

2012 REPORT ON SELECTED HERITAGE PROPERTIES OWNED BY
THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

by

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for

The Historic Preservation Review Board
in partial compliance with
Senate Bill 3 revisions to the Montana State Antiquities Act

December, 2011

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1.0 EXPLANATION AND OVERVIEW

1.1 Introduction

The purpose of this document is to provide the reader with an understanding as to how the Montana Department of Natural Resources and Conservation (DNRC) is instructed to comply with:

- 1) the Montana State Antiquities Act (22-3-421 *et seq.* M.C.A.) including the modifications mandated by Senate Bill 3;
- 2) that portion of MEPA directed toward cultural and paleontologic resources (75-1-103.2e M.C.A.); and
- 3) the Montana Human Remains and Burial Site Protection Act of 1999 (22-3-801 *et seq.* M.C.A.).

These three laws constitute current state level historic preservation statutes in Montana.

1.2 Procedures Outlined

The DNRC employs a cultural resource specialist who meets academic and work experience requirements established by the Secretary of the Interior (see 48 CFR 44716). The DNRC cultural resource specialist is familiar with applicable cultural resource laws, and applicable procedures and standards. He provides informed recommendations and accurate language to DNRC Decision Makers concerning historic preservation law compliance. The Decision Maker is defined as, “*An agency employee with sufficient authority to make commitments on behalf of the agency and who is responsible to approve the environmental review document and decide which course of action to implement* (Mundinger and Everts 1998:39).” Ideally, the information gained through compliance with the State Antiquities Act (SAA) is used, in part, for drafting the corresponding EA or EIS verbiage as it pertains to cultural or paleontologic resources. Depending on work load, the DNRC cultural resource specialist inventories a proposed project’s area of potential effect (APE), assesses whether or not Antiquities or human skeletal remains are present, and drafts a treatment plan if applicable. Alternately, the DNRC may choose to contract the services of a consulting cultural resource specialist in order to partially fulfill state level historic preservation law obligations.

When the DNRC proposes to authorize an action on state land, the cultural resource specialist typically reviews topographic, aerial maps or other technical drawings of the APE. This is followed by an examination of the DNRC’s TLMS database. The cultural resource specialist may then contact the State Historic Preservation Officer (SHPO) and request a search of the state-wide cultural resource inventory system (CRIS) and Cultural Resource Annotated Bibliography System (CRABS) databases. The following section outlines the procedure to be followed for compliance with Montana’s three historic preservation laws.

2.0 STATE LAWS OF RELEVANCE TO CULTURAL AND PALEONTOLOGIC RESOURCE ISSUES

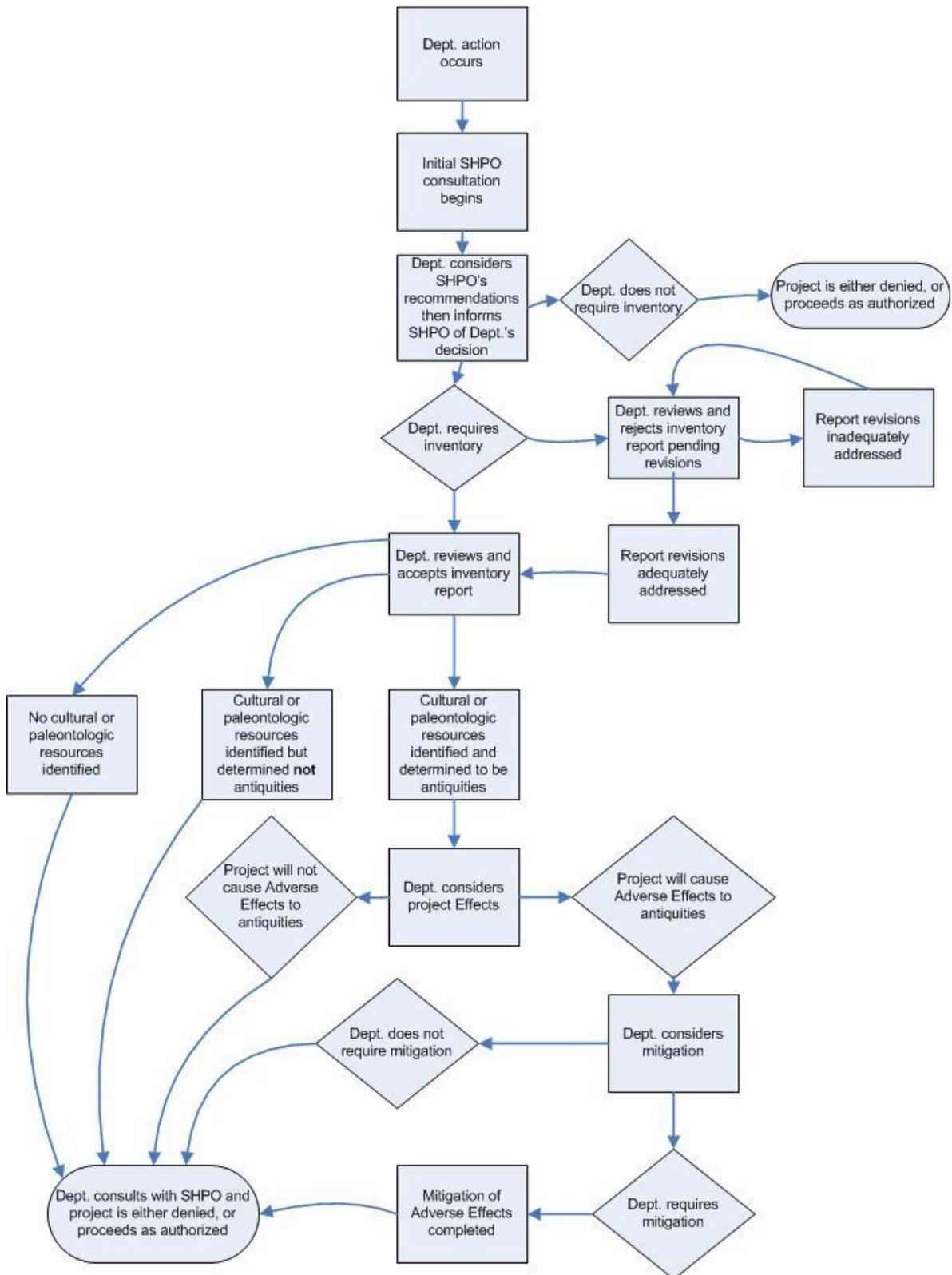
Montana State Antiquities Act (SAA)

The Montana State Antiquities Act (22-3-421 *et seq.* M.C.A.), as Amended in 1995, in part defines the duties and responsibilities of the State Historic Preservation Officer (SHPO). It also, in part, mandates that each state property managing agency, in consultation with the SHPO, develop procedures to be followed for identification of cultural properties eligible for listing in the National Register of Historic Places (called *heritage properties* under the SAA) and *paleontologic resources* (defined under the SAA as “fossilized plant and animal remains which are rare and critical to scientific research”) when the agency intends to authorize an “undertaking” on state owned land. The law is also intended to make state land/property managing agencies responsible for protecting and preserving these resources when feasible to do so. This is especially applicable when state actions or state assisted or licensed actions are of the nature that could substantially alter state owned *Antiquities*; or a transfer of state property to a non-state or non-federal entity is proposed. A copy of the Montana State Antiquities Act (22-3-421 *et seq.* M.C.A.) can be found at Appendix 1 of this document. What is critical at this point to understand is that while all heritage properties are cultural resources, not all cultural resources are heritage properties. Similarly, while all *paleontologic resources* are fossilized plant or animal remains, not all fossilized plant or animal remains meet the definition of a paleontologic resource under the SAA. A flow chart that outlines the compliance process under the SAA is found at page 3 of this document.

As previously mentioned, the primary purpose of the SAA is to require state property managing agencies to take into consideration the debilitating effects that a proposed undertaking might have on *antiquities* (defined under the Act as *heritage properties* and *paleontologic resources*) on lands under that agency’s jurisdiction; consider ways in which potential adverse effects can be lessened or avoided; and articulate in a convincing manner the feasibility of implementing or not implementing such preservation efforts. It should be noted that before *antiquities* on DNRC administered state owned lands can be disturbed or collected, an Antiquities Permit must be obtained from the SHPO and a Cultural/Paleontologic Resources Collection Permit must be obtained from the DNRC. All antiquities and associated documentation collected under these two permits are repositied in a facility that is, if possible, mutually agreeable to the DNRC and the SHPO.

The DNRC has established administrative procedures under A.R.M. 36.2.801-813 (see Appendix 2 of this document) which implement the SAA mandates. The procedures specify consultation with the Montana SHPO early in any decision making process that leads to a departmental action. As part of the preliminary consultation process, DNRC provides information on the proposed action; provides information on known cultural or fossil resources in a proposed undertaking’s APE; requests that SHPO determine if sufficient inventory of the proposed action’s APE has been conducted and reported upon; and may request that SHPO conduct searches of the Cultural Resource Inventory System (CRIS) and Cultural Resource Annotated Bibliography System (CRABS) databases to determine if known antiquities are documented in a proposed undertaking’s APE. If the SHPO responds within the allowed 10 days, DNRC prepares a written response accepting or rejecting any recommended action.

Summary Flowchart of the State Antiquities Act Compliance Process



If DNRC finds insufficient cultural resource data exist for an area proposed for an action, an inventory of the APE may be required. Terms, definitions, significance criteria and field procedures used for SAA compliance mirrors procedures and criteria established by the Federal government. There are three established methods for identifying what cultural or fossil resources. These are known as Class I, Class II and Class III levels of inventory. A Class I inventory consists of a literature search to determine if documented cultural or fossil resources exist in a project area; a Class II inventory consists of a literature review (Class I) and field inspection of a sample of the land contained within the area of potential effect. A Class III inventory consists of a Class I level of research and an intensive field inspection of the land contained within the area of potential effect. As noted elsewhere, a Class III Inventory of a project area is:

... aimed at locating and recording all cultural properties that have surface and exposed-profile indications, through systematic inspection commonly carried out by a crew of trained observers walking a series of close-interval parallel transects until the area has been thoroughly examined. Class III methods vary considerably from region to region due to environmental circumstances ... but conform to the prevailing professional survey standards for the region involved. [typically], 30 meters is the standard distance between transects (Smith 1994).

Thus, the goal of Class III level inventory work is to demonstrate that the agency has made a credible effort to identify and formally record all cultural and paleontologic resources that exist within areas that may be disturbed, or removed from state ownership, with proposed project related developments. Class III level of inventory is typically the preferred and most defensible means of cultural and fossil resource identification.

Following inventory and cultural and paleontologic resources identification, all identified resources are evaluated in order to provide recommendations for their potential listing eligibility in the National Register of Historic Places (NRHP). Once identified and evaluated, cultural and fossil resources can then be given appropriate consideration by the land/property administering agency in project related decision making.

Cultural resources are considered here to be archaeological, historical, or architectural properties, buildings, structures, objects, and districts, as well as properties of traditional cultural importance to living communities. The value of non-renewable cultural resources lies in their ability to provide credible and meaningful kinds of information, in part, about past plant, animal and human populations and the environments within which they existed. Cultural resources can be prehistoric, historic, or both prehistoric and historic in age. *Heritage properties* as applied in reference to the SAA, are those cultural properties which meet both the criteria for significance and for integrity established by the Secretary of the Interior (36 CFR Part 60.4) and are therefore eligible for listing in the National Register of Historic Places (NRHP).

The National Register of Historic Places (NRHP) is the official list of the Nation's cultural resources deemed worthy of preservation. "The role of the National Register is not to pass judgment on particular cultural values or beliefs, but to identify and recognize those physical places and properties that can help us to understand the specific important events and themes associated with a particular time and peoples (Shull 1997)". The NRHP's standards used for evaluating whether cultural properties are potentially eligible for listing in the NRHP are those:

- A) that are associated with events that have made a significant contribution to the

broad patterns of our history; or

- B) that are associated with the lives of persons significant in our past; or
- C) that embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- D) that have yielded, or may be likely to yield, information important in prehistory or history (National Register Bulletin [NRB] 15:2).

In addition to a cultural resource's ability to be assessed under one or more of the aforementioned significance criteria, the property must **also** possess adequate levels of integrity of location, design, setting, materials, workmanship, feeling, and association to be considered eligible for NRHP listing (NRB 15). The importance of each of these aspects of integrity depends upon the nature of the property and the category, or categories, under which it is being considered potentially significant. A discussion of each of aspect of integrity follows:

Location. The location of a property refers to the place where the property was originally constructed, originally formed, or where the historic event occurred. The relationship between a property and its original location can be of importance to understanding why the property was created. Historic and archeological sites and districts almost always retain integrity of location. Integrity of location is closely linked to integrity of association.

Design. For a historic structure, archeological site, or feature, integrity of design generally refers to the form, plan, space, style, and architecture of an individual object, or the patterning of structures, buildings, or discrete activity areas relative to one another. It is of paramount importance under criterion C and is extremely important under criteria A-D. Recognizability of a property, or the ability of a property to convey its significance, depends largely upon the degree to which the design of the property is intact. Under criteria A-C, the NRHP places a heavy emphasis on a property looking like it did during its period of significance. One of the tests is to ask if a person from the time of the site's significance would recognize it today. If answered in the affirmative, then the property probably has integrity of design. If answered in the negative, then the property probably does not.

Setting. Setting includes elements such as topographic features, open-space, views, landscapes, vegetation, man-made features and relationships between buildings and other features. Archaeological sites may be nominated under criterion D without integrity of setting if they have important information potential. For example, if a site has rich and well-stratified archeological deposits but is located under a modern parking lot, it may still qualify for its criterion D values. In this case, the setting does not detract from the information potential of the site. With regard to criterion A, however, if a site's or district's historical setting (i.e., the physical environment as it appeared during the site's period of significance) is not intact, the ability of the site or district to convey its significance is impaired or negated. Alternately, if the setting conveys a historic site's

significance, then the site retains integrity of setting. In order to convey significance, the setting must:

- 1) appear as it did during the site's, or district's, period of significance; and
- 2) be integral to the importance of the site or district.

Materials. A property that retains integrity of materials is one that retains the physical elements that were combined, or deposited, during a particular time, and in a particular configuration, to form the objects or structures in a site. Under criteria A-D, integrity of materials can be an important contributing aspect as the choice and combination of materials used during the time of the site's, or object's, significance may provide evidence of the constructor's material type preference, or even the availability of certain material types.

Workmanship. This aspect of integrity reflects the extent to which crafts or accepted designs of an individual artisan or culture are reflected among the materials relating to the property's significance. As noted, "Workmanship is important because it can furnish evidence of the technology of a craft, illustrate the aesthetic principles of a historic or prehistoric period, and reveal individual, local, regional, or national applications of both technological practices and aesthetic principles (NRB #15:45)".

Feeling. A property retains integrity of feeling if its features in combination with its setting convey a historic sense of the property during its period of significance. Integrity of feeling enhances a property's ability to convey its significance under all of the criteria. Taking the example provided in NRB #36 of an abandoned railway stop located in the desert, if the site is still in a remote area of the desert and what remains at the site evokes a feeling of early railroad days, then the site has integrity of feeling under criterion A. The presence of remnant archaeological features in combination with the site's remoteness conveys feelings of times past. If the site itself were still intact but it was now surrounded by housing subdivisions and commercial buildings, then the site would not retain adequate levels of integrity of feeling under criterion A.

Association. A property retains integrity of association if it is the place where the event or activity occurred and is sufficiently intact to convey that relationship to an observer. Integrity of association is very important under criteria A, B and D. The association between a property and its stated significance must be direct under these categories (Shull 1997:3-4).

Ultimately, integrity is of paramount importance to NRHP evaluations because it reflects a cultural resource's significance. Integrity of location, design, materials, and association are of primary importance, for example, when nominating historic archeological sites under criteria A and B. Integrity of setting and feeling usually increase the "recognizability" of a site or district and enhances one's ability to interpret the property's historical significance (NRB 36:17). It is important to note that (under categories A and B) the cultural resource must have *demonstrated* its ability to convey its significance, as opposed to sites determined eligible under criterion D where only the *potential* to yield information is required (NRB 15:48). Ideally then, if a cultural resource meets at least one of the significance criteria **and** can be demonstrated to retain

adequate and relevant levels of integrity, it is considered potentially eligible for listing on the NRHP (i.e., a *heritage property*).

If an inventory of the APE is required, a report that details the kind of project proposed, the field methods used, and the results of that inventory work is prepared for the DNRC. If the report is acceptable to the DNRC, the DNRC submits a copy of that report to the SHPO for review and comments. The process followed for identification of antiquities on state lands mirrors that followed by federal agencies for compliance with the National Historic Preservation Act mandates. Further, the DNRC has articulated those standards for conducting and reporting on cultural and paleontologic inventory work on state lands (see Rennie 2002).

After reviewing the inventory report, the SHPO outlines its agreement or disagreement with:

- 1) antiquities identification and reporting thoroughness;
- 2) significance evaluations of identified cultural and fossil resources; and
- 3) plans for avoidance or mitigation of potential project effects to antiquities, or plans for no action, disturbance, or possible destruction of antiquities with no intention of avoiding or mitigating potential effects.

Determination of Project Effects on Antiquities

Following Section 800.16.i of the National Historic Preservation Act, a proposed undertaking or development will have an *Effect* on a heritage property (or paleontological resource) if the development will alter the characteristics that qualify it for inclusion in the NRHP or alter its scientific value. Applying this clause to the SAA, if the state land managing agency determines that a heritage property or paleontological resource will be affected with a proposed development, then it must assess whether or not the Antiquity will be affected adversely. If the agency official, in consultation with the SHPO, concludes a finding of *Adverse Effect*, then mitigation measures intended to offset the diminishing effects of the development must be considered and, if feasible, implemented. In some instances an Antiquity can be affected by a development, but the agency official, in consultation with the SHPO, may propose a finding of *No Adverse Effect*. In this instance an undertaking's effects are either considered to not be adverse, or the undertaking is modified, or conditions are imposed, to render potential effects insignificant.

Alternately, in the following instances if:

- 1) no cultural or fossil resources were identified in a project's area of potential effect;
- 2) a cultural or fossil resource was identified within a project's area of potential effect, but was evaluated and determined **NOT** to be an Antiquity; or
- 3) an Antiquity is within a project's area of potential effect, but the development will not alter the characteristics that qualify it for inclusion in the NRHP

then the state land managing agency can seek, in consultation with the SHPO, a finding of *No Heritage Properties Affected*.

If, after 15 days, the SHPO does not respond to the DNRC's request of input, consultation is considered complete. If the SHPO disagrees with the DNRC's findings or

conclusions, the SHPO informs the DNRC of its position **in writing**, and the two agencies **may** try to reach a compromise or other agreement. Ultimately, the DNRC Decision Maker makes the determination as to whether or not to implement the DNRC archaeologist's or the SHPO's recommendations. However, in the spirit of the law the Decision Maker must act in good faith to seriously consider the DNRC archaeologist's or the SHPO's recommendations and weigh those recommendations against administrative mandates, public safety, and other management issues. Since 1984, the DNRC has consulted approximately 1,150 times with the SHPO on compliance driven projects, or rule/policy making efforts.

The DNRC's procedures also outline an unanticipated discovery plan, and most written authorization for undertakings on DNRC administered lands contains language which directs the project proponent as to actions to take in the case of an unanticipated discovery. Specifically, ground disturbing activities are to immediately cease when unanticipated discoveries are made until the cultural or paleontologic remains can be evaluated. The unanticipated discovery should also be immediately reported to the DNRC cultural resource specialist.

Once each year during the DNRC's Land Use Specialist meeting, the DNRC staff archaeologist administers cultural resource identification training to the attendees. Additionally, in almost every instance where the DNRC staff archaeologist conducts a field inventory, the project coordinator or other staff member is present. This limited training has proven effective in raising the awareness and appreciation of DNRC field staff to the presence of cultural and paleontologic resources. The validity of involving field staff can be seen in the fact that more than 2,100 "site leads" have been reported to the DNRC staff archaeologist. Those who participate in cultural/paleontologic field training are not qualified to make decisions regarding cultural or paleontologic resources, or consult with the SHPO. They do, however, constitute a valued resource by assisting the DNRC staff archaeologist in the field.

Montana Environmental Policy Act (MEPA)

MEPA requires an **Environmental Review** be prepared by a state agency that intends to take an **Action** that is **not** exempt or excluded from MEPA review. Under MEPA, an action is typically defined as:

- 1) a project, a program, or an activity undertaken by a state agency;
- 2) a project or activity supported through contract, grant, subsidy, loan, or other form of funding assistance from one or more state agencies; or
- 3) a project or activity involving the issuance, by one or more state agencies, of a lease, permit, license, certificate, or other entitlement for use or permission to act.

If an Environmental Review is required, then the state agency involved in the "Action" must, in part, take into consideration the impacts that the proposed action will have on important historic and cultural resources (presumably these terms are tantamount to *Heritage Properties* under the SAA), and whenever possible make efforts to, preserve those important historic and cultural resources (75-1-103:2.e M.C.A.). Because there are no standards or guidelines established under MEPA which direct agencies in adequate methods for the identification of important historic and cultural resources, or even what constitutes such resources, many state agencies find difficulty or uncertainty in the compliance with this portion of MEPA. However, the SHPO is in agreement with the DNRC (Stan Wilmoth, pers. comm. 1998) that by following

the DNRC's or SHPO's rules which implement the SAA, an agency's cultural resource responsibilities under MEPA can be effectively satisfied.

Unlike the SAA, MEPA is not restricted to state lands only, and requires consideration, regardless of land ownership status, as to how a proposed project will effect *heritage properties* (i.e., products of human behavior that are at least 50 years old and meet the criteria for National Register listing eligibility). Also unlike the SAA, there is no requirement under MEPA to consider proposed project impacts to paleontologic resources (see Rennie n.d.).

Montana Human Remains and Burial Site Protection Act (State Burial Act)

The Montana Human Remains and Burial Site Protection Act of 1999 (22-3-801 *et seq.* M.C.A.) was passed to provide for the protection of human remains and all associated grave goods from unmarked, or marked but unprotected burial sites (specifically accidentally discovered human remains, or suspected human burial sites outside of established cemeteries), while providing for potential law enforcement interests (Appendix 4 of this report). The law applies only to state and private lands within Montana, as federal lands and interests are subject to the mandates of NAGPRA and AIRFA.

The basic procedure to be followed in the event that unanticipated human remains are discovered during an undertaking is for all ground disturbing activities to immediately cease, and the individual who has identified the possible remains must contact the county coroner as soon as possible. If suspected human remains are encountered during ground disturbing activities, all such activities must cease and the individual in charge of the project, or someone who initially identified the remains, must immediately contact the county coroner. The individual reporting the discovery should contact the coroner **directly**, then follow any instructions given. Local police or sheriff's offices should not be contacted unless the coroner is unavailable or the coroner is also a local law enforcement officer. If the county coroner's office cannot be contacted then it is also appropriate to contact the local police or sheriff's office. In this latter scenario it must be made clear that a coroner's case is being reported. The coroner (who may be the local chief of police or sheriff) should **only** be concerned with determining:

- 1) if the remains are human; and
- 2) whether or not the remains represent evidence of a crime.

The coroner is solely responsible for the remains and has 2 working days to address those two questions and must cause as little disturbance to the remains as possible in making his determination. If he cannot make a determination within the appropriated time, he must notify a member of the Burial Board and explain the reasons why such a determination could not be made. Alternately, if the coroner determines that the remains are not human, or are human, but do not represent evidence which can be used in a criminal proceeding, the coroner must notify the State Historic Preservation Officer within 24 hours of his determination. In turn, the Historic Preservation Officer has 24 hours, following notification, to contact the owner of the land containing the human remains and appropriate representatives of the Burial Board as outlined in 22-3-805(4-5) M.C.A. Within 36 hours of notification of appropriate members of the Burial Board, the Burial Board members will approach the landowner to view the site containing the human remains and determine the appropriate course of action to take as outlined in 22-3-805(6-8) M.C.A. Project related ground disturbing activities are only allowed to proceed after the

Burial Board gives approval. A somewhat expanded version of this summary can be found at Rennie (1996).

3.0 CULTURAL RESOURCES ADMINISTERED BY DNRC

Of approximately 5.2 million acres of state land administered by the DNRC, only 237,044 acres (5%) have been inventoried to date for cultural or paleontologic resources. Thus, the full extent of state owned cultural and paleontologic resources is presently unknown—as is the full extent of state owned Heritage Properties. Considering, however, that only 5% of DNRC administered land has been inventoried, 2,836 cultural resources and 46 paleontologic resource locales have been formally recorded. Two hundred forty-four have been evaluated and determined to meet the criteria of a Heritage Property. One of those Heritage Properties is a National Historic Landmark, and 25 are listed in the National Register of Historic Places. However, a presently unknown number of these “Heritage Properties”, are not state owned (even though they are situated on state land) and so, by definition are not Heritage Properties. One outcome of Senate Bill 3 is that over the course of the next ten years, the DNRC will be able to accurately determine which of the resources on state land are truly Heritage Properties and therefore the responsibility of DNRC, and which are not.

By way of comparison, 2,363 formally recorded cultural resources have not been evaluated, so it is unknown whether or not they meet the criteria of a Heritage Property. Of these unevaluated cultural resources, 1,877 are archaeological properties presumed to be associated with past Native American occupants of the region. They consists of 21 surface or bedrock quarries where tool quality stone was obtained; 39 bison kill sites; eight probable or definite human burials; 25 probable campsites with buried components and/or hearth features; 1,201 sites that contain tipi ring size stone circles, individual cairns, alignments of cairns, or a combination of these three kinds of surface stone features; one conical timbered lodge; one cribbed log structure; 14 petroglyph sites; 8 pictograph sites; two fortification sites; 550 lithic scatters; three Medicine Wheels; Two ceremonial circles; four prehistoric trail routes; eight rock shelters or caves. Additionally, 486 are historic in age (post A.D. 1805) and reflect Euro-American settlement and development of the region. They consist of 24 sites associated with historic agriculture; 17 sites associated with historic stock raising; one historic battlefield; 12 sites containing historic building foundations; one historic cairn/boundary marker; one historic campsite; one historic CCC Camp; one historic dugout; one historic fence; one historic energy development site; six historic schools; one site associated with historic exploration/settlement; three historic fire lookouts; Two historic military sites; 18 historic coal mines; six historic hard rock mines; 21 placer mines; two historic quarries; one historic post office; 197 abandoned or historic homesteads, cabins, or residences; 22 sites associated with historic timber harvesting; 24 historic trash dumps; 39 vehicular, railroad, or foot bridges; 58 historic irrigation systems; and 26 historic roadways or railroad segments.

Because of the large number of Heritage Properties on DNRC administered state land, and the limited resources available to visit each property, the DNRC proposes to inspect and report on all of its Heritage Properties over a 10 year period. As such, approximately 20-30 Heritage Properties will be inspected each year, and only those inspected over the two year reporting cycle for Senate Bill 3 purposes will be presented in the corresponding biennial report to the Historic Preservation Review Board. For the reporting year of 2012, 31 cultural resources documented as Heritage Properties were inspected by the DNRC (Table 1). During the course of

review, however, it was determined that only 31 of those resources are owned or administered by DNRC. They consist of 11 segments of various abandoned railroads, 12 archaeological sites, two historic schools sites, one stage coach station site, a series of buildings associated with the Galen State Hospital, and the historic buildings associated with DNRC's Swan, Stillwater, and Anaconda Unit offices. As such, standardized *Montana State-Owned Heritage Property Reporting Form* forms developed by the SHPO were completed for these 31 properties only. Completed *Montana State-Owned Heritage Property Reporting Forms* for each Heritage Property inspected in 2011 are presented in Appendix 1 of this document. The corresponding site forms (CRIS Forms) are presented in Appendix 2.

Only five of the 31 Heritage Properties inspected (Table 1), are ranked as a priority for Preservation Efforts. These consist of the Eagle Butte School (24CH1118), the Quinn Creek site (24JF0110), the Surprise Creek site (24JT0296), the DNRC's Stillwater Unit buildings (24FH0162), and the DNRC's Anaconda Unit buildings (24DL0206). To date, DNRC has invested approximately \$269,662 to preserve the historic qualities or archaeological data contained in these Heritage Properties. An additional \$574,330 is needed to address upgrades, maintenance needs, or developments proposed in the *Montana State-Owned Heritage Property Reporting Forms* (Appendix 1) for each of these resources.

If all 31 of the DNRC administered Heritage Properties reviewed during 2011 are restored to their original historic conditions, or proposed historically consistent improvements are made, the cost is estimated to be \$5,603,600. Estimating increased tourist dollars that would be spent locally if these Heritage Properties are restored and promoted is wrought with difficulties. However, using data available through Travel Montana, an expected annual increase of \$80,000 to 100,000 is reasonable. Estimating appraised values of these Heritage Properties once restored or developed is as difficult a task as attempting to estimate additional tourist dollars spent annually. In some instances where buildings could be restored or maintained and actively used for administrative purposes the value of the property will likely increase. Alternately, many of the developments proposed would encumber the land, or would at the very least beg the question of what the highest and best use of the School Trust asset is.

Cost of advertising DNRC administered Heritage Properties to the touring public, is not presented on a site by site basis and therefore does not appear in the associated *Montana State-Owned Heritage Property Reporting Forms*. Once developed, the DNRC can provide a list and brief description of the Heritage Properties accessible to the travelling public on the Travel Montana Website (visitmt.com and getlostmt.com) free of charge. Staff of Travel Montana and Department of Commerce recommended advertising at a regional level as well. Advertising in the Yellowstone Hotel Directory cost \$1,000 annually; advertising in Gold West Country costs \$1,200 annually; and advertising in the True West source book costs \$500 annually. Other costs not calculated on a site by site basis are DNRC management of developed Heritage Properties vs. lease of developed properties to either a government or private entity for a ten year period.

As a point of possible interest to the reader, DNRC staff invested approximately 300 hours in compliance with Senate Bill 3 during 2011. Although this amount of time is expected to decrease somewhat in the following years, it is worth noting that time invested in SB3 compliance has led to a modification in the way that DNRC has traditionally focused its resources in State Antiquities Act compliance. Specifically, fewer proposed developments will be inspected at the field level or reviewed at the office level in order to comply with Senate Bill 3 regulations.

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TABLE 1: Heritage Properties inspected and reported on by DNRC for 2012

Table 1: Heritage Properties inspected and reported on by DNRC for 2012.

| County Name | Site No | Status | Site Type | Action Taken | Condition | Total Cost of Stewardship Efforts by DNRC (specific to historic preservation) | Priority Ranking |
|-------------|----------|--------|---|--|--|---|------------------|
| Big Horn | 24BH1591 | HP | Archaeological: lithic scatter | SB3 form completed by DNRC | Stabile, but within the a coal mine expansion area. | \$0.00 | 3 |
| Big Horn | 24BH1583 | HP | Archaeological: lithic scatter | SB3 form completed by DNRC | Stabile, but within the a coal mine expansion area. | \$0.00 | 5 |
| Big Horn | 24BH1589 | HP | Archaeological: rock structure | SB3 form completed by DNRC | Stabile, but within the a coal mine expansion area. | \$0.00 | 3 |
| Big Horn | 24BH3384 | HP | Archaeological: lithic scatter | SB3 form completed by DNRC | Stabile, but within the a coal mine expansion area. | \$0.00 | 5 |
| Blaine | 24BL2008 | HP | Fort Belknap Irrigation District | No action. Not state owned | Actively used and maintained by the Fort Belknap Irrigation District and the Bureau of Reclamation | \$0.00 | |
| Blaine | 24BL2008 | HP | Fort Belknap Irrigation District | No action. Not state owned | Actively used and maintained by the Fort Belknap Irrigation District and the Bureau of Reclamation | \$0.00 | |
| Blaine | 24BL2008 | HP | Fort Belknap Irrigation District | No action. Not state owned | Actively used and maintained by the Fort Belknap Irrigation District and the Bureau of Reclamation | \$0.00 | |
| Blaine | 24BL1543 | HP | GN Railroad | No action. Not state owned | Actively used and maintained by BNSF | \$0.00 | |
| Broadwater | 24BW0675 | HP | Pilgrim Site: Stone Circles | Form will be completed by DMA | Excavated; also within the MTANG bombing range | \$0.00 | 5 |
| Cascade | 24CA1012 | NRL | First People's Buffalo Jump State Park. | Form will be completed by DFWP | | \$0.00 | |
| Cascade | 24CA1040 | HP | Havre-Rainbow Transmission Line | No action. Owned by CoE | Abandoned overhead powerline | \$0.00 | |
| Cascade | 24CA1040 | HP | Havre-Rainbow Transmission Line | No action. Owned by CoE | Abandoned overhead powerline | \$0.00 | |
| Chouteau | 24CH1118 | NRL | Eagle Butte School | SB3 form completed by DNRC | Improving | \$62.00 | 1 |
| Chouteau | 24CH0781 | HP | Archaeological: stone circle | SB3 form completed by DNRC | Stabile | \$0.00 | 5 |
| Custer | 24CR0729 | HP | Chicago, Milwaukee and St. Paul Railroad bridge | SB3 form completed by DNRC | Abandoned, heavily disturbed/obliterated by natural and cultural processes | \$0.00 | 5 |
| Daniels | 24DN0136 | HP | GN Railroad | SB3 form completed by DNRC | Abandoned, heavily disturbed/obliterated by natural and cultural processes | \$0.00 | 5 |
| Deer Lodge | 24DL0206 | HP | Anaconda Unit Buildings | SB3 form completed by DNRC | Actively used and maintained by DNRC | \$600.00 | 1 |
| Deer Lodge | 24DL0289 | HP | Galen State Hospital Buildings | SB3 form completed by DNRC | Abandoned and deteriorating | \$0.00 | 4 |
| Fergus | 24FR0915 | HP | GN Railroad | No action. No abandoned segments on state land (not state owned) | Actively used and maintained by BNSF | \$0.00 | |
| Fergus | 24FR0411 | HP | Chicago, Milwaukee and St. Paul Railroad | SB3 form completed by DNRC | Abandoned, heavily disturbed/obliterated by natural and cultural processes | \$0.00 | 5 |
| Fergus | 24FR0411 | HP | Chicago, Milwaukee and St. Paul Railroad | SB3 form completed by DNRC | Abandoned, heavily disturbed/obliterated by natural and cultural processes | \$0.00 | 5 |
| Fergus | 24FR0411 | HP | Chicago, Milwaukee and St. Paul Railroad | SB3 form completed by DNRC | Abandoned, heavily disturbed/obliterated by natural and cultural processes | \$0.00 | 5 |
| Fergus | 24FR0411 | HP | Chicago, Milwaukee and St. Paul Railroad | SB3 form completed by DNRC | Abandoned, heavily disturbed/obliterated by natural and cultural processes | \$0.00 | 5 |
| Fergus | 24FR0411 | HP | Chicago, Milwaukee and St. Paul Railroad | SB3 form completed by DNRC | Abandoned, heavily disturbed/obliterated by natural and cultural processes | \$0.00 | 5 |
| Fergus | 24FR0411 | HP | Chicago, Milwaukee and St. Paul Railroad | SB3 form completed by DNRC | Abandoned, heavily disturbed/obliterated by natural and cultural processes | \$0.00 | 5 |
| Flathead | 24FH0350 | HP | GN Railroad | SB3 form completed by DNRC | Some segments are abandoned, other segments are actively used and maintained by BNSF | \$0.00 | 4 |
| Flathead | 24FH0162 | HP | Stillwater Unit buildings | SB3 form completed by DNRC | Actively used and maintained by DNRC | \$250,000.00 | 1 |

| County Name | Site No | Status | Site Type | Action Taken | Condition | Total Cost of Stewardship Efforts by DNRC (specific to historic preservation) | Priority Ranking |
|-----------------|----------|--------|--|---|--|---|------------------|
| Flathead | 24FH0897 | NRL | North Fork Road | Owned by MDoT | | \$0.00 | |
| Hill | 24HL0191 | HP | Archaeological: stone circle | SB3 form completed by DNRC | Stabile | \$0.00 | 5 |
| Jefferson | 24JF0110 | HP | Quinn Creek Site | SB3 form completed by DNRC | Stabile | \$5,000.00 | 2 |
| Jefferson | 24JF1600 | HP | Montana Central Railroad | SB3 form completed by DNRC | Abandoned, heavily disturbed/obliterated by natural and cultural processes | \$0.00 | 5 |
| Judith Basin | 24JT0231 | HP | GN Railroad | No action. No abandoned segments on state land (not state owned) | Actively used and maintained by BNSF | \$0.00 | |
| Judith Basin | 24JT0231 | HP | GN Railroad | No action. No abandoned segments on state land (not state owned) | Actively used and maintained by BNSF | \$0.00 | |
| Judith Basin | 24JT0231 | HP | GN Railroad | No action. No abandoned segments on state land (not state owned) | Actively used and maintained by BNSF | \$0.00 | |
| Judith Basin | 24JT0231 | HP | GN Railroad | No action. No abandoned segments on state land (not state owned) | Actively used and maintained by BNSF | \$0.00 | |
| Judith Basin | 24JT0231 | HP | GN Railroad | No action. No abandoned segments on state land (not state owned) | Actively used and maintained by BNSF | \$0.00 | |
| Judith Basin | 24JT0296 | HP | Surprise Creek Site | SB3 form completed by DNRC | some portions are stabile and others are deteriorating | \$4,000.00 | 2 |
| Lake | 24LA0265 | HP | Swan State Forest HQ | SB3 form completed by DNRC | Actively used and maintained by DNRC | \$10,000.00 | 4 |
| Lewis and Clark | 24LC1110 | HP | Archaeological: stone circle | No action. Not on DNRC administered land. Appears to be FWP land. | | \$0.00 | |
| McCone | 24MC0462 | HP | Archaeological: cairn | SB3 form completed by DNRC | Stabile | \$0.00 | 5 |
| Mineral | 24MN0164 | HP | Chicago, Milwaukee and St. Paul Railroad | SB3 form completed by DNRC | Abandoned, heavily disturbed/obliterated by natural and cultural processes | \$0.00 | 5 |
| Mineral | 24MN0164 | HP | Chicago, Milwaukee and St. Paul Railroad | SB3 form completed by DNRC | Abandoned, heavily disturbed/obliterated by natural and cultural processes | \$0.00 | 5 |
| Mineral | 24MN0245 | HP | Cedar-Quartz Mining District | No action. No associated cultural features are on state land | | \$0.00 | |
| Mineral | 24MN0245 | HP | Cedar-Quartz Mining District | No action. No associated cultural features are on state land | | \$0.00 | |
| Mineral | 24MN0245 | HP | Cedar-Quartz Mining District | No action. No associated cultural features are on state land | | \$0.00 | |
| Mineral | 24MN0245 | HP | Cedar-Quartz Mining District | No action. No associated cultural features are on state land | | \$0.00 | |
| Mineral | 24MN0245 | HP | Cedar-Quartz Mining District | No action. No associated cultural features are on state land | | \$0.00 | |
| Mineral | 24MN0245 | HP | Cedar-Quartz Mining District | No action. No associated cultural features are on state land | | \$0.00 | |
| Mineral | 24MN0245 | HP | Cedar-Quartz Mining District | No action. No associated cultural features are on state land | | \$0.00 | |
| Mineral | 24MN0263 | HP | Keystone-Iron Mountain Historic District | No action. No associated cultural features are on state land | | \$0.00 | |
| Mineral | 24MN0263 | HP | Keystone-Iron Mountain Historic District | No action. No associated cultural features are on state land | | \$0.00 | |

| County Name | Site No | Status | Site Type | Action Taken | Condition | Total Cost of Stewardship Efforts by DNRC (specific to historic preservation) | Priority Ranking |
|-------------|----------|--------|--|--|---|---|------------------|
| Mineral | 24MN0263 | HP | Keystone-Iron Mountain Historic District | No action. No associated cultural features are on state land | | \$0.00 | |
| Mineral | 24MN0263 | HP | Keystone-Iron Mountain Historic District | No action. No associated cultural features are on state land | | \$0.00 | |
| Mineral | 24MN0263 | HP | Keystone-Iron Mountain Historic District | No action. No associated cultural features are on state land | | \$0.00 | |
| Mineral | 24MN0263 | HP | Keystone-Iron Mountain Historic District | No action. No associated cultural features are on state land | | \$0.00 | |
| Mineral | 24MN0263 | HP | Keystone-Iron Mountain Historic District | No action. No associated cultural features are on state land | | \$0.00 | |
| Missoula | 24MO0260 | HP | Chicago, Milwaukee & St. Paul Railroad | SB3 form completed by DNRC | Abandoned, heavily disturbed/obliterated by natural and cultural processes | \$0.00 | 5 |
| Missoula | 24MO0260 | HP | Chicago, Milwaukee & St. Paul Railroad | SB3 form completed by DNRC | Abandoned, heavily disturbed/obliterated by natural and cultural processes | \$0.00 | 5 |
| Missoula | 24MO0260 | HP | Chicago, Milwaukee & St. Paul Railroad | SB3 form completed by DNRC | Abandoned, heavily disturbed/obliterated by natural and cultural processes | \$0.00 | 5 |
| Missoula | 24MO0260 | HP | Chicago, Milwaukee & St. Paul Railroad | SB3 form completed by DNRC | Abandoned, heavily disturbed/obliterated by natural and cultural processes | \$0.00 | 5 |
| Missoula | 24MO0260 | HP | Chicago, Milwaukee & St. Paul Railroad | SB3 form completed by DNRC | Abandoned, heavily disturbed/obliterated by natural and cultural processes | \$0.00 | 5 |
| Missoula | 24MO0260 | HP | Chicago, Milwaukee & St. Paul Railroad | SB3 form completed by DNRC | Abandoned, heavily disturbed/obliterated by natural and cultural processes | \$0.00 | 5 |
| Missoula | 24MO0260 | HP | Chicago, Milwaukee & St. Paul Railroad | SB3 form completed by DNRC | Abandoned, heavily disturbed/obliterated by natural and cultural processes | \$0.00 | 5 |
| Missoula | 24MO0260 | HP | Chicago, Milwaukee & St. Paul Railroad | SB3 form completed by DNRC | Abandoned, heavily disturbed/obliterated by natural and cultural processes | \$0.00 | 5 |
| Missoula | 24MO0260 | HP | Chicago, Milwaukee & St. Paul Railroad | SB3 form completed by DNRC | Abandoned, heavily disturbed/obliterated by natural and cultural processes | \$0.00 | 5 |
| Missoula | 24MO0260 | HP | Chicago, Milwaukee & St. Paul Railroad | SB3 form completed by DNRC | Abandoned, heavily disturbed/obliterated by natural and cultural processes | \$0.00 | 5 |
| Musselshell | 24ML0369 | HP | Chicago, Milwaukee & St. Paul Railroad | SB3 form completed by DNRC | Abandoned, heavily disturbed/obliterated by natural and cultural processes | \$0.00 | 5 |
| Musselshell | 24ML0747 | HP | Pinchgut Stage Station | SB3 form completed by DNRC | Abandoned, heavily disturbed/obliterated by natural and cultural processes | \$0.00 | 5 |
| Musselshell | 24ML0733 | HP | Signe School | SB3 form completed by DNRC | Abandoned, heavily disturbed/obliterated by natural and cultural processes | \$0.00 | 5 |
| Musselshell | 24ML0735 | HP | Abandoned segments of Highway 87 | Owned by MDoT | | \$0.00 | |
| Prairie | 24PE0231 | HP | Powder River Supply Depot | SB3 form completed by DNRC | Abandoned, heavily disturbed/obliterated by natural and cultural processes | \$0.00 | 3 |
| Richland | 24RL0322 | HP | Schulze School | Not state owned; improvement owned by surface lessee | | \$0.00 | |
| Rosebud | 24RB0882 | HP | Archaeological: stone circle | SB3 form completed by DNRC | Site was fully excavated in 1992 and is now within the boundaries of a coal mine. | \$0.00 | 5 |
| Rosebud | 24RB0300 | HP | Archaeological: campsite/bison processing site | SB3 form completed by DNRC | Stabile | \$0.00 | 5 |
| Rosebud | 24RB2234 | HP | Northern Pacific Railroad | No action. No abandoned segments on state land (not state owned) | Actively used and maintained by BNSF | \$0.00 | |

| County Name | Site No | Status | Site Type | Action Taken | Condition | Total Cost of Stewardship Efforts by DNRC (specific to historic preservation) | Priority Ranking |
|-------------|----------|--------|---|--|--|---|------------------|
| Rosebud | 24RB1035 | HP | Chicago, Milwaukee and St. Paul Railroad | SB3 form completed by DNRC | Abandoned, heavily disturbed/obliterated by natural and cultural processes | \$0.00 | 5 |
| Sheridan | 24SH1222 | HP | Soo Line Railroad | SB3 form completed by DNRC | Some segments are abandoned, other segments are actively used and maintained by BNSF | \$0.00 | 5 |
| Silver Bow | 24SB0445 | HP | Historic, underground water delivery system | No action. Not state owned. Owned by the city of Butte. | | \$0.00 | |
| Stillwater | 24ST0270 | HP | Northern Pacific Railroad | No action. No abandoned segments on state land (not state owned) | Actively used and maintained by BNSF | \$0.00 | |
| Teton | 24TT0409 | HP | GN Railroad | SB3 form completed by DNRC | Some segments are abandoned, other segments are actively used and maintained by BNSF | \$0.00 | 5 |
| Teton | 24TT0409 | HP | GN Railroad | SB3 form completed by DNRC | Some segments are abandoned, other segments are actively used and maintained by BNSF | \$0.00 | 5 |
| Toole | 24TL0171 | HP | GN Railroad | No action. No abandoned segments on state land (not state owned) | Actively used and maintained by BNSF | \$0.00 | |
| Toole | 24TL0171 | HP | GN Railroad | No action. No abandoned segments on state land (not state owned) | Actively used and maintained by BNSF | \$0.00 | |
| Valley | 24VL0099 | HP | GN Railroad | SB3 form completed by DNRC | Some segments are abandoned, other segments are actively used and maintained by BNSF | \$0.00 | 5 |
| Valley | 24VL0099 | HP | GN Railroad | SB3 form completed by DNRC | Some segments are abandoned, other segments are actively used and maintained by BNSF | \$0.00 | 5 |
| Valley | 24VL0099 | HP | GN Railroad | SB3 form completed by DNRC | Some segments are abandoned, other segments are actively used and maintained by BNSF | \$0.00 | 5 |
| Wheatland | 24WL0131 | HP | Jenizen, Vonica, and O.K. ditches | No action. Not state owned (actively used) | Stabile | \$0.00 | |

Appendix 1: Montana State-Owned Heritage Property Reporting Forms for Heritage Properties
inspected during 2011

Appendix 2: CRIS Forms for Heritage Properties inspected during 2011