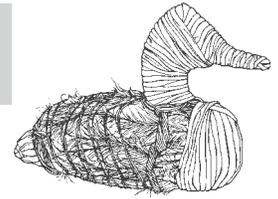


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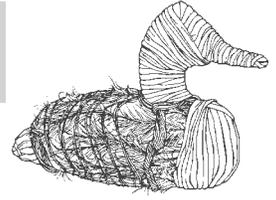
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OVERVIEW:

Cultural Resources in the FWS



Introduction

The Service is a far-flung and complex organization responsible for managing millions of acres of lands and providing hundreds of millions of dollars of funding and technical assistance to states and private land owners. Service lands and facilities are located in every State and several territories. The effects of the Fish and Wildlife Service's programs on the future of our nation's resources are potentially enormous. While the Service is recognized clearly as a leader in preserving wildlife and habitat, most people are unaware of the agency's potential to protect significant aspects of our nation's cultural legacy as well.

To date, the Service has identified over 11,000 cultural resources on its lands. This total, however, is just a fraction of the potential number of sites the Service manages. Comprehensive surveys designed to identify archaeological and historic sites have been completed for only a small percentage of Refuge System lands and hatcheries. The Service is

also responsible for the care of an estimated 3.2 million museum objects, many of which are valuable for research, interpretive, and heritage purposes.

"It shall be the policy of the Federal Government, in cooperation with other nations and in partnership with States, local governments, Indian tribes, and private organizations and individuals to provide leadership in the preservation of prehistoric and historic resources of the United States . . ."

(Section 2 of the National Historic Preservation Act of 1966, as amended)

Cultural resources managed by the Service reflect the cultural diversity of our nation. Their diversity is breathtaking, ranging from evidence of this hemisphere's earliest inhabitants, to remnants of 19th century historic trails and homesteads, to sacred areas important to Indian tribes, to remnants associated with World War II and the Cold War. Because of the geographic breadth of the Refuge System, many Service-managed cultural resources

also reflect the values and traditions of local communities, such as pueblo sites in New Mexico, plantations in South Carolina, lighthouses in Maine, or the remains of prehistoric seafaring communities in Alaska's remote Aleutian Islands.



Overnight Cabin at Sheldon NWR, NV, built by CCC crew in 1936

Benefits of Cultural Resources

Until recently, preservationists and conservationists have often been divided in their objectives. Both groups have come to recognize, however, that conservation and preservation can be allies in protecting the same resources and sharing a mutual commitment to enhancing the quality of life.

Many Service offices are faced with legitimate questions over how to address archaeological sites affected by wetland restoration projects: what is the value of ensuring the long-term care of museum objects; or, what are the benefits and liabilities associated with acquiring and maintaining historic buildings and structures? Taking cultural resources into account during the long-range and short-term planning of Service activities can result in direct benefits to our mission and program objectives. The goals of natural and cultural resource programs are not necessarily exclusive -- support for advancing the goals of one can often be beneficial for the other.

So, what are the relationships between Service programs and cultural resources and what benefits do they offer?

"It is not only the atmosphere or wildlife habitat that is endangered on this planet. The human habitat is threatened as well. Wetlands, forests, farmlands, historic buildings, and archaeological sites are all being eroded by the same forces. We are losing both biological diversity and cultural diversity. From old growth forests to prairie potholes, from spotted owls to pintail ducks, from prehistoric rock paintings to remnants of the Oregon Trail, both our natural and cultural heritage are under siege."

(National Trust for Historic Preservation, 1992)

Cultural resources are both physical manifestations and intangible values that connect us to our past, providing each one of us with the means to study and reflect upon the events and processes that have shaped our nation. Many are unique and irreplaceable. Their true value rests in what they offer us in terms of scientific information, interpretive opportunities, and cultural identity. Cultural resources managed by the Service are particularly important for the following reasons:



The National Wildlife Refuge System's 530+ units encompass over 90 million acres spread across diverse landscapes throughout North America, the Pacific Ocean, and Caribbean Sea.

If managed effectively, this System could play an integral role in protecting many outstanding examples of prehistoric and historic sites in perpetuity for study and appreciation.

The Refuge System continues to grow annually with the addition of hundreds of thousands of acres on average.



The study of cultural resources provides important information on changes to our environment and landscapes over thousands of years that contributes directly to the Service's primary mission of managing wildlife and their habitat. Research helps us reconstruct past vegetation patterns, climatic fluctuations, wildlife populations, and historic uses of the land by humans. Many refuges are directly associated with rivers, wetlands, and coastal areas, places inhabited and used by humans for thousands of years. A good example is the work completed on Buldir Island in Alaska, where the Service and the



Smithsonian Institution have sponsored research producing information on the distribution and nature of bird populations over a several-thousand year period in the Alaska Maritime National Wildlife Refuge.



Cultural resources offer excellent interpretive opportunities to help educate visitors about how humans affect the environment and landscapes over time. Visitors to refuges are often interested in learning more about both natural and cultural resources. Such comprehensive interpretive programs also help refuges capitalize on the explosive growth of the multi-billion dollar heritage and ecotourism industries in the United States. Examples include the Bertrand Steamboat collection at the DeSoto National Wildlife Refuge, visited by over 200,000 people a year, and the D.C. Booth Historic Fish Hatchery, visited by 120,000 people a year.

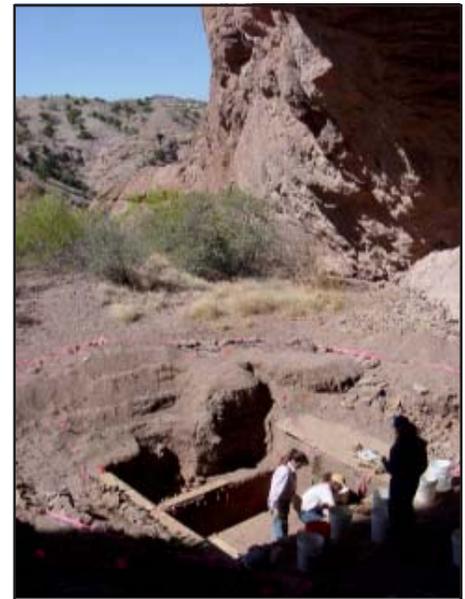


Third-grade student and teacher display class exhibits on natural and cultural resources at Archaeology Week open house, Ridgefield, WA.



Many cultural resources embody values important to communities and Indian tribes adjacent to refuges and hatcheries. Given the geographic diversity of refuges and

hatcheries in every state and several territories, the Service is in effect protecting and managing sites that reflect local traditional cultural and religious values, from ranching at the Sheldon-Hart NWR, Oregon, to traditional farming plots at the Hanalei NWR, Hawaii, or sacred sites on the Stillwater NWR, Nevada.



Archaeological excavation at Lemitar Rockshelter, Sevilleta NWR, NM

Protecting these areas helps us appreciate the strengths of our nation's cultural diversity, while also building support for Service programs and initiatives within local communities.



The Service provides hundreds of millions of dollars and technical assistance to states and private landowners each year for wildlife-oriented programs and wetland restoration. This support has proven to be instrumental to restoring wildlife nationally. Service managers for the Partners in Wildlife and Federal Aid programs also need to be mindful, however, of the potential impacts to important archaeological sites resulting from some of these funded activities. While not providing any direct benefit to the Service in this respect, **avoiding significant cultural resources nevertheless contributes to the conservation of our national legacy.**



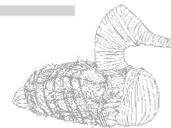
The re-use and conservation of historic buildings as offices or other administrative areas may be economically beneficial in terms of savings in replacement costs. For example, the historic Grove Plantation House at the ACE Basin NWR in South Carolina and Wilna House on Rappahannock NWR in Virginia are used as Service offices and facilities. The excellent design and workmanship of many historic buildings also offer certain aesthetic qualities not found in modern buildings.



The preservation and study of museum property (historic records and objects, photographs, narrative reports, artwork, etc.) help us appreciate and understand the Service's important role in the growth of the American Conservation Movement for over 120 years. The Service's history is a story of dedicated individuals and notable events that have contributed to key environmental legislation and public recognition of serious environmental issues facing our country. For example, the history of the Patuxent Wildlife Research Refuge demonstrates the Service's early scientific contributions to understanding the effects of pesticides on wildlife and human populations.



A National Register-eligible plantation house was rehabilitated to serve as the headquarters for Rappahannock NWR, VA.



What are Cultural Resources?

Cultural resources are those physical remains, objects, historic records, and traditional lifeways that connect us to our nation's past. In terms of the Service's programs and work, cultural resources are defined as follows:

Historic preservation refers to the identification, evaluation, protection, research, interpretation, restoration, etc., of cultural resources.

ARCHAEOLOGICAL RESOURCES

Artifacts, objects, projectile points, etc., that are protected by the Archaeological Resources Protection Act and defined by 43 CFR 7.3 as any material remains of human life or activities which are at least 100 years of age, and which are of archaeological interest (i.e. capable of providing information about the past). Types of archaeological resources include, but are not limited to: surface or subsurface structures; artifact concentrations or scatters; whole or fragmentary tools, containers, weapons and other personal implements; byproducts or waste products of manufacture; organic waste (vegetal/animal remains, coprolites, etc.); rock carvings and paintings; rockshelter or caves containing material remains; can scatters; shipwrecks.



Petroglyphs at Buena Vista site, Malheur NWR, OR



Buried hearth feature at Cathlapotle archaeological site, Ridgefield NWR, WA

HISTORIC PROPERTY

Historic property is the term used to define a prehistoric or historic site, building, structure, or district included in or eligible for the National Register of Historic Places, as defined by 36 CFR 60, 63, and 65. Historic properties can include buildings and structures, traditional cultural properties, historic landscapes, and national historic landmarks (see definitions below).

Buildings and Structures



19th-century Whitcomb-Cole hewn log house, Conboy Lake NWR, WA

Architectural resources are standing or collapsed buildings at least 50 years old, or that have achieved significance within the past 50 years. Architectural resources commonly found on FWS property include: homesteads, barns, logging camps, railroad grades, bridges, mines, CCC-era constructions, WWII-era and unique engineering designs such as fish hatcheries. Some early administrative buildings are more than 50 years old, and need to be viewed as potential "historic properties."

Traditional Cultural Property

Traditional cultural property (TCP) is the term used to describe a historic property whose eligibility for inclusion in the National Register of Historic Places is derived from the significant role the property plays in the traditional but often continuing lifeways of a community. Examples of TCPs include: locations associated with the traditional beliefs of a Native American group about its origins, cultural history, or the nature of the world; an urban neighborhood that is the traditional home of a particular ethnic or other cultural group, and that reflects its beliefs and practices; or a location where a community has traditionally carried out economic, artistic, or other cultural practices important in maintaining its historical identity. [National Register Bulletin #38:2]

Historic Landscape

A historic (designed) landscape is defined as “a work that has significance as a design or work of art; an association with a designer, gardener, or landscape architect of note; . . . a historical association with a significant person, trend, event, etc., in landscape gardening or landscape architecture; or a significant relationship to the theory of practice of landscape gardener or landscape architect.” The landscape must be significant in its own right and not merely as a complementary setting for a building or group of buildings. [National Register Bulletin #18:1]

Rural Historic Landscape

Rural historic landscape is defined as “a geographical area that historically has been used by people, or shaped or modified by human activity, occupancy, or intervention, and that possesses a significant concentration, linkage, or continuity of areas of land use, vegetation, buildings and structures, roads and waterways, and natural features.” [National Register Bulletin #30:1]

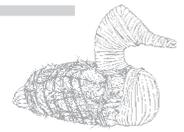
“Landscape characteristics are the tangible evidence of the activities and habits of the people who occupied, developed, used, and shaped the land to serve human needs; they may reflect the beliefs, attitudes, traditions, and values of these people.” [National Register Bulletin #30:3]



Pony Express trail ruts, Fish Springs NWR, UT

Sacred Sites

Sacred site refers to a specific, discrete, narrowly delineated location on Federal land that has been identified by an Indian tribe, or appropriately authoritative representative of an Indian religion, as sacred by virtue of its established religious significance to, or ceremonial use by, an Indian religion. Their management is addressed by Executive Order 13007 signed on May 27, 1996.



MUSEUM PROPERTY

A category of “personal property” that includes artifacts, objects, and materials that are preserved for their contributions to archaeological and historic research; cultural and ethnographic values; aesthetic and interpretive purposes; or, association with important historic events and people. Historic records, archaeological collections, NAGRPA-related collections, and objects of antiquity are all types of museum property (see definitions below).



Phoenix button, 1830s trade good in the Pacific Northwest

Historic Records

Historic records are historical, ethnographic, architectural, photographic, film, oral history recordings, or other documents that provide a record of past events. In the broadest sense, historic records include Federal records. However, the management and disposition of Federal records is addressed by 36 CFR 1228 and generally includes those documents or materials made or received by the Federal government in connection with its work. Historic records collected by the Service generally pertain to the history of a particular unit, the Service itself, or the lands which it manages. Examples include journals, books, manuals, maps, correspondence, as well as photographs and slides. Annual narratives and CCC camp records are particularly fragile and important FWS historic records.

Archaeological Collections

Archaeological collections are those materials and remains that are excavated or removed during a survey, excavation, or other study of a Service-managed prehistoric or historic resource, including those records associated with the work. Service archaeological collections must be curated in a reputable institution and are managed according to Federal-wide standards defined in 36 CFR 79.

NAGPRA-Related Collections

The management of Native American or Native Hawaiian human remains, funerary objects, sacred objects, or objects of cultural patrimony are addressed under the Native American Graves Protection and Repatriation Act of 1990 (NAGPRA) and 43 CFR 10. The Service is responsible for identifying and repatriating, as appropriate, any such materials in its possession or control, on loan to another institution, or excavated from or discovered on Service lands.



Bertrand Collection, DeSoto NWR, IA

Objects of Antiquity

Objects of antiquity refers to collections associated with archaeological sites and ruins protected by the Antiquities Act of 1906 and 43 CFR 3. Departmental and Service policies require the issuance of an Antiquities Act permit for the study, excavation, or removal of objects of antiquity from Service managed archaeological sites and ruins greater than 50 years old.

Notes

LAWS AND REGULATIONS



Principles of Historic Preservation

- ♦The purpose of the Federal historic preservation program is to ensure that cultural resources are duly considered as Federal agencies carry out their missions.
- ♦Historic preservation is to be weighed and balanced along with other public interests.
- ♦This weighing and balancing requires following a well-defined process (the Section 106 process), using broadly agreed upon definitions and standards.
- ♦Preservation responsibilities require a concern for all kinds of effects on historic properties, including properties not owned by the agency and effects that may be indirect.
- ♦Historic values are public values. Accordingly, the public must have an opportunity to participate in decision-making about historic properties.

Summary of Principle Laws and Regulations

Laws:

- 1906 Antiquities Act
- 1935 Historic Sites Act
- 1966 National Historic Preservation Act, as amended
- 1969 National Environmental Policy Act
- 1974 Archaeological and Historic Preservation Act
- 1978 American Indian Religious Freedom Act
- 1979 Archaeological Resources Protection Act, as amended
- 1990 Native Graves Protection and Repatriation Act

Regulations and FWS Policies:

- 36 CFR Part 60/63: National Register of Historic Places/Determining Eligibility
- 36 CFR Part 65: National Historic Landmark Program
- 36 CFR Part 79: Curation of Federally-Owned & Administered Archeological Collections
- 36 CFR Part 800: Protection of Historic Properties
- 43 CFR Part 3: Preservation of American Antiquities
- 43 CFR Part 7: Preservation of Archaeological Resources
- 50 CFR Part 27: National Wildlife Refuge System - Prohibited Acts
- 126 FWS 1-3: Museum Services
- 602 FW 1-3: Refuge Planning
- 614 FW 1-5: Cultural Resource Management
- : Native American Policy

Other Authorities:

- 1971 Executive Order 11593: Protection and Enhancement of the Cultural Environment
- 1983 The Secretary of the Interior's Standards for Archaeology and Historic Preservation
- 1996 Executive Order 13007: Indian Sacred Sites
- 2003 Executive Order 13287: Preserve America

Federal Laws

1906

ANTIQUITIES ACT

This act authorizes the scientific investigation of antiquities on Federal land, subject to the stipulations outlined in permits issued to recognized educational, scientific, and other institutions for the purposes of systematically gathering data. Under the Act, the search for, examination, or collection of artifacts or other objects of scientific interest is prohibited without a permit issued by the Service. The Act provides that objects taken or collected without a permit may result in a fine and imprisonment of the convicted person. The Act also authorizes the president to establish national monuments and cultural areas on Federal lands.

1935

HISTORIC SITES ACT

This Act establishes as national policy the preservation of nationally significant historic and archaeological properties. The program to identify National Historic Landmarks, administered by the National Park Service for the Secretary of the Interior, was established under the provisions of this Act.

1966

NATIONAL HISTORIC PRESERVATION ACT, AS AMENDED

Historic preservation is defined in the Act as the protection, rehabilitation, restoration, and reconstruction of sites, buildings, structures, and objects significant in American history, architecture, engineering, and archaeology.

Title I, Section 106, requires Federal agencies having direct or indirect jurisdiction over a proposed Federal or federally-assisted undertaking in any state to take into account the effect of the undertaking on any historic property. Regulatory procedures for complying with Section 106 are found in 36 CFR Part 800.

Section 110 requires Federal agencies to create a program to identify and protect historic properties. This program includes the nomination of eligible properties to the National Register of Historic Places; the designation of a qualified agency historic preservation officer; conducting agency programs and activities so that preservation values are considered; and the authority of Federal agencies to include the costs of preservation activities within overall project costs during undertakings.

The Act established the Advisory Council on Historic Preservation to advise the President and Congress on matters relating to historic preservation. The Council is also empowered to review and comment on Federal or federally-assisted undertakings.

1969

NATIONAL ENVIRONMENTAL POLICY ACT

This act establishes the Federal policy of protecting important historic, cultural, and natural aspects of our national heritage during Federal project planning and obligates Federal agencies to consider the environmental consequences and costs of their projects and programs as part of the planning process. All Federal or federally-assisted projects requiring action pursuant to Section 102 of the Act must take into account the effects on cultural resources.



1974

ARCHAEOLOGICAL AND HISTORIC PRESERVATION ACT

This Act directs the preservation of historic and archaeological data in Federal construction projects. The Act authorizes Federal agencies to seek future appropriations, to obligate available funding, or to reprogram existing appropriations to provide for the identification and preservation of data. Agencies may elect to undertake the necessary recovery, protection, and preservation themselves, or may transfer up to one percent of total project funds to the National Park Service for assistance in recovering data. This one percent limit does not apply to projects of \$50,000 or less.

1978

AMERICAN INDIAN RELIGIOUS FREEDOM ACT

This joint resolution of Congress establishes as the policy of the United States the protection and preservation for American Indians of their inherent right of freedom to believe, express, and practice their traditional religions. The Act directs agencies to consult with native traditional religious leaders to determine appropriate policy changes necessary to protect and preserve Native American religious cultural rights and practices.

1979

ARCHAEOLOGICAL RESOURCES PROTECTION ACT, AS AMENDED

This Act protects materials of archaeological interest that are greater than 100 years old on public (specifically including national wildlife refuge system) and Indian lands from unauthorized removal or destruction and requires that Federal managers develop plans and schedules to locate the most scientifically important archaeological sites. The Act allows the Federal land manager to issue permits for the excavation or recovery of archaeological resources. Individuals who destroy, deface, or remove archaeological resources from refuge lands are subject to severe penalties and fines under the Act's provisions. Permits for the excavation of archaeological resources located on refuges are approved by the Regional Director.

1990

NATIVE AMERICAN GRAVES PROTECTION AND REPATRIATION ACT

This Act requires Federal agencies and museums to inventory, determine ownership of, and repatriate cultural items under their control or possession, as determined by the Act and its implementing regulations. Federal agencies are required to determine the cultural affiliation of cultural items in their possession or under their control and return those items to the appropriate tribe, organization, or individual, upon request. The Act's requirements also address the repatriation of cultural items inadvertently discovered by construction activities on lands managed by the agency.

1997

NATIONAL WILDLIFE REFUGE SYSTEM IMPROVEMENT ACT

This Act requires that a comprehensive conservation plan be prepared for each national wildlife refuge. Comprehensive conservation planning must address the archaeological and cultural values of each refuge.

Regulations

36 CFR PART 60 AND 63

NATIONAL REGISTER OF HISTORIC PLACES AND DETERMINATIONS OF ELIGIBILITY

Part 60 provides guidelines for nominating properties to the National Register, including criteria for eligibility. Part 63 outlines the process of identifying and evaluating the eligibility of properties.

36 CFR PART 65

NATIONAL HISTORIC LANDMARK PROGRAM

These regulations set forth the criteria for establishing the national significance of properties under the National Historic Landmarks program, the purpose of which is to identify, designate, and encourage the long range preservation of nationally significant properties that illustrate or commemorate the history and prehistory of the Nation.

36 CFR PART 79

CURATION OF FEDERALLY-OWNED AND ADMINISTERED ARCHEOLOGICAL COLLECTIONS

These regulations require that archaeological materials collected by permitted individuals or institutions or in the possession of Federal agencies as authorized by law (the Antiquities Act of 1906, the National Historic Preservation Act of 1966, the Archeological and Historic Preservation Act of 1974, and the Archaeological Resources Protection Act of 1979) be curated and protected in a qualified facility.

36 CFR PART 800

PROTECTION OF HISTORIC AND CULTURAL PROPERTIES

These regulations establish procedures for the identification and evaluation of historic properties under Section 106 of NHPA. These regulations are binding on all Federal agencies.

36 CFR PART 1228

DISPOSITION OF FEDERAL RECORDS

(National Archives and Records Administration)

43 CFR PART 3

PRESERVATION OF AMERICAN ANTIQUITIES

These regulations address the permitting requirements for the examination of ruins, excavation of archaeological sites, and gathering of objects of antiquity on lands managed by the Department of the Interior. The regulations also permit the seizure of materials illegally removed from public lands and require the preservation of collections generated from permitted activities.

As a matter of policy, the Service requires the issuance of an Antiquities Act permit or similar authorization for the excavation of sites or removal of objects that are greater than 50 years old. Permits are issued by the appropriate FWS Regional Director.



43 CFR PART 7

PRESERVATION OF ARCHAEOLOGICAL RESOURCES

These regulations require the authorization of the appropriate Federal manager to excavate or remove archaeological resources that are greater than 100 years old from Federal and Indian lands, and also require that collected archaeological resources be curated in a suitable facility that meets professional standards for longterm care. Permits are issued by the appropriate FWS Regional Director.

50 CFR PART 27

NATIONAL WILDLIFE REFUGE SYSTEM - PROHIBITED ACTS

Sections 27.61 through .63 of these regulations prohibit the destruction, search for, or removal of public property and objects of antiquity except as may be authorized by 43 CFR 3 and 50 CFR Subchapter C.

FWS Policies

126 FW 1-3

MUSEUM SERVICES

These Service Manual chapters address requirements and standards for inventorying and preserving all FWS museum property collections (e.g. cultural resource and natural history collections).

602 FW 1-3

REFUGE PLANNING

These Service Manual chapters provide guidance for comprehensive management of cultural resource overviews and developing objectives and strategies for meeting legally mandated inventory, evaluation, and protection work.

614 FW 1-5

CULTURAL RESOURCE MANAGEMENT

These chapters of the Service Manual provide information on Servicewide responsibilities for managing cultural resources, meeting legally mandated survey and protection requirements, preparing cultural resource management plans, and the collection and curation of archaeological and historical materials.

NATIVE AMERICAN POLICY

This policy was instituted in 1994 with the express purpose to articulate the general principles that will guide the Service's government-to-government relationship to Native American governments in the conservation of fish and wildlife resources.

Other Authorities

1971

*PROTECTION AND ENHANCEMENT OF THE CULTURAL ENVIRONMENT
EXECUTIVE ORDER 11593*

The executive order charges Federal agencies to provide leadership in preserving, restoring, and maintaining the Nation's historic and cultural environment.

1983

*THE SECRETARY OF THE INTERIOR'S STANDARDS FOR ARCHAEOLOGY
AND HISTORIC PRESERVATION*

The purpose of the Standards are to: organize information gathered about preservation activities; describe expected results of identification, evaluation, registration, and treatment of historic properties by Federal agencies, States, and others; and integrate the diverse efforts of many entities performing historic preservation in a systematic effort to preserve our nation's cultural heritage.

1996

INDIAN SACRED SITES - EXECUTIVE ORDER 13007

This executive order charges Federal agencies to accommodate access to and ceremonial use of Indian sacred sites by Indian religious practitioners and to avoid adversely affecting the physical integrity of such sites.

2003

PRESERVE AMERICA - EXECUTIVE ORDER 13287

This executive order charges Federal agencies to advance the protection, enhancement, and contemporary use of the historic properties owned by the Federal Government, and promotes intergovernmental cooperation and partnerships for the preservation and use of historic properties. It also integrates historic preservation and nature tourism by directing agencies to assist in the development of local and regional nature tourism using the historic resources that are a significant feature of many State and local economies.

MANAGING CULTURAL RESOURCES:

Doing Your Part to Protect Our Past



Who are the Key Participants?

Historic preservation requirements are often complex and difficult to integrate. Some of the difficulty arises from a lack of understanding of who the key participants are in historic preservation programs and their respective roles and responsibilities. In addition to the Service and its employees, the National Park

Service, Advisory Council on Historic Preservation, State Historic Preservation Offices, Indian tribes or Native Hawaiian organizations, local governments, and other interested parties all have legally-defined roles in contributing to Federal historic preservation objectives.

Service Roles and Responsibilities

In the broadest sense, *every Service employee* is responsible for managing and protecting cultural resources that are located on agency lands or that may be disturbed by Service undertakings. According to Service policy, the official roles and responsibilities for managing cultural resources are as follows:

The **Director** is responsible for the Service's overall compliance with Federal historic preservation laws, regulations, and standards. Responsibility for preparing policy and guidance for the Service's cultural resource management program is delegated to the **Assistant Director-Refuges and Wildlife** and the **Regional Historic Preservation Officer**.

Regional Directors are responsible for ensuring that Service programs and activities within their respective regions meet legal and regulatory requirements, federal standards, and Service policies. Overall responsibility for decisions affecting compliance with historic preservation statutes cannot be delegated by Regional Directors to non-Service entities. The Regional Director is also the signatory official to agreement documents executed under the National Historic Preservation Act and for issuing

archaeological permits to qualified organizations for conducting work on Service lands.

Project leaders are responsible for ensuring that cultural resource management requirements, including tribal consultation, are incorporated into both individual project and comprehensive management planning for their field offices or programs. In fulfilling this responsibility, project leaders are expected to coordinate proposed work with the Regional Historic Preservation Officer to ensure that necessary historic preservation requirements are completed. Each region has a **Native American Liaison** who can assist employees in developing positive working relationships with tribes and understanding the Service's Indian trust responsibilities.*

Regional Historic Preservation Officers (RHPOs), sometimes called **Regional Archaeologists**, are responsible for region-wide coordination of cultural resource projects and compliance with legal requirements. The RHPO is also responsible for providing professional advice and assistance to the Regional Director and project leaders on a wide array of issues, including the need for field surveys and site

*cultural resources are not considered Indian trust responsibilities

evaluations; developing measures to mitigate damage to sites; reviewing potential undertakings to determine if cultural resources will be affected; the care of museum collections; and the accuracy of cultural resource information used for interpretive exhibits or educational materials. The RHPO also is responsible for reviewing ARPA/Antiquities Act permit applications and research proposals and making recommendations to the Regional Director for approval/rejection and working with project leaders when consultation with SHPOs, the Advisory Council on Historic

Preservation, Indian tribes/Native Hawaiian organizations, and other parties is necessary to comply with laws and Executive Orders.

All Service employees are responsible for protecting cultural resources from unnecessary damage; reporting ARPA violations to the appropriate LE officers for investigation; caring for museum property stored or displayed in their units; and, reporting the discovery of archaeological sites and artifacts to project leaders and the RHPO for follow-up action.

Other Participants' Roles and Responsibilities

The **Advisory Council on Historic Preservation** (ACHP) is the Federal agency with primary oversight and responsibility for implementation of the National Historic Preservation Act. The Council provides advice to the President, Congress, and Federal agencies on historic preservation issues; offers educational services and training programs; reviews programs and policies of Federal agencies to improve their effectiveness; and mediates disputes among parties to arrive at satisfactory solutions to protect historic properties. Section 106 of the National Historic Preservation Act requires the Service to afford the ACHP a reasonable opportunity to review and comment on proposed undertakings.

State Historic Preservation Officers (SHPOs) are responsible for coordinating and reviewing work conducted in response to the National Historic Preservation Act within their respective states. Under 36 CFR 800, the Service must consult with the SHPO during the planning and execution of undertakings in order to protect important historic properties.

The **National Park Service** is the lead Federal agency for developing historic preservation standards and guidelines; making determinations of eligibility and listing significant cultural resources on the

National Register of Historic Places; and coordinating implementation of Section 110 of the Act.

Indian tribes and Native Hawaiian organizations possess a special status under various laws and treaties with the U.S. Government. Federal agencies are required to consult with Indian tribes or Native Hawaiian organizations during project planning involving Section 106 compliance; the excavation of sites possessing religious or traditional cultural values; the repatriation of materials under NAGPRA; and the identification and protection of sacred sites on Federal lands.

Local governments must be invited to participate in consultations conducted under the National Historic Preservation Act, when a Service undertaking may effect historic properties within the local government's jurisdiction.

Other **interested parties** may request to be directly involved in Service undertakings and refuge management planning under the National Historic Preservation Act and the National Environmental Policy Act. Interested parties may include organizations such as local historical societies, the National Trust for Historic Preservation, or owners of affected lands.



Section 106 of NHPA: Overview of the Process

What is Section 106?

The National Historic Preservation Act of 1966, as amended, defines Section 106:

“The head of any Federal agency having direct or indirect jurisdiction over a proposed Federal or federally assisted undertaking in any State and the head of any Federal department or independent agency having authority to license any undertaking shall, prior to the approval of the expenditure of any Federal funds on the undertaking or prior to the issuance of any license, as the case may be, take into account the effect of the undertaking on any district, site, building, structure, or object that is included in or eligible for inclusion in the National Register. The head of any such Federal agency shall afford the Advisory Council on Historic Preservation established under Title II of this Act a reasonable opportunity to comment with regard to such undertaking.”

In Other Words...

As a Federal agency, the Service is responsible for carrying out an array of laws and regulations concerning cultural resources. The majority of our historic preservation efforts, however, focus on compliance with Section 106 of the National Historic Preservation Act of 1966 (NHPA).

Section 106 spells out the standard review process Federal agencies are required to follow prior to implementing an undertaking. This process ensures that:

- 1) agencies consider the effects of their undertaking on historic properties, and
- 2) the Advisory Council on Historic Preservation (ACHP) is afforded a reasonable opportunity to comment on the undertaking and its effect on historic properties.



Excavating a house on Buldir Island, Alaska Maritime NWR, AK

Effectively Managing the Section 106 Consultation Process

Complying with Section 106 of the National Historic Preservation Act requires careful planning, consultation with interested parties, and weighing of project alternatives to avoid or minimize damage to significant historic properties.

If you are involved in planning or approving Service restoration, construction, or other projects that may effect cultural resources, the following points will help in navigating the Section 106 review process:



Initiate the Section 106 process early in project planning. This allows maximum flexibility in designing projects to avoid impacts to significant sites. Make certain to involve your Regional Historic Preservation Officer as early in the process as possible.



The Section 106 process requires open, good faith consultation with Indian tribes, Native Hawaiian organizations, State Historic Preservation Officers, and other interested parties. Remember that the Service is, in essence, a “trustee” of many historic and traditional cultural sites on its national wildlife refuges and national fish hatcheries that are important to local communities and tribes.



The Section 106 regulations, 36 CFR 800, do not mandate an outcome or a determination that all historic properties be preserved. Rather, the review process is collaborative, seeking the input and perspectives of various parties to ensure that reasonable alternatives have been carefully examined and that important historic and cultural values are protected. The final decision on proceeding with undertakings rests with the Federal agency (FWS). Federal agencies have successfully integrated the Section 106 process into their agency missions for over 25 years. Rarely is a project stopped due to unresolvable conflicts with cultural resources.



Overall responsibility for complying with Section 106 cannot be delegated. The Service is responsible for ensuring that the Section 106 process has been completed satisfactorily for agency undertakings. For large undertakings involving multiple Federal agencies, it is acceptable to designate a lead agency for complying with the National Historic Preservation Act.



The Steps in the Section 106 Process

Define an undertaking: Under the terms of Section 106, the Service must determine whether it has an undertaking that could result in changes in the character or use of historic resources which are eligible for listing on the National Register of Historic Places (see page 7 of this chapter for legal and regulatory definitions of Undertaking).

Define the area of potential effects: If the proposed activity does constitute an undertaking, the Service must identify the geographic extent of the area which may be impacted by the undertaking, in other words, the area of potential effects (APE) (see page 8 of this chapter for the definition of APE and guidelines to determining it).

Identify and evaluate historic properties: By reviewing background information, consultation with SHPO and others, and conducting field survey for the APE, the Service considers the presence of any buildings, structures, archaeological sites, or sacred or traditional sites. Previously unevaluated historic properties must be evaluated to determine their eligibility for listing to the National Register.

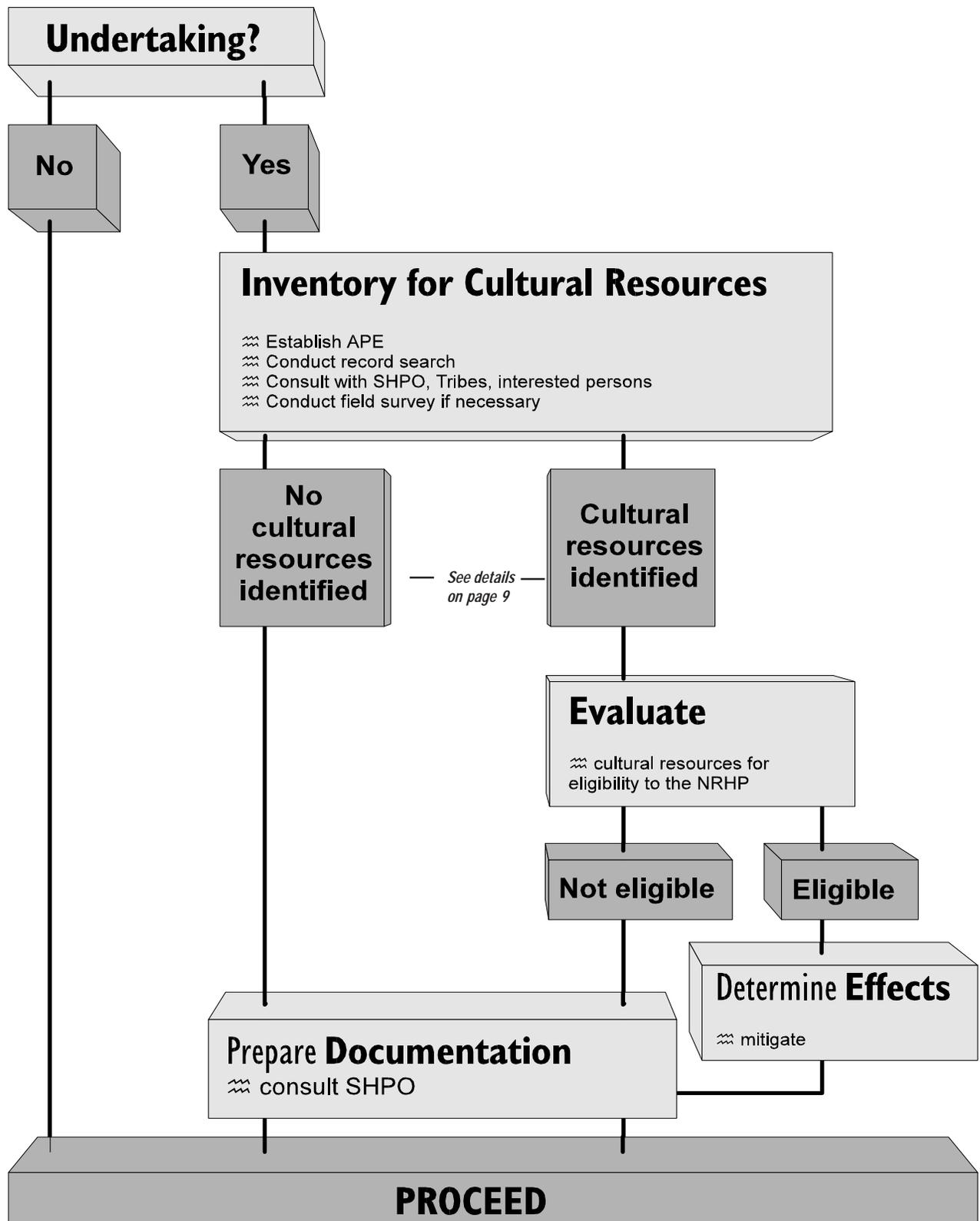
Assess effects: If listed or eligible properties are identified, the Service must assess the potential effects of the proposed undertaking on the resource. Working with SHPO and other interested parties, the Service determines that a) the undertaking will not effect historic properties-no effect, b) the undertaking will effect an historic property, but the effect will not be harmful- no adverse effect, or c) the undertaking will have a harmful effect on an historic property- adverse effect.

Consultation to Mitigate Adverse Effects: In the event of an adverse effect determination, the Service consults with SHPO and others to identify ways to mitigate the harmful effects of the undertaking. This consultation process should result in the development of a Memorandum of Agreement (MOA) which identifies the steps the Service will take to reduce, avoid, or mitigate the adverse effect.

Council comment: The Service must provide the Advisory Council on Historic Preservation (ACHP) an opportunity to comment and participate in the development and signing of an MOA resulting from an adverse effect determination.

Proceed/Implement MOA: If the Service determines that historic properties in the APE will receive no effect or no adverse effect from the proposed undertaking, the project proceeds as planned. If an adverse effect determination has resulted in the development of an MOA, the Service may proceed with the undertaking under the terms of the MOA.

Diagram of the Section 106 Process





Undertaking Defined

By Law and Regulation

By *law* [16 U.S.C. 470w(7)], “undertaking” means a project, activity, or program funded in whole or in part under the direct or indirect jurisdiction of a Federal agency, including--

- a those carried out by or on behalf of the agency;
- b those carried out with Federal financial assistance;
- c those requiring a Federal permit, license or approval; and
- d those subject to State or local regulation administered pursuant to a delegation or approval by a Federal agency.

As defined in the *regulations*, “undertaking” means any project, activity, or program that can result in changes in the character or use of historic properties, if any such properties are located in the area of potential effect. The project, activity, or program must be under the direct or indirect jurisdiction of a Federal agency or licensed or assisted by a Federal agency. Undertakings include new and continuing projects, activities, or programs and any of their elements not previously considered under Section 106.

[36 CFR Sec. 800.2(o)]

As Interpreted

Under NHPA, an undertaking is a Federal activity that is subject to Section 106 requirements. The term “undertaking” is intended to include any project, activity, or program -- and any of its elements -- that has the potential to have an effect on a historic property and that is under the direct or indirect jurisdiction of a Federal agency or is licensed or assisted by a Federal agency. Included are construction, rehabilitation, repair projects, demolition, planning, licenses, permits, loans, loan guarantees, grants, Federal property transfers, and many other Federal activities. [Participant’s Desk Reference, Introduction to Federal Projects and Historic Preservation Law IV-47, ACHP January 1994]

The intent of this definition is to make it clear that actions that by their nature have no potential to affect historic properties (for example, providing hot lunches to school children or installing new radios in police cars) need not be subjected to Section 106 review, even though they are federally supported. [Participant’s Desk Reference, Introduction to Federal Projects and Historic Preservation Law IV-10, ACHP January 1994]



Placing a pipeline at Sacramento NWR, CA

Area of Potential Effects (APE) Defined

By Law and Regulation

In the regulations, the “area of potential effects” (APE) is defined as “the geographic area or areas within which an undertaking may cause changes in the character or use of historic properties, if any such properties exist.” [36 CFR 800.2(c)]

The project planner is responsible for identifying the APE and notifying the RHPO.

When defining an APE, remember:

- ◆ The APE should include:
 - All alternative locations for elements of the undertaking.
 - All locations where the undertaking may result in ground disturbance.
 - All locations from which elements of the undertaking (e.g., structures or ground disturbance) may be visible.
 - All locations where the activity may result in changes in traffic patterns, land use, public access, etc.
- ◆ The APE is defined *before* identification of properties actually begins. It is not necessary to know that historic properties exist in an area to define the APE. Many times we don't know that properties exist at this stage.
- ◆ An APE is *not* defined on the basis of land ownership.
- ◆ All areas where the undertaking *may cause* changes to land or structures, or to their uses, whether direct or indirect, beneficial or adverse, are parts of the APE.
- ◆ An APE need not be a single area.
- ◆ The APE *may* or *may not* be the same as the area of effect defined through the NEPA process.
- ◆ An APE does not always have hard and fast boundaries.
- ◆ Definition of the APE does not dictate what an agency must do to identify, avoid, or mitigate effects within it.
- ◆ The fact that a potential effect cannot be mitigated does not limit definition of the APE.
- ◆ The APE should be defined based on the potential for effect alone and not in terms of any actual properties that may be present.
- ◆ Altering the APE after identification of historic properties is a questionable strategy.



The Role of the Cultural Resources Staff in Section 106

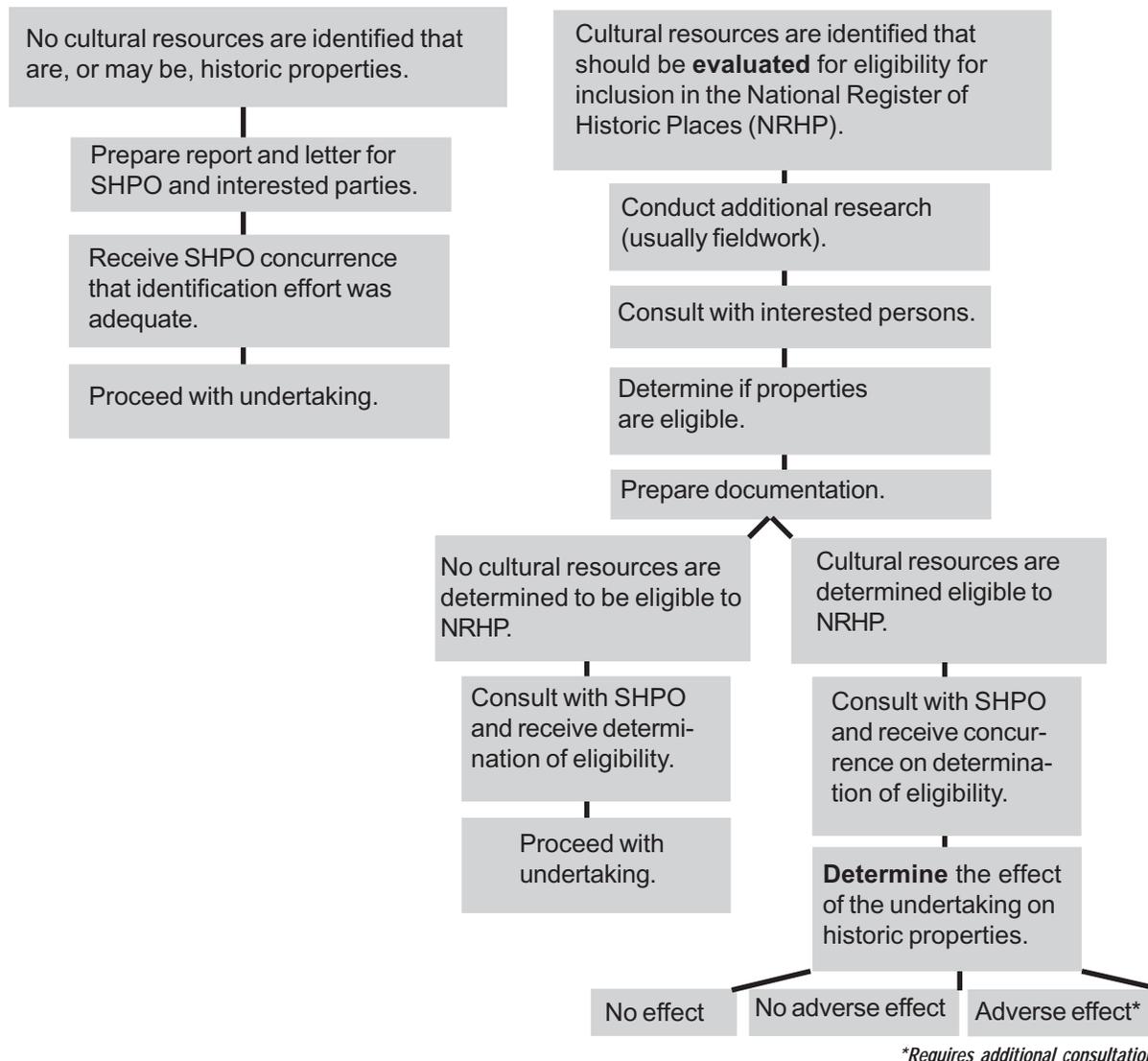
Identification Process

Under NHPA, the Service must make a reasonable and good faith effort to identify historic properties before implementing an undertaking. The role of your cultural resources specialist(s) is to conduct this identification process and the subsequent evaluation, effect determination, and reporting in compliance with the law.

This responsibility rests squarely with the Federal Agency and cannot be delegated to another party except by written agreement. The agency can solicit the help of applicants, contractors, or others to carry out this work, but it is up to the agency to see that the work is carried out properly and to make appropriate use of the results.

Evaluation, Effect Determination, and Reporting

Upon completion of an **identification** effort in the Area of Potential Effects (APE), there are two possible outcomes.



Notes

CULTURAL RESOURCE TERMS



Adverse effect. Harm to historic properties, directly or indirectly caused by a Federal agency's action. The regulations set forth criteria of effect and adverse effect at 36 CFR 800.9.

Advisory Council on Historic Preservation (ACHP). An independent federal agency composed of 19 members, established under NHPA, which advises the President and Congress on historic preservation matters and administers Section 106 of NHPA. The Council comments to the agency on an undertaking that effects historic properties.

AIRFA. American Indian Religious Freedom Act 1978.

Archaeological Resource means any material remains of past human life or activities including (but not limited to): pottery, basketry, bottles, weapons, weapon projectiles, arrowheads, tools, structures or portions of structures, pit houses, rock paintings, rock carvings, intaglios, graves, human skeletal materials, or any portion of the foregoing items at least 100 years of age. Defined by Section 4(a) of the Archaeological Resources Protection Act and 43 CFR Part 7.3. (See **cultural resource** below.)



World War II Japanese mini-submarine, Kiska Island, Alaska Maritime NWR, AK

Area of Potential Effects (APE). The geographic area within which an undertaking may cause changes in the character or use of historic properties, if any such properties exist there. This area includes the site of the undertaking and other areas where the undertaking will cause changes in land use, traffic, or other aspects that could affect historic properties.

ARPA. The "Archaeological Resources Protection Act" of 1979 outlines archaeological permitting procedures. ARPA also protects cultural resources and outlines violations and fines.

Buildings and Structures. Architectural resources that are collapsed buildings at least 50 years old, or that have achieved significance within the past 50 years.

Consultation. The act of formally seeking advice or conferring with the Advisory Council and appropriate State Historic Preservation Officer, as described in 36 CFR 800.

Cultural Items. Any Native American human remains, funerary objects, sacred objects, and objects of cultural patrimony that can be reasonably associated with an Indian tribe, Native Hawaiian organization, or individual descendants of Native Americans, as defined by the Native American Graves Protection and Repatriation Act (NAGPRA) of 1990.

Cultural Resources. The physical remains, objects, historic records, and traditional lifeways that connect us to our nation’s past. See also “What are Cultural Resources?” (Overview-5).

See: *Archaeological Resource* *Museum Property* *Buildings and Structures*
Cultural Items *Historic Records* *Historic Landscape*
Historic Property *Sacred Site* *Rural Historic Landscape*
Traditional Cultural Property *Traditional/Religious Values*

Cultural Resource Overview. A comprehensive document prepared for a refuge that discusses, among other things, its prehistory and cultural history, the nature and extent of known cultural resources, previous research, management objectives, resource management conflicts or issues, and a general statement on how program objectives should be met and conflicts resolved.

Effect. An undertaking has an effect on a historic property when the undertaking may alter, directly or indirectly, characteristics of the property that may qualify the property for inclusion in the National Register.

Historic Landscape. A designed landscape that has significance as a work of art or in association with a designer, gardener, or landscape architect of note.

Historic Preservation. Includes identification, evaluation, documentation, excavation, curation, acquisition, protection, rehabilitation, restoration, stabilization, maintenance, and any combination of the foregoing activities.

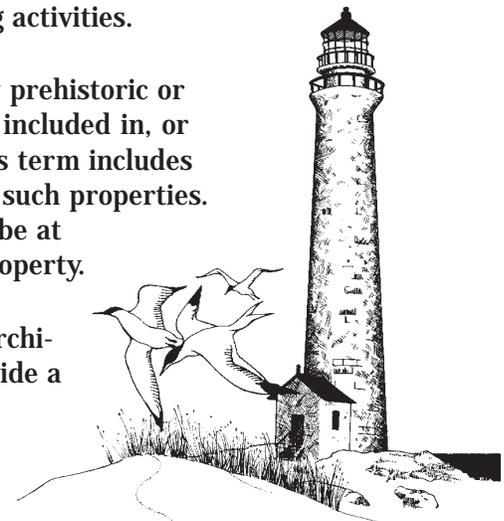
Historic Property. The term used to describe any prehistoric or historic district, site, building structure, or object included in, or eligible for inclusion in, the National Register. This term includes artifacts, records, and remains that are related to such properties. As a general guideline, a cultural resource should be at least 50 years old to be considered as a historic property.

Historic Records. Any historical, ethnographic, architectural documents, drawings, or images that provide a record of the past.

Identification Inventory or Field Survey. This involves background research and in-field inspection of the area of potential effects (APE) to seek and record historic properties.

Mitigate. Reducing harm to the informational value of historic properties.

Museum Property. A category of “personal property” that includes artifacts, objects, and materials that are preserved for their contributions to archaeological and historical research; cultural and ethnographic values; aesthetic and interpretive purposes; or, association with important historic events and people.



North Light, Thatcher Island NWR, MA



National Historic Landmark. A site, district, building, structure, or object, in public or private ownership, judged by the Secretary of the Interior to possess national significance in American history, archaeology, architecture, engineering, or culture according to criteria defined in 36 CFR 65.

National Register of Historic Places (NRHP). The Nation's master inventory of known historic properties administered by the National Park Service. Includes buildings, structures, sites, objects, and districts that possess historic, architectural, engineering, archaeological, or cultural significance at the national, state, and local levels.

National Register Criteria. The criteria established by the Secretary of the Interior for use in evaluating whether cultural resources qualify for listing in the National Register of Historic Places. These are defined by regulations 36 CFR Part 60.

National Register Eligible Property. A property that meets the National Register Criteria. For Section 106 purposes, an eligible property is treated as if it were already listed.

National Historic Preservation Act (NHPA) of 1966, as amended, outlines historic preservation responsibilities of federal agencies.

NAGPRA. Native American Graves Protection and Repatriation Act of 1991. Specifies actions to be taken by federal agencies with regard to Native American and Native Hawaiian human remains, funerary objects, objects of cultural patrimony, and sacred objects.

No effect. When no effect is determined, the agency finds that the undertaking will have no effect on historic properties and notifies the State Historic Preservation Officer (SHPO) and interested persons of the findings. Unless the SHPO objects within 15 days of receiving such notice, the agency official is not required to take any further steps in the Section 106 process.

Qualified professional. An individual who meets the applicable minimum professional qualifications standards described in the Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation to perform identification, evaluation, registration, and treatment of cultural resources; or (as defined by 43 CFR 7.8) for the excavation and removal of archaeological resources; or (36 CFR 79) for the curation of cultural resources.

RCRC. In some regions, cultural resources staff request that project planners provide a form with brief description of the proposed undertaking which enables staff to conduct cultural resource identification and evaluation within the area of potential effects. This form is called a Request for Cultural Resource Compliance (RCRC).

Rural Historic Landscape. A geographical area that historically has been used by people, or shaped or modified by human activity, occupancy, or intervention, and that possesses a significant concentration, linkage, or continuity of areas of land use, vegetation, buildings and structures, roads and waterways, and natural features.

Sacred Site. As defined by Executive Order 13007, a sacred site means any specific, discrete, narrowly delineated location on Federal land that is identified by an Indian tribe, or Indian individual determined to be an appropriately authoritative representative of an Indian religion, as sacred by virtue of its established religious significance to, or ceremonial use by, an Indian religion; provided that the tribe or appropriately authoritative representative of an Indian religion has informed the agency of the existence of such a site.

Section 106 of the National Historic Preservation Act. The Federal agency having direct or indirect jurisdiction over a proposed Federal or federally-assisted undertaking shall take into account the effect of the undertaking on any district, site, building, structure, or object that is included in or eligible for inclusion in the National Register. It is the responsibility of the agency to identify and evaluate effected historic properties, assess an undertaking's effect upon them, and afford the Council (Advisory Council for Historic Preservation) its comment opportunity.

36 CFR 800. The regulations that detail how to comply with Section 106 of NHPA.

Site. The location of a meaningful event, of a prehistoric or historic occupation or activity, or of a building or structure, whether standing, ruined, or vanished, where the location itself retains historic, cultural, or archaeological value regardless of the value of any existing structures or site components. Examples include concentrations or scatters of prehistoric cultural debris, battlefields, prehistoric or historic trails, historic farms, and homesteads.

Site Inventory Form and Narrative Report. The standard form and procedure approved by SHPO to document and report on a cultural resource survey and site.

State Historic Preservation Officer (SHPO). The SHPO administers the national historic preservation program at the state level and maintains file data on historic properties. The role of the SHPO during Section 106 review is to consult with and assist the agency when identifying historic properties, assessing effects upon them, and considering alternatives to avoid or reduce those effects. SHPOs are central to the national historic preservation program.

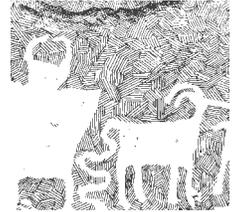
Traditional Cultural Properties. The term used to define a historic property whose eligibility for inclusion to the NRHP is derived from its significant role in the traditional but often continuing lifeways of a community.

Traditional/Religious Values. Places that possess values important to Native American tribal groups or other ethnic groups for traditional cultural or religious reasons. Traditional cultural values may not be necessarily associated with easily definable sites of objects such as is the case with sacred peaks or viewsheds.

Undertaking. Any project, activity, or program that can result in changes in the character or use of historic properties, if any such properties are located in the area of potential effect. The project, activity, or program must be under the direct or indirect jurisdiction of a federal agency or licensed or assisted by a federal agency. Undertakings include new and continuing projects, activities, or programs.

BUT WAIT, THERE'S MORE...

NAGPRA Q & A



What is NAGPRA?

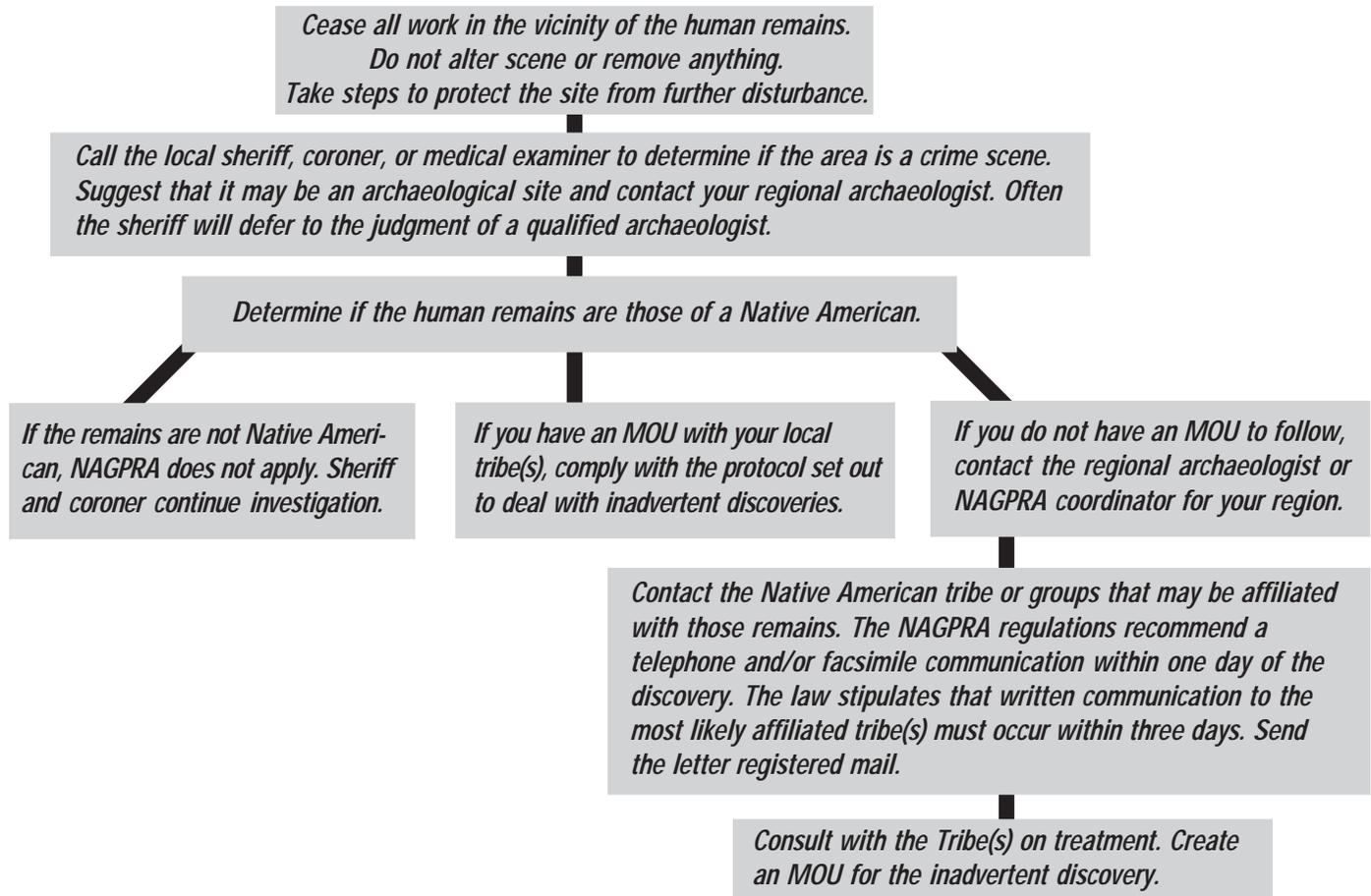
NAGPRA is the Native American Graves Protection and Repatriation Act of 1990. This law assigns ownership and control of Native American cultural items, human remains, and associated funerary objects to Native Americans, establishes a process for the treatment of such objects found on Federal land, and provides for their protection, inventory, and repatriation.

What should I do to comply with NAGPRA?

Talk with your Regional NAGPRA coordinator to find out the status of collections affiliated with, or stored at, your unit. Start consultations with Native American tribes and groups in your area to create an MOU establishing a NAGPRA protocol for your field unit.

Our Refuge maintenance crew just uncovered some human bones, what should we do?

Several steps should be taken immediately when a discovery is made on Service lands:



Our construction contractor for a Partners for Wildlife project just uncovered an Indian burial. What are we required to do?

The procedure on private land is different:

*Cease all work in the vicinity of the human remains.
Do not alter scene or remove anything.
Take steps to protect the site from further disturbance.*

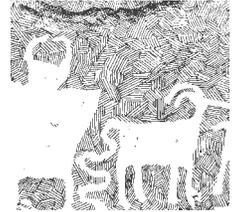
Call the local sheriff, coroner, or medical examiner to determine if the area is a crime scene.

Determine applicable state and local laws to follow. NAGPRA inadvertent discovery clause applies only on Tribal lands, lands within exterior boundaries of an Indian reservation, on Federal lands, or on lands over which the Federal Government has sufficient control to apply NAGPRA.

Contact your regional archaeologist to determine treatment of inadvertently discovered archaeological sites.

BUT WAIT, THERE'S MORE...

ARPA Q & A



The Archaeological Resources Protection Act of 1979 (ARPA)

The Archaeological Resources Protection Act of 1979 (ARPA) was passed to protect a valuable limited resource, information about our shared past. Broadly speaking there are two aspects in the application of ARPA. The first is the lawful excavation and study of archaeological sites. The second is the illegal excavation or removal of an archaeological resource. The former stipulates requirements for issuance of a permit for an archaeological survey and/or excavation on federal or tribal lands. This ensures that data from archaeological resources is carefully collected and appropriately disseminated. The latter stipulates the procedures and penalties when an archaeological site has been disturbed. This provides disincentive for the destruction of data that might otherwise be lawfully collected.

Understanding the Terms

What is an "Archaeological Resource?"

As defined in the ARPA statute, an archaeological resource is **“. . . any material remains of past human life or activities which are of archaeological interest . . . at least 100 years of age”** (16 USC 470bb(1)).

Okay, so what makes something "of archaeological interest?"

The term 'of archaeological interest' means **"capable of providing scientific or humanistic understandings of past human behavior, cultural adaptation, and related topics through the application of scientific or scholarly techniques such as controlled observation, contextual measurement, controlled collection, analysis, interpretation and explanation"** (36 CFR 296.3(a)(1) or 43 CFR 7.3(a)(1)).

Uh, . . . alright, that's clear, but what's meant by "material remains?"

'Material remains' means **"physical evidence of human habitation, occupation, use, or activity, including the site, location or context in which such evidence is found"** (36 CFR 296.3(a)(2) or 43 CFR 7.3(a)(2)).

Could you provide some examples of material remains?

Certainly! Surface or subsurface structures, shelters, facilities, or features, such as; bedrock mortars, cairns, earthworks, fortifications, graves, kilns, middens, borrow pits, or canals; surface or subsurface artifact concentrations or scatters; whole or fragmentary tools, implements, containers, weapons and weapon projectiles, clothing, and ornaments, such as pottery, bone, stone, feathers, basketry, or bottles; byproducts, waste products, or debris resulting from manufacture or use of human-made or natural materials; rock carvings, rock paintings, intaglios, and other works of artistic or symbolic representation; all portions of shipwrecks, including but not limited to: armaments, apparel, tackle, cargo (36 CFR 296.3(a)(i)-(x) or 43 CFR 7.3(a)(3)(i)-(x)).

Permitting

When is an ARPA permit required?

Any time an archaeological survey or excavation is undertaken on Federal or Tribal lands by a qualified individual who is not working for the federal agency or tribe.

Who is considered a qualified individual?

One who meets the Secretary of the Interior Standards. Generally, ARPA permits are issued to an archaeologist or historian with an advanced degree in anthropology or history.

What does the ARPA permit stipulate?

The ARPA permit will state WHO is authorized, to do WHAT action (survey/excavate/collect), and WHERE specifically using Township, Range and Section or other recognized land divisions. Importantly, the ARPA permit stipulates where and how any materials collected will be stored. It also specifies how the data generated by the permitted activity will be disseminated.

Who issues the ARPA permit?

The Regional Director has that authority, which is commonly delegated to the Regional Archaeologist/Regional Historic Preservation Officer.

Archaeological Resource Damage

What acts are prohibited under ARPA?

“No person may excavate, remove, damage, or otherwise alter or deface or attempt to excavate, remove, damage, or otherwise alter or deface any archaeological resource located on public lands or Indian lands unless such activity is pursuant to ... [an ARPA] permit ... (16 USC 470ee(a))”.

We have found an archaeological site on our Refuge/Hatchery that has been looted. What should we do?

Contact your Law Enforcement Officer (LEO) and your RHPO. Treat the site as a crime scene, try not to disturb anything, keep others away, and take some preliminary notes and photographs. The LEO will have training on the criminal aspects of ARPA. Each region will have one or more archaeologist trained to do a “Damage Assessment.”

What is a “Damage Assessment?”

This is a proscribed procedure to calculate the “commercial” or “archaeological value” of the lost archaeological resources which will be used when the case is brought to trial. The Damage Assessment will also provide an estimate of the cost for restoration and repair of the archaeological resource.



What is “commercial value?”

“... the commercial value of any archaeological resource involved in a violation ... shall be its fair market value. Where the violation has resulted in damage to the archeological resource, the fair market value should be determined using the condition of the archaeological resource prior to the violation, to the extent that its prior condition can be ascertained” (36 CFR Part 296.14(b) or 43 CFR 7.14(b)).

What is “archaeological value?”

“... the archaeological value of any resource involved in a violation ... shall be the value of the information associated with the archaeological resource. This value shall be appraised in terms of the costs of the retrieval of the scientific information which would have been obtainable prior to the violation. These costs may include, but need not be limited to, the cost of preparing a research design, conducting field work, carrying out laboratory analysis, and preparing reports as would be necessary to realize the information potential” (36 CFR Part 296.14(a) or 43 CFR 7.14(a)).

What is the “cost of restoration and repair?”

“... the cost of restoration and repair of archaeological resources damaged as a result of a violation ... shall be the sum of the costs already incurred for emergency restoration or repair work, plus those costs projected to be necessary to complete restoration and repair, which may include, but need not be limited to the costs of the following: (1) Reconstruction of the archaeological resource; (2) Stabilization of the archaeological resource; (3) Ground contour reconstruction and surface stabilization; (4) Research necessary to carry out reconstruction or stabilization; (5) Physical barriers or other protective devices, necessitated by the disturbance of the archaeological resource, to protect it from further disturbance; (6) Examination and analysis of the archaeological resource including recording remaining archaeological information, where necessitated by disturbance, in order to salvage remaining values which cannot be otherwise conserved; (7) Reinterment of human remains in accordance with religious custom and State, local, or tribal law, where appropriate, as determined by the Federal land manager; (8) Preparation of reports related to any of the above activities “(36 CFR Part 96.14(c)(1)-(8) OR 43 CFR 7.14(c)(1)-(8)).

I've been collecting arrowheads from the refuge for years. Is this wrong?

Where are you located and what did you say your name was?

These posters were developed by Region 1 cultural resources staff as part of an interagency ARPA investigation. See Bibliography-51 for more details.

The Value of Archaeology

To Native American Cultural Identity...

The Native Americans, archaeological sites and artifacts are essential elements of historical and group identity. And as the diversity increasingly built on "melting pot" effect by past centuries provides countless and evidence for many people, the archaeological sites provide the true identity with a shared link in their experience and culture.



To Our Nation's Heritage...

Former Director of the U.S. Fish and Wildlife Service once said, "What a country! Some people think it's only a country to be proud of." The archaeological sites, artifacts and evidence are the true heritage of our nation and the true legacy that Americans people have found to give us in their generation.



To Scientific Knowledge...

Archaeological sites are irreplaceable resources. The archaeological and historical sites help the state archaeological study to provide the public with the past. When sites are disturbed, their archaeological resources are lost forever.



With the Archaeological Resources Protection Act...

With the Archaeological Resources Protection Act, it is a primary role to protect resources, but it is also a primary role to protect the public from the loss of these resources.



The history of humankind is written in stone. And bone, and seeds, and soil...

ARPA:

Protecting Our Heritage

The Archaeological Resources Protection Act of 1979, as amended:
This Act protects materials of archaeological interest that are greater than 50 years old on public and Indian lands from unauthorized removal or destruction. Individuals who destroy, deface, or remove archaeological resources from federal lands are subject to severe penalties and fines under the Act's provisions.

Individuals can be charged for an ARPA violation if it is determined that:

- they did knowingly disturb, remove, damage, alter, or deface an archaeological resource, or attempted to do so;
- the resource was located on public or Indian lands, or obtained legally and transported across state lines;
- they acted without a permit; and
- the archaeological value or monetary value (not cost of excavation and repair) was over \$500 for a single, but not \$500 for a professional.

Other Federal Laws Protecting Cultural Resources:

- 1961 Antiquities Act
- 1925 Historic Sites Act
- 1960 National Historic Preservation Act, as amended
- 1960 National Environmental Policy Act
- 1974 Archaeological and Historic Preservation Act
- 1978 American Indian Religious Freedom Act
- 1980 Native American Graves Protection and Repatriation Act

Most states also have laws that protect cultural resources.



The Cost of Looting

To the Public...



Destruction of sacred sites.



Loss of irreplaceable archaeological data.



Even more paper dollars to assess and repair the damage.

To the Looters...



Forfeiture of property.



Loss of freedom and safety.

Everyone pays, everyone loses....

Timeline for Justice

An Archaeological Looting Investigation

- December 2001:**
 - A report at South Valley National Park reports the discovery of several large holes in their walls that have been looted.
- January to September 2002:**
 - A task force has been established by several federal agencies to investigate what appears to be massive archaeological looting operations.
 - Search warrants are executed and thousands of artifacts are recovered that had been taken from looting related holes.
 - Evidence is documented and repair damage to archaeological sites due to looting is initiated throughout 2002.
- December 2002:**
 - Defendants indicted on federal felony charges including violating the Archaeological Resources Protection Act (ARPA) and conspiracy.
- December 2003:**
 - Numerous reports have alleged being the operations. They have been arrested, others are still being investigated.

Scope of the Investigation

- Thousands of artifacts were immediately recovered from several sites.
- Over 1000 staff hours have been expended in the investigation. This investigation includes archaeological reports, reports and other legal documents that have been filed in the U.S. District Court in Denver.
- Damage to federal land resources due to looting and transportation over BLM, etc.






BUT WAIT, THERE'S MORE...

CASE STUDY: RECORDING HISTORIC PROPERTIES TO HABS STANDARDS - CAMP TULELAKE "C" CAMP



What is HABS and Why Do it?

Congressionally authorized by the Historic Sites, Buildings, and Antiquities Act of 1935, the Historic American Building Survey (HABS) provides a set of guidelines for recording historic structures through measured drawings, written histories, and large format photographs. While it is an excellent research tool for documenting, understanding, and appreciating the standing structures on Service lands, the HABS standards are generally called for as "Mitigation for Adverse Effects." An Adverse Effect to a historic property includes destruction, alterations, removal, change in setting, introduction of new elements, neglect, transfer, lease, or sale out of federal ownership (CFR 800.5).

HABS standards ensure consistency in the recording process, which culminates in a final report submitted to the State Historic Preservation Office, National Park Service, and Library of Congress as a permanent record of the Nation's architectural history. Other types of mitigation procedures include public outreach, interpretation, and maintenance of a historic property in lieu of the property accepting the adverse effect.

Camp Tulelake CCC Camp was determined eligible to the National Register of Historic Places in 1986. But due to the poor condition of the buildings and the danger to public safety, the property is scheduled for demolition. This action is an Adverse Effect and steps were taken to mitigate the effects to reach a No Adverse Effect outcome. Consultation with the State Historic Preservation Office and interested public led to a Memorandum of Agreement that determined the stipulations required to mitigate the action. The three primary buildings were recorded to Historic American Building Survey (HABS) standards in 1997-1998.

Significance:

- ◆ During its nine-year history, the Civilian Conservation Corps (CCC) built more than 4000 camps. The simple utilitarian buildings of Camp Tulelake, arranged in a standard plan, embody distinct design characteristics representative of CCC camps throughout the country. As one of only a handful of CCC camps still in existence, this resource retains special significance transcending the condition of the buildings.
- ◆ Camp Tulelake is directly linked with the Depression and World War II. The enrollees' efforts in the development and maintenance of the Tulelake NWR and



Barracks, Camp Tulelake, Tule Lake NWR, CA

their reclamation accomplishments in the Klamath Basin are lasting reminders of the work and conservation ethics espoused by the CCC.

- ♦ The camp is also significant as the location of confinement for Japanese- American citizens and, later, German prisoners of war during World War II.

History:

Tule Lake National Wildlife Refuge was established on October 4, 1928. Just five years later, in 1933, President Franklin D. Roosevelt responded to the national crisis caused by the Depression and established the CCC:

"hereinafter called the Corps, for the purpose of providing employment, as well as vocational training, for youthful citizens of the United States, who are unemployed and in need of employment. . . through the performance of useful public work in connection with the conservation and development of the natural resources of the United States, its Territories, and insular possessions. . ."

Construction of Camp Tulelake began in June 1935. The first contingent of enrollees arrived four months later, and the camp operated until the summer of 1942. After the U.S. entered World War II, many CCC camps were converted to military camps. In 1943, the U.S. Army appropriated Camp Tulelake for use as an internment camp for Japanese-American citizens, to be replaced the following year by as many as 800 German World War II prisoners. In 1946, the camp was returned to the Fish and Wildlife Service.

Camp Tulelake consisted of twenty-three major buildings and assorted auxiliary structures grouped within a rectangular plan. Administrative offices, living quarters, mess hall, and hospital were arranged around a large courtyard with a flag pole at its center and intersected by rock-lined walkways. A service area included six large buildings, several small machine and equipment storage sheds, a gas pump and oil house, and grease and wash racks.

Modifications to the camp were completed by the Army to house the prisoners, including, construction of a barracks building and latrine, fencing the prisoner area, installing exterior lighting, building four guard towers, installing five searchlights and installing some 60 fire extinguishers.

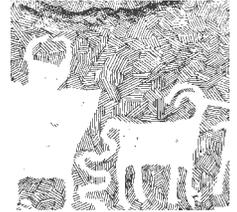
After the War Department returned custody of the camp to the refuge in 1946, the buildings were used for storage, temporary housing, skin drying, and a paint shop. The Region 1 sign shop was located in the camp until 1975. The Mess Hall was modified for housing refuge staff until the 1960s when new residences were built adjacent to the refuge office. After 1975 the camp received limited use.

Resources

For more information about HABS, go to <http://www.cr.nps.gov/habshaer/habs/>

BUT WAIT, THERE'S MORE...

MUSEUM PROPERTY Q & A



What is museum property?

Service policy states that museum property is ***“an assemblage of museum objects collected according to some rational scheme and maintained so they can be preserved, studied, or interpreted for the public benefit.”*** Museum objects include prehistoric and historic objects, artifacts, works of art, historical and scientific documents, botanical and zoological specimens, and paleontological materials that are part of museum collections. Service offices may be responsible for managing museum property even though they do not have a museum or special exhibits. Units should acquire and manage museum property in a manner consistent with the Service’s mission, unit management objectives, and Federal requirements.

Museum property associated with cultural resources usually include archaeological collections, historic objects and documents, art, and ethnographic objects. Excavated archaeological and historical collections are categories of museum property that must be curated according to the standards covered in 36 CFR 79. There are also special requirements found in 43 CFR 10 for identifying and repatriating Native American human remains and some cultural items that may be part of a Service museum property collection.

All museum property is accountable personal property, and is inventoried and accounted for annually by project leaders. Each region prepares an annual report about its museum property for the Washington Office and the Department of the Interior. Policy and standards for managing museum property collections are found in the Service Manual, 126 FW 1-3, “Museum Services.”

Questions on managing museum property collections should be directed to your Regional Archaeologist or Museum Property Coordinator.

What are the characteristics of museum property?

In the broadest sense, museum property usually meets at least one of the following characteristics:

1. Generated by research;
2. Tends to appreciate in value;
3. Is an antique, or an original or limited edition piece of art;
4. Is associated with a significant event, resource, or eminent figure associated with the Service’s history;
5. Was commissioned by the Service;
6. Is old (usually a minimum of 50 years old);
7. Is rare or one of a kind.
8. Has long term educational or interpretive value.

Conversely, museum property does not include “Federal Records,” exhibit cases, exhibit lighting, expendable interpretive materials, books, commercially mass-produced posters, and other objects generated for short-term use. Service offices prepare “Scope of Collection” statements to guide them in what to preserve as museum property.

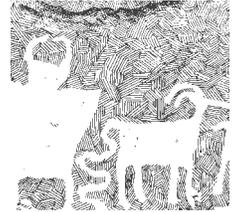


D.C. Booth National Fish Hatchery, SD

Notes

BUT WAIT, THERE'S MORE...

REQUESTING ASSISTANCE WITH NHPA COMPLIANCE



Contact Your Regional Historic Preservation Officer

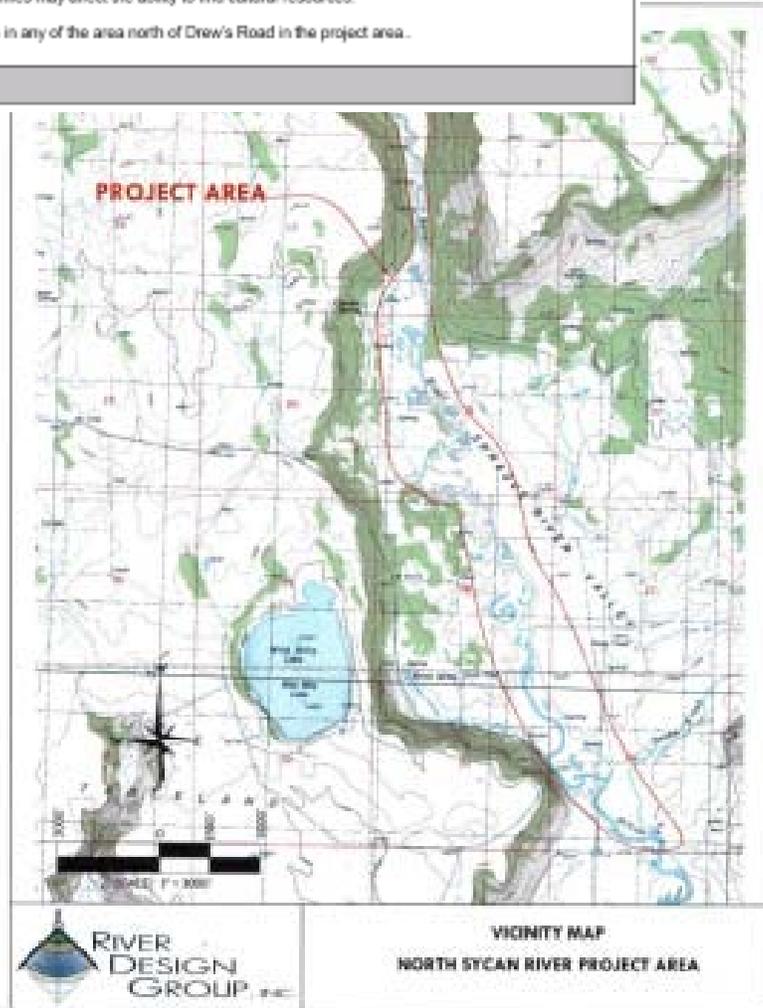
Each Region's cultural resources staff handles their compliance workload differently, so it's important to find out what information yours need to have in order to make a compliance determination. The Request for Cultural Resource Compliance (RCRC) form on the following pages was developed by Region 1 cultural resources staff and is provided only as an example of the type of information that may be requested.

REQUEST FOR CULTURAL RESOURCE COMPLIANCE U.S. Fish and Wildlife Service, Region 1

Project Name:	Sycan Channel Restoration				Program: (Partners, Refuge, JTRP, BSECCP, etc.)	Hatfield Restoration Funds Private Stewardship Grant
State: (CA, ID, IL, IN, IA, OR, WA)	OR	EcoRegion: (CBL, PBL, E, SCE)	KCE		FWS Unit: Org Code:	11451
Project Location:	County	Township	Range	Section	FWS Contact: Name, Tele, Address	Faye Weekley USFWS-ERO 6610 Washburn Way Klamath Falls, OR 97603 541-885-8481
	Klamath	36S	R12E	8,9,16, 21, 26, 27, 28,33,34		
USGS Quad:	Spodue Mountain, Beatty 7.5 minute quads				Date of Request:	June 20, 2004
Total project acres/linear ftm:	1,862 acres 8 miles or 42,240 feet	APE Acres / linear ftm (if different)			Proposed Project Start Date:	Summer 2005
MAPS Attached		Check below				
Copy of portion of USGS Quad with project area marked clearly (required)	X	X	Project (sketch) map showing Area of Potential Effect with locations of specific ground altering activities (required)			
Photocopy of aerial photo showing location (if available)	X		Any other project plans, photographs, or drawings that may help CRT in making determination (if available)			
Directions to Project: (if not obvious)	From Beatty, OR, go north on Godowa Springs Road 2 miles to Drews road. Turn left and go 1/2 mile to Oregon Pines road. Turn right. The project begins on the Sycan River north of the road and goes 7 river miles up to the rocky canyon.					
Description of Undertaking:	<p>Describe proposed project and means to facilitate (e.g., provide funds to revegetate 1 mile of riparian habitat, restore 250 acres of seasonal wetlands, and construct a 5-acre permanent pond). How is the project designed (e.g., install 2 miles of fence and create approximately 25' of 3' high check dam)?</p> <p>Reconstruct a bankfull E stream type at the historical floodplain elevation. Use historical channel patterns to design dimensions and planform geometry. Reactivate the historical segments, or modify or shape the existing channel and increase channel sinuosity. The channel will be single threaded, with a low width/depth ratio. A sufficient floodplain will be constructed in the higher reaches of the project area so that all flows are not confined to the channel. Bio-engineered bank stabilization structures will be constructed with native materials.</p> <p>Restore wetlands between areas of perennial spring-flow and the Sycan River using existing features: sloughs, swales, deep oxbows, springs and uneven topography which characterize the acreage west of the Sycan River. Construction of finger bars and the narrowing of the existing over-widened channels provides valuable off-stream wetland habitat. Provide cobble patches for grade control and in-stream structures to enhance aquatic habitat.</p> <p>Re-establish aspen groves and other species for shade, nesting and roosting habitat for neo-tropical migrants. Willows are already established in some of the oxbow, old channel areas.</p>					
Area of Potential	Describe where disturbance of the ground will occur. What are the dimensions of the area to be disturbed? How deep will you excavate? How far apart are fenceposts? What method are you using to plant vegetation? Where will fill be obtained? Where will					

Effects (APE):	<p>soil be dumped? What tools or equipment will be used? Are you replacing or repairing a structure? Will you be moving dirt in a relatively undisturbed area? Will the project reach below or beyond the limits of prior land disturbance? Differentiate between areas slated for earth movement vs. areas to be inundated only. Is the area to be inundated different from the area inundated today, in the recent past, or under natural conditions? Provide acres and/or linear ft/m for all elements of the project.</p> <p>Disturbance of the ground will occur in, around and off the current channel. The area of disturbance will include the channel and floodplain within the historic water levels. Excavation will occur within the historic channel dimensions, maximum 4 feet deep and 10-15 feet wide. Vegetation will be planted by hand and with a mechanical planter attached to an excavator. Fill will be obtained from uplands on site. Soil will be dumped in the current channel to create shallow wetlands (after the water has been diverted to the new channel). The project will not reach beyond the former land disturbance. The area along the channel will be the only areas that dirt will be moved, whereas the floodplain will again receive overbank flow in spring flood events and the floodplain will again be saturated.</p> <p>Miles of river that will potentially have reaches with some new channel development = 8 Acres of floodplain that will be impacted by restored water table = 1,852</p>
Environmental and Cultural Setting:	<p>Briefly describe the environmental setting of the APE. A) What was the natural habitat prior to modifications, reclamation, agriculture, settlement? B) What is land-use history? When was it first settled, modified? How deep has it been cultivated, grazed, etc.? C) What is land use and habitat today? What natural agents (e.g., sedimentation, vegetation, inundation) or cultural agents (e.g., cultivation) might affect the ability to discover cultural resources? D) Do you (or does anybody else) know of cultural resources in or near the project area?</p> <p>A. The floodplain historically was a wet spring fed and saturated meadow system with a water table that sat 3 feet below the surface over a hardpan clay layer.</p> <p>B. Grazing and haying was common when the floodplain became drier mid summer by Native Americans and European settlers in the later 1800's and early 1900's. Although it is unlikely that plowing was extensive, seeding of alfalfa, clover and other crops has changed the vegetation composition in the floodplain, as well as the irrigation regime. In many areas along the river, the extent of grazing and livestock numbers has had an impact on the topsoil. Compaction by cattle and erosion on the streambanks from flood events on overgrazed areas may effect the ability to locate cultural resources. Additionally, a headcut has moved up the river from the confluence and accelerated the lateral erosion process, avulsions, and the over-steepened gradient, over-widened stream width and stream incision to 4 feet below the former stream bottom.</p> <p>C) Land use today varies within the reaches of the 8 miles of river. The top 5 miles of river has been excluded from grazing since 2002. The lower 3 miles has been intensively grazed and has considerable entrenchment and active erosion. Major lateral erosion along the banks of the lower 3 miles may affect the ability to find cultural resources.</p> <p>D) I am not aware of cultural resources in any of the area north of Drew's Road in the project area.</p>

Project location, information about activities, and details about land use history are very important indicators that cultural resources staff can use to determine the potential effects proposed projects could have on cultural resources that might be present.



REQUEST FOR CULTURAL RESOURCE COMPLIANCE

U.S. Fish and Wildlife Service, Region 1

Project Name:					FWS Program: (ES, Refuges, Fisheries, Fire...)		
State: CA, ID, HI, NV, OR, WA		EcoRegion: CBE, IPE, KCE, NCE			Funding Program: (Partners, Refuges, TEA-21, HCP, NAWCA...)		
Project Location:	County	Township	Range	Section	FWS Unit: Org Code:		
USGS Quad:					Date of Request:	Proposed Project Start Date:	
Total project acres/ linear ft/m:		APE Acres / linear ft/m (if different)					
Have you consulted with Tribe(s)?		Have you consulted with other interested parties?		Is there another federal agency involved with this project?		No	If yes, provide name:
Yes	No	Yes	No			Yes	
MAPS Attached		Check below		If yes, which agency is taking lead for Section 106 compliance?		FWS	
Copy of portion of USGS Quad with project area marked clearly (required)				Project (sketch) map showing Area of Potential Effect with locations of specific ground altering activities (required)			
Photocopy of aerial photo showing location (if available)				Any other project plans, photographs, or drawings that may help CRT in making determination (if available)			
Directions to Project: <small>(if not obvious)</small>							
Description of Undertaking:		Describe proposed project and means to facilitate (e.g., provide funds to revegetate 1 mile of riparian habitat, restore 250 acres of seasonal wetlands, and construct a 5-acre permanent pond). How is the project designed (e.g., install 2 miles of fence and create approximately 25' of 3' high check dam)?					

*Return Form and maps to: USFWS Region 1 Cultural Resources Team, 20555 SW Gerda Lane, Sherwood, OR 97140
Questions: 503-625-4377 or fax 503-625-4887*

Area of Potential Effects (APE):	<p>Describe where disturbance of the ground will occur. What are the dimensions of the area to be disturbed? How deep will you excavate? How far apart are fenceposts? What method are you using to plant vegetation? Where will fill be obtained? Where will soil be dumped? What tools or equipment will be used? Are you replacing or repairing a structure? Will you be moving dirt in a relatively undisturbed area? Will the project reach below or beyond the limits of prior land disturbance? Differentiate between areas slated for earth movement vs. areas to be inundated only. Is the area to be inundated different from the area inundated today, in the recent past, or under natural conditions? Provide acres and/or linear ft/m for all elements of the project.</p>
Environmental and Cultural Setting:	<p>Briefly describe the environmental setting of the APE. A) What was the natural habitat prior to modifications, reclamation, agriculture, settlement? B) What is land-use history? When was it first settled, modified? How deep has it been cultivated, grazed, etc.? C) What is land use and habitat today? What natural agents (e.g., sedimentation, vegetation, inundation) or cultural agents (e.g., cultivation) might affect the ability to discover cultural resources? D) Do you (or does anybody else) know of cultural resources in or near the project area?</p>
<p>Please return this RCRC and map showing APE digitally, if possible, to virginia_parks@fws.gov. Questions, call 503-625-4377</p>	

*Return Form and maps to: USFWS Region 1 Cultural Resources Team, 20555 SW Gerda Lane, Sherwood, OR 97140
 Questions: 503-625-4377 or fax 503-625-4887*

BUT WAIT, THERE'S MORE...

CASE STUDY: USING CULTURAL RESOURCES FOR EDUCATION AND INTERPRETATION



OUT About

The Pacific Region Outreach Newsletter

Volume 9, Number 1 Winter 2003



CELEBRATING A CENTURY OF CONSERVATION

Theme: Centennial

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Upcoming Themes:
Spring — Building Good Customer Service
Summer — Refuge Support Groups
Fall — Environmental Education
Winter — Endangered Species



U.S. Fish & Wildlife Service

Profile of a Refuge Hero

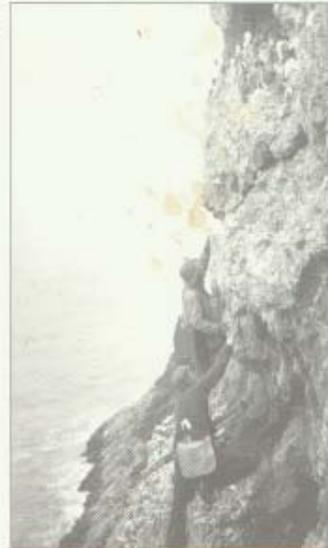
William Finley's outreach produced first refuges in the west

By Susan Saul

William L. Finley, pioneer wildlife photographer and documentary film maker, also was a master of outreach. When he saw wildlife populations or habitat under siege, he used his photographs, articles he authored for the popular magazines of his day, and illustrated wildlife lectures to get the attention of the American public and President Theodore Roosevelt.

Three Arch Rocks, supporting the largest bird colonies on the Oregon coast, also provided Finley with his greatest wildlife photography adventure. Accessing the wind and wave-battered islands by a 14-foot rowing dory, Finley and his partner, Herman Bohlman, lugged heavy cameras and glass plates up the sheer face in 1903 to photograph seabirds.

Finley used the photographs to convince the Oregon legislature to end the sport of shooting seabirds, which he witnessed at Three Arch Rocks. According to Finley's written



Finley's seabird photos helped to establish Three Arch Rocks NWR.

See PROFILE... Page 16

The Power of Place and the Past

Use the Centennial to nurture connections to refuges

By Virginia Parks

When biological aide J.A. Allen reported on the progress of his crew's forays into the back country of a northern Nevada refuge to manage rodents and catalog wildlife, he wrote in an August 1936 narrative:

"When we first started work in this country, the boys in the crew didn't welcome these climbs from the road to the location of the work, and stated their objections in no uncertain terms. This attitude has, of late, undergone a decided change, and they now make these climbs in a quiet and orderly manner, accompanied with a decided air of expectancy, for they have become acquainted with the wildlife

to be found in these out of the way places, and their aversion to the effort involved in being able to contact this wildlife in its own environment has given way to an intense desire to get back to the job each morning..."

The boys to whom Allen refers were enrollees in the Civilian Conservation Corps (CCC) stationed on Sheldon NWR. Their legacy includes many of the buildings, water control structures, and roads that still serve as the refuge infrastructure. Most of the boys were

See POWER OF PLACE ... Page 6

The Centennial of the Refuge System in 2003 provided a great opportunity to link people to the past. Talk to your RHPO about how to utilize the cultural heritage and resources at your station to mark community milestones. By doing so, you can provide a richer, more meaningful experience for visitors.

OUTREACH ACCOMPLISHMENTS

Meet Marguerite Hills

Refuge program specialist for visitor services programs

By Marguerite Hills



Some of you may recognize my name from my many years in Region 1 as a refuge biologist at Ridgefield and Sacramento and refuge manager at Hopper Mountain. I have just completed a five-year sojourn as

assistant refuge manager at Cypress Creek NWR and I'm very pleased to be back in the Pacific Region.

I'm very enthused to have joined your Visitor Services and Communications Division team as the refuge program specialist for visitor service programs.

As long as I can remember I have been fascinated with wildlife. Early on my seasonal jobs were at Iroquois, Kenai, Salton Sea, and Stillwater, and I've become increasingly more committed to working for a system of lands where wildlife comes first.

I believe very strongly that connecting people with wild things and wild places is our future. I want to provide support and resources to the field, assisting managers and others on all aspects of the "Big Six" recreational activities.

In times of tight budgets and increasing demands on refuge staff, motivated and effective friends groups can be crucial to achieve our goals and establish excellent public use programs. I will do everything I can to help refuges start, nurture, and work with friends groups and other partner organizations. With our Centennial anniversary just around the corner, we have an excellent chance to celebrate our successes and create meaningful education programs, enjoyable recreation, more volunteerism, and greater understanding and support for national wildlife refuges.

I look forward to helping you develop your visitor services programs. Please feel free to contact me at 503/872-2739. 

Othello Sandhill Crane Festival

When: March 21-23
Where: Othello, WA
Contact:
Chamber of Commerce
509/488-2802 Ext. 100

John Scharff Migratory Bird Festival

When: April 4-6
Where: Burns, OR
Contact:
Harney County
Chamber of Commerce
541/573-2636
www.harneycounty.com

Godwit Days

When: April 18-20
Where: Arcata, CA
Contact: City of Arcata
800/908-WING

Grays Harbor Shorebird Festival

When: April 25-27
Where: Hoquiam, WA
Contact:
Sheila McCartan
360/753-9467

Kern Valley Bioregions Festival

When: April 25-27
Where: Weldon, CA
Contact: 760/378-3044
www.valleywild.org

Power of Place...

Continued from Page 1 

from the Southeast, and the landscape of northern Nevada must have seemed akin to the surface of the moon. Through their refuge experience, however, they developed a sense of place and an appreciation for the wildlife and habitat that remained with them for the rest of their lives.

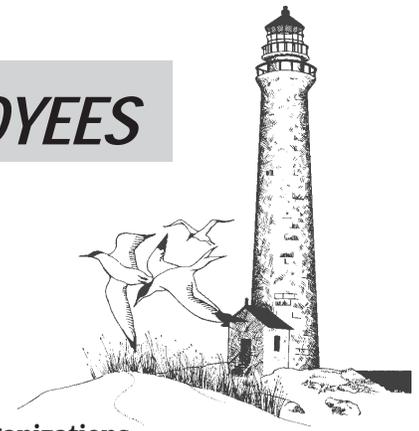
There are many others for whom a place, and the past, are interconnected with landscapes now managed as refuges. There's the Chinook man, for example, whose family lived on Long Island at the beginning of the twentieth century before it became a unit of Willapa NWR. Or the veteran who was stationed on Midway Atoll during the historic Battle of Midway in June 1942. There are the Yakama families who return each year, as their ancestors before them, to traditional camas harvesting grounds on Conboy Lake NWR. There are the old timers who come visiting at the farmhouse which

now houses the Region 1 Cultural Resources Team on Tualatin River NWR, reminiscing about the days when the land was their family's onion farm. Then, of course, there's the child who spent some of his youth at Last Chance Ranch on Sheldon NWR where his father was the first refuge employee. His name was Lynn Greenwalt, and he went on to become director of the U.S. Fish and Wildlife Service.

The approaching Centennial offers an opportunity to look back and celebrate the connections to the land which are deeply rooted in the past. The Refuge System's greatest gift is linking people with the nation's rich natural and cultural heritage. As J.A. Allen's crew demonstrated back in 1936, it is a gift that gives back tenfold. 

Virginia Parks is an archeologist on the region's cultural resources team.

RESOURCES FOR EMPLOYEES



Selected Training Opportunities

Numerous opportunities, sponsored both by federal agencies and private organizations, provide specialized training in various aspects of cultural resource management. Project leaders, project planners, and other Service employees will find the trainings listed below beneficial.

Federal Training Programs

(Updated 9/04)

National Conservation Training Center - U.S. Fish and Wildlife Service

<https://otis.fws.gov>

♦WLD2117 - Cultural Resources Overview: This course provides a basic overview of cultural resources management. The course covers important cultural resource issues including the basic principles, regulations, laws and policies affecting cultural resources. The course will examine the necessary steps for assuring compliance with historic preservation laws prior to initiating a project.

♦Cultural resources staff in your region may also provide on-site or regionwide training on an as-requested basis. Contact them directly to find out more.

National Park Service

Heritage Preservation Services

<http://www2.cr.nps.gov/>

Training Links

<http://www.cr.nps.gov/training.htm>

- ♦GPS Field Schools
- ♦Historic Preservation Internship Training
- ♦Museum Management Training
- ♦Training and Education Database
- ♦Technical Preservation Services for Historic Buildings
- ♦and numerous distance learning programs including: caring for historic buildings; preventing moisture damage; learning to “read” an historic building.

Southeast Archeological Center

<http://www.cr.nps.gov/seac/training.htm>

Offers a number of training programs and seminars on historic preservation issues each year. These include courses on the Archaeological Resources Protection Act and Public Interpretation of Archaeological Sites and Materials (2035 E Paul Dirac Drive, Box 7, Johnston Building, Room 120, Tallahassee, FL 32310, 850-580-3011, fax 850-580-2884).

The NPS' National Center for Preservation Technology and Training

<http://www.ncptt.nps.gov/>

Compiles a listing of short and long term historic preservation training opportunities that can be accessed through its web site. Many are offered by other institutions. The NCPTT also manages an annual grants program to help support training initiatives offered by Federal agencies, States, Tribes and non-profit organizations (645 College Avenue, Natchitoches, LA 71457, 318-356-7444, fax 318-356-9119).

The Advisory Council on Historic Preservation

<http://www.achp.gov>

Provides training on historic preservation issues involving compliance with the National Historic Preservation Act of 1966, as amended. The Council's rapidly growing education program instructs Federal, State, local, and tribal officials, contractors and applicants for Federal assistance in the requirements of Federal preservation law and Section 106 review.

Courses include:

- ♦Section 106 Training: Introduction to Federal Projects and Historic Preservation Law
- ♦Advanced Seminar on Preparing Agreement Documents Under Section 106 of the National Historic Preservation Act

National Archives and Records Administration

http://www.archives.gov/records_management/training/training.html

Offers training on various records management functions. NARA establishes procedures for managing U.S. Government records and assists Federal agencies in documenting their activities, administering records management programs, scheduling records, and retiring noncurrent records to Federal records centers.

- ♦Records Management for Managers
- ♦Federal Records Management
- ♦Creating and Maintaining Adequate and Proper Documentation

Non-Profits, Universities, and For-Profit Training Programs

Many academic institutions offer introductory and advanced classes on various historic preservation disciplines. Colleges that offer degree programs in cultural resource areas will often allow individuals to take a class without enrollment in a degree program. A list of academic institutions with degree programs can be found in the ***Directory of Cultural Resource Education Programs at Colleges, Universities, Craft and Trade Schools in the United States***, developed as a joint project of the National Park Service and the National Council for Preservation Education (For sale by the U.S. G.P.O., Supt. of Docs., (1994) DOCS I29.126:C89 U.S. Documents Collection PCL Stacks 4HDOCS I29.126:C89 Public Affairs Library - U.S. Documents).

University of Nevada, Reno Division of Continuing Education

<http://www.dce.unr.edu/hrm/>

- ♦Assessing the Archaeological Significance of Historical Sites - provides an introduction to the evaluation of the archaeological record of historical sites for National Register eligibility.
- ♦Introduction to Federal Projects and Historic Preservation Law



♦NAGPRA's Evolving Legacy - designed to help those affected by the law to comply with its ongoing obligations in a timely and meaningful manner.

National Preservation Institute

<http://www.npi.org>

- ♦Accessibility and Historic Integrity - looks at effective ways to preserve the integrity of historic sites and structures while limiting physical barriers to access.
- ♦Getting the Story Out: Writing on Archaeology and Historic Preservation for a Popular Audience - learn techniques for writing and producing publications that effectively communicate technical information to the general public.
- ♦Identification and Management of Traditional Cultural Places - explore the treatment of TCPs protected by the National Environmental Policy Act and the National Historic Preservation Act.
- ♦Integrating Cultural Resource and Environmental Compliance - teaches ways in which compliance with the regulatory requirements for historic preservation, cultural resource management and environmental protection can be combined effectively in the analyses required by the NEPA and related environmental regulations.
- ♦Issues in Federal Cultural Resource Compliance
- ♦Practical Application of the Secretary of the Interior's Standards for the Treatment of Historic Properties - explores design options for the treatment of projects subject to the Secretary's Standards and Guidelines.

American Association for State and Local History

<http://www.aaslh.org>

The AASLH offers a number of good courses, workshops, and training materials pertaining to maintaining historic collections and interpreting community history.

Cornell University

<http://www.preservenet.cornell.edu/>

Training information is available via Cornell's "Preservenet," an online resource that provides information about fellowships, scholarships and conferences, colleges, universities and trade schools, and summer programs.

American Association of Museums

<http://www.aam-us.org> and http://www.aam-us.org/professional_ed.cfm?menu_type=professional_ed

Seminars cover a wide range of topics of interest to museum professionals.

Campbell Center for Historic Preservation Studies

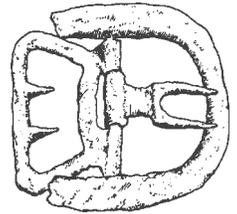
<http://www.campbellcenter.org/>

- ♦Architectural Preservation - courses in small format architectural photography, stabilization and maintenance of historic structures, workshop on masonry cleaning and preservation, architectural terra cotta, flat plaster repair workshop, accessibility and historic integrity, and preservation of historic landscapes.
- ♦Care of Collections - a wide variety of courses in many aspects of collection care.

Local Universities and Colleges

Many academic institutions that offer degree programs in cultural resource areas will often allow individuals to take a class without enrollment in a degree program.

Notes



General Archaeology and History

Ancient North America: The Archaeology of a Continent.

Fagan, Brian M. Thames and Hudson, New York, 1991. An illustrated, easy-to-read introduction to North American archaeology.

Atlas of Ancient America.

Coe, Michael, Dean Snow, and Elizabeth Benson. Alfred A. Knopf Co., New York, 1986. Overview of major archaeological sites, time periods and regions of the Americas.

Environmental Archaeology: Principles and Practices.

Dincauze, Dena F. Cambridge University Press, New York, 2000.

Exploring Ancient America: An Archaeological Guide.

Thomas. David Hurst. Macmillan, 1994. A travel guide with information about historic sites, battlefields, and monuments.

Federal Planning and Historic Places The Section 106 Process

King, Tom. Altamira Press, 2000. An overview of Section 106, explaining its origins, its rationale, and the procedures that must be followed in carrying out its terms.

From Coastal Wilderness to Fruited Plain: A History of Environmental Change in Temperate North America from 1500 to the Present.

Whitney, Gordon G. Cambridge University Press, New York, 1994.

In Small Things Forgotten: The Archaeology of Early Life.

Deetz, James. Anchor Press/Doubleday, Garden City, New York, 1977. Overview of historical archaeology.

Protecting the Past

Smith, George S., and John E. Ehrenhard, eds. CRC Press, Boca Raton, Florida, 1991. Articles by 48 authors on protecting, preserving, and interpreting archaeological sites.

The Adventure of Archaeology.

Fagan, Brian. National Geographic Society, Washington, D.C., 1989. General introduction to archaeological methods, techniques, history, and findings

The Historical Ecology Handbook: A Restorationist's Guide to Reference Ecosystems.

Egan, Dave, and Evelyn A. Howell, eds. Island Press, Washington, 2001.

Vectors of Death: The Archaeology of European Contact.

Ramenofsky, Ann F. University of New Mexico Press, Albuquerque, 1987.

Magazines and Newsletters

Archaeology.

Archaeological Institute of America, 675 Commonwealth Avenue, Boston, MA 02215. A popular magazine published bimonthly, includes articles by archaeologists working around the world.

Archaeology and Public Education.

Society for American Archaeology, Washington DC. Published quarterly on the internet, with a focus on using archaeology as a tool for public outreach. <http://www.saa.org/pubEdu/a&pe/index.html>

Common Ground: Archeology and Ethnography in the Public Interest and CRM.

National Park Service, Archeology and Ethnography Program, P.O. Box 37127, Washington, DC. Two quarterly magazines published for federal employees whose jobs involve dealing with cultural resource issues. Each issue features an issue or archaeological project and includes news on current projects, updates on cultural resource violations around the country and the associated court proceedings, and news regarding the implementation of NAGPRA. Common Ground - <http://www.cr.nps.gov/aad/Cg/Index.htm>. CRM - <http://www.cr.nps.gov/crm/>

Bulletin of Primitive Technology.

Biannual publication of the Society of Primitive Technology, a non-profit organization dedicated to the research, practice, and teaching of primitive technology. Includes ethnobotanic and faunal research, and experimental archaeology. <http://www.primitive.org/>.

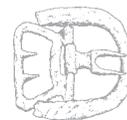
Resource Management References

Archaeological Resource Protection.

Sherry Hutt, Elwood W. Jones, and Martin E. McAllister, The Preservation Press, National Trust for Historic Preservation, Washington, DC. 1992. A reference guide for both the lay person and professional on the protection of our nation's archaeological heritage. Includes sections on: current threats to cultural resources; detailed discussion of ARPA; and the process of investigating and prosecuting an archaeological crime.

Interpretation of Cultural and Natural Resources.

Douglas M. Knudson, Ted T. Cable, and Larry Beck, Venture Publishing, Inc., State College, PA, 1995. A reference guide for anyone involved with the process of interpreting cultural or natural resources for others.



Web Sites and Multimedia Resources

Advisory Council on Historic Preservation

URL: <http://www.achp.gov/mindex.html>

National Archaeological Database

URL: <http://www.cast.uark.edu/other/nps/nadb/>

National Park Service Cultural Resources Homepage

URL: <http://www.cr.nps.gov/crweb1/index.htm>

Technical Center of Expertise for Preservation of Historic Structures and Buildings

URL: http://www.nps.usace.army.mil/tcx_psb/histpres.htm

U.S. Fish & Wildlife Service Region 1 Cultural Resources Homepage

URL: <http://www.r1.fws.gov/crm/crmhome.html>

Assault on Time.

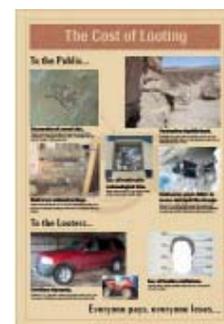
28 minute color video, National Park Service, Archaeological Assistance Division, 1990. (202-343-4113) This videotape shows examples of pothunting, looting, and vandalism. Interviews with cultural resource managers provide succinct explanations on the importance and value of archaeological resources. (Order from Training Videotapes and Publications, 1101 17th Street NW, Suite 1102, Washington, DC 20036)

Petroglyphs and Sunken Ships.

20 minute color video, U.S. Fish and Wildlife Service, 1996. (703-358-2029) This videotape introduces a variety of cultural resources managed by FWS and how they benefit the agency.

ARPA Poster Set

A set of four posters developed by Region 1 cultural resources staff as part of an interagency ARPA investigation (right, also see "But Wait...-36" for a larger illustration). The 22" x 32" interpretive posters highlight the Archaeological Resources Protection Act and the value of cultural resource protection. They are suitable for posting at field stations and during public outreach events. Available on CD for printing on a large format printer, from Region 1 Cultural Resources Team at 503-625-4377.



Selected Archaeology and History by Region

This bibliography represents a small sample of the reference materials available. Your Regional Historic Preservation Officer may be able to provide a more comprehensive annotated bibliography.

Region 1:

A Guide to the Indian Tribes of the Pacific Northwest.

Robert H. Ruby and John A. Brown, University of Oklahoma Press, Norman, 1992 (revised edition).

Exploring Washington Archaeology.

Ruth Kirk with Richard Daugherty, University of Washington Press, Seattle, 1978.

Handbook of North American Indians: Northwest Coast, Volume 7.

Wayne Suttles, vol. ed., Smithsonian Institution, Washington, DC, 1990.

Handbook of North American Indians: California, Volume 8.

Robert F. Heizer, vol. ed., Smithsonian Institution, Washington, DC, 1978.

Archaeology of Oregon.

C. Melvin Aikens, U.S. Dept. of the Interior, Bureau of Land Management, Oregon State Office; 1993.

Region 2:

Archaeology of the Southwest

Linda Cordell. Academic Press. 1997.

Prehistory of Oklahoma

Ed. by Robert Bell. Academic Press. 1984.

Prehistory of Texas

Ed. by Timothy Pertula. Texas A&M Press. 2004.

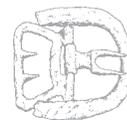
Region 3:

Prehistory of the Central Mississippi Valley

Charles h. McNutt (Ed), University of Alabama Press, 1996 .

Paradigms of the Past: The Story of Missouri Archaeology

Michael J. Obrien, University of Missouri Press, 1996.



The Prehistory of Missouri

Michael O'Brien and W. Raymond Wood, University of Missouri Press, 1998.

The Archaeology of Missouri Volumes 1 and 2—

Carl Chapman, University of Missouri Press, 1975 and 1980, respectively.

Region 4:

An Introduction to Louisiana Archaeology.

Neuman, Robert W. Louisiana State University Press, Baton Rouge, 1990.

American Indians in the Lower Mississippi Valley: Social and Economic Histories.

Unser, Daniel H., Jr. University of Nebraska Press, Lincoln, 1998.

Archaeology of Precolumbian Florida.

Milanich, Jerald T. University Press of Florida, Gainesville, 1994.

Archaeology of the Central Mississippi Valley.

Morse, Dan F. and Phyllis Morse. Academic Press, New York, 1983.

Archaeology of the Lower Ohio River Valley.

Muller, Jon. Academic Press, Inc., Orlando, 1986.

Before Freedom Came: African-American Life in the Antebellum South.

Campbell, Edward D. C., Jr., with Kym S. Rice, eds. Museum of the Confederacy and the University Press of Virginia, Richmond, 1991.

Beneath These Waters: Archaeological and Historical Studies of 11,500 Years Along the Savannah River.

Sharyn Kane and Richard Keeton. National Park Service/ Savannah Corps of Engineers, 1993.

Gray Phantoms of the Cape Fear: Running the Civil War Blockade.

Carr, Dawson. John E. Blair, Winston-Salem, North Carolina, 1998.

"I, Too, Am America": Archaeological Studies of African American Life.

Singleton, Theresa, ed. University Press of Virginia, 1999.

Look to the Earth: Historical Archaeology and the American Civil War.

Geier, Clarence R., Jr., and Susan E. Winter, eds. University of Tennessee Press, Knoxville, 1994.

Of Caves and Shell Mounds.

Carstens, Kenneth C., and Patty Jo Watson, eds. University of Alabama Press, Tuscaloosa, 1996.

People, Plants, and Landscapes: Studies in Paleoethnobotany.
Gremillion, Kristen J. ed. University of Alabama Press, Tuscaloosa, 1997.

Prehistoric Indians of the Southeast: Archaeology of Alabama and the Middle South.
Walthall, John A. University of Alabama Press, Tuscaloosa, 1990.

Seacoast Fortifications of the United States: An Introductory History
Lewis, Emanuel Raymond (Seventh Printing with corrections; originally published 1970). Naval
Institute Press, Annapolis, Maryland, 1993.

Time Before History: The Archaeology of North Carolina.
Ward, H. Trawick, and R. P. Stephen Davis, Jr. University Press of North Carolina, Chapel Hill, 1999.

The Archaeology of Slavery and Plantation Life.
Theresa Singleton, editor. Academic Press, New York, 1985

*"The Archaeology of the Southeastern United States: From Dalton to de Soto, 10,500 - 500
B.P." in Advances in World Archaeology.*
Bruce D. Smith, 1986, volume 5:1-92.

The Forgotten Centuries: Indians and Europeans in the American South 1521-1704.
Charles Hudson and Carmen Chaves Tesser, editors. University of Georgia Press, Athens, 1994.

The Southeastern Indians.
Charles Hudson. University of Tennessee Press, Knoxville, 1976.

The Tainos: Rise & Decline of the People Who Greeted Columbus.
Yale Rouse, Irving. University Press, New Haven, Connecticut, 1993.

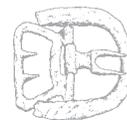
Trail of Tears: The Rise and Fall of the Cherokee Nation.
Ehle, John. Anchor Books, New York, 1988.

Uncommon Ground: Archaeology and Early African America, 1650-1800.
Ferguson, Leland. Smithsonian Institution Press, Washington, D.C., 1992.

Region 5:

Changes in the Land: Indians, Colonists, and the Ecology of New England.
Cronon, William. Hill and Wang, New York, 1983.

Handbook of North American Indians, Volume 15: Northeast.
Trigger, Bruce C. vol. ed. Smithsonian Institution, Washington, 1978.



Holocene Human Ecology in Northeastern North America.

Nicholas, George P. ed. Plenum Press, New York, 1988.

Northeastern Indian Lives, 1632-1816.

Grumet, Robert S. ed. University of Massachusetts Press, Amherst, 1996.

The Archaeological Northeast.

Levine, Mary Ann, Kenneth E. Sassaman, and Michael S. Nassaney, eds. Greenwood Publishing Group, Westport, Connecticut, 2000.

Region 6:

An Overview of the Prehistory of Western and Central North Dakota

Compiled by Michael L. Gregg, University of North Dakota in 1994. Bureau of Land Management Cultural Resource Series, Number 1, Montana State Office, Billings.

Ancient Man in North America

H. Marie Wormington. Denver Museum of Natural History 1957.

Archaeology of the Great Plains

W Raymond Wood, University of Kansas Press, 1998.

Archaeology of the High Plains

James H. Gunnerson. Bureau of Land Management Colorado Cultural Resource Series Number 19, 1987.

Archeological and Bioarcheological Resources of the Northern Plains (Arkansas Archeological Survey Research Series, No 47)

George C. Frison and Robert Mainfort, eds. Tri-Services Cultural Resources Research Center, Fayetteville, 1996.

Archeology and Paleoecology of the Central Great Plains (Arkansas Archeological Survey Research Series, No 48)

Jack L. Hofman, Mary J. Adair, Matthew E. Hill et al, eds. Tri-Services Cultural Resources Research Center, Fayetteville, 1996.

Ethnohistory of the High Plains

James H. and Dolores A. Gunnerson. Bureau of Land Management Colorado Cultural Resource Series Number 26, 1988.

History of Wyoming

T.A. Larson. University of Nebraska Press 1978.

People of the Sage: 10,000 Years of Occupation in Southwest Wyoming

Kevin Thompson and Jana Pastor. Cultural Resource Management Report No. 67, Western Wyoming College, 1995.

Peoples of Prehistoric South Dakota

Larry J. Zimmerman. University of Nebraska Press, 1985.

Prehistoric Hunter of the Black Hills

E. Steve Cassells. Johnson Books, Boulder, Colorado 1986.

Prehistoric Hunters of the High Plains

George C. Frison. Academic Press, 1991.

Prehistoric Man on the Great Plains

Waldo Wedel. University of Oklahoma Press, 1961.

Region 6: Historical and Architectural Assessment of the Depression Era Work Projects

Lou Ann Speulda, U.S. Fish and Wildlife Service, 2003.

The Archaeology of Colorado Revised Edition

E. Steve Cassells. Johnson Books, Boulder, Colorado 1997.

The Cellars of Time: Paleontology and Archaeology in Nebraska

NEBRASKAland Magazine, January/February 1994.

Region 7:

Handbook of North American Indians: Arctic, Volume 5,

David Damas, vol ed., Smithsonian Institution, Washington, DC. 1984 .

Handbook of North American Indians: Subarctic, Volume 6.

June Helm, vol. ed., Smithsonian Institution, Washington, DC, 1981.

Handbook of North American Indians: Northwest Coast, Volume 7.

Wayne Suttles, vol. ed., Smithsonian Institution, Washington, DC. 1990.