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CULTURAL RESOURCE INVENTORY FOR  
ALASKA MUNICIPALITY LANDS

Intent

To provide funding to Alaskan municipalities for the establishment of cultural resource inventories and cultural resource management programs on lands under municipal jurisdiction.

Background

As a result of the passage of the Alaska Lands Bill by the U. S. Congress in November 1980, the State of Alaska will soon transfer to Alaska Municipalities 861,608 acres of Alaska statehood lands (AS 29.18.201). As major landowners, the municipalities will be responsible for managing the cultural resources (historic and prehistoric sites and materials) on those lands. At the present time the municipalities' capacity for cultural resource management is inadequate because the existing legislation and procedures do not address the need for comprehensive cultural resource inventory, planning, and management on municipal lands.

Existing procedures for cultural resource management provides mainly for historic clearance of specific construction projects. This is carried out on a project-by-project basis upon initiation by the constructing agency, e.g. the Alaska State Department of Transportation and Public Facilities

(DOT/PF). The historic clearance procedures do not address the municipalities' needs to locate and evaluate the cultural resources under their jurisdiction as part of their land management process. The municipalities' needs for cultural resource investigation are different from the needs of a construction agency. The municipality, as a land manager, must have the capability for long range management decisions, based on a comprehensive knowledge of all the resources (including historic-archaeological resources) under its jurisdiction. The municipalities' needs for cultural resource inventory and management are also greater than other governing agencies because the municipalities are the centers of population and therefore the focus of construction and development which will affect cultural resources. Furthermore, the lands selected by the municipalities have been chosen because of their development potential and in many cases these lands also have the highest concentration of cultural resources because sites with the easiest access to resources (water, timber, transportation, etc.) were used by human inhabitants in historic and prehistoric times also.

#### Existing Legislation

Cultural resource legislation in Alaska addresses three areas: (1) requirements for historic clearance for construction projects using state or federal funds, (2) requirements for cultural resource inventories on federal lands, and (3) assistance to persons and agencies for inventory or preserva-

tion of historic sites which are sometimes funded through matching grants.

Historic clearance for public constructing agencies is mandated by the National Historic Preservation Act of October 15, 1966 (Public Law 89-665; 80 Stat. 915; 16 U.S.C. 47, as amended) and by the Alaska Historic Preservation Act of September 3, 1971 (AS Chap. 35). This legislation directs federal and state agencies to take into account the affects of their actions upon cultural resources of national, state and local significance. The legislation also establishes procedures for the constructing agencies to secure historic clearance for construction projects. Except for major federal highway and bridge projects, most construction affecting the municipalities is now funded by the State of Alaska. The actual construction is carried out or let on contract by the DOT/PF. Most of the historic clearance for the DOT/PF projects at present is conducted by the Alaska Office of History and Archaeology, a section of the Alaska State Division of Parks.

Cultural resource inventory on Federal lands is mandated by Executive Order 11593 of March 13, 1971. This order directs all Federal agencies to make an inventory of their cultural resources and submit all qualified sites to the National Register of Historic Places. No similar mandate exists for cultural resource inventory on state or municipal lands. A register of known cultural resources in Alaska,

called the Alaska Heritage Resource Survey, is maintained by the Alaska Office of History and Archaeology. This register is a central repository for information from clearance projects, federal inventories, and private cultural resource contractors. The State of Alaska has no active program of cultural resource inventory of its own. From time to time, cultural resource inventories of municipal lands are initiated by the municipalities themselves. One example is the inventory of mining structures in the vicinity of Juneau which the Juneau Borough funded in 1980 and which was carried out by a representative of the Heritage Conservation and Recreation Service, U. S. Department of the Interior. While matching grants are available for such inventories, these funds are not adequate to meet the anticipated needs of the municipalities for cultural resource inventory and management following the transfer of the lands under the statehood act. Furthermore, the burden of funding for such inventories is falling increasingly on the State of Alaska and the municipalities themselves.

#### Discussion

Neither the existing legislation for historic clearance nor the legislation authorizing cultural resource inventories addresses the municipalities' need for inventory, management, and planning in the area of cultural resources. While the primary responsibility for historic clearance ought to

remain with the constructing agency, the municipalities should be equipped with an adequate inventory of their own cultural resources in order to draw up adequate plans for management of lands under their jurisdiction. The inventory and historic clearance processes are distinctly different, though complimentary. The data obtained in an inventory is comprehensive in scope. It is gathered for and benefits primarily the land manager, such as the municipality; and it may be used in a wide range of applications such as land management and historic preservation. The data obtained in the clearance process is specific, relating to a particular project. It is used primarily by the constructing agency and not by the land manager.