

**BY ORDER OF THE  
SECRETARY OF THE AIR FORCE**



**AIR FORCE INSTRUCTION 32-7065**

**19 NOVEMBER 2014**

*Incorporating Change 1, 6 October 2016*

**Civil Engineering**

**CULTURAL RESOURCES  
MANAGEMENT**

**COMPLIANCE WITH THIS PUBLICATION IS MANDATORY**

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OPR: HQ USAF/A4CA

Certified by: HQ USAF/A4CA  
(Lt Col Douglas F. Tippet)

Supersedes: AFI32-7065, 2 November 2009

Pages: 38

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This publication implements Air Force Policy Directive (AFPD) 32-70, *Environmental Quality*, and DoD Instruction (DoDI) 4715.16, *Cultural Resources Management*, September 18, 2008. This Instruction outlines required actions and processes for managing and protecting cultural resources on property affected by operations on installations of the United States Air Force (USAF) which includes Active Air Force, Air Force Reserve Command (AFRC), Air National Guard (ANG), and government-owned, contractor-operated facilities on Air Force controlled lands. For installations outside the United States and its territories, compliance requirements within the Overseas Environmental Baseline Guidance Document and the Final Governing Standards for the host country take precedence over this document (refer to AFI 32-7006, *Environmental Program in Foreign Countries*). This Instruction may be supplemented at any level, but all supplements that directly implement this publication must be routed to Headquarters, United States Air Force, Deputy Chief of Staff for Logistics, Installations & Mission Support - Directorate of Civil Engineers - Facilities, Environment and Energy Division (HQ USAF/A4CF) for coordination prior to certification and approval. Further, the ANG or AFRC will support the intent of this Air Force Instruction, and where needed may prepare an appropriate policy, supplement, guidance, and/or procedural document reflecting its unique legal status, resources, and structure, as recognized by the reserve component authorities of Title 10 of the United States Code, Air Force Doctrine and other governing authorities. Refer recommended changes and questions about this publication to the Office of Primary Responsibility (OPR) using the AF Form 847, *Recommendation for Change of Publication*; route AF Forms 847s from the field through the appropriate functional chain of command. The authorities to waive wing/unit level requirements in this publication are identified with a tier ("T-

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### ***SUMMARY OF CHANGES***

These interim changes revise AFI 32-7065 by (1) reflecting changes identified and agreed to during the compliance statement review by SAF/AA, (2) correcting publishing formatting issues, and (3) updating statutory citations of the National Historic Preservation Act from Title 16 to Title 54. In December 19, 2014, Public Law 13-287 amended the National Historic Preservation Act (NHPA), Public Law 89-665, by re-codifying it from Title 16 of the United States Code (U.S.C.) to its new location in Title 54. This recodification did not affect the numbering of sections within the Act (for example, consultation requirements are still in "Section 106"), and the Advisory Council for Historic Preservation (ACHP) regulations that implement the Act are still at 36 C.F.R. Part 800. The recodification did affect the way in which the NHPA is cited in the U.S.C.; Section 106 is now codified as Title 54 U.S.C. § 306108, while Section 110 is codified at 54 U.S.C. §§ 306101-107, 109-114. A complete NHPA cross-reference for all the sections can be found at [www.achp.gov/docs/NHPA%20in%20Title%2054%20and%20Conversion%20Table.pdf](http://www.achp.gov/docs/NHPA%20in%20Title%2054%20and%20Conversion%20Table.pdf)

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## Chapter 1

### PROGRAM OVERVIEW

**1.1. Overview.** This instruction outlines responsibilities for cultural resources policy development and program execution within the Air Force. Cultural resources are an Environmental Aspect within the broader Environmental Management System (EMS). Air Force Standardized Cultural Resource Sub-Aspects include: Archaeology, Cold War Assets, Historic Facilities, and Native American Consultations (herein referred to as Tribal Relations). The objectives of the Air Force cultural resources management program are to meet or exceed DoD cultural resources measures of merit (MoM; Enclosure 5 in DoDI 4715.16, *Cultural Resources Management*) and to support the following:

- 1.1.1. Military readiness
- 1.1.2. Installation program planning and sustainment
- 1.1.3. Compliance with federal laws and regulations
- 1.1.4. Stewardship of the Air Force's important cultural resources for the benefit of current and future generations.
- 1.1.5. Continual improvement of cultural resources management.

The Environmental Program Group (EPG) within the Civil Engineer (CE) Governance Structure oversees Air Force responsibilities regarding historic preservation, cultural resources management, and consultations with agencies, Tribes, states, and other stakeholders. Note: Throughout this document "Tribe," "Tribes," or "Tribal" refers to American Indian Tribes, bands, nations, or other organized groups; and Alaska Native Entities, which are federally recognized (see Definitions in Attachment 1).

## Chapter 2

### ROLES AND RESPONSIBILITIES

#### 2.1. Secretary of the Air Force (SAF).

2.1.1. In accordance with 54 U.S.C. § 300101 and 36 C.F.R. Part 800.7(c)(4), documents decisions to proceed with undertakings that adversely affect historic properties when the Air Force has been unable to reach agreement with the Advisory Council on Historic Preservation (hereafter referred to as Council), the State Historic Preservation Officer (SHPO), or the Tribal Historic Preservation Officer (THPO).

2.1.2. Has the authority to waive all or part of the Air Force's NHPA Section 110 (54 U.S.C. §§ 306101-107, 109-114, formerly 16 U.S.C. § 470), Historic Preservation Program responsibilities for a given situation if the Secretary (or a delegated authority) determines the existence of extraordinary circumstances, e.g., an imminent major natural disaster or an imminent threat to national security. (Per 36 C.F.R. Part 78, Waiver of Federal Agency Responsibilities under Section 110 of the National Historic Preservation Act, waiver of responsibilities under Section 110(j) (54 U.S.C. §306112) does not affect the agency's Section 106 (54 U.S.C. §306108) / (36 C.F.R Part 800) responsibilities for taking into account the effects of emergency activities).

#### 2.2. Assistant Secretary of the Air Force for Installations, Environment and Energy (SAF/IE).

2.2.1. Designates a Senior Policy Level Official IAW MD1-18, A1.33.3.2.

2.2.2. Designates the Air Force Tribal Liaison Officer (AFTLO) per DoDI 4710.02, *DoD Interactions with Federally-Recognized Tribes*, September 14, 2006 and MD 1-18, 3.2; and AFI 90-2002, *Air Force Interactions with Federally-Recognized Tribes*, 19 Nov 2014.

2.2.3. Designates the Air Force Federal Preservation Officer (FPO) under Title 54 U.S.C. § 306104 or re-delegates such designation to the Senior Policy Level Official IAW MD1-18, A1.33.3.2.

#### 2.3. The Deputy Assistant Secretary of the Air Force for Environment, Safety and Infrastructure (SAF/IEE).

2.3.1. Serves as the principal AF representative and advocate for cultural resources compliance and policy with the Office of the Secretary of Defense (OSD), Federal agencies, and the Congress.

2.3.2. Approves and provides guidance, direction, and oversight for all matters pertaining to the formulation, review, and execution of plans, policies, and programs.

2.3.3. Coordinates Air Force cultural resources compliance and policy with the other services to explore common areas of interest and prevent duplication of effort.

2.3.4. Reviews and forwards coordinated installation packages to the Department of the Interior to nominate AF historic properties for listing on the National Register of Historic Places (NRHP).

2.3.5. Approves cultural resources agreements with other land managing federal agencies and branches of government, and other parties as appropriate.

2.3.6. Approves and signs *NHPA* Section 106 Program Alternatives (as defined in 36 C.F.R. Part 800.14).

2.3.7. Serves as the Air Force Senior Policy Level Official.

2.3.8. Serves as the Air Force Federal Preservation Officer, or as the Senior Policy Level Official, may designate a direct reporting subordinate as the Air Force Federal Preservation Officer (such delegation may not be further re-delegated).

#### **2.4. Assistant Secretary of the Air Force, General Counsel of the Air Force (SAF/GC) through the Deputy General Counsel, Installations, Energy and Environment (SAF/GCN).**

2.4.1. Provides legal support to SAF and HQ USAF organizations, as appropriate, concerning cultural resources laws, regulations, policy, international conventions, treaties, and agreements involving multiple installations, controversy, other agencies or tribal entities.

#### **2.5. Air Force Legal Operations Agency, Environmental Law and Litigation Division, Field Support Center (AFLOA/JACE-FSC).**

2.5.1. Provides legal support to installations and the Air Force Civil Engineering Center (AFCEC) on issues concerning cultural resources. **(T-2).**

2.5.2. Coordinates on multi-base, controversial, or installation-selected *NHPA* Section 106 Memoranda of Agreement (MOAs), all draft Programmatic Agreements (PAs) and all draft program alternatives. **(T-2).**

2.5.3. Depending on the complexity, scope, precedence or other factors, sends select drafts to SAF/GCN for review and comment. **(T-2).**

#### **2.6. Director, Air Force History and Museums Policies and Programs (HQ USAF/HO).**

2.6.1. Establishes policy concerning historical data and documentation, historical reporting, historical publications, and organizational lineage, honors, and emblems. Reviews Major Command (MAJCOM), Direct Reporting Units (DRU), and Field Operating Agencies (FOA) histories and their management of field history and field museum programs.

2.6.2. Provides management oversight to its subordinate division, the Air Force Historical Studies Division (HQ USAF/HOH), and its field operating agency, the Air Force Historical Research Agency (AFHRA).

2.6.3. Provides strategic vision, policy, and overall guidance for the USAF Heritage Program.

2.6.4. Through Air Force historians at all levels, maintains operational records and other data that might be useful to the cultural resources personnel during *NHPA* Section 106 consultations and Section 110 data collection and evaluation.

2.6.5. Through the National Museum of the United States Air Force (NMUSAF), the Air Force's national official service level museum, exercises stewardship responsibility of USAF military heritage. This includes, but is not limited to, the control and accountability of all heritage program property, including identification, acquisition, accessioning, cataloging, preservation, conservation, and disposition.

**2.7. Headquarters, United States Air Force, Deputy Chief of Staff for Logistics, Installations, & Force Protection, Directorate of Civil Engineers (HQ USAF/A4C).**

- 2.7.1. Prepares draft cultural resources policy for SAF review and approval.
- 2.7.2. Prepares the cultural resources AFI for implementation.
- 2.7.3. Approves the Cultural Resources Panel Charter.
- 2.7.4. Validates program goals and objectives and provide Program Objective Memoranda (POM) and Integrated Project List (IPL) guidance, approval, validation, advocacy, and oversight.
- 2.7.5. Identifies applicable legal and other requirements.
- 2.7.6. Establishes, tracks, and reports Air Force-wide performance metrics for cultural resources and tribal issues.
- 2.7.7. Responds to congressional inquiries in coordination with SAF Legislative Liaison (SAF/LL).
- 2.7.8. Reviews proposed legislation in coordination with SAF/IEE, SAF/LL and SAF/GCN.
- 2.7.9. Approves cultural resources proposals for DoD Legacy Program funding consideration.
- 2.7.10. Advocates for environmental funding through the Planning, Programming, Budgeting, and Execution (PPBE) process.
- 2.7.11. Serves as process-owner for overall EQ and media-specific requirements development for AF-owned Information Technology (IT) systems.
- 2.7.12. Establishes and maintains cooperative working relationships with (HQ/federal-level environmental regulators, OSD, Air Force Civil Engineering Center (AFCEC) and other stakeholders.
- 2.7.13. Coordinates and analyzes environmental performance reporting, compliance tracking and resource needs.
- 2.7.14. Participates in HQ USAF Environmental Safety and Occupational Health Council (ESOHC) and ESOH Steering Committees.

**2.8. Air Force Civil Engineer Center (AFCEC) Environmental Management Directorate, including Air National Guard (ANG) and AF Reserve Command (AFRC) (AFCEC/ANG/AFRC).**

- 2.8.1. Plans, organizes, directs, and controls installation cultural resources programs on behalf of HQ USAF/A4C. **(T-1)**. AFCECANG/AFRC will provide technical expertise at national, regional, and local echelons to develop and execute the program in coordination with installations. **(T-0)**.
  - 2.8.1.1. Develop guidelines and other documents to assist execution of the Cultural Resources Management Program. **(T-2)**.
  - 2.8.1.2. Represent the AF on DoD-sponsored teams and working groups. **(T-2)**.
  - 2.8.1.3. Chair the Air Force Cultural Resources Panel. **(T-3)**.

2.8.1.4. Compile and performs quality assurance on data submitted by the field for reporting requirements and funding needs identified in Automated Civil Engineer System Programming and Budgeting Module (ACES-PM) or its replacement. **(T-3)**.

2.8.1.5. In accordance with AFI 32-9005, *Real Property Accountability and Reporting*, paragraph 5.8, reconcile heritage asset and historic property reported data and advises HQ USAF/A4C of any discrepancies to maintain Real Property Inventory (RPI) accuracy.

2.8.1.6. Review and coordinate with SAF/IEE on any undertakings which require 54 U.S.C. § 306108s consultation that could have Air Force-wide policy implications. **(T-2)**.

2.8.1.7. Manage AF cultural resources information clearinghouses available to AF personnel and others through the internet. **(T-3)**.

2.8.1.8. Oversee the maintenance and release of cultural resources information beyond the custody of AFCEC and installation cultural resources personnel. **(T-3)**.

2.8.1.9. Monitor and coordinate with SAF/IEE *NHPA* Section 106 activities involving multiple installations or other DoD components and federal agencies. **(T-1)**.

2.8.1.10. Author, staff, and maintain *The Air Force Cultural Resources Management Playbook* and eDASH Cultural Resources webpages. **(T-2)**.

2.8.1.11. Ensure installation funding requirements are correctly identified, programmed, supported, executed, and tracked. Identify, program, and validate cultural resources requirements to build the Air Force Integrated Priority List (IPL). **(T-1)**. AFCEC will execute installation support contracts. **(T-1)**.

2.8.1.12. Implement and sustain the Integrated Cultural Resources Plan (ICRMP) following the AFCEC ICRMP Template. No less than annually, review changes to the base development plan, Integrated Natural Resources Management Plan (INRMP), Range Comprehensive Plan, etc. to identify potential impacts to cultural resources for inclusion/discussion in the annually updated ICRMP. Identify plan problems and shortfalls to the installation. Update the ICRMP to include new survey and evaluation data, requirements and status of *NHPA* Section 106 MOA, PA, and all applicable Program Alternatives. Adjust actions as needed to reach ICRMP goals during each work plan year. AFLOA review of the ICRMP is appropriate if complex tribal, stakeholder, or controversial issues are included in the ICRMP, or if the ICRMP includes issues or resources shared with another federal agency. **(T-1)**. AFCEC will analyze trends and recommend corrective actions associated with ICRMPs. **(T-2)**.

2.8.1.13. Provide cultural resources training for base personnel, such as facility managers, residents, contractors, tenants, and others, as appropriate. **(T-3)**.

2.8.1.14. Serve as the first line of technical and compliance advice for questions from installations and MAJCOMs. **(T-2)**.

2.8.1.15. Provide technical support and advice to installation leadership on future directions for their cultural resources program. **(T-2)**.

2.8.1.16. Provide technical support, upon request, to locate, identify, and evaluate cultural resource assets, or to address special problems. **(T-2)**.

2.8.1.17. Review proposed actions for cultural resources impacts; engage in integrated planning with proponents. Develop and implement a process to fully integrate cultural resources planning with broader planning activities in accordance with DoDI 4715.9, *Environmental Planning and Analysis*. Provide support and expert advice for Environmental Impact Analysis Process (EIAP) reviews. **(T-1)**. AFCEC will integrate the ICRMP with the installation Activity Management Plan (AMP) process and the POM. **(T-2)**.

2.8.1.18. Determine if a given installation requires the development and maintenance of an ICRMP, in consultation with the SHPO/ THPO; if negative, advise the installation on procedures to waive the ICRMP requirement. **(T-2)**.

2.8.1.19. Provide DoD and Air Force required data to AFCEC in response to case specific or recurring reporting requirements. **(T-2)**.

2.8.1.20. Respond to FOIA requests, requests from media and public affairs, and higher echelon data calls and congressional inquiries. **(T-0)**.

2.8.1.21. Provide cultural resources expertise to support environmental baseline surveys (EBS) for real property, forward basing, and other Combatant Command decision making. **(T-1)**. Any cultural resources assessments, statements, etc. and tribal consultations contributing to EBS analyses and reporting are explicitly conducted under supporting authorities (*NHPA* Section 106 or 110, for example). The EBS procedures and documentation (AFI 32-7066) do not substitute for cultural resources consultation/ compliance under *NHPA*, *ARPA*, etc. **(T-0)**.

2.8.1.22. Develop, review, or comment on draft installation cultural resources MOA, PA, CA, curation agreements, and *ARPA* permits. Initiate such documents only after coordination with legal counsel and the installation cultural resource manager (CRM). **(T-2)**.

2.8.1.23. Develop lessons learned and best practices; communicate and share with installations and AFCEC. **(T-3)**.

2.8.1.24. Develop, review, or comment on draft *NRHP* nominations. Prepare nomination packages for coordination with the installation and through AFCEC, HQ USAF/A4C and SAF/IEE to the Keeper of the National Register of Historic Places. **(T-3)**.

2.8.1.25. Provide cultural resources training, and professional development for CRMs, including contractors and tenants serving as CRMs. **(T-2)**.

2.8.1.26. Monitor historic preservation outreach and awareness programs. **(T-3)**.

2.8.1.27. Notify HQ USAF/A4Cof unanticipated discoveries of archaeological resources or emergency situations affecting historic properties. **(T-0)**.

2.8.1.28. Compile data from installations, develop, and submit to SAF/IEE the *Annual Report on AF Compliance with AFI 90-2002, AF Interactions with Federally-Recognized Tribes (19 Nov 2014)*. **(T-0)**.

## 2.9. Installation or Wing Commanders.

2.9.1. Establish and maintain government-to-government relationships with Indian Tribes as appropriate and in accordance with DoD and AF policy and guidance, and assign an Installation Tribal Liaison Officer (ITLO), per DoDI 4710.02, paragraph 6.9 and AFI 90-2002, **(T-0)**.

2.9.2. Approve and sign, after coordinating with installation JA, AFCEC, HQ USAF/A4C and SAF/IEE, Memoranda of Understanding (MOU), MOA, and PA. **(T-0)**.

2.9.3. Authorize the Base Civil Engineer (BCE) to issue Archaeological Resources Protection Act (*ARPA*) permits to qualified applicants and provide a copy of the signed permit to AFCEC/ANG/AFRC. **(T-3)**.

2.9.4. Designate the BCE as the Federal agency official with responsibility for installation compliance with *NAGPRA*, and 43 C.F.R. Part 10. **(T-0)**.

2.9.5. Designates the BCE as the Federal agency official with management and curation agreement signature authority over archaeological artifact collections and associated records, per 36 C.F.R. Part 79. **(T-0)**.

2.9.6. Maximize reuse of historic buildings and structures, where justified by an objective economic analysis of life-cycle benefits and costs, before disposal, new construction, or leasing, in accordance with *NHPA* Section 110(a)(1) (54 U.S.C. § 306101(a)(2), E.O. 13514; DoDD 4165.06; DoDI 4165.70; and DoDI 4715.16. **(T-0)**.

2.9.7. Consider systematic deconstruction and architectural salvage of historic building fabric when replacement or demolition is necessary, especially where historic fabric may be reused to preserve similar properties in the inventory. **(T-3)**.

2.9.8. Designate an installation Cultural Resource Manager (CRM), who will:

2.9.8.1. Ensure compliance with historic preservation laws and regulations, including *NHPA* Section 106. Coordinate with AFCEC/ANG/AFRC, the SHPO (or THPO), the Advisory Council on Historic Preservation (ACHP), and others as appropriate to identify significant cultural resources, assess potential impacts, and reduce, avoid or mitigate effects. **(T-1)**. The CRM will prepare, coordinate, and implement MOU, MOA, and PA, as appropriate, with the technical assistance of AFCEC/ANG/AFRC. **(T-1)**.

2.9.8.2. Participate in CE planning meetings to determine if and when *NHPA* Section 106 consultations (to include Native American consultation) are initiated for actions that have potential to affect historic properties. **(T-1)**.

2.9.8.3. In coordination with the appropriate officer at AFCEC/ANG/AFRC, assist the installation ITLO, if present, with the identification of affiliated Tribes and arrangements for tribal consultation and interaction. Facilitate participation by the installation commander or designated official in government to government consultation meetings with tribal representatives. Maintain records of tribal contacts for showing compliance with E.O. 13175, *NHPA* Section 106, *NEPA*, and *NAGPRA*. **(T-0)**. The CRM will develop *NAGPRA* Comprehensive Agreements (CA) as needed. **(T-0)**.

2.9.8.4. Monitor activities of tenant organizations and contractors, which might adversely affect cultural resources on the installation, on lands controlled by the

installation, or on non-Air Force lands impacted by installation-facilitated activities, even if conducted by others. **(T-1)**.

2.9.8.5. In coordination with AFCEC/ANG/AFRC, develops and maintain the installation cultural resources database. **(T-1)**. The CRM will, as primary data steward, ensure that geospatial data and business data (supporting, descriptive, reference, interpretive and other related information) for installation cultural resources are properly entered, shared, protected, and maintained. **(T-2)**.

2.9.8.6. Maintain accuracy of the Historic Status Codes used in the installation Automated Civil Engineer System-Real Property (ACES-RP) and Asset Management (AM) database, or equivalent, and ensures that ACES-RP/AM includes or has access to the installation's updated historic property data. **(T-1)**. OSD Historic Status Codes are listed and defined in the *Air Force Cultural Resources Management Playbook*.

2.9.8.7. Assist the Real Property Officer with physical inventories of installation historic property and heritage assets at least every three years. **(T-2)**. The CRM will annually, or as required by circumstances, monitor and assess condition of Heritage Assets. **(T-2)**.

2.9.8.8. Identify to the NMUSAF items of potential importance to Air Force history. Such items may include aerospace vehicles, weapons, equipment, supplies, personal property, and other tangible objects that are associated with the Air Force's heritage. **(T-2)**. USAF historical property under NMUSAF control and accountability including, but not limited to static display aerospace vehicles, are not eligible for listing in the National Register of Historic Places due to their transportable nature. Items relocated to a USAF heritage activity are inappropriate for listing in the National Register. (See AFPD 84-1, *Historical Information, Property, and Art*, and AFI 84-103).

2.9.8.9. Ensure proper curation of recovered archaeological collections and material. Periodically assess curation repositories per 43 C.F.R. Part 79 and curation agreement schedules. **(T-0)**. The CRM will verify that curation facilities meet requirements and standards of 43 C.F.R. Part 79. **(T-0)**.

2.9.8.10. Conduct public awareness and education programs, and incorporate basic information on cultural resources into installation newcomer orientation briefings. Periodically brief ICRMP highlights at commanders' calls and other installation forums. **(T-1)**. The CRM will inform personnel occupying historic buildings about the significance of these buildings and explain any special management considerations. **(T-3)**.

2.9.8.11. Assist installation Real Estate Officers perform complete physical inventories of all installation-controlled historic property (i.e. Heritage Assets) every 3 years (per AFI 32-9005, paragraph 2.7.6). **(T-1)**.

2.9.9. CRM will assist proponents to:

2.9.9.1. Ensure that the impact of any proposed action on cultural resources is fully considered in documents prepared during the planning process. **(T-2)**.

2.9.9.2. Fund mitigation measures for adverse effects to historic properties, including data recovery and building documentation. **(T-1)**.

2.9.9.3. Coordinate with the installation CRM or during initial planning to avoid or mitigate adverse effects to historic properties. **(T-2)**.

2.9.9.4. Follow stipulations outlined in MOA, PA, *NAGPRA* Comprehensive Agreements (CA) and Plans of Action (POA), and other agreement documents. **(T-0)**.

2.9.9.5. Recognize that failure to adhere to these responsibilities could result in costly project delays, fines, adverse publicity, personnel actions, and lawsuits. **(T-0)**.

## Chapter 3

### IMPLEMENTING CULTURAL RESOURCES MANAGEMENT

**3.1. Inventory.** Through the support of the AFCEC/ANG/AFRC, the installations shall:

3.1.1. Identify and evaluate archaeological resources and historic properties under their control through methods commensurate with Volume 48 Federal Register §§ 44716-44742, *Archeology and Historic Preservation: Secretary of the Interior's Standards and Guidelines*, July 21, 2003. **(T-0)**.

3.1.2. Survey accessible undeveloped land areas for archaeological resources per *NHPA* Section 110 and *ARPA* Section 14(a)-(b). **(T-0)**. Larger installations and ranges (i.e., greater than 200,000 acres) will use appropriate sampling surveys and modeling to predict the numbers, types, characteristics, and locations of archaeological resources on lands not surveyed. **(T-0)**. Installations shall ensure sampling/modeling surveys include explicit consultation with SHPO/THPOs to ensure a mutual understanding for the portion of the installation's holdings considered adequately inventoried under *NHPA* Section 110. **(T-0)**.

3.1.3. Plan and program annual identification efforts to complete AFCEC-approved level of survey and sampling each year. **(T-2)**.

3.1.4. Determine the National Register eligibility of identified cultural resources IAW 36 C.F.R. Part 60.4, and 43 C.F.R. Part 63. National Register eligible properties, whether listed or not, are termed "historic properties" [36 C.F.R. Part 800.16(l)(1)]. **(T-0)**. Installations must ensure archaeological sites, buildings, and structures are treated as eligible unless or until a qualified historic preservation professional evaluates them as ineligible and SHPO/THPO concurs. **(T-0)**.

3.1.5. Fossils. 54 U.S.C. §§ 320301 - 320303, *Antiquities Act*, establishes policies governing the management, collection, and removal of paleontological resources on lands controlled by the installation. These policies are included in the ICRMP and INRMP. Installations must address known and probable paleontological resources in EIAP documentation prepared for actions that might impact or cause irreparable loss or destruction of such resources. **(T-0)**.

**3.2. NAGPRA Cultural Items.** Installations shall provide documentation of completed *NAGPRA* Summary and Inventory requirements to the FPO/TLO through AFCEC and HQ USAF/A4C, if asked. **(T-0)**. Installations will consult with Tribes requesting repatriation of the cultural items reported, and follow the steps outlined in *NAGPRA* Section 7 and 43 C.F.R. Part 10.10. **(T-0)**. Installations shall not accept *NAGPRA* Cultural Items or Remains from non-AF lands for reburial on installation lands or storage in installation facilities. **(T-0)**. (See Attachment 1 for definitions.)

**3.3. Project Review.** All proposed Air Force undertakings that might effect on-shore or off-shore historic properties are subject to review under *NHPA* Section 106, 36 C.F.R. Part 800, and, as appropriate, the *Abandoned Shipwreck Act* of 1988 and the *Sunken Military Craft Act*.

3.3.1. Installations with ICRMPs shall enter into procedural MOUs with their SHPOs and ACHP to ensure all consulting parties agree on communication methods; review processes for *NHPA* Section 106 consultations and Section 110 surveys, inventories, NRHP evaluations; using Section 110 survey/evaluation data for *NHPA* Section 106 undertakings;

resources and undertakings that require *NHPA* Section 106 consultations (and those that are excluded); resurvey/reevaluation schedules, and other relevant basic procedures and processes. **(T-1)**.

3.3.1.1. Installations and their support agencies shall ensure that procedural MOUs are supported by personnel meeting the professional qualification standards for historic preservation personnel established by the Secretary of the Interior. **(T-2)**.

3.3.1.2. Procedural MOUs are not used for routine maintenance, management or other specific-undertaking Section 106 avoidance, minimization, or mitigation measures (aka *NHPA* Section 106 PAs).

3.3.1.3. When more than one Air Force installation is located within a particular state, the installations will develop a state-wide procedural MOU that includes procedures applicable to all Air Force installations in that state. **(T-0)**.

3.3.2. The installation commander (through the CRM) will identify and evaluate all cultural resources in the area of potential effect (APE) of an undertaking, and will take into account the effects of all undertakings on historic properties. **(T-0)**.

3.3.2.1. Installation CRMs will participate in work order review and facility board processes in order to ensure impacts to historic properties are taken into account early in planning process. **(T-1)**.

3.3.2.2. Installations shall ensure alterations, restoration, rehabilitation, repair, maintenance, stabilization, hazardous material remediation, construction of handicap access or other similar actions are consistent with 43 C.F.R. Part 68, *The Secretary of the Interior's Standards for Historic Preservation Projects*. **(T-0)**.

3.3.2.3. The AFCEC/ANG/AFRC will communicate all relevant operational controls associated with Section 106 review to contractors conducting or assisting with Section 106 review. **(T-2)**.

3.3.3. The installation will coordinate the following documents: procedural MOUs; *NHPA* Section 106 agreement documents (MOA/PA); *NRHP* nomination packages (*NRHP*), *NAGPRA* agreement documents (CA/POA), *ARPA* Permits (*ARPA*), Annual Reports (AR), ICRMPs, specific issues packages (MEMO, e.g., eligibility conflict, breaking off SHPO consultation, CR taskers, etc.) with the functional offices as shown in Table 3.1, the General Coordination Matrix. **(T-0)**.

3.3.3.1. Draft *NHPA* Section 106 MOAs and PAs that concern multiple installations, HAF or AFCEC centrally managed actions, or actions that would set AF-wide precedent or have AF-wide policy implications, require technical review by AFCEC and SAF/IEE and legal review by AFLOA/JACE-FSC and SAF/GCN.

3.3.3.2. Draft *NHPA* Section 106 MOAs and PAs that concern one installation and routine matters, e.g., building demolition, real property disposal, or ongoing maintenance or training operations, will require technical review by AFCEC and, if desired by installation, AFLOA/JACE-FSC. **(T-0)**. AFCEC shall elevate technical review to AFLOA/JACE-FSC and SAF/IEE when one or more of the following factors are evident or expected: **(T-0)**. Controversy, high stakeholder concern (ACHP, Tribes, or active

public groups) or national-level historic significance of the properties concerned (for example, National Historic Landmarks).

**Table 3.1. General Coordination Matrix.**

This Functional Office	Reviews/Coordinates on these Products/Procedures							
	AR	ARPA	CA/PO A	ICRMP	MEMO	MOA	NRHP	*pMOU/PA
ACHP						X (*)		X
*AFCEC	X	X	X	X	X	X	X	X
AFLOA/JACE-FSC			X (*)			X (*)		X (*)
BCE		X (Notify Tribe)	X	X	X	X	X	X
HQ AF/A4CF	X				X (*)	X (*)	X	X (*)
Installation JA			X		X		X	
Installation CRM	X	X	X	X	X	X	X	X
SAF/GCN					X	X (*)	X	X (*)
SAF/IEE	*X1				X	X (*)	X	X (*)
SHPO/THPO/ consulting parties		X	X (THPO)	X (*)		X	X	X
Wing Commander		X (*)	X	*X (*)	X	X	X	X
<b>Key:</b>								
X(*) = Optional, Depending on Engagement, Significance, and Risk to Installation AF								
*X1 = Annual Report on AF Compliance with AFI 90-2002								
AR = Annual Report (Data Calls, etc.)								
ARPA = ARPA Permit								
CA = NAGPRA Comprehensive Agreement								
MEMO = Coordination Package for formal ACHP correspondence, seeking Keeper's determinations, ending SHPO consultations, CR-related taskers, 36 C.F.R. Part 800.12 emergency provisions, etc.								
*MOA = NHPA Section 106 Memorandum of Agreement								
*pMOU = Procedural MOU between Installation(s) and SHPO								
NRHP = National Register of Historic Places Determinations and Nomination Packages to Keeper								
*PA = NHPA Section 106 Programmatic Agreement (always involves SAF/IEE)								
POA = NAGPRA Plan of Action								

(NOTE: May be local/regional exceptions)

3.3.4. The installation commander shall sign pMOU, and MOA and PA that pertain exclusively to his/her range of authority, unless otherwise directed by the FPO or suggested by the installation JA. **(T-2)**.

3.3.5. Adverse effects to historic facilities. IAW with DoDI 4715.16, Encl 3, section 5, proponents of actions maximize the reuse of historic buildings and structures, where justified by an objective economic analysis (see DoDI 7041.3, *Economic Analysis for Decision-making*, November 7, 1995), before considering their disposal, new construction, or leasing. Project proponents shall pay for mitigations. **(T-0)**.

3.3.6. The AFCEC/ANG/AFRC CRM shall ensure that PA and MOA stipulations are described and integrated into the installation's ICRMP and other installation plans. **(T-2)**.

3.3.7. The installation CRM shall provide copies of each executed PA and MOA to AFCEC/ANG/AFRC. **(T-2)**.

3.3.8. Consultation with federally-recognized Tribes.

3.3.8.1. The installation CRM shall, in coordination with the Installation Tribal Liaison Officer (ITLO), consult with Tribes (see "Indian Tribes", Attachment 1) pursuant to 54 U.S.C. § 306102 and 36 C.F.R. Part 800.2 to identify, evaluate, and treat historic properties that have religious or cultural importance to those groups. **(T-0)**.

3.3.8.2. The initial and subsequent government to government consultations with a Tribe must be conducted by the installation or wing commander, unless otherwise specified in arrangements between the parties, which must be coordinated with SAF/IEE. **(T-0)**. The wing commander shall adhere to the procedures stipulated in DoDI 4710.02, paragraph 6 and the AFI for *Air Force Interactions with Federally Recognized Tribes* (90-2002), when contacting and consulting with Tribes affiliated with installation lands, ranges, operating areas, and flight corridors. **(T-0)**.

3.3.8.3. Installations are encouraged to enter into written agreements with affiliated Tribal leaders that are similar in intent to pPAs with SHPO and the ACHP (see section 2.3.1.). Tribal agreements should not involve SHPOs or the ACHP, but may be developed with multiple Tribes or a Tribe selected by other Tribes to represent the other Tribes.

3.3.9. Environmental Impact Analysis Process (EIAP).

3.3.9.1. Proponents will ensure that impacts of proposed actions on cultural resources are fully considered early in planning, and that such consideration is documented pursuant to Title 42, U.S.C. §§ 4321 et seq., *National Environmental Policy Act (NEPA)*, 40 C.F.R. Parts 1500-1508; AFI 32-7061, *The Environmental Impact Analysis Process (EIAP)*, as promulgated at 32 C.F.R. Part 989, and the (*NHPA* Section 106 regulations at 36 C.F.R. Part 800.8. **(T-0)**.

3.3.9.1.1. *NEPA* Categorical Exclusions (CATEX). Proposed actions that usually qualify for a CATEX may require additional analysis when cultural resources are present. See 32 C.F.R. Part 989, section A2.2. A CATEX may be used when all adverse effects of the proposed action have been resolved through a signed MOA or PA. Otherwise, the proposed action may require preparation of a *NEPA* Environmental Assessments (EA) and Environmental Impact Statements (EIS) solely

due to potential impacts to a cultural resource. The installation CRM will determine whether a proposed action requires 54 U.S.C. § 306108 review (see 36 C.F.R. Part 800.8(b)). (T-0). Installations must coordinate any problematic determination with an AFCEC/ANG/AFRC specialist and AFLOA/JACE-FSC. (T-0).

3.3.9.2. The installation may conduct Section 106 separately but parallel to the EIAP, or, may substitute EIAP compliance for Section 106 IAW 36 C.F.R. § 800.8(c).

3.3.9.2.1. Environmental Assessments and EISs for actions producing adverse effects to historic properties require an MOA or PA be signed into effect before a Finding of No Significant Impact (FONSI) or Record of Decision (ROD) may be signed (per 36 CFR § 800.8(c)(4)). (T-0).

### 3.4. General Management.

3.4.1. Aircraft Wreck Sites (primary reference: AFI 91-204, *Safety Investigations Reports*). The AFCEC/ANG/AFRC CRM will evaluate 50 year old and older wreck sites on AF-controlled lands for National Register eligibility. (T-2). Wreck sites are documented in the ICRMP and Geographic Information System (GIS) database.

3.4.2. Archaeological Resources Protection. Protect all archaeological sites, even those determined ineligible for National Register listing, on lands under Air Force control. Unauthorized damage to archaeological resources is prohibited, and punishable by civil and criminal penalties.

3.4.2.1. Permits for Archaeological Investigations. The installation BCE will issue *ARPA* permits to qualified individuals after technical review of the application by the appropriate office at AFCEC/ANG/AFRC. (T-3).

3.4.3. Confidentiality Requirements. IAW Section 9 of *ARPA* and Section 304 of the *NHPA*, 54 U.S.C. §307103, the installation shall withhold information from the public concerning the nature and location of archaeological resources unless such information poses no harm to said resource and furthers the purposes of the Acts. (T-0).

3.4.4. Curation of Archaeological and Historic Property Collections and Records. Installations shall not establish new Air Force archaeological artifact curation facilities unless the need is validated by AFCEC. (T-1).

3.4.4.1. Process and maintain all final collections of archaeological artifacts and records IAW 36 C.F.R. Part 79, *Curation of Federally-Owned and Administered Archaeological Collections*. NOTE: Final collections are those forwarded by contractors or permitted researchers to approved curation facilities. Contractors/researchers will be expected to reduce collection sizes/curation burdens by sampling large collections of common redundant artifacts, analyzing bulk samples, culling non-artifacts and unanalyzed bulk samples, and disposing of unwanted portions of collections IAW with Contracting Officer (CO) approved pre-fieldwork work plans (aka research designs, sampling plans, curation plans, etc.), required by each Statement of Work(SOW). (T-0).

3.4.4.2. Contractors/researchers will treat *NAGPRA* cultural items IAW the requirements of *NAGPRA* and 43 C.F.R. Part 10. (T-0).

3.4.4.3. USAF heritage activities and their facilities are not established or operated for the primary purpose of USAF archeological materials and specimen curation. Heritage activities should decline donations of such material as most fall outside the activity's mission and scope of collections. Such items may be displayed at heritage activities if relevant, appropriate, and detailed in a current exhibit plan. Account for these items as an incoming loan. Refer to AFI 84-103, *USAF Heritage Program*, 22 May 2015.

3.4.5. Inspections. Cultural resources will be an EMS Environmental Aspect, and required compliance elements are evaluated during Inspector General assessments. **(T-2)**.

3.4.6. Funding Requirements. Identify cultural resources funding requirements in the environmental portion of ACES-PM. Installations will follow the most current authoritative guidance published by HQ USAF/A4C for the Conservation Program Element. **(T-2)**.

3.4.7. Information Management. Installations, AFCEC, ANG, and AFRC shall ensure that:

3.4.7.1. Digital geospatial data produced by cultural resource inventories conforms to the most current version of the Spatial Data Standards for Facilities, Environment, and Infrastructure (SDSFIE). **(T-0)**.

3.4.7.2. Cultural resources data conform to the data requirements outlined in DoDI 4715.16. **(T-0)**.

3.4.7.3. Reports on cultural resources identification and evaluation are finalized in coordination with the AFCEC/ANG/AFRC. **(T-2)**.

3.4.8. Integrated Cultural Resources Management Plan (ICRMP). Installations with cultural resources shall prepare and maintain an ICRMP IAW DoDI 4715.16, Encl. 3, paragraph 1(d) and Encl. 6, paragraph 1, unless said requirement is waived by AFCEC. **(T-0)**. See the Cultural Resources Playbook for the required ICRMP format Template.

3.4.8.1. An installation shall annually update the ICRMP with new survey, inventory, evaluation data, and with new SHPO/THPO, ACHP, or Tribal agreement document (MOA/PA/CA) summaries that will drive annual requirements. Also include relevant mission or environmental changes that affect cultural resources. **(T-2)**.

3.4.8.2. Installations will ensure that relevant sections of ICRMPs are coordinated for comment to appropriate SHPO and tribal offices. **(T-2)**. Examples of relevant sections: data and survey tables and annual work plans that include upcoming or likely *NHPA* Section 106 undertakings for SHPO/THPO consultations. Incorporation of SHPO and tribal comments in the ICRMP is at installation discretion.

3.4.8.3. Identify information in the ICRMP that is not releasable to the public (typically information on archaeological sites or properties of religious and cultural significance to tribes) as "For Official Use Only." Sensitive locational and descriptive information is compartmentalized in separate appendices.

3.4.8.4. At least every five years, after AFCEC/ANG/AFRC technical review, the installation cultural resources manager shall submit the ICRMP, or a summary of updates since the last approval, to the Civil Engineer squadron commander or comparable officer/civilian for approval and signature. **(T-2)**. Said approval may be documented in electronic correspondence; installations shall upload the signature pages to their

electronic ICRMP on eDASH, and provide a copy of the approval to AFCEC/ANG/AFRC, whichever is appropriate. (T-2).

3.4.8.5. Installations scheduled for closure within 5 years pursuant to *Base Realignment Closure (BRAC)* laws are exempt from preparing or updating an ICRMP.

3.4.8.6. Installations shall request a waiver on ICRMP preparation if their cultural resource inventories are complete and SHPO/THPO has concurred that no historic properties or other cultural resources requiring management exist on the installation. (T-2).

3.4.8.7. Emergency Historic Preservation Waivers. The Secretary of the Air Force may waive historic preservation requirements in situations of imminent danger from major natural disasters or an imminent threat to the national security, or in response to emergency situations described at 36 C.F.R. Part 800.12. The AFCEC/ANG/AFRC CRM must ensure that standard operating procedures (SOP) are included in the ICRMP for imminent disaster preparedness (Title 54 U.S.C. § 306102, Section 110 Waiver), and post-disaster recovery (*NHPA* Section 106 Waiver). (T-2).

3.4.9. Public Awareness. In addition to informing, as appropriate, the public about *NHPA* Section 106 undertakings, the appropriate level of AFCEC/ANG/AFRC management shall develop, IAW *ARPA* Section 10 (c) and 32 C.F.R. Part 229.20, awareness activities and programs of more general scope to reach the installation community and the general public. (T-0).

3.4.10. Sacred Sites Access and Protection. Installation commanders shall provide Tribes and Native Hawaiian Organizations (NHOs) access to and use of sacred sites on Air Force controlled lands IAW Title 42 U.S.C. § 1996, *American Indian Religious Freedom Act (AIRFA)*, Executive Order 13007, *Indian Sacred Sites*, May 24, 1996, and the Nov 30, 2012 *Memorandum of Understanding Among the DoD, DOI, DOA, DOE, and ACHP Regarding Interagency Coordination and Collaboration for the Protection of Indian Sacred Sites*. (T-0).

3.4.11. Inadvertent Discoveries of *NAGPRA* Items (see Attachment 1 for definitions). Installation BCE or commanders, with AFCEC/ANG/AFRC CRM assistance, will ensure that inadvertent discoveries of Native American cultural items comply with *NAGPRA* and 43 C.F.R. Part 10. (T-0). All *NAGPRA* Plans of Action require installation BCE or commander signature. Plans of Action require consultation with, but not the approval (or signatures) of, Tribal officials (per 43 C.F.R. Part 10.5(e)).

3.4.12. Personnel: Qualifications, Training, and Professional Development. The *Secretary of the Interior's Professional Qualification Standards* define the knowledge, skills, and education background for technically qualified CRMs.

3.4.12.1. Installation and AFCEC/ANG/AFRC managers and specialists must obtain specific training on federal cultural resources laws and regulations, Section 106 consultations, agreement documents, and Native American culture and communications commensurate with the resources managed at their installations. (T-0).

3.4.12.2. Contracted cultural resource managers or specialists working within installation offices shall not be assigned or undertake inherently governmental functions. (T-0).

3.4.13. Real Property Management. IAW AFI 32-9005, historic properties identified in the RPI require physical inventories, i.e., written assurance the property exists, at least every three years.

3.4.13.1. AFCEC/ANG/AFRC will reconcile the end-of-year ACES report of cultural resource numbers and historic coding and advise the pertinent divisions at HQ USAF/A4C and the associated MAJCOMs by March 31 of the following year of discrepancies, and their resolutions, to ensure the RPI is kept accurate, up-to-date, and remains authoritative for Congressional reporting. **(T-0)**.

3.4.13.2. The installation CRM will coordinate with the Real Property Officer (RPO) or manager to ensure that archaeological sites are appropriately located on real property records and shared base maps, GIS data layers, and plans. **(T-2)**.

3.4.14. Management of Marked Cemeteries is not the responsibility of the Cultural Resources Management Program. Maintenance and upkeep of marked cemeteries on AF installations will be the responsibility of HQ USAF/AIS, delegated to the Installation Commander.

3.4.15. NHOs are special entities of concern addressed by DoDI 4710.03 *Consultation with Native Hawaiian Organizations (NHOs)* (see Definitions, Attachment 1). Air Force activities on the Hawaiian Islands must comply with requirements listed therein. **(T-0)**.

3.4.16. USAF historical property is managed IAW AFI 84-103, *USAF Heritage Program*, 22 May 2015.

JOHN B. COOPER, Lt Gen, USAF  
DCS/Logistics, Engineering & Force Protection

## Attachment 1

## GLOSSARY OF REFERENCES AND SUPPORTING INFORMATION

*References*

- 10 U.S.C. § 113 note, *Sunken Military Craft Act of 2004*
- 10 U.S.C. § 2684, *Cooperative Agreements for Management of Cultural Resources* of 1996
- 16 U.S.C. §§ 470aa-470mm, *Archaeological Resources Protection Act* of 1979 (ARPA),
- 16 U.S.C. § 470a-2, Section 402, *International Federal Activities Affecting Historic Properties*
- 16 U.S.C. §§ 470 et seq., *National Historic Preservation Act* of 1966 (NHPA),
- 16 U.S.C. §§ 431 – 433, *Antiquities Act* of 1906
- 25 U.S.C. §§ 3001-3013, *Native American Graves Protection and Repatriation Act* of 1990 (NAGPRA)
- 31 U.S.C. § 1535, *The Economy Act*
- 32 C.F.R. Part 767, *Guidelines for Permitting Archaeological Investigations and Other Activities Directed at Sunken Military Craft and Terrestrial Military Craft Under the Jurisdiction of the Department of the Navy*
- 36 C.F.R. Part 60, *National Register of Historic Places*
- 36 C.F.R. Part 63, *Determinations of Eligibility for Inclusion in the National Register of Historic Places*
- 36 C.F.R. Part 78, *Waiver of Federal Agency Responsibilities under Section 110 of the National Historic Preservation Act*
- 36 C.F.R. Part 79, *Curation of Federally-Owned and Administered Archaeological Collections*
- 36 C.F.R. Part 800, *Protection of Historic Properties*
- 42 U.S.C. §1996, *American Indian Religious Freedom Act* of 1978 (AIRFA)
- 42 U.S.C. §§ 4321 et seq., *National Environmental Policy Act* of 1970 (NEPA)
- 43 U.S.C. §§ 2101-2106, *Abandoned Shipwreck Act* of 1988 (ASA)
- 32 C.F.R. § 187, *Environmental Effects Abroad of Major Department of Defense Actions*
- 32 C.F.R. § 229, *Protection of Archaeological Resources, Uniform Regulation*
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- 36 C.F.R. § 60, *National Register of Historic Places*
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- 36 C.F.R. § 68, *The Secretary of the Interior's Standards for Historic Preservation Projects*
- 36 C.F.R. § 800, *Protection of Historic Properties*

36 C.F.R. § 78, *Waiver of Federal Agency Responsibilities under Section 110 of the National Historic Preservation Act*

40 C.F.R. §§ 1500-1508, *Protection of the Environment*

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54 U.S.C. §§ 320301 - 320303, *Antiquities Act of 1906*

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Executive Order No. 13175, *Consultation and Coordination with Indian Tribal Governments*, November 6, 2000

Executive Order 13287, *Preserve America*, March 3, 2003

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DoD Instruction 4715.16, *Cultural Resources Management*, September 18, 2008

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<<https://afkm.wpafb.af.mil/ASPs/CoP/OpenCoP.asp?Filter=OO-MS-AF-03>>, and the Air Force Cultural Resources Management page on eDASH at

<<https://eis.af.mil/cs/eDASH/Web%20Part%20Pages%20%20Main%20Pages/>

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HQ USAF/A4C, *Environmental Impact Analysis Process Playbook*  
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### ***Prescribed Forms***

AF Form 847, *Recommendation for Change of Publication*

### ***Abbreviations and Acronyms***

**ACES**—Automated Civil Engineer System

**ACES-PM**—Project Management Module

**ACES-PM**—Programming and Budgeting Module

**ACES-RP/AM**—Real Property and Asset Management Modules

**AFI**—Air Force Instruction

**AFCEC**—Air Force Civil Engineer Center

**AFCEC**—Air Force Civil Engineer Center, Environmental Directorate

**AFMAN**—Air Force Manual

**AFPD**—Air Force Policy Directive

**AFTLO**—Air Force Tribal Liaison Officer

**AIRFA**—*American Indian Religious Freedom Act of 1978*

**AKA**—“also known as”

**ARPA**—*Archaeological Resources Protection Act of 1979*

**BCE**—Base Civil Engineer

**CA**—*NAGPRA Comprehensive Agreement; or, Cooperative Agreement under 10 U.S.C. § Part 2684, Cooperative Agreements for Management of Cultural Resources*

**C.F.R**—Code of Federal Regulations

**CRM**—Cultural Resources Manager

**EIAP**—Environmental Impact Analysis Process

**E.O**—Executive Order

**FOUO**—For Official Use Only

**FPO**—Federal Preservation Officer

**FR**—Federal Register

**HABS**—Historic American Building Survey

**HAER**—Historic American Engineering Record

**AFLOA**—Air Force Legal Operations Agency

**ICRMP**—Integrated Cultural Resources Management Plan

**IAW**—“in accordance with”

**ITLO**—Installation Tribal Liaison Officer, required by AFI 90-2002

**ITRP**—Installation Tribal Relations Plan, required by AFI 90-2002

**MAJCOM**—Major Command

**MOA**—Memorandum of Agreement

**MOU**—Memorandum of Understanding

**NAGPRA**—*Native American Graves Protection and Repatriation Act of 1990*

**NEPA**—*National Environmental Policy Act of 1969*

**NHPA**—*National Historic Preservation Act of 1966*

**NMUSAF**—National Museum of the U.S. Air Force

**NPS**—National Park Service

**OCR**—Office of Collateral Responsibility

**OPR**—Office of Primary Responsibility

**PA**—Programmatic Agreement, per 36 C.F.R. § 800.16

**PL**—Public Law

**POC**—Point of Contact

**RPI**—Real Property Inventory (see ACES-RP/AM)

**SAF/GCN**—Deputy General Counsel for Installations and Environment

**SAF/IE**—Assistant Secretary of the Air Force for Installations, Environment, and Energy

**SAF/IEE**—Deputy Assistant Secretary of the Air Force for Environment, Safety and Infrastructure

**SAF/LL**—Deputy Assistant Secretary of the Air Force for Legislative Liaison

**SHPO**—State Historic Preservation Officer

**THPO**—Tribal Historic Preservation Officer

**U.S.C**—United States Code

### *Terms*

**Automated Civil Engineering System-Project Management (ACES-PM)**—A sub-module for reporting environmental funding requirements. Cultural resources funding requirements must be entered into this sub-module of ACES-PM to be considered for funding.

**Area of Potential Effect (APE)**—The land area an undertaking has the potential to effect. The APE includes the footprint of the proposed project, and areas around the footprint that might be affected by visual, auditory, erosional, and other direct and indirect results of the undertaking. Region of Influence (or Interest) (ROI) for *NEPA* documents may or may not align with *NHPA* Section 106 APE, which, in any case, always should be defined independently of ROI in *NEPA* documents.

**Alaska Native Entities**—Alaska Native villages, tribes, communities, associations, and corporations are equivalent to federally recognized Tribes for the purposes of consultations pursuant to *NAGPRA* and *NHPA* Section 106. Native Alaska villages and corporations include those groups or communities defined in, or established by, the *Alaska Native Claims Settlement Act*.

**Air Force Federal Preservation Officer (AF FPO)**—An official appointed by the Assistant Secretary of the Air Force (Installations, Environment and Energy) in accordance with 54 U.S.C. § 30101 to direct the AF Cultural Resources Program and MD 1-18, A1.32.3.2.

**Advisory Council on Historic Preservation (Council)**—The independent federal agency created by the *NHPA* Section 106, as amended, to advise the President, Congress, and Federal agencies on all matters related to historic preservation. The Council also administers *NHPA* Section 106 through 36 C.F.R. Part 800, *Protection of Historic Properties*.

**Automated Civil Engineering System-Real Property database (and Asset Management database) [ACES-RP (and AM)]**—The sub-module that contains all Air Force real property

records and historic codes. In this context, real property generally is any building, facility, structure, or object with an installation number. Data on archaeological sites, sacred sites, and TCP currently are not maintained in ACES-RP, although DoD plans to require these kinds of data in departmental real property databases in the future.

**Adverse Effect**—Reduction in the characteristics that make an historic property eligible for the National Register of Historic Places. The integrity of the location, design, setting, materials, workmanship, association, or other qualities that are important to defining the National Register eligibility of the historic property is diminished.

**Advisory Council on Historic Preservation (Council)**—The independent federal agency created by the *NHPA*, as amended, to advise the President, Congress, and Federal agencies on all matters related to historic preservation. The Council also administers Section 106 of the *NHPA* through 36 C.F.R. § 800, *Protection of Historic Properties*.

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**Alternative or Creative Mitigation**—Alternatives to archaeological data recovery or historic building recordation as mitigation for an undertaking's adverse effects. These approaches can be implemented as the only treatment option, or may be part of a package where different historic properties are subject to different kinds and levels of mitigation.

**Archaeological Resources**—Any material remains of past human life or activities that are of capable of providing scientific or humanistic understandings of past human behavior and cultural adaptation through the application of scientific or scholarly techniques. (See *ARPA* and 32 C.F.R. § 229.3).

**Area of Potential Effect (APE)**—The land area an undertaking has the potential to effect. The APE includes the footprint of the proposed project, and areas around the footprint that might be affected by visual, auditory, erosional, and other direct and indirect results of the undertaking. Region of Influence (or Interest) (ROI) for *NEPA* documents may or may not align with *NHPA* Section 106 APE, which, in any case, always should be defined independently of ROI in *NEPA* documents.

**Business Data**—Geographic Information System (GIS) specialists think of Business Data as metadata, i.e., information associated with geographic spatial data. Business data often describes, evaluates, interprets, associates, references, or clarifies spatial data. Business data also includes site files, curation data, laboratory analyses, records, photographs, and file information crucial to day-to-day operations in cultural resources management.

**Comprehensive Agreement**—For *NAGPRA*, an agreement between a federal agency and an Indian Tribe concerning all agency land management activities that could result in the intentional excavation or inadvertent discovery of Native American human remains, funerary objects, sacred objects, or objects of cultural patrimony. The Comprehensive Agreement should establish

procedures for consultation, treatment, and disposition of *NAGPRA* remains or cultural objects likely to be found during any undertaking or action on agency lands [per 43 C.F.R. §10.5(f)]. The signed agreement, or correspondence related to efforts to reach agreement, constitute proof of consultation. A Contingency Plan of Action (not used in *NAGPRA* or 43 C—F.R. § 10) is similar to a Comprehensive Agreement, but deals only with *NAGPRA* remains and objects likely to be discovered during a specific undertaking or action. Tribal officials AND the installation commander (or his/her delegated sub-commander) must sign Comprehensive Agreements, but only the installation commander or delegate signs Plans of Action [per 43 C.F.R. § 10.5(e)].

**Consulting Parties**—IAW 36 C.F.R. Part 800.2(c), parties with consulting roles in the *NHPA* Section 106 Process include SHPO and/or THPO. Consulting parties might also include Indian Tribal governments; representatives of local governments; applicants for federal assistance, permits, licenses, and other approvals; and members of the Public with interests in the undertaking.

**Cooperative Agreement**—Agreements between Air Force and other federal agencies or between Air Force and States, local governments, tribal governments or other entities to provide the Air Force with goods and services, when such agreements are in the best interests of the Air Force, and when the process is more economical than procurement under contract. Authorized under 31 U.S.C. § 1535, *The Economy Act*, and 10 U.S.C. § 2684, *Cooperative Agreements for Management of Cultural Resources*.

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**Consensus versus Formal Determination of Eligibility**—A “Formal Determination of Eligibility for Listing on the National Register” is made by the Keeper. A “consensus determination” is a written agreement between an installation and SHPO/THPO that a property is eligible for listing. Nomination to the Register is not necessary with either determination. The consensus process is not a lower threshold for significance than a formal determination of eligibility by the Keeper, or the National Register listing procedures. A consensus determination is a legally recognized finding that a property meets the criteria for listing in the National Register. Under Section 106, properties that are eligible are given the same legal status as properties formally listed in the National Register.

**Consultation**—A reasonable and good faith effort to involve affected and interested parties in the findings, determinations, and decisions made during the Section 106 Process, and other processes required under *NAGPRA*, *AIRFA*, *NEPA*, *ARPA*, and other statutes and regulations. Consultations with Tribes must be on a government-to-government level to respect tribal sovereignty and to recognize the unique legal relationship between the Federal Government and Tribes set forth in the Constitution, treaties, statutes, and court decisions (see also Notification).

**Consulting Parties**—IAW 36 C.F.R. § 800.2(c), parties with consulting roles in the *NHPA* Section 106 Process include SHPO and/or THPO. Consulting parties might also include Indian Tribal governments; representatives of local governments; applicants for federal assistance,

permits, licenses, and other approvals; and members of the Public with interests in the undertaking.

**Criteria of Adverse Effect**—Standards/guidelines used to determine whether the effects caused by an activity, project or program (i.e., an undertaking that has the potential to affect cultural resources) will be detrimental to historic properties, in accordance with the Council's regulations (36 C.F.R. § 800.5). An adverse effect occurs when a project or program alters or destroys the characteristics of a property that qualify it for listing in the National Register of Historic Places. This may include diminishing the integrity of the property's location, design, setting, materials, workmanship, internal composition or association with past events or people. An adverse effect may include but is not limited to: 1) destruction or alteration of all or part of a property; 2) isolation from or alteration of the surrounding environment of the property; 3) introduction of visual, audible, or atmospheric elements that are out of character with the property or alter its setting; 4) neglect of a property resulting in its deterioration or destruction; 5) transfer or sale of federally owned, leased or controlled property without adequate consultation on restrictions for the preservation and maintenance of the historic property.

**Cultural Resource**—Historic properties (any prehistoric or historic district, site, building, structure, or object as defined by 36 C.F.R. Part 800 included in, or eligible for inclusion in, the National Register of Historic Places, whether or not such eligibility has been formally determined), including artifacts, records, and material remains related to such a property or resource; cultural items as defined in *NAGPRA*; American Indian, Eskimo, Aleut, or Native Hawaiian sacred sites as defined in E.O. 13007; archaeological resources as defined in *NHPA* Section 106; and, archaeological artifact collections and associated records as defined in 36 C.F.R. Part 79.

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**Cultural Resources Manager (CRM)**—A qualified, trained cultural resource program manager who meets the *Secretary of the Interior Standards and Guidelines for Federal Agency Historic Preservation Programs Pursuant to Section 110 of the National Historic Preservation Act*, or who has sufficient historic preservation, archaeological, historical, or architectural training to successfully carry out the responsibilities of the AF cultural resources program.

**Curation**—The process of managing and preserving an archaeological collection of artifacts and records according to professional museum and archival practices, as defined in 36 C.F.R. § 79. Refer to Legacy Resource Management Program Office, Legacy Project No. 98-1714, *Guidelines for the Field Collection of Archaeological Materials and Standard Operating Procedures for Curating Department of Defense Archaeological Collections*, available through the DENIX and AF Cultural Resources CoP and or eDASH CRM websites.

**District**—“A district is a geographically definable area, urban or rural, possessing a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united by past

events or aesthetically by plan or physical development. A district may also comprise individual elements separated geographically but linked by association or history” (36 C.F.R. § 60.3).

**Economic Analysis**—A comprehensive report that details the feasibility of preserving or rehabilitating a historic structure. The study must include the costs to prepare all necessary *NEPA* documentation, complete hazardous waste disposal, undertake any environmental remediation measures, complete a HABS Level I recordation of the property, prepare the site for new construction, and the cost to dispose of all demolition debris. The report must also detail the cost to undertake an in-kind replacement of the historic building. Economic Analyses also must cover all of the hidden costs of building demolition (hazardous waste disposal, recordation, recycling materials, etc.).

**Effect**—Any alteration to those characteristics of a historic or cultural property that qualify it for inclusion in the National Register of Historic Places (e.g. disturbing an archaeological site feature, such as a house ring or foundation). An effect, whether positive or negative, requires Section 106 review and consultation. See also Criteria of Adverse Effect.

**Emergency or Disaster Situations**—In effect when the President, a governor, or a tribal leader declares that an immediate threat to life or property exists.

**Evaluation**—Application of the National Register of Historic Places eligibility criteria, 36 CFR §Part 60.4 and 36 C.F.R. § 63 to cultural resources. A professionally trained and qualified cultural resources specialist (e.g., historic architect; architectural historian; archaeologist) must complete this task for the installation following coordination with the applicable Air Force offices identified in Table 2-1. prior to initial consultation with the SHPO or the THPO.

**Geospatial Data**—The concept for collection, information extraction, storage, dissemination, and exploitation of geodetic, geomagnetic, imagery, gravimetric, aeronautical, topographic, hydrographic, littoral, and cultural, data accurately referenced to a precise location on the earth's surface. These data are used for military planning, training, and operations including navigation, mission planning, mission rehearsal, modeling, simulation and precise targeting. Geospatial information provides the basic framework for visualizing the Earth's surface. Geospatial data are information produced by multiple sources to common interoperable data standards, presented in the form of printed maps, charts, and publications; in digital simulation and modeling databases; in photographic form; or in the form of digitized maps and charts. Geospatial data are housed in GISs.

**Heritage Asset**—See Historic Property.

**Historic Facilities**—See Historic Property.

**Historic Preservation**—54 U.S.C. § 300315, states that the term “preservation” or “historic preservation” includes—(1) identification, evaluation, recordation, documentation, curation, acquisition, protection, management, rehabilitation, restoration, stabilization, maintenance, research, interpretation, and conservation; (2) education and training regarding the foregoing activities; or (3) any combination of the foregoing activities.

**Historic Preservation**—Section 301(8) of the *NHPA*, 16 U.S.C. § 470w(8), states that historic preservation "includes identification, evaluation, recordation, documentation, curation, acquisition, protection, management, rehabilitation, restoration, stabilization, maintenance, research, interpretation, conservation, and education and training" regarding cultural resources.

The *Secretary of the Interior's Standards for the Treatment of Historic Properties* (NPS 1997) defines historic preservation as "the act or process of applying measures necessary to sustain the existing form, integrity, and materials of a historic property."

**Historic Preservation Review Process**—The series of actions (including consultation, background studies, surveys, resource identifications, assessments and treatments) that implement the section of the *National Historic Preservation Act* that requires federal agencies to take into account the effects of their undertakings on any cultural resources or historic properties that meet the National Register of Historic Places criteria. Part of this process involves taking action to avoid or minimize harm to eligible resources (historic properties).

**Historic Property (or Historic Resource)**—Per *NHPA* Section 106, the term “historic property” means any prehistoric or historic district, site, building, structure, or object included on, or eligible for inclusion on, the National Register, including artifacts, records, and material remains relating to the district, site, building, structure, or object. This definition of Historic Property is equivalent to “Heritage Asset” as used by the Federal Accounting Standards Board and the Federal Real Property Council.

**Historic Property (or Historic Resource)**—“Any prehistoric or historic district, site, building, structure, or object included in or eligible for inclusion on the National Register, including artifacts, records, and material remains related to such a property or resource.” (*NHPA* Section 301(5)). Title 36 C.F.R. § 60.4 explains criteria for determining eligibility for listing to the National Register. This definition of Historic Property is equivalent to “Heritage Asset.”

**Historic Status Code**—The official National Register of Historic Places status listed in the Real Property Inventory (RPI: ACES-RP/AM and future replacements) for each asset. The status codes are published and defined by DoD. The appropriate entries are determined by the installation or AFCEC/ANG/AFRC CRM and reflect SHPO concurrence, or eligibility determinations by the Keeper. Each facility coded as an Historic Property (Heritage Asset) in the RPI (e.g., ELPA; NHLC; NHLI; NREC; NREI; NRLC; NRLI) must be supported by appropriate documentation. Facilities coded as DNE must have documentation supporting the not-eligible determination. <https://app.eis.af.mil/a7cportal/CEPlaybooks/Pages/default.aspx>

**Identification of Historic Properties**—A process using specific methods and techniques to locate and define the characteristics, nature, extent, and boundaries of cultural resources and historic properties. (See the Secretary of Interior’s Standards and Guidelines for Identification). Identification is one of the first steps in the *NHPA* Section 106 process, which includes preliminary work, actual efforts to identify properties, and the evaluation of identified properties to determine if they qualify as historic properties. The standard is a "reasonable and good faith effort" for identification and evaluation.

**Indian Lands or Tribal Lands**—Defined in *ARPA* as: “...lands of Indian tribes, or Indian individuals, which are either held in trust by the United States or subject to a restriction against alienation imposed by the United States, except for subsurface interests not owned or controlled by an Indian tribe or Indian individual.” Indian Lands include tribal reservations, trust lands, and “Usual and Accustomed Places” for subsistence collecting, hunting, and fishing. The latter are often called “Treaty Lands.”

**Indian Tribe**—For the purposes of this Instruction, the term Indian Tribe (Tribe) includes federally recognized American Indian Tribes and Alaska Native Entities. A federally recognized

tribe is one the United States government formally recognizes as a sovereign entity that requires government-to-government relations. The federal government holds lands in trust for many, but not all, Tribes. Some tribes are not federally recognized, and are not afforded special rights under federal law. Cultural resources management programs on installations are required under various statutes to specially interact and consult with federally recognized Tribes (but not with tribes that are not federally recognized). The Bureau of Indian Affairs (BIA) maintains the official list of federally recognized Tribes. At present, this list contains 567 Indian Tribes and Alaska Native Entities (Volume 77 Federal Register Parts 47868 -47873, *Bureau of Indian Affairs, Indian Entities Recognized and Eligible To Receive Services From the Bureau of Indian Affairs*, August 10, 2012 <<http://www.bia.gov/cs/groups/public/documents/text/idc-020700.pdf>>).

**Indian Tribe**—For the purposes of this Instruction, the term Indian Tribe (Tribe) includes federally recognized American Indian Tribes and Alaska Native Entities. A federally recognized tribe is one the United States government formally recognizes as a sovereign entity that requires government-to-government relations. The federal government holds lands in trust for many, but not all, Tribes. Some tribes are not federally recognized, and are not afforded special rights under federal law. Cultural resources management programs on installations are required under various statutes to specially interact and consult with federally recognized Tribes (but not with tribes that are not federally recognized). The Bureau of Indian Affairs (BIA) maintains the official list of federally recognized Tribes. At present, this list contains 566 Indian Tribes and Alaska Native Entities (Volume 77 Federal Register Parts 47868 -47873, *Bureau of Indian Affairs, Indian Entities Recognized and Eligible To Receive Services From the Bureau of Indian Affairs*, August 10, 2012 <<http://www.bia.gov/cs/groups/public/documents/text/idc-020700.pdf>>).

**Integrated Cultural Resources Management Plan (ICRMP)**—A document that lists/describes installation cultural resources, defines procedures and policies, and outlines plans for managing cultural resources on DoD installations. ICRMP are required for all DoD installations under Section 6(e) and Enclosure 6 of DoDI 4715.16. ICRMP are comprehensive, and implement DODI 4715.9, Environmental Planning and Analysis, ensuring that installations fully integrate cultural resources planning with other land management and development plans at installations. Air Force installations must update or review their plan at least annually and complete major revisions as mission changes warrant. Planned activities in approved ICRMP are legal drivers for annual program planning and funding. ICRMP must be approved no less than every five years by current base or wing commanders, or as delegated by said commanders to the BCE or equivalent leadership, and when changes/updates warrant re-approval.

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**Interested Person or Party**—In the *NHPA* Section 106 process, an individual, group or organization concerned with the effects of an undertaking on historic properties. These may request an opportunity to participate as consulting parties.

**Material Remains**—Physical evidence of human occupation or use. These are artifacts, ecofacts, and features, from or at the location, or in the context, in which the events occurred.

**Mitigation**—Actions or treatments that lessen, eliminate, or compensate for the adverse effects of undertakings to historic properties. These actions may include, but are not limited to: 1) moving the undertaking to avoid effects; 2) reducing the extent of the effects by redesigning the undertaking; 3) compensating for the effects by repairing, rehabilitating, or restoring the affected historic properties; 4) preservation and protection actions during actual implementation of the undertaking; and/or 5) compensating for the effect by documenting the historic property, moving the historic property to a protected area, or conducting data recovery. This Instruction encourages “Creative” or “Alternative” mitigation, which can include preserving, protecting, studying, or restoring non-affected properties substituted for the affected property. Creative mitigation may involve publishing detailed research, or publically-oriented documents on the archaeology or history of a region or locale, or creating a scale model or other representation of the affected property for a park or museum. (See the Secretary of Interior's Standards and Guidelines Note on Documentation and Treatment of Historic Properties, Historical Documentation, Architectural and Engineering Documentation and Archeological Documentation).

**Program Alternatives**—36 C.F.R. Part 800.14 outlines a variety of methods available to federal agencies to meet their historic preservation review obligations. Each of these alternatives allows federal agencies to tailor the *NHPA* Section 106 process to meet their needs. Alternate procedures include Alternate Procedures; Programmatic Agreements; Prototype Programmatic Agreements; Exempted Categories; Standard Treatments; and Program Comments.

**Sacred Site**—Defined in E.O. 13007as, “Any specific, discrete, narrowly delineated location on federal land that is identified by an Indian Tribe, or Indian individual determined to be an appropriately authoritative representative of an Indian religion, as sacred by virtue of its established religious significance to, or ceremonial use by, an Indian religion; provided that the Tribe or appropriately authoritative representative of an Indian religion has informed the agency of the existence of such a site” (see DoDI 4710.02).

**Section 106, *NHPA*—Effect of undertaking on historic property**—The head of any Federal agency having direct or indirect jurisdiction over a proposed Federal or federally assisted undertaking in any State and the head of any Federal department or independent agency having authority to license any undertaking, prior to the approval of the expenditure of any Federal funds on the undertaking or prior to the issuance of any license, shall take into account the effect of the undertaking on any historic property. The head of the Federal agency shall afford the Council a reasonable opportunity to comment with regard to the undertaking.

**Section 110 Guidelines**—Guidance for establishing, monitoring, reviewing, and evaluating Federal historic preservation programs. Each program should incorporate provisions of other relevant statutes, such as *AIRFA* and *NEPA*. Originally published as *The Secretary of the Interior's Standards and Guidelines for Federal Agency Historic Preservation Programs Pursuant to Section 110 of the National Historic Preservation Act*, the guidelines define the required components of a sound federal historic preservation program.

**Section 110 Inventories and Evaluations**—Archaeological or historic building surveys and National Register evaluations completed IAW requirements to identify historic properties on agency land to facilitate good planning and streamline later 36 C.F.R. Part 800 consultations. Surveys and eligibility determinations for Section 306102 must be coordinated with SHPO/THPO and other appropriate parties for concurrence to ensure future applicability to 36 C.F.R. Part 800 undertakings that occur in surveyed areas. A key component to successful surveys is recordkeeping.

**State Historic Preservation Officer (SHPO)**—The official appointed by the Governor of each State and territory to carry out the functions defined in Title 54 U.S.C. § 302301 and to administer the State Historic Preservation Program. SHPOs provide advice and assistance to federal agencies regarding their Cultural Resources Management programs and historic preservation responsibilities. The *NHPA* has been amended over the years, with attendant changes to 36 C.F.R. Part 800, resulting in THPO most often being consulted concurrently with SHPO.

**The Native American Graves Protection and Repatriation Act (NAGPRA)**—A federal law passed in 1990. *NAGPRA* provides a process for museums and federal agencies to return certain Native American cultural items -- human remains, funerary objects, sacred objects, or objects of cultural patrimony -- to lineal descendants, and culturally affiliated Indian Tribes and NHOs. *NAGPRA* includes provisions for unclaimed and culturally unidentifiable Native American cultural items, intentional and inadvertent discovery of Native American cultural items on federal and tribal lands, and penalties for noncompliance and illegal trafficking. In addition, *NAGPRA* authorizes federal grants to Indian Tribes, NHOs, and museums to assist with the documentation and repatriation of Native American cultural items, and establishes the Native American Graves Protection and Repatriation Review Committee to monitor the *NAGPRA* process and facilitate the resolution of disputes that may arise concerning repatriation under *NAGPRA*.

**Native American**—A person with origins in any of the original peoples of North America and who maintains cultural identification through tribal affiliation or has community recognition as an American Indian or Alaskan Native.

**Native Hawaiian Organization (NHO)**—Defined IAW *NAGPRA* Section 2(10) “A Native Hawaiian organization includes any organization that: (a) serves and represents the interests of Native Hawaiians, (b) has as a primary and stated purpose the provision of services to Native Hawaiians, and (c) has expertise in Native Hawaiian Affairs, and includes the Office of Hawaiian Affairs and Hui Malama I Na Kupuna `O Hawai`i Nei.” The Department of the Interior has interpreted this definition to also include the Hawaiian island burial councils and various 'Ohanas (extended families). (See *Consultation with Native Hawaiian Organizations in the Section 106 Process: A Handbook*; and DoDI 4710.03).

**National Historic Landmark**—Historic property that meets the criteria of the National Register of Historic Places and has been designated by the Secretary of the Interior for its special national importance in the history of the United States. Air Force examples include Randolph Field Historic District at Randolph AFB and the Cadet Area of the Air Force Academy.

**National Register of Historic Places (NRHP)**—The Federal government's official list of buildings, structures, districts, sites, and objects that are significant in American history, architecture, archaeology, engineering, or culture, and are thereby considered for preservation.

The National Register is administered by the Department of the Interior, National Park Service (NPS). Criteria for eligibility, and the procedures for nomination, making changes to listed properties, and for removing properties from the National Register are detailed in 36 C.F.R. § 60, "National Register of Historic Places."

**Notification**—Written notification (vs. Consultation) is specifically required in various statutes. For example, affiliated federally recognized Tribes must be notified 30 days before a federal agency may issue an *ARPA* permit if the proposed research might disturb or harm any Indian tribal or religious site on agency land [32 C.F.R. § 229.7(a)]. Written notification also is required by *NAGPRA* for planned intentional excavation or inadvertent discovery of Native American human remains, and funerary or sacred objects, or objects of cultural patrimony. See 43 C.F.R. § 10.5(b) for the list of people who must be notified under *NAGPRA*. The *NHPA* requires notification of the Council that an undertaking will adversely affect a historic property [36 C.F.R. § 800.6(a)(1)].

**Plan of Action**—A written plan, prepared, approved, and signed by a federal agency official (e.g., the installation commander), in response to an inadvertent discovery or intentional excavation of Native American human remains, funerary objects, sacred objects, or objects of cultural patrimony on agency land. A Contingency Plan of Action is similar but is developed prior to a specific planned undertaking or action likely to result in the discovery of *NAGPRA* remains or objects. Both kinds of Plans of Action are completed after consultation between the federal agency and a federally recognized Tribe affiliated with the *NAGPRA* remains or cultural objects. The Plan of Action outlines consultation procedures, treatment, and disposition of the *NAGPRA* remains and objects. Signatures of Tribal officials are not required (43 C.F.R. § 10.5(e)).

**Program Comment and Nationwide Programmatic Agreement**—Programmatic alternatives to *NHPA* Section 106 review developed through negotiations between a federal agency and the Advisory Council to streamline Section 106 review for a category of possibly significant resources, IAW 36 C.F.R. § 800.14(a)]. Currently in effect: 1. ACHP, *Programmatic Agreement with DoD, Demolition of World War II Temporary Buildings*, July 7, 1986, amended May 1 1991; 2. ACHP, *Program Comment, Wherry and Capehart Era Family Housing at Air Force and Navy Bases*, November 18, 2004; 3. ACHP, *Program Comment, Ammunition and Explosives Storage for the Navy (1939-1989) and the Air Force (1946-1989)*, May 2011; 4. ACHP, *Program Comment, Air Force and Navy Unaccompanied Personnel Housing During the Cold War Era (1946-1989)*, May 2011.

**Proponent**—The commander, commanding officer, or civilian director of a unit, activity, or organization, who initiates a proposal for an undertaking, who has command and control authority over the undertaking once it is authorized, or who has the legal and financial authority to commit the Air Force to agreements undertaken in compliance with cultural resource laws and regulations.

**Sacred site**—Defined in E.O. 13007as, "Any specific, discrete, narrowly delineated location on federal land that is identified by an Indian Tribe, or Indian individual determined to be an appropriately authoritative representative of an Indian religion, as sacred by virtue of its established religious significance to, or ceremonial use by, an Indian religion; provided that the Tribe or appropriately authoritative representative of an Indian religion has informed the agency of the existence of such a site" (see DoDI 4710.02 and DoDI 4710.03).

*Secretary of the Interior's Standards and Guidelines for Federal Agency Historic Preservation Programs Pursuant to Section 110 of the NHPA*—Published in Federal Register (24 April 1998) and in *Archeology and Historic Preservation: Secretary of the Interior's Standards and Guidelines* (48 FR44716). The *Standards and Guidelines* are a series of guidance documents created by the Secretary of the Interior under authority of the *NHPA*. The *Standards and Guidelines* do not set agency policy but assist in organizing information about historic preservation activities; in describing steps achieved by federal agencies, states, and others when planning for the identification, evaluation, registration, and treatment of historic properties, and in integrating the diverse efforts of the various entities to preserve the Nation's cultural heritage.

**Section 106 Program Alternatives**—36 C.F.R. § 800.14 outlines a variety of methods available to federal agencies to meet their Section 106 obligations. Each of these alternatives allows federal agencies to tailor the Section 106 process to meet their needs. Alternate procedures include Alternate Procedures; Programmatic Agreements; Prototype Programmatic Agreements; Exempted Categories; Standard Treatments; and Program Comments.

**Section 106, NHPA**—“The head of any Federal agency having direct or indirect jurisdiction over a proposed Federal or federally assisted undertaking in any State and the head of any Federal department or independent agency having authority to license any undertaking shall, prior to the approval of the expenditure of any Federal funds on the undertaking or prior to the issuance of any license, as the case may be, take into account the effect of the undertaking on any district, site, building, structure, or object that is included in or eligible for inclusion in the National Register. The head of any such Federal agency shall afford the Advisory Council on Historic Preservation established under Title II of this Act a reasonable opportunity to comment with regard to such undertaking.”

**Section 106 Process**—The series of actions (including consultation, background studies, surveys, resource identifications, assessments and treatments) that implement the section of the *National Historic Preservation Act* that requires federal agencies to take into account the effects of their undertakings on any cultural resources or historic properties that meet the National Register of Historic Places criteria. Part of this process involves taking action to avoid or minimize harm to eligible resources (historic properties).

**Section 110 Guidelines**—Guidance for establishing, monitoring, reviewing, and evaluating Federal historic preservation programs. Each program should incorporate provisions of other relevant statutes, such as *AIRFA* and *NEPA*. Published as *The Secretary of the Interior's Standards and Guidelines for Federal Agency Historic Preservation Programs Pursuant to Section 110 of the National Historic Preservation Act*, the guidelines define the required components of a sound federal historic preservation program.

**Section 110 Inventories and Evaluations (aka Section 110 Surveys)**—Archaeological or historic building surveys and National Register evaluations completed IAW *NHPA* Section 110(a)(2)(A) requirements to identify historic properties on agency land to facilitate good planning and streamline later Section 106 consultations. Surveys and eligibility determinations for Section 110 must be coordinated with SHPO/THPO and other appropriate parties for concurrence to ensure future applicability to Section 106 undertakings that occur in surveyed areas. A key component to successful Section 110 surveys is recordkeeping.

**State Historic Preservation Officer (SHPO)**—The official appointed by the Governor of each State and territory to carry out the functions defined in the *NHPA*, and to administer the State

Historic Preservation Program. SHPOs provide advice and assistance to federal agencies regarding their Cultural Resources Management programs and historic preservation responsibilities. The *NHPA* has been amended over the years, with attendant changes to 36 CFR §Part 800, resulting in THPO most often being consulted concurrently with SHPO.

**Site**—Location of an event, a prehistoric or historic occupation or activity, or a building or structure, whether standing, ruined, or removed, where the location itself maintains historical, cultural, or archeological value and integrity. Examples are battlefields, historic campgrounds, ancient trails or gathering places, deposits of cultural debris (i.e. middens or trash dumps), and historic homesteads and farms.

**Traditional Cultural Resources/Properties (TCRs/TCPs)**—TCRs are sites, districts, buildings, structures, or objects associated with cultural practices or beliefs of a living community that are rooted in the history of the community, and are important in maintaining the continuing cultural identity of the community. TCRs may be determined eligible for the NRHP, and as such, are considered under the 36 C.F.R. Part800 process as TCPs. Examples of TCRs/TCPs include: 1) locations where Native American or other groups traditionally gather wild foods or medicines; 2) ethnic neighborhoods whose cultural character is important to those who live in them; 3) rural landscapes reflecting traditional patterns of agriculture or social interaction; and 4) landforms associated with Native American traditions and religious practices.

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**Tribal Historic Preservation Officer (THPO)**—The official appointed by an Indian Tribe in accordance with 54 U.S.C. §302702 to administer the Tribal Historic Preservation Program and assume duties and functions for tribal lands similar to those that the SHPO has for other lands. The Secretary of Interior designates Tribes with THPO responsibilities. Air Force installations must consult with the THPO, instead of the SHPO, on undertakings on or over Indian tribal lands where a Tribe has been granted THPO responsibilities by the Secretary of the Interior. The THPO also functions, much like a SHPO, in consulting with the AF where an installation's historic properties are of traditional religious and cultural importance to a Tribe, or otherwise potentially affected by AF undertakings.

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historic properties are of traditional religious and cultural importance to a Tribe, or otherwise potentially affected by AF undertakings.

**Unanticipated Discovery**—Identification of a historic property/cultural resource or of an unanticipated adverse effect to a cultural resource during implementation of an undertaking. These may occur with or without prior planning for such discoveries and after completion of comprehensive Section 106 consultation (including consultation with all appropriate parties). When this occurs, the finder will cease operations and notify the installation Commander and the CRM who will follow the procedures defined in the ICRMP and in 36 C.F.R. § 800.13 and 43 C.F.R. §Part 10.4.

**Undertaking According to Title U.S.C. § 300320**—the term “undertaking” means a project, activity, or program funded in whole or in part under the direct or indirect jurisdiction of a Federal agency, including—(1) those carried out by or on behalf of the Federal agency; (2) those carried out with Federal financial assistance; (3) those requiring a Federal permit, license, or approval; and (4) those subject to State or local regulation administered pursuant to a delegation or approval by a Federal agency.

**Undertaking**—*NHPA* Section 301(7) defines an undertaking as “Any project, activity, or program wholly or partly funded under the direct or indirect jurisdiction of a Federal agency.” Includes projects and activities that are: (a) executed by or on behalf of a Federal agency; (b) Federally funded; (c) require a Federal permit, license or approval; or (d) are subject to State or local regulation administered through delegation or approval authority by a Federal agency (per 36 C.F.R. § 800.16, amended June 30, 2004).