

JUN 15 1987

Dr. Bennie C. Keel
Departmental Consulting Archeologist
U.S. Department of the Interior
National Park Service
P.O. Box 37127
Washington, D.C. 20013-7127

Dear Dr. Keel:

This is in response to your March 17, 1987 request to the U.S. Nuclear Regulatory Commission (NRC) for information needed to prepare the Annual Report to Congress on the Federal Archeology Program. The enclosed questionnaire has been completed with appropriate information pertaining to licensees authorized by the NRC to operate nuclear power plants.

The NRC does not acquire, maintain, or restore any archeological or historic properties identified during the environmental review process. When NRC determines that mitigative measures are required to protect such properties, these are undertaken by the licensees. These measures are formalized as a condition of the Appendix B (Environmental Protection Plan) to the licenses authorizing operation of nuclear power plants. These measures are also normally documented in a Memorandum of Agreement with the Advisory Council on Historic Preservation and the appropriate State Historic Preservation Officer. As a permitting agency, the NRC does not incur any direct costs associated with protection or enhancement of archeological and historic resources.

Sincerely,

Original signed by
James H. Sniezek

Thomas E. Murley, Director
Office of Nuclear Reactor Regulation

Enclosure:
Completed Questionnaire

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(reviewed by the editor)

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ANNUAL
REPORT
TO
CONGRESS*

OFC	:PTSB:TPSS	:PTSB:TPSS	:NRR:PTSB	:NRR:DD	:NRR:D	:	:
NAME	:HSmith:srg	:SBlack	:JFunches	:JSniezek	:TMurley	:	:
DATE	:6/11/87	:6/11/87	:6/11/87	:6/11/87	:6/11/87	:	:

Annual Report to Congress
by the Secretary of the Interior
on the Federal Archeology Program for Fiscal Year 1986

A number of statutes, such as the National Historic Preservation Act, give the Secretary of the Interior responsibility to lead and coordinate Federal historic preservation activities. This is especially so regarding the Federal archeology program. The Secretary is required by Section 5(c) of the Archeological Recovery Act [16 USC 469-469c] and Section 13 of the Archeological Resources Protection Act (ARPA) [16 USC 470aa-11], to report to Congress various activities of the Federal archeological program. This questionnaire is designed to provide data for the Secretary's report. Under the National Historic Preservation Act [16 USC 470, as amended], Federal agencies have the general responsibility to cooperate with the Secretary by providing information concerning archeological activities as well as other historic preservation activities. To some extent the questions here may also be relevant to wider preservation issues. The topics covered by the questionnaire and the specific questions have been developed with comments by archeologists and historic preservation officers throughout the Federal government. The format and questions below have been modified based upon analysis and comments on the FY 1985 questionnaire with the intent of making the questionnaire easier to understand and complete. Unless otherwise stated, each question refers to activities in FY 1986.

A. Permitting.

This section aims to summarize the amount of archeological activity undertaken using various legal authorities.

	<u>Number</u>
1. Total number of permits issued or in effect during FY 1986 for archeological activities, including active multiple authority permits issued during previous fiscal years (NOTE: this value should be the sum of 1.a.-1.c.)	N/A
a. Number issued under ARPA (NOTE: include multiple authority permits)	
b. Number issued under the Antiquities Act (NOTE: include multiple authority permits)	
c. Number issued under agency policy, procedure, or guideline (e.g., special use permit)	
2. What percentage of permittees have been field-checked?	N/A %
3. Number of permits issued for investigations related to compliance activities	N/A

A. Permitting (continued)

	<u>Number</u>
4. Number of permits issued for investigations not related to compliance activities (research for scientific or scholarly purposes) _____	N/A
5. Total number of investigations begun or underway during FY 1986 for which no permits were issued, but which complied with conditions and standards required by ARPA _____ (NOTE: this value should be the sum of 5.a. plus 5.b.)	N/A
a. Number of such investigations conducted by agency personnel _____	
b. Number of such investigations conducted by contractors _____	
6. Number of permit applications received (all types) _____	N/A
7. Number of permit applications denied (all types) _____	N/A
8. Number of permits suspended (all types) _____	N/A
9. Number of appeals of denial or suspension _____	N/A
10. Number of notifications to Indian tribes of an application for a permit under ARPA that may possibly harm or destroy sites having religious or cultural importance for the tribes (as required by Sec. 7 of the Final ARPA Uniform regulations, based on Sec. 4(c) of the Act) _____	None
11. Number of notifications to Indian tribes of an archeological investigation by agency personnel or a contractor being done in conformance with ARPA requirements, but without a permit, that might possibly harm or destroy sites having religious or cultural importance for the tribes _____	None

B. Enforcement

This section aims to summarize the amount of destruction of archeological properties due to vandalism and looting that is detected, and the extent to which vandals and others are being apprehended and successfully prosecuted for their activities.

	<u>Number</u>
1. Number of documented violations of ARPA, the Antiquities Act, or other statutes protecting archeological properties reported during FY 1986 on land administered or owned by your agency (As defined in Sec. 6 of ARPA, a violation is any excavation, removal, damage to, alteration, or defacement of an archeological property on Federal land without a permit issued or an exemption listed in Sec. 4 of ARPA. Examples of violations are fresh holes dug into a site or vehicle tracks from someone having run over a site.)	N/A
2. Number of arrests made in cases of documented vandalism or looting	N/A
3. Number of citations issued in cases of documented vandalism or looting	N/A
4. Number of prosecutions in cases of documented vandalism or looting	N/A
5. Number of convictions under ARPA during FY 1986 (NOTE: this number should be the sum of 5.a. plus 5.b. It is recognized that some convictions may be the result of arrests and citations made during previous fiscal years.)	N/A
a. Number of misdemeanors	
b. Number of felonies	
c. Number of second offenses included in 5.a. or 5.b.	
6. Number of cases of vandalism, destruction, theft, etc. of archeological property that were prosecuted using an authority other than ARPA	N/A
7. Amount of money that was collected in criminal fines	\$ N/A
8. Number of civil penalties applied (as permitted by Sec. 7 of ARPA or other authorities)	N/A
9. Amount of money that was collected in civil penalties	\$ N/A

B. Enforcement (continued)

	<u>Number</u>
10. What were the estimated costs for restoring or repairing archeological properties in cases in which civil penalties have been assessed for violations of ARPA or other authorities _____	\$ N/A
11. Amount of money given in rewards (as permitted by Sec. 8 of ARPA) _____	\$ N/A
12. What was the commercial value of artifacts seized and retained by the government? _____	\$ N/A
13. What was the commercial value of other personal property seized and retained by the government? _____	\$ N/A
14. What was the estimated cost to your agency of law enforcement for archeological resource protection? _____	\$ N/A
15. What percentage of the overall cost of law enforcement within your agency is associated directly with ARPA or the Antiquities Act? _____	N/A %

C. Agency Personnel Education

This section aims to collect information on the extent to which agencies are making their personnel, especially law enforcement personnel, aware of ARPA and able to enforce it effectively and efficiently.

1. Number and percentage (put % in parentheses following number) of agency personnel who have received ARPA enforcement training during the fiscal year:

N/A	<u>Law Enforce. Personnel</u>	<u>Cultural Resource Personnel</u>	<u>Other's</u>
a. FLETC or other comparable 40-hour course	_____ (%)	_____ (%)	_____ (%)
b. other course or portion (8-16 hours)	_____ (%)	_____ (%)	_____ (%)

D. Identification and Evaluation Investigations

This section aims to provide data for the estimation of the level of effort put into identification and evaluation archeological investigations by agency personnel or contractors working for agencies.

	<u>Number</u>
1. Approximately how many agency undertakings included documented literature or map research of archeological properties in the project area? Documented research is meant to be research that resulted in a letter to the files, a report, or another type of written product to document its results _____	N/A
a. Approximately how many agency FTE and how many dollars for personnel services were used for these kinds of activities? (in parentheses, give total salary and benefits cost of FTE used) _____ (\$ _____)	
(NOTE: The costs listed in 1.a.-1.d. should be mutually exclusive)	
b. Approximately how much in support costs was expended in conducting these activities with agency personnel? _____	\$
c. Approximately how much was expended by your agency in contracting for these kinds of activities? _____	\$
d. Approximately how much was expended by land use applicants in contracting for these kinds of activities? _____	\$
2. Approximately how many agency undertakings included field studies to identify and evaluate archeological properties? _____	N/A
a. Approximately how many agency FTE and how many dollars for personnel services were used for these kinds of activities? (in parentheses, give total salary and benefit cost of FTE used) _____ (\$ _____)	
(NOTE: The amounts listed in 2.a.-2.d. should be mutually exclusive)	
b. Approximately how much in support costs was expended in conducting these activities with agency personnel? _____	\$
c. Approximately how much was expended by your agency in contracting for these kinds of activities? _____	\$
d. Approximately how much was expended by land use applicants in contracting for these kinds of activities? _____	\$

E. Data Recovery (continued)

	<u>Number</u>
b. Approximately how much in support costs was expended in conducting these activities with agency personnel? _____	\$ 0
c. Approximately how much was expended by your agency in contracting for these activities? _____	\$ 0
d. Approximately how much was expended by land use applicants in contracting for these activities? _____	\$ 0
e. How many data recovery projects were conducted solely by agency personnel? _____	0
f. How many data recovery projects were funded solely by the agency through contract? _____	0
g. How many data recovery projects were funded solely by land use applicants? _____	1
h. How many data recovery projects were funded by any combination of l.e., l.f., or l.g.? _____	0

2. The types of research questions investigated through data recovery projects is an indication of the information that is considered important and can be derived from archeological data. With this question we are trying to identify the major research topics being investigated through data recovery projects. The list of topics below is admittedly crude; we expect to refine it, but want to use it to begin to identify the major topics being emphasized in investigations at the present. Record the number of data recovery projects that included major emphasis on a topic. Projects may have included major emphasis on more than one topic.

	<u>Number</u>
a. Economy _____	1
b. Site/Settlement _____	1
c. Cultural adaptation _____	0
d. Paleodemography _____	0
e. Cultural processes _____	0
f. Social organization _____	1

E. Data Recovery (continued)

	<u>Number</u>
g. Cultural chronology _____	0
h. Technology _____	0
i. Trade/Exchange _____	0
j. Ritual/Ceremonial _____	0
k. Architecture _____	0
l. Cultural ecology _____	0
m. Significance/Management _____	0
n. Paleo-environmental research _____	0

F. Emergency Discoveries

This section aims to provide data for estimation of the extent to which archeological properties are discovered during the implementation of an agency undertaking subsequent to completion of the Sec. 106 review and compliance process.

	<u>Number</u>
1. Subsequent to Sec. 106 compliance, how many licensee undertakings resulted in the discovery of unanticipated archeological resources during FY 1986? _____	0
a. In how many of these instances were the resources judged important enough for data collection to be conducted or design changes made to avoid them? _____	0

F. Emergency Discoveries (continued)

	<u>Number</u>
b. Approximately how many agency FTE and how many dollars for personnel services were used for this kind of activity? (in parentheses, give the total costs for FTE used) _____ (\$ _____) (NOTE: The amounts listed in l.b.-l.e. should be mutually exclusive.)	0
c. Approximately how much additional costs were expended in conducting this activity with agency personnel? _____	\$ 0
d. Approximately how much was expended by your agency in contracting for this activity? _____	\$ 0
e. Approximately how much was expended by land use applicants in contracting for this activity? _____	\$ 0

G. Estimating the Archeological Resource Base

This is a totally new section. It aims to provide baseline information about the extent of archeological resources within the lands controlled by Federal agencies and the quality of our knowledge about them. It is recognized that the questions below call for estimates. We ask agency specialists to make the best estimates possible through FY 1986 and write any caveats concerning them in the space provided for narrative.

	<u>Number</u>
1. Total acres controlled by the licensee _____	25,000 1/
2. Percentage of total acres investigated sufficiently to identify: (NOTE: 2.a.-2.d. should sum to 100%)	
a. 100% of the archeological properties _____	100%
b. More than 50% of the archeological properties _____	0 %

G. Estimating the Archeological Resource Base (continued)

	Number
c. Less than 50% of the archeological properties _____	0 %
d. Percentage of land not investigated _____	0 %
3. Total number of known archeological properties on land controlled by the licensee _____	436
a. Percentage of the total listed on the NRHP _____ (NOTE: 3.a.-3.e. should sum to 100%)	0% ^{2/}
b. Percentage of the total determined eligible for the NRHP by the Keeper or considered eligible through documented consultation with the SHPO _____	40 % ^{3/}
c. Percentage of total adequately evaluated, but not listed, considered, or formally determined eligible (i.e., fitting neither 3.a. nor 3.b.) _____	0 %
d. Percentage of the total determined ineligible for the NRHP by the Keeper or through documented consultation with the SHPO _____	60 %
e. Percentage of the total not evaluated _____	0%

4. Please write below and on the back of this page any specific caveats concerning the estimates given above.

1/ Plants surveyed: Millstone 3, Humboldt Bay, San Onofre 2/3, Vogtle, Hope Creek, Susquehanna, Diablo Canyon, Braidwood, Palo Verde, Callaway, and Waterford 3.

In regard to the Hope Creek Plant, the land in question is an artificial island dredged up from the Delaware River at the turn of the century.

2/ One cultural property (Vogtle Plant), not 1%.

3/ With respect to the Callaway Plant, there are approximately 19 sites considered to be potentially eligible for the NRHP. Recommendations presented in the licensee's Management Plan are to carry out Phase II testing as an aid to determine eligibility when, and if, the archeological sites are threatened with adverse impacts. Documented agreement has not been received from the SHPO.

H. Narrative Questions

This section contains questions that cannot be answered with a number, dollar figure, or percentage. These questions require narrative answers; they relate to several of the sections for which quantitative questions have been listed. The answers that are provided will be used as a means of sharing information among agencies about the methods, techniques, software, etc. that are in use and those that have been particularly successful.

N/A

1. Please describe any computerized systems that your agency is using to record and monitor ARPA, Antiquities Act, and/or other permits for archeological investigations. If this system is part of a larger system, please note and summarize the other kinds of information included on the system. Note the kind of hardware and software used for any systems that are mentioned.
2. Please describe any training courses that you use for ARPA training or general training in archeology for cultural resource specialists or program or land managers. We are familiar with the FLETC course on ARPA enforcement, the similar course that was offered by the Air Force, and the ACHP's course on Sec. 106 procedures; however, we would like to receive information about other courses. In addition, feel free to offer opinions concerning what training would be useful. Be as specific as possible.
3. Please describe effective cooperative projects, methods, and/or techniques that your agency has used to improve ARPA enforcement. Examples might include the use of remote sensing equipment for monitoring site locations or interagency cooperative agreements for combined surveillance of adjacent land units and concurrent jurisdiction of law enforcement personnel.
4. Please describe particularly effective, efficient, or innovative methods and techniques that your agency has used to improve archeological resource preservation that are not related to ARPA enforcement directly. Examples might include fencing, stabilization, patrols, interpretation, and para-professional training. If such programs and projects have already been summarized for the Archeological Assistance Division's Public Awareness clearinghouse, simply make note of this after the program/project name.
5. Please describe any systems that your agency has developed for sharing archeological information with other agencies, SHPOs, and other archeological groups or specialists.
6. Please describe any system your agency has developed for coordinating ARPA permits with Section 106 compliance and SHPO surveys and planning.
7. Describe communication, cooperation, and exchange between private individuals having collections of archeological resources and data (obtained before enactment of ARPA), professional archeologists, and associations of professional archeologists.

D. Identification and Evaluation Investigations (continued)

	<u>Number</u>
3. Approximately how many acres were inspected by these identification and evaluation investigations? _____	7,034
4. Approximately how many new archeological sites were identified during FY 1986? _____	0
5. Approximately how many sites were determined eligible by the Keeper of the National Register or considered eligible through agreement between the agency and the appropriate SHPO during FY 1986? (NOTE: It is recognized that some sites may have been identified during previous fiscal years.)	0

E. Data Recovery

This section aims to provide data for the estimation of the level of effort being devoted to data recovery projects and the kinds of research topics being investigated by these projects.

	<u>Number</u>
1. How many licensee undertakings begun or underway in FY 1986 included archeological data recovery projects? Data recovery projects are meant to be investigations designed to mitigate an adverse impact or to achieve a determination of "no adverse" effect (NOTE: The total in 1. should be the sum of the numbers of projects listed in 1.e.-1.h.)	1
a. Approximately how many agency FTE and how many dollars for personnel services were used for these kinds of activities? (in parentheses, give the total salary and benefits cost of FTE used) _____ (\$ _____) (NOTE: The costs listed in 1.a.-1.d. should be mutually exclusive.)	0



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

ACTION

EDO PRINCIPAL CORRESPONDENCE CONTROL

FROM: BENNIE C. KEEL
U.S. DEPT. OF INTERIOR

DUE: 06/12/87

EDO CONTROL: 002672
DOC DT: 03/17/87
FINAL REPLY:

TO: CHAIRMAN

FOR SIGNATURE OF: DENTON

** GREEN **

SECY NO: 87-295

DESC: REQUEST COMPLETION OF QUESTIONNAIRE FOR THE
ANNUAL REPORT TO CONGRESS ON THE FEDERAL
ARCHEOLOGY PROGRAM FOR FY 1986

ROUTING:

DATE: 03/25/87
ASSIGNED TO: NRR CONTACT: DENTON

SPECIAL INSTRUCTIONS OR REMARKS:
REF. EDO 1846

NRR RECEIVED: MARCH 26, 1987

ACTION: PPAS:FUNCHES/~~COMPTROLLER~~

Black (1858)

NRR ROUTING: DENTON/SNIEZEK
PPAS
MOSSBURG

