



UNITED STATES MARINE CORPS  
MARINE CORPS BASE  
PSC BOX 20004  
CAMP LEJEUNE NC 28542-0004

BO 5090.8A  
BEMD  
OCT 21 2011

BASE ORDER 5090.8A

From: Commanding Officer  
To: Distribution List

Subj: ARCHEOLOGICAL AND HISTORIC PROPERTIES MANAGEMENT

Ref: (a) National Historic Preservation Act of 1966, and amendments therein (16 U.S.C. 470a to 470x) (NOTAL)  
(b) Archeological Resources Protection Act of 1979 (16 U.S.C. 470aa to 470mm) (NOTAL)  
(c) DODI 4715.16 (NOTAL)  
(d) MCO P5090.2A (NOTAL)  
(e) MCO 5090.4 Conservation Law Enforcement Program  
(f) Integrated Cultural Resources Management Plan, Marine Corps Base, Camp Lejeune, North Carolina, April 2002  
(g) BO 5090.12

1. Situation. This Order formally establishes a program to direct and coordinate the archeological and historic resources management program in and on the waters and land of Marine Corps Base (MCB) Camp Lejeune (CamLej). The purpose of this Order is to set forth regulations and establish responsibilities associated with management of archeological and historic (cultural) resources located in and on waters and land of the MCB CamLej.

2. Cancellation. BO 5090.8.

3. Mission. Consistent with Federal law and Marine Corps policy; to enhance and sustain the military mission at MCB CamLej and Marine Corps Air Station (MCAS), New River (NR) with an integrated approach to cultural resource management. This policy and guidance applies to all Department of Defense (DoD) agencies, military organizations and other authorized activities located on MCB CamLej; and applies to all archeological and historic resources under the management of MCB CamLej.

DISTRIBUTION STATEMENT A: Approved for public release; distribution is unlimited.

a. Summary of Revision. This Order has been revised and should be reviewed in its entirety.

b. Background

(1) In accordance with reference (a), a program to preserve historic properties in the United States was established which requires that "The heads of all Federal agencies shall assume responsibility for the preservation of historic properties which are owned or controlled by such agency. Each Federal agency shall establish, unless exempted, in consultation with the Secretary, a preservation program for the identification, evaluation, and nomination to the National Register of Historic Places (NRHP), and protection of historic properties. Each Federal agency shall initiate measures to assure that where, as a result of Federal action or assistance carried out by such agency, a historic property is to be substantially altered or demolished, timely steps are taken to make or have made appropriate records, and that such records then be deposited for future use and reference". Sections 110 (g) and 302 authorize expenditure of funds for preservation purposes. Section 111 authorizes leases, exchanges and management contracts to be used for ensuring preservation of cultural resources.

(2) Per reference (a), as early as possible before an agency makes a final decision concerning an undertaking, Section 106 requires federal agencies to take into account the effects of an undertaking on any district, site, building, structure, or object listed or eligible for listing on the NRHP. The Advisory Council on Historic Preservation (ACHP) must be afforded an opportunity to comment on any undertaking which has the potential to affect eligible or listed NRHP properties.

(3) In accordance with reference (a), the Secretary of the Interior, through the National Park Service (NPS), administers the NRHP. The NRHP is a listing of districts, sites, buildings, structures and objects significant on the national, regional or local level in American history, architecture, archeology, engineering and culture. The NPS also creates standards for maintenance and rehabilitation of historic buildings, provides inter-agency archeological services and offers technical assistance for recording historic properties prior to destruction.

(4) Reference (b) provides for the protection against unauthorized excavation, removal, alteration or defacement of archeological resources and requires permits be issued for authorized excavations. Persons who, without authorization, excavate, remove, damage, alter, or deface archeological resources may be assessed civil penalties. The civil penalties may be the full cost of restoration and repair of the archeological resources plus the full archeological or commercial value of archeological resources destroyed or not recovered. Previous violators of the Archeological Resources Protection Act (ARPA) of 1979 may be assessed double the costs mentioned above (see 32 C.F.R. 229, Uniform Regulations, Protection of Archeological Resources, as amended by 52 Fed. Reg. 47720 of 16 December 1987). Additionally, a known violation of ARPA is a criminal act punishable with a fine and imprisonment for up to five (5) years.

(5) Reference (c) establishes a policy of integrating archeological and historic preservation requirements with the planning and management of DoD activities.

(6) Reference (d) identifies development and implementation of a Historic and Archeological Resource Protection (HARP) Program and the Integrated Cultural Resource Management Plan (ICRMP); however, the ICRMP is the means of compliance with federal law, DoD instruction, and Marine Corps directives. This will be used by planners, engineers, land and natural resources managers, military training personnel, construction personnel, archeologists, historians, architects and cultural resource managers in the management of the archeological and historic resources at MCB CamLej.

c. Enforcement. Consistent with reference (e), provisions of this Order shall be enforced by the Conservation Law Enforcement Office (CLEO). CLEO is authorized to enforce reference (b), (ARPA), or any DoD order pertaining to the protection of archeological resources. CLEO will have authority to detain and inspect any person(s) whom they have reasonable grounds to believe is committing a violation of this of this Order. Any person who violates the prohibitions listed in reference (b), or provisions of any permits issued under reference (b), will be subject to prosecution under Federal law

d. Accordingly, reference (f) directs the management of MCB CamLej's cultural resources.

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e. The Conservation Law Enforcement Office (CLEO) fulfills a vital role for effective implementation of the ICRMP and the cultural resources management program in general as described in reference (f).

#### 4. Execution.

a. Organizational commanders, area commanders, special and general staff shall, on a continuing basis, integrate the ICRMP with other applicable activities, programs and plans. Responsibilities include but are not limited to:

(1) Ensuring that archeological and historic properties, including archeological sites and historic buildings and districts, are protected at the site of discovery, until cognizant authorities have evaluated their significance.

(a) A listing of known cultural resources will be maintained by the Head, MCB CamLej Environmental Conservation Branch.

(b) As these sites are surveyed and evaluated, they will be marked on maps and on the ground to protect those eligible for the NRHP.

(c) Tracked vehicles and troop maneuvers may continue in areas presently designated for those activities. Operations or projects on or around known sites shall require approval from the Head, MCB CamLej Environmental Conservation Branch.

(d) If any previously unknown archeological sites are discovered during construction, military maneuvers, or other activities, immediately stop all ground-disturbing activity in the vicinity of the sites, and notify the Head, MCB CamLej Environmental Conservation Branch.

(e) If human remains are discovered, immediately stop all ground-disturbing activities to avoid further disinterment. Notify MCB CamLej Environmental Conservation Branch and the MCB CamLej Provost Marshal so that a determination can be made as to whether the remains are archeological or not.

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(2) Protection and storage of archeological and historic properties and records that accrue as a result of the MCB CamLej Cultural Resources Management Program until they are turned over to the cognizant authorities.

(3) Ensuring that funds budgeted for historic rehabilitation and restoration are obligated specifically toward the historically significant characteristics of the building or structure.

(4) Ensuring that all undertakings that are not in Accordance with the ICRMP are first reviewed and approved by the Director (Dir), Installation and Environment Department (I&E), Environmental Management Division (EMD), MCB CamLej before any action is taken.

b. General and specific guidance for the management of archaeological sites and historic properties are contained in the ICRMP. The ICRMP for MCB CamLej will provide information on existing archeological and historic resources, legal requirements and procedures for management of these resources, and long-range objectives and goals. Consistent with reference (g), potential impacts to archeological and historic resources will be assessed as part of a comprehensive National Environmental Policy Act (NEPA) review by the Base Environmental Impact Working Group (EIWG). In addition, the Conservation Working Group (CWG), chaired by the Environmental Conservation (ECON) Branch Head, shall meet regularly to identify archaeological and historic property issues, develop working level solutions to issues, ensure input from tenant commands, and monitor and evaluate effectiveness of ICRMP implementation.

c. The Director, I&E, EMD for MCB CamLej is designated the activity point of contact to establish, direct, maintain, and coordinate the MCB CamLej archeological and historic resources management program. The Dir, I&E, EMD will be assisted in accomplishment of specific tasks by the Head, MCB CamLej Environmental Conservation Branch. While assisting the Dir, I&E, EMD, the Head, Environmental Conservation Branch will coordinate with the appropriate staff divisions and departments, to include Public Works Division (PWD) and the Director, Training Education and Operations (Dir, TE&O).

(1) The Head, MCB CamLej Environmental Conservation Branch is responsible for broad planning and management of

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archeological and historic resource issues, developing and updating the ICRMP, and for monitoring the condition of, and impacts on, all archeological and historic resources. In executing these planning and management responsibilities, the Head, MCB CamLej Environmental Conservation Branch will coordinate with the appropriate staff divisions and departments.

(2) Responsibilities include:

(a) Documentation of cultural resources.

(b) Liaison and coordination with federal and state historic preservation offices and the Advisory Council.

(c) Development of a preservation program in accordance with the ICRMP with short and long-term objectives. The preservation program plan must result in the identification, evaluation, and ultimate nomination to the Secretary of the Interior all sites which appear to qualify for the NRHP. Such action is mandated by 16 U.S.C. Section 470h-2(a)(2).

(d) Establishment of priorities for inventory protection and evaluation of cultural resources.

(e) Compliance with applicable federal and state regulations.

(f) Identification of program requirements and projects and forwarding of funding requirement information to Headquarters, U.S. Marine Corps (Code LFL).

(g) Development of a plan to establish the North Carolina Office of State Archaeology (OSA) Laboratory in Raleigh, NC, as the permanent repository for all historic and archeological material from MCB CamLej. Currently, all collections generated from archaeological investigations at MCB CamLej are permanently curated in the NC OSA facility.

(h) Development and implementation of an information and education program.

(i) On-site support to commanders, staff offices and project managers for training exercises, construction and maintenance projects.

(j) Site inspection reports on resource quality.

(k) Recommendations for program projects.

5. Administration and Logistics.

a. Conservation Law Enforcement Office (CLEO). In accordance with reference (e), Conservation Law Enforcement Officers will enforce this Order and laws aimed at protecting archaeological sites, as an integral part of the cultural resources program.

b. Environmental Conservation Branch Head (ECON Branch Head). The Head, Environmental Conservation Branch, will apprise the Director, Environmental Management Division when new NRHP eligible archaeological sites, buildings, structures or districts are identified.

6. Command and Signal.

a. Command. This Order is applicable to MCB CamLej and MCAS New River.

b. Signal. This Order effective date signed.

  
D. J. LECCE

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