

**FINAL**

**Integrated Cultural Resource Management Plan for the  
Jefferson Proving Ground/Jefferson Range**

**Indiana Air National Guard**



Prepared for:

Indiana Air National Guard  
and  
Air National Guard Readiness Center, National Guard Bureau  
through  
Air Force Center for Engineering and the Environment  
under USAMRAA Cooperative Agreement  
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**FINAL**

**HEADQUARTERS INDIANA ANG DETACHMENT 2  
JEFFERSON PROVING GROUND/JEFFERSON RANGE, INDIANA  
JANUARY 2011**

MEMORANDUM FOR HQ IN ANG Det 2

January 2011

SUBJECT: Jefferson Proving Ground/Jefferson Range Integrated Cultural Resource  
Management Plan

TO: HQ IN ANG Det 2  
ANGRC

This Integrated Cultural Resource Management Plan (ICRMP) was prepared for the Air National Guard Readiness Center (ANGRC) for use by the Indiana Air National Guard at Jefferson Proving Ground/Jefferson Range, Indiana, in accordance with Department of Defense Instruction 4715.3, Environmental Conservation Program, May 1996; Air Force Instruction 32-7065, Cultural Resources Management Program, June 2004; and Department of Defense Instruction 4715.16, Cultural Resources Management Program, September 2008.

The ICRMP serves as the long-term plan to accomplish the missions of the Cultural Resources Program, provides a forum to examine long-term management goals, serves as delegation of authority and responsibility to the installation Environmental Manager (EM), and certifies Installation Commander approval of this plan for the Jefferson Proving Ground/Jefferson Range, Indiana. Review of this plan will be conducted every five years or when major changes in directives occur.

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J. Stewart Goodwin, Brigadier General, USAF  
Chief of Staff, Indiana Air National Guard and  
Joint Forces Air Component Commander

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Date



## EXECUTIVE SUMMARY

### Purpose

Integrated Cultural Resource Management Plans (ICRMPs) are required by internal military statutes and regulations, which include Air Force Instruction (AFI) 32-7065 *Cultural Resource Management Program*, Department of Defense (DoD) Instruction 4715.16 *Cultural Resources Management*, DoD Instruction 4715.3 *Environmental Conservation Program*, and DoD Measures of Merit. AFI 32-7065 establishes guidelines for managing and protecting cultural resources on property affected by Air Force operations in the United States.

The ICRMP for the Indiana Air National Guard (IN ANG) property located at Jefferson Proving Ground (JPG) (referred to as the JPG/Jefferson Range throughout this document) is intended to provide guidance for a five-year period from 2009 through 2014. The plan identifies compliance actions to be followed by the IN ANG in accordance with all applicable Federal laws and regulations pertaining to cultural resource management at the JPG/Jefferson Range. In addition, the document provides a reference for the JPG/Jefferson Range Environmental Manager (EM) and other personnel concerning cultural resource management issues that may arise.

Fundamental to the ICRMP is the identification of cultural resources and determination of the eligibility of these resources for listing in the National Register of Historic Places (NRHP). Resources that meet one or more NRHP criteria are considered historic properties for the purposes of compliance with Section 106 of the National Historic Preservation Act (NHPA). A successful cultural resource management program requires the identification and evaluation of resources, implementation of protection and compliance actions for historic properties, and collaboration with internal and external stakeholders.

### Application

The IN ANG is responsible for five historic properties located on the JPG/Jefferson Range and has agreed to provide routine maintenance for an additional historic property at JPG. The five properties listed on the IN ANG Real Property Inventory are Old Timbers Lodge (Facility 500) and four stone arch bridges (Facilities 617, 625, 627, and 628). Old Timbers Lodge was constructed in 1931 and is listed in the NRHP. The four stone arch bridges were erected in 1910 and are considered eligible for listing in the NRHP. The additional property for which the IN ANG provides routine maintenance is Oakdale Schoolhouse (Facility 401), which is owned by the Army. Oakdale Schoolhouse, which dates to 1869, is listed in the NRHP. Each of these six historic properties should be maintained and managed in accordance with *The Secretary of the Interior's Standards for Rehabilitation*.

The JPG/Jefferson Range is located on 1,038 acres leased from the Department of the Army to the Department of the Air Force. The ANG-leased acreage is in the northern part of the original 55,264 acres belonging to the Department of the Army. Following termination of the

Army's mission at JPG in 1995, a Memorandum of Agreement (MOA) was executed among the Army, the Air Force, and the Department of the Interior-United States Fish and Wildlife Service. Discrepancies exist between parties in the lease and those in the MOA regarding responsibilities and access of real property, including the six historic properties. In addition, a Memorandum of Understanding (MOU) between the IN ANG and Big Oaks Conservation Society has not yet been recognized by the Air Force or the National Guard Bureau (NGB). ANG responsibilities and facility ownership, especially in relation to the six historic properties, should be clarified and the issue of public access should be resolved.

No archaeological investigations have been undertaken at the JPG/Jefferson Range. Additionally, no sites have been identified on the ANG-leased acreage at JPG. However, six surveys have been completed to inventory archaeological resources across JPG during the Army tenure; these surveys did not extend to lands now leased by ANG. As a result of the surveys, 153 archaeological sites were identified (Mbutu et al. 1996).

Consultation with Tribal Historic Preservation Officers (THPOs) and Tribes may result in necessary efforts to identify sacred sites or Traditional Cultural Properties (TCPs) of importance to Native Americans. Tribal consultation also may result in the development of protocols for issues of concern and, in particular, for the inadvertent discovery of Native American human remains or cultural items.

## **Organization**

The ICRMP has been organized to facilitate cultural resource management and compliance with AFI 32-7065 and Federal and state cultural resource management regulations and requirements. The ICRMP is organized into the following sections:

**Chapter 1:** Introduction. In addition to presenting the purpose and organization of the ICRMP and instructions for its use, Chapter 1 describes the JPG/Jefferson Range missions and natural setting; provides an overview of laws and regulations pertaining to cultural resource management; and defines the cultural resource management roles and responsibilities of the EM, military personnel, and non-military personnel.

**Chapter 2:** Cultural Resource Inventory. This chapter addresses the archaeological and built resources located within JPG/Jefferson Range. The chapter analyzes the probability for the occurrence of cultural resources; presents the installation's archaeological and historic contexts; discusses archaeological surveys and resources and the curation of archaeological collections; and provides a summary of architectural surveys and built resources, including the NRHP eligibility status for each resource. In addition, Chapter 2 discusses traditional cultural resources that are important to Native Americans or other ethnic, social, or occupational groups.

**Chapter 3:** Cultural Resource Management Goals. This chapter outlines the goals and objectives of the cultural resource management program and summarizes recommended actions.

**Chapter 4:** Environmental Manager's Cultural Resource Guidance and Procedures. This chapter provides guidance and procedures for achieving goals and objectives identified in Chapter 3.

**Chapter 5:** Standard Operating Procedures. In general, the Standard Operating Procedures (SOPs) presented in this chapter are written for non-environmental personnel who come into contact with cultural resources. The SOPs also define standardized strategies for cultural resource management that may serve as a reference for the EM.

**Chapter 6:** References Cited.

**Appendices:** The appendices include AFI 32-7065 and DoD Instruction 4715.16; archaeological and historic contexts; Point of Contact (POC) information for the NGB, pertinent agencies and facilities, Federally recognized Tribes, and additional interested parties; sample letters for initiating consultation with the THPOs and Tribes and for corresponding with the State Historic Preservation Office (SHPO) and the Advisory Council on Historic Preservation (ACHP) during the Section 106 process; cultural resources reports generated from the Air National Guard/Cultural and Natural Resources (ANG/CNR) database, including archaeological and architectural data; copies of the MOA, License, Permit, Support Agreement, and MOU that pertain to JPG; photographs and images of JPG; and the SHPO letter providing comments on the Draft ICRMP.



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## **Acronyms and Abbreviations**

AAFES	Army and Air Force Exchange Service
ACC	Air Combat Command
ACHP	Advisory Council on Historic Preservation
AFB	Air Force Base
AFCEE	Air Force Center for Engineering and the Environment
AFCS	Air Force Communication Service
AFFTCM	Air Force Flight Test Center Museum
AFI	Air Force Instruction
AF/ILE	Air Force/Installations, Logistics, and Engineering
AFMAN	Air Force Manual
AFPD	Air Force Policy Directive
AGE	Aerospace Ground Equipment
AHPA	Archaeological and Historic Preservation Act
AICUZ	Air Installation Compatible Use Zone
AIRFA	American Indian Religious Freedom Act
AMC	Air Mobility Command
AMSL	Above Mean Sea Level
ANG	Air National Guard
ANGB	Air National Guard Base
ANG/CNR	Air National Guard/Cultural and Natural Resources
ANGRC	Air National Guard Readiness Center
APE	Area of Potential Effect
ARPA	Archaeological Resources Protection Act
AT/FP	Antiterrorism/Force Protection
BASH	Bird Air Strike Hazard
BCE	Base Civil Engineer
B.C.E.	Before Common Era
CASO	Contingency Aircraft Support Operations
CBCS	Combat Communications Squadron
CE	Categorical Exclusion
C.E.	Common Era
CFR	Code of Federal Regulations
CRMP	Cultural Resources Management Plan
DCA	Departmental Consulting Archaeologist
DECA	Defense Commissary Agency
DoD	Department of Defense
EA	Environmental Assessment
EIAP	Environmental Impact Analysis Program
EIS	Environmental Impact Statement
EIS	Engineering Installation Squadron
EM	Environmental Manager
EPC	Environmental Protection Committee
ESOH	Environmental Safety and Occupational Health

FPO	Federal Preservation Officer
GIS	Geographic Information System
HABS	Historic American Buildings Survey
HAER	Historic American Engineering Record
HPC	Historic Preservation Commission
HQ	Headquarters
IAP	International Airport
ICRMP	Integrated Cultural Resource Management Plan
INANG	Indiana Air National Guard
IRP	Installation Restoration Program
JPG	Jefferson Proving Ground
MFR	Memo for Record
MOA	Memorandum of Agreement
MOU	Memorandum of Understanding
NAGPRA	Native American Graves Protection and Repatriation Act
NEPA	National Environmental Policy Act
NETTF	Northeast Tanker Task Force
NGB	National Guard Bureau
NHPA	National Historic Preservation Act
NOAA	National Oceanic and Atmospheric Association
NPS	National Park Service
NRHP	National Register of Historic Places
PA	Programmatic Agreement
PAO	Public Affairs Office
POC	Point of Contact
ROTC	Reserve Officer Training Corps
RPIR	Real Property Identification Requirements
SAC	Strategic Air Command
SAF	Secretary of the Air Force
SAF/GCN	Secretary of the Air Force Deputy General Council for Installations and Environment
SAF/IEE	Secretary of the Air Force for Energy, Environment, Safety, and Occupational Health
SHPO	State Historic Preservation Officer
SOP	Standard Operating Procedure
TAC	Tactical Air Command
TCP	Traditional Cultural Property
THPO	Tribal State Historic Preservation Officer
USACE	U.S. Army Corps of Engineers
USAFMS	United States Air Force Museum System
USDA	U.S. Department of Agriculture







## 1. INTRODUCTION

Integrated Cultural Resource Management Plans (ICRMPs) are required by internal military statutes and regulations, which include Air Force Instruction (AFI) 32-7065 *Cultural Resource Management Program*, Department of Defense (DoD) Instruction 4715.16 *Cultural Resources Management*, DoD Instruction 4715.3 *Environmental Conservation Program*, and DoD Measures of Merit. AFI 32-7065 establishes guidelines for managing and protecting cultural resources on property affected by Air Force operations in the United States.

The National Guard Bureau (NGB) and the Air National Guard (ANG) have both Federal and state missions. The ANG Federal mission is to maintain properly trained and equipped units available for prompt mobilization for war, national emergency, or as otherwise needed. The state mission is to provide trained and disciplined forces for domestic emergencies or as otherwise required by state laws. The ANG also has an environmental mission to sustain the environment to enable the ANG mission and secure the future.

The Indiana Air National Guard (IN ANG) property located at the Jefferson Proving Ground (JPG) is referred to as the JPG/Jefferson Range throughout this ICRMP. The ICRMP for the JPG/Jefferson Range is intended to provide guidance for a five-year period from 2009 through 2014. The plan identifies compliance actions to be followed by the IN ANG in accordance with all applicable Federal laws and regulations pertaining to cultural resource management. In addition, the document provides a reference for the JPG/Jefferson Range Environmental Manager (EM) and other personnel concerning cultural resource management issues that may arise.

### 1.1 PURPOSE

This ICRMP is a five-year planning and management tool for the JPG/Jefferson Range cultural resource program. The ICRMP (1) provides guidance to achieve regulatory compliance; (2) integrates cultural resource management with the JPG/Jefferson Range mission and installation plans; (3) lessens or avoids adverse effects to cultural resources from installation projects; (4) and increases interaction with Federal, state, and local agencies, including Native American groups.

Fundamental to these documents is the identification of cultural resources and determination of the eligibility of these resources for listing in the National Register of Historic Places (NRHP). A successful cultural resource management program requires the identification of resources, implementation of protection and compliance actions, and collaboration with internal and external stakeholders.

All Federally owned or controlled Air Force and ANG installations having statutory and regulatory cultural resource management responsibilities must prepare and implement an ICRMP per AFI 32-7065. Further, NGB guidance requires that all facilities be included in the plan, regardless of whether they are state or Federally owned. In either case, Federal actions or funding may be required, which in turn would trigger compliance with Federal regulations.

## **1.2 ORGANIZATION OF ICRMP**

This ICRMP was produced using a template developed by the NGB Air National Guard Civil Engineering Directorate to standardize ICRMP format and content for ANG installations throughout the country and its territories. The ICRMP has been organized to facilitate cultural resource management and compliance with AFI 32-7065 and with Federal and state cultural resource management regulations and requirements. The ICRMP is organized into the following chapters and appendices:

**Chapter 1:** Introduction. In addition to presenting the purpose and organization of the ICRMP and instructions for its use, Chapter 1 describes the JPG/Jefferson Range missions and natural setting; provides an overview of laws and regulations pertaining to cultural resource management; and defines the cultural resource management roles and responsibilities of the EM, military personnel, and non-military personnel.

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**Appendices:** The appendices include AFI 32-7065 and DoD Instruction 4715.16; archaeological and historic contexts; Point of Contact (POC) information for the NGB, pertinent agencies and facilities, Federally recognized Tribes, and additional interested parties; sample letters for initiating consultation with the THPOs and Tribes and for corresponding with the State Historic Preservation Office (SHPO) and the Advisory Council on Historic Preservation (ACHP) during the Section 106 process; cultural resources reports generated from the Air National Guard/Cultural and Natural Resources (ANG/CNR) database, including

archaeological and architectural data; copies of the Memorandum of Agreement (MOA), License, Permit, Support Agreement, and Memorandum of Understanding (MOU) that pertain to JPG; photographs and images of JPG; and the SHPO letter providing comments on the Draft ICRMP.

### **1.3 INSTRUCTIONS FOR ICRMP USE**

To use this ICRMP, begin by reviewing the Executive Summary to gain a basic understanding of the cultural resource management issues that JPG/Jefferson Range needs to address during the five-year period. Become familiar with the cultural resources laws, regulations, and responsibilities presented in Chapter 1. Review Chapter 2 for details regarding the cultural resources located at JPG/Jefferson Range.

Chapter 3 presents goals, objectives, and actions to be completed during the five-year period of the ICRMP. Chapter 4 provides guidance and procedures for achieving goals and objectives identified in Chapter 3. The material in Chapter 4 is presented primarily for reference purposes. Where applicable, the ICRMP text refers the reader to various sections and appendices that present additional information.

Chapter 5 contains SOPs that outline standardized strategies for addressing the most common actions and situations involving cultural resources. The SOPs have been prepared to assist ANG personnel who are not responsible for cultural resource management but whose areas of responsibility could affect cultural resources. The EM will distribute these SOPs to all ANG personnel and will provide guidance and training, as necessary. The SOPs also serve as a reference tool for the EM. The following SOPs are included in this ICRMP:

- SOP No. 1: Maintenance and Care of Historic Buildings and Structures
- SOP No. 2: Disposal or Demolition of Excess Property
- SOP No. 3: Mission Training of Military and Tenant Personnel
- SOP No. 4: Emergency Operations and Homeland Security Activities
- SOP No. 5: Emergency Procedures for Built Resources
- SOP No. 6: Inadvertent Discovery of Cultural Materials
- SOP No. 7: Inadvertent Discovery of Unmarked Burials
- SOP No. 8: National Environmental Policy Act (NEPA) Coordination and Compliance
- SOP No. 9: Providing Native American Tribal Access to Resources on ANG Installations

The ICRMP text refers to two databases in which the EM should maintain up-to-date records: the Air National Guard/Cultural and Natural Resources (ANG/CNR) database and the Real Property Identification Requirements (RPIR) database. The ANG/CNR database contains cultural resource information specific to JPG/Jefferson Range. The RPIR database provides a list of buildings, their construction dates, and their historic status.

The ANG/CNR database should be considered as a “key” to the EM’s files. The database should be the central source for information. If it has been populated and maintained by the

installation, the database will contain information regarding POCs; notations to important documents; a bibliography of cultural resource studies; correspondence with Tribes, the SHPO, and historical societies; and a list of cultural and natural resources. The ANG/CNR database also should include notes on documents such as Environmental Assessments (EAs), Environmental Impact Statements (EISs), ICRMPs, etc. In order for this database to remain a useful key to installation cultural resources management files, the EM should update it on a regular basis.

The RPIR database also needs to be updated by the EM. The RPIR database, which lists buildings and their dates of construction, should be used to plan for future building evaluations as buildings turn 50 years old. When facilities have been evaluated for architectural significance, the results and the appropriate building codes need to be inserted into the RPIR and the ANG/CNR databases.

## **1.4 GENERAL INFORMATION**

General information about geography and topography, climate, geology, soils, vegetation, and fauna of the base is largely derived from the *Jefferson Proving Ground Cultural Resources Management Plan* prepared by Geo-Marine, Plano, Texas, for Jefferson Proving Ground and the U.S. Army Corps of Engineers in August 1996 (Mbutu et al. 1996). The general location of JPG is depicted in Figure 1-1.

### **1.4.1 Unit Summary**

The JPG/Jefferson Range is home to Headquarters Indiana Air National Guard (IN ANG) Detachment 2. Federal missions of Detachment 2 include continuing the operation of the bomb range while assuring the safety of combat aircrews and supplying realistic training for aircrews.

### **1.4.2 Natural Setting**

#### **1.4.2.1 General Location and Land Ownership**

JPG is located in Jefferson, Jennings, and Ripley Counties, which are situated in southeast Indiana along the Ohio River (Figure 1-2). JPG is located approximately ten miles north of downtown Madison, the county seat of Jefferson County. The proving ground is approximately 100 miles south of Indianapolis, 55 miles northeast of Louisville, Kentucky, and 70 miles southwest of Cincinnati, Ohio. JPG is located along the west side of Route 421 and Old Michigan Road and is roughly bordered by Route 50 to the north and Route 7 to the west and south. Land use surrounding JPG is both residential and agricultural.

The 1,038-acre parcel utilized by the IN ANG is owned by the Army (Figure 1-3). The Army leases to the Air Force, and the Air Force grants a license to the IN ANG for use of the property. Both the lease and the license expire on 30 June 2025 but have renewable ten-year extensions. The ANG-leased acreage is in the northern part of the original 55,264 acres belonging to the Department of the Army.

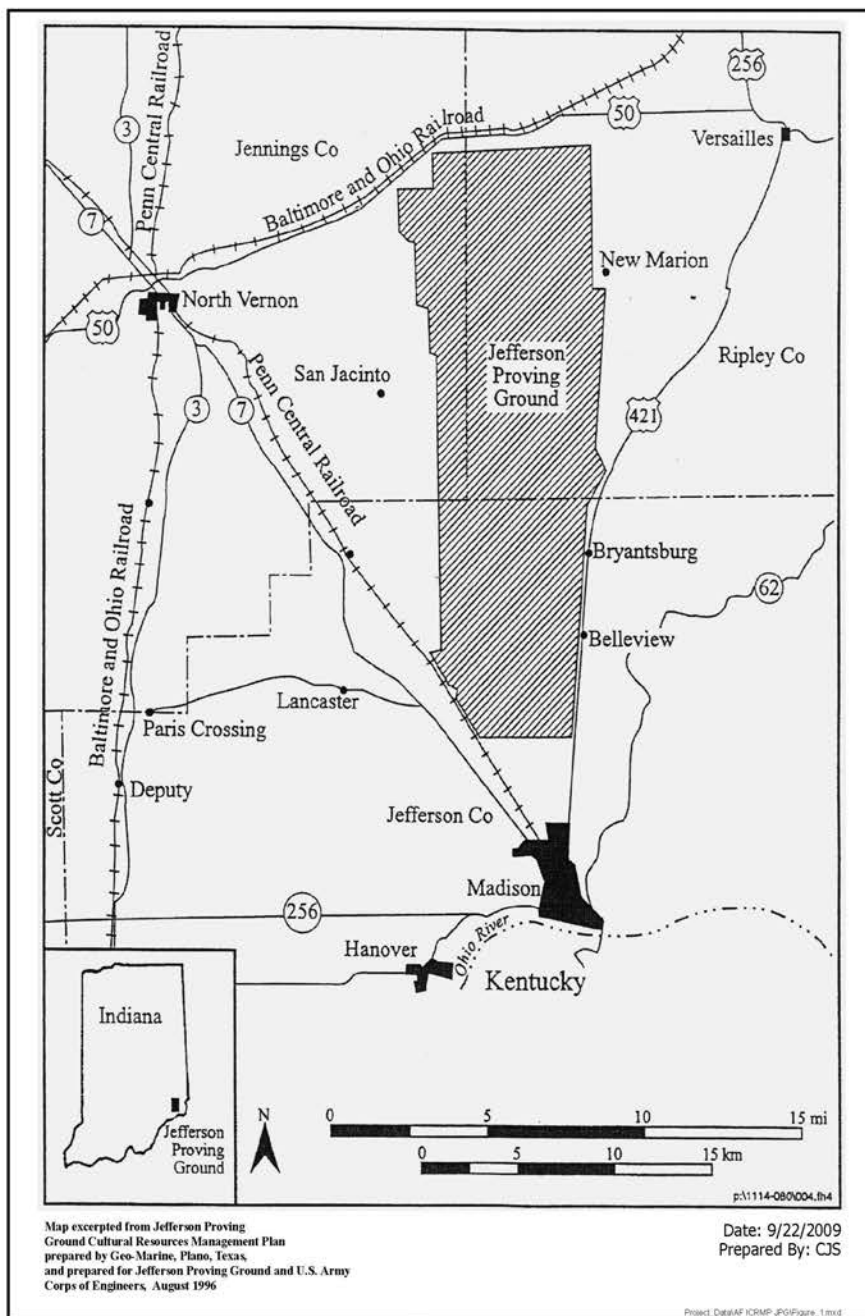


Figure 1-1. Map depicting general location of Jefferson Proving Ground

#### 1.4.2.2 Climate

This section has been excerpted with minor modification from *Jefferson Proving Ground Cultural Resources Management Plan* prepared by Geo-Marine, Plano, Texas, for Jefferson Proving Ground and the U.S. Army Corps of Engineers in August 1996 (Mbutu et al. 1996). Studies of pollen from east-central Indiana and west-central Ohio indicate that the climate in this region has undergone several changes in the last 23,000 years (Englehardt 1960; Hawkins and Walley 1995:11-8; Ogden 1966). During the peak of the Wisconsin glacial interval between 23,000 and 14,000 B.C., the project area experienced cold, dry conditions. The climate became progressively warmer and more humid as the glacial margin retreated between 14,000 and 9000 B.C. The period from 9000 to 8000 B.C. is characterized by a warmer, drier interval which continued until 6000 B.C.; the intensely warm and dry period known as the Hypsithermal lasted in the project area from 6000 B.C. to 3000 B.C. Following the Hypsithermal, the climate became cool and wet, a trend that reached a peak between ca. A.D. 500 and 700 (Griffin 1961; Hawkins and Walley 1995:11-9). A warm and moist climate followed and lasted until about A.D. 1400, when temperatures fell precipitously, creating what has been referred to as the "Little Ice Age"; this climatic minimum was essentially over by A.D. 1600 (Hawkins and Walley 1995:11-9).

Climatic conditions have changed little in south-central Indiana since the 1600s. Today, JPG experiences a continental climate characterized by widely variable daily and seasonal temperatures and humidity. In the summer, daily temperatures average 76° F (24° C); the maximum temperature on record occurred on July 15, 1954, when the mercury registered 108° F (42° C). In the winter, temperatures average 35° F (2° F), with a low temperature of -12° F (-24° C) recorded at Madison on February 2, 1951. The growing season averages some 170-180 frost-free days per year. Southwesterly prevailing winds blow over JPG for 10 months of the year. The wind changes directions for about two winter months, when the northwesterlies are prevalent. The average annual precipitation is approximately 107 cm (42 in), fairly evenly distributed throughout the year; about 52 percent of this falls between April and September. Thunderstorms occur on perhaps 50 days each year, and may spawn damaging tornados. Although there has never been a significant drought in historic times, Stafford et al. caution that "one or two dry periods can be expected each summer" (Stafford et al. 1985:2-3). Snowfall is uneven from year to year, but averages perhaps 33 cm (13 in) annually.

#### 1.4.2.3 Topography

This section has been excerpted with minor modification from *Jefferson Proving Ground Cultural Resources Management Plan* prepared by Geo-Marine, Plano, Texas, for Jefferson Proving Ground and the U.S. Army Corps of Engineers in August 1996 (Mbutu et al. 1996).

JPG lies on the Till Plains Section of the Central Lowland Physiographic Province, also known as the Muscatatuck Regional Slope (U.S. Army Corps of Engineers [USACE] 1995:424; Hawkins and Walley 1995:11-1). Kansan and Illinoian-age till deposits blanket a gently rolling limestone plateau, which is cut by deep rocky valleys. The northern half of the installation is characterized as a gently rolling upland, while the southern half is generally flat and swampy. Several streams, both intermittent and perennial, traverse JPG, flowing to the west and



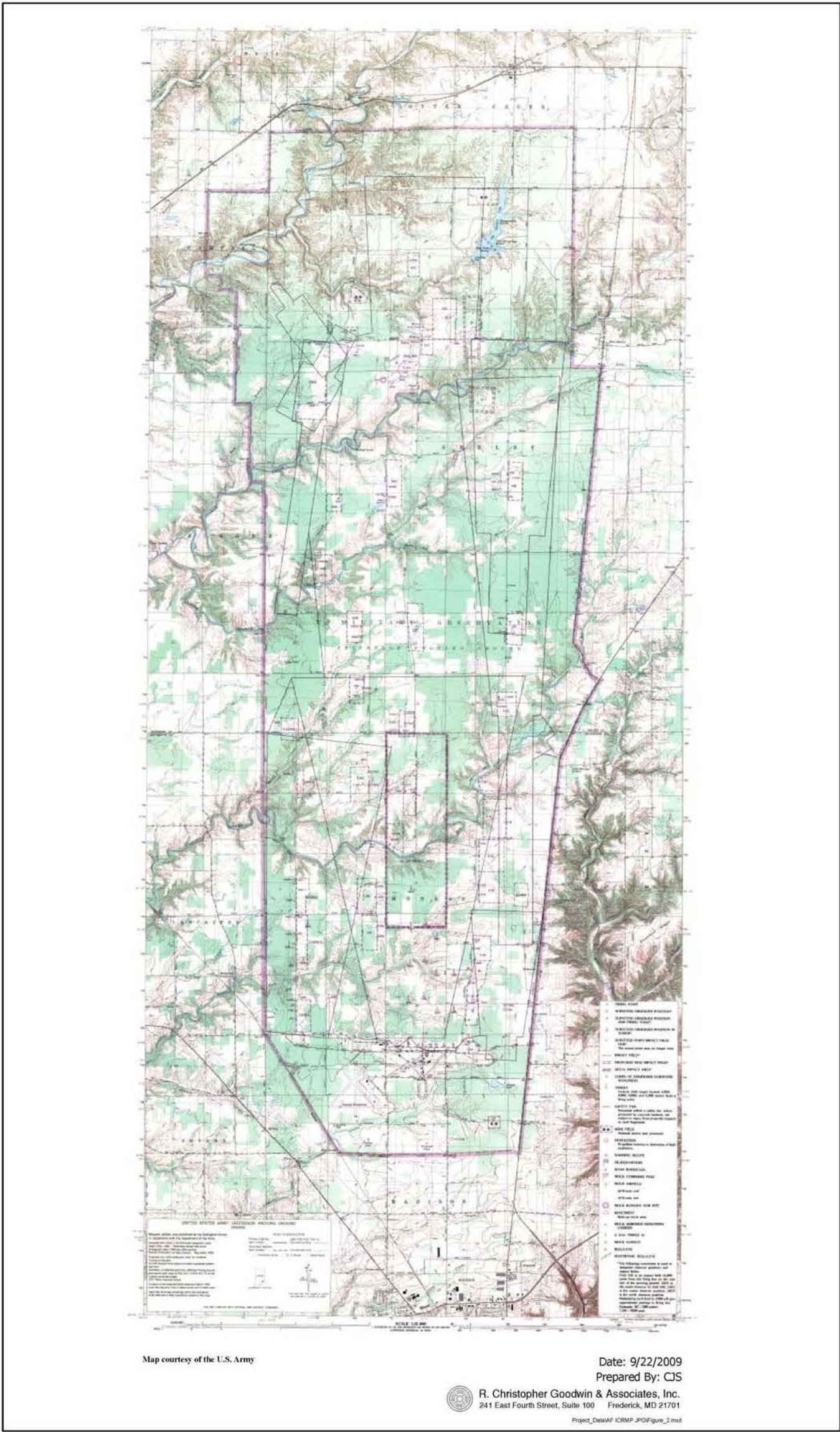


Figure 1-2. Map depicting detailed location of Jefferson Proving Ground



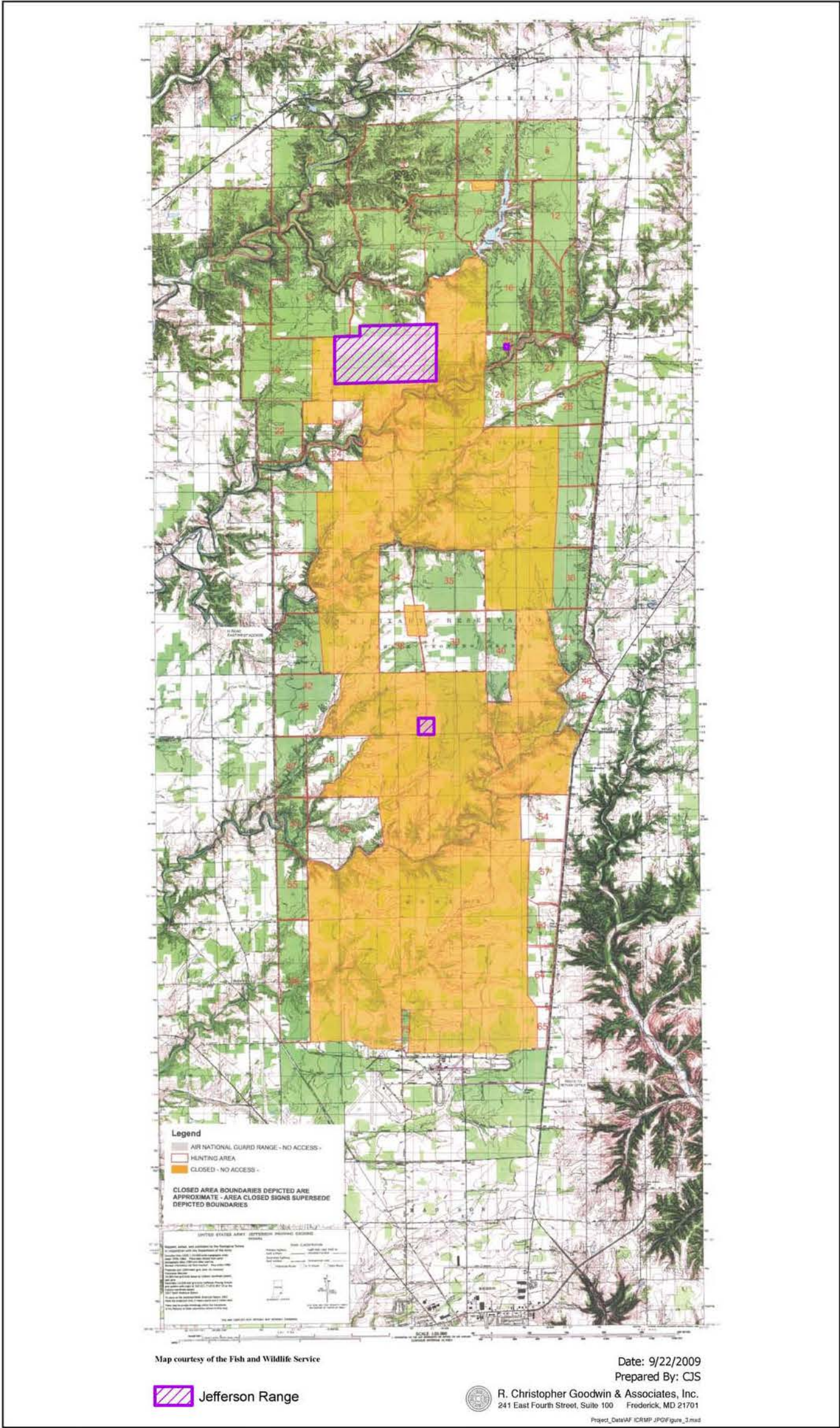


Figure 1-3. Map depicting location of the JPG/Jefferson Range within Jefferson Proving Ground

southwest. The headwaters of numerous streams (including those of two major stream systems, Harbert's and Middle Fork creeks) originate within the facility; nearly all of the installation's land drains toward the southwest into the Muscatatuck River (Stafford et al. 1985:2-1, 2-2; Hawkins and Walley 1995:11-8). The streams traversing the facility include, from north to south, the Otter Creek system, the Graham/Little Graham creek system, the Big Creek system, the Middle Fork Creek system, and Harbert's Creek and its tributaries.

Dissection caused by the larger streams has resulted in extensive topographic relief in some areas that approaches 61 m (200 ft); local relief rarely exceeds 15 m (50 ft; Stafford et al. 1985:2-1). In the north and northwest, the streams have cut deeply into underlying bedrock creating steep bluffs, and karstic features such as sinkholes and solution caverns are present. Furthermore, a recent project has located several caves on JPG, and the 1994 chert survey conducted by Algonquin Archeological Consultants, Inc., located two rockshelter archeological sites on the facility (Mbutu et al. 1996; Hawkins and Walley 1995:IX-9). The topography is considerably more gentle to the east and south, where the streams appear to be less well-entrenched.

In addition to the streams, two significant manmade reservoirs are also present on JPG. Both were constructed for recreational purposes by JPG personnel. Old Timbers Lake (165 ac), created by damming Little Otter Creek, runs generally north-south in the northeastern portion of the installation. Krueger Lake, a smaller lake created as "practice" for the damming of Old Timbers Lake, lies near the southeastern corner of the installation (Mbutu et al. 1996).

#### 1.4.2.4 Geology

This section has been excerpted with minor modification from *Jefferson Proving Ground Cultural Resources Management Plan* prepared by Geo-Marine, Plano, Texas, for Jefferson Proving Ground and the U.S. Army Corps of Engineers in August 1996 (Mbutu et al. 1996). JPG lies on the western limb of the Cincinnati Arch, a plunging, broad, low anticline whose north-northwest trending axis lies approximately 100 km east of the project area, near the Indiana-Ohio state line. The structural geology of the region took form during the Ordovician period, when the sedimentary strata of southern Indiana were tipped southwestward by geological uplifting of the Cincinnati Arch (Hawkins and Walley 1995:11-1). The subsurface bedrock consists of sequences of interbedded Silurian, Ordovician, and Devonian carbonate units, mostly limestones. The Silurian-age formations include the Louisville Limestone, Salamonie Dolomite, and Brassfield Limestone. The Maquoketa Group, Trenton and Black River Limestones, and Knox Dolomite derive from the Ordovician period. The Muscatatuck Group is Devonian in age (USACE 1995:4-24).

Most of the outcropping rocks in the project area are associated with Salamonie Dolomite. All of the facility is underlain by Silurian bedrock, with two exceptions: shales and limestones of the Ordovician Maquoketa Group are exposed along some area creeks, and a small area on the southwestern part of the installation (north of the airfield) is underlain by Devonian dolomite. The fine-grained Laurel member of the Salamonie Dolomite caps the Silurian bedrock in many areas. It is the source of Laurel chert, a common tool stone in prehistoric lithic contexts throughout southern Indiana; it also had many historic uses (Hawkins and Walley 1995:11-5).

According to Hawkins and Walley, Laurel chert "is available in southern Indiana both in bedded form and from glacial till"; field observation within the project area confirmed this statement (Hawkins and Walley 1995: 11-5). Where the Salamonie Dolomite is eroded in some stream drainages to the east of JPG (and in Otter and Little Graham creeks on the facility), outcrops of thinly bedded limestones and shales associated with the Maquoketa Group are exposed. Up to 50 percent of the Maquoketa Formation is limestone bedded in gray calcareous shale (USACE 1995:4-24). The Jessup Formation, described by Stafford et al. as an Illinoian-age till mixed with some ice-contact stratified drift, overlies the bedrock, and the Wisconsin Peoria loess overlies the Illinoian drift (Stafford et al. 1985:2-2). JPG lies approximately 16 km (9 miles) south of the nearest Wisconsin glacial border, the possible source of the loess.

#### 1.4.2.5 Hydrology

This section has been excerpted with minor modification from *Environmental Report Jefferson Proving Ground Madison, Indiana* dated June 2002, prepared by the U.S. Department of the Army, Soldier and Biological Chemical Command (U.S. Department of the Army 2002).

Surface water features are abundant at the installation and include ponds, lakes, streams, and wetland areas, along with numerous ephemeral streams, ponding sites, and et areas. Seven streams and their tributaries drain the JPG area, generally flowing from northeast to southwest, and include Otter Creek, Graham Creek, Little Graham Creek, Marble Creek, Big Creek, Middle Fork Creek, and Harberts Creek. JPG lies within the White River Drainage Basin (a sub-basin of the Wabash River Basin which is a sub-basin of the Ohio River Basin) (U.S. Department of the Army 1995).

#### 1.4.2.6 Soils

This section has been excerpted with minor modification from *Jefferson Proving Ground Cultural Resources Management Plan* prepared by Geo-Marine, Plano, Texas, for Jefferson Proving Ground and the U.S. Army Corps of Engineers in August 1996 (Mbutu et al. 1996). According to an environmental impact statement produced by the U.S. Army Corps of Engineers in 1991, "Nile soils of JPG originate from glacial till and outwash, lacustrine deposits, limestone and shale residuum, windblown alluvium, and loess. The soils are strongly weathered, leached, and acidic" (USACE 1991:3-8). Two major soil associations are found within the project area: the Cincinnati-Rossmoyne-Hickory association and the Cobbsfork-Avonburg association. These upland soils developed in situ, in thin loess and in the loamy glacial tills that underlay the loess (Anslinger 1993:3).

#### 1.4.2.7 Vegetation and Wildlife

This section has been excerpted with minor modification from *Jefferson Proving Ground Cultural Resources Management Plan* prepared by Geo-Marine, Plano, Texas, for Jefferson Proving Ground and the U.S. Army Corps of Engineers in August 1996 (Mbutu et al. 1996). Between the last glacial advance and the first European settlement of the JPG area, climatic variations have caused distinct floral shifts through time. A tundra vegetation associated with the last glacial advance may have covered southern Indiana and northern Kentucky between



23,000 and 14,500 B.C. (Hawkins and Walley 1995:11-9). As the climate warmed, the tundra vegetation was replaced by a boreal spruce and fir forest encroaching from the south. A variety of floral communities are found in association with the varied topography of southeastern Indiana.

The Deams classification of the botanical areas of Indiana places the project area within the Flats of the Ohio valley region (Stafford et al. 1985:2-3). The vegetation of these flats is dominated by a sweetgum red maplebeech association, as defined by Potzger (Potzger 1950, 1953; Stafford et al. 1985:2-4). American elm (*Ulmus americanus*), swamp white oak (*Quercus bicolor*), white oak (*Quercus albus*), black gum (*Nyssa sylvatica*), and hickory species (*Carya* spp.) are also found in the Flats (Keller 1946; Stafford et al. 1985:2-4). In southeastern Indiana, a mixed mesophytic forest with a luxuriant herbaceous layer covers the dissected slopes along drainageways (Braun 1950; Stafford et al. 1985:2-4). The diverse forest composition is dominated by beech (*Fagus* spp.). Also found in the plant community are species of white oak, white ash (*Fraxinus americana*), tulip tree (*Liriodendron tulipifera*), black walnut (*Juglans nigra*), sugar maple (*Acer saccharum*), and basswood (*Tilia Americana*) (Stafford et al. 1985:2-4). Floodplain studies conducted elsewhere suggest that JPG's bottomlands would have supported silver maple or black maple (*Acer nigra*), red maple (*Acer rubra*), sugar maple, American elm, white ash, beech, and hackberry (*Celtis occidentalis*) in prehistoric times (Beals and Cope 1964; Lee 1945; Stafford et al. 1985:2-4).

A description of some of the plants and animals encountered by the early settlers is provided by Muncie (Muncie 1932:106-107). According to Muncie, early settlers were attracted to JPG area creeks for several reasons:

The character of the soil, the natural drainage, the proximity of the limestone rock, were other reasons which appealed to the settler. And we may believe, too, that the beauty of Big Creek, with its profusion of spring flowers, its magnificent forest, attracted the settler. Here the warmth and richness of the soil fostered a luxuriant and early growth of flowers and herbs. Many of these—ginseng, the puccoon, the snake-root, and others, were esteemed for their medicinal qualities. Here, too, were wild berries and forest fruits, trees upon the nuts of which the hogs fattened in half wild state, woods teeming with game and streams alive with fish. Deer, bears, turkeys, pheasants, and many other forms of game abounded; periodically the very skies were darkened by the flight of passenger pigeon. Among the most interesting of the reminiscences [*sic*] of the older men was the story of one who told of these pigeons. He said that scientists had estimated that two and one half billions of birds had passed over their camp in the space of two hours. Their flight was not only swift, but far, for my informant had shot on Big Creek birds with rice in their crops. They lived on the acorns and beechnuts of the forest, and fed also on the grain, wheat, oats and rice that they found unprotected. This man told of sowing three acres of oats and while he brought up his team to harrow them in, the pigeons descended taking every grain in a few minutes time.

## 1.5 OVERVIEW OF LAWS AND REGULATIONS

Laws and regulations regarding cultural resources are summarized in this section. These laws and regulations recognize the importance of our national heritage and establish the stewardship role of Federal agencies in its long-term preservation. Compliance with these laws is the basis for the development of an ICRMP and one of the primary reasons for maintenance of cultural resources on Federal property. This section also discusses procedures to comply with the laws and regulations and the penalties for non-compliance.

Cultural resources include historic properties as defined in the National Historic Preservation Act (NHPA), including Traditional Cultural Properties (TCPs); cultural items under the Native American Graves Protection and Repatriation Act of 1990 (NAGPRA); archaeological resources as referenced in the Archaeological Resources Protection Act (ARPA); sacred objects under the American Indian Religious Freedom Act of 1978 (AIRFA); sacred sites as referenced in AIRFA (which provides access to sites) and as defined in Executive Order 13007; collections and associated records as defined in 36 *Code of Federal Regulations* (CFR) Part 79, *Curation of Federally Owned and Administered Collections*; “historical and archeological data (including relics and specimens)” as referenced in the Archaeological and Historic Preservation Act of 1974 (AHPA); and “historic, cultural, and natural aspects of our national heritage” under the National Environmental Policy Act of 1969 (NEPA). Requirements set forth in the NEPA, NHPA, ARPA, NAGPRA, AIRFA, 36 CFR 79, Executive Order 13007, Executive Order 13175, and their implementing regulations define the ANG’s compliance responsibilities for management of cultural resources. AFI 32-7065 and DoD Instruction 4715.16 specify Air Force policy for cultural resource management. The following Federal statutes and regulations are applicable to the management of cultural resources at ANG installations.

### 1.5.1 Federal Laws and Regulations

Federal laws, regulations, and major court decisions can be accessed online from the Cornell University Law Library at <http://www.law.cornell.edu/>. All Air Force regulations, pamphlets, publications, and forms can be accessed online at <http://www.e-publishing.af.mil/>. The ANG is not responsible for the content of referenced Web sites.

- **National Environmental Policy Act of 1969.** NEPA sets forth a national policy that encourages and promotes productive harmony between humans and their environment. The human environment includes both cultural resources and social impacts. NEPA procedures require that environmental information is available to public officials and citizens before decisions are made and before actions are taken. The NEPA process is intended to help public officials make decisions that are based on an understanding of environmental consequences and take actions that protect, restore, and/or enhance the environment. NEPA also provides American Indian tribes, Native Hawaiian organizations, Alaskan Native groups, and the public the opportunity to comment during the decision-making process. Regulation 40 CFR 1500–1508 is binding for all Federal agencies implementing NEPA. This ICRMP is subject to NEPA analysis and documentation requirements; therefore, an EA or EIS may be required to implement the plan.

- **National Historic Preservation Act of 1966.** The NHPA establishes the Federal government's policy to provide leadership in the preservation of historic properties and to administer Federally owned or controlled historic properties in the spirit of stewardship. Regulation 36 CFR 800 sets forth the procedural requirements to identify, evaluate, and determine effects and resolve adverse effects of all undertakings on historic properties (see sections 4.2 and 4.3.1). This review process includes consultation with the State Historic Preservation Officer (SHPO), the Advisory Council on Historic Preservation (ACHP), Tribes, interested parties and organizations, and the public.
- **Curation of Federally Owned and Administered Archaeological Collections.** Regulation 36 CFR 79 defines archaeological collections and sets forth the requirements for processing; maintaining; and curating archaeological collections, including associated records. However, NAGPRA cultural items and human remains are managed in accordance with NAGPRA and 43 CFR 10.
- **Antiquities Act of 1906.** This act provides for penalties for damage and destruction of antiquities.
- **Archaeological Resources Protection Act of 1979.** ARPA provides for the protection of archaeological resources (including sites) against looting and/or vandalism by requiring that persons who excavate archaeological resources or sites on Federal lands or Indian land (1) have appropriate professional qualifications and (2) be issued permits by the land-managing agency. A person who disturbs an archaeological resource without a permit may face civil and/criminal penalties. Other provisions of ARPA foster increased cooperation and exchange of information. ARPA applies to Federally fee-owned lands only.
- **Archaeological and Historic Preservation Act of 1974.** AHPA provides for the preservation of historical and archaeological data, including relics and specimens.
- **Native American Graves Protection and Repatriation Act of 1990.** NAGPRA requires Federal agencies to consult with and develop an agreement with lineal descendants, culturally affiliated Indian tribes, Native Alaskan villages and corporations, and Native Hawaiian organizations regarding the protection and repatriation of certain cultural items—human remains, funerary objects, sacred objects, and objects of cultural patrimony—on Federal or tribal land or land in Federal control. The regulations implementing NAGPRA, 43 CFR 10, specify detailed procedures for Federal agencies that may discover Native American cultural items in planned construction or in the inadvertent discovery of any such cultural item on tribal or Federal land or land under Federal control. The regulations also require Federal agency consultation regarding protection and repatriation of such cultural items in the possession of that Federal agency.

- **American Indian Religious Freedom Act of 1978.** AIRFA protects and preserves the freedom of American Indians to express and exercise their religious beliefs and traditions.
- **Presidential Memorandum of 29 April 1994 - Government-to-Government Relations with Native American Indian Tribal Governments.** This memorandum directs Federal departments and agencies to consult with tribal governments prior to taking actions that may affect those tribes; to assess the impact of their projects, programs, and activities on tribal trust resources and consider the rights and concerns of the tribal governments; to remove any impediments to working with the tribal governments; and to work cooperatively with others in the government to achieve the goals outlined in the memorandum.
- **Executive Order 11593 – Protection and Enhancement of the Cultural Environment.** This executive order directs the Federal government to provide leadership in preserving, restoring, and maintaining the historic and cultural environment of the nation by initiating measures necessary to preserve, restore, and maintain (for the inspiration and benefit of the people) Federally owned sites, structures, and objects of historical, architectural, or archaeological significance.
- **Executive Order 13006 – Locating Federal Facilities on Historic Properties in our Nation’s Central Cities.** This executive order directs the Federal government to use and maintain, wherever operationally appropriate and economically prudent, historic properties and districts, especially those located in central business areas.
- **Executive Order 13007 – Indian Sacred Sites.** This executive order guides each executive branch agency on accommodating access to and ceremonial use of sacred sites by Indian Tribes religious practitioners, and avoiding adversely affecting the physical integrity of such sacred sites.
- **Executive Order 13175 – Consultation and Coordination with Indian Tribal Governments.** This executive order directs the Federal government to establish regular and meaningful consultation and collaboration with tribal officials in the development of Federal policies that have tribal implications; strengthen the United States government-to-government relationships with Federally recognized Tribes and Native Hawaiian organizations, and reduce the imposition of unfunded mandates upon such groups.
- **Presidential Memorandum of 5 November 2009 – Tribal Consultation.** This memorandum reinforces Executive Order 13175 and the importance of tribal consultation. The document directs executive departments and agencies to consult with Tribes and prepare plans of action for implementing the executive order.
- **Executive Order 13287 – Preserve America.** This executive order reaffirms the NHPA and directs the Federal government to provide leadership in preserving America’s heritage by actively advancing the protection, enhancement, and

contemporary use of the historic properties owned by the Federal government; promoting intergovernmental cooperation and partnerships for the preservation and use of historic properties; inventorying resources; and promoting eco-tourism.

- **Executive Order 13327 – Federal Real Property Asset Management.** Expressing the goal of promoting efficient and economical use of real property assets and assuring management accountability and reforms, Executive Order 13327 requires Federal agencies to develop and submit asset management plans incorporating the management requirements for historic property found in Executive Order 13287 (3 March 2003) and the environmental management requirements found in Executive Order 13148 (21 April 2000). The new executive order also establishes the Federal Real Property Council, which is tasked to consider environmental costs associated with ownership of property, including those of restoration and compliance.

### 1.5.2 Department of Defense Regulations, Policy, and Guidance

- **DoD Instruction 4715.16 – Cultural Resources Management.** This instruction establishes DoD policy for the management and maintenance of cultural resources under DoD control. The instruction outlines assigned responsibilities, procedures, programming and budgeting priorities for cultural programs, cultural resources metrics, and ICRMP contents. DoD Instruction 4715.16 is included in Appendix A to this ICRMP.
- **DoD Instruction 4710.02 – DoD Interactions with Federally-Recognized Tribes.** This instruction implements policy, assigns responsibility, and outlines procedures for DoD interactions with Federally recognized Tribes. Enclosure 2 of this instruction provides guidance for consultation with Tribes.
- **DoD American Indian and Alaska Native Policy, 20 October 1998.** This policy statement directs DoD personnel to build stable and enduring relationships with American Indian and Alaska Native governments by communicating and consulting with them on a government-to-government basis to (1) manage DoD lands and take actions to conserve tribal resources and treaty rights to fish, hunt, and gather resources; (2) enhance tribal capacities to protect and manage natural and cultural trust resources; (3) accommodate tribal member access to sacred sites and fishing, hunting, and gathering sites on military installations; and (4) develop tribal-specific protocols regarding information on protected tribal resources.
- **DoD Instruction 4715.3 – Environmental Conservation Program.** This instruction implements policy, assigns responsibility, and prescribes procedures for the integrated management of natural and cultural resources on property under DoD control.



- **Annotated DoD American Indian and Alaska Native Policy, 27 October 1999.** This policy establishes principles for DoD interacting and working with Federally recognized American Indian and Alaska Native governments.
- **DoD Minimum Anti-terrorism Standards for Buildings (Unified Facilities Criteria [UFC] 4-010-01).** These standards provide appropriate, implementable, and enforceable measures to establish a level of protection against terrorist attacks for all inhabited DoD buildings where no known threat of terrorist activity currently exists. Per AFI 32-1021, all military construction shall comply with DoD Antiterrorism Construction Standards except when the local Commander sets more stringent standards to meet specific antiterrorism threats. Installations shall coordinate Antiterrorism/Force Protection (AT/FP) facility requirements through the Installation Security Council and/or the Antiterrorism/Force Protection Officer. Analyses conducted during the project planning and programming phases shall assess potential threats and vulnerabilities, review design opportunities and constraints, and integrate protective strategies into the facility and its surroundings. Refer to AFH 32-1084, *Facility Requirements*; AFI 31-210, *The Air Force Antiterrorism/Force Protection (AT/FP) Program Standards*; and annual HQ USAF/ILEC Military Construction (MILCON) program call letters for additional information.

### 1.5.3 Air Force Instructions (AFIs), Policy, and Guidance

- **AFI 32-7062 – Air Force Comprehensive Planning** (1 October 1997). This AFI and its supplement of 25 July 2003 implement Air Force Policy Directive (AFPD) 32-70, *Environmental Quality*, by establishing the *Air Force Comprehensive Planning Program* for development of Air Force installations. It contains responsibilities and requirements for comprehensive planning and describes procedures for developing, implementing, and maintaining the *General Plan* within the installation *Comprehensive Plan*.
- **AFI 32-7065 – Cultural Resource Management Program.** This instruction supplements U.S. Air Force policy for managing cultural resources to support the military mission and to meet legal compliance requirements. AFI 32-7065 is included in Appendix A to this ICRMP.
- **AFI 84-103 – Museum System.** This instruction establishes procedures for the accounting and physical processing of Air Force Historical Property on loan to the Air Force Flight Test Center Museum (AFFTCM) and for items acquired by the museum through donation or transfer.
- **Air Force Manual (AFMAN) 37-123 – Management of Records.** This instruction establishes procedures for managing records.

- **AFPD 32-70 – Environmental Quality.** This policy directive establishes policies to maintain environmental quality, minimize environmental impacts, and manage natural and cultural resources it holds in the public trust.
- **AFPD 84-1 - Historical Information, Property, and Art.** This policy directive establishes policies for collecting, preserving, organizing, retrieving, interpreting, and employing historical information, historical properties, and art to keep a comprehensive record of the Air Force’s mission accomplishment and to meet future needs.

#### 1.5.4 State and Local Laws

The State of Indiana has enacted laws governing archaeology, cemeteries, and burials. These laws are contained within the Indiana Code. The SHPO is an excellent source of information about state historic preservation laws and regulations and their implementation. In general, state laws may be more restrictive than Federal laws. Meeting the requirements of state laws and regulations may require additional compliance activities on the part of the agency conducting the action.

In cases where a project is a Federal undertaking for which the ANG or another Federal agency is responsible for compliance with NHPA or other requirements, both Federal and state laws may apply. An example of this action is when the Federal undertaking affects a historic property owned and managed by the state. Another example is an action located on state-owned land where state permits for archaeological work may be required.

In addition to state laws, municipal laws also may pertain to cultural resources and historic preservation. Changes to historic buildings may be restricted by covenants or require consultation with local historic district commissions. Such commissions generally use *The Secretary of the Interior’s Standards for Rehabilitation* or may have other requirements for their review. Municipalities may assume a larger role in the consultation process under Section 106 of NHPA as Certified Local Governments. Section 1.5.5 of this ICRMP provides information regarding compliance with state and local laws.

##### 1.5.4.1 Historic Preservation and Archaeology

Under Title 14 Chapter 21 of the Indiana Code, the duties and power of the Division of Historic Preservation and Archeology as well as the Review Board are established (Indiana Code Title 14 Chapter 21 Subchapter 1 Section 12 and Section 20). The Revised Statute also addresses architectural resources. Chapter 21 prohibits an “historic site or historic structure listed on the state or national register; may not be altered, demolished, or removed by a project funded, in whole or in part, by the state unless the review board has granted a certificate of approval.” In regards to discovery of burial grounds, “If a Native American Indian burial ground is discovered, the department shall immediately provide notice to the Native American Indian affairs commission established by IC 4-4-31.4.” The above text summarizes Title 14 Chapter 21 Subchapter 1. The statute can be viewed in entirety at <http://www.in.gov/legislative/ic/code/title14/ar21/ch1.html>.

#### 1.5.4.2 Cemetery Preservation

Title 14 Chapter 21 Subchapter 2 discusses the removal of grave memorials. A precise description of all text appearing on the grave memorial, a photograph, and a written description of the grave memorial location must be filed with the county recorder of the county in which the grave memorial was located.

The above text summarizes Title 14, Chapter 21, Subchapter 2 of the Indiana Revised Statutes. The law can be viewed in entirety at <http://www.in.gov/legislative/ic/code/title14/ar21/ch2.html>.

#### 1.5.5 Non-Compliance and Penalties

Penalties for non-compliance of cultural resource laws and regulations vary according to the law. Compliance with cultural resource laws leads to management of cultural resources in a responsible method according to the law. The purpose for compliance is effective management of cultural resources. Compliance should not have a negative impact on the mission of the installation. The mission of the ANG remains the highest priority; however, non-compliance with cultural resource laws does have a penalty.

The IN ANG complies with the aforementioned state laws and regulations as part of the Guard's comprehensive cultural resources management program. However, the state cannot compel the Guard to obey Indiana laws. Only when Federal laws expressly waive sovereign immunity (i.e., the prohibition of legal actions against the government) will the Federal government, (in this case, the Air National Guard Directorate of the National Guard Bureau), be subject to state-imposed enforcement actions, fines and penalties. The extent to which the Air Force, Guard and Reserve must comply with state cultural resources laws is stated clearly in AFI 32-7065: "...if sovereign immunity has not been waived, Air Force [Air National Guard] installations are encouraged to comply with relevant state and local cultural resource standards and requirements where they do not conflict with Federal requirements and the Air Force mission, and compliance...does not violate fiscal law restrictions." (See AFI 32-7065, subsection 1.1.4.).

**Section 106 of the NHPA.** Non-compliance with Section 106 of the NHPA occurs when an agency official has not followed the Section 106 process to completion or according to ACHP regulations, 36 CFR Part 800. This process has very specific provisions for consultation with the SHPO, Indian tribes, and others. The ACHP may determine that an agency has foreclosed its opportunity to comment, e.g., it has not complied with Section 106 of the NHPA. Prior to making that determination, the ACHP first will notify the agency official (Installation Commander) and ANG/Air Force Chief, Asset Management Division that it will review the installation's Section 106 compliance record and ask the ANG to respond. If the ACHP determines that a foreclosure has occurred, it will notify the agency official and the head of the agency (in the case of the ANG, the Secretary of the Air Force). When foreclosure is determined, the agency is vulnerable to litigation (16 USC 470f, Section 106, NHPA). A Federal agency that does not comply with the Section 106 process also is vulnerable to legal challenge, even if the ACHP does not issue a formal finding of foreclosure.

**Archaeological Resources Protection Act.** ARPA states that no person may excavate, remove, damage, or otherwise alter or deface any archaeological resource located on Federally-owned land or on Indian lands without a permit issued by the land-managing agency for that action. Persons not complying with Sections 6 or 7 of ARPA may be assessed a civil or criminal penalty by the Federal land management agency. ARPA applies to Federally fee-owned lands only; ARPA does not apply to lands that are leased from the state.

**Native American Graves Protection and Repatriation Act.** NAGPRA requires Federal agencies to consult with and develop an agreement with lineal descendants, culturally affiliated Indian tribes, Native Alaskan villages and corporations, and Native Hawaiian organizations regarding the protection and repatriation of certain cultural items—human remains, funerary objects, sacred objects, and objects of cultural patrimony—on Federal or tribal land or land in Federal control. Regulations implementing NAGPRA, 43 CFR 10, specify detailed procedures for Federal agencies that may discover Native American cultural items in planned construction or in the inadvertent discovery of any such cultural item on tribal or Federal land or land under Federal control. The regulations also require Federal agency consultation regarding protection and repatriation of such cultural items in the possession of that Federal agency.

Non-compliance with NAGPRA may result in litigation and criminal and/or civil penalties and may impact mission-essential activities (Public Law [PL] 101-601, Native American Graves Protection and Repatriation Act).

## **1.6 CULTURAL RESOURCE MANAGEMENT RESPONSIBILITIES**

This section identifies the ANG installation staff, other ANG military personnel, and non-military agencies and stakeholders that have responsibilities to the program. Appendix D contains the POCs for the NGB, the SHPO, agencies, Tribes, organizations, and individuals that have cultural resource management responsibilities or interests in the cultural resources of the installation.

### **1.6.1 Environmental Manager**

The EM is responsible for managing the cultural resource program in compliance with Federal and state laws and regulations. Additional responsibilities as listed in AFI 32-7065 include the following:

- Implement and maintain the ICRMP for the ANG installation and property used by the ANG.
- Coordinate with NGB/A7AN and the contract professionals to locate, inventory, evaluate, and recommend the nomination of eligible properties on the installation to the NRHP.
- Ensure that all proposed actions that may affect cultural resources are identified early in the planning process and coordinated with the NGB/A7AN and the contract professional.

- Monitor the work of contractors on the installation to ensure compliance with Air Force cultural resource requirements.
- Coordinate with installation personnel, the SHPO (or Tribal State Historic Preservation Officer [THPO]), the council, Native American tribal representatives, and others as appropriate to identify significant cultural resources; evaluate potential impacts; and reduce, avoid, or mitigate adverse effects through MOAs. Any prescribed action involving the SHPO applies equally to the THPO where appropriate.
- Review all installation projects for compliance with the Instruction and with Federal cultural resource laws.
- Maintain the ANG/CNR database annually and as architectural and archaeological surveys are completed.
- Maintain the Real Property Identification Requirements (RPIR) database as architectural surveys are completed.
- Conduct public awareness and education programs.
- Identify items of potential importance for Air Force history to the United States Air Force Museum System (USAFMS). These items may include aerospace vehicles, weapons, equipment, supplies, personal property, and other physical manifestations of the Air Force's heritage (see AFD 84-1, *Historical Information, Property, and Art*; AFI 84-103, *Museum System*; and AFMAN 37-123, *Management of Records*).

### **1.6.2 Responsibilities of Installation Commander**

The Installation Commander's responsibilities, as listed in AFI 32-7065, include the following:

- Approve and implement the installation-specific ANG ICRMP.
- Consult, as required by Federal law or regulation, executive order, or DoD or Air Force policy or regulation, with leaders of Federally recognized American Indian tribes, Alaska Native villages, and Native Hawaiian organizations whose members are affiliated with lands controlled by the installation.
- Monitor consultations under Section 106 of the NHPA for activities and property under their control and sign ICRMPs, programmatic agreements (PAs) or MOAs. Forward draft agreements with other Federal or state agencies or Tribes through channels to AF/ILE for review and coordination with the Deputy Assistant Secretary of the Air Force for Energy, Environment, Safety and Occupational Health (SAF/IEE) before signing. SAF/IEE may determine the signature level for such agreements on a case-by-case basis.

- Establish government-to-government relationships with Native American tribes as necessary and in accordance with DoD and Air Force policy and guidance.
- Ensure that the ANG installation cultural resources program is reviewed annually by the Environmental Safety and Occupational Health (EOSH) Council, formerly Environmental Protection Committee (EPC).

### **1.6.3 Other Military Staff and Organizations**

This section contains a list of ANG staff that have responsibilities to the program and for its implementation other than the EM and the Installation Commander. These roles are summarized here but are defined in AFI 32-7065, section 1.4.

- **The Secretary of the Air Force (SAF)** – Responsible for helping the Installation Commander during the Section 106 process when an undertaking adversely affects historic properties and an agreement cannot be reached with the ACHP or the SHPO.
- **The Deputy Assistant Secretary of the Air Force for Energy, Environment, Safety and Occupational Health (SAF/IEE)** – Designated the Air Force Federal Preservation Officer (FPO) and nominates Air Force properties to the U.S. Department of the Interior for listing in the NRHP.
- **Deputy General Counsel for Installations and Environment (SAF/GCN)** – Provides legal oversight, coordination, review and counsel regarding cultural resource laws and regulations.
- **Civil Engineer (HQ USAF/ILE)** – Reviews NHPA Section 106 consultation actions regarding cultural resource management requirements.
- **Air Force Center for Engineering and the Environment (HQ AFCEE)** – Develops guidelines for the cultural resource program, provides technical advice for executing cultural resource requirements, and prepares the annual Archaeological Report for Congress.
- **Base Civil Engineer (BCE)** – Issues ARPA permits to qualified applicants, reviews NAGPRA and Section 106 compliance, and manages archaeological collections and records.

### **1.6.4 Non-Military Roles and Responsibilities**

**Advisory Council on Historic Preservation (ACHP).** The ACHP issues regulations to implement Section 106 of the NHPA; provides guidance and advice on the application of its regulations, 36 CFR 800; oversees the operation of the Section 106 process; and approves Federal agency procedures for substitution of ACHP regulations. The ACHP also participates in consultation to resolve adverse effects and develop MOAs or PAs as it determines appropriate, determines agency foreclosures of its opportunity to comment, and provides

advisory comments where there is no MOA to resolve the adverse effects of a Federal undertaking. Sample letters for corresponding with the ACHP during the Section 106 process are provided in Appendix D.

**State Historic Preservation Officer (SHPO).** The SHPO reflects the interests of the state or territory and its citizens in the preservation of their cultural heritage. In accordance with Section 101(b)(3) of the NHPA, the SHPO advises and assists the ANG in carrying out its Section 106 responsibilities. The SHPO also advises and consults in the development of an ICRMP. The Indiana SHPO is Robert E. Carter, Jr., Director of the Department of Natural Resources. Contact information for the SHPO and sample letters for corresponding with the SHPO during the Section 106 process are provided in Appendix D.

If a Tribe has assumed the responsibilities of the SHPO for Section 106 review on tribal lands under Section 101(d)(2) of the NHPA, consultation with the THPO, in lieu of the SHPO, shall occur regarding undertakings occurring on or affecting historic properties on tribal lands. The SHPO may participate as a consulting party if the Tribe agrees to include the SHPO.

**Tribal Historic Preservation Officer (THPO).** A THPO appointed or designated in accordance with the NHPA is the official representative of a Tribe for the purposes of Section 106. Contact information for THPOs is provided in Appendix D.

If a Tribe does not have a THPO, which assumes the responsibilities of the SHPO for Section 106 on tribal lands under Section 101(d)(2) of the NHPA, the Installation Commander shall consult with the tribal leader in addition to the SHPO regarding undertakings occurring on or affecting historic properties on tribal lands.

**Tribes<sup>1</sup>.** To comply with Section 101(d)(6)(B) of the NHPA, the ANG commander is required to consult with any Tribe that attaches religious and cultural significance to historic properties that may be affected by an undertaking. Such consultation shall be on a government-to-government basis and shall occur through the provisions of the NHPA and 36 CFR 800. It is the responsibility of the commander to seek to identify and consult with Federally recognized Tribes pursuant to Section 106 of the NHPA (see Chapter 4) and other legal requirements. Contact information for Tribes relevant to 182 AW is provided in Appendix D.

**Indiana Division of Historic Preservation and Archaeology (DHPA).** The DHPA within the Indiana Department of Natural Resources functions as the State Historic Preservation Office. The mission of the DHPA is to promote the conservation of Indiana's cultural resources through public education efforts, financial incentives, and the administration of state and Federal legislations. The website of the DHPA is <http://www.in.gov/dnr/historic/>. Contact information is provided in Appendix D.

**Interested Parties and the Public.** The installation shall seek and consider the views of the general public and any other interested parties regarding the development and implementation

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<sup>1</sup> The word "Tribes" (with a capital T) is used inclusively throughout this ICRMP to include American Indian Tribes, Alaska Native villages and corporations, and Native Hawaiian Organizations as defined in the National Historic Preservation Act and the Native American Graves Protection and Repatriation Act.

of the ICRMP (see section 4.2), including historic preservation organizations and local governments. Interested parties may include Jefferson County Historical Society, Jennings County Historical Society, Ripley County Historical Society, JPG Heritage Partnership, Indiana Historical Society, Historic Landmarks Foundation of Indiana, and Big Oaks National Wildlife Refuge. Contact information for these individuals and organizations is provided in Appendix D.





## 2. CULTURAL RESOURCE INVENTORY

This chapter provides a description of the archaeological and built resources contained within the JPG/Jefferson Range. The chapter also includes discussions pertaining to literature searches, probability designations, cultural resources of importance to Native Americans, and archaeological collections and records. Summaries of archaeological and historic contexts are presented. Detailed archaeological and historic contexts are included in Appendices B and C.

### 2.1 LITERATURE SEARCH

In August 1996, a cultural resource survey was completed at JPG by Geo-Marine, Inc. during preparation of the *Jefferson Proving Ground Cultural Resources Management Plan* (Mbutu et al. 1996). All 410 pre-1989 architectural resources on the Army Real Property Inventory were evaluated at that time. Eleven of the architectural resources are found on the IN ANG Real Property Inventory; one resource, Old Timbers Lodge, is listed in the NRHP and four stone bridges are eligible for listing in the NRHP. Prior to the 1996 Cultural Resources Management Plan (CRMP), six archaeological surveys had been conducted on the 55,264-acre Army facility; these surveys did not extend to lands now leased by ANG. The majority of surveyed archaeological resources occurred south of the Firing Line on Army-owned property. No cultural resource surveys have been completed at JPG since 1996.

### 2.2 PROBABILITY DESIGNATIONS

No archaeological surveys have been completed on the land leased by the ANG at JPG/Jefferson Range. Therefore, designations for low, moderate, or high probability of archaeological sites have not been determined. See recommendations included in Chapter 3.

#### 2.2.1 Probability for Archaeological Resources

Areas that have low, moderate, or high probability for archaeological sites are identified by qualified professionals through previous inventories that reveal a settlement pattern. Topography, areas of prior disturbance and documented land-use patterns are also considered in such predictive models. Areas with medium to high probability are anticipated to have a high number of archaeological resources or a higher likelihood of having archaeological sites. These areas should be afforded high priority for archaeological inventory. Areas designated as having a low probability to contain archaeological sites may be less likely to contain archaeological sites than those areas of high or medium probability. Even if previously plowed or previously disturbed, these areas may still contain archaeological sites that can contribute information important in history or prehistory. Archaeological remains may be buried beneath plowzones, or may have been laterally relocated by plowing, but be intact sufficiently to contribute to our knowledge of history or prehistory of an area. Therefore, areas designated low probability to contain archaeological sites should be surveyed but given a lower priority than areas designated high or medium potential.

The present archaeological data for JPG is based on five professional surveys and one CRMP. Research has shown that prehistoric cultural resources are present at JPG. Surveys comprising 4,872 acres of JPG revealed a total of 153 sites (Mbutu et al. 1996). A complete archaeological survey has not been conducted at JPG. Furthermore, no archaeological surveys have been completed on the land leased by the ANG at JPG/Jefferson Range, and an archaeological probability map has not been prepared. Refer to Appendix B for the archaeological context.

### **2.2.2 Probability for Built Resources**

Built resources include buildings, structures, landscapes, and objects that document the history of an installation and possibly the history that predates the installation. These resources include both military and non-military assets. They may relate to the military mission of the installation, historical uses or events not related to the military or broader events that affected both the military and non-military.

Built resources are generally considered for eligibility to the NRHP when they reach 50 years of age. (If they have not been evaluated for eligibility, they must be treated and managed as eligible until a determination has been made). However, a district, site, building, structure, or object may achieve “exceptional” significance within the last 50 years (Criterion Consideration G) and be considered eligible for the NRHP. For military installations, this could include important Cold War resources.

According to the IN ANG Real Property Inventory, one resource at the JPG/Jefferson Range is listed in the NRHP, Old Timbers Lodge, and four stone bridges are eligible for listing in the NRHP. The IN ANG Real Property Inventory contains a total of ten buildings and structures that were not evaluated for NRHP eligibility. Oakdale Schoolhouse is included in the Army Real Property Inventory; however, the IN ANG provides routine maintenance for the building. The Oakdale Schoolhouse is listed in the NRHP. See section 2.5.1 and recommendations included in Chapter 3.

Refer to Appendix C for historic contexts and historic maps.

## **2.3 CONTEXTS: ARCHAEOLOGICAL AND HISTORIC**

Archaeological contexts and historic contexts related to JPG are summarized below. Appendices B and C of this ICRMP include the full contexts, as well as historic maps and other documentation.

### **2.3.1 Archaeological Context**

This archaeological context for JPG is excerpted with minor modification from *Jefferson Proving Ground Cultural Resources Management Plan*, prepared by Geo-Marine, Plano, Texas, for Jefferson Proving Ground and the U.S. Army Corps of Engineers in August 1996 (Mbutu et al. 1996). The full text of the archaeological context is presented in Appendix B.

### 2.3.1.1 Paleo-Indian Period (10,500 – 8000 B.C.E.)

Evidence for the initial human occupation of the central Ohio River valley is sparse. While surface finds of fluted projectile points have been found, the evidence is extremely limited. The nature of archaeological remains indicates that these early populations roamed the landscape in search of large game animals, many species of which have since become extinct, as well as for gathering wild plants and hunting smaller animals in a tundra or spruce/parkland environment. The hunters occupied small temporary base camps located along bluff tops, terraces, and uplands. In the vicinity of JPG, evidence of Paleo-Indian occupation comes almost exclusively from distinctive fluted projectile points recovered from primarily disturbed surface contexts. Five fluted projectile points have been found in Jefferson County.

### 2.3.1.2 Archaic Period (8000 – 1500 B.C.E.)

The Archaic period can be divided into three subperiods: the Early Archaic dating from 8000 to 6000 B.C.E., the Middle Archaic from 6000 to 3500 B.C.E., and the Late Archaic from 3500 to 1500 B.C.E. The transition from one subperiod to the next is often difficult to delineate, as is the transition from the preceding Paleo-Indian period to the Archaic.

Early Archaic sites in southeast Indiana generally occur in upland settings and along drainages. Upland sites tend to be small lithic scatters. The artifact assemblages from these sites contain very few “functionally restricted” artifacts suitable for hunting-related activities. Common projectile points during the Early Archaic include corner and basal notched varieties such as the Thebes and bifurcated Lobed and LeCroy clusters. The site distribution and artifact assemblage contents suggest that the Early Archaic populations were highly mobile. Along the Ohio River south of JPG, intact Early Archaic deposits have been reported at the Haag site in Dearborn County, Indiana.

The Middle Archaic period is poorly documented in Indiana. Sites, including base camps, hunting camps, nut collection/processing stations, lithic workshops, and fishing/mussel gathering stations tend to be located along the Ohio River and its major tributaries, or on prominent, well-drained elevations in close proximity to interior lowlands which support lacustrine soils.

Although the distribution of sites and site types remained similar to that of the Middle Archaic, the Late Archaic sites were more oriented toward valley settings. The more permanent Late Archaic sites are characterized by burial mounds located on the bluffs lining major drainages.

### 2.3.1.3 Woodland Period (1500 B.C.E. – C.E. 1050)

The Woodland period is divided into three subperiods. The Early Woodland dates from 1500 B.C.E. to 500 B.C.E., the Middle Woodland from 500 B.C.E. to C.E. 650, and the Late Woodland from C.E. 600 to C.E. 1000. The primary delineation between the Archaic and the Woodland is the introduction of ceramics. Some Early Woodland complexes, such as the Adena in southern Ohio, northwest West Virginia, and northeast Kentucky, were characterized by elaborate mortuary practices and the construction of earthworks and burial mounds. Adena,

however, was essentially a mortuary complex practiced by a number of different societies, each following a subsistence and settlement system adapted to the local environment. These locally adapted subsistence systems were much like the systems practiced during the Late Archaic, although they were generally more specialized. The Nowlin Mound, an Early Woodland site southeast of the project area in Dearborn County, is one of the largest prehistoric structures in Indiana. Seven tombs were identified in association with the mound, which is of Adena affiliation. Another notable Adena mound, the C.L. Stone Mound, is located in Shelby County, Indiana, to the northwest of JPG.

During the Middle Woodland period, the mid-continental region of North America was dominated by Hopewell-affiliated cultures. Like the Adena complex that preceded it, Hopewell was a system of shared mortuary practices, with the addition of an extensive exchange network. The Hopewell homeland in Ohio and the Havana Hopewellian cultures in western Illinois are considered to be the primary centers, with other variants located over a wide geographic area. The Hopewell period was marked by an intensification of Adena burial practices. Mounds constructed over single tombs replaced the accretional burial mound practices of the Adena period. The range of items traded expanded to include exotic, non-utilitarian materials and finely made non-utilitarian pottery. The investment of labor necessary for the construction of elaborate mounds in the upper Ohio River valley suggests that a more complex level of social organization developed during this period than was prevalent here before.

The subsequent Late Woodland period is characterized by a decline in cultural sophistication and in population. Mound building continued on a lesser scale, and the mounds were more commonly constructed of stone slabs. Complex and elaborate burial practices declines, populations were more dispersed, the amount of grave goods decreased or disappeared entirely, and the “fine arts” of the Middle Woodland period disappeared. Components dating to this period have been identified at the Haag and Bratfish sites in Dearborn County, east of the project area.

By the end of the Late Woodland period, there was a move back towards the exploitation of bottomland resources and a shift to maize-based horticulture in many areas. Corresponding changes in ceramic technology and settlement patterns signaled the beginning of the Mississippian period.

#### 2.3.1.4 Mississippian/Fort Ancient Period (C.E. 1000 – 1700)

Two cultural traditions, Fort Ancient and Mississippian, replaced the Woodland tradition along the Ohio River. The area around the Falls of the Ohio marks the boundary between Fort Ancient, which occurs upstream to the east, and the Mississippian, which occurs downstream to the west. Fort Ancient sites occur in Ohio, Kentucky, southeastern Indiana, and West Virginia; and the Mississippian sites are found in the central Mississippi River valley in Illinois and the lower Ohio River valley in Kentucky and southwestern Indiana. Between these two areas are a number of other regional variants such as the Kincaid-Angel complex, the Vincennes complex, and the Falls complex. While there was considerable variation between these different complexes, even to the point that applying the single term Mississippian to all of them may be

inappropriate, historically these groups, as well as others to the south and north, have been referred to under that name.

In general, the Mississippian culture can best be defined as an adaptive system, a system characterized by the intense utilization of the bottomland environment for the cultivation of tropical cultigens; the restriction of wild resource utilization to the most abundant, dependable, and most easily obtained flora and fauna; and by a ranked social organization. Middle Mississippian societies were situated in areas with wide floodplains containing extensive and renewable alluvial deposits such as the Falls of the Ohio area.

In contrast, the Fort Ancient populations inhabited a region where the Ohio River flows within a narrow gorge with limited alluvial deposits but more readily available upland resources. Southeastern Indiana, including the JPG area, is within Fort Ancient culture area. Of all Fort Ancient sites reported in Dearborn and Ohio counties of southeastern Indiana, the Haag site in Dearborn County is the most intensively investigated.

While cultivation of tropical cultigens was of major importance to the Fort Ancient population, a wide variety of wild foods was exploited as well, including nuts, berries, seeds, elk and large quantities of deer. Fort Ancient societies lacked the high degree of social stratification characteristic of the Mississippian culture but often exceeded many Mississippian cultures in the degree of nucleation, with significant portion of the population living in the central town.

#### 2.3.1.5 Historic Native Americans (C.E. 1675 – 1773)

Several sedentary Native American groups lived in the Ohio River valley until they were driven out in the late seventeenth century by the Beaver Wars, fought among the Native Americans over access to the European fur trade. Beginning in the seventeenth century, other Native American groups migrated or were forced west and southward into what is now Indiana.

By the eighteenth century several Native American groups, including the Miami, Wea, Piankawahaw, and Shawnee, inhabited eastern Indiana, where they lived in summer agricultural villages and winter temporary hunting/trapping camps. Later arrivals in the area included the Delaware, Potawatomi, and Kickapoo groups. The Delaware and the Potawatomi are reported to have occupied the land west of Butlerville in Jennings County that is today part of JPG.

### 2.3.2 Historic Context

This historic context for JPG is excerpted with modifications from *Jefferson Proving Ground Cultural Resources Management Plan*, prepared by Geo-Marine, Plano, Texas, for Jefferson Proving Ground and the U.S. Army Corps of Engineers in August 1996 (Mbutu et al. 1996). The full text of the historic context is presented in Appendix C.

#### 2.3.2.1 Pre-Installation Years

Euro-American settlement of JPG and its vicinity can be traced to 1811. The majority of the settlers came from the Carolinas, Virginia, and Kentucky. The earliest Euro-American families

in Jefferson, Jennings, and Ripley counties were subsistence farmers. Subsistence farming remained the principal occupation during the early half of the nineteenth century. Early industries were agriculture-related, including mills as well as tanneries and brick and lime kilns.

After World War I, the JPG area remained largely agricultural. Although small family-operated farms continued to decline, overall farm production increased. By 1940, 25 percent of the farms on the land that became JPG were occupied by tenant farmers. Like the rest of the nation, the JPG farmers were affected by the stock market crash of 1929 and the subsequent Depression. Efforts to improve agricultural production continued, however, and in 1933, the Civilian Conservation Corps (CCC) was established in Jennings County in an attempt to control runaway erosion. By 1940, the portions of Jefferson, Jennings, and Ripley counties on which present-day JPG is located consisted of an area of dispersed farmsteads, schools, churches, cemeteries, and small crossroad communities. Prior to the commissioning of JPG in 1940, at least 17 schools, 10 churches, and 17 cemeteries had existed within the boundaries of the present-day facility.

#### 2.3.2.2 History of the Jefferson Proving Ground

As it became apparent that World War II was imminent, this area of Indiana became attractive to the U. S. government. From the government point of view, the lack of cities or extensive industrial development, the low population density, and the accessibility to/from national transportation networks made the area ideal for use as a weapons testing facility. In December 1940, Congress commissioned the formation of JPG in portions of Jefferson, Jennings, and Ripley counties. On December 6, the government notified 2,000 landowners and residents to vacate the future proving ground. Although initially the farmers were given 30 days to relocate, the process actually took several months longer; still, however, "the transformation from quiet, rural neighborhoods to the rumble of the first 75 MM test round took only 155 days." Nineteen of the better farmhouses were moved from their original locations and resituated in the southern portion of the facility. These farmhouses were used as family housing; thirteen presently remain on the facility.

The installation was built as an ordnance testing facility, a key component of the mobilization plan which sought to develop an American ammunition industry virtually overnight after the German invasion of France in the summer of 1940. Designed specifically to evaluate different types of ammunition to ensure that they met government specifications before being sent to U.S. Army troops, JPG was an integral part of the American logistical system that simply overwhelmed the Axis powers by war's end. Land acquisition for JPG began in 1940, and construction began in 1941, with the installation in active use by the end of that year. By 1945, 149 of its 332 buildings had been erected: maintenance, administrative, test firing, and assembly facilities, as well as the airfield built on the south end of the installation and observation bunkers built up range in the test firing area to the north.

At the war's end, the proving ground was deactivated and its buildings mothballed, only to be reactivated in 1949 shortly before the outbreak of the Korean War. The Korean War precipitated a second wave of construction at the installation. Between 1951 and 1953, some 107 new structures were constructed. For the most part, these consisted of additional test firing

and storage facilities, but with improvements to the infrastructure as well. The end of the Korean War brought about the deactivation of JPG once again. In 1961, however, the installation was reactivated and has remained in continuous use until recently. In 1988, the Defense Department Commission on Base Closure and Realignment announced plans to transfer the JPG mission to Yuma Proving Ground in Arizona, and began a complete shut-down of the Army's use of JPG.

## **2.4 ARCHAEOLOGICAL RESOURCES**

An archaeological site is a location that contains artifacts, features, or other archaeological indications of past human life or activities from which archaeologists interpret information about history or prehistory. Archaeological sites may contain natural features modified by human use; manmade structures; artifacts such as stone tools, pottery, basketry, bottles, weapons, weapon projectiles, or shell; or all of these. A prehistoric campsite may include a lithic scatter related to the manufacture of stone tools and/or presence of stone tools; hearth features with fire-cracked rock, charcoal, seeds, and other materials; or even stone alignments. Generally, an archaeological site is considered to be eligible for the NRHP if it is at least 50 years of age, has archaeological integrity, and has the potential to contribute information important in history or prehistory. If so, it would be considered to be a historic property and the provisions of the NHPA would apply. Additionally, the same site would be protected by the provisions of ARPA if it is located on Federally fee-owned lands. The site also may contain Native American cultural items, and NAGPRA may be applicable. Furthermore, a site may be a sacred site or a TCP important to a Tribe or other group.

Archaeological sites that include human remains, cemeteries, or a burial are sensitive and require protection or other treatment. Refer to section 4.3.4 if a suspected human burial is found.

Information regarding the location and nature of archaeological resources and sites shall not be released to the public. Furthermore, only authorized personnel are allowed access to these records. Refer to section 2.4.3 for additional guidance.

### **2.4.1 Archaeological Resources Summary**

No archaeological investigations have been undertaken on the ANG-leased land at JPG/Jefferson Range. However, six surveys have been completed to inventory archaeological resources at JPG during the Army tenure; these surveys did not extend to lands now leased by ANG. As a result of the surveys, 153 archaeological sites across the proving ground have been identified. The installation comprised a total of 55,264 acres when the surveys were conducted (1975-1995), of which 4,845 acres were surveyed for archaeological resources.

### **2.4.2 Archaeological Research Themes**

No archaeological resources have been identified on the JPG/Jefferson Range. Archaeological resources, if they were to exist, could contribute to the following archaeological research themes:



- Regional occupation during the Archaic (8,000 – 1,500 B.C.E.), Woodland (1500 B.C.E.–C.E. 1050), and Mississippian periods (C.E. 1000-1700).
- Settlement patterns and systems during the nineteenth and early twentieth centuries.

### **2.4.3 Protection of Archaeological Resources**

Information regarding the location and nature of archaeological resources and sites shall not be released to the public, in accordance with Section 9 of ARPA and Section 304 of the NRHP. Therefore, the EM and the Installation Commander must ensure that all hard copies and electronic documents, maps, and reports that are prepared for this ICRMP do not contain location or other sensitive information if they are released to the public.

Additionally, only authorized personnel are allowed access to these records. Qualified personnel include archaeologists conducting relevant research, Tribes seeking access to the archaeological sites for traditional or religious activities, and the EM and Installation Commander for planning and preservation purposes. Information regarding inadvertently discovered cultural material is provided in section 4.3.4.

## **2.5 BUILT RESOURCES**

Built resources are buildings, structures, designed and cultural landscapes, objects, and districts. Built resources include both military and non-military property under ANG stewardship.

Built resources are evaluated by individuals who meet Federal professional qualifications as defined in 36 CFR 61 and *Federal Register* 48(190):44738-44739 and who apply the NRHP criteria for significance and integrity found in 36 CFR 60 (a–d). While properties generally need to be at least 50 years of age to meet the NRHP criteria, there are exceptional circumstances in which more recent properties can be eligible for the NRHP. One of these circumstances is properties that have made an exceptional contribution to the Cold War (1946 to 1989) and that have architectural or other integrity. Resources that meet one or more NRHP criteria are considered historic properties for the purposes of NHPA compliance. These historic properties become the focus of further cultural resource management efforts.

### **2.5.1 Built Resources Summary**

The IN ANG Real Property Inventory includes eleven structures and buildings at the JPG/Jefferson Range. These resources are listed in Table 2-1. Of the eleven, Old Timbers Lodge (Facility 500) is listed in the NRHP. The four stone arch bridges (Numbers 617, 625, 627, and 628) are considered eligible for listing in the NRHP. Four additional structures are used by the JPG/Jefferson Range but are not included in the IN ANG Real Property Inventory (Facilities 482, 491, 493, and a Pyrotechnic Firing Point). In addition, the IN ANG has agreed to provide routine maintenance for the NRHP-listed Oakdale Schoolhouse (Facility 401), which is located at JPG and is owned by the Army. Attachment 1 to the Support Agreement between

the U.S. Army Materiel Command and the IN ANG addresses maintenance of the Oakdale Schoolhouse. Attachment 1 is included in Appendix M to this ICRMP.

Table 2-1 summarizes the built environment at the JPG/Jefferson Range, including information pertaining to cultural resource survey and evaluation of these resources. The RPIR code refers to the Real Property Identification Requirements database, which lists buildings, their date of construction, and their historic status. Images of the built resources are included in Appendix N.

**Table 2-1. Built Resources at the JPG/Jefferson Range and their NRHP Eligibility Status**

<b>Building/ Structure Number</b>	<b>Historical Use</b>	<b>Present Use</b>	<b>Date Constructed</b>	<b>NRHP Eligibility</b>	<b>Surveyor/ Report Name/ Date</b>	<b>RPIR Code</b>
617	Transportation	Transportation	1910	Eligible	N/A	NREI
625	Transportation	Transportation	1910	Eligible	N/A	NREI
627	Transportation	Transportation	1910	Eligible	N/A	NREI
628	Transportation	Transportation	1910	Eligible	N/A	NREI
500	Domestic	Recreation	1931	NRHP Listed	N/A	NRLI
2	Unknown	Storage	1940	Not Evaluated	N/A	NEV
3	Control Tower	Control Tower	1978	Not Evaluated	N/A	NEV
480	Observation Tower	Observation Tower	1978	Not Evaluated	N/A	NEV
481	Range Control House	Range Control House	1978	Not Evaluated	N/A	NEV
488	Spotting Tower	Storage	1978	Not Evaluated	N/A	NEV
1	Unknown	Storage Shed	1978	Not Evaluated	N/A	NEV
401 (no assigned number on IN ANG inventory)	Schoolhouse	Vacant	1869	NRHP Listed	N/A	NRLI
482	Storage	Storage	Unknown	Not Evaluated	N/A	NEV
491	Ammunition Storage	General Purpose Storage	Unknown	Not Evaluated	N/A	NEV
493	Ammunition Storage	General Purpose Storage	Unknown	Not Evaluated	N/A	NEV
Not assigned	Pyrotechnic Firing Point	Vacant	Unknown	Not Evaluated	N/A	NEV

The RPIR codes in Table 2-1 represent the following:

NREI = individually eligible for the NRHP

NRLI = individually listed in the NRHP

NEV = not yet evaluated for the NRHP

#### 2.5.1.1 Facilities 617, 625, 627, and 628

Facilities 617, 625, 627, and 628 are stone arch bridges constructed in 1910. Bridge 617 is located on Northwest Exit Road and crosses Otter Creek; Bridge 625 is located on G Road and crosses Marble Creek; Bridge 627 is located on J Road and crosses Graham Creek; and, Bridge 628 is located on K Road and crosses Graham Creek. Bridge 617 has three arched spans and wing walls. It has stepped stone rails traveling along both sides of the road. It is the longest of the four bridges, measuring 192 feet in length. Bridge 625 is the smallest, measuring 36 feet in length; it has only one arched span. Bridge 625 features a flat stone rail and stepped stone wing walls. Bridge 627 has three arched spans and a stepped stone rail; it measures 167 feet in length. Bridge 628 has two stone arched spans and a flat stone rail and measures 105 feet in length. All four bridges are currently in use and are individually eligible for listing in the NRHP.

#### 2.5.1.2 Facility 500 Old Timbers Lodge

Facility 500 is the Old Timbers Lodge, constructed in 1931. It is located on the south side of K Road, east of Facility 481 at the end of a gravel driveway. Old Timbers Lodge is a one-and-one-half-story stone building originally constructed as a residence; the roof is clad in asphalt shingles. The building features six chimneys and has an overall U-shaped footprint, with a gable-roof extension on the north elevation. A raised stone porch spans the east elevation of the building and features large timber rails; the porch overlooks Graham Creek. The building retains its original wood casement windows, wood doors, hardware, fireplaces, and hardwood flooring. Multiple rooms were created as sleeping quarters on both the first and second (attic) levels. Two of the rooms on the first level feature gun cabinets with built in gun racks and wrought iron hardware. The largest interior space of the building is the Great Room, which spans the height of the first and second level. A balcony on the attic level spans the north, west, and south sides of the room, and stone fireplaces are located at the north and south ends. Curved stone stairs access the balcony area next to the fireplace on both ends of the room. A small stone dam is located west of the lodge and is visible from the front of the building. Old Timbers Lodge is listed in the NRHP.

#### 2.5.1.3 Facility 480

Facility 480 is an observation tower located on the north side of K Road, west of the main ANG complex (Facility 481). The tower is a steel frame structure that rests atop four poured concrete footers. Metal stairs provide access to the observation area, which is a small gable-roof structure. The tower is currently in use by the IN ANG. Facility 480 has not been evaluated for listing in the NRHP.

#### 2.5.1.4 Facility 481

Facility 481 is a one-story, concrete building with a flat-roof located on north side of K Road. The façade of the building has a centered bay with double-leaf pedestrian doors. Metal casement windows are located on both sides of the entry. Double-leaf pedestrian doors, a single-leaf pedestrian door, and a metal casement window are located on the rear of the

building. A metal railing travels along all four edges of the roof of the building. An observation tower, accessed by metal stairs, is located on the roof and is no longer in use. The building is currently used for the main office spaces for the IN ANG. Facility 488 has not been evaluated for listing in the NRHP.

#### 2.5.1.5 Facility 488

Facility 488 was originally constructed as a spotting tower. It is located south of Facility 481 on the west side of Bombfield Road. The structure is constructed of poured concrete and has an irregular footprint. A metal staircase provides access to the second level of the structure on the south elevation. An additional ladder allows access to the flat roof of the structure. Bays on the first level have been covered, and slanted observation windows on the second level have been painted over. The building is currently used for general purpose storage. Facility 488 has not been evaluated for listing in the NRHP.

#### 2.5.1.6 Facility 401 Oakdale Schoolhouse

Oakdale Schoolhouse is owned by the Army and has no assigned facility number on the IN ANG inventory. The building is a stone, gable-roof, one-room schoolhouse. A pedestrian entry with a single-leaf door is located on the east elevation. Three windows with six-over-six-light, double-hung wood sashes are located on the north and south elevations. The interior is one open room with hardwood floors and plaster walls. A chalkboard spans the west wall. The Oakdale Schoolhouse is listed in the NRHP. The IN ANG provides routine maintenance for the building.

#### 2.5.1.7 Facility 482

Facility 482 is a panelized metal building used as a garage and for storage. It is located directly west of Facility 481 on the north side of K Road. The structure has a gable-roof, overhead rolling garage doors, and double-hung vinyl windows with simulated eight-over-eight light sashes. Facility 482 has not been evaluated for listing in the NRHP.

#### 2.5.1.8 Facility 491

Facility 491 is an earth covered ammunition storage magazine with a poured-concrete headwall and angled wing walls. It is located on the south side of K Road, west of Facility 481 and directly east of Facility 493. The structure currently has five bays with steel pedestrian doors accessing five individual cells. The immediate area around each door is in-filled with concrete block, indicating alterations to the original form. Five vents pierce the roof of the structure and the earth covering, venting each individual cell. The building is currently empty. Facility 491 has not been evaluated for listing in the NRHP.

#### 2.5.1.9 Facility 493

Facility 493 is an earth-covered ammunition storage magazine with a poured-concrete headwall that travels to grade. It is located on the south side of K Road, west of Facility 481 and directly

west of Facility 491. Centered double-leaf steel doors allow access to the interior of the magazine. A raised concrete dock spans the width of the entry and is accessed by concrete steps. Metal vents are located on either side of the entry. A counterweight and fuseable link are incorporated into each vent to allow automatic closure in the event of an explosion. Another vent pierces the roof and earth covering of the magazine. The magazine is currently used for general purpose storage. Facility 493 has not been evaluated for listing in the NRHP.

#### **2.5.1.10 Pyrotechnic Firing Point**

The structure was originally constructed as a pyrotechnic firing point; it has no assigned facility number on the IN ANG inventory. It is located south of Facility 481 on the west side of Bombfield Road north of Facility 488. The structure, including all elevations and roof, is constructed of poured concrete. A bay with a single-leaf steel pedestrian door is located on the south elevation. A long narrow observation window is located on the east elevation. The building is currently unused. The Pyrotechnic Firing Point has not been evaluated for listing in the NRHP.

### **2.5.2 Historic Resource Research Themes**

Built resources at the JPG/Jefferson Range relate to the general themes of military history and architectural history in the United States and Indiana. Specific themes for built resources at the JPG/Jefferson Range include the following:

- U.S. Army operations and construction during World War II (1941 to 1945).
- U.S. military history (1946 to present).
- Architectural history (mid-19<sup>th</sup> century – early 20<sup>th</sup> century).

## **2.6 TRADITIONAL CULTURAL RESOURCES**

Traditional cultural resources generally are associated with Native Americans and other ethnic, social, and occupational groups. These resources include TCPs (traditional cultural resources that qualify for the NRHP); sacred sites (a location on Federal land where Federally recognized Indian Tribes historically have performed ceremonial practices and continue to do so today); cemeteries; burials; and other properties of religious, cultural, or traditional significance. Traditional cultural resources may be natural resources or features to which Tribes or others attach significance, such as mountain peaks, waterways, mineral sources, or areas with vegetation valued for their medicinal or other properties. Traditional cultural resources may be associated with legends or stories of religious, historical, or other value. Cultural or religious practices may be associated with certain locations or types of resources. Identification and preservation of traditional cultural resources is an important component of ANG stewardship. The following sections identify the extent to which surveys have been completed for traditional cultural resources, their presence, and any related issues at the ANG installation.

Information regarding the location and nature of traditional cultural resources shall not be released to the public. Furthermore, only authorized personnel are allowed access to these records. Refer to section 2.6.3 for additional guidance.

### **2.6.1 Identification of Traditional Cultural Resources**

Consultation needs to be initiated with Tribes and other ethnic, social, and occupational groups in the surrounding area concerning the identification of TCPs, sacred sites, and other traditional cultural resources within the JPG/Jefferson Range. The JPG/Jefferson Range must consult with the following Federally recognized Tribes, four of which have THPOs:

- Absentee-Shawnee Tribe of Indians of Oklahoma (THPO)
- Cherokee Nation, Oklahoma
- Citizen Potawatomi Nation, Oklahoma (THPO)
- Delaware Nation, Oklahoma
- Eastern Shawnee Tribe of Oklahoma
- Forest County Potawatomi Community of Wisconsin
- Hannahville Indian Community, Michigan
- Kickapoo Tribe in Kansas
- Kickapoo Tribe of Oklahoma
- Kickapoo Traditional Tribe of Texas
- Miami Tribe of Oklahoma
- Peoria Tribe of Indians of Oklahoma
- Pokagon Band of Potawatomi Indians, Michigan and Indiana (THPO)
- Prairie Band of Potawatomi Nation, Kansas
- Stockbridge-Munsee Community Band of Mohican Indians, Wisconsin (THPO)

Contact information for these THPOs and Tribes is provided in Appendix D. Because tribal leaders change frequently, the JPG/Jefferson Range should confirm their names by viewing the Tribal Leaders Directory posted on the Bureau of Indian Affairs Web site at <http://www.bia.gov/DocumentLibrary/index.htm>, viewing the tribal Web sites listed in Appendix D, and/or telephoning the tribal offices. Appendix D includes a sample letter for initiating consultation with the THPOs and Tribes.

### **2.6.2 Inventories for Traditional Cultural Resources**

The IN ANG has not yet consulted with THPOs and Tribes concerning the identification of possible TCPs, sacred sites, and other traditional cultural resources within the JPG/Jefferson Range. Therefore, there is no knowledge of the absence or presence of these cultural resources within installation boundaries. It is not known if any Tribes will have an interest in the land at the installation. See recommendations included in Chapter 3.

### **2.6.3 Protection of Traditional Cultural Resources**

Information regarding the location and nature of traditional cultural resources and archaeological sites shall not be released to the public in accordance with Section 9 of ARPA

and Section 304 of the NRHP. Therefore, the EM and the Installation Commander must ensure that all hard copies and electronic documents, maps, and reports that are prepared for this ICRMP do not contain location or other sensitive information if they are released to the public.

Additionally, only authorized personnel are allowed access to these records. Qualified personnel include archaeologists conducting relevant research, Tribes seeking access to the TCP for traditional or religious activities, and the EM and Installation Commander for planning and preservation purposes.

#### 2.6.4 Access to Traditional Cultural Resources

A schedule of accessibility to TCPs, sacred sites, or other traditional cultural resources should be established if a Tribe or group requests visitation. Visitation should be coordinated with the JPG/Jefferson Range mission schedule, which takes priority. The installation will maintain a list of requests for access by Tribes and groups using Table 2-2.

**Table 2-2. Requested Access to Traditional Cultural Resources**

Traditional Cultural Resource Affiliation	Requested Access Dates

### 2.7 OBJECTS, COLLECTIONS, AND RECORDS

In accordance with 36 CFR 79, *Curation of Federally Owned and Administered Archaeological Collections* and AFI 32-7065, the ANG is required to ensure that all archaeological collections and associated records as defined in 36 CFR 79.4(a) are processed, maintained, and preserved.

- Objects are called *material remains* according to 36 CFR 79.4(1). They include artifacts, objects, specimens, and other physical evidence that are excavated or removed in connection with inventories that locate, evaluate, document, study, preserve, or recover a prehistoric or historic resource. Examples of objects are listed in 36 CFR 79.4 (i–x).
- Collections are material remains that are excavated or removed during a survey, excavation, or other study of a prehistoric or historic resource and associated records that are prepared or assembled in connection with the survey, excavation, or other study (36 CFR 79.4[a]).
- Associated records are original records (or copies thereof) that are prepared or assembled that document efforts to locate, evaluate, record, study, preserve, or recover a prehistoric or historic resource (36 CFR 79.4([2])). Records include field notes and artifact inventories, as well as oral histories, deeds, survey plats, historical

maps and diaries, and archival documents that are assembled as a result of historical research.

### **2.7.1 Curation Facilities**

A curation facility is specifically designed to serve as a physical repository where objects, collections, and records are sorted, repackaged, and assessed for conservation needs and then placed in an appropriate, environmentally controlled, secure storage area. Proper curation also includes a review and update of all paper records. An important component of artifact curation is the selection of artifacts for site-specific reference collections. Artifact data are entered into a database, which is an important management and research tool. The overall goal of the Federal curation program, as set forth in 36 CFR 79, is to ensure the preservation and accessibility of cultural resource collections and documents for use by members of the public interested in the archaeology and history of the region.

The U.S. Army curated materials at the Glenn A. Black Laboratory, Indiana University at Bloomington, Indiana, and at the Ball State University at Muncie, Indiana. Refer to section 4.4.1 for a list of curation requirements.



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### 3. CULTURAL RESOURCE MANAGEMENT GOALS

Goals and objectives for the cultural resource management program are identified in this chapter. Applying AFI 32-7065, the primary goals of the Air Force are to identify, manage, and maintain its important cultural resources in a spirit of stewardship for the benefit of this and future generations of Americans. Secondly, the Air Force will endeavor to integrate cultural resources stewardship with the needs of its primary military mission.

Goals are programmatic milestones for the cultural resource management program. These goals are achieved through discrete objectives. Action items are the mechanisms for achieving program goals.

The overall goals for the cultural resource management program at the JPG/Jefferson Range are presented in section 3.1, along with objectives and action items related to these goals. Particular areas of concern for the JPG/Jefferson Range are discussed in section 3.2. A summary of recommendations and action items is presented in section 3.3.

#### 3.1 GOALS AND OBJECTIVES

This section outlines the goals, objectives, and action items for the JPG/Jefferson Range cultural resource management program for the five-year period of this ICRMP. To assist the EM in achieving the goals, the action items listed in the tables below are keyed to guidance and procedures described in Chapter 4. Chapter 5 includes SOPs for other ANG personnel and tenants who may affect cultural resources.

**Goal 1:** Planning and integration of cultural resource management with installation plans, projects, and programs and in support of military missions.

**Objectives:**

- Elevate awareness and understanding of cultural resources laws and regulations.
- Integrate cultural resource management into base planning and the military mission.
- Identify interest of external stakeholders with cultural resources and integrate into base plans and programs.

Action items pertaining to Goal 1 are presented in Table 3-1.

**Table 3-1. Action Items for Integrating Cultural Resource Management into Plans, Projects, and Programs at the JPG/Jefferson Range**

Action Item	Description	Purpose	Guidance and Procedures Section
Cultural resource training	EM participates in cultural resource training. EM provides cultural resource awareness training as needed.	To increase knowledge of cultural resource regulations and regulatory compliance procedures.	4.1.1
Internal communication	EM coordinates with other base personnel on upcoming and ongoing projects.	To ensure that other base personnel are aware of existing cultural resources and requirements for their management. To be proactive in addressing cultural resources compliance.	4.1.2
Participate in planning meetings	EM participates in base planning meetings.	To ensure that other Base personnel are aware of existing cultural resources and requirements for their management. To be proactive in addressing cultural resources compliance.	4.1.2.1
Review programs and plans	Review programs and planning documents (master plans, INRMPs, etc.).	To ensure cultural resource management goals are integrated into other base plans and programs.	4.1.2.2
Coordinate with NGB/A7AN	HQ provides oversight, technical guidance, and funding for cultural resource management.	To ensure efficient implementation of the cultural resource management program, and that necessary projects are included in funding requests.	4.1.2.3
Identify and consult with interested parties and stakeholders	Conduct outreach with THPOs, Tribes, SHPO, Jefferson County Historical Society, and other interested parties to determine level of interest and potential for cultural resources.	To initiate consultation early in the planning process to avoid project delays. To respect interests of other groups.	4.2 Appendix D
Distribute Standard Operating Procedures (SOPs)	Distribute SOPs to necessary personnel to increase awareness of cultural resources, cultural resource program management needs, and procedures.	To increase awareness of issues and procedures. To ensure cultural resources are not accidentally impacted.	4.2.3 Chapter 5

**Goal 2:** Identify cultural resources on property owned, managed, or leased by the JPG/Jefferson Range.

**Objectives:**

- Ensure stewardship for the nation's heritage for present and future generations.
- Understand resources that require management and preservation.
- Maintain up-to-date cultural resource management program.

Action items pertaining to Goal 2 are presented in Table 3-2.

**Table 3-2. Action Items for Identifying Cultural Resources at the  
JPG/Jefferson Range**

Action Item	Description	Purpose	Guidance and procedures Section
Consult with THPOs/Tribes	Consult with THPOs/Tribes to identify TCPs.	Fulfill tribal consultation requirements, identify resources in need of management, and for compliance	4.2.1 Appendix D
Survey and inventory cultural resources	Survey existing acreage for built resources and archaeological sites where appropriate. Survey all newly acquired lands for built resources and archaeological sites. Conduct consultation with local Native American Tribes to identify TCPs, sacred sites, or other areas of concern. Inventory buildings and structures that are over 50 years of age.	To fulfill compliance requirements and identify resources in need of management.	4.3.1
Professional qualifications for conducting surveys	Surveys must be conducted by qualified professionals.	To ensure that surveys are valid and correct.	4.3.3
Maintain ANG/CNR and RPIR database	Enter cultural resource information into database.	To ensure that current list of known cultural resources and surveys is up to date.	4.3.2
Inadvertent discovery of cultural materials and unmarked burials	Follow procedures for addressing accidental discoveries: consult with THPOs, Tribes, and SHPO and implement pertinent SOPs.	Having procedures in place will avoid lengthy delays and protect discovered sites.	4.3.4
Curation of artifacts	Follow procedures for curating artifacts and objects as necessary.	To ensure that artifacts are properly curated for future research and generations.	4.4

**Goal 3:** Proactively maintain and manage cultural resources.

**Objectives:**

- Avoid, minimize, or mitigate adverse effects on historic properties.
- Proactively and efficiently achieve compliance with cultural resources regulations.
- Integrate interest of external stakeholders with cultural resource management.

Action items pertaining to Goal 3 are presented in Table 3-3.

**Table 3-3. Action Items for Maintaining and Managing Cultural Resources at the JPG/Jefferson Range**

Action Item	Description	Purpose	Guidance and procedures Section
Implement Section 106 review of projects when appropriate	Follow Section 106 procedures for necessary projects.	To comply with Section 106 of the NHPA.	4.5.1 through 4.5.5 Appendix D
Implement a cultural landscape approach to cultural management	Use a holistic approach to cultural resource identification and management.	To facilitate the identification of resources and integration into management and projects.	4.5.5
GIS mapping	Map sites and survey areas.	To facilitate cultural resource management and planning.	4.5.6
Integrate cultural resource management with other environmental requirements	Where possible, integrate cultural resources compliance with the NEPA process. Use existing forms and NEPA procedures, when practicable, to meet NHPA compliance.	To streamline the environmental compliance process.	4.5.7 4.5.8
Archaeological site monitoring	Follow a program to monitor any archeological sites that may be identified.	To ensure that known archaeological sites are monitored and protected from damage and vandalism.	4.5.9
Maintenance of historic buildings and structures	Follow procedures for protecting and maintaining historic buildings.	To ensure that significant architectural resources are protected and maintained.	4.5.10
Removal, transfer, and demolition of property	Follow procedures for disposition of properties that may contain cultural resources.	To ensure that compliance is completed when divesting or demolishing property.	4.5.10.2
Maintenance of other cultural resources	Follow procedures for districts, landscapes, and cemeteries that may be identified.	To ensure that significant architectural resources are protected and maintained.	4.5.11
Develop agreement documents	Utilize documents that outline compliance procedures and clarify understanding of responsibilities.	To streamline compliance procedures.	4.5.12
Incorporate sustainability into cultural resource management	Utilize ideas for sustainability.	To “green” cultural resource management.	4.5.13

### 3.2 IMPACTS, MITIGATION MEASURES, AND AREAS OF CONCERN

This section identifies areas and issues regarding ongoing military missions and ANG operations to which the EM needs to pay particular attention during the five-year period of this ICRMP. Potential threats to cultural resources and the cultural resource management program are discussed. This section should be reviewed and updated annually, at a minimum.

The IN ANG is responsible for the maintenance of Old Timbers Lodge and four stone arch bridges and provides minor maintenance services for Oakdale Schoolhouse, which is owned by

the Army. There are no known archaeological sites, sacred sites, or TCPs; however, to confirm the presence or absence of such sites, consultation with THPOs and Tribes needs to be initiated and an archaeological survey should be completed. The remote possibility of the presence of cultural resources should be considered during planning processes at the JPG/Jefferson Range so that potential adverse effects are avoided, minimized, or mitigated.

### **3.2.1 Potential Impacts to Cultural Resource Management**

The mission takes precedence over cultural resource issues. Programs that may impact the cultural resource management program include the following:

- Installation Restoration Program (IRP)
- threatened and endangered species
- training operations
- emergencies: natural disasters, homeland security, etc.

Management objectives of the cultural resource program are generally compatible with those of other management initiatives on the base. Base functions that cultural resources likely may impact are as follows:

***Natural Resources Management:*** Cultural and natural resources management are well integrated and in some instances, such as in the NEPA process, reinforce each other. A natural resource can also be considered to be archaeological, historical, or traditionally culturally significant. Many TCPs and sacred sites are culturally significant natural resources.

In managing its limited natural areas and resources, the JPG/Jefferson Range personnel should be aware of the SOPs regarding the inadvertent discovery of human remains.

***Military Training:*** Cultural resource management is not expected to inhibit training operations at the JPG/Jefferson Range. However, there is potential for cultural resources to affect training in the event of accidental discovery of archaeological resources or unmarked burials. Informed trainers should conduct appropriate procedures in the event of a discovery of an archaeological resource or unmarked burial.

***Engineering/Facilities Maintenance:*** Cultural resource management has the potential to impact the facilities maintenance and construction mission of the installation. Preservation considerations for historic properties can result in a greater project review period (and increased costs) than that for historically insignificant properties; this is particularly true for projects involving alteration or demolition of structures. On occasion, mitigation for cultural resources may involve modification of a proposed project.

***Environmental Protection:*** Cultural resources have the potential to affect the spill response mission of the environmental program and/or the IRP. When responding to a spill, personnel should be aware of the presence of any built or archaeological cultural resources to avoid inadvertent damage. Because cultural resources and environmental staff are integrated,

communication should not be a problem. Coordination of compliance review in emergency situations, such as spills, is further described in section 4.5.2 and SOP No. 4.

There are no potential conflicts with other base programs.

### **3.2.2 Potential Impacts to Cultural Resources**

The IN ANG is responsible for Old Timbers Lodge and the four stone arch bridges, as well as for minor maintenance services for Oakdale Schoolhouse, which is owned by the Army.

Potential threats to cultural resources include the following:

- maintenance
- landscaping
- upgrading and/or altering a historic building, structure, or feature
- renovation projects
- intentional and unintentional damage
- neglect
- new construction and infrastructure
- military vehicle maneuvers along roads and drop zones
- military mission training activities

These actions can impact above-ground built resources as well as archaeological resources that are beneath the ground surface. The actions can result in surface erosion and surface damage to archaeological resources and may affect the setting, context, or significant landscape elements of historic properties. Therefore, these undertakings trigger compliance with Section 106 of the NHPA.

### **3.2.3 Threatened Cultural Resources**

Currently, there are no threatened cultural resources located at the JPG/Jefferson Range.

### **3.2.4 Problems or Deficiencies: Areas of Concern**

#### **3.2.4.1 Areas Requiring Survey**

Areas within the installation that have not been previously surveyed, as well as new property acquired during the five-year period of this ICRMP, may require survey to identify archaeological and built resources. If cultural resources are identified, they will require evaluation and possibly treatment, depending on the effects of the undertaking.

The EM, in consultation with the SHPO, Tribes, and others, will ensure that appropriate consultation and cultural resources identification efforts occur regarding proposed projects or actions. Tribal consultation is required to determine if there any areas of interest or concern at the JPG/Jefferson Range, including TCPs. Tribal consultation also is needed to establish consultation protocols in the event that human remains are discovered during the conduct of

ground-disturbing projects. Annual planning and budgets will have to accommodate the potential for cultural resource surveys and evaluations prior to project implementation.

All land at the JPG/Jefferson Range needs a completed cultural resource survey.

#### **3.2.4.2 Archaeological and Built Resources Requiring Evaluation**

Previously identified archaeological sites or built resources that have not been evaluated for listing in the NRHP will be considered as requiring further work. No archaeological sites have yet been identified on the JPG/Jefferson Range. The four bridges (Bridge 617, 625, 627, and 628) are listed in the Indiana State Register of Sites and Structures and are eligible for inclusion in the NRHP. The following ten built resources have been identified but have not been evaluated:

- Facility 1
- Facility 2
- Facility 3
- Facility 480
- Facility 481
- Facility 482
- Facility 488
- Facility 491
- Facility 493
- Pyrotechnic Firing Line

### **3.3 SUMMARY OF MANAGEMENT CONCERNS, GOALS, AND RECOMMENDED ACTIONS**

This section summarizes the areas of concern, goals and objectives, and recommended actions required to manage the cultural resources under the stewardship of the JPG/Jefferson Range during the five-year period of this ICRMP. The EM will develop projects and plans to manage and protect cultural resources and ensure appropriate compliance actions when resources may be affected. The EM will coordinate programming projects through the NGB/A7AN. The JPG/Jefferson Range will strive to have a proactive cultural resources program and a positive working relationship with the SHPO, Tribes, and others.

The JPG/Jefferson Range has not completed its inventory and evaluation of cultural resources or consultation with Tribes and THPOs for the five-year life of this ICRMP. The outcome of the consultation with THPOs and Tribes may result in the need for efforts to identify TCPs or to develop protocols regarding the inadvertent discovery of cultural items or other issues of concern to the Tribes and THPOs.

The recommendations call for actions needed to manage and protect Old Timbers Lodge and the four stone arch bridges, as well as to implement the SOPs. As projects are identified for the ICRMP five-year cycle, the EM will coordinate with NGB/A7AN to identify funding sources and when funding may be available for individual projects. Oakdale Schoolhouse is owned by



the Army; the agreement documents that pertain to ANG responsibilities for the building need to be reviewed (see Appendix M). Annual budget guidance changes from year to year, so coordination is critical to ensure timely funding and identification of appropriate sources.

The recommendations for the JPG/Jefferson Range cultural resource management program for the five-year period of this ICRMP pertain to the following topics and are discussed in subsequent sections:

- tribal consultation
- investigations for survey and evaluation of cultural resources
- inadvertent discovery of archaeological resources
- inadvertent discovery of unmarked burials
- maintenance and preservation of specific built resources
- construction and renovation projects
- negotiation of lease, MOA, and MOU

As cultural resources projects are identified for the ICRMP five-year cycle, the EM will coordinate with NGB/A7AN to identify funding sources and when funding may be available for individual projects. Annual budget guidance changes from year to year, so coordination is critical to ensure timely funding and identification of appropriate sources. The JPG/Jefferson Range must retain copies of all cultural resources investigations and official correspondence with the SHPO and THPOs/Tribes regarding cultural resources at the installation. The JPG/Jefferson Range also should update the ANG/CNR database when new information is identified.

### **3.3.1 Tribal Consultation**

Area of Concern: The JPG/Jefferson Range has not consulted with Federally recognized Tribes to identify any areas of concern, sacred sites, or TCPs. Furthermore, the JPG/Jefferson Range has not consulted with Tribes regarding the inadvertent discovery of cultural materials (see SOP No. 6) or unmarked burials (see SOP No. 7).

Goal/Objective: To comply with Federal and state requirements pertaining to tribal consultation.

Action: Initiate consultation with Tribes. Contact information and a sample letter for initiating tribal consultation are presented in Appendix D.

### **3.3.2 Investigations for Survey and Evaluation of Cultural Resources**

Area of Concern: A cultural resource survey and evaluation for the JPG/Jefferson Range has not been completed.

Goal/Objective: To identify and evaluate archaeological sites, evaluate built resources, and comply with Section 106 of the NHPA.

Action: Initiate a cultural resource survey and complete a historic context. Ensure that all areas on the installation are assessed for the potential to contain archaeological resources, and prepare an archaeological probability map. For project planning purposes, be aware that archaeological resources may be present even in areas assigned low probability.

### **3.3.3 Inadvertent Discovery of Archaeological Resources**

Area of Concern: Future ground-disturbing activities may uncover archaeological resources.

Goal/Objective: To comply with Federal and state requirements regarding archaeological resources, including the unexpected discovery of Native American cultural items.

Action: Ensure adherence to SOP No. 6 regarding the inadvertent discovery of cultural materials.

### **3.3.4 Inadvertent Discovery of Unmarked Burials**

Area of Concern: Future ground-disturbing activities may uncover an unmarked burial at the JPG/Jefferson Range.

Goal/Objective: To comply with Federal and state requirements regarding unmarked burials and cemeteries.

Action: Ensure adherence to SOP No. 7 regarding the inadvertent discovery of unmarked burials.

### **3.3.5 Maintenance and Preservation of Specific Built Resources**

Area of Concern: Old Timbers Lodge (Facility 500) and Oakdale Schoolhouse are listed in the NRHP, and Bridges 617, 625, 627, and 628 are eligible for inclusion; as historic properties, they will require special maintenance and preservation measures. Oakdale Schoolhouse is owned by the Army; however, the IN ANG provides route maintenance for the building.

Goal/Objective: Proactively maintain and manage Old Timbers Lodge (Facility 500); Oakdale Schoolhouse; and Bridges 617, 625, 627, and 628 in accordance with *The Secretary of the Interior's Standards for the Treatment of Historic Properties*.

Action: Follow the *The Secretary of the Interior's Standards for the Treatment of Historic Properties* as well as NPS and GSA historic preservation guidance for the maintenance and treatment of Old Timbers Lodge (Facility 500); Oakdale Schoolhouse; and Bridges 617, 625, 627, and 628. Review agreement documents that pertain to ANG responsibilities for Oakdale Schoolhouse (see Appendix M). Ensure adherence to SOP No. 1 regarding the maintenance and care of historic buildings.

### **3.3.6 Construction and Renovation Projects**

Area of Concern: Future construction or renovation may affect the setting, context, significant landscape elements, or character-defining features of historic properties.

Goal/Objective: To comply with Section 106 of the NHPA and ensure that repair, renovation, and new construction are carried out in accordance with *The Secretary of the Interior's Standards for the Treatment of Historic Properties*.

Action: Coordinate planning and actions to avoid, minimize, or mitigate effects on potential cultural resources. Ensure adherence to SOP No. 1 regarding Maintenance and Care of Historic Buildings and SOP No. 2 regarding the disposal or demolition of excess property.

### **3.3.7 Negotiation of Lease, MOA, and MOU**

Area of Concern: The JPG/Jefferson Range is located on land leased from the Army to the Air Force. Following termination of the Army's mission at JPG in 1995, an MOA was executed among the Army, the Air Force, and the Department of the Interior-United States Fish and Wildlife Service. Discrepancies exist between parties in the lease and those in the MOA regarding responsibilities and access of real property, including historic properties. The MOU between IN ANG and Big Oaks Conservation Society has not been recognized by the Air Force and the NGB.

Goal/Objective: To clarify the IN ANG responsibilities and facility ownership, especially in relation to the historic properties located on the JPG/Jefferson Range: Old Timbers Lodge, Oakdale Schoolhouse, and the four stone arch bridges.

Action: Resolve the issue of the lease, MOA, and MOU as pertains to the usage and responsibilities of Old Timbers Lodge and the public. Copies of the documents are included in Appendix M to this ICRMP.

## **4. ENVIRONMENTAL MANAGER'S CULTURAL RESOURCE GUIDANCE AND PROCEDURES**

This chapter provides guidance and procedures for the EM to meet the goals and objectives for cultural resource management. The ANG ICRMP Tutorial will also provide additional details for specific aspects of cultural resource management. This chapter is organized by goals and action items presented in Chapter 3. The EM should also coordinate and consult with the NGB/A7AN cultural resource specialist on program needs.

### **4.1 PLANNING AND INTEGRATION OF CULTURAL RESOURCE MANAGEMENT WITH INSTALLATION PLANS, PROJECTS, AND PROGRAMS TO SUPPORT MILITARY MISSIONS**

#### **4.1.1 Cultural Resources Training**

Training for various staff is a prerequisite for properly complying with cultural resource regulations and requirements, and for good stewardship of cultural resources. Training opportunities are available for the EM, as well as other ANG personnel.

##### **4.1.1.1 Environmental Manager**

Training for EM personnel could include courses that provide an overview of relevant laws and regulations, such as Section 106 of the NHPA, ARPA, and NAGPRA. Other course topics might include maintenance of historic property, preservation of cultural landscapes, agreement documents, tribal consultation, collections curation, and Native American consultation. Training is offered by:

- Advisory Council on Historic Preservation – <http://www.achp.gov>
- U.S. Army Corps of Engineers, Seattle District – <http://www.nws.usace.army.mil>
- National Preservation Institute – <http://www.npi.org>
- Civil Engineers Corps Office –  
<https://portal.navfac.navy.mil/portal/page/portal/cec/accessions>
- Department of Defense (DoD) Conservation Workshop (biannually) – DoD Environment, Safety and Occupational Health Network and Information Exchange (DENIX) Web site

#### **4.1.1.2 Non-Environmental ANG Personnel**

Training for non-environmental personnel is crucial to ensure compliance with environmental laws and policies and protection of cultural resources. By interfacing with installation staff, the EM can develop solutions and programs that blend with existing training opportunities and the ANG mission.

The EM could develop a briefing for airmen, engineering staff, maintenance staff, tenants, or others who may encounter cultural resources. Training subjects can include understanding SOPs, introduction to cultural resources regulations and management, and identification of cultural resources. Information from the briefing can be summarized and included with training site information packages, and can be placed on bulletin boards at historic facilities as reinforcement to training. The EM can also develop Web-based training modules for use by internal stakeholders via the base network.

#### **4.1.2 Internal Communications**

Cultural resources compliance requirements must be completed prior to implementation of mission-essential programs, projects, and military training.

To effectively manage a cultural resource program, coordination is absolutely essential. Other program offices need to be aware of cultural resource program responsibilities. The EM must also be aware of the activities of program offices that could potentially impact cultural resources. Potential conflicts could occur when the integration and coordination of other programs with the cultural resource program breaks down. Installation programs that are ANG-mission-related take precedence over all other concerns. However, it is necessary to ensure compliance with Federal law, and an effective management strategy can be fundamental to the protection of cultural resources.

Coordination and staffing procedures are critical for activities such as construction; long-range planning; building repair, maintenance, or renovation; and planning and execution of mission training or other mission-essential activities. Coordination is also critical for cultural resources stewardship and compliance. Coordination with the project initiator (such as BCE or facilities) should be an ongoing process. The sooner the EM is involved in the planning and project process, the more likely the process will continue without interruption and delays. Projects involving tribal consultation and stakeholder involvement should be identified as early as possible. The consequences of not adequately communicating and coordinating in advance of the project, complying with Section 106 of NHPA, and addressing stakeholder concerns could result in a Notice of Foreclosure.

Actions that typically trigger internal coordination with the EM and cultural resources compliance include the following:

- maintenance, repair, renovation, or demolition to building and/or structures
- landscape and grounds repair or replacement maintenance

- new construction – buildings or additions, infrastructure, roads, and trails
- major changes in use of buildings
- major changes in training locations or type
- master planning
- divesting of property
- leasing or using private or public property
- acquisition of new property
- emergency operations
- compliance with Homeland Security requirements
- offsite work (airport improvements)

To encourage integration into other programs and plans, the EM will perform the following activities:

- participate in various planning meetings including board meetings and committee meetings (see section 4.1.2.1)
- distribute cultural resources project list and emphasize time requirements for compliance
- distribute SOPs (Chapter 5) to applicable parties
- distribute list of historic structure and archaeological sensitivity maps
- develop and conduct cultural resource awareness training
- meet, at a minimum, once a year with BCE to discuss upcoming projects and plans
- interface with individuals on updates and new ANG mission essential plans and programs as they are developed

#### 4.1.2.1 Participation in Planning Meetings

The EM should participate in the following committees and board meetings.

- **Environmental Safety and Occupational Health (ESOH) Council – this committee is required under AFI 32-7005.** This committee was formerly the Environmental Protection Committee (EPC). Membership should include group and squadron commanders, wing staff, and others (fire chief, readiness chief, quality services, airfield manager). The ESOH meets quarterly to “ensure interdisciplinary

approach to environmental quality and integrate this approach into planning and decision making” by reviewing Environmental Impact Analysis Program (EIAP) documents, environmental policy, resources, and performance; ensuring appropriate training and manpower; and educating senior leaders on environmental issues and requirements.

- **ESOH Subcommittees** – These subcommittees include hazardous materials emergency planning team, hazmat committee, pollution prevention, and possibly training committees. These subcommittee meetings can be opportunities to educate subcommittee members on cultural resource requirements and issues.
- **Facility Board** – Members include group and squadron commanders, wing staff, and the environmental coordinator. This board approves all construction projects, development plans, and space-allocation decisions. This meeting would provide the EM with information on construction and process changes in the wing and an opportunity for input on cultural resources.
- **Safety Council** – Members include group and squadron commanders, the fire chief, the bee tech, public health, and the airfield manager. This meeting would provide the EM with information on safety issues and procedures and an opportunity for input on cultural resources and procedures.
- **Air Operations Board** – Members include OG Cdr, OSS Cdr, safety officer, CE, and LG representative. This meeting would provide the EM with information on airspace issues, ATC/flying procedures, airfield status, the Air Installation Compatible Use Zone (AICUZ), and the Bird Air Strike Hazard (BASH) and an opportunity for input on cultural resources and procedures.
- **Communications Systems Resourcing Board** – Members include group and wing commanders. This meeting would provide the EM with information on communication systems acquisition, integration, and resourcing, and provide an opportunity for input on cultural resources and procedures.
- **Security Threat Working Group** – Members include group and squadron commanders. This meeting would provide the EM with information on base physical security measures and provide an opportunity for input on cultural resources and procedures.
- **Construction Contract Meetings** – These are regular meetings held with the contracting office, the BCE representative, and contractors for all projects. These meetings would provide the EM with information on specific projects and provide opportunities for input on cultural resources that may be affected. The EM would need permission from the BCE to attend if there is sufficient environmental concern.

- **LG Maintenance Meetings** – The EM may request to participate in these meetings on occasion to help with program implementation. The EM should seek permission from LG.

#### 4.1.2.2 Review Projects and Plans

The EM should review projects and plans to ensure integration of cultural resource management goals with those of other programs, and to ensure that appropriate cultural resource compliance actions to support installation projects are programmed in advance of the proposed project. Plans and programs include review of real property modifications (disposal, acquisition, easements, and renewals), master plans, natural resource management plans, the Range and Training Land Program, Homeland Security, Force Protection, the Threatened and Endangered Species Program, hazardous waste and materials management plans, spill plans, construction projects, and landscaping and building maintenance plans and procedures.

#### 4.1.2.3 Coordination with Headquarters

Environmental compliance funds are controlled by the NGB/A7AN and are usually earmarked for individual projects. The EM should identify needed cultural resource projects and provide the following information to NGB/A7AN:

- January – update CNR database
- March – provide NGB/A7AN with a list of cultural resources, including any needed consultation, inventory of structures, and surveys for the upcoming year
- June/July – review of requirements for upcoming fiscal year
- September – work with NGB/A7AN for budget submittals
- October/November –five-year POM Cycle is developed

The EM should also coordinate with NGB/A7AN on the overall cultural resource management program.

## **4.2 IDENTIFY AND CONSULT WITH INTERESTED PARTIES AND STAKEHOLDERS**

The EM should coordinate and consult with outside entities including the SHPO, THPOs, Tribes, ACHP, and local interest groups (veterans groups, social and occupational groups, historic organizations, and others). Cultural resources regulations require consultation. Neglecting to do so early in the planning process may result in delays that translate into government time and cost. Recent legislation has strengthened responsibilities to consult with Tribes. The EM should develop a memo for record (MFR) after phone calls are made or formal letters or emails are sent. The MFR should include who was contacted and in what form (call,



letter, or email), date of communication, summary of communication made, and any other pertinent information.

The MFR and additional information regarding consultations should be entered in the ANG/CNR database under the Base Info-Consultation Record tab. The database should be maintained and updated by inserting copies of letters sent to regulators, Tribes, and the public and copies of any response letters. The MFRs and copied letters within the ANG/CNR database enable the EM to track and maintain all information on consultations.

The ANG will comply with all pertinent laws and regulations concerning the management and preservation of cultural resources and will, where appropriate, consult with the SHPO, THPOs, the ACHP, Tribes, and interested persons in order to ensure compliance with NHPA Section 106 and NEPA when the NHPA Section 106 requirements are integrated into the NEPA process. In accordance with NHPA, if the ANG and the SHPO or THPO (or Tribe where its tribal lands are concerned) disagree regarding NRHP eligibility evaluations, the Keeper of the National Register of Historic Places, National Park Service, will be consulted. Guidance on preparing a determination of eligibility can be found at 36 CFR Part 62.3 (d). If the ANG and the SHPO come to a disagreement regarding the Section 106 process, the ACHP may assist.

#### **4.2.1 Tribal Consultation**

The NHPA, Executive Order 13007, Executive Order 13175, Presidential Memorandum of 29 April 1994 (Government-to-Government Relations with Native American Tribal Governments), Presidential Memorandum of 5 November 2009 (Tribal Consultation), the Annotated Policy Document for DoD American Indian and Alaska Native Policy dated 27 October 1999, DoD Instruction 4710.02, and DoD Instruction 4715.16 require Federal agencies to consult with Federally recognized Tribes. The DoD American Indian and Alaska Native Policy requires an assessment, through consultation, of the effect of proposed DoD actions that may have the potential to significantly affect protected tribal resources, tribal rights, and tribal lands before decisions are made. If it appears that there may be an effect, the appropriate Federally recognized Tribes would be contacted.

Consultation takes on many forms. The ANG may need to consult on a project basis for proposed actions that may affect cultural resources of interest to Tribes. If ANG activities have the potential to affect tribal properties or resources, all interested Tribes will be consulted early in the planning process and their concerns addressed to the greatest extent possible. Establishing a permanent relationship with Tribes will lead to a better understanding of each party's interests and concerns and development of a trust relationship. This will streamline future project-based consultation and the inadvertent discovery process. It is the goal of the consultation process to identify both the resource management concerns and the strategies for addressing them through an interactive dialogue with appropriate Tribes.

When a proposed ANG decision poses potential consequences for lands and resources valued by Tribes, consultation with the community that holds the values and identified the consequences is required.

Timing for tribal consultation will vary depending on the consultation methods, the nature of the ongoing relationship, and the purpose of the consultation. Consultation to develop understanding of interests and concerns with land and resource management, and establish procedures for working together, is a continuous and ongoing process.

For project-specific consultation, the EM should send appropriate reports and documentation to potentially affected THPOs/Tribes describing the proposed action and analysis of effects (either Section 106 and/or NEPA documents) and request comments and input. If after 30 days no correspondence has been received from the THPOs/Tribes, the EM should follow up with a phone call to them. Complete records must be kept. For projects of particular interest to THPOs/Tribes, the EM could consider a site visit and meeting with affected THPOs/Tribes.

The EM will use the POC List in Appendix D to initiate consultation with Tribes. A sample letter to Tribes also is provided.

#### **4.2.2 Public Involvement**

Stakeholder and public involvement and community outreach can be driven by regulation in project-specific cases, or can be a proactive method of partnering with interested parties to achieve long-range goals and solicit program support. Stakeholders can include the following:

- SHPO
- Tribes/THPOs
- non-Federally recognized Tribes
- veterans organizations
- interested public
- Federal and state agencies
- local governments
- special interest groups
- local historical committees and societies
- tenants, lessees, and land users (i.e., hunters, fishermen, boy scouts, police)
- neighbors
- landowners
- contractors
- Reserve Officer Training Corps (ROTC)

Public participation and involvement are required for most environmental programs, including the cultural resource program. The public involvement requirements under NEPA and NHPA are complementary, but not identical. Regulation 36 CFR 800.2(d) requires that the ANG seek

and consider public views in its undertakings that may have an effect on historic properties. Benefits of public involvement to the ANG include the following:

- opening the decision-making process to the public and building credibility
- assisting with the identification of issues
- enhancing mutual understanding of stakeholder values and ANG management challenges
- making better decisions
- minimizing delays and enhancing community support

If ANG plans have the potential to affect a historic property and an EA or EIS is deemed unnecessary, public involvement is still expected. Under Section 106 regulations, Federal agencies are required to involve the public (see section 4.5.1). This includes identifying and notifying stakeholders and the public of proposed actions, and providing them information about historic properties and possible effects to them from the proposed actions, consistent with 36 CFR 800.2(d). The ANG also is required to consider input from the public that may have been unsolicited by the ANG.

If an EA or EIS is to be prepared, the public involvement for NEPA and NHPA compliance can be coordinated. This should be done early in the planning for the proposed project when a range of alternatives is being considered and the public's input is best considered.

For any adverse effect, it is the ANG responsibility to determine what stakeholders may have an interest, e.g., a local historic preservation group or a statewide nonprofit preservation organization, and determine the level of public involvement needed. However, for any adverse effect under NHPA, in accordance with 32 CFR Part 651.28, a categorical exclusion (CE) (form 1391) can be used if the SHPO concurs with the action.

Public involvement for Section 106 and NEPA compliance can be coordinated in the following manner:

1. Coordinate with the project proponent to establish a project's Area of Potential Effect (APE) for cultural resources; identify stakeholders, consulting parties, and the public; identify cultural resources within the APE.
2. Determine if a project has the potential to affect those resources in consultation with the SHPO and Tribes, as appropriate.
3. In the EA or Draft EIS, include the results of the cultural resources identification, determination of effect, and consultation with the SHPO and Tribes, stakeholders and public.

4. Consult with the SHPO, Tribes, stakeholders, and the public to address cultural resources input received in the EA or Draft EIS or in Section 106 process.
5. Include the results of the Section 106 compliance (e.g., concurrence of the SHPO and Tribes as appropriate, or signed MOA/PA, or comments of the ACHP and ANG response) in the final NEPA document.

For Section 106 projects and EAs, it will take approximately six to nine months to complete the compliance process. If an EIS is required, it will take approximately 12 to 16 months to complete the compliance process. More complex or controversial projects could take longer, perhaps three years or more to reach completion. Public involvement requirements are included in these time estimates.

#### **4.2.3 Distribute Standard Operating Procedures**

Chapter 5 contains SOPs. The SOPs have been prepared to assist ANG personnel who are not responsible for cultural resource management but whose areas of responsibility could affect cultural resources. The EM will distribute these SOPs to all ANG personnel and provide guidance and training, as necessary.

An EM can develop an additional SOP for specific installation situations, triggering events, and responsible individuals. Instructions and guidance to develop additional SOPs are available in *Cultural Resources Fact Sheet, Recommended Guidelines for Standard Operating Procedures in Integrated Cultural Resources Management Plans* located at <http://www.afcee.brooks.af.mil/ec/cultural/sopfactsheet.doc> through the Denix Web site. The SOP should be included in the ICRMP and reviewed as part of the ICRMP review process.

### **4.3 IDENTIFICATION OF CULTURAL RESOURCES ON PROPERTY OWNED, MANAGED, OR LEASED BY ANG**

#### **4.3.1 Survey and Inventory of Cultural Resources**

Inventories and evaluations are a required step for undertakings and compliance with sections 106 and 110 of the NHPA and sometimes as part of the preparation of a NEPA document when the NHPA process is integrated into the NEPA process.

##### **4.3.1.1 Archaeological Surveys and Excavation**

The following very general definitions apply to archaeological site surveys (check with the state historical society, SHPO, or state archaeological society for state-specific definitions and requirements). Archaeological surveys must be conducted by qualified personnel (see section 4.3.3).

**Constraints analysis.** A constraints analysis often is completed to characterize a property and its potential to contain historic properties in the most general way. A record/literature search and, if necessary, a field visit for reconnaissance is conducted. A letter report is prepared to

document the preliminary analysis, data gaps, and recommendations for additional work, as appropriate. This type of analysis is also referred to as a reconnaissance survey, Phase Ia (eastern U.S.), or Class I (western U.S.). Check with the SHPO for levels of analysis and surveys and survey requirements.

**Survey.** A survey involves a record search/literature review, systematic coverage of a property, recording or updating all discovered sites, and a report. Surveys sometimes involve some excavation depending on the level of information that is needed or if the state requires it. Excavation can be shovel scrapes or shovel test pits. Surveys can include the collection of artifacts, or specifically restrict collection. Federal agencies, including the ANG, generally prefer non-collection surveys. Collection requires cataloguing and additional maps for sites that are complex. Additionally, collected artifacts and samples require curation (see section 4.4).

Generally, a survey involves preparation of a work plan that describes how the work will be done and by whom. If excavation is involved, a permit also may be required. The survey interval is generally from 5 to 20 meters between team members and is dependent on terrain, vegetation coverage, and resource types. All sites located during a survey are recorded and mapped. A general assessment of the kind of site found is developed and, the overall potential of the site possibly can be suggested after a survey.

The survey report provides a description of the environmental setting of the survey area, a summary of regional culture history, a description of the project area, the methodologies used, research questions, survey results, recommendations, and any additional state requirements. All discovered sites are treated as eligible for listing in the NRHP until determination of eligibility is final. Recommendations are crafted based on a proposed project or action. If there are no immediate plans to impact a site, recommendations may include avoiding the site. This level of investigation is often referred to as a Phase I or Phase II survey; however, the definitions of these terms vary from state to state. Check with the SHPO on survey requirements for specific projects.

**Sampling Program.** A sampling program can be useful when time or monetary resources are unavailable to complete a comprehensive cultural resource survey or excavation. A sampling program is derived from a predictive model. Both the predictive model and sampling program are based on scientific methods that are used to anticipate the number and location of archaeological sites and historic properties.

A predictive model frequently applies the results from a cultural resource survey to a similar geographical area that has not been surveyed. After the predictive model has been applied to an area, a defensible sampling program can be developed for an unsurveyed area. A unit within the geographical area is surveyed or excavated. The results from the survey or excavation are applied over the larger unsurveyed area in order to estimate the location and type of cultural resources within a larger geographical area.

A predictive model and sampling program should be developed in consultation with the SHPO, state archeologist, or a qualified contractor.

**Evaluation.** Evaluation or testing of sites is extremely variable. There are guidelines for sparse lithic scatters that allow this type of site to be addressed in an expedient manner; however, for other site types there are a number of approaches. Many evaluation methods involve shovel test pits, shovel scrapes, drill holes, or sample excavation units with surface mapping, collection, and special studies. The number and size of units will vary greatly depending on the size of the site and how many units will be necessary to (1) analyze the sections of the site that will be impacted by the proposed project, (2) gather information to address research questions, and (3) make conclusions about the site. Evaluation work conducted on Federal land will not require an ARPA permit if performed under the direction of the ANG by Federally qualified personnel. However, evaluations conducted on state lands require permits in some states. All collected items must be curated in a facility that meets the standards outlined in 36 CFR 79.

Upon completion of excavation, a report is prepared to summarize the testing and make a recommendation of eligibility.

**Data Recovery.** If a historic property will be impacted by an action or undertaking there must be mitigation, and data recovery is a form of mitigation for archaeological sites. A data recovery investigation requires preparation of a treatment plan which describes the site, what information is hoped to be gained by the data recovery, the study questions, the sample design, the catalog methods, special studies, and the report preparation. This plan is carefully reviewed by the SHPO or state archaeologist and Tribes prior to field efforts. Data recovery efforts vary greatly in size and scope. The approach to a data recovery depends greatly on the site, its geographic location, the type of project, the archaeologist, and timing. All collected items must be curated in a facility that meets the standards of 36 CFR 79.

**Procedures.** Ensure that the scope of work clearly defines the type of survey or excavation; Federal and state regulations to be met; the project objectives; a description of the deliverables, including Global Positioning System (GPS)/Geographic Information System (GIS) standards (see section 4.5) and in a digital format for inclusion into GeoBase; and qualifications for those performing the work (see section 4.3.3).

Determine if permits are necessary.

These projects can vary widely in time requirements to research, write a project plan, conduct the fieldwork, and prepare the survey report. Anticipate a minimum of four months for a small project.

The SHPO, THPOs, and Tribes should be provided a copy of survey reports and afforded an opportunity to comment.

**Archaeological Resources Protection Act Permits.** ARPA permits are required under the following circumstances:

- The project is on Federal land (fee-simple).
- The digging or collection of artifacts will occur.
- The participants are not directly contracted to or by the ANG.

Archaeological resources, objects of antiquity, and significant scientific data from Federal installations belong to the installations, except where NAGPRA requires repatriation to a lineal descendant, a Federally recognized Tribe, or a Native Hawaiian organization. Archaeological resources, objects of antiquity, and significant scientific data from non-Federal land belong to the state, territory, or landowner. Such resources from lands used by the ANG, but for which fee title is held by another agency, are the property of the agency designated as the land manager in the land-use instrument (e.g., a public land order or special use permit). ANG commanders should ensure that land-use instruments allowing for military use are reviewed to determine proper roles and responsibilities.

The ANG staff or contractors carrying out official duties associated with the management of archaeological resources who meet the professional qualifications and whose investigations meet the requirements of 32 CFR 229.8 are not required to obtain a permit under ARPA or the Antiquities Act for the investigation of archaeological resources on Federally owned lands, including situations where cultural items as defined by NAGPRA may be excavated.

However, in situations where NAGPRA cultural items or NHPA historic properties may be encountered during intentional excavation of archaeological resources, the requirements of NAGPRA and 43 CFR 10, NHPA, and 36 CFR 800 must be met prior to such archaeological excavations. NAGPRA also has specific provisions that the ANG must follow regarding the inadvertent discovery of NAGPRA cultural items.

For the purposes of ANG compliance with ARPA, the ANG commander is considered the Federal land manager as defined in 32 CFR 229.3(c). As the Federal land manager, the ANG commander may determine that certain archaeological resources in specified areas under his jurisdiction, and under specific circumstances, are not or are no longer of archaeological interest and are not considered archaeological resources for the purposes of ARPA (in accordance with 32 CFR 229.3(a)(5)). All such determinations shall be justified and documented by memorandum and shall be formally staffed for review through the NGB/A7AN to Headquarters, Air Force Center for Engineering and the Environment (HQ AFCEE) prior to final determination. Also in accordance with ARPA Section 9, the ANG commander may withhold information concerning the nature and location of archaeological resources from the public under Subchapter II of Chapter 5 of Title 5 of the *United States Code* or under any other provision of law.

ARPA permits are required for the actual or attempted excavation, collection, removal, and disturbance of archaeological resources, including Native American human remains and other cultural items as defined in NAGPRA, or for the excavation of archaeological resources that

are of religious or cultural importance to Federally recognized Tribes on Air Force property (per 32 CFR 229, *Protection of Archaeological Resources: Uniform Regulations*, §§229.5 - 229.11). However, ARPA permits are not required for qualified archaeologists employed by, or under contract to, the Air Force or its agents in carrying out their official or contracted duties on the installation [per 32 CFR 229.5(c)]. Nonetheless, 32 CFR 229.5(c) requires permit provisions to be met by other documented means, and ensures that any official duties which might result in harm to or destruction of any Native American tribal ceremonial or cultural site are the subject of notification to Tribes as set forth in 32 CFR 229.7. Figure 4-1 is a flowchart for the ARPA permitting process.

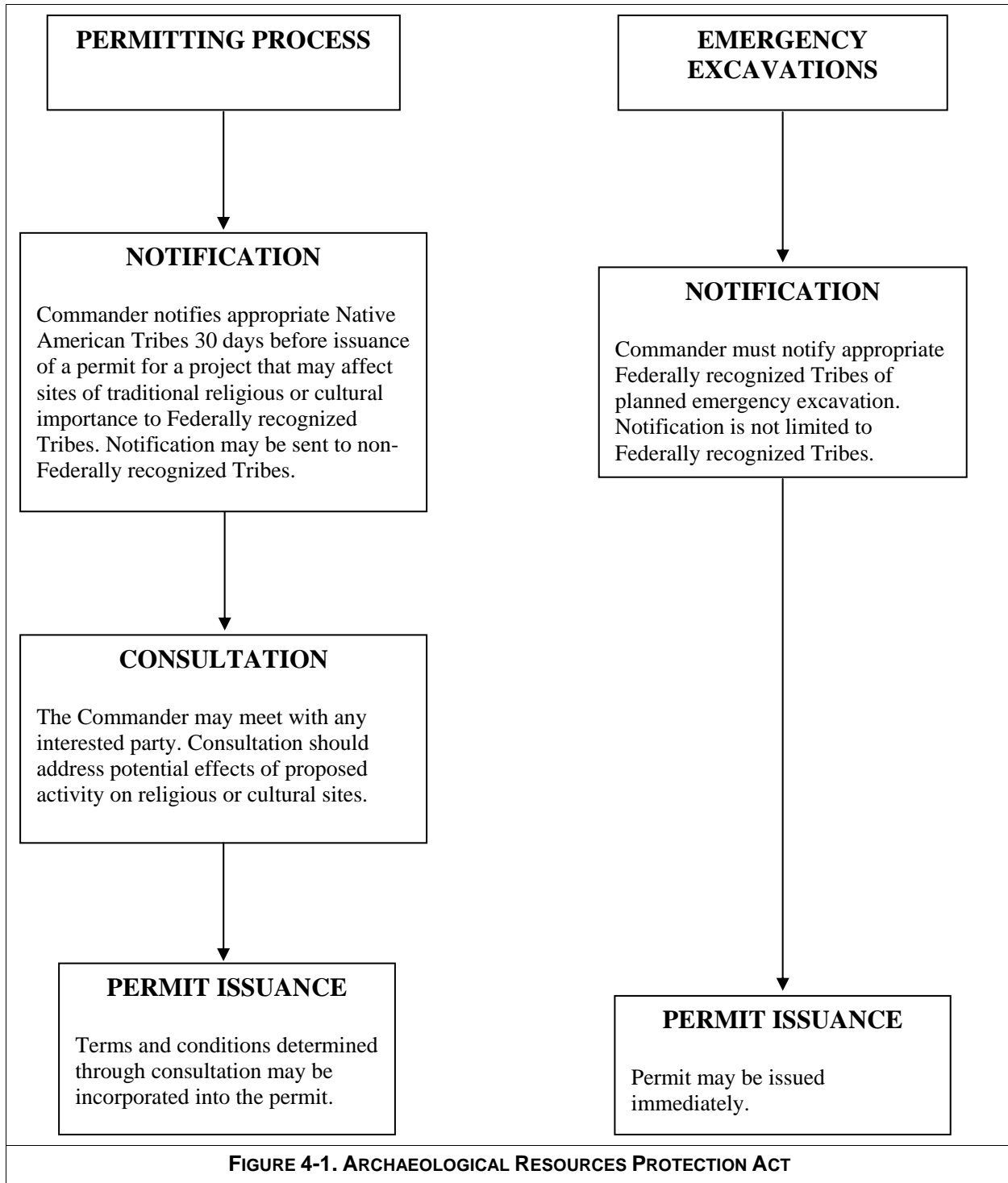
The ANG will issue the ARPA permit after the ANG commander conducts consultation with the culturally affiliated Native American Tribes in accordance with 43 CFR 10.5 and 32 CFR 229.7. The Installation Commander will ensure that security forces; legal staff; the Public Affairs Office (PAO); and the fish, game, and recreation management staff are familiar with the requirements and applicable civil and criminal penalties under ARPA Section 6(a) and 32 CFR 229.4. ARPA permits shall provide for the disposition of NAGPRA cultural items in accordance with NAGPRA subsections 3(a) and 3(b) and 43 CFR 10. The ANG commander will ensure that documentation of consultation with culturally affiliated Native American Tribes is prepared and maintained as part of the record of each such permit. The BCE (or EM) will issue ARPA permits to qualified individuals after technical review of the application by HQ AFCEE. The reviewed permit must be signed by the BCE. The EM must ensure that one copy of the signed permit must be sent to the proponent and another to HQ AFCEE.

The ANG will ensure that ARPA permits meet the following:

- Comply with the requirements of 32 CFR 229 and 43 CFR 10.
- Require that any interests that Tribes may have in the permitted activity are addressed in a manner consistent with the requirements of the NHPA and NAGPRA prior to issuance of the permit.
- Require that permitted activities be performed according to applicable professional standards of the Secretary of the Interior.
- Require that the excavated archaeological artifact collection and associated records are permanently curated in a curation facility that meets the requirements of 36 CFR 79.

ARPA permits can take up to six months to acquire.





#### 4.3.1.2 Archaeological and Sacred Site Confidentiality

Numerous provisions of cultural resource law require that interested members of the public have access to cultural resource management programs undertaken at the public's expense.

Information regarding the location and nature of traditional cultural resources and the character of archaeological sites, in accordance with Section 9 of ARPA and Section 304 of the NRHP, shall not be released to the public. Therefore, it is extremely important that persons using this document and other cultural resource reports and maps understand that all archaeological resource descriptions and locations are confidential. For this reason, maps or information delineating the locations of archaeological resources are not included in this ICRMP, nor will any be released to the public.

Tribes may wish to divulge sensitive information about cultural resources to the ANG, but will be reluctant to do so unless confidentiality can be reasonably assured. When tribal members divulge sensitive information, installation personnel shall do their best to protect this information but should be honest about their ability to do so. For instance, the ANG would have to reveal confidential information if ordered to do so by a court. If it is not necessary to create a written record of sensitive details about cultural resources, installation personnel should not do so.

The ANG cultural resource documentation will be prepared so that maps and other information with specific archaeological locations and tribal resources are easily removable. Documents for the public will be copied so that archaeological maps or site forms are not included.

#### 4.3.1.3 Built Resources

A building is created principally to shelter any form of human activity. "Building" may also be used to refer to a historically and functionally related complex, such as a courthouse and jail or a house and barn. Buildings eligible for the NRHP must retain their integrity or include all of their basic structural elements. Parts of buildings, such as interiors, facades, or wings, are not eligible independent of the rest of the existing building. In some cases an original building is historic but the addition is not. However, a building need not be entirely original and may have recent additions or changes as long as the building, in total, retains its integrity. An addition to the rear of a building that otherwise retains its historical or architectural integrity may still be considered to be eligible for the NRHP. In evaluating buildings for NRHP eligibility, the whole building must be considered and its significant features must be identified. If a building has lost its basic structural elements, it is usually considered a "ruin" and is categorized as a site.

The term "structure" is used to distinguish buildings from those functional constructions made usually for purposes other than creating human shelter. Structures nominated to the NRHP must include all of the extant basic structural elements. Parts of a structure cannot be considered eligible if the whole structure remains. For example, a truss bridge is composed of the metal or wooden truss, the abutments, and supporting piers, all of which, if extant, must be included when evaluating the property for NRHP eligibility.

Buildings and structures of historic age (50 years or older) should be inventoried and evaluated. An inventory is generally a physical documentation of the building that includes the construction date, its original and current function, a physical description of the building or structure and its current condition, and a description of changes over time. The evaluation is to determine the significance and integrity of the building or structure and if it is eligibility for listing in the NRHP. Generally, the inventory and evaluation are conducted concurrently.

Evaluations are conducted using NRHP criteria, as listed in 36 *Code of Federal Regulations* (CFR) 60.4. To be listed, or considered eligible for listing, in the NRHP, a cultural resource must meet at least one of the four following criteria:

- Criterion A: The resource is associated with events that have made a significant contribution to the broad pattern of history.
- Criterion B: The resource is associated with the lives of people significant in the past.
- Criterion C: The resource embodies distinctive characteristics of a type, period, or method of construction; represents the work of a master; possesses high artistic value; or represents a significant and distinguishable entity whose components may lack individual distinction.
- Criterion D: The resource has yielded, or may be likely to yield, information important in prehistory or history.

In addition to meeting at least one of these criteria, a cultural resource must also possess integrity of location, design, setting, materials, workmanship, feeling, and association. Integrity is defined as the authenticity of a property's historic identity, as evidenced by the survival of physical characteristics it possessed in the past and its capacity to convey information about a culture or group of people, a historic pattern, or a specific type of architectural or engineering design or technology.

Location refers to the place where an event occurred or a property was originally built. Design considers elements such as plan, form, and style of a property. Setting is the physical environment of the property. Materials refer to the physical elements used to construct the property. Workmanship refers to the craftsmanship of the creators of a property. Feeling is the ability of the property to convey its historic time and place. Association refers to the link between the property and a historically significant event or person.

Sites or structures that may not be considered individually significant may be considered eligible for listing in the NRHP as part of a historic district. According to the NRHP, a historic district possesses a significant concentration, linkage, or continuity of sites, buildings, structures, or objects that are historically or aesthetically united by plan or physical development.

Certain kinds of properties are not usually considered for listing in the NRHP, including the following:

- religious properties (Criteria Consideration A)
- moved properties (Criteria Consideration B)
- birthplaces or graves (Criteria Consideration C)
- cemeteries (Criteria Consideration D)
- reconstructed properties (Criteria Consideration E)
- commemorative properties (Criteria Consideration F)
- properties that have achieved significance within the last 50 years (Criteria Consideration G)

These properties can be eligible for listing only if they meet special requirements, called “criteria considerations.” The considered criteria are listed in National Register Bulletin No. 15, *How to Apply the National Register Criteria for Evaluation*, a publication of the National Park Service (NPS). Bulletin No. 22, *Guidelines for Evaluating and Nominating Properties that Have Achieved Significance within the Past Fifty Years*, provides further direction. Bulletin No. 15 and Bulletin No. 22 can be found on the NPS Web site at <http://www.nps.gov/history/nr/publications/bulletins/nrb15/> and <http://www.nps.gov/history/nr/publications/bulletins/nrb22/>, respectively. A property must meet one or more of the four criteria for evaluation and also possess integrity of materials and design before it can be considered under the various criteria considerations.

#### 4.3.1.4 Traditional Cultural Resources and Sacred Sites

Traditional cultural resources include traditional cultural properties (TCPs), sacred sites, cemeteries, burials, and any other properties of traditional, cultural, or religious significance. These resources are associated with culture, which according to the National Register is understood to mean the traditions, beliefs, practices, lifeways, arts, crafts, and social institutions of any community, whether it be an Native American tribe, a local ethnic, social, and occupational group, or the people of the nation as a whole.

Guidelines for evaluating and documenting TCPs are presented in National Register Bulletin No. 38, *Guidelines for Evaluating and Documenting Traditional Cultural Properties*, which gives a description of TCPs, preservation planning, identification, and documentation. Bulletin No. 38 can be found on the NPS Web site at <http://www.cr.nps.gov/nr/publications/bulletins/nrb38/>.

**Identification of Traditional Cultural Properties.** Consultation with Tribes and other ethnic, social, and occupational groups in the surrounding area concerning the identification of TCPs within the installation needs to be initiated. A list of contacts for tribal consultation is provided in Appendix D.

**Identification of Sacred Sites.** According to Executive Order 13007, a “sacred site” is “any specific, discrete, narrowly delineated location on Federal land that is identified by a Native American tribe, or Indian individual determined to be an appropriately authoritative representative of a Native American ceremony, as sacred by virtue of its established ceremonial significance to, or use by, an Native American religion; provided that the tribe or appropriately authoritative representative of a Native American religion has informed the agency of the existence of such a site.”

Consultation with Tribes should be conducted to identify their cultural resource management concerns, specifically regarding TCPs and sacred sites. If sacred sites have been suspected during a survey, Tribes should be notified. Refer to the POC List of local Federally recognized Tribes in Appendix D.

Tribes have the right to access and use sacred sites on ANG-controlled lands. Reasonable terms, conditions, and restrictions regarding access to sacred sites will be agreed upon in order to protect personal health and safety and to avoid interference with the military mission or with national security. Sacred sites may be used for ceremonies that take place one or more times during a year. Reasonable notice should be given by the ANG if mission actions may prohibit Tribes to access a sacred site.

Steps should be taken to avoid adversely affecting the physical integrity of sacred sites. If the site is adversely affected or has the potential of being adversely affected, the ANG must comply with NHPA Section 106 procedures. See section 4.5 regarding Section 106 procedures. Confidentiality of information about sacred sites is recommended and will ensure a positive working relationship with Tribes. Information regarding the location and nature of traditional cultural resources and the character of archaeological sites, in accordance with Section 9 of ARPA and Section 304 of the NRHP, shall not be released to the public. These cultural resources are protected from risk of vandalism, theft of objects or destruction of the integrity of the sites. Therefore, the EM and the Installation Commander must ensure that all hard copy and electronic documents, maps, and reports that are prepared for this ICRMP do not contain location or other sensitive information if they are released to the public. Refer to section 4.3.1.2 for additional information regarding confidentiality.

#### 4.3.1.5 Historic Districts and Cultural Landscapes

A historic district possesses a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united historically or aesthetically by plan or physical development. The definition for cultural landscape currently used by the National Park Service is “a geographic area, including both cultural and natural resources and the wildlife or domestic animals therein, associated with a historic event, activity, or person or exhibiting other cultural or aesthetic values” (*Cultural Resource Management Guidelines*, NPS-28). A historic district or cultural landscape can be one of the following:

**Historic Site:** The location of a significant event or activity, or a building or structure, whether standing, ruined, or vanished, where the location itself possesses historic, cultural, or archaeological value regardless of the value of any existing structure.

**Historic Designed Landscape:** A landscape having (1) historic significance as a design or work of art because it was consciously designed and laid out by a landscape architect, master gardener, architect, or horticulturist according to design principles, or by an owner or other amateur using a recognized style or tradition in response or reaction to a recognized style or tradition; (2) a historic association with a significant person or persons, trend, or event in landscape gardening or landscape architecture; or (3) a significant relationship to the theory and practice of landscape architecture.

**Historic Vernacular Landscape:** A landscape whose use, construction, or physical layout reflects endemic traditions, customs, beliefs, or values in which the expression of cultural values, social behavior, and individual actions over time is manifested in the physical features and materials and their interrelationships, including patterns of spatial organization, land use, circulation, vegetation, structures, and objects and in which the physical, biological, and cultural features reflect the customs and everyday lives of people.

**Ethnographic Landscape:** A landscape traditionally associated with a contemporary ethnic, social, and occupational group typically used for such activities as subsistence hunting and gathering, religious or sacred ceremonies, and traditional meetings.

**Concentration, Linkage, and Continuity of Features:** A district derives its importance from being a unified entity, even though it is often composed of a wide variety of resources. The identity of a district results from the interrelationship of its resources which can convey a visual sense of the overall historic environment or be an arrangement of historically or functionally related properties. For example, a district can reflect one principal activity, such as a mill or a ranch, or it can encompass several interrelated activities, such as an area that includes industrial, residential, or commercial buildings, sites, structures, or objects. A district can also be a grouping of archeological sites related primarily by their common components; these types of districts often will not visually represent a specific historic environment.

**Significance:** A district must be significant and an identifiable entity. It must be important for historical, architectural, archaeological, engineering, or cultural values. Therefore, districts that are significant will usually meet the last portion of Criterion C plus Criterion A, Criterion B, other portions of Criterion C, or Criterion D.

**Types of Features:** A district can comprise both features that lack individual distinction and individually distinctive features that serve as focal points. It may even be considered eligible if all of the components lack individual distinction, provided that the grouping achieves significance as a whole within its historic context. In either case, the majority of the components that add to the district's historic character, even if they are individually undistinguished, must possess integrity, as must the district as a whole.

A district can contain buildings, structures, sites, objects, or open spaces that do not contribute to the significance of the district. The number of noncontributing properties a district can contain yet still convey its sense of time and place and historical development depends on how these properties affect the district's integrity. In archeological districts, the primary factor to be

considered is the effect of any disturbances on the information potential of the district as a whole.

**Geographical Boundaries:** A district must be a definable geographic area that can be distinguished from surrounding properties by changes such as density, scale, type, age, style of sites, buildings, structures, and objects, or by documented differences in patterns of historic development or associations. It is seldom defined, however, by the limits of current parcels of ownership, management, or planning boundaries. The boundaries must be based upon a shared relationship among the properties constituting the district.

**Discontiguous Districts:** A district is usually a single geographic area of contiguous historic properties; however, a district can also be composed of two or more definable significant areas separated by nonsignificant areas. A discontiguous district is most appropriate in cases where the following characteristics are present:

- Elements are spatially discrete.
- The space between the elements is not related to the significance of the district.
- Visual continuity is not a factor in the significance.

In addition, a canal can be treated as a discontiguous district when the system consists of man-made sections of canal interspersed with sections of river navigation. For scattered archeological properties, a discontiguous district is appropriate when the deposits are related to each other through cultural affiliation, period of use, or site type.

It is not appropriate to use the discontiguous district format to include an isolated resource or small group of resources which were once connected to the district, but have since been separated either through demolition or new construction. For example, do not use the discontiguous district format to nominate individual buildings of a downtown commercial district that have become isolated through demolition.

#### 4.3.1.6 Other Cultural Resources

Other cultural resources include districts or objects that a community of people value for their role in sustaining a community's cultural integrity. These places that are important to a community tradition or activities may be eligible for listing in the NRHP and should be evaluated.

Cultural resources that are not eligible for listing in the NRHP but are considered important to a community or to Native American Tribes should still be considered under NEPA. NEPA procedures offer the public a chance for comment on projects that may affect places of community significance. Other cultural resources of interest include the following:

**Aircraft Wreck:** Aircraft wreck sites should be documented if any cultural resources were affected. Refer to AFI 91-204, *Safety Investigations and Reports*, for Air Force policy on crash responses. If resources have been affected, follow NHPA Section 106 procedures.

The location of discovered aircraft wreck sites on the installation should be mapped using GIS, recorded digitally for inclusion in the GeoBase, or noted on an installation map. Wreck sites older than 50 years old should be evaluated for significance according to Section 110 of the NHPA.

**Cemeteries:** For assessing the significance of cemeteries and gathering information that can be used for their subsequent preservation and protection, the EM should follow the guidelines outlined in the National Register Bulletin No. 41, *Guidelines for Evaluating and Registering Cemeteries and Burial Places*. Bulletin No. 41 can be found on the NPS Web site at <http://www.nps.gov/nr/publications/bulletins/nrb41/>. Cemeteries are also protected by state law in many states; these laws include penalties for vandalism of cemeteries or removal of human remains, as well as provisions for reporting and protecting unmarked burials. Refer to state laws for compliance and requirements for cemeteries. The SHPO may also provide information on cemeteries.

**Objects:** Objects can include records, photographs, artifacts, and donated private collections that are associated with the ANG's military history. These objects should be inventoried and ownership determined.

#### **4.3.2 ANG Cultural and Natural Resources (ANG/CNR) Database and the RPIR**

The ANG/CNR database should be considered as a "key" to the EM's files. The database should be the central source for information and if it has been populated and maintained by the installation, it will contain information regarding POCs; notation to important documents; bibliography of cultural resource studies; correspondence with Tribes, the SHPO, and historic societies; and a list of cultural and natural resources. The ANG/CNR database also should include notes on documents such as EAs, EISs, ICRMPs, etc. In order for this database to remain a useful key to installation cultural resources management files, the EM should update it on a regular basis.

The Real Property Identification Requirements (RPIR) also needs to be updated by the EM. The RPIR lists buildings and their date of construction and should be used to plan for future building evaluations as buildings turn 50 years old. When facilities have been evaluated for architectural significance, the results and the appropriate building codes need to be inserted into the RPIR and the ANG/CNR database.

#### **4.3.3 Professional Qualifications for Contractors**

The following requirements have been published in 36 CFR Part 61 and are used by the National Park Service. The qualifications define minimum education and experience required to perform identification, evaluation, registration, and treatment activities. In some cases, additional areas or levels of expertise may be needed, depending on the complexity of the task and the nature of the historic properties involved. In the following definitions, a year of full-time professional experience need not consist of a continuous year of full-time work but may



be made up of discontinuous periods of full-time or part-time work adding up to the equivalent of a year of full-time experience.

#### 4.3.3.1 History

The minimum professional qualifications in history are a graduate degree in history or a closely related field or a bachelor's degree in history or closely related field and one of the following:

- At least two years of full-time experience in research, writing, teaching, interpretation, or other demonstrable professional activity with an academic institution, historic organization or agency, museum, or other professional institution.
- Substantial contribution through research and publication to the body of scholarly knowledge in the field of history.

#### 4.3.3.2 Archaeology

The minimum professional qualifications in archaeology are a graduate degree in archaeology, anthropology, or a closely related field and the following requirements:

- At least one year of full-time professional experience or equivalent specialized training in archaeological research, administration, or management.
- At least four months of supervised field and analytic experience in general North American archaeology.
- Demonstrated ability to carry research to completion.

In addition to these minimum qualifications, a professional in prehistoric archaeology shall have at least one year of full-time professional experience at a supervisory level in the study of archaeological resources of the prehistoric period. A professional in historic archaeology shall have at least one year of full-time professional experience at a supervisory level in the study of archaeological resources of the historic period.

#### 4.3.3.3 Architectural History

The minimum professional qualifications in architectural history are a graduate degree in architectural history, art history, historic preservation, or a closely related field, with course work in American architectural history, or a bachelor's degree in architectural history, art history, historic preservation, or a closely related field and one of the following:

- At least two years of full-time experience in research, writing, or teaching in American architectural history or restoration architecture with an academic institution, historical organization or agency, museum, or other professional institution.

- Substantial contribution through research and publication to the body of scholarly knowledge in the field of American architectural history.

#### **4.3.3.4 Architecture**

The minimum professional qualifications in architecture are a professional degree in architecture and at least two years of full-time experience in architecture or a state license to practice architecture.

#### **4.3.3.5 Historic Architecture**

The minimum professional qualifications in historic architecture are a professional degree in architecture or a state license to practice architecture and one of the following:

- At least one year of graduate study in architectural preservation, American architectural history, preservation planning, or a closely related field.
- At least one year of full-time professional experience on historic preservation projects.

Such graduate study or experience shall include detailed investigations of historic structures, preparation of historic structures research reports, and preparation of plans and specifications for preservation projects.

### **4.3.4 Inadvertent Discovery of Cultural Material**

The following procedures are for activities involving Federal actions, funding, or lands. Projects that do not involve these features should be viewed in relation to state law requirements for state actions or state lands inclusive of the identification, recovery, and ultimate disposition of human remains and objects of cultural patrimony. Non-Federal jurisdictional agencies should be queried if training will occur on land managed by other state agencies/entities.

#### **4.3.4.1 Inadvertent Discovery of Human Remains or Funerary Objects**

##### **Native American Graves Protection and Repatriation Act**

NAGPRA places affirmative duties on Federal agencies to protect, inventory, and rightfully dispose of Native American cultural items, both those in existing collections and those that may be discovered in the future. NAGPRA intends to ensure the protection and rightful disposition of Native American cultural items located on Federal or Native American lands in the Federal government's possession or control. Section 2 of NAGPRA and 43 CFR Part 10, the implementing regulations, provide a detailed definition of cultural items regulated under the act. Responsibilities under NAGPRA include identification of whether a facility has actual possession or control of existing collections of Native American cultural items; determination of what and where those items are; determination if a planned activity will result in the

excavation of cultural items; notification to tribal groups of proposed activities before issuing approvals or permits; and development of procedures for the inadvertent discovery of cultural items. For the purposes of NAGPRA, “Native American” includes American Indian tribes and Native Hawaiian and Native Alaskan organizations. Repatriation of items to lineal Native American descendants (or to the tribe or organization with the closest cultural affiliation, if descendants cannot be determined) is regulated by 43 CFR Parts 10.8 and 10.10.

The purpose of consultation under NAGPRA is to reach agreement as to the treatment and disposition of the specific kinds of “cultural items” defined in the act: Native American human remains, funerary objects, sacred objects, and objects of cultural patrimony. The ANG is required to consult with the appropriate Native American tribe or lineal descendant if the ANG is processing an application for a permit that would allow the excavation and removal of human remains and associated funerary objects from Federal lands and if items covered by the act have been disturbed unintentionally.

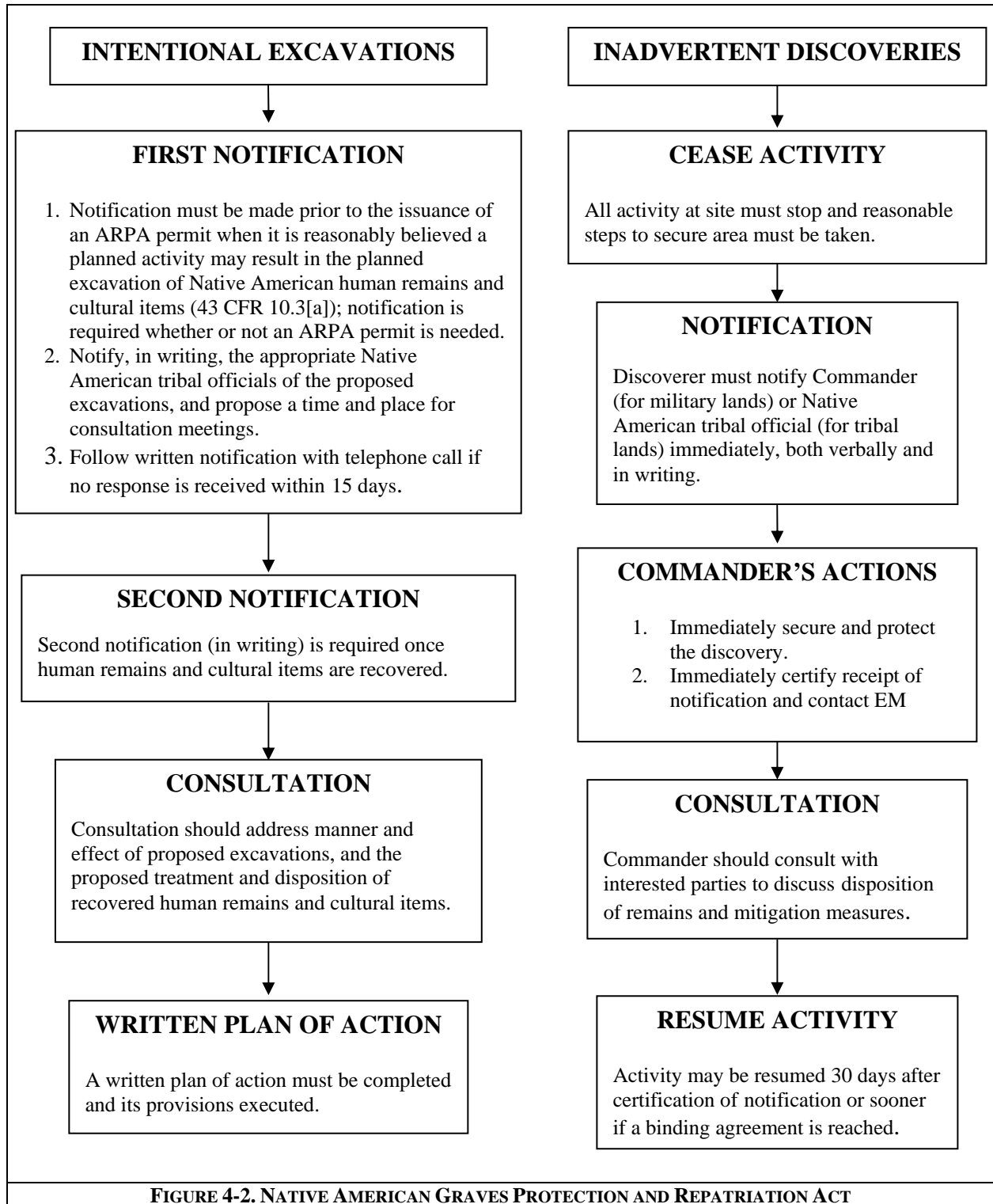
The ANG must consult with appropriate Native American organizations or individuals prior to authorizing the intentional removal of Native human remains and funerary objects. The responsible agency must prepare documentation to show that consultation pursuant to Sec. 3(c) of NAGPRA has occurred, and the file must be included and maintained in the decision record. A cultural resource use permit or equivalent documentation is generally required before human remains and artifacts covered by the Act may be excavated or removed from Federal lands. Permit-related notification and consultation, if requested, are required by ARPA Sec. 4 and 43 CFR 7.7. Consultation for NAGPRA purposes must occur before the excavation or removal of human remains and cultural items may be authorized.

Human remains or cultural items subject to NAGPRA discovered as a result of a project or ANG-authorized activity, such as construction or maintenance, are to be handled in the manner described in the “inadvertent discovery” procedures found at Sec. 3 (d) of NAGPRA. Where there is a reasonable likelihood of encountering undetected cultural items during a proposed land use, agreements should be negotiated with tribes or groups before the project is authorized to provide general guidance on treatment of any cultural items that might be exposed. Having these agreements in place saves time and confusion during the action (see Figure 4-2).

In the event of discovery of human remains, funerary objects, sacred objects, or objects of cultural patrimony, the EM will ensure that all appropriate measures are implemented to protect the remains and any other protected cultural items; all appropriate Tribes and agencies will be promptly notified of the find; and all applicable Federal, tribal, and state procedures will be followed, as appropriate.

For ground-disturbing activities, project planners, engineers, unit personnel, tenants, and construction personnel should be informed of the types of cultural resources potentially existing at the ANG installation, and should be briefed on the provisions in SOP 7.

The following steps were summarized from the SOP from AFCEE. They are to be taken if an unanticipated cultural resource is found on the installation:



1. Ensure that activities have ceased at the discovery site and that the site has been secured from human and natural forces.
2. Notify the tribal government(s) and SHPO of the discovery. Check with the SHPO to determine if the State Archaeologist should also be contacted. This notification should be by telephone, to be followed immediately by written notification and the development of an MFR (see section 4.2).
3. Begin consultation with the Native American representative(s) in accordance with NAGPRA 43 CCFR 10 and develop a plan of action.
4. Notify the ANG Judge Advocate General (JAG), Installation Commander, NGB/A7AN, and the PAO.
5. Visit the location of the discovery within 24 hours of the find. The services of appropriate technical experts (e.g., archaeologists, specialists in human osteology, forensic anthropologists) may be retained to participate in the field visit.
6. If the EM has reason to believe that Native American human remains, funerary objects, sacred objects, or objects of cultural patrimony have been discovered, the EM must provide immediate telephone notification of the discovery, along with written notification by certified mail, to the Department of the Interior's departmental consulting archaeologist (DCA) at the following address:

Archaeological Assistance Division  
National Park Service  
Washington, DC 20013-7127  
Telephone: 202.343.4101

7. The DCA will be advised on the nature of the discovery. If known, as much information as possible concerning the cultural resource (such as the type, date, location, and circumstances of the discovery and any indicators of ethnicity) should be provided to the DCA. The DCA retains the option of notifying and consulting with the ACHP, who may require an onsite examination of the affected remains. The DCA will determine the significance and origin of the remains and what mitigation measures to implement.
8. The EM will obtain certification of notification from the DCA. Federally recognized Tribes and Native Hawaiian organizations must be notified by telephone followed by written confirmation within three days after certification. This notification must include pertinent information as to the nature of the human remains, funerary objects, sacred objects, or objects of cultural patrimony; their condition; and the circumstances of their discovery.
9. The EM will consult with interested parties (the SHPO, Tribes, property owner, etc.) to discuss disposition of the remains and mitigation measures. The EM, in

consultation with the SHPO and Native American groups, as appropriate, will determine the procedures for disposition and control of any Native American cultural items excavated or removed as a result of inadvertent discoveries.

10. Activities in the area of discovery will resume 30 days after certification of notification is received, or sooner, if a signed binding agreement is reached. The PAO should be kept informed throughout the process.

To establish future protocols for the management of inadvertent discovery situations, the ANG may also consider developing a comprehensive agreement (CA) prior to the encounter of a burial to agree upon procedures and streamline the process.

#### 4.3.4.2 Inadvertent Discovery of Archaeological Artifacts

The EM shall ensure that in the event of the inadvertent discovery of archaeological resources that measures are taken promptly to protect the find from disturbance; assess the significance of the discovery; and, if necessary, to implement appropriate avoidance or mitigation measures for significant resources. ANG personnel should review SOP 6. Specific procedures are as follows:

1. Ensure that activities have ceased at the discovery site, and that the site has been secured from human and natural forces.
2. If discovery includes artifacts and cultural items as defined by NAGPRA, refer to section 4.3.4.
3. The EM will promptly notify the SHPO of the discovery.
4. Record the site if the site can be avoided.
5. Prepare full documentation of the resource and a report summarizing the results of the investigation including mitigation as appropriate. Only persons meeting Federal professional qualifications (36 CFR 61) may perform these operations. The documentation and the report will be submitted to the SHPO and Tribes.

Professional qualifications required to perform archaeological investigations are outlined in 36 CFR Part 61.

Note: Per 36 CFR 800.12(d), immediate rescue and salvage operations conducted to preserve life or property are exempt from the provisions of Section 106 of the NHPA.

## 4.4 CURATION OF ARTIFACTS

In accordance with the requirements of 36 CFR 79, *Curation of Federally Owned and Administered Archaeological Collections*, AFI 32-7065 requires the ANG to ensure that all

archaeological collections and associated records, as defined in 36 CFR 79.4(a), are processed, maintained, and preserved.

The Installation Commander will ensure that all collections are processed, maintained, and curated in accordance with the requirements of 36 CFR 79. Installations should not establish archaeological curation facilities on the installation due to the permanent recurring costs and personnel requirements to maintain such repositories to the minimum standards in 36 CFR 79 in perpetuity.

The EM should consider the long-term ongoing cost of permanent collection curation and include this in the annual budgeting process.

Collections from Federal lands should be deposited in a repository that meets the standards outlined in 36 CFR 79 to ensure that they will be safeguarded and permanently curated in accordance with Federal guidelines. The U.S. Army curated materials at the Glenn A. Black Laboratory, Indiana University at Bloomington, Indiana, and at the Ball State University at Muncie, Indiana.

#### **4.4.1 Curation Requirements**

- Before permanent curation, all artifacts recovered on ANG installations will be analyzed using commonly accepted methods for artifacts in the region. Artifact analyses will be consistent with current archaeological research objectives for the region.
- Cleaning, curation, and storage of artifacts and associated documents will meet professional standards.
- Artifacts and associated documents will be stored in clean, spacious, temperature-controlled facilities while on the installation and kept in archival-quality bags, folders, or boxes.
- The ANG will negotiate a memorandum of understanding (MOU) or similar agreement with the SHPO or other state repository, museum, or university, or other approved curation facility for final curation of all artifacts.
- All field, laboratory, and other project records will be reproduced on archival-quality paper.
- The EM should record the square feet of the collection and the linear feet of the records in the ANG/CNR database and coordinate with NGB/A7AN regarding the ongoing maintenance costs of the collection.

#### **4.4.2 Curation Reporting Requirements**

The annual Secretary of the Interior's report to Congress requires an assessment of archaeological records and materials in Federal repositories.

The EM shall determine, on an annual basis, the volume of records and materials held by the ANG installation or curated on its behalf at a curation facility. The collection is recorded in square feet and associated records are recorded in linear feet. This information should be entered into the ANG/CNR database. The ongoing maintenance costs need to be considered and coordinated with the NGB/A7AN.

Inspections of Federally curated archaeological collections shall be conducted periodically in accordance with the Federal Property and Administrative Services Act (40 USC 484) and its implementing regulation 41 CFR 101. Consistent with 36 CFR 79.11(a), the EM shall do the following:

- Maintain a list of any Federally owned historic artifacts (including archaeological, military, historic, photographs, journals, documents, etc.) received by the EM.
- Periodically inspect the physical environment in which all archaeological materials are stored for the purpose of monitoring the physical security and environmental control measures.
- Periodically inspect the collections in storage for the purposes of assessing the condition of the material remains and associated records, and of monitoring those remains and records for possible deterioration and damage.
- Periodically inventory the collection by accession, lot, or catalog record for the purpose of verifying the location of the material remains and associated records.
- Periodically inventory any other Federally owned personal property in the possession of the EM.

#### **4.5 PROACTIVE MANAGEMENT OF CULTURAL RESOURCES**

The main objective of this program guidance is to integrate the legal requirements for managing cultural resources with installation planning and mission activities of the ANG. Guidance for installation real property and land use decisions is provided. Regulatory objectives are as follows:

- To establish specific procedures for compliance with all state and Federal laws and regulations concerning the protection and preservation of cultural resources within ongoing military mission related activities.
- To comply with AFI 32-7065.



- To provide guidance to protect and manage all cultural resources that meet the NRHP eligibility criteria using The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (1995). Where cultural resources have not been evaluated for their NRHP eligibility, the ANG will consider them to be NRHP-eligible and manage them accordingly.

#### **4.5.1 Compliance with Section 106 of the National Historic Preservation Act**

Section 106 of the NHPA charges Federal agencies with taking into account the effects of their undertakings on properties that are listed or eligible for listing in the NRHP and affording the ACHP an opportunity to comment. The full text of Section 106 is as follows:

*The head of any Federal agency having a 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 an undertaking shall, prior to 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 effects of the undertaking on any district, site, building, structure, or object that is included in or eligible for inclusion in the National Register of Historic Places. The head of any such Federal agency shall afford the Advisory Council on Historic Preservation established under part B of this subchapter a reasonable opportunity to comment with regard to such undertaking.*

For the ANG, Section 106 applies to Federal undertakings regardless of land status, e.g., Federal property (lands or buildings), state, or other status if the action has any Federal involvement (such as use of Federal personnel, equipment, or funding; issuance of Federal permits or right-of-way to enable others to carry out an action; or approval). Construction, renovation, rehabilitation, or maintenance of facilities; changes of operations; ground-disturbing activities; and disposal or leasing of lands all are examples of undertakings that will require ANG compliance with Section 106.

Consultation with the SHPO and/or the ACHP and Tribes is a critical and required step in this process. If an undertaking on Federal lands may affect properties having historic value to a Tribe, such Tribe shall be afforded the opportunity to participate as consulting parties during the consultation process defined in 36 CFR 800.

The Section 106 process is designed to identify possible conflicts between historic preservation objectives and the proposed activity, and to resolve those conflicts in the public interest through consultation. The Section 106 process does not require that all historic properties be preserved. It only requires the agency to consider the effects of the proposed undertaking on those properties and fulfill the procedural requirements for the NHPA prior to implementation.

Failure to comply with Section 106 may result in formal notification from the ACHP to the head of the Federal agency of foreclosure of the ACHP's opportunity to comment on the

undertaking pursuant to NHPA. Litigation or other forms of redress can be used against the Federal agency in a manner that can halt or delay critical activities or programs.

The procedures followed in Section 106 review are referred to as the “Section 106 process” and are set forth in regulations 36 CFR 800. A flow chart for the Section 106 process is presented in Figure 4-3. Detailed procedures for the Section 106 process can be found in the ANG ICRMP Tutorial.

Step 1: Initiate Section 106 Process

Step 2: Identify Historic Properties

Step 3: Assess Adverse Effects

Step 4: Resolve Adverse Effects

Step 5: Proceed

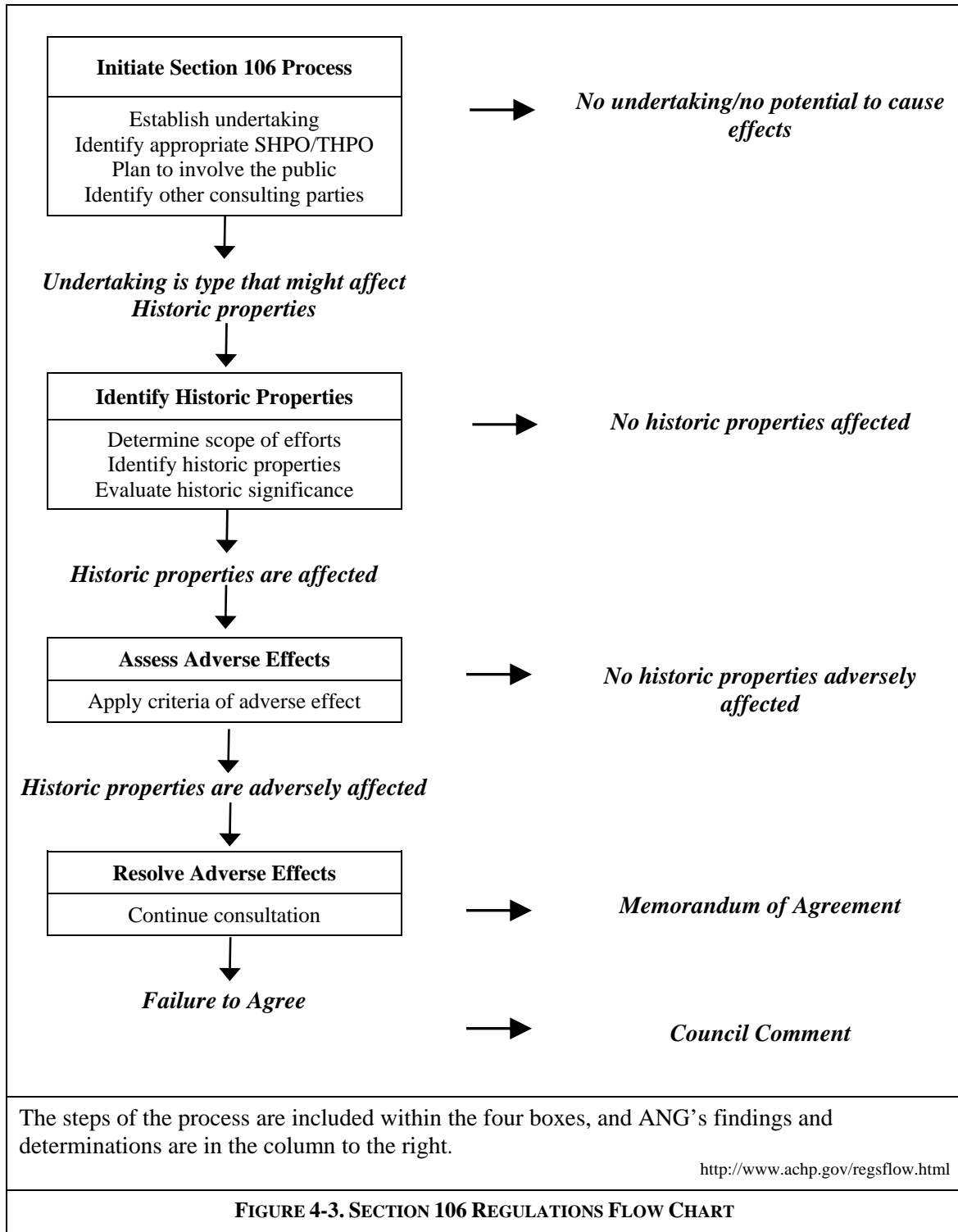
The timing for Section 106 surveys and evaluations will vary depending on the size and nature of the facility(s)/installation(s) to be evaluated. The EM can anticipate four to six months for completion of the Section 106 process for projects on smaller installations and longer for completion on larger installations. Not all projects will need to be reviewed in accordance with all the steps in the Section 106 process. For example, if there are no historic properties present or that will be affected by the undertaking, the ANG would need to complete only the first two steps in the process.

Resolution of adverse effects (mitigation) on a historic property may require an additional six to 12 months, depending on the complexity of the situation, and the development of an MOA. See section 4.5.12 for information pertaining to agreement documents. Stakeholders in the process include the public and Tribes (see section 4.2).

#### **4.5.2 Emergencies**

36 CFR 800.12 provides for expedited NHPA review of actions taken to respond to immediate threats to life or property from emergencies or disasters declared by the president, a tribal government, or the governor of a state. These actions must occur within 30 days of the emergency or disaster but may be extended an additional 30 days under certain circumstances. Some actions by the Department of Homeland Security may meet this definition. Other examples include floods, hurricanes, earthquakes, and other disasters.

The EM will ensure that all reasonable efforts are made to avoid or minimize disturbance of significant cultural resources during emergency operations and will communicate with ANG personnel regarding potential effects to significant cultural resources. The EM must notify the ACHP, the SHPO/THPO, Tribes, and any other interested parties of the emergency actions. These parties then have 7 days rather than the traditional 30 days to comment on the undertaking. Actions occurring 30 days following the emergency are not accorded expedited review but are reviewed in accordance with 36 CFR 800.3-6. Tribes do not have approval



authority unless the emergency occurs on or affects the tribe's lands. Notification may be verbal, followed by written communication.

This applies only to undertakings that will be implemented within 30 days after the disaster or emergency. An agency may request an extension of the period of applicability prior to the expiration of the 30 days. The EM will ensure that the heads of all units involved in the project are briefed regarding the protocol to be followed in the case of the inadvertent discovery of cultural resources during emergency operations. As a proactive measure, an installation could also work with the ACHP, SHPO/THPOs, and interested parties to develop a PA (section 4.5.12) outlining streamlined procedures in advance of emergency situations.

### **4.5.3 Section 106 Review Periods and Other Scheduling Considerations**

The Section 106 process involves consultation with the SHPO, Tribes, and others and submission of documentation to support that finding, determination, or consultation. If a historic property may be adversely affected, the ANG also consults with the ACHP in addition to the SHPO, Tribes, and others. The ANG completes various tasks such as cultural resource surveys or preparation of documentation for review by others, etc. These tasks have no specific time frames in the Section 106 review process; efficient and timely completion of them is a matter for the ANG.

36 CFR Part 800 does provide specific timeframes for review by the SHPO, Tribes, and others at various steps in the process. Note that the ANG may consult with the SHPO, Tribes, and others on multiple steps in the process at the same time, which will substantially reduce the time involved in complying with Section 106.

#### **Step 1: Initiate the Section 106 Process**

- Internal project review by the ANG to determine if an undertaking has the potential to affect historic properties. (Note: No external review is required.)

#### **Step 2: Identify Historic Properties**

- Consultation to determine Area of Potential Effect 30 days
- Consultation to determine scope of identification efforts 30 days
- Identification efforts may include the following: No set time
  - Archaeological Survey
  - Archaeological Evaluation
  - Architectural Survey
  - Architectural Evaluation
- Consultation to evaluate properties for National Register of Historic Places eligibility 30 days

- Consultation regarding finding of no historic properties present or affected 30 days

Step 3: Assess Adverse Effects

- Consultation with SHPO and other consulting parties 30 days

Step 4: Resolve Adverse Effects

- Consultation to resolve Adverse Effects No set time
- ACHP is notified ACHP: 15 days
- Developing MOA No set time
  - \*Termination of consultation (no MOA) ACHP has 45 days to provide advisory comment

\*Note: Project proceeds. For undertakings that may adversely affect a historic property, the project may proceed when either an MOA has been signed or the head of the ANG/Secretary of the Air Force has responded to ACHP's advisory comments. For undertakings not adversely affecting historic properties, or for which no historic properties will be affected or present, the project may proceed after the ANG has not received an objection from the SHPO or has addressed the ACHP's opinion on disagreements regarding determinations of effect.

The SHPO, Tribes, and others are afforded 30 days from receipt of adequate documentation to complete reviews of particular ANG findings and determinations. Although the regulations provide for 30 days, it is recommended that the EM provide for 40 days to allow for mail time, etc. If no response is received from the SHPO within that time, the ANG may assume that the SHPO concurs with the ANG's finding or determination, and proceed with the next steps in the Section 106 process as appropriate for that project. If additional information is needed by the SHPO, the 30-day review period begins anew. Thus, the EM always should provide adequate documentation to the SHPO and other consulting parties. Documentation requirements are outlined in section 4.5.4 of this ICRMP and are derived from 36 CFR 800.11. If there is disagreement between the ANG and SHPO, there is an additional process involving review by the ACHP that requires about 30 days.

#### 4.5.4 Section 106 Required Documentation

The ANG is required to prepare documentation in support of its findings and determinations at various steps in the Section 106 process and to provide that documentation to the SHPO and other consulting parties. 36 CFR 800.11 details this documentation. In general, documentation should be sufficient to enable an independent reviewer to understand the basis by which the ANG made its findings and determinations. Inadequate documentation could delay the review process and the ANG's projects. Sample letters for corresponding with the SHPO and the ACHP during the Section 106 process are provided in Appendix D.

Step 1: Initiate Section 106 Process. If the EM determines that an undertaking, as defined under the NHPA, has no possibility of affecting cultural resources, internal documentation of that decision and the basis for that decision is required.

Step 2: Identify Historic Properties.

- a) If there is a potential for effect, project-related documentation must be sent to the SHPO, Tribes, and others.
- b) In consultation with the SHPO, Tribes, and others, the ANG identifies and documents the APE.
- c) All properties identified in the APE will be evaluated for NRHP eligibility, and the evaluations and supporting documentation will be submitted to the SHPO, Tribes, and others for concurrence. If the SHPO and the ANG disagree on NRHP eligibility, the ANG will submit documentation to the Keeper of the National Register, National Park Service for an official decision.

Step 3: Assess Adverse Effects. The ANG notifies the SHPO, Tribes, and others of its finding of no historic properties present or affected or no adverse effect. It provides the documentation outlined in 36 CFR 800.11(e). Note that the ANG should take care to not disclose information about archaeological sites and properties of religious and cultural significance to the public.

Step 4: Resolve Adverse Effects.

- a) If the ANG makes a finding of adverse effect, the ANG must submit documentation specified in 36 CFR 800.11(e) to the ACHP to notify them of the adverse effect finding. From this information, the ACHP will determine if it chooses to be involved in the consultations to resolve adverse effects and develop an MOA.
- b) The ANG will make information available to the SHPO, consulting parties, and the public, including the documentation specified in 36 CFR 800.11(e), and provide an opportunity for comment about resolving the adverse effects and the development of the MOA. Note that the ANG should take care to not disclose information about archaeological sites and properties of religious and cultural significance to the public.
- c) If the ACHP is not involved in the development of the MOA, the ANG will file the MOA with the ACHP and provide the documentation specified in 36 CFR 800.11(f) along with a copy of the signed MOA.
- d) If consultation to develop an MOA has been terminated, e.g., the ANG has been unable to develop an MOA to which the other parties will agree, the ANG complies with 36 CFR Part 800.7. Note that this is quite unusual and

requires the involvement of ANG HQ. The ACHP's advisory comments will be provided to the head of the agency, likely the Secretary of the Air Force.

If ANG undertakings have the potential to affect a historic property and an EA or EIS is deemed unnecessary, public involvement is still expected. Under Section 106 regulations, Federal agencies are required to involve the public in the Section 106 process (see section 4.5.1). This includes the identification of appropriate public input and notification to the public of proposed actions consistent with 36 CFR 800.2(d). The ANG may choose to follow the same process as stipulated in NEPA for EAs.

See section 4.2 for additional information on consultation and public involvement.

#### **4.5.5 Cultural Landscape Approach to Cultural Management**

The cultural landscape approach analyzes the spatial relationship among all cultural resources within their natural setting. This approach should be included as the basis of installation-wide planning surveys and evaluation and can be facilitated with GIS.

Analysis of spatial relationships of known cultural resources can assist in determining nonrandom patterns of prehistoric land use. Predictive models where archaeological surveys have not been completed can be useful for planning purposes to determine sensitive areas and additional project needs for avoidance or mitigation, prediction of future impacts and alternative development, tribal consultation, and development of training scenarios that avoid sensitive resources. Also, archaeological surveys can be stratified to focus more (not exclusively) on high sensitivity areas when 100% intensive surveying and testing is cost- and/or time-prohibitive.

Modeling can be completed as a separate project or as part of the research phase of a specific archaeological survey project. Areas of high, medium, or low probability to yield sites are modeled and then tested in the field to validate or revise the model theory. The SHPO or state archaeological society may have existing predictive models or predictive modeling parameters such as topography, elevation, proximity to water, and vegetation types to assist with modeling ANG lands.

For specific archaeological surveys, include language in task orders for use of the cultural landscape approach and existing predictive models during surveys and to include a conclusion in the report about the accuracy of the model. Areas surveyed and survey results should also be illustrated in a GIS layer.

Development of an ANG installation predictive model will require, at a minimum, the expertise of an archaeologist and a GIS technician with tribal consultation. A simple model can be developed using the established parameters or criteria for each region (check with the state archaeologist, the SHPO, or a state archaeological or historical society for criteria and parameters) as well as plotting areas of previous disturbance. These parameters can be located on a map and predictive ratings assigned.

It is recommended to refer to the GeoBase and GIS data spatial standards for the development of GIS layers for this model. In most cases, the models will not replace the requirement for surveys, but as more data is collected about actual archaeological or cultural site distribution, these models can be tested and refined assisting with planning, reduce the level or amount of surveying, and provide a more effective use of program funding.

For specific projects, if parameters already exist, the addition of this requirement to the research and reports should add a negligible amount of time to the project. The GIS component could add two weeks to six months depending on available baseline GIS data and the extent of the area to be mapped.

In addition, each year other surveys on or near ANG property may be conducted, new discoveries may be made, and information and theories may be developed regarding former inhabitants and their lifeways. The GIS and GeoBase must be updated as new information becomes available in order to stay current and remain a useful management tool. Therefore, the model will need periodic review to determine its validity and to keep data current.

#### **4.5.6 Geographic Information System**

Geographical data will be tied to current maps or GIS files showing locations of all cultural resource assets. Only general location information of archaeological sites and sacred places should be depicted. Use restricted access files for GIS overlays that specifically locate archaeological sites and sacred places.

Site forms that include location data are kept separate from the report. The site forms are placed in a separate appendix that can be detached from the primary report. The primary report is available to the public, and confidential site locations are removed and kept in the EM's office. The following procedures should be used:

- The EM will control access to cultural resource reports.
- If the report indicates that no archaeological sites or sacred sites were found, and the structures are ineligible for the NRHP, there are no restrictions.
- If the report identifies archaeological sites or structures, site forms and map locations should be detached from the report.
- If the report has confidential information concerning sacred or sensitive sites, the document is restricted from public view, has a restricted circulation on base, and can be viewed only on a need-to-know basis.
- Reports must be kept in a secure location.
- When projects are proposed to have potential impact to sites where location needs protection, the EM must work with other offices to ensure site confidentiality.



- Access to confidential information is on a need-to-know basis only. Educate the base personnel on the need to restrict the data.
- Contact the NGB/A7AN Cultural Resources Program before distributing any confidential data.
- Inform the BCE.

The use of GIS to create layers of information about cultural resources, historic districts, cultural landscapes, and cemeteries to overlay project areas can be a useful planning tool; however, the overlay needs to be handled with discretion because GIS layers may contain sensitive and confidential information. There are spatial data requirements and metadata standards under development for cultural resources that need to be followed.

#### **4.5.7 Integration of Cultural Resource Management with Other Environmental Requirements**

36 CFR 800 states that, to streamline the process, the public involvement requirements under NEPA should be incorporated into cultural resource planning and projects when activities require the development of an EA or an EIS.

Construction or military mission activities may adversely affect cultural resources. Each ANG staff member involved with planning, construction, building repair, or maintenance or involved with management of training or other mission activities coordinates with the EM in the planning process. Analysis of affect is normally done through development of the appropriate NEPA document. The EM should review all work orders generated by CE for compliance. The EM should also review Form 813, EAs, and EISs to ensure appropriate analysis of cultural resources impacts and that Section 106 procedures were fully implemented.

#### **4.5.8 Development of Integrated Cultural Resource Management Plan**

DoD Instruction 4715.3, DoD Instruction 4715.16, and AFI 32-7065 require installations to develop an ICRMP as an internal compliance and management tool that integrates the entirety of the cultural resource program with ongoing mission activities. This ICRMP is for the period 2009 through 2014 and fulfills the DoD Instructions and the AFI. As a component of the installation master plan, the ICRMP is the ANG's decision document for conduct of cultural resource management actions and specific compliance procedures. This ICRMP is an internal ANG compliance and management plan that integrates the entirety of the installation's cultural resources program requirements with ongoing mission activities. It also allows for ready identification of potential conflicts between the ANG's mission and cultural resources, and identifies compliance actions necessary to maintain the availability of mission-essential properties and acreage. The EM coordinates with the cultural resources program at NGB/A7AN to develop an ICRMP.

ANG must consult with affected THPOs and tribal representatives (on a government-to-government basis) in the development of the ICRMP. ANG must take into account the views

of Tribes. At a minimum, the draft and final ICRMP should be mailed to the Tribes for review and comment, and the Tribes should be consulted on an annual basis as the installation completes its annual review of the ICRMP.

#### **4.5.9 Archaeological Site Monitoring**

ARPA prohibits the excavation, removal, damage, alteration, or defacement of archaeological resources located on public lands or Native American lands, unless activities are pursuant to a permit issued by the Federal land manager. Violators of ARPA may be charged with a Federal criminal offense as well as civil charges (PL 96-95, ARPA).

The EM should conduct periodic visits to archaeological sites to ensure that sites are not damaged due to training, erosion, or vandalism. A regular presence at sensitive site(s) (1) helps deter potential vandals and catch active vandals, (2) increases chances of identifying potential problems before harm is done to the site(s), (3) provides the opportunity to remedy problems that are in their infancy, and (4) provides an opportunity for education and stewardship.

#### **4.5.10 Maintenance of Buildings and Structures**

Upon being advised by the project proponent of maintenance activities, the EM must determine the NRHP eligibility status of the building(s) and/or structure(s) in consultation with the SHPO. If the property is listed or determined eligible for listing to the NRHP from this evaluation, the EM should maintain the property in accordance with *The Secretary of the Interior's Standards for Rehabilitation*. Consultation with the SHPO on maintenance of historic properties is required as part of the Section 106 process. Projects that involve properties that are 45 years of age or older and an undetermined historic status and that involve the renovation, upgrade, demolition, replacement, relocation, transfer, or sale of properties are discussed further in this section.

Compliance with the Section 106 process for an expanded list of undertakings is required unless there is a PA among the ANG, the respective SHPO, and consulting parties. Agreement documents to streamline the Section 106 process are explored further in section 4.5.12.

The following maintenance and repair activities should have no adverse effect on historic properties (listed, eligible for listing, and undetermined historic status) if undertaken in accordance with *The Secretary of the Interior's Standards for Rehabilitation*. The maintenance and repair activities will keep historic buildings and structures clean and should be accomplished with nonabrasive techniques (using little or no chemicals, no sandblasting, etc.). It is recommended that EMs prepare Maintenance and Treatment Plans (MTPs) and use them as the basis for their consultations with the SHPO for Section 106 compliance. MTPs are discussed in section 4.5.10.2. The MTP can expedite the EM's compliance with Section 106 for these maintenance and repair undertakings:

1. Exterior:

- painting on previously painted surfaces using similar color
- paint removal by non-destructive means (no chemical use or sandblasting)
- repairing or replacing existing walkways with matching materials
- repairing or replacing of existing parking areas
- repairing or replacing existing above-ground fuel storage facilities
- placement of temporary barriers for compliance with DoD Minimum Antiterrorism Standards for Buildings (UFC 4-010-01 8 October 2003)
- repair of the building exterior when repair or replacement matches existing details, form, and materials

2. Interior:

- replacing insulation (ceilings, attics, basement spaces)
- replace plumbing
- replacing heating, ventilation, and air conditioning systems and units
- replacing electrical systems
- replacing telecommunications equipment
- replacing security systems
- replacing fire suppression systems
- asbestos removal and abatement when it does not involve removal of the historic fabric of buildings and structures
- nondestructive lead paint abatement when it does not involve removal of historic fabric other than paint

There are guidelines for the rehabilitation and preservation of historic properties contained in *The Secretary of Interior's Standards for the Treatment of Historic Properties*. The guidelines can be viewed on the Internet at <http://www.nps.gov/hps/tps/standguide/>.

#### 4.5.10.1 Maintenance and Treatment Plans

An MTP can be developed as a component of the Cultural Resource Management Program and in some cases used to comply with Section 106 of the NHPA. An MTP identifies the historic properties (buildings, structures, landscapes, and districts); their character-defining features and contributing elements; and their building materials and condition and promotes the preservation of these resources through planning, design, cyclic maintenance, and appropriate treatments for repair, rehabilitation, and restoration. An MTP is a five-year management plan that provides guidance to the EMs. The EMs, in turn, use this information to work with the maintenance and facilities personnel who work with historic structures to address problems of deterioration or failure of building materials and systems, as well as repair and renovation materials that will continue to maintain historic significance of the historic properties.

An MTP covers a grouping of buildings that is generally site-specific due to the complexity of each site and overlaying construction periods and should focus on a range of alternatives and treatments from stabilization to restoration.

#### 4.5.10.2 Removal, Transfer, or Disposal of Excess Property

Mission requirement changes sometimes result in the removal, transfer, or disposal of buildings and structures. Transfer of historic property out of Federal control is considered to have an adverse impact on historic properties because the property will no longer be afforded protection under Federal cultural resources laws. Therefore, the Section 106 process (see section 4.5.1) must be completed prior to the transfer of property.

The EM should coordinate with the real property manager to ensure the following:

- Real property records accurately describe cultural resources.
- Installation archaeological sites are indicated (not specifically located) on real property records and appropriate base maps and plans.

The EM coordinates with the SHPO prior to the disposal of real property outside the Federal government (e.g., Declarations of Excess and AF Form 300, Facility Disposal).

When buildings are to be removed, replaced, or excessed, the EM should determine if the building has been evaluated for NRHP eligibility. If the building is 50 (or near 50) years old and has not been evaluated, the EM should have the building evaluated as part of the compliance actions for the project. If the affected building has been identified as eligible for listing in the NRHP, it becomes a historic property and the EM will initiate the Section 106 process with the SHPO (section 4.5.1). If a historic property may be affected, it should be considered in the economic analysis (see section 2.2 of AFI 32-1032).

For actions that include disposal of land, AFI 32-9004 section 1.7 states that the environmental office must complete environmental compliance documents that include an evaluation of

cultural resources. New construction may require justification based on an economic analysis performed in accordance with AFI 65-501, *Economic Analysis*.

If the project will affect a historic property, mitigation measures may be developed that reduce effects to a non-adverse level. Such measures may include avoidance, preservation in place, rehabilitation, or data recovery. If data recovery is chosen, it is suggested that Historic American Buildings Survey (HABS) or Historic American Engineering Record (HAER) documentation be prepared prior to implementation of any activity that could affect the character or integrity of the historic property. The SHPO and/or National Park Service Regional Office, in coordination with the ANG, would select the acceptable level of documentation for mitigation purposes.

Even if the building itself is not historic, but is within a historic district, replacement could have an adverse effect on the historic district. If this is the case, consult with the SHPO. If the building to be removed is a contributing element to a historic district, the goals are to retain the character-defining features, design, and workmanship of buildings, structures, and landscape. If mission requirements cause the demolition and replacement of significant buildings or structures, the replacement design should be compatible with other buildings within and contributing to the historic district. Changes to the landscape should convey the historic pattern of land use, topography, transportation patterns, and spatial relationships.

#### **4.5.11 Maintenance and Care for Other Cultural Resources**

##### **4.5.11.1 Cultural Landscapes**

ANG installations containing historic or military landscapes should follow *The Secretary of the Interiors Standards for the Treatment of Historic Properties with Guidelines for the Treatment of Cultural Landscapes* when planning actions that might impact such resources. The guidelines reference NPS Preservation Brief 36, "Protecting Cultural Landscapes: Planning, Treatment, and Management of Historic Landscapes," which provides guidance on treatment and preservation maintenance for historic landscapes, including development of treatment plans, and development and implementation of a preservation and maintenance plan. More detailed information can be obtained from the online version of the brief at <http://www.cr.nps.gov/hps/tps/briefs/>.

As noted in the Standards, the preservation planning process for cultural landscapes should involve the following: historical research, inventory and documentation of existing conditions, site analysis and evaluation of integrity and significance, development of a cultural landscape preservation approach and treatment plan, development of a cultural landscape management plan and management philosophy, development of a strategy for ongoing maintenance, and preparation of a record of treatment and future research recommendations.

In all treatments for cultural landscapes, the following general recommendations and comments apply.

1. Before undertaking project work, research of a cultural landscape is essential. Research findings help to identify a landscape's historic period(s) of ownership, occupancy, and development and bring greater understanding of the associations that make them significant. Research findings also provide a foundation to make educated decisions for project treatment and can guide management, maintenance, and interpretation. In addition, research findings may be useful in satisfying compliance reviews (e.g., Section 106 of the NHPA as amended).
2. Although there is no single way to inventory a landscape, the goal of documentation is to provide a record of the landscape as it exists at the present time, thus providing a baseline from which to operate. All component landscapes and features (see the following definitions) that contribute to the landscape's historic character should be recorded. The level of documentation needed depends on the nature and the significance of the resource. For example, plant material documentation may ideally include botanical name or species, common name, and size. To ensure full representation of existing herbaceous plants, care should be taken to document the landscape in different seasons. This level of research may most often be the ideal goal for smaller properties but may prove impractical for large vernacular landscapes.
3. Assessing a landscape as a continuum through history is critical in assessing cultural and historic value. By analyzing the landscape, change over time (the chronological and physical "layers" of the landscape) can be understood. Based on analysis, individual features may be attributed to a discrete period of introduction and their presence or absence substantiated to a given date; therefore, the landscape's significance and integrity is evaluated. In addition, analysis allows the property to be viewed within the context of other cultural landscapes.
4. In order for the landscape to be considered significant, character-defining features that convey its significance in history must not only be present, but they also must possess historic integrity. Location, setting, design, materials, workmanship, feeling and association should be considered in determining whether a landscape and its character-defining features possess historic integrity.
5. Preservation planning for cultural landscapes involves a broad array of dynamic variables. Adopting comprehensive treatment and management plans, in concert with a preservation maintenance strategy, acknowledges a cultural landscape's ever-changing nature and the interrelationship of treatment, management, and maintenance.

The U.S. Army Corps of Engineers Construction Engineering Research Laboratory (USACERL) is in the process of revising current DoD guidance on the identification and assessment of military landscapes, under the review of the DoD Legacy Commission. The revised guidance will assist installations in identifying and evaluating military landscapes within the installation and, should the landscape be eligible for nomination to the NRHP, in identifying the component features of that landscape.

As is the case with contributing elements to historic districts, the installation should seek to avoid impacts on core elements of military and historic landscapes that are eligible for nomination to the NRHP. If impacts are unavoidable, coordination with the SHPO will be required.

#### **4.5.11.2 Cemeteries**

As noted above, most states have laws protecting cemeteries and unmarked burials and may provide guidance on preservation maintenance. Preservation briefs published by the NPS provide technical guidance on preservation of masonry and stone, while the steps outlined for preservation maintenance of historic landscapes in the previous section can be applied to the component elements of a cemetery. In general, maintenance and care of the elements of a cemetery are similar to those outlined for historic buildings (headstones) and historic landscapes.

Some general rules of cemetery maintenance include the following:

- Mowing should remain clear of head stones and flat stones.
- Avoid using a weed whacker around head stones and flat stones.
- Herbicides and pesticides should not be used in the vicinity of the cemetery.
- Cleaners or abrasives should not be used on head stones and flat stones.
- Professionals should be contracted to clean or repair headstones and flat stones.

#### **4.5.12 Development of Agreement Documents**

In some cases, streamlining Section 106 regulations; addressing issues under NHPA, NAGPRA, and Executive Order 13175; and meeting consultation requirements can be accomplished through the use of a Memorandum of Agreement (MOA), Programmatic Agreement (PA), Comprehensive Agreement (CA), or plan of action and Memorandum of Understanding (MOU).

An MOA is an agreement document for compliance with Section 106 for specific undertakings on how the effects of the project will be taken into account (36 CFR 800.5(e)(4)) and, in general, is used as a mitigation agreement document for the adverse effects of a single undertaking. The Federal agency, the ACHP, the SHPO/THPO/Tribes, and possibly other consulting parties, negotiate MOAs. These agreement documents govern the implementation of a particular project and the resolution of the particular effects of that project.

PAs are, in general, used to govern the implementation of a particular program or the resolution of adverse effects from certain complex projects or multiple undertakings for compliance with Section 106. PAs are negotiated among the Federal agency, the ACHP, the SHPO/THPO/Tribes, and possibly other consulting parties. These agreement documents may be used when any of the following conditions are present:

- Effects on historic properties are similar and repetitive in scope.
- Effects on historic properties cannot be fully determined prior to approval of an undertaking.
- Non-Federal parties are delegated major decision-making responsibilities.
- Routine maintenance activities are undertaken at Federal installations, facilities, or other land management units.
- Circumstances warrant a departure from the normal Section 106 process.

CAs are similar in structure to PAs and are used to establish the repatriation process under NAGPRA. CAs are negotiated among the agency, the SHPO, THPOs/Tribes, and possibly other claimant groups or parties. These agreement documents can govern the notification process, reburial procedures, limitations, custody procedures, and monitoring plans. CAs are particularly useful when it is known upfront that remains or funerary objects are likely to be encountered on an installation, or in the APE for a specific project.

A NAGPRA plan of action is prepared after an inadvertent discovery is made (i.e., human remains and/or cultural items) and after a consultation meeting(s) with the appropriate Native Americans is conducted. The plan is a presentation of the verbal agreements that are made during the consultation regarding (1) the extraction of the remains, (2) the length of time out of the ground, (3) the disposition while out of the ground, (4) to whom the remains will be repatriated and in what manner, (5) information about the public notice that must be published (in the newspaper “x” weeks before repatriation in two notices one week apart), and (6) the description of the repatriation process (see Inadvertent Discovery SOP No. 6).

An MOU, in general, is used to clarify protocols and roles and responsibilities. The agency, the SHPO/THPO/Tribes, and other consulting parties can negotiate MOUs. These documents are used as a tool to ensure that all involved parties are informed of, and agree upon, the details of a particular cultural resource management program. An MOU is not considered legally binding in the manner of MOAs, PAs, and CAs.

NGB/A7AN can provide sample agreement documents. Draft MOAs, PAs, CAs, and plans of action must be reviewed by the NGB/A7AN. Development of agreement documents requires public and stakeholder involvement.

Preparation and review time for agreement documents will vary with the type of document, complexity of issues, and the number of parties involved. In general, for a MOA or PA, the review process is as follows:

- The ANG (unit or installation) drafts the agreement document in consultation with the consulting parties (SHPO, Tribes, etc.).



- The NGB/A7AN reviews and sends comments to the unit or installation for incorporation.
- The installation sends the agreement to the SHPO for concurrence.
- The NGB/A7AN reviews it for legal sufficiency.
- SHPO signs the agreement.
- The Installation Commander signs it.
- Other signatories (Tribes, other consulting parties, etc.) sign for PAs or MOAs.
- The NGB/A7AN, Chief of Environmental Division signs.

\* Note that the SHPO and ACHP do not review or sign CAs or plans of action.

At a minimum, anticipate the following for completion:

- Memorandum of Agreement (MOA) – 4 to 6 months
- Programmatic Agreement (PA) – 6 to 12 months
- Comprehensive Agreement (CA) – 6 to 12 months
- Plan of Action – 6 to 12 months
- Memorandum of Understanding (MOU) – 4 to 6 months

#### **4.5.13 Sustainability in Cultural Resource Management**

The Federal government encourages agencies to take the lead in being stewards of the environment and to preserve today's resources for the future. Executive Order 13101 *Greening the Government through Waste Prevention, Recycling, and Federal Acquisition* (1998) and Executive Order 13123 *Greening the Government through Efficient Energy Management* (1999) advocate a variety of approaches to assist agencies in reducing waste, saving resources, and promoting environmentally friendly design.

One of the primary focuses of stewardship within the DoD is the concept of sustainability. This concept applies to design, construction, operations, and resource conservation. Sustainability is responsible stewardship of the nation's natural, human, and financial resources through a practical and balanced approach. Sustainable practices are an investment in the future. Through conservation, improved maintainability, recycling, reduction and reuse of waste, and other actions and innovations, the ANG can meet today's needs without compromising the ability of future generations to meet their own.

In applying sustainability principles to cultural resource management, Chapter 4 of the NPS publication *Guiding Principles of Sustainable Design* notes that “sustainability has often been an integral part of the composition of both tangible and intangible cultural resources. Ecological sustainability and preservation of cultural resources are complementary. In large part, the historic events and cultural values that are commemorated were shaped by humankind's response to the environment. When a cultural resource achieves sufficient importance that it is deemed historically significant, it becomes a nonrenewable resource worthy of consideration for sustainable conservation. Management, preservation, and maintenance of cultural resources should be directed to that end.” ([http://www.nps.gov/dsc/d\\_publications/d\\_1\\_gpsd\\_4\\_ch4.htm#2](http://www.nps.gov/dsc/d_publications/d_1_gpsd_4_ch4.htm#2))

#### 4.5.13.1 Building Renovation and Repair

Renovation of older buildings, as compared to new construction, may result in considerable energy savings and reductions in materials used, thus benefiting the environment. In addition to reducing project costs, there may also be significant savings in time and money associated with reduced regulatory review and approvals. Additional reduced costs can occur with sustainable aspects of site and construction debris management.

In the event that buildings are not suitable for renovation, salvage as much as possible from the building(s) being demolished. Salvage of historic materials reduces landfill pressure, preserves important character-defining features of historic buildings, and saves natural resources. Typical examples of salvageable materials include lumber, millwork, certain plumbing fixtures, and hardware. Make sure these materials are safe (test for lead paint and asbestos) and do not sacrifice energy efficiency or water efficiency by reusing old windows or toilets.

Sustainable renovations also may provide opportunities for enhanced cooperation with local regulatory authorities, as well as providing site enhancement potential. The alternatives may well be less expensive, more environmentally responsible, and potentially more aesthetically pleasing.

A comprehensive job-site waste-recycling program should be part of any renovation plan. Some construction waste materials can be sold, thus recovering the investment in separation and separate storage. More significant savings are often achieved through avoided expense of landfill disposal. In large projects, the savings can be dramatic.

Additional guidance related to green building design and building operations can be found in Engineering Technical Letter 1110-3-491 *Sustainable Design for Military Facilities* (2001) and the *Air Force Environmentally Responsible Facilities Guide* published by AFCEE at <http://www.afcee.brooks.af.mil/green/greenform.htm>.

#### 4.5.13.2 Landscape Design

Sustainability principles also apply to preservation of landscape elements and undisturbed land that may contain archeological or sacred sites. Some specific principles include the following:

**Integrate sustainability principles from the onset of project design:** Involving technical experts such as archeologists and landscape architects early in the site-planning process may reduce the need for (and cost of) plantings or landscape modification by identifying ways to protect existing site plantings or landscape features.

**Locate buildings to minimize environmental impact:** Cluster buildings or build attached units to preserve open space and wildlife habitats, avoid especially sensitive areas including wetlands, and keep roads and service lines short. Leave the most pristine areas untouched, and look for areas that have been previously damaged on which to build. Seek to restore damaged ecosystems.

**Situate buildings to benefit from existing vegetation:** Trees on the east and west sides of a building can dramatically reduce cooling loads. Hedge rows and shrubbery can block cold winter winds or help channel cool summer breezes into buildings.

**Value site resources:** Early in the siting process, carry out a careful site evaluation for solar access, soils, vegetation, water resources, important cultural landscape elements, pristine or protected natural areas, etc. and let this information guide the design.

#### 4.5.13.3 Education

Finally, the ANG should make education a part of its daily practice: Use the design and construction process to educate leadership, employees, subcontractors, and the general public about environmental impacts of buildings and infrastructure and how these impacts can be minimized.

## **5. STANDARD OPERATING PROCEDURES**

SOPs are designed to provide guidance for ANG non-environmental personnel in addressing the most common actions and situations involving cultural resources. The SOPs have been prepared to assist the ANG in complying with applicable state and Federal laws, regulations, and guidelines pertaining to cultural resource management.

### **5.1 ENVIRONMENTAL MANAGER**

AFI 32-7065 requires the designation of an installation EM to coordinate the installation's cultural resource management program. The EM is, therefore, responsible for the oversight of activities that may affect cultural resources on ANG land or ANG activities that may have an effect on cultural resources on non-ANG lands. The following individual currently is performing the EM duties at JPG/Jefferson Range:

SSgt Kristina Steward, IN ANG  
888 East Vanatti Circle  
Terre Haute, IN 47803-5022  
812-877-5713  
kristina.steward@ang.af.mil

### **5.2 ANNUAL CULTURAL RESOURCES AWARENESS TRAINING**

A requirement of the ANG cultural resource management program is annual cultural resources awareness training. Training for non-environmental personnel is crucial to ensure a successful cultural resource management program, compliance with environmental laws and policies, and protection of cultural resources. The EM will develop a briefing of awareness for cultural resources for the training of site managers, commanders and their troops, maintenance staff, and others who may encounter cultural resources. Training subjects can include understanding SOPs, introduction to cultural resources regulations and management, and identification of cultural resources.

An awareness training course would be approximately two to four hours in duration.

### **5.3 LIST OF SOPS**

- SOP No. 1: Maintenance and Care of Historic Buildings and Structures
- SOP No. 2: Disposal or Demolition of Excess Property
- SOP No. 3: Mission Training of Military and Tenant Personnel
- SOP No. 4: Emergency Operations and Homeland Security Activities
- SOP No. 5: Emergency Procedures for Built Resources
- SOP No. 6: Inadvertent Discovery of Cultural Materials
- SOP No. 7: Inadvertent Discovery of Unmarked Burials
- SOP No. 8: National Environmental Policy Act (NEPA) Coordination and Compliance

SOP No. 9: Providing Native American Tribal Access to Resources on ANG Installations

[Note to EM: For the development of additional SOPs, see the section for Chapter 5 in the instruction manual.]

## 5.4 TIME REQUIRED TO COMPLETE SOPS

The time required to adhere to the SOPs is summarized in Table 5-1.

**Table 5-1. Time Required to Complete SOPs**

SOP	Timing
SOP No. 1: Maintenance and Care for Historic Buildings and Structures	For exempt actions, no additional time is required. For non-exempt actions, anticipate a minimum of four months.
SOP No. 2: Disposal or Demolition of Excess Property	Anticipate a minimum of four to six months for historic structures.  If mitigation is necessary, anticipate one year to develop MOA, contracting, and work. Contracting may take up to three months.
SOP No. 3: Mission Training of Military and Tenant Personnel	Clearing lands for training requires approximately four to six months for archaeological surveys.  Personnel should be familiar with the contents of SOP; can be done as part of annual training and unit in-briefings.
SOP No. 4: Emergency Operations and Homeland Security Activities	A minimum of seven days.
SOP No. 5: Emergency Procedures for Built Resources	A minimum of seven days.
SOP No 6: Inadvertent Discovery of Cultural Materials	Personnel should be familiar with the contents of the SOP; can be done as part of annual training and unit in-briefings.  Inadvertent discoveries will take a minimum of 30 days.
SOP No. 7: Inadvertent Discovery of Unmarked Burials	Personnel should be familiar with the contents of the SOP; can be done as part of annual training and unit in-briefings.  Inadvertent discoveries will take a minimum of 30 days.
SOP No. 8: National Environmental Policy Act (NEPA) Coordination and Compliance	NEPA compliance will take a minimum of nine to twelve months for an EA, and can take up to three years for an EIS.
SOP No. 9: Providing Native American Tribal Access to Resources on ANG Installations	Access to sacred sites and TCPs is ongoing.

## **STANDARD OPERATING PROCEDURE NO. 1**

### **Maintenance and Care of Historic Buildings and Structures including Oakdale Schoolhouse; Old Timbers Lodge (Facility 500); and Bridges 617, 625, 627, 628**

**[Note: Check with the EM to verify if the ANG installation has a valid PA addressing maintenance and care of historic properties. If the installation has a PA and the proposed actions are covered by the PA, the terms of the PA will supersede this SOP.]**

**Contact:** SSgt Kristina Steward, IN ANG  
888 East Vanatti Circle  
Terre Haute, IN 47803-5022  
812-877-5713  
kristina.steward@ang.af.mil

#### **Statutory Reference:**

- National Historic Preservation Act (NHPA) and its implementing regulations
- DoD Minimum Antiterrorism Standards for Buildings
- National Park Service Preservation Briefs
- Programmatic Memorandum of Agreement for the Demolition of World War II Temporary Buildings, 07 June 1986
- Executive Order 13101
- Executive Order 13123
- Engineering Technical Letter 1110-3-491
- Americans with Disabilities Act

#### **Regulations:**

- 36 CFR 800
- UFC 04-010-01

#### **Applies to:**

- Installation leadership
- Base Civil Engineer
- Master and strategic planners
- Maintenance, utility, and grounds staff
- Facility managers
- Range Control
- Personnel assigned to historic facilities, including tenants and contractors

### **Typical Situations:**

- Maintenance and care of historic buildings and structures
- Ground disturbance when conducted in conjunction with building maintenance and care

**Historic Buildings and Structures:** Oakdale Schoolhouse, which is owned by the Army; Old Timbers Lodge (Facility 500); and Bridges 617, 625, 627, and 628

### **Typical Triggering Events:**

- Building maintenance and repair; including repair, installation, or replacement of windows, roofs, or siding; interior modifications and/or renovations; and exterior modifications /renovations
- Installation of utilities or equipment
- Interior and exterior mechanical systems
- Exterior painting
- Exterior repairs
- Landscape and grounds maintenance, installation, or replacement
- Clearing and grubbing
- Road, trail, or sidewalk installation, repair, or replacement
- Retro-fit of building to meet Force Protection Anti-terrorism standards, including installation of barriers and/or changes to landscape to increase setbacks

**Policy:** Air Force personnel must comply with relevant state and local cultural resource laws and regulations as set forth in legal requirements.

### **Procedures:**

**Scenario I:** Maintenance and care of historic buildings and structures including Oakdale Schoolhouse; Old Timbers Lodge (Facility 500); and Bridges 617, 625, 627, and 628.

**Goals:** Proactively maintain and manage historic buildings and structures. See section 4.5.10 of the ICRMP.

- A. Maintenance, utility, and grounds staff; facility managers; Range Control; personnel assigned to historic facilities, including tenants and contractors (action proponent)
1. Goals: Ensure protection of resources through awareness and communication with the Environmental Manager (EM).
  2. Tasks:
    - a. Review Table 5-2 for proposed maintenance and care actions for a historic building or historic district. A flow chart for the maintenance and care of historic buildings and structures is presented in Figure 5-1.

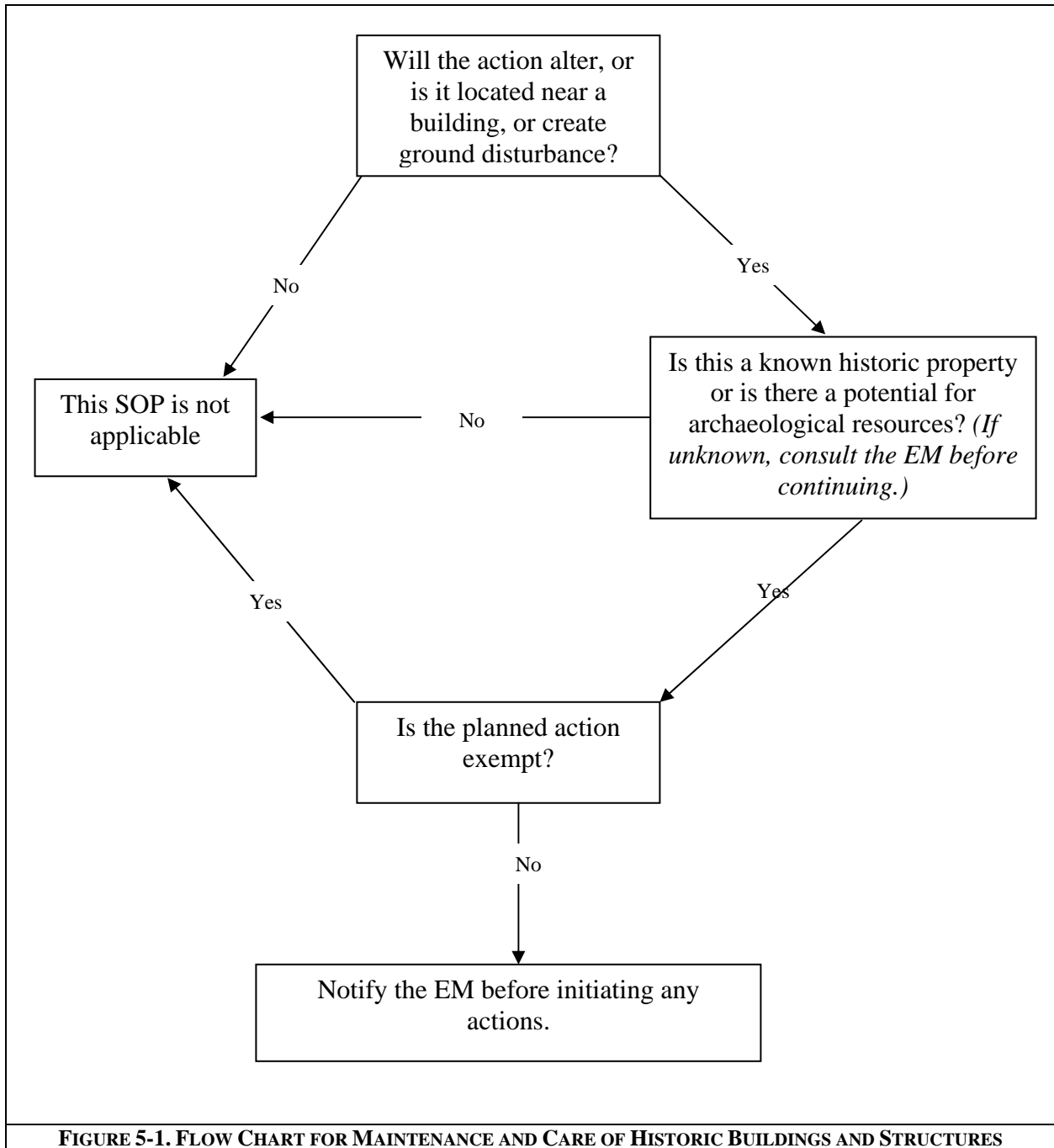
**Table 5-2. SOP No. 1 Proposed Action and Corresponding Task**

Action	Action Details	Tasks
Asbestos Removal	Removal of asbestos from the ceiling or floor tiles so long as removal does not require removal of or alteration to other building elements.	Action/Project Proponent: Notify EM with memo; no further tasks are required.
	Removal of asbestos drywall or asbestos siding.	Action/Project Proponent: Notify EM with memo; wait for clearance from EM.  EM: Coordinate with SHPO and others as appropriate; complete Section 106 compliance.
Exterior Painting	Repainting of exterior surfaces in EM-approved color provided that no destructive surface preparation is used, i.e. water blasting, sandblasting, or chemical cleaning.	Action/Project Proponent: Determine if color is EM-approved; notify EM with memo indicating EM-approved color and preparation; no further tasks are required.
	An exterior paint color that varies from EM-approved color <u>or</u> use of destructive surface preparation such as water blasting, sandblasting, or chemical cleaning.	Action/Project Proponent: Notify EM with memo; wait for clearance from EM.  EM: Coordinate with SHPO and others as appropriate; complete Section 106 compliance.
Exterior Repair	Repair or minor partial replacement of exterior elements when such repair or replacement matches existing or historic material in detail, form, and material.	Action/Project Proponent: Notify EM with memo; no further tasks are required.
	Total replacement or removal of an exterior element.	Action/Project Proponent: Notify EM with memo; wait for clearance from EM.  EM: Coordinate with SHPO and others as appropriate; complete Section 106 compliance.
Insulation	Insulation in ceilings, attics, walls, and basement spaces, provided it is installed with appropriate vapor barriers.	Action/Project Proponent: Notify EM with memo; no further tasks are required.
	Replacement of insulation requires alteration or removal of other building fabric (wall board, paneling, original ceiling material).	Action/Project Proponent: Notify EM with memo; wait for clearance from EM.  EM: Coordinate with SHPO and others as appropriate; complete Section 106 compliance.
Interior Surfaces (floors, walls, ceilings)	Repainting, refinishing, replacing sheetrock, replacing flooring, replacing ceiling tiles, repairing cracks in concrete and plaster. These must be replaced in kind with same materials. For example, linoleum tile flooring should be replaced with linoleum tile.	Action/Project Proponent: Notify EM with memo; no further tasks are required.
	However, see below for original hardware, as these are character-defining features.	
	Total replacement or removal of an interior element.	Action/Project Proponent: Notify EM with memo; wait for clearance from EM.  EM: Coordinate with SHPO and others as appropriate; complete Section 106 compliance.



Action	Action Details	Tasks
Lead Paint Abatement	Interior and exterior lead paint abatement by washing, scraping, and repainting lead painted surfaces; installation of new window jamb liners or metal panning in the window wells.	Action/Project Proponent: Notify EM with memo; no further tasks are required.
	Removal of lead-base paint requires abrasive material that may affect surface or fabric, such as sand or bead blasting.	Action/Project Proponent: Notify EM with memo; wait for clearance from EM.  EM: Coordinate with SHPO and others as appropriate; complete Section 106 compliance.
Lights	Replacing light bulbs does not require EM notification.	Action/Project Proponent: Notify EM with memo; no further tasks are required.
	Replacement of a light fixture.	Action/Project Proponent: Notify EM with memo; wait for clearance from EM.  EM: Coordinate with SHPO and others as appropriate; complete Section 106 compliance.
Mechanical Systems	Routine care for generating equipment such as winding rotors and replacing runners does not require review.	Action/Project Proponent: Notify EM with memo; no further tasks are required.
	Major replacement or removal of historic components such as the historic generating equipment (generators, governors, slate switchboards, etc.); installation of visible interior or exterior duct work, pipe chases, or HVAC systems.	Action/Project Proponent: Notify EM with memo; wait for clearance from EM.  EM: Coordinate with SHPO and others as appropriate; complete Section 106 compliance.
Roof Repair	Repair roofing with the same material that matches the existing material and form.	Action/Project Proponent: Notify EM with memo; no further tasks are required.
	Replacement or installation of gutters, or replacement of roofing with change of materials or style.	Action/Project Proponent: Notify EM with memo; wait for clearance from EM.  EM: Coordinate with SHPO and others as appropriate; complete Section 106 compliance.
Site Improvements	Repair/replacement of existing roads, driveways, sidewalks, curbs, and above-ground storage structures provided no changes in dimension, configuration, or materials are made.	Action/Project Proponent: Notify EM with memo; no further tasks are required.
	Repair/replacement of existing roads, driveways, sidewalks, curbs, and above-ground storage structures with changes in dimension, configuration, or materials.	Action/Project Proponent: Notify EM with memo; wait for clearance from EM.  EM: Coordinate with SHPO and others as appropriate; complete Section 106 compliance.
Utilities	Repair or replacement of water, gas, storm, and sewer lines if it occurs within the original trench.	Action/Project Proponent: Notify EM with memo; no further tasks are required.
	Penetration of new pipes through building walls or elements such as skylights or windows.	Action/Project Proponent: notify EM with memo; wait for clearance from EM  EM: Coordinate with SHPO and others as appropriate; complete Section 106 compliance.

Action	Action Details	Tasks
Windows and Doors	Caulking, weather-stripping, re-glazing, repainting, installation of new window jambs or jamb liners, and replacement of existing storm windows and storm doors are considered routine.	Action/Project Proponent: Notify EM with memo; no further tasks are required.
	Repair, replacement, or removal of windows and doors other than storm-type.	Action/Project Proponent: Notify EM with memo; wait for clearance from EM.  EM: Coordinate with SHPO and others as appropriate; complete Section 106 compliance.
Accessibility Modifications	Addition of a removable/temporary ramp.	Action/Project Proponent: Notify EM with memo; no further tasks are required.
	Accessibility modifications, including ramps, lifts, front lobby, handicap access, widening of doorways, modification of emergency egress, etc.	Action/Project Proponent: Notify EM with memo; wait for clearance from EM.  EM: Coordinate with SHPO and others as appropriate; complete Section 106 compliance.
Cleaning	Cleaning of interior and exterior surfaces without chemicals <u>and</u> without use of methods (brushes, abrasion, etc.) that may cause change to the surface. Cleaning can include general grounds-keeping such as picking up fallen branches and pulling weeds, but should not include additional tree trimming, etc. without approval.	Action/Project Proponent: Notify EM with memo; no further tasks are required.
	Use of abrasive, caustic, or high-potency materials and use of abrasive or water-infiltrating methods (including power or pressure washing; stiff or wire brushes) must have approval prior to cleaning.	Action/Project Proponent: Notify EM with memo; wait for clearance from EM.  EM: Coordinate with SHPO and others as appropriate; complete Section 106 compliance.
Discontinuing Use of a Building (inactive status)	Building temporarily inactive (less than six months).	Action/Project Proponent: Notify EM with memo; no further tasks are required.
	Inactive status (mothballing, caretaker status, pickling) will be longer than six months. Refer to Preservation Bulletin 31 on mothballing.	Action/Project Proponent: Notify EM with memo; wait for clearance from EM.  EM: Coordinate with SHPO and others as appropriate; complete Section 106 compliance.
Facilities 500 (Old Timbers Lodge), 617, 625, 627, 628 modification, addition, or remodeling	Any modification, addition, or remodeling to Facilities 500 (Old Timbers Lodge), 617, 625, 627, 628 not otherwise specified in this SOP.	Action/Project Proponent: Notify EM with memo; wait for clearance from EM.  EM: Coordinate with SHPO and others as appropriate; complete Section 106 compliance.



- b. Notify the EM of the maintenance and care action.
  - c. Complete the task that corresponds with the proposed action listed in the table.
  - d. Allow time for the EM to complete tasks for actions as noted in the table.
- B. Installation leadership, Base Civil Engineer, master and strategic planners (project proponent)
- 1. Goals: Encourage communication between the EM and maintenance personnel so that historic resources are protected and maintained.
  - 2. Tasks:
    - a. Consider the actions and tasks described in Table 5-2 when planning modifications to a historic building, structure, or historic district.
    - b. Coordinate with the EM during the early planning phase for effective management of historic buildings and historic districts.
- C. Environmental Manager (EM)
- 1. Goals: Keep lines of communication open with maintenance personnel and encourage awareness and education in dealing with historic resources.
  - 2. Tasks:
    - a. Review section 4.5.10 of the Integrated Cultural Resources Management Plan (ICRMP). Ensure that historic properties (listed and eligible for listing to the National Register of Historic Places [NRHP]), including Oakdale Schoolhouse, Old Timbers Lodge (Facility 500), and the four stone arch bridges (617, 625, 627, and 628), are managed according to the above-listed statutes and regulations.
    - b. Coordinate with action and project proponents for management of historic buildings and historic district
    - c. Participate in planning meetings to be proactive on actions that require a memorandum for a project file or actions that require consultation with the State Historic Preservation Officer (SHPO), Advisory Council on Historic Preservation (ACHP), Tribal Historic Preservation Officer (THPO), and/or Tribes.
    - d. Refer to the table for actions that require additional clearance tasks; include the memo from the action and project proponents in a project file.

- e. For actions that require additional clearance, comply with the Section 106 process of the NHPA and consult with the appropriate action/project proponents and agencies.

The National Park Service has issued standards and guidelines for the rehabilitation of historic properties. These are contained in *The Secretary of Interior's Standards for the Treatment of Historic Properties*, which can be viewed on the Internet at <http://www.nps.gov/hps/tps/standguide/>.

**Scenario II:** A proposed activity that involves ground-disturbing activities.

A. Maintenance, utility, and grounds staff; facility managers; Range Control; personnel assigned to historic facilities, including tenants and contractors

- 1. Goals: Be aware of what constitutes ground-disturbing activities and be ready and willing to contact the EM in situations where activities could impact resources and follow SOP No. 6 and SOP No. 7.
- 2. Tasks:
  - a. Know the procedures in SOP No. 6 and SOP No. 7 for contacting the EM in case of inadvertent discoveries.
  - b. Keep SOP No. 6 and SOP No. 7 accessible and use them.

B. Installation leadership, Base Civil Engineer, master and strategic planners

- 1. Goals: Planning and integration of cultural resources management with installation plans, projects, and programs, and to support the military mission.
- 2. Tasks:
  - a. Check with the EM to determine if the activity location has been previously surveyed for archeological resources. Note that a project planned in an area of high or moderate potential may require relocating, or a professional archaeologist may need to be part of project to monitor ground activities.
  - b. The EM will advise on clearances or needed surveys. No ground-disturbing activity may occur until authorized by the EM.
  - c. Know the procedures in SOP No. 6 and SOP No. 7 for inadvertent discoveries and how to contact the EM. Keep copies of the SOPs accessible and follow them.

C. Environmental Manager

1. Goals: Facilitate communication between planners, the EM, and maintenance personnel so that proper procedures are followed when ground-disturbing activities are proposed.
2. Tasks:
  - a. Ensure that a Programmatic Agreement (PA) is or is not in effect. Follow the guidelines in the PA if the action falls under the PA.
  - b. If the proposed action does not fall under the PA or a PA is not established then:
    1. Determine whether the location has or has not been surveyed by a professional archaeologist.
    2. If the location has been surveyed, follow the steps in the Section 106 process (section 4.5.1).
    3. If the location has not been surveyed by a professional archaeologist, a survey for archaeological potential is needed.
      - a. Consult with the HQ AFCEE to establish a SOW with a contractor.
      - b. Treat all sites that are eligible for listing to the NRHP as historic properties that require protection and management.
      - c. Follow the steps in the Section 106 process for the proposed action.
      - d. Consult with the HQ AFCEE, SHPO, ACHP, THPO, and Tribes.
    4. If an inadvertent discovery of cultural materials or unmarked burials occurs during the project, follow section 4.3.4 of the ICRMP, SOP No. 6, and SOP No. 7.

**Violations of this process can result in project suspension.**



## **STANDARD OPERATING PROCEDURE NO. 2**

### **Disposal or Demolition of Excess Property**

**Contact:** SSgt Kristina Steward, IN ANG  
888 East Vanatti Circle  
Terre Haute, IN 47803-5022  
812-877-5713  
kristina.steward@ang.af.mil

#### **Statutory Reference:**

- National Historic Preservation Act (NHPA) and its implementing regulations

#### **Regulations**

- 36 CFR 800

#### **Applies to:**

- Installation leadership
- Base Civil Engineer
- Real Property Office
- Master and strategic planners
- Public Affairs Office
- Tenant organizations

#### **Typical Situations:**

- Property disposal that does not include facilities
- Lease termination
- Building or structure demolition and/or replacement

#### **Typical Triggering Events:**

- Disposal or demolition of a building or structure that is eligible for listing in the National Register of Historic Places (NRHP) or a building or structure that needs further evaluation to determine eligibility
- Disposal of land that contains archeological sites that are eligible for listing in the NRHP or that has not been surveyed for archeological sites

**Policy:** Transfer or sale of historic buildings and structures, transfer of land containing significant archeological resources, and/or demolition of historic buildings or structures requires review under Section 106 of the NHPA. **Federal agencies should consider renovation or rehabilitation of historic properties rather than disposal or demolition.**



Before initiating any transfer, sale, demolition actions, or lease termination, the following actions must be taken.

**Procedures:**

**Scenario I:** Federal land, without built resources or facilities, that is scheduled for disposal, transfer, or lease termination.

A. Installation leadership, Base Civil Engineer, Real Property Office, master and strategic planners, Public Affairs Office, tenant organizations

1. Goals: Coordinate with the Environmental Manager (EM) to avoid, minimize, or mitigate effects on potential cultural resources.
2. Tasks:
  - a. Contact the EM to determine if any cultural resources will be affected by the proposed action.
  - b. Coordinate with the EM for issues and technical assistance related to all matters relating to historic properties, eligible and potentially eligible for listing to the NRHP. Compliance procedures may require a minimum of four to six months to complete.
  - c. If the land parcel intended for sale or transfer has not been surveyed for archeological resources, coordinate with the EM to have a survey completed prior to the sale or transfer. If mitigation of an archaeological site is required, it should be completed before termination, transfer, or disposal (allow Memorandum of Agreement [MOA] and mitigation time up to 12 months.)
  - d. If the land parcel intended for sale or transfer has not been surveyed for archeological sites, coordinate with the EM to have a survey completed prior to the sale or transfer.

B. Environmental Manager

1. Goals: Participate in the early planning stages to identify affected cultural resources located on land that will be disposed or transferred.
2. Tasks:
  - a. Identify cultural resources (archeological sites, Traditional Cultural Properties [TCPs], landscape elements) that may be affected by the proposed action.

- b. Refer to section 2.4 of AFI 32-7065. If the land parcel intended for sale or transfer has not been surveyed for archeological sites, coordinate with the HQ AFCEE to have a professional survey completed prior to the sale or transfer. If mitigation of an archaeological site is required, it should be completed before termination, transfer, or disposal (allow MOA and mitigation time up to 12 months.)
- c. Initiate the Section 106 process if historic properties will be affected (this will include sites recommended as eligible for listing to the NRHP)
- d. Make sure to allow sufficient time in the project schedule to complete required compliance actions prior to the start of the project.
- e. If there are no historic properties affected, the action can proceed.

**Scenario II:** A historic building or structure is planned for demolition and/or replacement.

- A. Installation leadership, Base Civil Engineer, Real Property Office, master and strategic planners, Public Affairs Office, tenant organizations
  - 1. Goals: Coordinate with the EM to identify affected historic property in the early planning stages to comply with Federal laws and regulations. See section 4.5.10.2 of the Integrated Cultural Resources Management Plan (ICRMP).
  - 2. Tasks:
    - a. Contact the EM to determine if the building or structure is listed or is eligible for listing to the NRHP or is a contributing element to a historic district.
    - b. Consider to establish and implement alternatives to demolition of historic buildings and structures by considering adaptive re-use, mothballing, transfer, sale, or lease (AFI 32-7065, section 3.6).
    - c. Coordinate with the EM for issues and technical assistance related to all matters relating to historic properties, which includes archaeological sites. Compliance procedures may require a minimum of four to six months to complete.
    - d. For building replacement projects, coordinate with the EM on the design of the new building if it is within a historic district.
    - e. Consider the economic analysis of the historic building(s) and/or structure(s) that are being considered for demolition and replacement (see section 2.2 of AFI 32-1032).

**B. Environmental Manager**

1. Goals: Avoid, minimize, or mitigate adverse effects on historic properties.
2. Tasks:
  - a. See section 4.5.10.2 of the ICRMP for guidance.
  - b. Determine if the building has been evaluated for eligibility for listing to the NRHP.
  - c. If the building is 50 (or near 50) years old and has not been evaluated, the building needs to be evaluated. Consult with HQ AFCEE for guidance.
  - d. If the affected building is identified as eligible for listing to the NRHP, initiate the Section 106 process (see section 4.5.3 and section 4.5.4 of the ICRMP and section 3.1 of AFI 32-7065).
  - e. If the action will affect a building that is not historic, but is within a historic district, replacement could have an adverse effect on the historic district. Consult with the State Historic Preservation Officer (SHPO).
  - f. If the action will affect a building that is considered as a contributing element to a historic district, the goal is to retain character-defining features, design, and workmanship of buildings, structures, and landscape.
  - g. If the building is to be demolished, the replacement should be compatible with other buildings within and contributing to the historic district.

**STANDARD OPERATING PROCEDURE NO. 3  
Mission Training of Military and Tenant Personnel**

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**Statutory References:**

- Native American Graves Protection and Repatriation Act (NAGPRA)
- Archaeological Resources Protection Act (ARPA)
- National Historic Preservation Act (NHPA) and its implementing regulations
- National Environmental Policy Act (NEPA) on Federal and tribal lands

**Regulations:**

- 43 CFR 10
- 32 CFR 229
- 36 CFR 800
- 40 CFR 1500-1508

**Applies to:**

- Training site manager
- Range manager
- Unit commander and environmental liaison
- Public Affairs Office
- Unit/activity personnel

**Typical Situations:**

- Training prior to field training exercises on ANG and non-ANG property

**Typical Triggering Events:**

- Major changes in types and locations of training exercises
- Expansion of training areas

**Policy:** Mission training will take into consideration applicable cultural resources laws and policies to avoid destruction of significant archaeological and historical sites.

**Procedures:**

**Scenario I:** Training prior to field training exercises on ANG and non-ANG property.

A. Training site manager, range manager, unit commander:

1. Goals: Ensure unit personnel understand applicable cultural resource policies and SOPs.
2. Tasks:
  - a. Ensure training does not occur in restricted resource areas and training restrictions are observed.
  - b. Direct questions clarifying cultural resource policies and procedures to the Environmental Manager (EM).
  - c. Report violations of policies, SOPs, and closures to the Installation Commander.
  - d. Provide feedback to the EM on effectiveness of orientation materials.
  - e. Report any discoveries to the EM.

B. Airmen, field units/tenants:

1. Goals: Ensure unit personnel understand applicable cultural resource policies and SOPs.
2. Tasks:
  - a. Review cultural resource information regarding the proposed training area prior to conducting training exercises.
  - b. Follow applicable SOPs for the training area.
  - c. Comply with all closures of locations within training areas and any restrictions on training activities in locations of resource sensitivity.
  - d. Report any discoveries to unit commander.
  - e. Provide feedback to the EM on effectiveness of orientation materials.

C. Environmental Manager

1. Goal: Ensure ANG personnel and tenants understand applicable cultural resource policies and SOPs.
2. Tasks:
  - a. Ensure units using the training site have been provided with proper information on protection of cultural resources, including SOP No. 6 and SOP No. 7 on inadvertent discovery of cultural materials and unmarked burials.
  - b. Prior to mission training, provide general maps illustrating restricted areas (do not provide specific information regarding location and type of cultural resource).
  - c. Monitor compliance with SOPs and closures by units training at the installation.
  - d. Report violations of restricted resource areas and SOPs to the Installation Commander.

**Scenario II:** Planning a training event that will involve ground disturbance of undisturbed areas.

A. Training site manager, range manager, unit commander, environmental liaison, Public Affairs Office, unit/activity personnel

1. Goals: Specific actions need to be taken before and during training to protect cultural resources.
2. Tasks:
  - a. Contact the EM during the planning phase to determine whether any cultural resources are present within the training parcel.
  - b. Cooperate with the EM if the area needs to be surveyed for archaeological resources.
  - c. Review SOP No. 6 and SOP No. 7 for inadvertent discovery of cultural materials and unmarked burials.

B. Environmental Manager

1. Goals: Ensure compliance with Federal laws and regulations regarding cultural resources.
2. Tasks:

- a. Ensure that a Programmatic Agreement (PA) is or is not in effect. Follow the guidelines in the PA if the action falls under the PA.
- b. If the proposed action does not fall under the PA or a PA is not established then:
  1. Determine whether the location has or has not been surveyed by a professional archaeologist.
  2. If the location has been surveyed, follow the steps in the Section 106 process (section 4.5.1).
  3. If the location has not been surveyed by a professional archaeologist, a survey for archaeological potential is needed.
    - a. Consult with the HQ AFCEE to establish a SOW with a contractor.
    - b. Treat all sites that are eligible for listing to the National Register of Historic Places (NRHP) as a historic property that requires protection and management.
    - c. Follow the steps in the Section 106 (of the NHPA) process for the proposed action.
    - d. Consult with the HQ AFCEE, State Historic Preservation Officer (SHPO), Advisory Council on Historic Preservation (ACHP), Tribal Historic Preservation Officer (THPO), and/or Tribes.
  4. If an inadvertent discovery of cultural materials or unmarked burials occurs during the project, follow section 4.3.4 of the Integrated Cultural Resources Management Plan (ICRMP), SOP No. 6, and SOP No. 7.

**STANDARD OPERATING PROCEDURE NO. 4**  
**Emergency Operations and Homeland Security Activities**

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**Statutory References:**

- Native American Graves Protection and Repatriation Act (NAGPRA)
- Archaeological Resources Protection Act (ARPA)
- National Historic Preservation Act (NHPA) on Federal lands and NHPA for Federally supported actions on non-Federal public lands and private lands
- National Environmental Protection Act (NEPA) for Federally supported actions that require it

**Regulations:**

- 43 CFR 10
- 32 CFR 229
- 36 CFR 800
- 40 CFR 1500-1508

**Applies to:**

- Installation leadership
- Base Civil Engineer
- Real Property Office
- Public Affairs Office
- Tenant organizations
- Maintenance, utilities, and grounds staff
- Health and Safety Office
- Unit/activity personnel

**Typical Situations:**

- Emergency operations
- Homeland Security training activities on ANG and non-ANG property



### **Typical Triggering Events:**

- Responses to natural disasters and hazardous spills
- Homeland Security activities such as responding to terrorist attacks or border incidents
- Training operations preparing for different homeland security scenarios

**Policy:** Responses to emergencies and all planning for emergency response and Homeland Security at ANG facilities and installations will be carried out in accordance with all statutory applications. Emergency procedures will be initiated as required by the situation.

*As stated in 36 CFR 800.12(d), immediate rescue and salvage operations conducted to preserve life or property are exempt from the provisions of the National Historic Preservation Act.*

### **Procedure:**

**Scenario 1:** Homeland Security training, operations, and other non-emergency activities.

A: Unit commander, training site manager, range manager

1. Goals: Ensure unit personnel understand applicable cultural resource policies and SOPs.
2. Tasks:
  - a. Ensure training or operations do not occur in restricted resource areas and training restrictions are observed.
  - b. Direct questions clarifying cultural resource policies and procedures to the Environmental Manager (EM).
  - c. Report violations of policies, SOPs, and closures to the Installation Commander.
  - d. Report any discoveries to the EM.

B. Airmen, field units/tenants

1. Goals: Ensure unit personnel understand applicable cultural resource policies and SOPs.
2. Tasks:
  - a. Review cultural resource information regarding the proposed training/operation area prior to conducting training exercises or operations.

- b. Follow applicable SOPs for these areas.
- c. Comply with all closures of locations within areas and any restrictions on training/operation activities in locations of resource sensitivity.
- d. Report any discoveries to the unit commander.

C. Environmental Manager

- 1. Goal: Ensure ANG personnel and tenants understand applicable cultural resource policies and SOPs.
- 2. Tasks:
  - a. Ensure units in the training or operational area have been provided with proper information on protection of cultural resources, including SOP No. 6 and SOP No. 7 on inadvertent discovery of cultural materials and unmarked burials.
  - b. Prior to mission training, provide general maps illustrating restricted areas (do not provide specific information regarding location and type of cultural resource).
  - c. Monitor compliance with SOPs and closures by units training at the installation.
  - d. Report violations of restricted resource areas and SOPs to the Installation Commander.

**Scenario II:** Emergency response procedures, including those for natural disasters.

- A. Unit commander, environmental liaison, Public Affairs Office, unit/activity personnel
  - 1. Goals: Work to protect cultural resources within an emergency response setting.
  - 2. Tasks:
    - a. Contact the EM immediately to determine whether any cultural resources are present within the affected area.
    - b. Coordinate with the EM if the area has resources so they can be identified and avoided or stabilized where possible. All reasonable efforts should be made to avoid or minimize disturbance to any significant cultural resources, including archaeological sites and built resources.

- c. Personnel conducting these activities should communicate with the EM regarding potential effects to significant cultural resources that may occur in association with such activities.
- d. Review SOP No. 6 and SOP No. 7 for inadvertent discovery of cultural materials and unmarked burials.

#### B. Environmental Manager

1. Goals: Ensure salvage or avoidance of cultural resources to the maximum extent possible in an emergency situation.
2. Tasks:
  - a. Check immediately to determine what, if any, cultural resources could be affected by the emergency.
  - b. Provide the unit commander with necessary information about sensitive resource areas so they can be protected/avoided, etc.
  - c. If an inadvertent discovery of cultural materials occurs during the emergency, follow section 4.3.4 of the Integrated Cultural Resources Management Plan (ICRMP), SOP No. 6, and SOP No. 7. Follow these procedures to the maximum extent possible.

#### C. Other Considerations

Upon notification of either a proposed emergency operation or routine Homeland Security activity, the EM will notify and consult with the appropriate agencies and parties regarding the known or likely presence of cultural resources in the area of the proposed action.

The NHPA provides for expedited review for actions that an agency proposes within 30 days of an emergency, which is defined in 36 CFR 800.12 as “*a disaster or emergency declared by the President, a tribal government, or the Governor of a State or which respond to other immediate threats to life or property.*” In such cases, the EM can request that the agencies and parties to reply in seven days or less. Notification may be verbal, followed by written communication. An agency may request an extension of the period of applicability from the Advisory Council on Historic Preservation (ACHP) prior to expiration of the 30 days from ANG notification of ACHP. The EM will ensure that all ANG personnel and units involved in the project are briefed regarding the protocol to be followed in the case of the inadvertent discovery of cultural resources during emergency operations (SOP No. 6 and SOP No. 7).

After an emergency response or action, the SHPO should be informed of the state of any historic properties that may have been affected. Then any necessary consultation may be initiated and a procedure or treatment plan can be drafted to address the properties.



## **STANDARD OPERATING PROCEDURE 5**

### **Emergency Procedures for Built Resources**

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#### **Statutory References:**

- Section 106 of the National Historic Preservation Act (NHPA)
- National Environmental Protection Act (NEPA) for Federally supported actions that require it
- The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings

#### **Regulations:**

- 36 CFR 800
- 40 CFR 1500-1508

#### **Applies to:**

- Installation leadership
- Base Civil Engineer
- Real Property Office
- Public Affairs Office
- Tenant organizations
- Maintenance, utilities, and grounds staff
- Health and Safety Office
- Unit/activity personnel

**Typical Situations:** This SOP should be initiated in the event of emergencies (wildfires, hurricanes, tornadoes, flooding, earthquakes, or vandalism) that affect the following cultural resources:

- National Historic Landmarks (NHLs)
- Buildings and structures eligible for or listed in the National Register of Historic Places (NRHP) either individually or as part of historic districts

- Buildings and structures that are over 50 years in age that have not been evaluated for NRHP eligibility
- Buildings or structures that may have significant associations with events related to the Cold War (1946-1989)

**Typical Triggering Events:**

- Buildings are threatened by any number of potential natural or man-made disasters

**Policy:** Responses to emergencies and all planning for emergency response and Homeland Security related to built resources at ANG facilities and installations will be carried out in accordance with all statutory applications. Emergency procedures will be initiated as required by the situation. Emergencies include fire, flood, vandalism, and acts of nature, such as falling trees. Emergency personnel, including fire and police, should be contacted as appropriate to the situation, and the EM should be informed of the nature and location of the emergency as soon as possible.

*As stated in 36 CFR 800.12(d), immediate rescue and salvage operations conducted to preserve life or property are exempt from the provisions of the National Historic Preservation Act.*

**Procedure:**

**Scenario I:** Emergency response procedures for built resources only.

- A. Unit commander, environmental liaison, Public Affairs Office, unit/activity personnel
  1. Goals: Work to protect standing built resources within an emergency response setting.
  2. Tasks:
    - a. Contact the Environmental Manager (EM) immediately to determine whether any built resources are present within the affected area.
    - b. Coordinate with the EM if the area has resources so they can be identified and avoided or stabilized where possible. All reasonable efforts should be made to avoid or minimize disturbance to any significant built resources.
    - c. Coordinate with the EM to implement emergency stabilization measures to protect the historic property and to preserve historic fabric and features. In general, emergency stabilization measures include short-term and reversible repairs that do not harm historic fabric or features.

- d. Personnel conducting these activities should communicate with the EM regarding potential effects to significant built resources that could occur in association with such activities.
- e. Review SOP No. 6 and SOP No. 7 for inadvertent discovery of cultural materials and unmarked burials.

B. Environmental Manager

- 1. Goals: Ensure salvage or avoidance of built resources to the maximum extent possible in an emergency situation.
- 2. Tasks:
  - a. Check immediately to determine what, if any, buildings could be affected by the emergency.
  - b. Provide the unit commander with necessary information about buildings so they can be protected/avoided, etc.
  - c. If an inadvertent discovery of cultural materials or unmarked burials occurs during the emergency, follow section 4.3.4 of the Integrated Cultural Resources Management Plan (ICRMP), SOP No. 6, and SOP No. 7. Follow these procedures to the maximum extent possible.
- 3. The EM will inform the State Historic Preservation Officer (SHPO) regarding the nature of the emergency affecting historic properties and of stabilization measures.
- 4. Once the building has been stabilized and the immediate emergency operation completed, the EM will initiate permanent repairs to be carried out in accordance with *The Secretary of the Interior's Standards for the Treatment of Historic Properties*.

C. Other Considerations

The NHPA provides for expedited review for actions that an agency proposes within 30 days of an emergency, which is defined in 36 CFR 800.12(d) as “*a disaster or emergency declared by the President, a tribal government, or the Governor of a State or which respond to other immediate threats to life or property.*” In such cases, the EM can request that the agencies and parties to reply in seven days or less. Notification may be verbal, followed by written communication. An agency may request an extension of the period of applicability from the Advisory Council on Historic Preservation (ACHP) prior to expiration of the 30 days. The EM will ensure that all ANG personnel and units involved in the project are briefed regarding the protocol to be followed in the case of the inadvertent discovery of



cultural materials or unmarked burials during emergency operations (SOP No. 6 and SOP No. 7).

## **STANDARD OPERATING PROCEDURE NO. 6**

### **Inadvertent Discovery of Cultural Materials**

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#### **Statutory References:**

- Native American Graves Protection and Repatriation Act (NAGPRA)
- Archaeological Resources Protection Act (ARPA)
- National Historic Preservation Act (NHPA) and its implementing regulations (36 CFR 800)

#### **Regulations:**

- 42 CFR 10
- 32 CFR 229
- 36 CFR 800

#### **Applies to:**

- Installation leadership
- Range manager and training site manager
- Base Civil Engineer
- Real Property Office
- Installation security (military police)
- Public Affairs Office
- Judge Advocates Office
- Maintenance, utilities, and grounds crews and foremen
- Unit commanders and unit/activity personnel
- Tenants and contractors

#### **Typical Situations:** Ground disturbance from the following activities:

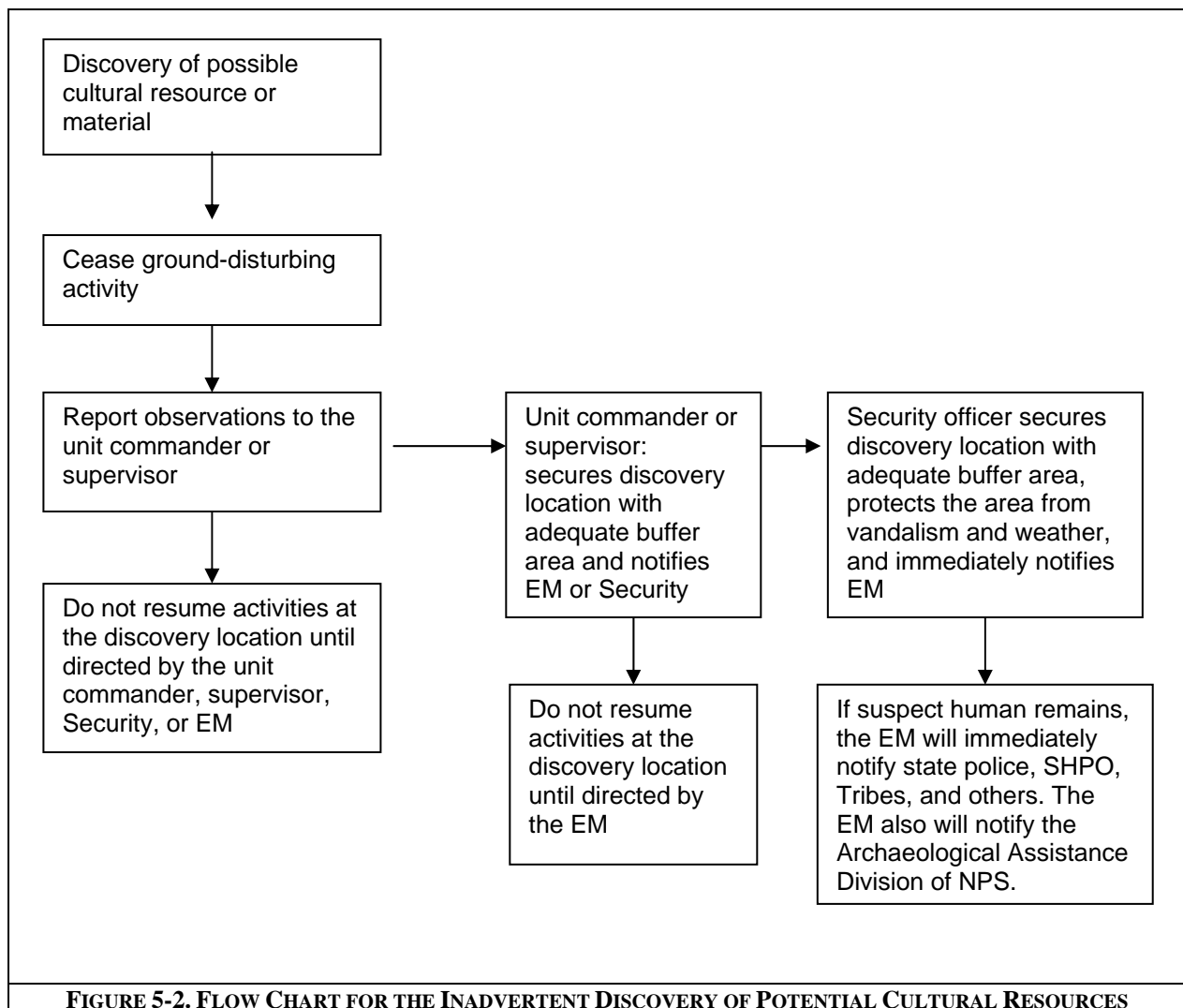
- Construction involving digging, bulldozing, clearing or grubbing
- Maintenance or repair activities
- Off-road traffic
- Field units on exercise/outdoor recreation
- Observation of eroded areas

### Typical Triggering Events:

- Discovery of known or likely human remains, unmarked graves, Native American or historical artifacts, archeological features, and/or paleontological remains

**Policy:** In the event that an unanticipated discovery of cultural artifacts occurs, activity in the immediate vicinity should cease until an assessment of the materials can be made. The unit commander/supervisor should be notified immediately so the Environmental Manager (EM) can be contacted.

**Procedures:** This section describes specific actions to be taken for the inadvertent discovery of cultural materials. The flow chart (Figure 5-2) is intended to be used by unit/activity level personnel, unit commanders, and similar personnel as a decision-making guide when inadvertent discoveries are made as described under the applicability section of this SOP.



**Scenario I:** Inadvertent discovery of cultural materials.

A. Unit commander, environmental liaison, Public Affairs Office, unit/activity personnel

1. Goals: Understand the procedure when cultural materials are inadvertently discovered so that the materials can be adequately protected.
2. Tasks:
  - a. Cease ground-disturbing activity when possible historical artifacts and features, human remains, or burials are observed or encountered.
  - b. Unit personnel will report any observations or discoveries of historical artifacts and features, human remains, burials, or features immediately to the unit commander or facility manager and they will in turn notify Range Control and the EM immediately. They will await instructions from Range Control.
  - c. Secure the discovery location(s). Examine the location of the discovery to ensure that it has been properly secured. Take appropriate measures to further secure location if needed.
  - d. Coordinate with Range Control officer on where activities can resume and give direction to the field troops, construction crew, or non-ANG user regarding locations where training exercises or activity may continue.
  - e. If human remains are known or suspected to be present, promptly notify the state police.

B. Environmental Manager

1. Goals: Ensure that when each discovery occurs procedures are followed that will protect and properly treat any materials that are discovered.
2. Tasks:
  - a. Ensure the site location and materials are properly protected.
  - b. Provide unit commander with necessary information so they can be protected/avoided, etc.
  - c. Ensure that all remains and artifacts are accounted for and properly labeled and packaged if removed from the ground. The location of all remains encountered should be accurately recorded.

- d. Notify the Installation Commander.
- e. Notify the SHPO regarding archaeological artifacts if necessary and appropriate.
- f. If human remains are suspected, ensure that ground-disturbing activity has ceased and notify the state police (if not previously done), the medical examiner, Office of the State Archaeologist (OSA), State Historic Preservation Officer (SHPO), Tribal Historic Preservation Officer (THPO), and Tribes. The EM also will notify the Archaeological Assistance Division of the National Park Service (NPS). Proceed with SOP No. 7.
- g. Determine if the objects are NAGPRA related and initiate appropriate consultation if necessary.
- h. Ensure that any artifacts not repatriated are permanently curated in a facility that meets the requirements of 36 CFR 79.
- i. Following completion of the investigation, revoke any stop work order if no burials are encountered. If burials are defined, implement a 25-foot buffer zone.

## **STANDARD OPERATING PROCEDURE NO. 7**

### **Inadvertent Discovery of Unmarked Burials**

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#### **Statutory References:**

- Native American Graves Protection and Repatriation Act (NAGPRA)
- Archaeological Resources Protection Act (ARPA)
- National Historic Preservation Act (NHPA) and its implementing regulations (36 CFR 800)

#### **Regulations:**

- 42 CFR 10
- 32 CFR 229
- 36 CFR 800

#### **Applies to:**

- Installation leadership
- Range manager, training site manager
- Base Civil Engineer
- Real Property Office
- Installation security (military police)
- Public Affairs Office
- Judge Advocates Office
- Installation Restoration Program
- Maintenance, utilities, and grounds crews and foremen
- Unit commanders and unit/activity personnel
- Tenants and contractors

#### **Typical Situations:** Ground disturbance from the following activities:

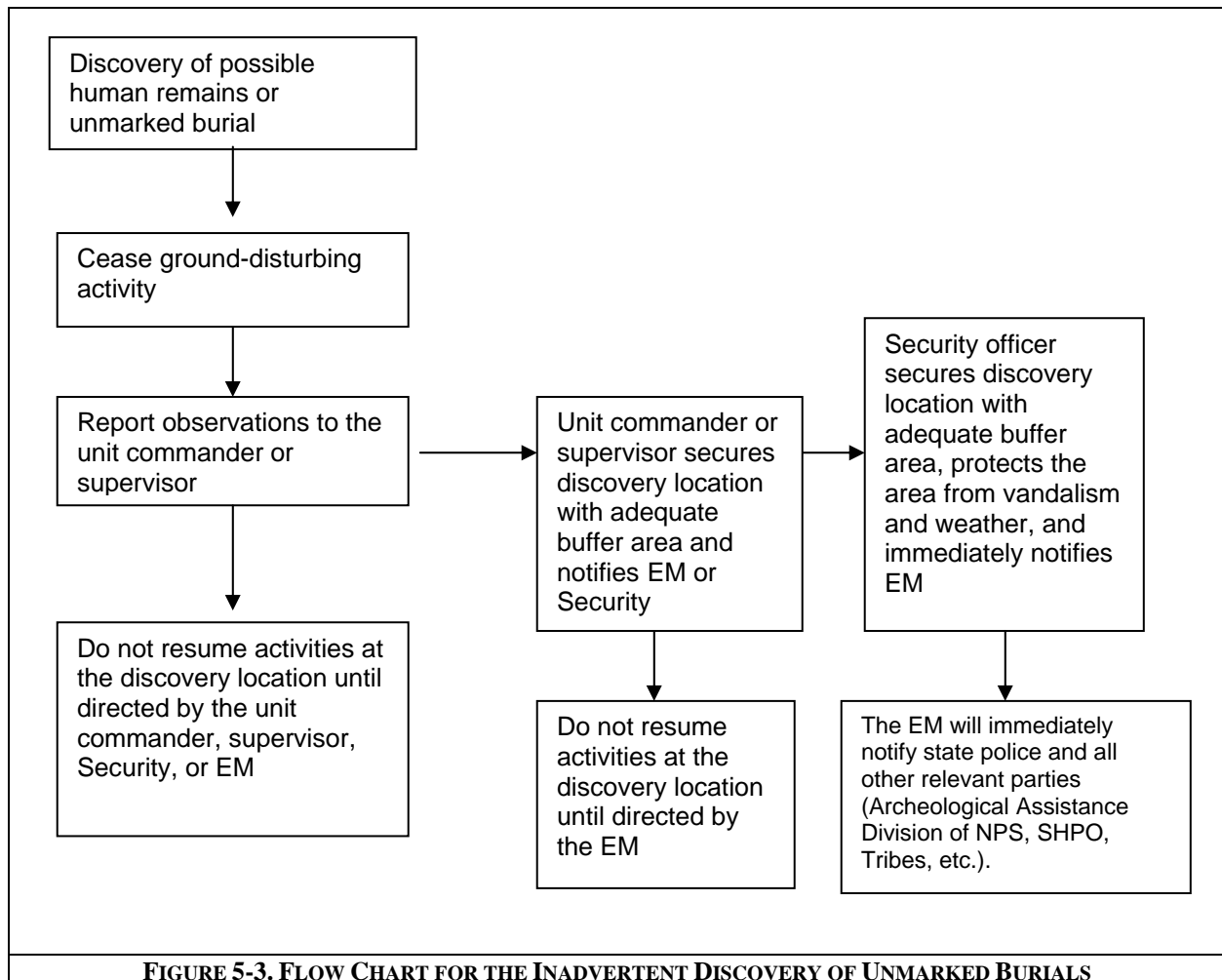
- Construction involving digging, bulldozing, clearing or grubbing
- Maintenance or repair activities
- Off-road traffic
- Field units on exercise/outdoor recreation
- Observation of eroded areas

### Typical Triggering Events:

- Discovery of unmarked burial(s), including Native American burials or cemeteries from which headstones were relocated but not the physical remains.

**Policy:** In the event that an unanticipated discovery of cultural artifacts occurs, activity in the immediate vicinity should cease until an assessment of the materials can be made. The unit commander/supervisor should be notified immediately so the Environmental Manager (EM) can be contacted.

**Procedures:** This section describes specific actions to be taken for the inadvertent discovery of unmarked burials. The flow chart (Figure 5-3) is intended to be used by unit/activity level personnel, unit commanders, and similar personnel as a decision-making guide when inadvertent discoveries of burials are made as described under the applicability section of this SOP.



**Scenario I:** Inadvertent discovery of burials.

A. Unit commander, environmental liaison, Public Affairs Office, unit/activity personnel

1. Goals: Understand the procedure when burials are inadvertently discovered so that the remains can be adequately protected.
2. Tasks:
  - a. Cease ground-disturbing activity when possible human remains, burials, and/or associated artifacts are observed or encountered.
  - b. Unit personnel will report any observations or discoveries of human remains, burials, and/or associated artifacts immediately to the unit commander or facility manager and they will in turn notify Range Control and the EM immediately. They will await instructions from Range Control.
  - c. Secure the discovery location(s). Examine the location of the discovery to ensure that it has been properly secured. Take appropriate measures to further secure location if needed.
  - d. Coordinate with Range Control officer on where activities can resume and give direction to the field troops, construction crew, or non-ANG user regarding locations where training exercises or activity may continue.
  - e. Promptly notify state police.

B. Environmental Manager

1. Goals: Ensure that when each discovery occurs procedures are followed that will protect and properly treat any remains that are discovered.
2. Tasks:
  - a. Ensure the site location and materials are properly protected.
  - b. Provide the unit commander with necessary information so burials can be protected/avoided, etc.
  - c. Ensure that all remains and artifacts are accounted for and properly labeled and packaged if removed from the ground. The location of all remains encountered should be accurately recorded.
  - d. Notify the Installation Commander.



- e. Ensure that ground-disturbing activity has ceased and notify the state police (if not previously done), the medical examiner, Office of the State Archaeologist (OSA), State Historic Preservation Officer (SHPO), Tribal Historic Preservation Officer (THPO), and Tribes. The EM also will notify the Archaeological Assistance Division of the National Park Service.
- f. Determine if the remains are NAGPRA related and initiate appropriate consultation if necessary.
- g. Arrange for an appropriate investigation by qualified professionals (36 CFR 61) to determine the presence and location of graves.
- h. Ensure that any artifacts not repatriated are permanently curated in a facility that meets the requirements of 36 CFR 79.
- i. After completion of the investigation and definition of burials, revoke any stop work order only after implementation of a 25-foot buffer zone.

**STANDARD OPERATING PROCEDURE NO. 8**  
**National Environmental Policy Act (NEPA) Coordination and Compliance**

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**Statutory References:**

- National Environmental Policy Act (NEPA)
- National Historic Preservation Act (NHPA) and its implementing regulations (36 CFR 800)

**Regulations:**

- 40 CFR 1500-1508
- 36 CFR 800

**Applies to:**

- Base Civil Engineer
- Master and strategic planners
- Real Property Office
- Tenant organizations
- Installation Restoration Program

**Policy:** ANG installations are required to consider impacts to cultural resources from proposed actions under both the NEPA and the NHPA. To streamline internal and external reviews, assessment of impacts under both laws should be coordinated.

**Procedure:** As part of the planning process for any action that will use Federal funds, occur on Federal land, require a Federal permit, or involve Federal personnel, the action should be reviewed for possible impacts to cultural resources under the NEPA and NHPA. The intention of NEPA regarding cultural resources is similar to NHPA, but Federal agencies must remember that compliance with one statute does not constitute compliance with the other, and the two statutes require separate documentation. Agencies may, however, coordinate studies and documents to be completed in accordance with both Section 106 (of the NHPA) and NEPA compliance.

**Scenario I:** NEPA coordination and compliance.

- A. Unit commander, environmental liaison, Public Affairs Office, unit/activity personnel
  - 1. Goals: Coordinate at the appropriate levels to ensure smooth and efficient NEPA consultation.
  - 2. Tasks:
    - a. Consult with the EM to establish the project's Area of Potential Effect (APE) for cultural resources, identify cultural resources within the APE, and determine if a project has the potential to affect those resources while preparing NEPA documents.
    - b. Consult the Environmental Manager (EM) for determination of effect.
- B. Environmental Manager
  - 1. Goals: Coordinate with unit personnel to ensure communication and efficient NEPA compliance.
  - 2. Tasks:
    - a. Determine effect of project in consultation with the State Historic Preservation Officer (SHPO) and Federally recognized Native American Tribes, as appropriate.
    - b. Use the draft environmental impact statement (EIS) or environmental assessment (EA) as the basis for NEPA consultation and/or Section 106 review.
    - c. Include the results of the consultation, the Memorandum of Agreement (MOA), or comments from the Advisory Council on Historic Preservation (ACHP) in the final NEPA report.

**STANDARD OPERATING PROCEDURE NO. 9**  
**Providing Native American Tribal Access to Resources on ANG Installations**

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**Statutory References:**

- American Indian Religious Freedom Act (AIRFA)
- Executive Order 13007 “Indian Sacred Sites”
- Executive Memorandum “Government-to-Government Relations with Native American Tribal Governments” (April 1994)
- Presidential Memorandum “Tribal Consultation” (5 November 2009)
- Department of Defense (DoD) American Indian and Alaska Native Policy (20 October 1998)
- Annotated DoD American Indian and Alaska Native Policy (27 October 1999)
- DoD Instruction 4710.02, DoD Interactions with Federally-Recognized Tribes
- DoD Instruction 4715.16, Cultural Resources Management

**Regulations:**

- 42 USC 1996

**Applies to:**

- Installation leadership
- Security personnel
- Unit commanders and unit/activity staff
- Base Civil Engineer
- Real Property Office
- Maintenance, utilities, and grounds crew and foremen
- Public Affairs Office
- Contractors and tenant organizations

**Typical Situations:**

- Sacred plants are located on ANG property
- Traditional cultural properties are located on ANG land

- ANG land lies within or along a corridor that is used or associated with sacred rites or pilgrimage routes
- Reburial of human remains in sacred lands owned by the ANG

**Typical Triggering Events:**

- Seasonal harvesting or gathering of sacred plants/animals
- Rites associated with seasonal rounds or other sacred activities
- Repatriation of human remains as a result of construction elsewhere or on ANG property

**Policy:** The DoD policy statement of 1998 directs DoD personnel to build stable and enduring relationships with American Indian and Alaska Native governments by communicating and consulting with them on a government-to-government basis; to manage DoD lands and take actions to conserve tribal resources and treaty rights to fish, hunt, and gather resources; to enhance tribal capacities to protect and manage natural and cultural trust resources; to accommodate tribal member access to sacred sites and fishing, hunting, and gathering sites on military installations; and to develop tribal specific protocols to regarding information on protected tribal resources. The annotated policy of 1999 establishes avenues of communication for the DoD and Federally recognized Tribes.

AIRFA and Executive Order 13007 both promote coordination with Native American religious practitioners regarding the effects of Federal undertakings upon their religious practices. Undertakings refer to those actions that may alter or affect flora and fauna, view sheds, artifacts, and sites important to Native American religious practices. The act and executive order allow Native Americans their inherent right of freedom to traditional religious practices; this includes allowing access to sites, use and possession of sacred objects, and the freedom to worship through ceremonials and traditional rites.

**Procedures:**

**Scenario I:** Native American tribal access to ANG resources and property.

A. Installation Commander, unit commander, public relations officer

1. Goals: To streamline the access process and reduce any possible misunderstandings.
2. Tasks:
  - a. The Installation Commander in consultation with his designated representative (e.g., the Environmental Manager [EM]) should establish standard protocols for access as part of formal consultation with Tribes.
  - b. Appoint the EM as the designated representative of the Commander to directly interact with Tribes to facilitate access and address any issues.

- c. In times of heightened security, notify EM so Tribes can be contacted about restricted access during these times. When security returns to normal, the EM should be contacted so the Tribes can in turn be notified that access has been restored.
- d. ANG installations also must give reasonable notice of proposed actions or land management policies that may restrict future access to, or ceremonial use of, or may adversely affect the physical integrity of Native American sacred sites. Contact the EM to have such notice coordinated with standard compliance reviews under the National Environmental Policy Act (NEPA) or the National Historic Preservation Act (NHPA).

#### B. Environmental Manager

- 1. Goals: To streamline the access process and reduce any possible misunderstandings.
- 2. Tasks:
  - a. Consult with Federally recognized Tribes, as appropriate, and discuss access issues including the following: standard security procedures (gate passes, proper identification, vehicle checks), the need to provide escorts on the installation, timing and frequency of access, and health and safety concerns (e.g., unexploded ordnance).
  - b. Notify Tribes about heightened security conditions that may restrict access temporarily and duly notify them once security conditions have returned to normal levels so that access rights may be resumed.
  - c. Coordinate notification of changes in land management practices that may affect tribal access or resources.
  - d. Ensure that consultation between the installation and Native American groups complies with the Presidential Memorandum of 29 April 1994 (Government-to-Government Relations with Native American Tribal Governments), Presidential Memorandum of 5 November 5 2009 (Tribal Consultation), Annotated Department of Defense (DoD) American Indian and Alaska Native Policy dated 27 October 1999, DoD Instruction 4710.02, and DoD Instruction 4715.16.



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