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May 5, 2023

**VIA FACSIMILE & CERTIFIED U.S. MAIL**

USDA Office of Inspector General  
P. O. Box 23399  
Washington, D.C. 20026-3399.  
Fax: (202) 690-2474

**Re: Hotline Complaint ID No. HL-10343 re: Destruction of Significant Archaeological Tribal Sites and Resources, and Suppression of Scientific Data and of the Disclosure of Archaeological Discoveries to Consulting Tribes and Agencies within the Pisgah and Nantahala National Forests – A. Scott Ashcraft – Our File No. 5474-001**

Dear Office of Inspector General,

I am writing today on behalf of my client A. Scott Ashcraft,<sup>1</sup> Heritage Resource Program Manager (HRPM) and a Forest Archaeologist (FA) for the U.S. Forest Service (FS or Agency) at Pisgah National Forest (NF) Zone in North Carolina. Broadly, Mr. Ashcraft is reporting that Agency officials are ignoring a wide range of legal obligations relating to Native American archaeological sites, resulting in continued and imminent damage to and destruction of invaluable Native American archaeological sites, including significant Tribal places including burial sites, petroglyphs, quarries, and more. This complaint supplements the above-numbered online Hotline submission.

Overall, thousands of acres of National Forest land warranting archaeological and legal protection are being improperly developed upon and burned because of the Agency’s circumvention of applicable legal requirements. But even worse, this is all being done without legally required consultation with the affected Native American Tribes. The Agency’s institutional decay has led to its engaging in egregiously improper and destructive practices that go against everything Mr. Ashcraft has spent his 30-year career working to protect. He now turns to your office for investigation, intervention, and remediation before the Agency’s betrayal of its Tribal and State partners is deepened even further, which may otherwise happen within days.<sup>2</sup>

<sup>1</sup> A designation of representative is attached as Enclosure 1.

<sup>2</sup> **There is a particularly urgent situation in Pisgah NF requiring your most immediate attention** that is detailed further in Enclosure 8.

This complaint follows years of Mr. Ashcraft's repeated efforts to correct violations of law, rule, and regulation by the Agency. However, despite his determination, Agency officials continue to ignore his decades of Agency experience as well as his unparalleled expertise in Fire Archaeology, Rock Art, and other relevant areas,<sup>3</sup> in favor of moving forward at all costs with potentially destructive projects within culturally significant landscapes.

Indeed, rather than management properly seeking out and acting pursuant to his and his colleagues' expert opinions regarding whether, e.g., prescribed burns, trail projects, and large landscape initiatives are legally and archaeologically acceptable, officials have instead taken steps to remove his authority and his ability to communicate with and consult with Tribal and State partners about these projects—even though such consultations are legally required. These officials are violating fundamental parts of the National Historic Preservation Act (NHPA), National Environmental Policy Act, the Archaeological Resources Protection Act (ARPA), and several other related sources of law.<sup>4</sup> But worse, the Agency is effectively going behind the backs of its Tribal and State partners to push through often irreversible actions on land that should properly be protected and documented as cultural heritage sites.

Addressing the unauthorized, unethical, and unlawful actions and project implementations Mr. Ashcraft has witnessed is of critical importance to the Government's historical preservation mission and stewardship of public lands generally, and to several Native American Tribes' cultural heritage interests more specifically. These issues must be remedied thoroughly if the relationship between the FS and these Tribes is to be insulated from further damage, given the significant breaches of Tribal trust that are unfolding and will otherwise continue to occur.

## **I. OVERVIEW.**

We first emphasize that Mr. Ashcraft's concerns are very fact-dense, so we have attempted to convey them in this submission as concisely and efficiently as possible by providing (1) an overview of his concerns and (2) a useful foundation for initiating an investigation into them. However, Mr. Ashcraft has a significant amount of documentation, witness testimony, and other details surrounding this complaint, and he looks forward to elaborating as extensively as needed. Some of the most significant and urgent issues are elaborated upon in the attached enclosures to help provide a starting point for your investigation, while several other issues we reference still deserve your eventual attention but are less pressing. We greatly appreciate your time and consideration of this matter, and Mr. Ashcraft looks forward to providing further documentation and testimony—both to achieve the substantively appropriate outcome regarding the protection of important cultural heritage resource sites, and to address a range of systemic problems he has witnessed within the FS which allowed this issue to get this bad to begin with.

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<sup>3</sup> A more detailed explanation of Mr. Ashcraft's background is attached as Enclosure 2, but he has been a FS archaeologist for 30 years and has been the Pisgah HRPM since 2010. He has special expertise in Fire Archaeology and serves in a variety of roles related to this sub-field. He is one of the longest-serving officials in NFsNC, and thus he is widely looked to for his deep institutional Agency knowledge in addition to his extensive experience in heritage site protection, Fire Archaeology, Rock Art, and the application of these fields to NFsNC and Pisgah NF. Also, he has ARPA expertise and has experience and training in the law enforcement side of ARPA investigations.

<sup>4</sup> A summary of these and the other primary legal issues is contained in Enclosure 6. However, this enclosure references narrative details contained later in this submission, so we encourage you to read it after this complaint.

The primary context for most of the concerns at issue is that the Agency has, for decades, used an outdated and erroneous predictive model to estimate archaeological site presence in sloped areas. The model, developed in the 1980s and never updated, is inaccurate and needs to be comprehensively revised. Mr. Ashcraft and a few of his colleagues over the years have worked hard to determine how the model needs to be revised and what the implications would be. This work led to surveys of thousands of acres of slope-sites that the old model predicted were unlikely to contain sites of archaeological significance. To their surprise, they discovered that a significant portion of the sloped areas of Pisgah and Nantahala NFs<sup>5</sup> contain numerous undocumented Native American site types, massive quarries and quarry-districts across broad landscapes, likely mortuary complexes including rock-cairn burials, and potentially petroglyphs, along with new and previously undocumented artifact types, demonstrating that the old model's treatment of slope-sites was fundamentally flawed.

Mr. Ashcraft has spent the last decade investigating further and now has accumulated extensive evidence that vast tracts of NF land contain this unprecedented level of previously unknown archaeological sites—indeed, he describes some of the sites at stake as being among the most exciting, diverse, and culturally dynamic prehistoric archaeological finds he has ever seen. He considers the affected areas to be incredible and extremely sensitive, with very high artifact presence and high complexity potential for legally required protection and documentation.

From his 30-year career with the Agency, he knows that all past and currently affected slope-sites should immediately be documented, and, where appropriate, formally protected under the relevant legal framework, including NHPA, NEPA, and ARPA, as mentioned previously. But despite the evidence and the relevant legal requirements<sup>6</sup> governing such sites, Agency management has made numerous efforts to ignore these findings, to suppress further investigation, and to avoid any proposed revisitation of the predictive model, because such changes and acknowledgments would interfere with a variety of recreation and timber projects, prescribed burns, and other plans for NF land—including privately funded trail development, such as the Old Fort Trails Project (OFTP).

But it is not just that officials are ignoring their legal obligations—they are actively circumventing them by reassigning responsibilities, improperly pressuring employees tasked

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<sup>5</sup> Collectively with the forests of Uwharrie and Croatan, referred to as NFs in North Carolina or “NFsNC.” Throughout this submission, please note that Mr. Ashcraft is the HRP only for Pisgah NF, not Nantahala, but between the Nantahala HRP being copied on relevant management communications as well as the applicability to Nantahala of the same modeling issues he has discovered with Pisgah, he believes Nantahala is experiencing the same kinds of issues and illegal/improper interference from management officials.

<sup>6</sup> Note that in addition to archaeological fieldwork and site protection, Mr. Ashcraft's responsibilities include legal process reporting and consultation, collections management and artifact curation, planning and budgeting, and public outreach and publication. As such, he is also responsible for the big-picture aspects of this multifaceted cultural resource program, and his job has largely revolved around finding, documenting, and protecting sites with known or possible presence of Native American artifacts. These responsibilities require that—pursuant to his position description (PD) as well as a variety of statutory and regulatory mandates, rules, and directives—he provide input, communicate relevant data to stakeholders, exercise certain authority, and oversee various efforts to implement cultural resource protections as appropriate. In other words, as part of his job, he is immersed in the legal and regulatory framework surrounding artifact site protection, and he has been for longer than almost anyone else within NFsNC. As mentioned, Enclosure 6 contains a summary of the specific laws and regulations primarily at issue here.

with making neutral assessments regarding their proposals, and otherwise vigorously resisting pushback to their plans. Mr. Ashcraft specifically has been targeted for retaliation after his consistent objections to what is happening, including his various attempts to bring the Agency's actions into compliance with both the law and longtime Agency practice. Now, he is even facing a fabricated harassment complaint against him—which conveniently involves heavy restrictions on which Agency components and external partners he is permitted to communicate with. Meanwhile, prescribed burns which never should have been approved are happening as you read this, and trail projects have already been built over some of the affected land. Mr. Ashcraft has been removed from his archaeological oversight role for the prescribed burn approval process, trail projects, and landscape projects (including timber removal), but he can see the burns happening from afar, and he knows that the next phases of trail development and timber removal will soon be underway.

Mr. Ashcraft also knows, for example, that the newly hired archaeologists approving these burns are not only being pressured by the Rangers who supervise them to ignore standard approval criteria, but they are also being supervised by the Rangers contrary to the Agency's 2008 reorganization and corresponding Long-Term Organizational Strategy (LTOS). The archaeologists are supposed to provide impartial input and oversight of a proposed burn, and their having to report to the proposing Rangers is a conflict of interest. Rangers are not qualified, authorized, or directed to perform or make decisions on these types of archaeological matters, but they are essentially abusing their authority to displace the role of the archaeologists in the approval process—further compounding the threat posed by the ongoing burns, given that the Rangers are intentionally removing the same safeguards that are designed to protect archaeological sites. Additionally, regarding the privately funded OFTP and other trail projects, management officials have hired outside contractor archaeologists who not only lack the resources or expertise necessary to provide sufficient assessment and oversight of the projects but are also being used as tools to unlawfully circumvent the more proper use of the Agency's own archaeologists, including Mr. Ashcraft.

The officials whom Mr. Ashcraft knows to be responsible for the actions described thus far include NFsNC Rangers, Supervisor's Office (SO) Heritage Staff, and the Executive Management officials who supervise them. To various extents, all these groups have intentionally evaded the wide range of applicable legal requirements and procedures in favor of pushing through privately funded trail development projects, large prescribed burns, landscape/timber, recreation, and infrastructure undertakings. Additional types of actions they have taken surrounding these issues include undermining standard processes, employing unqualified and/or unethical outside contractors, assigning inexperienced and vulnerable new employees to important oversight roles, directing the use of false data and reliance on erroneous legal interpretations, and avoiding required consultation with affected Tribes. Each of these is a clear violation of law, rule, and/or regulation, as we will summarize further below and as Mr. Ashcraft looks forward to elaborating upon.

The affected Tribes for the Pisgah NF are the Eastern Band of Cherokee Indians (North Carolina), the Cherokee Nation (Oklahoma), the United Keetoowah Band of Cherokee Indians (Oklahoma), the Muscogee Creek Nation (Oklahoma), and the Catawba Nation (South Carolina). Given their legal authority and interest in seeing this situation rectified, we are sending their Tribal Historic Preservation Offices (THPOs) a copy of this OIG complaint so they can assess and participate as needed. Additionally, the North Carolina State Historic Preservation Office (SHPO) and the President's Advisory Council for Historic Preservation have likewise been left

out of these important processes, also contrary to the law, so we are providing them and Regional Archaeologist Wayna Roach with a copy as well.

In the interest of brevity and clarity, Mr. Ashcraft has broken down a few of the most pressing categories of issues in separate documents, so what follows in this complaint is high-level context for and a summary of each primary issue. Then, we refer you to:

- Enclosure 3, which breaks down the landscape (timber, etc.), recreation, infrastructure, and other development projects he is aware of involving the slope-sites, as well as pertinent context for your investigation regarding the handling of each project;
- Enclosure 4, which does the same for the prescribed burn projects;
- Enclosure 5, which contains a more detailed summary and timeline of the OFTP issues, given the scale and significance of the project;
- Enclosure 6, which contains our basic explanation of each of the laws and regulations Mr. Ashcraft believes have been violated overall as well as how; and
- Enclosure 7, a list of potential witnesses Mr. Ashcraft has compiled.
- As referenced in footnote 2 previously, a particularly urgent situation regarding Judaculla Tribal Interest Site is explained in Enclosure 8.

Again, regarding the ongoing burns and development projects, any further impacts on these sites would deepen NFsNC's ongoing duplicity with Federal, State and Tribal partners and would thereby risk severe, long-term adverse consequences for the Agency and the NFsNC. The OFTP and other privately funded trail projects, as well as the improper prescribed burns and current or imminent landscape/timber projects, all present the most urgent problems on this front that require your office's action. However, the legal obligations being disregarded by Agency officials pose serious, broader institutional risks to the Agency's work in other ways.

More specifically, as Enclosure 6 explains a bit further, the severe institutional decay within the FS/NFsNC that has led to such pervasive impropriety is compounded by factors including the Agency's outdated information technology (IT) infrastructure, its lack of good record-keeping practices, and similar issues (which, in relevant part, have allowed the bad actors here to create less of a paper trail than legal requirements oblige them to). Mr. Ashcraft looks forward to elaborating on all the violations and issues he has witnessed, but we want to ensure that the more urgent issues receive your more immediate attention—and we also want to note that while Mr. Ashcraft has extensive evidence he can provide, he also emphasizes that there has been a deliberate effort in bad faith to accomplish some of these violations through, e.g., indirect or otherwise undocumented actions, communications, and pressuring. Not only do these new cultural sites need to be recognized and protected and the model updated, but the internal processes regarding decision-making, accountability, and transparency need to be reassessed and reinforced, and ideally those responsible for such deviation from propriety should be held accountable.

## II. SLOPE SITES, OUTDATED MODELING & ARTIFACT DISCOVERY.

Mr. Ashcraft can provide a much more detailed historical overview of the last four decades on this front, but as a brief overview: over the past 10 years, Mr. Ashcraft's work has led to his discovery of significant areas of Pisgah and Nantahala NFs which contain new or unrecognized cultural resource phenomena—i.e., Native American archaeological sites and artifacts—located within sloped areas currently designated as “Low Probability.”

Mr. Ashcraft explains that the old model for estimating the likelihood of cultural artifacts in certain types of NF areas was not accurate regarding such sloped areas, and indeed the creator of that model, Mark Mathis (now deceased), acknowledged his model's limitations regarding slope sites, described known archaeological slope sites (quarries, rock-shelters, human burials), and made repeated efforts in the 1980s and 1990s to have NFsNC appropriately investigate and document the upland slope sites.

That never happened, but in 2008, Mr. Ashcraft and Rodney J. Snedeker—NFsNC's first full-time FA, hired in 1984 and also now deceased—revised the survey specifications for pedestrian walk-over to look primarily for slope-side rock shelters. Mr. Snedeker and Mr. Ashcraft, as well as fellow staff archaeologist David Dyson (who has since left the Agency after severe harassment and intimidation by management officials) had all observed and reported artifacts and sites along slopes, which were left out of the old predictive model's survey recommendations.

However, there was never proper follow-up on this increasingly larger scope of uninvestigated and undocumented site types within the south-Appalachian Pisgah and Nantahala NFs. So, in 2013 Mr. Ashcraft began numerous investigations covering thousands of acres along sloped landscapes and found significant levels of undiscovered Native American site-types, including quarries, likely mortuary complexes, rock shelter sites, petroglyphs, and previously undocumented stone-tool artifact assemblages along these terrains. These types of finds were soon after located and corroborated by Nantahala NF Zone archaeologists ( [REDACTED] and then [REDACTED] ).

As the scale of his findings and their implications increased by 2016–17, Mr. Ashcraft's confidence in the nature of what he was finding grew, and he increased his efforts to inform Pisgah and NFsNC management of the enormous range of land that should properly be re-assessed, surveyed, investigated, documented, and protected. However, in 2020–21, some of the slope sites he was observing were within or adjacent to the Old Fort Trails Project (OFTP), a privately-funded plan for 45 miles of trails along with the development of a recreation hub.

Although Mr. Ashcraft repeatedly raised these issues (including how they relate to the inaccurate, obsolete model) during discussions surrounding the 2022 Programmatic Agreement (PA) with the North Carolina State Historic Preservation Office (SHPO), NFsNC FA [REDACTED] ensured there was no mention of the slope sites or associated Tribal consultations, etc. in the final PA documents, so it was left essentially unaddressed by the NC SHPO staff. Perhaps even worse, Ranger [REDACTED] took many overt steps—including severe coercion and intimidation of other employees, dissemination of false and misleading information, and similar actions—to ensure that the private-funding expectations surrounding the OFTP project would be met, regardless of legal obstacles. Mr. Ashcraft and his immediate supervisor, NEPA Coordinator [REDACTED], believe the private-funding nature of the OFTP project has

substantially contributed to why these officials have handled this the way they have, but the extent of what may be happening behind the scenes remains unclear.

Regardless, Ranger [REDACTED] has directly suppressed Mr. Ashcraft's role in the approval process as well as his ability to investigate further or document his findings, and for example has even coerced private archaeologists (e.g., university professors) to dispute Mr. Ashcraft's expertise and data, in addition to the coerced new FS archaeologists, all to counter and discredit Mr. Ashcraft's findings and efforts. [REDACTED] directed the OFTP project to move forward without acknowledging or addressing associated slope sites and likely associated burial locations that would be directly or indirectly adversely affected, and he also approved trail construction through National Register of Historic Places (NRHP)-Eligible archaeological sites.

Again, this is all being done not just without the knowledge or consent of affected Tribes and the NC SHPO, but through a larger, intentional effort to avoid legal obligations regarding appropriately consulting with these stakeholders. Ranger [REDACTED] has even expressly argued to those involved with these projects that NFsNC does not legally have to document the sites, defying Mr. Ashcraft's Program Manager authority, his formal recommendations, and the proper procedures as described within applicable laws and regulations. This is not just Ranger [REDACTED] abusing his discretion, but rather directly violating the Agency's obligations.

Ultimately, without going through any of the required consultations, site protection efforts, mitigation processes, or other obligations, Ranger [REDACTED] pushed through Phase I of the OFTP trail system. Six miles of trail have already been built, along with trail head parking lot and facilities—and the construction went directly through four significant and unevaluated archaeological sites, with the parking lots going across a fifth. Then, [REDACTED]—in collusion with Ranger [REDACTED], NFsNC FA [REDACTED] and Staff Officer [REDACTED]—removed Mr. Ashcraft from involvement in the OFTP project, with the obvious reason being to avoid further objections and rid the project of obstacles. This is unprecedented, because again, Mr. Ashcraft is a fixture of NFsNC archaeological oversight given his three-decade tenure and vast experience, and the archaeologists' jobs are intended in part to ensure that Rangers cannot unilaterally push these types of projects through without approval from and consultation with the archaeological side. The Forest Service Manual (FSM) describes these roles in detail.

Unfortunately, almost the same thing has happened with improprieties relating to prescribed fire burns since late 2022. Again, Mr. Ashcraft has expertise in Fire Archaeology, but despite his decades of experience and noteworthy leadership and training roles in the sub-field, Pisgah NF Rangers have recently been routing prescribed burn project approvals through newly hired FAs with no fire experience or ability to assess fire-related impacts on cultural resources. Rangers [REDACTED] and [REDACTED] revoked Mr. Ashcraft's oversight of prescribed burn approvals and assigned it to new archaeologists [REDACTED] and [REDACTED], who they directly supervise— which, again, is not allowed under the 2008 Agency LTOS reorganization because it is a conflict of interest given that the approvals are supposed to be neutral and objective.

Nevertheless, [REDACTED], and others then pressured [REDACTED] and [REDACTED] to approve the burns without proper authority and consultation (i.e., Pisgah HRP, the NC SHPO, and the Tribes), and without following protocols for resource protection (including of known Native American rock shelter sites and potential for rare and endangered pictograph sites, and human burial locations). Mr. Ashcraft specifically mentioned recent direct Tribal comments communicated to the NFsNC about completing pre-burn surveys and proper consultation with

the Tribes, and he discussed this both within meetings and emails to FS archaeologists including NFsNC FA [REDACTED].

Several of these prescribed burns were recently completed despite Tribal recommendations to the contrary and without Tribal knowledge or comment. Individuals involved in these decisions and actions include Rangers [REDACTED], and (possibly) [REDACTED], Forest Supervisors James Melonas and Cavin Fitzsimmons, NFsNC FA [REDACTED], and Staff Officer [REDACTED]. As with the OFTP slope-site issue, Hardison did not specifically include the burns survey processes in the 2022 PA final document despite Mr. Ashcraft repeatedly raising the issue and the lack of appropriate processes or consultation with the NC SHPO and the THPOs as an ongoing issue.

Related to the burns issue is that Mr. Ashcraft has attempted to mentor and provide documentation for new Pisgah Forest Archaeologists, especially because of his expertise in Fire Archaeology specific to negative fire-effects to artifacts and vulnerable site types. He is the single most qualified person on the NFsNC on that subject, so in addition to his input regarding burn approvals, etc., he has also made sure to pass down his knowledge to more junior archaeologists as best as he can. The fact that he has been removed from the approval processes, both for the burns and the OFTP projects, means that he has been wholly unable to continue mentoring these junior archaeologists, including the new hires who instead are being used by the Rangers to sign off on these plans—as they do not necessarily know any better. In other words, then, Ranger and management interference with the archaeological side of these approvals comes at the cost not only of the damage involved in these projects, but also of longer-term institutional knowledge, which if lost may never be recoverable.

Further, as yet another example of management’s suppression of his efforts to document his concerns and have them addressed, Mr. Ashcraft has been prevented from communicating with the Southern Region (Region 8) lead Program Manager and Archaeologist Wayna Roach unless the call is being monitored by Mr. [REDACTED] and Staff Officer [REDACTED]. This was ordered in a letter from Forest Supervisor James Melonas, reflecting that this interference is coming from the higher management of NFsNC, not just the Pisgah Rangers—and as Mr. Ashcraft can explain in further detail, this suppression came right after he had been communicating with Ms. Roach regarding the slope-site protections as well as the Agency’s record-keeping obligations to the National Archives, as will be mentioned below. As another example, Mr. Ashcraft was also directed by Mr. Melonas not to communicate directly with the THPOs, even though his authority to communicate with them comes directly from his PD and the Forest Service Handbook (FSH). See Enclosure 2.

Finally, we refer you to Enclosures 3–6, as previously mentioned, which contain further basic details about the trail development and landscape projects, the prescribed burns, the OFTP issues, and the legal issues surrounding all these issues, respectively. Again, Mr. Ashcraft looks forward to elaborating further and providing more documentation of his concerns; these details are just to provide a summary of and background for the issues.

### III. CONCLUSION.

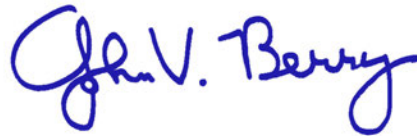
Thank you for your attention to this urgent matter. Mr. Ashcraft is very hopeful that your office will be able to intervene and protect the thousands of acres at Pisgah and Nantahala NFs that have undocumented Native American artifacts, furthering what he has spent his entire career



working on while also restoring the Forest Service's compliance with the referenced laws, rules, and regulations. We look forward to further developments on your end and to arranging Mr. Ashcraft's provision of further documentation and details regarding his concerns. Please send any correspondence to us at [jberry@berrylegal.com](mailto:jberry@berrylegal.com) and [bstautberg@berrylegal.com](mailto:bstautberg@berrylegal.com), or you may contact our office by phone at (703) 668-0070.

Sincerely,

BERRY & BERRY, PLLC



John V. Berry, Esq.  
Brendan C. Stautberg, Esq.  
*Attorneys for Scott Ashcraft*

Enclosures:

1. Designation of Representative
2. Resume/Summary of Professional Background (and PD)
3. Slope-Site Projects and NHPA Violations Summary
4. Prescribed Burn Issues Summary
5. Old Fort Trails Project Summary & Timeline
6. Legal Issues Summary
7. Witnesses and Management Contacts
8. Urgent Situation Summary – Judaculla

cc: John Mintz, State Archaeologist (NC SHPO)  
Dr. Wenonah Haire, THPO, Catawba Indian Nation  
Elizabeth Toombs, THPO, Cherokee Nation  
Russell Townsend, THPO, Eastern Band of Cherokee Indians  
Stephen Yerka, HPS, Eastern Band of Cherokee Indians  
Turner Hunt, THPO, Muscogee (Creek) Nation  
Julie Thornton, Acting THPO, United Keetoowah Band  
Ana Perez, HPS/FS Liaison, Advisory Council on Historic Preservation  
Wayna Roach, Heritage Program Manager, (FS) Southern Region  
James Melonas, NFsNC Forest Supervisor  
Cavan Fitzsimmons, NFsNC Deputy Forest Supervisor  
Jen Barnhart, Appalachian District Ranger  
Jason Herron, Pisgah NF Zone NEPA Coordinator  
Scott Ashcraft  
File

**Enclosure 1**

OMITTED

## **Enclosure 2**

# ANTHONY SCOTT ASHCRAFT

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## Professional:



## Personal:



## Professional Experience:

### National Forests in North Carolina

Pisgah National Forest - Heritage Resource Program Manager / Archaeologist.  
(GS-0193-11)

1993-Present

2010 - Present

National Forests in North Carolina: Archaeologist -  
including the Pisgah, Nantahala, Uwharrie and Croatan NFs  
(GS-0193-05- Temp, GS-093-07 Term, GS-093-09 PFT)

1993-2010

-Coordinated/Directed all aspects of an dynamic cultural resource program as a GS11 Program Manager or participated contributed to many aspects of the NFsNC Heritage program as a archaeologist including:

\*Archaeological field processes - Inventory to data recovery excavations leading to laboratory analyses, National Historic Preservation Act Sections 106/110 reporting and documentation. I have archaeologically investigated thousands of acres within various NFsNC landscapes, recorded or excavated within well over a thousand new archaeological sites and have authored/coauthored over a hundred cultural resource reports detailing scientific results, developed new historic contexts and determined NRHP significance for a wide range of archaeological sites, historic structures, and rock art sites.

\*Directed Program management including consultation directives with Federal, State, and local government agencies along with pertinent Native Tribes including the Cherokee Nation, Eastern Band Cherokees, the United Keetoowah Band of the Cherokee, the Catawba Nation, and Muscogee Creek Nation.

\*Research and public outreach initiatives including thematic investigations, published results, professional conferences and extensive public outreach. I have presented my research findings to over 50 professional conferences nation-wide and published several papers, articles or book Chapter contributions within archaeological/historical publications and journals.

\*Tribal coordination-Maintain regular and consistent contact with the Tribes with in-person visits, telephone calls, and e-mails of Tribes that have usual and accustomed dealings with lands pertaining to the five Pisgah NF Tribes including.... Work with Native American Tribes to return sensitive NAGPRA burial items and items of patrilineal descent. Coordinate meetings on projects for both Forest Leadership and Tribal Board members. Provide point of contact for Federal projects and contracted studies. Provide up-to-date logistical information to assist with data sharing. Retain records of correspondence with Tribal Governments.

\*Directed or assisted with FS Passport-in-Time projects including the Parker Creek Rock Shelter Project (2010) and the Appletree PIT Project (1994-2002) including facilitating two University Field Schools (East Tennessee State, Western Carolina University)

## **Professional Experience Cont.:**

\*Coordinated two formal partnerships with local Universities (East Tennessee State University and Appalachian State University) for rock shelter surveys, research and excavations with with emphases areas including the Linville Gorge Wilderness Area and Curtis Creek Appalachian Escarpment area

\*Coordinated and directed numerous University, College and High School Internships through the NFsNC Heritage Resources Program for mutually beneficial results for the FS and students interested in archaeology careers.

## **Wildfire and Fire-Archaeology Experience**

### **Type-2 Wildland Firefighter (FFT2, RC/Arduous)**

Trained and qualified Type-2 wildland firefighter between 1993 and 2014, serving within numerous wildfire incidents located in various landscapes and conditions within two Eastern US States and four Western US States.

**Fire-Archaeologist (ARCH- RC/Arduous):** Trained, IQ Card qualified, active from 1994 - Present  
I was trained by NFsNC archaeologist David Dyson in principles of fire-archaeology in 1993/94. Mr. Dyson founded the first Fire-Arch program and strike team in the Nation (late 1980s) while working at Mesa Verde National Park in Colorado, and after he arrived at the NFsNC, became the first red-card qualified (Incident Qualifications Card) archaeologist in the Nation in 1993, and with those duties assigned in his official PD, also a first. My incident experiences as a Fire-Arch began in 1994 at the Fish-Pond Fire (Croatan NF, NC) and then the Big Creek Fire (Sierra NF, CA) as a member of an archaeological strike-team.

Since 1994, I have served as either a Fire-Arch team member within the Resource Advisor (READ) team, or as the Lead-Arch within approximately 50 wildfire incidents across the nation. Half of these experiences have been located within the NFsNC, where I have served as Lead-Arch or Arch team-member under Dyson/Snedeker. I have also been called to serve on numerous Western US wildfire incidents or complexes within CO, NM AZ, UT, CA and OR. Since 2011, I have often served as Lead Arch within READ teams including large wildfire complexes managed by interagency Fire-Organization teams in NM/AZ, CA, and OR.

Since 2019, I have contributed under the National Wildfire Coordinating Group (<https://www.nwcg.gov/>) - Resource Advisor Subcommittee where I am an invited member of the READ Cohort Committee (<https://www.youtube.com/@readcohort?app=desktop>) Arch Working Group (AWG), and the ARCH Cohort Committee (ACC). These committees consist of national interagency specialist with expertise within the READ and ARCH fields to advise NWCG and pertinent Federal agencies on various fire resource directives and needs. The AWG is tasked with formalizing the Interagency Position Description to standardize qualifications necessary to officially serve on wildfire incidents as an ARCH. The ARCH Cohort Committee also facilitates the yearly national interagency Fire-Archaeology Training Course, where I have served as co-instructor for the past three years up to the 2022 course. I assist instructing within several agenda subjects but specifically host the Fire effects to rock-shelters and rock art lesson and discussions.

The Archaeologists (ARCH) advise incident personnel and Agency Administrators regarding cultural resource management. They assess risks to cultural resources and make recommendations to avoid or minimize impacts to significant cultural resource values at risk. The ARCH typically reports to the Agency Administrators (AAs) and/or the lead Resource Advisor READ. The ARCH works in the resource advisor group and may be assigned to a Branch, Division, or Group if working on the line.

## **Director– The North Carolina Rock Art Project**

<https://www.fs.usda.gov/detail/nfsnc/learning/history-culture/?cid=stelprdb5209551>

2000 - Present

-Founded, coordinated and directed this cooperative initiative (in partnership with Ms. Lorie Hansen) that began with the North Carolina Rock Art (petroglyph and pictograph) Survey including NC outreach, recon, formal surveys, recordation and stewardship projects resulting with over 130 new rock art site discoveries and documentation. In 2010, transitioned into the NC Rock Art Project to facilitate research, preservation, and community stewardship projects by building a collaborative of partnerships and documentation efforts including the specific emphasis for Tribal inclusion and perspective, interpretation initiatives, development of future research projects, and partnering with the Eastern Band for eventual transferal of the cumulative NC Rock Art records and research library. Successful initiatives include the Hiwassee River Corridor Inventory, the Paint Rock Preservation Project, the Judaculla Rock Advisory Committee and Facilities, Infrastructure and Interpretative Board, and the WNC Riverine Basin Survey and Documentation currently in progress.

-Serve as invited Rock Art consultant between the NFsNC and consulting Tribes for general and project specific endeavors including invited liaison to the Eastern Band Cherokee Elders, the Judaculla Rock Project and Advisory Committee, the Paint Rock TCP effort, the Courthouse Project, Mtn-Top/Precipice Petroglyph Sites Project and the NC Riverine petroglyphs survey project.

-Consult with Local, State, Regional and National groups, agencies or Tribes, including public and professional outreach including over 70 presentations to Universities and Public schools, private, State and Federal organizations/agencies, Tribes, and numerous Professional conferences and meetings, along with ~50 /media/press interviews, printed stories, TV news and internet video. Subsequent research and documentation efforts published within several venues, bulletins, periodicals, publications and book chapters.

-Rock Art specialist and consultant on behalf of several local/County of State of North Carolina OSA, interested parties or stake-holders.

-Special Contributions: Author- National Register of historic places Nomination for the Judaculla Rock Cultural Site (on behalf of Jackson County, NC)

-Authored/Consulted on North Carolina Highway historic markers and interpretative panels

## **NFsNC Directed and Independent Research Initiatives**

**\*Upland Appalachians Prehistoric and Historic Landuse Studies And Slope Site Research:** As initially assigned by Heritage Resources Forest Archaeologist Rodney Snedeker, NFsNC Staff Officer, or in the interest of the NFsNC, consulting Tribes, archaeological site preservation or stewardship. In 1996 I began this research of prehistoric upland landuse, settlement and site spatial analyses because models were not correlating with findings in the Pisgah and Nantahala National Forests. Presented initial findings at the 1996 Southeastern Archeological Conference in Birmingham, AL.

Produced the highest average of sites-located per acres-surveyed within all Pisgah/Nantahala N.F. archeologists at one site every 12 acres surveyed. Coordinated with an independent contractor in conducting two historic landuse studies in the Joyce Kilmer and Shining Rock Wilderness Areas.

Began upland NFsNC/WNC slope-site and tool-type research in 2011 after years of intermittent observations and accounts of these undocumented sites, but specifically numerous sightings within the Pisgah RD *Courthouse Project*, located with what is now identified as the *Judaculla* Tribal Interest Area in the new Pisgah/Nantahala Forest Plan. Numerous documented or noted locations have been across the within both Forests compose a component of the evidence that invalidates the existing “predictive model”, but more-so just confirms what Mark Mathis documented within the original study that’s been referenced as the data source for this model. Mathis clearly notes the existence of slope sites, on several occasions, and I believe the evidence, site frequency and artifact density that I’ve come to recognize suggests a flipped or inverted landuse model is more likely.

**\*Cherokee Eastern Periphery Research and Partnership Project- Identifying Boundaries and Reviving Identity in the Eastern Cherokee Periphery Research and Partnership Project.** The eastern edge of Cherokee territory between ~1,000 and 1785 AD is generally associated with the N.C. Blue Ridge escarpment. Comparatively little is known about the important places and cultural landscapes that made up the eastern Cherokee periphery. Place names like Estatoe, Nolichucky, Celo, Swannanoa, and Toecane are the few vestigial landscape reminders. New research to identify territorial boundaries and buffer zones, refine typologies, delineate village perimeters, and characterize sacred landscapes is productive and ongoing. We now have a better understanding of just how important eastern Appalachian archaeological and cultural sites were for the Cherokee, such as the Cane River School village site, Gardner Rock petroglyph, Toe Rivers, Pensacola and mighty peaks of the Blacks. More meaningful however, is the Eastern Band’s partnership and a revival of their cultural identity and presence in the eastern periphery.

**\* Interpretation Specialist:** Responsible for the coordination and creation of Heritage Resources interpretation and presentation aids including the NFsNC artifact type collection, display and interpretative settings, educational handouts, and Native technology reproductions. Certificate of Appreciation for participation and contributions for the Asheville Health Adventures' "Stories Bones Tell" exhibit.

**\*Prehistoric Artifact Identification Manual:** As assigned by the Forest Archeologist I researched and compiled a prehistoric artifact identification handout for lithics and ceramics as an analysis aid for the NFsNC archeologists.

**\*2008 Program Review NFsNC Heritage Resources Report Template:** Tasked by the Forest Archaeologist to create a new and modernized report template for NFsNC archeologists to utilize for efficient and consistence reporting.

**\* Rock Art Interpretation and Preservation:** As assigned by the Forest Archeologist I have been responsible for researching, recording, and coordinating preservation efforts for NFsNC prehistoric rock art including Tribal coordination. Have presented results at professional conferences.

### **Professional/Community Service**

Over the past ~34years, I have served in a variety of capacities for various organizations and entities including: \*National Forests in North Carolina (NFsNC) Civil Rights Committee; \*NFsNC - People with Disabilities Program Chair; \*North Carolina Archaeological Society (NCAS) - Board of Directors; \*NCAS Otarre Chapter- Vice President, Treasurer; \*Montford Historic Preservation Committee – President; \*Eastern States Rock Art Research Association– North Carolina Consultant, Arthur Morgan School Board \*Have volunteered for numerous CRM efforts including peer or mentor regional archaeological projects and University field schools, taught or assisted with public/private school classes including elective classes at the Arthur Morgan School. Through the FS HRP, NC Rock Art Program, NC Archaeological Society I have volunteered over a person-year of cumulative time to WNC cultural resource excavations, inventories, and lab work, both in a crew and supervisory position including large regional excavation and data recovery efforts.

### **AWARDS**

#### **National:**

F.S. National Windows to the Past Awards

2002 - NFsNC Passport-in-Time, AppleTree Project Contributions

2004 - Heritage Resources Program NFsNC Achievements

2010 - North Carolina Rock Art Survey Recognition

1990 - Rand McNally Corporation Award for the Collegiate North Carolina Outstanding Senior In Geography, Western Carolina University, 1990.

#### **NFsNC:**

1994 - Present: Received over 30 USDA/FS Performance, Extra-Effort, Recognition, Appreciation or Spot Awards for accomplishments in the Heritage Program, archaeological, historic preservation, or Tribal outreach.

#### **Professional Conference/Meeting Presentations including Symposium Chair:**

Prepared and presented over 50 papers, visual presentations, lectures, posterboard sessions or site tours-including Cherokee Archaeological Symposium, Eastern States Rock Art Research Meeting, NC Archaeological Society Meeting, NC Archaeological Council Meeting, PTBA- Sustainable Trails Conference, Society of American Archaeology Annual Meeting, Southeastern Archaeological Conference, SAMAB Conference, Uplands Archaeology in the East Conference, USDA-FS/Southeastern-Tribes: To Bridge a Gap Conference, along with various NC Historic Societies, including general submission papers and presentations, symposium Chair facilitation, and invited lecturer presentations.



## **PUBLICATIONS:**

Johannes Loubser, Scott Ashcraft

2020 Gates between worlds: Ethnographically Informed Management and Conservation of Petroglyph Boulders in the Blue Ridge Mountains. In *Cognitive Archaeology : Mind, Ethnography, and the Past*, edited by David S. Whitley, Johannes Loubser, and Gavin Whitelaw. Ch 11 Abingdon, Oxon ; New York : Routledge.

Johannes Loubser, Scott Ashcraft, James Wettstaed

2018 Betwixt And Between: The Occurrence of Petroglyphs Between Townhouses of the Living and Townhouses of Spirit Beings in Northern Georgia and Western North Carolina. In *Transforming the Landscape: Rock Art and the Mississippian Cosmos*. Edited by Carol Diaz-Granados, Jan Simek, George Sabo, Mark Wagner. pp. 200-244 Oxford, Oxbow Books.

Loubser, Johannes, Ashcraft, Scott and Scott, Sara.

2008: "The Tale of Two Sites: Context - Specific and Conservation and Management Strategies" In *Set in Stone: A Binational Workshop on Petroglyph Management in the United States and Mexico*, :20-30, National Park Service, Department of the Interior and Petroglyph National Monument, Albuquerque, New Mexico.

Ashcraft, A. S. and D. Moore.

1998 Native American Rock Art in Western North Carolina. In *Collected Papers on the Archaeology of Western North Carolina*, edited by D. G. Moore and A. Scott Ashcraft. pp. 59-88. Fall Meeting of the North Carolina Archaeological Society, Cherokee.

Ashcraft, A. Scott

1997 "Pisgah Phase Palisades: Observations on the Spatial Evolution of Village Perimeters". In *Upland Archaeology in East, Uplands Symposium V and VI*. USDA Forest Service, Southern Region, Atlanta, GA.

## **PROFESSIONAL MEMBERSHIPS** (Current, intermittent and/or inactive):

Southeastern Archaeological Society

North Carolina Archaeological Council

North Carolina Archaeological Society, including Board of Directors

Society of American Archaeology

Archeological Society of Virginia

Eastern States Rock Art Research Association

International Federation of Rock Art Organizations

### **Additional work history**

2/15/93 to 3/8/93	Archaeological Technician (Contract)	Appalachian State University Laboratory of Archaeology
3/10/92 to 7/15/92	Archaeologist	Louis Berger & Associates
8/1/91 to 12/15/91	Geotechnical Technician	Westinghouse Environmental & Geotechnical
7/11/90 to 7/15/91	Research Assistant	New South Associates
5/20/90 to 6/30/90	Archaeologist (Contract)	Brockington & Associates
11/15/89 to 4/30/90	Tutor	Western Carolina University

### **Education**

<b><u>College/University</u></b>	<b><u>Credits</u></b>	<b><u>Major or Program</u></b>	<b><u>Degree</u></b>	<b><u>GPA</u></b>
Western Carolina University 1985-1990	146	Geography (Major) Emphases: Anthropology Philosophy	Bachelor of Science –	3.3 (Cum Laude)
University of N.C. at Charlotte 1990	4	Archaeology	Field-School	4.0
Western Carolina University - Graduate Program - 1991-1995	12	Anthropology/ Archaeology	Masters Degree C.	4.0
University of Nevada - Reno 1995-2000	12	Historic Preservation	Masters Degree C.	4.0

## **Ashcraft Links – General Press Coverage**

<https://myhome.unctv.org/judaculla-rock/>

<https://blueridgemotorcyclingmagazine.com/follow-the-tracks-exploring-indian-petroglyphs-mounds-and-a-mythical-monster/>

<https://digitalcollections.library.appstate.edu/files/original/fc99a2e8352f5f7bfc0606825e99ff1de01cc88b.html>

<https://gardencreekarchaeology.wordpress.com/2011/08/27/earthwork-update/>

<https://www.hmdb.org/m.asp?m=198052>

[http://www.thesylvaheald.com/breaking\\_news/article\\_5ee49a82-aace-11e3-9a7e-001a4bcf6878.html](http://www.thesylvaheald.com/breaking_news/article_5ee49a82-aace-11e3-9a7e-001a4bcf6878.html)

[https://morganton.com/news/local/history/archaeologists-search-for-historic-native-american-rock-art/article\\_4f4167ac-6fb3-11eb-bb1d-23677d5d2138.html](https://morganton.com/news/local/history/archaeologists-search-for-historic-native-american-rock-art/article_4f4167ac-6fb3-11eb-bb1d-23677d5d2138.html)

[http://www.thesylvaheald.com/top\\_stories/article\\_4a0518c2-6c71-11e2-bb73-0019bb30f31a.html](http://www.thesylvaheald.com/top_stories/article_4a0518c2-6c71-11e2-bb73-0019bb30f31a.html)

[https://wncmagazine.com/feature/rock\\_ages](https://wncmagazine.com/feature/rock_ages)

[https://mcdowellnews.com/news/local/the-hardest-walk-hikes-research-uncover-the-history-of-a-world-war-ii-bomber-crash/article\\_31861882-8f09-11eb-883a-9714a9363dd6.html](https://mcdowellnews.com/news/local/the-hardest-walk-hikes-research-uncover-the-history-of-a-world-war-ii-bomber-crash/article_31861882-8f09-11eb-883a-9714a9363dd6.html)

<https://themaconcountynews.com/13543-2/>

<https://www.youtube.com/watch?v=O186RvCCsRg>

[http://www.yanceyhistoryassociation.org/pdf%20files/Estatooe\\_Spring2014.pdf](http://www.yanceyhistoryassociation.org/pdf%20files/Estatooe_Spring2014.pdf)

<https://www.jasoncolavito.com/blog/fringe-history-claims-spur-opposition-to-america-uneearthed-permit-application-in-north-carolina>

<https://smokymountainnews.com/archives/item/7856-preserving-the-giant%E2%80%99s-rock>

<https://southeast4x4trails.com/judaculla-rock/>

<https://theonefeather.com/2011/10/20/cherokee-heritage-festival-held-in-hayesville/>

<https://carolinapublicpress.org/17903/cherokee-yancey-groups-working-to-restore-river-cane/>

<https://www.johnlocke.org/a-salute-to-scott-ashcraft/>

<https://www.blueridgenow.com/story/news/2018/04/10/exhibits-artifacts-from-across-nc-displayed-at-western-office/12782114007/>

<https://www.ncdcr.gov/news/press-releases/2018/04/10/%E2%80%9Cnc-digs%E2%80%9D-exhibit-and-artifacts-berry-site-open-western-office>

[https://greensboro.com/appalachians-hold-abundant-artifacts/article\\_acb46ee1-fe78-5c24-a991-160ca7bde151.html](https://greensboro.com/appalachians-hold-abundant-artifacts/article_acb46ee1-fe78-5c24-a991-160ca7bde151.html)

<https://www.archaeology.org/issues/476-2207/letter-from/10625-georgia-stone-mounds> (quoted)

<https://abundancenc.org/thinking-again-eden/>

<https://theonefeather.com/2018/09/05/council-approves-purchase-of-historic-land-in-franklin/>

<https://www.facebook.com/events/176-riceville-rd-asheville-nc-28805-2122-united-states/north-carolinas-petroglyph-and-pictograph-archaeological-sites/204981960296132/>

[https://www.facebook.com/events/183763959728556/?acontext=%7B%22ref%22%3A%2244%22%2C%22action\\_history%22%3A%22%7B%5C%22surface%5C%22%3A%5C%22permalink%5C%22%2C%5C%22mechanism%5C%22%3A%5C%22RHC%5C%22%2C%5C%22extra\\_data%5C%22%3A%5C%22%7D%22%22](https://www.facebook.com/events/183763959728556/?acontext=%7B%22ref%22%3A%2244%22%2C%22action_history%22%3A%22%7B%5C%22surface%5C%22%3A%5C%22permalink%5C%22%2C%5C%22mechanism%5C%22%3A%5C%22RHC%5C%22%2C%5C%22extra_data%5C%22%3A%5C%22%7D%22%22)

<7D&paipv=0&eav=AfYIBPOJiH7iSZGNDmDuTdTxFTyejRSgDK3hGazxZlYmHUkx47hQPDyn52zBzZwt7pM& rdr>

[http://www.rla.unc.edu/Archives/NCAS/Newsletters\\_%28new\\_series%29/Volume\\_5\\_No\\_2.pdf](http://www.rla.unc.edu/Archives/NCAS/Newsletters_%28new_series%29/Volume_5_No_2.pdf)

Ashcraft Links- Rock Art (petroglyphs & pictographs)

<https://www.fs.usda.gov/detail/nfsnc/learning/history-culture/?cid=stelprdb5209549>

<http://www.stratumunlimited.com/judaculla-rock-site-management.html>

<https://bloximages.newyork1.vip.townnews.com/thesylvaherald.com/content/tncms/assets/v3/editorial/4/13/4135eea0-6c72-11e2-beec-0019bb30f31a/510bc2442608c.pdf.pdf>

<https://bloximages.newyork1.vip.townnews.com/thesylvaherald.com/content/tncms/assets/v3/editorial/1/b8/1b8c9f82-6c72-11e2-aaa0-0019bb30f31a/510bc12de8d78.pdf.pdf>

<https://bloximages.newyork1.vip.townnews.com/thesylvaherald.com/content/tncms/assets/v3/editorial/8/b8/8b841e32-6c72-11e2-8b10-0019bb30f31a/510bc209e9a71.pdf.pdf>

<https://www.be-roberts.com/se/native/petro/nc/petrnc1.htm>

<https://www.jacksonnc.org/PDF/agenda/march-17/2014-03-17-Item-3.pdf>

<https://sketchfab.com/3d-models/gardner-rock-with-textures-ee086f3f8e004fd2886ba732f4e73cb8>

[https://esrara.org/files/V12\\_issue2.pdf](https://esrara.org/files/V12_issue2.pdf)

[https://esrara.org/files/V15\\_issue1.pdf](https://esrara.org/files/V15_issue1.pdf)

[https://esrara.org/files/V9\\_issue3.pdf](https://esrara.org/files/V9_issue3.pdf)

2009- Scott Ashcraft and Lorie Hansen—The Cherokee's Tsulkalu and the Judaculla Rock petroglyphs of Western North Carolina ([https://documents.saa.org/container/docs/default-source/doc-annualmeeting/annualmeeting/final-program/program2009.pdf?sfvrsn=75d48f08\\_4](https://documents.saa.org/container/docs/default-source/doc-annualmeeting/annualmeeting/final-program/program2009.pdf?sfvrsn=75d48f08_4))

Ashcraft Links – General Archaeology

<https://gardencreekarchaeology.wordpress.com/2012/03/13/a-visit-from-the-arthur-morgan-school-aka-a-great-day-at-garden-creek/>

<http://www.ncmarkers.com/Markers.aspx?MarkerId=Q-4>

[http://www.rla.unc.edu/Archives/NCAS/Newsletters\\_%28new\\_series%29/Volume\\_17\\_No\\_4.pdf](http://www.rla.unc.edu/Archives/NCAS/Newsletters_%28new_series%29/Volume_17_No_4.pdf)

<https://theonefeather.com/2012/09/04/schedule-for-fridays-cherokee-archaeology-day/>

[http://www.rla.unc.edu/Archives/NCAS/Newsletters\\_%28new\\_series%29/Volume\\_6\\_No\\_2.pdf](http://www.rla.unc.edu/Archives/NCAS/Newsletters_%28new_series%29/Volume_6_No_2.pdf)

[http://rla.unc.edu/archives/NCAS/Newsletters\\_\(new\\_series\)/Volume\\_5\\_No\\_3.pdf](http://rla.unc.edu/archives/NCAS/Newsletters_(new_series)/Volume_5_No_3.pdf)

Credited

<https://www2.tulane.edu/~crodning/beckmoorerodning2006.pdf>

[https://trace.tennessee.edu/cgi/viewcontent.cgi?referer=&httpsredir=1&article=4789&context=utk\\_gradthes](https://trace.tennessee.edu/cgi/viewcontent.cgi?referer=&httpsredir=1&article=4789&context=utk_gradthes) (Pg 9)

Publications

<https://www.oxbowbooks.com/oxbow/transforming-the-landscape.html> (Chapter 7)

<https://www.taylorfrancis.com/chapters/edit/10.4324/9781315157696-11/gates-worlds-johannes-loubser-scott-ashcraft>

# **Enclosure 3**

## **Slope Sites – NHPA and Other Violations Summary**

*(The term “Management” includes Pisgah District Rangers, NFsNC Forest Archaeologist, SO Heritage Staff Officer, NFsNC Forest Supervisor & Deputy Forest Supervisor, and sometimes the NFsNC “Forest Leadership Team.”)*

In the Melonas letter signed February 21, 2023, his direction to follow PA-modified specifications would only allow for a pedestrian “walk-over” on slopes, but not appropriate archaeological survey with subsurface test excavations. Subsurface testing is a standard NHPA required archaeological survey method. General forested conditions with vegetation undergrowth (shrubs and grasses) and lots of fallen leaf-matter cover the ground so that artifacts cannot be seen in a walk-over. Appropriate archaeological survey requires subsurface shovel testing and screening of the soils to capture artifacts so that sites can be actually found and documented.

Requiring archaeologists to write formal requests for traditional subsurface survey testing and then submitting these through an official “process” administered by Hardison and then approved/denied by Deputy Forest Supervisor Cavan Fitzsimmons (not an archaeologist) is simply a dubious method to obstruct and prevent finding these slope archaeology sites. It provides good insight into how the misinformation effort led by Ranger ██████████ was successful in permeating Management belief-systems, but also is evidence that ██████████’s direction is being affirmed by NFsNC FA ██████████ and his supervisor ██████████, or through silent complicity by ██████████ and/or possibly ██████████.

Cumulative efforts to censor slope-site investigations include general Management collusion to remove and/or deny support for these investigations by rejecting yearly budget and program time requests for these studies. This coincides with an escalating adverse and hostile setting, with Management:

- (1) imposing impossible workloads and project completion timeframes;
- (2) issuing retaliatory personnel actions (such as baseless harassment complaints);
- (3) portraying the Pisgah Zone HRP as a failing and problem employee without good reason;
- (4) marginalizing me with mounting isolation from workplace support systems and peers;
- (5) duty removal and deemphasis of Program Manager authority; and
- (6) censoring scientific evidence and discovery, via
  - a. the suppression of documentation or preventing regulatory process reporting;
  - b. preventing or inhibiting communication with Zone Archs, the Region 8 Program Manager, and pertinent Tribal THPOs; and
  - c. directly censoring current and future archaeological field investigations, and
  - d. through an “approval process” improperly rendered by the Deputy Forest Supervisor.

**Management misrepresentation and falsification of NHPA regulations:** Management seems to endorse the position that our PA supersedes the very underlying specifications and directives outlined in NHPA itself, including the notion that the PA language authorizes the NFsNC to disregard potential adverse effects to new or undocumented archaeological sites on slopes (unlawful to FSH, NHPA). PAs are negotiated to find efficiencies within Heritage Program management and to problem-solve process issues, but never to overturn or exempt the fundamental premise for NHPA, site inventory and National Register of Historic Places (NRHP) eligibility assessments.

NFsNC Management conveys two (2) other distortions initially consistently being communicated by Ranger [REDACTED] and affirmed by management actions (witnesses: [REDACTED], Ashcraft, etc.):

**Distortion 1.** Management insinuates that slope-site investigations are something intangibly defined and facilitated *only* by NHPA Section 110 ([REDACTED]), and not something we *should* investigate within typical FS projects regulated under NHPA Section 106 language. Management further attempts to justify that searching for slope-sites is illegitimate by reaffirming their very location as a “Low Probability” PA designation, meaning (to them) that the PA fundamentally overrules any survey requirements on slopes (regardless site presence), and would only be approached through Section 110 (voluntary).

The above-described methods are how NFsNC Management justifies its efforts to impede or prevent slope surveys for archaeological sites by requiring an “approval process.” This “process” serves as a method to censor scientific evidence by denying my ability to find and document these archaeological sites, and to thus prevent sharing any potential slope-site findings with the NC SHPO and Tribal THPOs. The Melonas letter instructs that archaeologists can only do a “pedestrian” walk-over and any more thorough investigations require Deputy Forest Supervisor approval. Thus, the “approval process” is a mechanism to intimidate and inhibit Pisgah/Nantahala NF archaeologist’s authority to appropriately investigate slopes (for subsurface archaeological remains), but to also prevent full NHPA evaluations for potentially Eligible sites in these locations.

However, NHPA Section 106.800.4(b)(1) actually directs that Federal agencies “will make a reasonable and good faith effort” to identify historic properties” and that “the identification effort is reasonable when it is logically designed to identify eligible properties that may be affected by the undertaking” and that “documentation of the horizontal and vertical extent of the APE that accounts for direct and indirect effects.”

**Distortion 2.** Management implies that our PA structures and limits the role of Tribal Consultation regarding potential slope sites or their significance to any/all stipulations and processes identified by the limitations of the PA predictive model, and this ideal seems supported by NFsNC FA [REDACTED] and Staff Officer [REDACTED]. Following such a belief, NFsNC Management directs that slopes are eliminated from full inventory consideration by our current PA predictive-model, and therefore are not a necessary NHPA Sect 106 archaeological survey requirements, and NFSNC managements finally renders the opinion that there is little/no need to reveal or discuss any new slope site cultural resource considerations with consulting Tribes, irregardless of potential site significance or scale of the phenomenon, etc.

It’s as if they are trying to pretend such sites aren’t real at all. This message that slope investigations and slope-sites aren’t officially approved investigations has been effectively communicated to FS archaeologists and now seemingly incorporated into management decision making processes (witnesses: [REDACTED], HRM staff). NFsNC Management (including [REDACTED] & [REDACTED]) has abandoned the effective Tribal Liaison efforts and consultation outreach of the past, where frequent and respectful communication fostered trust and mutual respect, and resulted in Govt to Govt cooperation, THPO partnership, and collaborative innovation. This reversal of good-practice Tribal Consultation is evidenced by recent attempts to under-communicate, conceal, or route prescribed burns around Tribal Office review, and as evidenced by the recent directives to inhibit open consultation. The cross-section of current NFsNC Management staff seems to lack FSH 1509.13.1- *Training Required by Departmental Regulation*, and also clearly lacks 1509.13.3 - *CORE Competencies* with appropriate TC.

██████████ is a good person. And, a substantial component of ██████████'s personality that has resulted with dysfunctional program management stems from his inability to stand up to superiors, which happens to be a significant component of the regulatory duty-set that goes with his job within the agency. In this case, it's critical to reiterate that ██████████ chose not to directly address that our upland predictive model has been invalidated, and then essentially ignored my repeated pleas to directly address appropriate slope investigations in the latest version of the PA. He also chose not to address the prescribed-burn rock-shelter and historic sites surveys in the PA (despite my repeated efforts to address this topic).

When the final PA came out and I questioned ██████████ about this, he claimed those resource concerns were addressed by adding a statement about survey efforts and prescribed burn reviews being "up to the Heritage Professional" to decide. This is an excellent example of his ██████████'s inadvertent management style to dodge the regulatory role incumbent to his Supervisors Office (SO) position, but he also generally avoids most tough discussions with Management that require dissenting positions, and he often fails to communicate accurate legal advice and/or necessary resource protection measures directly to Management.

Subsequently, these responsibilities that ██████████ is uncomfortable enforcing are directly and indirectly pushed downward to Zone HRPMS to enforce. He consistently avoids essential Supervisors-Office NFsNC Forest Archaeologist level FSH, FSM, NHPA or ARPA decision-making that is best facilitated through that office and within the standard chain-of-command. When the Zone HRPM is forced to pick-up ██████████'s responsibilities, the resulting attempts to upwardly push SO program tasks are viewed by Rangers and Management as over-reach and not within the Zone's duties, and by default not a legitimate concern.

██████████ then appears equally uncomfortable with defending or supporting the Zone HRPM for taking on his job duties and is often witnessed with succumbing to Management's efforts to undermine or depreciate the Zone HRPM authority and the pertinent cultural resources laws and regulations we are attempting to enforce (witnesses: ██████████, Ashcraft, potentially other Zone Archs?). This is a general ██████████ failure to follow direction from the FSH and FSM, but also a cumulative leadership failure that can, and has, deeply undermined our Heritage Program integrity and NHPA Section 106 processes.

### **Impending adverse effect to Slope-Sites**

Additionally critical to the slope-site discussions: There are the numerous Nantahala and Pisgah projects (some are very large/complex) that Management has recently approved project implementation or intends to soon implement without any consideration for the archaeological sites or Tribally significant areas we now know are located on sloping landscapes. They so far have ignored and expressed no concern or response for this potential resource destruction, despite both ██████████ and my repeated communicating of this unfolding resource dilemma.

- Current Nantahala & Pisgah NF undertakings are causing direct adverse effects to NRHP Eligible and Tribally significant cultural resources. *This statement is my, Anthony Scott Ashcraft's, professional notification to the NFsNC that current and future implementation of projects along Appalachian slopes without appropriate NHPA archaeological processes and consideration of Tribal interests, is highly likely to adversely affect archaeologically significant, NRHP Eligible or Tribally significant archaeological sites and/or places and these actions could potentially also be interpreted as ARPA violations for FS decision makers on the Pisgah and Nantahala NFs.*



\*Current projects with slope site complexity:

There are several current proposed project initiatives on the Pisgah Zone where slope sites are documented, or those survey and documentation efforts were underway before current Management obstruction efforts and “approval-processes” were implemented. Prehistoric slope sites documented thus far include large and complex prehistoric quarries including the sourcing of atypical bedrock types for quarrying, and these stone types are being utilized for prehistoric types and styles of tool production we don’t have archaeological context for. We have also documented possible rock cairn burials or rock piles of unknown age and function, rock shelter archaeological site, and a cross-section of possible undocumented tool-types in some of these locations. The below list of current Pisgah NF Projects includes significant findings of slope/specialized sites and specialized artifact assemblages. Also, current Management directives and actions intimidate and hinder these investigations or has discontinued progress indefinitely (violation of FSM, NHPA & DQA).

**-Lickstone Project:** Pisgah RD, Haywood County.

A large landscape-project on the Pisgah District in Haywood County where a small sample of field reconnaissance has already revealed an array of new prehistoric slope site types, new quarry types, material types, atypical locations and with new artifact assemblages. Lickstone will likely be a defining area for the extent of atypical/unknown quarry material types, tool types, and specialized Tribal uses including a possible prehistoric mortuary complex. Probable burial cairns, rock shelters and other poorly understood phenomena have been documented thus far. I was told by FA [REDACTED] that any future slope-site assessment in Lickstone would require Management approval through the Deputy Forest Supervisor. As Tribal Liaison, [REDACTED] should already be directly communicating with Cherokee Tribes because this area is recognized and a type of Tribal sacred area, or area of importance in the new P/N Forest Plan. This is not a good situation for the Forest. (Witnesses: [REDACTED], Dyson, Ashcraft, [REDACTED]).

**-Old Fort Trails Project:** Described in more detail within Enclosure 5, this Grandfather RD, McDowell County privately funded collaborative project includes massive Prehistoric quarry landscapes, quarry districts, probable/possible cairns, rock-shelter sites and or cave-like features, possible other specialized site types and usage, and odd parent-material stone sources along with atypical tool types. [REDACTED] personally communicated to [REDACTED] that he would mail the consultation report to SHPO and THPO (witness: Arjona), approved trail and parking-lot construction without SHPO and THPO consultation (witnesses: Ashcraft, [REDACTED], [REDACTED], [REDACTED], [REDACTED]). Pisgah Zone Heritage staff discovered ~2 months later that the report wasn’t likely mailed. This project has since been removed from my PM authority including applying adverse-effect criteria for site determinations (NRHP CFR-Part 800.5a-1) after. (Witnesses: [REDACTED], [REDACTED], [REDACTED] (SHPO), [REDACTED], Dyson, Ashcraft).

**-Linville Gorge Trails Project:** Grandfather RD, Burke County.

This is a significant Trail project on the Grandfather RD and also under Ranger [REDACTED]’s direction. His tactics for intimidation or skirting appropriate investigations have been observed and experienced in this project, and specifically of late. There is a massive quarry along the Western gorge flank that may extend for 2 or more miles. There is also a highly significant prehistoric pictograph, and [REDACTED] is repeatedly trying to push trail approval without appropriate archaeology or is attempting to abuse an existing agreement with Appalachian State University and their archaeologist Dr. [REDACTED]. Larson doesn’t care or acknowledge that the University does not have the capacity to complete what he wants.

Enclosure 3

Still, he and [REDACTED] have instructed [REDACTED] to complete massive projects or archaeology assessments that they can't complete or that aren't safe to accomplish. [REDACTED] feels intimidated and overwhelmed with the latest [REDACTED] directives and has communicated this to me. [REDACTED]'s latest efforts to confuse or thwart archaeology surrounds efforts to assess and protect the pictograph. Despite several attempts to convince [REDACTED] to consult and update Tribes about this pictograph, he has not, and the Tribes remain mostly unaware that it is highly threatened and may already be lost. (Witnesses: [REDACTED], Ashcraft).

**-Seniard Creek Wildfire Archaeology Project: Pisgah RD, Henderson County**

This 2021 wildfire involved bulldozer construction of fire-lines for suppression within a small 20 acre containment area and is generally located along slopes. It's also the former location for a 2012 timber sale cut known as the Brushy Ridge TS. In my initial fieldwork (April 2021) as the Fire-Arch, I observed extensive quarrying of two or more stone types on step-slopes including areas where bulldozer suppression lines were constructed through the quarries/site. Ground disturbance during fire suppression invokes NHPA 106 and I put together an appropriate archaeological damage assessment and investigation scope for contracting. Given the Seniard project is Fire-code funded and not tied to standard NFsNC fiscal-year planning or budget-team obligations, I was able to pursue the investigation without significant Management suppression. The project scope and budget estimate were approved by NFsNC FA Hardison and Region 8 PM Roach (2022) prior to my requesting Fire Organization funds approval and processing through FS contracting office for consultant bidding.

To adequately address this unknown slope-site phenomena and complex quarries, I spent a year constructing a team of specialists and expertise to direct the project, build the research design and then follow-through with the field work. Among the many quarry/lithic specialists I interviewed, we ended up bringing in the Center for the Investigation of Native and Ancient Quarries (CINAQ) located in New York. CINAQs Director, [REDACTED], is associated with Columbia University's Lamont Observatory and is considered one of the top quarry and quarry tool specialists in the world. We also have lithic specialists [REDACTED] (retired), contract archaeologists and geologists, geomorphologists, and other consulting specialists ([REDACTED], [REDACTED], etc.).

For comparative analyses, I guided CINAQ staff ([REDACTED]) through several of the larger quarry sites on both the Pisgah and Nantahala NF, and I submitted a large sample-collection of artifacts from the last 10 years of slope site investigations for initial analyses ([REDACTED], [REDACTED]). [REDACTED] (~also [REDACTED]) has confirmed some of these locations as places of potential archaeological and Tribal significance and are also in process of completing artifact analyses for the atypical and expedient toolset assemblages found on some slopes. Thus far, initial hypotheses and conclusions for various slope phenomena have been corroborated as valid inquiry with affirmed evidence. [REDACTED] has authenticated numerous quarries and artifact types across both Forests and this documentation will be supplied as further evidence.

\*Management has seemingly caught on to the potential implications of the Seniard Project investigations and have since denied my requests for time and funding, and generally deter my participation (witness: [REDACTED], etc.). I have been left with insufficient time to schedule and appropriately direct this project so that it has a chance for success. [REDACTED] with the Eastern Band THPO is on the Seniard review team for research design, project scope and methods, and Tribal feedback. We were at a critical juncture with consultation over a new quarrying discovery (pipestone) when I was cut off from communication with Tribes. It's potentially an important

Enclosure 3

investigation to the Tribes and I have not officially spoken with them since I got the Melonas directive. This has stalled a significant component of the entire project, and I believe it to be by design of Management.

**Espada Easement Project** – Pisgah RD, Buncombe County

Extensive artifact and undocumented artifact assemblages damaged under FS facilitation of a private Easement (ARPA?), and the resulting consultation has not occurred nor support for my fully investigating the project. (Witnesses: [REDACTED] Ashcraft).

**Graveyard Fields Trail Project** – Pisgah RD, Haywood County. Mostly routed around my recommendations, involves special Tribal situation Hardison will not address. (Witnesses: Ashcraft, [REDACTED]).

**Butter Gap Trail Project** – Pisgah RD, Transylvania County.

This project was routed around me, and contractor failed to research a highly significant petroglyph phenomenon in the direct area, and thus didn't look for petroglyphs and massively underperformed the NHPA archaeology. No Tribal consultation. NC SHPO rejected their report requesting additional information and investigation.

(Witnesses: Ashcraft, [REDACTED])

**Cathey's Creek Stream Improvements Project**- Pisgah RD, Transylvania County.

Routed through Arjona despite my request to be involved. I'm not updated with details.

**Lovers Branch Timber Sale** – Grandfather RD, Caldwell County

Under the direction of Larson, who is attempting to negatively affect the archaeology already, and there are potentially significant slope quarries of pipestone in the area. It also possesses a significant NAGPRA related location. But I fear that I will be removed from the project's Heritage management and that [REDACTED]'s indiscretions might eventually result in impacts to a sensitive NAGPRA situation. (Witnesses: Ashcraft, [REDACTED]).

**Log Cabin Trail Relocation Project** – Appalachian RD, NC & Unicoi RD, Cherokee NF, TN.

Recent actions by District Ranger [REDACTED] and certain omissions and in-action by FA [REDACTED], have affirmed the need for a reevaluation of significant slope quarries found here that were minimally documented by a contractor and the report submitted to both the TN and NC SHPOs and to consulting Tribes. The type of lithic material being quarried there has been observed in numerous site collections across some WNC counties for years, but without knowledge of where this rock type was coming from or what its significance may be. There is also a single, but suspicious rock-pile along the proposed corridor that I would strongly encourage caution against disturbing, and perhaps conduct more comprehensive quarry surveys would be prudent after the rock-pile is protected, and after the new trail completion.

**Chestnut Ridge Wildlife Field project:** Pisgah RD, Transylvania County.

This is the most recent example for the loss of institutional control for appropriate NRHP processes, and a good example for the increasingly systemic disregard for Tribal interests and consultation. I recently informed Ranger [REDACTED] that the proposed field not only has a prehistoric archaeological site I recently identified, but it also is within one of the Cherokee Tribal Areas-of-Interest (Judaculla Area) identified within our new Pisgah/Nantahala NF Plan.

Enclosure 3

The plan directs the Pisgah (and Nantahala NF) to intensively consult prior to formal project identification and long before implementation. An email received from [REDACTED] on 4/27/23 stated that he made the decision to implement the wildlife field, despite there being an unevaluated archaeological site, but also without any consultation with the Cherokee Tribes or this Interest-Area. These actions, if implemented, could be viewed as both an NHPA adverse effect violation but also an ARPA violation.

**Several Prescribed Burns** have been approved by [REDACTED] and [REDACTED] (likely through coercion with Management misinformation), or a Ranger has simply implemented the burn despite my and Herron's recommendations, and without Tribal consultation. See Enclosure 4 for further details.

## **Enclosure 4**

## **Prescribed Burns Summary**

In 2012, the NFsNC began Tribal Consultation (TC) with the Eastern Band THPO to include inventory surveys for prehistoric/historic rock-shelters where sensitive or exposed cultural resources might be adversely affected by Govt Prescribed-Burn (PB) undertakings. This was initiated and requested by the Eastern Band who expressed concerns for this culturally important and sensitive site type. Rock-shelter sites are an increasingly threatened and diminishing site type that also experiences a high rate of vandalism. Rock-shelters are targets for looting because they can contain dense deposits with unique artifact types and because the environmental conditions in rock shelters preserve cultural deposits that otherwise would be lost to decomposition. Rock-shelters can also have a higher potential for containing human burials, and more rarely can be the location for prehistoric rock art pictographs, both an expressed Tribal concern.

Prescribed-Burn concerns: Rock-shelter site locations can be places that accumulate and store an immense amount of dry material (fuels) and if ignited, can burn at extremely hot temperatures that incinerate, burn, spall/fracture or chemically alter cultural materials well down into the soil matrix below. If pictographs are present, they are likely to be destroyed by heat rock spalling or incineration of the exposed pigments.

Rock-shelters along slopes often form a berm along the outside shelter-front from downslope soil deposits and accumulation of old vegetative debris. The interior of the shelter can then form a bowl shape that collects potentially ignitable materials from several sources. They are usually a catchment basin for wind-blown leaves and can capture sums of sticks, limbs and other forest debris through time. Small animals continually carry in and store nuts, seeds, etc. and can pull in large volumes of nesting debris and sticks. They also leave years' worth of their scat that dries and becomes a highly combustible component of the overall debris fuels. If the above occurs over decades, centuries or longer, large amounts of this abnormally dry material can build up at significantly higher levels than the surrounding landscapes. When those conditions occur over preserved and sensitive archaeological deposits that then catch on fire, the results are usually catastrophic and irreversible.

### **Prescribed-Burns, Management Obstruction of Tribal Directive Agreement and NHPA**

District Rangers have consistently questioned and resisted these rock-shelter survey efforts since 2012, and some often and openly opinionated or argued against them, or seemingly sabotaged by not planning and budgeting for this work (FSH/M). This attitude and behavior festered in recent years resulting with a backlog of proposed burns and increase intimidation towards myself and [REDACTED]. A substantial lack of Supervisor's Office Tribal Liaison outreach and consultation (FSH, NHPA/Tribal) also coincided with a dubious Ranger attitude towards Heritage PB recommendations.

### **Prescribed burns and the Pisgah NF GAP Project:**

Tiered to direction provided in the new Pisgah/Nantahala Forest Plan, the Pisgah NF GAP Project includes a marked increase in prescribed burning, approved and directed by NFsNC Management to move forward in FY 2023. The combined burn backlog, GAP directives and Tribal Consultation vacuum resulted with a wave of Ranger/Management/Forest Archaeologist efforts in 2022/2023 to avoid or bypass Tribal/NHPA obligations (witnesses: Ashcraft, [REDACTED], etc.). This quickly resulted with back-door Ranger intimidation of new-hire archaeologists who they supervised (against 2008 LTOS directive), with simultaneous Ranger/Management maneuvers to undermine and deemphasize my Program Manager Authority to accomplish their burning goals (FSH/FSM noncompliance). Both

Enclosure 4

Rangers and [REDACTED] have fostered a deemphasis and misunderstanding of official Govt-to-Govt TC with the new Pisgah NF Arch hires, and Ranger [REDACTED] has sown confusion and attempted intimidation and these new hires [REDACTED]—also OFTP) (FSH/FSM, NHPA/Tribal noncompliance). The new hires have no formal TC training(?) and lack significant FS experience with TC and what fundamental Govt-to-Govt consultation looks like.

In 2023, [REDACTED]/Rangers/Management instructed the new hires to take control over Heritage Review/Recommendations for several PBs (away from myself) and seemingly directed emphasis to approve these burns regardless of my recommendations. This culminated within Prescribed Burn virtual (Teams call) in late January 2023 where [REDACTED] presented [REDACTED] recommendations and seemingly became upset with me over the prescribed burn potential effects to cultural resources conservation. (Witness: [REDACTED], [REDACTED]).

Shortly after this meeting (1/27/23), I was notified by Deputy Forest Supervisor Fitzsimmons of a HART harassment investigation against me by [REDACTED], [REDACTED] and [REDACTED] and directed that I was to have no communication with those individuals during the investigation (which is still pending as of 4/28/23). It has been communicated that [REDACTED] filed this investigation against me in place of [REDACTED], [REDACTED] and [REDACTED], and apparently without their initial knowledge or consent. This action effectively completely removed me from most Pisgah Zone PM authority. [REDACTED]'s initiation of that investigation was in-and-of-itself a form of direct and disingenuous harassment and intimidation of me and my PM authority.

[REDACTED] then reportedly conspired to get Appalachian District PBs past Eastern Band THPO review by processing a form of approval through the Eastern Band's Natural Resources Office before the THPO had an opportunity to formally review these burns (in defiance of FSH-TC, NHPA TC) (witnesses: [REDACTED], Ashcraft, EB THPO). Also, it is known that other PBs were approved despite Herron's and my recommendations and without TC or rock-shelter survey (e.g. FSH-TC, NHPA) on the Grandfather Ranger District and possibly others. It is unknown if any burns were approved by [REDACTED], if there was Ranger coercion/misinformation, or whether any other Heritage recommendation was sought at all ([REDACTED]).

\*Consultation under the National Historic Preservation Act (NHPA) (54 U.S.C. 300101 et seq.) operates under the auspices of Govt-to-Govt dialogue between the Tribal Leaders and the designated Forest Service Line Officers. Staff-level FS/THPO communication is considered to be a significant component government-to-government consultation. The FSH (1509.13.11.1) asserts that "staff interactions are essential to set the stage for effective consultation and should be maintained and enhanced. Staff provide needed subject matter expertise, and sometimes provide the extensive relationships with Tribal staff or leaders. Staff certainly can and should participate in consultation as well as in staff-to-staff and staff-to-leader discussions where it makes sense locally."

# **Enclosure 5**



## Old Fort Trails Project (OFTP) Details and Timeline

Numerous violations of FSH, NHPA, DQA and the need for formal ARPA investigations.

- Nov 2020: The OFTP was not part of my projected FY21 plan of work and was first informed of it and the District Ranger's expectation for being prioritized in November of 2020. I was told a contracting firm [REDACTED] would be administering the NEPA/NHPA work including a separate contract for archaeological survey. [REDACTED] explained that I was only needed to help Quibble with archaeology contract specs, most everything else would be taken care of, and minimal work for me. District Recreation Manager [REDACTED] (OFTP leader) was my main liaison throughout the project.

\*Several red flags and archaeology management concerns: Contracting archaeology is rarely simple, because it involves many steps, frequent communication, field inspection and policing quality control to insure minimal NHPA standards. SHPO/THPO consultation is often intricate depending on the project (i.e. – brand-new 44+-mile trail system through high site complexity).

\*Govt/FS contracting law is very complex with numerous certification procedures, legal/logistic obligations, and intensive oversight for lawful execution and enforcement of adequate contractor performance. Quibble had little understanding for these complexities, especially for the intricacies of meshing cultural resource law with FS contracting law.

- The OFTP is a massive and an unprecedented undertaking for the Pisgah NF. Both [REDACTED] and I knew [REDACTED]'s description was disingenuous and it would require substantial amounts of my time. My workload was already full, and Management would not acknowledge how a privately funded project became priority #1 for numerous FS/Govt work schedules. We also discussed the new slope-site concerns, insuring NHPA/Tribal follow-through, and how [REDACTED] and Management didn't seem concerned about such a new, fundamental, and important resource identification and protection issue.

The excitement for the OFTP is easy to understand. It's a massive and beneficial recreation infrastructure project and a fantastic conduit for outdoor environmental experiences and will open up public accessibility into these dramatic Appalachian escarpment landscapes. The project will also provide economic opportunities for local economies, and the associated interpretation for environmental and cultural stewardship contributions will be very effective and long lasting. However, it appears that NFsNC Management is inappropriately invested or ethically compromised with the speedy implementation progress of this project. Numerous questionable, unprofessional, unethical, or unlawful incidents directed by [REDACTED] and/or NFsNC Management are described below:

-Dec. 2020–Mar. 2021: I informed [REDACTED] and project liaison [REDACTED] on several occasions that that there are new and unassessed prehistoric archaeological site and artifact types being documented on slopes, especially along this Appalachian escarpment area, and I mentioned specific accounts of extensive prehistoric quartz quarrying within the OFTP area of potential effects (Curtis Creek area).

- February–March 2021: Quibble awarded the archaeological contract (2/16/21) to [REDACTED]. [REDACTED] based their contract bid to [REDACTED] on the expectation for finding ~19 archaeological sites within the proposed project. I had been communicating with [REDACTED] about higher site densities, diverse site types and undocumented tool types located within OFTP, and likely had something to do with its dramatic setting along the eastern Appalachian escarpment. I discussed with [REDACTED] and [REDACTED] that [REDACTED]'s 19 site estimate was low, and a new scope of work was agreed upon (3/9/21) and included more intensive slope pedestrian walkover and limited sampling of “low probability” areas along the proposed routes (3/9/21).

-April–June 2021: NSA fieldwork began in early April and [REDACTED] was immediately reporting very high prehistoric site densities including large slope quarries. In late April, I inspected [REDACTED]'s B-Trails and E-Trail

Enclosure 5

fieldwork and quickly identified 6 significant archaeological sites missed during their fieldwork and directed NSA to return and complete more appropriate fieldwork.

By June, [REDACTED] had identified almost 50 new sites, completed approximated 65% of the corridor survey, and several sites were only partially documented. I returned to document an [REDACTED] missed site: A prehistoric rock-shelter and stone-piles complex including lithic tools and prehistoric Native American ceramic/pottery sherds. We know this phenomenon includes potential/likely human burials and has been more intensively documented within the Pisgah/Nantahala forests over the past 10 years (Ashcraft, [REDACTED]).

Given the evidence observed at OFTP (odd slope location for stone piles, Native American ceramics, and possible burial cairns), I called the Eastern Band Cherokee THPO office for feedback while still on-site. The on-call staff [REDACTED] communicated concerns and preference for sensitivity, site avoidance and preservation. I followed their specific instructions to field-document the ceramic fragments and return them directly to the locations they were collected. I also observed surface artifacts continuing across the slopes, mapped items and expanded the site boundary. In the following days, I notified [REDACTED] (conference call and emails), also [REDACTED] and the OFTP Collaborative a sensitive site location and need for avoidance, and that it was likely associated with the large site below (also with prehistoric ceramics) where a trail-head parking lot was proposed.

-June 2021: I was consistently being pressured ([REDACTED]) to make the contract and report completion and SHPO/THPO concurrence happen. [REDACTED] wanted to approve the E-Trails construction asap. \*Those kind of time-frame expectations for a massive/complex undertaking are beyond unreasonable, especially for an unplanned project. Compounding the stress/intensity on me—survey results clearly described the exact site complexity that I had been warning [REDACTED] about and we knew that contractors were missing extremely significant and sensitive Native American sites.

- (June 2021) Constant negotiating with [REDACTED] about further fieldwork issues, short-cuts, or potential mitigations of a bad situation. Private funding administration of OFTP eliminated my ability to modify contract scope or increase funding for appropriate NHPA completion. By mid-June [REDACTED] was over-budget, refused to continue without modifications and I was forced to triage-facilitate contract termination and to collect all their data, fieldnotes and artifacts.

-(July–Dec. 2021) [REDACTED] and I were directed to assume completion for the E-Trails fieldwork and report and to push complex SHPO/THPO consultations. This included organizing another contract with [REDACTED] to assess poor surveys and complete the E-Trails corridor surveys. [REDACTED] and I also assumed considerable field surveys and site recording including revisiting some of [REDACTED]'s unfinished site work.

\*Report completion and harassment: This technical/scientific report required the organization and assembly of three separate field efforts including [REDACTED] and our internal work, but also coordination with UNC [REDACTED] (OFT-C) who researched and wrote the historic background section ([REDACTED]). Facilitating the return of [REDACTED] project data/materials took weeks via several requests. [REDACTED]'s field records, data, maps, and artifacts were in disarray, incomplete and confusing.

Approximately one thousand artifacts had to be processed and analyzed, with no time or support to adequately research and document the new slope tool types in the OFTP report (Ashcraft & [REDACTED]). FA [REDACTED] told Rangers that the OFTP report would only require a quick ~3–4 page report submission from me and [REDACTED] (witnesses: [REDACTED], Ashcraft), setting up wildly inaccurate and unrealistic expectations for this report. These reports can be technical feats requiring expertise with several forms of software, map-making programs, and extensive graphic design skills, and these large documents often include numerous inserted tables, figures, plates, and appendices. Numerous technical issues and failures plagued the report, lost data and technical support calls and delays, most due to FS outdated and unsupported IT, corrupted database, and FS filing system

Enclosure 5

failures. Final report and accompanying site forms totaled over 300 pages of documentation including 200+ page report and 100+ pages of site forms.

-Directed hostility, intimidation, and harassment: Because the OFTP conflicts-of-interest and the private funding timelines became a significant issue for [REDACTED], ([REDACTED] directed by [REDACTED]), and [REDACTED], impossible timeframes were increasingly communicated through inappropriate pressure, harassment, coercion, back-door intimidation, and this generally created an excruciating hostile work environment for me. Part of this messaging is a clandestine effort by [REDACTED] (and now [REDACTED] t and [REDACTED], affirmed by [REDACTED]) to completely misinform Management and the leadership team that slope sites are not real or legitimate cultural resources deserving protection. [REDACTED] took primary lead of some of these efforts and began direct workplace confrontation with attacks on my professionalism, my reputation, and my career personnel record.

During report production, I was accused and targeted for performance failures, for dereliction of professional conduct, failure to follow Agency direction, and for being AWOL during approved leave. These harassment actions and attempts to permanently damage my professional record were all being done for an unofficial, privately funded trails project, under obvious and extreme conflicts of interest and/or with direct coordination, and knowingly prioritized ahead of formal FS priorities and thus ahead of the greater public interest. (Witnesses: [REDACTED], HART Team, [REDACTED], and Ashcraft).

AWOL Charges, Snedeker Memorial Statement

I was asked by the Southeastern Archaeological Conference (2021) to write and present a memorial statement for recently deceased former Forest Archaeologist Rodney J. Snedeker, considered a leading pioneer and innovator in CRM archaeology who began with the Forest Service in the late 1970s. I was honored by this request, but it now represents one of the more deceitful harassment efforts by FS management against me. For the conference attendance: Rather than go through an Agency COVID-19 review protocol and expose the FS to those risks, I chose to ask for leave (and was approved) to attend SEAC and present the memorial statement, also choosing to personally pay for the travel, conference fees and lodging. I also had FS slope artifacts I was delivering for university lithic specialists to assess.

While at the conference, my supervisor called and said that Ranger [REDACTED] was pressing for formal AWOL charges against me for not working on the OFTP report during those 3 days. [REDACTED] pursued that and other formal charges until I consulted with our FS Union Rep to fight this effort. The Union was successful in getting all charges dropped, and also my time and travel expenses were compensated via back pay. (Witnesses: [REDACTED], HART Team, [REDACTED], and Ashcraft).

A month or so later, [REDACTED] was pursuing official personnel actions with performance failure charges for not meeting [REDACTED]'s (AKA the private funding coalition's) deadlines for the OFTP report completion. Although I constantly kept my supervisor apprised of the litany of complexities and unforeseen setbacks, [REDACTED] delays, formatting, software tech and FS IT delays and a long COVID-19 infection, [REDACTED]'s efforts to explain these realities to [REDACTED] were ignored. Truthfully, the report was way ahead of any realistic schedule as both [REDACTED] and I were working full weeks and then numerous unpaid hours to get the report completed. It was exhausting and it became deeply personal as my health, relationships and quality of life were greatly demeaned for months. [REDACTED] stopped pursuing this effort at some point, but the official emails and personnel charges remain within official records. (Witnesses: [REDACTED], HART Team, and Ashcraft).

The 300-plus page OFTP documentation was finally completed in January 2022, and [REDACTED] went to [REDACTED]'s district (at his request) to make copies and prepare for official mailing. Once copies were finished, Ranger [REDACTED] told [REDACTED] that [REDACTED] could go home and that [REDACTED] would mail the documents to the NC SHPO. We discovered approximately 2 months later that those copies were never mailed and were still sitting somewhere at the District office. During those 2 months, [REDACTED] officially approved construction of the E-Trails without SHPO or any THPO consultation or concurrence. [REDACTED] did this while knowing constructing trails through four (4) NRHP

Enclosure 5

Eligible or unevaluated sites (treated as Eligible) and knowingly constructed a massive parking lot, trailhead, and bathroom facility over another Eligible prehistoric archaeological site (NHPA Adverse Effects). I notified FA [REDACTED] of [REDACTED]'s intention before construction and about the damage afterwards, but [REDACTED] chose not to warn management or insist on site protection as is incumbent to his position. [REDACTED] also did not send the OFTP report or inform Tribes at any time that I am aware of. Two of these sites have documented prehistoric Cherokee ceramics, and both are within 1000ft of the significant rock-pile/shelter site deemed sensitive by a consulting Tribe. These three sites possibly share direct connections as I explained to [REDACTED], [REDACTED] and [REDACTED], and protection measures should have been deemed especially significant for that group of sites ([REDACTED], Consulting Tribes, Ashcraft, [REDACTED]).

Between my and [REDACTED]'s work time spent on the OFTP within 2021 and 2022, approximately 200 person-days were prioritized to this project rather than planned Forest priorities. This realignment of time, budget and resources was directed by [REDACTED] and affirmed by [REDACTED]. Meaning, a substantial portion of the OFTP time was charged to FS budgets (public tax dollars) and otherwise prioritized over preplanned FS/Govt projects. [REDACTED] and I feel there may be substantial breaches of FSM and FSM regulations with the way private funds, local business interests, and the clandestine use of FS budgets and staff are emphasized over FS policy to accomplish these tasks.

NHPA Adverse Effect Determinations and need for ARPA investigations:

NEPA Coordinator [REDACTED] and I recently inquired about the NHPA-mandated adverse-effect assessments (NRHP CFR-Part 800.5a-1), yet were abruptly cut-off in email communication by Ranger [REDACTED], where [REDACTED] stated that his new GS-9 archaeologist ([REDACTED]) may be doing the adverse-effect determinations (outside of [REDACTED] authority, and a Program Manager-level duty) and that [REDACTED] would be advised by Forest Archaeologist [REDACTED], if they decide to proceed. This represents an elevated/augmented conflict-of-interest for this investigation and the arch staff involved, and has likely/already included coercion, intimidation, and evidence suppression. (Witness: [REDACTED], Ashcraft, [REDACTED], [REDACTED] (?)). Additionally, [REDACTED] has shown little ability to stand up to Rangers or Management and numerous instances of resource destruction.

ARPA Violation: In addition to NHPA violation, the actions taken with the OFTP are direct violations of the Archaeological Resources Protection Act (16 USC § 470) considering that [REDACTED] knowingly conspired to not mail NHPA reports, to sign the decision to implement, and then knowingly destroy or permanently cover portions of those protected sites is a direct violation of ARPA under 16 U.S.C. § 470ee(a) and 16 U.S.C. § 470ee(d). Also, those in Management who knowingly approved, covered up or failed to perform their legal obligations with [REDACTED]'s decision are potentially partners to ARPA violations under 16 U.S.C. § 470ee(d).

The decisions for NHPA adverse effect determinations and ARPA violation investigations cannot be reasonably trusted to the current NFsNC Management or SO Staff. Any serious intentions for proper legal processes would have to be elevated to the Regional or Washington Offices.

A-Trails Incidents and violation:

-During the fall of 2021, the A-Trails Phase was initiated by [REDACTED] and facilitated by [REDACTED]. I agreed to work with the OFT-C University professors (UNC, Texas Tech) including [REDACTED] and [REDACTED], but it was [REDACTED], [REDACTED], and [REDACTED] that were contracted through the OFT-C. I quickly realized this was a mistake as the three contracted archaeologists quickly dismissed my recommendations and direction with slope sites, attempted to blatantly write-off [REDACTED]'s previously recorded sites in the corridor and simply didn't recognize prehistoric or historic artifacts or above ground features. I eventually chose to disassociate with those three individuals and focus any future agreements through [REDACTED] and [REDACTED]. (Witnesses: Ashcraft, [REDACTED], [REDACTED], [REDACTED], and [REDACTED]).

- During this time, either Ranger [REDACTED] or FS project liaison [REDACTED] pressed the UNC and Texas-Tech archs for an opinion to contest or discredit my direction and recommendations on slope sites and associated tool-

Enclosure 5

types, that both the [redacted] archs and I had previously documented. I questioned [redacted] and [redacted] about what had transpired during that time and why. Both communicated that they felt their group had been “misled” by [redacted] (or [redacted]?). Regardless, it represents a disingenuous attempt by [redacted] to further demean and adversely impact archaeological slope sites.

-(2022–23) [redacted] was directed by [redacted] to submit an A-Trails report partially authored by [redacted] to NC SHPO (and Tribes?) despite inadequate data, sub-standard field methods, and a 500% reduction in site density compared to what NSA had recorded a year earlier. One specific quarry site(?) I attempted to show [redacted] was completely ignored by them, and they did not return to investigate despite my repeated recommendations; it wasn’t documented in their reporting data either. With the exception of [redacted]’s historic homesite fieldwork, research and reporting, I have no confidence in the A-Trails fieldwork and prehistoric sites data and does not concur with the prehistoric sites survey or associated report findings. Implementation may have already occurred within the A-Trails, and if so, subsequent NHPA and ARPA investigations would be warranted.

The presence of significant or otherwise undocumented slope sites within the broader OFTP area includes massive slope quarries, discrete lithic extraction areas, numerous rock-shelter sites, possible rock-pile burial cairns or rock-shelter burials, other types of poorly understood site types and along with potentially new or misunderstood tool types. These sites have been witnesses by numerous professional archaeologists (Witnesses: Ashcraft, [redacted], [redacted], [redacted], [redacted], [redacted], [redacted], [redacted], [redacted], [redacted], [redacted], [redacted], [redacted], and NEPA Coordinator [redacted]).

# **Enclosure 6**

## **Legal Issues for Review and Investigation**

In this enclosure, we provide a high-level summary of the applicable laws Mr. Ashcraft believes are being violated and/or circumvented and, broadly, how. Again, Mr. Ashcraft will explain further nuances as needed, including further connecting the facts to these laws, rules and regulations and describing to what extent this is all common knowledge for FS employees; the below is just a basic overview of the statutory and regulatory framework Mr. Ashcraft works within and which he believes is being transgressed upon.

First is the National Historical Preservation Act (NHPA), as mentioned—specifically, Section 106, which requires agencies to identify and assess the effects its actions may have on areas involving historical preservation concerns, and Section 110, which renders agencies affirmatively responsible for protecting historic properties and avoiding unnecessary damage to them. In addition to the identification and assessment components of the Agency’s responsibilities, this statute’s requirements include consultation with stakeholders, including SHPOs, affected Native American Tribes and their designated THPOs, and the public. The specific governmental entities that were not sufficiently consulted regarding Mr. Ashcraft’s concerns (and/or the underlying project planning and implementation, etc.) include the NC SHPO, the U.S. Advisory Council for Historic Preservation (ACHP), and the Tribes and THPOs. As discussed, the Agency has taken active steps to continually avoid such consultation.

Second is the National Environmental Protection Act (NEPA), which along with NHPA broadly requires agencies to assess whether a major federal action has the potential to significantly affect the human environment prior to making decisions. This assessment includes the social and economic effects of actions, rendering any potential destruction of Native American cultural heritage artifacts covered by NEPA’s ambit. Again, Mr. Ashcraft’s direct supervisor is ██████████, the ██████████, and Mr. ██████████ has witnessed much of the same improprieties as Mr. Ashcraft. ██████████ has also witnessed this coercion and attempts to falsely report or manipulation data within/towards other NEPA Zone Specialists including Botanists, Wildlife Biologists and Silviculture/Forestry Specialists. ██████████ will likely be a principle and substantive witness and as a NEPA/NHPA subject matter expert.

Third, the Archaeological Resources Protection Act (ARPA) investigations and reporting has been de-emphasized and its requirements often ignored by Agency officials over many years. In addition to its more direct protective provisions, ARPA requires in relevant part that the Agency properly report and document suspected violations of its requirements. See 16 U.S.C. § 470mm. The Agency, however, has even directly reassigned employees, including Mr. Ashcraft, so that most ARPA case processes never get appropriately documented or completed. The result is that countless damaged, destroyed, or looted archaeological resources and sites never get properly reported to FS regulatory components or Tribal stakeholders, in what amounts to wide-ranging cover-up that has only gotten worse in recent years. Further, based on his knowledge of the relevant provisions, Mr. Ashcraft believes he is aware of several cases of Rangers or management officials violating ARPA in such knowing ways that it rises to felony thresholds. See, e.g., 16 U.S.C. § 470ee, which makes it a felony for any person to knowingly violate ARPA where the archaeological value involved exceeds \$500.

Fourth is the Agency's recordkeeping obligations to the National Archives and Records Administration (NARA) under 44 U.S.C § 3101 *et seq.* Mr. Ashcraft reports his awareness of significant evidence from the past five-plus years regarding Agency officials' deliberate and flagrant breaching of these requirements, which he explains is even more serious considering the gravity of the Agency historical documents in question. The Agency's refusal to appropriately protect historic archives, photographs and FS historical items extends to massive collections unsuitably housed in unprotected rooms and outbuildings located at the Cradle-of-Forestry Discovery Center. Like Ashcraft, Center Director [REDACTED] has repeatedly informed NFsNC Management over the past decade about the vulnerability and risks that endanger some of our most nationally significant Forest Service historical items.

The Agency's weak record-keeping practices, along with its poor IT infrastructure, have contributed to the primary issues described above—especially as they relate to management's recent suppression of his communication with [REDACTED], but Mr. Ashcraft explains that there is an even broader problem within the Agency exemplified by improper and exposed record storage facilities with high susceptibility to water and fire damage, and theft. Likewise, there is no efficient file-sharing system that the Agency uses, so he and other employees are forced to use alternatives like Google Docs; naturally, the lack of internal consistency and protocols means that there is no way to tell how much legally required record-keeping obligations are being avoided, whether intentionally or not. The same individuals named previously are at least aware of and likely responsible for many NARA-related violations and NHPA Collections violations: FA [REDACTED], Staff Officer [REDACTED], Forest Supervisor Melonas, Deputy Forest Supervisor Fitzsimmons, and Pisgah Rangers [REDACTED], [REDACTED], and [REDACTED].

Similarly, fifth, the Agency's consistent interference with the reporting and use of accurate data violates the Data Quality Act (a/k/a Information Quality Act), which requires that federal agencies use information meeting the highest standards of "quality, objectivity, utility, and integrity of information (including statistical information)" in all documents an agency uses or relies upon for its decision-making. Pub. L. 106-554 § 515; 67 FR 8452; see also USDA's webpages regarding its Information Quality (IQ) efforts and guidelines.<sup>1</sup>

Sixth, the Native American Graves Protection and Repatriation Act (NAGPRA) protects Tribal burial/grave sites and human remains, and it is thus implicated here for all sites containing known or potential Tribal burials or graves. Mr. Ashcraft can elaborate on where this applies.

Seventh, the FS Handbook and Manual each provide for a variety of consultation and related responsibilities, but Mr. Ashcraft reports that over the past three years there has been a significant deviation from normal Tribal consultation protocols, corresponding with many of the above-mentioned violations and suppression of his communications. Specifically, when there is consultation with Tribal officials and THPOs, he has witnessed intentional concealment of

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<sup>1</sup> See "Improving Implementation of the Information Quality Act," <https://www.usda.gov/ocio/guidelines-and-compliance-resources/information-quality-activities>; "Scientific Research," <https://www.usda.gov/ocio/guidelines-and-compliance-resources/information-quality-activities/scientific-research>; "Statistical and Financial," <https://www.usda.gov/ocio/guidelines-and-compliance-resources/information-quality-activities/statistical-and-financial>.



information and actions regarding resource destruction pertinent to Tribal interests. But there is often not any consultation, so THPOs are often never informed of FS actions which affect them.

Importantly, Mr. Ashcraft has repeatedly attempted to provide Tribes with the information and documentation they expect and are entitled to, but as mentioned, he has been harassed and punished by Agency leadership for attempting to perform these duties and comply with the Agency's legal obligations. This includes Ranger [REDACTED]'s filing of a completely baseless harassment complaint against him, nominally on behalf of [REDACTED], seemingly to stop him from following up on his concerns by significantly restricting who he can communicate with for the foreseeable future. Mr. Ashcraft believes many of his other allegations implicate violations of the Handbook and Manual, but we understand that these documents are secondary to the federal statutes involved; we mention this so that the Handbook and Manual are also considered.

Finally, Mr. Ashcraft notes that there is a broader issue regarding the general failure of the Agency's mass private contracting of archaeological surveys to adequately find and document archaeological sites over the past decade and a half. Before such large-scale contracting, he explains, surveys were generally done in-house by FS archaeologists who were better able to more thoroughly survey, investigate, and document current and potential cultural resource sites. Private contractors, instead, have a profit incentive not to investigate any further than they are required to, so their surveys have resulted in a concerning drop-off in recorded site densities and resource documentation. Those whose job it is to oversee these efforts, including Mr. Ashcraft and Mr. [REDACTED], have all agreed that this private surveying is a problem and not in the best interests of the FS, but despite this consensus being communicated to NFsNC management repeatedly over the years, the issue has been suppressed or ignored because fixing it would mean more resource protection and less project (e.g., timber and recreation) implementation.

**Enclosure 7**

OMITTED

# **Enclosure 8**

## **Urgent Situation – Imminent Threat to Judaculla Tribal Interest Site (Chestnut Ridge)**

This enclosure references other parts of the complaint, so please refer to the complaint for additional context. We added this explanation at the last minute to draw your attention to a new and particularly pressing situation that should be stopped by your office immediately.

On May 4, 2023, just before submitting this hotline complaint, it came to Mr. Ashcraft's attention that a site in Pisgah NF, which he had flagged to Ranger [REDACTED] as being a new archaeological site, was nevertheless going to be imminently damaged because of Ranger [REDACTED]'s direct disregard for the legally required historical preservation procedures discussed in the complaint. More specifically, first, Mr. Ashcraft had informed [REDACTED] that the site could be NRHP Eligible, and he informed [REDACTED] and FA [REDACTED] that the site is located in the Judaculla Tribal Interest/Sacred area identified in the brand new Forest plan, and that the plan calls for a range of added protections and consultations. Mr. Ashcraft explains that there is a large number of (Tribal) burials in this area.

Pisgah NF Zone [REDACTED] Program lead [REDACTED] (whose contact information is in Enclosure 7) contacted Mr. Ashcraft because [REDACTED] was being told by Ranger [REDACTED] to begin development on the Chestnut Ridge trail without following any of the required procedures. [REDACTED] had reached out to [REDACTED] on May 3, 2023, specifically asking (verbatim), "Are you telling us to move forward with implementation without the arch survey and documentation?" to which [REDACTED] replied on May 4, 2023, "Yes, I'm saying to move forward without any additional arch surveys or documentation." Mr. Ashcraft has documentation of this exchange.

Mr. Ashcraft explains that [REDACTED] sent this to [REDACTED] because [REDACTED] understands resource law and wants to protect [REDACTED] self. Nevertheless, [REDACTED] directed [REDACTED] to expressly ignore the requirements, thereby violating NHPA, causing adverse effects, avoiding required consultation with the SHPO and THPOs. As Mr. Ashcraft knows from his experience with ARPA violations (including law enforcement training, going undercover for investigations, participating in law enforcement raids, and helping to obtain successful convictions of violators), he knows that this is a felony-level ARPA violation. Additionally, it would possibly destroy human remains, which would create a serious issue under the Native American Graves Protection and Repatriation Act (NAGPRA).

There are many similar issues referenced in the complaint and the other enclosures, including some that are also relatively imminent—particularly, the Old Fort Trails Project (OFTP) development as well as improper prescribed burns that are continuing to happen regularly. However, Mr. Ashcraft emphasizes that this even more urgent situation is about as cut-and-dry of a violation as one could imagine, but bulldozers could potentially be moving on the site within a week without your action. Please do not hesitate to reach out to us or Mr. Ashcraft for further details on this situation. Additionally, Mr. [REDACTED] has not told [REDACTED] that he is filing this hotline complaint, but he expects that [REDACTED] would be more than eager to assist in any intervention/investigation of this matter by your office.