

October 29, 2020

Rick Hanson  
 Bureau of Reclamation  
 Great Plains Region  
 P.O. Box 30137  
 Billings, Montana 59107-0137

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*cc - Canyon Ferry*

Re: Crittendon Day Use Area Fence Construction, Lewis and Clark County, Montana. MTAO Project No. CF-20-006

Dear Mr. Hanson:

Thank you for your letter (received October 20, 2020) regarding the Crittendon Day Use Area Fence Construction Project. We understand BOR plans to move forward with the implementation of this undertaking without resolving the Sec. 106 process and obtaining SHPO concurrence.

At issue is BOR's and SHPO's disagreement over the validity of a 38-year old cultural inventory as the basis of consultation. All cultural inventories use statistical sampling methods. It is impossible to have 100% confidence that a previous survey identified 100% of the cultural resources due to factors such as ground surface visibility and transect spacing. Our office considers previous inventories valid for ten years, after which point their usefulness needs to be reviewed for changing standards, changing exposures of buried sites, and changing integrity of structures. Since cultural resources are considered historic once they are 50 years old, some sites which were not recorded in the past may have become historic in the intervening time and now require consideration. The older a previous inventory the more suspect it becomes and the more likely a re-inventory is necessary. We do not believe relying on a 1982 inventory is an adequate level of effort to identify historic properties within the area of potential effect. We believe the area of potential effect for this project has the potential for unrecorded cultural resources. BOR has not countered SHPO's claim but rather simply will not motivate to perform this small-scale field work.

The Secretary of the Interior Standards and Guidelines describe the importance of identification in the planning process: "The results of identification activities are then integrated into the planning process so that subsequent activities are based on the most up-to-date information."  
 ([https://www.nps.gov/history/local-law/arch\\_stnds\\_2.htm#guide](https://www.nps.gov/history/local-law/arch_stnds_2.htm#guide))

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Information that is 38 years old does not qualify as the most up-to-date. This 1982 survey is beneficial background research; however, it is not a substitute for a field survey.

If you have any questions or concerns, do not hesitate to contact me at (406) 444-7719 or [Laura.Evilsizer@MT.gov](mailto:Laura.Evilsizer@MT.gov). Thank you for consulting with us.

Sincerely,



Laura Evilsizer, M.A.  
Review and Compliance Officer  
Montana State Historic Preservation Office

CC: John Eddins, ACHP at [jeddins@achp.gov](mailto:jeddins@achp.gov)