

**Executive Order 13287**  
***Preserve America* Section 3, Progress Report**  
**November 2010**

**Department of Interior**  
**Indian Affairs**  
**Office of Facilities, Environmental and Cultural Resources**

**INTRODUCTION**

This is Indian Affairs (IA) triennial progress report for the identification, protection and use of on historic properties under its ownership. IA is submitting this report to the Advisory Council on Historic Preservation to meet its reporting requirements under Section 3 of Executive Order 13287 *Preserve America*.

The Federal government holds over 50 million acres of land in trust for tribes and individual Indians. Although the Bureau of Indian Affairs (BIA), which is located within IA, has as part of its mission to protect and improve trust assets, the historic properties on trust lands are the personal property of the Indian landowner and not the property of the Federal government. Therefore the Federal government does not exercise the same level of management and control of historic properties on trust lands as it does for those properties located on other Federal lands.

However, IA also owns small parcels of land that have been set aside for Federal government use. Included on this land are buildings and structures that are used for administration, education and irrigation purposes, as well as archaeological sites located on undeveloped areas. This report addresses these historic properties.

**IDENTIFICATION**

In the 2009 progress report, IA identified 140 buildings and structures under its ownership that were listed or determined eligible for the National Register of Historic Places (National Register). In the last three years IA has continued to inventory and evaluate historic properties. We currently have identified 164 buildings and structures either listed or eligible for the National Register. Of these structures, sixteen (16) are contributing elements of the Fort Washakie Historic District, which is listed on the National Register; and twelve (12) structures are contributing elements of the Haskell Indian University National Historic Landmark. The remaining buildings and structures have been determined eligible for the National Register, but have not been formally listed.

For the 2009 progress report, fifty-one (51) archaeological sites were identified on land owned by the IA. Currently, sixty-six (66) archaeological sites have been identified. Forty-five (45) of these sites have been recommended as eligible for the National Register, and six (6) sites require further testing to determine eligibility. The remaining sites have been determined to be not eligible for the National Register.

IA uses a variety of databases to track its buildings and structures. These include Facilities Management Information System (FMIS), as well as the Federal Real Property Profile (FRPP). Nearly 6,300 structures are tracked in FMIS; this database includes building plans and photographs, as well as building descriptions. The information in FMIS is reconciled annually with FRPP. Irrigation systems are currently tracked in the Facilities Management System (MAXIMO). Information for all buildings and structures will also be transferred from FMIS to MAXIMO in the future.

The historic status defined by the Federal Real Property Council has been adopted by IA to categorize its buildings in FMIS and FRPP. These include six categories: (1) National Historic Landmark, (2) National Register Listed, (3) National Register Eligible, (4) Non-contributing Element of the NHL / NRL District, (5) Not Evaluated, and (6) Evaluated, Not Historic. The status of buildings is updated annually in both FMIS and FRPP.

IA's policy for identification and evaluation of historic properties is largely driven by the Department of Interior's Strategic Plan, which includes reportable measures for historic properties. These measures and goals are included in Indian Affairs Performance Management System (IAPMS). They include: (1) historic structures in good condition; and (2) archaeological sites in good condition. The current percent of historic structures in good condition is 18%, and for archaeological sites it is 77%. In addition to reporting historic properties, IA also tracks museum property in IAPMS. Additionally, IA prepares an annual report of museum collections controlled or administered by IA. This report is compiled as prescribed Department of Interior Manual, Part 411; it summarizes annual museum activities, as well as museum facility and object condition assessments.

Identification of historic properties has been a challenge largely because of the limited staff and the availability of funds. To date, the identification and evaluation has been conducted through contracts with private consultants, who have the knowledge and expertise to evaluate historic properties. Such contracts are initiated within BIA Regional Offices as funds become available, but to date, there has been no consistent funding source, to complete a nation-wide inventory of historic properties.

To date, IA has not entered into any formal partnerships to identify and evaluate historic properties. However, through Public Law 93-638, BIA has a contract with the Navajo Tribe to conduct its cultural resource activities. This has also included a contract to identify and evaluate historic properties owned by the BIA; this contract is still on-going.

## **PROTECTION**

The protection of historic properties is primarily driven by IA's compliance with Section 106 of NHPA. Consequently, when an undertaking is proposed that would affect a historic property, such as transfer or removal of a property, IA follows the consultation requirements of 36 CFR Part 800. Any building over fifty years old (50) is evaluated for eligibility to the National Register before it is transferred or removed. IA considers the transfer or removal of any historic property it owns to be an adverse effect. The management and maintenance of buildings owned by IA are the responsibility of the Office of Facilities and Construction (OFMC), and OFMC works with the professional archaeological staff at BIA Regional Offices to assess meaningful options and, if necessary, develop a memorandum of agreement with the respective state or tribal historic preservation officer, to ensure an appropriate level of documentation is completed prior to taking any action.

The OFMC is also responsible for maintenance of buildings owned by IA. While Regional Archaeologists in the BIA Regional Offices provide technical assistance and advice to OFMC, Section 110 responsibility to protect and maintain the historic properties lies largely with OFMC.

One of the challenges facing IA is ensuring that facility managers understand the proper care and maintenance of historic buildings. One option currently being developed is a web-based preservation plan for the historic properties in the Fort Washakie Historic District. When completed, this plan will provide an interactive tool for the local facility manager to use in determining the appropriate method of maintaining the character of each historic building located in the Historic District. This plan will include those historic buildings owned by the tribe as well. If successful, the plan will serve as a pilot project for proper maintenance of other historic buildings under IA ownership.

## **USE**

The vast majority of buildings owned by IA are operational structures that continue to be used for their intended purposes. These include quarters, administration buildings and schools. Even most buildings transferred to tribes continue to be used as they were originally intended.

The condition of these buildings varies. IA currently uses the Facility Condition Index (FCI) to assess the condition of all its buildings, including the historic buildings. The FCI is a numerical scoring system that uses a ratio of the cost of repair needs over the cost of replacing the facility. According to this formula only 18% of the historic buildings owned by IA are in good condition. While "good" condition is the desired state for all buildings, this does not mean that buildings rated in "fair" or "poor" condition are not usable; it just means that their repair costs are high when compared to the replacement costs. IA continues to use and maintain structures with a high FCI.

Historic properties under continuous use also include six (6) dams, which were constructed for irrigation purposes. Condition ratings of these structures are based on evaluations conducted by the Safety of Dams Program and they are all rated as "good".

The IA does not lease its property to other entities, so Section 111 of NHPA does not apply to IA historic properties.

A significant challenge for the continued use of historic properties lies in handling those facilities that are vacant and no longer needed. Surplus properties are always offered to the local tribe and most structures in usable condition are readily accepted. However, structures that require expensive repairs may not be accepted if the tribe does not have funds available. These structures cannot be offered to non-tribal entities and the only option for the surplus property is removal. Prior to the transfer or removal of a historic property, IA will ensure the appropriate level of study is completed to record the structure, but other options are generally not available.