CHAPTER 37

MANAGING OUR HISTORIC AND CULTURAL RESOURCES

37. 1. HISTORIC PRESERVATION; PROTECTING OUR PAST

37. 1. 1. Introduction

Throughout our islands are the historic resources of nearly five thousand (5,000) years of human occupation.

Impressive Latte Period villages and rugged concrete fortifications from World War II are visible and easily recognized. Other sites, containing delicate prehistoric artifacts and human skeletons, often lie buried beneath the ground. Only professional archaeological surveys can locate these.

All classes of historic resources are vulnerable to damage. Mechanized land clearing and construction projects can easily destroy these buried historical elements of our cultural heritage. Such projects have proliferated in the Commonwealth since the early 1980s. Once a site is destroyed, it can never be replaced. The important information about our past can be lost forever.

To prevent such losses, the CNMI Legislature passed the Historic Preservation Act of 1982 (Public Law 3-39). This law recognizes the scientific and cultural importance of these tangible links with our islands' past.

37. 1. 2. Our Historic Preservation Program

CNMI Public Law 3-39 law created our **Historic Preservation Office** (**HPO**), sometimes referred to as the Division of Historic Preservation. The head of HPO is the CNMI's Historic Preservation Officer.

The law extends protection to our historical, archeological, architectural, and cultural resources. This protection extends to all historic resources, located on both public and private lands.

37. 1. 3. Federal Historic Preservation Laws

Besides Public Law 3-39, certain federal laws and regulations also protect important sites. Primarily these are under Section 106 of the National Historic Preservation Act of 1966, and its associated Code of Federal Regulations, 36 CFR 800.

Our islands possess the historic resources of nearly five thousand (5,000) years of human occupation.

Archeology is a scientific attempt to reconstruct activities and social groups that existed in the past.

Acheologists often times interest themselves more in small, simple, ordinary, and seemingly redundant properties than in big, impressive monuments.

37. 1. 4. The Historic Preservation Review Process

To administer its statutory responsibilities, the Historic Preservation Office uses a standardized procedure to review land use activities. It assesses their impacts on significant historic resources. HPO staff do this to ensure that land use projects do not needlessly damage or destroy our Commonwealth's unique historic resources.

37. 2. ARCHEOLOGY AND HISTORY

37. 2. 1. What is Archeology?

Archeology is a scientific attempt to reconstruct activities and social groups that existed in the past. Archeologists also seek to see how these activities and groups changed through time. The focus of archeology is essentially that of **history**. The idea of this social science is that if we can understand our past, we can better understand our present and our future.

Other social sciences, particularly **anthropology**, strongly influence archeology. As a result, archeology's attempts to account for the past tend to be comparative and scientific.

Archeologists follow the scientific method. They try to ask *definite questions* about the past. They pose hypothetical answers to these questions. They then test these answers, by examining comparative data from many sites.

37. 2. 2. From a Lot of Small Bits of Information

Often, archeological questions are of mostly local interest. For example, archeology may help get information needed for the accurate restoration of a building. It may help confirm a reported historic event. It also may help reconstruct the cultural history of an area.

The questions asked, while they may be important to understand a community's history, often serve no larger purpose. They do provide information, however, that may support other data in more significant historical research.

Modern archeological research aims at answers to important questions. For example, archeologists may seek to understand the effects of environmental change and population pressure. They may investigate the reasons for war. They may study the bases for various forms of political organization, or the effects of change from one economic system to another.

Answering big questions often requires many little answers from many sites, small and big. Like other sciences, archeology does not usually concern itself with spectacular discoveries. Instead, it usually tests modest hypotheses about often humble concerns.

The accumulated results can provide the basis for large-scale research. Thus archeologists interest themselves more in small, simple, ordinary, and seemingly redundant properties than in big, impressive monuments.

37. 2. 3. Location Counts

Things of archeological importance may be very subtle, hard to see and record. Although artifacts themselves are important, their location and their relationship to each other can be more so.

37. 2. 4. Prehistoric Archeology

Most archeologists in the United States specialize in **prehistoric archeology**. On the US mainland, this means the study of the archeological remains of American Indian societies as they existed before substantial contact with Europeans.

Here in the Marianas, archeologists who work at prehistoric sites focus on the several cultures of the pre-European-contact "Chamorro" people.

37. 2. 5. Pre-history vs. History

Professional arguments exist about what is '*history*'. Here in our islands much knowledge is orally passed on from generation to generation. This continues a several-thousand-year-old tradition. Our written history —by literate observers— however, is relatively young. Still, the most commonly accepted understanding of the word *history* is that it begins with its written documentation.

The National Historic Preservation Act treats prehistory as a part of history for purposes of national policy. The Act assumes that historic preservation programs should not only concern themselves with properties created *since literate observers arrived* on a scene — and its **written history** began. Such a program should also concern itself with properties created during prehistoric time periods.

However, it is important to consider archeology more than just prehistory. Archeologists concern themselves not only with prehistory, but also with our most recent past. Archeological data not only exists under the ground, but also above it.

Although artifacts themselves are important, their location and their relationship to each other can be more so.

37. 3. US LAWS, POLICIES, AND THE NATIONAL REGISTER

37. 3. 1. Federal Programs to Support Archeological Research and Historic Property Preservation

Over the last 80 years, the US Congress and the President have given the US Department of the Interior major responsibilities in identifying, registering, and protecting America's historic resources. The National Park Service, within the Interior Department, is our country's lead agency for historic preservation purposes.

The National Historic Preservation Act of 1966 tasks the US Secretary of the Interior to expand and maintain a **National Register of Historic Places**. The US Interior Secretary in turn, encourages each US state, commonwealth, and territorial government to develop its own historic preservation program.

During the 1970s, growing interest in their own historic resources stimulated local governments across the nation to develop and expand their historic preservation programs. As mentioned, the CNMI Historic Preservation Office (HPO) is responsible for all prehistoric and historical research archeology in our Commonwealth.

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37. 3. 2. Surveys and Standards

To plan for the preservation and enhancement of the historic environment, we must determine what properties make up that environment.

The Department of the Interior published basic standards and guidelines for historic preservation surveys. They form part of the *Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation.*

To further assist communities to conduct high quality surveys, the National Register has prepared *Guidelines for Local Surveys: A Basis for Preservation Planning.*

37. 4. WHAT IS A HISTORIC RESOURCE?

The National Historic Preservation Act defines a **historic resource** as any prehistoric or historic district, site, building, structure, or object included in, or eligible for inclusion in the **National Register** (of Historic Places).

The term includes artifacts, records, and remains which relate to such a district, site, building, structure, or object.

The historic resources of a community or neighborhood give it its special character and cultural depth.

The National Register defines a **historic property** as a district, site, building, structure, or object, *significant* in American history, architecture, engineering, archeology, and culture.

37. 5. HISTORIC RESOURCE SURVEYS

37. 5. 1. Why Undertake a Historic Resource Survey?

Archeological surveys require special methods. They involve looking at one's surroundings–and thinking about them–in certain ways that may be unfamiliar.

Such surveys aim to identify a community's historic resources. The main reason for undertaking these surveys is the growing recognition that such resources have *value*. Citizens and their governments feel these resources should be retained as functional parts of modern life.

The historic resources of a community or neighborhood give it its special character and cultural depth. Some historic resources contain information that can provide unique insights into a community's past. They may also help answer general questions about history and prehistory.

37. 5. 2. Resource Plans are Useful

In more useful terms, each historic building or structure represents an investment. We should not discard this investment lightly. Maintaining and rehabilitating older buildings and neighborhoods can mean savings in energy, time, money, and raw materials.

To effectively use historic resources, it is important to integrate historic preservation into community planning. This is the immediate reason for undertaking a local **historic resources survey**. Its purpose is to gather the information needed to plan for the wise use of a community's resources.

A historic resources survey can define the historic character of a community or a particular area. It can also provide the basis for making sound judgments in community planning.

37. 5. 3. Preservation Plans

Survey data can be used to construct a **preservation plan**. Such a plan helps a community identify the relationships that unify and define its various areas. These relationships may be historical, cultural, aesthetic, or visual.

The plan helps to establish policies, procedures, and strategies for maintaining and enhancing the relationships.

Preservation plans can lead officials and citizens within the community to increase their understanding and awareness of the human environment. Then, they will also increase their commitment to preserve it.

A preservation plan presents ways to maintain and enhance the positive character of an area. It helps identify legal and financial tools, easements, tax incentives, and zoning and land use controls.

37. 5. 4. What Exactly is a Survey?

As refered to in this chapter, a **survey** is a process of identifying and gathering data about a community's historic resources.

It includes a **field survey–**the physical search for and recording of historic resources on the ground. It includes planning and "background research" before a field survey begins. It includes organization and presentation of survey data as the survey continues. It also includes the development of *inventories*.

Survey data refers to the raw data produced by the survey. This is all the information gathered on each property and area investigated.

An **inventory** is one of the basic products of a survey. It is an organized body of information on those properties judged as significant.

Evaluation is deciding if properties meet the criteria of historical, architectural, archeological, or cultural significance. In other words, evaluation involves screening the survey data to produce an inventory.

A site is the location of a significant event, a prehistoric or historic occupation or activity, or a building or structure. A prehistoric village is an example of a site.

37. 6. TYPES OF HISTORIC RESOURCES

Historic resources fall into one of several types. These include:

37. 6. 1. Historic Sites

A site is the location of a significant event, a prehistoric or historic occupation or activity, or a building or structure. These may be standing, ruined, or vanished. A site is where the location itself possesses historical, cultural, or archeological value.

Examples of sites include prehistoric villages, buried artifacts, ruined buildings or structures, shipwrecks, and cemeteries. Also in-

cluded are designated landscapes, land areas possessing cultural significance, fortifications, battle sites, and locations of mass burials.

37. 6. 2. Historic Buildings

A **building** is a man-made construction created to shelter any form of human activity. Examples include houses, barns, sheds, commercial buildings, military bunkers, schools, hospitals, factories, and stores.

37. 6. 3. Historic Structures

The term **structure** distinguishes it from a building. These are immovable constructions made for purposes other than human habitation.

Examples include bridges, tunnels, water cisterns, bell towers, roadways, kilns, mounds, and earthworks. Also included are railroad systems, religious shrines, ships, and aircraft.

37. 6. 4. Historic Objects

An **object** is a term used to distinguish those constructions that are primarily portable in nature. They are often relatively small in scale and simply constructed. Objects are often artistic. Examples include weapons, ordnance, prehistoric grinding stones, and pottery.

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37. 6. 5. Historic Districts

A **district** has a significant concentration of sites, buildings, structures, or objects. These are united by planned or physical development. An example might be a historic mill town possessing many buildings and structures.

37. 7. ARCHEOLOGY OF BUILDINGS AND STRUCTURES, SITES, DISTRICTS AND OBJECTS

37. 7. 1. The Archeology of Buildings and Structures

To an archeologist, a building or structure is a complex artifact. People created and used it for activities that reflect their social, cultural, and economic needs and interests.

The construction and organization of the building or structure, changes made through time, and the evidence of activities that occurred in it may all be important.

For example, the way a house is constructed may reveal things about the builder's perceptions of how space should be organized. Changes to a floor plan during the life of a house may show how the occupants at different times wished to reorganize their lifespace.

Such a reorganization could have been in response to changes in social conditions, population size, economic status, or technology–such as the introduction of electricity.

Things left around a house by past occupants–furniture, documents, wallpaper—even children's drawing marks on the wallpaper–-may be very informative. They may reveal facets of the occupants' daily lives, interests, preferences, and beliefs.

Additionally, the organization of things within the house may indicate aspects of the occupants' views of themselves and their world.

The ways in which people organize and fill their living spaces can reveal a great deal. It can show how they see themselves, and how they wish others to view them.

37. 7. 2. The Archeology of Sites

A site is less obvious than a building because it is often below-ground. It may contain partial elements–including buildings and structures–that protrude above the ground.

Historic archeological sites surround and underlie most historic structures and buildings. Included as well is the debris remaining from the decay or destruction of outbuildings, deposition of trash, etc.

These sites are often valuable for understanding details of the buildings or structures that stand on them.

Other sites are not associated with buildings or structures now standing. Their buildings may have disappeared, or become subsurface remnants. Examples of these are prehistoric village sites and many early historic structures.

A site is less obvious than a building, because it is often below-ground.

Still other sites may never have been associated with buildings or structures. Examples of such sites include campsites, trails, battlefields, and hunting stations.

Sites are often very hard to recognize, especially by untrained observers. Prehistoric sites are sometimes more difficult to notice. This is because they do not contain familiar manufactured items.

Such a site, for example, may have just a few flakes of stone or shell, resulting from the manufacture of spear-points or fish hooks. It may have only a few cracked rocks from cooking fires.

On the other hand, sites representing more recent historical periods may be hard to recognize precisely because the debris they contain is so familiar. Such a site may have only a scatter of bottle fragments on the surface, or pieces of porcelain or brick, indistinguishable by the untrained eye from modern trash.

Some sites may be entirely buried. To discover these, it is important to understand the geology of an area. Then researchers can predict where such buried sites might occur.

A local example of a historic site is Rota's pre-historic Taga Stone Quarry.

37. 7. 3. The Archeology of Districts

An archeological district does not only imply that buildings, structures, or objects of archeological value are present. It also implies that there is some connection or relationship among them.

Archeologists often define a district as the area probably used by a social group in its daily activities.

For example, a *watershed* containing a prehistoric village site and a number of campsites may constitute a district. Archeological evidence that prehistoric people used the whole area for hunting, gathering plant foods, or shifting agriculture would be the basis for such a determination. The village and the campsites would represent different types of activities engaged in by the same population.

Local examples of historic districts include Saipan's Chalan Kanoa and Garapan urban districts from Japanese times, and the Tinian World War II North Field runways complex.

Prehistoric objects, such as isolated rocks covered with petroglyphs (pecked or inscribed rock-art)...

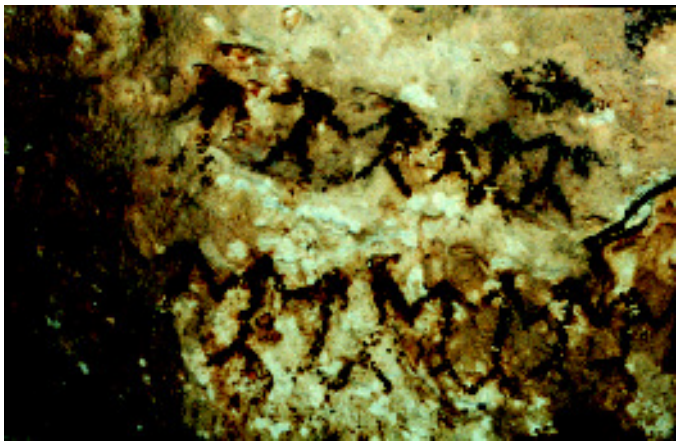
37. 7. 4. The Archeology of Objects

Archeologists do not usually think of the subjects of their inquiry as objects. Since the subjects are almost always stationary, they are thought of as sites instead. However, objects such as ancient Chamorro sling stones also have archeological value. Like sites or buildings, they contain evidence of ways of life and how activities were organized in the past.

Prehistoric objects, such as isolated rocks covered with **petroglyphs** (pecked or inscribed rock-art) or **pictographs** (painted rock-art) are of great archeological value.

They serve as indicators of religious or artistic activities. They also often served as markers of trails, hunting areas, social boundaries, water holes, dangerous areas, and other sites. Each must be studied to understand prehistoric relationships between social groups and the natural world.

Such objects may also retain cultural and religious importance to certain groups of the community. Cave petroglyphs damage easily, and, therefore, *should never be touched*. Unfortunately thoughtless vandalism of pictographs has already occurred.



...or pictographs (painted rock-art), are of great archeological value.

Agencies should encourage every effort to educate the public, especially island youth, about this important part of our cultural heritage.

37. 8. ORAL HISTORY, ETHNOGRAPHY, AND PUBLIC INVOLVEMENT

37. 8. 1. How can Oral History or Ethnography Contribute?

Much of a community's history may not be on record. It may, however, exist in the memories of its people. Its cultural and aesthetic values may find expression in their thoughts, words, and ways of life.

For this reason, it is often important to include either an oral history or an ethnography in historic resource surveys.

Both fields of study are based mostly on interviews with knowledgeable citizens. **Oral history** focuses on a straightforward record of their recollections. **Ethnography** concerns itself with contemporary cultural values, perceptions, and ways of life.

Research in oral history or ethnography must be well planned. It must take place with the full knowledge and cooperation of the

community and village leaders. The research should be sensitive to people's cultural backgrounds, values, and modes of expression.

Local college oral history, anthropology, and sociology programs may assist in this aspect of a survey project. The American Folklore Society, the Oral History Association, and the Society for Applied Anthropology are good sources of general information on the techniques of oral history and ethnography.

37. 8. 2. Public Involvement

The more the public involves itself in a community's preservation program, the more likely the program is to succeed. Survey data can contribute to public support by helping the public understand what is important about the community's past. The survey effort itself can stimulate deep public involvement.

A community's residents can become deeply involved in conducting the survey itself. This is because a survey must draw on a wide range of talents.

Moreover, trained volunteers under professional supervision can do most survey work. Such involvement can serve to catalyze community participation in the whole preservation program.

Archeological sites are often subject to salvage excavation or data recovery.

37. 9. ECONOMIC DEVELOPMENT AND HISTORIC RESOURCE DESTRUCTION

37. 9. 1. Where Destruction Must Occur

Historic properties cannot always be preserved in place. This is true despite the best preservation plans and programs. Modern economic and social needs sometimes cannot accommodate historic buildings.

In the competition for urban space, such buildings must sometimes be the losers. This may be true no matter how earnestly the community wishes to preserve them.

Archeological sites are even more prone to destruction. For example, even rehabilitation or renovation may disturb the ground under and around a building.

Where historic properties must give way to modern development, several strategies can help to avoid complete loss. In some cases, historic buildings can be *relocated*. In new locations, they can be preserved and rehabilitated.

Such buildings are often marketed for relocation. They are offered to anyone who will relocate and rehabilitate them. Buyers can obtain them at a low price–the cost of demolition, or less.

If demolition must occur, buildings are often *recorded*. This is to preserve information about them.

In some cases, architectural elements are salvaged for reuse in new development, or for *curation* in a museum. Archeological sites are often subject to **salvage excavation** or **data recovery**. This in-

volves archeological research aimed at extracting the useful information such sites contain, before they are destroyed.

37. 9. 2. Opportunities and Constraints

Historic preservation can be an opportunity for community development. However, it can also act as a constraint upon such development. In the past, it has largely been viewed as a constraint. Today, it is increasingly seen as an opportunity. In fact, it probably is both.

Survey data, such as descriptions of historical contexts, predictive maps, and inventories, are vital. From the standpoint of constraints, the data helps identify conflicts between development planning and local preservation priorities. The data can also help determine what is necessary to meet commonwealth and federal environmental review requirements.

From the standpoint of opportunities, survey data helps identify resources such as historic buildings, streetscapes, building uses, and cultural activities. Community planners can use the data to maximize a community's unique historic qualities.

Salvage excavation or data recovery is aimed at extracting the useful information such sites contain, before they are destroyed.

Ideally then, development planning should use survey data in at least three ways. First, it should identify opportunities to use a community's historic character in creating its future. Second, it should minimize conflicts between preservation and development. Third, it should provide for the orderly resolution of the conflicts that will occur.

37. 10. THE STEPS IN OUR HISTORIC PRESERVATION REVIEW PROCESS

The historic preservation review process for proposed projects consists of three steps. These ensure the identification, evaluation, and protection of our historic resources.

37. 10. 1. Identification

Identifying whether or not historic resources are present within a proposed project site is the first step of the process. It may involve one or more of the following tasks:

(a). Consultation with the Division of Historic Preservation.
(b). Archival research to determine if the project site has been inspected previously, and whether or not historic resources have been previously documented.
(c). A small-scale archeological survey conducted by staff of the Division of Historic Preservation.
(d). A professionally supervised archeological survey.

If the identification step determines that the project area contains no historic resources, then the historic preservation review of the project is complete. The project may then continue. Monitoring, however, may be required.

37. 10. 2. Evaluation

Should historic resources be present within the project site, the second step involves determining their significance. Sites are evaluated using National Register criteria.

The National Register considers an historic resource "significant" if it meets at least one of the following criteria:

(a). The resource is associated with the lives of persons significant in our past.

(b). The resource is associated with events that contributed significantly to the broad patterns of our history;

(c). The resource possesses distinctive characteristics of a type, period or method of construction. Or, it possesses characteristics that represent the works of a master. Or, the resource possesses high artistic values. Or, it has significant distinguishable entities, though their components may lack individual distinction.

(d). The resource has yielded or may be likely to yield information significant to our history or prehistory.

37. 10. 3. Determining the Effect of the Project

If the historic resources found within a project area are "significant," a third step is necessary. This is to determine what effect the project will have on these resources. The outcomes include three possibilities.

If the historic resources found within a project area are "significant," it is necessary to determine what effect the project will have on these resources.

(a). No Effect

A significant historic resource is present, but the project need not affect it. For example, a developer plans to construct a store on a property that contains a prewar Japanese water cistern. Construction plans are then modified, and the water cistern may be preserved in place.

(b). No Adverse Effect

A significant historic resource is present and will be affected by the project. However, because of special mitigative measures, this effect is considered to be not adverse.

An example might be that a developer plans to build a hotel. Its excavation work will affect a prehistoric archeological site. An archeological data recovery plan is implemented. Important data is recovered before the start of construction.

The collection of important data under professional supervision mitigates, or reduces, the damage to the site caused by the construction activities.

(c). Adverse Effect

A significant historic resource is present and will be adversely affected by the project. An example might be that a developer plans to build a golf course. However, the original plans cannot avoid destroying a Latte site and associated human burials.

Due to the cultural association, simple data recovery will not adequately mitigate the adverse effect. Under certain circumstances, projects that adversely affect significant historic resources must be redesigned. This is to reduce or avoid such damage.

In-place preservation calls for the historic resource to be left undisturbed in its original location.

Relocation mitigation calls for the relocation of a resource out of the project's impact zone when in-place preservation is not practicable. These pottery shards are easily moved to an archival facility.

Data recovery mitigation is employed when a construction project cannot avoid an historic resource, such as a prehistoric site.

37. 11. DETERMINING THE PROPER TREATMENT OF CULTURAL RESOURCES

37. 11. 1. Introduction

When historic resources are identified within a project area, the developer and the Historic Preservation Officer initiate consultations, sometimes in conjunction with professional archeologists. This is to determine how to treat the resources.

Treatment falls into two general categories: **in-place preservation** and **mitigation**.

HPO gives priority to in-place preservation for significant resources. In particular, this includes those resources associated with prehistoric Chamorro activities. Also included are those which possess human burials, and resources that are one-of-a-kind examples of a type or class.

Cultural resources may be treated in one or more of the following ways:

37. 11. 2. In-Place Preservation

This treatment calls for the historic resource to be left undisturbed in its original location. This is the most desirable treatment when dealing with very significant historic resources.

37. 11. 3. Relocation Mitigation

This calls for the relocation of a resource out of the project's impact zone when in-place preservation is not practicable. It is appropriate for small, movable objects.

37. 11. 4. Data Recovery Mitigation

This is employed when a construction project cannot avoid an historic resource, such as a prehistoric site. A professional archeologist directs the data recovery. The archeologist follows an approved research plan.

Data recovery aims at obtaining important scientific information from a site before its disturbance or destruction. Data recovery plans are documents developed in consultation with the Division of Historic Preservation.

37. 11. 5. Back Filling Mitigation

This involves burying cultural resources with soil or coral fill. This allows construction activities to proceed within the fill layer. This method is normally applied to sites having buried archeological deposits.

37. 11. 6. Intensive Recordation Mitigation

This involves making detailed drawings and photographing buildings, objects or structures that earthmoving activities will destroy. This ensures there is a permanent record of the resources that will be destroyed or damaged.

37. 11. 7. Interpretive Development Mitigation

This involves the development of interpretive signs and other devices relating to the historic resources identified. These allow the public to share the important information about the resource that the project may have affected.

37. 11. 8. Monitoring

This mitigation measure is carried out either by a professional archeologist or by staff of the Division of Historic Preservation. Monitors watch earthmoving activities. They record cultural resources that might be exposed.

When important resources, especially human burials, are exposed, construction work may be temporarily halted. This allows the Historic Preservation Office to assess the situation. Additional archeological work may be required, depending upon the circumstances.

37. 12. RE-INTERNMENT OF HUMAN REMAINS

Human skeletal remains discovered during data recovery, or by accident, are normally first studied scientifically.

Following this, it is the policy of the Division of Historic Preservation to have the remains re-interred in an appropriate location within the project area.

37. 13. PERMIT CONDITIONS AND MEMORANDA OF AGREEMENT

As already mentioned, decisions regarding specific preservation or mitigation measures are made in consultation with the Division of Historic Preservation. These decisions are formalized as conditions which appear in DEQ-issued earthmoving permits or Coastal Resource Management major siting permits.

The decisions may also be embodied in certain other documents. These include a memoranda of agreement executed for federally assisted projects under the Section 106 review process. (See our chapter on federal and international laws).

37. 14. OUR NEED FOR PRIOR PLANNING

The protection of our significant historic resources and modern development are not mutually exclusive activities. With prior planning, the integration of historic preservation concerns into a project's design will actually enhance development.

The key to success is for private and government developers to begin consultations with our Division of Historic Preservation as early in the planning process as possible. HPO staff are ready to assist. Together, we can bring development projects to reality while protecting our valuable and irreplaceable cultural resources.

Human skeletal remains discovered during data recovery, or by accident, are normally first studied scientifically, then re-interred at an appropriate location.