

## Key Words Pertaining to Cultural Resources

**adverse effect**: alteration of the characteristics of a cultural property that may qualify it for the National Register, thereby reducing or eliminating the resource's use potential, diminishing its integrity, or disqualifying it from National Register eligibility. Determination of adverse effect to cultural properties is guided by criteria in the Advisory Council's regulations, 36 CFR Part 800.

**Advisory Council (ACHP)**: the Advisory Council on Historic Preservation as established by Title II of the National Historic Preservation Act. The Advisory Council is an independent executive agency that reports to and advises the President and the Congress on historic preservation matters. Headquarters are in Washington, D.C.

**“archaeological resource”**: a term with legal definition and application, which means any material remains of human life or activities that are at least 100 years of age, and that are of archaeological interest, as further defined at 43 CFR Part 7.3.

**archaeology**: the subfield of anthropology engaged in recovering, analyzing, interpreting, and explaining evidence of the human prehistoric and historic past; the time-depth arm of anthropology. Archaeology as a scholarly endeavor is not limited in the scope of its subject matter by legal or regulatory provisions such as the minimum age assigned to archaeological resources (for enforcement purposes) by the Archaeological Resources Protection Act.

**artifact**: human made, not natural; any object that shows evidence of human manufacture, modification, or use. In common usage, normally refers to portable prehistoric items such as implements made of stone, bone, pottery, or other durable material.

**“Area of Potential Effects (APE)”**: A term with legal definition and application which refers to the geographic area or areas within which an undertaking (see ‘Undertaking’) may cause changes in the character or use of historic properties, if any such properties exist. This term is found within the National Historic Preservation Act.

**avoidance**: preventing a potential adverse effect from occurring by the partial or complete redesign or relocation of a proposed land use.

**compliance**: adherence to specific provisions of any law, executive order, regulation, authorization, agreement, or similar legal instrument. In cultural resource management, most commonly used to mean documented observance of the regulated procedural requirements of Section 106 of the National Historic Preservation Act, or, for BLM, documented observance of the national cultural resources Programmatic Agreement and State Director/SHPO protocols.

**Council**: (See "Advisory Council")

**cultural**: of or pertaining to culture, the regularized, patterned, learned behavior shared

by members of an interacting social group and passed from generation to generation, comprising the group's technology, economy, religion, arts, social organization, and more. A group's partly subconscious consensus on how things are done. Aspects of culture vary among contemporary groups and change through time. Culture may be viewed as a complex set of instrumental behaviors interposed between a group and its natural and social environment, and may be said to constitute the group's adaptation to its environment.

**cultural resource or cultural property:** a definite location of human activity, occupation, or use identifiable through field inventory (survey), historical documentation, or oral evidence. The term includes archaeological, historic, or architectural sites, structures, or places with important public and scientific uses, and may include sites or places of traditional cultural or religious importance to social and/or cultural groups (see “traditional cultural property”). Cultural resources are concrete, material places and things that are located, classified, ranked, and managed through the system of identifying, protecting, and utilizing for public benefit described in the BLM 8100 Manual series. They may be but are not necessarily eligible for the National Register.

**cultural resource inventory classes:**

1. **Class I - existing information inventory:** a study of published and unpublished documents, records, files, registers, and other sources, resulting in analysis and synthesis of all reasonably available data. Class I inventories encompass prehistoric, historic, and ethnological/sociological elements, and are in large part chronicles of past land uses. They may have major relevance to current land use decisions.
2. **Class II - probabilistic field survey:** a statistically based sample survey designed to help characterize the probable density, diversity, and distribution of archaeological properties in a large area by interpreting the results of surveying limited and discontinuous portions of the target area.
3. **Class III - intensive field survey:** a continuous, intensive survey of an entire target area, aimed at locating and recording all archaeological properties that have surface indications, by walking close-interval parallel transects until the area has been thoroughly examined. Class III methods vary geographically, conforming to the prevailing standards for the region involved.

**effect:** any change in the characteristics that contribute to the use(s) determined appropriate for a cultural resource, or to the qualities that qualify a cultural property for the National Register. Determination of effect to cultural properties is guided by criteria in the regulations of the Advisory Council, 36 CFR Part 800.

**evaluation:**

1. **with regard to BLM planning:** the process of determining the public and scientific use potential of cultural resources through (a) the analysis of cultural

resource inventory data, (b) the application of professional judgment to identify characteristics contributing to possible uses, and (c) the recommendation of appropriate uses. (For definitions of use categories, see BLM Manual Section 8110.4.)

2. with regard to the National Register of Historic Places: the application of the National Register eligibility criteria, 36 CFR Part 60.4.

**"historic property" or "historic resource"**: "any prehistoric or historic district, site, building, structure, or object included in, or eligible for inclusion in, the National Register. The term includes, for purposes of these regulations, artifacts, records, and remains that are related to and located within such properties. The term 'eligible for inclusion in the National Register' includes both properties formally determined as such by the Secretary of the Interior and all other properties that meet National Register listing criteria" (quoted from 36 CFR Part 800.2(e)).

**inventory**: a term used to refer to both a record of cultural resources known to occur within a defined geographic area, and the methods used in developing the record. Depending on intended applications for the data, inventories may be based on (a) compilation and synthesis of previously recorded cultural resource data from archival, library, and other indirect sources; (b) systematic examinations of the land surface and natural exposures of the subsurface for indications of past human activity as represented by artificial modifications of the land and/or the presence of artifacts; and (c) the use of interviews and related means of locating and describing previously unrecorded or incompletely documented cultural resources, including those that may not be identifiable through physical examination. (See "cultural resource inventory classes.")

**Memorandum of Agreement (MOA)**: The document that records the terms and conditions agreed upon to resolve the adverse effects of an undertaking upon historic properties.

**mitigation**: lessening the severity of a potential adverse effect by application of appropriate protection measures, recovery of archaeological data, or other means.

**National Register**: The National Register of Historic Places is the nation's official list of properties considered worthy of preservation. In addition to major sites of national significance, the National Register recognizes the importance of archaeological and historical sites, buildings, districts, structures, and objects of local and state historical significance as well. The National Register is maintained by the Secretary of the Interior, as authorized by section 2(b) of the Historic Sites Act and section 101(a)(1)(A) of the National Historic Preservation Act. Eligibility criteria and nomination procedures are found in 36 CFR Part 60. The Secretary's administrative responsibility for the National Register is delegated to the National Park Service.

**Programmatic Agreement (PA)**: a document that records the terms and conditions agreed upon to resolve the adverse effects of a Federal agency program, complex undertaking, or other situations in accordance with 36 CFR Part 800.14(b). Programmatic Agreements are appropriate where a program will result in undertakings that have repetitive effects on historic properties, where effects cannot be fully determined in advance of Federal decision-making, or where non-Federal parties have major decision-making responsibilities. In 2012, the BLM, the Advisory Council on Historic Preservation, and the National Conference of State Historic Preservation Officers signed a national cultural resource PA that defines how the BLM will meet its various responsibilities under the National Historic Preservation Act. Many other parties, including Indian tribes, were consulted during the development of the national PA.

**protection measures:**

1. **physical protection measure**: any physical means, such as stabilization of elements of a cultural property or its immediate environment, placement of physical barriers, or similar measures, employed to arrest, slow the rate of, or divert the source of natural or human-caused deterioration to a cultural property.
2. **administrative protection measure**: any nonphysical means, such as withdrawal, closure, or other measures, employed to limit conflicting use of, or access to, an area containing or importantly pertaining to a cultural resource undergoing or threatened by deterioration.

**recovery of cultural resource data (“data recovery”)**: the professional application of archaeological techniques of controlled observation, collection, excavation and/or removal of physical remains, including analysis, interpretation, explanation, and preservation of recovered remains and associated records in an appropriate curatorial facility, used as a means of protection. Data recovery may sometimes employ professional collection of data such as oral histories, genealogies, folklore, and related information to portray the social significance of the affected resources.

**salvage**: (See "recovery of cultural resource data".)

**Section 106**: the section of the National Historic Preservation Act that requires Federal agency officials (1) to take into account the effects of their undertakings on properties eligible for or included in the National Register of Historic Places, and (2) to afford the Advisory Council a reasonable opportunity to comment on the undertaking. 36 CFR Part 800 implements section 106. The BLM complies with Section 106 and 36 CFR Part 800 by following its national Programmatic Agreement, BLM/SHPO protocols established pursuant to the national Programmatic Agreement, and BLM Manuals in the 8100 series.

**"significance" or "significant"**: terms with legal/regulatory application, which mean that a property meets the National Register eligibility criteria. This is the only technical, operational meaning. Cultural properties may be found to qualify for the National Register at local, State, or national levels of significance.

**site:** the location of activities or events, often used loosely to mean the same as cultural resource. In archaeological jargon, the basic meaning of site is a place where archaeological evidence occurs, with precise meanings varying considerably from region to region and among recording institutions within regions. According to National Register Bulletin No. 16A, site means "location of a significant event, a prehistoric or historic occupation or activity, or a building or structure, whether standing, ruined, or vanished, where the location itself possesses historic, cultural, or archeological value regardless of any existing structure."

**State Historic Preservation Officer (SHPO):** The official appointed to administer the State historic preservation program pursuant to Section 101(b)(1) of the National Historic Preservation Act. The SHPO in each State is responsible for the identification, evaluation, and protection of that State's prehistoric and historic cultural resources. The SHPO staff represents various areas of expertise, including history, prehistoric and historic archaeology, historical architecture, and grants management. The SHPO works with federal agencies as a partner in the Section 106 compliance process. The SHPO works with BLM in each State according to procedures described in Protocols implementing BLM's national cultural resources Programmatic Agreement.

**survey:** the application of professional methods and techniques for field inventory, used to locate and identify cultural properties. (See "cultural resource inventory classes - Class II and Class III").

**tradition:** longstanding, socially conveyed, customary patterns of thought, cultural expression, and behavior, such as religious beliefs and practices, social customs, and land or resource uses. Traditions are shared generally within a social and/or cultural group and span generations.

**traditional cultural property (TCP):** a property that derives significance from traditional values associated with it by a social and/or cultural group such as an Indian tribe or local community. See "cultural resource or cultural property." Such properties of traditional religious or cultural importance are also referred to as "traditional cultural places" or by the acronym "TCPs." A traditional cultural property may qualify for the National Register if it meets the criteria at 36 CFR 60.4.

**traditional value:** a social and/or cultural group's traditional systems of religious belief, cultural practice, or social interaction, not closely identified with definite locations. Another group's shared values are abstract, nonmaterial, ascribed ideas that one cannot know about without being told. Traditional values are taken into account through public participation during planning and environmental analysis or through tribal consultation, as applicable. Traditional values may imbue a place with historic significance (see "traditional cultural property").

**"undertaking":** a term with legal definition and application that includes direct BLM actions (improvement projects, disposals, etc.) and non-BLM actions carried out under the sanction of BLM licenses, leases, permits, or other authorizations. In practice,

anything BLM has discretionary decision-making authority to do or allow to be done, which could have an effect on cultural properties, known or not, Federal or not, may be considered an undertaking subject to Section 106 compliance procedures.

**use categories:** six BLM categories (scientific use, conservation for future use, traditional use, public use, experimental use, discharged from management) employed by Field Office managers to connect identified cultural resources with decisions about their protection and utilization. All cultural resources have uses, to which they can often be assigned even before they have been individually identified. Use allocations allow Field Office managers to know in advance how to respond to potential conflicts between cultural resources and proposed land uses. A cultural property may be allocated to more than one use category. Although some scientific and experimental uses result in physical alteration of resources, use does not imply consumptive use. Managed use of cultural resources can be fully compatible with long-range preservation, and also the means by which preservation is achieved.