



**United States Department of the Interior
National Park Service
Investigative Services Branch**



Investigative Activity Report

Case Title: Effigy Mounds National Monument (EFMO)	ISB Case Number: OI-HQ-10-0628		
Location: Northeast Iowa	Case Status: Open	Report Date: 05/15/2012	Report Number: 024
Report Subject: Interview of (b) (6), (b) (7)(C) – EFMO Chief of Maintenance			

1 **SUMMARY:** From 1999-2010 numerous maintenance and building projects were allegedly funded and
 2 completed without proper compliance required by the National Historic Preservation Act (NHPA).
 3

4 The following is an interview with (b) (6), (b) (7)(C) the Chief of Maintenance of Effigy Mounds National
 5 Monument (EFMO). (b) (6), (b) (7)(C) stated (b) (6) was not officially designated as the compliance coordinator of EFMO by
 6 Superintendent (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) stated EFMO projects were approved by (b) (6), (b) (7)(C) and completed by (b) (6), (b) (7)(C) without
 7 any permitting or compliance. (b) (6), (b) (7)(C) stated the lack of project compliance was not intentional. (b) (6), (b) (7)(C) remained
 8 unaware of laws, policies and procedures despite two training sessions related to compliance.
 9

10 **Date/Time:** 05/15/2012 – 07:30 a.m. – 09:10 a.m.
 11 **Location:** Effigy Mounds National Monument – Chief of Maintenance office
 12 **Person Interviewed:** (b) (6), (b) (7)(C)
 13 **Present for Interview:** SA David Barland-Liles
 14

15 **DETAILS:** On Thursday, May 15, 2012, at approximately 0730 hours, I interviewed (b) (6), (b) (7)(C) at (b) (6), (b) (7)(C)
 16 office in Effigy Mounds National Monument. (b) (6), (b) (7)(C) stated (b) (6) understood I was a Special Agent with the
 17 National Park Service, understood the purpose of the interview, understood (b) (6), (b) (7)(C) rights and agreed to voluntarily
 18 participate. The interview was recorded using an audio recorder. This is the second interview with (b) (6), (b) (7)(C) on
 19 this matter (See Report Number 015).
 20

21 (b) (6), (b) (7)(C) stated prior to the arrival of (b) (6), (b) (7)(C) as the Superintendent of Effigy Mounds National
 22 Monument (EFMO) in 1999, the designated compliance coordinator was Jacquelyn (b) (6), (b) (7)(C) EFMO’s Cultural
 23 Resources Specialist. (b) (6), (b) (7)(C) was assigned the responsibility by Superintendent Kathleen Miller. After (b) (6), (b) (7)(C)
 24 (b) (6), (b) (7)(C) left EFMO (2001), (b) (6), (b) (7)(C) claims (b) (6), (b) (7)(C) did not officially transfer the responsibility of coordinating
 25 project compliance to him and a replacement cultural resources specialist was not hired. (b) (6), (b) (7)(C) admitted
 26 (b) (6) was often told by other NPS staff (b) (6) was EFMO’s compliance coordinator; however, (b) (6) said, “I don’t really
 27 recall having an official designation.” (b) (6), (b) (7)(C) was asked if (b) (6), (b) (7)(C) ever officially designated him as the
 28 compliance coordinator. (b) (6), (b) (7)(C) replied, “Not that I’m aware of.”
 29

Reporting Official/Title David Barland-Liles / Special Agent	Signature	Date 05/15/2012
Approving Official/Title Les Seago / ASAC	Signature	Date

Distribution: Original – Case File Other: Other:

1 (b) (6), (b) (7)(C) stated (b) (6), (b) (7)(C) as well as other EFMO staff, always felt EFMO needed a Cultural Resources Specialist
 2 but it was never funded and always ranked low on the regional funding increases list. (b) (6), (b) (7)(C)
 3 acknowledged funding was redistributed within EFMO from all divisions to pay (b) (6), (b) (7)(C) but that type of
 4 reallocation did not occur during (b) (6), (b) (7)(C) tenure.

5
 6 (b) (6), (b) (7)(C) stated (b) (6), (b) (7)(C) received compliance coordinator training twice during (b) (6), (b) (7)(C) career, during the 1990's at
 7 Lincoln Home National Historic Site and in 2003 at EFMO. (b) (6), (b) (7)(C) stated the 2003 session was provided
 8 by NPS Archeologist (b) (6), (b) (7)(C) and was in response to the discovery of an EFMO trail re-route
 9 project that occurred near Fire Point (North Unit) without compliance.

10
 11 (b) (6), (b) (7)(C) admitted, despite the training (b) (6), (b) (7)(C) received, (b) (6), (b) (7)(C) never fully understood the compliance process.
 12 (b) (6), (b) (7)(C) stated (b) (6), (b) (7)(C) thought the compliance coordinator merely filled out the "Triple X" form and where it
 13 went from there (b) (6), (b) (7)(C) had no clue. (b) (6), (b) (7)(C) stated in all (b) (6), (b) (7)(C) years (b) (6), (b) (7)(C) never heard project proposals needed to be
 14 reviewed by state archeologists and was not aware compliance needed to be completed prior to the request for
 15 project funding. (b) (6), (b) (7)(C) stated to this day (b) (6), (b) (7)(C) still does not fully understand the process.

16
 17 (b) (6), (b) (7)(C) was asked if the lack of compliance at EFMO was intentional. (b) (6), (b) (7)(C) stated (b) (6), (b) (7)(C) didn't think so
 18 but it definitely was not a priority as far as bringing it up. (b) (6), (b) (7)(C) stated the staff was so inundated with
 19 responsibilities that they could not keep up. (b) (6), (b) (7)(C) stated if a superintendent is well versed in the
 20 compliance process then it can become a part of the operational culture.

21
 22 (b) (6), (b) (7)(C) stated budget allocation at EFMO during (b) (6), (b) (7)(C) tenure was not achieved with the full
 23 participation of the management team. (b) (6), (b) (7)(C) stated (b) (6), (b) (7)(C) does not recall having any budget meetings until
 24 (b) (6), (b) (7)(C) was replaced in 2010. (b) (6), (b) (7)(C) stated current budget allocation practices are more team oriented.
 25 (b) (6), (b) (7)(C) acknowledged EFMO received base funding increases every year during (b) (6), (b) (7)(C) tenure and the
 26 maintenance division was the recipient of a substantial portion of those increases.

27
 28 (b) (6), (b) (7)(C) was asked about the construction of a maintenance storage shed in the fall of 2007. (b) (6), (b) (7)(C)
 29 stated (b) (6), (b) (7)(C) realized, by studying the maintenance division budget, enough money would be available prior to the
 30 end of the fiscal year to allow for the shed's construction. (b) (6), (b) (7)(C) told (b) (6), (b) (7)(C) about the available funds
 31 and (b) (6), (b) (7)(C) approved the project. The approval of the project was informal and there was no official permitting
 32 process associated with it. (b) (6), (b) (7)(C) stated there was no compliance performed.

33
 34 (b) (6), (b) (7)(C) was asked about the 2009 rerouting of a previously proposed boardwalk on the Nazekaw Terrace.
 35 (b) (6), (b) (7)(C) acknowledged in 1999 (b) (6), (b) (7)(C) assisted two NPS archeologists with shovel testing and a ground
 36 penetrating radar study of the original boardwalk route. (b) (6), (b) (7)(C) thought the original route of the boardwalk had
 37 already received proper compliance as a package deal with the Yellow River footbridge and an associated
 38 boardwalk.

39
 40 Sometime during 2007 (b) (6), (b) (7)(C) EFMO's Natural Resources Specialist, proposed rerouting the
 41 boardwalk along the bottom of a "draw" since the original traversed a hillside mid-slope. (b) (6), (b) (7)(C) was
 42 concerned about the potential for erosion and the gradient of the boardwalk which was supposed to be
 43 wheelchair accessible. The reroute moved the boardwalks' connection to the Yellow River bridge boardwalk
 44 25-30', which altered the overall course and placed it outside of the area inspected by the archeologists in 1999.
 45 The terminus of the boardwalk was also extended 25-30' from the original proposal so the entire mound group
 46 could be viewed. (b) (6), (b) (7)(C) stated this reroute and addition were done without any compliance. (b) (6), (b) (7)(C)

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1 stated (b) (6) does not believe any archeologists inspected the reroute section of the boardwalk beyond a possible
2 “cursory look” by (b) (6), (b) (7)(C) from the Midwest Archeological Center.
3

4 (b) (6), (b) (7)(C) stated there should have been a regional mechanism to ensure projects had completed compliance
5 prior to providing funding. (b) (6), (b) (7)(C) stated (b) (6) was aware a mechanism now exists due to incidents at EFMO.
6 (b) (6), (b) (7)(C) agreed the project policy funding changes were implemented because EFMO is the National Park
7 Service’s (NPS) lowest common denominator. (b) (6), (b) (7)(C) was asked how (b) (6) feels about being the lowest
8 common denominator, (b) (6), (b) (7)(C) stated, “It tears at my guts every single day.” (b) (6), (b) (7)(C) added, “I feel that
9 I let myself down. I feel that I let the park and the Park Service as a whole down.”
10

11 (b) (6), (b) (7)(C) stated (b) (6) had too much piled on top of him and could not give the attention (b) (6) needed to give. (b) (6), (b) (7)(C)
12 got too far behind and did not understand the process. (b) (6), (b) (7)(C) stated if (b) (6) could wave a magic wand (b) (6), (b) (7)(C) one wish is
13 for every park to have a cultural resource specialist instead of the compliance responsibility being a collateral
14 duty.
15

16 (b) (6), (b) (7)(C) stated the best available EFMO employee during (b) (6), (b) (7)(C) tenure to perform compliance was
17 (b) (6), (b) (7)(C) but there was a perception that (b) (6) did not get things done. (b) (6), (b) (7)(C) acknowledged EFMO senior
18 law enforcement officer, (b) (6), (b) (7)(C) could also have been a candidate since (b) (6) had a master’s degree in
19 archeology and could have (b) (6), (b) (7)(C) subject-to-furlough position extended with available funds, similar to (b) (6), (b) (7)(C)
20 (b) (6), (b) (7)(C) stated there was a perception (b) (6), (b) (7)(C) also did not complete projects in a timely manner and there
21 were some personality conflicts. (b) (6), (b) (7)(C) acknowledged a good manager would be able to ensure any
22 potential deficiencies were overcome.
23

24 (b) (6), (b) (7)(C) referred to a map hanging above (b) (6), (b) (7)(C) desk that included known and potential burial mounds in and
25 around (b) (6), (b) (7)(C) office and the visitor center. (b) (6), (b) (7)(C) stated if the technology was available earlier to help him
26 understand the large number of suspected mounds that are no longer visible at the surface (b) (6), (b) (7)(C) would have had a
27 great deal more sensitivity.
28

29 Prior to study that led to the map (b) (6) was told by NPS archeologists that (b) (6) was pretty much good to go with all
30 projects in that area due to previous disturbances. (b) (6), (b) (7)(C) was asked if that in any way means (b) (6), (b) (7)(C) can skip
31 the compliance process. (b) (6), (b) (7)(C) stated, “No.”
32

33 (b) (6), (b) (7)(C) stated (b) (6), (b) (7)(C) intends to continue to cooperate with the investigation and any pending legal processes.
34 (b) (6), (b) (7)(C) stated, “Have mercy,” when asked about any advice (b) (6), (b) (7)(C) would give to the U.S. Attorney’s Office.
35

36 (b) (6), (b) (7)(C) added, “How can I make amends and improve the culture here?” and emphasized (b) (6), (b) (7)(C) desire to help
37 improve the NPS.
38

39 **ATTACHMENTS:** None.

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