

MEMORANDUM OF UNDERSTANDING

Among

DOI-Bureau of Land Management, California State Office
California Office of Historic Preservation
California Native American Heritage Commission
Discovery Works, Inc.
Imperial Valley College Desert Museum
Imperial Valley College Desert Museum Society
Maturango Museum
and
Society for California Archaeology

for implementation of the

California Archaeological Site Stewardship Program (CASSP)

in the

State of California

I. INTRODUCTION

This Memorandum of Understanding, developed and entered into by the Department of Interior, Bureau of Land Management, California State Office; California Office of Historic Preservation; California Native American Heritage Commission; Discovery Works, Inc.; Society for California Archaeology; Imperial Valley College Desert Museum and Society; and Maturango Museum recognizes interests, concerns, and mutual responsibilities in the implementation of the California Archaeological Site Stewardship Program (CASSP) in the State of California.

II. PURPOSE

The archaeological resources of the State of California are deemed a valuable and non-renewable resource of the people of California, Native Californians, and the people of the United States of America. Public interest in the prehistoric and historic sites of California, including the desire to visit archaeological sites, is high and increasing. Many sites experience a high level of public activity and are affected by it through lack of understanding and vandalism. In some cases, the volume of visitor activity alone may affect the resources. The undersigned have determined that a program of regular, trained volunteer presence at archaeological sites will diminish both unintentional and intentional effects to sites and will positively respond to public interest by providing an opportunity for site visitors to learn about the sites they visit and proper etiquette while visiting sites. The undersigned parties also agree that while the site stewardship program will initially be in effect at sites selected for public visitation on the BLM rock art tour web site and other designated sites, it will be appropriate to expand the program to other sites as the program develops.

III. AGREEMENT

The parties hereby agree to cooperate in implementing a volunteer program to be called the "California Archaeological Site Stewardship Program" that will be in partnership with the Bureau of Land Management. BLM has and will continue to partner with the Society for California Archaeology to fund training and other activities of the program as funding is available. BLM field office archaeologists or other designated authorities will coordinate site stewardship programs on their units. Local volunteers will act as site stewards to assist field office archaeologists by visiting and working at specific sites within their regions. Site stewards will report their observations and other activities to the field office archaeologist or other designated authority, but will not act in any law enforcement capacity.

Volunteers will be required to successfully complete a program of training and execute an individual volunteer agreement with BLM. Volunteer agreements will enable site stewards to visit sites, monitor activities at and effects to sites, record information, and interact with members of the public in a positive and helpful manner. Volunteer agreements may also enable site stewards to assist in other activities related to preservation, protection, and public enjoyment of archaeological sites including, but not limited to, inventory, stabilization, recordation, and other measures at sites within the local area.

IV. AUTHORITIES

- A. Economy Act (PL 72-212; 47 Stat. 417; 31 U.S.C. 686, 686b). Authorizes transfer of materials, services, and funds between federal agencies.
- B. Federal Land Policy and Management Act of 1976 (PL 90; Stat. 2743, 43 U.S.C. 1701, 1711, 1737) as amended by PL 98-540 of 1984 (98 Stat. 2718). Authorizes

investigations and studies in cooperation with other parties involving the management, protection, and development of public lands, as subject to provisions of applicable law. It instructs the Secretary to coordinate land use planning and management activities with other agencies.

- C. Volunteers for the Public Lands, Section 2 of PL 98-540, included in a 1984 amendment to Section 307 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1737). PL 98-540 authorizes the Bureau of Land Management to provide for services or costs incidental to the use of volunteers, including transportation, supplies, lodging, subsistence, recruiting, training, and supervision.
- D. Public Land Administration Act (PL 860649; 74 Stat. 506; 43 U.S.C. 1361). Authorizes cooperation in investigations, studies or experiments involving management of public lands.
- E. Archaeological Resources Protection Act of 1979 (PL 95-96; 93 Stat. 721; 16 U.S.C. 470aa-470ee). Provides for the protection of archaeological resources on public lands and encourages cooperation and exchange of information among governmental authorities, professional archaeologists, and private owners of archaeological materials.
- F. National Historic Preservation Act of 1966, 16 U.S.C. section 470 *et seq.*
- G. American Indian Religious Freedom Act (PL 95-341, 92 Stat. 469, 42 U.S.C. 1996). Instructs Federal agencies to protect and preserve the rights of American Indians to exercise traditional religious practices on public lands, including access to sites with religious values.
- H. Historic Sites Act of 1935 (PL 74-292; 49 Stat. 666; 16 U.S.C. 461-467). Authorizes, among other things, the Secretary of the Interior through the National Park Service to "...make cooperative agreements with States...to protect and preserve, maintain...any historic or archaeological building, site..."
- I. Organic Act of 1916 (PL 235, 39 Stat. 535, 16 U.S.C. 1). PL 235 authorizes the National Park Service to recruit, train, and provide incidental expenses for volunteers.
- J. The program or activities conducted under this agreement will be in compliance with the nondiscrimination provisions of Title VI of the Civil Rights Act of 1964, Executive Order 11246, other nondiscrimination statutes, namely, Section 504, Title IX, and the Age Discrimination Act of 1975.

V. RESPONSIBILITIES

The parties agree that the duties and responsibilities under the MOU are as follows:

- A. The Bureau of Land Management shall:
 - 1. Fund portions of the program as opportunity permits.
 - 2. Provide professional staff archaeologists to oversee the Site Stewardship Program on their units.
- B. The California Office of Historic Preservation shall endorse the Site Stewardship Program as a means of fostering appreciation of the history and prehistory of the State of California.

- C. The California Native American Heritage Commission shall endorse the Site Stewardship Program as a means of fostering appreciation of the history and prehistory of the State of California.
- D. The Society for California Archaeology shall provide overall support and guidance to implement the Site Stewardship Program in the State of California regardless of land ownership.
- E. Discovery Works, Inc. shall:
 - 1. Provide day-to-day operational support for the Site Stewardship Program.
 - 2. Seek funding sources and opportunities.
 - 3. Publicize the Site Stewardship Program for funding, recruitment, and other purposes.
- F. All parties shall:
 - 1. Work together to monitor activities of the program.
 - 2. Assist in implementing, updating, evaluating, and recruiting for the program.
 - 3. At least annually, evaluate the effectiveness of the California Archaeological Site Stewardship Program, making recommendations and acknowledging volunteer efforts.

VI. COOPERATIVE PROCEDURES

- A. One representative of each party to this MOU will be invited to serve as a participating member of the California Archaeological Site Stewardship Program Committee. With the addition of new parties to the MOU, one representative of each new party will also serve as a participating member of the Committee.
- B. Members of the Committee will meet as necessary to review and discuss items needing the Committee's attention. On issues that may be raised for vote, each participating organization will have one vote.

VII. MODIFICATION, TERMINATION, LIABILITY

- A. This MOU is entered into for a period of five years and will expire on July 31, 2004 unless extended, renewed, reauthorized, modified, or otherwise negotiated prior to that date.
- B. This MOU may be amended, revised, or terminated in writing at any time by mutual agreement. Each party may terminate their participation in this MOU by providing thirty days' written notice to the other parties. New parties to the MOU may be added by amendment upon agreement of the CASSP committee. Revisions or amendments are effective upon signature of participating members.
- C. Nothing in this agreement shall be construed as obligating BLM, the Society for California Archaeology, or any other member to the expenditure of funds.
- D. The Society for California Archaeology shall be held harmless in any action with regard to specific or alleged damage or injury resulting from or because of site stewardship program activities.

Signatories (December 1, 2002):

DOI-Bureau of Land Management, California State Office
California Office of Historic Preservation
California Native American Heritage Commission
Discovery Works, Inc.
Imperial Valley College Desert Museum
Maturango Museum
Society for California Archaeology
DOI-Bureau of Land Management, Ridgecrest Field Office
DOI-Bureau of Land Management, El Centro Field Office
DOI-Bureau of Land Management, Bishop Field Office
California State Parks, Lake Oroville State Recreation Area
California State Parks, Mojave District
DOI-Bureau of Land Management, Redding Field Office
DOI-Bureau of Land Management, Palm Springs/South Coast Field Office
DOI-Bureau of Land Management, Alturas Field Office
DOI-Bureau of Land Management, Surprise Field Office
DOI-Bureau of Land Management, Hollister Field Office
DOI-Bureau of Land Management, Ukiah Field Office