

Clearance & Permit Types

- **General Clearance Letters** are issued for most undertakings submitted to the THPO.
- **Class A permits** are issued for undertakings, including activities constituting “development” by the Seminole Tribe.
- **Class B permits** are issued for undertakings by local, state, and federal agencies on reservation lands, including undertakings conducted in partnership with the Seminole Tribe.
- **Class C permits** are issued for undertakings by Seminole Tribe tribal members.
- **Class D permits** are issued for undertakings that utilize, affect, or may affect historic structures or historic buildings.
- **General permits** are issued for similar activities that cause no or acceptable impacts to cultural resources and/or historic properties.



Questions?
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The Cultural Resource Ordinance

A Departmental Guide



Tribal Historic
Preservation Office



Introduction

Since October 3, 2006, the Tribal Historic Preservation Office (THPO) has assumed the role of the State Historic Preservation Office on tribal lands for compliance with Section 106 of the National Historic Preservation Act. The review of cultural resources is mandated by Federal law. By setting up a THPO, the Tribe assumes the responsibility for decision making with regard to its own resources.

In October 2013, the Tribal Council passed the Cultural Resource Ordinance (CRO) (Ordinance C-02-14), which pertains to any areas within the reservation lands as well as those where the Seminole Tribe of Florida (STOF) has defined customary usage rights. The main goals of this ordinance are to allow the THPO to better preserve the cultural heritage throughout the reservations and to set out a transparent process for on-reservation project review.



The On-Reservation Review Process

The Cultural Resource Ordinance helps make the on-reservation review process easier for everyone. While much of the process will remain the same, the documentation changes slightly. Each project request will follow the below steps:

- 1 Project is entered into Energov. Each project should include a locational description, federal agency involvement, a clear project description (i.e. construction of a road or a home site), and the project's funding source.
- 2 The THPO reviews the project to determine if cultural sites, archaeological sites, or historic structures are within the project area
- 3 If the project is receiving federal funding, the work completed by the THPO is reviewed by the applicable federal agency.
- 4 If the project contains no significant sites, the THPO will issue a General Clearance Letter in Energov. If the project contains a site that is considered significant, the THPO will work with the STOF departments and tribal members to both preserve the cultural resources and to continue the Tribe's developmental processes.

Did You Know?

The average time for the THPO to complete an On-Reservation Project Request is:

— 37 days —

Proper planning of projects can significantly decrease this time and allow the THPO to better look after the Tribe's non-renewable cultural resources.

Administrative Remedies and Enforcement

The THPO will work with the STOF Tribal Council to determine the appropriate measure to take when any person does not agree with a CRO permit. However, any person who is affected by a decision, determination, action, or enforcement action under the CRO may request an administrative hearing within thirty days after receipt of the Notice of Violation, Cease and Desist Order, or Citation.

Additional Information

Any changes or additional work that might occur within the project area should be sent to ERMD, who will notify and work with the THPO to address these changes.

The THPO may reevaluate the circumstances and conditions of any permit at any time which may result in the modification, revocation, or suspension of the permit in order to preserve cultural resources or to protect the best interest of the Tribe.

Contact the THPO at any time if there is a question about the review process or about a permit.

