

Archaeology Increasingly Present in UXO Projects

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The following is an article by guest author Jim Christensen

UXO projects around the United States and its territories have, with increasing frequency, been tasked with compliance for cultural resource and archaeological regulations. Many contractors in the UXO industry work for many years all over the US without having had to deal with archaeology. When they are first faced with the requirement, many are ill prepared to adapt to the challenges. It is important to raise the awareness of contractors, because nothing can throw a monkey wrench in a project quite as fast as archaeology. It's much easier to be successful if the costs, logistics, and protocols for cultural resource monitoring are taken into account proactively. It's even better if the safety plan integrates all the specialists required to complete the project under one, cohesive strategy. Failure to consider this aspect can negatively impact profitability and, worse, safety.

Section 106 of the National Historic Preservation Act and 36CFR800 dictate that a federal project with the potential to impact cultural resource sites must take into consideration those possible impacts. The law does not specify that only archaeological sites must be considered, but at present that is what is being enforced most frequently. Other aspects of cultural resources such as traditional use areas, hunting and fishing, etc. could all be lumped under this law as well. In today's regulatory environment, those other aspects are not usually addressed.

Because archaeological sites are considered to be those locations with evidence of human activity 50 years old or older, UXO remediation projects are likely to impact archaeological sites. When most metallic anomalies are targeted for removal, and metallic items make up the bulk of the assemblage of most historic sites, we are in essence destroying historic sites over a broad area by removing artifacts from context. This does not take into account inadvertent impacts to prehistoric sites as a result of intrusive excavation by techs not trained to identify prehistoric materials.

As a result, the lead agency, in consultation with the State Historic Preservation Office (SHPO), the land managing agency, and Tribes may advise the presence of an archaeologist. This can create obvious challenges in terms of productivity, as well as safety.

Though the NHPA has been around since 1966, we are only recently seeing it affect the industry. UXO projects are usually federal undertakings in which the NHPA applies. In fact, it has always applied, but for a variety of reasons, UXO techs never saw archs on the grid.

Prior to letting the contract, Army Corps of Engineers, land managing agencies, or installations traditionally signed off on a statement that UXO remediation was not likely to impact archaeological sites. If the SHPO and Tribes signed off on that determination, the project was in compliance and could move forward with no further work needed.

Today we are seeing more projects on FUDS properties. Many of these are managed by the Bureau of Land Management, the US Forest Service, or Fish and Wildlife. These agencies are less likely to simply sign off on a work plan that states that remediation is the sort of activity unlikely to impact cultural resources.

One of the major changes is agency awareness of UXO remediation and its methods. Agency archaeologists tasked with reviewing project permits are becoming more and more familiar with what UXO remediation entails. Projects such as Kaho'olawe, Edwards Air Force Base, Pole Mountain, White Sands, and Vieques have all had substantial archaeological components, and SHPO offices involved have been in communication with others about remediation's potential effects to archaeological sites. Some are beginning to look at ordnance itself as a component of the historic landscape. The BLM Salt Lake Field Office (BLM-SLFO) has coordinated with the Utah SHPO, and plans are going into effect that will require the documentation of ordnance prior to its disposal, at least on lands managed by the BLM-SLFO. Archaeology is a major component of an RFP recently released for Hill Air Force Base where it can be anticipated that the BLM will dedicate close scrutiny to these issues. Furthermore, it can be anticipated that cultural resource managers within agencies external to the "traditional" UXO community will be discussing the topic more frequently as their staff gain increased exposure to the UXO industry.

Because many in the UXO field have come from a military background, they are likely familiar with an exemption regarding cultural resources when it comes to UXO. This is a very restrictive exemption. Army Alternate Procedures have been implemented by the Department of the Army in consultation with the Advisory Council on Historic Preservation (ACHP). Programs and categories of undertakings that are exempt from the Section 106 process, however, are extremely limited under these alternatives.

The guidelines for application of the Army Alternate Procedures includes the mandate for an active installation to have both a Historic Properties Component (HPC) as well as an Integrated Cultural Resource Management Plan (ICRMP), pursuant to Section 4.5(a) through 4.5(3)(iv) of the Army Alternate Procedures, to exempt any portion of ordnance response. As such, Army Alternate Procedures rarely apply to FUDS properties or lands managed by other agencies.

It should be assumed that UXO remediation projects have the potential to impact archaeological sites. Likewise, as focus shifts to FUDS projects, more contractors will be tasked with maintaining compliance with the NHPA. This is a trend that it is here to stay. Close coordination with agencies and archaeological consultants is advised in order to develop workable plans that do not hamper productivity or safety.