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May 16, 2019

Via FedEx

Clinton E. Jones
Tennessee Valley Authority
400 West Summit Hill Drive
Knoxville, TN 37902

**Re: TVA's Gunstocker Creek Transmission Line Project, a.k.a "Project Viper"
Greg Vital Property – TVA Tract No. ECG-1002-TE; Meigs County Tax
Map parcel 087.001.02**

Dear Mr. Jones:

Please allow this correspondence to serve as my client Greg Vital's formal request to be a considered a consulting party, to the extent he is not already considered a consulting party, in regard to the above-referenced proposed undertaking and pursuant to the National Historic Preservation Act ("NHPA") and 36 C.F.R. §§ 800.2 and 800.3. Additionally, for the reasons discussed below, Mr. Vital objects to and disagrees with TVA's finding that the proposed undertaking would have no adverse effect on historic properties.

I. Background and TVA Findings.

In 2018, TVA announced a plan to build a new facility in Meigs County, Tennessee, that would require the construction of a new transmission line to the facility. The proposed transmission line crosses property owned by my client Greg Vital and referenced above (the "Vital Property"). On November 29, 2018, TVA obtained a court order granting it a temporary right to enter the Vital Property and survey it for the construction of the transmission line.

As you know, during its surveying activities, TVA determined that its proposed undertaking has the potential to cause effects on certain historic properties. As such, TVA identified the area of potential effects ("APE") as follows:

[T]he 4.25 mile long by 100 foot wide existing ROW and all associated access roads (Phase A); and the approximately one mile long by 100-150 feet wide new TL ROW, the approximately 1.42 miles by 20-foot wide access roads (the enclosed report states 100 feet; this is inaccurate and will be changed for the final report), and the 1.4 miles long by 50 feet wide waterline (Phase B). For visual effects, the APE includes areas within a half mile surrounding the TL corridors that are within the visual line of sight to the project area. For the 26- kV back-up electrical feed, TVA determined the APE to be the footprint of ground disturbing activity including the proposed new utility pole and the proposed underground feed to the site. For visual effects, the APE includes areas within a half mile surrounding the TL corridors that are within the visual line of sight to the project area.

TVA conducted a Phase I Cultural Resources survey of the APE through New South Associates ("New South") and, among other cultural resources, identified a newly recorded archeological site—Site 40MG305. TVA described Site 40MG305 as "a single stone pile." Because of Site 40MG305's potential connection with historic nonaboriginal or precontact-early historic American Indian occupations, TVA found Site 40MG305 to be potentially eligible for the National Register of Historic Places ("NRHP"). Because of its significance, TVA rerouted its proposed line to avoid Site 40MG305 and allow it a "sufficient buffer." TVA noted that the archeological survey conducted on the proposed reroute "identified one isolated find" and that "[n]o other archeological resources were identified." Despite this finding, TVA never conducted a Phase II survey.

During its survey, New South also identified a previously recorded archeological site, Site 40HA534—a segment of the Northern Route of the Trail of Tears—but did not identify any intact portions of the Trail of Tears or any associated artifacts or features within the APE.

Based on these Phase I reports and findings, TVA found that its proposed new route would have no adverse effect on historic properties. TVA submitted a cultural resources assessment to the State Historic Preservation Officer ("SHPO") on April 19, 2019.

II. Mr. Vital Should Be Considered a Consulting Party.

Under the NHPA, when a federal agency proposes an undertaking that has the potential to cause effects on historic properties, as here, that agency must identify parties entitled to be consulting parties and invite them to participate. 36 C.F.R. § 800.3(f). Certain individuals "with a demonstrated interest in the undertaking may participate as consulting parties due to the nature of their legal or economic relation to the undertaking or affected properties, or their concern with the undertaking's effects on historic properties." § 800.2(c)(5). TVA must consider all requests of individuals wishing to participate as consulting parties. § 800.3(f)(3).

Mr. Vital received a letter from you dated April 19, 2019, which described TVA's findings with regard to the proposed undertaking and invited comments from Mr. Vital. The correspondence was not clear as to whether TVA considers Mr. Vital a consulting party. Accordingly, to the extent TVA does not consider Mr. Vital a consulting party, Mr. Vital hereby requests that he be considered a consulting party.

As the record owner of the Vital Property, Mr. Vital has both a legal and economic relation to the affected property and an interest in how historical sites located on his property might be affected by the undertaking. In fact, prior to the proposed undertaking, Mr. Vital planned to conserve the property in its current state. Mr. Vital's ownership interest alone should allow his participation as a consulting party.

In addition to his specific interest in the historical sites located on his property, Mr. Vital has shown a demonstrated interest in the preservation of historic properties in general. For example, from 2007 to 2012, Mr. Vital served as a Board Member and Chairman of the Tennessee Preservation Trust, a state partner of the National Trust for Historic Preservation that aims to protect, restore, and promote historical and cultural resources within the state of Tennessee. Mr. Vital is also actively involved in the development, fundraising, operations, and planning of the Cherokee Removal Memorial Park in Meigs County, Tennessee. Additionally, Mr. Vital has been a member of National Parks Conservation Association's Board of Trustees since 2010 and currently serves as Chair. Mr. Vital has also been a member of the Land Trust For Tennessee—an organization dedicated to conserving natural and historic sites—since 2008. These examples, which are by no means an exhaustive list of Mr. Vital's preservation activities, demonstrate Mr. Vital's interest in and dedication to the conservation of historic properties.

Accordingly, because Mr. Vital is a party with a demonstrated interest in the undertaking and a strong interest in historic conservation, he should be considered a consulting party under 36 C.F.R. § 800.2(c). As a consulting party, Mr. Vital's disagreement with TVA's findings, discussed below, triggers further consultation with Mr. Vital or a request to the Council to review the finding under § 800.5(c)(2).

III. Objections to TVA's Findings.

As a proper consulting party, Mr. Vital hereby notifies TVA that he disagrees with and objects to TVA's finding that the proposed undertaking would have no adverse effect on historic properties. In support, Mr. Vital submits: (i) the Archaeological Reconnaissance and Assessment of Sites 40MG305 and 50HA534 ("Alexander Report") by Lawrence S. Alexander, Alexander Archaeological Consultants, Inc., attached as **Exhibit A**; and (ii) the Historical Assessment of the Gunstocker Creek Cairns ("Smith Report") by Troy D. Smith, Ph.D, Associate Professor of History at Tennessee Technical University, attached as **Exhibit B**. Curricula vitae for Mr. Alexander and Dr. Smith are attached as **Exhibit C** and **Exhibit D**, respectively.

As discussed below, the reports identify fourteen other stone cairns in Site 40MG305 in addition to the one identified by TVA, for a total of fifteen cairns that extend into the APE of the proposed rerouted line. These additional cairns appear to be connected by origin and purpose to the only TVA identified cairn. Due to the possible prehistoric origin of the cairns and the possibility that the cairns are ceremonial or burial sites, both reports recommend either the avoidance of the cairns or further investigation and evaluation. Moreover, both reports suggest that Site 40HA534 should be further evaluated as a potential segment of the Trail of Tears.

a. Standard for Identifying Historic Properties and Assessing Adverse Effects.

Under the NHPA, in identifying historic properties within the APE, TVA is required to “make a reasonable and good faith effort to carry out appropriate identification efforts, which may include background research, consultation, oral history interviews, sample field investigation, and field survey.” 36 C.F.R. § 800.4(b)(1). TVA must then evaluate the historical significance of any historic properties identified and consider whether they are eligible for the NRHP. § 800.4(c).

If historic properties may be affected by the undertaking, TVA must assess adverse effects. § 800.4(d)(2). An adverse effect occurs “when an undertaking may alter, directly or indirectly, any of the characteristics of a historic property that qualify the property for inclusion in the National Register in a manner that would diminish the integrity of the property’s location, design, setting, materials, workmanship, feeling, or association.” § 800.5(a)(1). “Introduction of visual, atmospheric or audible elements that diminish the integrity of the property’s significant historic features” is one of the many examples of adverse effects described by the regulations. § 800.5(a)(2)(v).

b. TVA Failed to Adequately Identify and Evaluate a Significant Number of Rock-Pile Formations Associated with Site 40MG305.

TVA failed to: (1) make a reasonable and good faith effort to carry out appropriate identification efforts in relation to Site 40MG305; and (2) properly evaluate the adverse effects of the proposed undertaking on Site 40MG305.

Specifically, TVA identified Site 40MG305 as “a single stone pile.” In analyzing the single stone pile, New South suggested that Site 40MG305 could be NRHP eligible on two bases. First, New South recommended further research to determine if Site 40MG305 is eligible under Criterion A “as part of a sacred ceremonial stone landscape.” Second, New South recommended further archaeological work to determine if the site is eligible under Criterion D “for its potential to contribute to significant information on the history or prehistory of the region.” Instead of conducting further investigation as recommended by New South, TVA proposed to reroute the transmission line to avoid what it thought was one potentially sensitive resource. But TVA failed to further investigate the site and did not identify the additional fourteen stone cairns. Despite identifying the one cairn referred to as “Site 40MG305,” TVA failed to perform a Phase II archeological survey and failed to locate the numerous other cairns.

Lawrence Alexander conducted a survey of the area around the stone pile and identified fourteen other rock cairn stone piles similar in appearance and measure to the original cairn identified by TVA. Ex. A, at 9–10. The fifteen cairns were found in the APE of both the first proposed transmission line and the proposed rerouted transmission line. *Id.* Mr. Alexander suggests that the fifteen cairns are of prehistoric origin, due to the absence of metal detector signals around the cairns and previous cultivation. *Id.* at 20. Mr. Alexander notes that “[p]rehistoric stone cairns have been reported throughout North America as trail markers, shrines, grave coverings, and burial mounds, although they are most often as ‘undefined ceremonial landscapes,’” and discusses examples of evaluations of other stone cairn formations. *Id.* at 21.

Mr. Alexander concludes that Site 40MG305, which includes all fifteen cairns, may be eligible for the NRHP under Criterion D for its potential to contribute significant information to the prehistory of the region. *Id.* at 20. Mr. Alexander asserts that the proposed undertaking “will disturb or destroy Site 40MG305” and recommends “[a]voidance of any additional impact.” *Id.* at 22. In the alternative, Mr. Alexander recommends a Phase II archaeological evaluation. *Id.*

After Mr. Alexander conducted his report, Mr. Vital consulted Dr. Troy Smith, a History Professor at Tennessee Technical University who specializes in Native American history. After reviewing the Alexander Report, Dr. Smith also personally surveyed Site 40MG305 and identified the fifteen cairns. Ex. B, at 2. Dr. Smith notes that Site 40MG305 “conform[s] to what [he knows] about ceremonial stone landscapes” and their directional alignment. *Id.* Dr. Smith warns that these types of sites are often misidentified or ignored. *Id.* at 3. For example, Dr. Smith noted a 2004 Phase I survey that concluded that nineteen rock formations in Georgia were simply rock piles formed by farmers. *Id.* When the archaeologist returned for a Phase II survey, however, he “found human bones and teeth and funerary pottery fragments.” *Id.* Dr. Smith concludes that, given the possibility of human remains or the possibility that the cairns serve a ceremonial purpose, further detailed archaeological investigation should be completed throughout the entire area, including the adjacent properties and areas. *Id.* at 3–4. Dr. Smith also strongly recommends that all tribes that are culturally connected to the area be consulted. *Id.*

Thus, all parties, including New South and TVA, agree that Site 40MG305 has cultural significance and is potentially eligible for the NRHP. TVA itself considered one cairn to be significant enough to move the route for the transmission line to avoid what it thought was one potentially sensitive resource. Therefore, by TVA’s own standards, it should seek to avoid the entire potentially sensitive resource, which consists of fifteen cairns. In the alternative, TVA should conduct further investigation in a Phase II archaeological evaluation.

Accordingly, TVA erred in failing to fully identify Site 40MG305 and erred in finding that Site 40MG305 would not be adversely impacted by the proposed undertaking.

c. TVA Failed to Adequately Identify and Evaluate Site 40HA534.

TVA also gave little consideration to the portions of the Trail of Tears (Site 40HA534) that runs through the Vital Property. Due to the historical significance of this site, TVA's passing consideration Site 40HA534 is difficult to explain. TVA failed to: (1) make a reasonable and good faith effort to carry out appropriate identification efforts in relation to Site 40HA534, the Trail of Tears; and (2) properly evaluate the adverse effects of the proposed undertaking on Site 40HA534.

TVA noted that "New South identified no intact portions of the Trail of Tears nor other artifacts or features that may be associated with the Trail of Tears within the APE." As explained in the Alexander Report, however, although the actual observed traces of the Trail of Tears lie outside the APE, archival research demonstrates that the Trail of Tears likely ran from the observed traces northwest through the APE. Ex. A, at 3-7. Accordingly, Mr. Alexander concludes that "subsurface features are potentially present below the first and second proposed transmission line corridors" and recommends that "[t]he area of Site 40HA534 should be evaluated with ground penetrating radar or similar devices to determine if intact signatures of the road bed are present within the APE." *Id.* at 3. Dr. Smith also notes the undertaking's potential impact to the Trail of Tears. Ex. B, at 2, 3.

Given Mr. Alexander and Dr. Smith's conclusions, TVA erred in failing to identify that Site 40HA534 likely extends through the APE. Because TVA's proposed undertaking would alter the characteristics of Site 40HA534 by the introduction of visual elements that diminish its integrity, TVA also erred in finding no adverse impact as to Site 40HA534.

IV. Conclusion

For the foregoing reasons, Mr. Vital requests that he be considered a consulting party pursuant to 36 C.F.R. §§ 800.2 and 800.3 to the extent he is not considered a consulting party already. Mr. Vital also objects to and disagrees with TVA's finding that the proposed undertaking would not have an adverse effect on historic properties. Mr. Vital requests that the Advisory Council on Historic Preservation review the finding or that TVA continue to evaluate the adverse effects on the historic properties involved in a Phase II archaeological evaluation.

Cordially,

A handwritten signature in cursive script, appearing to read "Crews Townsend".

C. Crews Townsend

Attachments: Exhibits A, B, C, D

cc:

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Archaeological Reconnaissance and Assessment of Sites 40MG305 and 50HA534

The Project

The proposed transmission lines are part of a proposal to build a 167-acre system operations center in the state as part of upgrades to its power grid management in Georgetown, Tennessee.

TVA is considering improvements to its transmission system that would supply power to a new TVA secure office complex and provide for future power system connections to ensure reliability and additional capacity for growth in the area. TVA plans to build about 5.25 miles of double-circuit transmission line to provide power to TVA's proposed Gunstocker Creek 161-kV Station.

The proposed power line would begin at TVA's Sequoyah Nuclear Plant-Hiwassee No. 1 161-kV Transmission Line at a point just northwest of the Hopewell, Tennessee 161-kV Metering Station near the intersection of Rabbit Valley Road Northwest and State Highway 60 (Georgetown Pike) northwest of Cleveland, Tennessee. One tap point is under consideration. The new line would extend northwest for about 5.25 miles (through portions of Bradley, Hamilton, and Meigs Counties) to the proposed Gunstocker Creek 161-kV Station northeast of the intersection of State Highways 58 and 60 in Meigs County. The new line would be built using double-circuit, steel poles centered on existing 100-foot-wide right of way and on new 100 to 150-foot-wide right of way. (TVA 2018).

Background Research:

The project area included in this study is located on Gunstocker Creek in Georgetown, Tennessee. The investigation centered on two proposed power line corridors that crossed Gunstocker Creek in Meigs County. Figure 1 and Figure 2 illustrates the two proposed transmission line corridors areas of potential impact (APE) considered under this report.

Two archaeological sites were located within or adjacent to the proposed transmission line corridors. Site 40MG305 and 40HA534.

Site 40MG305 was initially recorded by Sarah Stephens, New South Associates, March 2, 2019. The site was described as:

Site Size (Long and short axis, in meters): **1.35 m x 1.35 m**

Survey purpose, methods, and limitations in determining site boundary: Observations and testing was limited to the direct APE. No shovel tests were excavated with the vicinity due to the sensitivity of the feature.

Cultural affiliations, site type, occupation date range (for historic sites), features, artifact summary: The site consists of a stone pile of indeterminate age. Background research identified no property boundaries or buildings within the vicinity. Additionally, the feature is not located near the edge of an agricultural field. As such, no historical association could be determined. The pile is circular with a diameter of 135-cm and stands approximately 50-cm tall. No other features or artifacts were identified in the area. (Site 40MG305, Tennessee Division of Archaeology, Site Files).

EXHIBIT A

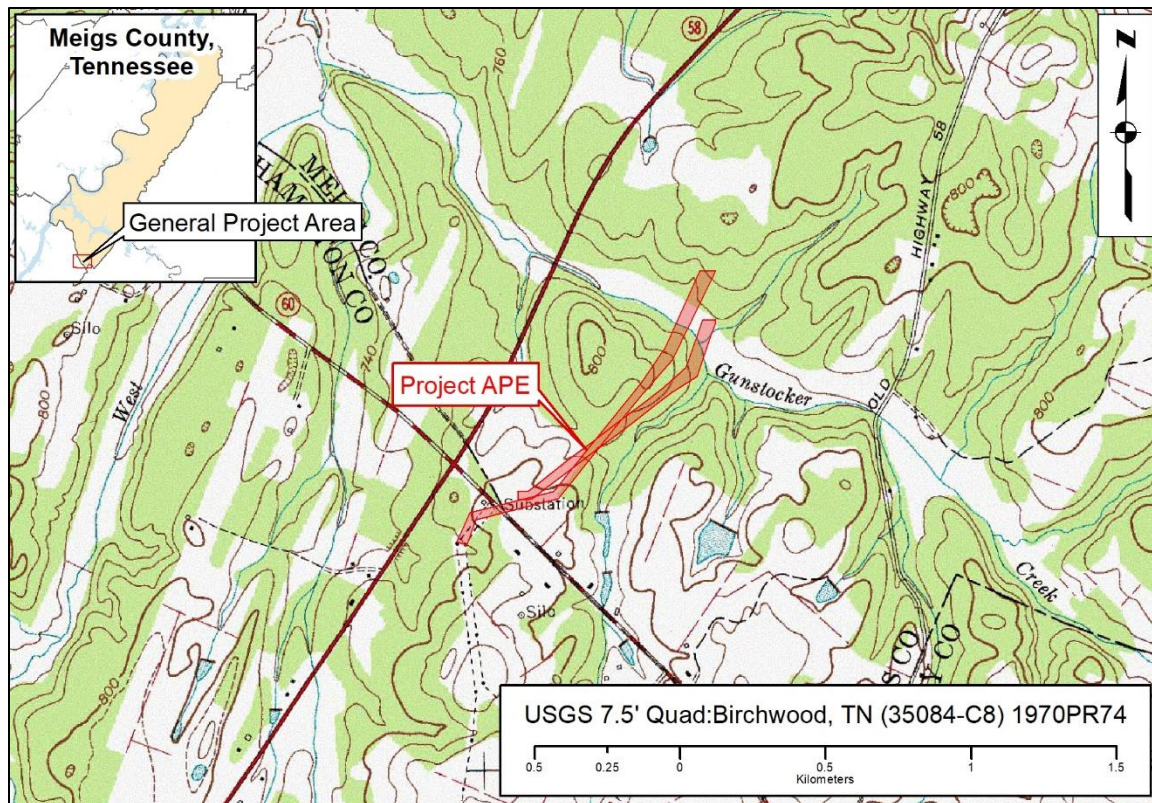


Figure 1. Proposed transmission line corridors.

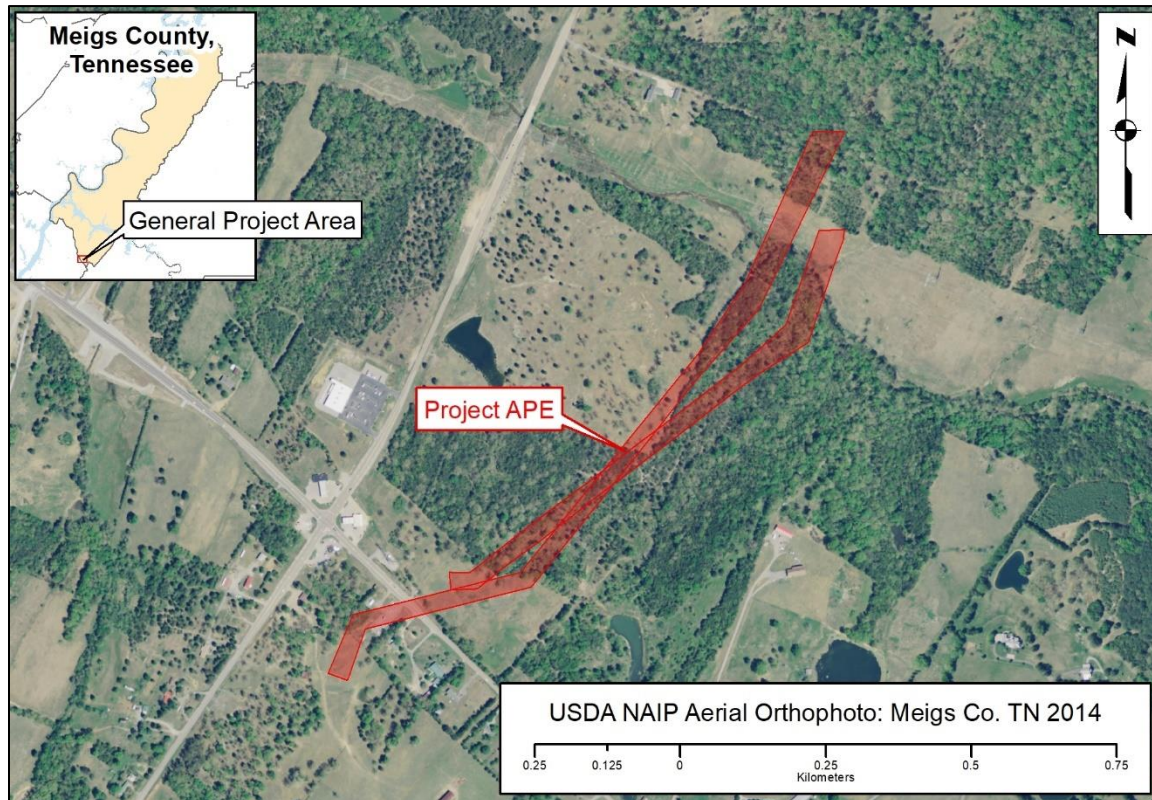


Figure 2. Aerial photograph of proposed transmission line corridors.

Site 40HA534 (Old Georgetown Road) was recorded by Ben Nance and Sam Smith and reported in (Nance 2001). This route is posited as being the most likely route that parties of Cherokee followed on their route to the Hiwassee Garrison via Blythe's Ferry.

The site was described as:

Survey purpose, methods, and limitations in determining site boundary: Tennessee Division of Archaeology's investigations on sites related to The Trail of Tears consisted of a review of historical maps and period documents to determine the routes which were most likely to have been utilized during removal. Old Georgetown Road is postulated as a section of The Northern Route before the crossing at Blythe Ferry. The exact extent and number of surviving sections is unknown.

Cultural affiliations, site type, occupation date range (for historic sites), features, artifact summary: The site consists of the historical road trace of Old Georgetown Road, associated from the early 19th century to the present. The road connected Georgetown at the Bradley/Meigs County line with Blythe Ferry in Hamilton County. Georgetown was the confluence of many roads from the east and likely represented the beginning of the final section towards Blythe Ferry.

Site 40HA534 as a roadbed is eligible for meeting registration requirements will be significant under National Register criteria A, C, or D for their historic associations with the Cherokee Trail of Tears, retention of design characteristics, and potential archaeological record (Thomason and Parker 2002: Section F, Page 10).

Historical Maps:

Historical maps and aerial photographs of the area were reviewed in order to locate potential archaeological sites as well as to ascertain the site formation processes at work through time on known archaeological sites. None of the referenced historical maps show much change to the area in which Site 40MG305 is located, however a few maps do show the original trace of Old Georgetown Road (Site 40HA534). It must be noted, however, that this route is based upon archival research and has not been linked to the Trail of Tears by archaeological evidence.

The two most relevant maps located by this review were topographic maps from 1935 and 1942 (Figure 3 and Figure 4). Both of these USGS topographic quadrangles show the original route of the Old Georgetown Road (Site 40HA534), which originally formed the county line between Hamilton and Meigs Counties. According to research by Nance (2001) and King (1999), this was the route taken by parties of Cherokee as they travelled from Cleveland, Tennessee to the Hiwassee Garrison via Blythe's Ferry, on the Trail of Tears.

The trace of Old Georgetown Road can be seen as surface features in three sections as mapped in Figure 5 through Figure 7. The surface visibility of Site 40HA534 terminates at the eastern perimeter of the proposed transmission line corridor APE (Figure 8). However, Figures 3 and 4 illustrate the divergence to the north west from the modern SR 60 construction APE. Previous Impacts to Site 40HA534 include cultivation, erosion, and construction of a communications station north of current SR 60. These impacts have obscured surface indications of the historic road bed. However, subsurface features are potentially present below the first and second proposed transmission line corridors.

Recommendation: The area of Site 40HA534 should be evaluated with ground penetrating radar or similar devices to determine if intact signatures of the road bed are present within the APE.

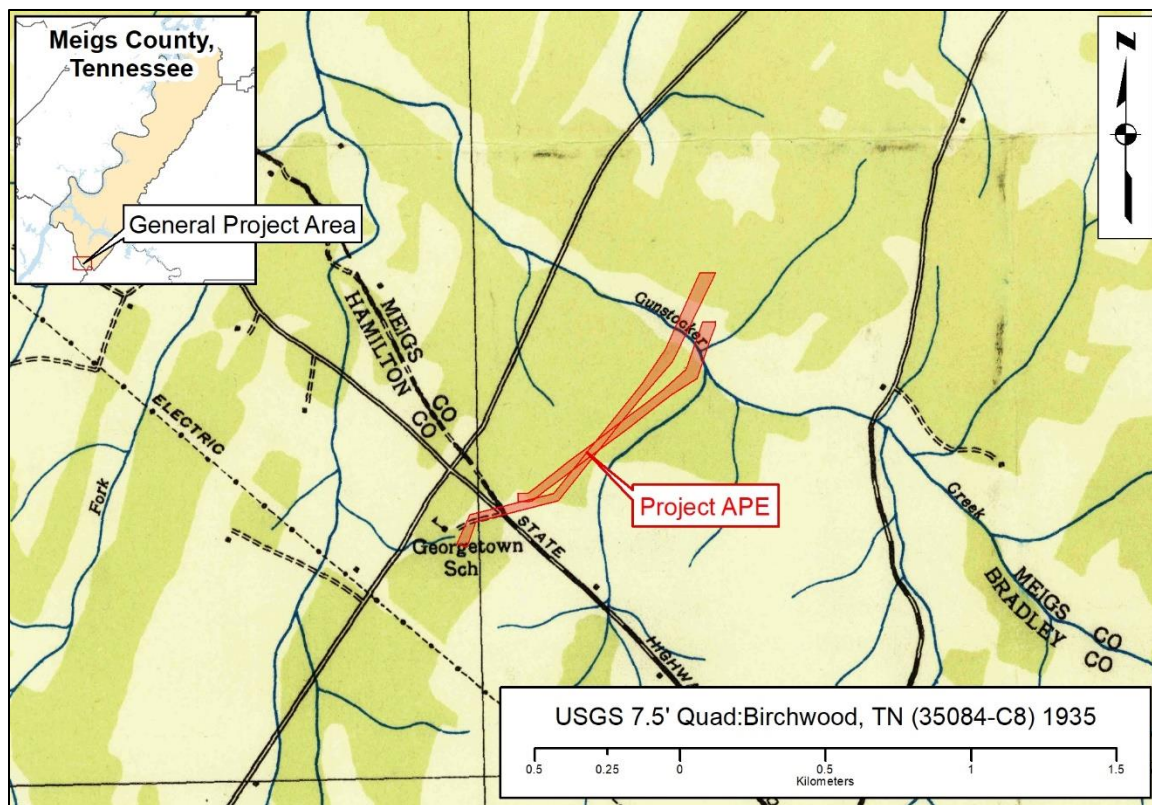


Figure 3. Quadrangle map from 1935 illustrating the project area.

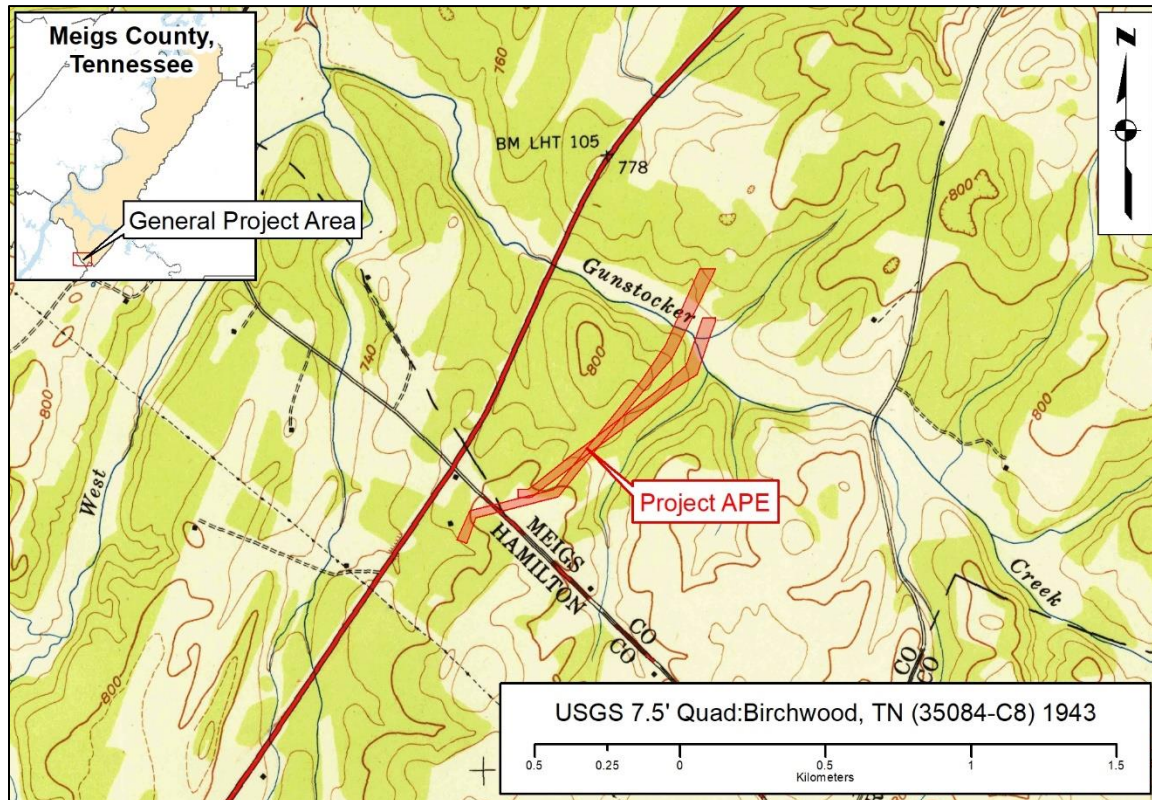


Figure 4. Quadrangle map from 1942 illustrating the project area.



Figure 5. Quadrangle map from 1970 illustrating extent of Site 40MG305 and observed sections of Site 40HA534 road traces in relation to the project area.

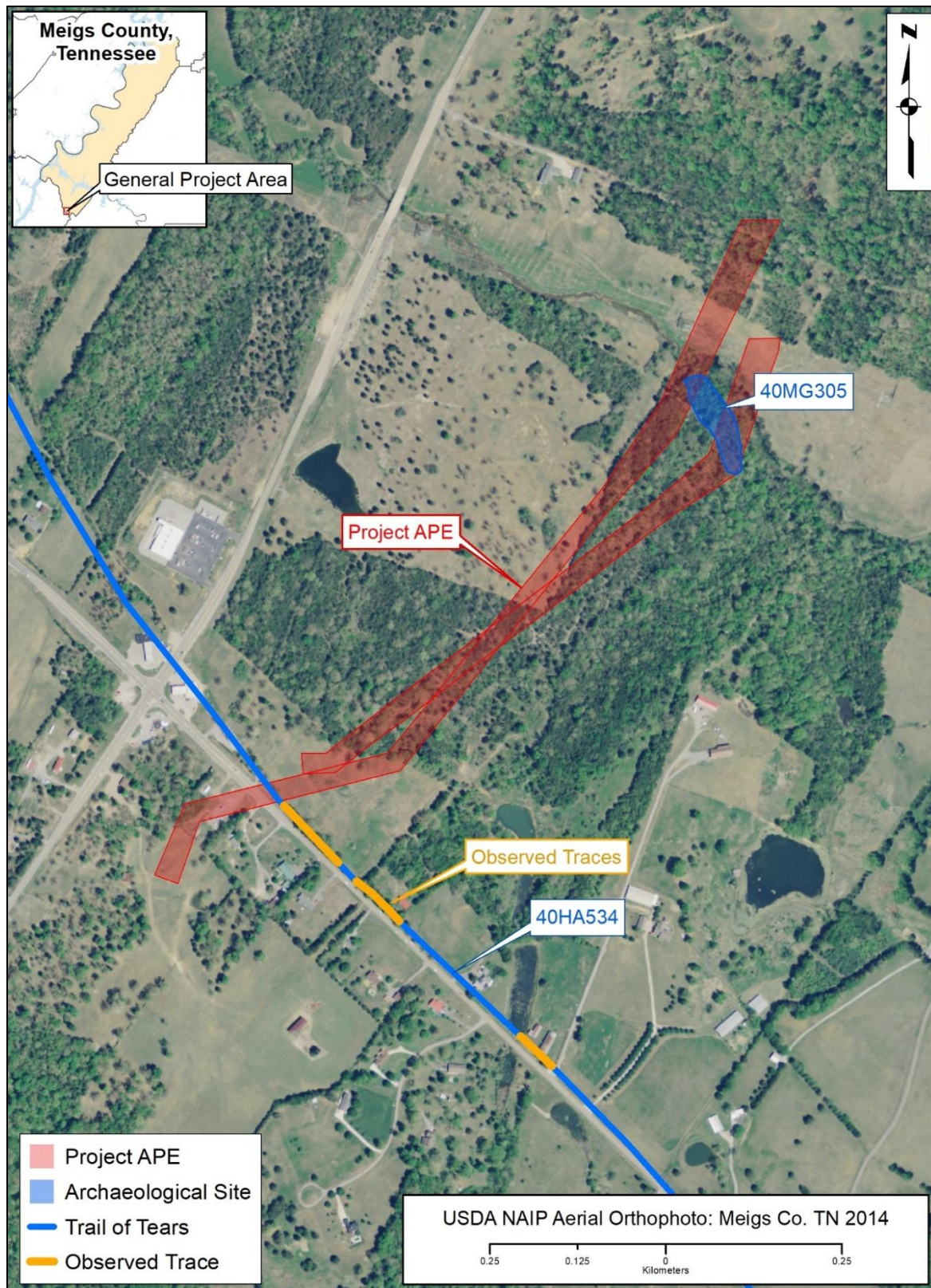


Figure 6. Aerial photograph from 2014 illustrating extent of Site 40MG305 and observed sections of Site 40HA534 road traces in relation to the project area.



Figure 7. Site 40HA534 (Old Georgetown Road) trace, view northwest.



Figure 8. Site 40HA534 (Old Georgetown Road), western margin at the intersection with the APE, view southeast.

Site 40MG305

As noted above, the site was originally recorded by New South Associates based on the occurrence of a single stacked stone cairn within the proposed transmission line APE.

Site Description: Site 40MG305 is located on an eroded terrace overlooking Gunstocker Creek to the north. The underlying bedrock consists of Chickamauga Super Group and has eroded to sub-tabular limestone. Bedrock is partially exposed on the surface. Based on the degree of slope and the presence of shallow bedrock, the site has likely not been cultivated in the past. Currently, the site is covered with a mixed hardwood forest that was timbered approximately 30 to 40 years ago. An overflow channel of Gunstocker Creek is located at the base of the terrace and an unnamed drainage channel bounds the site on the southeast. Upslope from the rock cairns, evidence of timber cutting with push piles of soil mixed with the underlying limestone slabs is abundant. The push piles are irregular in shape and a subsurface concave depression was noted in association with each push pile.

A road cut and access to the Gunstocker Creek flood plain transects diagonally across Site 40MG305. The access road was built by the previous property owners. Fence remnants are evidenced by standing posts, barbed wire remnants in trees, and intermittent barbed wire fragments located on the northern side of the road (Figure 9).



Figure 9. Field access road transecting Site 40MG305, view southeast.

Field Reconnaissance and Mapping: A surface reconnaissance of Site 40MG305 was conducted on May 1, 2019. Field work consisted of a pedestrian survey, beginning at the initially recorded cairn, in transects parallel to the topographic contour, separated by 5 m intervals. Due to dense surface vegetation, alternating transects were also walked at 5 m intervals. Each rock cairn was marked with a pin flag and cleared with a weed eater in a two to three-meter radius. A metal detector survey was made within a three-meter radius of each cairn to locate any potential metal artifacts associated with each feature. Feature 3 did contain a weak defuse metal signal, however no metal artifacts were associated with any of the remaining 14 features. No prehistoric artifacts were observed in the eroded road bed which transected the feature complex nor were any artifacts noted in the Gunstocker Creek gravel bars. No subsurface excavations were conducted, and no feature elements were disturbed during the reconnaissance.

During the survey a total of 15 rock cairns were identified, measured, photographed, and mapped. A Garmin 60CSx GPS unit with point averaged 2 m accuracy was used to map the features. Figure 10 is a topographic map illustrating the locations of the features identified; Figure 11 is an aerial photograph illustrating the feature locations. The both proposed transmission line corridors are identified on each map. Table 1 contains designations, dimensions, and UTM coordinates for each feature. Note that Feature 1 is the initial rock cairn identified during an earlier archaeological survey of the project area (Stevens 2019).

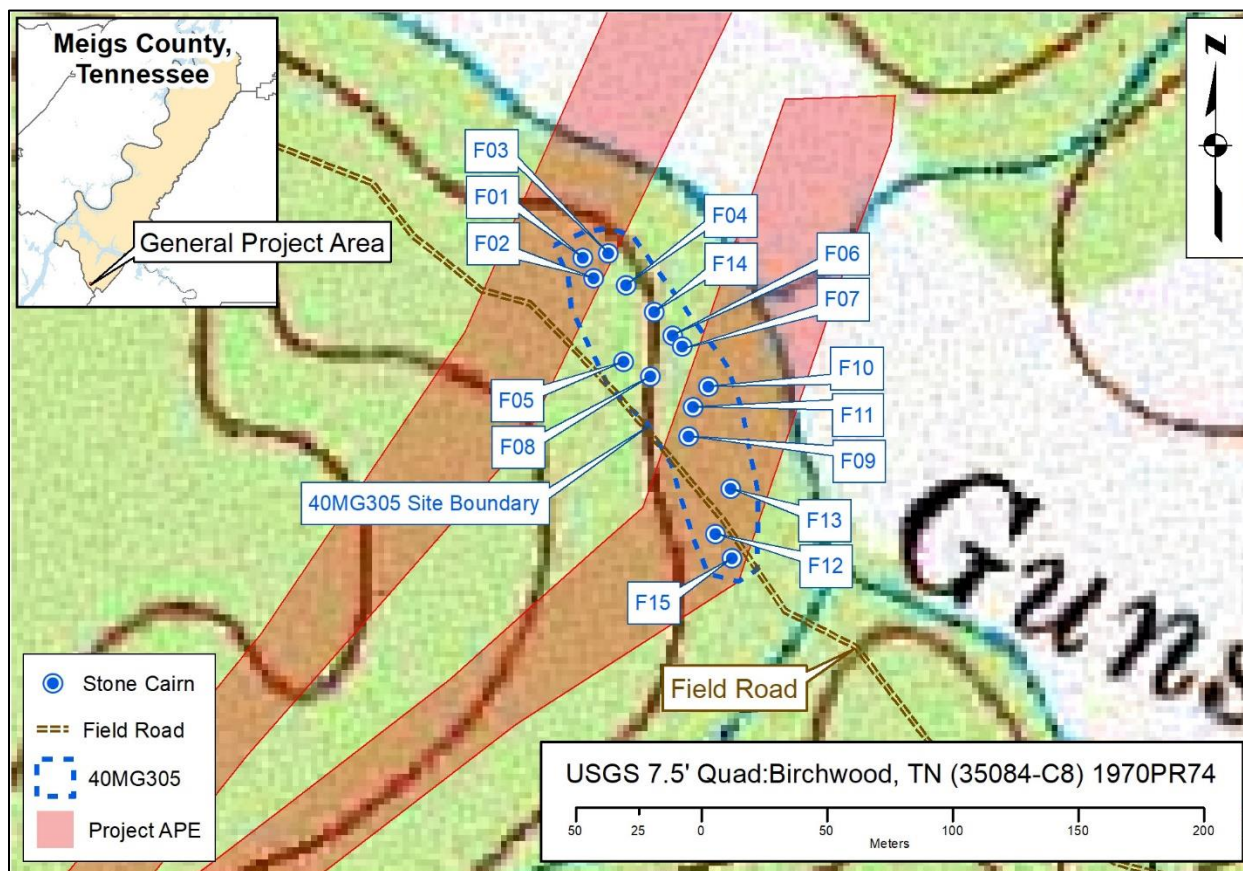


Figure 10. Quadrangle map illustrating location of rock cairns located.

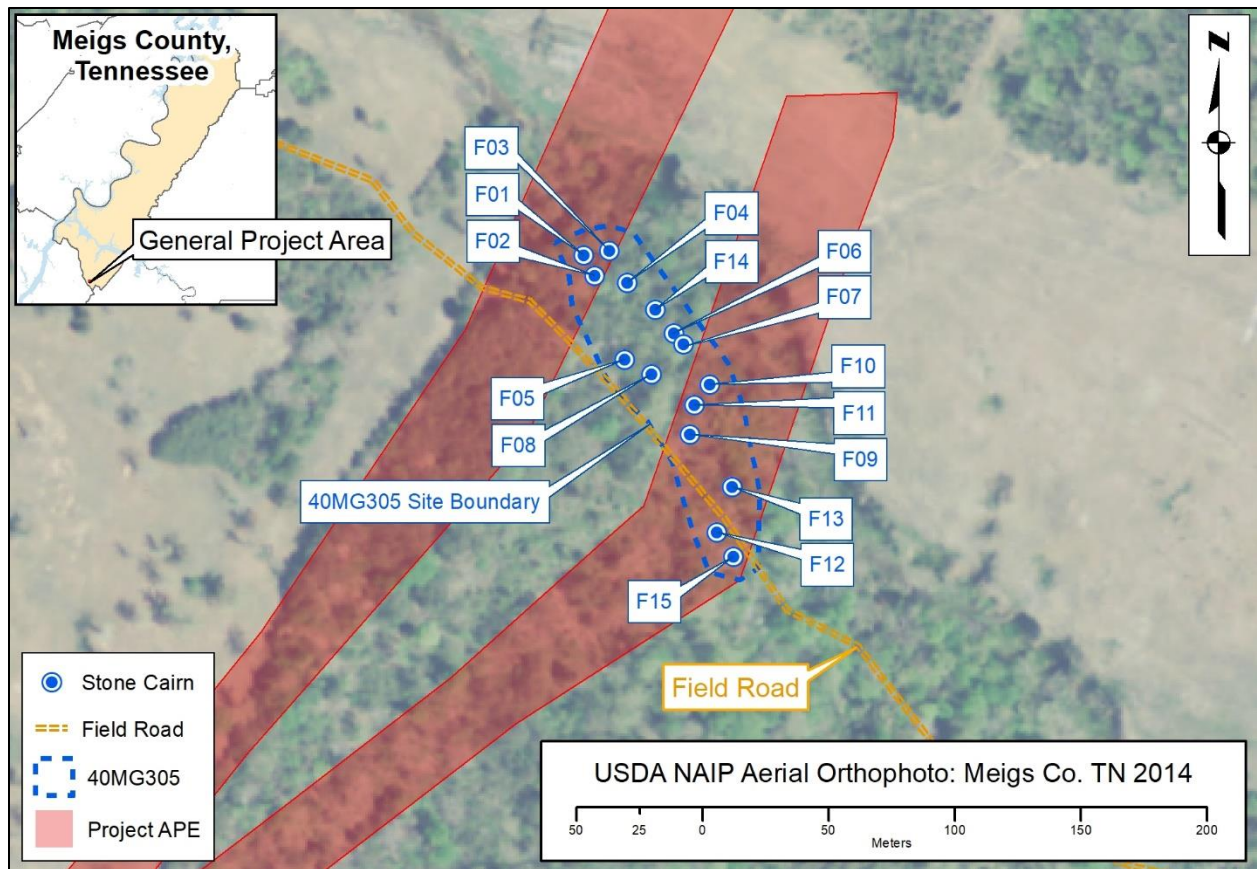


Figure 11. Aerial photograph illustrating feature locations and proposed transmission line corridors.

Table 1. Surface inventory feature designations, dimensions, and UTM coordinates.

	Length North to South	Length East to West	UTM E	UTM N
Feature 1	275 cm	220 cm	686325	3908585
Feature 2	267 cm	204 cm	686331	3908578
Feature 3	360 cm	313 cm	686333	3908588
Feature 4	370 cm	388 cm	686339	3908581
Feature 5	480 cm	348 cm	686345	3908545
Feature 6	368 cm	388 cm	686360	3908557
Feature 7	337 cm	320 cm	686360	3908543
Feature 8	265 cm	164 cm	686348	3908524
Feature 9	282 cm	310 cm	686365	3908515
Feature 10	367 cm	440 cm	686372	3908535
Feature 11	435 cm	360 cm	686366	3908531
Feature 12	280 cm	190 cm	686374	3908477
Feature 13	193 cm	183 cm	686381	3908484
Feature 14	216 cm	297 cm	686350	3908565
Feature 15	145 cm	173 cm	686382	3908467



Figure 12. Site 40MG305, Feature 1, plan view facing west.



Figure 13. Site 40MG305, Feature 1, profile facing south.

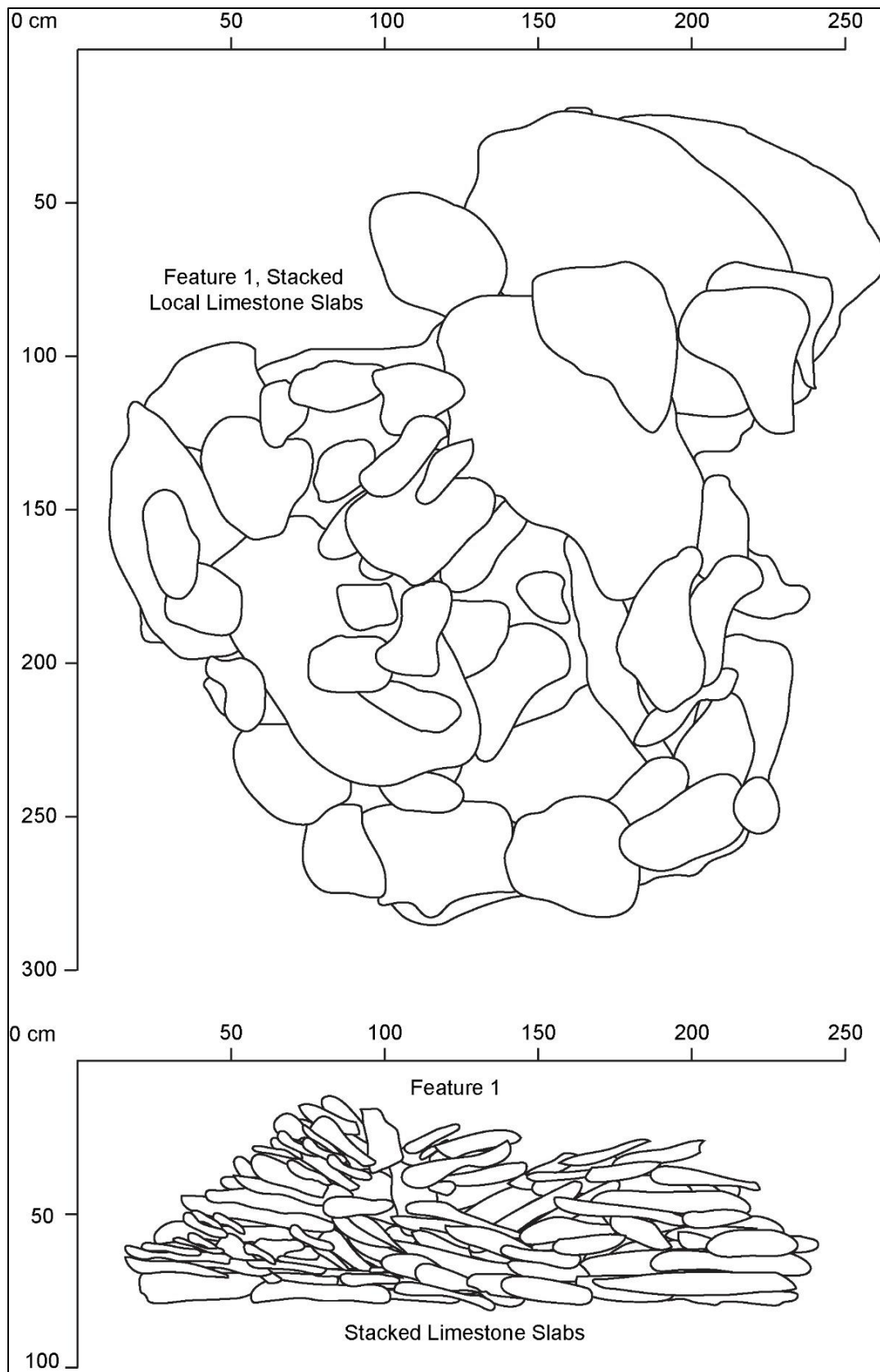


Figure 14. Site 40MG305 Feature 1, plan and profile sketches.



Figure 15. Feature 2 plan view, facing northwest.



Figure 16. Feature 3, plan view facing north.



Figure 17. Feature 4, plan view facing north.



Figure 18. Site 40MG305, Feature 5, plan view facing west.



Figure 19. Feature 6, plan view facing east.



Figure 20. Feature 7, plan view facing west.



Figure 21. Feature 8, plan view facing south.



Figure 22. Feature 9, plan view facing north.



Figure 23. Feature 10, plan view facing north.



Figure 24. Feature 11, plan view facing west.



Figure 25. Feature 12, plan view facing west.



Figure 26. Feature 13, plan view facing north.



Figure 27. Feature 14, plan view facing north.



Figure 28. Feature 15, plan view facing south.

Revised Site Description

Site 40MG305 is composed of 15 rock cairn features distributed over an area of 151 m (495 ft) northwest-southeast by 45 m (148 ft) wide northeast-southwest with an undefined depth. The site is bordered on northeast by an overflow channel of Gunstocker Creek floodplain, and the southwestern perimeter is an uphill slope. The site has been disturbed by construction of a field access road. The site is currently covered with secondary growth trees, after being timbered 30 to 40 years ago. Site 40MG35 does not appear to have been cultivated in the past.

Feature 1 is the best defined of the cairns with stacked limestone slabs measuring 275 cm (9 ft) by 220 cm (7.2 ft) approximately 75 cm (2.5 ft) high. The remaining cairns are less well defined and stacked. Features 2 to 14 have a mean north-south of 312 cm (10.2 ft) and east-west mean of 291 cm (9.5 ft) (Table 1). All of the stone cairns are composed of locally available subangular to rounded tabular limestone.

Site Interpretation The absence of metal detector signals in the perimeter of each rock cairns (excluding a weak metal signal at Feature 3) suggest a prehistoric origin for the cairns. No historic or prehistoric artifacts (excluding modern surface debris) were observed in the eroded road bed. A 20th century barbed wire fence remains was evident on the northern perimeter of the two-track road crossing the site. No evidence of a historic residence is indicated at the site. Absence of previous cultivation of Site 40MG305 due to slope precludes the possibility that these stone cairns are field clearing stone piles. Thus, a prehistoric origin of the stone cairns may be assumed.

Based on the current information available Site 40MG305 may be eligible for nomination to the National Register of Historic Places under Criterion D for its potential to contribute significant information to the prehistory of the region.

The earlier Phase I archaeological survey also determined that Site 40MG305 was eligible for the National Register of Historic Places:

NRHP recommendation: Further research is recommended to determine if the site is eligible for the NRHP under Criterion A as part of a sacred ceremonial stone landscape. Since investigations were limited, further archaeological work is recommended to determine if the site is eligible under Criterion D for its potential to contribute to significant information on the history or prehistory of the region.

Due to the absence of artifacts the site was recorded as both historic and prehistoric, as time period was not determinable. (Site 40MG305, Tennessee Division of Archaeology, Site Files, Nashville).

TVA's Cultural Resources Assessment, following the Phase I archaeological survey submitted, by New South Associates concluded:

Site 40MG305 is a single stone pile approximately 135 centimeters in diameter and 50 centimeters tall identified within the Phase B APE (new build portion). While this type of feature can sometimes be the result of historic nonaboriginal or precontact/early historic American Indian occupations, New South identified no clear documentary evidence that this stone pile is historic. Due to the sensitive nature of these type of sites to consulting 7 federally recognized Indian Tribes, TVA shifted the orientation of the proposed line in order to avoid this potentially sensitive resource. The proposed reroute was based on allowing for sufficient buffer to the resource while factoring in other environmental and engineering constraints. TVA finds site 40MG305 to be potentially eligible for the National Register of Historic Places (NRHP). The proposed reroute is approximately 0.64 mile long. The archaeological survey conducted on the proposed reroute identified one isolated find. No

other archaeological resources were identified. Based on the survey results, TVA proposes to utilize this reroute to avoid site 40MG305. (Jones, 2019).

Review of Stone Cairns

Prehistoric stone cairns have been reported throughout North America as trail markers, shrines, grave coverings, and burial mounds, although they are most often as “undefined ceremonial landscapes” (Moore and Weiss 2016). In Northeast Alabama, sacred stone structures have been documented at the Shelton Stone Mound Complex by Holstein (2010; Holstein et al 1989; Holstein et al. 1995). The Shelton Stone Mound Complex was later purchased by the Archaeological Conservancy (Holstein 2006).

Stone cairns, both large and small, and meandering rock walls or enclosures in northern Georgia have been extensively summarized by Loubser and Frink (2010). Using historical accounts, ethnohistoric interpretation, Cherokee myths, associated petroglyphs, and Oxidizable Carbon Ratio (OCR) dates, the authors have established a prehistoric interpretation of recorded stone cairns and associated rock walls. Couple with this data is a discussion of historic traditions of agricultural field clearing and the associated stone piles. Loubser and Frink (2010) go on to discuss a series of stone cairns and a stone wall located on a northern slope of Pigeon Mountain that was radiocarbon dated to AD 1660-1800 which suggests a Cherokee origin for these features.

Archaeological investigations in central Texas have also documented mortuary traditions and cairn architecture (Lintz and O'Neill 1993). A photograph of a mortuary cairn at Site 41CN94 is illustrated in Figure 29.



Figure 29. Vertical slabs and a circle of stones mark this grave in Coleman County. (TARL Archives. www.texasbeyondhistory.net/cairn/deconstructed.html).

Using data from three Tennessee stone cairns sites, it is argued that if a plausible explanation for stone cairns cannot be established as historical features, such as field clearance or stockpiles of building material, the stone piles should be considered a potential Traditional Cultural Property

(TCP) (Deter-Wolf and Hockersmith 2007:7). Following the criteria established by the National Register Bulletin 38. TCPs are eligible for nomination to the NRHP due to their "association with cultural practices or beliefs of a living community that (a) are rooted in that community's history, and (b) are *important in maintaining the continuing cultural identity of the community*" (NPS 1998:1).

As noted above in TVA's Cultural Resources Assessment, the single stone cairn (Feature 1) is noted for "the sensitive nature of these type of sites to the 7 consulting federally recognized Indian Tribes, TVA shifted the orientation of the proposed line in order to avoid this potentially sensitive resource." And furthermore, "TVA finds site 40MG305 to be potentially eligible for the National Register of Historic Places (NRHP)." New South and Associates made the NRHP recommendation that the single stone cairn is potentially eligible for the National Register of Historic Places as a part of a possible "sacred ceremonial stone landscape."

Potential Impact: The direct effects of either of the two proposed transmission lines will disturb or destroy Site 40MG305. Avoidance of any additional impact is recommended. Alternately, a Phase II archaeological evaluation is recommended to gather sufficient data to assess the site's eligibility to the National Register of Historic Places.

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Tennessee Valley Authority

2018 Georgetown, Tennessee (Gunstocker Creek). <https://www.tva.gov/Energy/Transmission-System/Transmission-System-Projects/Georgetown-Tennessee-Gunstocker-Creek>

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Historical Assessment of the Gunstocker Creek Cairns

Troy D. Smith, Ph.D

Background

In 2017, TVA purchased 167 acres near Georgetown, Tennessee, with a view toward constructing a new power control center near Gunstocker Creek in Meigs County at the intersections of Highways 58 and 60. The station would be connected to TVA's Sequoyah Nuclear Plant 5.25 miles to the southeast, with 4.25 miles of existing line to be torn down and replaced. The proposed site would also house a 185,000 square-foot control facility, relocating operations from downtown Chattanooga. The projected completion of the station and lines is 2021, with the larger load control center scheduled for completion in 2023. The TVA has dubbed their plan Project Viper.

TVA seeks an easement over private property for roughly one mile of new transmission lines. Pathways for them would range between 100 and 150 feet. One of the landowners affected is Greg Vital; on Feb. 21, 2019 he was informed by TVA that they had encountered a "potential cultural resource" that they would examine more closely (Siniard). That examination, a Phase I archaeological survey, was conducted on March 2, 2019 by New South Associates. The cultural resource was a rock formation composed of stacked limestone slabs, measuring roughly 9 x 7 feet in diameter, on a slope facing the creek. New South Associates judged the cairn to most likely be prehistoric in origin, and recommended further investigation; they noted the possibility the site might be eligible for the National Register of Historic Places "as part of a sacred ceremonial stone landscape" and/or "for its potential to contribute to significant information on the history or prehistory of the region" (Stephens). This cairn was identified as the sole archaeological site in the area. TVA shifted their route a few hundred yards to the east to avoid the cairn, and cut a six-to-eight-foot swath to that new route, without further investigation of the area.

Believing there might be other archaeological features along the new route, Vital engaged Alexander Archaeological Consultants, Inc., to perform a more comprehensive survey. This was done on May 1, 2019. AAC found 14 more cairns extending farther south and east from the first one, following the contour of Gunstocker Creek. One of the newly discovered cairns was scarcely more than twenty feet away from the single cairn noted by New South Associates. AAC called for a Phase II investigation of the area, and concluded that the impact from the proposed transmission lines would "disturb or destroy" the site; in fact, the re-routed lines would go right through several of the cairns (Alexander).

History of the Region

The area around what is now Georgetown was inhabited by many groups over the centuries, with a particular population growth in the area during the Hamilton Phase of the Late Woodland Period. The Mississippian Period saw the Hiwassee Island Phase, the Dallas Phase, and the Mouse Creek Phase in the region. De Soto's 1540 route took his group approximately 40-50 miles east of Georgetown, headed north, where they visited the towns of Tasqui, Satapo, and Tali. The town of Chestowee was only 10-20 miles from Georgetown, and by the seventeenth century was inhabited by the Yuchi tribe, a Muskogean people. In the early 1700s the Cherokees began expanding their reach, destroying Chestowee in 1714 and driving the Yuchis south into Georgia where they joined the Creeks. The Cherokees also occupied the towns named above.

During the American Revolution, Dragging Canoe and his followers parted ways with the Cherokees who had surrendered to the United States and established new towns to the southeast. One of these was Chickamauga, and its name would be used by colonists to identify the Cherokees who were still warring against them until 1794. The Chickamaugas controlled the area that is now Meigs County, being reunified with their Cherokee kinsmen after the wars ended. The land was ceded to the United States by the Cherokees in 1819; when it was organized into a county in 1836, it was named for the man who had operated the Cherokee agency there, Return J. Meigs.

In 1838, over 9,000 Cherokees from the region, who had been confined in stockades for months, were forced onto the Trail of Tears. They crossed the Tennessee River at Blythe Ferry in Meigs County. The Old Georgetown Road was the final leg of the journey to the ferry; traces of that road are in the area of potential impact from Project Viper. Alexander Archaeological Consultants recommended that the roadbed also be registered with NRHP.

Context: Prayers in Stone

I surveyed the site on May 12, 2019. I had seen maps of the area and photographs of the rock formations, but being on the ground and walking past the line of cairns demonstrated just how well this site conformed to what I knew about ceremonial stone landscapes. For example, this quote from the *Journal of Ohio Archaeology* could just as easily be a description of the cairns on Vital's property:

These sites typically consist of more than one stacked or amorphous rock piles constructed from local, tabular stones. They are typically located on steep upper hillsides or narrow benches in view of the ridgeline, sometimes overlooking a stream head, and lack any surface artifacts, tool marks, or other obvious clues to their origin. At sites with larger numbers of rock features, they are almost always in very close proximity and are easily visible from one another, as well as often being situated in one or more transects paralleling the topographic contour within a discrete range of elevation (Moore and Weiss, 41).

Unfortunately, these types of rock formations are sometimes misidentified or ignored. In 2007 a statement to this effect was made by the United South and Eastern Tribes, Inc., an organization of 27 federally recognized tribes (including the Eastern Band of Cherokees).

...Within the ancestral territories of the USET Tribes there exists sacred ceremonial stone landscapes and their stone structures... for thousands of years before the immigration of Europeans, the medicine people of the USET Tribal ancestors used these sacred landscapes to sustain the people's reliance on Mother Earth and the spirit energies of balance and harmony... the properties which comprise these sacred landscapes are threatened by the encroachments of imminent development... these prayers in stone are often mistaken by archaeologists and State Historic Preservation Offices... [who] dismiss these structures as non-Indian and insignificant, permitting them to be the subjects of sacrilege of archaeological dissection and later destruction during development projects... (USET Resolution 2007:037)

A cautionary example, perhaps, is the Phase I survey performed on 19 rock formations in Greene County, Georgia by Jared Ledbetter (representing Southeastern Archaeological Services) in 2004. After finding a horseshoe in a shovel test pit, Ledbetter concluded that all 19 were simply rock piles accumulated by farmers clearing their fields. After reviewers criticized his rapid conclusion, he returned for a Phase II survey and found human bones and teeth and funerary pottery fragments (Muller). A Phase III survey, led by Johannes Loubser, found further cultural remains and evidence of prehistoric origin, leading Loubser to the following assessment:

Overall then the message of this brief tour to other geographic areas is that a look below the surface is imperative; materials remain and behaviors are not always what they appear to be on the outside. For this reason then it seems unlikely that relying solely on surface inspections or on our own pre-conceptions would yield conclusive answers; excavation of one kind or another, together with consultation of ethnographic sources, are currently the only ways to properly assess rock piles (Loubser).

Conclusions

Between the Trail of Tears roadbed and the cairns overlooking Gunstocker Creek, the cultural resources threatened by Project Viper represent a confluence of prehistoric and historic indigenous experience. Perhaps there are human remains beneath those cairns, perhaps instead they serve a ceremonial purpose with their directional alignment having celestial significance, or perhaps they served both purposes at once. In any of those events, the soil around them is sacred to their tribal descendants. This is doubly true when one factors in the road to Blythe Ferry, almost a literal stone's throw away. In 1832 Choctaw chief George W. Harkins echoed a sentiment common to most Southeastern Indians who were forcibly removed:

Friends, my attachment to my native land was strong –that cord is now broken; and we must go forth as wanderers in a strange land!... We go forth sorrowful, knowing that wrong has been done... Here is the land of our progenitors, and here are their bones; they left them as a

sacred deposit, and we have been compelled to venerate its trust; it is dear to us, yet we cannot stay, my people is dear to me, with them I must go (Harkins).

Neither Cherokees nor Yuchis, nor any other group who lived in this region, are still here to protect their ancestors' bones and spirits. They were removed in the name of progress. Surely we can take the time to honor them, to get more information, and make whatever adjustments are necessary to preserve and protect what they have left behind.

I strongly suggest that a more detailed archaeological survey be completed of the entire area, encompassing not just the 15 cairns but extending into adjacent properties that would be affected by Project Viper, including the field / flood plain across the creek from the cairns. I also strongly suggest that all tribes culturally attached to the area be contacted and their input and approval solicited.

Troy D. Smith is an Associate Professor of History at Tennessee Tech University, where he teaches Native American History, American Indian Legal History, Native Religion, Cherokee History, and Environmental History. His recent work includes the chapter on Indian Territory in the Oxford Handbook of American Indian History (2016).

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EDUCATION

MA	University of Alabama, Anthropology Emphasis: Holocene Studies and Geomorphology	1983
BS	University of Nevada, Anthropology Minored in Geology	1974

GRANTS

National Park Service-Archaeological Assessment of Moccasin Bend	2000
National Park Service-American Battlefield Protection	1998
Tennessee Humanities Council	1991
Alabama Academy of Science	1979

PROFESSIONAL EXPERIENCE

Alexander Archaeological Consultants, Inc., Wildwood, GA, 1986 to present
President

- Conducted NHPA Section 106 Phase I, II, and III archaeological investigations. Since 1986, Mr. Alexander has authored or co-authored over 250 publications, project reports, and manuscripts.

Chickamauga and Chattanooga National Military Park, Ft. Oglethorpe, GA. 1992 to 1993

- **Collections Curation and Consulting Archaeologist.** Contracted support staff for NPS collections management and consulting field archaeologist.

Chattanooga Regional Anthropological Association, Chattanooga, TN 1986 to 1991

- **Archaeologist**

University of Alabama, Office of Archaeological Research, Moundville AL. 1976 to-1985

- **Staff Archaeologist**

SELECTED PUBLICATIONS

Mr. Alexander has authored or coauthored more than 250 archaeological reports, papers, and articles. Selected recent publications are listed below.

EXHIBIT C

Alexander - 1

Alexander, L. S.

1983 *The Archaeology of the Emmett O'Neal Site (22Ts954) in the Bay Springs Segment of the Tennessee-Tombigbee Waterway, Tishomingo County, Mississippi.* Report of Investigations 31. Office of Archaeological Research, University of Alabama, Moundville. Report Submitted to U.S. Corps of Engineers, Nashville.

2003 *Phase II Archaeological Testing of Sites 40DS67 and 40WM229, in Conjunction with Proposed State Route 840, Dickson and Williamson Counties, Tennessee.* Alexander Archaeological Consultants, Inc., Wildwood, Georgia. Tennessee Department of Transportation, Nashville.

Alexander, L.S., D.J. Minnich, and R.F. Elliot

2004 *Archaeological Data Recovery at Site 40RH221 Rhea County, Tennessee.* Alexander Archaeological Consultants, Inc., Wildwood, Georgia. Tennessee Department of Transportation, Nashville.

Alexander, L. S., J. J. Coco, N. Honerkamp, R. B. Council and H. M. Hays

2010 *Moccasin Bend National Archaeological District Archaeological Overview and Assessment. Volumes I, II, and III.* Alexander Archaeological Consultants, Inc. Wildwood, Georgia. Report submitted to Chickamauga Chattanooga National Military Park, Fort Oglethorpe, Georgia.

Alexander, L. S., O. S. Kroulek, M. F. Trudeau, and R. H. Lafferty

2017 *Phase III Data Recovery at the Williams Spring Site (1MA1167), a Late Middle Woodland Village on Redstone Arsenal, Madison County, Alabama.* Alexander Archaeological Consultants, Inc. Wildwood, Georgia. Submitted to Environmental Management Division, Redstone Arsenal

PRESENTATIONS AND CONFERENCES

Symposium on Data Recovery at Site 1MA1167. “Lithic Analysis of the Williams Spring Site (1MA1167),” Annual Meeting of Southeastern Archaeological Conference, 2016.

With M. F. Trudeau. “Late Mississippian Archaeology at the David Davis Farm Site, 40HA301.” Annual Meeting of the Southeastern Archaeological Conference, 2007

FIELDS OF SPECIALIZATION AND RESEARCH

Cultural Resource Management - Section 106 Compliance

Secretary of the Interior qualified Prehistoric Archaeologist and Historic Archaeologist. Very knowledgeable of NHPA Section 110 and 106, NAGPRA, and ARPA. Extremely knowledgeable of Tennessee, Kentucky, Georgia, Alabama, and Mississippi state cultural resources and cemetery laws, cultural resource management standards, policies, and practices.

Prehistoric Archaeology - Southeastern United States

More than 45 years of combined experience documenting, analyzing, and reporting archaeological phenomena.

Holocene Geomorphology

Thorough understanding of alluvial geomorphology of the upland Southeastern United States.

Civil War Period Archeology

In-depth knowledge of the history and archaeology of Civil War sites and associated material culture throughout the Tennessee River Valley and surrounding areas.

Education in Archaeology

Educating the public about archaeological and anthropological themes and practices in both academic as well as public settings.

PROFESSIONAL AFFILIATIONS

Register of Professional Archaeologists, 1992-Present

Society for American Archaeology, 1982-Present

Southeastern Archaeological Society, 1978-Present

American Cultural Resources Association, 1996-2016
Charter member

Curriculum Vita

Troy D. Smith
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EDUCATION

- PhD, University of Illinois at Urbana-Champaign. Final defense date: July 1, 2011.
 - Dissertation title: "Race, Slavery, and Nation in Indian Territory: 1830-1866."
 - Dissertation committee: Frederick Hoxie, Vernon Burton, Bruce Levine, David Roediger.
- History MA, University of Illinois at Urbana-Champaign, 2006.
- History BA *summa cum laude*, Tennessee Technological University, 2004.

FELLOWSHIPS AND AWARDS:

Professional:

- Outstanding Diversity Advocate, 2018 (Commission on the Status of Blacks).
- Recognized for fiction and history achievements by Proclamation of the Tennessee State Senate, April 26, 2017.
- Western Writers of America Spur Award Winner, 2017. Best short fiction- "Odell's Bones."
- Peacemaker Award for Western Fiction, 2017. Finalist, short fiction- "Odell's Bones."
- Outstanding Honors Faculty of the Year, 2016-2017.
- Nominated for Award of Excellence in University 1020 Instruction, 2016.
- Western Writers of America Spur Award for editing and publishing 2016 best short fiction winner, "The Scalpers" by Richard Prosch, in the anthology *Western Tales Vol. 10*.
- Peacemaker Award for Western Fiction, 2013. Finalist, short fiction- "Christmas Comes to Freedom Hill."
- 2012 Finalist- C. Vann Woodward Dissertation Prize. Southern History Association.
- Peacemaker Award for Western Fiction, 2011. Winner, short fiction- "The Sin of Eli."
- Peacemaker Award for Western Fiction, 2011. Finalist, short fiction- "Blackwell's Run."
- Western Writers of America Spur Award Winner, 2001. Best Original Paperback Novel- *Bound for the Promise-Land*.
- Western Writers of America Spur Award Finalist, 2001. Best First Novel- *Bound for the Promise-Land*.
- Western Writers of America Spur Award Finalist, 1998. Best Short Nonfiction- "Bigfoot Wallace- Texas-Sized Legend," *Wild West*.

EXHIBIT D

PROFESSIONAL INTERESTS

- **Primary Examined Field:** United States since 1830
- **Secondary Examined Fields:** U.S. South; Race and Ethnicity (both of these had a strong Colonial US component; the Race and Ethnicity field had a Native American and African American focus.)
- **Unexamined Tertiary Fields:** Native American History; African American History; U.S. Civil War (at least two graduate courses in each field)
- **Other Professional Interests:**
 - *Environmental History*- graduate coursework under the direction of Donald Crummey and S. Max Edelson.
 - *Digital History* –one graduate course in the field, and multiple semesters of direct experience as a research assistant for Vernon Burton, director of I-CHASS (Center for Computing in the Humanities, Arts, and Social Sciences) at NCSA (National Center for Supercomputing Applications).
 - *Frontiers / U.S. Westward Expansion* –multiple articles, one of which was a finalist for a major national award; one semester writing and researching for the Northern Illinois University website “Mark Twain’s Mississippi River”.
 - *Japanese History* –one graduate course in the field, two semesters teaching in the East Asian Languages and Cultures Dept., and Japan as a comparative element in the Race and Ethnicity field.

TEACHING EXPERIENCE:

- **Tennessee Tech University**

Instructor, 2011-2012, 2012-2013

Assistant Professor of History, 2013-2018

Associate Professor of History, 2018-

Courses taught:

HIST 2010, American History Until 1877 (including Honors section)

HIST 2020, American History Since 1877 (including Honors section)

HIST 3900, American Environmental History

HIST 4440, American Indian History

HIST 4441, American Indian Law

HIST 4442, Cherokee History

HIST 4443, Native American Religion

HIST 4740, History of Japan

HIST 4090, 20th Century U.S. Pop Culture

HON 1010, Introduction to Honors

HON 4013, Colloquium: Comic Books and U.S. History

HON 4013, Colloquium: The Frontier in the American Imagination

HIST 4250, U.S. Westward Expansion

HIST 4998, Constructing Race in America (senior seminar)

LIST 4921, Special Topics: Race, Class, Region, and Culture in Popular American Music

HIST 4905, Special Topics: History of Comic Books

- **University of Illinois**

T.A., HIST 120 East Asian Civilization	Fall 2009	Prof. Ron Toby
T.A., HIST 120 East Asian Civilization	Spring 2010	Prof. Poshek Fu
T.A., HIST 171 US History until 1877	Fall 2010	Prof. Augusto Spiritu
T.A., HIST 171 US History since 1877	Spring 2011	Prof. David Roediger

BOOK REVIEWS, ARTICLES, AND ANTHOLOGIZED WORKS:

- “Forgotten Glory: Free Blacks and the United States Colored Troops in the Upper Cumberland.” *Tennessee Historical Quarterly*- revised and resubmitted, under review.
- Essay: “The Struggle for Democracy and Respect: African Americans and the Great War,” in *Tennesseans and the Great War* by Michael Birdwell, ed. (Knoxville: University of Tennessee Press, 2018). Forthcoming, September, 2019.
- Book review: *We Will Always Be Here: Native Peoples on Living and Thriving in the South* by Denise E. Bates, ed. (Gainesville: University Press of Florida, 2016) for *Florida Historical Quarterly*, forthcoming.
- “Introduction,” *Lone Ranger and Tonto: Frontier Justice* by Matthew Baugh, ed. (Chicago: Moonstone Press, 2018).
- “Reconstruction in Indian Territory.” *Reconstruction at 150: Reassessing America’s Most Progressive Period* (Charlottesville, VA: University of Virginia Press, forthcoming. Vernon Burton and J. Brent Morris, eds.)
- Book review: *Carolina in Crisis: Cherokees, Colonists, and Slaves in the American Southeast, 1756-1763* by Daniel J. Tortora (Chapel Hill: The University of North Carolina Press, 2015) for *Journal of East Tennessee History*, Vol. 88 (2016).
- Book review: *Jacksonland: President Andrew Jackson, Cherokee Chief John Ross, and a Great American Land Grab* by Steve Inskeep (New York: Penguin Press, 2015) for *Kansas History*, (38:4, Winter 2015-2016).
- Essay: “Legacy of Blood: Champ Ferguson.” *People of the Upper Cumberland*, Michael Birdwell and Calvin Dickinson, eds. (Knoxville: University of Tennessee Press, Sept. 2015).
- Essay: “Indian Territory.” *The Oxford Handbook of American Indian History*, Frederick Hoxie, ed. (New York: Oxford University Press, April 2016).
- “Introduction,” *The Shadow of the Tomahawk* by Hugh Pendexter (Normal, Illinois: Black Dog Books, 2013.) This book collects the writings of early 20th Century historical novelist/pulp fiction author Hugh Pendexter. My introduction gives historical context to both his career and his subject matter (colonial era Indian wars).
- “Nations Colliding: The Civil War Comes to Indian Territory.” *Civil War History*, Sept. 2013
- Book review: *Choctaw Crime and Punishment* by Devon Mihesua (Norman: University of Oklahoma Press, 2009), for *New Mexico Historical Review* (88:2, Spring 2013).
- *Native Peoples of the World: An Encyclopedia*. Steven L. Danvers, editor. San Marcos: M. E. Sharpe, November 2012.
 - “Jurchen”
 - “Manchu”
 - “Narragansett”
 - “Arapaho”
 - “Liao”
 - “Pequot”
 - “Wampanoag”
- “The Transnational War against Slavery: Rethinking Abolition and its Opponents through the *Slavery and Anti-Slavery Digital Archive*.” (with Lawrence McDonnell and Orville Vernon Burton) *The Abolition of Slavery in Britain 1787-1840 : Debate and Dissension*, Susan Trouvé Finding, ed. Paris, France: Armand Collin, 2009.
- “Fort Laramie National Historic Site.” *American Indian Places*. Frances Kennedy, editor. New York: Houghton Mifflin Company , 2007.
- *Slavery in America (Gale Library of Daily Life)*, Vernon Burton, ed. New York: Gale, 2007.

Maroon Communities	Folklore and Folk Tales	Dreams
Native American Slave Owners	Folk Religion	Mental Illness
Root Doctors	Disease and Treatment	Hymns
Slave Reactions to the Civil War	Folk Remedies	Work Songs
Trickster Tales	Song and Dance	Civil War
Voodoo and Obeah	American Revolution	Spirituals

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| Slavery in the Caribbean | Musical Instruments | Superstition |
| Medicine and Medical Care | The Ring Shout | The Sick House |
| Bounty Hunters and Kidnapping | Anti-Slavery Songs | African Heritage |
- "Ranald MacKenzie: the Forgotten Hero." *The Way West: True Stories of the American Frontier*, James Crutchfield, ed. New York: Forge Books, 2005.
 - "Champ Ferguson: Don't You Beg and Don't You Dodge." *Civil War Times Illustrated*, Vol. 40, No. 6 (December 2001).
 - "Charles Goodnight's Cattle Days." *Wild West*, Vol. 13, No. 1 (June 2000).
 - "Humpy Jackson" *Wild West*, Vol. 11, No. 6 (April 1999).
 - "Thomas Sharp Spencer- Tennessee Long Hunter." *Muzzleloader*, Vol. 25, No. 5 (Nov-Dec. 1998).
 - "Ben Thompson- Texas Gambler and Gunfighter." *Wild West*, Vol. 10, No. 6 (April 1998).
 - "Bigfoot Wallace- Texas-Sized Legend." *Wild West*, Vol. 10, No. 2 (Aug. 1997). Finalist for the Western Writers of America Spur Award, short nonfiction.

PAPER PRESENTATIONS:

- "Tone and Skin Tone: Racial Formation in 1970s Kung Fu comics."
—Comics Studies Society Conference, University of Illinois at Urbana-Champaign. August 10, 2018.
- "Sovereignty, Violence, and Jurisdiction in Indian Territory."
—American Society of Ethnohistory, Winnipeg, Manitoba. Oct. 12, 2017
- "Forgotten Glory: the Free Black Community and the United States Colored Infantry in the Upper Cumberland."
—Ohio Valley History Conference, TTU, Oct. 7, 2016.
- "Writing about Indians When You're Not One."
—Western Fictioneers Writers' Conference, St. Louis, MO, October 30, 2015.
- "I Said Draw: The History of Western Comics."
—Western Fictioneers Writers' Conference, St. Louis, MO, October 31, 2015.
- "The Civil War in the West." Roundtable discussion.
—Western Fictioneers Writers' Conference, St. Louis, MO, October 31, 2015.
- "Hanging Together or Being Hung Out Separately: Academic Freedom and the Politics of Division."
—National AAUP Meeting. Washington, D.C. June 12, 2015.
- "Confederate Cherokees, East and West."
—Ohio Valley Historical Conference, Western Kentucky University. Bowling Green, KY Oct. 12, 2013.
- "Trailing Tecumseh in the Upper Cumberland."
—Ohio Valley Historical Conference, Western Kentucky University. Bowling Green, KY Oct. 11, 2013.
- Moderator: "Exploring and Preserving Tennessee's Frontier."
—Tennessee Preservation Trust Annual Conference. Tennessee Tech University, Cookeville, TN, May 17, 2013.
- "Seminole Oral History and Triangular Racial Formation in the South"
—Native American and Indigenous Studies Association Conference, University of Minnesota, Minneapolis, Minnesota, May 23, 2009.
- "'You Are Not My Favorite': Oral History and Racial Formation in U.S./Seminole Diplomacy"
—Ethnohistory Conference, Eugene, Oregon, November 13, 2008. (*in absentia*- paper was presented by Prof. Michael Green.)
- "Identity and Racial Violence in Indian Territory, 1840-1860."

- Southern History Association, 2008 Annual Meeting, New Orleans, Louisiana, October 12, 2008.
- “Identity and Racial Violence in Indian Territory, 1840-1860.”
—Native American and Indigenous Studies Association Conference, University of Georgia, Athens, Georgia, April 12, 2008.
- “Slavery and Choctaw Nationalism.”
—American Society of Ethnohistory, Tulsa, Oklahoma. November 10, 2007.
- “Slavery and Nationalism in Indian Territory.”
—Brooks Graduate Student Forum, St. George Tucker Society. Athens, Georgia. August 11, 2007.
- “Slavery and Choctaw Nationalism.”
—Eighth Annual CIC-American Indian Studies Consortium Graduate Research Conference, University of Iowa, Iowa City. April 13, 2007. Won paper prize, first place.
- “Slavery and Choctaw Nationalism.”
—Sixteenth Annual Bluegrass Symposium, University of Kentucky, Lexington. March 30, 2007.
- “We, Too: Minorities in Appalachia –a documentary film.”
(This film was produced by the Tennessee Tech sociology department. I served as writer, narrator, assistant cameraman, and chief editor. It was shown on the local PBS affiliate.) —Tennessee Undergraduate Social Science Symposium, Middle Tennessee State University, Murfreesboro, TN. November 19, 2003.
- “Smoked Yankees in the Crossfire: The Black Experience in the Spanish-American War.”
—Mid-South Phi Alpha Theta Conference, Union University, Jackson, TN. February 22, 2003.

SELECTED GUEST LECTURES, PRESENTATIONS, AND INTERVIEWS

- “Cherokees in the Civil War.” Cordell Hull Folk Festival, Byrdstown, Tennessee. May 19, 2012.
- “Indians in the Upper Cumberland.” Upper Cumberland Genealogical Society. Putnam County Library, Sept. 14, 2013.
- “Cumberland Tales: Shawnee Leader Tecumseh’s Tennessee Adventure” Cookeville *Herald-Citizen*, Nov. 10, 2013
- “Native Americans of the Upper Cumberland.” *Sparta Expositor*, Nov. 28, 2013
- “Native Americans in the Civil War.” Upper Cumberland Civil War Roundtable. First Presbyterian Church, Cookeville, Tennessee, Feb. 11, 2014.
- “Indians of the Upper Cumberland.” Historic Granville Genealogy Festival. United Methodist Church, Granville, Tennessee, April 5, 2014.
- Radio interview: Dave Johnson, “Cumberland Viewpoint,” Cookeville, TN. April 26, 2014 (subject: Native Americans in the Civil War.)
- Radio interview: Joseph E. Donlan, ordainingreality.com, Boston. July 27, 2014 (subject: Native American spirituality.)
- “Doublehead, Cherokee War Chief.” *Sparta Expositor*, Nov. 20, 2014.
- “The 14th U.S. Colored Infantry: Black Union Soldiers from the Upper Cumberland.” *Herald-Citizen*, Dec. 7, 2014.
- “The 14th U.S. Colored Infantry: Black Union Soldiers from the Upper Cumberland.” Cookeville Genealogical Society, Cookeville Public Library. Feb. 14, 2015.
- “Indians of the Upper Cumberland.” The McMinnville Noon Exchange Club, McMinnville, Tennessee. March 10, 2015.
- “The 14th United States Colored Infantry.” Address given to the Sparta Rotary Club, June 18, 2015.
- Radio interview: Dave Johnson, “Cumberland Viewpoint,” Cookeville, TN, July 25, 2015. Subject: History of the Confederate Flag.

- Interview on video with Public Affairs/Office of Communications and Marketing, highlighting the Cherokee-Fort Loudoun project. Aug. 5, 2015.
- Speaker/Facilitator: “Wake Up Wednesdays” at New Hall North, Sept. 2, 2015. Topic: The Confederate Flag.
- Speaker/Facilitator: “Wake Up Wednesdays” at New Hall North, Sept. 9, 2015. Topic: White Privilege.
- *Highland Haunts: Tales of the Mysterious and the Macabre*. WCTE documentary focusing on murder in the Upper Cumberland. I spent several days doing archival research about the Bratcher family murders in Warren County in 1955, and interviewed several people including the convicted killer’s relatives, current occupants of the property where the murders occurred, and the owner of the property. I was interviewed on-site on video for the production. First aired: Oct. 28, 2015.
- “The Writer’s Block” program on LA Talk Radio, broadcast from Sherman Oaks, California on Jan. 21, 2016. Interviewed about the western genre.
- “Cumberland Tales: Champ Ferguson.” Cookeville *Herald-Citizen*, Sept. 4, 2016.
- Radio interview: Dave Johnson, “Cumberland Viewpoint,” Cookeville, TN, Oct. 16, 2016. Subject: Standing Rock Sioux pipeline protest.
- Radio interview: Hannah Rawiszer, “WCTE on the Radio,” Cookeville, TN, Jan. 21, 2017. Subject: Contraband slaves (an upcoming storyline in the PBS series *Mercy Street*.)
- “The Forgotten History of White County’s Pre-Civil War Black Community.” *Sparta Expositor*, March 2, 2017, p. 5A.
- Interviewed for a promotional podcast by TTU Office of Communication and Marketing. Topic: research on American Indian Law issues. July 7, 2017.
- Guest Speaker: Cookeville Friends Meeting. Topic: Native American Spirituality. July 9, 2017.
- Guest speaker: Tennessee Library for the Blind and Physically Handicapped, on the topic of the Civil War in Tennessee, July 12, 2017.
- Guest on the radio program “Teacher on the Radio,” Andrew Smith hosting, to talk about Native American Indians in popular music. Aug. 21, 2017.
- Radio interview: Dave Johnson, “Cumberland Viewpoint,” Cookeville, TN, Nov. 11, 2017. Subject: Native Americans in WWII.
- Radio interview: Dave Johnson, “Cumberland Viewpoint,” Cookeville, TN, Feb. 9, 2018. Subject: The Long Civil Rights Movement.
- Speaker at the event “Fighting for Democracy: Tennessee’s Great War Experiences Abroad and at Home.” Topic: “We Must Not Commend Too Highly: African American Struggles Over There and Over Here.” Nashville, TN, April 7, 2018.
- Sparta Speaker Series. Topic: “Indians of the Upper Cumberland.” Oldham’s Theater, Sparta, TN, May 8, 2018.
- Featured Speaker for ITQ grant project “Creative Thinking and Controversial Topics.” I spoke about cultural appropriation and Native mascots. June 13, 2018, Cookeville High School.
- Radio interview: Dave Johnson, “Cumberland Viewpoint,” Cookeville, TN, June 17, 2018. Subject: The Meaning of Juneteenth.
- “Indians of the Upper Cumberland,” Sparta Rotary Club.
- “African Americans in the Great War.” TTU World War I Symposium, Dec. 1, 2018.
- Panelist: “Superblack? Representations of Blackness in Superhero Comics and Movies.” Office of Multicultural Affairs, Feb. 21, 2019.
- “Indians of East Tennessee” and “The Trail to the Trail of Tears.” Uplands Village, Pleasant Hill, TN. March 15-16, 2019.
- Rotary presentation: “The Civil War in Sparta.” Sparta, TN, April 11, 2019.
- “Indians of the Cumberlands.” White County Courthouse, Sparta, TN, May 7, 2019.