

NEBRASKA STATE HISTORIC PRESERVATION OFFICE

NATIONAL HISTORIC PRESERVATION ACT

ARCHEOLOGICAL PROPERTIES

SECTION 106 GUIDELINES

22 May 2006

United States Nuclear Regulatory Commission Official Hearing Exhibit													
In the Matter of:	CROW BUTTE RESOURCES, INC. (License Renewal for the In Situ Leach Facility, Crawford, Nebraska)												
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**NEBRASKA STATE HISTORIC PRESERVATION OFFICE
NATIONAL HISTORIC PRESERVATION ACT
ARCHEOLOGICAL PROPERTIES
SECTION 106 GUIDELINES**

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NATIONAL HISTORIC PRESERVATION ACT
ARCHEOLOGICAL PROPERTIES
SECTION 106 GUIDELINES**

SECTION 1

INTRODUCTION

RESPONSIBILITIES

It is the responsibility of the Nebraska State Historic Preservation Office (NeSHPO) under the National Historic Preservation Act of 1966(as amended) to prepare and implement a comprehensive statewide historic preservation plan (Section 101), and conduct review and compliance activities Section 106) with federal agencies which have projects in the state of Nebraska. The following document is a partial response to those responsibilities.

In order to provide a common base of understanding and to minimize conflicting interpretations a number of definitions of major terms and concepts are presented in Appendix 3. These definitions are derived from existing laws, regulations, and cultural management reports.

This document presents requirements and other guidelines for the submission of information to the Nebraska State Historic Preservation Office, which is necessary for its archeological Section 106 review and compliance process, and for the meeting of federal agency reporting requirements within the State of Nebraska. These guidelines are an update of guidelines originally issued in October of 1989 and are in response to revised Section 106 regulations issued by the National Advisory Council and which became effective on 11 January 2001.

OBJECTIVES

1. Formulate guidelines to provide information in a consistent and suitable format for efficient review and information retention by the State Historic Preservation Office.
2. Ensure that report documents meet minimum federal and state standards.
3. Assure that cultural resource archeological reports meet contemporary standards of research, current research objectives, and cultural resource management needs within the State of Nebraska.
4. Provide guidance to contractors and other consultants engaged in archaeological resource studies within the state.
5. Provide information to the public on the requirements of the Nebraska Historic Preservation Office archeological management activities in the state.

SECTION 2

THE SECTION 106 PRESERVATION PROCESS

SECTION 106 RESPONSIBILITIES

Responsibilities of various parties for compliance with the 1966 Historic Preservation Act is detailed in 36 CFR Part 800: Protection of Historic Properties, Regulations of the Advisory Council on Historic Preservation Governing the Section 106 Review Process (Federal Register vol. 65, no. 239, pp. 77698-77789, 12 December 2000). All federal agencies are required to take into account the effects of their project undertaking(s) on historic properties.

A Federal undertaking may involve direct agency action and/or indirect action such as financial assistance, loan guarantees, mortgage insurance, permits, and licenses. Federal agencies may delegate authority to licensees, grantees, or borrowers to meet historic preservation compliance requirements. However, **ultimate responsibility** for compliance remains with the federal agency.

The State Historic Preservation Officer (SHPO) is responsible for providing assistance to federal agencies, their delegated representatives, and members of the public in identifying and protecting cultural resources in the state. The SHPO also reviews federal project undertakings for compliance with federal and state laws pertinent to cultural resources.

The SHPO also administers various tax benefits and preservation programs. The SHPO maintains a staff of specialists including architects, historians, and archeologists to assist in historic preservation concerns.

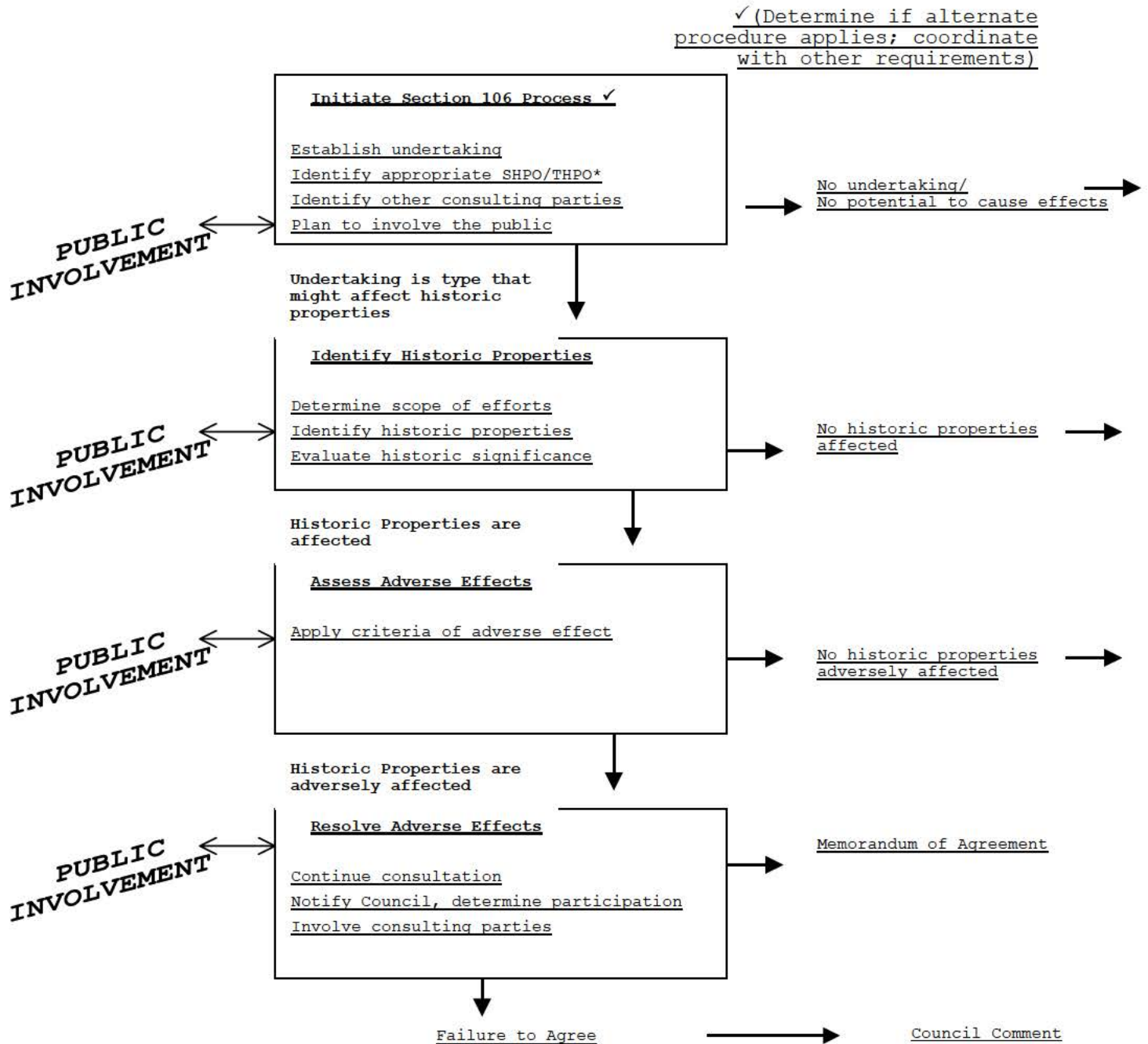
SECTION 106 CONSULTATION AND REVIEW

Figure 1 presents a schematic summary of the Section 106 process and involved federal, SHPO/Tribal Historic Preservation Officer, (THPO) and Advisory Council responsibilities. A more detailed decision guide is presented in Appendix 4. ***Identification of cultural resources potentially present in a proposed project should begin as early in the planning process as possible.*** Early identification can minimize review delay and can provide for maximum design flexibility or other measures to mitigate impacts on affected historic properties.

Identification of potential cultural resources, when concerned with archeological properties, will at a minimum include review of:

1. **The National Register of Historic Places** (Federal Register, 6 February, 1979, vol. 44, no. 26, pp. 7521-7524 and annual updates).
2. **The National Historic Landmark Register** (Federal Register, 6 February 1979, vol. 44, no. 26, pp. 7521-7524 and annual updates).

Figure 1: The basic steps of the Section 106 review process. See Appendix 4 for a decision key to the Section 106 process.



3. **The Nebraska Master Archeological Site File.** The complete file is maintained by the Nebraska State Historical Society (NSHS), Archeology Division, 1420 P Street Suite 300 East Terrace Entrance P. O. Box 82554, Lincoln, Nebraska 68501, phone (402)471-4766, fax (402) 471-3316, email: archnshs@nebraskahistory.org.

Federal agencies requiring searches of the Master Archeological Site File can obtain from the NeSHPO a basic listing of archeological sites in their project area. This listing will include the site number, legal location, historic context affiliation, and National Register status. In addition, information on what areas have already been surveyed for archeological resources will be provided. This will consist of the reference to the documenting report. The Historic Preservation Office maintains a file that contains completed survey and mitigation reports. These reports are available for use at the NeSHPO Archeology Office, Fort Robinson Museum, Crawford, Nebraska.

Requests for information will require submission of the project name/number, legal description of the project, a map showing the project location and boundaries, and a statement that the request is for compliance with responsibilities of the National Historic Preservation Act. Information requests should be directed to the State Historic Preservation Office, Nebraska State Historical Society, 1500 R Street, P. O. Box 82554, Lincoln, Nebraska 68501. The Preservation Office may bill for reimbursable expenses (i.e., staff time and reproduction expenses).

Requests for additional site information will be directed to the NSHS Archeology Division for completion and will be routinely billed by that department.

In addition, other sources of information should be consulted (e.g., local research institutions, museums, historical societies, local informants, etc.) which provide an estimation of the likelihood of undiscovered or unrecorded properties existing on the project. Determination of the need for a field archeological survey rests with the federal agency or their designated representative. The decision about the need for a survey should be based on information derived from the records review and determined by the Federal agency with advise of the SHPO.

Upon agency completion of their cultural resource project assessment, findings of the assessment will be forwarded to the SHPO for review. In order to complete the SHPO review process the following minimum information will be required:

1. Identification of the federal agency having responsibility for the project.
2. Project name and/or number.
3. Project description. A concise statement of the proposed work with any land disturbance activity clearly identified.
4. Legal location of the project (County, Township, Range, Section, and Quarter Sections).
5. Map. The project boundaries should be indicated on a United States Geological Survey Quadrangle (7.5" or 15" series) map whenever possible (with identification of the map used). Other maps (e.g., county highway maps, city maps, etc.) are acceptable as long as scale is sufficient to accurately locate the project.
6. Findings of the archeological site records review (see above).
7. Archaeological field survey report on the project or justification

for a non-field survey decision.

8. Agency recommendation.

Review comments by the NeSHPO will take one of four major responses:

1. Additional Documentation. Further information may be requested by the SHPO office in order to complete a review. This may range from a request for additional amplification of some portion of the submitted information, to disagreement with a no field survey policy and recommendation of a field survey. Once the additional information is obtained, if needed, one of three effect findings will be rendered.
2. No Historic Properties Affected. A no historic properties affected finding on archeological resources can be expected under three circumstances: 1) no archeological resources were found or can be reasonably expected to occur on the project; 2) an archeological site was found, however, it was evaluated as not eligible for the National Register of Historic Places; and 3) a National Register or eligible site is located on the project but will not be directly or indirectly affected by the project. This will primarily involve, for archeological sites, no physical destruction, damage, or alteration of all or part of the site and other effect criteria considerations of 36 CFR Part 800.5 and 800.16(i).
3. No Adverse Effect. A no adverse effect will be given for projects which contain an archeological site on or eligible for the National Register and the project is modified or conditions are imposed to avoid adverse effects [36 CFR Part 800.5(b)].
4. Adverse Effect. Adverse effect determinations result when the project will alter, directly or indirectly, any of the characteristics of a historic property that qualify the property for inclusion in the National Register of Historic Places [36 CFR Part 800.5(a)]. An adverse effect finding requires a consultation process between the agency, SHPO/THPO, other consulting parties, and optionally the Advisory Council to develop ways to avoid or reduce the effects. This will usually result in a formal Memorandum of Agreement (MOA) between the agency and consulting parties. The Advisory Council will be given a chance to comment on the MOA if it is not involved in the MOA consultation process. Again, the agency is responsible for getting Advisory Council comment [36 CFR Part 800.6(b)(1) and 800.11].

An agency's recommended finding (with supporting documentation 36 CFR Part 800.11) will be processed as quickly as possible and not in excess of 30 days. If at the end of 30 days (from time of arrival in the SHPO office) the agency has not received a reply (written or oral) the agency may assume SHPO concurrence. A review request that lacks any portion of the minimum documentation may receive a request by the SHPO for that information.

Requests by the SHPO to the agency for additional information on a submitted review will stop and reset the 30 day time limit until the information is received.

The submitted review information (unless specifically requested), will be retained by the SHPO office for a 5-year period. All archeological reports will be permanently retained in the Preservation Office files.

Once more, all agencies are encouraged to begin their Section 106 process considerations as early as possible in order to avoid costly delays.

SECTION 3

ARCHEOLOGICAL RESOURCE ASSESSMENTS

PERSONNEL QUALIFICATIONS

Archeological resource surveys will be conducted by or under the supervision of qualified professional personnel. The Principal Investigator responsible for archeological resource assessments will meet the minimum professional qualifications in the Department of the Interior's, National Park Service, Archeology and Historic Preservation; Secretary of the Interior's Standards and Guidelines (Federal Register, vol. 48, no. 190, p. 44739). The Principal Investigator takes responsibility for all work, findings, and recommendations in the cultural resource report. If the Principal Investigator does not already have on file at the NeSHPO office a documenting vita, it will be made part of the resource report at the time of review submission.

CONTRACTORS LISTING

The SHPO office maintains a list, for general information, of some professional archeological consultants. This list is an elective service and should not be considered an endorsement of listed personnel/firms beyond that they have indicated to the NeSHPO that they have principal investigator personnel who meet the above-noted minimum standards. The list can be obtained upon request to the SHPO. Persons wishing to be listed as potential consultants should contact the NeSHPO for an application form.

RESOURCE ASSESSMENT

An archeological resource assessment for a project will normally consist of a records review and possibly a field survey. The records review will minimally include the three record sources already mentioned above (see Section 2). Objectives of the records review should include the obtaining of information on any archeological surveys already accomplished for the project area, recorded archeological sites and their National Register status, unrecorded known sites, and potential for the project area to contain undiscovered sites.

A field archeological survey may be necessary if the records review indicates a need for additional information. Because Nebraska contains a multitude of landforms and vegetation, exact survey techniques will vary. For this reason it is important that the Principal Investigator be adequately trained to cope with survey problems encountered in the discovery of archeological resources in the Central Plains. Certain minimum survey standards will be adhered to:

1. Surface inspection visibility will not be less than 10% for visual inspection methods. This visibility can be accommodated by dispersed patches of open surface and/or rodent/insect disturbance that provide adequate inspection opportunities. Surface visibilities below 10% will require implementation of a strategy to improve site discovery potential (e.g., shovel testing, stripping, vegetation clearing, etc.).
2. Survey transects will be no farther apart than 100 feet (30 meters).
3. Site evaluation for determination of National Register of Historic Places eligibility will be designed to minimize impact on the site. If test excavation is necessary and should it appear that testing

would seriously impact a site (i.e., destroy it or remove significant portions) consultation with the NeSHPO will be initiated prior to testing.

NATIONAL REGISTER SITE ELIGIBILITY

The measure of an archeological resource to receive protection under federal law is its eligibility for the National Register of Historic Places. The agency through its cultural resource investigation process makes a preliminary evaluation of a site's potential eligibility. The agency then submits supporting documentation for or against its eligibility determination to the NeSHPO.

The SHPO will concur, disagree, or request additional information. Agreement by the SHPO with an agency's determination that a property should be considered eligible will, under Advisory Council regulations, constitute eligibility for the National Register of Historic Places. If there is disagreement between the agency and SHPO, or in some cases where it is requested by the Advisory Council, Secretary of the Interior, or agency; a determination of eligibility will be obtained from the Keeper of the National Register, U. S. Department of the Interior, National Park Service, P.O. Box 37127, Washington, D.C. 20013-7127. Detailed information on eligibility is contained in:

1. 36CFR60: National Register of Historic Places.
2. 36 CFR 63: Determinations of Eligibility for Inclusion in the National Register.
3. National Register Bulletin 15: How to Apply the National Register Criteria for Evaluation.
4. National Register Bulletin 16: How to Complete the National Register Registration Form.
5. National Register Bulletin 36: Guidelines for Evaluating and Registering Historical Archeological Sites and Districts.
6. National Register Bulletin 38: Guidelines for Evaluating and Documenting Traditional Cultural Properties.

The assessment of eligibility is dependent on a property's significance. Significance, under National Register criteria, is contained in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and meet one or more of the following criteria:

- A. Property is associated with events that have made a significant contribution to the broad patterns of our history; or
- B. Property is associated with the lives of persons significant in our past; or
- C. Property embodies the distinctive characteristics of a type, period, or method of construction or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components lack individual distinction; or
- D. Property has yielded, or is likely to yield, information important in prehistory or history.

These significance qualities and their exceptions (National Register

Bulletin 16:37), form the basis of determining a property's eligibility to the National Register of Historic Places.

TRADITIONAL CULTURAL PROPERTIES (see Table 1 under Appendix 1)

Traditional cultural properties are ones that refer to beliefs, customs, and practices of a living community, which have been passed down through the generations, usually through oral history or through practice. Such groups may include ethnic Swedish, Czech, German and others. Archaeological reviews will most often deal with Native Americans. Emphasis in the Section 106 regulations is placed on identification and consideration of Indian tribal religious and culturally significant properties.

The Section 106 process requires that Federal projects identify, on and off tribal lands, any sites of religious or cultural significance that may be affected by a proposed project. In Nebraska there are approximately 29 tribal groups that have been in the state at some point in the past or present. Table 1 presents a list by general area and lists of tribes that are known to have been in those areas. A more detailed list of tribal groups is presented in Appendix 6.

UNMARKED HUMAN BURIAL SITES OR REMAINS

The discovery of unmarked human remains requires special care and respect for such finds. Two primary laws cover such discoveries: 101st Congress Public Law 101-601, Native American Graves Protection and Repatriation Act; and Revised Statutes of Nebraska 1989 Supplement Article 12 (12-1201 to 12-1212), Unmarked Human Burial Sites, and Article 28-1301, Human Skeletal Remains or Burial Goods; Prohibited Acts; Penalty.

The discovery of human remains or associated burial objects on Federal Property or on Tribal Lands is governed by Public Law 101-601. Discovery of human remains or burial objects will be reported to the head of the Federal agency that is responsible for the property or to the Tribal authorities if on Tribal lands.

Discovery of remains or burial objects on non-Federal or non-Tribal land is governed by State law. Incidents of discovery will be reported to the County Attorney or County Sheriff. Whether on Federal, Tribal, or under State jurisdiction the remains will be protected from any further disturbance until proper authorities have made necessary determinations under the laws applicable. A table listing all Indian Tribal Activity in Nebraska can be found as an appendix 1 at the end of this document.

SIGNIFICANCE ASSESSMENT

Under National Register significance criteria archeological sites are usually considered for their information content for prehistory and history (Criteria D). Occasionally, archeological sites may be considered for their association with significant events or persons, and/or possession of a high artistic value.

There is no cookbook formula for significance assessment. Assessment of a particular site's significance is a value judgment that must be made by qualified individuals. Knowledge of archeological theory and method, pertinent research objectives, an area's culture history, current site inventories, and federal/state laws and regulations are required. Significance must be evaluated within the parameters of an historic context (National Register Bulletin 16:4) that deals with the type of property being

considered.

The minimum items/information necessary for submission to the NeSHPO for an archaeological determination of eligibility include:

1. Completed Nebraska Archeology Site form (see Appendix 5).
2. Identification of the class of property (i.e., site, building, object, structure, district).
3. Criteria property is considered significant under (see National Register Bulletin 16).
4. Identification of pertinent historic context or completed historic context report if none exists with which to assess the property.
5. Statements, which address the following significance questions:
 - a). Property integrity (i.e., what is the physical condition of the property?).
 - b). Research integrity (i.e., depth of deposit, density of artifacts, feature integrity, number of components, etc.).
 - c). Current research potential (i.e., how can this property contribute to current research topics?).
 - d). Future research potential (i.e., potential research value to contribute to foreseeable developments in research problems/techniques).
 - e). Uniqueness (i.e., what is the uniqueness of this property in relation to other properties of a similar class or type?).
 - f). Public value (i.e., what is the value of the property for religious/ceremonial, emotional, or interpretive uses to specific groups or the general public?).

Properties found on a project, which the agency evaluates as **not** **eligible** must be supported with **adequate** justification information.

SHPO CONSULTATION AND QUESTIONS

Consultation, questions on the Section 106 compliance process, National Register, and/or review submissions should be directed to:

Nebraska State Historical Society
Historic Preservation Office
1500 R Street
Box 82554
Lincoln, Nebraska 68501

Phone: 402-471-4787
Email: hpns@nebraskahistory.org

SECTION 4

HISTORIC CONTEXTS

INTRODUCTION

A historic context is an organizational format that groups information about related historic properties in terms of three basic factors: 1) theme or topic, 2) time, and 3) place or space. A single historic context describes one or more aspects of the historic development of an area, and identifies the significant patterns that individual historic properties represent (also see, National Register Bulletin 16:4).

Historic contexts are intended to guide the survey, inventory, registration and protection programs, and form part of the comprehensive historic preservation planning process in each state. In addition, consideration of a property's eligibility for nomination to the National Register of Historic Places is evaluated within the framework of a historic context(s).

The Nebraska State Historic Preservation Office (NeSHPO) is responsible for developing the framework for defining historic contexts in the State. Individuals, groups, and governmental entities working in Nebraska can then respond to this framework when undertaking historic preservation activities.

A HISTORIC CONTEXT FRAMEWORK FOR NEBRASKA ARCHEOLOGY

The property type is the focus of a historic context since all information and planning is based on the physical property. A property type is a grouping of individual properties based on a set of shared physical or associative characteristics. In relation to the particular framework of the historic context system used to organize sites in Nebraska, the property type can be based on different defining criteria. A property type may be a collection of sites organized into a district. Conversely, a single site may be a property type defined by its information class (e.g., ceramic sites), physical form (e.g., mound sites), functional identification (e.g., quarry site), and/or culture-historical classification (e.g., Upper Republican phase site).

The long period of archeological research conducted in Nebraska has resulted in the formulation of a number of culture-historical units. These units are based on a clustering in time and space of material culture traits that are often represented as the evidence of "ethnic" groups. Although the cultural units conceived by archeologists are often spoken of and in many ways thought of as ethnic groups, they are artificial formulations and their relationship to past reality is one of many major research objectives of archeological inquiry. These cultural unit formulations have been primarily directed toward prehistoric manifestations.

Historic period cultures (see Section 5) have only recently been the focus of investigations. Archeological investigations of historic period sites have tended to organize sites along lines of political or economic documented themes.

However conceived, the currently recognized prehistoric and historic formulations provide a readily available body of cultural units which have associated documentation, distinct property types, and which can be used to form the initial core of Nebraska archeological historic contexts.

Table 2 presents a list of archeological contexts derived from the Nebraska State Historic Preservation Office, Historic Contexts in Nebraska, Topical Listing. These represent tradition level formulated historic contexts with the major property types listed for each. It is based both on units which have had considerable amounts of research accomplished within the State and which are represented by numerous properties, and units which are believed to be represented in the State but which may not yet have specific identified properties and/or little to no research conducted in the State. These latter units are included to anticipate the distinct possibilities of discovering property types associated with them in the course of archaeological work in Nebraska.

It should be recognized that historic contexts based on other theme frameworks can and should eventually be developed (see Historic Contexts in Nebraska, Topical Listing, Nebraska State Historic Preservation Office). Sites may be found which do not readily fall within the culture-historical context framework (e.g., quarry sites) or sites that cannot be identified to a culture history taxon. In these cases evaluation may necessitate context development based on technological or other frameworks. The Historic Preservation Office maintains copies of existing historic context reports.

SIGNIFICANCE AND HISTORIC CONTEXTS (see Table 2 under Appendix 2)

Within the cultural resource management sphere the historic context is a focus for the assessment of site significance. Significance forms the basis for all subsequent management decisions. The historic context both defines the parameters of significance and expands upon the significance boundaries of a particular property. In addition, an individual property's eligibility for the National Register of Historic Places must be evaluated within the structure of the pertinent historic context. A table of all Nebraska Historic contexts can be found as an appendix 2 at the end of this document.

There are 6 major factors encapsulated within the historic context which influence an assessment of a property's significance for archaeological sites:

1. Property Integrity. The property must be assessed for both its current and future integrity. Current and future integrity, when considering an archeological property, has two aspects. First, its physical condition in terms of effects by the natural and current cultural environment (e.g., erosion potential, stabilization state, damage from recent construction activity, etc.) must be considered. Secondly, evaluation of property integrity should include a percentage estimation of the various impacting effects on the property.
2. Research Integrity. The archeological "contextual" state must also be considered. Is the artifactual material in primary or secondary context, what is the state of preservation, and what is the degree of each?
3. Current Research Potential. Can this property contribute to current research topics and in what manner? The property must be judged by the problem topics that are affecting the contemporary research universe, whether theoretical, methodological, or other substantive problem topics.
4. Future Research Potential. This is a difficult factor to take into account. In a sense, any future research topic that can be defined is a current topic. Yet, it is possible and necessary to view a property's

research value from a perspective of its potential to contribute to foreseeable developments in research problems/techniques that are not currently addressable for technical or other reasons.

5. Uniqueness. Properties must also be judged by their relative or comparative uniqueness, both within the property type class, historic context, and across historic contexts. The evaluation should take into account the numbers of the property type(s) documented and existing, the numbers which remain stable and accessible, the numbers or percentage of sites anticipated to yet be discovered, the numbers on the National Register of Historic Places, the number likely to be destroyed or degraded in the future, and the number represented in the environmental zone in which the property is located.

6. Property Value. Each property must be evaluated for its religious/ceremonial, and/or cultural value to present population groups. This may involve religious value to a specific group, or a consideration such as the general interpretive value for public education purposes.

Although the above comments are directed at property types they can, in most respects, apply also to historic contexts as a whole. Large projects will often deal with multiple property types from multiple historic contexts. In these cases it will often be necessary for practical fiscal and time constraints to focus on a limited number of sites for mitigation efforts. Therefore, historic contexts may have to be evaluated to determine the most significant for the allocation of finite resources and the making of informed decisions.

SECTION 5

HISTORY, HISTORIC ARCHEOLOGY, AND ARCHEOLOGY

Questions have continued to arise from agencies, contractors, and cultural resource specialists over the placement and integration of historic archeological sites into the State's historic preservation plan. Historic archeological sites provide some conceptual problems with their assessment under the current historic preservation evaluation system. This section will attempt to answer some of the questions and provide the framework in which the NeSHPO views and evaluates historic archeological sites.

HISTORIC / PREHISTORIC ARCHEOLOGY, AND HISTORY

The discipline of archeology (and as reflected in Federal regulations) has distinguished between two types of archeological properties: historic and prehistoric. Historic sites represent any archeological property that has or can be expected to have written documentation or personnel (participative) information pertinent to the site inhabitants or material culture at the site. Prehistoric sites are the inverse, sites that do not have any written or participant information available.

Historic sites include some of the sites often referred to in the Plains as Protohistoric. Although the Protohistoric sites do not have direct Euro-American written observational information, they do possess Euro-American artifacts, which have documentary information available.

Historic and prehistoric archeology is one and the same and yet different. Although this may not be a reassuring statement to some it

actually forms the basis upon which a consistent approach to the integration of historic and prehistoric archeology can be formulated.

The aims and goals of archeology, as an anthropological science, remain the same regardless of whether the individual archeological site being worked on is historic or prehistoric - archeology is archeology. The same anthropological/archeological research questions are amenable to investigation through use of either type of site. The difference in using a historic site over a prehistoric site is of potentially no greater magnitude than the difference between using any two sites that require specific knowledge. That is, being a specialist in historic material culture is little different (except for quantity) than being a specialist in Upper Republican phase material culture.

However, archeologists working with historic sites must have knowledge of historical methodology. They must have the skills to make use of written documentation, know where to obtain documentation, and how to evaluate its efficacy.

Therefore, how does "historic" archeology interact with archeology and history? When an archeologist is investigating anthropological/archeological problems using a historic site, whether using archeological and/or historic methodology, that individual is doing research in anthropology. When an archeologist is investigating a historic problem, using the archeological method on a historic site, that individual is doing historical research. Both are legitimate objectives that can lead to a property's eligibility for the National Register of Historic Places. Therefore, each individual historic archeological property must be looked at from two perspectives -- anthropological and historical.

Leaving aside the question of whether historic and prehistoric archeology are a systemic or artificial discipline construct, the reality is that Cultural Resource Management (CRM) archeologists need to have the ability to deal with historic resources. Ideally, individuals or firms would have available personnel specifically trained in historic period archeology and professional historians to deal with CRM surveys. In reality, this does not occur consistently and usually a prehistoric orientated archeologist, as the CRM contractor, must collect certain basic information that will be needed for evaluation of potential historic criteria.

Therefore, even if an archeologist is not specifically trained in historic period artifacts and research problems, they must possess enough skill to collect a basic level of information for initial National Register assessment. These guidelines are intended to provide the guidance for the types of information required and the basic levels of skill that are needed to differentiate between useful and non-useful information.

ASSESSING SIGNIFICANCE OF HISTORIC SITES

Any historic archeological cultural resource can be potentially eligible under one or more of the three major fields (architecture, history, and archeology) represented in historic preservation. Each of the three evaluates an historic property from different perspectives and the three fields are not mutually exclusive. A single property may possess significance that is applicable to each of these fields.

Architecture is primarily concerned with the physical esthetics and uniqueness within a specific class of the buildings, structures, and objects that constitute historic properties. Architecture is also concerned with the significance growing from intrinsic value of the property to the public.

History views properties with the intent of identifying significant personages, events, and patterns that were associated with the property.

History also considers the public interest in a particular property based on the real and/or mythical events/persons that have become attached to the property in the public's mind. History also evaluates properties for their potential to contribute research information on the current development of historical theory.

Archeology assesses the significance of properties through the potential for contribution to anthropological research questions. It is reiterated that in this sense a historic site is no different than a prehistoric site. Both may contribute to research that has implications for general anthropological insight. However, archeologists working with a non-architectural (no existing structural remains of architectural significance) historic archeological site must also consider how the site can contribute to historical research through the use of the archeological technique. Can the site through archeological excavation illuminate a historic problem that cannot be addressed using historical research methods, and is this historical research of sufficient significance to warrant archeological research?

Archeology also must consider the uniqueness of the resource in relation to all others of the same class. Finally, archeology must also consider the public or traditional value of the property. This will usually involve its potential for ceremonial/religious/sacred uses to descendants and former residents of the property. It should also consider the public education value of the property.

The following guidelines are not a cookbook or a decision tree for arriving at a yes or no on National Register eligibility for a particular historic property. Rather it is a guide for the often multidimensional gathering of pertinent information to base an assessment of eligibility. No specific significance judging research questions are presented. However, some suggestions are presented that allow the recognition of pertinent questions as well as the ruling out of non-significant information or questions.

FACTORS FOR HISTORIC SITE EVALUATION

1. CHRONOLOGY

Chronological length of occupation span and periods of different groups that utilized the property must be assessed. Also, is the site a permanent (year around) or intermittent (partial year) occupation. If the age span of the site is not available from the historical record or informants, then the investigator should have the ability to assess age based on material culture items on the site that can provide clues to age estimation.

A historic site must be over 50 years old. Many sites will have occupation spans that end less than 50 years ago. These sites are potentially eligible if at least some portion of their occupation span is over 50 years old.

In general, European/American sites with ages that are earlier than the establishment of Nebraska statehood (1867) will have a higher potential for eligibility due to their rarity. The vast majority of European/American sites will fall within the period from the opening of the territory to the last 50 years. Most of these sites will be associated with farm and ranch operations.

Early farm and ranch sites (e.g., homesteads) are not necessarily eligible just because they are a homestead or early occupation. Other factors will enter into their evaluations. However, sites such as these that have short defined occupation spans or long occupation spans with the same family/ethnic group will have greater potential for eligibility. Therefore, it is necessary for eligibility assessment to establish the age span of the site and period(s) of major occupation.

2. FUNCTION

Assessment of the function of a particular site will again require knowledge of historical research techniques, and historic artifactual identification and evaluation. Differentiation of a cattle ranching operation and a sheep operation in many cases may only be done through archeological recovered and historically identified artifactual/feature patterns.

3. CULTURAL AFFILIATION OF OCCUPANTS

Determination of cultural affiliation of occupation will have a significant affect on National Register determination. Occupations that are by one cultural group will weight heavier than ones by multiple groups.

4. GENDER OF OCCUPANTS

Occupations of one gender will be more important than mixed gender sites.

5. SETTLEMENT PATTERN

Participation in local or regional settlement patterns (i.e., ecological zone, properties zone of exploitation, economic, ethnic, legal, geographic, political, etc.) will need to be considered.

6. HISTORIC EVENT (S)

Sites where significant (local, regional or national) historic events occurred will be eligible under criteria of the National Register. This information is usually available through local informants and published histories.

7. HISTORIC PERSONAGE (S)

The potential for sites to be associated with a historic personage (local, regional or national) must be considered. Some considerations for personages may include:

- Political Action
- Creativity
- Innovator (Inventor)
- Writer
- Musician (Composer and/or Performer)
- Artist
- Designer (Architect, Engineer)
- Economics
- First, Pioneer
- Developer
- Builder
- Educator
- Military Action
- Historical Event Participant
- Notorious
- Non-notorious

8. SITE INTEGRITY

Factors affecting historic site integrity evaluation include:

1. Number of known or anticipated sites of this type.

2. Number of sites estimated that are still undiscovered (based on surveyed areas, known sites per-surveyed area, geographic range of site type, estimated past, current, and future destruction rate, artifact preservation matrix potential (how fast are artifacts and features being degraded by natural forces?).
3. Number of excavated sites (when, by whom, level of field excavation expertise, adequacy of analytical reports)

9. PUBLIC VALUE

Historic sites must be assessed for their potential value to members of the public. Public perception of sites for historic events, associated personages, religious/sacred/ceremonial interpretations, and other reasons which create a value for a particular site by the general or a specific public entity.

10. CURRENT RESEARCH VALUE

The Cultural Resource Management (CRM) person will need to have sufficient knowledge of current archeological/anthropological and historic research questions to make an initial evaluation of historic sites. Can an historic archeological site contribute significant information through archeological investigation that cannot be learned through historical records?

11. FUTURE RESEARCH VALUE

Consideration for the potential to answer questions not yet amenable to research techniques but which in the foreseeable future may be addressed.

MINIMUM INFORMATION REQUIREMENTS

The Historic Preservation Office will require the following minimum information when available or an explanation of why it is not available in order to complete a review:

1. Age of site and method used to determine.
2. Deed record. This information can usually be obtained from the County Courthouse.
3. Local informant information and potential quality of information.
4. Local histories and local historical society(s) checked.
5. Names of site inhabitants/users.
6. Functional identification of site usage(s).
7. Description and condition of all features (including any remaining structures).
8. Government Land Office records (maps and notes), other historical atlases and records consulted.

SECTION 6

ARCHEOLOGICAL RESOURCE REPORTS AND INFORMATION

Cultural resource investigations conducted for, or in connection with, federally sponsored undertakings range from small to large projects. It is recognized that the level of reporting will vary for different sized projects.

In order to most efficiently respond to the various reporting needs and

still maintain coherency in reporting results, 3 levels of report requirements have been defined. These levels range from large-scale to small-scale project reporting. The levels are united through a core series of information reporting requirements. Except in select instances, the intent is not to dictate report format; however, these guidelines do require the submission of certain minimum information. This information is required to meet reporting requirements of 36 CFR Part 800, Secretary of the Interior's Standards and Guidelines, National Register criteria, and for NeSHPO evaluation of reported results.

No absolute definitions can be given to which level of report should be used for a specific project. The following guidance is suggested for choosing a report level:

1. Large Project Reports should be submitted for projects that: 1) exceed 80 acres in size and which produce cultural resources or; 2) projects with sites that have been tested (beyond initial, potential eligibility judgments) for nomination to the National Register of Historic Places and determined to be potentially eligible or; 3) any project with cultural resources that are subjected to excavation beyond testing.
2. Medium Project Reports will be used for: 1) projects of less than 80 acres which have sites on them and that have been evaluated (either through testing or non-testing evaluation procedures) as not potentially eligible for the National Register of Historic Places; and/or 2) larger scale projects (greater than 80 acres) which produce no cultural resources.
3. Small Project Reports will be used when projects meet each of the following criteria: 1) less than 80 acres; 2) no archeological sites or no archeological sites older than 50 years were found.

The 3 levels of reporting are not intended to be mutually exclusive but may be more correctly thought of as nodal points in a continuum of reporting requirements. Project complexities that seem to fall between one of the levels can be addressed by a combination of information from the two adjacent levels.

Should persons using these guidelines have questions on the proper report level to utilize, the SHPO should be consulted for guidance. **It is emphasized that projects, which find no cultural resources will also be reported.** Documentation of survey efforts that result in negative findings is important for the construction of data relevant to the distribution of cultural resources across the state. Reports submitted without one or more of the following information categories or without adequate justification for non-inclusion will be subject to rejection.

LARGE PROJECT INFORMATION REQUIREMENTS

1. Title Page. The title page will, at a minimum, contain the following information:
 - a). Report title which will concisely incorporate information on the type of investigation and location (county and state).
 - b). Contracting sponsor and/or parent organization responsible for the report and with the permit or contract number specified, if applicable.
 - c). Author(s) of the report and institution affiliation.
 - d). Principal Investigator, address, and organization if

different from the author. In any case, the Principal Investigator will be clearly identified.

- e). Date of the report. This will be the submission date to include month and year.

2. Abstract. An abstract not to exceed 200 words will be provided. This should be a concise summary including who, what, where, results, and recommendations.

3. Table of Contents. This will include a listing of the major chapter/section headings and subheadings. It will also incorporate a list of tables and figures (figures will include charts, graphs, photographs, and maps).

4. References Cited. References in the text and in the references cited/bibliography will conform to the format standards of the style form of American Antiquity vol. 57, no. 4, pp. 749-770, or the most recent update of those standards of style.

5. Identification Information. Project identification information will at a minimum contain the following:

- a). Definition of the project area accompanied by a map that delineates the project boundaries.
- b). Description of the specific project and any general or larger project of which this undertaking may be a part. In the case of survey projects the area surveyed will be shown on a map and the legal and/or Universal Transverse Mercator (UTM) description of that area will also be given either on the map or in text/table format.
- c). Purpose of the study.
- d). Organization of work assignments and personnel who carried them out.

6. Background Information. Project background information will at a minimum include the following:

- a). Physiographic setting that includes information on climatic history, geology, geomorphology, topography, soils, flora, and fauna. Information on the physiographic setting will be relevant to an understanding of the project area, research objectives, and resource potential of the study area. This will include a consideration of the human resource utilization potential of the project area/region, and which addresses both the availability/nonavailability and use/nonuse of local raw materials.
- b). Records review which will include at a minimum the following: 1) National Register of Historic Places, 2) National Landmark Inventory, 3) Nebraska Master Archaeological Site File, and 4) pertinent published and unpublished archaeological literature. The record review should include names and addresses of any informants contacted and who contributed information on specific sites.
- c). A culture-historical setting for the area will be presented including prehistoric, historic, and ethnohistoric information on all groups who occupied or are believed to

have occupied the project study area.

7. Project Study Information. The following project study information will at a minimum include:

- a). Research Design: This will include the problem statement, research objectives, theoretical orientation, methodology, and expected results.
- b). Field Methods: A full elucidation of the field methods employed will be presented. In the case of survey reports the survey conditions will be described. This will include at a minimum: 1) size of survey area in acres or hectares; 2) a map portraying survey unit areas; 3) size of survey units; 4) types of vegetation cover on surveyed areas by survey unit; 5) percent of visibility by survey unit; 6) survey unit interval; 7) person-hours expended per survey unit; and 8) any other survey unit inspection techniques utilized (e.g., shovel testing intervals, depth of shovel tests, etc.). Areas not surveyed will be clearly delineated and justification provided for not surveying those areas.
- c). Laboratory Methods: A full elucidation of the laboratory methods employed in the study will be presented. This will include the ultimate disposition of all project records and artifacts.
- d). Inventory of Cultural Properties: Reports which will receive wide public dissemination will, whenever feasible, restrict specific site locational information. All sites will be described regardless of whether they are determined eligible or not eligible for the National Register. One copy of the Nebraska Site form (see Appendix 5) for new sites and newly completed update forms on known sites will be included as a detachable appendix or transmitted under separate cover at the time of the review submission.
- e). Scope-of-Work and Proposal: A copy of the scope-of-work requirements, the technical contract work proposal (not the cost proposal), and pertinent correspondence will be submitted as a report appendix or separate transmittal upon review submission.

8. Evaluation Information. The following evaluation information will be provided:

- a). The results of the operationalized research design will be provided and justification of departures from that design.
- b). A site-specific assessment of the research potential of each site will be addressed. Identification on a site-specific basis of current and potential impacts that the project will have or may generate and an assessment of potential loss of information should a site(s) be destroyed without archeological investigation.
- c). Information for evaluation of a site's eligibility for the National Register of Historic Places will be presented within the scope of an appropriate historic context(s). Evaluation information will conform to guidelines and requirements of National Register Bulletin 16A.
- d). Vitae on all key field and analytical personnel should be

included as an appendix or sent under separate cover at the time of the review submission, unless this information is already on file in the SHPO office.

9. Recommendations. Research recommendations will be included and based on current research objectives and regional research issues specifically related to the data potential of the study area. Management recommendations will include National Register recommendations on a site-by-site basis for eligibility determination testing, nomination by site, district, or multiple property nomination. A site-by-site assessment of recommendations for avoidance or alternative mitigation measures for affected properties will be made. Recommendations for testing/mitigation will provide estimates of amount of work required.

MEDIUM PROJECT INFORMATION REQUIREMENTS

1. Title page will follow same format as Large Project requirement above.

2. An abstract of no longer than 50 words will be included.

3. The project name for which the report is being prepared and any official designating number will be included.

4. The location of the project will be clearly delineated and a map attached with the boundaries of the project shown. In the case of survey projects the area surveyed will be shown on a map and the legal and/or Universal Transverse Mercator (UTM) description of that area will also be given either on the map or in text/table format.

5. A concise description of the proposed project for which the archeological work is in response to and the anticipated effect of the project on potential cultural resources will be included.

6. A brief synopsis of the environmental condition that the project encompasses.

7. A description of all records searched and the results will at a minimum include the National Register of Historic Places listing, National Landmark listing, and Nebraska Master Archeological Site File.

8. The following fieldwork information will be incorporated in the report:

a). Type of investigation and the rationale for the investigation.

b). Survey methodology to include at a minimum:

1). Size of area surveyed.

2). Number of person-hours for the survey.

3). Vegetation cover of the survey area.

4). Percent of visibility of survey area.

5). Survey spacing interval and type of coverage pattern.

6). Date of fieldwork.

7). Justification of non-coverage of any

scheduled survey area.

8). Other survey techniques employed.

c). A full description of any testing conducted will be presented. This will include a map showing the location of testing sites and a representative profile of the stratigraphic conditions revealed.

d). A completed Nebraska Archeological Site Survey form (see Appendix 5) for each site found or investigated will be attached to the report.

9. A brief description of the analytical procedures utilized in evaluating the recovered material and the location of all records/artifacts will be presented.

10. The results of the field and laboratory work will include at a minimum:

a). Evaluation of the research potential of the identified and investigated cultural resources.

b). Identification of all located and investigated cultural resources.

c). Evaluation through appropriate historic contexts of the cultural resources' National Register of Historic Places potential for nomination (see Large Project Information Requirements 9 c)).

d). Evaluation of the potential impacts which may effect the cultural resources' integrity.

e). Recommendations for further research/investigation, cultural resource management, and National Register of Historic Places nomination efforts.

SMALL PROJECT INFORMATION REQUIREMENTS

Information on small projects will at a minimum include the following:

1. Project name.

2. Project number if applicable.

3. Project description.

4. Size of project area surveyed and by what technique (intensive or reconnaissance).

5. Legal or UTM description of the area surveyed and accompanied with a map showing the surveyed area.

6. Identity of U.S.G.S. Quadrangle maps that encompass the project area.

7. Date of the survey.

8. Person-hours for the survey.

9. Justification for non-survey of project areas scheduled for survey.

10. Vegetation cover of survey area.
11. Percent of visibility of survey area.
12. Survey interval and coverage pattern.
13. Other survey procedures utilized.
14. The results of the work will include the number of non-eligible historic archeological sites (less than 50 years old) located. Nebraska Site forms (Appendix 5) will be attached to the report.
15. The project effect on identified non-eligible archeological properties will be evaluated.
16. Author and date (month and year) of the report.

ARCHEOLOGICAL SITES

All archeological site numbers in Nebraska are assigned and maintained by the Archeology Division, Nebraska State Historical Society (NSHS), 1500 R Street, Box 82554, Lincoln, Nebraska 68501 (phone 402-471-4766) (email: archnshs@nebraskahistory.org). The Archeology Division maintains the Nebraska Master Archeological Site File.

Archeological site numbers in Nebraska follow the Smithsonian Institution-established trinomial system. Each individual number is composed of three parts, for example 25DW35: where "25" designates the state, in this case, Nebraska; "DW" indicates the county, here Dawes; and "35" indicates the 35th recorded site in Dawes County.

Sites are distinguished by placing a spatial limit on the defined or observable material remains of former human behavior that created the remains. What constitutes adequate spatial segregation between artifactual material in order to designate a site or multiple sites is not specifically defined here beyond the exercise of common sense. It may occur that two areas that are spatially separate are nevertheless clearly related to each other behaviorally and/or for reasons of research/management simplicity should be combined into one site. This is an acceptable practice.

A site construct submitted to the NSHS for assignment of a site number may be broken into smaller site units or combined into larger units at the discretion of the NSHS Archeology Division, with a statement of justification sent to the requesting agency.

The current site designation system does not maintain a separate "isolated find" accounting system. Consequently, the following rules will be adhered to regarding isolated finds and other site manifestations in order not to overload the site accounting system with information of minimal anthropological/archeological value:

1. Prehistoric isolated finds (i.e., single artifacts), which are clearly in a secondary induced context (e.g., stream-eroded, artificially moved, etc.) will not be given site status. However, such finds will be documented within the context of the survey report. All other isolated finds which are or may be due to primary or secondary human (direct or indirect) action will be accounted for by assigning them a site number.
2. Historic Euro-American isolated finds (e.g., beer cans, bottles, machinery fragments, etc.) will not be assigned site numbers unless the item is older than circa 100 years and with the same

provision of natural-secondary context deposition as in Item 1 above. Isolated items, which are less than 100 years old will not be documented in survey reports, unless the researcher considers them to be part of an overall significant cultural pattern.

3. Historic sites less than 50 years old will be reported as archeological sites if these consist of abandoned (not just temporarily unoccupied) farm/ranch yards, school houses, trash dumps, and other structural/building/object sites. These locations may or may not have standing structures.

Site numbers will be assigned only after submission of a typed, completed Nebraska Site Survey Form (see Appendix 5) to the NSHS Archeology Division.

CURATION

Arrangements will be made prior to project fieldwork for proper curation of archeological material. It is requested that cultural resource material (records, artifacts, etc.) recovered from archeological sites in Nebraska be stored, whenever possible, with a repository in the state. Standards for curation of federal collections are covered in 36 CFR Part 79: "Curation of Federally-Owned and Administered Archeological Collections; Proposed Rule" (Federal Register, 28 August 1987, vol. 52, no. 167).

NEBRASKA ORGANIZATIONS WITH PROFESSIONAL ARCHEOLOGICAL STAFF

Nebraska State Historical Society, 1500 R Street, Box 82554, Lincoln, Nebraska 68501.

University of Nebraska-Lincoln, Department of Anthropology, 126 Bessey Hall, Lincoln, Nebraska 68588-0368

University of Nebraska-Lincoln, State Museum, Morrill Hall, 14th and U street, Lincoln, Nebraska 68588-0339.

United States Department of the Interior, National Park Service, Midwest Archeological Center, Federal Building, 100 Centennial Mall North, Lincoln, Nebraska 68508.

United States Army Corps of Engineers, Omaha District, Economics and Social Analysis Branch, 1612 U.S. Post Office and Court House, Omaha, Nebraska 68102-4978.

United States Department of the Interior, Bureau of Reclamation, Nebraska-Kansas Projects Office, P.O. Box 1607, Grand Island, Nebraska 68802.

United States Department of Agriculture, Soil Conservation Service, Federal Building, Room 393, 100 Centennial Mall North, P.O. Box 82503, Lincoln, Nebraska 68501.

United States Department of Agriculture, Forest Service, Nebraska National Forest, 270 Pine Street, Chadron, Nebraska 69337.

Additional references for laws, regulations, and other information can be found in Appendix 7.

APPENDICES

1. Table 1 (Indian Tribal Activity in Nebraska)
2. Table 2 (Nebraska Archeological Historic Contexts)
3. Definitions
4. Decision Key for Section 106 Compliance
5. Nebraska Site Survey Form and Instructions
6. List of Tribal Entities
7. Select List of Federal Laws, Regulations, and Additional References

Appendix 1

Table 1. General Area of Indian Tribal Activity in Nebraska.

WEST	CENTRAL	EAST
Plains Apache	Teton	Iowa
Arapahoe	Omaha	Omaha
Cheyenne	Pawnee	Otoe-Missouria
Teton	Ponca	Pawnee
Comanche	Santee	Ponca
Crow	Sisseton-Wahpeton	Sac & Fox
Kiowa	Arikara	Santee
Pawnee	Yankton	Sisseton-Wahpeton
Arikara	Delaware	Winnebago
		Kaw (Kansa)
		Delaware

Appendix 2

Table 2. List of identified Nebraska archeological historic contexts.

PALEOINDIAN

1. Clovis complex
2. Folsom complex
3. Midland complex
4. Agate Basin complex
5. Hell Gap complex
6. Alberta complex
7. Plainview complex
8. Cody complex
9. Frederick complex
10. Angostura complex
11. Meserve complex

PLAINS ARCHAIC

1. Frontier complex
2. Logan Creek complex
3. Oxbow complex
4. McKean complex
5. Munkers Creek complex
6. Pelican Lake complex
7. Gering Burial complex
8. Dry Lake complex
9. St. Charles Notched complex
10. Table Rock Stemmed complex
11. Nebo Hill complex
12. Besant complex
13. Hardin Barbed complex
14. Holland complex
15. Stone Square Stemmed complex

PLAINS WOODLAND

1. Kansas City Hopewell phase
2. Valley phase
3. Keith phase
4. South Platte phase
5. Boyer phase
6. Held Creek complex
7. Loseke Creek phase
8. Sterns Creek phase
9. Great Oasis complex

CENTRAL PLAINS VILLAGERS

1. Upper Republican phase
2. Smoky Hill phase
3. Nebraska phase
4. Itskari (Loup River) phase
5. St. Helena phase
6. Anoka phase
7. Chadron State Park complex

Table 2. List of identified Nebraska archaeological historic contexts(continued).

COALESCENT VILLAGERS

1. Lower Loup phase
2. Redbird phase

ONEOTA

1. Orr phase
2. Correctionville/Blue Earth phase
3. White Rock aspect

WESTERN NEBRASKA PROTOHISTORIC

1. Dismal River complex
2. Dundy complex (25DN21)

CADDOAN

1. Pawnee
2. Arikara

SEDENTARY SIOUAN

1. Omaha
2. Ponca
3. Oto
4. Missouriia
5. Iowa
6. Kaw (Kansa)

EQUESTRIAN NOMADS

1. Teton
2. Cheyenne
3. Arapaho
4. Crow
5. Kiowa
6. Plains Apache
7. Comanche

RESERVATION

1. Santee
2. Winnebago
3. Sauk and Fox
4. Half Breed Tract

Table 2. List of identified Nebraska archaeological historic contexts(continued).

EUROPEAN/AMERICAN

1. Colonial
 2. Early American Exploration
 3. Fur Trade
 4. Military
 5. Farm/Ranch
 6. Urban
 7. Industrial/Commercial Enterprises
 8. Transportation Routes
 9. Religious/Ceremonial
 10. Education
 11. Governmental/Administrative
-

APPENDIX 3

DEFINITIONS

Adverse Effect: Harm to historic properties, directly or indirectly caused by a federal agency's action.

Advisory Council: An independent federal agency composed of 19 members, charged with advising the President and the Congress on historic preservation matters and administering the provisions of Section 106 of the National Historic Preservation Act.

Agency: The federal agency or designated agency with authority over a specific undertaking, including any state or local government agency which has been delegated legal authority for compliance with Section 106 and Section 110(f) in accordance with law.

Archeological Site: The physical remains of some past human behavior.

Area of Potential Effects: The geographic area or areas within which an undertaking may directly or indirectly cause changes in the character or use of historic properties, if any such properties exist. The area of potential effects is influenced by the scale and nature of an undertaking and may be different for different kinds of effects caused by the undertaking.

Building: A building, such as a house, barn, church, hotel, or similar construction, created to shelter any form of human activity. "Building" may also be used to refer to a historically and functionally related unit, such as a courthouse and jail or a house and barn.

Cultural Resource: Any building, structure, object, site, district, data, or other material property significant in history, architecture, archeology, or culture.

Determination of Eligibility: A decision by the State Historic Preservation Officer, or Tribal Historic Preservation Officer for tribal lands, or the Keeper of the National Register that a property meets the National Register of Historic Places criteria, although the property is not actually listed in the National Register.

District: A district possesses a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united historically or aesthetically by plan or physical development.

Eligible Property: Synonymous with "Historic Property" and is any prehistoric or historic district, site, building, structure, or object included in, or eligible for inclusion in, the National Register of Historic Places. This includes artifacts, records, and remains that are related to and located within such properties.

Excavation: Work beyond a testing phase, which pursues a mitigation and/or research goal through extensive deposit-disturbance activity using archaeological information recovery procedures.

Historic Context: A unit created for planning purposes that groups information about historic properties based on a shared theme, specific time period, and geographical area.

Historic Property: Any prehistoric or historic district, site, building, structure, or object included in, or eligible for inclusion in, the National Register of Historic Places maintained by the Secretary of the Interior. This

term includes artifacts, records, and remains that are related to and located within such properties. The term includes properties of traditional religious and cultural importance to an Indian tribe or Native Hawaiian organization and that meet the National Register criteria. The term "eligible for inclusion in the National Register" includes both properties formally determined as such in accordance with regulations of the Secretary of the Interior and all other properties that meet the National Register criteria.

Intensive Survey: A systematic, detailed examination of an area designed to gather information about cultural resources sufficient to evaluate them against predetermined criteria of significance within specific historic contexts.

Mitigation: The amelioration of losses to historic properties of significant information which will be accomplished through preplanned actions to preserve or recover such data by application of professional techniques and procedures reflecting the contemporary state of the art.

National Historic Landmark: A historic property that the Secretary of the Interior has designated a National Historic Landmark. Advisory Council regulations specify some special protections for National Historic Landmarks under the Section 106 review process.

National Historic Preservation Act: The basic legislation of the Nation's historic preservation program that established the Advisory Council and the Section 106 review process (16 U.S.C. 470).

National Register Criteria: The criteria established by the Secretary of the Interior for use in evaluating whether properties qualify for listing in the National Register of Historic Places (see National Register Bulletin 16). These are defined by regulation at 36 CFR Part 60.

National Register of Historic Places: A register of districts, sites, buildings, structures, and objects significant in American history, architecture, archeology, and culture, maintained by the Secretary of the Interior under authority of Section 2(b) of the Historic Sites Act of 1935 and Section 101(a)(1) of the National Historic Preservation Act.

No Adverse Effect: When the undertaking's effect do not meet the criteria of Adverse Effect or the undertaking is modified or conditions are imposed, such as the subsequent review of plans for rehabilitation by the SHPO/THPO to ensure consistency with the Secretary's Standards for the Treatment of Historic Properties (36 CFR Part 68) and applicable guidelines, to avoid adverse effects.

No Historic Properties Affected: No historic properties present or there are historic properties present but the undertaking will have no effect upon them.

Object: The term "object" is used to distinguish from buildings and structures those constructions that are primarily artistic in nature or are relatively small in scale and simply constructed. Although it may be, by nature or design, movable, an object is associated with a specific setting or environment, such as statuary in a designed landscape. For example, sculpture, monuments, boundary markers, etc.

Principal Investigator: The person or contractor responsible for the validity of the material presented in cultural, historical, and archeological reports. This person shall sign the final report and in the event of controversy or court challenge shall testify on behalf of the government in support of report findings.

Property Type: A grouping of individual properties based on a set of shared

physical or associative characteristics. Physical characteristics may relate to structural forms, architectural styles, building materials, or site type. Associative characteristics may relate to the nature of associated events or activities, to associations with a specific individual or group of individuals, or to the category of information about which a property may yield information.

Reconnaissance Survey: A nonsystematic examination of all or part of an area accomplished in sufficient detail to make generalizations about the types and distributions of cultural resources that may be present.

Research Design: A statement of proposed identification, documentation, investigation, or other treatment of a cultural resource that identifies the project's goals, methods and techniques, expected results, and the relationship of the expected results to other proposed activities or treatments.

Section 106 Process: A review process established under Section 106 of the National Historic Preservation Act and administered by the Advisory Council on Historic Preservation under its regulations at 36 CFR Part 800. During this process, agencies afford the Council an opportunity to comment on any agency activity or undertaking that may affect historic properties, and must take such Council comment into account.

Section 110(f): This section of the National Historic Preservation Act requires that federal agency heads, to the maximum extent possible, undertake necessary planning and actions to minimize harm to National Historic Landmarks that may be harmfully affected by agency undertakings. Section 110(f) responsibilities are separate from those of Section 106, but are satisfied through compliance with the Council's regulations at 36 CFR Part 800.

Significance: Quality attributable to historic properties and which is used to judge the value of the property for inclusion on the National Register of Historic Places. This quality is usually judged within a historic context in terms of the properties' research value, uniqueness, and cultural importance to contemporary populations.

Site: A site is the location of a significant event, a prehistoric or historic occupation or activity, or a building or structure, whether standing, ruined, or vanished, where the location itself possesses historic, cultural, or archeological value regardless of the value of any existing structure. For example, village sites, rock shelters, battlefields, ruins of historic buildings and structures, treaty signing sites, etc.

State Historic Preservation Officer (SHPO): The official in each state or territory who(among other duties) consults with federal agencies during Section 106 review. The SHPO administers the national historic preservation program at the state level, reviews National Register of Historic Places nominations, and maintains file data on historic properties that have been identified but not yet nominated. Agencies seek the views of the appropriate SHPO's while identifying historic properties and assessing effects of an undertaking on historic properties. Agencies also consult with the SHPO when developing Memoranda of Agreements. SHPO's are designated by the Governor of their respective state or territory. The SHPO for Nebraska is the Director of the Nebraska State Historical Society.

Structure: The term "structure" is used to distinguish from buildings those functional constructions made usually for purposes other than creating shelter. For example, dams, power plants, tunnels, grain elevators, roadways, boats, etc.

Testing: Limited excavation of an archeological site which is directed at determining vertical and horizontal deposit extent, identification of site

deposits, and/or research potential of the site. Testing in the context of historic preservation normally is designed to gather information about cultural resources sufficient to evaluate them against criteria of significance within specific historic contexts for possible inclusion on the National Register of Historic Places.

Traditional Cultural Property: Property associated with beliefs, customs, and practices of a living community of people that have been passed down through the generations, usually orally or through practice.

Tribal Historic Preservation Officer (THPO): The tribal official appointed by the tribe's chief governing authority or designated by a tribal ordinance or preservation program who has assumed the responsibilities of the SHPO for purposes of Section 106 compliance on tribal lands. For the purposes of Section 106 subpart B, the term also includes the designated representative of an Indian tribe that has not formally assumed the SHPO's responsibilities when an undertaking occurs on or affects historic properties on the tribal lands of the Indian tribe.

Tribal Lands: All lands within the boundaries of any Indian reservation and all dependent Indian communities.

Undertaking: A project, activity, or program funded in whole or in part under the direct or indirect jurisdiction of a Federal agency, including those carried out by or on behalf of a Federal agency; those carried out with Federal financial assistance; those requiring a Federal permit, license or approval, and those subject to State or local regulation administered pursuant to a delegation or approval by a Federal agency.

APPENDIX 4

A DECISION KEY FOR THE SECTION 106 PROCESS
(UNDER 36 CFR PART 800)

1. Determine if the project could affect reported or unreported historic properties/cultural resources [800.3(a) and 800.16(4)]:

☒ YES

NO = No Further Obligation Under Section 106

2. Make a preliminary determination of the area of potential effect [800.4(a) and 800.16(d)]:

3. Determine if Section 106 procedures apply or if Federal Agency alternate procedure is in effect [800.3(a)(2), 800.14, and 800.15]:

NO

YES = Follow Agency procedures.

4. Coordinate [800.3(b)] with any required National Environment Policy Act (NEPA) [800.8], Native American Graves Protection and Repatriation Act (NAGPRA), American Indian Religious Freedom Act (AIRFA), Archeological Resources Protection Act (ARPA), and any agencies specific legislation:

5. Determine if the project will affect Indian tribal land [800.3(c)]:

NO

YES

- 5a. Determine if the tribe has assumed Tribal Historic Preservation Officer (THPO) authority and if so who is the THPO. The State Historic Preservation Officer (SHPO) will no longer be involved in the consultation process, unless 5b [800.3(c)]:

- 5b.** Determine if tribal land affected is owned by a non-member of the tribe or is not held in trust by the Secretary for the benefit of the tribe and if owners desire the state SHPO to participate in the consultation process
[800.3(c)(1)]:

- 5c.** If the tribe has not assumed THPO authority determine who in the tribe to contact for historic preservation consultation. In this case the state SHPO will also be involved in the consultation process [800.3(d)]:

- Identify other potential consulting parties and construct a plan for public information dissemination and public input [800.3(e to g)]:

7. Consult with SHPO/THPO to:

7a. Determine area of potential effect [800.4(a)(1)]:

7b. Review documentation of historic properties/cultural resources in area [800.4(a)(2)]:

7c. Review potential for unidentified cultural resources in area [800.4(a)(2)]:

8. Seek information from consulting parties, other individuals, and organizations on cultural resources/issues in the project area of effect [800.4(a)(3)]:

9. Gather information from Indian tribes (THPO's) which may have religious or culturally significant sites on or off tribal lands in the project area of effect [800.4(a)(4)]:

10. Determine necessary further cultural resource identification effort [800.4(b)]:

NO FURTHER EFFORT

FURTHER EFFORT [800.4(b)(1) and (2)]

Go To Number 17

10a. Literature search in pertinent archives/sources:

10b. Additional consultations:

10c. Consider other applicable professional, State, tribal, local laws/standards/guidelines:

10d. Oral history/tradition interviews:

10e. Field survey:

11. Historic resources or tribal religious/cultural significant resources identified:

NO

YES

Go to Number 17

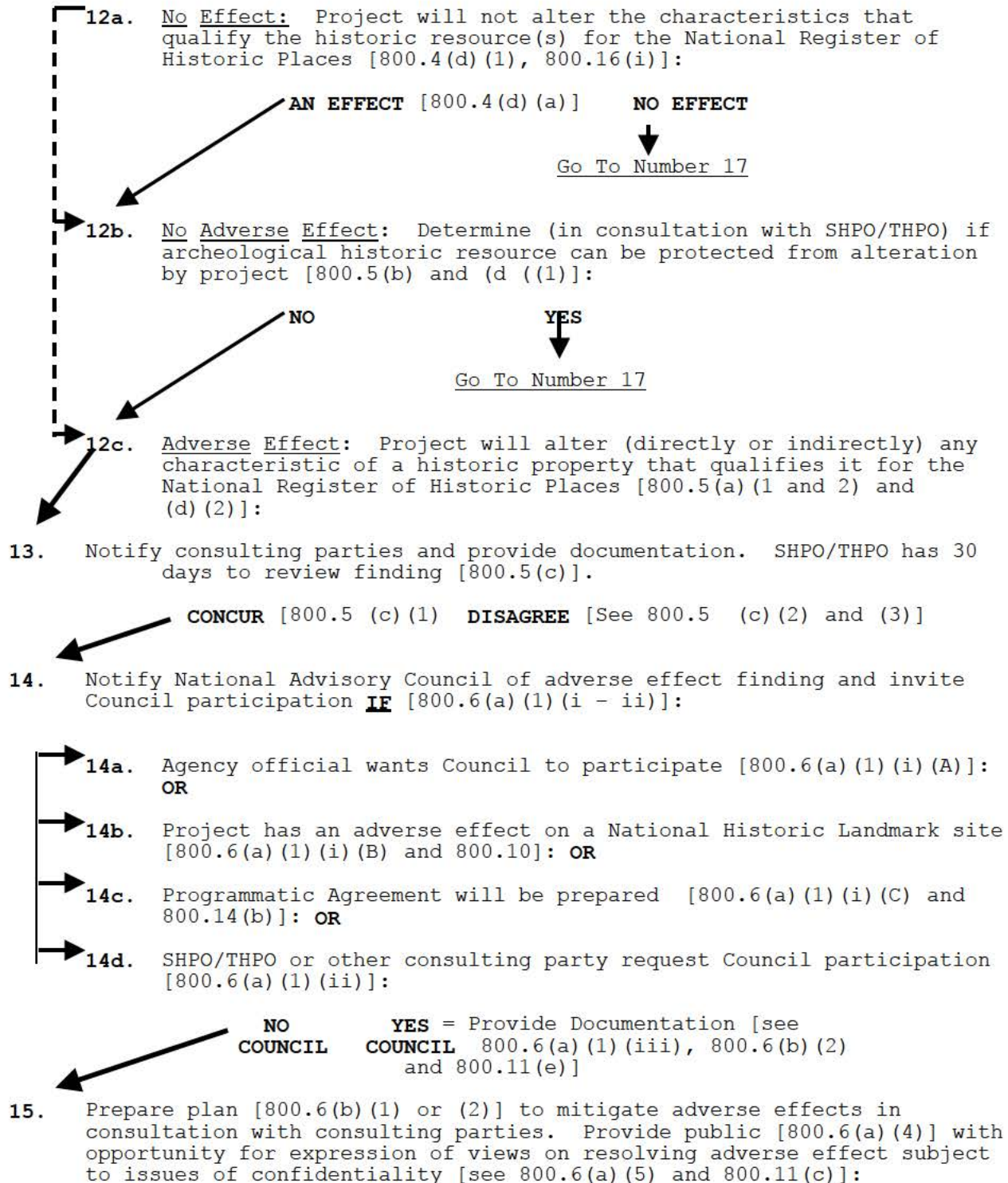
11a. Historic resources are on or have already been determined eligible for the National Register of Historic Places [800.4(b) and 800.4(c)]:

11b. Tribal religious or cultural resources not evaluated for National Register eligibility will be evaluated in consultation with SHPO and appropriate THPO [800.4(c)(1 and 2)]:

ELIGIBLE

NONE ELIGIBLE

12. Determine potential effect of project on historic properties:



- 15a. Consulting parties agree on mitigation plan and a Memorandum of Agreement [800.6(b)(1)(iv), (b)(2), and (c)] is signed by parties = Go TO Number 16.
- ➔ 15b. Consulting parties disagree on mitigation = Go To 800.6(b)(1)(v) and 800.7.
16. Provide Advisory Council with documentation [800.6(b)(1)(iv) and 800.11(f)]:
- ➔ 16a. Council objects = Go To 800.9, and Appendix A.
- ↙ 16b. Council does not object:
17. Provide consulting parties with documentation [800.11] and execute any Memorandum of Agreement. **The Section 106 process is complete, subject to emergency situations [800.12] or post-review discoveries [800.13].**

See! That was as bad as you thought.

APPENDIX 5

Nebraska Site Survey Form and Instructions

Nebraska Site Form Instructions

2006

1. Site Number (Smithsonian trinomial style site number). Numbers can be requested from René A. Botts, Curator of Anthropology/Archeological Collections Manager, Archeology Division, Nebraska State Historical Society. **Add the site number to header so it will print on every page of the site form.**

County Codes

AD = Adams	FT = Frontier	NC = Nance
AP = Antelope	FN = Furnas	NH = Nemaha
AT = Arthur	GA = Gage	NO = Nuckolls
BN = Banner	GD = Garden	OT = Otoe
BL = Blaine	GF = Garfield	PW = Pawnee
BO = Boone	GO = Gosper	PR = Perkins
BX = Box Butte	GT = Grant	PP = Phelps
BD = Boyd	GY = Greeley	PC = Pierce
BW = Brown	HL = Hall	PT = Platte
BF = Buffalo	HM = Hamilton	PK = Polk
BT = Burt	HN = Harlan	RW = Red Willow
BU = Butler	HY = Hayes	RH = Richardson
CC = Cass	HK = Hitchcock	RO = Rock
CD = Cedar	HT = Holt	SA = Saline
CH = Chase	HO = Hooker	SY = Sarpy
CE = Cherry	HW = Howard	SD = Saunders
CN = Cheyenne	JF = Jefferson	SF = Scotts Bluff
CY = Clay	JO = Johnson	SW = Seward
CX = Colfax	KN = Kearney	SH = Sheridan
CM = Cuming	KH = Keith	SM = Sherman
CU = Custer	KP = Keya Paha	SX = Sioux
DK = Dakota	KM = Kimball	ST = Stanton
DW = Dawes	KX = Knox	TY = Thayer
DS = Dawson	LC = Lancaster	TM = Thomas
DU = Deuel	LN = Lincoln	TS = Thurston
DX = Dixon	LO = Logan	VY = Valley
DD = Dodge	LP = Loup	WN = Washington
DO = Douglas	MP = McPherson	WY = Wayne
DN = Dundy	MD = Madison	WT = Webster
FM = Fillmore	MK = Merrick	WH = Wheeler
FR = Franklin	MO = Morrill	YK = York

2. Site Name
Optional.

3. Project
Name of the survey project during which the site was discovered.

4. Survey Agency/Co.:
Agency or company that conducted the survey.

5. Field Number

Number utilized in the field prior to assignment of an official state site number. It is recommended that the field number not simulate the official number in order to avoid confusion of the two numbers (i.e., do not use the county code and a number).

6. Sponsor/Contract Agency:

Primary Agency for which survey was conducted. This will be a federal agency in any federal funds were involved either for survey or in requiring the survey to be conducted.

7. County

County site is located in.

8. Drainage (NSHS only)

9. U.S.G.S. Quadrangle Map:

Name of the U.S.G.S. Quadrangle map(s) site is encompassed by. Also enter, if known, the NAD (North American Datum. Check appropriate date for Quad. Map.

10. New Site or Previously Known Site (form is an update)

11. Legal Description

Legal description to encompass the site area.

12. Site Size

Site size will be expressed in square meters.

13. Elevation in Feet Mean Sea Level

If the site does not extend vertically between contour intervals of the U.S.G.S. Quad. Map being used, then minimum and maximum elevations will be the same.

14. Descriptive Site Type:

Buried refers only to sites that have some vertical exposure where a buried layer(s) can be confirmed: or testing has determined that some buried strata are present.

15. Functional Site Type

This variable describes the primary functional purpose(s) of the site.

16. and 17. Cultural Context/ Specific Cultural Affiliation

The context item contains information on the cultural affiliation of the site. This will include reference to the tradition and sub-tradition level of classification. The major tradition classification will precede the phase or sub-classification level (e.g., PI-CLO = Paleoindian – Clovis complex). If the sub-classification level is unknown only the tradition level will be entered.

Cultural Context Codes

PI = Paleoindian

PI-CLO = Clovis Complex

PI-FOL = Folsom Complex

PI-MID = Midland Complex

PI-AGB = Agate Basin Complex

PI-HLG = Hell Gap Complex

PI-ALB = Alberta Complex

PI-PLV = Plainview Complex

PI-COD = Cody Complex

PI-FRD = Frederick Complex

PI-ANG = Angostura Complex

PI-MES = Meserve Complex

AR = Plains Archaic

AR-FRO = Frontier Complex
AR-LGC = Logan Creek Complex
AR-OXB = Oxbow Complex
AR-MCK = McKean Complex
AR-MNC = Munkers Creek Complex
AR-PEL = Pelican Lake Complex
AR-GRB = Gering Burial Complex
AR-DRL = Dry Lake Complex
AR-STC = St. Charles Notched Complex
AR-TRC = Table Rock Stemmed Complex
AR-NEH = Nebo Hill Complex
AR-BES = Besant Complex
AR-HRB = Hardin Barbed Complex
AR-HOL = Holland Complex
AR-SQS = Stone Square Stemmed Complex

WD = Plains Woodland

WD-KCH = Kansas City Hopewell Phase
WD-VAL = Valley Phase
WD-KEI = Keith Phase
WD-SOP = South Platte Phase
WD-BOY = Boyer Phase
WD-HLD = Held Creek Complex
WD-LOS = Loseke Creek Phase
WD-STC = Sterns Creek Phase
WD-GRO = Great Oasis Complex

CP = Central Plains Villagers

CP-UPR = Upper Republican Phase
CP-SMH = Smoky Hill Phase
CP-NEB = Nebraska Phase
CP-ITS = Itskari (Loup River) Phase
CP-STH = St. Helena Phase
CP-ANO = Anoka Phase
CP-CHS = Chadron State Park Complex

CO = Coalescent Villagers

CO-LWL = Lower Loup Phase
CO-RED = Redbird Phase

ON = Oneota

ON-ORR = Orr Phase
ON-CBE = Correctionville/Blue Earth Phase
ON-WHR = White Rock Aspect

WN = Western Nebraska Protohistoric

WN-DIS = Dismal River Complex
WN-DNN = Dundy Complex (25DN21)

CD = Caddoan

CD-PAW = Pawnee

CD-ARK = Arikara

SS = Sedentary Siouan

SS-OMH = Omaha

SS-PON = Ponca

SS-OTO = Oto

SS-MOS = Missouri

SS-IOW = Iowa

EN = Equestrian Nomads

EN-TET = Teton

EN-CHY = Cheyenne

EN-ARA = Arapaho

EN-CRO = Crow

EN-KIO = Kiowa

EN-PLA = Plains Apache

EN-COM = Comanche

RS = Reservation Native American

RS-SAN = Santee

RS-WIN = Winnebago

RS-SAF = Sauk and Fox

RS-HBT = Half Breed Tract

RS-SIO = Sioux

Non-Specific Ceramic

Non-Specific Late Prehistoric/Protohistoric

EA = Euro-American

EA-COL = Colonial

EA-EXP = Early American Exploration

EA-FUT = Fur Trade

EA-MIL = Military

EA-FAR = Farm/Ranch

EA-URB = Urban

EA-ICE = Industrial/Commercial Enterprises

EA-TRR = Transportation Routes

EA-REL = Religious/Ceremonial

EA-EDU = Education

EA-GOV = Governmental/Administrative

EA-BUR = Burial

Other Ethnic Historic

Unknown Native American prehistoric sites

Unknown Historic

Unknown

18. **Features**
This variable describes the surface features observable on the site. Fill in the number of specific features, if known.
19. **Artifactual Material Observed/Not Collected or Collected**
Self explanatory.
20. **Site Work Status**
Self explanatory.
21. **U.S.G.S. Map**
Self explanatory.
22. **Sketch Map (optional)**
23. **Present Condition:**
Self explanatory.
24. **Site Impacts**
Self explanatory.
25. **National Register Status (SHPO only)**
Information on the current status of this site for the National Register of Historic Places.
26. **Investigators Impression of National Register Status:**
Self explanatory.
27. **Informant**
Self explanatory.
28. **Site Owner**
Self explanatory.
29. **Primary Information Location:**
Where material will be stored permanently.
30. **Report References:**
Reference of all formal reports.
31. – 33. Self explanatory.



Nebraska State Historical Society

Archeological Site Survey Form

1. Site Number: _____ 2. Site Name: _____
3. Project: _____ 4. Survey Agency/Co.: _____
5. Field Number: _____ 6. Sponsor/Contract Agency: _____
7. County: _____ 8. Drainage (NSHS only): _____
9. U.S.G.S. Quad. Map: _____ NAD: _____ 1927 _____ 1983
10. _____ New Site _____ Previously Known Site (form is an update)

11. Legal Description:

<u>QUARTER/HALE SECTIONS</u>	<u>SECTION</u>	<u>TOWNSHIP</u>	<u>RANGE</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

_____ See Comments/Continuation Sheet

12. Site Size (m²): _____ 13. Elevation (ft): Min. _____ Max. _____

14. Descriptive Site Type:

- _____ Surface
- _____ Buried Features/Cultural Layer(s)
- _____ Cave/Rock shelter
- _____ Unknown
- _____ Other _____

15. Functional Site Type:

- _____ Burial(s)
- _____ Ceremonial/Religious
- _____ Extraction/Processing
- _____ Habitation
- _____ Unknown
- _____ Other _____

16. Cultural Context:

- | | |
|--------------------------------------|--|
| _____ Paleoindian | _____ Equestrian Nomads |
| _____ Archaic | _____ Reservation Native American |
| _____ Woodland | _____ Non-Specific Ceramic |
| _____ Central Plains | _____ Non-specific Late Prehist./Protohistoric |
| _____ Coalescent | _____ Unknown Prehistoric |
| _____ Oneota | _____ Euro-American |
| _____ Western Nebraska Protohistoric | _____ Other Ethnic Historic |
| _____ Caddoan Villagers | _____ Unknown Historic |
| _____ Sedentary Siouan Villagers | _____ Unknown |

17. Specific Cultural Affiliation (phase, context, etc.)

18. Features:

<u>TYPE</u>	<u>NO</u>	<u>TYPE</u>	<u>NO</u>
_____ Mounds	_____	_____ Rock Outline/Concentrations	_____
_____ Depressions	_____	_____ Historic Standing/Collapsed Buildings, Structures or Objects	_____
_____ Stains	_____	_____ Historic Foundations	_____
_____ Petroglyphs	_____	_____ Middens/Trash Deposits	_____
_____ Petrographs	_____	_____ Other (_____)	_____

19. Artifactual Material:**OBSERVED/NOT
COLLECTED****COLLECTED**

_____	_____	Chipped Stone Tools
_____	_____	Chipped Stone Debris
_____	_____	Ground Stone
_____	_____	Natural Stone Tools
_____	_____	Fire-cracked Rock
_____	_____	Other Lithic Debris
_____	_____	Rim Sherds
_____	_____	Body Sherds
_____	_____	Worked Bone
_____	_____	Worked Shell
_____	_____	Historic Artifacts
_____	_____	Faunal Remains
_____	_____	Floral Remains
_____	_____	Human Bone
_____	_____	Burned Earth
_____	_____	Daub
_____	_____	Isolated Item _____
_____	_____	Other _____

20. Site Work Status (check all work done):

_____ Reported	_____ Soil Cored/Probed
_____ Surveyed	_____ Tested (pits/posthole/backhoe)
_____ Photographed	_____ Remote Sensing _____
_____ Sketch Mapped	_____ Excavated Partially
_____ Instrument Mapped	_____ Excavated Completely
_____ Mapped with GPS	_____ Surface Collected (uncontrolled)
GPS make/ _____ model	_____ Surface Collected (controlled)
Differentially Corrected? ____Y ____N	_____ Other _____

21. ATTACH TO THIS SURVEY A XEROX COPY OF THE U.S.G.S. OR APPROPRIATE MAP SHOWING SITE LOCATION. IF NO APPROPRIATE SCALE MAP IS AVAILABLE, PLEASE PROVIDE A SKETCH MAP.

22. Sketch Map (optional):

Site No. _____ Mapped by _____

Scale _____ Date _____

N
↑

23. Present Condition:

_____ Undisturbed _____ Disturbed _____ Destroyed

24. Site Impacts:

Fill in the appropriate number(s): 1 = past, 2 = current, 3 = anticipated

_____ Water Erosion	_____ Recreation
_____ Wind Erosion	_____ Construction

Animal Activity

Vandalism

Agriculture

Other _____

25. National Register Status (SHPO only):

On Register

Eligible

Not Eligible

26. Investigators Impression of National Register:

Potentially Eligible

Not Eligible

Unevaluated/Unknown

27. Informant:

Address: _____

28. Owner of Site:

Private (Name/Address, if known) _____

State (Agency) _____

Federal (Agency) _____

Other _____

29. Primary Information Location:

NSHS	UNL Museum	UNL Anthro Dept	Other	
_____	_____	_____	_____	Written Records
_____	_____	_____	_____	Map/Chart Records
_____	_____	_____	_____	Photo Records
_____	_____	_____	_____	Collections

30. Report References:

31. Comments:

Site Number

____ See Comments/Continuation Sheet for Additional Comments

32. Survey Conducted By:

33. Form Filled Out By:

(Name)

(Name)

(Date)

(Date)

Send Completed Forms To: **Nebraska State Historical Society**
 Archeology Division
 P. O. Box 82554
 Lincoln, Nebraska 68501-2554

NSHS Archeology Division Form Revised March 2002

APPENDIX 6

LIST OF TRIBAL ENTITIES

Bureau of Indian Affairs (30 Dec. 1998) NEBRASKA AREA

1. Apache Tribe of Oklahoma (Plains Apache/Kiowa Apache?)
2. Arapahoe Tribe of the Wind River Reservation, Wyoming
3. Cheyenne-Arapaho Tribes of Oklahoma
4. Comanche Indian Tribe, Oklahoma
5. Crow Tribe of Montana
6. Delaware Tribe of Indians, Oklahoma
7. Delaware Tribe of Western Oklahoma
8. Iowa Tribe of Kansas and Nebraska
9. Iowa Tribe of Oklahoma
10. Kaw Tribe of Oklahoma (Kansa)
11. Kiowa Indian Tribe of Oklahoma
12. Northern Cheyenne Tribe of the Northern Cheyenne Indian Reservation, Montana
13. Omaha Tribe of Nebraska
14. Otoe-Missouria Tribe of Indians, Oklahoma
15. Pawnee Indian Tribe of Oklahoma
16. Ponca Tribe of Indians of Oklahoma
17. Ponca Tribe of Nebraska
18. Sac & Fox Tribe of the Mississippi in Iowa
19. Sac & Fox Nation of Missouri in Kansas and Nebraska
20. Sac & Fox Nation, Oklahoma
21. Santee Sioux Tribe of the Santee Reservation of Nebraska
22. Sisseton-Wahpeton Sioux Tribe of the Lake Traverse Reservation, South Dakota

Teton (Lakota)

23. Cheyenne River Sioux Tribe of the Cheyenne River Reservation, South Dakota
24. Crow Creek Sioux Tribe of the Crow Creek Reservation, South Dakota
25. Lower Brule Sioux Tribe of the Lower Brule Reservation, South Dakota
26. Oglala Sioux Tribe of the Pine Ridge Reservation, South Dakota
27. Rosebud Sioux Tribe of the Rosebud Indian Reservation, South Dakota
28. Standing Rock Sioux Tribe of North & South Dakota
29. Three Affiliated Tribes of the Fort Berthold Reservation, North Dakota (Arikara, Hidatsa, Mandan)
30. Winnebago Tribe of Nebraska
31. Yankton Sioux Tribe of South Dakota

Tribal addresses can be found on the following Internet site:
www.doi.gov/bureau-indian-affairs.html.

A list of Tribal Historic Preservation Officers can be found at the Internet site: www.achp.gov/thpo.html.

Nebraska Commission on Indian Affairs, P.O. Box 94981, Lincoln, NE 68509, phone (402)-471-3475.

APPENDIX 7

SELECT LIST OF FEDERAL LAWS, REGULATIONS, AND ADDITIONAL REFERENCES

American Antiquities Act of 1906 (16USC 431-433)

American Indian Religious Freedom Act of 1978 (42 USC 1996 and 1996a)

Archeological and Historic Preservation Act of 1974 (16 USC 469-469c)

Archeological Resources Protection Act of 1979 as amended (16 USC 470aa-mm)

Department of Transportation Act of 1976

Historic Sites, Buildings, Objects, and Antiquities Act of 1935 (16 USC 461-467)

National Environmental Policy Act of 1969 (42 USC 4321)

National Historic Preservation Act of 1966, as amended (16 USC 470-470t, 110)

Native American Grave Protection and Repatriation Act of 1990 (25 USC 3001-3013)

Nebraska Unmarked Human Burial Sites and Dead Human Bodies (Revised Statutes of Nebraska Article 12-1201 to 12-1212, and 28-1301)

Reservoir Salvage Act of 1960, as amended (16 USC 469-469c)

REGULATIONS

Curation of Federally-Owned and Administered Archeological Collections (36CFR 79)

National Historic Landmarks Program (36 CFR 65)

National Register of Historic Places (36 CFR 60) and Determinations of Eligibility for Inclusion in the National Register (36 CFR 63)

Native American Grave Protection and Repatriation Act Final Rule (43 CFR 10)

Preservation of American Antiquities (43 CFR 3)

Procedures for State, Tribal, and Local Government Historic Preservation Programs (36 CFR 61)

Procedures for Implementation of the National Environmental Policy Act (36 CFR 805)

Protection of Archeological Resources (43 CFR 7)

Protection of Historic and Cultural Properties (36 CFR 800)

STANDARDS AND GUIDELINES

Definition of National Register Boundaries for Archeological Properties, National Register Bulletin 12

Guidelines for Evaluating and Registering Cemeteries and Burial Places, National Register Bulletin 41

Guidelines for Evaluating and Registering Historical Archeological Sites and Districts, National Register Bulletin 36

Guidelines for Evaluating and Documenting Traditional Cultural Properties, National Register Bulletin 38

Guidelines for Federal Agency Responsibilities, Under Section 110 of the National Historic Preservation Act

Guidelines for Restricting Information About Historic and Prehistoric Resources, National Register Bulletin 29

How to Apply the National Register Criteria for Evaluation, National Register Bulletin 15

How to Complete the National Register Registration Form, National Register Bulletin 16

How to Complete the National Register Multiple Property Documentation Form, National Register Bulletin 16

How to Establish Boundaries for National Register Properties, National Register Bulletin 21

Preparation of Environmental Impact Statements: Guidelines (40 CFR 1500)

Researching a Historic Property, National Register Bulletin 39

The Secretary of the Interior's Proposed Historic Preservation Professional Qualification Standards

The Secretary of the Interior's Standards for the Treatment of Historic Properties (36 CFR 68)

Using the UTM Grid System to Record Historic Sites, National Register bulletin 28

EXECUTIVE ORDERS

Executive Order No. 11593 Protection and Enhancement of the Cultural Environment (1971)

Executive Order No. 13006 Locating Federal Facilities On Historic Properties In Our Nation's Central Cities (1996)

Executive Order No. 13007 Indian Sacred Sites (1996)