

GLOSSARY

Advisory Council on Historic Preservation (ACHP)- The Council was established by Title 11 of the National Historic Preservation Act to advise the President and Congress, to encourage private and public interest in historic preservation, and to comment on Federal agency action under Section 106 of the National Historic Preservation Act.

Antiquities Act of 1906- Provides for the protection of historic and prehistoric ruins and objects of antiquity on Federal lands, and authorizes scientific investigation of antiquities on Federal lands, subject to permits and other regulatory requirements.

Archeological Artifacts- An object, a component of an object, a fragment or sherd of an object that was made or used by humans, a soil, botanical or other sample of archaeological interest.

Archeological Records- Notes, drawings, photographs, plans, computer databases, reports and any other audio-visual records related to the archaeological investigation of a site.

Archaeological Resource- Any material of human life or activities that is at least 100 years of age, and is of archaeological interest (32 CFR 229.3(a)).

Archaeological Resources Protection Act (ARPA) of 1979- Prohibits the removal, sale, receipt and interstate transportation of archaeological resources obtained illegally (without permits), from federal or Indian lands and authorizes agency permit procedures for investigations of archaeological resources on lands under the agency's control.

Area of Potential Effect (APE)- The geographical area within which the undertaking may cause changes in the character of or use of historic properties, if any such properties exist. The APE may change according to the regulation it is being applied under.

American Indian Religious Freedom Act (AIRFA)- State the policy of the United States is to protect and preserve for American Indians their inherent rights of freedom to believe, express and exercise the traditional

religions of the American Indian, Eskimo, Aleut and Native Hawaiians. These rights include, but are not limited to, access to sites, use and possession of sacred objects and the freedom to worship through ceremony and traditional rites.

Army Compliance Tracking System (ACTS)- Annual report required by AEC for environmental compliance actions.

Categorical Exclusion (CX)- Under the National Environmental Policy Act, CXs apply to actions that have no foreseeable environmental consequences to resources other than cultural resources and are not likely to be highly controversial. CXs may also be applied to cultural resources management activities. A list of approved Army CXs can be found in AR 200-2.

Code of Federal Regulations (CFR)- Includes the government-wide regulations that all Federal agencies must follow, and have the force of law.

Cultural Items- As defined by NAGPRA, human remains and associated funerary objects, unassociated funerary objects (at one time associated with human remains as part of a death rite or ceremony, but no longer in possession or control of the federal agency or museum), sacred objects (ceremonial objects needed by traditional Native American religious leaders for practicing traditional Native American religions), or objects of cultural patrimony (having ongoing historical, traditional, or cultural importance central to a Native American tribe or group, rather than property owned by an individual Native American, and which, therefore, cannot be alienated, appropriated, or conveyed by any individual of the tribe or group).

Cultural Resources- Historic properties as defined by the NHPA; cultural items as defined by NAGPRA, archaeological resources as defined by ARPA, sites and sacred objects to which access is afforded under AIRFA and collections and associated records as defined in 36 CFR 79.

Cultural Resources Management Program- Activities carried out under the authority of AR 200-4 to comply with Federal statutes and regulations pertaining to cultural resources.

Curation of Federally Owned and Administered Archaeological Collections- The practices associated with the storage, preservation and retrieval for subsequent study of archaeological records and artifacts.

Environmental Assessment (EA)- An EA is prepared under NEPA for actions that the project proponent does not anticipate will have a significant effect on the environment or if it is not known if the impact will be significant. An EA results in a Finding of No Significant Impact (FONSI) or a Notice of Intent (NOI).

Environmental Compliance Assessment System (ECAS)- Assists the Army in achieving, maintaining and monitoring environmental compliance with Federal, State and local environmental regulations. ECAS identifies environmental compliance deficiencies and develops corrective actions and cost estimates to address these deficiencies.

Environmental Impact Statement (EIS)- Under NEPA, an EIS is required when cultural resources may be damaged or “significantly adversely affected.”

Environmental Program Requirement (EPR)- The Army’s annual budget request system.

Executive Order (EO) 11593 of 1971- Directs Federal agencies to provide leadership in reserving, restoring and maintaining the historic and cultural environment of the Nation; to ensure the preservation of cultural resources; to locate, inventory and nominate to the National Register all properties under their control that meet the criteria for nomination; and to ensure that cultural resources are not inadvertently damaged, destroyed, or transferred before the completion of inventories and evaluation for the National Register.

Executive Order 13007 of 1996 on Indian Sacred Sites- Provides additional direction to Federal agencies regarding “Indian sacred sites.” Federal agencies are “within the constraints of their missions” required to accommodate Indian tribes’ requirements for access to and ceremonial use of sacred sites on public lands; and avoid damaging the physical integrity of such sites.

Historic Property- Any real or personal property, record, or lifeway. Includes: historic real property such as archaeological and architectural places, monuments, designed landscapes, works of engineering or other property that may meet the criteria for inclusion in the National register of Historic Places; historic personal property such as any artifact or relic; historic records to include any historical, oral-historical, ethnographic, architectural, or other document that provides a record of the past; and

community resources/lifeways to include any resource that a community or interested group ascribes cultural value (references to historic real or personal property such as natural landscapes and cemeteries; references to real property such as vistas or viewsheets; or references to the nonmaterial such as certain aspects of folklife, cultural or religious practices, languages or traditions.

Indian Tribe- Any tribe, band nations, or other organized Indian group or community of Indians, including any Alaska Native village or corporation as defined in or established by the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.) that is recognized as eligible for special programs and services provided by the United States to Indians because of their status as Indians. Such acknowledged or “federally recognized” Indian tribes exist as unique political entities in a government to government relationship with the United State. The Bureau of Indian Affairs maintains the listing of federally recognized Indian tribes.

Integrated Cultural Resources Management Plan (ICRMP)- A five-year plan developed and implemented by an installation commander to provide for the management of cultural resources in a way that maximizes beneficial effects on such resources and minimizes adverse effects and impacts without impeding the mission of the installation and its tenants.

Memorandum of Agreement (MOA)- A formal written agreement containing the result of discussions among the Federal agency, the SHPO, the ACHP and interested public. The MOA documents mutual agreements upon statements of facts, intentions, procedures and parameters for future actions and matter of coordination. It shows how the needs of the Federal agency, the needs and desires of the public, and the scientific/historical significance of the property have all been protected.

Memorandum for Heads of Executive Departments and Agencies dated 29 April 1994: Government to Government Relations with Native American Tribal Governments- Directs that consultation between the Army and federally recognized Indian tribes shall occur on a government -to-government basis in accordance with this Memorandum. Designated representatives of federally recognized Indian tribal governments shall be treated by installation commanders as the representatives of government. Consultation with federally recognized Indian tribes on a government to government basis occurs formally and directly between installation commanders and heads of federally recognized tribal governments.

Installation and tribal staff to staff communications do not constitute government to government consultation.

National Environmental Policy Act of 1969 (NEPA)- (P.L.91-90; 42 U.S.C. 4321-4347), states that the policy of the Federal government is to preserve important historic, cultural and natural aspects of our national heritage and requires consideration of environmental concerns during project planning and execution. This Act requires Federal agencies to prepare an Environmental Impact Statement (EIS) for every major Federal action that affects the quality of the human environment, including both natural and cultural resources. It is implemented by regulation issued by the Council on Environmental Quality (40 CFR 1500-08), that are incorporated into AR 200-2, Environmental Effects of Army Actions.

National Historic Landmark (NHL)- National Historic Landmarks are buildings, historic districts, structures, sites and objects that possess exceptional value in commemorating or illustrating the history of the United States. They are so designated by the Secretary of the Interior after identification by National Park Service professionals and evaluation by the National Park System Advisory Board, a committee of scholars and other citizens.

National Historic Preservation Act (NHPA) of 1966- [as amended (P.L. 89-665; 16 U.S.C. 470-470w-6)], establishes historic preservation as a national policy and defines it as the protection, rehabilitation, restoration and reconstruction of districts, sites, buildings, structures and objects significant in American history, architecture, archaeology, or engineering. Amendments of 1980 establish guidelines for nationally significant properties, curation of artifacts, data documentation of historic properties and preservation of federally-owned historic sites. They also require designation of a Federal Historic Preservation Officer in each Federal agency, authorize the inclusion of historic preservation costs in project planning costs and authorize the withholding of sensitive data on historic properties when necessary. Section 106 of the National Historic Preservation Act provides direction for Federal agencies on undertakings that affect properties listed, or those eligible for listing on the National Register and is implemented by regulations (36 CFR 800), issued by the ACHP. Section 110 requires Federal agencies to locate, inventory and nominate all properties that may qualify for the National Register. Applicable regulations are 36 CFR 60, National Register of Historic Places; 36 CFR 63, Determination for Eligibility for Inclusion in the National Register of Historic Places; and 36 CFR 800, Protection of Historic Properties. 36 CFR 78 provides a waiver of responsibility for Federal

agencies of the requirement of the NHPA of 1966 in the event of a major natural disaster or imminent threat to national security.

National Park Service- The bureau of the Department of the Interior to which the Secretary has delegated the authority and responsibility for administering the National Historic Preservation Program.

National Register Criteria- The criteria established by the Secretary of the Interior for use in evaluating the eligibility of properties for the National Register of Historic Places (36 CFR 60).

National Register of Historic Places (National Register)- A nationwide listings of districts, sites, buildings, structures and objects of national, state or local significance in American history, architecture, archaeology, or culture that is maintained by the Secretary of the Interior. National Register listings must meet the criteria found in 36 CFR 60.4.

Native American Graves Protection and Repatriation Act (NAGPRA) of 1990- (P.L. 101-601), requires Federal agencies to establish Native procedures for identifying Native American groups associated with cultural items on Federal lands, to inventory human remains and associated funerary objects in Federal possession and to return such items upon request to the affiliated groups. The law also requires that any discoveries of cultural items covered by the Act shall be reported to the head of the Federal entity who shall notify the appropriate Native American tribe or organization and cease activity in the area of the discovery for at least 30 days.

Programmatic Agreement (PA)- A formal agreement between agencies to modify and/or replace the Section 106 process for numerous undertakings in a program in accordance with 36 CFR 800.13.

Record of Environmental Consideration- A document that is used to explain how an action is covered in a CX.

Section 106- Under the National Historic Preservation Act, Section 106 provides direction for Federal agencies regarding undertakings that affect properties listed, or those eligible for listing on the National Register and is implemented by regulations (36 CFR 800), issued by the ACHP.

Section 110- Under the National Historic Preservation Act, Section 110 outlines agencies responsibilities with respect to historic properties and

requires Federal agencies to locate, inventory and nominate all properties that may qualify for the National Register.

Section 111- Under the National Historic Preservation Act, Section 111 addresses leases and exchanges of historic properties. It allows the proceeds of any lease to be retained by the agency for use in defraying the costs of administration, maintenance, repair and related expenses of historic properties.

Section 402- Under the National Historic Preservation Act, Section 402 describes Federal agency responsibilities for historic properties in other nations and requires the head of the Federal agency to take into account the effect of an undertaking on property that is on the World Heritage List or on the applicable country's equivalent of the National Register to avoid or mitigate any adverse effect.

State Historic Preservation Officer (SHPO)- The person who has been designated in each state to administer the State Historic Preservation Program, including identifying and nominating eligible properties to the National Register and otherwise administering applications for listing historic properties in the National Register.

Survey- A scientific sampling of the extent and nature of archaeological resources within a specific area.

Undertaking- Any project, activity, or program that can result in changes in the character or use of historic properties as defined by the NHPA. A project, activity, or program under the direct or indirect jurisdiction of the installation commander, including those project, activities, or programs carried out or on behalf of the 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. Undertakings include new and continuing projects, activities, or programs and any of their elements not previously considered under Section 106 of the NHPA.

World Heritage List- A list developed by the World Heritage Committee containing properties forming part of the cultural heritage and natural heritage that the committee considers as having outstanding universal value based on different criteria. This list is updated every two years.