



# THE NAVAJO NATION HISTORIC PRESERVATION DEPARTMENT Cultural Resource Compliance Section

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## **GUIDELINES FOR THE TREATMENT OF HISTORIC, MODERN & CONTEMPORARY ABANDONED SITES**

### **INTRODUCTION**

Abandoned cultural sites of recent historic, modern or contemporary age are frequently encountered during cultural resource inventories on Navajo Nation lands. For the purposes of these guidelines, all such sites are referred to as “historic sites.” This document provides the Historic Preservation Officer’s (HPO) guidelines for recording, reporting and treatment of historic sites on lands of the Navajo Nation.

### **REPORTING AND RECORDING**

For the purposes of reporting and recording, historic sites shall be treated as archeological sites. All historic sites must be fully recorded and reported, UNLESS they are still in use.

#### In-Use Sites/In-Use Areas

In-use sites require only summary documentation, sufficient to determine if potential historic properties are present and if they be affected by the proposed undertaking. In-use sites require only brief verbal description and, out of respect for the privacy of the occupants, shall not be photographed, recorded, mapped or assigned site numbers.

#### Archaeological Sites

The professional judgment of the archaeologist must be used to determine what constitutes a historic site. Historic sites are not restricted to those over 50 years old, and those under 50 years old are to be recorded as archaeological sites in the same manners as any other. Conversely, the information to be gained from recently scattered roadside trash, for example is so minimal as to preclude the necessity for recording. Again, the judgment of the archaeologist must be used in determining the level of recording necessary on a case by case basis. However, these decisions should be documented in the report to allow the reviewer an independent evaluation of the field decisions field.

At a minimum, recording and reporting of historic sites must satisfy the Secretary of the Interior’s Standards and Guidelines.<sup>1</sup> Recording and reporting must be sufficiently detailed to allow an independent evaluation of the archaeologist’s recommendations for National Register of Historic Places (NRHP) eligibility, determination of effect as specified in 36 CFR 800.9 (a) (b), and protection under the American Indian Religious Freedom Act (AIRFA). The information a historic site contains includes what knowledgeable people remember about the site and its constituent features, artifacts and other material remains. If the functions and dates of a historic site and its constituent features are not evident from material remains, the archaeologist must attempt to recover information through on-site interviews in order to evaluate the site’s NRHP eligibility and significance under AIRFA. Depending on the nature of the historic site, the information potential may not necessarily be exhausted by recording until ethno historic data are recorded.

## Treatment

Two factors must be considered in evaluating historic sites as cultural resources and in making recommendations regarding their treatment. Each historic site must be evaluated:

1. As an archeological site and as a historic property. Can the site contribute archaeologically or historically significant data? Is it associated with important individuals, events or trends in local, regional or national history? If the site is considered archaeologically or historically significant, treatment should be proposed in terms of current, contemporary professional practice, including collection of ethnographic data through on-site interviews.
2. As a locus of traditional cultural practices that is protected by U.S. Constitution and Federal and Tribal law. Navajo home sites, for example, are the location of a variety of ceremonies and related practices that are "sacred." Hogans and sweathouses are usually blessed. Materials used in ceremonies and other items which should not be disturbed are often disposed of within a home site complex. Sites of ceremonial activity such as Enemy-way and other religious observances are also frequently encountered.

If the historic site is not considered NRHP eligible, treatment must still be considered in terms of its significance under AIRFA. If there is any reason to suspect that a project may affect aspect of traditional cultural practices a reasonable effort must be made to locate and interview former users of the historic site. Should it prove impossible to locate former users, knowledgeable local residents should be interviewed. The interviewees should be asked to identify any areas within the historic site that should not be disturbed. However, interviewees should not be pressured to justify their desire to exclude certain areas from construction impacts. Interviewees should be asked to identify any objections to project construction within a historic site due to its impacts on areas important in continuing traditional cultural practices.

If interviewees have no objections to a project proceeding within the boundaries of a historic site that is not considered eligible for nomination to the NRHP, this fact should be noted in the report and project impacts on traditional cultural practices at that location need not be further considered. If specific objections or concerns are expressed, these must be reported and every effort made to design the project in such a way as to avoid impacts to areas of the site about which concerns were expressed.

If interviews are not possible and there is reason to suspect that the site may contain values protected under AIRFA, prudent alternatives to routing the project through the site must be considered. If a feasible alternative project design can be identified that avoids impacts to the site, the alternative design should be utilized.

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<sup>1</sup> "Archaeology and Historic Preservation; Secretary of the Interior's Standard Guidelines," Federal Register, 48(190):44716-44742 (Thursday, September 29, 1983).