

## ANT-309 Last Lecture Outline Wednesday March 10, 2010

### XVII Cultural Resources Management (CRM): American archaeology in the New Millennium

- A Definition: The term "cultural resource" actually covers a lot of things. In addition to archaeological sites, it also covers
  - 1 Historic sites
  - 2 Architecturally unique structures
  - 3 Places sacred to Native Americans
  - 4 The term CRM refers to managing places of historic, archaeological, or architectural interest by considering them relative to or in compliance with environmental and historic preservation laws.
- B Early history of historic preservation
  - 1 Antiquities Act of 1906: the first law to require protection of prehistoric or historic ruins on Federal lands. This act also gave the president of the United States power to establish National Historic Landmarks- Permits were also required to conduct excavations on any Federal Land.
  - 2 1935 Historic Sites act-- this made it the policy of the National Park Service to actively preserve sites of archaeological and historical significance.
  - 3 Reservoir Salvage Act-- 1960: required the Federal Government to conduct salvage excavations prior to the construction of major water reservoirs.
- C Major legislation of the modern era
  - 1 National Environmental Policy Act- 1969.: requires that Federal Agencies evaluate the potential environmental impacts of projects that they are planning to construct. How it works:
    - a A federal Agency develops a project or receives a permit application from a Private entity. In either Case, the agency proposing the project, is referred to as "the Lead Agency"
    - b The lead agency is required to produce an environmental document which describes
      - i the Undertaking and APE (Area of Potential Effect) of the project
      - ii Natural and Cultural Resources within the APE
      - iii Potential Effects to resources
  - 2 **1966 Historic Preservation Act**
    - a Established the National Register of Historic Places,
    - b Created was the Advisory Council on Historic Preservation-- a council intended to advise the President on preservation matters.

- c Created State Historic Preservation Officers (SHPOs) who see to the implementation of Federal Preservation laws at the State level.
- d **Section 106--** requires that all Federal Agencies must consider the effects of their plans and projects on historic properties
  - i Originally only dealt with places listed on the National Register of Historic Places.
  - ii Loophole closed by Executive Order 11593
  - iii Forced federal agencies to consider potential impacts to historic properties that were eligible to be on the National Register of Historic Places. -- not just sites or properties that were already on the Register
  - iv It required agencies to inventory their lands for cultural resources.
- e For cultural resources compliance
  - i Phase 1 : Reconnaissance or survey-- identify any archaeological sites within the APE
  - ii Phase II; Evaluate the eligibility of resources for the National Register of historic places-- For archaeological sites this usually requires a test excavation. In this instance testing is primarily intended to determine whether the site is intact and more importantly "whether or not it is significant enough to be listed on the National Register of Historic Places
- (i) There are four criteria for significance. For archaeological sites, they are most commonly evaluated relative to criterion "d"-- potential to yield important scientific information
- (ii) If a site is considered eligible for inclusion on the National Register of Historic Places, Lead agency must consider options: Abandon project Re-design project, Implement mitigation strategies, or ignore recommendations
  - iii Phase III-- Archaeological data recovery. Conduct excavations to recover scientific information and thereby offset (mitigate) the effects of the project.
  - iv Each step in this process is regulated by the State Office of Historic Preservation in Sacramento (OHP).
- 2 Archaeological Resources Protection Act (1979) (ARPA)
  - a Collection of artifacts from Federal land=Felony (with exceptions)

- 3 CEQA, the California Environmental Quality Act. 1970
  - a Instead of the National Register, site is considered eligible for or listed on the California Register of Historic Places
  - b Individual or organization seeking the permit must bear the cost of the environmental studies, including the cultural resources work. Local developers hire consultants to do this work.
- 4 Public Resources Code: Treatment of Human Remains
- 5 Other Issues concerning Private Land