

CTA GUIDELINES FOR IDENTIFICATION OF HISTORIC CEMETERIES AND UNMARKED HISTORIC GRAVES

Guidelines for identification of historic cemeteries and unmarked historic graves were drafted by the working group appointed at the Fall 2008 CTA meeting: Margaret Howard, Duane Peter, Rachel Feit, and Doug Boyd.

Our goal is to foster respectful treatment of human graves, including unmarked cemeteries and graves currently not protected by state law. We have attempted to obtain a consensus among Texas professional archeologists on the best practices for historic cemetery and grave identification, paralleling the existing CTA Guidelines for Performance, Curation, and Reports that are referenced in Texas Historical Commission Rules.

Comments on the draft guidelines were sought through peer review, by posting on the CTA list serve and website, and by distributing them at the Spring 2009 CTA meeting. The working group addressed all comments, under advisement of the Executive Committee. This document was approved during the Fall 2009 meeting, and is now incorporated into the official CTA Guidelines.

These guidelines recommend a course of action for archeological identification of historic cemeteries and unmarked graves in areas where investigations are required by federal and/or state law, due to the likelihood that such features are present. These areas include:

- locations where known historic cemeteries or graves extend or may extend into the area of potential effect (APE) of a project; and
- locations where historic cemeteries and/or graves are suspected to fall in or near a project APE, even if there is no visible evidence of them.

It should be assumed that unmarked graves may be present in every historic cemetery, both within and beyond its known boundaries.

These guidelines do not address situations where historic graves, marked or unmarked, must be exhumed and relocated. Such situations must be addressed on a case-by-case basis in consultation with project sponsors, descendant groups, and regulatory authorities.

To identify the presence and estimate the extent of cemeteries or graves within a project APE in areas where they have been reported or are suspected:

1. Conduct deed and oral background research in an attempt to establish the extent, age, and demographic representation of any cemeteries or graves within the APE, searching

the following sources at a minimum:

- Historic maps, including USGS topographic maps, soil survey maps, county road maps, and Sanborn maps (in urban areas);
- Modern and historic aerial photographs;
- Texas Historic Sites Atlas and Archeological Sites Atlas;
- Public records including city and county deeds, tax records, and cemetery records; and
- Oral information from local churches, cemetery associations, and descendant groups and individuals.

Additional sources of information may be consulted if the situation warrants, including Tobin maps and other cartographic sources, the TxDOT Historic Map Overlay, tax assessor-collector maps, death records, and county groups that have recorded cemeteries. A common sense approach should be employed to determine the extent of research; all of the sources enumerated above may not be necessary to meet the goals of particular projects. Ultimately, a good faith effort to gather information about the likely presence/absence of unmarked graves, their approximately age, and ethnic representation should be demonstrated through research.

2. Meet with project sponsors, regulatory authorities, and descendant communities and individuals to discuss the proposed field investigations. Do not assume that you know how descendant communities and individuals want the situation to be handled. Conduct further agency coordination and obtain permits as needed.
3. In the field, inventory any marked graves in the APE based on surface evidence. Assess the potential for unmarked graves based on surface evidence and oral/archival research. Unless it can be proven otherwise, assume that unmarked graves may be found outside designated and fenced areas. Estimate the extent of the area that may contain graves within the APE.
4. Where conditions are suitable, contract with experienced professionals for remote sensing, e.g., ground penetrating radar and/or magnetometer surveys, to identify possible locations of unmarked graves.
5. Propose avoidance as an option to prevent disturbance to areas known or suspected to contain graves.
6. If graves must be located, develop a written plan for cemetery investigations that outlines how the search for unmarked graves will be conducted with respect to the project APE and, if applicable, beyond it. Conduct further coordination and obtain permits as needed.
7. Employ machine-aided excavation (e.g., grade-all, backhoe, track hoe, front-end loader,

maintainer, or belly scraper) to remove sediment overlying graves. Remove all overburden, including any intrusive fill, and excavate to the depth where graves are likely to be evident, based on background research. Minimize the possibility of damage to graves by heavy machinery through evaluation of the soil texture and likely thickness of overburden, and design excavation practices accordingly. All machine-aided excavations must be directed and monitored by archeologists experienced in cemetery investigations.

8. Stop mechanical excavations and use hand excavations to investigate all anomalies revealed by machine-aided excavation. Indications of graves include differences in soil color and texture, presence of coffins and other funerary items, and presence of human remains. Graves may vary considerably in size, shape, orientation, and configuration within a cemetery, and human remains may be associated with features other than formal graves. Grave shafts may not be evident. Record and map the locations where graves are indicated. If human remains are accidentally exposed they must be fully documented, then covered with a protective layer of sediment. If excavation of graves is necessary, procedures for those investigations should be developed on a case-by-case basis, and are not covered in these guidelines.
9. Record the extent and depth of the area investigated, and any graves identified through machine and hand excavation, to a sub-meter level of accuracy via GPS or TDS. If the delineated cemetery is on private land and needs to be protected from future development, the plot will need to be recorded by a certified land surveyor to register any deed restrictions.
10. Compile a detailed report of investigations summarizing the archival and oral information on the history of the cemetery, and the field investigations. The report should include:
 - A description of the methods of archival research and field investigations, including an explanation of how possible cemeteries or graves were identified;
 - A depiction of the extent of cemeteries or graves on maps and aerial photographs;
 - Information on the extent and depth of the area investigated, and depiction of the excavated area relative to the APE;
 - Description of the geology, geomorphology, and stratigraphy encountered during the search for graves;
 - An account of the level of effort expended, including the names and number of persons conducting the investigations, and the number of person-days spent in the field;
 - An explanation of any constraints that limited the investigations;
 - A justification explaining how the extent and methods of investigations constitute a good faith effort to identify unmarked historic graves within the APE; and
 - Photographs, drawings, and other documentation to illustrate and support the findings;

professional judgment should be used to determine when inclusion of photographs of human remains in public documents is necessary and appropriate.

11. When required, excavate graves and remove human remains according to a written plan for cemetery investigations. Coordinate with project sponsors, regulatory authorities, descendant groups and individuals, and other parties as appropriate.