13:53-04:00  
**Importance:** Normal  
**Subject:** FW: Bulletin 38  
**Received:** 2017-07-24T12:14:12-04:00  
[7.13.17 Mack ltr to Bittner AHA Tyonek on historical register.pdf](#)  
[Ch'u'itnu Traditional Cultural Landscape Additional Comments.pdf](#)  
[Ch'u'itnu Traditional Cultural Landscape Comments.pdf](#)  
Attachment  
[DOI NPS NHPA.PDF](#)

Hi Aurelia:

It was nice talking with you and I am looking forward to meeting you tomorrow. As promised, here is the email from Paul Loether, NPS, responding to my question about the status of Bulletin 38 and the 60 page Q&A that will accompany the Bulletin. Paul's email suggests the package remains pending (for 8 weeks now) waiting publication in the Federal Register. He anticipates a 90 day public comment period. We think the Bulletin should be reviewed by the current administration before it goes out for public comment. We think the discussion tomorrow will highlight some of the issues that should be addressed in any update to Bulletin 38 it could be used as a means of clarifying and addressing many of the problems if done correctly.

When and how Bulletin 38 is revised, if at all, is important to the situation we discussed in Alaska. There the Alaska Historical Commission decided to delay a decision on whether to recommend nominating 109,000 acres of state and private land for listing on the National Register until it can be considered under the revised Bulletin 38.

I have attached a brief summary of the Bulletin 38 issue, letters from Alaska and Alaska Mental Health Trust objecting to the nomination in Alaska, and contact information for Chip Smith, who will attend the meeting for the Corps.

Call if there is anything else you would like to see

Thank you  
Karen

**Karen C. Bennett**

CLARK HILL PLC  
1001 Pennsylvania Avenue NW, Suite 1300 South | Washington, DC 20004  
202.572.8676 (Direct) | 202.255.0291 (Cell) | 202.552.2369 (Fax)  
[KBennett@ClarkHill.com](mailto:KBennett@ClarkHill.com) | [www.clarkhill.com](http://www.clarkhill.com)

---

**From:** Paul Loether [mailto:paul\_loether@nps.gov]  
**Sent:** Friday, July 21, 2017 3:12 PM  
**To:** Bennett, Karen C.  
**Subject:** Re: Bulletin 38

90

Sent from my iPhone

On Jul 21, 2017, at 3:11 PM, Bennett, Karen C. <[KBennett@clarkhill.com](mailto:KBennett@clarkhill.com)> wrote:

Someone said it would be updated within 60 days but that seems a little off if it hasn't even hit the register yet. Is comment period still at least 60 days

**Karen C. Bennett**

CLARK HILL PLC

1001 Pennsylvania Avenue NW, Suite 1300 South | Washington, DC 20004  
202.572.8676 (Direct) | 202.255.0291 (Cell) | 202.552.2369 (Fax)  
[KBennett@ClarkHill.com](mailto:KBennett@ClarkHill.com) | [www.clarkhill.com](http://www.clarkhill.com)

---

**From:** Paul Loether [[mailto:paul\\_loether@nps.gov](mailto:paul_loether@nps.gov)]  
**Sent:** Friday, July 21, 2017 3:08 PM  
**To:** Bennett, Karen C.  
**Subject:** Re: Bulletin 38

It's heading into its eighth week in the Federal Register Notice (for public comment) approval process. I have no idea how much longer that will take.

Sent from my iPhone

On Jul 21, 2017, at 10:53 AM, Bennett, Karen C. <[KBennett@clarkhill.com](mailto:KBennett@clarkhill.com)> wrote:

Hi Paul  
Per my VM, would you be available to talk briefly today or Monday? I am interested in the status of the update to Bulletin 38 and the accompanying Q&A

Thank you  
Karen

**Karen C. Bennett**

CLARK HILL PLC

1001 Pennsylvania Avenue NW, Suite 1300 South | Washington, DC 20004  
202.572.8676 (Direct) | 202.255.0291 (Cell) | 202.552.2369 (Fax)  
[KBennett@ClarkHill.com](mailto:KBennett@ClarkHill.com) | [www.clarkhill.com](http://www.clarkhill.com)

LEGAL NOTICE: This e-mail, along with any attachment(s), is considered confidential and may be legally privileged. If you have received it in error, please notify us immediately by reply e-mail and then delete this message from your system. Please do not copy it or use it for any purposes, or disclose its contents to any other person. Thank you for your cooperation.

**To:** Skipwith, Aurelia[aurelia\_skipwith@ios.doi.gov]  
**From:** Bennett, Karen C.  
**Sent:** 2017-07-25T07:37:29-04:00  
**Importance:** Normal  
**Subject:** Re: Bulletin 38  
**Received:** 2017-07-25T07:37:44-04:00

Revisions to Bulletin 38 "Traditional Cultural Properties"

On Jul 25, 2017, at 7:33 AM, Skipwith, Aurelia <[aurelia\\_skipwith@ios.doi.gov](mailto:aurelia_skipwith@ios.doi.gov)> wrote:

Karen,

Thank you for the call yesterday. What is the name of the package or property that was submitted?

**Aurelia Skipwith**  
Deputy Assistant Secretary  
for Fish and Wildlife and Parks

U.S. Department of Interior  
1849 C Street, NW, Room 3148  
Washington, DC 20240  
(202) 208 5837

On Mon, Jul 24, 2017 at 12:13 PM, Bennett, Karen C. <[KBennett@clarkhill.com](mailto:KBennett@clarkhill.com)> wrote:

Hi Aurelia:

It was nice talking with you and I am looking forward to meeting you tomorrow. As promised, here is the email from Paul Loether, NPS, responding to my question about the status of Bulletin 38 and the 60 page Q&A that will accompany the Bulletin. Paul's email suggests the package remains pending (for 8 weeks now) waiting publication in the Federal Register. He anticipates a 90 day public comment period. We think the Bulletin should be reviewed by the current administration before it goes out for public comment. We think the discussion tomorrow will highlight some of the issues that should be addressed in any update to Bulletin 38 it could be used as a means of clarifying and addressing many of the problems if done correctly.

When and how Bulletin 38 is revised, if at all, is important to the situation we discussed in Alaska. There the Alaska Historical Commission decided to delay a decision on whether to recommend nominating 109,000 acres of state and private land for listing on the National Register until it can be considered under the revised Bulletin 38.

I have attached a brief summary of the Bulletin 38 issue, letters from Alaska and Alaska Mental Health Trust objecting to the nomination in Alaska, and contact information for Chip Smith, who will attend the meeting for the Corps.

Call if there is anything else you would like to see

Thank you

Karen

**Karen C. Bennett**

CLARK HILL PLC

1001 Pennsylvania Avenue NW, Suite 1300 South | Washington, DC 20004  
202.572.8676 (Direct) | 202.255.0291 (Cell) | 202.552.2369 (Fax)

[KBennett@ClarkHill.com](mailto:KBennett@ClarkHill.com) | [www.clarkhill.com](http://www.clarkhill.com)

---

**From:** Paul Loether [mailto:[paul\\_loether@nps.gov](mailto:paul_loether@nps.gov)]  
**Sent:** Friday, July 21, 2017 3:12 PM  
**To:** Bennett, Karen C.  
**Subject:** Re: Bulletin 38

90

Sent from my iPhone

On Jul 21, 2017, at 3:11 PM, Bennett, Karen C. <[KBennett@clarkhill.com](mailto:KBennett@clarkhill.com)> wrote:

Someone said it would be updated within 60 days but that seems a little off if it hasn't even hit the register yet. Is comment period still at least 60 days

**Karen C. Bennett**

CLARK HILL PLC

1001 Pennsylvania Avenue NW, Suite 1300 South | Washington, DC 20004  
202.572.8676 (Direct) | 202.255.0291 (Cell) | 202.552.2369 (Fax)

[KBennett@ClarkHill.com](mailto:KBennett@ClarkHill.com) | [www.clarkhill.com](http://www.clarkhill.com)

---

**From:** Paul Loether [[mailto:paul\\_loether@nps.gov](mailto:paul_loether@nps.gov)]  
**Sent:** Friday, July 21, 2017 3:08 PM  
**To:** Bennett, Karen C.  
**Subject:** Re: Bulletin 38

It's heading into its eighth week in the Federal Register Notice (for public comment) approval process. I have no idea how much longer that will take.

Sent from my iPhone

On Jul 21, 2017, at 10:53 AM, Bennett, Karen C. <[KBennett@clarkhill.com](mailto:KBennett@clarkhill.com)> wrote:

Hi Paul

Per my VM, would you be available to talk briefly today or Monday? I am interested in the status of the update to Bulletin 38 and the accompanying Q&A

Thank you

Karen

**Karen C. Bennett**

CLARK HILL PLC

1001 Pennsylvania Avenue NW, Suite 1300 South | Washington, DC 20004  
202.572.8676 (Direct) | 202.255.0291 (Cell) | 202.552.2369 (Fax)

[KBennett@ClarkHill.com](mailto:KBennett@ClarkHill.com) | [www.clarkhill.com](http://www.clarkhill.com)

LEGAL NOTICE: This e-mail, along with any attachment(s), is considered confidential and may be legally privileged. If you have received it in error, please notify us immediately by

reply e-mail and then delete this message from your system. Please do not copy it or use it for any purposes, or disclose its contents to any other person. Thank you for your cooperation.