CULTURAL RESOURCE MANAGEMENT HANDBOOK

Florida Department of Transportation
Environmental Management Office
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TABLE OF CONTENTS

TABLE OF CONTENTS

Page

TABLE OF CONTENTS

Page

PREFACE

The *Cultural Resource Management Handbook* was developed to assist Florida Department of Transportation (FDOT or Department) personnel, including project managers and cultural resource coordinators, as well as cultural resource consultants providing professional services to the Department. The general purpose of this Handbook is to foster quality assurance through the standardization of the way the Department manages archaeological sites and historic resources. A diverse user group is assumed, ranging from persons with little knowledge of cultural resources to experienced cultural resource professionals.

This Handbook, a companion document to Chapter 12 (revised) of the *Project Development and Environment Manual*, Part 2, is a training and reference guide. It contains procedures for complying with Section 106 of the National Historic Preservation Act of 1966, as amended, and Chapter 267, Florida Statutes. As detailed in this Handbook, the compliance process begins with the identification and evaluation of cultural resources, followed by the assessment of transportation project effects on significant resources, and the conditions under which the Department and the Federal Highway Administration (FHWA) agree to avoid, minimize, or mitigate adverse effects to significant cultural resources. Significant cultural resources are archaeological sites and historic resources that are listed or eligible for listing in the National Register of Historic Places (NRHP).

- **Chapter 1** introduces the legislative foundations and standards for cultural resource investigations, and describes the qualifications for cultural resource consultants.
- **Chapter 2** explains the Section 106 process.
- **Chapter 3** describes the process of consultation with the Native American tribes with historical and cultural affiliations in Florida.
- **Chapter 4** discusses the Efficient Transportation Decision Making (ETDM) Process and Cultural Resource Evaluations.
- **Chapter 5** provides a detailed look at the cultural resource assessment survey (CRAS) process for archaeological and historic resources.
- **Chapter 6** explains how identified cultural resources are evaluated as per their eligibility for inclusion in the NRHP.
- **Chapter 7** details documentation requirements for Interim Reports, CRAS Reports, and Technical Memoranda.
- **Chapter 8** explains the effects determination process, and provides guidance for preparing agreement documents.
- **Chapter 9** examines the ways in which adverse effects to NRHP-listed or eligible historic resources are avoided, minimized, or mitigated.
- **Chapter 10** examines the mitigation process for significant archaeological resources.
- The **Appendices** provide a list of suggested references; a glossary of key terms; and a list of acronyms used throughout the Handbook.

Each chapter features **hyperlinks** for easy navigation to primary source materials, including federal and state laws and regulations, and agency standards and guidelines.

CHAPTER 1
INTRODUCTION

1.0 OVERVIEW

Most Florida Department of Transportation (FDOT or Department) projects include cultural resource investigations, in compliance with federal and state laws and regulations. The purpose of the cultural resource assessment survey (CRAS) is to identify and evaluate all archaeological sites and historic resources (cultural resources) located within the project area of potential effect (APE). The level of detail in this Handbook will provide FDOT personnel a working knowledge of the Department's cultural resource management (CRM) program, objectives, and process. Consultants will find what is required to perform a range of services, from a complete and sufficient CRAS to mitigation measures.

The primary audience is FDOT personnel and CRM consultants who provide services on behalf of the Department. The Handbook contains the required procedures for all phases of work for both archaeological sites and historic resources. The overall objective is to ensure the integrity and quality of all CRM work efforts and products through adherence to a common set of standards.

This chapter begins with a definition of cultural resources. It then examines the legislative foundations and standards for conducting cultural resource investigations, from site identification to mitigation measures. The minimum professional qualifications for cultural resource consultants also are also provided. The discussion is presented in the following manner:

1.1 TYPES OF CULTURAL RESOURCES

Cultural resources refer to archaeological sites, historic structures, objects, and districts, which are typically 50 or more years old. Significant cultural resources are those that meet the Criteria for Evaluation (36 CFR [Code of Federal Regulations] 60.4) for listing in the **National Register of Historic Places** (NRHP or National Register) and that maintain integrity. Integrity means the ability of the resource to convey the quality or qualities for which it is considered important. **Significant** cultural resources are synonymous with **Historic Properties** as defined by 36 CFR Part 800 (revised August 5, 2004) [800.16(l)(1)] implementing Section 106 of the National Historic Preservation Act (NHPA) of 1966 (as amended).

Cultural resources are found both above and below ground. Generally, but not always, archaeological sites are found below ground. Archaeological sites, also referred to as **archaeological**

resources, represent the locations of precontact or historic occupations or activities. They may be evidenced by a single piece of chipped stone (the by-product of aboriginal stone tool manufacture or modification) or the extensive ruins of a historic period military fortification. In some cases, archaeological sites may be associated with either standing or non-extant historic structures. The evaluation and recording of archaeological sites is detailed in National Register Bulletin (NRB) 36, entitled *Guidelines for Evaluating and Registering Archaeological Properties*. **Historic resources** include bridges, residences, commercial buildings, objects, roadways, causeways, or constructed features, etc., which are at least 50 years old.

The Florida Master Site File (FMSF) of the Division of Historical Resources (DHR) documents archaeological, historic, and mixed districts; landscapes; building complexes; and linear resources as a Resource Group. An **archaeological district** consists of a group of sites that are linked historically by function, theme, or physical development or aesthetically by plan. **Historic districts** are associated buildings that retain integrity as a whole. Examples of historic districts include the commercial center of a small town or a residential neighborhood. **Mixed districts** include more than one type of historic resource, for example archaeological sites and buildings. **Landscapes** are classified as either a designed landscape, e.g., a golf course or college campus, or a rural historic landscape, e.g., a lumber camp or traditional ceremonial site. A **building complex** consists of multiple buildings in close spatial and functional association. A **historic residential suburb** is a historic district that is defined as a geographic area, usually located outside the central city, that was historically connected to the city by one or more modes of transportation; subdivided and developed primarily for residential use according to a plan; and possessing a significant concentration, linkage, and continuity of dwellings on small parcels of land, roads and streets, utilities, and community facilities. The NRB, *Historic Residential Suburbs: Guidelines for Evaluation and Documentation for the National Register of Historic Places*, details how to document and evaluate historic residential suburbs. **Linear resources** include historic roads, railways, and canals.

Cemeteries and **burial places**, both precontact and historic, are other types of cultural resources. Such sites may be considered eligible for inclusion in the NRHP if they meet special requirements. These requirements are discussed in detail in NRB 41, *Guidelines for Evaluating and Registering Cemeteries and Burial Places.*

Rural historic landscapes, designed historic landscapes, and traditional cultural properties (TCPs) are other types of cultural resources. A **rural historic landscape** is a geographic area that historically has been shaped or modified by human activity, occupancy, or intervention, and that possesses a significant concentration, linkage, or continuity of areas of land use, vegetation, buildings and structures, roads and waterways, and natural features. Rural historic landscapes commonly reflect the day-to-day occupational activities of people engaged in traditional work such as farming, mining, and fishing. Large acreage and a proportionately small number of buildings and structures differentiate rural historic landscapes from other kinds of historic properties. Examples of a rural historic landscape include a fishing village with dwellings, boats, wharves and canals, as well as a farmstead containing homes, outbuildings, barns, sheds, fences, roads, and fields. NRB 30 *Guidelines for Evaluation and Documenting Rural Historic Landscapes*, provides details on the evaluation of

rural historic landscapes. **Linear resources** such as canals and causeways are a special kind of rural historic landscape.

A **designed historic landscape** is defined as any of the following: a landscape that has significance as a design or work of art; a landscape consciously designed and laid out by a master gardener, landscape architect, architect, or horticulturalist to a design principle, or an owner or other amateur using a recognized style or tradition in response or reaction to a recognized style or tradition; a landscape having a historical association with a significant person, trend, event, etc. in landscape gardening or landscape architecture; or a landscape having a significant relationship to the theory or practice of landscape architecture. NRB 18, *How to Evaluate and Nominate Designed Historic Landscapes*, provides information on the recording and evaluation of this resource type, which includes parks, golf courses, resorts, and campuses.

Traditional cultural properties are properties that are associated with cultural practices or beliefs of a living community. These practices or beliefs must be rooted in that community's history and be important in maintaining the continuing cultural identity of the community for them to be eligible for inclusion in the NRHP. Examples include a locality used by generations of a Native American tribe for rituals, as well as an ethnic neighborhood that reflects the cultural values and traditions of its inhabitants through architectural details, organization of space, and activities. NRB 38, *Guidelines for Evaluating and Documenting Traditional Cultural Properties*, details how to evaluate and document TCPs.

1.2 LEGAL MANDATES

Whether a transportation project is federally funded or state funded, the same requirements for the assessment of cultural resources apply. The primary difference is that the Federal Highway Administration (FHWA) is the lead agency for federally funded projects; for state funded projects, the FDOT is the responsible agency and coordinates with the State Historic Preservation Officer (SHPO) directly.

A body of federal and state laws and regulations mandates that the transportation project development process take into consideration cultural resources that may be affected by project activities. The National Historic Preservation Act of 1966 (Public Law [PL] 89-665), and implementing regulations (36 CFR Part 800), Executive Order (EO) 11593, and the provisions within Chapter 267 of the Florida Statutes (FS), contain legislation requiring an archaeological and historical assessment of transportation projects. Other pertinent legislation addressing cultural resources includes the National Environmental Policy Act (NEPA) of 1969 (PL 91-190), the Department of Transportation Act (DOTA) of 1966 (PL 89-670), the Intermodal Surface Transportation Efficiency Act of 1991 (PL 102-240), the Transportation Equity Act for the 21st Century of 1998 (PL 105-178), the Archaeological and Historic Preservation Act of 1974 (PL 93-291), the Emergency Archaeological Properties Acquisition Act of 1988 (Chapter 253.027, FS), Chapter 90-259, Laws of

Florida (LOF), and Offenses Concerning Dead Bodies and Graves (Chapter 872, FS), among others. An overview of selected applicable federal and state laws and regulations follows.

FDOT compliance with applicable federal and state mandates is accomplished by adherence to the Section 106 process for federally funded or assisted projects and the historic preservation compliance and review program of the Florida Department of State (DOS), DHR for projects involving state funds. In order to avoid confusion, the DHR has incorporated the Section 106 process into Florida's uniform compliance review program. (For more information, see DHR's 2003 *Cultural Resource Management Standards & Operational Manual*.) The primary difference between the two review processes is the involvement of FHWA and the **Advisory Council on Historic Preservation** (ACHP or Council) on federally funded or assisted projects. With respect to the procedures necessary to identify, evaluate, and document cultural resources that will be affected by FDOT **undertakings**, the two processes are identical, and the standards and guidelines developed for federally funded or assisted projects also are applicable to state funded or assisted projects.

1.2.1 National Historic Preservation Act of 1966

The NHPA of 1966 is the keystone of federal historic preservation law. **Section 101** of the Act establishes the National Register of Historic Places, and authorizes the Secretary of the Interior to expand and maintain it. Section 101(d)(6)(A) clarifies that properties of traditional religious and cultural significance to a Native American tribe may be eligible for the NRHP. Section 101(d)(6)(B) requires federal agencies to consult with any Native American tribes that attach religious and cultural significance to properties of "traditional religious and cultural importance" during the Section 106 process. It is the federal agency's responsibility to make a "reasonable and good faith effort" to identify the appropriate tribes to be consulted. Consultation with an a Native American tribe must recognize the "government to government" relationship that exists between the federal government and federally recognized tribes, and should be respectful of tribal sovereignty (36 CFR Part 800.2(c)(2)). Section 101 also provides for establishment of **Certified Local Governments** (CLG). This program serves to link the three levels of government into a preservation partnership for the identification, evaluation, and protection of historic properties. The designation as a CLG, either a municipality or county, makes historic preservation a public policy through the passage of historic preservation ordinances that establish historic preservation boards to develop and oversee the functions of their historic preservation program. As of April 2013, there were 61 CLGs in Florida.

Section 106 requires all federal agencies to take into consideration the effect of federally assisted, licensed, or permitted projects on cultural resources that are listed or eligible for listing in the NRHP. [Listing in the National Register, or meeting the criteria of eligibility, is a basic prerequisite for a cultural resource to benefit from protection and assistance under Section 106. The NRHP is administered by the Secretary of the Interior through the National Park Service (NPS).] Section 106 of the NHPA also requires that the ACHP, a body of Presidential appointees charged with addressing historic preservation issues, be afforded an opportunity to comment on such effects. The process for addressing the provisions of Section 106 is contained in the implementing regulations 36 CFR Part 800, issued by the ACHP. The multi-step Section 106 process is elaborated in Chapter 2 of this Handbook. In recognition of the fact that not all significant archaeological and historic

resources may have been identified and recorded within the project APE, 36 CFR Part 800.4(b) requires that federal agencies make "a reasonable and good faith effort" to identify any cultural resources (including unrecorded and previously recorded properties) that may be affected by their undertakings, and evaluate the eligibility of these resources for listing in the NRHP.

Section 110 of the NHPA (as amended in 2000) obligates federal agencies to establish a historic preservation program for the identification, evaluation, and nomination to the NRHP of historic properties under their jurisdiction, and to ensure that such properties are managed and maintained in a way that considers their historic, archaeological, architectural, and cultural values. Section 110(a)(2)(D) requires that the federal agency's preservation-related activities are carried out in consultation with other federal, state, and local agencies, Native American tribes, and other stakeholders, including the private sector. Section 110(b) mandates that federal agencies document historic properties that may be destroyed or altered as a result of federal actions or assistance. It also calls for such records to be deposited in the Library of Congress or other designated repository for "future use and reference." Section 110(d) calls for agencies to integrate historic preservation concerns into their plans and programs, and Section 110(f) addresses impacts to **National Historic Landmarks** (NHLs). These are resources designated by the Secretary of the Interior that have significance at the national level.

Section 112 addresses both professional standards for agency personnel and contractors responsible for historic resources (Section 112(a)(1)(A)), as well as records and data management (Section 112(a)(2)). Confidentiality regarding the locations of historic resources is addressed in **Section 304**, which stipulates that disclosure shall be withheld from the public if it has the potential to cause "significant invasion of privacy," harm to the historic resources, or "impede the use of a traditional religious site by practitioners."

36 CFR Part 800 ("Protection of Historic Properties") currently incorporates amendments effective August 5, 2004. Subpart B of the regulations defines how federal agencies meet the statutory responsibilities in the Section 106 process, and how the steps of this process can be coordinated with reviews under other federal laws. Specifically, Section 800.8 encourages federal agencies to coordinate compliance with Section 106 with steps taken to meet the requirements of NEPA. The regulations underscore the need to initiate consultation early in the Section 106 process, and to consider a broad range of alternatives in project planning. Section 800.8(c) permits substitution of NEPA analyses and documents for standard Section 106 review, if certain conditions are met.

Section 800.9 of the regulations empowers the ACHP to review federal agency compliance with the Section 106 process, including an evaluation of the agency's policies, procedures and actions, and the provision of recommended actions to improve the process (Section 800.9(d)(2)). When an agency official is found to have failed to complete the requirements of Section 106 prior to the approval of an undertaking, the ACHP's opportunity to comment may be **foreclosed** (Section 800.9(b)).

In accordance with Section 800.10, in the case of NHLs, the agency official shall request ACHP participation in any consultation to resolve adverse effects, and also shall notify and invite the Secretary of the Interior to participate in the consultation.

1.2.2 National Environmental Policy Act of 1969

The importance of cultural resources to the nation is reflected in the NEPA where it is stated that it is the policy of the federal government "to use all practicable means and measures...to create and maintain conditions under which man and nature can exist in productive harmony" (Section 101[a]). To carry out this policy, NEPA declares that it shall be the continuing responsibility of the federal government to "preserve important historic, cultural, and natural aspects of our national heritage." Consequently, Section 102(c) requires that an Environmental Impact Statement (EIS) be prepared when federal actions will significantly affect the quality of the human environment, including cultural resources.

The NEPA process consists of an evaluation of the environmental impacts of a federally funded transportation project on significant cultural resources. The NEPA process is the framework for environmental impact documentation for FHWA and allows for public participation in the consideration of impacts to cultural resources. Implementing regulations developed by FHWA are contained in 23 CFR Part 771, Environmental Impact and Related Procedures.

Compliance with NEPA can and should be coordinated with Section 106 review, although compliance with one does not substitute for compliance with another. The regulations of the Council on Environmental Quality (CEQ) which implements NEPA (40 CFR 1500-1508) encourage agencies to integrate NEPA and NHPA compliance. The CEQ's implementing regulations define "effects" or "impacts" to include "ecological...aesthetic, historic, cultural, economic, social or health, whether direct, indirect or cumulative" (40 CFR 1508.8). Demonstration of Section 106 compliance is often contained in the NEPA environmental document.

1.2.3 Department of Transportation Act of 1966

Under the provisions of Section 4(f) of the DOTA, the United States Department of Transportation (USDOT) is prohibited from using any historic site of national, state, or local significance (i.e., listed in or eligible for the NRHP) for public transportation purposes without first determining that there is no prudent and feasible alternative to the use of such land. If no prudent and feasible alternative exists, then the Department is required to develop measures to minimize harm to the resource resulting from the transportation project. FHWA regulations 23 CFR 771.135 specifically address the evaluation of **Section 4(f)** resources and impacts. In August 2005, Section 6009(a) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU/PL 109-59) amended the existing Section 4(f) legislation to simplify the process and approval of projects that have only *de minimis* impacts on resources protected by Section 4(f). Under the new provisions, once the USDOT determines that a transportation use of a Section 4(f) property results in a ***de minimis*** impact, an analysis of avoidance alternatives is not required, and the Section 4(f) evaluation process is complete. In addition, Section 6009 also requires the USDOT to issue

regulations that clarify the factors to be considered and the standards to be applied when determining if an alternative for avoiding the use of a Section 4(f) property is feasible and prudent. FHWA issued a Final Rule on Section 4(f) on March 12, 2008, which moves the Section 4(f) regulations to 23 CFR Part 774. Section 6007 of SAFETEA-LU exempts the bulk of the Interstate Highway System (IHS) from consideration as a historic resource under Section 4(f) of DOTA.

1.2.4 Other Applicable Federal Legislation

EO 11593: Protection and Enhancement of the Cultural Environment, signed by President Richard M. Nixon in 1971, requires all federal agencies to identify, and take steps to avoid impact to, archaeological and historic properties under their jurisdiction that are eligible for listing in the NRHP. It also calls for the complete documentation of any NRHP-eligible site or property that will be demolished as a result of a federal undertaking.

The Archeological and Historic Preservation Act (AHPA) of 1974 (16 USC 469) requires that federal agencies provide for "...the preservation of historical and archeological data (including relics and specimens) which might otherwise be irreparably lost or destroyed as the result of...any alteration of the terrain caused as a result of any Federal construction project." In addition, it requires federal agencies to fund impact mitigation measures when their activities threaten to destroy or damage NRHP-eligible properties.

The American Indian Religious Freedom Act (AIRFA) of 1978 (PL 95-341) establishes as federal policy the protection of the rights of Native American tribes to the free exercise of their religion, including access to sacred sites, and requires federal agencies to evaluate their programs to accommodate this policy. Amendments to Section 106 of the NHPA in 1992 strengthened the interface with this Act by declaring that under Section 106 a federal agency must include Native American tribes in the consultation process.

The Archaeological Resources Protection Act (ARPA) of 1979 (PL 96-95) prohibits the unauthorized excavation of archaeological resources on federal and Native American land without a permit issued by the relevant land management agency. It also prohibits the sale, receipt, and interstate transportation of archaeological resources obtained illegally (without permits) from public or Native American land, and establishes substantial civil and criminal penalties for violations. ARPA prescribes standards that must be met by the permit applicant. Where both ARPA and Section 106 of the NHPA apply (e.g., where data recovery is proposed on federal land), it is important to coordinate ARPA and Section 106 compliance. 43 CFR 7 contains the regulations implementing the provisions of ARPA and establishes uniform definitions, standards, and procedures to be followed by all federal land managers in protecting archaeological resources located on public and Native American land.

The Native American Graves Protection and Repatriation Act (NAGPRA) of 1990 (PL 101-601; 25 USC 3001 *et seq*.) addresses the proper treatment of Native American human remains and funerary and sacred objects. It prohibits the intentional removal of Native American cultural items from federal or tribal lands except under an ARPA permit and in consultation with the appropriate Native American tribes. It also requires federal agencies and museums receiving federal funds to

inventory Native American human remains and associated funerary objects, and to develop written summaries for unassociated funerary objects, sacred objects, and objects of cultural patrimony that are in the collections they own or control. Another principle intention of the Act is the protection, on federal and tribal land, of Native American graves and other cultural items still located within archaeological sites. The NAGPRA contains provisions for the return (repatriation) of human remains and other cultural items held by federal agencies and museums that receive federal support to the appropriate Native American groups or descendants, upon their request. NAGPRA is implemented by the regulations contained in 43 CFR Part 10. These were updated recently (effective date May 14, 2010) to address the disposition of culturally unidentifiable human remains.

The Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991 (PL 102-240) provides funding for transportation-related enhancement projects, including "rails to trails" programs as well as the rehabilitation of significant historic transportation facilities such as railroad depots. The Transportation Equity Act for the 21st Century (TEA-21) of 1998 (PL 105-178) reaffirms the commitment to historic preservation established by ISTEA and confirms the eligibility of historic preservation projects through a number of links to transportation systems: functional, historical, economic, social, and visual.

EO 13007: Indian Sacred Sites, issued by President William J. Clinton on May 24, 1996, requires federal agencies to protect Native American sacred sites by avoiding adverse effects to the physical integrity of such sites. It also accommodates access to and ceremonial use of Native American sacred sites by Native American religions practitioners, and requires federal agencies to maintain the confidentiality of information on such sites.

EO 13175: Consultation and Coordination with Indian Tribal Governments signed by President Clinton in 2000, affirms and strengthens the federal government's commitment to meaningful consultation with Native American tribes concerning federal actions; renews federal commitment to recognition of tribal sovereignty; and recognizes the government-to-government relationship between Native American tribes and the U.S. government. In September 2004, President George W. Bush's Memorandum, "Government-to-Government Relationship with Tribal Governments" reaffirmed the policy set forth in EO 13175.

In addition to these laws and regulations, on March 10, 2005, the ACHP's "**Section 106 Exemption Regarding Effects to the Interstate Highway System**" went into effect. In accordance with this exemption, all federal agencies are exempt from the Section 106 requirement of taking into account the effects of their undertakings on the IHS. FHWA has designated individual elements of the IHS that are to be excluded from this exemption. This list, published on the FHWA website, includes four historic properties in Florida: the Bob Graham/Sunshine Skyway Bridge; a segment of Alligator Alley (I-75) extending from the tollbooth near Naples to the tollbooth west of Andytown; the I-75 Snake Wall at the north edge of Paynes Prairie; and the Myrtle Avenue Overpass in Downtown Jacksonville. Section III describes the elements of the IHS excluded from exemption, as follows:

(a) *The following elements of the Interstate Highway System shall be excluded from the scope of this exemption, and therefore shall require Section 106 review:*

(i) *Elements that are at least 50 years old, possess national significance, and meet the National Register eligibility criteria (36 CFR Part 63), as determined pursuant to Section II;*

(ii) *Elements that are less than 50 years old, possess national significance, meet the National Register eligibility criteria, and are of exceptional importance (and therefore meet criteria consideration G for properties that have achieved significance within the last fifty years), as determined pursuant to Section II; and*

(iii) *Elements that were listed in the National Register, or determined eligible for the National Register by the Keeper pursuant to 36 CFR Part 63, prior to the effective date of this exemption.*

(b) *The following elements of the Interstate Highway System may be excluded from the exemption, at the discretion of the Federal Highway Administration: Elements such as bridges, tunnels, and rest areas so long as they were constructed prior to June 30, 1956, were later incorporated into the Interstate Highway System, possess State or local significance, and meet the National Register eligibility criteria, as determined pursuant to Section II.*

On November 2, 2012, the ACHP issued a Program Comment for "**Streamlining Section 106 Review for Actions Affecting Post-1945 Concrete and Steel Bridges**." The comment was requested by FHWA in an effort to eliminate case-by-case reviews for common "cookie-cutter" post-1945 concrete and steel bridges and culverts, such as reinforced concrete slab bridges, reinforced concrete beam and girder bridges, and steel multi-beam bridges or multi-girder bridges, and culverts and reinforced concrete boxes, that are unlikely to be significant for preservation in place. FHWA, in collaboration with FDOT and the Florida SHPO, is currently in the process of creating a list of exceptions to the streamlining process. Section IV of the Program Comment describes those types of bridges that are excluded from the streamlining process, as follows:

(A) *The bridge is listed in or has previously been determined eligible for the National Register of Historic Places or is located adjacent to or within a National Register listed or eligible historic district, including linear historic districts such as a parkway, historic road, or canal;*

(B) *The bridge in question is or includes spans of the following types: Arch bridges, truss bridges, bridges with movable spans, suspension bridges, cable-stayed bridges, or covered bridges; or*

(C) *The bridge was identified in a list created through the process detailed below as having exceptional significance for association with an event or individual, or being a very early or particularly important example of its type in a State or the nation, having distinctive engineering or architectural features that depart from standard designs, such as an aesthetic railing or balustrade, includes spans of exceptional length or complexity, or displaying*

other elements that were engineered to respond to a unique environmental context.

1.2.5 Florida Historical Resources Act

Chapter 267, FS (Florida Historical Resources Act) is the principal state law regarding the protection of archaeological and historical resources and contains requirements similar to those found in the NHPA. The Act declares it to be state policy to protect and preserve archaeological and historical sites that "have scientific or historical value or are of interest to the public" (Chapter 267.061(1)(a)). The DHR is charged with administering the Act and is responsible for cooperating with federal and state agencies to promote and ensure the preservation of archaeological and historical resources, and for assisting each level of state government in carrying out its respective preservation programs. Chapter 267.061(2) requires that each state agency consider the effects of its undertakings on any historic property that is eligible for inclusion in the NRHP, and requires that the agency consult the DHR concerning any action or assisted action that results in substantial alteration or destruction of a historic property. Chapter 267.061(2)(c) requires that each state agency exercise caution to assure that any historic property under its ownership or control is not inadvertently transferred, sold, demolished, substantially altered, or allowed to deteriorate significantly. Chapter 267.135 provides for the non-disclosure of archaeological site location. Chapter 90-259, LOF amended Chapter 267, FS to establish a procedure to encourage state agencies to use historic structures when acquiring additional space. State agencies are directed to give preference to the acquisition and use of historic properties when feasible and prudent to do so.

Pursuant to Chapter 267, FS, implementing rule Chapter 1A-46, Florida Administrative Code (FAC) specifies the criteria under which the DHR will review CRAS reports and the appropriate information that is required within the reports. Chapter 1A-32, FAC provides the procedures to obtain a permit for archaeological investigations on state lands. Other relevant Florida rules to protect the state's historical assets provide procedures for conducting exploration and salvage of historic shipwreck sites (1A-31), caring for permanent collections (1A-40), and establishing a historic marker program (1A-48).

1.2.6 Other Applicable State Legislation

In 1987, Chapter 872, FS (Offenses Concerning Dead Bodies and Graves) was amended to make it a third degree felony to willfully and knowingly disturb, destroy, remove, or damage any unmarked human burial. The law pertains to any human burials, human skeletal remains, and associated burial artifacts on public or private lands in Florida. The law's intent is to accord equal treatment to human burials regardless of ethnic origin, cultural background, or religious affiliation. The implementing rule for this law (Chapter 1A-44, FAC) specifies the procedures to follow in the event that unmarked burials are encountered, the criteria used by the State Archaeologist in determining whether the DHR will assume jurisdiction over an unmarked burial, and the responsibilities of the State Archaeologist and others in the event that the DHR does assume jurisdiction.

Chapter 380, FS (Land and Water Management), administered by the Department of Community Affairs (DCA), was established to protect Florida's natural resources by establishing land and water management policies. Protection of historic resources is afforded under the Florida Environmental Land and Water Management Act of 1972 (FELWMA), and Chapter 380.05(2)(b) states that an Area of Critical Concern may be designated if it contains significant historical resources that would be adversely impacted by public or private development. The development of the Florida Coastal Management Program (FCMP) was authorized in 1978 by the FELWMA and approved by the U.S. Department of Commerce, National Oceanic and Atmospheric Administration (NOAA) in 1981. The program, administered by the DCA, coordinates the actions of a network of state agencies with the goal of more efficiently implementing Florida's coastal regulations and outlines the coastal infrastructure policy. Federal and tribal lands are exempt from this program.

Chapter 253, FS (State Lands) directs Florida's Governor and Cabinet, acting as the Board of Trustees of the Internal Improvement Fund, to acquire, manage, conserve, protect, and dispose of all state lands to assure maximum benefit and use for the public. Responsibility for the management of state lands rests with the Department of Environmental Protection (DEP) and the Water Management Districts (WMDs). In addition, Chapter 253.027, FS (Emergency Archaeological Property Acquisition) provides a procedure to purchase archaeological and historical resources of major statewide significance to ensure their protection. This Act sets aside $2 million annually for the emergency acquisition of such properties that are endangered by development. Chapter 258, FS (State Parks and Preserves) authorizes the DEP to preserve, manage, regulate, and protect all parks and recreational areas held by the state, including all monuments, memorials, sites of historic interest and value, and sites of archaeological interest and value. Chapter 373, FS (Water Resources) authorizes the DEP and WMDs to regulate the construction and operation of stormwater management systems and the withdrawal, diversion, storage, and consumption of water.

Chapter 403, FS (Environmental Control) requires that consideration of historic resources be taken into account during industrial, power plant, and power line siting. In addition, this authority addresses the issues in wetlands permitting in a way that parallels those used by the U.S. Army Corps of Engineers (USACE). The statute also states that in determining whether a project is not contrary to the public interest, or it is clearly in the public interest, the Florida Department of Regulation shall consider and balance a number of criteria, including whether the project will adversely affect or will enhance significant historical and archaeological resources under the provision of Section 267.061.

Chapter 163, FS (Intergovernmental Programs) requires that all County Comprehensive Plans consider the protection of historic resources. Subsection 163.3178, pertaining to coastal management, has detailed historic preservation requirements. Chapter 9J-5, FAC directs that each jurisdiction provide for the identification, designation, and protection of historically significant properties. In addition, local historic preservation ordinances may include project review by the DHR in its implementation (Chapter 125, FS/County Government).

Several state laws address designated historic highways. Such laws prohibit the use of state funds for certain physical changes on or near the road, with the intent of preserving the physical dimensions and location of the highway. They also may authorize the DHR to erect markers and to

obtain historic easements in property along the road. A list of legislation pertaining to designated historic highways follows.

Laws of Florida, Chapter	Designated Historic Highway	Highway Location
74-400	Old Cutler Road	Dade Co.
75-312/81-164	McGregor Boulevard	Lee Co.
76-304/84-379	Coral Way	Dade Co.
77-491	South Bayshore Dr./South Miami Ave.	Dade Co.
80-433	Bird Road	Dade Co.
83-365	Sunset Drive	Dade Co.
86-308	Calle Ocho	Dade Co.
88-418	Crandon Boulevard	Dade Co.
89-383	Red Road	Dade Co.
91-320	Old Apopka Road	Orange Co.
92-152	North Ocean Boulevard	Palm Beach
93-294	SW 62nd Avenue	Dade Co.
95-434	Killian Drive	Dade Co.
2002-304	Le Jeune Road	Dade Co.

1.3 CONSULTANT QUALIFICATIONS

1.3.1 Personnel Standards

Personnel qualified to conduct cultural resource projects for FDOT are those individuals who meet at least the minimum criteria for historians, archaeologists, architectural historians, and other professionals as set forth in Archeology and Historic Preservation: Secretary of the Interior's Standards and Guidelines which were first published in the Federal Register (FR), 1983, Vol. 48, No. 190, pages 44738-44739. Principal Investigators (PIs) should possess appropriate knowledge and experience pertinent to Florida. This ensures that individuals responsible for supervising FDOT related cultural resource projects have the requisite knowledge of regional prehistory and history to make informed decisions regarding NRHP eligibility. Moreover, it ensures that these individuals are familiar with the types of resources likely to be encountered during FDOT cultural resource projects, as well as the appropriate methods for identifying, evaluating, and documenting these resources.

All of the qualified personnel assigned to a project should perform activities directly related to their specific area of expertise.

Cultural resource contractors shall submit resumes of PIs and other supervisory personnel, as well as any special consultants, to the appropriate Environmental Management Office (EMO) for review prior to the initiation of individual projects. A PI is defined as the person or persons responsible for supervising the identification, evaluation, and documentation of archaeological and/or historic resources pursuant to FDOT cultural resource projects. In addition to providing academic qualifications and general work experience, the resumes shall document and provide references for FDOT cultural resource project experience, or experience with similar undertakings, timely project completion, and successful FHWA/SHPO review. In other words, the contractor shall provide the EMO with sufficient information to evaluate a contractor's ability to handle the project in question and indicate who will be responsible for each task in the project. If senior personnel change during the course of the project, documentation for the individuals who will replace these professionals must also be provided by the contractor for review and approval by the appropriate EMO.

It is also necessary that all of the qualified personnel assigned to a project should perform project activities directly related to their specific area of expertise. In other words, archaeologists will not conduct historic building surveys, nor will historians or architectural historians describe and evaluate archaeological sites. This will ensure that individuals conducting specific tasks meet the professional qualifications specified herein, and will perform the necessary work in a credible and professional manner consistent with the intent of federal and state law.

In accordance with the Secretary of the Interior's Professional Qualifications Standards, the minimum qualifications for specific areas of expertise are as follows:

History: The minimum professional qualifications in history are a graduate degree in history or closely related field; or a bachelor's degree in history or closely related field and one of the following:

- At least two years of full-time experience in research, writing, teaching, interpretation, or other demonstrable professional activity with an academic institution, historic organization or agency, museum, or other professional institution, six months of which must be in Florida; or
- Substantial contribution through research and publication to the body of scholarly knowledge in the field of Florida history.

Archaeology: The minimum professional qualifications in archaeology are a graduate degree in archaeology or in anthropology with archaeology as a major area of emphasis plus:

- At least one year of full-time professional experience or equivalent specialized training in archaeological research, administration, or management. In addition, a professional in precontact archaeology shall have at least one year of full-time professional experience at a supervisory level in the study of archaeological resources of the precontact period. A professional in historic archaeology shall have at least one year of full-time professional experience at a supervisory level in the study of archaeological resources of the historic period;

- At least four months of supervised field and analytic experience in general North American archaeology;
- At least six months of field experience in Florida; and
- Demonstrated ability to carry research to completion in a timely fashion.

Architectural History: The minimum professional qualifications in architectural history are a graduate degree in architectural history, art history, historic preservation, or closely related field with course work in American architectural history, or a bachelor's degree in architectural history, art history, historic preservation or closely related field plus one of the following:

- At least two years of full-time experience in research, writing, or teaching in American architectural history or restoration architecture with an academic institution, historical organization or agency, museum, or other professional institution, at least six months of which must be in Florida; or
- Substantial contribution through research and publication to the body of scholarly knowledge in the field of Florida architectural history.

Architecture: The minimum professional qualifications in architecture are a professional degree in architecture plus at least two years of full-time experience in architecture (at least six months of which must be in Florida), or a state license to practice architecture.

Historic Architecture: The minimum professional qualifications in historic architecture are a professional degree in architecture or a state license to practice architecture, plus one of the following:

- At least one year of graduate study in architectural preservation, American architectural history, preservation planning, or closely related field; or
- At least one year of full-time professional experience on historic preservation projects including at least six months in Florida.

Graduate study or experience shall include detailed investigations of historic structures, preparation of historic structures research reports, and preparation of plans and specifications for preservation projects.

1.3.2 Facilities and Corporate Standards

Any institution, corporation, or organization sponsoring the qualified professionals performing cultural resource projects for FDOT must:

- Provide or demonstrate access to adequate field and laboratory equipment necessary to complete the work required for the project; and
- Provide or demonstrate access to adequate facilities necessary for the proper treatment, analysis, and storage of specimens and documents recovered from and/or related to a project.

At a minimum, facilities and equipment should include adequate transportation, field equipment, laboratory processing space, research materials (reports, journals, books, maps and other documents), comparative collections, and storage facilities.

1.3.3 Quality Assurance

Quality Assurance (QA) programs are a standard part of the FDOT procedures. Consequently, any institution, corporation, or organization that conducts cultural resource projects for FDOT shall establish a QA program to ensure that the work performed is in compliance with FDOT guidelines, as well as federal and state standards and guidelines. Minimally, the QA program will include a detailed statement of procedures, evaluation criteria, methods for implementing the program, and a staffing plan for each project. FDOT may request records of QA actions performed during the course of a project. Therefore, all QA records must be kept current. QA programs may include periodic seminars for internal peer review and assistance, presentation of advances in field or laboratory methods, preservation techniques, and changes in law or policy that may affect FDOT cultural resource projects.

The individual responsible for implementing the QA program should be a senior staff member. This individual will be responsible for assigning qualified personnel to each project task, reviewing existing and proposed federal, state and local cultural resource legislation and implementing regulations, providing spot checks on field and laboratory procedures, conducting in-house peer review of project reports, and ensuring personnel safety.

CHAPTER 2
THE SECTION 106 REVIEW PROCESS

2.0 OVERVIEW

This Handbook chapter presents a simplified description of the Section 106 process as implemented by 36 CFR Part 800. Although the discussion is in terms of federal involvement, the actions described apply to all types of FDOT projects because Florida's historic preservation laws and compliance review program parallel the federal process for Section 106 review.

The four-step Section 106 process is initiated by FHWA/FDOT in its determination of whether the proposed project is an undertaking, i.e., an action that could affect historic properties. If there is no "undertaking," there are no further obligations under Section 106. If, on the other hand, the project has the potential to affect significant archaeological sites and/or historic resources, FHWA/FDOT initiates the Section 106 process with the identification of the appropriate parties with which to consult, followed by performance of a CRAS to identify and evaluate all archaeological sites and historic resources located within the defined project APE. If any cultural resources that are listed or eligible for listing in the NRHP are identified within the project APE, FHWA/FDOT, in consultation with the SHPO and other appropriate parties, make an assessment of potential adverse effects. If no adverse effects are identified, the project may proceed. If adverse effects are identified, FHWA/FDOT begins consultation to resolve these adverse effects through avoidance, minimization, or mitigation. Consultation may result in a Memorandum of Agreement (MOA) among the consulting parties, which outlines the agreed upon measures to resolve the adverse effects. Occasionally, there is no way to resolve the adverse effects of an undertaking and the effects must be accepted in the public interest. The transportation undertaking proceeds only after all the commitments made during the Section 106 process have been completed to the satisfaction of the consulting parties.

2.1 INTRODUCTION TO SECTION 106

Section 106 of the NHPA states that:

The head of any federal agency having direct or indirect jurisdiction over a proposed federal or federally-assisted undertaking in any state and the head of any federal department or independent agency having authority to license any undertaking shall, prior to the approval of the expenditure of any federal funds on the undertaking or prior to the issuance of any license, as the case may be, take into account the effect of the undertaking on any district, site, building, structure, or object that is included in or eligible for inclusion in the NRHP. The head of any such federal agency shall

afford the Advisory Council on Historic Preservation established under Title II of this Act a reasonable opportunity to comment with regard to such undertaking.

In essence, Section 106 requires federal agencies to:

- Consider the effects their actions (or actions they may assist, permit, or license) may have on NRHP-listed or eligible historic properties; and
- Provide the ACHP a reasonable opportunity to comment on such actions.

The main purpose of Section 106 is to avoid, minimize, or mitigate impacts to significant historic properties resulting from federal actions. Technically, Section 106 applies to:

- Properties that have been formally listed in the NRHP;
- Properties that have been determined eligible for inclusion in the NRHP; and
- Properties that may be eligible but have not yet been identified and evaluated.

The goal of the Section 106 process is to balance the needs of federal undertakings with historic preservation concerns, and to resolve potential conflicts between the two in the public interest. Section 106 also recognizes that it is not realistic, nor in the public interest, to preserve every historic resource. Therefore, Section 106 does not require preservation in every case. It does, however, require full consideration of potential project effects and available options. The procedures for implementing the Section 106 process are contained in 36 CFR Part 800, which, most recently, was revised on August 5, 2004.

Federal agencies under the USDOT that may have undertakings subject to Section 106 review include the FHWA, the Federal Aviation Administration (FAA), the Federal Transit Administration (FTA), and the Federal Railroad Administration (FRA). Other federal agencies, such as the USACE, or the U.S. Coast Guard (USCG), may be involved through their permitting requirements. As the lead agency on federally-aided transportation projects, the Florida Division of the FHWA is responsible for consultations with the SHPO, ACHP, and other parties, and for making determinations of NRHP eligibility and effects to historic properties.

This Handbook chapter focuses on the responsibilities of FDOT, which acts as the agent of the Florida Division of the FHWA, hereinafter FHWA. In this capacity, FDOT conducts the necessary investigations, provides the appropriate documentation and assistance at each step, and makes recommendations that FHWA considers in making its findings and recommendations. Although FDOT is actively involved in the process, FHWA, as the lead federal agency, is responsible for making final decisions and ensuring that all legal requirements are met. Therefore, FDOT includes FHWA in all key aspects in the decision-making process. For state-funded transportation projects with no federal funding or assistance, FDOT is the lead agency and consults directly with the SHPO, in compliance with Chapter 267, FS, which mirrors the Section 106 requirements.

FDOT's CRM responsibilities are vested in the Central Environmental Management Office (CEMO) at the state level, and the District Environmental Management Offices (DEMO) at the

District level; Project Managers and Cultural Resource Coordinators have responsibility for Section 106 compliance in both the CEMO and the DEMO. The CEMO ensures that FDOT's cultural resources **program** complies with all applicable federal and state laws and regulations. It is responsible for establishing overall guidance, procedures, and training; for assisting in project reviews; and for monitoring the overall performance of the Department's program. The CEMO assists the DEMO Project Managers and Cultural Resource Coordinators with their Section 106 compliance. The primary responsibility of the DEMOs is to ensure that **individual projects** follow the applicable laws and regulations, and that all cultural resource documentation meets federal and DHR standards and guidelines. The District offices play a key role in moving the Section 106 process forward.

2.2 PARTICIPANTS IN THE SECTION 106 PROCESS

The Section 106 regulations define consultation as the "process of seeking, discussing, and considering the views of other participants, and, where feasible, seeking agreement with them regarding matters arising in the Section 106 process" (36 CFR Part 800.16(f)).

In accordance with the revised regulations (36 CFR Part 800.2(a)(4)), FHWA/FDOT consults with other parties having an interest in the effects of the undertaking. Consultation involves seeking, discussing, and considering the views of other participants, and, where feasible, seeking agreement with them. Consulting parties in the Section 106 process include the SHPO, the ACHP, the Tribal Historic Preservation Officers (THPOs) or tribal historic preservation representatives, and the public, including representatives of local governments.

State Historic Preservation Officer: The office of the SHPO is established within the DHR, Florida's primary historic preservation agency. The SHPO, appointed by the Governor, advises and assists FHWA and FDOT in carrying out their responsibilities under Section 106 and Chapter 267, FS, and participates in all phases of the compliance process, from defining the project APE to the resolution of adverse effects.

Advisory Council on Historic Preservation: An independent federal agency established by the NHPA of 1966, the ACHP provides guidance and assistance in the Section 106 consultation process. The ACHP consults with and comments to agency officials on individual undertakings and programs that affect historic properties. It may enter the Section 106 process at the request of FHWA, or when an undertaking has substantial impacts to important historic properties, presents important questions of policy or interpretation, has the potential for presenting procedural problems, or presents issues of concern to Native American tribes. The ACHP also assists in the resolution of disputes. In accordance with the revisions to 36 CFR Part 800, the ACHP no longer routinely reviews No Adverse Effect determinations nor reviews findings where FHWA and SHPO agree on how to mitigate adverse effects. The ACHP does not participate in state funded projects.

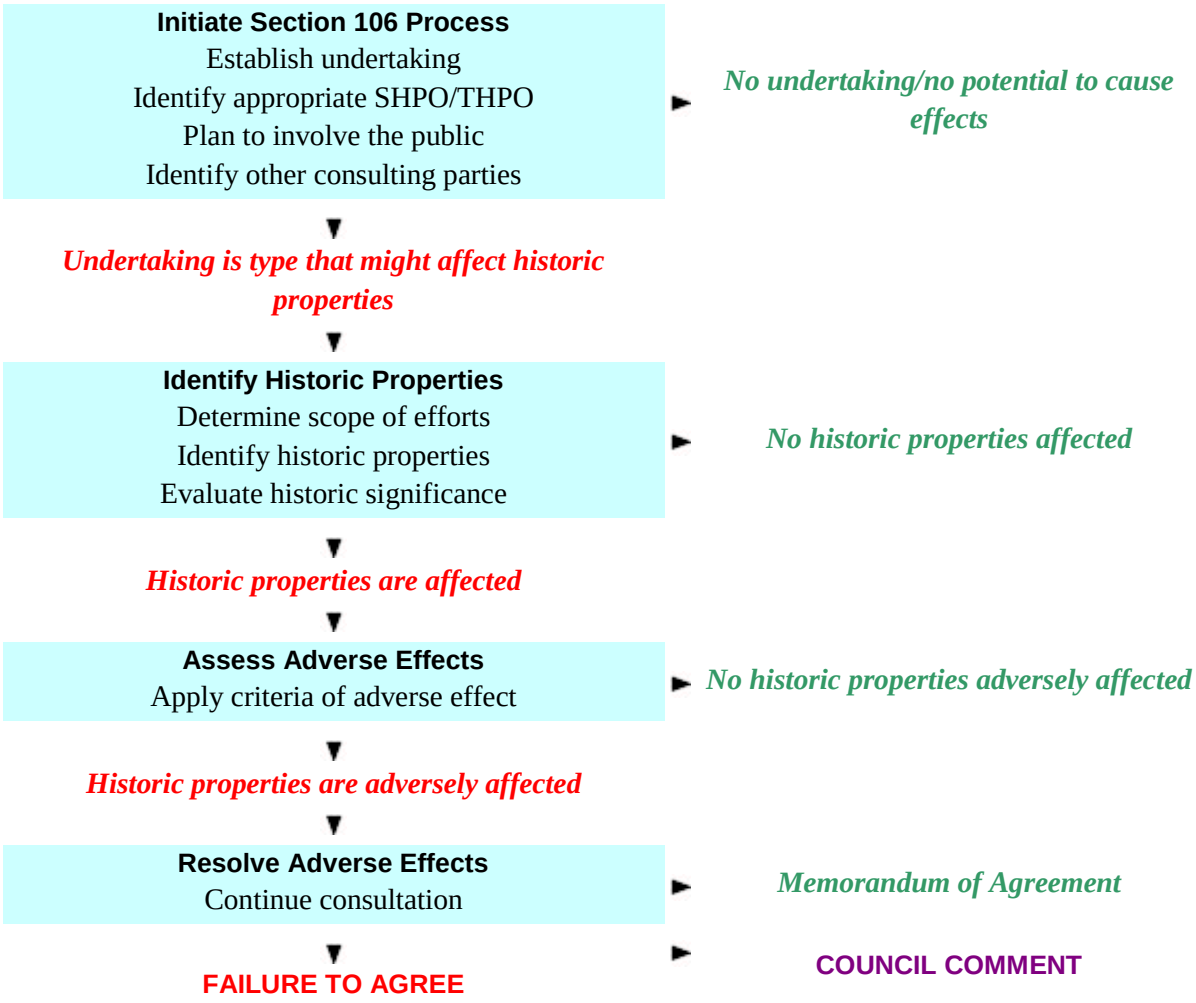
Tribal Historic Preservation Officer: The THPO is the tribal official appointed by a federally recognized tribe's chief governing body or designated by tribal ordinance or preservation program who has assumed the responsibilities of the SHPO for purposes of Section 106 compliance on tribal lands. Tribal lands refer to lands within the boundaries of any Native American reservation and all dependent Native American communities. A tribal historic preservation representative may be consulted if a THPO has not officially been appointed and certified. In the latter case, the SHPO will also be a consulting party concerning resources on tribal lands. The THPO or an appointed historic preservation representative also is consulted concerning historic properties of interest to a tribe that are located off tribal lands. The SHPO also participates as a consulting party in such cases. For a detailed discussion of Native American Consultation, see Chapter 3.

The Public: The views of the public are essential to informed decision-making in the Section 106 process. Early in the Section 106 process, FHWA identifies parties with a demonstrated interest in the undertaking, including local governments, organizations, and individuals, seeks their comments and input, and considers their views. Where possible, FHWA may use the public involvement process associated with other regulatory requirements to fulfill its responsibility in this area. While the Section 106 process may be completed without agreement from the public, FHWA has a responsibility to make all reasonable efforts to resolve objections from the public. A representative of a local government with jurisdiction over the area in which the effects of an undertaking may occur is entitled to participate as a consulting party.

2.3 IMPLEMENTING THE SECTION 106 PROCESS: THE FOUR STEPS

The Section 106 review process is divided into four steps, as illustrated in the blue colored blocks of the flow chart on page 2-5. The four steps are:

Step 1: Initiate the Section 106 Process.
Step 2: Identify Historic Properties.
Step 3: Assess Adverse Effects.
Step 4: Resolve Adverse Effects.



2.3.1 Step 1: Initiate the Section 106 Process

FHWA first determines whether the proposed action is an undertaking, that is, has the potential to affect historic properties. An **undertaking** is defined in 36 CFR Part 800.16(y) as:

> *a project, activity, or program funded in whole or part under the direct or indirect jurisdiction of a federal agency, including those carried out by or on behalf of a federal agency; those carried out with federal financial assistance; those requiring a federal permit, license or approval; and those subject to state or local regulations administered pursuant to a delegation or approval by a federal agency.*

FHWA has responsibilities under a number of other laws (including NEPA, AHPA, AIRFA, and NAGPRA) that may influence the way it carries out its Section 106 duties. 36 CFR Part 800.3(b) specifically encourages coordination of Section 106 responsibilities with other historic preservation and environmental laws, such as NEPA. Planning to do so should begin during Step 1.

FHWA/FDOT initiates consultation with the SHPO/THPOs and the appropriate representatives of federally recognized Native American tribes, as well as identifies other potential consulting parties. Other consulting parties may include the ACHP; representatives of local governments with jurisdiction over the project area; historic preservation groups; and parties with legal or economic interest in the undertaking or affected historic properties. A plan to involve the public in the Section 106 process also is developed to seek public input and for notifying the public of proposed actions. Existing FDOT public involvement procedures can be used. The public outreach effort should reflect the nature and complexity of the undertaking, the potential effects involved, and the projected public interest in the project. Confidentiality must be considered in cases where resources may be threatened by public disclosure, especially where resources of religious or cultural significance to Native American tribes are involved.

In addition to establishing whether the proposed action is an undertaking subject to Section 106 review, identifying consulting parties, and planning for public participation, establishing the project APE also is part of Step 1. This typically is done by FDOT and its consultants in coordination with FHWA and the SHPO. In accordance with 36 CFR Part 800.16(d), the APE is "the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties." A detailed discussion of the project APE is contained in Chapter 5.

If FHWA/FDOT determines that the proposed action does not have the potential to affect historic properties, then it has no further obligations under Section 106. This decision is unilaterally made by the FHWA. If FHWA establishes that it has an undertaking that requires further review, it then moves forward with Step 2, identifying historic properties.

2.3.2 Step 2: Identify Historic Properties

The primary goal of Step 2 of the Section 106 process is to identify all NRHP-listed, determined eligible, or potentially eligible archaeological sites and/or historic resources located within the project APE. This is accomplished by means of a CRAS, typically performed by a consultant on behalf of FHWA/FDOT. The specific actions involved in Step 2 include the following:

- Determine the scope of the resource identification effort;
- Identify historic properties that might be affected by means of a CRAS;
- Evaluate the significance of cultural resources identified in the CRAS; and
- Document the CRAS results.

Scoping: For typical undertakings, the FDOT District Project Manager decides on the required level of effort, in reference to the **Agency Operating Agreement** (AOA), which identifies specific project types and their respective levels of cultural resource analysis. See **Exhibit 2.1** for the AOA and its contents. Two considerations determine the required level of cultural resource review: the project location in terms of its potential for the presence of cultural resources, and the specific type of activity and its potential to impact cultural resources. For most minor project types considered unlikely to affect archaeological sites or historic resources, a desktop review (background research) and field reconnaissance are typically conducted. A standard CRAS, which may be conducted as a

multi-phase investigation, is appropriate for larger transportation projects where significant historic resources are more likely to be affected.

The scoping process requires consultation between FDOT and the SHPO/THPOs. Scoping activities involve a review of existing historic properties within the APE including any data about possible historic properties not yet identified. Information is sought from consulting parties identified in Step 1 and, as appropriate, from any other individuals or organizations that are likely to have knowledge concerning cultural resources in the area. The gathering of such information includes background research involving prior studies, oral history interviews where appropriate, and sample field investigation where necessary. At this stage, it also is important to gather information from appropriate federally recognized Native American tribes concerning archaeological resources that may be of religious or cultural significance to them on or off tribal lands.

CRAS: The CRAS is conducted appropriate to the nature of the undertaking and its potential effects. The successive actions involved in the CRAS are detailed in Chapter 5. Where project alternatives consist of corridors or involve large land areas, or where access to property is restricted, a **phased approach** for the CRAS may be used. In addition to complex highway transportation projects, a phased approach also may be appropriate for project reevaluations, design projects, and undertakings where submerged cultural resources potentially may be affected.

Evaluation: Each identified archaeological site and historic resource is evaluated for its significance by applying the NRHP Criteria for Evaluation. This process is detailed in Chapter 6. It is critical to provide explicit reasons for why a resource is or is not NRHP-eligible, including the applicable criteria. Other key factors requiring explicit explanation include the historic context, integrity, and boundaries of each significant resource. Include the special expertise of Native American tribes when assessing the eligibility of a property to which they attach religious and cultural significance. Also, old determinations of eligibility may need to be reevaluated due to the passage of time or other factors.

Documentation: The results of the CRAS must be documented in a Report or Technical Memorandum regardless of whether or not significant cultural resources were identified. The content requirements for both CRAS Reports and Technical Memoranda are detailed in Chapter 7.

Two possible outcomes result from the CRAS identification and evaluation effort. If no historic properties are present, OR if historic properties are present, but will not be affected by the undertaking, FHWA/FDOT determines "**No Historic Properties Affected**," in accordance with 36 CFR Part 800.11(d). The appropriate documentation is provided to the SHPO/THPOs. Barring any objection within 30 days of the receipt of the finding, FHWA's/FDOT's obligations under Section 106 are fulfilled, and it may **proceed with the undertaking**.

If historic properties are identified within the project APE which may be affected by the undertaking, then a "**Historic Properties Affected**" determination results, as per 36 CFR Part 800.4(d)(2). Two types of historic properties may be identified during the CRAS: those properties already listed or determined eligible for listing in the NRHP, and those newly identified and assessed

during the CRAS as eligible for the NRHP. Following the SHPO/THPO review of the documentation, FHWA/FDOT then proceeds to Step 3 of the Section 106 process, the assessment of adverse effects.

2.3.3 Step 3: Assess Adverse Effects

After NRHP-listed or eligible properties have been identified within the project APE, FHWA/FDOT determines whether its undertaking will affect them in any way. Consultation with the SHPO is required, and the views of any interested parties must be taken into account.

The evaluation of effects is based on application of the Criteria of Adverse Effect at 36 CFR Part 800.5(a)(1). This assessment will result in a finding of either "**No Adverse Effect**" or "**Adverse Effect**." As a general rule, effects are discussed in a Section 106 Consultation Case Study Report (CSR) that provides the concerned parties (FHWA, FDOT, SHPO/THPOs, ACHP, and others) with all pertinent information.

The **CSR** presents all available documentation pertaining to the significance and characteristics of the NRHP-listed or eligible property or properties, as well as a discussion of all effects that the proposed undertaking may have on the property. This document also includes a description and evaluation of all potential alternatives considered by FHWA/FDOT in order to avoid or minimize impacts to the property, including the No-Build Alternative. By having a solid base of information, the consulting parties are able to evaluate the potential effects on NRHP-listed or eligible resources, and to use this information to determine measures to resolve adverse effects (Step 4).

The CSR should contain the following information:

- A general description of the project, including its necessity and benefits;
- A context description for evaluating the NRHP-listed or eligible cultural resources described in the CSR;
- Identification of the NRHP-listed or eligible property(ies) that may be affected by the project, i.e., those included in the established APE. This can be a summary of the property's physical description (present and historic) as well as its area(s) of significance;
- A description of proposed alternatives that would avoid or minimize any potential adverse effect to the NRHP-listed or eligible historic property and an analysis of each alternative;
- A description of the preferred alternative and reasons why it was selected;
- A discussion of potential effects to each historic property based on the preferred alternative; and
- A description of the preservation measures which are proposed to avoid an adverse effect, if any, or the reasons why avoidance of adverse effects, if any, is not possible and a discussion of proposed mitigation measures for that adverse effect.

The information provided in the CSR is the basis upon which FHWA, in consultation with the SHPO/THPOs, determines whether the project will result in a finding of "No Adverse Effect" or

"Adverse Effect." To accomplish this, FHWA must apply the Criteria of Adverse Effect to the project. An Adverse Effect is defined in 36 CFR Part 800.5(a)(1) as:

> *When the undertaking may directly or indirectly alter characteristics of a historic property that qualify the property for inclusion in the NRHP in a manner that would diminish the integrity of the property's location, design, setting, materials, workmanship, feeling, or association. Consideration shall be given to all qualifying characteristics of a historic property, including those that may have been identified subsequent to the original evaluation of the property's eligibility for the NRHP. Adverse effects may include reasonably foreseeable effects caused by an undertaking that may occur later in time, be farther removed in distance or be cumulative.*

As enumerated in 36 CFR Part 800.5(a)(2), adverse effects on historic properties include, but are not limited to:

> *(i) Physical destruction or damage to all or part of the property;*
> *(ii) Alteration of a property, including restoration, rehabilitation, repair, maintenance, stabilization, hazardous material remediation and provision of handicapped access, that is not consistent with the Secretary's Standards for the Treatment of Historic Properties (36 CFR Part 68) and applicable guidelines;*
> *(iii) Removal of a property from its historic location;*
> *(iv) Change of the character of the property's use or of physical features within the property's setting that contribute to its historic significance;*
> *(v) Introduction of visual, atmospheric or audible elements that diminish the integrity of the property's significant historic features;*
> *(vi) Neglect of a property which causes its deterioration, except where such neglect and deterioration are recognized qualities of a property of religious and cultural significance to an Indian tribe or Native Hawaiian organization; and*
> *(vii) Transfer, lease, or sale of property out of Federal ownership or control without adequate and legally enforceable restrictions or conditions to ensure long-term preservation of the property's historic significance.*

The revised regulations, which implement Section 106, have eliminated the former "exceptions" to the Criteria of Adverse Effect determination. These include alterations to a historic property not in accordance with the Secretary's Standards (36 CFR Part 68) and the transfer, sale, or lease of a historic property out of federal ownership or control without proper legal restrictions or covenants assuring its protection. The exception for data recovery regarding archaeological sites (i.e., excavation for the scientific knowledge the site contains), also has been eliminated. Such action is now considered an adverse effect.

In some cases, FHWA may propose a finding of No Adverse Effect when the project's effects do not meet the criteria of 36 CFR Part 800.5(a)(1). Such a case might occur when the effects of the

project are not judged harmful to those characteristics that qualify the property for inclusion in the NRHP. If FHWA proposes a finding of No Adverse Effect, it must document the finding and provide it to all consulting parties. Documentation, as specified in 36 CFR Part 800.11(e), shall include:

> *(1) A description of the undertaking, specifying the Federal involvement, and its area of potential effects, including photographs, maps, and drawings, as necessary;*
> *(2) A description of the steps taken to identify historic properties;*
> *(3) A description of the affected historic properties, including information on the characteristics that qualify them for the National Register;*
> *(4) A description of the undertaking's effects on historic properties;*
> *(5) An explanation of why the criteria of adverse effect were found applicable or inapplicable, including any conditions or future actions to avoid, minimize or mitigate adverse effects; and*
> *(6) Copies of summaries of any views provided by consulting parties and the public.*

The SHPO/THPO has 30 days from receipt of the complete documentation to review the finding(s). Failure to respond indicates that FHWA can go forward with the undertaking (36 CFR Part 800.5(c)(1)). Typically, the SHPO will respond by letter in a timely fashion.

FHWA provides the documentation on the finding of No Adverse Effect to the general public on request, consistent with the confidentiality provisions of 36 CFR Part 800.11(c). Implementation of the project in accordance with the finding as documented fulfills FHWA's responsibilities under Section 106.

In the event that the SHPO/THPO or any consulting party disagrees within the 30-day review period, they shall specify the reasons for disagreeing with the finding. FHWA must then consult to resolve the disagreement, or request the ACHP to review the finding pursuant to 36 CFR Part 800.5(c)(3). If the ACHP is asked to review the finding, FHWA will be notified of the ACHP's determination as to whether the adverse effect criteria was applied correctly within 15 days of receiving the documented finding from FHWA.

A FHWA project may be determined to have an Adverse Effect when the characteristics that qualify a property for inclusion in the NRHP are diminished by the undertaking. Numerous situations may cause different types of adverse effects. The project may physically impact the resource by taking all or part of its property. The project also may impact the resource, both directly and indirectly, by affecting visual and/or aesthetic qualities (including views to or from the property), noise levels, landscaping, use of the property, air quality, vibration levels, and access, among others. If a historic property will be adversely affected, the agency proceeds to the next step, resolving adverse effects.

2.3.4 Step 4: Resolve Adverse Effects

When it has been determined that FHWA's proposed undertaking will have an Adverse Effect on a NRHP-listed or eligible property, FHWA consults with the SHPO/THPOs and other consulting parties to develop and evaluate alternatives or modifications to the undertaking that could avoid, minimize, or mitigate the adverse effects. A successful consultation accommodates the needs of the agency's undertaking and the integrity of the historic property in a way that the consulting parties agree best serves the public interest, and ideally promotes the protection and enhancement of historic resources.

FHWA also notifies the ACHP of the adverse effect finding and provides it with the same documentation required for a finding of No Adverse Effect. In accordance with 36 CFR Part 800.6(a)(1)(i), FHWA also must invite the ACHP to participate in the consultation when the undertaking has an adverse affect upon a NHL. The SHPO, a Native American tribe, or any other consulting party at any time may request the ACHP to participate in the consultation.

Appendix A, 36 CFR Part 800 specifies the "Criteria for Council Involvement in Reviewing Individual Section 106 Cases." The ACHP is likely to enter the Section 106 process when an undertaking:

(1) Has substantial impacts to important historic properties;
(2) Presents important questions of policy or interpretation;
(3) Has the potential for presenting procedural problems; or
(4) Presents issues of concern to Indian tribes or Native Hawaiian organizations.

The ACHP has 15 days from receipt of a request to respond, basing its decision on the aforementioned criteria. If the ACHP decides to participate in the consultation process, the ACHP must notify FHWA and the consulting parties. This is intended to keep the policy level of the federal agency informed of those cases that the ACHP has determined present issues significant enough to warrant its involvement.

At this point, FHWA, the SHPO/THPOs, and the ACHP (if participating) may agree to invite other individuals or organizations to become consulting parties. This certainly will be the case for any individual or organization that will assume a specific role or responsibility in the development and implementation of a MOA concerning resolution of the adverse effect. FHWA provides all appropriate documentation to consulting parties subject to the confidentiality provisions of 36 CFR Part 800.11(c). FHWA also makes similar information available to the public and provides the opportunity to comment.

If the ACHP is not participating, FHWA consults with the SHPO/THPOs and the other consulting parties to devise ways to **avoid, minimize, or mitigate** the adverse effects. First consideration is given to alternative ways of accomplishing the agency's goals without unacceptably damaging the NRHP-listed or eligible property. This may include consideration of alternative sites,

alternative alignments, and alternative designs as well as the No-Build Alternative. The latter can be used to evaluate the importance of the undertaking against the severity of its effects. If the consulting parties find that the consideration of such alternatives does not result in a viable solution that best serves the public interest, they can proceed to a discussion of mitigation measures. Mitigation refers to actions that reduce or compensate for the impacts an undertaking may have on a NRHP-listed or eligible property. This process and options are described in Chapters 8, 9, and 10.

In some cases, it may be agreed that there are no avoidance or minimization options available and that the adverse effects must be accepted in the public interest. On the other hand, consulting parties may occasionally not be able to come to mutual agreement concerning the undertaking and its effects. In this case, FHWA, the SHPO and/or THPOs, or the ACHP (if participating) may decide to terminate consultation. If this occurs, FHWA requests the ACHP's comments in accordance with 36 CFR Part 800.7(c). FHWA takes into account the ACHP's comments before reaching a final decision on the undertaking. The agency head will document the final decision that includes the rationale for the final decision and demonstrates that the ACHP's comments have been duly considered. This documentation will be provided to the ACHP, all consulting parties, and to the public for notification purposes. FHWA will either proceed or not proceed with the undertaking at this point. Either way, this concludes the Section 106 process and satisfies FHWA's statutory responsibilities under Section 106 of the NHPA.

The consulting parties generally can agree on ways to accommodate historic preservation concerns as the undertaking proceeds. The decisions reached during the consultation process are defined in a formal **agreement document**. This legal document outlines FHWA's fulfillment of responsibilities under Section 106, and obligates the signing parties to carrying out its terms. It shows that the agency has taken into account the effects on NRHP-listed or eligible properties and has given the ACHP a reasonable opportunity to comment. Chapter 7 of the Handbook provides further information relative to the determination of effects and preparation of agreement documents.

The most common agreement document for FHWA is a MOA. This document outlines the measures that the consulting parties have agreed upon to resolve the adverse effects of an undertaking on historic properties. There are two kinds of MOAs, "three party" and "two party." A three-party MOA occurs when the ACHP is involved in the consultation process, and a two-party MOA is when the ACHP has not been involved in consultation but receives the MOA after the others have prepared and signed it.

The first section of the MOA introduces the undertaking, the affected NRHP-listed or eligible properties, and identifies the consulting parties. This section is usually composed of a series of "Whereas" statements about the project. The stipulations follow, often using the language, "The FHWA will ensure that" the various agreed-upon steps are carried out. The document ends with a statement concerning the execution of the MOA and the implementation of its terms, followed by signatures of all the consulting parties.

The ACHP is given the opportunity to comment in one of three ways:

- They may have been involved by participating as a consulting party and signing the resulting MOA. This serves as the ACHP's comment on the undertaking;
- The ACHP may not have been a consulting party, but is given the MOA for review. The ACHP's acceptance of this MOA serves as its comment in this case; and
- The final option occurs when consultation fails and therefore produces no MOA. In this case, the ACHP issues written comments.

The ACHP may accept the MOA as is, request changes, or issue written comments. After they receive the required documentation, the ACHP has 45 days in which to respond.

If a MOA was prepared and signed by all appropriate parties, the project continues under the terms of the MOA. A MOA includes provisions for termination and for reconsideration of the terms if the undertaking has not been implemented within a specified time. If no MOA was signed and the ACHP has issued written comments to FHWA, they must consider these comments in deciding the next course of action or proceed as proposed. FHWA may decide not to proceed with the project at all or to proceed with an alternative. FHWA must notify the ACHP of its decision, preferably before work has begun on the proposed undertaking, if their decision is to proceed. Either way, this concludes the Section 106 process and satisfies FHWA's statutory responsibilities under Section 106 of the NHPA.

EXHIBIT 2.1
AGENCY OPERATING AGREEMENT

Florida State Historic Preservation Officer (SHPO) and Advisory Council on Historic Preservation (ACHP) Agency Operating Agreement (AOA)

August 15, 2003

José Abreu, P.E. Secretary Florida Department of Transportation	Date		Glenda E. Hood Secretary Florida Department of State	Date
James E. St. John Florida Division Administrator Federal Highway Administration	Date		Janet Snyder Matthews, Ph. D. State Historic Preservation Officer Florida Department of State	Date
John Fowler Executive Director Advisory Council on Historic Preservation	Date			

Introduction

The ETDM process is designed to accomplish the streamlining objectives identified in Section 1309 of the Transportation Efficiency Act for the 21st Century. The ETDM Process creates linkages between land use, transportation, and environmental resource planning initiatives, through early, interactive agency involvement. In implementing the ETDM process, all ETAT agencies are responsible for reviewing and commenting on transportation improvements consistent with their respective agencies statutory and regulatory authority. Process objectives include effective/timely decision making without comprising environmental quality, full and early public and agency participation, integrating NEPA reviews with issuance of project permitting and implementing meaningful dispute resolution mechanisms. The results of the ETDM process include concurrent actions and approvals, interactive planning, efficiency gained from technology, and ultimately better transportation decisions. The tables below identify the information available from the project's purpose and need, to technical reports and environmental documents. The tables also identify the agency's review responsibilities from project planning through compliance with NEPA and permit approvals, to construction and maintenance. The tables have been divided into three basic phases of a transportation project: planning, programming, and project development. Program and project efficiency is gained by two environmental screening events that occur at the transportation planning and programming phases. The Planning and Programming Screens apply only to major capacity improvement projects, including roadway widenings, new roadways, new rail systems and bridge projects.

Planning Screen

In Metropolitan Planning Organization (MPO) areas, the Planning Screen will occur on capacity improvements contained in the Long Range Transportation Needs Plan and prior to the development of the MPO Long Range Transportation Plan with the exception of the Florida Intrastate Highway System (FIHS) facilities. FIHS facilities will be screened during the development of the FIHS Cost Feasible Plan, by FDOT, for both the MPO and non-MPO areas. FDOT staff are responsible for uploading the FIHS project information into the ETDM Database.

The table below identifies the information available to the SHPO during the Planning Screen (via the ETDM data- base). The table also addresses FHWA/FDOT and the SHPO ETAT representative review and coordination responsibilities. The review will take place on the interactive ETDM Web site and all comments will be entered directly into the ETAT review database.

Florida State Historic Preservation Officer (SHPO) and Advisory Council on Historic Preservation (ACHP) Agency Operating Agreement (AOA) August 15, 2003

ETDM Database (MPO, FDOT, FGDL)	FHWA/FDOT Responsibilities	SHPO Responsibilities
• Purpose and Need • Project limits and logical termini • Mobility Alternatives • SHPO and ACHP plans and programs • Demographics (Community Impact Assessment) • Example GIS Data Sets: – SHPO Preservation Areas – National Register Listed and National Register Eligible sites – Historical & Archeological Surveys – National Historic Landmarks – FNAI Element Occurrence – CARL Projects – National Wetlands Inventory polygons – 100 Year Flood Plains – TNC Ecological Resource Conservation Areas – Potential habitat for species – Species locations (FNAI and WILDOBS) – Ecosystem Management Areas – Streams with 303(d) impaired waters – Wetlands – Areas targeted for habitat conservation – Historical/Archaeological District and Sites – Areas within coastal barrier resource area	• In MPO areas, assist in developing the Purpose and Need Statement and establishing logical termini • In non-MPO areas, FDOT in consultation with FHWA establishes Purpose and Need Statement and logical termini. • In MPO and non-MPO areas, establishes Purpose and Need for FIHS projects • Ensure project information is available for ETAT review • ETDM Coordinator will consult and resolve project issues, where feasible • Produce the Planning Summary Report which will comprise the following key components: • Project Description • Purpose and Need statement • Agency comments, issues and recommendations for potential direct impacts • System-wide GIS mapping depicting social, cultural, and natural resources • Potential secondary and cumulative impact issues and recommendations • Summary of public involvement comments	• Review and comment on Purpose and Need for project • Review and comment on logical termini • Review and comment on mode choice and mobility alternatives (demand management, transit, highways) • Review and comment on order of magnitude of impact • Identify significant archeological and historical issues • Input agency plans and programs that affect the project area • Identify need for future agency involvement and anticipated agency coordination and consultation • Identify resource management policies, goals and objectives • Recommend course of action to preserve and protect resources • Evaluate potential secondary and cumulative impacts • Provide Project Recommendations • Submit comments electronically within 45 calendar days of notification • The Planning Summary Report will be made available to the ETAT representatives through the ETDM Web site.

Florida State Historic Preservation Officer (SHPO) and Advisory Council on Historic Preservation (ACHP) Agency Operating Agreement (AOA) August 15, 2003

ETDM Database (MPO, FDOT, FGDL)	FHWA/FDOT Responsibilities	SHPO Responsibilities
– FDEP Watershed Planning & Coordination Water Quality Data – US Census Bureau, Census Block Groups, 1990 – Coastal Zone Construction Control Line (per FDEP) – Best available Aerial Photos or DOQQs • Example Secondary and Cumulative Impact GIS Data Sets: – Existing Land Use Map – Future Land Use Map – Maps of approved population and employment projections by TAZ or Census Track data – Density and growth maps – Location and type of approved developments, including DRIs (Regional Planning Council or Local Governments) – Delineated urban service area boundaries (MPO or Local Planning Agency) – Existing and future roadway network, Needs Plan (MPO or FDOT) – Location of existing and proposed public lands and conservation easements (WMDs or RPC) – Existing and proposed Mitigation Areas (Resource Agencies) – Defined neighborhoods (MPO or Local Government)		

Florida State Historic Preservation Officer (SHPO) and Advisory Council on Historic Preservation (ACHP) Agency Operating Agreement (AOA) August 15, 2003

A. MINOR PROJECT ACTIVITIES WITH NO EFFECT ON HISTORICAL PROPERTIES AND ARE EXEMPT FROM CONSULTATION WITH DIVISION OF HISTORICAL RESOURCES (DHR)

The following project types due to their nature and definition are exempt by this agreement from DHR review and are found in compliance with Section 106 provided the following conditions are met:

- The activity is a stand alone project; and
- The activity does not include and is not located in or adjacent to any historic/archeological resources of 50 years of age or older; nor listed on the NRHP; nor is it a National Historic Landmark
- The project must be limited to one of the activities specified below.

    1. Installation of fencing, signs, pavement markings, small passenger shelters, traffic signals, and railroad warning devices where no substantial land acquisition or traffic disruption will occur
    2. In kind replacement or ordinary repair of existing lighting, guardrails, traffic signals, curbs, and sidewalks
    3. Activities included in the State's highway safety plan under 23 USC 402
    4. Preventive maintenance activities such as joint repair, pavement patching, shoulder repair and the removal and replacement of old pavement structure
    5. Restore, rehabilitate, and/or resurface existing pavement
    6. Restoring and rehabilitating existing bridge (including painting, crack sealing, joint repair, scour repair, scour counter measures, fender repair, bridge rail or bearing pad replacement, seismic retrofit, etc.)

B. MINOR PROJECT ACTIVITIES REQUIRING SECTION 106 DESKTOP AND FIELD REVIEW

The following project types due to their nature and definition are unlikely to affect historic or archeological properties and are subject to a desk top evaluation and field review by FDOT prior to advancing the project to the next phase of development.

FDOT coordination and consultation with SHPO or ACHP is not required for these types of project improvements, provided:

1. FDOT bases its decisions concerning historic site evaluations and effect determinations according to the requirements of the National Historic Preservation Act and 36 C.F.R. Part 800 and these decisions are made by individuals meeting the minimum professional qualifications established by the Secretary of the Interior's Standards and Guidelines for historians, archaeologists, architectural historians, and other professionals.

2. FDOT makes no evaluation of eligibility of properties for the National Register of Historic Places without consulting with the FHWA (or any lead federal agency) and SHPO pursuant to 36 CFR 800. For non-federally funded projects FDOT will consult with the Florida Division of Historic Resources (DHR) pursuant to Chapter 267 and 872 of Florida Statues.

3. FDOT finds that there are no properties affected by the undertaking or that the undertaking will have no effect on historic resources, hence no consultation with SHPO is required.

4. If FDOT finds a potential for effect on historic resources, FDOT will consult with SHPO.

Minor highway project types requiring Section 106 Desktop and/or Field Review are:

1. Activities which do not involve or lead directly to construction, such as planning and technical studies; grants for training and research programs; research activities, as defined in 23 United States Code (USC) 307; approval of a unified work program and any findings required in the planning process pursuant to 23 USC 134; approval of statewide programs under 23 CFR 630; approval of project concepts under 23 CFR, Part 476; engineering to define the elements of a proposed action or alternatives so that social, economic, and environmental effects can be assessed; and Federal-aid system revisions which establish classes of highways on the Federal-aid highway system.

2. Approval of utility installations along or across a transportation facility.

3. Construction of bicycle and pedestrian lanes, paths, and facilities

4. Transfer of Federal lands pursuant to 23 USC 317 when subsequent action is not an FHWA action.

5. The installation of noise barriers, or alterations, to existing publicly-owned buildings to provide for noise reduction.

6. Landscaping.

7. Emergency repairs under 23 USC 125.

8. Acquisition of scenic easements.

9. Determination of payback under 23 CFR, Part 480 for property previously acquired with Federal-aid participation.

10. Improvements to existing rest areas and truck weigh stations.

11. Ride-sharing activities.

12. Bus and rail car rehabilitation.

13. Alterations to facilities or vehicles in order to make them accessible for elderly and handicapped persons.

14. Program administration, technical assistance activities, and operating assistance to transit authorities to continue existing service or increase service to meet routine changes in demand.

15. The purchase of vehicles by the applicant where the use of these vehicles can be accommodated by existing facilities or by new facilities which themselves are within a CE.

16. Track and rail-bed maintenance and improvements when carried out within the existing right-of-way.

17. Purchase and installation of operating or maintenance equipment to be located within the transit facility and with no significant impacts off the site.

18. Promulgation of rules, regulations, and directives.

19. Adding or lengthening turning lanes (including continuous turn lanes), intersection improvements, channelization of traffic, dualizing lanes at intersection and inter-changes, auxiliary lanes, and reversible lanes.

20. Flattening slopes; improving vertical and horizontal alignments.

21. Highway safety or traffic operations improvement projects including the installation of ramp metering control devices and lighting.

22. Restore, replace and rehabilitate culverts, inlets, drainage pipes, and systems including safety treatments.

23. Widening, adding roadway width and and/or roadway reconstruction shoulders without adding through traffic lanes.

24. Roadway skid hazard treatment.

25. Upgrade, removal, or addition of guardrail.

26. Upgrade median barrier.

27. Install or replace impact attenuators.

28. Upgrade bridge end approaches/guardrail transition.

29. Upgrade railroad track circuitry.

30. Improve railroad crossing surface.

31. Improve vertical and horizontal alignment of railroad crossing.

32. Improve sight distance at railroad crossing.

33. Railroad crossing elimination by closure, and railroad overpass removal within right-of-way.

34. Clear zone safety improvements, such as fixed object removal or relocation.

35. Screening unsightly areas.

36. Freeway traffic surveillance and control systems.

37. Motorist aid systems.

38. Highway information systems.

39. Preventive maintenance activities such as joint repair, pavement patching, shoulder repair and the removal and replacement of old pavement structure.

40. Restore, rehabilitate, and/or resurface existing pavement.

41. Computerized traffic signalization systems.

42. Widening of substandard bridge to provide safety shoulders without adding through lanes.

43. Replacement of existing bridge (in same location) by present criteria.

44. Transportation enhancement projects involving acquisition of historical sites and easements, or historical preservation.

45. Preservation of abandoned railway corridors, including the conversion and use for pedestrian, equestrian, or bicycle trails.

46. Rehabilitation and operation of historic transportation buildings, structures, or facilities, including railroad facilities and canals.

47. Mitigation of water pollution due to highway runoff.

48. Bridge removal.

49. Approvals for disposal of excess right-of-way or for joint or limited use of right-of-way, where the proposed use does not have significant adverse impacts.

50. Rehabilitation or reconstruction of existing rail and bus transit buildings and ancillary buildings where only minor amounts of additional land are required, and there is not a substantial increase in the number of users.

51. Construction of bus transfer facilities (an open area consisting of passenger shelters, boarding areas, kiosks, and related street improvements) when located in a commercial area or other high activity center in which there is adequate street capacity for projected bus traffic.

52. Acquisition of land for hardship or protective purposes for a particular parcel or a limited number of parcels; advance land acquisition loans under section 3(b) of the Urban Mass Transportation Act.

53. Mitigation Projects.

54. Animal crossings.

55. Changes in access controls.

56. Minor right-of-way acquisition for roadway and bridge projects without the addition of through traffic lanes.

57. Recreational Trails.

C. FDOT REVIEW PROCESS FOR MINOR PROJECTS

1. Internal Review: For these minor project types listed in B, FDOT qualified cultural resource staff/consultants, including an archeologist and architectural historian/historian, meeting the Secretary of Interior's Standards for Professional Qualifications will employ a multi disciplinary approach to implement the following internal review process, as appropriate to the project:

    a. Determine if the project constitutes an undertaking as defined in 36 CFR, Part 800

    b. Determine the project's area of potential effects

    c. Review existing information (including the Florida Master Site File) on recorded properties in the area of potential effects

    d. Assess the likelihood that unidentified properties exist in the area of potential effects

    e. Determine the degree of existing disturbance within the area of potential effects, performing a field inspection where warranted

    f. Conduct a field survey in conformance with the applicable standards in Stipulation C, where warranted

    g. Determine whether there are historic properties in the area of potential effects

    h. Assess the project's effects on any historic properties, by applying the Criteria of Effect and Adverse Effect (36 CFR 800.9)

2. Eligibility Evaluations: FDOT will make no determination of eligibility of properties for the National Register without consulting with the FHWA and the SHPO pursuant to 36 CFR 800.4(c).

3. Notification and Coordination: For projects that do not include properties within the area of potential effects or that by their nature will have no effect on historic properties, FDOT shall document and file the finding in accordance with procedures. FDOT will notify the SHPO of its finding no historic properties affected within 30 calendar days of completing its review accompanied by a map showing the project description, location and area of potential effect. Unless the SHPO objects within 15 days of receiving the notification, FDOT is not required to take any further action in the Section 106 process, unless there is a dispute.

Programming Screen

The Programming Screen will be performed annually on all bridge projects contained in the Annual Bridge Repair and Replacement Report and on major capacity improvement projects contained in the MPO's list of priority projects prior to inclusion into FDOT's Five-Year Work Program with the exception of the FIHS facilities. The FIHS facilities for MPO and non-MPO areas will be screened during FDOT's development of the FIHS Ten-Year Plan. FDOT staff will be responsible for uploading the FIHS project information into the ETDM database. Major capacity improvements and bridge projects located on the State Highway System in rural areas will also undergo review prior to inclusion into FDOT's Five-Year Work Program.

The Programming Screen begins the Intergovernmental Coordination and Review (ICAR) process, which begins what was formerly the Advance Notification (AN) process. The ICAR process applies only to major transportation capacity improvement projects (as described in Section 3 of the Master Agreement) that are subject to the ETDM process. The ICAR process is initiated by the FDOT District Office by notifying all ETAT members that the Programming Screen has been uploaded with project related information and is ready for ETAT review. Distribution of the Programming Screen ICAR notice is accomplished by FDOT utilizing the Environmental Screening Tool (EST). Once all ETAT members, including central units of State government, which may have plans, programs or projects affected by the proposed transportation action have received the electronic notice, they begin their review of the proposed transportation action by viewing the Programming Screen and providing technical advice, assistance and comment.

ETDM Database (MPO, FDOT, FGDL)	FHWA/FDOT Responsibilities	SHPO and ACHP Responsibilities
• Intergovernmental Coordination and Review Process • Coastal Zone Consistency Determination • LGCP Consistency • Goals of the State • Clean Air Act Conformity Designation • SHPO and ACHP plans and programs • Demographics (Community Impact Assessment)	• Distribute ICAR to agencies including all ETAT representatives • Determine Level of NEPA Environmental Documentation (Class of Action Determination) • Publish Notice of Intent for EIS • Establish an interdisciplinary project team • Consult with SHPO and ACHP on Archeological and Historic resources	• Review and comment on ICAR • SHPO and ACHP assigns project manager • SHPO and ACHP becomes Cooperating Agency, as appropriate • Review and comment on project impacts: Quantity and types of Archeological and Historical protected sites identification and need for consultation • Review and comment on Class of Action

Florida State Historic Preservation Officer (SHPO) and Advisory Council on Historic Preservation (ACHP) Agency Operating Agreement (AOA) August 15, 2003

ETDM Database (MPO, FDOT, FGDL)	FHWA/FDOT Responsibilities	SHPO and ACHP Responsibilities
• Example GIS Data Sets: – Critical Wildlife Designations (FWC) – Historical and Archeological sites – SHPO and ACHP Preservation Areas – Fish and Wildlife Conservation Commission Management Areas – FNAI Element Occurrence – CARL Projects – National Wetlands Inventory polygons – 100 Year Flood Plains – TNC Ecological Resource Conservation Areas – Potential habitat for species – Species locations (FNAI and WILDOBS) – Ecosystem Management Areas – Streams with 303(d) impaired waters – Wetlands – Areas targeted for habitat conservation – Areas within coastal barrier resource area – FDEP Watershed Planning & Coordination Water Quality Data – Best available Aerial Photos or DOQQs	• Produce Programming Summary Report which will comprise the following key components: – Project Description – Purpose and Need statement – Class of Action Determination – System-wide mapping depicting social, cultural, and natural resources – Agency comments, issues, and recommendations for potential direct impacts – Preliminary outline of the Project Development scope – Dispute resolution issues – Summary of public involvement comments	• Initiate agency analysis of the project concepts and possible typical sections • Perform project scoping activities based on review of ETDM databases and project information and identifying required technical studies prior to the beginning of the project development phase • Review and comment on summary of community issues, and public concerns • Participate in dispute resolution, if necessary, to assist the ETDM Coordinator in identifying solutions to project concerns. Participate in ETAT Review Committee, as needed, to review and resolve conflicts at an informal local level • Submit comments electronically within 45 calendar days • The Programming Summary Report will be made available to the ETAT representatives through the ETDM Web site.

Florida State Historic Preservation Officer (SHPO) and Advisory Council on Historic Preservation (ACHP) Agency Operating Agreement (AOA) August 15, 2003

Project Development Documentation

During project development, the SHPO and ACHP will assist the FDOT in compliance with National Historic Preservation Act and 36 CFR 800 to satisfy NEPA and permit issues and concerns so that the resultant approvals are acceptable to all parties and received concurrently. The table below identifies the reports and coordination responsibilities for FDOT, FHWA and the SHPO and ACHP ETAT representative. Project development studies or environmental documents may require the development and maintenance of a project Web site. The ETDM interactive database will have links to the project development Web sites for agencies to continue their electronic reviews.

For federally funded major transportation capacity improvement projects, which do not individually or cumulatively have a significant environmental effect on the human and natural environment, a Categorical Exclusion (CE) will be prepared. The CE level of conceptual engineering, environmental analysis and public involvement will be documented in technical support studies and be of sufficient detail to support the CE determination. For those major transportation capacity improvement projects that do not qualify for a Categorical Exclusion, an Environmental Assessment or Environmental Impact Statement will be completed, in compliance with the CEQ regulations implementing NEPA and 23 CFR 771. For non-federally funded major transportation capacity improvement projects requiring a State Environmental Impact Report (SEIR) will follow the same process used for federal documents.

FDOT	FHWA	SHPO and ACHP ETAT Reviews
Preliminary Alternatives Analyses		
• Develop and analyze alternatives • Assess major impacts of all alternatives • Consult with SHPO regarding potential impacts and Best Management Practices (BMPs) for mitigation	• Participate in development of alternatives	• Review and comment on preliminary alternatives and analysis
Technical Reports		
• Complete technical studies as defined by ETAT and scope of services, such as: – Cultural Resource Assessment (CRA) – Wetland Evaluation Report (WER) – Endangered Species Biological Assessment (ESBA)	• Review and comment on technical reports	• Within 30 calendar days of notification, review and comment on technical reports • Provide technical assistance, as needed. • For projects determined to be CEs, permits will be issued upon completion and acceptance of technical studies and issuance of Location and Design Concept Acceptance (LDCA)

Florida State Historic Preservation Officer (SHPO) and Advisory Council on Historic Preservation (ACHP) Agency Operating Agreement (AOA) August 15, 2003

FDOT	FHWA	SHPO and ACHP ETAT Reviews
EA/DEIS		
• Incorporate WER,CRA, ESBA and other technical reports into Environmental Document • Complete EA/DEIS and submit to SHPO and ACHP for review • Apply for project permits after the public hearing.	• Review and approve EA/DEIS with comments incorporated (30 calendar days) • Publish Notice of Availability of DEIS in Federal Register	• Review and comment on EA/DEIS within 30 calendar days of notification
Public Hearing		
• Identify opportunities, constraints and feasibility of Joint Public Notice and Hearing, if appropriate • Hold Public Hearing • Prepare transcript and certification	• Attend hearing and participate as necessary	• Attend joint public hearing and participate as necessary • Provide technical assistance on public hearing topics to satisfy Section 106, NEPA and permitting requirements
FONSI/FEIS		
• Document decisions in FONSI and FEIS • Complete FONSI/FEIS and submit to SHPO and ACHP for review • Respond to comments • Obtain project permits concurrent with NEPA approval	• Review FEIS or FONSI • Approve FONSI or FEIS • Publish notice of FEIS availability in FR • Issue Record of Decision	• Review FONSI or FEIS and concur within 30 calendar days on NEPA and permit compliance
Final Design		
• Environmental reevaluation and consultation with SHPO and ACHP and FHWA on any major design modifications	• Approve Environmental • Reevaluation • Participate in reviews to monitor implementation of EA or FEIS commitments	• Consult with FDOT on design modification and project mitigation measures to assure commitment compliance with EA/FONSI or FEIS

Florida State Historic Preservation Officer (SHPO) and Advisory Council on Historic Preservation (ACHP) Agency Operating Agreement (AOA) August 15, 2003

FDOT	FHWA	SHPO and ACHP ETAT Reviews
Construction and Maintenance		
For those projects not subject to 373.4137, F.S., the following applies: • Monitor implementation of mitigation measures as required by permit • Correct deficiencies found as required by permit • Prepare periodic reports on mitigation activities and provide to resource agencies • Monitor implementation of mitigation measures under Section 106 by agreement and submit to SHPO as appropriate.	• Monitor implementation and status of mitigation efforts and sites	• Review periodic reports, field reviews and consult with FDOT on mitigation success, as necessary

Florida State Historic Preservation Officer (SHPO) and Advisory Council on Historic Preservation (ACHP) Agency Operating Agreement (AOA) August 15, 2003

ACHP Involvement

The Advisory Council on Historic Preservation will be consulted only when the project activity involves a National Historic Landmark or when there is a dispute between review agencies. The ACHP has delegated all other responsibilities to the Florida SHPO. However the SHPO may request the participation of the ACHP. This agreement may not be construed to prohibit the right of any party to request the participation of the ACHP as set forth in 36 CFR, Part 800 regulations implementing section 106 of the Natural Historic Preservation Act (NHPA).

Engineering Information

The level of engineering detail required to obtain permits during the NEPA process is a critical element in the new ETDM Process. In the new ETDM process both NEPA documents and permit applications will be developed using conceptual engineering information supported by required technical studies. An important efficiency of the ETDM process is the development, through interagency coordination and consultation, of one set of engineering and environmental data to satisfy both the NEPA process and the Federal and State regulatory environmental permitting process, concurrently; thereby, eliminating duplication and delay and maintaining production schedules. Utilizing one set of engineering and environmental data and concurrent processing, and with the specified information provided below, permits will be issued by the permitting agencies which provide special conditions outlining the estimated water quality, water quantity, and floodplain encroachment volumes required to meet agency technical review requirements.

Permits Obtained during Project Development

The level of conceptual engineering and project information to be supplied during the Project Development phase is sufficient to meet the State Permit Agencies (WMD/FDEP) requirements for "reasonable assurance" that state water resources, and interest criteria are protected. This will be accomplished through early involvement and interagency coordination and consultation. By providing this information to the permit agencies earlier in the project development phase and applying for construction permits during the Project Development phase, FDOT will be able to request and receive the WRP or ERP contained in Chapter 373, Part IV, FS, Sovereign Submerged Lands contained in Chapter 253, FS, and Coastal Construction Control Line permits contained in Chapter 62B-33, F.A.C. The issuance of the Water Quality Certification will then allow the Federal permit agencies such as the Corps of Engineers and the U.S. Coast Guard to issue their respective permits concurrent with NEPA. The duration of each permit will be of sufficient length to allow the FDOT to complete the necessary project production phases and begin construction, (i.e. ten years or longer).

Environmental Reevaluation and Permits

Each project is reevaluated, in consultation with FHWA, by FDOT, prior to advancing to the next phase of project development. During the reevaluation phase consultation with permit and resource agencies will occur where major design changes effecting the permit have occurred, or where permits, whose effective date may expire prior to project construction have been identified and a time extension in permit duration is needed that will allow for construction to be completed, or where commitments are being implemented or require change.

CHAPTER 3
NATIVE AMERICAN CONSULTATION

3.0 OVERVIEW

Chapter 3 identifies and provides contact information for the six federally recognized Native American tribes that have historical and cultural affiliations in Florida. A step by step process for FHWA and FDOT to follow when conducting consultation with Native American tribes under Section 106 follows. This chapter concludes with a discussion of major issues relating to Native American consultation, including the government-to-government relationship that exists between the federal government and federally recognized tribes; the confidentiality of sacred information; and Native American views on human remains and archaeological sites.

Chapter 3 covers the following:

3.1 THE CONSULTING TRIBES

As defined in the NHPA and the implementing regulations, **Native American tribes** are those tribes that have received formal recognition by the U.S. government. In Florida, the six federally recognized tribes are:

- The Miccosukee Tribe of Indians of Florida,
- The Mississippi Band of Choctaw Indians,
- The Muscogee Creek Nation,
- The Poarch Band of Creek Indians,
- The Seminole Nation of Oklahoma, and
- The Seminole Tribe of Florida.

All six tribal governments have ancestral lands throughout the southeastern United States. Both the Miccosukee Tribe of Indians of Florida and the Seminole Tribe of Florida currently reside and have tribal lands in Florida. Although the Muscogee Creek Nation, the Poarch Band of Creek Indians, the Seminole Nation of Oklahoma, and the Mississippi Band of Choctaw Indians do not currently have reservation lands in the state, they at one time lived in Florida and have a direct historical and cultural affiliation.

The Miccosukee Tribe of Indians of Florida was originally part of the same group of Creek Indians as the Seminole Tribe who fought against the U.S. government during the Seminole Wars of

the 1800s. They took refuge in the Everglades during these wars and were part of the small group that was not removed to Oklahoma following the war. Eventually, they separated from the Seminole Tribe to become an independent tribe and, in 1962, were formally recognized by the U.S. government. Today, they have a population of approximately 550 individuals and three reservation areas in the state of Florida: Tamiami Trail, Alligator Alley, and Krome Avenue. Additional information about the Miccosukee Tribe of Indians of Florida is available on their website: http://www.miccosukee.com.

The Chief of the Miccosukee Tribe of Indians of Florida has formally designated a Section 106 and NAGPRA Representative and has directed that all correspondence regarding Section 106 issues be sent directly to this representative. Contact information follows:

Chairperson
Miccosukee Tribe of Indians of Florida
Tamiami Station
P.O. Box 440021
Miami, FL 33144

Section 106 and NAGPRA Representative
Miccosukee Tribe of Indians of Florida
Tamiami Station
P.O. Box 440021
Miami, FL 33144

The Mississippi Band of Choctaw Indians is part of the Muskhogean linguistic family that includes Creek, Chickasaw, Seminole, Apalachi, and other smaller groups. There are currently more than 9,100 enrolled members of the Mississippi Choctaw. Ancestral lands of the Mississippi Choctaw included present day Mississippi, Alabama, and the western Florida panhandle. The Mississippi Choctaw reservation contains some 35,000 acres of tribal lands located in ten different Mississippi counties. There are seven officially recognized communities within the tribe that include the Pearl River, Red Water, Bogue Chitto, Standing Pine, Tucker, Conehatta, and Bogue Homa communities. The Pearl River community is the largest and is the site of the Mississippi Choctaw government headquarters. The Mississippi Choctaw government structure has been in place since 1943 when a tribal constitution was ratified and a representative, democratic form of government was established with equal representation among all seven Mississippi Choctaw communities. The tribe was federally recognized in 1945. Additional information on the Mississippi Band of Choctaw Indians is available on their website: http://www.choctaw.org/.

Chairman
Mississippi Band of Choctaw Indians
101 Industrial Road
Choctaw, MS 39350

Tribal Historic Preservation Officer
Mississippi Band of Choctaw Indians
P.O. Box 6257
101 Industrial Road
Choctaw, MS 39350

The Muscogee (Creek) Nation is descendents of a culture that, before 1500 C.E. (Common Era), spanned the entire region known today as the southeastern United States. Early ancestors of the Muscogee constructed earthen pyramids along the rivers of this region as part of their elaborate ceremonial complexes. The historic Muscogee later built expansive towns within these same broad river valleys in the present states of Alabama, Georgia, Florida, and South Carolina. Per the Indian Removal Act of 1830, Muscogee leadership exchanged the last of their ancestral homelands for new lands in Indian Territory (Oklahoma). The U.S. Army enforced the removal of more than 20,000

Muscogee (Creeks) to Indian Territory in 1836 and 1837. Today, the Muscogee (Creek) Nation is located in Oklahoma and has land claims in the Florida panhandle. The tribal headquarters is located in Okmulgee, Oklahoma, and the tribe has approximately 44,000 tribal members. The Muscogee (Creek) Nation, along with the Seminole Nation, is considered one of the "Five Civilized Tribes," a name bestowed by the U.S. government in the mid 1800s because of the belief that these tribes adapted more quickly than others to European ways. Additional information on the Muscogee (Creek) Nation is available on their website: http://www.muscogeenation-nsn.gov/.

Principal Chief
Muscogee (Creek) Nation
Office of the Administration
P.O. Box 580
Okmulgee, OK 74447

Tribal Historic Preservation Officer
Muscogee (Creek) Nation Cultural Preservation
P.O. Box 580
Okmulgee, OK 74447

The Poarch Band of Creek Indians was historically part of the Creek Confederacy with territory primarily in Georgia and Alabama. The Poarch represent one of the few tribes not removed to Indian Territory by the U.S. government, and has lived in the same general areas for nearly 150 years. They have a 400-acre reservation in southern Alabama on the Florida border, but tribal members also live off-reservation in Escambia County, Florida. Federal recognition was obtained in 1984, and, currently, there are approximately 2,127 members of the Poarch Band of Creek Indians. Additional information on the Poarch Band of Creek Indians can be found on their website: http://www.poarchcreekindians-nsn.gov/.

Chairman
Poarch Band of Creek Indians
5811 Jack Springs Road
Atmore, AL 36502

Tribal Historic Preservation Officer
Poarch Band of Creek Indians
5811 Jack Springs Road
Atmore, AL 36502

The Seminole Nation of Oklahoma was established in 1856 by the U.S. government in Indian Territory. They are historically associated with the Seminole Tribe of Florida and represent the more than 3,000 Seminoles who were removed from Florida by the U.S. government at the end of the Seminole Wars in the 1800s. The Seminoles were considered the most traditional of the "Five Civilized Tribes." The Seminole Nation of Oklahoma considers Florida its ancestral home and has historical and cultural connections to the state. The tribal headquarters are located at Wewoka (meaning Barking Waters), which is the county seat of Seminole County. The Seminole Nation of Oklahoma currently has around 12,000 enrolled tribal members, of which about 60 percent live within or near the Seminole Nation boundaries. Additional information about the Seminole Nation of Oklahoma can be found at http://seminolenation.com/.

Principal Chief
Seminole Nation of Oklahoma
P.O. Box 1498
Wewoka, OK 74884

Tribal Historic Preservation Officer
Seminole Nation of Oklahoma
P.O. Box 1498
Wewoka, OK 74884

The Seminoles are comprised of various culturally related Creek tribes that began to migrate into northern Florida sometime before 1750. In all likelihood, those Native Americans who survived the period of European settlement and the resultant diseases were absorbed into the Seminole Tribe as they migrated south into Florida. During and following the Seminole Wars, approximately 300 Seminoles took refuge in the Everglades and avoided removal to Indian Territory. Their descendants form the Seminole Tribe of Florida. In 1957, a majority of these people voted to establish an administrative entity called the **Seminole Tribe of Florida**, and, in that same year, the U.S. Congress officially recognized them as a Native American tribe. Those who chose to not become members of the newly-formed Seminole Tribe either remained independent or eventually joined together to form the Miccosukee Tribe of Indians of Florida. Today, the Seminole Tribe of Florida has almost 3,000 members living on six reservations across the peninsula: Hollywood (formerly Dania), Big Cypress, Brighton, Fort Pierce, Immokalee, and Tampa. Additional information on the Seminole Tribe of Florida is available on their web site: http://www.seminoletribe.com.

Chairman
Seminole Tribe of Florida
6300 Stirling Road
Hollywood, FL 33024

Tribal Historic Preservation Officer
AH-TAH-THI-KI Museum
HC-61, Box 21-A
Clewiston, FL 33440

3.2 THE NATIVE AMERICAN CONSULTATION PROCESS

In accordance with 36 CFR Part 800, federal agencies are required to consult with federally recognized Native American tribes in all phases of the Section 106 process when an agency undertaking may have the potential to affect Native American historic properties on or off tribal lands. FHWA, in partnership with FDOT, has initiated a government-to-government relationship with the six federally recognized Native American tribes.

Since THPOs may not have been designated by their tribal governments to function as the sole point of contact, FHWA/FDOT should contact both the tribal government leaders and the THPO prior to formal initiation of Section 106 consultation. Dual contact information for each of the six tribes is provided in Section 3.1 For some projects, it may be appropriate to expand the contact list to include Native American tribes expressing interest as a consulting party under Section 106. These decisions will be made on a case-by-case basis.

The objective of Native American consultation is to conduct good faith efforts to elicit information from the tribes concerning properties of traditional or historical importance to them. Both FDOT and FHWA have a designated Native American Coordinator. For FHWA-funded projects, all communications to the tribes must be routed through the FHWA, Florida Division Administrator. District representatives will forward any letters or documents going to the tribes to FHWA for distribution under their letterhead and signature. For state-funded projects, any coordination with the tribes should go through FDOT personnel, and, if in writing, on FDOT letterhead.

The basic steps FHWA/FDOT follows when conducting consultation with Native American Tribes are:

Step 1: Send an Advanced Notification (AN) letter according to the Project Development & Environment (PD&E) Manual, Part 1, Chapter 3. The Miccosukee and Seminole Tribes of Florida participate in the Efficient Transportation Decision Making (ETDM) process as members of the Environmental Technical Advisory Team (ETAT) and much of the consultation is done electronically (further discussion of this process is included in Chapter 4).

Step 2: Send a Notification Letter to the other four federally recognized tribes (Mississippi Band of Choctaw Indians, Muscogee (Creek) Nation, Poarch Band of Creek Indians, and Seminole Nation of Oklahoma) to initiate Section 106 consultation when the CRAS is initiated. Unless otherwise directed, FHWA writes a government-to-government letter signed by the Division Administrator to the chief or chair of each tribe, with copies to the THPO or Tribal Section 106 representative.

The notification letter should include:

- A clear statement that the project is being conducted pursuant to Section 106 of the NHPA;
- A statement that the letter is intended to initiate project-specific consultation between FHWA, FDOT, and the federally recognized tribe [include the full, legal name of the tribe] and to identify any issues of importance to the tribe;
- A brief description of the project and proposed improvements;
- A map showing the location of the project and proposed improvements;
- A statement that a CRAS will be conducted and a copy of the report will be forwarded to the tribe;
- A request for comments from the tribe; and
- The names of FHWA and FDOT contact persons.

A sample Notification Letter is provided in **Exhibit 3.1.**

Step 3: For each tribe requesting to be a participant in the Section 106 consultation process, send a letter and a copy of the final CRAS report. See **Exhibit 3.2** for a sample CRAS report submittal letter if the survey identified no archaeological sites, and **Exhibit 3.3** for a sample CRAS report submittal letter if the survey identified archaeological sites.

- If comments are received, FHWA consults with the FDOT Native American Coordinator, and then with the THPO or tribal Section 106 representative.
- If appropriate, arrange meetings and/or a site visit if a significant Native American cultural resource was identified during the CRAS, or if requested by the tribe.
- If no response is received, follow-up telephone calls or e-mails should be conducted. These follow-up calls can be made by the District or their representative (with notification sent to the appropriate FHWA transportation engineer) and should be

directed to the tribally designated historic preservation officer or Section 106 representative. It is important to keep the FHWA and FDOT Native American Coordinators informed and involved and to document all correspondence, e-mails, and telephone calls. It is recommended that letters be sent via overnight mail or certified mail with a return receipt requested.

3.3 MAJOR ISSUES AND ONGOING DIALOGUE

Native American consultation can be challenging given the history of Native American and government relations in the United States and the varied cultural perspectives. FHWA, FDOT, and the tribes are working diligently to establish the trust relationships and mutual understanding essential to successful consultation. This dialogue began in 1999 with Section 106 workshops and project related coordination. Representatives of the Florida Division of the FHWA and FDOT also traveled to South Florida, Alabama, and Oklahoma to meet with tribal Chairpersons and historic preservation officers to discuss agency goals and stress the desire for meaningful consultation. Tribal and agency representatives came together to identify transportation-related issues of importance. The meetings identified key issues, increased mutual understanding, forged a workable protocol, and created positive opportunities for future consultation. The consultation process established during these meetings continues to evolve and improve. FHWA and FDOT continue to work with tribal representatives to help them more fully participate in the planning and programming activities used in the Geographic Information System (GIS)-based ETDM process. The Miccosukee Tribe of Indians of Florida and the Seminole Tribe of Florida are members of the ETAT. Native American issues are also being integrated into the FDOT Public Involvement efforts and Sociocultural Effects analysis.

Coordination with the six federally recognized tribes represents a developing and evolving process that, to date, has identified the following four major issues of concern to the tribes:

- Government-to-government relationship;
- Confidentiality;
- Human Remains; and
- Archaeological Sites.

Government-to-Government Relationship: Consultation with a Native American tribe must recognize the "government-to-government" relationship that exists between the federal government and federally recognized Native American tribes, and be conducted in a sensitive manner that is respectful of tribal sovereignty. This relationship derives from the Constitution, treaties, Supreme Court decisions, and federal laws and authorities.

Technically, this means that the Division Administrator of FHWA coordinates directly with each tribal Chief or Chairperson. In recognition that this may not be workable on a day-to-day basis, FHWA, in conjunction with FDOT, initiated the government-to-government relationship with each of the six tribes and is in the process of developing a workable protocol that will satisfy tribal and

agency objectives. While the proper protocol is being established, Native American tribes should be kept informed of each step of the Section 106 process.

Confidentiality: Native American people are often "held to norms of secrecy and confidentiality" when dealing with sacred information, and the mere act of revelation to an outsider can constitute a violation of traditional religious and cultural norms. Because of this, Native American tribes often are concerned about revealing the locations of their religious and cultural sites. Providing such information to the public on traditional use areas, such as plant gathering places, ceremonial centers, and burial mounds also may lead to the disruption of its use or even destruction by curious or ill-intentioned people. Section 304 of the NHPA allows agencies to withhold information regarding an undertaking or its effects if it determines that such information would:

- Cause a significant invasion of privacy;
- Risk harm to the resource; or
- Impede the use of a traditional religious site by its practitioners.

Additionally, legislation enacted by the Florida state legislature in January 2002 exempts the locations of archaeological sites in Florida from the provisions of what is commonly referred to as the "Sunshine Law," (s.119.07(1) and 2.24(a) of Article I of the State Constitution). The law allows agencies to limit the distribution of location information on sites vulnerable to looting or vandalism, in particular, precontact archaeological sites. FHWA and FDOT are currently working with the tribes to identify those cases where confidentiality is desired or required. In the meantime, the District Cultural Resource Managers should consult with the FDOT Native American Coordinator to determine the need for withholding such information.

Human Remains: Human remains are a matter of cultural, historical, and sacred significance to Native American tribes and should not be looked at only in an archaeological context. For archaeologists, the significance of human remains sites lies in their ability to provide biological, pathological, epidemiological, dietary, and mortuary information that will assist in better describing, understanding, and explaining past human behavior and historical processes. Many Native Americans, on the other hand, view such interests as incompatible with their traditional beliefs and values. So strong are their beliefs regarding the sacredness of these types of sites that some tribes refuse to even discuss the subject of death. Not surprisingly, the excavation of human remains for the purposes of scientific investigation is viewed as abhorrent to them and tantamount to an unauthorized exhumation of their ancestors. The discovery of human remains must be approached with a great deal of cultural sensitivity and an understanding that, to Native Americans, human remains are sacred.

In the event that human remains are found during any project, the provisions of Chapter 872, FS must be followed. Briefly, this law states that when "an unmarked human burial is discovered..., all activity that may disturb the unmarked human burial shall cease" and may not resume until authorized by either the District Medical Examiner or the State Archaeologist [(872.05(4)]. If human remains less than 75 years old are encountered or if they are involved in a criminal investigation, the District Medical Examiner has jurisdiction. If the remains are determined to be more than 75 years of age, then the State Archaeologist takes the lead in determining appropriate treatments and options for

the remains. In cases where the State Archaeologist has jurisdiction, the State Archaeologist will set up a committee to initiate consultation with the tribes and make decisions regarding the steps to be taken to satisfy the legal requirements of Chapter 872, FS. It is advisable to notify the FDOT Native American Coordinator immediately to ensure that the proper legal procedures are followed.

Archaeological Sites: To non Native American, the past, as reflected in archaeological sites, is not part of their cultural heritage, traditional religious system, or ancestral sites. By the very nature of their profession, archaeologists are trained to view archaeological sites as sources of information about the past to be excavated and analyzed, and a means to understand better the way of life of Native American groups. To Native Americans, archaeological sites are part of their ongoing cultural traditions and are frequently referred to as ancestral or cultural sites. Consequently, these sites remain an integral part of their history and culture. In many cases, such sites may have more importance than the scientific value that can be yielded through excavation.

It is, therefore, imperative that Native American tribes be consulted regarding these sites. The District Cultural Resource Coordinators should consult with the FDOT and the FHWA Native American Coordinators for any project where significant archaeological sites are identified during the CRAS. They will provide direction to assure that the tribes receive the proper information and are included in the determination of effects and in the subsequent efforts to find an appropriate avoidance, minimization, or mitigation solution.

EXHIBIT 3.1
SAMPLE NOTIFICATION LETTER

[DATE]

[TRIBAL CONTACT NAME]
[TITLE]
[ADDRESS]

Re: [**PROJECT NAME**]
COUNTY: [Name}

Dear [TRIBAL CONTACT NAME]:

The Federal Highway Administration (FHWA) and the Florida Department of Transportation (FDOT) (District [NUMBER]) are conducting a [PROJECT NAME and DESCRIPTION].

As part of the ongoing consultation process pursuant to Section 106, we are soliciting input from the [INSERT TRIBE NAME] concerning any religious or cultural significance associated with any historic property that may be affected by this project. The Tribe was consulted during the development of the research methodology for the Cultural Resource Assessment Survey (CRAS).

Enclosed, please find one CD containing the [DATE] CRAS Report for the project. A total of [INSERT NUMBER] archaeological sites were identified during the survey of [PROJECT NAME]. [NOTE TYPE OF SITES AND THEIR NRHP ELIGIBILITY RECOMMENDATION, IF APPLICABLE]

We look forward to any comments you may have on cultural resources in the project area, or comments on the CRAS recommendations. If you have any questions, please do not hesitate to contact [NAME] at [PHONE NUMBER].

Sincerely,

[NAME]
FHWA Division Administrator

Enclosures
cc: [Additional tribal contacts]
[District Engineer]
[District specific contacts]
[Native American coordinator], FHWA
[Native American coordinator], FDOT
[Cultural resource coordinator], FDOT

EXHIBIT 3.2
SAMPLE CRAS LETTER WHEN NO ARCHAEOLOGICAL SITES ARE IDENTIFIED

[DATE]

[TRIBAL CONTACT NAME]
[TITLE]
[ADDRESS]

Re: [**PROJECT NAME**]
COUNTY: [Name}

Dear [TRIBAL CONTACT NAME]:

The Federal Highway Administration (FHWA) and the Florida Department of Transportation (FDOT) (District [NUMBER]) are conducting a [PROJECT NAME and DESCRIPTION].

As part of the ongoing consultation process pursuant to Section 106, we are soliciting input from the [INSERT TRIBE NAME] concerning any religious or cultural significance associated with any historic property that may be affected by this project. The Tribe was consulted during the development of the research methodology for the Cultural Resource Assessment Survey (CRAS).

Enclosed, please find one CD containing the [DATE] CRAS report for the project. No archaeological sites considered eligible for listing in the National Register of Historic Places (NRHP) were identified.

We look forward to any comments you may have on cultural resources in the project area, or comments on the CRAS recommendations. If you have any questions, please do not hesitate to contact [NAME] at [PHONE NUMBER].

Sincerely,

[NAME]
FHWA Division Administrator

Enclosures
cc: [Additional tribal contacts]
[District Engineer]
[District specific contacts]
[Native American coordinator], FHWA
[Native American coordinator], FDOT
[Cultural resource coordinator], FDOT

EXHIBIT 3.3
SAMPLE CRAS LETTER WHEN ARCHAEOLOGICAL SITES IDENTIFIED

[DATE]

[TRIBAL CONTACT NAME]
[TITLE]
[ADDRESS]

Re: [**PROJECT NAME**]
COUNTY: [Name}

Dear [TRIBAL CONTACT NAME]:

Please find enclosed one copy of the Cultural Resource Assessment Survey (CRAS) Report for the [PROJECT NAME] for your review and comment. This report documents the cultural resource survey conducted pursuant to Section 106 of the *National Historic Preservation Act* (*NHPA*) of 1966 (Public Law 89-665, as amended) and its implementing regulations (36 CFR Part 800: *Protection of Historic Properties*, as revised August 2004). The objectives of this survey were to identify cultural resources within the project corridor and assess their eligibility for inclusion in the *National Register of Historic Places* (*NRHP*). As noted in the [INSERT DATE] letter from the Federal Highway Administration (FHWA) to the [INSERT TRIBE NAME] that initiated Section 106 consultation (see attached), this report is being forwarded to you as part of the project specific consultation.

A total of [INSERT NUMBER] archaeological sites were identified during the survey of [PROJECT NAME]. [NOTE TYPE OF SITES AND THEIR NRHP ELIGIBILITY RECOMMENDATION, IF APPLICABLE]

We welcome any comments you may have pertaining to this project and seek your concurrence with the finding. [DETAIL FINDINGS IF APPROPRIATE] We look forward to continuing the consultation process and working with you.

If you have any questions, please feel to call either [NAME] (FHWA) at [PHONE NUMBER], or [NAME] (FDOT Central Environmental Management Office) at [PHONE NUMBER]. You may also contact [NAME, TITLE, PHONE NUMBER] for project-specific information if so desired.

Sincerely,

[NAME]
FHWA Division Administrator

Enclosures

cc: [Additional tribal contacts]
[District Engineer]
[District specific contacts]
[Native American coordinator], FHWA
[Native American coordinator], FDOT
[Cultural resource coordinator], FDOT

CHAPTER 4
THE ETDM PROCESS AND CULTURAL RESOURCES

4.0 INTRODUCTION

FDOT, in partnership with FHWA and FTA, has developed and implemented a method for planning and delivering transportation projects. The Efficient Transportation Decision Making (ETDM) Process was developed in response to the "Environmental Streamlining" legislation passed by Congress as part of the Transportation Equity Act for the 21st Century (Section 1309 of TEA-21). Under the SAFETEA-LU, Section 6002, a new environmental review process was established for highways, transit, and multimodal projects, and a new category, "participating agencies," was added. This allows more state, local, and tribal agencies a formal role and rights in the environmental process. After providing an opportunity for public and interagency involvement, the Department will define the project's purpose and need, and establish a plan for coordinating public and agency participation. As early as practicable in the process, FDOT will provide the opportunity for a range of project alternatives to be considered. To date, over 30 resource agencies, including the Florida DOS, have signed a Memorandum of Understanding agreeing to participate in the ETDM process and to assign a representative to serve as a member of the ETDM ETAT. There are two representatives of the DHR/SHPO functioning in this capacity. These ETAT representatives will provide official responses to FDOT that will be advisory and will include input regarding regulatory and planning programs. In addition, the Miccosukee Tribe of Indians of Florida and the Seminole Tribe of Florida have ETAT representatives.

The ETDM Process is designed to provide the SHPO, THPOs, other consulting parties, and the public access to project plans and information about potential effects to Florida's cultural resources. The process provides for effective communication so agencies and the affected public can discern how their input influences project concepts. It does not replace the Section 106 process nor does it negate the need for cultural resource assessments or other types of technical studies. ETDM simply assists with the early identification of cultural resources requiring special consideration before major projects enter the FDOT work program. It also allows those projects with no cultural resource issues to proceed without further technical studies.

This chapter provides an overview of the ETDM process, explains how cultural resources are included, and provides guidance for conducting cultural resource evaluations under this process. The specific procedures for implementing the ETDM process are found in the ETDM Guidelines.

4.1 THE ETDM PROCESS

Florida's ETDM Process defines how the state accomplishes transportation planning and project development within its current statutes and regulations. This process provides for interaction with the SHPO, THPOs, and other consulting parties in the early stages of transportation planning and allows them to comment on the potential impacts of a project to cultural resources throughout the planning, programming, and project development phases of a project.

Under this process, as shown in **Figures 4.1 and 4.2**, cultural resource analysis is included in both the Long Range Transportation Plan (LRTP) and the Transportation Improvement Program (TIP). Prior to ETDM, no substantial cultural resource analysis was conducted until after a project was programmed into the FDOT Five-Year Work Program and the PD&E process was underway. This upfront inclusion of cultural resources analyses in ETDM allows decisions to be made regarding avoidance options and mitigation strategies for major projects early in the planning process. Projects involving the Strategic Intermodal System (SIS) also have used the ETDM Process. The SIS is a transportation system that is made up of statewide and regionally significant facilities and services; contains all forms of transportation for moving both people and goods, including linkages that provide for smooth and efficient transfers between modes and major facilities; and integrates individual facilities, services, forms of transportation (modes), and linkages into a single, integrated transportation network.

The types of projects currently in ETDM include major capacity improvement projects, such as roadway and bridge widenings (excluding the addition of auxiliary lanes), new roadways and bridges, and rail transit systems. In Metropolitan Planning Organization (MPO) areas, the Planning Screen will occur on capacity improvements contained in the Long Range Transportation Needs Plan and prior to the development of the MPO LRTP, with the exception of the Florida Intrastate Highway System (FIHS) facilities. FIHS facilities will be screened during the development of the FIHS Cost Feasible Plan, by FDOT, for both the MPO and non-MPO areas. These analyses at the Planning Screen phase allow for the early identification of cultural resource issues that could influence the priority, alignment, and/or design features of candidate transportation projects.

Not all transportation projects are included in the ETDM process; excluded projects are covered under the AOA between FDOT, FHWA, ACHP, and SHPO. The AOA, which is included in **Exhibit 2.1**, establishes how the SHPO operates as an ETAT member. It also outlines the level of cultural resource analysis required for the various types of FDOT transportation projects to ensure compliance with Section 106, Chapter 267, FS, and NEPA. Two basic considerations underlie the AOA: the potential a project has to affect cultural resources and the potential for cultural resources to be present in a given location. Both the project location and the specific type of activity determine the required level of cultural resource review.

A key component of ETDM is the Environmental Screening Tool (EST), an interactive database and mapping application available on the Internet. GIS analyses of previously recorded cultural resources are performed to locate previously recorded archaeological sites and historic resources located near the project area.

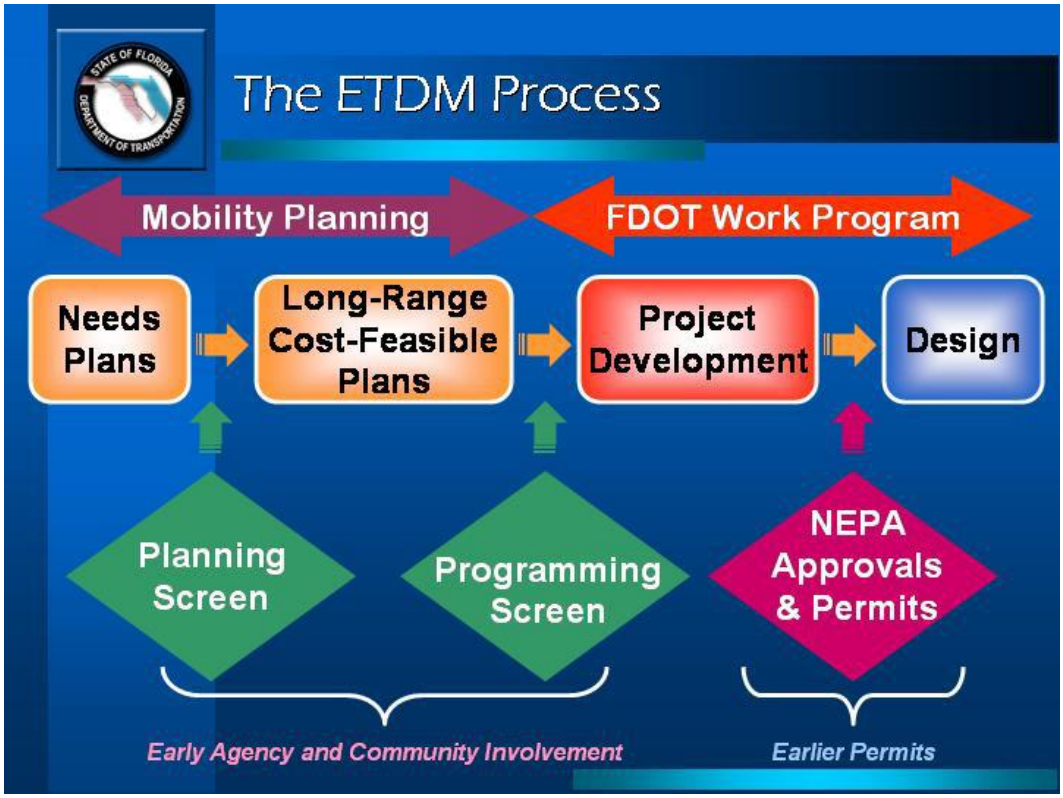


Figure 4.1: The ETDM Process.

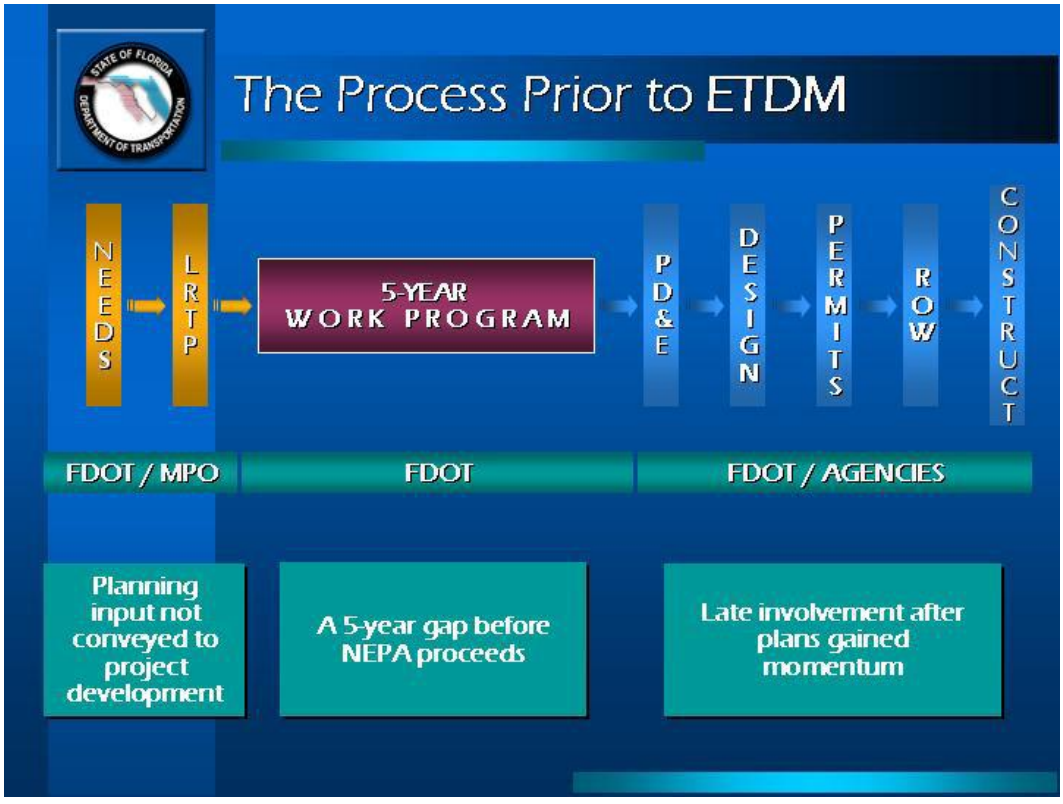


Figure 4.2: The Process Prior to ETDM

GIS analysis takes place during the Planning and Programming phase of a project during an event referred to as "screening." These screening events, known as the Planning Screen and the Programming Screen in the ETDM Process, are conducted prior to project development.

4.1.1 Planning Screen

The Planning Screen allows the SHPO and other agencies (FHWA, tribes, WMDs, and some local agencies) to review project Purpose and Need Statements and comment on the potential impact of projects to cultural resources early in the planning process. This opportunity enables planners to adjust project concepts to avoid or minimize adverse impacts, consider mitigation alternatives, and improve estimation of project costs. Secondary and cumulative impacts are evaluated on a project and system-wide basis in connection with the Planning Screen. The interrelationships between historic preservation concerns and mobility plans are considered through integrated agency planning. Key recommendations and conclusions regarding potential project impacts are provided in a Summary Report. This report guides planners to stage transportation priorities in long-range transportation plans and is available electronically to the SHPO, THPOs, and other consulting parties as well as to other resource agencies and the public.

4.1.2 Programming Screen

The intent of the Programming Screen is to identify significant environmental and social issues of priority transportation projects and to develop a methodology for focused technical studies to address those issues or resolve a dispute before priority projects are programmed into the FDOT Five-Year Work Program. It includes priority bridge projects included in the Statewide Bridge Inspection Summary Report and the projects included on county priority lists. In the ETDM Process, most projects that enter the Programming Screen already will have been evaluated in the Planning Screen. The results of these project evaluations of potential impacts to the natural and social environment are stored in the EST. Candidate projects that have not been previously evaluated in the Planning Screen, such as bridge replacement projects, LRTP project amendments, and county priorities in non-MPO areas, will be evaluated in the Programming Screen.

This screen occurs before projects are funded in the FDOT Five-Year Work Program. It initiates the NEPA process for federally funded projects or the State Environmental Impact process for state-funded projects. SHPO and other agency input concerning the potential impact to cultural resources is the basis for agency scoping efforts to help ensure compliance with NEPA and other applicable federal and state laws, including NHPA, 36 CFR Part 800, and Chapter 267, FS. If significant issues are identified, the SHPO or THPOs may request Dispute Resolution before the project is programmed in the FDOT Five-Year Work Program. FHWA and FDOT agree on a Class of Action Determination for each priority project, which may include consultation with other agencies at times. Community and SHPO input, preliminary project concepts, reasonable project alternatives, and agency scoping recommendations are summarized in a Programming Summary Report. This report is used as the transition document to the Project Development phase.

4.1.3 Project Development

The Project Development phase is the process by which FDOT documents NEPA compliance and obtains the required environmental permits. In the Project Development phase, each project is developed to the level of detail necessary to assess accurately the potential impacts to archaeological and historic resources to obtain environmental permits at the conclusion of the NEPA process. This interaction continues throughout the life of a project to ensure that mobility needs are balanced with historic preservation decisions, values, and mitigation strategies. In this new process, resource avoidance, minimization options, and mitigation strategies are identified earlier, and cost impacts for these strategies can be considered in establishing transportation plan priorities. SHPO interaction during Project Development allows permitting to be concurrent with the completion of the federal NEPA process and reduces the duplication of effort that occurs in today's production process.

The current PD&E Manual of FDOT contains two volumes (Parts 1 and 2) that describe in detail the process by which transportation projects are developed. Part 1 of the PD&E Manual describes the process involved with environmental evaluation of projects. Many of the process steps described in Part 1 will be modified by application of the ETDM Process. The ETDM Interim Guidelines will eventually replace Part 1 of FDOT's PD&E Manual. Part 2 of the PD&E Manual is largely focused on the procedures for compliance with state and federal law and with NEPA. Part 2 Chapter 12 focuses specifically on archaeological and historic resources. Part 2 of the PD&E Manual is not replaced by the ETDM Process.

4.2 THE ETDM TEAM

The ETDM team is comprised of the following:

- FDOT ETDM Coordinator from each district who is responsible for overall coordination within the Department and with the MPOs, resource agencies, and the community;
- MPO ETDM Coordinator from each district who is responsible for agency and community interaction in MPO areas through the Programming Screen Phase (except for bridges and FIHS);
- Community Liaison Coordinator from each district who is responsible for establishing a two-way conduit of communication with the public; and
- An ETAT consisting of federal, state, and regional agency and MPO representatives, and Native American tribes. From a cultural resource perspective, the ETAT representatives from the SHPO are critical, as they are responsible for commenting and providing that agency's official opinion regarding the potential impacts of a proposed project on cultural resources.

The SHPO has appointed two representatives with responsibility to coordinate and perform all agency actions to satisfy the agency statutory responsibility with respect to the planning and implementation of transportation projects. Interaction with the SHPO occurs throughout the project

planning to ensure that transportation decisions are balanced with cultural resource preservation decisions. The SHPO ETAT representatives have agency authority and responsibility to coordinate internally and represent agency positions. The role of the ETAT representatives changes from advisory during the planning phase to coordination during the PD&E permitting phase. During planning, the ETAT representatives advise the MPO in urban areas (and FDOT in non-MPO areas) of potential project impacts to known cultural resources and the likelihood of impacts to unrecorded properties, consistent with the SHPO's regulatory and planning program. Recommendations are provided regarding how to avoid, minimize, or mitigate these impacts. The ETAT representatives also evaluate and provide comments on secondary and cumulative impacts of a transportation improvement project for the resources that their agencies are responsible for protecting. This also provides for project review consistency. The ETAT representatives concur with the purpose and need statement for the project, and provide updated resource data that may affect decisions based on agency plans and goals. The SHPO ETAT representatives provide an official opinion or concurrence only. Project records must show that the transportation planning agency provided the SHPO, THPO, and ACHP the opportunity to comment on a project. Final decision making for establishing project priorities still lies with the transportation planning agency.

As a project advances into the project development and design phases, the SHPO ETAT representatives continue to provide project input and technical assistance to FDOT to satisfy federal or state historic preservation regulations, including permit requirements from other resource agencies, such as the USACE or the DEP. This includes requesting technical studies to aid in agency decisions, and identifying, defining, and participating in technical studies needed for SHPO decisions. The SHPO ETAT representatives are responsible for coordinating within their agency to accomplish permitting concurrent with the completion of the federal NEPA or state State Environmental Impact Report (SEIR) process.

4.3 THE ENVIRONMENTAL SCREENING TOOL

The EST supports the ETDM Process by integrating data from multiple sources, analyzing environmental effects, communicating information, storing and reporting results, and maintaining project records. This Internet-accessible GIS application brings together information about transportation projects and cultural resources. It enables the ETAT members and the community to examine potential impacts to cultural resources. A key component of the application is its use of the Florida Geographic Data Library (FGDL) housed at the GeoPlan Center at the University of Florida. The GeoPlan Center compiles geographic information system data from federal, state, and local agencies and makes it available to the public through the FGDL.

GIS information on cultural resources is obtained from the FMSF, the state's official repository for archaeological and historic resource data. The FMSF consist of a paper file and digital archive of known archaeological sites and historic resources in Florida. The FMSF provides quarterly digital file updates to FGDL regarding cultural resource data recorded on FMSF forms. The archaeological data are confidential and are not available on the public access ETDM web site.

Using the FGDL as the foundation for environmental resource data, the EST provides utilities to input and update information about transportation projects and cultural resources, perform standardized GIS analyses, gather and report comments by the ETAT representatives, and provide read-only information to the public. Ease of use is a feature of this system that allows ETAT representatives access to the ETDM database and GIS analyses results without the cost of high-end computer facilities, costly software, and the specialized skills of a GIS analyst. **Figure 4.3** schematically illustrates the concept for the ETDM database system that is accessed using the EST.

The EST provides results of GIS analyses and affords regulatory and resource agencies and the public the ability to evaluate the effects of transportation plans on Florida's resources, including its affected communities. The EST enables the affected parties to provide feedback on the degree of effect and recommendations or requirements for project modifications to avoid, minimize, or mitigate adverse effects.

Cultural resource data in the EST includes datasets maintained by the FMSF at the DHR. These datasets are based on information provided on FMSF forms. Updated versions of these datasets are distributed to the FGDL quarterly for inclusion in the EST. The categories of data recorded on FSMF forms and included in the EST are briefly explained below and shown in **Figure 4.4**.

Archaeological sites include the following categories of data:

- Precontact and historic period archaeological sites;
- Indian watercraft such as canoes or log boats;
- Aboriginal earthworks such as mounds, ditches, and canals; and
- Precontact period burials.

Historic Cemeteries include marked or unmarked graves that can consist of grave markers, grave depressions, fencing, and landscape elements.

Historic Structures include buildings, structures, and objects such as monuments and statues.

Historic Bridges include both pedestrian and vehicular bridges.

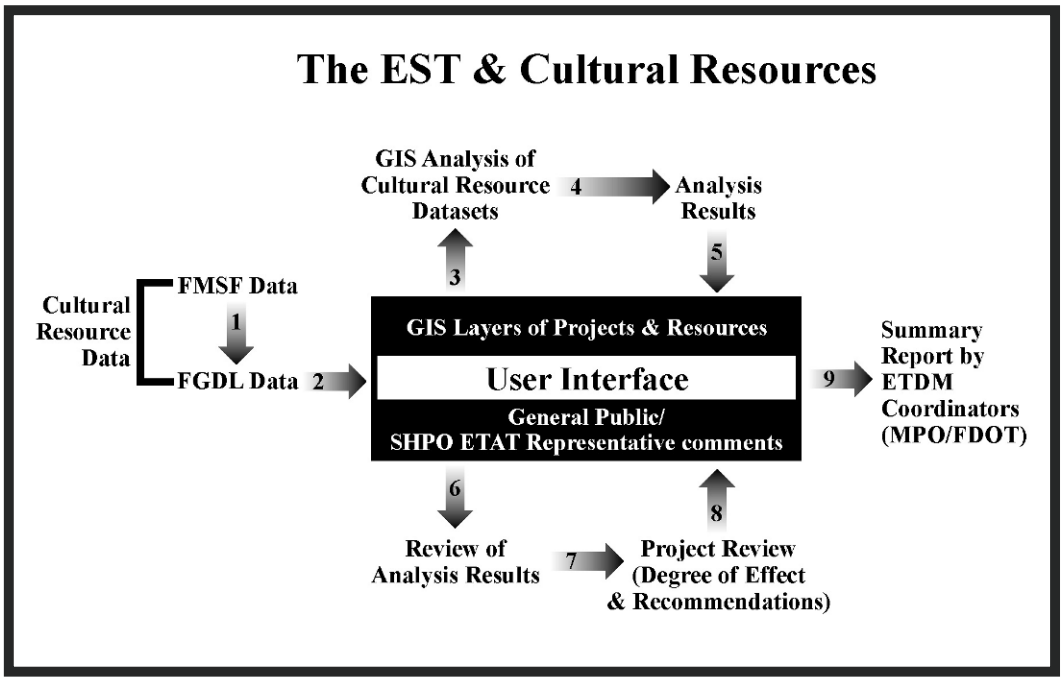


Figure 4.3: The ETDM Cultural Resources Database System.

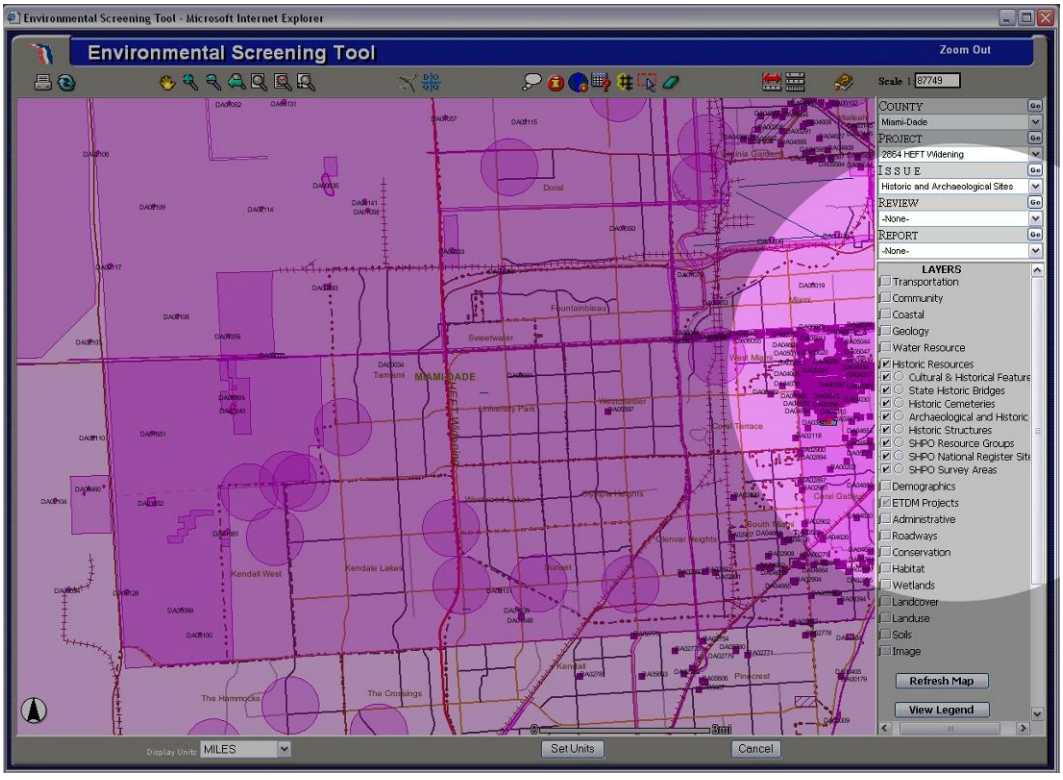


Figure 4.4: Categories of Cultural Resources Data as Shown in the EST

Resource Groups include the following:

- Historic districts;
- Archaeological districts;
- Multiple property listings;
- Building complexes;
- Historic landscapes such as city plazas, formal gardens, farmsteads, and golf courses;
- Linear resources such as roads, trails, railroads, ditches, dikes, and canals; and
- Historic earthworks such as earthen dams and berms.

NRHP-listed properties includes the list of properties officially listed in the NRHP.

Survey Areas include those areas subjected to some level of cultural resource survey where the results have been submitted to the DHR.

4.4 DETERMINING THE NEED FOR A TECHNICAL STUDY AND THE REQUIRED LEVEL OF EFFORT

The decision regarding the need for a technical study and the level of effort for cultural resource analysis will depend on the project type and activity. For the major capacity projects included in ETDM, this decision will take into account the comments of the SHPO ETAT representatives who will review the data in the EST to determine the potential involvement with cultural resources. These comments are noted in the Summary Report. For those project types that are not included in ETDM, FDOT, in consultation with FHWA and the SHPO, has identified an appropriate level of cultural resource analysis, as defined in the AOA (see **Exhibit 2.1**).

4.4.1 Determining the Cultural Resources Level of Effort in ETDM

FDOT developed a series of considerations or questions (see **Exhibit 4.1**) to be used by the ETAT members as guidance when conducting a review of a project. The goal is to provide a mental template to guide the reviewer through a series of considerations to 1) make decisions regarding the nature and status of known cultural resources in a project, 2) determine the need for a technical study, and 3) assign a degree of effect. The degree of effect in ETDM is not the same as a Section 106 effects determination. In ETDM, the degree of effect represents a judgment regarding the potential involvement a proposed project may have with cultural resources listed in the FMSF or the potential for unrecorded archaeological sites or historic resources. These questions recognize the issues specific to cultural resources and incorporate federal and state guidelines, metropolitan planning factors, and standard analysis used by cultural resource managers. These questions are organized into five categories of information:

- Jurisdictional - related to ownership and management of lands;
- Survey - related to the existence and quality of previous CRAS reports;

- Resource - related to the existence and characteristics of a cultural resource;
- Probability - related to the potential occurrence of a cultural resource in an area; and
- Technical Study - related to determining the need for additional technical studies.

FDOT recognizes that additional guidance will be necessary for assigning a "degree of effect" for cultural resources in the Planning and Programming Summary Reports (see **Figure 4.5**). Non-compliance with federal and state historic preservation laws, Comprehensive Plan consistency, and/or an existing MOA or commitment represent the only statutory requirements that would trigger a potential dispute. **Table 4.1** provides additional guidance in assigning a degree of potential effect on cultural resources.

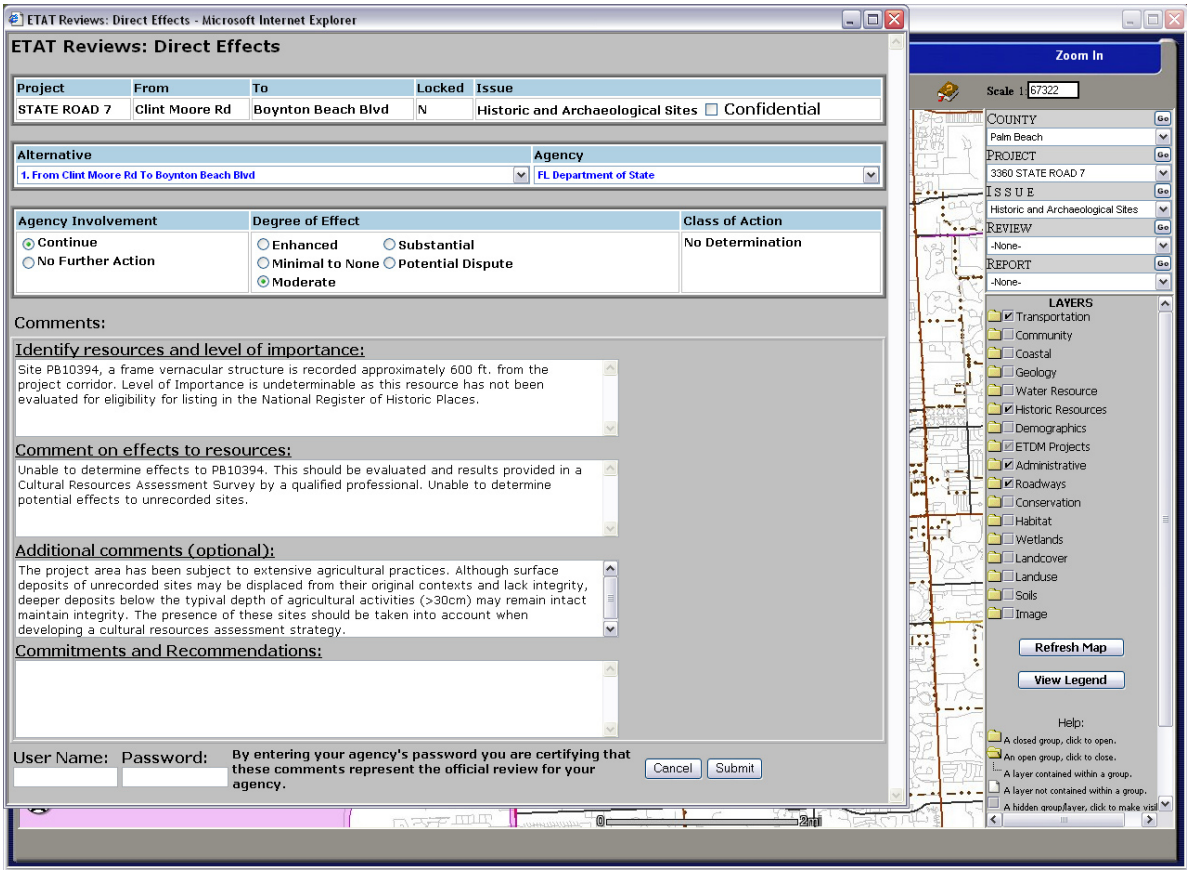


Figure 4.5: Example of Report showing ETAT Review Comments & Degree of Effect.

Table 4.1: Degree of Potential Effect on Recorded Cultural Resources

DEGREE OF EFFECT	GUIDANCE
Potential Dispute	Does not conduct Consultation under Section 106 of the NHPA of 1966
Substantial	Project will likely affect known or recorded historic properties listed or determined eligible for listing in the NRHP
Moderate	Project has the potential to affect properties either listed or determined eligible for listing in the NRHP, or the project area has never been subject to a systematic CRAS to identify unrecorded historic properties
Minimum/None	The project has been subject to a systematic CRAS and determined no historic properties affected, or the project area is determined low probability for unrecorded historic properties based on available environmental data such as soils charts, topographic quadrangle maps, historic aerial imagery, etc.
Enhanced	The project is designed to protect, interpret, or enhance non-illicit access to historic properties.

4.4.2 Determining the Cultural Resources Level of Effort for Projects Not in ETDM

The AOA defines two broad categories of project activities and defines the level of cultural resource analysis required to ensure compliance with Section 106. In accordance with this document:

1. Six types of minor projects (see **Exhibit 2.1**) are exempt from DHR/SHPO review and are considered in compliance with Section 106 if they meet the following conditions:

    - The activity is a stand alone project;
    - The activity does not include and is not located in or adjacent to any historic/archeological resources of 50 years of age or older; nor listed on the NRHP; nor is it a NHL; and
    - The project must be limited to one of the six activities specified in the AOA.

2. The AOA also defines 57 minor project activities (see **Exhibit 2.1**) that, due to their nature and definition, are unlikely to affect historic or archeological properties. These types of projects require a desktop evaluation and field review by FDOT prior to advancing the project to the next phase of development. The objectives of these reviews are to examine existing information regarding known cultural resources and assess the likelihood that unrecorded archaeological sites or historic resources exist within the project vicinity. FDOT coordination and consultation with the SHPO or ACHP is not required for these types of project improvements, provided:

- FDOT bases its decisions concerning historic site evaluations and effect determinations according to the requirements of the NHPA and 36 CFR Part 800, and these decisions are made by individuals meeting the minimum professional qualifications established by the Secretary of the Interior's Standards and Guidelines.
- FDOT makes no evaluation of eligibility of properties for the NRHP without consulting with FHWA (or any lead federal agency) and the SHPO pursuant to 36 CFR Part 800. For non-federally funded projects, FDOT will consult with the DHR pursuant to Chapter 267 and 872, FS.
- FDOT finds that there are no properties affected by the undertaking or that the undertaking will have no effect on historic resources. FDOT will document and file the finding in accordance with procedures and will notify the SHPO of its finding within 30 calendar days of completing its review accompanied by the project description and a map showing location and APE. Unless the SHPO objects within 15 days of receiving the notification, FDOT is not required to take any further action in the Section 106 process, unless there is a dispute.
- If FDOT finds a potential for effect on historic resources, FDOT will consult with the SHPO, and a technical study will be conducted by FDOT qualified staff or a consultant.

EXHIBIT 4.1
CULTURAL RESOURCES CONSIDERATIONS

CULTURAL RESOURCES CONSIDERATIONS

Jurisdictional Considerations

1. Is the project adjacent to or does it cross any tribal lands?

2. Does the project cross lands owned or managed by an agency or jurisdictional authority of the federal or state government?

Survey Considerations

1. Has an archaeological or historic survey been conducted for the proposed project? Study area? General vicinity?

2. When were the surveys conducted?

3. Were the surveys conducted by a CRM professional or firm who meets the Secretary of the Interior's standards?

4. What was the level of detail of the survey?

5. Were resources identified and evaluated during the survey?

6. What was the purpose of the survey?

Resource Considerations

1. Are archaeological sites located in or immediately adjacent to the proposed project? Study area? General vicinity?

2. Are historic resources located in or immediately adjacent to the proposed project? Study area? General vicinity?

3. Are archaeological or historic resources listed in the NRHP located in the project area or in the immediate vicinity of the proposed project area?

4. Are archaeological or historic resources designated potentially eligible for listing in the NRHP located in or immediately adjacent to the proposed project?

5. Are archaeological or historic resources determined as not eligible for inclusion in the NRHP located in or immediately adjacent to the project?

6. Are archaeological or historic resources not evaluated for potential inclusion in the NRHP (by located in or immediately adjacent to the project?

7. Are archaeological or historic resources considered of special importance to the local community located in or adjacent to the proposed project?

8. Are there historic resources associated with a community that has been previously impacted by a transportation project?

9. Are archaeological or historic resources considered of special importance to Native Americans located in or immediately adjacent to the proposed project?

10. Are archaeological or historic resources considered of special importance to a particular ethnic group located in or immediately adjacent to the proposed project?

11. Is a National Historic Landmark located in or immediately adjacent to the proposed project? Study area? General vicinity?

12. Is an archaeological or historic district(s) or resource group(s) located in the proposed project? Study area? General vicinity?

13. Is a historic cemetery located in the proposed project? Study area? General vicinity?

14. Is the condition of the archaeological and/or historic resources potentially associated with the proposed project known?

15. Is a historic bridge located in the proposed project? Study area? General vicinity?

Probability Considerations

1. Are known archaeological sites located within a one-mile buffer zone of the proposed project?

2. Are known historic resources located within a one-mile buffer zone of the proposed project?

3. Does a probability model exist for the county within which the project is located? If yes, was it ranked HIGH or MODERATE?

4. Are county property appraiser's records available for the project area?

5. By using the property appraiser's information (if available), are contiguous concentrations of resources that are 40 years of age or older located within or adjacent to the proposed project?

6. Is the setting of the proposed project similar to that in which known cultural resources occur?

7. Are wetlands (ponds, lakes) located in the immediate vicinity of the proposed project?

8. Are watercourses (rivers, streams) located in the immediate vicinity of the proposed project?

9. Are well-drained soils located in the immediate vicinity of the proposed project?

10. Do areas of elevated topography occur in relation to wetlands and watercourses along the proposed project?

11. Is a historic bridge or bridges located along the proposed project?

12. Is the project located on documented man-made land?

Technical Study Considerations

1. Does an archaeological or historic resource that has not been evaluated by the SHPO, THPO, or NRHP exist within the proposed project? Study area? General vicinity?

2. Does an archaeological or historic resource listed in the NRHP exist within the proposed project? Study area? General vicinity?

3. Does an archaeological or historic resource previously designated as potentially eligible for listing in the NRHP exist within the proposed project? Study area? General vicinity?

4. Does a National Historic Landmark exist within the proposed project? Study area? General vicinity?

5. Does an archaeological or historic resource of special importance to the local community exist within the proposed project area? Study area? General vicinity?

6. Does an archaeological or historic resource of special importance to Native Americans exist within the proposed project? Study area? General vicinity?

7. Does an archaeological or historic resource of special importance to a particular ethnic group exist within the proposed project? Study area? General vicinity?

8. Is the proposed project within an area designated by a county as having a moderate or high probability for archaeological sites?

9. Does the property appraiser's data indicate a high concentration of contiguous buildings that are at least 40 years of age in the project?

CHAPTER 5
RESOURCE IDENTIFICATION: THE CULTURAL RESOURCE ASSESSMENT SURVEY

5.0 OVERVIEW

The second step of the Section 106 process involves the identification of cultural resources, including archaeological sites, historic structures, districts, and objects within a project's APE. The level of investigation is based on the nature and complexity of the proposed undertaking, and can, through administrative actions, be conducted in phases. This chapter addresses the requirements for background research and field survey, two critical elements in the standard CRAS, and the primary means of identifying cultural resources in the Section 106 process. A CRAS also is performed to comply with Chapter 267, FS.

5.1 PRELIMINARY ADMINISTRATIVE ACTIONS

Prior to the initiation of project-specific cultural resource investigations, the FDOT District Project Manager, in coordination with FHWA and the SHPO, determines the level of investigation for the cultural resource assessment and documentation. This decision is based upon the nature of the proposed transportation project (i.e., road design, construction or widening, bridge replacement, drainage project, enhancement project, road jurisdiction transfers), and with reference to the class of action. The investigation level options may include: 1) no cultural resource involvement for previously agreed upon minor projects; 2) a desk top analysis and field review; or 3) a phased CRAS approach, as per the AOA.

5.1.1 Agency Operating Agreement

The **AOA** identifies specific project types and their respective agreed-upon levels of cultural resource analysis. Two considerations determine the required level of cultural resource review: the **project location** vis-à-vis the potential for cultural resources to be present, and the **specific type of activity** and its potential to impact cultural resources.

The AOA defines two categories of "Minor Project Activities." The first group includes six project types "with No Effect on Historical Properties and Are Exempt from Consultation with DHR"

provided that several conditions are met. The conditions require that the activity is a stand alone project. In addition, "the activity does not include and is not located in or adjacent to any historic/archaeological resources of 50 years of age or older; nor listed on the NRHP; nor is it a National Historic Landmark." A second group of 57 minor highway project types require "Section 106 Desk Top and Field Review." For project types subject to a desk top evaluation and field review, the following conditions apply:

1) FDOT bases its decisions concerning historic site evaluations and effect determinations according to the requirements of the NHPA and 36 CFR Part 800 and these decisions are made by individuals meeting the Secretary of the Interior's Standards and Guidelines for cultural resource professionals.
2) FDOT does not make any NRHP evaluations of property eligibility without consulting with FHWA (or any lead Federal agency) and SHPO pursuant to 36 CFR Part 800. For non-federally funded projects, FDOT will consult with the DHR pursuant to Chapter 267 and 872, FS.
3) FDOT finds that there are no properties affected by the undertaking or that the undertaking will have no effect on historic resources, hence no consultation with SHPO is required.
4) If FDOT finds a potential for effect on historic resources, FDOT will consult with the SHPO.

5.1.2 Phased Approach to Cultural Resource Assessments

FHWA, FDOT, and the SHPO have developed a general approach to phasing cultural resource assessment surveys for complex highway transportation projects, including those with large areas of land and/or multiple project corridors. A primary objective of the phased approach is to streamline the cultural resource identification and evaluation with the requirements of NEPA and SAFETEA-LU. This approach meets the requirements of Section 106 of the NHPA and Chapter 267, FS. The phased approach is initiated by FHWA, and follows the general steps outlined below. For projects with no federal involvement, FDOT serves as the lead agency for the purposes of compliance with Chapter 267, FS.

The basic steps of the phased approach to cultural resource identification and evaluation are as follows:

Step 1: FDOT requests FHWA to assess the appropriateness of using a phased approach for a project.

Step 2: If FHWA determines that phasing is appropriate, FDOT recommends the appropriate project APE, the level of effort, and the conclusions required for the first phase, and provides this information to FHWA.

Step 3: FHWA and FDOT submit their recommendations to the SHPO and other Section 106 consulting parties, and provide all with the opportunity to comment on the phased approach for the project. This coordination may be done in writing or at a meeting. The Project Manager and the Cultural Resource Coordinator of the FDOT CEMO should be included in this step.

Step 4: FHWA, in consultation with FDOT as the applicant, and with the SHPO and other consulting parties, will determine the appropriate scope and level of effort for the initial phase of the cultural resource study. The first phase shall be designed to provide a preliminary and equal analysis for all study alternatives.

Step 5: If all parties accept, FHWA implements the plan, and the first phase of the identification and evaluation effort is conducted. The objective of the first phase is to establish the likely presence of historic properties within the APE for each alternative. Both archaeological and historical resources must be addressed separately. The basic components of the first phase are:

- Background research, which includes, but is not limited to, a review of the FMSF, NRHP listings, and previous cultural resource studies completed in the project APE and vicinity; informant interviews, as appropriate; establishment of the relevant historical context(s); and development of an archaeological site location predictive model;
- Reconnaissance-level archaeological field survey to ground truth the predictive model;
- Pedestrian survey of the study corridors to identify known and potential historic resources present in the APE; and
- Preparation of an Interim Report containing the methods and findings of the study. The Interim Report must address the potential for significant precontact and historic period archaeological sites and historic resources, including potential historic districts, as well as a preliminary assessment of the potential significance of each identified archaeological site and historic resource. The specific content requirements for the Interim Report are provided in Section 7.1 of Chapter 7.

Step 6: If it concurs with the findings and recommendations, FHWA submits the Interim Report and supporting documentation to the SHPO and other consulting parties for their opinion(s) on the sufficiency of the report and its findings.

Step 7: When appropriate, the Interim Report shall be included in the project Draft EIS (DEIS).

Step 8: FDOT initiates the second phase of the cultural resource study (standard CRAS), based on the findings and recommendations contained in the Interim Report. The focus of the CRAS is the preferred alternative under study for the Final EIS (FEIS).

Required work elements include archaeological survey with subsurface testing within the project APE, in accordance with the predictive model developed in the first phase; historical field survey and documentation of all historic resources within the project APE; the evaluation of all identified archaeological sites and historic resources, as per the NRHP criteria for evaluation; the preparation of FMSF forms for all identified cultural resources; and preparation of a CRAS Report. (See Section 7.2 in Chapter 7 for a description of CRAS requirements).

Step 9: FDOT submits the CRAS Report to FHWA for review.

Step 10: Once FHWA determines the report to be complete and sufficient, it is submitted to the SHPO and other consulting parties for comments on the significance determinations.

In addition to complex highway transportation projects, a phased approach may also be appropriate for project reevaluations, proposed ponds, and projects that may include submerged cultural resources.

Prior to advancing to the next phase of project development, each project is reevaluated by FDOT, in consultation with FHWA. Major design modifications which result in new "footprints" may require a CRAS update. Similarly, final pond locations are typically not known until late in the project development process. As they become known, they will need to be analyzed for cultural resource involvement.

Special cases dealing with road jurisdiction transfers are another type of administrative action within the Section 106 process. These are coordinated between the DEMO, the District Planning Office (DPO), and the DHR. After receiving the local government's resolution approving transfer of a road off the State Highway System, the DPO requests a CRAS from the DEMO. This request should include right-of-way (ROW) maps for the road. In accordance with Section 267.061(2)(a), FS, the DEMO affords the DHR a reasonable opportunity (30 working days) to provide written comments on the results of the survey. If the survey finds no evidence of cultural resources, or if the transfer will not adversely affect any such resources, the DEMO provides documentation, including the DHR comments, to the DPO. If there is evidence of historical or archaeological resources that would be adversely affected by the transfer, a mitigation plan is developed by the DEMO in consultation with the DHR. The plan includes a commitment from the local government to maintain the resources. The plan and supporting documentation are forwarded by the DEMO to the DPO for inclusion in the request for transfer.

5.1.3 Defining the Area of Potential Effect

The District Project Manager initially establishes the project APE, in coordination with FHWA and SHPO. The APE is the area within which the project may directly or indirectly cause changes in the character or use of historic properties listed or eligible for listing in the NRHP (36 CFR Part 800.16[d]). In the event that FHWA, FDOT, and the SHPO, or other consulting parties, fail

to agree on the establishment of the APE, FHWA is responsible for making the final determination. In defining the APE, the full range of possible project impacts, both direct and indirect, must be considered. Direct impacts include ground-disturbing activities and auditory and visual effects. Indirect or secondary impacts may include changes in transportation patterns, land use, population densities and/or growth rates. The initial definition of the APE should be large enough to accommodate minor project changes without necessitating additional cultural resource investigations. The APE is influenced by the scale and nature of an undertaking and may be different for different kinds of effects caused by the undertaking.

Direct impacts are effects caused by an undertaking. Work that is undertaken directly on a property that has the potential to alter its NRHP quality is a direct impact. An undertaking within the APE that introduces visual, audible, or atmospheric effects and has the potential to alter those qualities of the property that make it eligible for NRHP inclusion would also be a direct impact. Indirect or secondary impacts are effects that may occur as an indirect result of an undertaking whenever the undertaking induces or makes possible related activities that have the potential to alter the NRHP quality of a property or its setting. Indirect impacts are generally removed in either time or distance from the undertaking and may include changes in transportation patterns, land use, population densities, or growth rates, and other reasonably foreseeable impacts.

ROW limits do not necessarily coincide with a project APE, and the archaeological APE typically differs from the historical APE. The type and extent of construction activities, the horizontal and vertical limits of proposed ground disturbance, and the placement of project-related staging, such as borrow pits, waste, and mitigation areas must always be considered. Also, ROW acquisitions, temporary easements, and temporary access roads may be included in an APE. In addition, the introduction of project-associated visual and aesthetic, noise, and atmospheric impacts need to be considered, as well as changes in vehicular access. For example, a project within sight of a historic property that is listed in or eligible for listing in the NRHP may be within its "viewshed," and therefore may have potential visual impacts. The introduction of increased noise levels near a previously isolated historic structure may also have an effect. Rely on the appropriate specialists for noise levels, atmospheric information, and other relevant studies.

Include a definition of the geographical limits of the project APE, noting any modifications, in the written CRAS report. For example, if the proposed undertaking is a bridge replacement that requires a standard CRAS, consider:

- New and existing ROWs for bridge replacement re-routes;
- Surrounding neighborhoods and the type of bridge to be constructed (larger and/or higher structures may impact historic vistas or change the character of a surrounding historic neighborhood);

- Associated features such as ponds and borrow areas; and
- Whether or not the bridge is historic.

If the proposed undertaking is a highway construction and/or improvement project requiring a standard CRAS consider one or more of the following:

- Location and number of alternative alignments;
- ROW necessary for existing or new typical sections (rural or urban);
- Surrounding land use(s); i.e., historic (potentially NRHP-eligible) neighborhoods;
- Access roads;
- Stormwater management facility and floodplain compensation areas; and/or
- Other associated construction features.

5.1.4 Staff hour Considerations

When cultural resource consultants perform a CRAS, several factors are considered in evaluating the estimated labor and related expenses. Unless otherwise specified, a CRAS includes both archaeological sites and historic resources. Thus, labor estimates include staff hours for archaeologists and architectural historians to complete background research, a research design, field survey, interviews, analysis, and preparation of draft and final reports, as well as administrative time for planning, coordination, meetings, and quality assurance. Further, projects involving NRHP-listed or eligible cultural resources may require on-going consultation with the Department, FHWA, and the SHPO.

The level of effort for archaeological field survey is typically related to both the size of the project APE and the potential for archaeological site location. For projects where sites are likely to be identified, sufficient time will be needed for artifact analysis and preparation of FMSF forms. As a result, an alignment measuring a few miles in length may require more intensive archaeological survey than a longer and wider corridor if it has a higher potential for the occurrence of sites. Consultants base their labor estimates, in part, on the approximate number of shovel tests needed in high, moderate, and low probability zones, and additional testing to delimit site boundaries. Working in two-person teams, each team typically excavates 20 to 25 shovel tests per day. Other factors which influence staff hour estimates include compliance with the Underground Facility Damage Prevention and Safety Act (Chapter 556, FS), coordination with property owners, access, and travel to and from the work site.

For the typical historic structures field survey, the level of effort reflects the nature of the undertaking and the anticipated number of resources. For example, in the case of elevated roadway concepts, a wider APE will be set to address potential viewshed issues, thus increasing the number of potential historic resources to be surveyed. In addition to the number of anticipated historic resources (buildings, structures, linear resources, bridges, and cemeteries), potential historic districts also are taken into account, plus time for informant interviews, records research, and preparation of FMSF forms.

5.2 BACKGROUND RESEARCH

Background research is conducted to identify and understand the types of cultural resources known to be present in the general project area. It also provides the cultural contexts by which the NRHP eligibility of newly identified archaeological sites and historic resources is evaluated. Typical resource materials reviewed during the background research phase of investigation include CRAS reports and FMSF forms for previously recorded resources, local histories and prehistories, environmental data, historical maps and photographs, 19th century federal land records, District Bridge Inspection office records, and county property appraiser's office records, among others. Much of this information is now available via the Internet.

5.2.1 Florida Master Site File Data

The FMSF is the state's clearinghouse for information on cultural resources and field surveys, as well as NHL and NRHP listings and nominations. It is a computer database and paper file archive administered by the DOS's DHR in Tallahassee. The FMSF contains data on more than 180,000 historic resources and over 15,000 cultural resource reports. The electronic data is updated quarterly, and is available to CRM professionals through time-limited, electronic access, upon request. The FMSF GIS digital data is password-protected, and consultants are regularly notified of up-dates. Some information also is available by phone or e-mail (850/245-6440 or SiteFile@dos.state.fl.us).

The GIS digital data provides the locations of surveys and cultural resources (including NRHP and NHL listings) and site specific information. For ETAT members, these data layers are available on the EST as part of the ETDM Process. NRHP information is available at the FMSF, but it may not include timely updates, so National Register data should be accessed directly from the National Park Service website.

FMSF forms for all types of historic resources are accessible electronically by individual FMSF number through the secure, password-protected application. Summaries for archaeological sites and historic resources also are available by special request. An individual FMSF form for each resource is available in hard copy or in pdf format.

CRAS and excavation reports are electronically accessible by individual survey number through the secure, password-protected application. The reports may be downloaded from the protected site as pdf files. This application is available to cultural resource professionals by arrangement with the FMSF. Archived paper reports are indexed by county, FMSF survey report number, and author(s). Each document has a "survey number;" these reports are all filed numerically by survey numbers in the Florida State Archives, also located in Tallahassee.

The **Survey and Registration Section** prepares and processes nominations to the NRHP, and provides technical assistance on survey and registration activities. **Preliminary Site Information Questionnaire** (PSIQ) forms, completed for many NRHP-eligible buildings along with the DHR response, provide a good source about potentially NRHP-eligible resources. Pending or draft NHL

and NRHP nominations are also available. The Survey and Registration Section can be reached by phone at 850-245-6333.

5.2.2 Department of Environmental Protection

The Florida DEP office in Tallahassee houses historic plat maps, federal surveyor's field notes, and tract book entries. These records also can be accessed on-line at Land Boundary Information System (LABINS) or http://199.73.242.56/default.asp. Various maps, charts, and military records, as well as Spanish Land Grants also are on file at DEP. Most information is available on-line; it also is accessible on microfilm.

5.2.3 Other State, Regional, and Local Sources

Other project-specific information can be found at state agencies, including the state library and archives, as well as the FDOT. The Florida State Library and Archives in Tallahassee, and special historical collections throughout the state university system, provide a good source of state and regional data. FGDL is a mechanism for distributing spatial (GIS) data throughout Florida. The FGDL is warehoused and maintained at the University of Florida's GeoPlan Center, a GIS Research and Teaching Facility. As of 2010, there are over 350 current and historic GIS layers in the FGDL, from over 35 local, state, federal, and private agencies. The FGDL includes data on Land Use/Land Cover, Hydrography, Soils, Transportation, Boundaries, Environmental Quality, Conservation, Census, and more; these data, primarily vector GIS data layers, also are available on the EST.

The FDOT's Surveying and Mapping Section (850-245-1555), Document Control Office (850-414-4051), and/or Structures Design file room (850-414-4255) hold documents pertaining to older bridge and road construction projects. Additionally, each FDOT District Bridge Inspection Office is a repository of state-owned bridge inventory and appraisal information. The individual bridge number is used to access the Structural Inventory Assessment (SIA) and Bridge Management Inventory System (BMIS) forms. These forms provide bridge construction dates, construction materials, bridge length, and other data. Also, the dates of bridge construction and reconstruction are available on the Florida Bridge Information list, which is updated quarterly. For this site, select the "Bridge Information" link, then select the "Florida Bridge Information" link for the most current information available. The 2004 edition of *Historic Highway Bridges of Florida* also is available on-line.

Among the regional and local agencies, CLGs are an important source of data. Also, regional and local libraries and museums may be repositories for community histories, early city and county maps, unpublished manuscripts, photographic collections, and U.S. Department of Agriculture (USDA) soil survey reports. Local preservation boards or commissions, historical and genealogical societies, preservation organizations, and local Main Street Programs are other good information sources. The DHR can provide information on the Main Street communities.

The Florida Public Archaeology Network (FPAN) was created for the purpose of promoting and facilitating the conservation, study, and public understanding of Florida's archaeological heritage

through regional centers. There are eight centers across the state, which also may have information pertinent to the project area in question.

5.3 RESEARCH DESIGN

5.3.1 Introduction

The research design provides an overall plan to guide the location, identification, and evaluation of cultural resources. It addresses all phases of investigation, from background research to report preparation. At a minimum, the research design contains the overall approach and specific methods to be employed; a listing of previously identified NRHP properties; and a listing of all previously recorded archaeological sites and historic resources located within and proximate to the project APE. The potential for unrecorded archaeological sites and historic resources, and a map identifying zones of archaeological probability also are included. The research design is submitted to the Department and FHWA for review and approval, and to the SHPO for comments, prior to initiating the field survey.

In a phased approach, the research design is prepared in the first phase of the CRAS, early in the project development phase, and should encompass the broadest possible APE, including all viable alternatives. If a phased approach is not used, the research design is prepared prior to conducting the CRAS; submittal to the FDOT District for review, comment, and approval prior to the commencement of field survey is at the discretion of the District Project Manager.

5.3.2 Predictive Model for Archaeological Sites

An important component of the research design is a discussion of project expectations vis-à-vis the types of as yet unrecorded **precontact archaeological sites** considered likely to occur, as well as their probable locations within the project APE. This predictive model is based on the background research, including an examination of pertinent maps (i.e., United States Geological Survey [USGS] quadrangle maps, USDA soil surveys, historic and current aerials), the geographical distribution of known sites, and the results of previous surveys in environmentally similar areas. Considerations relevant to site location models include the following:

- Environmental factors such as relative elevation, local vegetation, and soil type are key factors in predicting archaeological site location. Sites are more often than not found on relatively elevated, better-drained land. Because Florida's environment has changed over time, land forms change, and this must be considered in preparing a predictive model.
- The availability of fresh water is an important site predictor. In general, relatively elevated, better-drained lands within approximately 100 meters (m)/328 feet (ft) of a freshwater source are considered to have a high site location potential. Farther from a water source, site expectancy diminishes. Zones of moderate probability often are defined as being within 100 to 300 m (328-984 ft) from potable water.

- Currently existing conditions may no longer match those illustrated on the USGS quadrangle and USDA soil maps, or other source materials. Residential and commercial development, mining, dredging and filling, and other landscape alterations may affect the potential for discovery of intact archaeological resources within the designated zones of high and moderate site location potential. Therefore, a preliminary reconnaissance-level field survey should be undertaken to ground truth the predictive model, and to make adjustments accordingly.

For **archaeological sites of the historic period,** useful sources of information for predicting site locations include:

- Nineteenth-century federal plats and field notes indicating the locations of forts, homesteads, roads and trails, battle sites, Native American agricultural fields, mounds, etc.
- Tract book records indicating the potential for early homesteads, not shown on the plats.
- Sanborn maps illustrating the types of older residential and commercial structures which once occupied the urban project area, as well as features such as refuse dumps, wells, cisterns, and outbuilding foundations.
- Local historical accounts and maps depicting the locations of former military forts, cemeteries, sugar mills, saltworks, sawmills, work camps, abandoned roads and railroad lines, canals, and other features that are no longer extant.
- Local "history buffs," artifact and memorabilia collectors, historical society members, and long-term residents of a particular community.
- USGS maps showing the locations of structures as of the date of map preparation.
- Historic aerial photographs illustrating the locations of homesteads, roads, trails, agricultural fields, or other historic features. Many such aerials are available at the Publication of Archival Library & Museum Materials (PALMM).
- Soil Surveys, especially older ones are a good source for historic buildings and associated landscape features.

For projects such as bridge replacements in which a portion of the APE is submerged, the potential for **underwater cultural resources** should be addressed in the research design. Relevant sources of information include historic aerial photographs and historic navigation charts. Also helpful is the Automated Wreck and Obstruction Information System (AWOIS) database of wrecks and obstructions maintained by NOAA's Office of Coastal Surveys. These are available on-line.

5.3.3 Historic Resource Considerations

Similar to the approach for addressing known and potential archaeological sites, the research design should describe the applicable historic context(s) for evaluating the NRHP eligibility of each historic resource located within the project APE. It also includes a listing of all previously recorded historic resources and a description of those listed or determined eligible for listing in the NRHP. The other major component is a discussion of the number and location of anticipated historic resources

within the project APE and the identification of resources considered potentially eligible for NRHP consideration, based upon the results of background research. Typical research materials that aid in the early identification of historic resources include those noted above for historic archaeological sites, such as historic maps and aerial photographs. County property appraiser's office records also are important. In addition to research, a reconnaissance-type field survey of the project APE will aid in the identification of resources that are potentially eligible for listing in the NRHP, including potential historic districts. The boundaries of any listed or potentially eligible districts, and the locations of all contributing resources within or proximate to the APE, should be clearly delineated in the research design.

While some buildings may not appear to be 50 years old, historically important, and/or architecturally significant at first glance, historic research may indicate otherwise. Because historic associations with significant individuals or events may not be readily apparent, a broad-based research approach is important.

What is historic? According to the NRHP criteria of eligibility, historic resources generally are defined as those being 50 years of age or older. However, for multi-year projects such as PD&E studies for road improvements or bridge replacement, survey of resources that are 45 years of age or older is appropriate, and will obviate the need for resurvey late in the project development process. Another exception to the 50-year rule is for resources of potentially exceptional significance. For example, while both the Sunshine Skyway (Bridge No. 151089), built in 1986, and the 1989 Napoleon Bonaparte Brevard Bridge over the St. Johns River (Bridge No. 72058) are less than 50 years old, due to their exceptional design and engineering, each is NRHP-eligible under Criterion C. Thus, if present, exceptionally distinguished resources located within the project APE should be addressed in the research design. NRB 22, *Guidelines for Evaluating and Nominating Properties that Have Achieved Significance Within the Past Fifty Years*, details how to evaluate and nominate properties that have achieved significance within the last 50 years.

5.3.4 Methodology and Site Evaluation Criteria

The research design also specifies how cultural resources, both archaeological and historical, are to be identified and evaluated. For example, archaeological survey methods should address subsurface testing intervals for high, moderate, and low probability zones, and the means by which all archaeological sites will be bounded. Application of the NRHP Criteria of Eligibility, per NRB 15, *How to Apply the National Register Criteria for Evaluation*, for the evaluation of all cultural resources, both archaeological and historical, also should be made explicit. For descriptions of the NRHP eligibility criteria and the process of site evaluation, see Chapter 6.

5.4 FIELD SURVEY

5.4.1 Introduction

The purpose of the archaeological and historic resource field survey elements of the CRAS are to locate, identify, and assess, according to NRHP criteria, the significance of all archaeological and historic resources that are located within the project APE. This effort provides FHWA, FDOT, and the SHPO with data sufficient to determine whether the proposed undertaking may affect significant historic resources. It also provides, in accordance with the DHR's *Cultural Resource Management Standards and Operations Manual* (2003) "a basis for evaluating measures to avoid, minimize or mitigate any adverse project impacts to such resources and to enhance any beneficial effects."

Field survey methodology adheres to the standards contained in the DHR's *Cultural Resource Management Standards and Operations Manual*, which states that "inadequate field methodology will generally result in the report results being determined to be incomplete and insufficient" by the SHPO. The methodology also adheres to Part 2, Chapter 12 of the PD&E Manual and NRB 24 *Guidelines for Local Surveys: A Basis for Preservation Planning*.

5.4.2 Project Planning

In preparation for field survey, the project archaeologist(s) and architectural historian(s) perform several basic tasks, including the procurement of both project maps and an Authorization for Access Letter from FDOT. Aerials marked with the proposed project limits, including existing and proposed ROW lines, proposed stormwater management facility and floodplain compensation areas (hereinafter, pond sites), and other features usually are obtained from the FDOT Project Manager. The APE should be clearly indicated on the maps, which should also include a scale.

Authorization for Access Letter: Archaeological and historic resources field survey usually entails the examination and documentation of land, buildings, and structures in private ownership. Chapter 337.274, FS authorizes FDOT agents or employees access to private property for study purposes. Therefore, field crews should carry a copy of the **Authorization for Access Letter**, provided by the FDOT Project Manager, for use in the field. A sample letter is provided as **Exhibit 5.1.** If permission for access is denied by the landowner, leave the property, record the name and address of individuals or businesses denying access, and refer the matter to the FDOT Project Manager for resolution.

Safety: All field activities should be conducted under the conditions specified in a project safety plan. Among other requirements, professionals working within the ROW are required to wear reflective safety vests. If field survey will occur within an area considered potentially unsafe due, for example, to a generally high crime rate or the presence of abandoned buildings, extra precautions may be necessary, such as the hiring of security personnel to serve as escorts.

Always be prepared for an emergency. Venomous snake bites and insect stings, contact with poisonous plants, skin punctures or lacerations, bone fractures, and heat stroke are all eventualities that must be taken into consideration during project planning. In accordance with the company's safety plan, at a minimum, each field team must be provided with contact information for the nearest hospital, as well as a first aid kit, plenty of fresh drinking water, and hardhats and reflective safety vests when working in hazardous areas.

Utility Clearance: It will be necessary to make required arrangements for utility clearances in compliance with The Underground Facility Damage Prevention and Safety Act (Chapter 556, FS). This law requires that anyone doing any type of excavation, tunneling, or demolishing call 811 two business days before work begins to have underground lines marked at a dig site. Underground facility owners having lines at the dig site are notified by the Sunshine State One-Call Center. Owners then have two business days to mark lines. As "excavators" it is the responsibility of the consultant to call the number not less than two or more than five business days before beginning work. This is a very time-consuming process, so plan accordingly. Leave two full business days, to allow for callbacks, before initiating field survey. Failure to comply can result in serious consequences, including large fines in the event that communications lines are inadvertently severed. The following procedures are recommended to facilitate compliance with this law:

- Prepare explicit project location information before calling. For roadway improvement projects, be prepared to provide the following information: county, nearest city or town, USGS quadrangle, Township, Range, Section, road or highway, length of project, starting point and ending point. For pond sites or other "off-road" parcels, also provide the names of frontage roads and the dimensions of the project areas.
- When calling, first provide your name, the name of your company, and when the crew expects to start the project. Tell "Sunshine" the job is an "Archaeological Project" for FDOT. Use of the words survey and assessment are sometimes confusing to the operators.
- The caller is then asked a series of questions. Clearly state that the project involves only careful hand digging with shovels: mechanical equipment is not used. Give the operator an estimate of the number of shovel tests and their location relative to the ROW.
- The operator then provides a "ticket number" and a list of the utilities that they are contacting. If a project involves more than one area (i.e., pond sites), each will receive a separate ticket number. Expect possible calls the same day. Most likely, however, return calls will begin the following day.
- Be prepared for the callbacks. Have a list of all ticket numbers on hand, preferably with the project maps and locations. One of the first questions asked of the utility companies is whether hand digging with a shovel measuring about 20 in x 3 ft could impact their buried utility. A pertinent question to ask is whether the utilities are located in the ROW only. If this is the case, the utility companies need to mark the entire corridor. In many situations, be prepared to meet the utility company representative in the field.

- According to the law, an excavator must be given clearance within two business days by any notified utility that determines that its lines are not within the excavation area. Excavation can begin prior to 48 hours if all notified utilities have either marked their lines or given "all clears."

5.4.3 Archaeological Survey Methods

In general, archaeological field survey tactics include both ground surface inspection and subsurface testing. The intensity of the latter varies in accordance with the designated zones of high, moderate, and low site potential, as described in the research design. The components of a typical archaeological field assessment survey include the following:

- Initial reconnaissance;
- Systematic subsurface testing;
- Judgmental subsurface testing;
- Site bounding;
- Data collation; and
- Mapping.

Initial Reconnaissance: The first stage of archaeological field survey is a drive-through of the project area. Supplementing the information gathered for preparation of the research design, this effort provides a more in-depth verification of the predictive model, and identifies specific conditions that may impact planned survey efforts. For example:

- Are any parts of the project APE marked by constructed features, underground utilities, hazardous materials, dredged fill, mined land, or standing water that will obviate subsurface testing?
- Is any land within the project APE secured behind fencing or posted "No Trespassing?"

Following this initial field inspection, areas originally considered to have a high or moderate site location potential can be downgraded, and surveyed at the appropriate level of intensity. The field maps should be marked to reflect the observed conditions.

Systematic Subsurface Testing: In accordance with FDOT and DHR standards, subsurface testing is conducted by shovel. All high and moderate probability areas are subjected to systematic subsurface shovel testing at 25 and 50 m (82 and 164 ft) intervals, respectively. In addition, at least 10 percent of the low probability areas are tested at 100 m (328 ft) intervals. Systematic testing should be supplemented by judgmental testing, as appropriate. Closer interval testing (i.e., at 5 m [15 ft]) may be appropriate at historic period archaeological sites. The distance between shovel test locations is generally determined by measured pacing.

If the project APE is a narrow corridor, a single line or transect of shovel tests should suffice. For wider APEs, multiple, parallel transects will provide broader sampling coverage. For proposed

pond sites, a strategy combining both systematic and judgmental testing typically affords the best overall coverage.

In accordance with the DHR's standards, subsurface shovel tests measure 0.5 m (20 in) in diameter by a minimum of 1 m (3.3 ft) in depth. Under certain conditions (i.e., shallow bedrock, saturated soils, or dense modern fill) it may not be possible to penetrate that deeply. All soil removed from each shovel test is screened through .64 cm (.25 in) mesh to maximize the recovery of cultural materials. All cultural materials collected from the surface or recovered from the shovel tests are bagged by provenience unit. At a minimum, the provenience information (shovel test number, depth below surface) and date should be written legibly on the exterior of all collection bags in waterproof ink. After completing all data recording, the shovel tests should be refilled completely. Failure to replace all the soil may result in serious injuries to individuals, livestock, or other animals.

Judgmental Subsurface Testing: Additional shovel testing in selected areas is appropriate for the purpose of site discovery. Judgmental shovel testing may be appropriate in:

- Urbanized environments where pavement, utilities, and constructed features make systematic testing unfeasible;
- Project APEs with limited high and moderate site probability areas, but where a larger subsurface test sample may be desirable;
- Geographically restricted APEs such as proposed pond sites or bridge replacement areas; and/or
- APEs where restricted access, wetlands, or other natural or cultural features impede systematic testing at fixed intervals.

Other Considerations: Depending on landscape and environmental factors, past and present, standard archaeological testing methods may need to be modified. For example:

- In a deep sandy environment, proximate to present or former water resources, more closely spaced shovel tests, combining a mixture of fixed transects and judgmentally placed shovel tests, may be needed to locate small lithic scatter sites frequently associated with such environmental features as sink holes.
- In areas of shallow lime rock, periodic efforts should be made to extend shovel testing below the rock to be certain concretion zones, the result of fire-slaked bone and shell, etc., are not misinterpreted as naturally occurring lime rock. Archaic-period sites often occur within and below such concretion zones in south Florida.
- In areas that were once shallow, wet prairies around springs or streams, wet sites may be found. Alter field methodology to test such areas sufficiently.
- In disturbed urban and rural ROWs, consider the environmental and historic features that were present before modern land-altering activities. Then, apply appropriate subsurface testing wherever possible. Some of the most significant sites found in FDOT ROWs, including a historic military cemetery and a precontact burial area, were discovered in highly disturbed areas.

Site Bounding: When new or previously recorded archaeological sites are identified, additional subsurface testing is carried out to determine site boundaries, internal structure, and cultural affiliation (where possible). NRB 12, *Defining Boundaries for Nation Register Properties*, addresses the definition of NRHP boundaries for archaeological properties and provides a detailed discussion for bounding NRHP-eligible sites.

Given the geographically circumscribed nature of many FDOT projects, it may not be possible to areally delineate all discovered sites. This is particularly true for large sites extending outside the project APE. As a general rule of thumb, site limits are not "chased" outside the APE. Consider the overall landscape, and estimate the site boundary, where possible. If standard shovel testing does not yield adequate information and data necessary to evaluate site significance, follow-up Phase II test excavation may be recommended.

In accordance with DHR standards, "one or two non-diagnostic artifacts, not known to be transported from their original context, which fit within a hypothetical cylinder of thirty meters diameter, regardless of depth below surface" are referred to as an "archaeological occurrence." These "AOs" are not recorded as sites, but their locations are recorded and they are discussed within the report/technical memorandum prepared for the project. Systematic close interval subsurface testing around each AO is typically performed to confirm the isolated nature of the find, and to distinguish it from an archaeological site.

Unanticipated Discoveries of Human Remains: In the event that unmarked burials, including both non-Indian and Native American remains, are encountered, the following actions should be taken, consistent with Chapter 872.05, FS, and the implementing rule for this law, Chapter 1A-44, FAC.

- When an unmarked human burial is discovered, all activity that may disturb it shall cease immediately, and the district medical examiner (DME, or coroner) shall be notified.
- The DME will determine whether the remains are under the DME's jurisdiction (i.e., the remains may be involved in a legal investigation or represent the burial of an individual who has been dead less than 75 years), or that of the State Archaeologist.
- If the DME finds that the remains are not under his/her jurisdiction, he/she shall notify the State Archaeologist, who shall designate an archaeologist and human skeletal analyst to examine the remains and report within 15 days as to their cultural and biological characteristics. The State Archaeologist may be reached at (850) 245-6444.

Native American burials, which are inadvertently discovered on federal or tribal lands, are protected under NAGPRA. Section 10.4 of 43 CFR Part 10 (Federal Register, March 15, 2010), which implements Section 3(d) of NAGPRA, contains procedures for determining the disposition of Native American human remains, funerary objects, sacred objects, and objects of cultural patrimony that are inadvertently discovered, as follows:

(b) Any person who knows or has reason to know that he or she has discovered inadvertently human remains, funerary objects, sacred objects, or objects of cultural patrimony on Federal or tribal lands…, must provide immediate telephone notification of the inadvertent discovery, with written confirmation, to the responsible Federal agency official with respect to Federal lands, and, with respect to tribal lands, to the responsible Indian tribe official.

(c) If the inadvertent discovery occurred in connection with an on-going activity on Federal or tribal lands, the person, in addition to providing the notice described above, must stop the activity in the area of the inadvertent discovery and make a reasonable effort to protect the human remains, funerary objects, sacred objects, or objects of cultural patrimony discovered inadvertently.

(d) (1) As soon as possible, but no later than three (3) working days after receipt of the written confirmation of notification with respect to Federal lands described in §10.4 (b), the responsible Federal agency official must:

(i) Certify receipt of the notification;

(ii) Take immediate steps, if necessary, to further secure and protect inadvertently discovered human remains, funerary objects, sacred objects, or objects of cultural patrimony, including, as appropriate, stabilization or covering;

(iii) Notify by telephone, with written confirmation, the Indian tribes…likely to be culturally affiliated with the inadvertently discovered human remains, funerary objects, sacred objects, or objects of cultural patrimony, the Indian tribe…which aboriginally occupied the area, and any other Indian tribe… that is reasonably known to have a cultural relationship to the human remains, funerary objects, sacred objects, or objects of cultural patrimony. This notification must include pertinent information as to kinds of human remains, funerary objects, sacred objects, or objects of cultural patrimony discovered inadvertently, their condition, and the circumstances of their inadvertent discovery;

(2) The activity that resulted in the inadvertent discovery may resume thirty (30) days after certification by the notified Federal agency of receipt of the written confirmation of notification of inadvertent discovery if the resumption of the activity is otherwise lawful. The activity may also resume, if otherwise lawful, at any time that a written, binding agreement is executed between the Federal agency and the affiliated Indian tribes or Native Hawaiian organizations that adopt a recovery plan for the excavation or removal of the human remains, funerary objects, sacred objects, or objects of cultural patrimony following §10.3 (b)(1) of these regulations. The disposition of all human remains, funerary objects, sacred objects, or objects of cultural patrimony must be carried out following §10.6.

Data Collation: During the course of the field survey, collation of data at the end of each fieldwork day reduces the potential for data loss. Follow these recommended procedures:

- Assign each artifact bag from each provenience unit a Field Specimen (F.S.) number, and record all data in the F.S. Log as well as on the artifact bags. A sample F.S. Log is provided in **Exhibit 5.2**.
- Check the bagged specimens against the F.S. Log and store them in an orderly fashion for processing.
- Prepare field notes summarizing the work accomplished for the day, the number and location of sites found, and logistical problems. Some investigators may wish to keep these records in project-specific field notebooks. Another option is to complete a standardized daily project summary sheet (see **Exhibit 5.3**). For longer projects, a project summary sheet is an effective tool for data collation.

Mapping: The locations of all surface finds and shovel tests are plotted on the project aerial map; shovel tests are labeled by number. Positive (artifact and/or feature bearing) shovel tests are distinguished from negative ones by coding (e.g., X for positive and a black dot for negative). Shovel test locations also may be recorded using GPS devices and the data layers imported into a GIS.

Make measured sketch maps of all discovered sites in the field. Include the location of visible site features, surface artifact finds, artifact concentrations, subsurface tests, site boundaries, nearby markers (such as trees, buildings, roads, etc.), and any other information appropriate to the identification and location of the site. Prepare detailed maps for sites considered to be NRHP-eligible. These will be included in the CRAS report. Also, plot all site locations on the appropriate map(s).

5.4.4 Historic Resources Survey Methods

The following general guidelines are applicable to a standard historic resource/architectural field survey performed as part of a project CRAS. Similar procedures are used for reevaluations involving a historic resources survey update, without an accompanying archaeological survey. The components of a typical historic resources field assessment survey include the following:

- Initial reconnaissance;
- Data collection;
- Photography;
- Mapping; and
- Research.

Initial Reconnaissance: The initial reconnaissance of the project APE typically occurs prior to preparation of the research design. Individual resources are not recorded at this time. Rather, the objective is to verify the presence or absence of previously recorded resources, including NRHP-listed and eligible properties; to estimate the number of unrecorded historic resources that will require documentation and evaluation (a review of the appropriate county property appraiser(s) data can assist in this effort); and to assess the potential for new NRHP-eligible resources (individual properties or historic districts). Examination of GoogleEarth's® streetview also can assist in reconnaissance efforts.

Data Collection: Data collection involves a visual examination of each resource sufficient to gather the information required to complete the FMSF Historical Structure Form (**Exhibit 5.4**) (residences, commercial properties, schools, churches, fire towers, fountains, etc.), Historical Bridge Form (**Exhibit 5.5**), Resource Group Form (**Exhibit 5.6**) (districts, landscapes, building complexes, linear resources, etc.), and Historical Cemetery Form (**Exhibit 5.7**). It is recommended that blank copies of FMSF forms for the different types of resources be carried in the field to record the required descriptive data while onsite. Interviews with the owner or occupant of a resource can help to determine its date of construction, to provide a better understanding of its former and current function(s) and/or uses, and to identify any additions or alterations that compromise its historic integrity. Additionally, such interviews can provide data regarding historic property lines and outbuildings/ancillary features, which can assist in the selection of resource boundaries and contributing/noncontributing resources, respectively.

In most cases, historic resources easily are observed from the FDOT ROW, thereby respecting the private property rights of any landowners. In the event that a resource cannot be easily observed from the ROW (large setback, extensive vegetation, etc.), make every effort to collect data while remaining within the driveway. Cameras with good zoom lenses are great for photographing design elements from a distance, if necessary. Obey all "no trespassing" signs and locked gates.

Resource groups may extend outside the boundaries of the project APE. This is almost always true of linear resources, such as historic roads, rail lines, and canals. In such a case, collect data for those areas/sections/individual resources located within the project APE; notes on the full extent of the resource can be included on the FMSF form. In the case of historic districts or building complexes that extend outside of the APE, a visual reconnaissance can be conducted to estimate potential boundary lines, to the extent possible.

Likewise, historical cemeteries may extend outside the boundaries of the project APE. Although the Historical Cemetery Form was designed for a grave-by-grave survey, as appropriate, visually inspect at least a representative sample of graves within the historic section(s) of the cemetery, as located within the project APE, noting marker types, grave orientation, date of death, grave furniture, landscape features, and other relevant data sufficient for completion of the FMSF form. Consult *Florida's Historic Cemeteries: A Preservation Handbook* and NRB 41, *Guidelines for Evaluating and Registering Cemeteries and Burial Places*, for survey assistance.

Photography: Photographs are required for each historic resource per FMSF guidelines (see Section 7.4.2 for submission requirements). Maintain a photo log with the image number, the subject of the photograph taken, and the direction of view. Specific requirements for each resource type are as follows:

- **Historical Structures**: Overall view of the main elevation, either straight on or at an angle; the photograph should be of a high enough quality that the external building materials are discernible. Photographs of key design and/or decorative features should also be taken, especially if the structure is potentially eligible for the NRHP.

- **Historical Bridges**: Take a comprehensive series of digital photographs to document the overall bridge design and engineering, superstructure and substructure, style and decorative details, tender station, plaques and inscriptions, and other noteworthy features.
- **Resource Groups**: Take photographs of the resource group in its entirety, as appropriate; such photographs may not be possible for resources such as large historic districts or building complexes, rail lines, roads, and canals. Also, ensure that there is a photograph of each contributing resource and ancillary feature. Representative photographs of noncontributing resources should also be taken, as well as representative street views within historic districts.
- **Historical Cemeteries**: Photograph representative characteristics or unique aspects of the cemetery, as well as overall views.

Mapping: Mark the locations of all previously recorded and newly identified historic resources on the project aerial photographs and/or USGS map(s). Specific requirements are as follows:

- **Historical Structures:** Use a large-scale street, plat, or parcel map, aerial, or create a sketch map with the basic footprint of the resource and associated outbuildings and landscape features.
- **Bridges:** Mark the geographical boundaries of the bridge, including approaches, spans, and features such as the tender station, which may be detached from the bridge proper, on an aerial or street map.
- **Resource Groups:** Use a large-scale street, plat, or parcel map, aerial, or create a sketch map with the basic footprint of the resource and associated outbuildings and landscape features. For historic districts and building complexes, mark the proposed boundaries, as appropriate, and which resources are contributing and which are noncontributing. This is usually only completed for those portions of the resource within the project APE. A visual reconnaissance can be conducted to recommend boundaries for the whole district or complex, to the extent possible.
- **Historical Cemeteries:** Use a large-scale street, plat, or parcel map, aerial, or create a sketch map showing the resource boundaries (both within and outside the project APE), as well as the cemetery's internal organization, the general location(s) of historic graves surveyed, cemetery boundaries, and major landscape features, as located within the project APE.

Research: Site-specific research helps provide a context in which to evaluate the significance of a historic resource according to the NRHP criteria. Regional and local libraries, historical societies, and museums, may be repositories for community histories, city directories, early city and county maps, unpublished manuscripts, and photographic collections. County clerks of court maintain deed and tax records and plat maps that can help trace the ownership of individual properties or the development of local communities, respectively. They also may have the plans for newer buildings, submitted as part of the permit application process. A wealth of valuable information also is available on the Internet.

These specific data for each resource type can help in the evaluation of significance:

- **Historical Structures**: Architects and/or builders; additions/alterations; ownership history; uses/functions; if the building was moved from a prior location.
- **Historical Bridges**: Designers/engineers; builders/contractors; ownership history; why the bridge was built; how the bridge was funded, dates of rehabilitation/reconstruction/relocation.
- **Resource Groups**: Architects/engineers/landscape architects/urban planners, as appropriate; relationship(s) among individual resources (historic districts/building complexes); historic termini (linear resources); how the original town/community expanded over time (historic districts); ownership history (building complexes, linear resources); why the resource was built (landscapes, linear resources); how the resource was funded (linear resources).
- **Historical Cemeteries:** Architects/landscape architects; ownership history; significant persons buried within the cemetery; marker types and styles; grave furniture.

5.5 ARTIFACT PROCESSING AND ANALYSIS

5.5.1 Introduction

The purpose of artifact processing and analysis is two-fold: 1) to identify and tabulate the various types of artifacts to determine a site's chronological placement and function; and 2) to prepare artifacts for eventual curation.

At the CRAS level, a limited set of analytical techniques generally suffices to provide the information needed to evaluate site significance. These standard types of analyses are described in Section 5.5.3. Specialized analyses such as radiocarbon dating, archaeobotanical studies, or lithic use wear are rarely performed as part of the CRAS project.

5.5.2 Preliminary Processing

Preliminary processing of artifacts includes cleaning and assigning of F.S. numbers to all field-labeled artifact bags by shovel test and level provenience. Some artifacts will not need cleaning, but for those that do, wash or clean with a soft-bristle brush to remove extraneous surface debris, carefully rinse them with water if necessary, and let them air dry. If ceramic, bone, or shell artifacts need stabilization, this should be taken care of immediately. If organic samples have been collected, they should be sorted, prepared for study, or stored separately. Divide artifacts into major classes (e.g., precontact ceramics, historic glass, etc.) in final preparation for analyses.

5.5.3 Artifact Analyses

Several classes of artifacts and other remains may be collected from sites of the precontact, protohistoric, and historic periods. These include, but are not limited to the following:

Lithics: The lithic analysis includes the examination of materials with a hand lens or under low-power (10 to 30x) magnification. It includes the initial division of the lithic material into two categories: 1) tool forms/manufacture failures or rejects, and 2) debitage, or waste flakes.

For lithic tool forms and manufacture failures/rejects describe and classify them according to basic morphological categories such as bifaces, unifaces, modified flakes, utilized flakes, blanks, preforms, cores, and hammerstones. Measure and weigh all tool forms and describe by raw material type and presence or absence of thermal alteration. Classify diagnostic bifaces (projectile points) as to commonly acceptable standard types (e.g., Hernando point). Describe any observable wear patterns on finished tools, and fracture types (e.g., lateral snap). Lithic analysis also may include measurement or relative appraisal (i.e., acute, steep) of the angle(s) of the working edge(s) of tool forms to ascertain the functional nature of the artifact assemblage. Sort the debitage by raw material type and presence or absence of thermal alteration. At a minimum, debitage analysis includes limited attribute analysis (e.g., flake size, amount of dorsal surface cortex, technological flake category). If collection size is sufficient, determine, to the extent possible, what stage(s) of stone tool production are reflected by the waste flake assemblage.

Ceramics: Ceramics are diagnostic of post-Archaic period sites in Florida, and in some parts of the state, they are more common than lithics. Much of the utilitarian ware used by precontact native peoples consisted of vessels with plain, undecorated surfaces. Chronological analysis of such pottery is sometimes difficult because of the lack of surface decoration. However, careful attention to differences in vessel wall thickness and rim orientation, as well as the absolute and relative occurrence of different types of aplastic materials, will aid in the identification of ceramic type, chronological placement, and site function.

Conduct the ceramic analysis in a manner sufficient to assign sherds to a currently recognized standard ceramic type. Determine chronological placement and functional attributes (utilitarian/burial) if possible. This is accomplished by:

- Examining sherds with a hand lens or microscope to identify aplastic inclusions, exterior decoration, and/or treatment manufacturing technology (e.g., coil marks);
- Comparing these attributes with known ceramic assemblages; and
- Cross-mending of samples of sufficient size and number to determine rim profiles, vessel type, and size.

Shell and Bone Artifacts: Standard analysis of shell and bone artifacts includes examination for traces of wear to determine function, decoration, and surface treatment. Describe fully such attributes and compare them to other known assemblages to determine chronological and functional associations. Shell tools are common at many precontact sites in Florida, and are an important source

of information regarding site function and chronological placement. Do not overlook recent studies in the typological and functional analysis of shell tools.

Other Precontact and Protohistoric Remains: Occasionally, botanical, shell, and food remains are found in shell or black dirt middens encountered during a CRAS. Attempt to identify the species and provide fragment counts and weights for the various identified flora and fauna. If the sample(s) is sufficient, consider retaining the services of a qualified individual trained in archaeobotany or zooarchaeology to provide a detailed analysis.

Historic Artifacts: As with precontact artifacts, identify and tabulate the various types of historic artifacts to determine a site's chronological placement, function, and aid in determining the site's NRHP eligibility. Utilize standard references for historic artifacts as well as primary source materials such as catalogues, manufacturer's production information, newspaper and magazine advertisements, and discussions with knowledgeable informants.

Like precontact archaeological materials, initially sort by raw material type. For example, both ceramics and glass are commonly found at historic period archaeological sites. For ceramics, classify by such attributes as ware type and morphology/function. Describe all makers' marks, and use these to determine the manufacturer and date of manufacture. Similarly, glass is classified in reference to such attributes as color, vessel form and function, and manufacture marks such as seams and lip treatment. Embossments and maker's marks can be used to ascertain manufacturer and date of manufacture.

5.6 SITE RECORDING

5.6.1 FMSF Number Requests

Each newly identified archaeological and historic resource will require its own FMSF number. In the case of some bridges and linear resources that span multiple counties, multiple FMSF numbers will be needed, one for each county. Once the number and type of resources to be recorded are determined, request the FMSF numbers for each archaeological site, historical structure, bridge, resource group, or cemetery; a separate request form is needed for each category of resource. For resource groups, request a separate number for the resource group proper, as well as each individual resource 50 years of age or older within the resource group, whether contributing or noncontributing. To obtain FMSF numbers, complete a Number Assignment Request/Confirmation Form (**Exhibit 5.8**), then send it to the FMSF via fax, mail, or electronically. FMSF personnel respond to each request in a timely manner.

When requesting numbers, be sure to have the following information available:

- County or counties in which sites were found;
- Site type (archaeological/historical structure/bridge/resource group/cemetery);
- Site names (if assigned/applicable);

- Address or Township, Range, and Section for each resource; and
- Project name.

5.6.2 Archaeological FMSF Forms

Each newly identified archaeological site is recorded on a FMSF Archaeological Site Form (**Exhibit 5.9**). These forms provide basic information regarding an archaeological site including location; site type, description, and general environment; culture periods; types of artifacts discovered; field methods used; and the surveyors opinion regarding the site's NRHP eligibility and owner/SHPO actions (nomination for listing in the NRHP, physical protection, further excavation, etc.). Required attachments include a site plot on the appropriate USGS 1:24,000 scale topographic map(s) and a detailed site plan in the scale range of 1:200 to 1:600. Although not required, photographs and a summary of artifacts collected or excavated are encouraged; the latter is especially encouraged when the information is too extensive for the artifacts section on the site form. The summary of artifacts, and any other supplementary information, may be included on a continuation page/supplementary form. **Exhibit 5.7** contains an example of a continuation page.

For previously recorded archaeological sites, FMSF forms should be updated for every archaeological site examined during field survey. This includes archaeological sites that were reported to be within the project area, but for which no evidence of the site was discovered. For the update, not all fields on the FMSF form need to be completed provided those data have already been recorded. For example, if the soil type(s) have been recorded, there is no need to repeat that information, but if it has not been reported, then do so. The update is to provide new information on the site and should be restricted to data obtained from the current investigations, and not reiterate the results of previous work.

5.6.3 Historic Resources Forms

Each newly identified historic resource (structure, bridge, resource group, or cemetery) is recorded on the appropriate FMSF Form. These forms are meant to provide basic information about the resource; continuation pages/supplementary forms can be used for more detailed descriptions, evaluations of significance, etc. General types of information and required attachments for each form are as follows:

- **Historical Structure Form (Exhibit 5.4)**: Basic information includes a site name, if applicable; location data; construction history (year built, function/use, alterations/additions); description (style, building materials, distinguishing features); and the surveyors opinion regarding the resource's NRHP eligibility. Required attachments include the appropriate USGS 1:24,000 scale topographic map(s) with the structure's location pinpointed in red and labeled with the FMSF number; a large-scale street, plat, aerial, or parcel map labeled with the FMSF number and/or site name and/or address; and at least one photograph of the structure's main façade (see Section 7.4.2 for quality requirements).

- **Historical Bridge Form (Exhibit 5.5)**: Basic information includes the bridge name and FDOT bridge number, if applicable; location data; history; description (style, distinguishing features, tender station, superstructure, substructure); and the surveyors opinion regarding the resource's NRHP eligibility. Required attachments include the appropriate USGS 1:24,000 scale topographic map(s) with the structure's location pinpointed in red and labeled with the FMSF number, and at least one photograph of the bridge (see Section 7.4.2 for quality requirements).
- **Resource Group Form (Exhibit 5.6)**: Basic information includes the resource group name; location data (including a verbal description of the boundaries); history and description (including number of contributing and noncontributing resources, if appropriate); and the surveyors opinion regarding the resource's NRHP eligibility. Required attachments include the appropriate USGS 1:24,000 scale topographic map(s) with the resource's boundaries clearly marked and labeled with the FMSF number(s); a large-scale street, plat, aerial, or parcel map labeled with the FMSF number and/or site name and/or address (for historic districts, all contributing resources should be labeled as well); and at least one photograph of the resource (see Section 7.4.2 for quality requirements). For historic districts and landscapes, it is recommended that multiple photographs showing street views and/or settings are included. For historic districts, a tabulation of contributing/noncontributing resources also is required (typically provided on a continuation sheet).
- **Historical Cemetery Form (Exhibit 5.7)**: Basic information includes the cemetery's name; location data; history (year established, year/reason burials ceased, if appropriate); description (type of cemetery, ethnic groups interred, size, boundary, etc.); grave marker descriptions; and the surveyors opinion regarding the resource's NRHP eligibility. Required attachments include the appropriate USGS 1:24,000 scale topographic map(s) with the resource's boundaries clearly marked in red and labeled with the FMSF number, and at least one photograph of the cemetery (see Section 7.4.2 for quality requirements). It is recommended that multiple photographs showing features such as distinctive grave markers, entrance gates, and associated buildings, are included.

For previously recorded historical resources, FMSF forms should be updated if one or both of the following conditions exist: the SHPO has not made a determination on the resource's eligibility or the resource has been significantly altered since originally recorded. In the event that previously recorded historic resources have been demolished, or are no longer extant in their recorded location, prepare a brief memo/letter to the FMSF that notes this change in status. A sample letter is provided in **Exhibit 5.10.**

5.7 ARCHAEOLOGICAL ARTIFACT CURATION

At the completion of the CRAS, all artifacts, field notes, maps, and other records are prepared for permanent storage and curation at a Department-designated repository. The collections of cultural materials resulting from the CRAS should be prepared for eventual curation in accordance with the

guidelines promulgated by the DHR, Bureau of Archaeological Research (BAR) (2010). A F.S. Log must accompany the collection, since it is considered the primary way that information about artifacts is communicated. In addition, at the discretion of the PI, the repository may be provided with a copy of associated project records, including field notes and maps. These materials should be scanned and saved as pdf files. Follow these general guidelines for the processing of artifact collections:

- **Artifact bags** must be 4 mil thick and have a zip lock closure. The bags should ***not be smaller*** than 3 x 3 inches, even if contents are very small. Keep a clear band (1-1.5 in high) with no writing ***below*** the zip lock (that area is reserved for BAR use).
- **Sort** each F.S. field bag into material type groups (i.e., lithic debitage, ceramics, shell, glass) and individually bag each group. Everything in the bag should have the same description. Each sort group within the F.S. is issued a lot number. The level of sorting of contents of an F.S. bag should reflect the level of reporting.
- In accordance with BAR guidelines, the basic required **documents** for artifact submissions are 1) an F.S. log linking each F.S. number to field provenience, and 2) a catalog table listing of F.S. lot bag contents. If the F.S. log or catalog table refers to more than one site, a column for site identification has to be added. A sample catalog table which covers more than one site follows:

Sample Catalog Table

SITE ID	FS.LOT	MATERIAL	DESCRIPTION	Additional Cols. (e.g. Count/weight)
8CL-01222	1.1	Glass	Clear glass sherds	
8CL-01222	1.2	Lithic	Biface ppk base, Florida Archaic Stemmed	
8CL-01222	1.3	Abo. Ceramic	Rim Sherd, unid. incised	
8CL-01222	2.1	Bone	Bone pin tip fragment, probably deer metapodial	
8CL-01222	3.1	Lithic	Debitage	
8CL-09999	1.1	Bone	Saw cut cow bone	
8CL-09999	1.2	Metal	Unid. small ferrous oxides, discarded	
8CL-11111	29.1	Shell	Whelk shell tool fragment, adz?	
8CL-11111	29.2	Abo. Ceramic	Unid. plain or eroded body sherds	
8CL-11111	30.1	Abo. Ceramic	Unid. plain or eroded body sherds	

Artifact bags are placed in FDOT-approved storage boxes with the following information written on the exterior of each box:

- State project (SP) number(s);
- Project name(s);
- FMSF number(s);
- List of F.S. numbers included in the box; and
- Number of boxes associated with the project (e.g., Box 4 of 7).

Along with the boxed artifacts, provide the FDOT with a copy of the F.S. Log and a catalog of all materials (artifacts and other data). Upon request, also deliver all original field notes, maps, photographs, and other documentation to the FDOT.

EXHIBIT 5.1
EXAMPLE AUTHORIZATION FOR ACCESS LETTER

LETTER
OFFICIAL AGENCY

The State of Florida, Department of Transportation, District Seven (Department), 11201 N. McKinley Drive, Tampa, FL 33612-6403, hereby grants:

Good Engineers, Inc. and The CR Group, Inc.

the authority, as agent(s) of the Department, to gain access to private lands pursuant to Section 337.274, Florida Statutes, which authorized the Department and its agents to enter private property to conduct environmental assessments, appraisals, surveys, soundings, drillings and the like. Said agent is authorized to conduct work of the following nature:

Biological Evaluations, Contamination Assessments, Engineering Evaluations,

Archaeological/Historical Structures Surveys

in conjunction with the following STATE TRANSPORTATION PROJECT:

PROJECT NAME: District Wide Project Development and Environment Consultant
STATE PROJECT NO: 99007-1594
WPI NO: 7110075

THIS AGENCY IS GRANTED THIS _____day of _____, 2010, and shall be effective until said project is completed.

BY: _____
District Secretary
District Seven
Florida Department of Transportation

ATTEST: _____
Secretary

EXHIBIT 5.2
F.S. LOG

F.S Log

Project: ___SR 962, Any County_____

Site	FS	ST	Depth	Recovered Materials	Initials	Date
A	1	27	0-30	6 flakes, 1 biface frag	ID/TP	02/26
A	2	31	20-45	1 STP, 2 flakes	ID/TP	02/26
A	3	32	15-20	3 flakes	ID/TP	02/26
A	4	34	25-50	1 flake	ID/TP	02/26
B	5	67	80-90	1 flake	ID/TP	02/27
B	6	68	75-100	27 flakes	ID/TP	02/27
B	7	69	80-100	15 flakes, 1 wire nail	ID/TP	02/27
B	8	72	60-80	3 flakes	ID/TP	02/27
B	9	77	70-80	1 flake	ID/TP	02/27
C	10	96	10-20	1 STP	ID/TP	02/28
XX999	11	145	0-20	1 whiteware, 6 glass,	ID/TP	03/05
XX999	12	Surf	0	2 porcelain, 3 glass, 4 brick, 1 stoneware, 2 nails	ID/TP	03/05
XX999	13	158	0-25	6 nails, stove part, 1 bottle base, 6 stoneware, 3 whiteware, 9 glass,	ID/TP	03/05
XX999	14	159	20-30	1 nail	ID/TP	03/05
XX999	15	162	40-50	2 flakes	ID/TP	03/05
D	16	177	80-90	1 flake	ID/TP	03/06
E	17	186	60-70	2 flakes	ID/TP	03/06
E	18	188	50-75	4 flakes	ID/TP	03/06

EXHIBIT 5.3
DAILY SUMMARY FORM

DAILY SUMMARY

Project: _____SR 962_____ County _____Any_____

Date ___02/26_____ Crew Chief ____Ima Digger_____

Crew _____T. Pitts_____

Recorder _____Digger_____

RESULTS:

Got to the project area around 7:30 and started shovel testing along the east side of SR 962 from the north end of the APE, working south. Area is generally pine flatwoods interspersed with shallow streams and wetlands. Testing was conducted at 50 m intervals until ST 27 which produced 6 flakes and a biface fragment. At that point the interval was decreased to 25 m. Once the basic limits of the site within the corridor were established, the northern and southern limits of the site were refined through testing at 10 m intervals. The eastern boundary is defined by the ROW fence line, western boundary not yet determined since we haven't tested that side of the road yet.

Site A is a relatively low density artifact scatter. The majority of the artifacts were lithic debitage, although one biface fragment and a piece of STP ceramic were recovered. All the materials were recovered from the upper 50 cm of the tests. 12 STs were excavated in the area, 4 produced cultural materials. The site is located on a low rise next to a wetland (ca. 25 m east). Vegetation consists of pine, water oak, sweetgum, and magnolia.

Basic stratigraphy 0-10 cm dark gray sand
10-65 cm light gray sand
65-75 cm dark brown hardpan
75-100 cm light brown sand

Finished up the day at 4:00, dug 32 STs – 2 at 10 m, 10 at 25 m, and 20 at 50 m – located one new site (Site A)

EXHIBIT 5.4
HISTORICAL STRUCTURE FORM

Page 1

☒ Original
☐ Update

HISTORICAL STRUCTURE FORM
FLORIDA MASTER SITE FILE
Version 4.0 1/07

Site #8 CI01368
Field Date 10-27-2011
Form Date 11-1-2011
Recorder # 924

Shaded Fields represent the minimum acceptable level of documentation.
Consult the *Guide to Historical Structure Forms* for detailed instructions.

Site Name(s) (address if none) Building 1 — **Multiple Listing** (DHR only) _____
Survey Project Name US 19 from West Jump Court to CR 44, Citrus Co. — **Survey #** (DHR only) 18902
National Register Category (please check one) ☒building ☐structure ☐district ☐site ☐object
Ownership: ☒private-profit ☐private-nonprofit ☐private-individual ☐private-nonspecific ☐city ☐county ☐state ☐federal ☐Native American ☐foreign ☐unknown

LOCATION & MAPPING

	Street Number	Direction	Street Name	Street Type	Suffix Direction
Address:	130	S	Suncoast	Boulevard	

Cross Streets (nearest / between) _____
USGS 7.5 Map Name HOMOSASSA — **USGS Date** 1954 — **Plat or Other Map** _____
City / Town (within 3 miles) Crystal River — **In City Limits?** ☐yes ☐no ☒unknown — **County** Citrus
Township 19S — **Range** 17E — **Section** 3 — **¼ section:** ☒NW ☐SW ☐SE ☐NE — **Irregular-name:** _____
Tax Parcel # 17E19S03 44210 — **Landgrant** _____
Subdivision Name _____ — **Block** _____ — **Lot** _____
UTM Coordinates: Zone ☐16 ☒17 — **Easting** 345894 — **Northing** 3193529
Other Coordinates: X: _____ Y: _____ — **Coordinate System & Datum** _____
Name of Public Tract (e.g., park) _____

HISTORY

Construction Year: 1950 ☒approximately ☐year listed or earlier ☐year listed or later
Original Use Commercial — **From (year):** orig — **To (year):** -
Current Use Commercial — **From (year):** - — **To (year):** curr
Other Use _____ — **From (year):** _____ — **To (year):** _____
Moves: ☐yes ☒no ☐unknown — **Date:** _____ — **Original address** _____
Alterations: ☒yes ☐no ☐unknown — **Date:** 1-1-1990 — **Nature** replaced windows, door
Additions: ☐yes ☒no ☐unknown — **Date:** _____ — **Nature** _____
Architect (last name first): unknown — **Builder** (last name first): unknown
Ownership History (especially original owner, dates, profession, etc.) United Florida Properties LLC (2008-current)

Is the Resource Affected by a Local Preservation Ordinance? ☐yes ☐no ☐unknown **Describe** _____

DESCRIPTION

Style Masonry Vernacular — **Exterior Plan** Irregular — **Number of Stories** 1
Exterior Fabric(s) 1. Concrete block 2. _____ 3. Brick veneer
Roof Type(s) 1. Flat 2. _____ 3. _____
Roof Material(s) 1. Composition roll 2. _____ 3. _____
Roof secondary strucs. (dormers etc.) 1. _____ 2. _____
Windows (types, materials, etc.) 2-light awning, metal, independent; 1/1, SHS, metal, paired

Distinguishing Architectural Features (exterior or interior ornaments) projected window sills

Ancillary Features / Outbuildings (record outbuildings, major landscape features; use continuation sheet if needed.) This building is part of the Suncoast Mobile Home Park

DHR USE ONLY	OFFICIAL EVALUATION	DHR USE ONLY
NR List Date _____ ☐Owner Objection	SHPO – Appears to meet criteria for NR listing: ☐yes ☑no ☐insufficient info Date 4/11/12 Init. AMM KEEPER – Determined eligible: ☐yes ☐no Date _____ NR Criteria for Evaluation: ☐a ☐b ☐c ☐d (see *National Register Bulletin 15*, p. 2)	

HR6E046R0107 Florida Master Site File / Division of Historical Resources / R. A. Gray Building / 500 South Bronough Street, Tallahassee, FL 32399-0250
Phone (850) 245-6440 / Fax (850)245-6439 / E-mail SiteFile@dos.state.fl.us

HISTORICAL STRUCTURE FORM

Site # 8 CI01368

DESCRIPTION (continued)

Chimney: No. 0 Chimney Material(s): 1. _____ 2. _____

Structural System(s): 1. Concrete block 2. _____ 3. _____

Foundation Type(s): 1. Slab 2. _____

Foundation Material(s): 1. Poured Concrete Footing 2. _____

Main Entrance (stylistic details) vinyl swing door on east elevation

Porch Descriptions (types, locations, roof types, etc.) _____

Condition (overall resource condition): ☐excellent ☒good ☐fair ☐deteriorated ☐ruinous

Narrative Description of Resource _____

Archaeological Remains _____ ☐Check if Archaeological Form Completed

RESEARCH METHODS (check all that apply)

☒FMSF record search (sites/surveys)	☐library research	☐building permits	☐Sanborn maps
☐FL State Archives/photo collection	☐city directory	☐occupant/owner interview	☐plat maps
☒property appraiser / tax records	☐newspaper files	☐neighbor interview	☒Public Lands Survey (DEP)
☒cultural resource survey (CRAS)	☐historic photos	☐interior inspection	☐HABS/HAER record search

☐other methods (describe) _____

Bibliographic References (give FMSF manuscript # if relevant, use continuation sheet if needed) _____

OPINION OF RESOURCE SIGNIFICANCE

Appears to meet the criteria for National Register listing individually? ☐yes ☒no ☐insufficient information

Appears to meet the criteria for National Register listing as part of a district? ☐yes ☒no ☐insufficient information

Explanation of Evaluation (required, whether significant or not; use separate sheet if needed) This is a typical example of the Masonry Vernacular style found throughout Citrus County. Furthermore, limited research revealed no significant historical associations. Therefore 8CI1368 does not appear eligible for listing in the NRHP.

Area(s) of Historical Significance (see *National Register Bulletin 15*, p. 8 for categories: e.g. "architecture", "ethnic heritage", "community planning & development", etc.)

1. Community planning & development 3. _____ 5. _____

2. _____ 4. _____ 6. _____

DOCUMENTATION

Accessible Documentation Not Filed with the Site File - including field notes, analysis notes, photos, plans and other important documents

1) Document type All materials at one location Maintaining organization Archaeological Consultants Inc

Document description _____ File or accession #'s P11023A.3

2) Document type _____ Maintaining organization _____

Document description _____ File or accession #'s _____

RECORDER INFORMATION

Recorder Name Marielle Lumang Affiliation Archaeological Consultants Inc

Recorder Contact Information 8110 Blaikie Court, Suite A, Sarasota, FL 34240;941-379-6206;ACIFlorida@comcast.net

(address / phone / fax / e-mail)

Required Attachments

❶ **USGS 7.5' MAP WITH STRUCTURE LOCATION PINPOINTED IN RED**

❷ **LARGE SCALE STREET, PLAT OR PARCEL MAP** (available from most property appraiser web sites)

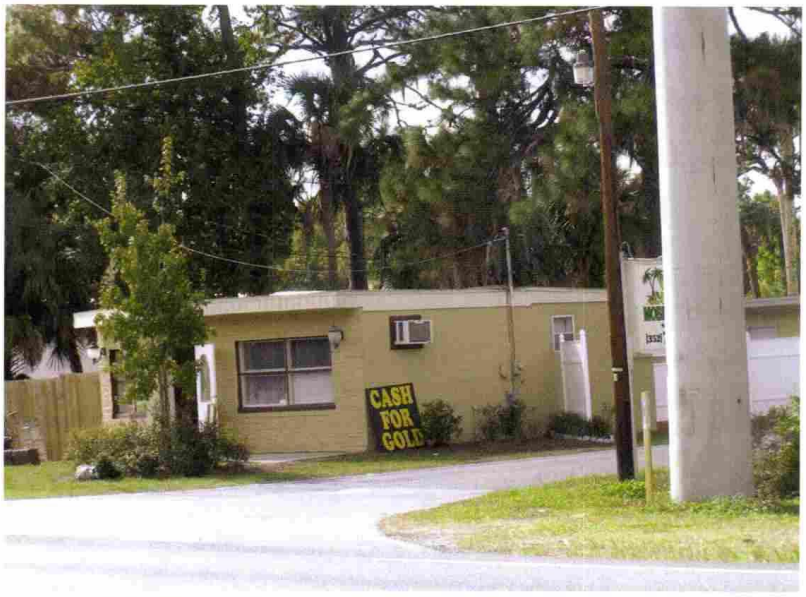
❸ **PHOTO OF MAIN FACADE, ARCHIVAL B&W PRINT OR DIGITAL IMAGE FILE**

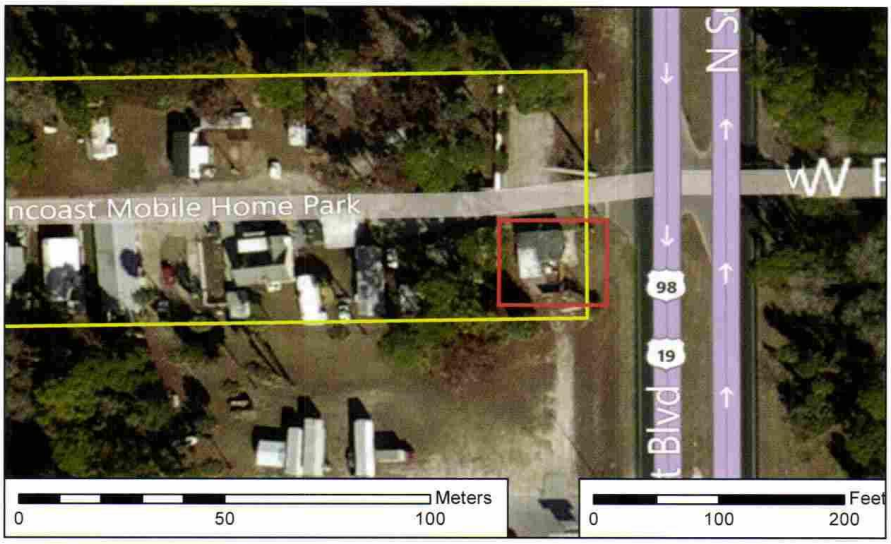
If submitting an image file, it must be included on disk or CD AND in hard copy format (plain paper is acceptable). Digital image must be at least 1600 x 1200 pixels, 24-bit color, jpeg or tiff.

Historic Structure Form

PHOTOGRAPHS

Site # 8CI1368





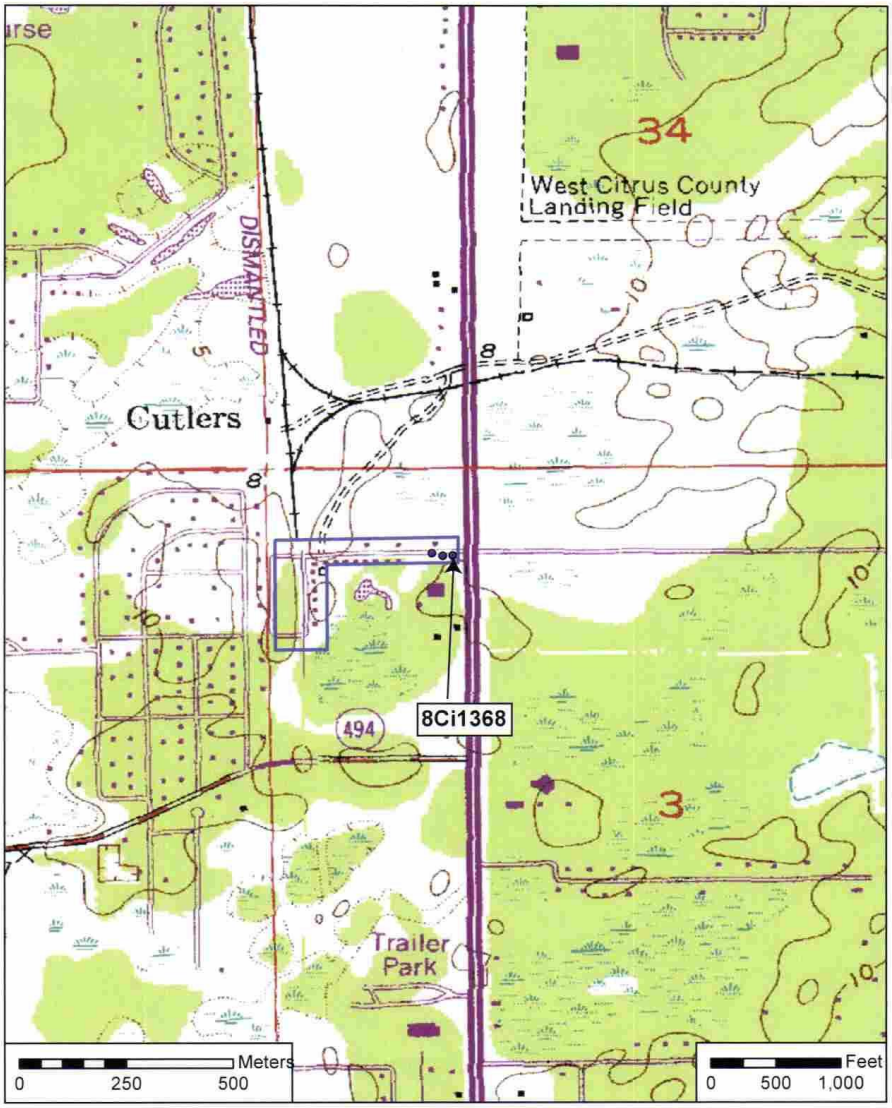
ARCHAEOLOGICAL CONSULTANTS, INC.

Historic Structure Form

Site # **8Ci1368**

USGS MAP

Homosassa - mrg3921.tif
Township 19 South, Range 17 East, Section 3



ARCHAEOLOGICAL CONSULTANTS, INC.

EXHIBIT 5.5
HISTORICAL BRIDGE FORM

Page 1

☒Original
☐Update

HISTORICAL BRIDGE FORM
FLORIDA MASTER SITE FILE
Version 4.0 1/07

Consult *Guide to the Historical Bridge Form* for detailed instructions

Site #8 BF00763
Field Date 1-19-2012
Form Date 2-13-2012
Recorder #
FDOT Bridge # 280941

Bridge Name(s) SR 230/Alligator Creek
Project Name Hist Structure Assessment along SR 230 3 Bridges
Ownership: ☐private-profit ☐private-nonprofit ☐private-individual ☐private-nonspecific ☐city ☐county ☒state ☐federal ☐Native American ☐foreign ☐unknown

Multiple Listing (DHR only)
Survey # (DHR only) 19197

LOCATION & MAPPING

Route(s) Carried/Feature(s) Crossed SR 230/Alligator Creek
USGS 7.5 Map Name STARKE USGS Date 1991 Plat or Other Map
City/Town (within 3 miles) Starke In City Limits? ☒yes ☐no ☐unknown County Bradford
Township 6S Range 22E Section 28 ¼ section: ☐NW ☐SW ☒SE ☐NE Irregular-name:
Township Range Section ¼ section: ☐NW ☐SW ☐SE ☐NE
Landgrant Tax Parcel #
UTM Coordinates: Zone ☐16 ☐17 Easting ☐☐☐☐☐☐ Northing ☐☐☐☐☐☐☐
Other Coordinates: X: Y: Coordinate System & Datum
Name of Public Tract (e.g., park)

HISTORY

Year Built 1941 ☒approximately ☐year listed or earlier ☐year listed or later
Still in use? ☒yes ☐no ☐restricted use (describe)
Prior Fords, Ferries, or Bridges at this Location

Bridge Use: original and current with dates (standard descriptions: auto, railway, pedestrian, fishing pier, abandoned) auto

Ownership history State Highway Agency

Designers/Engineers
Builders/Contractors
Text of Plaque or Inscription

Narrative History (How did bridge come to be built? How was it financed?, etc.) Bridge carries SR 230 over Alligator Creek just east of Starke.

DESCRIPTION

GENERAL

Overall Bridge Design 1. Slab 2.
Overall Condition ☐excellent ☒good ☐fair ☐deteriorated ☐ruinous
Style and Decorative Details concrete balustrade with decorative pilasters on each side of bridge, sawn stone rubble abutment set in irregular courses

Tender Station Description

Alterations: Dates and Descriptions reconstructed ca. 1955

DHR USE ONLY	OFFICIAL EVALUATION	DHR USE ONLY
NR List Date ☐Owner Objection	SHPO – Appears to meet criteria for NR listing: ☐yes ☑no ☐insufficient info KEEPER – Determined eligible: ☐yes ☐no NR Criteria for Evaluation: ☐a ☐b ☐c ☐d (see *National Register Bulletin 15*, p. 2)	Date 6/30/12 Init. AMN Date

HR6E052R0107 Florida Master Site File / Division of Historical Resources / R. A. Gray Building, 500 South Bronough Street, Tallahassee, FL 32399-0250
Phone (850) 245-6440 / Fax (850)245-6439 / E-mail: SiteFile@dos.state.fl.us

HISTORICAL BRIDGE FORM

Site #8 BF00763

DESCRIPTION (continued)

SUPERSTRUCTURE

Spans: Number 10 Total Length(ft) 150

Main Spans: Number 10 Length(ft) 15 Width(ft) 59 Roadway width(ft) 30
Main Span Design Slab
Main Span Materials 1. Concrete 2. Asphalt

Approach Spans: Number_____ Length(ft)_____ Width(ft)_____ Roadway width(ft)_____
Approach Span Design _____
Approach Span Materials 1._____ 2._____

Deck Materials 1. Blacktop 2._____

SUBSTRUCTURE

Abutment Materials 1. Stone 2._____
Abutment Description sawn stone rubble set in irregular courses

Pier Materials 1. Concrete 2._____
Pier Description 6 square, concrete columns with concrete cap

RESEARCH METHODS (check all that apply)

☒FDOT database search	☐Fla. Archives / photo collection	☐newspaper files	☐informal archaeological inspection
☐HABS/HAER record search	☒property appraiser / tax records	☐city directory	☐formal archaeological survey
☒FMSF record search (sites/surveys)	☐library research	☐Public Lands Survey (DEP)	☒cultural resource survey

☒Other methods (specify) pedestrian and windshield survey

Bibliographic References (give FMSF manuscript # if relevant, use separate sheet if needed) _____

OPINION OF RESOURCE SIGNIFICANCE

Potentially eligible individually for National Register of Historic Places? ☐yes ☒no ☐insufficient information
Potentially eligible as contributor to a National Register district? ☐yes ☒no ☐insufficient information
Explanation of Evaluation (required, use separate sheet if needed) Due to its lack of sufficient historical and architectural significance, 8BF00763 (FDOT Bridge #280941) is ineligible for listing in the NRHP, either individually or as a contributing resource within a potential or existing historic district.

Area(s) of historical significance (See *National Register Bulletin 15*, p. 8 for categories: e.g. "architecture", "ethnic heritage", "community planning & development", etc.)

1._____ 3._____ 5._____
2._____ 4._____ 6._____

DOCUMENTATION

Accessible Documentation Not Filed with the Site File - including field & analysis notes, photos, plans, other important documents

1) Document type All materials at one location Maintaining organization Southeastern Archaeological Research
Document description photos, maps, field notes File or accession #'s 2732-11128T

2) Document type _____ Maintaining organization _____
Document description _____ File or accession #'s _____

RECORDER INFORMATION

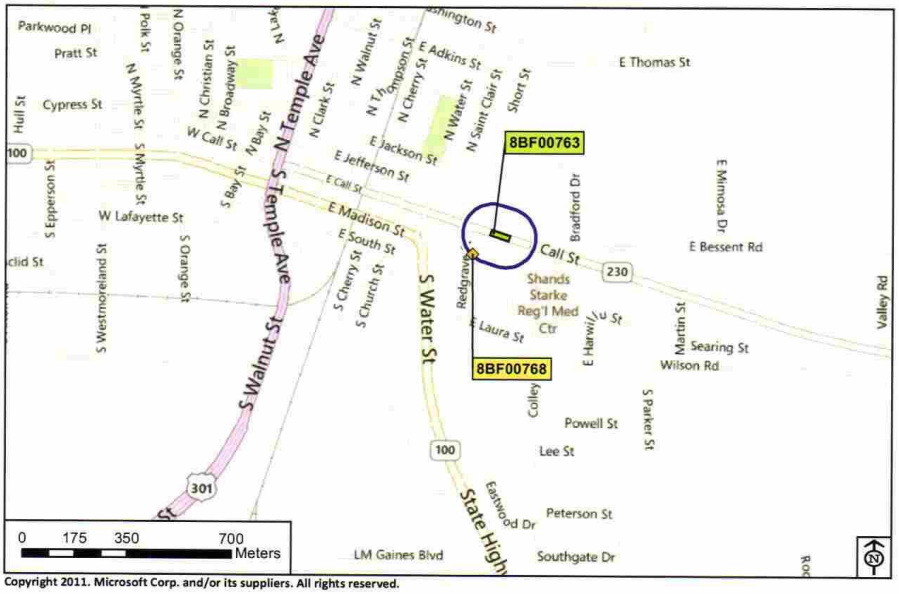
Recorder Name VanDyke, Ryan Affiliation Southeastern Archaeological Research
Recorder Contact Information 315 NW 138th Terr, Newberry, FL 32669/352-333-0049/352-333-0069/ryan@searchinc.com
(address / phone / fax / e-mail)

Required Attachments

❶ **USGS 7.5' TOPO MAP WITH BRIDGE LOCATION MARKED**
❷ **PHOTO OF BRIDGE, ARCHIVAL B&W PRINT OR DIGITAL IMAGE FILE**
If submitting an image file, it must be included on disk or CD AND in hard copy format (plain paper is acceptable). Digital image must be at least 1600 x 1200 pixels, 24-bit color, jpeg or tiff.

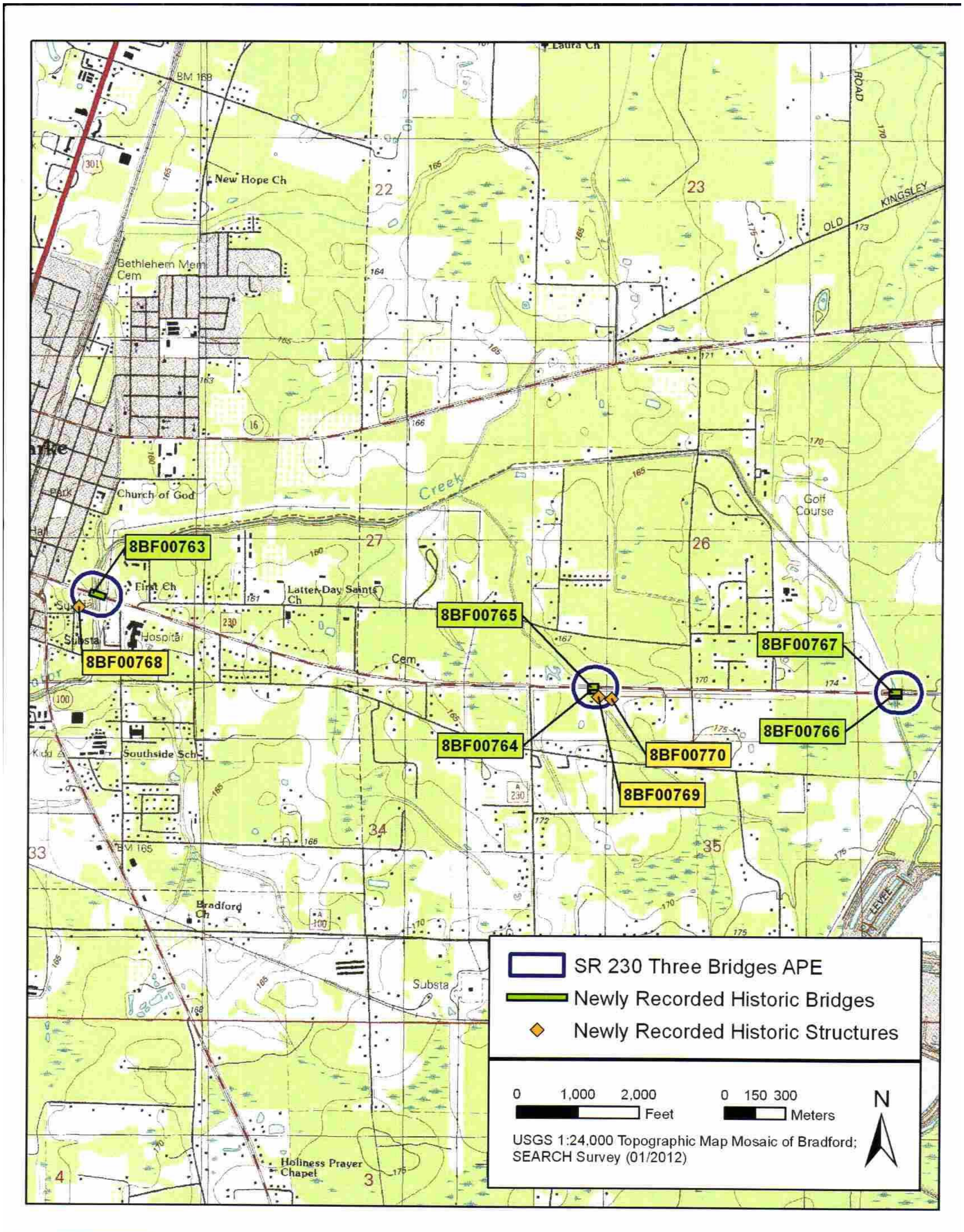
SOUTHEASTERN ARCHAEOLOGICAL RESEARCH, INC.

8BF00763
FDOT Bridge #280941
SR 230/Alligator Creek



Architectural Historian: Ryan VanDyke
February 2012

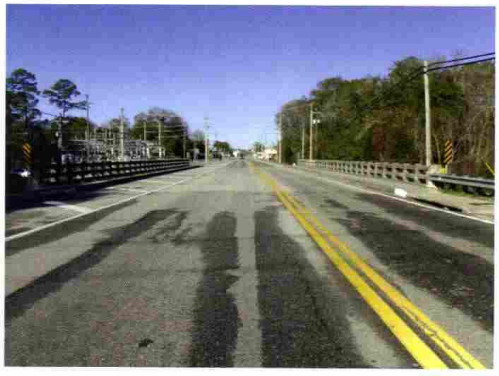
SEARCH Project #: 2732-11128T
www.searchinc.com


8BF00763
8BF00768
8BF00765
8BF00764
8BF00770
8BF00769
8BF00767
8BF00766
SR 230 Three Bridges APE
Newly Recorded Historic Bridges
Newly Recorded Historic Structures
0 1,000 2,000 Feet
0 150 300 Meters
N
USGS 1:24,000 Topographic Map Mosaic of Bradford;
SEARCH Survey (01/2012)

8BF00763_a Facing West

8BF00763_b Facing North

8BF00763_c Facing Northwest



8BF00763_d Facing West

EXHIBIT 5.6
RESOURCE GROUP FORM

Page 1

☒ Original
☐ Update

RESOURCE GROUP FORM
FLORIDA MASTER SITE FILE
Version 4.0 1/07

Site #8 HE00678
Field Date 1-12-2012
Form Date 1-12-2012
Recorder# 11

NOTE: Use this form to document districts, landscapes, building complexes and linear resources as described in the box below. Cultural resources contributing to the Resource Group should also be documented individually at the Site File. **Do not use this form for National Register multiple property submissions** (MPSs). National Register MPSs are treated as Site File manuscripts and are associated to the individual resources included under the MPS cover using the Site File manuscript number.

Check ONE box that best describes the Resource Group:

- ☐ **Historic district** (NR category "district"): buildings and NR structures only: NO archaeological sites
- ☐ **Archaeological district** (NR category "district"): archaeological sites only: NO buildings or NR structures
- ☐ **Mixed district** (NR category "district"): includes more than one type of cultural resource (example: archaeological sites and buildings)
- ☒ **Building complex** (NR category usually "building(s)"): multiple buildings in close spatial and functional association
- ☐ **Designed historic landscape** (NR category usually "district" or "site"): can include multiple resources (see *National Register Bulletin #18*, page 2 for more detailed definition and examples: e.g. parks, golf courses, campuses, resorts, etc.)
- ☐ **Rural historic landscape** (NR category usually "district" or "site"): can include multiple resources and resources not formally designed (see *National Register Bulletin #30, Guidelines for Evaluating and Documenting Rural Historic Landscapes* for more detailed definition and examples: e.g. farmsteads, fish camps, lumber camps, traditional ceremonial sites, etc.)
- ☐ **Linear resource** (NR category usually "structure"): Linear resources are a special type of rural historic landscape and can include canals, railways, roads, etc.

Resource Group Name Ridge Manor Garden Apartments Multiple Listing [DHR only] _____
Project Name CRAS SR 50 from Lockhart to US 301 FMSF Survey # 188101
National Register Category (please check one): ☒building(s) ☐structure ☐district ☐site ☐object
Linear Resource Type (if applicable): ☐canal ☐railway ☐road ☐other (describe): _____
Ownership: ☒private-profit ☐private-nonprofit ☐private-individual ☐private-nonspecific ☐city ☐county ☐state ☐federal ☐Native American ☐foreign ☐unknown

LOCATION & MAPPING

Street Number	Direction	Street Name	Street Type	Suffix Direction
Address: 34472		Cortez	Boulevard	

City/Town (within 3 miles) Ridge Manor In Current City Limits? ☐yes ☐no ☒unknown
County or Counties (do not abbreviate) Hernando
Name of Public Tract (e.g., park) _____

1) Township 23S Range 21E Section 11 ¼ section: ☐NW ☐SW ☐SE ☒NE Irregular-name: _____
2) Township _____ Range _____ Section _____ ¼ section: ☐NW ☐SW ☐SE ☐NE
3) Township _____ Range _____ Section _____ ¼ section: ☐NW ☐SW ☐SE ☐NE
4) Township _____ Range _____ Section _____ ¼ section: ☐NW ☐SW ☐SE ☐NE

USGS 7.5' Map(s) 1) Name SAINT CATHERINE USGS Date 1958
2) Name _____ USGS Date _____
Plat, Aerial, or Other Map (map's name, originating office with location) _____
Landgrant _____
Verbal Description of Boundaries (description does not replace required map) Includes the property within R11 423 21 0000 0080 0000

DHR USE ONLY	OFFICIAL EVALUATION	DHR USE ONLY
NR List Date ☐Owner Objection	SHPO – Appears to meet criteria for NR listing: ☐yes ☑no ☐Insufficient info Date 3/26/2012 Init. AMM KEEPER – Determined eligible: ☐yes ☐no Date _____ NR Criteria for Evaluation: ☐a ☐b ☐c ☐d (see *National Register Bulletin 15*, p. 2)	

HR6E057R0107 Florida Master Site File, Division of Historical Resources, R. A. Gray Building, 500 South Bronough Street, Tallahassee, FL 32399-0250
Phone (850) 245-6440 / Fax (850) 245-6439 / E-mail SiteFile@dos.state.fl.us

RESOURCE GROUP FORM

Site #8 HE00678

HISTORY & DESCRIPTION

Construction Year: 1959 ☒approximately ☐year listed or earlier ☐year listed or later
Architect/Designer(last name first): unknown Builder(last name first): unknown
Total number of individual resources included in this Resource Group: # of contributing 2 # of non-contributing
Time period(s) of significance (choose a period from the list or type in date range(s), e.g. *1895-1925*)
1. 3.
2. 4. 1959
Narrative Description (*National Register Bulletin 16A* pp. 33-34; fit a summary into 3 lines or attach supplementary sheets if needed) Includes 8HE689 and 8HE690, both ca. 1959 Masonry Vernacular style buildings. Both buildings feature four apartments with screened porches

RESEARCH METHODS (check all that apply)

☒FMSF record search (sites/surveys)	☐library research	☐building permits	☐Sanborn maps
☐FL State Archives/photo collection	☐city directory	☐occupant/owner interview	☐plat maps
☒property appraiser / tax records	☒newspaper files	☐neighbor interview	☒Public Lands Survey (DEP)
☒cultural resource survey	☐historic photos	☐interior inspection	☐HABS/HAER record search

☐other methods (specify)
Bibliographic References (give FMSF Manuscript # if relevant)

OPINION OF RESOURCE SIGNIFICANCE

Potentially eligible individually for National Register of Historic Places? ☐yes ☒no ☐insufficient information
Potentially eligible as contributor to a National Register district? ☐yes ☒no ☐insufficient information
Explanation of Evaluation (required, see *National Register Bulletin 16A* p. 48-49. Attach longer statement, if needed, on separate sheet.) This is a typical example of Masonry Vernacular style apartment buildings with no unique design features or significant historical associations. Therefore, 8HE678 is not potentially eligible for listing in the NRHP.

Area(s) of Historical Significance (see *National Register Bulletin 15*, p. 8 for categories: e.g. "architecture", "ethnic heritage", "community planning & development", etc.)
1. Community planning & development 3. 5.
2. 4. 6.

DOCUMENTATION

Accessible Documentation Not Filed with the Site File - including field notes, analysis notes, photos, plans and other important documents
1) Document type All materials at one location Maintaining organization Archaeological Consultants Inc
Document description File or accession #'s P8007D
2) Document type Maintaining organization
Document description File or accession #'s

RECORDER INFORMATION

Recorder Name Marielle Lumang Affiliation Archaeological Consultants Inc
Recorder Contact Information (address / phone / fax / e-mail) 8110 Blaikie Court, Ste A, Sarasota, FL 34240; 941-379-6206; ACIFlorida@comcast.net

Required Attachments

1. **PHOTOCOPY OF USGS 7.5' MAP WITH DISTRICT BOUNDARY CLEARLY MARKED**
2. **LARGE SCALE STREET, PLAT OR PARCEL MAP WITH RESOURCES MAPPED & LABELED**
3. **TABULATION OF ALL INCLUDED RESOURCES** (name, FMSF #, contributing? Y/N, resource category, street address or township-range-section if no address)
4. **PHOTOS OF GENERAL STREETSCAPE OR VIEWS** (Optional: aerial photos, views of typical resources) Photos may be archival B&W prints OR digital image files. If submitting digital image files, they must be included on disk or CD AND in hard copy format (plain paper is acceptable). Digital images must be at least 1600 x 1200 pixels, 24-bit color, jpeg or tiff.

Resource Group Form

PHOTOGRAPHS

Site # 8HE678

Microsoft 2010 - Bing Maps Hybrid

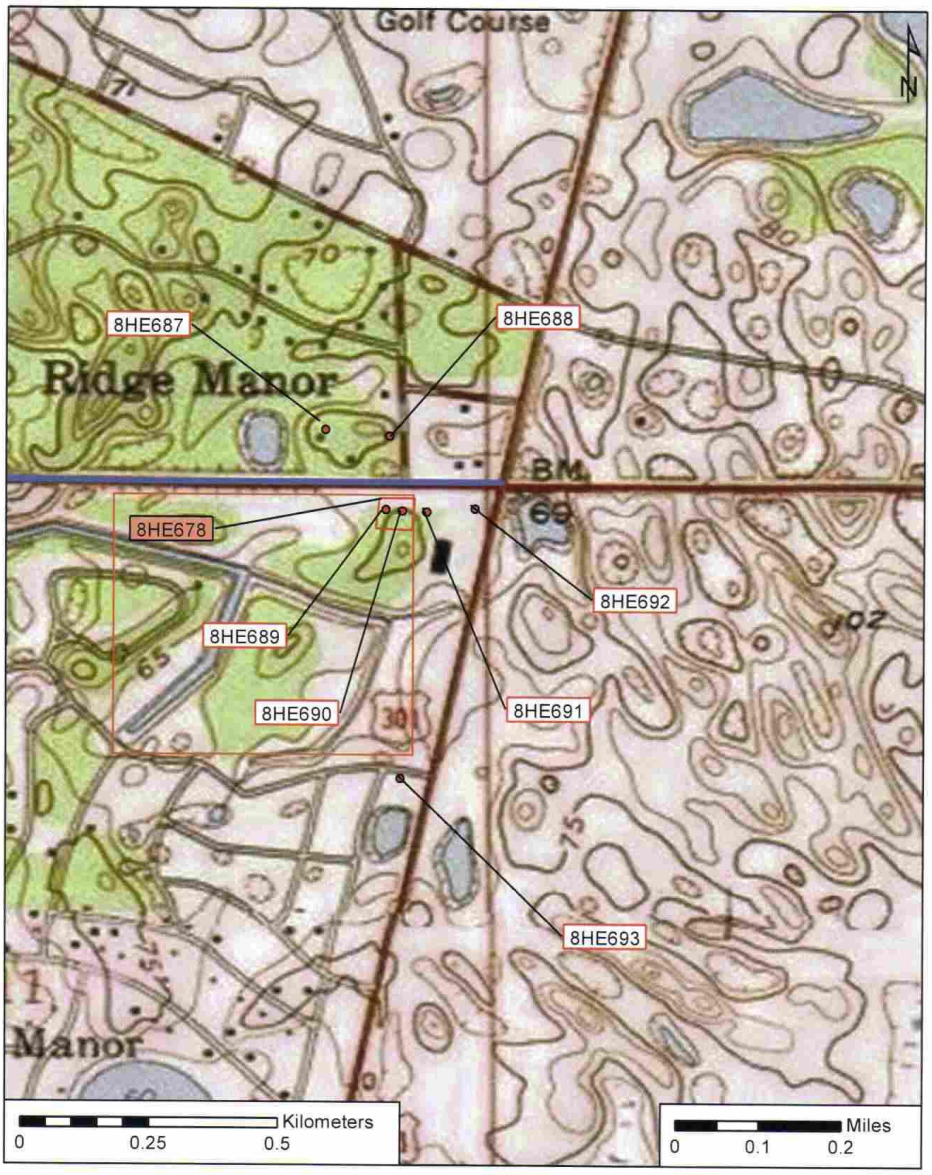
ARCHAEOLOGICAL CONSULTANTS, INC.

Resource Group Form

Site # **8HE678**

USGS MAP

St. Catherine
Township 23 South, Range 21 East, Section 11



ARCHAEOLOGICAL CONSULTANTS, INC.

EXHIBIT 5.7
HISTORICAL CEMETERY FORM

Page 1

☒Original
☐Update

HISTORICAL CEMETERY FORM
FLORIDA MASTER SITE FILE
Version 4.0 1/07

Consult the *Guide to Historical Cemetery Form* for detailed instructions.

Site #8 BD04879
Field Date 10-2-2012
Form Date 10-11-2012
Recorder # 1

Cemetery Name North Woodlawn Cemetery Multiple Listing (DHR only) _____
Project Name I-95 from Stirling Rd. to Oakland Park Blvd. Survey # (DHR only) 19752
Ownership: ☐private-profit ☐private-nonprofit ☐private-individual ☐private-nonspecific ☐city ☐county ☐state ☐federal ☐Native American ☐foreign ☐unknown

LOCATION & MAPPING

USGS 7.5 Map Name FORT LAUDERDALE NORTH USGS Date 1983 Plat or Other Map _____
City/Town (within 3 miles) Fort Lauderdale In City Limits? ☒yes ☐no ☐unknown County Broward
Township 50S Range 42E Section 4 ¼ section ☐NW ☐SW ☐SE ☐NE Irregular Sect. Name _____
Township _____ Range _____ Section _____ ¼ section ☐NW ☐SW ☐SE ☐NE
Landgrant _____ Tax Parcel # _____
UTM Coordinates: Zone ☐16 ☒17 Easting 583155 Northing 2890895
Other Coordinates: X: _____ Y: _____ Coordinate System & Datum _____
Address / Vicinity / Route to west side of NW 19th Avenue, north of NW 9th Street, south of Sunrise Boulevard, and east of I-95
Public Tract Containing Cemetery (e.g. park name) _____

HISTORY

Year Cemetery Established 1926 ☒approximately ☐year listed or earlier ☐year listed or later
Ownership History (especially original owners) cemetery land donated by James H. Dillard; portions later owned by Christian Pallbearer's Society Nos. 1 and 2
Year Burials Ceased, if applicable 1996 Reason(s) Burials Ceased Property was seized by the City.
Range of Death Dates: Earliest Year 1926 Most Recent Year 1996
Acreage Expansions/Dates _____
List People Important in Local, State, or National History Buried in Cemetery Raleigh Moore, Sylvia Alridge, Savannah Wilkerson Hurst, Nathaniel Wilkerson Jr., Lucretia Jordan Jackson, Charlie King, William Buddy Adams, Allie McCord, Thomas Scott Cobb, Rubin Stacy
Describe Previous Repair, Cleaning or Restoration Efforts Prior to its rededication in 2002, $250,000 was spent to clean up and revitalize the cemetery.

DESCRIPTION

Type (check all that apply) ☒community ☐company town ☐epidemic ☐family ☐fraternal order ☐memorial park ☐military(not national) ☐municipal ☐national ☒potter's field ☐prison ☐religious ☐Rural Movement ☐other(describe): _____
Ethnic Group(s) Interred (check all that apply) ☐White non-Hispanic ☐Hispanic ☐Asian ☐Caribbean ☒African American ☐American Indian-tribe: _____ ☐other(describe): _____
Current Status: ☐still used for burials ☒no longer used for burials, but maintained ☐abandoned
Condition: ☒well maintained ☐some areas maintained ☐poorly maintained ☐not maintained, but easily identifiable ☐not maintained, hard to identify ☐not identifiable but known to exist (explain): _____
Total # of Graves: 2,020 Does Total # Include Unmarked Graves?: ☒yes ☐no
Describe Evidence of Unmarked Graves (include count) 1449(estimated), local residents' research indicates 70% unmarked
Total Cemetery Size (give length by width or area, specify ft, m, ac, ha, etc.) 4.1 acres
Describe Cemetery Boundary (e.g. "cast iron fence", stone or brick wall, hedge, etc.) modern iron fence on E and S sides, chain-link fence on the W side, masonry wall on the N side
Historical Vegetation (trees, shrubs, flowers) several scattered trees throughout, otherwise clear
Public Access: ☒unlimited ☐restricted: how? _____
Threats (check all that apply) ☐abandonment ☐agriculture ☐mining/timbering ☐public development ☐private development ☒desecration/vandalism ☒other (explain): previous neglect
Associated Historical Properties/Archaeological Remains (non-cemetery) _____

☐Check if *Historical Structure Form* completed ☐Check if *Archaeological Site Form* completed

DHR USE ONLY	OFFICIAL EVALUATION	DHR USE ONLY
NR List Date	SHPO – Appears to meet criteria for NR listing: ☒yes ☐no ☐insufficient info	Date 3/27/2013 Init. GLS
	KEEPER – Determined eligible: ☐yes ☐no	Date _____
☐Owner Objection	NR Criteria for Evaluation: ☐a ☐b ☐c ☐d (see *National Register Bulletin 15*, p. 2)	

HISTORICAL CEMETERY FORM

Site # 8 BD04879

GRAVE MARKER DESCRIPTIONS

Grave Groupings (check all that apply) ☐family ☐fraternal order ☐military ☐religious ☒ethnic heritage ☐other (describe):

Groupings Indicated By (check all that apply) ☐curbing ☐fence ☐hedge ☐wall ☐other (describe):

Describe Orientation of Graves (East/West, North/South, etc.) irregular

Describe/List Methods of Marking Graves Used (i.e., headstones, mounds, depressions, objects or plants, etc.) in-ground masonry coffin covers or smaller slabs; headstones of various sizes and shapes

Marker Materials (check all that apply) ☐marble ☒concrete/cement ☐fieldstone ☒granite ☐wrought iron ☒cast iron ☐white bronze/zinc ☐sandstone ☐slate ☐wood ☐other (describe):

Describe Grave Articles Found in Cemetery

Describe Marker Damage and Conditions (i.e., sunken, tilted, chipped, weathered but standing, broken in fragments, vandalized, etc.) chipped, weathered, broken, sunken

Characterize Condition of Inscriptions (legible, illegible, none, etc.) many legible and illegible throughout

Distinctive Grave Markers, Monuments, and/or Architectural Features

Signatures of Stone Carvers (specify name, town if available)

RESEARCH METHODS (check all that apply)

☒FMSF record search (sites/surveys)	☒library research	☐building permits	☒Sanborn maps
☐FL State Archives/photo collection	☐city directory	☐occupant/owner interview	☒plat maps
☐property appraiser / tax records	☐newspaper files	☒neighbor interview	☐Public Lands Survey (DEP)
☒cultural resource survey	☐historic photos	☒interior inspection	☐HABS/HAER record search

☒other methods (describe)

Bibliographic References (if unpublished give FMSF manuscript # or location where document available) See continuation sheet.

OPINION OF RESOURCE SIGNIFICANCE

Appears to meet the criteria for National Register listing individually? ☒yes ☐no ☐insufficient information

Appears to meet the criteria for National Register listing as part of a district? ☐yes ☒no ☐insufficient information

Explanation of Evaluation (**required**, whether significant or not) See continuation sheet.

Areas of Historical Significance (see *National Register Bulletin 15*, p. 8 for categories: e.g. "architecture", "ethnic heritage", etc.)

1. Ethnic heritage
2. Black history
3.
4.
5.
6.

DOCUMENTATION

Accessible Documentation Not Filed with the Site File - including field notes, analysis notes, photos, plans and other important documents

1) Document type Field notes — Maintaining organization Janus Research
Document description — File or accession #'s

2) Document type Field maps — Maintaining organization Janus Research
Document description — File or accession #'s

INFORMANT & RECORDER INFORMATION

Local Informant (name and contact information)

Recorder Information: Name Janus Research — Affiliation Janus Research
Address / Phone / E-mail 1107 N. Ward St., Tampa FL 33607 / (813) 636-8200 / janus@janus-research.com

Required Attachments

❶ **PHOTOCOPY OF USGS 7.5' MAP WITH BOUNDARIES MARKED IN RED**

❷ **PHOTOS, ARCHIVAL B&W PRINTS OR DIGITAL IMAGE FILES**

Helpful photos may include the main gate or entrance, representative general views, unusual monuments or markers, and damage or neglect. If submitting an image file, it must be included on disk or CD AND in hard copy format (plain paper is acceptable). Digital image must be at least 1600 x 1200 pixels, 24-bit color, jpeg or tiff.

SITE NAME: North Woodlawn Cemetery

A. NARRATIVE DESCRIPTION

North Woodlawn Cemetery is generally located on the west side of NW 19th Avenue, north of NW 9th Street, south of Sunrise Boulevard, and east of I-95 in Township 50 South, Range 42 East, Section 4 (Fort Lauderdale North USGS Quadrangle 1962 PR 1983) in the City of Fort Lauderdale, Broward County, Florida. The extant portion of the cemetery is 4.1 acres in size. No definitive records indicating the original boundaries are available. According to the 1940 re-plat of the cemetery, it was five acres and included a potter's field at the western end. Informational markers within the cemetery and local informants have noted that the cemetery's boundaries originally extended all the way west to the Seaboard Air Line Railroad tracks, however no mapping or photographic evidence exists of this. It is unknown how many burials are there since there are many unmarked graves, but the current estimate is 2020 (Find A Grave 2012). The cemetery has approximately 571 marked graves (Spadafora 1992). The layout of graves throughout the cemetery is irregular. The grave markers which remain are varied in their designs, and include primarily in-ground masonry coffin covers or smaller slabs, which project only a few inches above the ground surface. Above ground masonry markers vary in size and design. Burials ceased in the cemetery in 1996 when the city seized the property.

B. SUMMARY OF SIGNIFICANCE

North Woodlawn Cemetery is eligible for listing in the National Register for significance on the local level under Criterion A in the area of Ethnic Heritage: Black. The cemetery was established during the 1920s as the city government restricted the African-American community to the northwest quadrant of Fort Lauderdale. It was the result of institutionalized racial segregation in Broward County from 1927 to 1964, and was the only cemetery African-Americans could be buried in until 1962. As such, many important African-American leaders in the early settlement of Fort Lauderdale are buried in North Woodlawn Cemetery. It is also a rare remaining historic resource associated with the African-American community's early history in Fort Lauderdale. The cemetery meets National Register Criteria Consideration D, as it is significant primarily for its association with historic events. North Woodlawn Cemetery represents a rare remaining resource associated with Fort Lauderdale's African-American community during the period of segregation.

C. HISTORY AND REFERENCES CITED OF PAST WORK AT SITE

Find A Grave
2012 Woodlawn Cemetery, Electronic document, http://www.findagrave.com/cgi-bin/fg.cgi?page=cr&CRid=2208144, accessed September 12, 2012.

Spadafora, Vicky
1992 Woodlawn Cemetery. Manuscript on file, FLHS, Fort Lauderdale, Florida.

PHOTOGRAPH

SKETCH MAP

USGS QUADRANGLE MAP

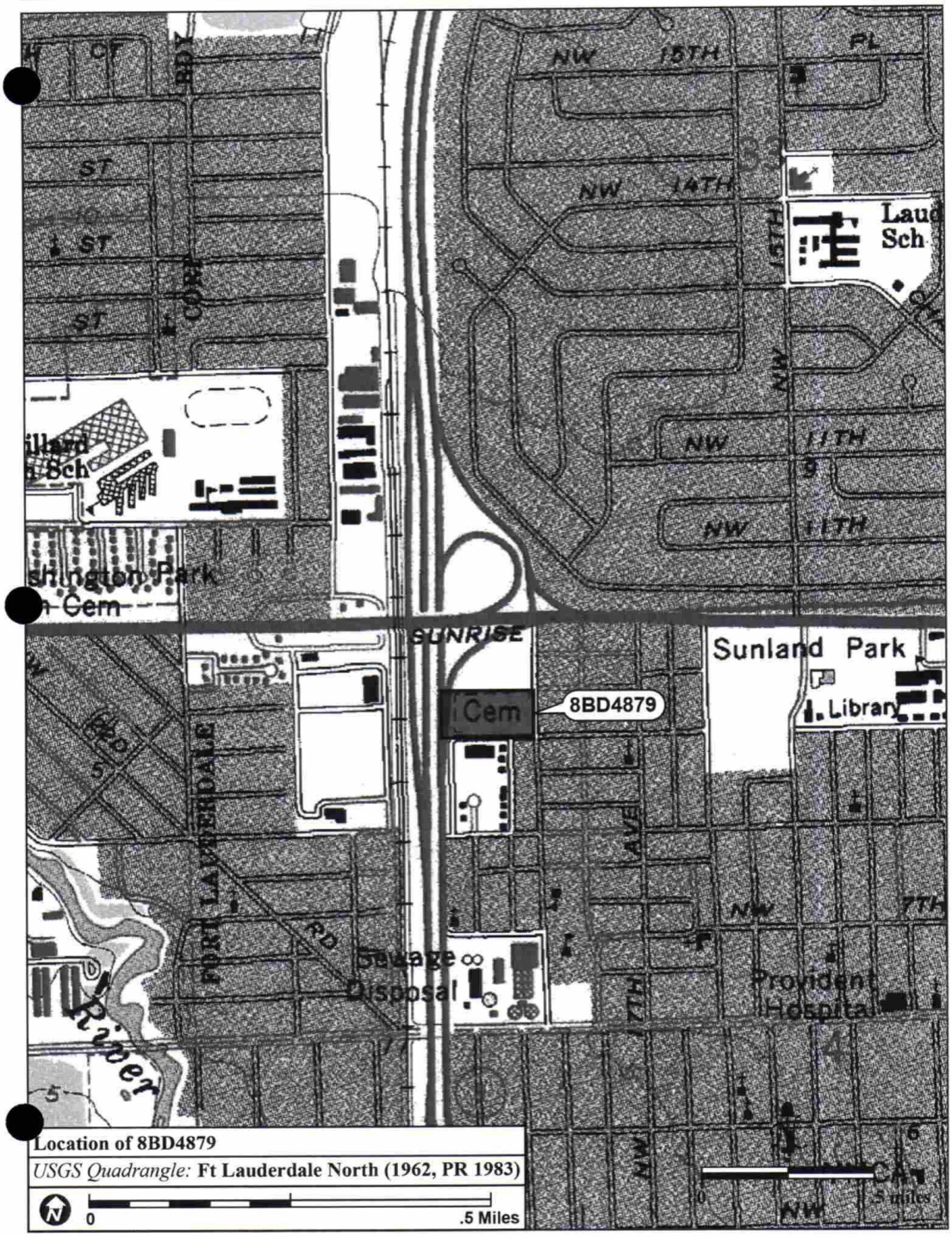


EXHIBIT 5.8
SITE NUMBER REQUEST FORM

Number Assignment Request Form

Florida Master Site File
Division of Historical Resources / R.A. Gray Building
500 South Bronough St., Tallahassee, Florida 32399-0250
Phone 850.245.6440 / Fax 850.245.6439 / Email SiteFile@dos.state.fl.us

Check for Previously Assigned Numbers (*Required*)

☒ Yes, Florida Master Site File records were checked for previously recorded resources at this location.
(Checks typically involve address, name, or township, range & section searches, current GIS data checks or FMSFWeb searches)
Please indicate the method(s) used for checking: C.A. House checked GIS
Date checked 4-14-2013

Contact Information (*Required*)

Name: C.A. House
Organization (if applicable): The T.S. Group
Address: 1234 Main Street, Some City, XX, 99999
Phone: 999-123-4567 **Fax:** 9999-123-6789
Email: cahouse@tsgroup.com

Project Name *(if applicable; use key words indicating location, tract name, survey phase, etc.)*

CRAS SR 962, Any County

Individual Request *(If more than 5 site numbers are needed use Block Request below)*

County: Any **Date of Request:** 4-17-2013 **Date Assigned:** _____ **by FMSF Staff Person:** _____

Select Resource Type: ☐ Archaeological ☐ Bridge ☐ Cemetery ☒ Structure ☐ Resource Group

Use a separate request form for each resource type (archaeology, structure, bridge, etc.), county, and project.

	Site Name	Address or 1:24,000 Quad & Twnshp/Rng/Sect	Assigned Number
1	123 Oak Street	123 Oak Street	
2	Opera House	285 Elm Street	
3			
4			
5			

Block Request *(Use for a county where more than 5 assignments are needed)*

County: _____ **Date of Request:** _____ **Date Assigned:** _____ **by FMSF Staff Person:** _____

Archaeological Sites:_____ **Bridges:**_____ **Cemeteries:**_____ **Structures:**_____ **Resource Groups:**_____

Range of Numbers Assigned by the Florida Master Site File _____

EXHIBIT 5.9
ARCHAEOLOGICAL SITE FORM

Page 1

☒Original
☐Update

ARCHAEOLOGICAL SITE FORM
FLORIDA MASTER SITE FILE
Version 4.0 1/07

Consult *Guide to Archaeological Site Form* for detailed instructions

Site #8 LE05982
Field Date 4-24-2012
Form Date 5-4-2012
Recorder #

Site Name(s) SJ VA #2 — Multiple Listing (DHR only)
Project Name CRA: Proposed 250-AC Tallahassee VA Cemetery... — Survey # (DHR only) 10199
Ownership: ☐private-profit ☐private-nonprofit ☐private-individual ☐private-nonspecific ☐city ☐county ☐state ☐federal ☐Native American ☐foreign ☐unknown

LOCATION & MAPPING

USGS 7.5 Map Name LAFAYETTE — USGS Date ____ — Plat or Other Map ____
City/Town (within 3 miles) Tallahassee — In City Limits? ☐yes ☒no ☐unknown — County Leon
Township 1S — Range 1E — Section 1 — ¼ section: ☐NW ☒SW ☐SE ☐NE — Irregular-name: ____
Township ____ — Range ____ — Section ____ — ¼ section: ☐NW ☐SW ☐SE ☐NE
Landgrant ____ — Tax Parcel # ____
UTM Coordinates: Zone ☐16 ☐17 Easting ☐☐☐☐☐☐ Northing ☐☐☐☐☐☐☐
Other Coordinates: X: ____ Y: ____ Coordinate System & Datum ____
Address / Vicinity / Route to: East end of March Road south of Apalachee Parkway
Name of Public Tract (e.g., park) ____

TYPE OF SITE (select all that apply)

SETTING
- ☒Land (*terrestrial*)
- ☐Lake/Pond (*lacustrine*)
- ☐River/Stream/Creek (*riverine*)
- ☐Tidal (*estuarine*)
- ☐Saltwater (*marine*)
- ☐Wetland (*palustrine*)
  - ☐usually flooded
  - ☐usually dry
- ☐Cave/Sink (*subterranean*)
  - ☐terrestrial
  - ☐aquatic

STRUCTURES OR FEATURES
- ☐log boat
- ☒agric/farm building
- ☐burial mound
- ☒building remains
- ☐cemetery/grave
- ☒dump/refuse
- ☐earthworks (historic)
- ☐fort
- ☐midden
- ☐mill
- ☐mission
- ☐mound, nonspecific
- ☐plantation
- ☐platform mound
- ☐road segment
- ☐shell midden
- ☐shell mound
- ☐shipwreck
- ☐subsurface features
- ☐surface scatter
- ☒well

FUNCTION
- ☐campsite
- ☐extractive site
- ☐habitation (prehistoric)
- ☒homestead (historic)
- ☐farmstead
- ☐village (prehistoric)
- ☐town (historic)
- ☐quarry

Other Features or Functions (Choose from the list or type a response.)
1. ____ 2. ____

CULTURE PERIODS (select all that apply)

ABORIGINAL
- ☐Alachua
- ☐Archaic (nonspecific)
- ☐Archaic, Early
- ☐Archaic, Middle
- ☐Archaic, Late
- ☐Belle Glade
- ☐Cades Pond
- ☐Caloosahatchee
- ☐Deptford
- ☐Englewood
- ☐Fort Walton
- ☐Glades (nonspecific)
- ☐Glades I
- ☐Glades II
- ☐Glades III
- ☐Hickory Pond
- ☐Leon-Jefferson
- ☐Malabar I
- ☐Malabar II
- ☐Manasota
- ☐Mississippian
- ☐Mount Taylor
- ☐Norwood
- ☐Orange
- ☐Paleoindian
- ☐Pensacola
- ☐Perico Island
- ☐Safety Harbor
- ☐St. Augustine
- ☐St. Johns (nonspecific)
- ☐St. Johns I
- ☐St. Johns II
- ☐Santa Rosa
- ☐Santa Rosa-Swift Creek
- ☐Seminole (nonspecific)
- ☐Seminole: Colonization
- ☐Seminole: 1st War To 2nd
- ☐Seminole: 2nd War To 3rd
- ☐Seminole: 3rd War & After
- ☐Swift Creek (nonspecific)
- ☐Swift Creek, Early
- ☐Swift Creek, Late
- ☐Transitional
- ☐Weeden Island (nonspecific)
- ☐Weeden Island I
- ☐Weeden Island II
- ☐Prehistoric (nonspecific)
- ☐Prehistoric non-ceramic
- ☐Prehistoric ceramic

NON-ABORIGINAL
- ☐First Spanish 1513-99
- ☐First Spanish 1600-99
- ☐First Spanish 1700-1763
- ☐First Spanish (nonspecific)
- ☐British 1763-1783
- ☐Second Spanish 1783-1821
- ☐American Territorial 1821-45
- ☐American Civil War 1861-65
- ☐American 19th Century
- ☒American 20th Century
- ☐American (nonspecific)
- ☐African-American

Other Cultures (Choose from the list or type a response. For historic sites, give specific dates.)
1. ____ 3. ____
2. ____ 4. ____

OPINION OF RESOURCE SIGNIFICANCE

Potentially eligible individually for National Register of Historic Places? ☐yes ☒no ☐insufficient information
Potentially eligible as contributor to a National Register district? ☐yes ☒no ☐insufficient information
Explanation of Evaluation (required if evaluated; use separate sheet if needed) ____

Recommendations for Owner or SHPO Action Retain site file

DHR USE ONLY	OFFICIAL EVALUATION	DHR USE ONLY
NR List Date	SHPO – Appears to meet criteria for NR listing: ☐yes ☒no ☐insufficient info	Date 7/3/12 Init. RSW
☐Owner Objection	KEEPER – Determined eligible: ☐yes ☐no	Date ____
	NR Criteria for Evaluation: ☐a ☐b ☐c ☐d (see *National Register Bulletin 15*, p. 2)	

ARCHAEOLOGICAL SITE FORM

Site #8 LE05982

FIELD METHODS (select all that apply)

SITE DETECTION

- ☐ no field check
- ☒ literature search
- ☒ informant report
- ☐ remote sensing
- ☒ exposed ground
- ☐ posthole tests
- ☐ auger tests
- ☐ unscreened shovel
- ☐ screened shovel
- ☐ screened shovel-1/4"
- ☐ screened shovel-1/8"
- ☐ screened shovel-1/16"
- ☐ bounds unknown
- ☐ none by recorder
- ☐ literature search
- ☐ informant report

SITE BOUNDARY

- ☐ remote sensing
- ☒ exposed ground
- ☐ posthole tests
- ☐ auger tests
- ☐ unscreened shovel
- ☐ screened shovel
- ☐ block excavations
- ☒ estimate or guess

Other methods; number, size, depth, pattern of units; screen size (attach site plan) _____

SITE DESCRIPTION

Extent Size (m^2) 4,800 Depth/stratigraphy of cultural deposit unknown

Temporal Interpretation - Components (check one): ☒ single component ☐ multiple component ☐ uncertain

Describe each occupation in plan (refer to attached large scale map) and stratigraphically. Discuss temporal and functional interpretations:
Remains of a 20th century home with agriculturally related outbuildings

Integrity - Overall disturbance: ☐ none seen ☐ minor ☐ substantial ☒ major ☐ redeposited ☐ destroyed-**document!** ☐ unknown

Disturbances / threats / protective measures dilapidation, deterioration & destruction/development/documentation

Surface collection: area collected 0 m^2 # collection units 0 Excavation: # noncontiguous blocks _____

ARTIFACTS

Total Artifacts # 0 ○ count ○ estimate Surface # _____ Subsurface # _____

COLLECTION SELECTIVITY

- ☐ unknown
- ☐ unselective (all artifacts)
- ☐ selective (some artifacts)
- ☐ mixed selectivity

SPATIAL CONTROL

- ☒ uncollected
- ☐ unknown
- ☐ general (not by subarea)
- ☐ controlled (by subarea)
- ☐ variable spatial control
- ☐ other (describe in comments below)

ARTIFACT CATEGORIES and DISPOSITIONS

0	Building materials/brick
0	Clothing accessories
0	Glass
0	Metal
0	Miscellaneous historic
0	Nonaboriginal ceramics
0	Plastic items
0	Other

select a disposition from the list below for each artifact category selected at left

- A - category always collected
- S - some items in category collected
- O - observed first hand, but not collected
- R - collected and subsequently left at site
- I - informant reported category present
- U - unknown

Artifact Comments _____

DIAGNOSTICS (type or mode, and frequency: e.g., *Suwanee ppk, heat-treated chert, Deptford Check-stamped, ironstone/whiteware*)

1. _____ N=____ 4. _____ N=____ 7. _____ N=____
2. _____ N=____ 5. _____ N=____ 8. _____ N=____
3. _____ N=____ 6. _____ N=____ 9. _____ N=____

ENVIRONMENT

Nearest fresh water: Type Well Name on-site capped well Distance from site (m) 0

Natural community UPLAND HARDWOODS Topography Ridge crest Elevation: Min 49 m Max 51 m

Local vegetation Oaks and mixed hardwoods

Present land use vacant

SCS soil series Orangeburg fine sandy loam, 5-8% slopes Soil association Orangeburg-Lucy-Norfolk

DOCUMENTATION

Accessible Documentation Not Filed with the Site File - including field notes, analysis notes, photos, plans and other important documents

1) Document type _____ Maintaining organization _____
Document description _____ File or accession #'s _____

2) Document type _____ Maintaining organization _____
Document description _____ File or accession #'s _____

RECORDER & INFORMANT INFORMATION

Informant Information: Name _____
Address / Phone / E-mail _____

Recorder Information: Name Brinkley, Gerald Affiliation Other
Address / Phone / E-mail Atkins Global/2639 N Monroe St, Tallahassee, FL/850.575.1800

Required Attachments

❶ **PHOTOCOPY OF 7.5' USGS QUAD MAP WITH SITE BOUNDARIES MARKED *and* SITE PLAN**
Plan at 1:3,600 or larger. Show boundaries, scale, north arrow, test/collection units, landmarks and date.

Appendix A Shovel Test Locations

A Cultural Resources Assessment of the Proposed 250-acre
Tallahassee VA Cemetery Site, Leon County, Florida
Atkins Project No 100028064

ATKINS

EXHIBIT 5.10
CHANGE IN STATUS LETTER

[DATE]

[Name]
Florida Master Site File
Division of Historical Resources
R.A. Gray Building
500 South Bronough Street
Tallahassee, FL 32399-0250

RE: Historic Resource status

[Name]

This letter is to inform you that recent field survey, conducted [Date], has discovered that the properties:

8MT535	1010 SW Kansas Avenue
8MT546	1100 SW Kanner Highway
8MT1164	8031 SW Old Kansas Avenue

Are no longer extant at their recorded location since they were last recorded.

Sincerely,

[Name]

CHAPTER 6
EVALUATION OF SIGNIFICANCE: APPLYING THE NATIONAL REGISTER CRITERIA

6.0 OVERVIEW

Once all archaeological sites and historic resources have been identified within the project APE, Step 2 of the Section 106 process continues with the assessment of the significance of each identified archaeological site and historic resource. This is done by applying the NRHP Criteria for Evaluation. For federally funded or assisted projects, evaluation is the responsibility of FHWA, with FDOT gathering the information. FDOT is the responsible agency for state funded transportation projects. The lead transportation agency makes the significance determination, and requests concurrence from the SHPO. FDOT typically uses cultural resource consultants to assist in the NRHP evaluation process as part of the CRAS. In addition to the assessment of newly identified cultural resources, previously recorded resources that have not been evaluated by the SHPO will require significance assessment. Also, for some previously recorded resources, the original determination of eligibility (DOE) may need to be reevaluated due to the passage of time or other factors.

Evaluation involves an assessment of the significance of a site or group of sites in terms of the criteria used to determine eligibility for inclusion in the NRHP.

Generally, cultural resources must be 50 years of age or more to qualify for listing in the NRHP, must meet one or more of the NRHP eligibility criteria, **and** must retain integrity of those features necessary to convey its significance. They also must be significant within a relevant historic context, i.e., a major trend of history organized by theme, place, and time.

The evaluation of significance under the Section 106 process is used to determine whether or not **Section 4(f)** applies to historic properties within a project APE. Therefore, it is critical during the evaluation process to provide explicit reasons for why a resource is or is not NRHP-eligible. In addition to the specific eligibility criteria and integrity, boundaries for each significant resource must be clearly delineated and justified. In the case of historic districts, contributing and noncontributing resources must be identified and their locations clearly illustrated. For archaeological sites considered NRHP-eligible under Criterion D, it is important to clearly note whether or not preservation in place is a factor contributing to the significance of the site. Section 4(f) protects archaeological sites that warrant preservation in place and are listed or eligible for inclusion in the NRHP. Section 4(f) does not apply to archaeological sites where the research potential is the primary reason for significance, and where preservation in place is of minimal value.

Chapter 6 includes the definition of National Register property types, the NRHP Criteria for Evaluation, and the aspects of integrity. Pertinent considerations in the determination of what

constitutes a significant archaeological site or historic resource are examined, followed by guidelines for the documentation of significance. The following sections are covered in this chapter:

6.1 THE NATIONAL REGISTER

The NRHP, maintained by the NPS, is the official listing of historically significant buildings, structures, objects, sites, and districts throughout the country. National Register properties can have significance at the national, state, or local level. The NRHP program is administered at the state level by the SHPO, with the staff support of the Survey and Registration Section of the DHR. Guidance in applying the criteria is provided in a number of "How To" bulletins (NRBs) published by the NPS (see **Appendix A**).

6.1.1 National Register Property Types

The NRHP includes five property types: buildings, structures, objects, sites, and districts. Definitions follow, and NRB 15 provides a number of examples for each category.

A **building** is a feature "created principally to shelter any form of human activity." Included in this property type are residences, offices, churches, hotels, schools, libraries, courthouses, stores, train stations, theatres, sheds, and barns, among others. Buildings eligible for the NRHP must include all of their basic structural elements and must be considered in their entirety. In accordance with NPS guidelines, parts of buildings cannot be considered eligible independent of the rest of the existing building. If the building has lost its basic structural elements, it is usually considered a "ruin," and thus, is classified as a site.

Structures are distinguished from buildings by their function; that is, they were made for purposes other than human shelter. Examples include bridges, roads, railroad grades, canals, tunnels, windmills, and lighthouses. As with buildings, structures must include all of the basic structural components and must be considered in their entirety.

Objects are primarily artistic in nature or relatively small in scale and simply constructed. Included in this property type are boundary markers, fountains, mileposts, monuments, sculptures, and statues, among others. Although it may be movable by nature or design, an object is associated with a specific setting or environment. Objects should be in a setting appropriate to their significant historic character, use, or roles. Small objects not designed for a specific location are generally not eligible for inclusion in the NRHP.

A **site** is "the location of a significant event, a prehistoric or historic occupation or activity, or a building or structure, whether standing, ruined, or vanished, where the location itself possesses historic, cultural, or archaeological value, regardless of the value of any existing structure." Site examples include battlefields, camp sites, rock shelters, ship wrecks, or the ruins of a building or structure, among others.

A **district** is a collection of sites, buildings, structures, or objects "united historically or aesthetically by plan or physical development." It derives its importance from being a "unified entity" linked either historically or functionally, and distinguished by its historical, architectural, archaeological, engineering, or cultural values. While a district is usually a single geographic area of **contiguous** historic properties, it may be **discontiguous** and composed of two or more definable significant areas separated by non-significant areas. This type of district is appropriate when the elements are spatially discrete; the space between the elements is not related to the significance of the district; and visual continuity is not a factor in the significance. For example, a group of geographically separate archaeological sites that are related to each other through cultural affiliation, periods, use, or type may comprise a discontiguous district. Examples of contiguous historic districts include college campuses, historic neighborhoods, and estates/farms with numerous resources.

Within the defined boundaries of a historic district, there may be elements that do and do not represent or embody the characteristics making the property significant. A **contributing** building, site, structure, or object adds to the historic associations, historic engineering or architectural qualities, or archaeological values for which the property is significant because:

- It was present during the period of significance, relates to the documented significance of the property, and possesses historic integrity or is capable of yielding important information about the period; or
- It independently meets the NRHP criteria.

A **noncontributing** building, site, structure, or object does not add to the historic associations, historic engineering or architectural qualities, or archaeological values for which a property is significant because:

- It was not present during the period of significance, or does not relate to the documented significance of the property;
- Due to alterations, disturbances, additions, or other changes, it no longer possesses historic integrity or is capable of yielding important information about the period; or
- It does not independently meet NRHP criteria.

NRB 16A, *How to Complete the National Register Registration Form,* provides guidelines for defining contributing and noncontributing resources. Even when all of the components lack individual distinction, the historic district as a whole must possess integrity. For the purposes of Section 106 compliance, contributing resources are afforded equal consideration to that of individually listed or eligible properties.

In some cases where historically, thematically, and/or physically linked historic properties are not situated within a defined geographical area, or may have been important at different times, a **multiple property** approach rather than a historic district designation may be an appropriate way to nominate related historic properties. Preparation of a Multiple Property Documentation Form begins with the selection of a theme that relates all the relevant historic properties. For example, bridges which derive their significance from their associations with the Luten Bridge Company may be united under this historic context. The Multiple Property Documentation Form serves as the umbrella or "cover" under which individual historic property nominations, as well as historic district nominations, are submitted. This approach provides flexibility in permitting additional contexts and resources to be added as they become eligible.

6.1.2 NRHP Criteria for Evaluation

The NRHP Criteria for Evaluation, as contained in 36 CFR Part 60.4, are listed below. These criteria are worded in a manner to provide for a diversity of resource types.

> *The quality of significance in American history, architecture, archeology, engineering, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association and*
>
> *(a) that are associated with events that have made a significant contribution to the broad patterns of our history; or*
> *(b) that are associated with the lives of persons significant in our past; or*
> *(c) that embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or*
> *(d) that have yielded, or may be likely to yield, information important in prehistory or history.*

The four NRHP criteria are subject to very broad interpretation, and were purposefully designed to allow the development of specific guidelines on a local basis. Accordingly, the following criteria of significance, contained within the DHR's *Cultural Resource Management Standards and Guidelines Manual*, were developed to evaluate the significance of archaeological sites and historic resources in Florida. An archaeological site or historic resource is considered significant if:

- *It has already yielded important data and can be expected to yield additional data;*
- *It is in good condition and can be considered to be among the best known examples of the identified type of site known for the historic context in which it occurs;*
- *It is atypical or rare, and thus considered to contain data not represented at other sites;*

- *It is located such that it represents a good opportunity for interpretation and public display; and/or*
- *It is associated with other sites such that as a grouping or district they are:*
  - *Representative of sites relating to socio-political, religious, subsistence, settlement, etc. activities of a historic context;*
  - *A typical example of such groupings but in a good or excellent state of preservation;*
  - *A rare or exceptional example of such site groupings;*
  - *Located such they represent a good opportunity for interpretation and public display; and/or*
  - *Offer an opportunity to yield data important to understanding the area's history or prehistory.*

A site will NOT be considered significant if it is extensively damaged or altered and/or if it is so similar to sites already studied that it is unlikely to contain new information. The exception would be a site associated with a famous historical event or person.

6.1.3 Criteria Considerations

Some types of cultural resources are not considered eligible for the NRHP unless they meet special considerations. Ordinarily cemeteries, birthplaces, or graves of historical figures, properties owned by religious institutions or used for religious purposes, structures that have been moved from their original locations, reconstructed historic buildings, properties primarily commemorative in nature, and properties that have achieved significance within the past 50 years are not be considered eligible for the NRHP. However, such properties will qualify if they are integral parts of districts that do meet the criteria or if they meet special requirements, called **Criteria Considerations** (listed below) in addition to meeting the Criteria for Evaluation (Criteria A, B, C, or D) and possessing integrity:

A. A religious property deriving primary significance from architectural or artistic distinction or historical importance; or

B. A building or structure removed from its original location but which is significant primarily for architectural value, or which is the surviving structure most importantly associated with a historic person or event; or

C. A birthplace or grave of a historical figure of outstanding importance if there is no appropriate site or building directly associated with his productive life; or

D. A cemetery which derives its primary significance from graves of persons of transcendent importance, from age, from distinctive design features, or from association with historic events; or

E. A reconstructed building when accurately executed in a suitable environment and presented in a dignified manner as part of a restoration

master plan, and when no other building or structure with the same association has survived; or

F. A property primarily commemorative in intent if design, age, tradition, or symbolic value has invested it with its own exceptional significance; or

G. A property achieving significance within the past 50 years if it is of exceptional importance.

6.2 INTEGRITY

6.2.1 The Aspects of Integrity

To be listed in the NRHP, a cultural resource must meet Criterion A, B, C, or D **and** must possess **integrity**. According to NRB 15, integrity is the "*ability of a property to convey its historical significance*." The NRHP criteria specify that integrity is a quality that applies to historic and precontact resources in seven ways: **location, design, setting, materials, workmanship, feeling, and association**. A definition of these qualities follows.

Location is "the place where the historic property was constructed or the place where the historic event occurred." In the case of historic resources, including buildings and structures, determine if the resource is currently in its original location.

Design is "the combination of elements that create the form, plan, space, structure, and style of a property." A property's design reflects historic functions and technologies as well as aesthetics. It includes such considerations as the structural system; massing; arrangement of spaces; pattern of fenestration; textures and colors; type, amount, and style of ornamental detailing; and arrangement and type of plantings in a designed landscape. For historic districts, it also can apply to the way in which buildings, sites, or structures are spatially related. In the overall assessment of integrity, determine whether the property retains its original form, massing, and scale, as well as whether the character-defining features of the engineering type or the architectural style have been preserved.

Setting is "the physical environment of a historic property." It is the relationship between the property and its surroundings, and generally reflects the basic physical conditions under which a property was built and the functions it was intended to serve. The setting includes both natural and humanly-constructed features, such as vegetation, paths and fences, and open spaces. The historic property may not be NRHP-eligible if the setting has been irrevocably compromised as a result of damage, neglect, or renovation.

Materials are "the physical elements that were combined or deposited during a particular period of time and in a particular pattern or configuration to form a historic property." To be eligible for listing in the NRHP, a property must retain the key exterior materials dating from the period of its historic significance. For buildings, the loss of materials may result from modern renovations such as vinyl siding, roof replacement, and/or window replacement. Also, insensitive additions may compromise the integrity of materials. In the case of historic bridges, the replacement of character-

defining decorative railings or removal of the mechanical elements from a movable bridge will compromise the integrity of the historic property.

Workmanship is "the physical evidence of the crafts of a particular culture or people during any given period in history or prehistory." It can apply to the property as a whole or to its individual components. Workmanship can be expressed in vernacular methods of construction and plain finishes, or in highly sophisticated configurations and ornamental detailing, or be based on common traditions or innovative period techniques.

Feeling is "a property's expression of the aesthetic or historic sense of a particular period of time." It results from the presence of physical features that, taken together, convey the property's historic character.

Association is "the direct link between an important historic event or person and a historic property." A property retains association if it is the place where the event or activity occurred and is sufficiently intact to convey that relationship to an observer.

6.2.2 Assessing Integrity

Because feeling and association depend on individual perceptions, their retention *alone* is not sufficient to support eligibility of a property to the NRHP. Overall, does the building, structure, object, site, or district possess several or most of the aspects of integrity sufficient to convey its historic significance? Are there any special factors to make an argument of integrity; i.e., is it the last surviving example of a specific type or style? To assess the integrity of individually eligible resources, follow these basic steps:

- Define the **essential physical features** that must be present for a property to represent its significance. For a historic property considered NRHP-eligible under Criteria A and B, it must retain the features that defined its character or appearance during the period of its association with the important event, historical pattern, or individual(s). Archaeological sites eligible under Criteria A and B must be in overall good condition with excellent preservation of features, artifacts, and spatial relationships to the extent that these remains are able to convey important associations with events or persons. A historic building or structure considered significant under Criterion C must retain the majority of the features that illustrate its style or technique in terms of the massing, spatial relationships, proportion, pattern of windows and doors, texture of materials, and ornamentation. Archaeological sites eligible under Criterion C must have excellent preservation of features, artifacts, and spatial relationships to the extent that these remains are able to illustrate a site type, time period, method of construction, or work of a master.
- Determine whether the essential physical features **are visible** enough to convey their significance. Therefore, even if a property is physically intact, its integrity is compromised if its significant features are concealed under modern construction. If the historic exterior building material is covered by non-historic material, the

property can still be eligible if the significant form, features, and detailing are not obscured.

- Determine whether the property needs to be **compared with similar properties** to help ascertain what physical features are essential to the properties of that type. This situation is applicable when dealing with surviving examples of a rare property type, such as truss, lift and swing bridges, as well as Paleoindian campsites. These rare properties must have the essential physical features that enable them to convey their historic character or information. The rarity and poor condition, however, may justify accepting a greater degree of alteration or fewer features, provided that enough of the property survives for it to be a significant resource.
- Determine, based on the significance and essential physical features, **which aspects of integrity** are particularly vital to the property being nominated and if they are present. A basic integrity test for a property associated with an important event or person is whether a historical contemporary would recognize the property as it exists today. A property considered significant under **Criterion C** must retain those physical features that characterize the type, period, or method of construction that the property represents. Retention of design, workmanship, and materials will generally be considered more important than location, setting, feeling, and association. However, location and setting will be paramount for those properties whose design is a reflection of their immediate environment such as designed landscapes and bridges.

For a **historic district** to retain integrity, it must visibly reflect the overall physical appearance it gained during the period(s) of historical significance. The district will not be considered significant if it contains so many alterations and new intrusions ("infill") that it no longer conveys the sense of its historic environment. In accordance with the DHR's *Revised Guidelines for Preparing District Nominations* (June 2012), the seven qualities of integrity apply to historic districts in the following ways:

- Integrity of **location** requires that to a large extent the boundaries that historically defined the district remain intact. The location of streets and the size and shape of the lots should have remained constant.
- Integrity of **design** can be affected by changes to the size of the lots and alterations to individual resources in the form of additions, siding, window replacements, and other changes. Large-scale additions that double the elevation, add substantially to the mass of resources, or alter the spatial relationship between house and street generally threaten integrity of design.
- Integrity of **setting** requires that a strong sense of historical setting be maintained within the district boundaries. This relies to a large extent on the retention of built resources, street plantings, parks, and open space.
- Integrity of **materials** requires that the majority of resources retain the key exterior materials that marked their identity during the historic period of significance.
- Integrity of **workmanship** requires that architectural features in the landscape, such as portals, pavement curbs, and walls, exhibit the artistry of craftsmanship of their builders, and that the vegetation historically planted for decorative and aesthetic

purposes be maintained in an appropriate fashion and replaced in kind when damaged or destroyed.

- Integrity of **feeling** requires the presence of physical characteristics that convey the sense of past time and place, and that reflect the cumulative effect of setting, design, materials, and workmanship.
- Integrity of **association** requires that the district conveys the period when it achieved importance, and that despite changing patterns of ownership, it continues to reflect the design principles and historic associations that shaped it during the historic period.

6.3 HISTORIC CONTEXTS

The significance of a historic property must be determined within the framework of one or more relevant historic contexts, i.e., major trends of prehistory or history organized by theme, place, and time. Historic contexts are related to such things as patterns of historical development, political divisions, or culture areas. A resource may be significant at the local, state, or national level. A **local** historic context represents an aspect of a town, city, county, culture area, or region. Properties are evaluated in a **state** context when they represent an aspect of the history of Florida; **national** contexts are relevant when a property represents an aspect of the history of the United States and its territories. A specific property can be significant within one or more historic contexts, and each period of significance must be documented. Historic districts that encompass an entire community or its commercial area may have a very long period of significance. On the other hand, the period of significance for distinct historic neighborhoods is usually limited to the construction dates of the vast majority (80-90%) of the historic resources it encompasses.

Within the applicable historic context, the historic property is considered significant under a particular theme or themes. "A theme is a means of organizing properties into coherent patterns based on elements such as environment, social/ethnic groups, transportation networks, technology, or political developments that have influenced the development of an area during one or more periods of history or prehistory." The themes used for the NRHP, called Areas of Significance, include the following:

Agriculture
Architecture
Archeology
    Prehistoric
    Historic – aboriginal
    Historic – non-aboriginal
Art
Commerce
Communications
Community Planning and Development
Conservation
Exploration/Settlement
Health/Medicine
Industry
Invention
Landscape Architecture
Law
Literature
Maritime History
Military
Performing Arts
Philosophy

Economics
Education
Engineering
Entertainment/Recreation
Ethnic Heritage
- *Asian*
- *Black*
- *European*
- *Hispanic*
- *Native American*
- *Pacific Islander*
- *Other*

Politics/Government
Religion
Science
Social History
Transportation
Other

There are five questions that must be answered to determine whether a property is significant within its historic context:

- What facets of local, state, or national prehistory or history does the property represent?
- Is that facet of history or prehistory significant?
- Is it a type of property that has relevance and importance in illustrating that historic context?
- How does the property illustrate that history?
- Does the property possess the physical features necessary to convey the aspect of prehistory or history with which it is associated?

If the property does represent an important aspect of the areas' history or prehistory, and possesses integrity, then it qualifies for the NRHP.

6.4 ASSESSING SIGNIFICANCE

6.4.1 Introduction

When evaluated within its historic context, a property must be shown to be significant for one or more of the Criteria for Evaluation. Whether significant for its association with important events (Criterion A) or people (Criterion B), importance in design or construction (Criterion C), or information potential (Criterion D), these criteria recognize the different types of **values** embodied in buildings, structures, objects, sites, and districts. The criteria fall into three general categories:

- **Associative** value – Criteria A and B – properties significant for their association or linkage with events (A) or persons (B) important in the past;
- **Design or construction** value – Criterion C – properties significant as representatives of the human expression of culture or technology; and

- **Informative** value – Criterion D – properties significant for their ability to yield important information about prehistory or history.

In any evaluation of eligibility, it is critical that the following items are addressed and justified:

- Boundaries;
- Significance and the applicable NRHP criteria; and
- Contributing and noncontributing resources when the historic resource contains more than one historic feature, or when there is a historic district.

Boundaries: The determination of boundaries is a critical consideration because it will have direct bearing on the assessment of the project's effect on the historic property, which is conducted later in the Section 106 process. In accordance with NRB 16A**:**

> *Carefully select boundaries to encompass, but not exceed, the full extent of the significant resources making up the property. The area . . . should be large enough to include all the features of the property, but should not include "buffer zones" or acreage not directly contributing to the significance of the property.*

The boundaries should be selected based upon historical significance and remaining integrity. For historic resources in rural settings, boundaries may be set smaller than the legal parcel as long as the boundaries include historically associated land that conveys the setting. For historic districts, select the boundaries for a single parcel of land that encompasses the significant concentration of buildings, structures, sites, or objects making up the district. Avoid 'ragged edge" boundaries, where the boundary lines are drawn to exclude buildings in the middle of a block.

Significance and the applicable NRHP Criteria: Significance must relate to the historic context described for the project area or the broad themes identified. The formal statement of significance must refer to the specific NRHP criteria and provide a justification for how the historic property meets the criteria, as well as the relevant area(s) of significance. It must also address integrity. When properly applied, lack of integrity will disqualify a resource from eligibility, regardless of other considerations.

Contributing and Noncontributing Resources: Within the defined boundaries of a historic district or some individual historic resource groups, there will be elements that do and do not represent or embody the characteristics making the property significant. It is critical for the later assessment of effects that these elements are identified and documented in the project APE. Contributing resources may include landscape features, street design elements such as lighting and curbing, and any element that may sustain the feeling and character of the resource. NRB 16A provides guidelines for defining contributing and noncontributing resources. In accordance with DHR guidelines for historic districts:

- Only count buildings, structures, sites, and objects located within the district's boundaries that are substantial in size and scale. Minor structures or objects (e.g., small sheds) need not be counted.
- When a resource made up of elements representing different resource types is being counted, the most historically important element should be used to classify the resource.

6.4.2 Applying the Criteria for Evaluation

Criterion A: To be considered eligible for listing in the NRHP under Criterion A, a property must be significantly associated with a single event or with a pattern of events, repeated activities, or historic trends important within the defined historic context. However, mere association with the event or trend is not sufficient, in and of itself; the specific association must be considered important as well. For example, properties associated with specific events might include a Second Seminole War period battlefield; a building in which an important invention was developed; or an archaeological site evidencing the first human burials in peat bogs. Properties associated with patterns of events might be a trail associated with the development of the region, such as the Camino Real, which connected the mission chain in north Florida; a railroad station which served as the focus of a community's transportation system and commerce; a building used by an important local social organization; or a bridge funded and constructed as part of the federal Works Progress Administration (WPA).

Criterion B: To be considered eligible for listing in the NRHP under Criterion B, a property must be associated with individuals whose specific contributions to history can be identified and documented as important within local, state, or national historic contexts. This criterion is generally restricted to properties that illustrate rather than commemorate an individual's important achievements. NRB 32, *Guidelines for Evaluating and Documenting Properties Associated with Significant Persons*, provides further instruction. The importance of the individual and the length and nature of that person's association with the property in question must be taken into account. Contributions of individuals must be compared to those of others who were active, successful, prosperous, or influential in the same field. A property that is significant as an important example of an individual's skill as an architect or engineer should be nominated under Criterion C rather than Criterion B, but their home or studio may be eligible under Criterion B since they are the properties with which they are most personally associated.

Criterion C: This criterion applies to properties significant for their physical design or construction including such elements as architecture, landscape architecture, engineering, and artwork. To be eligible under Criterion C, a property must meet at least one of the following:

- Embody distinctive characteristics of type, period, or method of construction;
- Represent the work of a master;
- Possess high artistic value; or
- Represent a significant and distinguishable entity whose components may lack individual distinction (a district).

The first requirement refers to the way in which a property was conceived, designed, or fabricated by a people or culture. **Distinctive characteristics** are the physical features or traits that commonly recur in individual types, periods, or methods of construction. These are generally expressed in terms of form, proportion, structure, plan, style, or materials. A structure will be considered eligible as representing its type or period of construction if it is an important example (within its context) of building practices or engineering of a particular time in history. **Work of a master** refers to the technical or aesthetic achievement of an architect or craftsman who is generally recognized as being great in the field, a known craftsman of consummate skill, or an anonymous craftsman whose work is distinguishable from others by its characteristic style and quality. The property must express a particular phase in the development of the master's career, an aspect of his or her work, or a particular idea or theme in his or her craft. **High artistic values** may be expressed in many ways such as community design or planning, engineering, and sculpture. A property is eligible for its high artistic value if it so fully articulates a particular concept or design that it expresses an aesthetic ideal or design concept more fully than other properties of its type. **A significant and distinguishable entity whose components may lack individual distinction** refers to a district. It is quite possible that none of the features within a district possess any of the above characteristics, but taken as whole, the district is deemed important for historical, architectural, engineering, or cultural value.

Criterion D: Criterion D encompasses the properties that have the potential to answer, in whole or part, important research questions about human history or prehistory. The most common type of property nominated under Criterion D is the archaeological site or archaeological district. Archaeological sites eligible under Criterion D must possess configurations of artifacts, strata, structural remains, or other natural or cultural features that make it possible to address important hypotheses. It is important that the significant data contained in the site remain sufficiently intact to yield the expected information. Properties that have been partly excavated or otherwise must be shown to retain potential in their remaining portions. Criterion D also can apply to buildings, structures, and objects that contain important information. However, for them to be considered under this criterion, they must be, or have been, the principal source of the important information.

6.4.3 Evaluating the Significance of Historic Districts

In accordance with the guidelines promulgated by the DHR for addressing the significance of a historic district, the following questions are relevant:

- *What are the features and characteristics that distinguish the district?*
- *What are the origins and historical developments of the district? Are any architects, builders, designers, or planners important to the district's development?*
- *Does the district convey a sense of historic or architectural cohesiveness through its design, setting, materials, workmanship, or association?*
- *How do the architectural styles or elements within the district contribute to the feeling of time and place?*

- *How have significant individuals or events contributed to the development of the district?*
- *How has the district affected the historical development of the community, region, or state? How does the district reflect the historical development of the community, region, or state?*
- *How have intrusions and noncontributing structures and buildings affected the district's ability to convey a sense of significance?*
- *What are the qualities that distinguish the district from its surroundings?*
- *How does the district compare to other similar areas in the locality, region, or state?*
- *If there are any preservation or restoration activities in the district, how do they affect the significance of the district?*
- *What is the significance of any resources lying outside the period of significance that should be considered contributing? For example, did resources predating the district's period(s) of significance set the stylistic tone of the district, or contribute to the street layout and spatial patterns of development? Did they make the area attractive for later development?*
- *If the district has industrial significance, how do the industrial functions or processes represented relate to the broader industrial or technological development of the locality, region, state, or nation? How important were the entrepreneurs, engineers, designers, and planners who contributed to the development of the district? How do the remaining buildings, structures, sites and objects within the district reflect industrial production or processes?*
- *If the district is rural, how are the natural and man-made elements of the district linked historically or architecturally, functionally, or by common ethnic or social background? How does the open space constitute or unite significant features of the district?*
- *Does the district have any resources of possible archaeological significance? If so, how are they likely to yield important information?*

6.5 DOCUMENTING SIGNIFICANCE

In the past, a completed NRHP Registration Form (Form 10-900) was the principle means by which FHWA/FDOT requested a DOE from the SHPO, although that action is NOT required under the Section 106 regulations. The NRHP Registration Form can continue to be used at the FDOT Project Manager's discretion. However, the SHPO will accept an expanded FMSF form in lieu of the NRHP Registration Form, provided the expanded FMSF form includes the necessary data required to make a determination of eligibility, such as information on a property's boundaries, area(s) and period(s) of significance, the criteria being considered, integrity, etc. Pursuant to 36 CFR Part 800.4(c), FDOT will not make a determination of NRHP eligibility without consulting with FHWA and the SHPO. For non-federally funded projects, FDOT consults with the DHR in accordance with Chapters 267 and 872, FS.

Either format for the DOE request can be used to present a case for or against a historic resource's eligibility. This is particularly useful when a resource's eligibility is unclear, for it gives the forum for presenting both the reasons why or why not a resource is considered to be NRHP-eligible. If questions arise about the eligibility of a given property, the agency may seek a formal determination of eligibility from the NPS. The Section 106 review process gives equal consideration to properties that have already been included in the NRHP as well as those that have not been so included, but that meet NRHP criteria.

When assessing the eligibility of a property to which Native American tribes attach religious and cultural significance, include the special expertise of the Native American tribes during the evaluation. If a Native American tribe disagrees with a determination of eligibility involving a property located off tribal lands to which it attaches religious and cultural significance, then the tribe can ask the ACHP to request that FHWA or FDOT as lead agency obtain a determination of eligibility by the Keeper of the National Register.

NRB 16A provides general guidelines for completion of a NRHP form, and NRB 16B provides additional information regarding multiple property determinations. Complete instructions on how to fill out the form also are available in Module Three of the DHR's *Cultural Resource Management Standards and Operational Manual*. **Exhibit 6.1** provides an example of a completed DOE request using the NRHP Registration Form (Sharpe's Ferry Bridge). **Exhibit 6.2** provides an example of a DOE request using an expanded FMSF form; the FMSF has guidelines for its various forms to assist in their completion. Excerpts from other DOE requests, focused on typical significance statements, are provided below:

Example 1. Oxford School, Sumter County (District 5)

The Oxford School, located in Oxford at 12072 North U.S. 301 in Sumter County, Florida, is significant at the local level under NRHP Criterion A for education and community planning and development. It was constructed in 1927 as part of a building campaign undertaken by the Sumter County Board of Public Instruction in the 1920s to improve school facilities throughout the county. Planning for the expansion began in late 1913 when the property was purchased and platted. The Oxford School is one of the most substantial and intact surviving historic buildings in Oxford. It served as the only educational facility in Oxford from 1927 through 1977, therefore is significant for its contribution to the education and development of the community. Since 1986, it has served as a religious facility for the Oxford Assembly of God Church. Due to the historical importance of the school to the community, the property also meets NRHP Criteria Consideration A (which must be met) as it is presently owned by a religious institution.

The Oxford School is significant at the local level for its contribution to the development of the educational system in rural Oxford and Sumter County. The school is significant for its role in the education of Oxford children in an area where many families may not have had the financial resources to send their children to board in Wildwood for schooling. In addition, the school is significant for its role in the planning and the development of the

community. The school remains at its original location along US 301. With the exception of the removal of some original windows, the replacement of the original doors, and possible replacement of the original roofing material, it retains its historic appearance. The 1986 rehabilitation of the structure and its conversion to religious purposes was sensitive to the historic character of the school. As a result, it continues to convey its historic function and importance to the community of Oxford.

Example 2. The Seminole Theatre, Miami-Dade County (District 6)

The Seminole Theatre, located at 18 North Krome Avenue, is considered potentially eligible for listing in the NRHP under Criterion A in the areas of Community Planning and Development and Entertainment/Recreation and Criterion C for Architecture. In the areas of Community Planning and Development and Entertainment/Recreation, it is noteworthy as the only theater, built before 1950, located between Homestead and south Miami. On a local level, the Seminole Theatre was important to the development of downtown Homestead during its period of significance. Architecturally, it represents the Art Deco style which was applied to various buildings in south Florida during the 1930s and 1940s. As the Seminole Theatre is considered potentially NRHP-eligible, the building could be included as part of the Historic Resources of Homestead, Florida Multiple Property submission.

Example 3. The Zephyrhills Downtown Historic District, Pasco County (District 7)

The Zephyrhills Downtown Historic District (8PA1357) is significant at the local level under Criterion A in the area of Community Planning and Development and under Criterion C for Architecture. Under Criterion A, the district reflects the early commercial and residential development patterns of the City of Zephyrhills. The earliest buildings from the 1910s represent the beginning of the city's development as a veterans' colony. During the Florida Land Boom of the 1920s, Zephyrhills prospered due to its popularity as a vacation destination and retirement locale. New construction tapered in the 1930s, though public works projects funded the construction of City Hall and the Women's Club during this time. Like the rest of Florida, Zephyrhills experienced a resurgence of development and investment in the 1940s following World War II. After 1950, the widespread use of the automobile was influential in Zephyrhills' architecture with the establishment of shopping centers and the erosion of the centralized business district. Thus, the period of significance for the district is from ca. 1910 to 1950, reflecting the periods when Zephyrhills first emerged as a "veterans' colony" to the post-World War II boom. Under Criterion C, the district derives its architectural significance from its collection of building styles that characterized Florida's built environment of the 1910s through the 1940s. The design of the buildings and the materials used in their construction are consistent with contemporary national and statewide trends. The four contributing buildings within the project APE represent a number of architectural styles, including Commercial, Masonry Vernacular, and the only example of Art Deco within the district.

Example 4. Colorado Site, Hernando County (District 7)

The Colorado Site, 8HE241, is an extremely large and complex archaeological site. The artifacts recovered from or observed at 8HE241 indicate that lithic procurement and initial reduction activities, tool manufacture and maintenance activities, and general camp maintenance activities took place at the site. The density and distribution of artifacts at the site reflect either numerous short-term occupations of 8HE241 or, given its complex environmental configuration and location in relation to other resources in the vicinity, more permanent occupations of the site perhaps on a seasonal basis. The one pottery sherd recovered from a shallow depth at 8HE241 indicates occupation of the site at some point between 1200 B.C. and historic times. The great depth of the artifact deposit in other areas of the site argues for considerably earlier occupations of 8HE241, most likely during the middle to late stages of the Archaic Period. Some portions of the site have undergone varying degrees of disturbance due to land clearing activities, road construction, and limited development while other portions of the site remain in a natural state.

8HE241, based on data resulting from the present survey, is considered to contain information that would substantially contribute to a more complete understanding of the prehistory of the region. The site is considered significant for a number of reasons. First and foremost, perhaps, is the fact that 8HE241 can provide valuable information concerning the full range of lithic reduction process from activities involved with raw material acquisition to those involved in the maintenance of finished products. Furthermore, such activities appear to occur in relatively discrete areas of 8HE241, providing the opportunity for an increased understanding of the intra-site patterning of such activities, i.e., of their organization and placement within the site system. It is also considered that data regarding tool function at 8HE241 will be generated in sufficient quantity to provide increased information concerning precontact activities such as resource procurement and processing and general camp maintenance. Again, the survey suggests that 8HE241 could also provide information concerning the intra-site patterning of such activities.

…8HE241 would have provided one of the nearest locations from a coastal perspective for obtaining a critical raw material, i.e., chert, to support precontact activities in the coastal areas, west of the site… It is believed, therefore, that 8HE241 has the potential to provide information concerning coastal/inland or lowland/upland precontact mobility and adaptive strategies.

Finally, it should be noted that 8HE241 is the largest and most complex of the twenty-one archaeological sites located in the SR 50/50A survey. No site of similar type and size has been professionally excavated in the region. For all of the reasons noted above, it is recommended that additional work should be carried out at the Colorado Site and further recommended that the site should be considered eligible for listing in the NRHP.

EXHIBIT 6.1
EXAMPLE OF COMPLETED REQUEST FOR DETERMINATION OF ELIGIBILITY USING THE NRHP REGISTRATION FORM

NPS Form 10-900
(Rev. 10-90

OMB No. 1024-0018

United States Department of the Interior
National Park Service

NATIONAL REGISTER OF HISTORIC PLACES REGISTRATION FORM

This form is for use in nominating or requesting determinations for individual properties and districts. See instructions in How to Complete the National Register of Historic Places Registration Form (National Register Bulletin 16A). Complete each item by marking "x" in the appropriate box or by entering the information requested. If any item does not apply to the property being documented, enter "N/A" for "not applicable." For functions, architectural classification, materials, and areas of significance, enter only categories and subcategories from the instructions. Place additional entries and narrative items on continuation sheets (NPS Form 10-900a). Use a typewriter, word processor, or computer, to complete all items.

1. Name of Property

historic name CR 316 Bridge

other names/site number Sharpe's Ferry Bridge (preferred); FDOT Bridge # 364110; FMSF # 8MR2539

2. Location

street & number Oklawaha River and CR 314 ☐ not for publication

city or town Silver Springs ☒ vicinity

state FLORIDA code FL county Marion code 083 zip code 34488

3. State/Federal Agency Certification

As the designated authority under the National Historic Preservation Act, as amended, I hereby certify that this ☐ nomination ☒ request for determination of eligibility meets the documentation standards for registering properties in the National Register of Historic Places and meets the procedural and professional requirements set forth in 36 CFR Part 60. In my opinion, the property ☐ meets ☐ does not meet the National Register criteria. I recommend that this property be considered significant ☐ nationally ☐ statewide ☐ locally. (☐ See continuation sheet for additional comments.)

Signature of certifying official/Title Date

Florida State Historic Preservation Officer, Division of Historical Resources
State or Federal agency and bureau

In my opinion, the property ☐ meets ☐ does not meet the National Register criteria. (☐See continuation sheet for additional comments.)

Signature of certifying official/Title Date

State or Federal agency and bureau

4. National Park Service Certification

I hereby certify that the property is:

	Signature of the Keeper	Date of Action
☐ entered in the National Register ☐ See continuation sheet		
☐ determined eligible for the National Register ☐ See continuation sheet.		
☐ determined not eligible for the National Register ☐ See continuation sheet.		
☐ removed from the National Register.		
☐ other, (explain) _____		

Sharpe's Ferry Bridge
Name of Property

Marion, Florida
County and State

5. Classification

Ownership of Property
(Check as many boxes as apply)

- ☐ private
- ☒ public-local
- ☐ public-State
- ☐ public-Federal

Category of Property
(Check only one box)

- ☐ buildings
- ☐ district
- ☐ site
- ☒ structure
- ☐ object

Number of Resources within Property
(Do not include any previously listed resources in the count)

Contributing	Noncontributing	
		buildings
		sites
1		structures
		objects
1		total

Name of related multiple property listings
(Enter "N/A" if property is not part of a multiple property listing.)

N/A

Number of contributing resources previously listed in the National Register

0

6. Function or Use

Historic Functions
(Enter categories from instructions)

TRANSPORTATION/road-related (vehicular)

Current Functions
(Enter categories from instructions)

TRANSPORTATION/road-related (vehicular)

7. Description

Architectural Classification
(Enter categories from instructions)

OTHER: Warren pony truss

Materials
(Enter categories from instructions)

foundation Concrete
walls
roof
other METAL: Steel

Narrative Description
(Describe the historic and current condition of the property on one or more continuation sheets.)

Sharpe's Ferry Bridge
Name of Property

Marion, Florida
County and State

8. Statement of Significance

Applicable National Register Criteria
(Mark "x" in one or more boxes for the criteria qualifying the property for National Register listing.)

- ☐ **A** Property is associated with events that have made a significant contribution to the broad patterns of our history.
- ☐ **B** Property is associated with the lives of persons significant in our past.
- ☒ **C** Property embodies the distinctive characteristics of a type, period, or method of construction or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components lack individual distinction.
- ☐ **D** Property has yielded, or is likely to yield information important in prehistory or history.

Criteria Considerations
(Mark "x" in all the boxes that apply.)

Property is:

- ☐ **A** owned by a religious institution or used for religious purposes.
- ☒ **B** removed from its original location.
- ☐ **C** a birthplace or grave.
- ☐ **D** a cemetery.
- ☐ **E** a reconstructed building, object, or structure.
- ☐ **F** a commemorative property.
- ☐ **G** less than 50 years of age or achieved significance within the past 50 years

Areas of Significance
(Enter categories from instructions)

ENGINEERING

Period of Significance

1926-present

Significant Dates

1926; ca. 1970

Significant Person

N/A

Cultural Affiliation

N/A

Architect/Builder

Builder - Austin Brothers Bridge Company

Narrative Statement of Significance
(Explain the significance of the property on one or more continuation sheets.)

9. Major Bibliographical References

Bibliography
Cite the books, articles, and other sources used in preparing this form on one or more continuation sheets.)

Previous documentation on file (NPS):

- ☐ preliminary determination of individual listing (36 CFR 36) has been requested
- ☐ previously listed in the National Register
- ☐ previously determined eligible by the National Register
- ☐ designated a National Historic Landmark
- ☐ recorded by Historic American Buildings Survey
  #
- ☐ recorded by Historic American Engineering Record

Primary location of additional data:

- ☐ State Historic Preservation Office
- ☒ Other State Agency
- ☐ Federal agency
- ☐ Local government
- ☐ University
- ☒ Other

Name of Repository
Marion County Public Library

#

Sharpe's Ferry Bridge
Name of Property

Marion, Florida
County and State

10. Geographical Data

Acreage of Property less than one

UTM References
(Place additional references on a continuation sheet.)

	Zone	Easting	Northing
1	17	403462	3228712
2	17	403511	3228736
3			
4			

☐ See continuation sheet

Verbal Boundary Description
(Describe the boundaries of the property on a continuation sheet.)

Boundary Justification
(Explain why the boundaries were selected on a continuation sheet.)

11. Form Prepared By

name/title Michael Kenneally, Architectural Historian

organization Janus Research date June 22, 2007

street & number 1300 N. Westshore Blvd., Suite 100 telephone (813) 636-8200

city or town Tampa state FL zip code 33607

Additional Documentation

Submit the following items with the completed form:

Continuation Sheets

Maps

A **USGS map** (7.5 or 15 minute series) indicating the property's location.

A **Sketch map** for historic districts and properties having large acreage or numerous resources.

Photographs

Representative **black and white photographs** of the property.

Additional items
(check with the SHPO or FPO for any additional items)

Property Owner

(Complete this item at the request of SHPO or FPO.)

name Florida Department of Transportation, District 5

street & number 719 South Woodland Boulevard telephone

city or town Deland state Florida zip code 32720

Description

Built in 1926, the Sharpe's Ferry Bridge (FDOT #364110) is a Warren pony truss swing bridge. It was originally located at County Road (CR) 316 and the Oklawaha River in Marion County, Florida. The bridge was removed from its original site ca. 1970 and reinstalled downstream at CR 314 and the Oklawaha River in Marion County, Florida in the same year. When the bridge was relocated, approach spans were constructed to accommodate the width of the Oklawaha River at the new location.

Presently, the swing bridge is located in a rural area known as Sharpe's Ferry, south of the town of Silver Springs (Photograph 1). Although the main span of the bridge was moved from its original location, its original context has been maintained. In its present location, the Sharpe's Ferry Bridge reflects its original design which was popular during a boom in swing bridge construction in Florida. It remains on the same river and in a similar setting as its original location, and is therefore considered eligible for listing in the *NRHP*, despite its move and modifications. In addition, it is the only remaining Warren pony truss swing bridge constructed by prominent swing bridge manufacturer, the Austin Brothers Bridge Company of Atlanta, Georgia.

PHYSICAL DESCRIPTION

The Sharpe's Ferry Bridge is located in Township 15 South, Range 23 East, Section 15 (USGS Lynne Quadrangle 1970). The existing roadway, CR 314, near the bridge, consists of two lanes running in a roughly southwest/northeast direction. The bridge itself is only one lane wide. The Oklawaha River runs in a roughly north/south direction.

The Sharpe's Ferry Bridge has a Warren pony truss swing main span and three fixed approach spans with a total length of 236 feet 10 ¼ inch and a deck width of 20 feet with a roadway width of 18 feet (Photograph 2). The superstructure consists of the 117 feet 4 ¼ inch long steel Warren pony truss main span with I-beams comprising the top and bottom chords and end posts, and channel bars with lace bracing comprising the angles and vertical posts (Photograph 3). There are two approach spans on the west side of the main span and one approach span on the east side. The approach span farthest to the west is 46 feet long, the next span is 45 feet six inches long, and the easternmost span is the shortest at 28 feet long. The superstructure of the approach spans consist of vertical post I-beams connected to a standard galvanized metal guardrail (Photograph 4). Along the Warren pony truss main swing span the guardrails are applied directly to the vertical members of the truss. Four inch by eight inch creosote treated timber curbs run the length of the entire bridge on both sides. The deck consists of an open steel grate (Photograph 5). Steel I-beam girders support the deck and truss. All of the joints and connections on the main span are riveted with the use of gusset plates (Photograph 6).

The substructure, including the center bearing pivot, consists of concrete piers and bents (Photograph 7). The center bearing pivot (Photograph 8) is located in the center of the main span and is supported by a large concrete pier. A steel I-beam cross-girder that rests on a central thrust bearing supports the main span at the pivot pier, and balance wheels are set on a circular track on the pivot pier rim to stabilize the main span during operation. A wood fender system is located to the west of the pivot pier in the middle channel of the river (Photograph 9).

A bridge tender's station is situated to the west of the bridge, on the north side of the road (Photograph 10). This one-story station is a simple rectangular wood frame building resting on a pier foundation and clad with T1-11 siding. The entrance is sheltered by a shed roof porch with a wood landing on the south side of the building. The side gable roof is covered with composition shingles and there is currently no fenestration on the building. The station does not date from the historic period of the bridge itself, is utilitarian in its construction and form, and has undergone numerous modifications. It is not physically connected, nor historically associated with the original portion of the Sharpe's Ferry Bridge, and is therefore, not considered part of the *NRHP*-eligible property.

Non-Historic Alterations

The Sharpe's Ferry Bridge was moved from its original location at CR 316 near Eureka, Florida ca. 1970. According to South Florida Water Management District as-built drawings (Figures 1-10) dating to the relocation of the bridge, the swing span was floated down the Oklawaha River on a barge to its current location at Sharpe's Ferry. The three fixed approach spans were constructed once the bridge was relocated to accommodate for the width of the river at the new location. Also at the time of relocation, the standard metal guardrails were installed and all of the concrete bents and piers were constructed, as well as the tender's station and the wood fender system located under the bridge. New bearings were also provided on the center pivot turning mechanism. Finally, the Oklawaha River channel itself was graded to allow for the placement of the bridge while maintaining a navigable channel.

After the relocation it appears that no further physical alterations were made to the bridge; although the swing span is no longer in operation. However, the tender's station has undergone modifications. The bridge and tender's station were photographed in 1981, and while the bridge itself has not undergone physical alterations since that time, the tender's station has been re-sided, covering all fenestration, and the bracing along the porch railing has been removed (Photograph 11). However, the tender's station is not included within the *NRHP* boundaries of the bridge.

Although the Sharpe's Ferry Bridge was relocated, and the overall structure modified, the main span itself has not undergone significant physical alterations and maintains its historic physical integrity. The bridge remains on its original river, in a similar setting. The bridge is still in use, although the swing span is no longer operated.

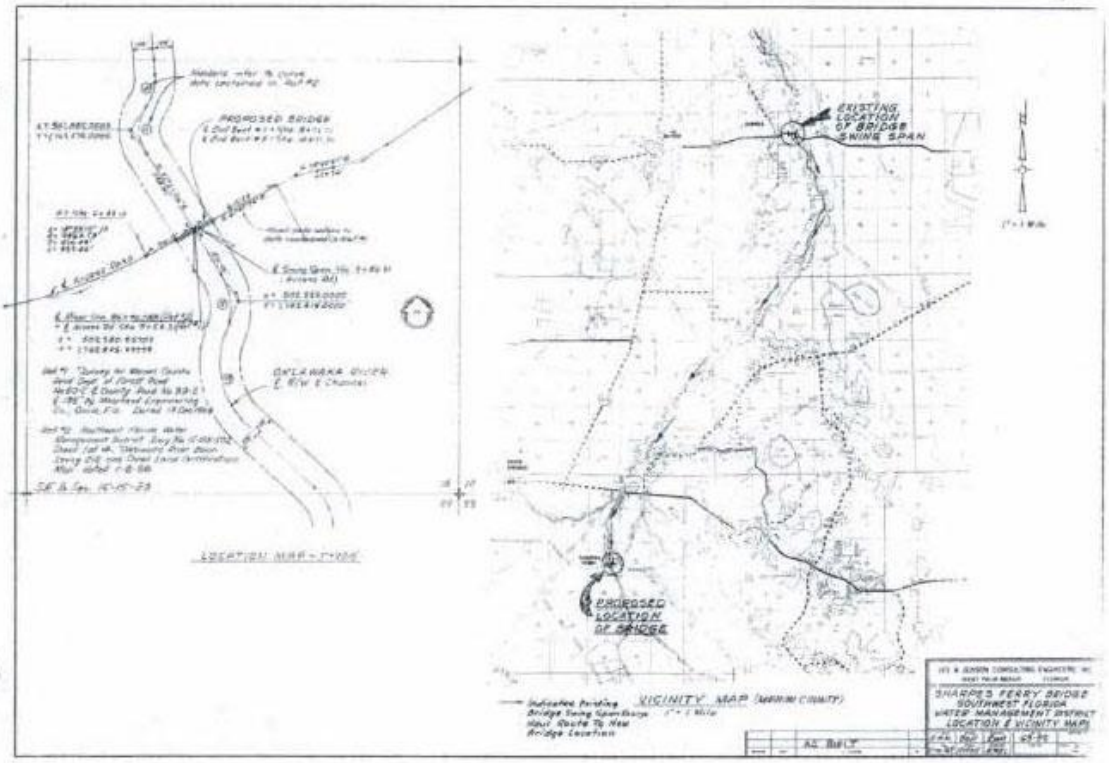


Figure 1: Sharpe's Ferry Bridge Relocation Plans

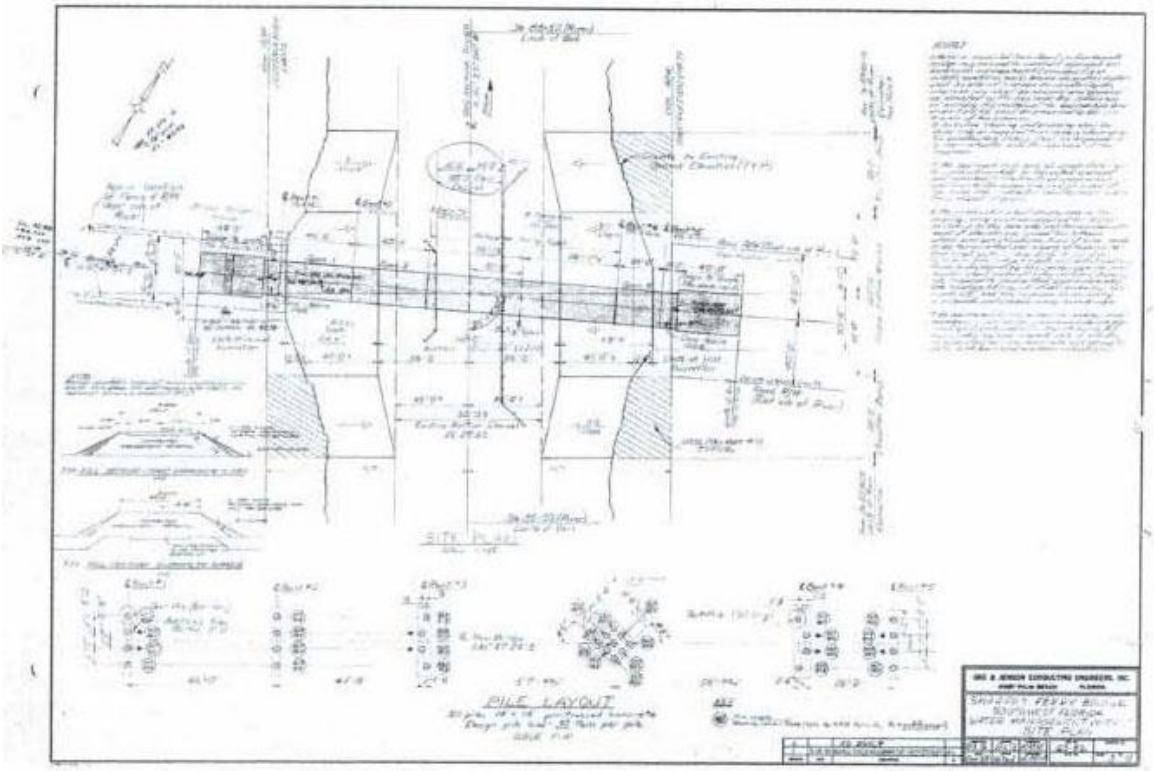


Figure 2: Sharpe's Ferry Bridge Site Plan

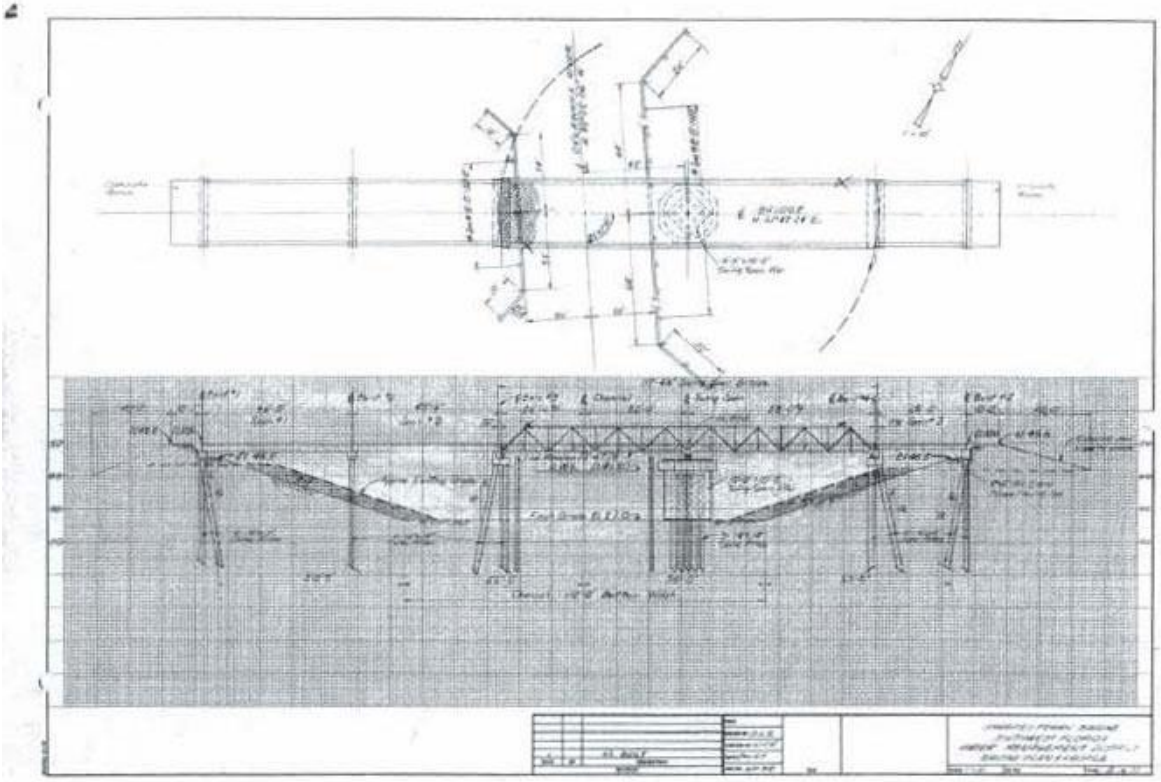


Figure 3: Sharpe's Ferry Bridge Plan and Profile

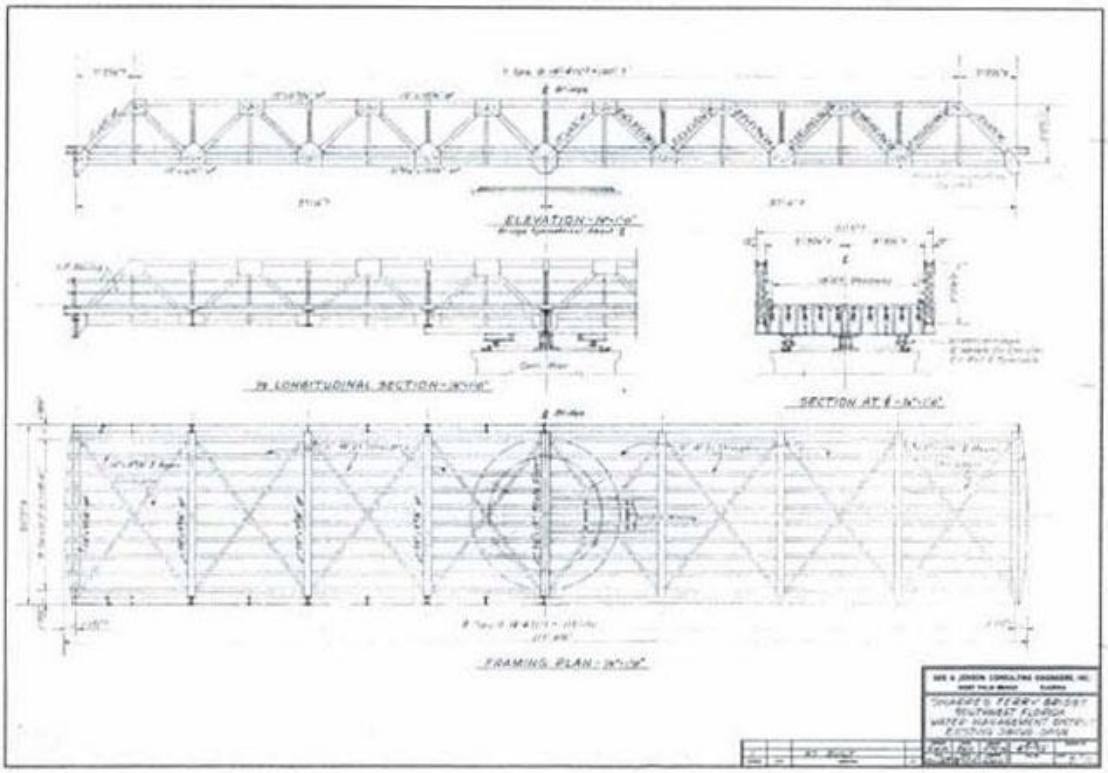


Figure 4: Sharpe's Ferry Bridge Existing Swing Span Drawings

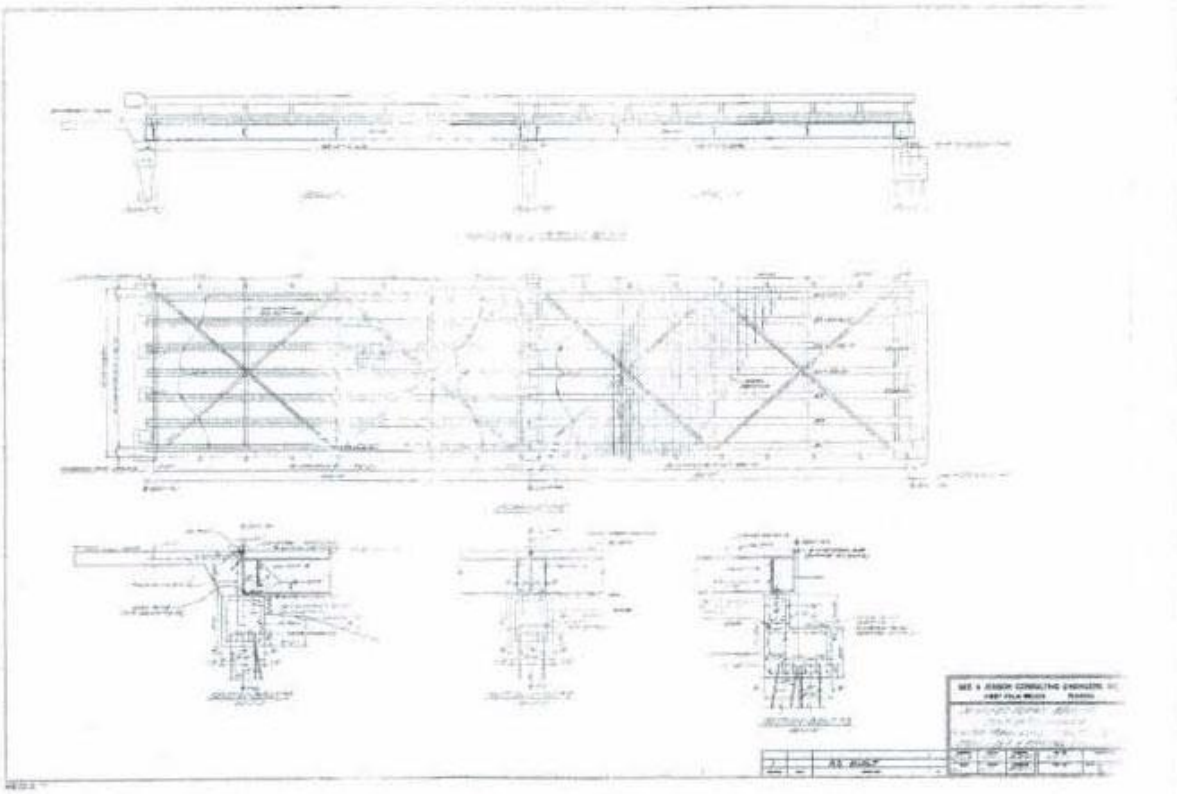


Figure 5: Sharpe's Ferry Bridge Approach Spans 1 and 2 and Typical Details

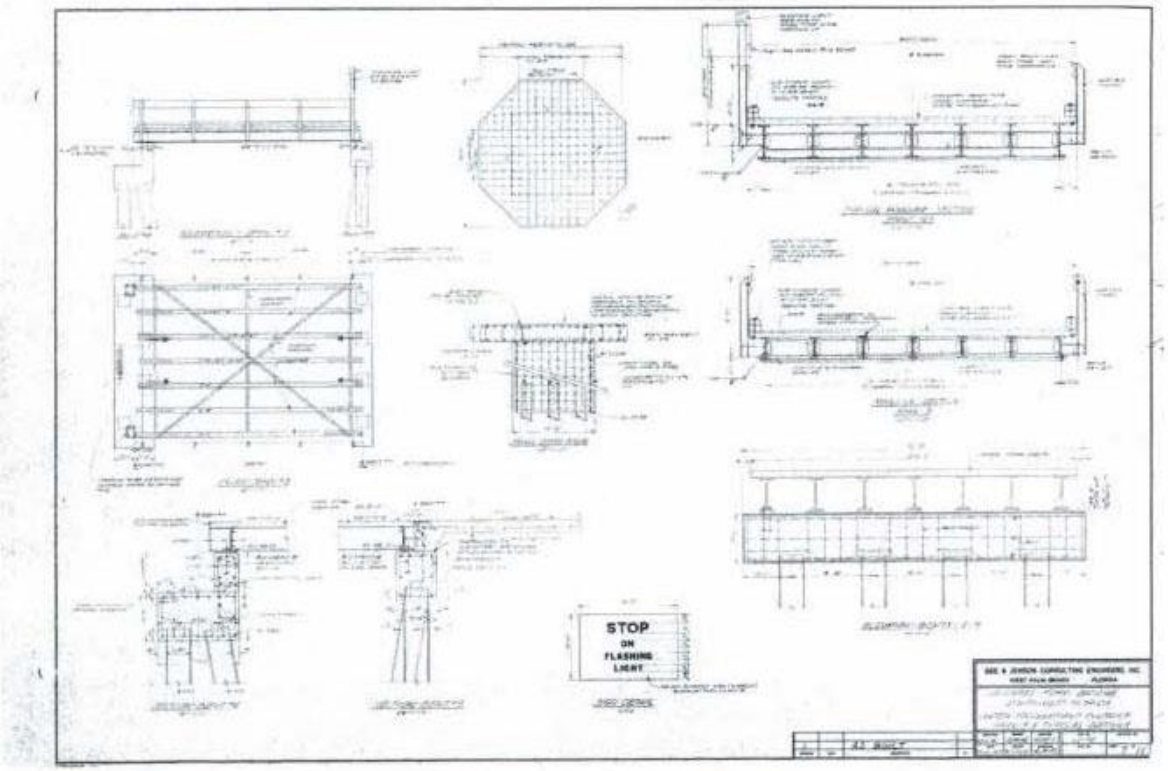


Figure 6: Sharpe's Ferry Bridge Approach Span 3 and Typical Details

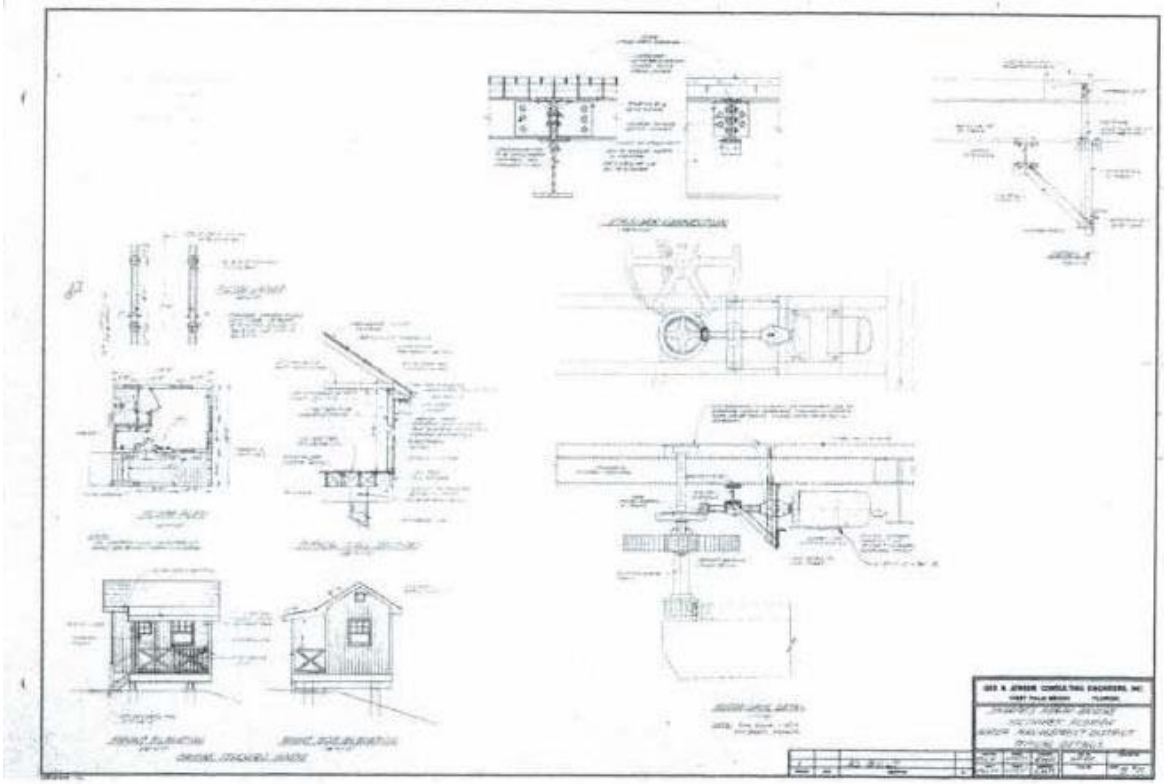


Figure 7: Sharpe's Ferry Bridge Typical Details

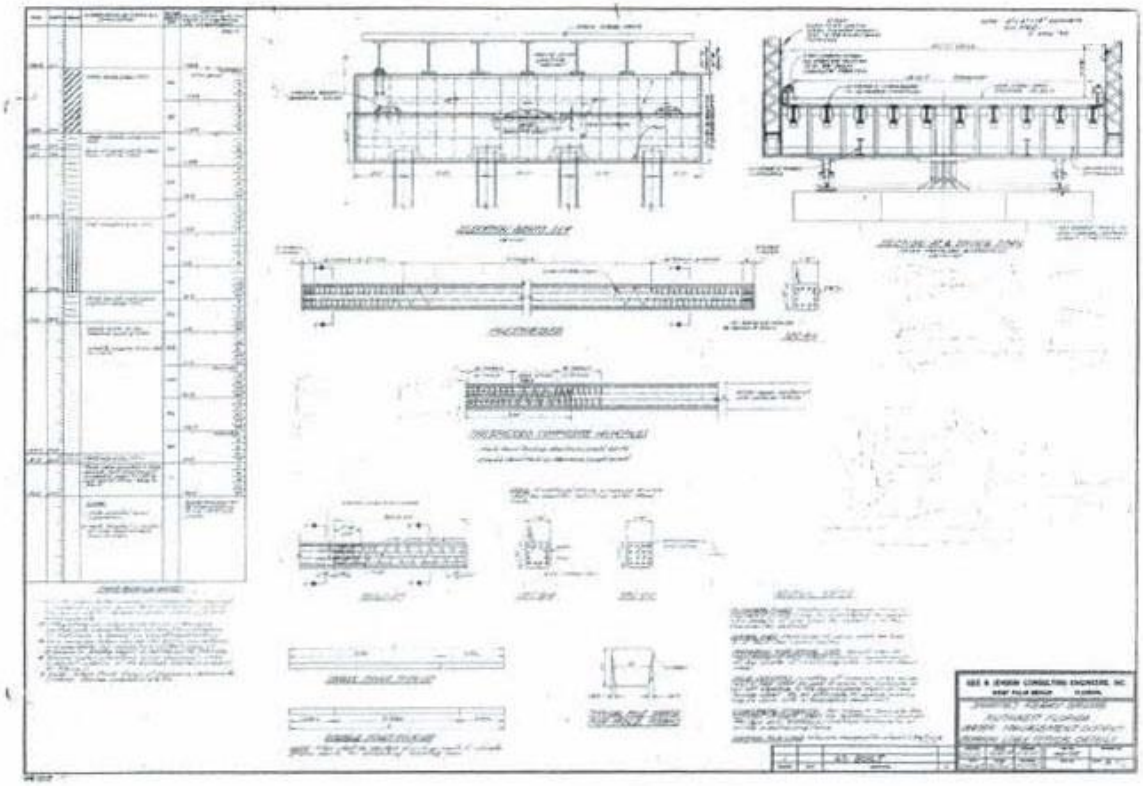


Figure 8: Sharpe's Ferry Bridge Boring Log and Typical Details

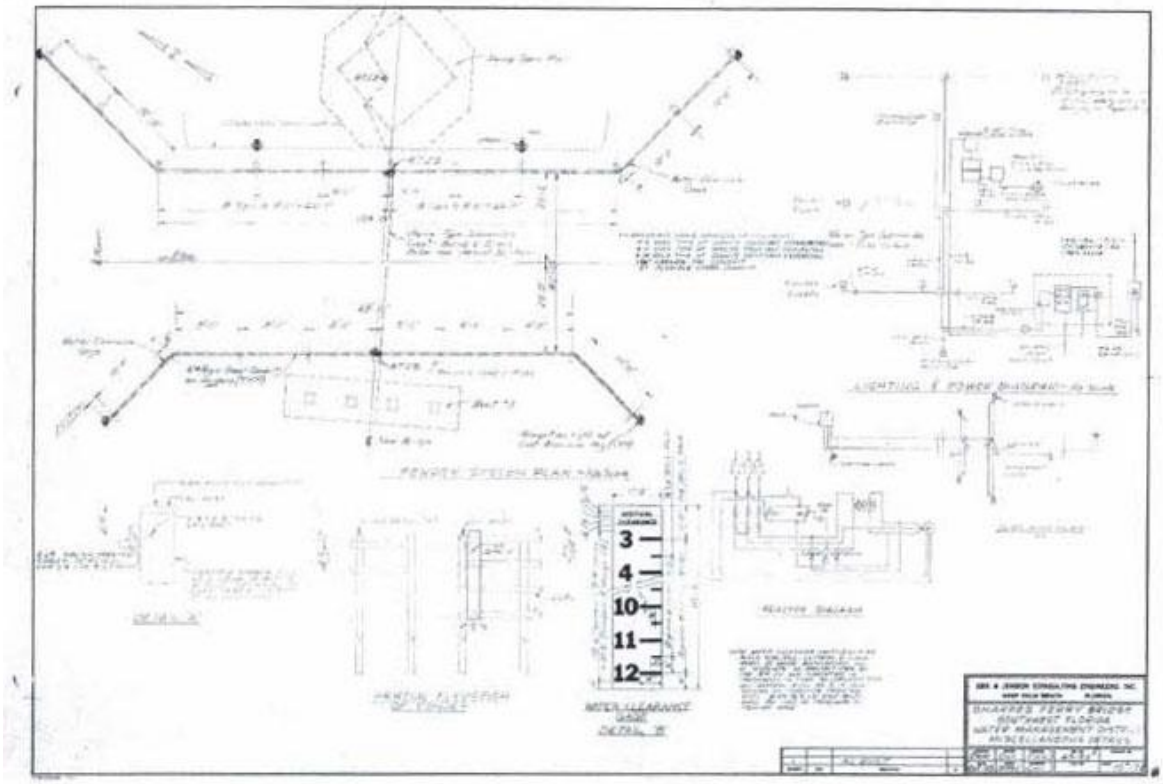


Figure 9: Sharpe's Ferry Bridge Miscellaneous Details

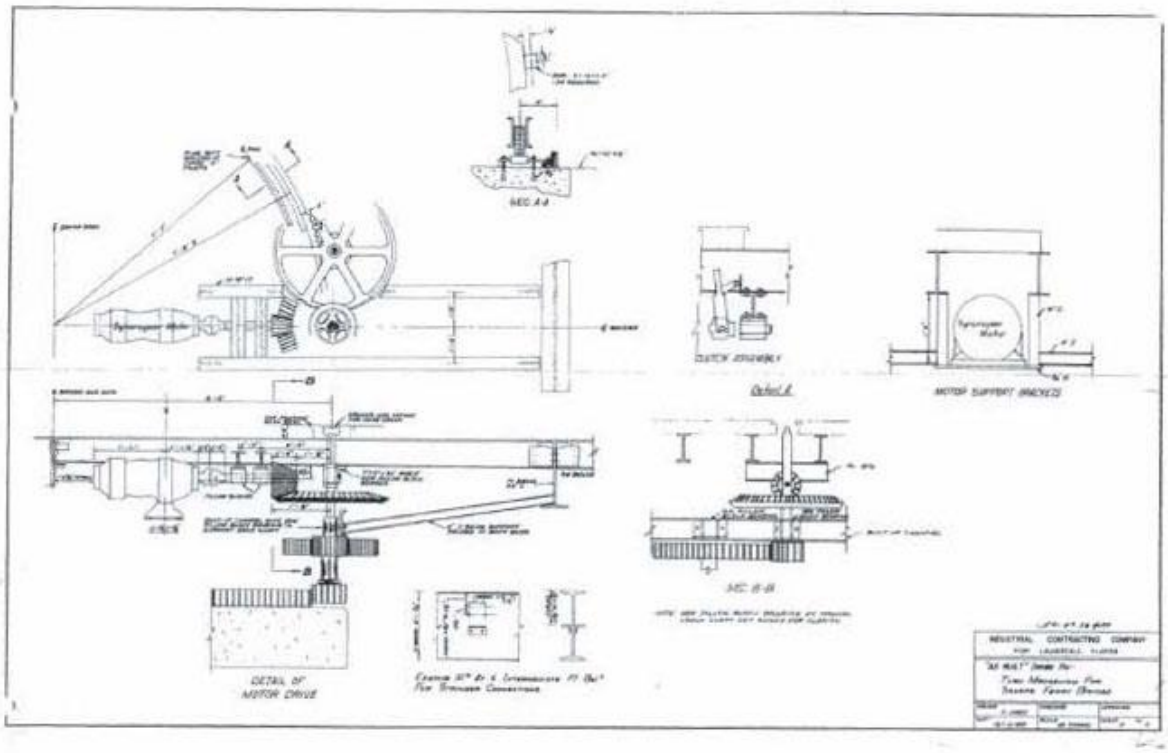


Figure 10: Sharpe's Ferry Bridge Turn Mechanism

SECTION 8: SIGNIFICANCE

SUMMARY OF SIGNIFICANCE

The main swing span of the Sharpe's Ferry Bridge is considered potentially eligible for listing in the *NRHP* under Criterion C in the area of Engineering. The bridge is an excellent example of a Warren pony truss swing bridge that retains its historic physical integrity. The bridge was constructed by the most prolific builder of swing spans in Florida, the Austin Brothers Bridge Company out of Atlanta, Georgia, during the boom of swing bridge construction in Florida (Atkins and Keeler 1981). The bridge is also historically significant as it is the last remaining swing bridge designed by the Austin Brothers Bridge Company remaining in Florida and one of only a few Warren Pony Truss swing bridges left in the state (FDOT 2004). While the swing span of the bridge is no longer in operation, there are few alterations to its original design and form, and therefore, retains its historic physical integrity. Although the bridge was relocated ca. 1970 the current location is just downstream from the original location on the same river and remains in a similar setting. This bridge also meets Criteria Consideration B for Moved Properties based on its ability to still convey its engineering value and retain the majority of its integrity.

HISTORICAL BACKGROUND

The Sharpe's Ferry Bridge was moved to its current location from further upstream where CR 316 crosses the Oklawaha River. The current Sharpe's Ferry Bridge replaced an older wooden bridge that had crossed the Oklawaha River at Sharpe's Ferry since ca. 1911 (DeBary 2007). However, this location has a long history of river crossings stretching back to the Second Seminole War, when a military style pontoon bridge crossed the Oklawaha River at the present-day location of the Sharpe's Ferry Bridge (DeBary 2007). This pontoon bridge was dismantled ca. 1839 at the close of military operations in the area, and a ferry operated at this location until the construction of the wooden bridge ca. 1911 (DeBary 2007). Ferry operations were common along the stretch of Oklawaha River in Marion County, as were steamboat landings (Photograph 12). There was also a post office that operated at the location of Sharpe's Ferry that took advantage of the steamboat operations traveling along the Oklawaha River (Photograph 13).

ENGINEERING

The railroads were the first to experiment with substantial bridge spans over Florida's waterways after the Civil War. The truss bridge was the type most notably used by the railroads due to the availability of substantial financing which allowed innovative engineering designs needed to carry the heavy, fast loads of the trains. In fact, between 1850 and 1925, metal truss bridges were the most common bridge type constructed (Comp and Jackson 1977). This type of bridge for automobile use was also popular throughout the first quarter of the twentieth century. A truss bridge is characterized by the arrangement of its smaller members into a series of

triangles. There are basically three types of truss bridges: the through, the pony, and the deck. These are defined by the position of the truss in relation to the roadway. When traffic moves through the framework of the truss, the bridge is called a through truss. The pony truss is lower than the through truss and has no overhead framework. The deck truss is characterized by the roadway constructed on top of the truss framework.

The bridge type is further determined by its specific truss configuration. The individual members and the pattern they comprise are usually patented and named after their designers. The iron or steel members are designed to carry the load either by compression or tension strength. Compression, the forces that tend to push members together, is carried through stiff, heavy posts while tensile forces, those that tend to pull members apart, are carried by slender members. The most popular truss configurations are the Warren and the Pratt, both of which date to the mid-1800s. The Warren truss was designed and developed by James Warren, a British engineer, and patented in 1848 (Comp and Jackson 1977). The Warren truss put both compressive and tensile stresses into the diagonal members; this simplified the configuration and allowed for fewer structural members.

The use of the Warren truss for bridge design reached its peak during the 1920s. The Warren truss is easily distinguishable because of its triangular outline in the panels. Modifications to the design such as riveted connections and stiff vertical members, both of which are utilized by the Sharpe's Ferry Bridge, caused this truss type to become the most popular configuration for bridge building.

Due to Florida's many navigable waterways and its historical reliance on these routes as main transportation, the ability to move the truss bridges in order to let water traffic pass by was an imperative feature of these early bridges. The moveable bridge was the most popular type in the early twentieth century in Florida and can be defined by three basic types: the swing, the vertical lift, and the bascule.

The swing bridge was popular because of its simplicity, low cost, and easy construction. Swing bridges used a variety of truss configurations and are usually defined by their pivot types. Although the swing bridge was popular, its centrally located pivot pier created an obstruction in the channel. The type was subsequently replaced in later years by the more popular vertical lift and bascule bridges which allowed for clear passage through the channel.

The Sharpe's Ferry Bridge was designed in 1926 by the Austin Brothers Bridge Company from Atlanta, Georgia. The Austin Brothers Bridge Company was a prominent bridge building company in the United States in the early twentieth century. The company's roots date back to 1889, when George Austin moved to Dallas, Texas as an agent for the George E. King Bridge Company of Des Moines, Iowa (Austin Industries 2005). Five years later, George's brother Frank joined him in Dallas. In 1896, George Austin moved to Atlanta, Georgia and began contracting in that state, while Frank continued to work in Dallas. In 1902, the two brothers formed a partnership and began splitting the Texas and Georgia profits equally; they named the company Austin Brothers, Contractors. They profited from the upgrades needed to convert roads from a horse drawn wagon use

to an automobile use, and thus began constructing steel truss bridges (Austin Industries 2005). Austin Brothers, Contractors became a successful enterprise, and by 1910 they were an independent bridge fabricating and contracting firm (Texas Department of Transportation 2007). In 1918, the construction activities of the company were sold to Charles R. Moore, a senior executive of the company, and the Austin Brothers Bridge Company was formed. In the late 1920s, the name was shortened to Austin Bridge Company, and remained this until 1974, when the current company, Austin Industries, was formed (Austin Industries 2005).

In Florida, they were the most prolific builders of swing span bridges, and nearly all of their swing bridges utilized the Warren pony truss (Atkins and Keeler 1981). The Sharpe's Ferry Bridge represents the only remaining swing span bridge constructed by the Austin Brothers Bridge Company in Florida. It is worthy of note, that in 1981, only three Austin Brothers Bridge Company spans remained in Florida (Atkins and Keeler 1981). These three bridges were the Sharpe's Ferry Bridge, the Moss Bluff Bridge, and the Linadale Bridge, all of which crossed the Oklawaha River, and of which only the Sharpe's Ferry Bridge remains. Furthermore, the Sharpe's Ferry Bridge is one of only a few Warren pony truss swing bridges left in the state, the *Historic Highway Bridges of Florida* publication states that at the time of publication (2004) only 14 swing bridges remained in Florida, and only seven of these featured pony trusses (FDOT 2004:80). The FDOT Bridge Management System Structure Inventory Report Database from 2005 lists nine extant swing bridges

Alterations and Criteria Consideration

The National Register of Historic Places Criterion Consideration B for Moved Properties states that a moved property can be eligible if it is significant primarily under Criterion C. This bridge is distinctive due to its once ubiquitous, yet increasingly rare engineering and design type, and as the only remaining Austin Brothers Bridge Company span remaining in Florida. It retains integrity of design, materials, workmanship, feeling, and association. Furthermore, it also maintains a similar setting on the same river as its original location. Consequently, the main span of the Sharpe's Ferry Bridge is considered to be potentially eligible for listing in the National Register of Historic Places under Criterion C in the area of Engineering.

SECTION 9: MAJOR BIBLIOGRAPHICAL REFERENCES

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1981 *Survey of Metal Truss, Swing, and Vertical Lift Bridges in Florida.* Florida Department of Transportation, Tallahassee, Florida.

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2005 *Our History: More than a Century of Building Excellence.* Austin Industries, available online at http://www.austin-ind.com/advantage/history.asp

Comp, Allan T. and Donald Jackson
1977 *Bridge Truss Types: A Guide to Dating and Identifying.* Historic American Engineering Record, National Park Service, American Association for State and Local History, Technical Leaflet 95, Vol. 32, No. 5, May, 1977, Nashville, Tennessee.

DeBary, Earl
2007 Personal Communication between Michael Kenneally of Janus Research and Earl DeBary of the Marion County Museum of History, March 30, 2007.

Florida Department of Transportation
1992 *The Historic Highway Bridges of Florida.* FDOT, Environmental Management Office, Tallahassee, Florida.
2004 *Historic Highway Bridges of Florida.* FDOT, Environmental Management Office, Tallahassee, Florida.

Texas Department of Transportation
2007 *Historic Suspension Bridges: Advent of the State Highway Department.* TDOT, Austin, Texas.

SECTION 10: GEOGRAPHICAL DATA

VERBAL BOUNDARY DESCRIPTION

The proposed boundary includes the main Warren pony truss swing span and its associated features, such as the deck, trusses, and gear mechanisms, not including the non-historic main concrete pivot pier on which the gear mechanisms rests. This proposed boundary encompasses the original and historic section of the bridge, which measures 117 feet 4 ¼ inch in length. The tender's station and approach spans are not included in this boundary, as these structures do not date to the historic period of the bridge, and were constructed at the time of the relocation.

BOUNDARY JUSTIFICATION

The boundary includes the aforementioned main span, which is the last remaining Austin Brothers Bridge Company span in Florida. The tender's station, the approach spans, and the concrete bents and piers, which are not historically associated with the bridge, are excluded from the *NRHP* boundaries.

INVENTORY OF PHOTOGRAPHS

1. Sharpe's Ferry Bridge
2. Marion County, Florida
3. Michael Kenneally
4. March 2007
5. Janus Research
6. Setting of Sharpe's Ferry Bridge, Facing Northwest
7. Photograph 1 of 13 (Roll 2702-1, Exp. 1)

(Numbers 1, 2, 3, 4, 5 the same for Photographs 2-11)

6. Main Span and Western Approach Spans, Facing South
7. Photograph 2 of 13 (Roll 2702-1, Exp. 2)

6. Main Span, Facing North
7. Photograph 3 of 13 (Roll 2702-1, Exp. 3)

6. Approach Span, Facing North
7. Photograph 4 of 13 (Roll 2702-1, Exp. 4)

6. Steel Grate Deck, Facing Southwest
7. Photograph 5 of 13 (Roll 2702-1, Exp. 5)

6. Steel Gusset Plate, Facing North
7. Photograph 6 of 13 (Roll 2702-1, Exp. 6)

6. Concrete Bent, Facing Northeast
7. Photograph 7 of 13 (Roll 2702-1, Exp. 7)

6. Pivot Pier, Facing Northwest
7. Photograph 8 of 13 (Roll 2702-1, Exp. 8)

6. Timber Fender System, Facing Northeast
7. Photograph 9 of 13 (Roll 2702-1, Exp. 9)

6. Bridge Tender's Station, Facing Northeast
7. Photograph 10 of 13 (Roll 2702-1, Exp. 10)

1. Sharpe's Ferry Bridge
2. Marion County, Florida
3. Unknown
4. 1981
5. Florida Photographic Collection
6. Bridge Tender's Station, Facing North
7. Photograph 11 of 13

(Numbers 3, and 5 the same for Photograph 12 and13)

1. Ferry on Oklawaha River
2. Unknown
4. 1902
6. Ferry Operating along the Oklawaha River, Unknown Direction
7 Photograph 12 of 13

1. Sharpe's Ferry Post Office
2. Marion County, Florida
4. Unknown
6. Post Office Operating at Sharpe's Ferry, Unknown Direction
7. Photograph 13 of 13

Sharpe's Ferry Bridge

Photograph 1
Roll 2702-1, Exp. 1; Setting of Sharpe's Ferry Bridge,
Facing Northeast

Sharpe's Ferry Bridge

Photograph 2
Roll 2702-1, Exp.2; Main Span and Western Approach Spans, Facing South

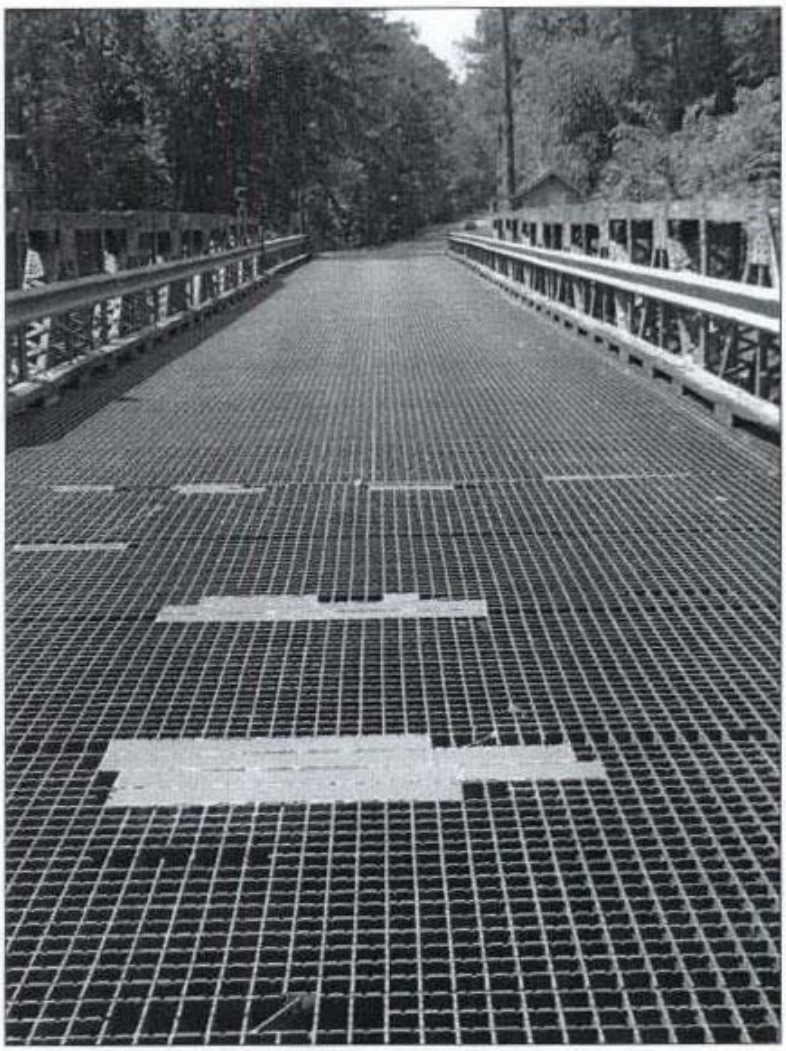
Sharpe's Ferry Bridge

Photograph 3
Roll 2702-1, Exp. 3; Main Span, Facing North

Sharpe's Ferry Bridge

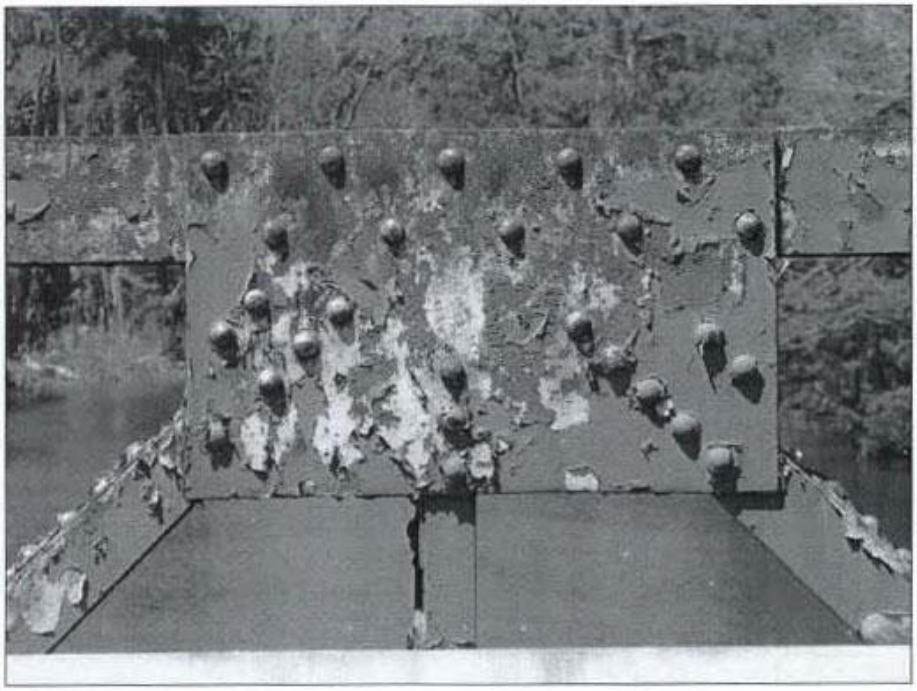
Photograph 4
Roll 2702-1, Exp. 4; Approach Span, Facing North

Sharpe's Ferry Bridge



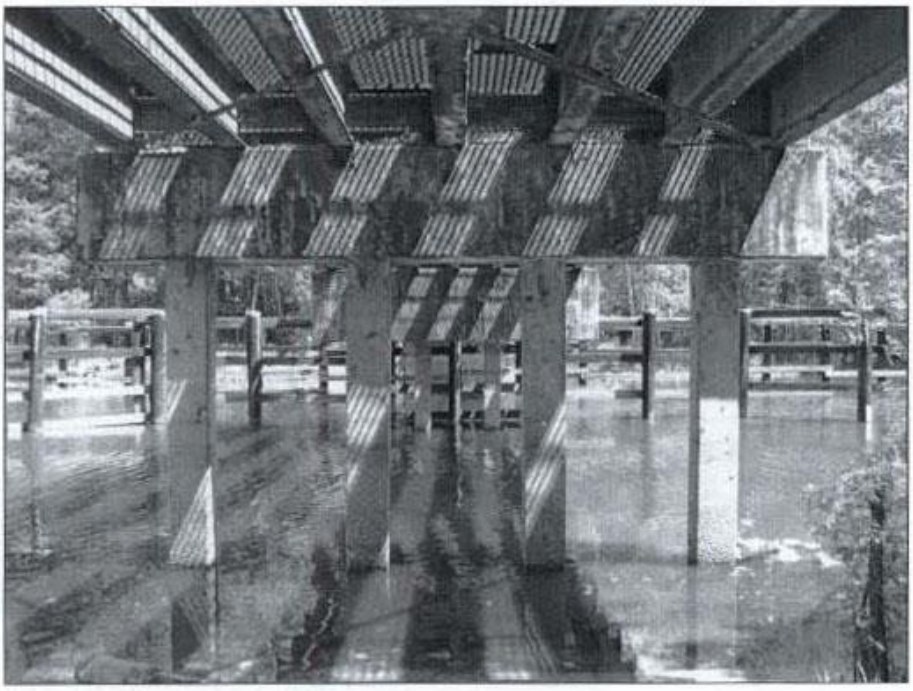
Photograph 5
Roll 2702-1, Exp. 5; Steel Grate Deck, Facing Southwest

Sharpe's Ferry Bridge



Photograph 6
Roll 2702-1, Exp. 6; Steel Gusset Plate, Facing North

Sharpe's Ferry Bridge



Photograph 7
Roll 2702-1, Exp. 7; Concrete Bent, Facing Northeast

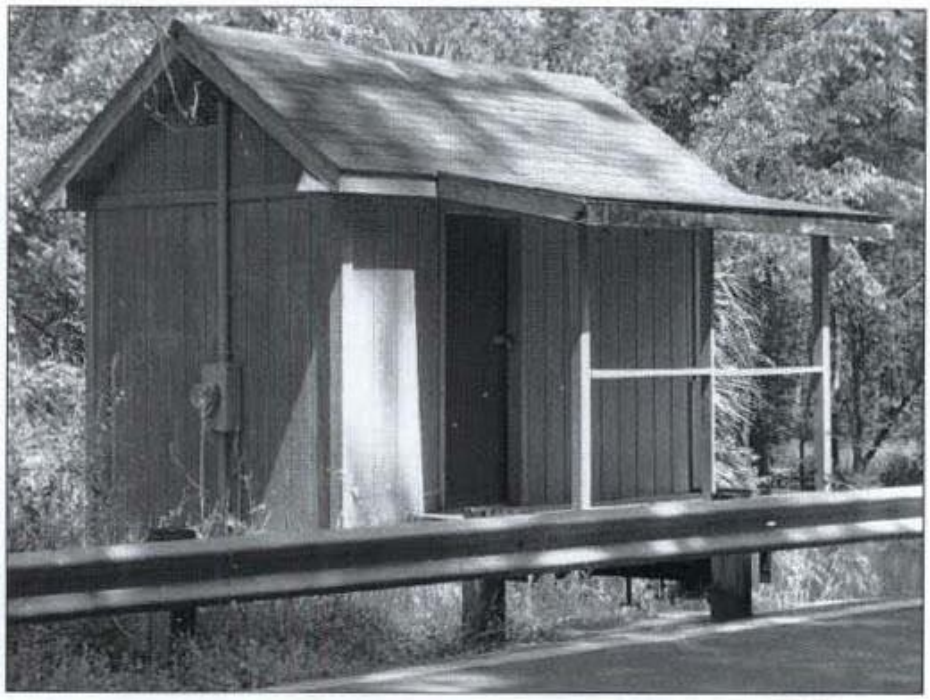
Sharpe's Ferry Bridge

Photograph 8
Roll 2702-1, Exp. 8; Pivot Pier, Facing Northwest

Sharpe's Ferry Bridge

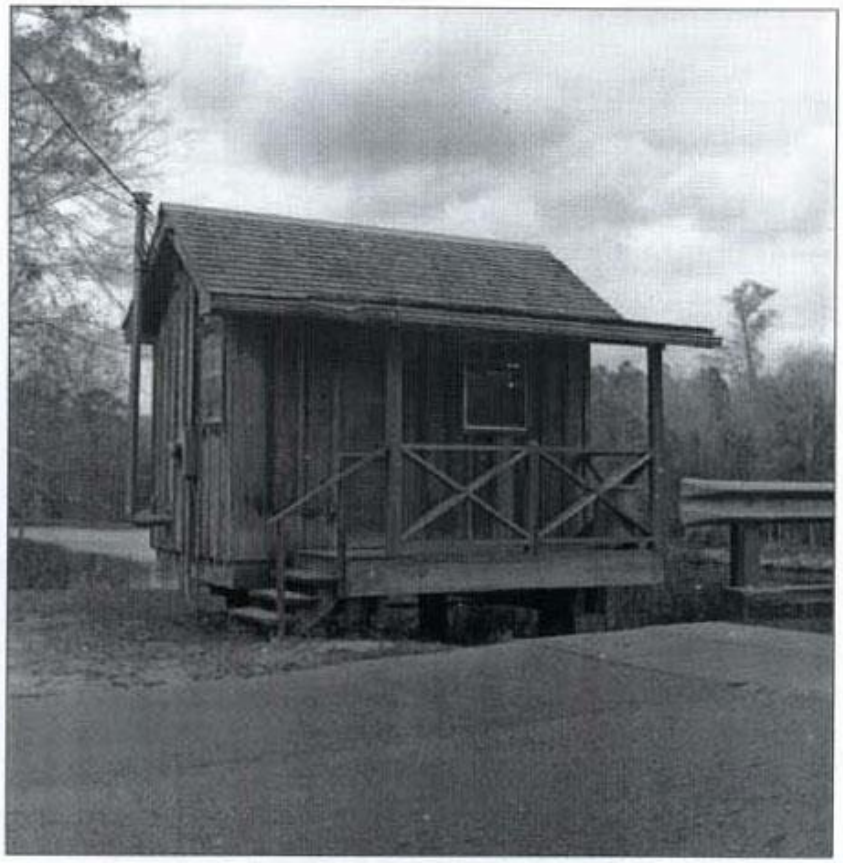
Photograph 9
Roll 2702-1, Exp. 9; Timber Fender System, Facing Northeast

Sharpe's Ferry Bridge



Photograph 10
Roll 2702-1, Exp. 10; Bridge Tender's Station, Facing Northeast

Sharpe's Ferry Bridge



Photograph 11
Bridge Tender's Station, Facing North, 1981
Photograph courtesy of Florida Photographic Collection

Sharpe's Ferry Bridge

Photograph 13
Post Office at Sharpe's Ferry, Unknown Direction, Unknown Date
Photograph courtesy of the Florida Photographic Collection

EXHIBIT 6.2
EXAMPLE OF EXPANDED FMSF FORM

Page 1

☒ Original
☐ Update

HISTORICAL STRUCTURE FORM
FLORIDA MASTER SITE FILE
Version 4.0 1/07

Shaded Fields represent the minimum acceptable level of documentation.
Consult the *Guide to Historical Structure Forms* for detailed instructions.

Site #8 HI11790
Field Date 7-27-2012
Form Date 8-7-2012
Recorder # _____

Site Name(s) (address if none) Erwin Technical Center Main Building — **Multiple Listing (DHR only)** _____
Survey Project Name CRAS, Metrorapid East-West, PD&E — **Survey # (DHR only)** _____
National Register Category (please check one) ☒ building ☐ structure ☐ district ☐ site ☐ object
Ownership: ☐ private-profit ☐ private-nonprofit ☐ private-individual ☐ private-nonspecific ☐ city ☒ county ☐ state ☐ federal ☐ Native American ☐ foreign ☐ unknown

LOCATION & MAPPING

	Street Number	Direction	Street Name	Street Type	Suffix Direction
Address:	2010	E	Hillsborough	Avenue	

Cross Streets (nearest / between) _____
USGS 7.5 Map Name TAMPA — **USGS Date** 2011 — **Plat or Other Map** _____
City / Town (within 3 miles) Tampa — **In City Limits?** ☒ yes ☐ no ☐ unknown — **County** _____
Township 28S — **Range** 19E — **Section** 31 — **¼ section:** ☐ NW ☐ SW ☐ SE ☒ NE — **Irregular-name:** _____
Tax Parcel # _____ — **Landgrant** _____
Subdivision Name _____ — **Block** _____ — **Lot** _____
UTM Coordinates: **Zone** ☐ 16 ☒ 17 — **Easting** 358802 — **Northing** 3097708
Other Coordinates: X: _____ Y: _____ — **Coordinate System & Datum** _____
Name of Public Tract (e.g., park) _____

HISTORY

Construction Year: 1957 ☒ approximately ☐ year listed or earlier ☐ year listed or later
Original Use Store — From (year): 1957 — To (year): 1977
Current Use College/University/School — From (year): 1977 — To (year): cur
Other Use _____ — From (year): _____ — To (year): _____
Moves: ☐ yes ☒ no ☐ unknown — Date: _____ — Original address _____
Alterations: ☒ yes ☐ no ☐ unknown — Date: 1-1-1978 — Nature Interior reconfigured; windows replaced
Additions: ☐ yes ☒ no ☐ unknown — Date: _____ — Nature _____
Architect (last name first): Weed, Russell and Johnson — **Builder** (last name first): _____
Ownership History (especially original owner, dates, profession, etc.) Sears, 1957-1977; School Board of Hillsborough Count, 1977-current
Is the Resource Affected by a Local Preservation Ordinance? ☐ yes ☒ no ☐ unknown — **Describe** _____

DESCRIPTION

Style Mid-Century Modern — **Exterior Plan** Rectangular — **Number of Stories** 2
Exterior Fabric(s) 1. Masonry veneer-artificial 2. Concrete-pre-cast 3. Brick
Roof Type(s) 1. Other 2. _____ 3. _____
Roof Material(s) 1. Other 2. _____ 3. _____
Roof secondary strucs. (dormers etc.) 1. Other 2. _____
Windows (types, materials, etc.) Clerestory, metal, banded; fixed, metal, 1-light

Distinguishing Architectural Features (exterior or interior ornaments) Folded plate concrete roof with wide overhangs. Concrete canopy along the first floor roofline. Brick screen patterns at east and west ends.

Ancillary Features / Outbuildings (record outbuildings, major landscape features; use continuation sheet if needed.) Part of resource group (8HI11787) that includes the Auto Center (8HI11788) and Covered Walkway (8HI11789).

DHR USE ONLY	OFFICIAL EVALUATION	DHR USE ONLY
NR List Date _____ ☐ Owner Objection	SHPO – Appears to meet criteria for NR listing: ☐ yes ☐ no ☐ insufficient info — Date _____ Init. _____ KEEPER – Determined eligible: ☐ yes ☐ no — Date _____ NR Criteria for Evaluation: ☐ a ☐ b ☐ c ☐ d (see *National Register Bulletin 15*, p. 2)	

HISTORICAL STRUCTURE FORM

Site #8 HI11790

DESCRIPTION (continued)

Chimney: No.____ Chimney Material(s): 1. _____ 2. _____
Structural System(s): 1. Pre-cast concrete 2. _____ 3. _____
Foundation Type(s): 1. Slab 2. _____
Foundation Material(s): 1. Poured Concrete Footing 2. _____
Main Entrance (stylistic details) Multiple; two metal doors with transom windows and fixed metal sidelights

Porch Descriptions (types, locations, roof types, etc.) Covered by shed roof concrete canopy along east, south, and west elevations.

Condition (overall resource condition): ☐excellent ☒good ☐fair ☐deteriorated ☐ruinous
Narrative Description of Resource See continuation sheet

Archaeological Remains _____ ☐Check if Archaeological Form Completed

RESEARCH METHODS (check all that apply)

☒FMSF record search (sites/surveys)	☒library research	☐building permits	☐Sanborn maps
☐FL State Archives/photo collection	☐city directory	☐occupant/owner interview	☐plat maps
☒property appraiser / tax records	☒newspaper files	☐neighbor interview	☐Public Lands Survey (DEP)
☐cultural resource survey (CRAS)	☐historic photos	☐interior inspection	☐HABS/HAER record search

☐other methods (describe) _____

Bibliographic References (give FMSF manuscript # if relevant, use continuation sheet if needed) See continuation sheet

OPINION OF RESOURCE SIGNIFICANCE

Appears to meet the criteria for National Register listing individually? ☒yes ☐no ☐insufficient information
Appears to meet the criteria for National Register listing as part of a district? ☐yes ☒no ☐insufficient information
Explanation of Evaluation (**required**, whether significant or not; use separate sheet if needed) See continuation sheet

Area(s) of Historical Significance (see *National Register Bulletin 15*, p. 8 for categories: e.g. "architecture", "ethnic heritage", "community planning & development", etc.)

1. Architecture	3. _____	5. _____
2. _____	4. _____	6. _____

DOCUMENTATION

Accessible Documentation Not Filed with the Site File - including field notes, analysis notes, photos, plans and other important documents

1) Document type All materials at one location — Maintaining organization Archaeological Consultants Inc
Document description _____ — File or accession #s P11050

2) Document type _____ — Maintaining organization _____
Document description _____ — File or accession #s _____

RECORDER INFORMATION

Recorder Name Christopher Berger — Affiliation Archaeological Consultants Inc
Recorder Contact Information (address / phone / fax / e-mail) 8110 Blaikie Court, Suite A, Sarasota, FL 34240/941-379-6206/ACIFlorida@comcast.net

Required Attachments

❶ USGS 7.5' MAP WITH STRUCTURE LOCATION PINPOINTED IN RED
❷ LARGE SCALE STREET, PLAT OR PARCEL MAP (available from most property appraiser web sites)
❸ PHOTO OF MAIN FACADE, ARCHIVAL B&W PRINT OR DIGITAL IMAGE FILE
If submitting an image file, it must be included on disk or CD AND in hard copy format (plain paper is acceptable).
Digital image must be at least 1600 x 1200 pixels, 24-bit color, jpeg or tiff.

CONTINUATION SHEET

Narrative Desciption

The Erwin Technical Center Main Building (8HI11790) is a Mid-Century Modern vocational school at 2010 East Hillsborough Avenue. It originated as a store and is now used as a vocational school. Built ca. 1957, it is part of the Erwin Technical Center resource group (8HI11787) that includes the Covered Walkway (8HI11788) and Auto Center (8HI11789). Non-contributing structures include a ca 2009 one-story portable building and an altered sign/covered bus stop bench. The Erwin Technical Center was designed as a Sears, Roebuck, and Co. store by Miami-based architecture firm Weed, Russell and Johnson (Tanner 1958). The firm, led by renowned architect Robert Law Weed, was well-known for its Miami Modern (MiMo) designs. MiMo was an architectural movement that originated after World War II when architects adapted the International style to South Florida's climate and culture (Nash and Robinson 2004). The center appeared in *Architectural Forum* and *Time* magazines, and, according to a retired Sears executive quoted in a 1993 *St. Petersburg Times* article, the building's design won multiple awards. The store was the first Sears store in Tampa to follow the postwar nationwide trend and relocate from downtown to the suburbs. It also was reportedly the most profitable Sears store in the South before it closed in the early 1970s (Dunn 1993). The Hillsborough County School Board bought the complex in 1977 (Turner 2012), and in 1979 it reopened as the Dave Erwin Technical Center, a vocational school (Dunn 1993).

8HI11790 is two stories tall and measures 193,917 square feet (Turner 2012). The concrete slab foundation supports the concrete post and beam, masonry panel, and brick screen walls, which are found at the east and west elevations. The main building is distinguished by its trademark folded plate concrete roof with wide overhangs. A concrete canopy lines the top of the first floor along the east, south, and west elevations. Fenestration includes bands of metal clerestory windows along the top of the first and second floors. The entrances consist of two metal doors with transom windows and fixed metal sidelights. Many original windows have been replaced by masonry panels; this likely occurred when the building was converted into a school in the late 1970s.

Explanation of Evaluation

8HI11790 is potentially eligible for listing in the NRHP under Criterion C in the area of architecture as a significant example of the Mid-Century Modern style adapted for suburban retail use in a subtropical climate. It was designed by the firm of Weed, Russell and Johnson, one of the foremost MiMo practitioners. While 8HI11790 has been altered to better suit its current usage as a vocational school, overall it has retained its location, design, materials, and workmanship. Moreover, its most character-defining architectural element, its concrete roof, remains intact.

Bibliography

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1993 "Then and Now With Hampton Dunn." *St. Petersburg Times*. March 3.

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2004 *Mimo: Miami Modern Revealed*. Chronicle Books, San Francisco.

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PHOTOGRAPHS

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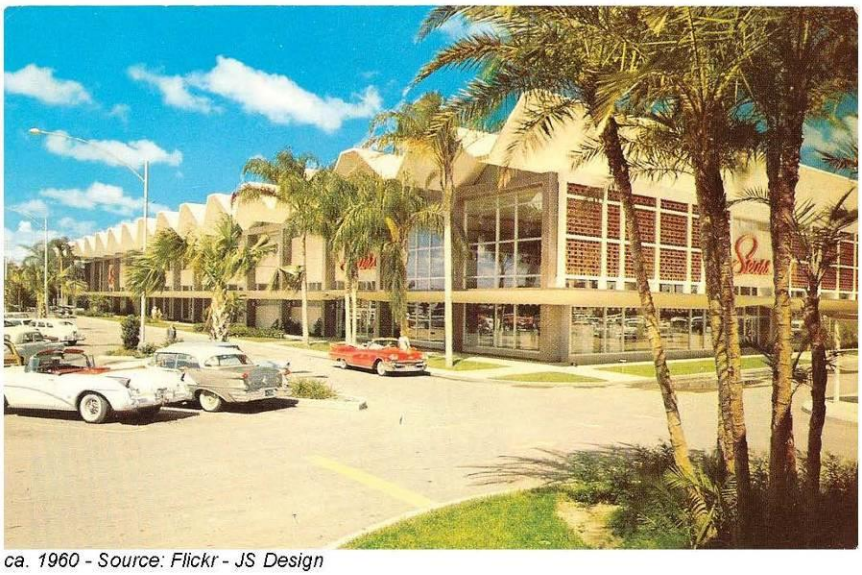

ca. 1960 - Source: Flickr - JS Design

Microsoft 2011 - *Bing Maps Hybrid*

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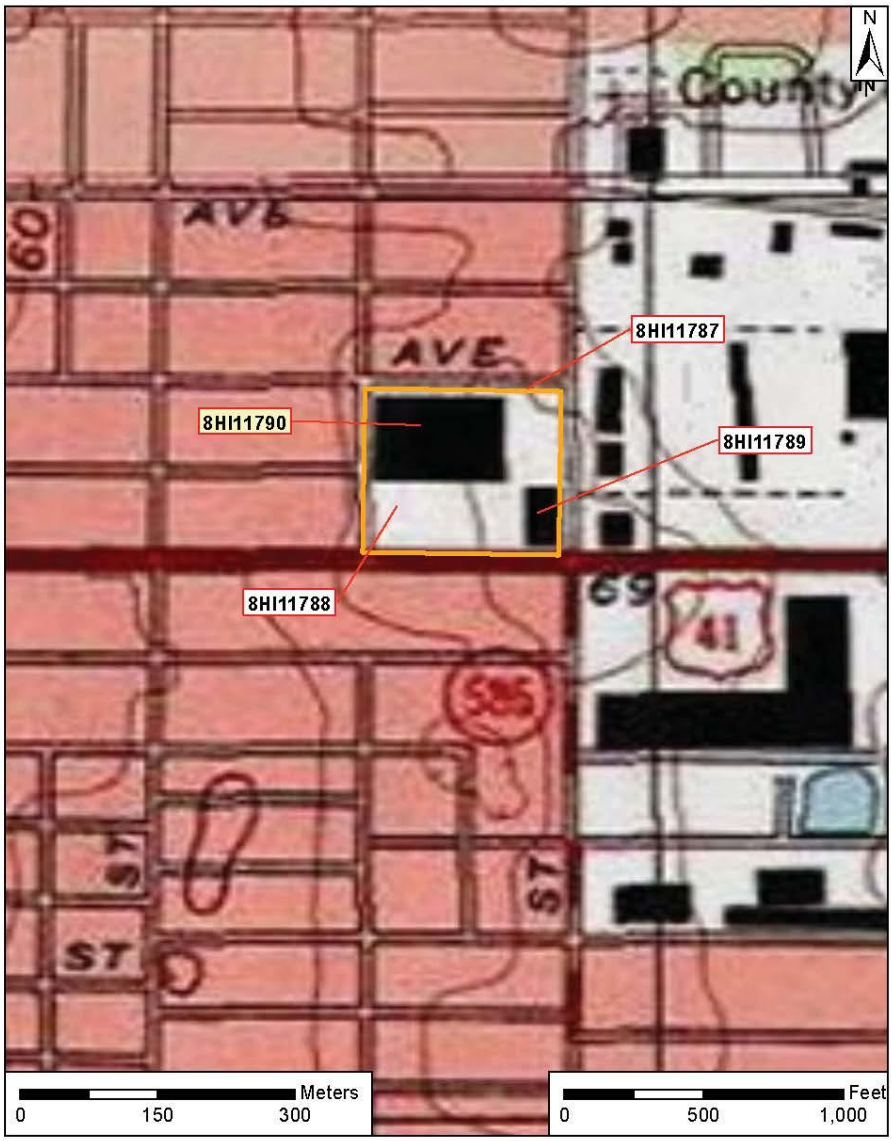
HISTORIC STRUCTURE FORM Site # **8HI11790**

USGS

Tampa
Township 28 South, Range 19 East, Section 31
National Geographic Society (2011) *USA Topo Maps*.



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CHAPTER 7
DOCUMENTING THE CRAS: REPORTS AND TECHNICAL MEMORANDA

7.0 OVERVIEW

Regardless of whether significant archaeological sites and/or historic resources were identified and evaluated, the results of all cultural resource assessment surveys must be documented. For most transportation projects, a CRAS Report, as required in Part 2, Chapter 12 of the FDOT PD&E Manual, is prepared. The CRAS Report presents the methods, findings, evaluations, and recommendations of the completed assessment survey. It conforms to the standards set forth in the FDOT's PD&E Manual, the guidelines in the *Cultural Resource Management Standards and Operational Manual*: Module 3 (2003), and Chapter 1A-46, FAC. In cases where a phased approach is taken, the CRAS Report is preceded by an Interim Report. For smaller projects with minimal cultural resource involvement, such as design studies (stormwater management facilities/floodplain compensation sites/wetland mitigation areas), a Technical Memorandum may be substituted for the CRAS Report. The type of technical support document depends upon the nature of the project.

This chapter describes the content requirements of the Interim Report, CRAS Report, and Technical Memorandum, as well as the routing procedures for distribution and review. The following sections are covered:

7.1 INTERIM REPORT CONTENTS

In the initial step of a phased CRAS, the objective is to provide a preliminary and equal analysis for all alternatives under study. The Interim Report that documents this effort includes the identification of all recorded archaeological sites and historic resources located within the APE for each alternative, including resources that are listed, determined eligible, or considered potentially eligible for listing in the NRHP. Known as well as potential resources are addressed.

In accordance with the guidance developed by the Florida Division of the FHWA, FDOT, and the DHR, the basic components of the Interim Report typically include:

Introduction and Background Research:

- A description of the study area(s)/corridor(s)/alignment(s);
- An outline or relevant research considerations identified by FHWA and the consulting parties (cf., ETDM comments);
- A description of survey methods;
- A review of the FMSF and NRHP for all known archaeological sites and historic resources, including historic districts, located in or near the project APE, with their NRHP status (listed, eligible, ineligible, not evaluated) (in table format);
- A review of previous cultural resource studies completed in and near the project APE, including the date, type, and purpose of the studies;
- Appropriate informant interviews and literature research;
- The precolumbian and historical context for the project area(s); and
- Appropriate environmental information.

Archaeological Site Analysis:

- An evaluation of precolumbian archaeological site potential, and a project-specific site location predictive model including the definition of high, moderate (medium) and low probability zones, with maps;
- The results of pedestrian reconnaissance, with or without limited archaeological testing, when appropriate;
- A discussion of historic archaeological site potential; and
- Identification of the likelihood for the occurrence of any archaeological sites potentially eligible for the NRHP under Criteria A, B, or C (i.e., sites significant for other than the data they contain), and the potential for the occurrence of TCPs.

Historic Resources Analysis:

- A discussion of the local history for evaluation of site potential and site value;
- The results of background research and pedestrian survey, including the identification of historic resources present in the project APE for each alternative, and a preliminary assessment of potential NRHP eligibility (in table format);
- A count of potentially eligible (significant) and ineligible (not significant) historic resources; and
- The potential for significant historic districts.

Findings and Recommendations:

- A comparison of archaeological site potential between the various study areas/corridors/alignments;
- A discussion of the likely involvement of each study area/corridor/alignment with significant historic resources, including buildings, structures, sites, objects, and districts; and
- Identification and discussion of the specific issues the CRAS must address in order to complete the identification and evaluation effort.

The Interim Report must contain both narrative and graphic descriptions of the project APE, including all study areas and/or project corridors/alignments; resources lists (tables) and maps; maps of archaeological probability zones; and photographic images of potentially significant resources, keyed to the maps. The tables must include all archaeological sites and historic resources previously listed or determined eligible for listing in the NRHP, the date of the listing or determination, and the NRHP criteria for which they are significant, as well as any NHLs or any other special designation sites.

7.2 CRAS REPORT CONTENTS

The standard CRAS Report is a detailed, organized, and suitably illustrated document that contains descriptions and evaluations of all cultural resources located in the project APE. For phased projects, it contains all the appropriate data included in the Interim Report. In addition to these materials, the CRAS Report must include a narrative and graphic description of archaeological survey testing results, in accordance with the predictive model, a narrative description of historical survey results with graphics, as appropriate, and a NRHP evaluation of all archaeological sites and historic resources identified in the project APE. For projects where the CRAS has resulted in the identification and evaluation of archaeological sites and/or historic resources, completed FMSF forms must be included. As appropriate, NRHP forms or expanded FMSF forms are completed and appended to the body of the report (See Section 7.4). Typically, the CRAS Report contains chapters that cover the following information:

- Project description, including location and purpose and need for the study;
- Definition of the project APE;
- Purpose of the assessment survey;
- Environmental, archaeological, and historic overviews;
- Research considerations and methods;
- Archaeological and historical survey results;
- Archaeological site and historical resources evaluations;
- References cited; and
- Appendices.

The CRAS Report typically is comprised of three major parts: the preliminary pages, the report body, and the appendices. The content requirements of each are described below.

7.2.1 Preliminary Pages

The body of the CRAS report is preceded by the title page, inside cover page, executive summary, table of contents, and lists of figures, tables, and photographs.

The **Title Page** usually contains the following information:

- Report title project name and location;

- Project numbers (i.e., work program item (WPI) segment number; federal-aid project (FAP) number);
- Sponsoring agency (i.e., FHWA, FDOT);
- Date of report - the original date the report was processed appears on the draft; the original date and revised date appear on the final; and
- Volume number - if the report consists of more than one volume, then it must be noted on the cover.

The **Inside Cover Page** has the same information included on the outside or front cover, but with some additions:

- The name of the consultants(s) performing the work; and
- The names and titles of the project personnel responsible for the report.

The **Executive Summary** follows the inside cover page and consists of a succinct but comprehensive abstract that:

- Describes the purpose and scope of the project and specifies the type of study;
- Defines the project APE;
- Notes the regulatory authorities under which the CRAS was performed;
- Notes the date(s) of investigation and the consultants who prepared the report;
- Summarizes the findings of the background research and field surveys;
- Briefly describes the previously and newly recorded cultural resources, with a focus on NRHP-listed and eligible historic properties;
- Summarizes the significance of discovered resources pursuant to NRHP criteria; and
- Recommends future actions vis-à-vis potential effects to significant cultural resources.

The **Table of Contents** varies depending on the size and complexity of the project. Standard report sections frequently are numbered sequentially. This is critical in reports that contain multiple volumes. Following is a list of components for a typical table of contents:

- Executive Summary;
- List of Figures, Tables, and Photographs (can appear together or separately);
- Introduction;
- Environmental Overview;
- Culture History Overview (Prehistory and History may be separate sections);
- Research Considerations and Methods;
- Survey Results (or separate into two sections: Archaeological Survey Results and Historic Resources Survey Results);
- Site Evaluations, Conclusions, and Recommendations;
- References Cited; and
- Appendices.

7.2.2 Report Body

The body of the report is typically divided into the following sections:

The **Introduction** is usually the first chapter or section in the report and identifies the agency responsible for the undertaking, the location and limits of the project, the purpose and need for the study, a description of the proposed undertaking, a definition of the APE, and the purpose of the CRAS. The Introduction also identifies the preparers of the report, the survey date(s), and regulatory requirements and applicable research and reporting standards. An example Introduction follows:

> *The US 301 corridor, classified as Rural Other Principal Arterial within the project limits, extends from CR 675 (MP 10.457) to 78th Street East (MP 11.055) and from 82nd Street East (MP 11.321) to Moccasin Wallow Road (MP 11.669). It is currently a two-lane undivided roadway with 12-foot (ft) travel lanes, five-ft paved shoulders, and roadside ditches. US 301 from 78th Street East to 82nd Street East is currently a five-lane, parabolic crown section with 11-ft center and inside lanes, 14-ft outside lanes, Type F curb and gutter, and sidewalk. The roadway is centered within 80 ft of ROW from CR 675 to north of 83rd Street East. From north of 83rd Street East to Moccasin Wallow Road, the roadway is centered within 200 ft of ROW.*
>
> *The proposed roadway will be continuous throughout the project limits and consist of 11-ft center and inside lanes, 14-ft outside lanes, Type D curb, and six-ft sidewalks adjacent to the curb. The proposed design speed and posted speed is 40 mph. The proposed typical section will consist of maintaining the existing roadway alignment, overbuild to provide proper grading, and widening on both sides of the roadway. The existing five-lane section from MP 11.055 to MP 11.321 will be milled, resurfaced, and overbuilt to correct the cross slope. The Type F curb and gutter will be replaced with Type D curb. No mainline ROW acquisition is anticipated for this project. In addition, pond sites for this project include two off-site ponds (1-A-1 and 2-A) and four linear ponds (4-C-1, 4-C-2, 4-C-3b and 4-C-4) within the ROW, for a total of 2.84 acres.*
>
> *The purpose of the CRAS was to locate and identify any prehistoric and historic period archaeological sites and historic structures located within the project APE, and to assess their significance in terms of eligibility for listing in the NRHP.*
>
> *The historical/architectural and archaeological surveys were conducted between January and October 2011. Field surveys were preceded by background research. Such work served to provide both an informed set of expectations concerning the kinds of cultural resources, which might be anticipated to occur within the project area as well as a basis for evaluating any new sites discovered.*
>
> *This survey complies with Section 106 of the National Historic Preservation Act of 1966 (Public Law 89-665), as amended (January 2001 revision); the Archaeological*

and Historic Preservation Act, as amended by Public Law 93-291; Executive Order 11593; and Chapters 267 and 373, Florida Statutes (FS). All work carried out in conformity with Part 2, Chapter 12 ("Archaeological and Historical Resources") of the Florida Department of Transportation's (FDOT) Project Development and Environment (PD&E) Manuel (January 1999 revision), and the standards contained in the Cultural Resource Management Standards and Operational Manual (Florida Division of Historical Resources [FDHR]) 2003.

The APE for the archaeological survey was defined as the existing ROW and the final pond sites; these include four linear ponds within the existing ROW and two offsite ponds. For the historic structures survey, the APE was defined as the existing ROW, and 200 ft on either side of the existing US 301 centerline, as well as the offsite pond sites.

Graphics typically include a project location map depicting the location and limits, as well as a figure showing the boundary of the APE for both archaeological sites and historic resources. Since the CRAS is normally conducted as part of a larger PD&E Study or other multi-disciplinary effort, the project location map and project description, including the purpose and need statement, should be consistent in content with other project documents.

The **Environmental Overview** is based on data obtained during the background research. It identifies natural and cultural features that characterize the project area, and documents environmental changes that may have influenced the distribution of precontact and historic sites. The environmental overview also provides a description and discussion of past and present environmental conditions in terms of their relationship to the occurrence or potential occurrence of precontact and historic sites. Relevant environmental features may include:

- Topography;
- Geology;
- Physiography;
- Hydrology;
- Soils;
- Vegetation;
- Paleoenvironmental conditions;
- Natural resources such as chert and clay; and
- Existing conditions (e.g., general land uses; noteworthy alterations).

Graphics for this section usually include a USGS quadrangle map and/or a soil survey map of the project area to identify salient environmental features. Tables identifying various types of soils, vegetation, and drainage characteristics within the APE also may be included.

The **Culture History Overview** provides a summary of regional prehistory and history based on the archaeological and historic record, beginning with the Paleoindian Period and concluding with the recent past. The primary objective of this narrative is to provide a context sufficient for the

evaluation of the NRHP eligibility of all archaeological sites and historic resources identified within the project APE through an examination of key historical events, trends, and persons. The overview may be divided into two separate chapters to address the prehistory and history.

The overview of prehistory focuses on regional contexts, chronologies, research questions, and site types drawn from Florida's Historic Contexts (DHR draft 1992), and other standard discussions of Florida prehistory, such as *Florida Archaeology* (Milanich and Fairbanks 1980), *Archaeology of Precolumbian Florida* (Milanich 1994), *Late Prehistoric Florida Archaeology at the Edge of the Mississippian World* (Ashley and White 2012), *The Archaeology of the Everglades* (Griffin 2002), and *The Archaeology of the Florida Gulf Coast* (Willey 1998); journal articles (e.g., *The Florida Anthropologist*, *Southeastern Archaeology*); and other relevant materials.

The precontact overview section may include a figure depicting the location of regional culture areas/archaeological regions (e.g., Milanich and Fairbanks 1980:22; Griffin 2002:121) in relation to the transportation project location, as well as a table summarizing the local succession of culture periods (e.g., Milanich and Fairbanks 1980:23).

The historical overview section identifies the salient events, structures, locales, and individuals associated with the historic development and land use patterns in the project area, with emphasis on the historical developments along the transportation corridor. It must be sufficient to form the context for the evaluation of significance for all identified historic resources in the project APE. It draws on the historic contexts presented in several standard references of Florida history such as *A History of Florida* (Tebeau 1980), *The New History of Florida* (Gannon 1996), and *A Short Story of Florida* (Gannon 2003), as well as county and local historical accounts. It is broad enough to address issues such as regional exploration, colonization, settlement, industry, and transportation, but emphasizes local developmental trends and significant persons and events, particularly as they relate to historic resources within or near the project APE.

The historic overview section often includes figures and photographs, such as:

- Federal Surveyor's Plats;
- 19th Century Railroad Maps;
- Subdivision Plats;
- Sanborn Maps;
- Early-20th Century Maps;
- City Plats;
- Coast and Geodetic Survey Maps;
- Land Ownership Maps; and
- Historic Aerial Photographs.

The **Research Considerations and Methods** section is based, in part, on the environmental and culture history overviews. It takes into account the many factors that will influence the archaeological and historical field surveys, such as the project type (road widening/proposed ponds/bridge replacement/ROW transfer, etc.), location (urban/rural), land use, and access issues. For

projects with a phased approach, most of this information should have already been gathered and summarized in the Interim Report. Update as needed, and incorporate into the CRAS Report.

Typically, the archaeological considerations contained in this section include research questions relevant to the geographic area and temporal periods, the probability for the occurrence of archaeological sites of both the precontact and historic periods and their anticipated locations, the expected resource types, and the methodology proposed to locate such resources. If relevant to the project, the potential for underwater archaeological resources also may be included.

A detailed discussion of the anticipated archaeological field methods should include the specific sampling strategy and rationale. Specifically address which localities are deemed to have high, moderate, and low site potential, and how subsurface testing will be carried out in each probability zone. The methods for determining site type, condition, and boundaries also are included, as well as the steps taken in the event of the inadvertent discovery of human remains.

For the historic resources survey, include a detailed discussion of the field methodology. Also note which historical archives and other repositories of information were visited, as well as the names of informants.

Graphics for the research considerations and methods section typically include the following:

- Pertinent USGS quadrangle map(s) on which probability zones for archaeological sites are delineated, as detailed in the research design;
- Table(s) and/or map(s) noting the location, type, and chronological placement of previously recorded archaeological sites within and proximate to the project APE. Normally, recorded archaeological sites within one or two miles are considered; and
- Table(s) and/or map(s) illustrating the location of previously recorded historic resources, including structures, bridges, cemeteries, resource groups, etc., noting NRHP-listed/eligible properties and districts within and proximate to the project APE.

The **Survey Results/Site Evaluations** section presents a description of each previously recorded and newly identified archaeological site and historic resource within the project APE. The findings of the background research are incorporated in evaluating the site(s) significance in terms of NRHP eligibility. If numerous archaeological sites and historic structures are found within the project APE, this section of the report is commonly divided into two separate chapters, "Archaeological Survey Results" and "Historic Resources Survey Results."

The **Archaeological Survey Results** section begins with a summary paragraph noting the number of shovel tests dug, the number of sites found, and a general statement briefly categorizing the precontact and historic archaeological sites identified and assessed, including the FMSF numbers assigned to these resources. For example:

Archaeological field survey entailed both ground surface reconnaissance and the excavation of 327 subsurface shovel tests. Of these, 154 were excavated systematically at 25 m (82 ft) intervals in zones of high archaeological probability, 75 were dug at 50 m (164 ft) intervals in areas of moderate probability, and 19 were placed at 100 m (330 ft) intervals within a sample of the low probability zones. Also, 54 shovel tests were excavated systematically at 10 m (33 ft) intervals to define site boundaries, and 25 were judgmentally placed along the corridor in areas where systematic testing was not practicable. As a result of these efforts, a total of seven archaeological sites were identified within the project APE, including one previously recorded site (8XX0001) and five new sites (8XX1005-8XX1009). The six sites include two artifact scatters and four lithic scatters. None is considered potentially eligible for listing in the NRHP due to their commonality of type and low research potential. The locations of these sites are depicted in Figure X; completed FMSF forms are contained in Appendix X. Site descriptions follow.

The detailed description of each newly discovered or updated site should include the following information:

- FMSF number and site name;
- Site location (Township, Range, and Section);
- Location of site in relation to proposed undertaking (e.g., within existing ROW in Segment 1; adjacent to proposed Pond 2C);
- Description of the site environment, including elevation above mean sea level (amsl), soil type, local vegetation, nearest fresh water source, and disturbances (e.g., cleared for pasture; underground utilities);
- Site stratigraphy;
- Means of site discovery (e.g., previously recorded, surface examination, systematic shovel testing at a 25 m (82 ft) interval, informant information, etc.);
- Nature of the cultural resource, including site size (areal extent), depth of cultural deposit, types and numbers of artifacts recovered, cultural features encountered, site type, and period of site use; and
- Discussion of site integrity and significance as per NRHP eligibility criteria.

The following types of figures and tables are usually included in this section:

- Site location map (USGS quadrangle map or aerial) depicting previously and newly recorded sites, each clearly identified by FMSF number;
- Maps depicting the location of all shovel tests; and
- Summary table listing recorded sites by site name, FMSF number, location, type, period, NRHP eligibility, etc.

The **Historic Resources Survey Results** section is treated similarly. In a summary paragraph, describe the number and type(s) of updated and newly identified historic resources, including FMSF numbers, and briefly describe each by address, construction date, architectural style,

present use, historic context, and defining physical characteristics. An example summary paragraph follows:

> ***Historical*** *background research indicated an absence of previously recorded* ***historic resources*** *within the project APE. One NRHP-eligible historic resource, the Yardage Unlimited Building (8PI487), is located proximate to, but outside, the project APE. As a result of field survey, 12 historic resources (8PI12010, 8PI2012-12016, and 8PI12021-8PI12026) were newly identified, recorded, and evaluated. These include two resource groups, Barney's Mini Storage (8PI12013) and Derby Lane (8PI12021); seven buildings (8PI12012, 8PI12014-8PI12016, 8PI12024-8PI12026), which date between ca. 1948 and 1963; one structure, the Derby Lane Grandstand (8PI12023); one site, the Derby Lane Track (8PI12022); and the Garden of Peace Cemetery (8PI12010). Nine of the newly identified historical resources (8PI12010-8PI12016 and 8PI12024-8PI12026) are not considered potentially eligible for listing in the NRHP due to their commonality of design and lack of significant historical associations with persons or events.*

Follow the introductory summary with a detailed description of each resource. Content requirements will vary by resource type. For most historic buildings and structures, provide the following information:

- FMSF number and name (if applicable);
- Address;
- Architectural style;
- Construction date;
- Physical description including form, construction material, additions, alterations, and notable features; and
- Significance evaluation according to the NRHP eligibility criteria.

For example:

> *The Derby Lane Historic District resource group (8PI12021) is considered potentially eligible for listing in the NRHP as a historic district under Criterion A in the area of Recreation and Entertainment. The period of significance is from 1925, when the track opened, until 1963. As the oldest continuously operating greyhound racing track in the United States, Derby Lane has been a local landmark for nearly a century. The potential historic district includes two contributing resources, the Derby Lane Track (8PI12022) and the Derby Lane Grandstand (8PI12023). 8PI12022, the oval track, was built circa 1925, and modified (elevated and banked) in 1949. It is the only feature, still extant today, which was present when Derby Lane opened in 1925. 8PI12023, a four-story Masonry Vernacular style concrete and steel grandstand, was built ca. 1949 to replace the original wooden grandstand that stood at the same location, due north of the track. Both the track and replacement*

grandstand retain their integrity of location, design, setting, materials, workmanship, feeling, and association.

The potential historic district contains six noncontributing resources, which largely post-date the period of significance: the odds board (ca. 1949; modified in 1965), the Club Plaza (ca. 1976), the Derby Club (ca. 1967), the paddock (ca. 1967), the kennels (ca. 1990), and an entrance sign (2004). These buildings, structures, and object did not play a significant role in Derby Lane's history.

While the northern boundary of the potential historic district abuts SR 694, the two contributing resources which embody the historical significance of Derby Lane, the Derby Lane Track (8PI12022) and the Derby Lane Grandstand (8PI12023), are buffered from SR 694 by an expansive parking lot. Located within the proposed historic district boundary, the parking lot has been modified, and no longer reflects its appearance from the period of significance. The grandstand, which marks the main entrance, and the track to its south, are located more than 800 feet to the south of SR 694. In addition, the original entrance was relocated circa 2001. Thus, it does not appear that the historic resources which contribute to the significance of the potential Derby Lane Historic District will be affected by the SR 694 improvement project.

The following types of figures and tables are usually included in the historic resources survey results section:

- Site location map (USGS quadrangle map or aerial) illustrating previously and newly recorded historic resources, each clearly identified by FMSF number;
- Summary table listing recorded historic resources by FMSF number, property name (if appropriate), address, architectural style, use, date of construction, and NRHP eligibility; and
- Photograph of each historic resource, or, if appropriate, photographs of each NRHP-listed, eligible, and potentially eligible property, and representational photographs of the other resources.

The **Conclusions and Recommendations** section provides a summary of the findings of the field surveys, including statements about the NRHP eligibility of identified resources. In addition, this section includes recommendations regarding potential project impacts. A sample conclusion and recommendation statement follows:

This technical memorandum details the results of a CRAS in support of the US 301/SR 200 Baldwin Bypass in Duval County, Florida. FDOT District 2 proposes to construct a bypass around the town of Baldwin due to heavy traffic congestion in this area. The present study was conducted to address proposed right-of-way that was not included in either of two previous CRAS reports (FMSF Nos. 18030 and 18385) relating to the US 301 Baldwin Bypass project. For this project, the APE was defined

to include the previously unsurveyed portion of the proposed right-of-way, or up to 100 meters (330 feet) to either side of the proposed right-of-way line. The archaeological survey was conducted within the proposed construction areas (i.e., the right-of-way); the architectural history survey included the entire APE.

Thirteen shovel tests were excavated throughout the proposed right-of-way. No artifacts were recovered from any of the shovel tests, and no archaeological sites or archaeological occurrences were identified within the project APE.

The architectural survey resulted in the identification and evaluation of six historic resources. Two resources (8DU21021 and 8DU21022) were previously recorded and four resources (8DU21343 and 8DU21345-8DU21347) were newly identified during the current survey. All of the historic resources lack the architectural distinction or significant historical associations necessary to be considered for listing in the NRHP and are recommended ineligible. No potential NRHP districts were located due to the lack of concentration of historic structures.

No cultural resources listed or eligible for listing in the NRHP were identified within the Baldwin Bypass Alternative B, Option 2 APE. No further work is recommended.

References Cited: All references, including books, articles, manuscripts, maps, interviews, and other data sources cited in the body of the report, are included in the References Cited section. Select a style guide (e.g., *The Chicago Manual of Style*), and use it to standardize your citation format. Be sure each reference specified in the body of the report is included in the References Cited section. Reference omissions are one of the most common report deficiencies, and are easily spotted by FDOT quality assurance reviewers.

Appendices: Most CRAS Reports include appendices that contain such materials as relevant correspondence; FMSF forms; NRHP forms or expanded FMSF forms for potentially eligible archaeological sites and historic resources; copies of NRHP nomination forms for any previously listed or determined eligible historic property located within the APE; artifact listings; permits; and a Survey Log Sheet.

7.3 TECHNICAL MEMORANDUM CONTENTS

A Technical Memorandum may be an appropriate substitute for a CRAS Report in cases of minor projects with a minimal APE and either no or minimal involvement with cultural resources. These projects may include design studies (proposed pond and wetland mitigation siting); ROW transfers; PD&E reevaluations; and historic structure update surveys. For projects where a CRAS Report has already been prepared, the Technical Memorandum should reference this document, and not repeat such information as the environmental and cultural overviews.

The Technical Memorandum should include the following information:

- Project name, location, description, purpose, and need;
- Purpose of the CRAS, definition of the project APE, relevant regulatory authorities, and who performed the work and when;
- Research considerations and methods, including an archaeological site location predictive model;
- Results of background research, including a description of previously recorded archaeological sites and historic resources located within and near the project APE, and their status in regard to NRHP eligibility, including the date of the SHPO evaluation;
- Survey expectations vis-à-vis cultural resource potential;
- Field survey findings (archaeological and historic resources), including a description and evaluation of each site identified);
- Conclusions and recommendations;
- References cited; and
- Completed Survey Log Sheet, as well as FMSF forms and NRHP forms (if applicable).

7.4 DOCUMENT DELIVERABLES

7.4.1 Draft and Final Documents

For all projects with federal involvement, FDOT provides the Interim Report, CRAS Report, and/or Technical Memorandum to FHWA for review and comment. Once FHWA concurs with the findings and recommendations, FHWA will forward the report/memorandum to the SHPO and all other consulting parties for their comments on the sufficiency of the document and its findings and recommendations, including the significance determinations. At their discretion, FHWA may delegate the transmittal of the report/memorandum and supporting documents directly from FDOT to the SHPO. For projects with no federal involvement, where FDOT serves as the lead agency for the purposes of compliance with Chapter 267, FS, FDOT provides the document directly to the SHPO.

In accordance with the joint FHWA/FDOT/DHR guidance for conducting phased cultural resource assessment surveys, "if the SHPO or any other consulting parties determine or opine that the report and/or survey efforts do not meet the requirements of the NHPA, then the SHPO or other consulting parties shall inform the FHWA." FHWA and FDOT will review the matter and consult with the other parties as appropriate under the law. "Any dispute arising in the application of that standard will need to be addressed through the standard dispute resolution processes outlined in 36 CFR Part 800."

In most circumstances, FHWA and the SHPO will accept the submission of electronic files for the Interim Report, as well as electronic photographs.

7.4.2 Accompanying Materials

Along with the technical support document proper, a hard copy of the completed Survey Log Sheet is required for each project, even in cases where no cultural resources have been identified. Where applicable, a set of original FMSF forms and/or original NRHP forms must accompany the document for submittal to the SHPO. The SHPO also requires corresponding electronic image files of the Survey Log Sheet, FMSF and NRHP forms, and photographs of non-archaeological resources to accompany the hard copies. These must be saved as JPEG (Joint Photographic Experts Group) or uncompressed TIFF (Tagged Image File format) files on CD media.

Survey Log Sheet: The FMSF requires all submitted manuscripts and survey reports to be accompanied by a Survey Log Sheet, including the appropriate USGS quadrangle map marked with the location of the project APE (**Exhibit 7.1**). Submit the Survey Log Sheet with the final report as both hard copy and electronic copy on CD. Blank Survey Log Sheets and instructions can be obtained from the FMSF office in Tallahassee and on-line.

FMSF Forms: A complete set of original FMSF forms also are submitted with the final report in both hard copy and electronic format. The FMSF requires photographic documentation of resources as a component of Historical Structure, Historical Bridge, Historical Cemetery, and Resource Group forms. Photographic documentation is not required for Archaeological Site forms. Photographs may be submitted as a digital image file on CD or as archival Black and White photographic prints. In either case the overall quality of the image (resolution, exposure, texture, focus, etc.) should be sufficient to display architectural details, where applicable. Such details include, but are not limited to, ornamentation, window types, masonry patterns and materials, and distinctive roof materials. Digital Image Files should include the site number as part of the file name and must adhere to the following specifications:

- **Size/Resolution** of 1600 x 1200 pixels at 300 ppi (pixels per inch) or larger. This works out to approximately 2 megapixels.
- **Color Format**: RGB (Red Green Blue) color saved at 8-bit (or larger) per channel format. This results in a 24-bit color image (8-bits each for the Red, Green, and Blue channels).
- **File Format**: JPEG or uncompressed TIFF files are acceptable. Note that there are different levels of JPEG compression and that low or medium compression should be used when saving files in JPEG format. High JPEG compression may result in unacceptable image quality. (Note: 24-bit color JPEG images are the default image format for most digital cameras. Image resolution and compression are usually adjustable and should be checked prior to capturing images for submission to the FMSF office).

If archival Black and White photographic prints are submitted, the FMSF requires a glossy photographic print produced by photographic chemistry on a quality Black and White photographic paper. Color photographic paper is not acceptable because it does not meet the stability requirements

for archival storage. Paper rated for at least a 50-year life is acceptable. The print must be at least 3”x5,” show detail without magnification, and show further detail under low magnification.

If an expanded FMSF form is used to request a DOE, the form can be attached to the CRAS as a separate appendix.

In the case of historic districts, the FMSF Resource Group Form for the district will be followed by the individual FMSF forms for each historic resource, whether contributing or noncontributing. These forms can be attached as a separate appendix from resources not within the district boundaries, if appropriate.

NRHP Forms: At the discretion of the FDOT Project Manager, a DOE request for a newly-recorded resource evaluated as potentially eligible for the NRHP can take the form of a completed NRHP Registration Form (NPS Form 10-900), filled out according to the instructions in NRB 16. In such an instance, also attach the completed FMSF form for the individual resource or the completed forms for the district and the individual resources within its boundaries to the NRHP form.

If a previously recorded resource has a NRHP Registration Form on file at the FMSF or NRHP, either because it is listed in the National Register or was determined eligible, a copy of the NRHP Registration Form is included a separate appendix to the CRAS along with its updated FMSF form.

7.4.3 Use in Other Environmental Documents

The CRAS may be conducted as part of a larger transportation project that requires the completion of either an Environmental Assessment (EA) or an EIS to meet the requirements of NEPA. The Interim Report findings are included in the DEIS (when appropriate) for the project, and the DEIS should reference or include the report as an appendix or supporting document. In this way, the potential impacts of the various alternatives on historic properties can be included in the overall NEPA analysis used in developing the preferred alternative for the project. The CRAS Report findings are incorporated into the FEIS.

7.5 DOCUMENT DISTRIBUTION

7.5.1 Document Routing Procedures

All CRAS reports are submitted in both draft and final forms. The CRAS documents are prepared by a CRM consultant on behalf of FDOT, and are ultimately submitted to the SHPO by FHWA for projects with federal involvement. Pertinent information concerning the path of distribution follows. The steps to follow for the transmittal of draft and final Interim Reports, CRAS Reports, and Technical Memoranda are essentially the same; the process is summarized below. All documents are submitted under cover of a **letter of transmittal** prepared by FDOT, as described in **Section 7.5.2**.

Step 1: The CRM consultant prepares the draft document, with accompanying materials (e.g., FMSF forms, NRHP forms, Survey Log Sheet) and provides to the FDOT Project Manager for review.

Step 2: The FDOT Project Manager or his/her designee reviews the document and requests changes, if needed. If changes are needed, the document is returned to the consultant, revisions are made, and the document is resubmitted to FDOT, along with an original set of FMSF forms, NRHP forms, and a Survey Log Sheet.

Step 3: FDOT submits the revised report and associated materials to FHWA (for federally-involved projects) for review, along with a cover transmittal letter. If there is no federal involvement, FDOT submits the package to the SHPO for review (skip Steps 4 and 5).

Step 4: FHWA reviews the general findings, the determinations of significance, and the recommendations. If there is a disagreement with FDOT's findings, FHWA and FDOT work to resolve the differences. Revisions may be required.

Step 5: Once the report is acceptable to FHWA, the agency head signs the signature block of the letter of transmittal and submits the report and letter to the SHPO and consulting parties for review and concurrence.

Step 6: The SHPO reviews the document and provides comments, as appropriate. If unacceptable, the agencies consult, and agreed upon revisions are made.

Step 7: After the SHPO determines the documentation to be complete and sufficient, he/she signs the signature block of the letter of transmittal and provides the letter to FDOT for execution.

7.5.2 Letters of Transmittal

The letter of transmittal from FDOT to FHWA, which accompanies the CRAS report package, should contain standard summary information. The list of recommended inclusions, which follows, is keyed to the sample letter of transmittal provided in **Exhibit 7.2**.

#1 In the subject line, provide the project name, location and limits; project phase (e.g., PD&E Study); and identifying state and federal project numbers, as applicable;
#2 Project description;
#3 Definition of project APE for both archaeological sites and historic resources;
#4 Regulatory authorities for the CRAS;
#5 Summary results of the background research, including the number of archaeological sites and historic resources previously recorded, and their NRHP status (listed, eligible);

#6 Summary results of the field surveys, including the identification of all NRHP-listed and eligible historic properties, and all those newly identified as potentially eligible;

#7 Summary of potential project effects to significant cultural resources;

#8 Closing statement, including a request for FHWA concurrence as per the evaluation of NRHP eligibility, as well as a request that the report and accompanying materials be submitted to the SHPO;

#9 A list of enclosed documents; and

#10 Signature and comment block.

If there is no FHWA involvement, the same letter is prepared. However, it is addressed to the SHPO and will only require the SHPO's signature. A sample signature block for this type of letter follows:

The Florida State Historic Preservation Officer finds the attached Cultural Resources Assessment Report complete and sufficient and concurs with the recommendations and findings provided in this cover letter for SHPO/DHR Project File Number _____.

_____ _____

[*Name*] Date

State Historic Preservation Officer

Florida Division of Historical Resources

EXHIBIT 7.1
SURVEY LOG SHEET

Ent D (FMSF only) _____

Survey Log Sheet

Florida Master Site File
Version 4.1 1/07

Survey # (FMSF only) 18835

Consult *Guide to the Survey Log Sheet* for detailed instructions.

Identification and Bibliographic Information

Survey Project (name and project phase) CRAS Update SR 40 from CR 328 to SW 80th Avenue Marion County, Florida

Report Title (exactly as on title page) Cultural Resource Assessment Survey Update SR 40 from CR 328 to SW 80th Avenue Marion County, Florida

Report Authors (as on title page, last names first) 1. Chambless, Elizabeth J. 2. Salo, Edward G. 3. VanDyke, Ryan M. 4. _____

Publication Date (year) 2012 **Total Number of Pages in Report** (count text, figures, tables, not site forms) 53

Publication Information (Give series, number in series, publisher and city. For article or chapter, cite page numbers. Use the style of *American Antiquity*.)
On File at FL DHR and SEARCH, Newberry, FL

Supervisors of Fieldwork (even if same as author) Names Chambless, Elizabeth J.

Affiliation of Fieldworkers: Organization Southeastern Archaeological Research City Pensacola, FL

Key Words/Phrases (Don't use county name, or common words like *archaeology, structure, survey, architecture, etc.*)

1. Martel 2. Cotton Plant 3. State Road 40 4. Martel Depot 5. lithic scatter 6. _____ 7. _____ 8. _____

Survey Sponsors (corporation, government unit, organization or person directly funding fieldwork)

Name _____ Organization Florida Dept of Transportation - District 5

Address/Phone/E-mail DeLand, FL

Recorder of Log Sheet VanDyke, Ryan M. **Date Log Sheet Completed** 2-3-2012

Is this survey or project a continuation of a previous project? ☐No ☒Yes: **Previous survey #s (FMSF only)** 4620

Mapping

Counties (List each one in which field survey was done; attach additional sheet if necessary)

1. Marion 2. _____ 3. _____ 4. _____ 5. _____ 6. _____

USGS 1:24,000 Map Names/Year of Latest Revision (attach additional sheet if necessary)

1. Name COTTON PLANT Year 1991
2. Name _____ Year _____
3. Name _____ Year _____
4. Name _____ Year _____
5. Name _____ Year _____
6. Name _____ Year _____

Description of Survey Area

Dates for Fieldwork: Start 10-25-2011 End 12-5-2011 **Total Area Surveyed** (fill in one) _____ hectares 341 acres

Number of Distinct Tracts or Areas Surveyed 2

If Corridor (fill in one for each) **Width:** _____ meters _____ feet **Length:** _____ kilometers _____ miles

Survey Log Sheet

Survey # 18835

Research and Field Methods

Types of Survey (check all that apply): ☒archaeological ☒architectural ☐historical/archival ☐underwater ☐damage assessment ☐monitoring report ☐other(describe): _____

Scope/Intensity/Procedures Shovel tests were excavated at 25m intervals within proposed pond footprints and measured approximately 50 cm in diameter, excavated to a minimum depth of 100 cmbs, and sediments screened through 1/4" mesh hardware cloth.

Preliminary Methods (check as many as apply to the project as a whole)

☐Florida Archives (Gray Building)	☐library research- *local public*	☒local property or tax records	☒other historic maps
☐Florida Photo Archives (Gray Building)	☒library-special collection - *nonlocal*	☒newspaper files	☒soils maps or data
☒Site File property search	☐Public Lands Survey (maps at DEP)	☒literature search	☐windshield survey
☒Site File survey search	☒local informant(s)	☐Sanborn Insurance maps	☒aerial photography

☐other (describe): _____

Archaeological Methods (check as many as apply to the project as a whole)

☐Check here if **NO** archaeological methods were used.

☐surface collection, controlled	☐shovel test-other screen size	☐block excavation (at least 2x2 m)
☐surface collection, uncontrolled	☐water screen	☐soil resistivity
☒shovel test-1/4"screen	☐posthole tests	☐magnetometer
☐shovel test-1/8" screen	☐auger tests	☐side scan sonar
☐shovel test 1/16"screen	☐coring	☒pedestrian survey
☐shovel test-unscreened	☐test excavation (at least 1x2 m)	☐unknown

☐other (describe): _____

Historical/Architectural Methods (check as many as apply to the project as a whole)

☐Check here if **NO** historical/architectural methods were used.

☐building permits	☐demolition permits	☐neighbor interview	☐subdivision maps
☐commercial permits	☒exposed ground inspected	☒occupant interview	☐tax records
☐interior documentation	☒local property records	☐occupation permits	☐unknown

☒other (describe): pedestrian and windshield survey

Survey Results (cultural resources recorded)

Site Significance Evaluated? ☒Yes ☐No

Count of Previously Recorded Sites 5 **Count of Newly Recorded Sites** 5

Previously Recorded Site #'s with Site File Update Forms (List site #'s without "8". Attach additional pages if necessary.) MR01424, MR02411, MR02419, MR03401, MR03403

Newly Recorded Site #'s (Are all originals and not updates? List site #'s without "8". Attach additional pages if necessary.) MR03658, MR03659, MR03660, MR03664, MR03665

Site Forms Used: ☐Site File Paper Form ☒Site File Electronic Recording Form

*****REQUIRED: ATTACH PLOT OF SURVEY AREA ON PHOTOCOPY OF USGS 1:24,000 MAP(S)*****

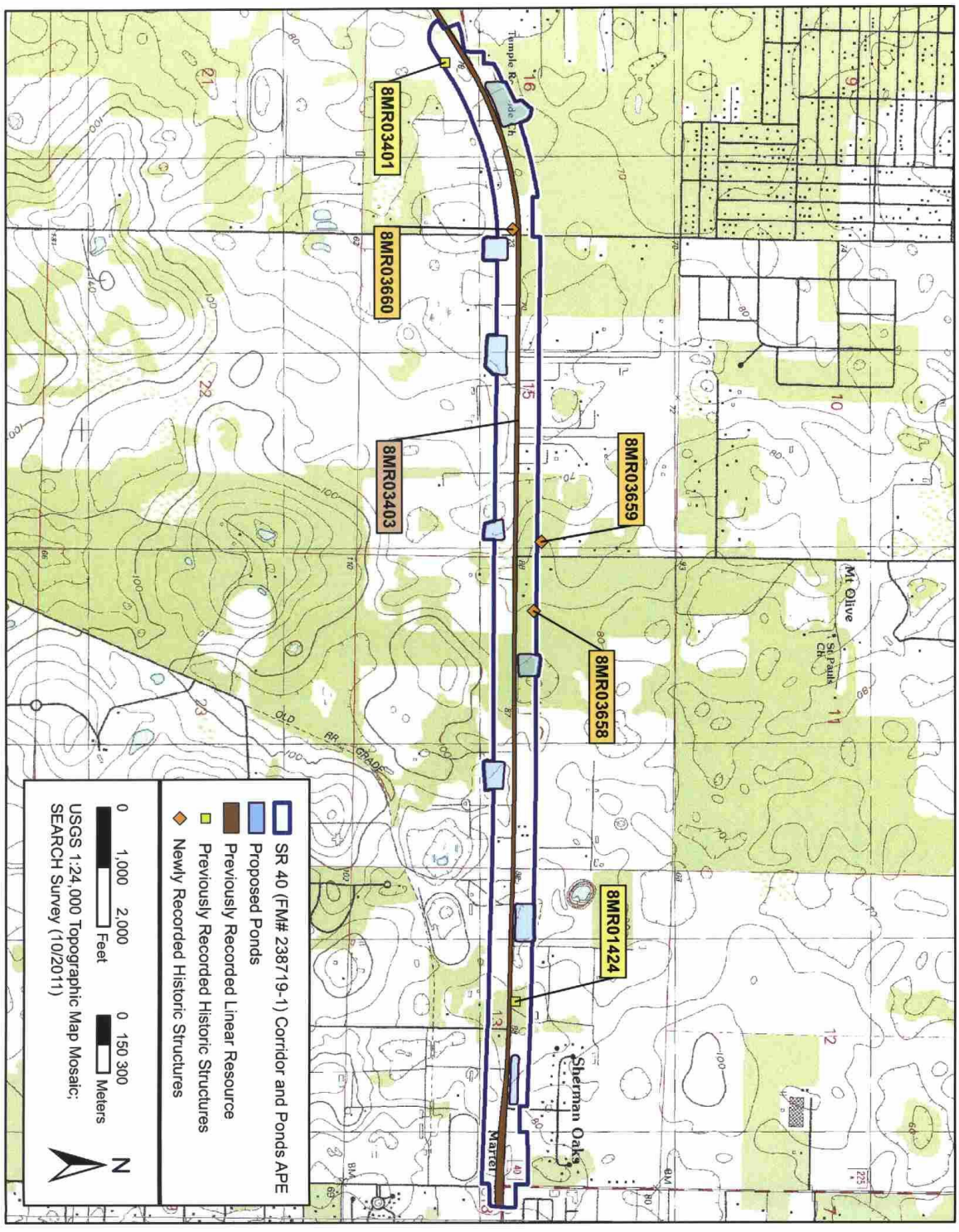
SHPO USE ONLY **SHPO USE ONLY** **SHPO USE ONLY**

Origin of Report: ☐872 ☐CARL ☐UW ☐1A32 # _____ ☐Academic ☐Contract ☐Avocational ☐Grant Project # _____ ☐Compliance Review: CRAT # _____

Type of Document: ☐Archaeological Survey ☐Historical/Architectural Survey ☐Marine Survey ☐Cell Tower CRAS ☐Monitoring Report ☐Overview ☐Excavation Report ☐Multi-Site Excavation Report ☐Structure Detailed Report ☐Library, Hist. or Archival Doc ☐MPS ☐MRA ☐TG ☐Other: _____

Document Destination: _____ **Plotability:** _____

HRSE068R0107 Florida Master Site File, Division of Historical Resources, Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250
Phone 850-245-6440, FAX 850-245-6439, Email: SiteFile@dos.state.fl.us


8MR03401
8MR03660
8MR03403
8MR03659
8MR03658
8MR01424
Mt Olive
Sherman Oaks
Martel
SR 40 (FM# 238719-1) Corridor and Ponds APE
Proposed Ponds
Previously Recorded Linear Resource
Previously Recorded Historic Structures
Newly Recorded Historic Structures
0 1,000 2,000 Feet
0 150 300 Meters
N
USGS 1:24,000 Topographic Map Mosaic; SEARCH Survey (10/2011)

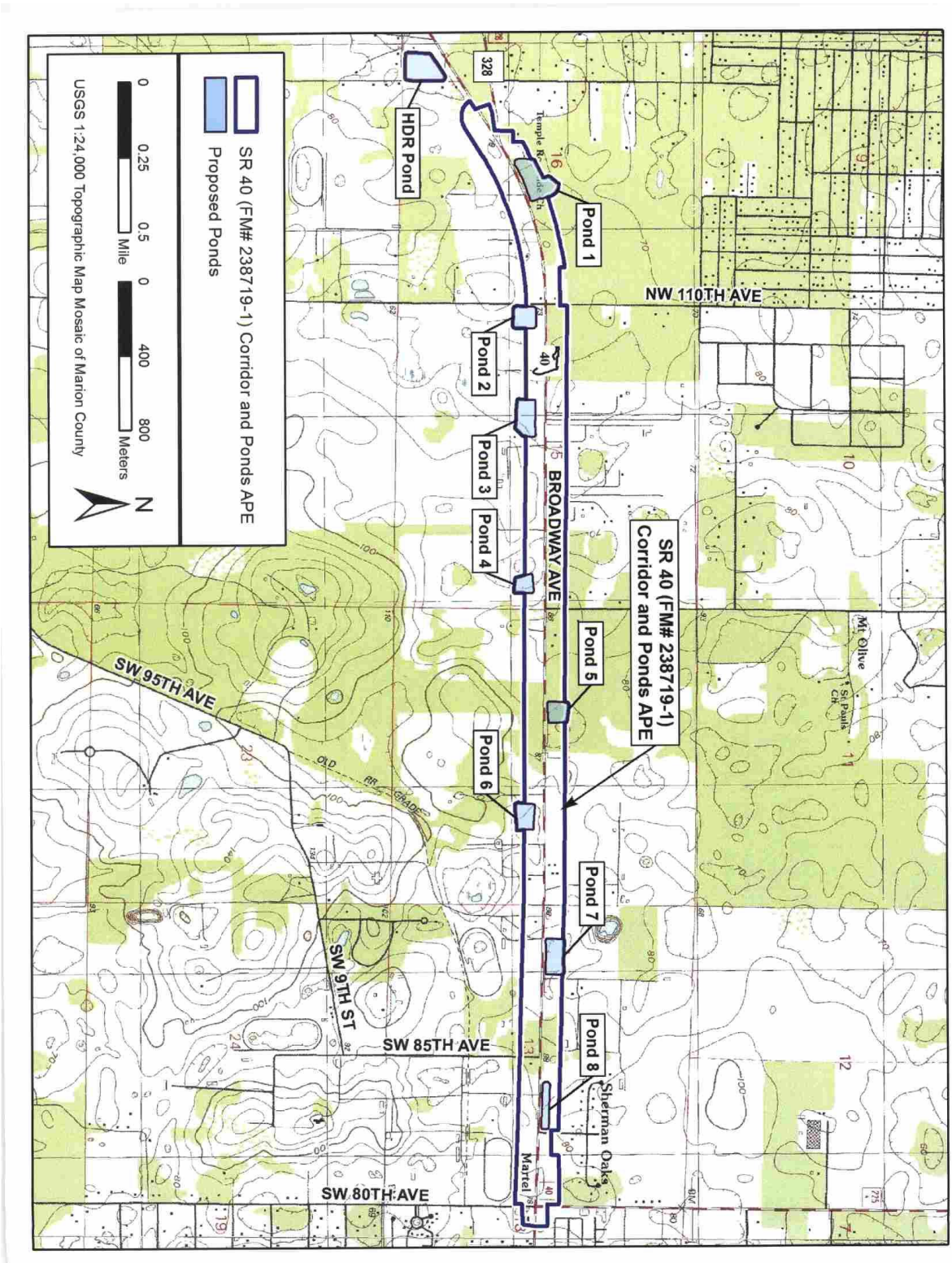

SR 40 (FM# 238719-1) Corridor and Ponds APE
Proposed Ponds
0 0.25 0.5 Mile
0 400 800 Meters
N
USGS 1:24,000 Topographic Map Mosaic of Marion County
HDR Pond
Pond 1
Pond 2
Pond 3
Pond 4
Pond 5
Pond 6
Pond 7
Pond 8
SR 40 (FM# 238719-1) Corridor and Ponds APE
NW 110TH AVE
BROADWAY AVE
SW 95TH AVE
SW 9TH ST
SW 85TH AVE
SW 80TH AVE
328
Temple R.
Mt. Olive
St. Pauls CH.
Sherman Oaks
Martel
OLD RR GRADE

EXHIBIT 7.2
EXAMPLE LETTER OF TRANSMITTAL
(From FDOT to FHWA)

[*Date*]

[*Name*]
District Transportation Engineer
Federal Highway Administration
545 John Knox Road, Suite 200
Tallahassee, FL 32303

RE: **Cultural Resources Assessment Survey**
[#1 *Project Name and Location*]
[*Identifying state and federal project numbers*]

Dear [*Name*]:

[#2] A Cultural Resource Assessment Survey (CRAS) was conducted within the area of potential effects (APE) for the above referenced project as part of the Florida Department of Transportation's (FDOT) proposed [*Project Description, including existing and proposed conditions, whether new right of way will be required, etc*]. The [**#3**] archaeological APE was defined, in consultation with the SHPO, as [*Insert definition*]; the historical APE [*Insert definition*].

[**#4**] The CRAS was conducted in accordance with the provisions of the National Historic Preservation Act of 1966 (as amended), which are implemented by the procedures contained in 36 CFR, Part 800, as well as the provisions contained in the revised Chapter 267, *Florida Statutes.* The investigations were carried out in conformity with Part 2, Chapter 12 ("Archaeological and Historical Resources") of the FDOT's *Project Development and Environment Manual* and the standards contained in the Florida Division of Historical Resources' (FDHR) Cultural Resources Management Standards and Operational Manual (2003). In addition, this survey meets the specifications set forth in Chapter 1A-46, Florida Administrative Code.

[**#5**] Background research indicated that [*Add results for archaeological sites and historic resources*].

[**#6**] Archaeological and historical field surveys resulted in [*Add results*]

[**#7**] Based on the results of the background research and field survey, [*Add summary of potential effects to significant cultural resources*]

[**#8**] The CRAS Report is provided for your review and coordination with the SHPO [and the six federally recognized Native American Tribes or other consulting parties]. Provided your office concurs with the findings, please transmit one copy of the report, the FMSF forms, [the NRHP forms] and the Survey Log Sheet to the SHPO for review and concurrence. The second copy of the report is for your files. If you have any questions, or if I may be of assistance, please contact me at [*Phone number and/or email address*].

[**#9**] Enclosed are the following documents:

- Two copies of the CRAS Report [Date]
- One original Survey Log Sheet
- One set of original FMSF forms [*if applicable*]
- One set of original NRHP forms [*if applicable*]
- One CD containing the Survey Log Sheet, [FMSF and NRHP forms], and digital image files

Sincerely,

[*Name*]
[*FDOT Department Title*]

Enclosures
CC: [*Name*], FDOT
[*Others, as appropriate*]

[**#10**]

The FHWA finds the attached Cultural Resources Assessment Report complete and sufficient and _____ approves/ _____ does not approve the above recommendations and findings. The FHWA requests the SHPO's opinion on the sufficiency of the attached report and the SHPO's opinion on the recommendations and findings contained in this cover letter and in the comment block below. FHWA Comments:
_____ _____ _____
/s/_____ _____ [*Name*] Date Division Administrator, Florida Division Federal Highway Administration
The Florida State Historic Preservation Officer finds the attached Cultural Resources Assessment Report complete and sufficient and concurs with the recommendations and findings provided in this cover letter for SHPO/DHR Project File Number _____. _____ _____ [*Name*] Date State Historic Preservation Officer Florida Division of Historical Resources

CHAPTER 8
DETERMINATION OF EFFECTS AND THE RESOLUTION OF ADVERSE EFFECTS

8.0 OVERVIEW

Following the identification and evaluation of historic properties, the next step in the Section 106 process is to determine whether the project will have an effect on the historic properties within the APE, and if so, whether the effect will be adverse. If no historic properties are identified in the CRAS, or if historic properties are identified but will not be affected by the undertaking, then FHWA/FDOT determines "**No Historic Properties Affected**." This finding, made in consultation with the SHPO and consulting parties, completes the Section 106 process, and FHWA/FDOT may proceed with the undertaking, having fulfilled its obligations.

However, if historic properties are identified within the APE, and FHWA/FDOT determines that the project may affect one or more of these properties, it determines "**Historic Properties Affected**." FHWA/FDOT then evaluates the nature of these effects and determines whether the effect is adverse. The evaluation of adverse effects is **Step 3** in the Section 106 process, and is done by applying the Criteria of Adverse Effect and documenting the finding. If FHWA/FDOT makes a finding of no adverse effect, in consultation with the SHPO and other consulting parties, this completes the Section 106 process. If the determination is an adverse effect, FHWA/FDOT proceeds to **Step 4** to resolve the adverse effects on historic properties. If the adverse effects cannot be avoided or minimized, agreed upon actions to mitigate these impacts are formalized in an agreement document, commonly a MOA. After the formal agreement is executed by all parties, the Section 106 process is completed; the Section 106 responsibilities of FHWA/FDOT are fulfilled when the stipulations contained in the MOA are implemented.

For state funded projects, the procedures are the same as for federally funded projects except that FHWA and the ACHP are not involved.

This chapter follows the actions taken to complete Steps 3 and 4 of the Section 106 process. It includes the formal definition of adverse effect, how potential effects are documented in a Section 106 Case Study Report (CSR), and how adverse effects are resolved through the consultative process.

The following sections are contained in Chapter 8:

8.1 DETERMINING EFFECTS

The evaluation of effects is a two-step process. First, determine whether the project will have an effect. An undertaking has an effect on a historic property when the characteristics of the property that qualify it for inclusion in the NRHP are altered, in accordance with 36 CFR Part 800.16(i). If it is determined that there will be no effect, that is, "**No Historic Properties Affected**," FHWA/FDOT prepares documentation pursuant to 36 CFR Part 800.11(d), which includes:

(1) A description of the undertaking, specifying the Federal involvement, and its area of potential effects, including photographs, maps, drawings, as necessary;
(2) A description of the steps taken to identify historic properties, including, as appropriate, efforts to seek information pursuant to §800.4(b); and
(3) *The basis for determining that no historic properties are present or affected.*

If an effect to one or more historic properties is anticipated, then FHWA/FDOT makes a determination of "**Historic Properties Affected**," and the next step is to apply the Criteria of Adverse Effect. This will result in either a finding of No Adverse Effect or Adverse Effect. This determination is specific for the project. Thus, where the project APE contains multiple historic properties, an adverse effect to one is sufficient to determine an adverse effect for the project.

8.1.1 Applying the Criteria of Adverse Effect

The evaluation of effects is based on application of the **Criteria of Adverse Effect**, pursuant to 36 CFR Part 800.5(a)(1). An adverse effect is found 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. Consideration shall be given to all qualifying characteristics of a historic property, including those that may have been identified subsequent to the original evaluation of the property's eligibility for the National Register. Adverse effects may include reasonably foreseeable effects caused by the undertaking that may occur later in time, be farther removed in distance or be cumulative*" (36 CFR Part 800.5(a)(1)).

Adverse effects on historic properties (36 CFR Part 800.5(a)(2)) include, but are not limited to the following:

(i) Physical destruction of or damage to all or part of a property;
(ii) Alteration of a property, including restoration, rehabilitation, repair, maintenance, stabilization, hazardous material remediation and provision of handicapped access, that is not consistent with the Secretary's Standards for the Treatment of Historic Properties (36 CFR Part 68) and applicable guidelines;

(iii) Removal of the property from its historic location;

(iv) Change of the character of the property's use or of physical features within the property's setting that contribute to its historic significance;

(v) Introduction of visual, atmospheric or audible elements that diminish the integrity of the property's significant historic features;

(vi) Neglect of a property which causes its deterioration, except where such neglect and deterioration are recognized qualities of a property of religious and cultural significance to an Indian tribe or Native Hawaiian organization; and

(vii) Transfer, lease, or sale of property out of Federal ownership or control without adequate and legally enforceable restrictions or conditions to ensure long-term preservation of the property's historic significance.

The revisions to 36 CFR Part 800 eliminated the former "exceptions" to the Criteria of Adverse Effect determination. These exceptions included alterations to a historic property not in accordance with the Secretary of the Interior's Standards (36 CFR Part 68) and the transfer, sale, or lease of a historic property out of federal ownership or control without proper legal restrictions or covenants assuring its protection. In addition, the revised regulations eliminated the research exception for archaeological sites. As a result, direct impact to archaeological sites, despite "mitigation" through data recovery, is an adverse effect.

8.1.2 Determination of No Adverse Effect

FHWA/FDOT determines a finding of **No Adverse Effect** when the project's effects do not meet the Criteria of Adverse Effect, as defined above. A No Adverse Effect finding may also be appropriate in cases where the undertaking is modified through redesign or similar changes to avoid or minimize impacts, and where certain **conditions** are implemented, in concurrence with all consulting parties. For example:

- Place fencing or clean fill materials, as appropriate, to minimize adverse effects to a NRHP-eligible archaeological site;
- Rehabilitate the historic property in accordance with the Secretary's Standards;
- Create an at-grade roadway instead of an elevated roadway that would significantly affect views from and toward the NRHP-listed or eligible property;
- Reroute the roadway in certain areas to go around a NRHP-listed or eligible property;
- Create an earth berm or other form of landscaped barrier to limit visual and audible intrusion into a NRHP-listed or eligible property or district;
- Redesign lanes, curb, sidewalk, and other roadway improvements to be compatible in design, scale, and materials with the existing NRHP-listed or eligible property or district. For example, re-use or match existing street paving or sidewalk paving materials (brick, hexagonal pavers, etc.);
- Retain or replant existing landscape elements (trees, shrubs, or grass) and/or other boundary elements (fences, walls, etc.) along the roadway ROW; and/or
- Use signs, street lighting, traffic lighting, etc. that will be compatible with the NRHP-listed or eligible property or district.

Most, if not all, of these possible solutions would limit the amount of physical impact or encroachment upon the historic property, and/or limit other potential adverse effects such as visual, audible, and/or access effects.

If a finding of No Adverse Effect is proposed, the FHWA/FDOT documents the finding and provides it to all consulting parties. In accordance with 36 CFR Part 800.11(e), this documentation includes:

(1) A description of the undertaking, specifying the Federal involvement, and its area of potential effects, including photographs, maps, and drawings, as necessary;
(2) A description of the steps taken to identify historic properties;
(3) A description of the affected historic properties, including information on the characteristics that qualify them for the National Register;
(4) A description of the undertaking's effects on historic properties;
(5) An explanation of why the criteria of adverse effect were found applicable or inapplicable, including any conditions or future actions to avoid, minimize or mitigate adverse effects; and
(6) Copies or summaries of any views provided by consulting parties and the public.

For a project determined to have **No Adverse Effect**, follow these steps:

Step 1: Provide the documentation noted above to the SHPO and consulting parties.

Step 2: The SHPO has 30 days from receipt of the complete documentation to review the findings. If there is no response within 30 days, assume concurrence, in accordance with 36 CFR Part 800.5(c)(1).

Step 3: When FHWA/FDOT and SHPO have agreed on the finding of No Adverse Effect, the Section 106 process is completed, and FHWA/FDOT may proceed with the undertaking.

Step 4: In the event that the SHPO or any consulting party disagrees within the 30-day review period, they must specify the reasons for disagreeing. FHWA/FDOT consults with the party to resolve the disagreement, or requests the ACHP to review the finding, pursuant to 36 CFR Part 800.5(c)(3).

Step 5: If the ACHP is requested to review the finding, it has 15 days to respond. If there is no response within that time, FHWA/FDOT may assume concurrence and proceed with the undertaking.

Step 6: If the ACHP provides comments, FHWA/FDOT must consider them when reaching a final decision on their finding of effect.

8.1.3 Determination of Adverse Affect

A FHWA/FDOT undertaking may be determined to have an **Adverse Effect** when the integrity of the characteristics that qualify a historic property for inclusion in the NRHP is diminished. Numerous situations may cause adverse effects. The project may physically impact the historic property by taking all or part of its property. The undertaking also may affect the resource in other ways, both directly and indirectly, by affecting any of the following:

- Visual and/or aesthetic qualities (including views to or from the property);
- Noise levels;
- Landscaping;
- Use of the property;
- Access (such as vehicular and pedestrian entrance ways to the property);
- ROW needs;
- Parking;
- Economics;
- Traffic volumes;
- Vibration levels; and/or
- Air quality;

The following scenarios illustrate effects to historic properties:

Scenario 1: A new state highway will be constructed adjacent to a NRHP-eligible hotel, significant under Criterion C for its architecture and landscaping. While no land from the hotel property will be physically taken, the proximity of the new road will have a visual impact, changing the setting and view from and toward the hotel. A new intersection, or changes to signalization, may affect access to and from the hotel. In addition, increased traffic on the new road might increase the noise level and vibration level, and may affect the air quality. On the other hand, if the new road provides better access to the hotel, the economic effects might be beneficial. New streetlights might illuminate part of the hotel, resulting in either an adverse or beneficial effect.

Scenario 2: A pond is proposed on property located near an archaeological shell midden, considered NRHP-eligible under Criterion D for its research potential. Land clearing associated with pond development may result in better access to the site, thereby increasing the potential for vandalism. Also, alteration of the local drainage patterns may result in changes to the soil conditions of the site, potentially affecting the preservation of buried archaeological materials, such as faunal and floral remains, which constitute a character-defining feature of the site.

Potential visual effects are particularly significant in the case of historic buildings, structures, and districts. Where feasible, use graphic tools to compare existing and proposed conditions to predict

visual effects. For large projects, computer-generated imagery has been used effectively to demonstrate potential visual impacts.

8.2 SECTION 106 CONSULTATION CASE STUDY REPORT

8.2.1 Introduction

Typically, the evaluation and documentation of project effects are provided in a **Section 106 Consultation Case Study Report** (CSR). This document is prepared on behalf of FHWA/FDOT as a joint effort by a cultural resource consultant, working in association with the prime engineering firm responsible for conducting the PD&E Study. The CSR brings together both the technical engineering information and the description and evaluation of the historic property or properties in relation to the specific transportation improvements. The CSR provides the information needed for FHWA/FDOT, the SHPO, and other consulting parties to make informed decisions regarding project effects. This information also may be used in the resolution of adverse effects during Step 4 of the Section 106 process if the proposed undertaking is determined to have an adverse effect, as well as in future agreement documents. Where appropriate, the CSR serves as the ACHP's project impact review assessment. If there is a determination of Adverse Effect, which leads to an agreement document or other set of commitments, then this submittal is considered a Draft CSR. A Final CSR will then be submitted after the consulting parties have agreed to appropriate mitigative measures and have executed the resultant agreement document. The Final CSR contains all the information from the draft report, as well as information regarding the consultation process, public involvement, and the selected mitigative measures. The executed agreement document is attached to the Final CSR as an appendix.

8.2.2 Components of the Case Study Report

Typically, the CSR includes the following information:

- A description of the project, including its need and benefits;
- The context for evaluating the NRHP-listed and eligible historic properties;
- A physical description (present and historic) and statement of significance for each historic property identified within the project APE;
- A description and analysis of all proposed project alternatives considered, including the No-Build Alternative, Rehabilitation Alternative (if appropriate), Build Alternatives, and Preferred Alternative, including the reasons why the preferred alternative was recommended;
- An evaluation of effects for each historic property based on the Preferred Alternative, including the relationship to the Preferred Alternative, visual/aesthetic impacts, noise and air quality impacts, and access and use impacts; and
- A description of the proposed minimization/mitigation options, such as design alternatives, and stipulated conditions (commitments) that will be implemented to avoid or minimize adverse impacts.

The CSR should contain graphics sufficient to illustrate the existing and proposed conditions (usually, typical sections) for each alternative, as well as the relationship of the Preferred Alternative to the affected historic property or properties, including the boundary of each NRHP-listed or eligible property. In addition to graphics, include copies of FMSF and NRHP forms for the affected historic properties, as well as all relevant materials that document the decision-making process, such as relevant agency correspondence and consultation meeting minutes; public workshop and public hearing comment summaries; and final traffic noise and air quality reports. These materials are usually included in the CSR Appendix.

8.2.3 The CSR Work Flow

Mostly because of successive agency review periods, a CSR may require a minimum of four months from submittal of the draft document to final approvals. As detailed below, the CSR process typically takes three to six months. If, on a case-by-case basis, FHWA and the SHPO agree to conduct concurrent reviews, the schedule may be compressed, accordingly. Follow the steps below to finalize and execute a Section 106 CSR:

Step 1: CRM consultant submits the draft CSR to FDOT for review.

Step 2: FDOT reviews the draft and provides comments.

Step 3: CRM consultant makes changes and submits the revised draft to FDOT.

Step 4: FDOT submits the draft CSR to FHWA for review.

Step 5: FHWA reviews (30 calendar days are required).

Step 6: FHWA forwards the draft CSR to SHPO, with comments.

Step 7: The SHPO reviews the draft (30 calendar days are required).

Step 8: The SHPO returns comments to FDOT.

Step 9: FHWA, FDOT, the SHPO, other consulting parties, and the consultant team coordinate to determine mitigative measures and develop an agreement document, as appropriate, and finalize the CSR (via teleconference).

Step 10: Consultant prepares the final CSR and submits to FDOT for review. Revisions are made, if needed.

Step 11: FDOT submits the final CSR to FHWA.

Step 12: FHWA reviews (30 calendar days are required).

Step 13: FHWA forwards the final CSR to SHPO.

Step 14: SHPO reviews (30 calendar days are required).

Step 15: FDOT prepares and distributes a concurrence letter to FHWA, FDOT, and the SHPO for execution. The bottom of the letter includes lines for both the Division Administrator of FHWA's Florida Division, and the SHPO, to sign and date to signify their concurrence; another line is for the FDOT District Secretary to sign and date to indicate approval.

8.3 RESOLVING ADVERSE EFFECTS

If FHWA finds that the proposed undertaking will adversely affect historic properties, consultation continues with the SHPO and other interested parties, including Native American tribes, local governments, permit or license applicants, owners of affected lands, and members of the public. Consultation brings together the principal parties to consider ways to **avoid, reduce, or mitigate** the adverse effects. A successful consultation accommodates the needs of the FHWA/FDOT undertaking and the integrity of the historic property in a way that the consulting parties agree best serves the public interest. The strategies developed to resolve adverse effects represent **Step 4** in the Section 106 process.

FHWA is responsible for coordinating consultation among all the parties. FDOT is obligated to provide documentation to all consulting parties at the beginning of the consultation to resolve adverse effects. New consulting parties may enter the consultation if FHWA and the SHPO agree. Any party that may have responsibilities under an agreement document must be invited to participate as a consulting party. Also, FHWA must provide an opportunity for members of the public to express their views on an undertaking.

8.3.1 Advisory Council Involvement

The ACHP is not involved in all adverse effect cases. However, in accordance with 36 CFR Part 800.6(a)(1)(i), and with the AOA, the ACHP must be consulted when the project will adversely affect a NHL, or when a Programmatic Agreement (PA) under 36 CFR Part 800.14(b) will be prepared. The notification letter to the ACHP is accompanied by the same documentation required for a finding of No Adverse Effect, as listed in Section 8.1.2. In addition to FHWA, any one of the consulting parties may independently request ACHP participation in the consultation process. The ACHP is likely to enter the Section 106 process, pursuant to 36 CFR Part 800 Appendix A, when an undertaking meets one or more of the following criteria:

- *Has substantial impacts on important historic properties* – "Important historic properties" may include:
    - Properties that possess a national level of significance;
    - Properties that are of unusual or noteworthy importance;

- Properties that are of a rare type; and/or
- Large numbers of historic properties, such as multiple properties within a historic district.

- *Presents important questions of policy or interpretation* – For example,
  - Questions about how the ACHP's regulations are being applied or interpreted;
  - Situations where the outcome will set a precedent affecting ACHP policies or program goals; and/or
  - Where the development of programmatic agreements that alter the way the Section 106 process is applied to a group or type of undertakings.

- *Has the potential for presenting procedural problems* – For example,
  - Cases with substantial public controversy related to historic preservation issues;
  - Cases with disputes among or about consulting parties which the ACHP's involvement could help resolve;
  - Cases that are involved or likely to be involved in litigation on the basis of Section 106; and/or
  - Cases carried out by a federal agency, in a state or locality, or on tribal lands where the ACHP has previously identified problems with Section 106 compliance.

- *Presents issues of concern to Indian tribes or Native Hawaiian organizations* - For example,
  - Cases where an Indian tribe or Native Hawaiian organization attaches religious and cultural significance to affected properties;
  - Where an Indian tribe or Native Hawaiian organization ha requested ACHP involvement; and/or
  - Where there are questions relating to policy, interpretation or precedent under Section 106 or its relation to other authorities.

The ACHP has 15 days of receipt of a request to decide to join the consultation or decline participation. If the ACHP decides to participate, it must notify FHWA and the consulting parties of its decision.

8.3.2 Consultation Process and Procedures for Resolving Adverse Effects

The consultation process gives priority to the **consideration of alternatives,** including alternate sites, alternate undertakings, and alternate designs, as well as the No-Build alternative. The latter may be used to evaluate the importance of the undertaking against the severity of its effects. If the consulting parties find that the consideration of alternatives does not result in a viable solution that would best serve the public interest, they can proceed to a discussion and evaluation of mitigation

measures. **Mitigation** refers to actions that reduce or compensate for the damage an undertaking may have on a NRHP-listed or eligible property.

The appropriateness of measures proposed to avoid, minimize, or mitigate adverse effects is dependent on the reasons why each historic property is considered significant. The resolution of adverse effects is never predetermined and is not a mechanical process that produces similar outcomes for all projects. While FHWA makes the final decision, resolution is a collaborative process. Standard approaches to mitigation typically include archaeological data recovery and the photographing and documenting of historic resources in accordance with Historic American Buildings Survey/Historic American Engineering Record/Historic American Landscapes Survey (HABS/HAER/HALS) standards. However, non-standard, innovative approaches that can result in better outcomes, and with greater public benefit may be appropriate. Chapters 9 and 10 include an examination of a variety of these "creative mitigation" alternatives.

In some cases, the consulting parties may agree that there are no viable mitigation measures and that the adverse effects must be accepted in the public interest. On the other hand, FHWA/FDOT, the SHPO, and consulting parties may not be able to reach an agreement (**failure to resolve adverse effects**), and FHWA will request the ACHP's comments, in accordance with Section 800.7(c). FHWA notifies all other consulting parties of its request, and provides the ACHP with the following documentation (36 CFR Part 800.11[g]):

- A description and evaluation of any alternatives or mitigation measures that FHWA/FDOT proposes to resolve the undertaking's adverse effects;
- A description of any reasonable alternatives or mitigation measures that were considered but not chosen, and the reasons for their rejection;
- Copies or summaries of any views submitted to FHWA/FDOT concerning the adverse effects of the undertaking on historic properties and alternatives to reduce or avoid those effects; and
- Any substantive revisions or additions to the documentation previously provided to the ACHP.

Upon receipt of the request and documentation, the ACHP has 45 days to render comment.

In the absence of a MOA, FHWA/FDOT must take into account the ACHP's written comments and then make a final decision about how (or whether) to proceed with its undertaking. FHWA notifies the ACHP of its decision before work on the undertaking begins. This concludes the Section 106 process, and FHWA/FDOT has satisfied its statutory responsibilities.

Occasionally a SHPO may withdraw from consultation without intending to terminate the process. It is important that such a withdrawal is documented so as not to inadvertently terminate consultation, allowing FHWA and the ACHP to proceed.

In summary, the procedures for **Resolving Adverse Effects** include the following steps:

Step 1: FHWA/FDOT continues consultation with the SHPO and other consulting parties to resolve the adverse effects by avoidance, minimization, or mitigation, and considers alternatives to the project.

Step 2: The ACHP is invited to participate or can decide to enter into consultation pursuant to 36 CFR Part 800, Appendix A. The ACHP has 15 days to notify FHWA and consulting parties whether it will participate in the resolution process.

Step 3: If the **ACHP does not participate** and FHWA and the SHPO **agree** on the ways to resolve adverse effects, the measures are outlined in a MOA or other formal agreement document such as a "Conditional No Adverse Effect" determination, pursuant to 36 CFR Part 800.5(b). Proceed to Steps 4 through 7. If FHWA and SHPO **fail to agree**, proceed to Step 8.

Step 4: The FDOT (District) drafts a MOA or another appropriate agreement document, on behalf of FHWA and coordinates with all consulting parties.

Step 5: Following review and revisions, as needed, FHWA and FDOT execute the final MOA or agreement document.

Step 6: The FHWA sends the signed MOA to the SHPO for execution, and a copy is provided to all consulting parties, including the ACHP. FHWA provides a copy to the FDOT District and CEMO.

Step 7: The undertaking proceeds according to the terms and stipulations of the agreement document, and FHWA has met all of its obligations under Section 106 of the NHPA. Skip to Step 11.

Step 8: If FHWA and the SHPO fail to agree, FHWA requests comments from the ACHP and forwards a copy of the documentation package pursuant to 36 CFR Part 800.11(g) along with other information relevant to the disagreement.

Step 9: The ACHP has 45 days to comment. The ACHP's comments are provided to the FHWA Administrator, with copies to all consulting parties.

Step 10: FHWA/FDOT is obligated to consider and take into account the comments of the ACHP. FHWA may choose to implement or not implement them, or to proceed with an alternative.

Step 11: FHWA documents the final decision in accordance with 36 CFR Part 800.7(c)(4), the ACHP and all consulting parties are notified, and the project may proceed.

8.4 PREPARING AGREEMENT DOCUMENTS

8.4.1 Introduction

The decisions reached during the consultation process are contained in a formal **agreement document**. This legal document outlines FHWA's fulfillment of responsibilities under Section 106, and obligates the signing parties (signatories) to carrying out its terms. It shows that FHWA has taken into account the effects of the proposed undertaking on NRHP-listed or eligible properties and has given the ACHP a reasonable opportunity to comment. The most common agreement document for FHWA/FDOT projects is a **MOA**.

8.4.2 Memorandum of Agreement

The MOA contains the measures that the consulting parties have agreed upon to avoid, minimize, or mitigate the adverse effects that an undertaking may have on NRHP-listed or eligible properties. For each project, the mitigation measures for both archaeological sites and historic resources must be included in the same MOA. There are two kinds of MOAs: "three-party" and "two-party." A three-party MOA is used when the AHCP is involved in the consultation process; FHWA, the SHPO, and the ACHP each have the authority to execute, amend, or terminate the agreement, pursuant to 36 CFR Part 800.6(c). A two-party MOA is **executed** by FHWA and the SHPO. The ACHP is not a participant but rather receives the MOA after FHWA and the SHPO have prepared and signed it. FHWA may invite consulting parties to **concur** in the MOA. In addition, organizations or individuals may request, in writing, that they be allowed to join as concurring parties. The decision to accept additional parties to the MOA is made by FHWA. "Concurring parties" do not have the authority to amend nor terminate the MOA. Their signature on the agreement document simply affirms that they are familiar with the terms for the agreement.

The contents of the MOA will vary, depending on the kind of archaeological and historical resources involved, and the nature of the project, and the kind of effect it is expected to have. **Exhibit 8.1**, adapted from the ACHP's 1993 *Check List for a Good Agreement Document Under 36 CFR Part 800* and Thomas King's (2000) *Federal Projects and Historic Places: the Section 106 Process* (Chapter 14), provides a checklist for effective agreement documents.

King advises against using old MOAs as the basis for a current document because:

> *Every agreement, every project, every property is unique, and what worked in one case is not necessarily appropriate to another. Besides, practitioners are constantly coming up with new and improved ways of writing agreements – better stipulations,*

clearer language, things that just work better. An old model is likely to be inappropriate to your needs, and technically flawed (2000:118).

Typically, the first section of the MOA introduces the undertaking, the affected historic properties, the consulting parties, and the pertinent authority and legislation. It is usually composed of a series of "Whereas" statements, and ends with a "Now, therefore" clause. Structure this preamble section logically. For example, in succession:

- Identify the undertaking and the agency carrying out the project;
- Identify the APE;
- Identify the affected historic properties within the APE; and
- Identify the consulting parties.

The next section contains the **stipulations,** often using the language "FHWA will ensure that" for the various agreed upon steps that will be carried out. The MOA should include strong, structured stipulations for avoiding, minimizing, or mitigating adverse effects, so avoid using the passive voice and terms such as "may," "should," "if feasible," and "if funding permits." Be specific as to what entity is responsible for completing what. Clear time frames also should be established. In addition to the specific negotiated measures to avoid, minimize, or mitigate the adverse effects on historic properties, the stipulations section contains a number of standard administrative stipulations. These typically address the duration of the MOA, monitoring and reporting, dispute resolution, amendments, and termination, among others. Wherever possible, use standard stipulations developed for inclusion in MOAs. These are topically arranged, in alphabetical order, in the list that follows. Hyperlinks for each are available on the National Preservation Institute's (NPI) website www.npi.org and below. Further discussions of these and examples are available at http://www.npi.org/Stipulations.htm.

Administrative Stipulations, General	Amendments
Bonds, surety	Confidentiality
Cost containment	Information management
Monitoring compliance	Objections, resolving
Public participation	Qualifications, personnel
Reporting	Sunsetting
Termination	Programmatic Stipulations
Building rehabilitation program	Categorical exemptions
Maintenance	Marketing
Moving	Title Restrictions
Documentation, architectural	Salvage, architectural
Interim protection	Limiting construction impacts
Preservation plans	Property type treatment
Construction plans	Landscaping plan
Data recovery, archeological	Monitoring impacts

Rehabilitation plan	Archeological collections: disposition
Native American spiritual places, programmatic treatment	
Management of human remains, Native American cultural items	
Monitoring and correction over life of project	
Stipulations Providing for Impact Minimization	
Stipulations Providing for Impact Avoidance	
Stipulations Providing for Impact Compensation	
Stipulations Providing for Impact Rectification	
Stipulations Providing for Impact Reduction or Elimination Over Time	

Following the stipulations, the MOA includes a closing statement regarding its **execution** and the implementation of its terms. For example, in a two-party MOA, state:

> *Execution of this MOA by FHWA and the Florida SHPO and implementation of its terms evidence that FHWA has taken into account the effects of this undertaking on historic properties and afforded the ACHP an opportunity to comment.*

The MOA ends with the signatures of all the consulting parties, including concurring parties, and the dates of execution. For a two-party MOA, the ACHP is given an "Accepted" block, not a signature block. For a three-party MOA, the ACHP is provided a signature block. **Exhibit 8.2** contains a sample template for a two-party MOA, developed by the ACHP. Click on the hyperlinks for model formats for a three-party MOA and a two-party MOA developed by the NPI.

8.4.3 Other Agreement Documents

Two other types of agreement documents are the "**Conditional No Adverse Effect determination**" and the **PA**. In the case of the former, FHWA may propose to perform an action such as rehabilitation, repair, or stabilization of a historic property in accordance with the Secretary of the Interior's Standards for Rehabilitation (36 CFR Part 68) so that adverse effects can be avoided. If SHPO concurs with these "conditions," pursuant to 36 CFR Part 800.5(b), suitable documentation will be prepared, consistent with the requirements for a finding of no adverse effect, as specified in 36 CFR Part 800.11(e) (see Section 7.1.2).

A PA is a tool by which a federal agency program or large undertaking will comply with the Section 106 review process by an alternative method. PAs generally are used for common types of undertakings (e.g., routine maintenance), and when a category or group of projects results in similar and repetitive effects on historic properties. The PA replaces case-by-case Section 106 consultations and compliance with a programmatic approach. In accordance with 36 CFR Part 800.14(b)(1), a PA may be used:

> *(i) When effects on historic properties are similar and repetitive or are multi-State or regional in scope;*

(ii) When effects on historic properties cannot be fully determined prior to approval of an undertaking;

(iii) When nonfederal parties are delegated major decision making responsibilities;

(iv) When routine management activities are undertaken at Federal installations, facilities, or other land-management units; or

(v) Where other circumstances warrant a departure from the normal section 106 process.

PAs are negotiated between the ACHP and FHWA in consultation with the SHPO, Native American tribes, and other relevant parties. Public involvement is a key facet in their development.

EXHIBIT 8.1
CHECKLIST FOR EFFECTIVE AGREEMENT DOCUMENTS
(Adapted from ACHP (1993) and King (2000))

CHECKLIST FOR EFFECTIVE AGREEMENT DOCUMENTS

General

- Structure the document logically
- Organize the document for easy reference
- Review document for internal consistency
- Address the entire undertaking
- Keep information and direction separate
- Make the document personality-free
- Anticipate what might go awry in implementing the agreement, and provide for it
- Consider making the contract scope of work (or other performance measure) an explicit part of the document (e.g., an appendix)
- Address all pertinent statutory authorities
- Have a "cold reader" review the document and provide a critique
- Have the document reviewed by a lawyer
- Check your citations of statutes, regulations, and other documents for accuracy
- Develop a PA or a "three party" MOA in consultation with the Council
- If your document is a PA or a "two-party" MOA, include the following with your submission to the Council:
  - the documentation needed to make it understandable to the Council, including everything called for by 36 CFR Part 800.8(b) and (c) and
  - a copy of the notification you sent the Council pursuant to 36 CFR Part 800.8(a).
- If your document is an agreement-based determination of no adverse effect, include the following with your submission to the Council:
  - the documentation needed to make it understandable to the Council, including everything called for by 36 CFR Part 800.8(a) and
  - the agreement you have reached with the SHPO upon which the determination is based

Part 1 - Title

- Use the correct title for the kind of document you have prepared
- Identify the undertaking or program in the title
- Identify the signatory parties correctly in the title
- If you are amending an existing document, make this fact clear in the title

Part 2 – Preamble - "Whereas" and "Now, Therefore" clauses

- Clearly identify the undertaking, preferably citing a specific, dated document that describes it
- Clearly and consistently identify the responsible agency
- Document the consultation process

- Clearly identify the APE
- Identify the properties clearly and completely
- If your document is a MOA, specifically and consistently identify the historic properties involved
- If your document is a PA, include a clause or clauses establishing why you need an alternative to the standard Section 106 process
- If you are using the document to address laws other than Section 106, indicate this and identify the laws
- If you are amending an existing document, make that clear in a "Whereas" clause or its equivalent
- If your document is a MOA or PA, use the correct "Now, Therefore" clause for the kind of document it is (2-party MOA, 3-party MOA, PA)
- If implementation of the agreement is contingent upon agency approval of the undertaking, indicate this in the "Now, Therefore" clause or its equivalent

Part 3 - Stipulations/conditions

- Specify the agency responsible for ensuring that the stipulations or conditions are implemented
- Assign duties only to signatories and concurring parties
- Phrase all the stipulations or conditions in active voice
- Include all agreed upon provisions by the consulting parties
- Structure the stipulations or conditions in a logical order
- Represent only one agreed-upon measure in each stipulation or condition
- If you have used stipulations from King (2000), or from another agreement document, adjust the language appropriately to make it fit your situation
- Use terms, including acronyms, consistently
- Be sure to identify all acronyms
- Define any unusual terms you have used and minimize their use
- Use statutory or regulatory definitions where applicable, rather than alternative terms that lack such definitions
- Include full citations, with dates, whenever you have cited a statute, regulation, guideline, standard, plan, specification, or other document for the first time, and give the document a short title for subsequent reference
- Be consistent in your subsequent references to each such document
- Make sure each stipulation represents a single complete thought
- Give each stipulation its own alphanumerical indicator or name
- Include all relevant background documents
- If you have stipulated that some portion of 36 CFR Part 800 or another regulation, statute, or other document will be followed, do so explicitly by reference, rather than by paraphrasing
- Screen the stipulations or conditions for:
  - passive voice

- internal or inter-stipulation contradictions
- "soft" or unclear terms like "avoid," "may," and "should
- subjunctives
- undue subtlety
- unspecified assumptions
- paraphrasing of regulations, laws, or standards

- Consider, and either include or explicitly reject as unnecessary, all relevant administrative stipulations, such as:
  - provisions for dispute resolution among parties
  - provisions for resolving objections from others
  - specific, effective provisions for monitoring performance
  - a sunset clause
  - annual or other periodic reporting, with specific dates and expectations
  - annual reviews
  - performance bonds
  - provisions for review in the event something changes
  - mechanisms for making minor adjustments
  - mechanisms to ensure that responsible personnel are kept aware of their responsibilities under the agreement

Part 4 - Execution Clause and Signatories

- Use the correct ultimate clause for the kind of agreement document you prepared
- If implementation is contingent upon agency approval of the undertaking, indicate this in the concluding clause
- Provide correct signature blocks for all signatories
- If there are concurring parties, provide concurrence blocks for them
- If your document is a "two-party" MOA, give the Council an "Accepted" block, not a signature block
- If your document is a "three-party" MOA, give the Council a signature block, not an "Accepted" block

Appendices

- Include all necessary appendices
- Give each appendix a clear title and date
- In the body of the document, cite each appendix correctly and at each place you need to cite it

EXHIBIT 8.2
SAMPLE TEMPLATE FOR A TWO-PARTY MOA
(ACHP, accessed at www.achp.gov/.../template%20twoparty%20moa.doc)

MEMORANDUM OF AGREEMENT

BETWEEN [insert Agency]

AND THE

[insert name of State or Tribe] ["STATE" or "TRIBAL"] HISTORIC PRESERVATION OFFICER

REGARDING THE [insert project's name and location]

WHEREAS, [insert name of the Agency(ies) and/or other parties actually carrying out the project that is the subject of the MOA] plans to **[explain what the project entails and its location]** (Project); and

WHEREAS, the **[Agency]** (**[insert Agency abbreviation])** plans to **["carry out" or "fund" or "issue an approval/license/permit for" (or other appropriate verb)]** the Project pursuant to the **[insert name and legal cite of the substantive statute authorizing the Agency's (ies') involvement in the undertaking]**, thereby making the Project an undertaking subject to review under Section 106 of the National Historic Preservation Act (NHPA), 16 U.S.C. § 470f, and its implementing regulations, 36 C.F.R. part 800; and

WHEREAS, [Agency abbreviation] has defined the undertaking's area of potential effect (APE) as **[insert written description and/or "described in Attachment XXX"]**; and

* **WHEREAS [Agency abbreviation]** has determined that the undertaking may have an adverse effect on **[insert name of historic property(ies)]**, which **["is" or "are"] ["listed in" or "eligible for listing in"]** the National Register of Historic Places, and has consulted with the **[insert name of State and/or Tribe] ["State" or "Tribal"] Historic Preservation Officer** (**[insert** "**SHPO" or "THPO"]**) pursuant to 36 C.F.R. part 800; and

** **WHEREAS [Agency abbreviation]** has consulted with the **[insert name of Tribe(s) or Native Hawaiian Organization(s)]**, for which **[insert name of historic property(ies)] ["has" or "have"]** religious and cultural significance, and has invited the **[Tribe(s) or Native Hawaiian Organization(s)]** to sign this Memorandum of Agreement (MOA) as an **["invited signatory" or "concurring party"];** and

WHEREAS, **[Agency abbreviation]** has consulted with **[insert names of other consulting parties, if any]** regarding the effects of the undertaking on historic properties and has invited them to sign this MOA as **["invited signatory(ies)" or "concurring party(ies)"];** and

WHEREAS, in accordance with 36 C.F.R. § 800.6(a)(1), **[Agency abbreviation]** has notified the Advisory Council on Historic Preservation (ACHP) of its adverse effect determination

providing the specified documentation, and the ACHP has chosen not to participate in the consultation pursuant to 36 C.F.R. § 800.6(a)(1)(iii);

NOW, THEREFORE, **[Agency abbreviation]** and the **["SHPO" and/or "THPO"]** agree that the undertaking shall be implemented in accordance with the following stipulations in order to take into account the effect of the undertaking on historic properties.

STIPULATIONS

[Agency abbreviation] shall ensure that the following measures are carried out:

[I.-III. (Or whatever number of stipulations is necessary) Insert negotiated measures to avoid, minimize, or mitigate the adverse effects on historic properties.]

IV. DURATION

This MOA will be null and void if its stipulations are not carried out within five (5) years **[or specify other appropriate time period]** from the date of its execution. At such time, and prior to work continuing on the undertaking, **[Agency abbreviation]** shall either (a) execute a MOA pursuant to 36 C.F.R. § 800.6, or (b) request, take into account, and respond to the comments of the ACHP under 36 C.F.R. § 800.7. Prior to such time, **[Agency abbreviation]** may consult with the other signatories to reconsider the terms of the MOA and amend it in accordance with Stipulation VIII below. **[Agency abbreviation]** shall notify the signatories as to the course of action it will pursue.

V. POST-REVIEW DISCOVERIES

If potential historic properties are discovered or unanticipated effects on historic properties found, **[Agency abbreviation]** shall implement the discovery plan included as Attachment **[insert number of Attachment]** of this MOA.

VI. MONITORING AND REPORTING

Each **[insert a specific time period]** following the execution of this MOA until it expires or is terminated, **[Agency abbreviation]** shall provide all parties to this MOA **["and the ACHP" if desired]** a summary report detailing work carried out pursuant to its terms. Such report shall include any scheduling changes proposed, any problems encountered, and any disputes and objections received in **[Agency abbreviation]**'s efforts to carry out the terms of this MOA.

VII. DISPUTE RESOLUTION

Should any signatory *** or concurring party to this MOA object at any time to any actions proposed or the manner in which the terms of this MOA are implemented, **[Agency abbreviation]** shall consult

with such party to resolve the objection. If **[Agency abbreviation]** determines that such objection cannot be resolved, **[Agency abbreviation]** will:

A. Forward all documentation relevant to the dispute, including the **[Agency abbreviation]**'s proposed resolution, to the ACHP. The ACHP shall provide **[Agency abbreviation]** with its advice on the resolution of the objection within thirty (30) days of receiving adequate documentation. Prior to reaching a final decision on the dispute, **[Agency abbreviation]** shall prepare a written response that takes into account any timely advice or comments regarding the dispute from the ACHP, signatories and concurring parties, and provide them with a copy of this written response. **[Agency abbreviation]** will then proceed according to its final decision.

B. If the ACHP does not provide its advice regarding the dispute within the thirty (30) day time period, **[Agency abbreviation]** may make a final decision on the dispute and proceed accordingly. Prior to reaching such a final decision, **[Agency abbreviation]** shall prepare a written response that takes into account any timely comments regarding the dispute from the signatories and concurring parties to the MOA, and provide them and the ACHP with a copy of such written response.

C. **[Agency abbreviation]**'s responsibility to carry out all other actions subject to the terms of this MOA that are not the subject of the dispute remain unchanged.

VIII. AMENDMENTS

This MOA may be amended when such an amendment is agreed to in writing by all signatories. The amendment will be effective on the date a copy signed by all of the signatories is filed with the ACHP.

IX. TERMINATION

If any signatory to this MOA determines that its terms will not or cannot be carried out, that party shall immediately consult with the other parties to attempt to develop an amendment per Stipulation VIII, above. If within thirty (30) days (or another time period agreed to by all signatories) an amendment cannot be reached, any signatory may terminate the MOA upon written notification to the other signatories.

Once the MOA is terminated, and prior to work continuing on the undertaking, **[Agency abbreviation]** must either (a) execute an MOA pursuant to 36 CFR § 800.6, or (b) request, take into account, and respond to the comments of the ACHP under 36 CFR § 800.7. **[Agency abbreviation]** shall notify the signatories as to the course of action it will pursue.

EXECUTION of this MOA by the **[Agency abbreviation]** and **["S" or "T"]**HPO and implementation of its terms evidence that **[Agency abbreviation]** has taken into account the effects of this undertaking on historic properties and afforded the ACHP an opportunity to comment.********

SIGNATORIES:

[insert Agency name]

_____ Date
[insert agency official name and title]

[insert name of State or Tribe] ["State" or "Tribal"] Historic Preservation Officer

_____ Date
[insert name and title]

INVITED SIGNATORIES:

[insert invited signatory name]

_____ Date
[insert name and title]

CONCURRING PARTIES:

[insert name of concurring party]

_____ Date
[insert name and title]

Notes:

* *When the undertaking is on or affects tribal lands, the term "THPO" refers to the representative of the tribe designated under Section 101(d)(2) of the National Historic Preservation Act (NHPA) or, in the absence of a Section 101(d)(2) designee, to the official representative identified by the tribe. When an Indian tribe lacks a representative designated under Section 101(d)(2) of NHPA, the State Historic Preservation Officer is also a signatory to the agreement along with that tribe.*

** *Insert this whereas clause as appropriate.*

*** *This stipulation assumes that the term "signatory" has been defined in the MOA to include both signatories and invited signatories.*

**** *The Agency must submit a copy of the executed MOA, along with the documentation that is specified in 36 CFR § 800.11(f) to the ACHP prior to approving the undertaking in order to meet the requirements of Section 106 and 36 CFR § 800.6(b)(1)(iv).*

CHAPTER 9
HISTORIC RESOURCE MITIGATION

9.0 OVERVIEW

As part of the consultative process, FHWA/FDOT considers all possible alternatives to avoid or minimize adverse effects on historic properties. When FHWA/FDOT determines that adverse effects on historic properties cannot be avoided or minimized, then an appropriate form of mitigation is necessary. As described in Chapter 8, the mitigation measures are documented as stipulations in an agreement document, usually a MOA. This legally binding document is executed by FHWA, FDOT, and other signatories, before the undertaking can proceed. FDOT is responsible for monitoring the transportation project activities in terms of the fulfillment of commitments included in the MOA.

This chapter focuses on a variety of standard and "creative" mitigation solutions for historic resources. Some mitigation measures, such as architectural and engineering documentation or rehabilitation, follow specific standards and guidelines, as set forth by the Secretary of the Interior. These standards and guidelines are not regulatory; they are intended to provide technical advice. The mitigation process for archaeological sites is the subject of Chapter 10. The following sections are contained in Chapter 9:

9.1 HISTORIC RESOURCE MITIGATION ALTERNATIVES

Mitigation refers to actions that reduce or compensate for the damage an undertaking may have on a NRHP-listed or eligible property. They are typically developed during the Section 106 consultation process, and are expressed as stipulations in a MOA, PA, or other statement of commitments. Mitigation measures should be commensurate with the scale of the undertaking, and may entail a single activity, such as historic documentation, or multiple measures (e.g., historic documentation, salvage, and public interpretation) conducted concurrently for a single project. Public benefit is an essential consideration in determining the appropriate mitigation.

Standard mitigation measures for FHWA/FDOT undertakings may include the following:

- **Historic Documentation** (i.e., drawings, photographs, and written histories) in accordance with HABS/HAER/HALS standards;
- **Repair, rehabilitation, or restoration** of the affected historic property in a manner sensitive to the qualities which make it historically significant, and sympathetic to the historic fabric of the property, in accordance with the Secretary of the Interior's standards;
- **Preservation and maintenance** activities, including repair and stabilization, in accordance with the Secretary of the Interior's standards;
- **Salvage** of architectural or scientific/engineering elements; and/or
- **Relocation and Marketing**.

These are described in Sections 9.2 through 9.6, respectively. Section 9.7 includes a listing of "off-site" or "creative" mitigation measures that also may be appropriate, either in combination with one or more of the standard measures, or as stand-alone activities.

Each specific mitigation measure should be appropriate to the significance of the historic property. For example, HABS/HAER/HALS documentation typically is conducted for properties eligible under Criterion C in the area of Architecture, Landscape Architecture, or Engineering. On the other hand, public interpretation or research initiatives may be performed for historic properties eligible under Criteria A or B. The level of documentation for a historic resource significant as a contributing resource to a NRHP-listed or eligible historic district may require less attention than an individually eligible building, structure, site, or object.

It should be reiterated that during the consultation process, and in keeping with Section 4(f) of the DOTA, **avoidance** measures should be examined as solutions FHWA/FDOT can implement so that the proposed undertaking would have a no adverse effect determination. For example:

- Realigning the roadway corridor to avoid a historic property.
- Dividing a multi-lane urban road into two one-way corridors through historic districts to avoid/limit the amount of ROW taking.
- Locating proposed pond sites outside of historic property boundaries.

9.2 HISTORIC DOCUMENTATION

At a minimum, for most undertakings that involve demolition or substantial alteration (including partial demolition) of a historic property, mitigation is achieved through **historic documentation** consistent with the NPS' Heritage Documentation Programs (HABS/HAER/HALS). The goal of the Heritage Documentation Programs is to create a permanent record of the historical, architectural, engineering, technological, and/or cultural significance of a historic property. The HABS/HAER/HALS collection constitutes the nation's largest archive of historic architectural, engineering, and landscape documentation with records on nearly 40,000 historic sites, which are maintained in a special collection at the Library of Congress. The documentation is available to the public copyright free in both hard copy (in the Library of Congress) and electronic (http://www.loc.gov/pictures/collection/hh/) formats.

HABS, established in 1933, is the oldest of the three programs. Its primary focus is historic buildings with non-industrial functions (residences, churches, offices, etc.); although in its early years, it encompassed all aspects of the built environment. HAER was established in 1969, in conjunction with the American Society of Civil Engineers, to focus on historic sites and structures related to engineering and technology. Resources such as bridges, industrial/manufacturing complexes, railroads, canals, and roads are recorded to HAER guidelines. HALS was established in 2000 to focus on historic landscapes, defined as anything from small gardens to national parks. This includes resources such as cemeteries, farms, and quarries.

HABS/HAER/HALS documentation is completed in accordance with the Secretary of the Interior's Standards for Architectural and Engineering Documentation, hereafter, Secretary's Standards, which were derived from the original HABS/HAER standards set by the NPS. Contact the NPS Southeast Regional Office in Atlanta before proceeding with the documentation effort to confirm current HABS/HAER/HALS guidelines. The documentation package provides a detailed and comprehensive record of the property's significance, and must reflect the events, features, and values that qualify the property for listing in the NRHP.

The level of documentation, typically determined by FHWA/FDOT in consultation with the SHPO and specified in the MOA, must be appropriate to the significance of the building, structure, site, object, or district. General guidelines for specifying the level of documentation are as follows:

- **Level I:** This level is required for NHL resources, and occasionally is used for NRHP-listed or eligible resources depending on the reason for mitigation.
- **Level II:** This level primarily is used for most NRHP-listed or eligible resources, but depends on the reason for mitigation.
- **Level III:** This level primarily is used for contributing resources within an NRHP-listed or eligible historic district. An example of a HABS Level III documentation package is attached as **Exhibit 9.1**. Please note that this sample does not show the photographic prints on the required mount cards.

The Secretary's Standards include four standards of documentation that all HABS/HAER/HALS projects must meet to be accepted into the collections. These four **standards of documentation** are as follows:

- **Standard I-Content:** Documentation shall adequately explicate and illustrate what is significant or valuable about the historic building, site, structure, or object.
- **Standard II-Quality:** Documentation shall be prepared accurately from reliable sources with limitations clearly stated to permit independent verification of the information.
- **Standard III-Materials:** Documentation shall be prepared on materials that are readily reproducible, durable, and in standard sizes.
- **Standard IV-Presentation:** Documentation shall be produced clearly and concisely.

The **Content** standard, as contained in the *Federal Register*, Volume 68, No. 139, 43159-43162, specifies the requirements for content for each of the three levels of documentation as follows:

A. Level I

1. Drawings: a full set of measured drawings depicting existing or historic conditions

2 Photographs: photographs with large-format negatives of exterior and interior views; photocopies with large format negatives of select, existing drawings or historic views that are produced in accordance with the U.S. Copyright Act (as amended)

3. Written data: history and description

B. Level II

1. Drawings: select existing drawings, where available, may be photographed with large-format negatives or photographically reproduced on Mylar® in accordance with the U.S. Copyright Act, as amended

2. Photographs: photographs with large-format negatives of exterior and interior views, or historic views where available and produced in accordance with the U.S. Copyright Act, as amended

3. Written data: History and description

C. Level III

1. Drawings: sketch plan

2. Photographs: photographs with large-format negatives of exterior and interior views

3. Written data: short form for historical reports

In addition to these requirements, other media, such as films, may be used to document historic properties in accordance with HABS/HAER/HALS standards; these efforts should be coordinated with the NPS Southeast Regional Office.

The other three standards, **quality, materials, and presentation**, are specified per the different types of content (drawings, photographs, written data), as opposed to the different levels of documentation. A discussion of each type of content follows, with **quality, materials, and presentation** standards noted.

Measured drawings: HABS/HAER/HALS **drawings** are considered "as-built" drawings and should illustrate the existing conditions of the historic property at the time of documentation. These drawings should portray or interpret the significant features of the structure or site being documented. For HABS/HAER projects, portrayal drawings can include site plans, floor plans, elevations (interior and exterior), sections, and details; interpretive drawings can include circulation patterns and industrial processes. HALS portrayal drawings can include location plans, layout plans, topographic plans, vegetative plans, sections, and elevations; interpretive drawings might include step-by-step schematics that illustrate the evolution of a site or reconstructed historical perspective views.

Dimensions for measured drawings typically come from hand measuring, existing documents, and photographs. Hand measuring, the most common method of producing measured drawings, entails going to the site and taping distances, surveying, and/or measuring and counting repetitive materials. Existing documents, such as drawings, specifications, or building permits, are the easiest way to obtain measurements. Because these sources may not portray 'as-built' conditions, these measurements should be confirmed in the field. Photography methods, such as rectified photography, stereophotogrammetry, and analytical photogrammetry, combine principles of photography and geometry that enable measured drawings to be created from photographs. It is important to establish a measurable scale or grid when using these methods.

In accordance with current NPS guidance, measured drawings from **laser scans** are now acceptable, with restrictions. The use of laser scanning is particularly appropriate when recording exceptionally large structures, sculptural objects, and ones that are not readily accessible. However, HABS/HAER/HALS does not use laser scanning for recording exclusively, but always combines it with hand-measuring. "The scanned data taken of the elevations are combined with the hand-measured details and plans and then traced to delineate a hard line for the otherwise indistinct edges created by the point cloud data." For more information about the pros and cons of using laser scanning for heritage documentation, go to http://www.nps.gov/history/hdp/standards/laser.htm.

Level III sketch plans typically are included when they help explain a structure, site, or landscape. They can be produced from the same methods as Level I measured drawings, but generally are not as detailed as measured drawings. Additionally, they do not have to be on standard HABS/HAER/HALS title blocks/sheet sizes, and do not have to be drawn/printed on translucent material (see below).

Quality, materials, and presentation standards for measured drawings are as follows:

Quality:

- Produced from recorded, accurate measurements.

- No portions produced from hypothesis or non-measurement related activities (inaccessible areas must be clearly labeled as such on drawings).
- **Level I** measured drawings to be accompanied by a set of field notebooks in which measurements were first recorded.
- Drawings used for **Levels II and III** must include a statement describing where the original drawings are located.

Materials:

- Ink on translucent material that is archivally stable, such as Mylar®.
- Three standard sizes: 19" x 24", 24" x 36", or 34" x 44".

Presentation:

- Lettered mechanically or in a hand-printed equivalent style.
- Include adequate dimensions on all sheets.
- **Level III** sketch plans must be neat and orderly.

In accordance with technical information provided by the NPS, if using Computer-Aided Drafting (CAD) to prepare measured drawings, the use of a layering system based on the CAD Layer Guidelines developed by the American Institute of Architects is recommended. Requirements for line weights, fonts, sheet material, and plotters are available in the HABS Guidelines, HAER Guidelines, and HALS Guidelines available on the NPS website.

Photographs: The HABS/HAER/HALS programs use large-format photography, which produces 4"x5", 5"x7", or 8"x10" negatives, for the formal photographs submitted to the Library of Congress; informal field photographs can be taken with 35mm or digital cameras. Large-format negatives capture details better than small or medium-format prints. Additionally, the formal photographs are produced with black-and-white film, which are more archivally stable than color films, and will last at least 100 years.

While the quantity of photographs and specific views depend on the nature of the structure, site, or object and the purpose for documentation, the NPS offers the following suggestions for various resources:

Architectural Structures (HABS):

- General or environmental view(s) that illustrate the setting, including landscaping, adjacent/ancillary buildings, and roadways.
- Front (main) façade, with and without a scale stick.
- Perspective view, front and one side.
- Perspective view, rear and opposing side.
- Detail, front entrance and/or typical doorway.
- Typical window.
- Exterior details (chimneys, oriels, date stones, ornamentation, etc.) indicative of era of construction or architectural design.

- Interior views to capture spatial relationships, structural evidence, a typical room, and decorative elements (hallways, stairways, fireplaces and mantels, moldings, etc.).
- Ancillary structures (detached garages, sheds, barns, etc.).

Engineering and Industrial Structures (HAER):

- Same views listed for architectural structures; and
- Extant machinery and equipment, including spatial arrangements.
- Machinery details (valves of a steam engine, gearing) or other details that reveal the machine's function.
- Power transmission systems (line shafting).
- General views and details of structural framing systems (roof trusses, floor beams, pedestals, etc.) for the building and equipment.

Bridges (HAER):

- General view of all sides.
- Detail views of various elements (portals, vertical members, traffic deck, manufacturer's badge, decorative features, etc.).
- Traffic deck support system, if accessible (floor beams, stringers, etc., viewed from underneath the bridge).
- Abutments and approach details.

Linear Resources (canals, railroads, roads) (HAER):

- General views of the resource itself.
- Significant or typical structures (e.g., culverts, retaining walls, bridges, locks, dams).
- Contextual views that illustrate the resource's path through the landscape.

Cultural Landscapes (HALS):

- Contextual views of the landscape under various seasonal conditions.
- Aerial photographs, if appropriate (large landscape).
- General landscape views.
- Structures and structural elements (fences, hardscaping).
- Views that capture the spatial relationships of buildings, structures, and the landscape.
- Significant vegetation (identified with the common and botanical names).

Each formal photograph is given its own photograph number, which includes the assigned HABS/HAER/HALS number for the resource, followed by -1, -2, -3, etc. The photographs should be ordered in a logical manner, with contextual views placed first, followed by overall exterior views, exterior details, overall interior views, and interior details. Any photographic copies of historic photographs, maps, or drawings come last. The photographs are accompanied by an Index to Photographs, which includes a caption describing each image. The caption should be specific to the view, and note compass directions (written out instead of abbreviated), locations on or in the

structure, and significant features. It should be noted that no two photographs should have the same caption.

Photographic prints are all produced at contact print size; i.e., the image area is the same exact size as the negative. Prints must include the margins or borders of the film. No cropping of the image is allowed. Archival, digitally produced "contact-style" prints produced from scanned TIFFs of the film negatives also are acceptable. These must be equivalent in quality to the traditional photographic contact print, and be a true representation of the negative, including the borders. The digital contact prints can be made from TIFFs by scanning the film and printing it on 100 percent cotton, acid-free matte paper using pigment or carbon inks on an inkjet printer. The most current HABS/HAER/HALS Photography Guidelines (November 2011) reflect the changes in the availability of necessary materials.

If existing drawings or photographs are scanned or photographically copied, a copyright release form must be obtained if the drawings are not in the public domain. Click the hyperlink for a copy of the **copyright release form**.

Quality, materials, and presentation standards for photographs are as follows:

Quality:

- Clearly depict the appearance of the property and its significant area(s).
- Each view shall be perspective-corrected and fully captioned.

Materials:

- One print per negative.
- Negatives on polyester-based film of medium and slow speed (100 and 400 ASA).
- Prints on fiber paper (either single- or double-weight); no resin-coated paper.
- Negatives acceptable in three sizes: 4" x 5", 5" x 7", or 8" x 10".

Presentation:

- **Level I** photos shall include duplicate photographs that include a scale.
- **Level II and III** photos shall include at least one photograph with a scale, usually of the principal facade.

Written Data: The **written data** of a HABS/HAER/HALS documentation project consists of any written work that describes the building, site, structure, object, or landscape, and highlights its historical, architectural, technological, or cultural significance. The written data varies in form and length, depending on the level of documentation. Levels I and II typically use the appropriate outline format, whereas Level III typically uses the short form. However, the short form can be used for any level, especially where research time is limited or research yields little information on the historic property. All written data should follow the *Chicago Manual of Style*.

The short form for HABS, HAER, and HALS generally is only a few pages in length and is ordered in the following manner (applicable program in parenthesis):

- Resource Name (HABS)
- Location (HABS/HAER/HALS)
- Date(s) of Construction (HAER)
- Architect/Engineer/Builder (HAER)
- Original Owner/Occupant and Use (HAER)
- Present Owner/Occupant and Use (HAER)
- Significance (HABS/HAER/HALS)
- Description (HABS/HAER/HALS)
- History (HABS/HAER/HALS)
- Sources (HABS/HAER/HALS)
- Historian(s) (HABS/HAER/HALS)
- Project Information (HABS/HAER)

Similarly, the outline formats for the three programs are similar in nature. All start with the basic information about the resource and documentation package (location, present owner/occupant, present use, significance, historian(s), and project information), which is then followed by the historical information (including the physical history and historical context); the physical description; and the sources of information. Each program has its own requirements for the historical information, physical description, and sources of information. See the appropriate NPS guidelines (HABS, HAER, and HALS) for more information.

Quality, materials, and presentation standards for written data are as follows:

Quality:

- **Levels I and II** shall be based on primary sources to the greatest extent possible; for **Level III**, secondary sources may provide adequate information.
- Include an assessment on the reliability and limitation of sources.
- Include footnotes for statements within the written history as appropriate.
- Include a methodology section that specifies the name of the researcher, date of the research, sources consulted, and limitations of the project.

Materials:

- Clean copy to allow for photocopying.
- 8½" x 11" archival bond paper.

Presentation:

- Typewritten or laser printed.
- Follow accepted rules of grammar.

Procedures for Processing and Submittal: FHWA/FDOT typically uses the professional services of a cultural resources consultant to prepare the HABS/HAER/HALS documentation package. The consultant and agency follow these steps:

Step 1: The CRM consultant prepares the draft documentation package and provides to the FDOT project manager for review (typically, just the written data, index to photographs, and sketch plan [Level III only]; digital representations of the photographs also can be included).

Step 2: The FDOT Project Manager or his/her designee reviews the documentation package and requests changes, if needed. If changes are needed, the document is returned to the consultant, revisions are made, and the draft documentation package (with photographic prints) is resubmitted to FDOT.

Step 3: Step 3: FDOT submits the revised draft documentation package to FHWA (for federally-involved projects) for review, along with a cover transmittal letter. FHWA submits the draft documentation to the NPS Southeast Regional Office in Atlanta for review. The documentation package must include:

- A copy of the signed MOA or agreement document, if applicable;
- Written data printed on standard photocopy paper;
- A set of archival photographs labeled in numeric order (mount cards are not necessary for this submission);
- A blank negative and archival print; and
- A copyright release, if applicable.

Step 4: Allow the NPS a minimum of 30 days to review the package. They will assign the official HABS/HAER/HALS number for the project and return the package to FHWA with review comments. FHWA sends this package to FDOT, who forwards it to the consultant.

Step 5: The consultant revises the documentation, as necessary, and provides the written data, index to photographs, and/or sketch plan to the FDOT project manager for review. In the meantime, the consultant labels the photographic prints, mount cards, negatives, and negative sleeves with the NPS-assigned number.

Step 6: The FDOT Project Manager or his/her designee reviews the document and requests changes, if needed. If changes are needed, the document is returned to the consultant, and the revisions are made.

Step 7: The consultant provides FDOT with the final package for the NPS, plus additional archival and non-archival sets, as specified in the Scope of Work.

Step 8: The FDOT checks the documentation package for completeness prior to submittal to FHWA (along with a cover transmittal letter), who will forward the package to the NPS Southeast Regional Office.

Step 9: The NPS Southeast Regional Office forwards an "acceptance letter" to the FHWA/FDOT after review and concurrence of the documentation. The package is then sent to the central NPS Office (Washington, DC), which will forward it to the Library of Congress for incorporation into the National Historic Architectural and Engineering Records or "with such other appropriate agency as may be designed by the Secretary, for future use and reference," as per Section 101(b) of the NHPA.

9.3 REHABILITATION AND RESTORATION

Rehabilitation is defined as "*the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural, or architectural values*." It entails making alterations to meet new uses while retaining the historic character. **Restoration** is more restrictive and allows for the depiction of a building at a particular time in its history by preserving materials from the period of significance and removing materials from other periods. Upgrading of mechanical, electrical, and plumbing systems and other code-required work to make properties functional is appropriate within a restoration project. Both mitigation measures also may include HABS/HAER/HALS documentation of the existing historic property as well as documentation of the rehabilitation or restoration process. The *Secretary's Standards* for rehabilitation and reconstruction follow.

Standards for Rehabilitation

1. *A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.*
2. *The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.*
3. *Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.*
4. *Changes to a property that have acquired historic significance in their own right will be retained and preserved.*
5. *Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.*
6. *Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature*

will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.

7. *Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.*
8. *Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.*
9. *New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.*
10. *New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.*

Standards for Restoration

1. *A property will be used as it was historically or be given a new use that reflects the property's restoration period.*
2. *Materials and features from the restoration period will be retained and preserved. The removal of materials or alteration of features, spaces, and spatial relationships that characterize the period will not be undertaken.*
3. *Each property will be recognized as a physical record of its time, place, and use. Work needed to stabilize, consolidate, and conserve materials and features from the restoration period will be physically and visually compatible, identifiable upon close inspection, and properly documented for future research.*
4. *Materials, features, spaces, and finishes that characterize other historical periods will be documented prior to their alteration or removal.*
5. *Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize the restoration period will be preserved.*
6. *Deteriorated features from the restoration period will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials.*
7. *Replacement of missing features from the restoration period will be substantiated by documentary and physical evidence. A false sense of history will not be created by adding conjectural features, features from other properties, or by combining features that never existed together historically.*
8. *Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.*
9. *Archeological resources affected by a project will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.*
10. *Designs that were never executed historically will not be constructed.*

Some possible scenarios for the application of these measures include the following:

- Rehabilitate or restore a NRHP-listed or eligible bridge rather than replace it with a new one. This includes maintaining what is significant about the bridge, whether it be architectural or mechanical (i.e., structural design of bridge, architectural or decorative features, or drawbridge machinery).
- Rehabilitate or restore a NRHP-listed or eligible bridge along with construction of a new aesthetically compatible companion bridge which would handle excess traffic (for traffic in the other direction) or for all automobile traffic when reusing the historic bridge for pedestrian, bicycle, trolley, or other mode of transportation. Again, this includes maintaining what is significant about the bridge, whether it be architectural or mechanical.
- Rehabilitate or restore a NRHP-listed or eligible landscape bordering the proposed roadway improvement, or at least replant the area so that one day it will look similar. This can include canopy trees flanking an existing roadway, significant wildflowers in medians and beside the roadway, and planned hedges of significant plant types. It also could include replanting or restoring all or part of a formal or informal landscape plan on a NRHP-listed or eligible parcel that may be affected by the taking of additional right-of-way.
- Rehabilitate or restore a NRHP-listed or eligible streetscape's features such as street paving and curbing, sidewalks, lights, benches, fences, walls, etc.

The end product of the rehabilitation or restoration project also may include a summary report documenting the process.

9.4 PRESERVATION

Preservation, as defined in the *Secretary's Standards*, is "*the act or process of applying measures necessary to sustain the existing form, integrity, and materials of an historic property. Work, including preliminary measures to protect and stabilize the property, generally focuses upon the ongoing maintenance and repair of historic materials and features, rather than extensive replacement and new construction. New exterior additions are not within the scope of this treatment; however, the limited and sensitive upgrading of mechanical, electrical, and plumbing systems and other code-required work to make properties functional is appropriate within a preservation project*."

Preservation Standards

1. *A property will be used as it was historically, or be given a new use that maximizes the retention of distinctive materials, features, spaces, and spatial relationships. Where a treatment and use have not been identified, a property will be protected and, if necessary, stabilized until additional work may be undertaken.*

2. *The historic character of a property will be retained and preserved. The replacement of intact or repairable historic materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.*
3. *Each property will be recognized as a physical record of its time, place, and use. Work needed to stabilize, consolidate, and conserve existing historic materials and features will be physically and visually compatible, identifiable upon close inspection, and properly documented for future research.*
4. *Changes to a property that have acquired historic significance in their own right will be retained and preserved.*
5. *Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.*
6. *The existing condition of historic features will be evaluated to determine the appropriate level of intervention needed. Where the severity of deterioration requires repair or limited replacement of a distinctive feature, the new material will match the old in composition, design, color, and texture.*
7. *Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.*
8. *Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.*

9.5 SALVAGE OF ARCHITECTURAL INFORMATION AND MATERIALS

Salvage is defined as something saved from neglect or destruction. Prior to demolition of a building or structure, significant historical, architectural and/or engineering features may be removed and saved. Salvage is preceded by HABS/HAER/HALS documentation as a companion mitigation measure. Prior to commencing documentation and salvage, a detailed mitigation proposal, including an illustration (drawings and/or photographs) of which elements are to be salvaged should be submitted by FDOT to the SHPO for review and approval. In accordance with the stipulations of the agreement document, an interested party, such as a local museum, may participate in the selection of elements significant for their historical associations, architecture and/or engineering. In some cases, FDOT may use the salvaged materials, such as architectural elements of a bridge, road or sidewalk paving, street lighting, etc. in the new construction. Unique or otherwise historically and/or architecturally significant elements also may be donated to a local museum for display and/or curation. A summary report documenting the salvage process, including the methods used and the location of the salvaged materials and elements, should be prepared, including an inventory and photographs of salvaged materials.

9.6 RELOCATION AND MARKETING

Although relocation is considered an adverse affect, it may be the most appropriate method of mitigation when a historic property will be destroyed if left in place. Relocation of NRHP-listed or eligible buildings, structures, or objects may involve moving the resource onto another part of the

existing property or onto another parcel. Relocation as a mitigation measure is conducted in tandem with initial HABS/HAER documentation. Other companion mitigation measures may include rehabilitation or restoration, in accordance with *The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings* (36 CFR Part 68). In all cases, careful planning is essential.

When a property will be moved from its existing site, FDOT and its consultants prepare a **Relocation Plan** that describes the measures used to determine the feasibility of moving the building or structure. Also included in the plan is a discussion of the appropriateness of the newly proposed site(s). FDOT affords the SHPO the opportunity to review and comment. When reviewing potential sites, FDOT will give preference to locations with similar architecture, land use, and setting. Additional requirements and considerations regarding relocation include:

- The property should be moved in accordance with the recommended approaches in *Moving Historic Buildings* by John Obed Curtis (1979) and in consultation with the SHPO.
- The property should be moved by a professional who has demonstrated experience in moving similar historic properties.
- If the building will stand vacant for a period of time before or after the move, provisions should be made for adequate security and protection, as well as for safeguarding the property from deterioration.
- After the move, the NRHP eligibility of the property on its new site should be reevaluated.

If stipulated in the MOA, relocation may be accompanied by the development of a **Marketing Plan**. Marketing is the attempt to make the historic property available for donation to a government or public entity showing a willingness to accept title for and capable of demonstrating the financial ability to continue maintenance. Therefore, the purpose of the Marketing Plan is to find a qualified buyer to move the historic property to a new site.

FDOT and FHWA, in consultation with the SHPO, can attempt to locate parties who are interested in purchasing and relocating the historic property to a new site. In cases where the historic property or properties are contributing resources to a NRHP-listed or eligible historic district, preference is given to a new site located within or adjacent to the historic district. The Marketing Plan typically includes the following elements:

- An information package about the property, including but not limited to the following:
  - Photographs of the property;
  - A parcel map;
  - Information on the property's historic significance;
  - Information on the property's cost; information on any Federal assistance that may be available to purchasers; for example, applying the cost of demolition to the purchase price or to the cost of rehabilitation;

    - Information on federal [and other] tax benefits for rehabilitation of historic structures;
    - Notification that the purchaser will be required to [rehabilitate/maintain] the property in accordance with the recommended approaches in *The Secretary of the Interior's Standards for the Treatment of Historic Properties*;
    - Notification of any requirement for inclusion of a restrictive covenant in the transfer document;
- A distribution list of potential purchasers or transferees;
- An advertising plan and schedule; and
- A schedule for receiving and reviewing offers.

One highly successful example of a FHWA/FDOT undertaking involving relocation as a mitigation measure was the Tampa Interstate Study. Beginning in 1987, FDOT and FHWA developed a master plan for interstate system improvements in Hillsborough County. After every effort had been made to minimize and avoid adverse impacts within the Ybor City National Historic Landmark District, 10% of the nearly 1,000 historic buildings would still have to be cleared to widen I-4. After almost three years of research and negotiations between federal, state, and local agencies, a MOA was signed in late 1996. As a result, 64 historic buildings were relocated. Of these, FHWA/FDOT were responsible for the rehabilitation of 35 buildings within the proposed highway footprint. Many of these historic properties were relocated within the Ybor City Historic District, infilling vacant lots and redeveloping the neighborhood. Other relocated historic buildings were sold to private individuals who agreed to rehabilitate the exterior in accordance with the *Secretary of the Interior's Standards for Rehabilitation* within two years of purchase.

In the case of historic bridges, marketing is a legal requirement. Title 23, U.S. Code, Section 144 requires that before any bridge listed in or eligible for listing in the NRHP is demolished for a bridge replacement project using funds provided by the federal Highway Bridge Program, the bridge shall first be made "available for donation to a State, locality or responsible private entity." Additionally, the effort is coordinated with the SHPO and local historical agency/society, as appropriate, to ensure that a reasonable audience is reached and a good-faith effort is made. Although FDOT does not have a formal marketing program for significant bridges, there are many successful examples of bridge relocation and reuse. When no longer sufficient for highway use, the relocation and use of some truss and swing bridges for incorporation into pedestrian, equestrian, and/or bicycle networks off the state system has proved to be successful. For example, the Tamiami Swing Bridge was moved from its location crossing the Tamiami Canal to along the South Fork of the Miami River, allowing access from Fern Island Park to the Police Benevolent Association property. *A Bridge Worth Saving: A Community Guide to Historic Bridge Preservation* by Mike Mort is a useful resource to assist in the marketing and rehabilitation process. Also, the Historic Bridge Foundation provides technical assistance to bridge stakeholders.

9.7 OFF-SITE AND CREATIVE MITIGATION

In addition to the standard types of mitigation measures described above, FHWA/FDOT, in consultation with the SHPO and other consulting parties, may agree that off-site and/or creative mitigation measures provide a greater value to the public in compensating for the loss of the historic property. These measures, contained as stipulations in the agreement document, may include direct public interpretation initiatives as well as indirect solutions. Examples of research and public education initiatives include:

- Documentary videos presenting the historical/architectural/engineering significance of the historic property;
- Oral histories to help "tell the story" of the affected property and its place in time;
- Educational materials and websites;
- Brochures and other publications;
- Three-dimensional digital representations;
- Historic property management plans;
- NRHP nomination for a group of similar historic property types;
- Historic context development for a group of similar historic property types (e.g., Florida's swing bridges; significant features along a historic railroad system; residential buildings associated with the Sarasota School of Architecture; pre-World War II citrus packing houses). These contexts may aid in the future identification and evaluation of historic properties;
- Public displays, exhibits, monuments, markers, or plaques; or
- Project information center to educate the citizens about the unique historical, archaeological and/or engineering aspects of the project (e.g., bridge replacement), and including the presentation of research findings.

Indirect "creative" mitigation measures may include:

- Assistance in the development of local historic preservation plans or ordinances;
- Lectures, open houses, and/or development of guided walking or driving tours;
- Purchase of historic properties;
- Funding of historic resources surveys and evaluations;
- Creation of scholarships for graduate research on related historic topics;
- Creation of an agency historic preservation fund for the interpretation and preservation of historic properties;
- Funding of a dedicated SHPO reviewer to accommodate agency needs; or
- Application of funds for study, recordation, stabilization, rehabilitation, or interpretation of related historic properties not owned or controlled by FDOT.

9.8 EXAMPLE MITIGATION SCENARIOS

Case Study #1: Widening of SR 999 will require additional right-of-way, resulting in adverse effects to the Moonbeam Bar, a commercial building determined NRHP-eligible under Criterion A in the area of Social History and under Criterion C in the area of Architecture. The Modern style building, constructed in 1960, was a popular establishment among American astronauts, beginning with Project Mercury, America's first human spaceflight program. The interior is distinguished by space memorabilia left by the astronauts, including a glove worn by Sally Ride, the first American woman in space. The building also is distinguished by its futuristic-style architectural detail and elaborate neon signage. The current owner chooses to sell the property to FDOT. Appropriate mitigation measures will include a combination of HABS Level II documentation; marketing and relocation; salvage; and public interpretation, as follows:

- **HABS Level II** documentation, with non-archival copies provided to the SHPO and the County Historical Society.
- A feasibility study to determine if the building can be moved. If feasible, prepare a **Marketing Plan** to find a recipient willing to preserve the building through acquisition and relocation. IF there are no acceptable offers, with the approval of the SHPO, the Moonbeam Bar will be demolished.
- Prior to demolition, the SHPO, County Historical Society, and other interested parties will be provided the opportunity to select architectural and other materials for **salvage**. Salvaged materials will be conveyed to the designated recipients with legal title. FDOT will document the salvage activity, including photographs and descriptions of all salvaged materials. A copy of the report will be provided to the SHPO for review.
- Provide funding to the County Historical Society for the collection and transcription of **oral histories**, and for development of an **interpretive exhibit** showcasing the history of the Moonbeam Bar, including an informational **brochure** to accompany the exhibit.
- Erect a **historical marker, plaque, or monument** with an explanation of the history and significance of the Moonbeam Bar. The location of the marker/plaque/monument should be determined in consultation with local government.

Case Study #2: FDOT is proposing to replace the Delano Bridge, a Depression-era arch deck bridge built by the Works Progress Administration (WPA). The structure is NRHP-eligible under Criterion A in the areas of Government and Community Planning and Development. In addition to its significant historical associations with the WPA, the Delano Bridge provided access to Little Dumpy Island, leading to the development of the Tin Can Campground, the earliest documented naturalist community in Florida. The bridge is of common design, with no distinguishing architectural and/or engineering features. Appropriate mitigation measures will include a combination of HABS Level III documentation and research initiatives, as follows:

- **HABS Level III** documentation, with non-archival copies provided to the SHPO and the State Archives.

- Preparation of a **historic context and NRHP nomination** for WPA-associated Florida bridges.
- Development of a **website or video**, including interviews with former residents, capturing the recollections of the Tin Can Campground.

EXHIBIT 9.1
EXAMPLE OF HABS LEVEL III DOCUMENTATION PACKAGE

NOCATEE BAPTIST CHURCH
(First Baptist Church of Nocatee)
4610 SW Highway 17
Nocatee
DeSoto County
Florida

HABS No.

PHOTOGRAPHS

WRITTEN HISTORICAL AND DESCRIPTIVE SUMMARY

Historic American Building Survey
National Park Service
U.S. Department of the Interior
100 Alabama Street, SW
Atlanta, GA 30303

HISTORIC AMERICAN BUILDINGS SURVEY

NOCATEE BAPTIST CHURCH
(First Baptist Church of Nocatee)

HABS No. xx

Location: 4610 SW Highway 17, Nocatee, DeSoto County, Florida
(east side of Highway 17, between Cowart Street and Shores Avenue)

Significance: The sanctuary/bell tower of the Nocatee Baptist Church, currently known as the First Baptist Church of Nocatee, was constructed circa 1915. It is eligible for listing in the National Register of Historic Places at the local level under Criterion C in the areas of Architecture and Community Planning and Development. Because it is owned by a religious institution, Criteria Consideration A applies. This red brick Masonry Vernacular style structure, which features pointed Gothic arched windows with Queen Anne leaded colored glass and decorative brickwork, is locally significant as a visual reminder of the Florida Boom in the rural community of Nocatee (circa 1890). The congregation of the church was founded in the early years of Nocatee, and the existing structure is one of the last remaining buildings in the town constructed during the early-twentieth century. The building remains in good condition, and maintains its architectural integrity, despite later additions constructed to the rear of the sanctuary.

Description: The Nocatee Baptist Church is located approximately thirty feet from the east side of Highway 17, between Cowart Street and Shores Avenue, in a largely residential area on the major thoroughfare for the town. The main façade of the church (Photo No. 1) is oriented west-northwest, but for simplicity, the orientation for the main façade will be west in the report. The church sits on approximately 7.58 acres of land, most of which was purchased after the structure was built. Much of the property is characterized by a mixture of grass and sandy areas with mature shade trees scattered across the lot. A canal is located on the rear of the property and is between 180 feet and 350 feet from the right-of-way of Highway 17 (Photo Nos. 2, 3, 4).

The property is accessed from Highway 17 by two dirt and loose gravel driveways, one to the north and the other to the south of the structure; both lead to gravel and grass parking lots. A concrete sidewalk extends from the main entrance, but terminates short of Highway 17. Aside from the church structure, there are two ancillary buildings located on the property, all of which are considered noncontributing. One is a classroom addition to the east of the sanctuary, which was constructed of red brick circa 1949; the roof of this structure is connected to that of the sanctuary, but the walls are separated by a roughly 2' walkway (Photo No. 6). In 1956, a kitchen/recreation hall was constructed directly onto the east of the classroom addition, and in 1971, classroom wings were built onto the north and south of the kitchen/recreation hall (Photo Nos. 6, 7,

8). These were constructed of red brick and concrete block, and are connected by exterior covered walkways. Additionally, a Pastorium was constructed of concrete block on the north end of the church property in 1961 (Photo No. 4).

The Nocatee Baptist Church sanctuary is a one-story Masonry Vernacular style structure with a Greek cross plan (Photo Nos. 5, 6, 8, 9). Its brick walls are supported by brick foundation walls and piers. The structure's cross gable roof is faced with 5-V crimp metal sheeting; the gables ends are clad with asbestos shingle. Each gable features a triple-wood louvered gable vent comprised of a pointed arch vent flanked by two smaller square vents; the vent on the main façade (west elevation) sits above a ribbon of three, fixed Queen Anne leaded glass windows (Photo No. 1). The main façade of the sanctuary features a triple-lancet window, comprised of a larger central window flanked by one smaller window to each side (Photo Nos. 1, 12, 18). The remainder of the sanctuary maintains its original, single lancets with nine-over-nine-light double-hung sash windows (Photo No. 13). The window panes are of Queen Anne leaded colored glass with simple tracery in the pointed arch. The west and north elevations each contain a single flush wood swing door with a pointed arch transom light (Photo No. 13). All of the building's windows and doors have masonry surrounds, and there is a continuous brick sill that extends across each elevation, approximately 5' above the ground.

At the northwest corner of the sanctuary is a two-story bell tower with a square plan, which contains the main entry for the structure (Photo Nos. 1, 5, 10). The lower part of the tower is constructed of brick and features a double flush wood swing door with a rounded-arch transom light, on both the west and north sides; these serve as the main entrances to the sanctuary (Photo No. 11). Above the doors on the west and north sides is decorative brickwork. The bell housing at the top of the tower is constructed of wood and clad with diamond-shaped shingles; each side contains one rounded-arch opening. The tower is topped by a pyramidal roof with flared eaves and faced with composition shingles.

The interior of the church measures approximately 2,400 square feet and is a large open space divided into three sections, the nave (center aisle), transepts (lateral wings which cross the aisle at right angles), and the altar. Rows of pews are located in both the nave and transepts with carpeted aisles intersecting the spaces (Photo Nos. 14, 15, 16). The altar is located along the east elevation and has a centered pulpit with doors to the north and south (Photo No. 17). Both doors open to a storage area behind the altar; the south door also leads to a stairwell up to a second floor level, which retains its original metal ceiling panels (Photo No. 20). From the second floor level, steps lead down to the baptismal font, located behind the altar (Photo No. 19). The font features a painted mural on the north, east, and

south walls, and a window on the west wall for visual access between the font and the sanctuary.

History: The congregation of Nocatee Baptist Church first organized ca. 1890, holding monthly services at a local school building. Circa 1893, the congregation constructed a rectangular wood frame structure about 0.75 miles northeast of the current building. They continued to hold monthly services until 1894, when the members voted to meet twice a month. By 1904, the wood church required numerous repairs, which prompted the congregation to start saving money for a new building.[1]

In 1915 construction began on the present Masonry Vernacular style church on a "one hundred and thirty-five feet square" parcel of land donated by B.F. Welles, brother to local lumber magnate W.G. Welles.[2] In order to minimize cost, construction materials for the building were shipped via the railroad and transported by wagon across U.S. 17 to its west. By 1917, the interior of the church was furnished with new pews, and the following year, carbide lights were installed. Electric lights were later added when the Nocatee Crate Company provided electricity for the town in the early 1920s. The church's first Pastorium was also constructed on the property in 1920. Circa 1927, the pulpit was moved from its original location at the west side of the church to the east side, and a balcony was built along the west wall. Later, a piano was purchased to supplement the organ.[3]

The 1930s were a difficult time for the church due to external financial and social changes affecting much of the country. The issues surrounding the Ku Klux Klan caused a rift in the Nocatee Baptist Church congregation, which resulted in half of the congregation leaving with the pastor and founding the Second Baptist Church of Nocatee. In addition, the financial strain resulting from the end of the Florida Land Boom and the Great Depression, in combination with the lack of leadership from the remaining members of the congregation, resulted in the disbanding of the Nocatee Baptist Church (now the First Baptist Church of Nocatee). Many of

[1] In 1916, the old wood church was sold, and within three years it was destroyed by fire. "Welcome, friend," insert from Nocatee Baptist Church Bulletin, 13 September 1987, reprinted in Melissa Wiedenfeld, *Nocatee Baptist Church*, September 1988, on file at the Florida Master Site File, Florida Division of Historical Resources; Luke Wilson, "Turning Back the Pages of Time-Nocatee Baptist's Relives its Past," article reprinted in Wiedenfeld, *Nocatee Baptist Church*, September 1988, on file at the Florida Master Site File, Florida Division of Historical Resources.
[2] Deed Book 182, Page 165, on file, DeSoto County Clerk of Courts, Arcadia, Florida.
[3] Wilson, "Pages of Time."

its members joined the Second Baptist Church. Eventually, the congregation returned to the original church.[4]

As the needs of the congregation changed and technologies improved, the church continued to undergo alterations. In 1949, the church constructed classrooms and an auditorium to the east of the sanctuary. Soon afterwards, the baptismal font was built behind the altar. During the 1950s, gas heating was installed and a choir loft was added. In addition, a "Junior department", kitchen, and recreation hall were added to the east of the auditorium. The present Pastorium was constructed in 1961 to the north of the sanctuary. In 1966, the church went through alterations that included removing the balcony, dropping the ceiling, installing ceiling tiles, and adding wood paneling in the altar area.[5]

The early-to-mid-1970s brought more changes to the church and property. In 1971, additional Sunday School classrooms were constructed, the fellowship hall was remodeled, and air conditioning was installed. In 1974, the congregation purchased new pews for the sanctuary. By the early 1980s, the Church had acquired 6.186 acres of land to the northeast, east, and southeast of the original parcel. This land included a small canal, which is still extant. In 2000 and 2001, the Church purchased an additional 0.976 acres of land, all located to the southwest of the building.[6]

Much of the building remains as it was when the alterations were made in the 1970s with the exception of some more minor work done in the 1980s. A south wing of Sunday School rooms were added in 1983 and in 1986 the ancillary buildings were remodeled with new bathrooms, an interior upgrade for the Pastorium, and the reroofing and installation of brick veneer on the North wing. Today, all of the buildings remain on the property and services are held regularly.[7]

Sources: Deed Book 182, Page 165, on file, DeSoto County Clerk of Courts, Arcadia, Florida.

Deed Book 453, Page 1004, on file, DeSoto County Clerk of Courts, Arcadia, Florida.

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[4] "Welcome, friend"; Wilson, "Pages of Time."
[5] "Welcome, friend"; Wilson, "Pages of Time."
[6] Deed Book 453, Page 1004, on file, DeSoto County Clerk of Courts, Arcadia, Florida; Deed Book 480, Page 606, on file, DeSoto County Clerk of Courts, Arcadia, Florida; Melissa Wiedenfeld, *National Register of Historic Places Registration Form, Nocatee Baptist Church,* September 1988, on file at the Florida Master Site File, Florida Division of Historical Resources.
[7] "Welcome, friend".

Deed Book 480, Page 606, on file, DeSoto County Clerk of Courts, Arcadia, Florida.

Slovinac, Trish and Marielle Lumang. *National Register of Historic Places Registration Form, Nocatee Baptist Church,* November 2007. On file at the Florida Master Site File, Florida Division of Historical Resources.

"Welcome, friend." Insert from Nocatee Baptist Church Bulletin, 13 September 1987. Reprinted in Wiedenfeld, *Nocatee Baptist Church*, September 1988, on file at the Florida Master Site File, Florida Division of Historical Resources.

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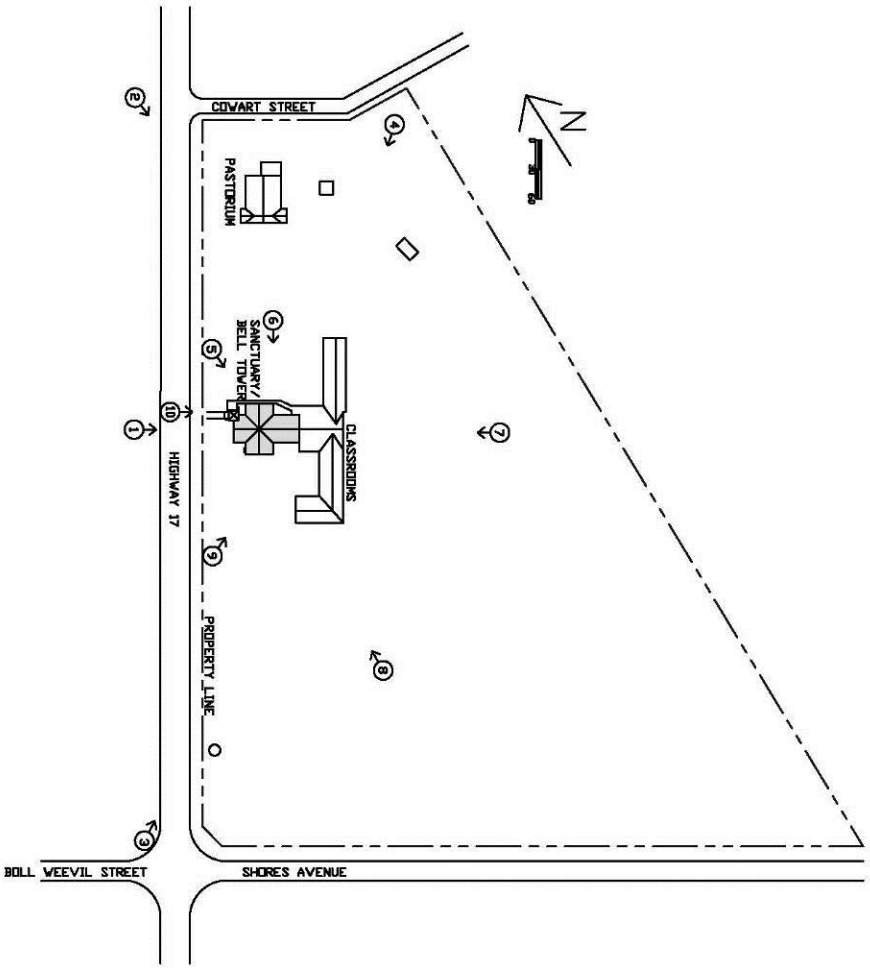
Wilson, Luke. "Turning Back the Pages of Time-Nocatee Baptist's Relives its Past." Article reprinted in Wiedenfeld, *Nocatee Baptist Church*, September 1988, on file at the Florida Master Site File, Florida Division of Historical Resources.

Historians: Patricia Slovinac and Meg Richardson, Archaeological Consultants, Inc., Sarasota, Florida, June 2012.

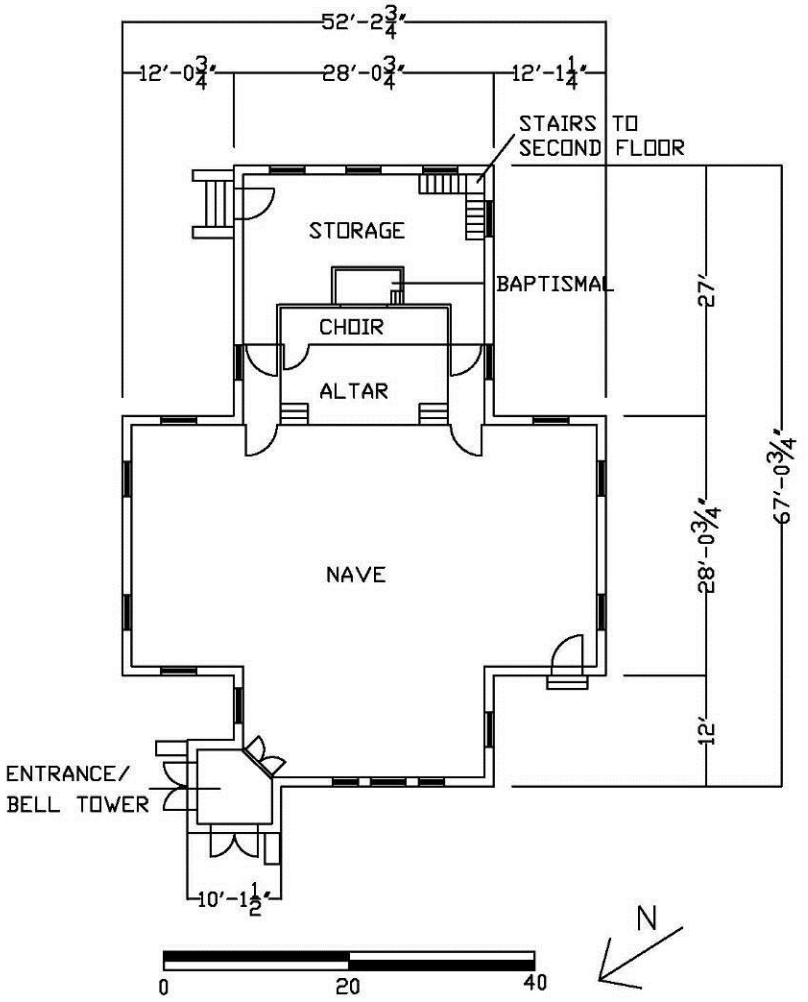
Project Information: The documentation of the Nocatee Baptist Church (First Baptist Church of Nocatee) was conducted in 2012 for District One of the Florida Department of Transportation by Archaeological Consultants, Inc., under contract to Bowyer-Singleton Associates, and in accordance with the *Memorandum of Agreement among the United States Department of Transportation Federal Highway Administration, Florida Department of Transportation, and the Florida State Historic Preservation Officer, Regarding U.S. 17 from County Road (C.R.) 675 to Heard Street, DeSoto County, Florida*, dated October 2011. As specified in the Memorandum of Agreement, the documentation effort followed HABS Level III Standards. The field team consisted of architectural historian, Patricia Slovinac (ACI), and independent photographer, Penny Rogo Bailes. The written narrative was prepared by Ms. Slovinac and Meg Richardson; it was edited by Rebecca Spain Schwarz, Atkins, and xx, Florida Department of Transportation, District One. The photographs and negatives were processed by Zebra Color, Inc., an independent photography/processing studio.

NOCATEE BAPTIST CHURCH
HABS No. FL-
Page No. 6



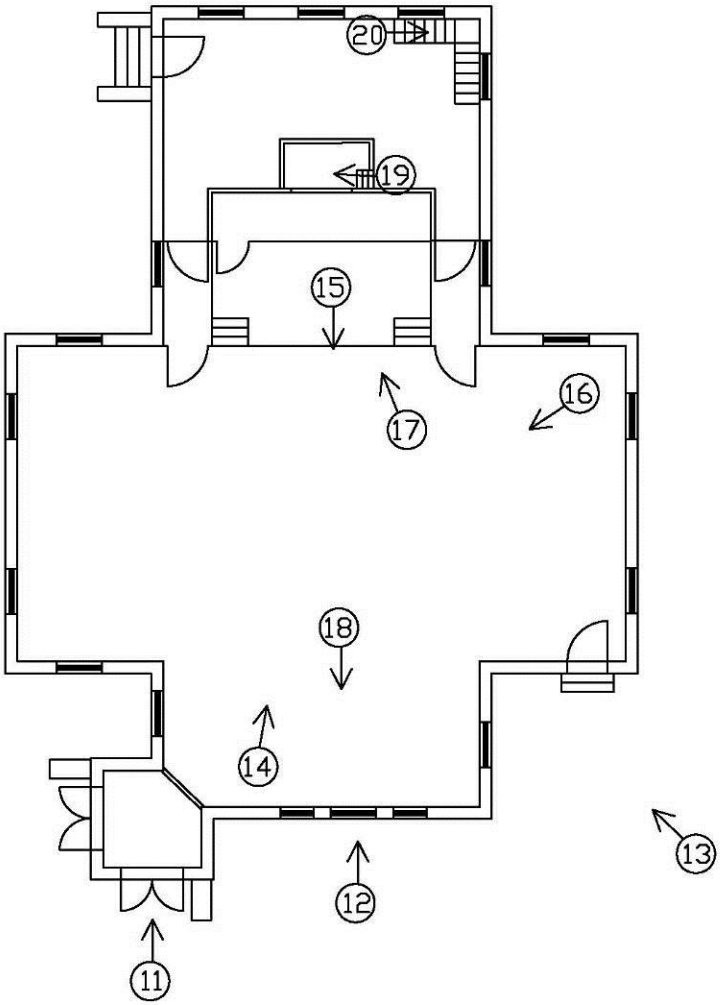
SITE PLAN/ROOF PLAN

NOCATEE BAPTIST CHURCH
HABS No. FL-
Page No. 7



INTERIOR PLAN-SANCTUARY/BELL TOWER

NOCATEE BAPTIST CHURCH
HABS No. FL-
Page No. 8



KEY TO EXTERIOR DETAIL/
INTERIOR PHOTOGRAPHS

HISTORIC AMERICAN BUILDING SURVEY

INDEX TO PHOTOGRAPHS

NOCATEE BAPTIST CHURCH
(First Baptist Church of Nocatee)
4610 SW Highway 17
Nocatee
DeSoto County
Florida

HABS No. xx

Penny Rogo Bailes, Photographer; April 2012
(FL-xx-1 through FL-xx-20)

FL-xx-1	OVERALL VIEW OF THE WEST ELEVATION OF THE SANCTUARY, FACING SOUTHEAST.
FL-xx-2	OVERALL VIEW OF THE CHURCH AND PROPERTY FROM COWART STREET, FACING SOUTHEAST, PASTORIUM AT LEFT.
FL-xx-3	OVERALL VIEW OF THE CHURCH AND PROPERTY FROM BOLL WEEVIL STREET, FACING NORTHEAST.
FL-xx-4	OVERALL VIEW OF THE CHURCH AND PROPERTY FROM COWART STREET, FACING SOUTHWEST.
FL-xx-5	OVERALL VIEW OF THE WEST AND NORTH ELEVATIONS OF THE SANCTUARY, FACING SOUTHEAST.
FL-xx-6	OVERALL VIEW OF THE NORTH AND PARTIAL VIEW OF THE EAST ELEVATIONS OF THE SANCTUARY, FACING SOUTHWEST.
FL-xx-7	OVERALL VIEW OF THE EAST ELEVATION OF THE CLASSROOM ADDITION, FACING WEST.
FL-xx-8	OVERALL VIEW OF THE SOUTH ELEVATION, FACING NORTHWEST.
FL-xx-9	OVERALL VIEW OF THE SOUTH AND WEST ELEVATIONS OF THE SANCTUARY, FACING NORTHEAST.
FL-xx-10	DETAIL VIEW OF THE BELL TOWER, FACING EAST.
FL-xx-11	DETAIL VIEW OF THE ENTRANCE, FACING EAST.

FL-xx-12 DETAIL VIEW OF THE TRIPLE LANCET WINDOW ON THE WEST ELEVATION, FACING EAST.

FL-xx-13 DETAIL VIEW OF A WINDOW (SOUTH ELEVATION) AND DOOR (WEST ELEVATION), FACING NORTHEAST.

FL-xx-14 OVERALL VIEW OF THE INTERIOR, FACING EAST.

FL-xx-15 OVERALL VIEW OF THE INTERIOR FROM THE ALTAR, FACING WEST.

FL-xx-16 OVERALL VIEW OF THE INTERIOR, FACING NORTHWEST.

FL-xx-17 DETAIL VIEW OF THE ALTAR, FACING NORTHEAST.

FL-xx-18 DETAIL VIEW OF THE TRIPLE LANCET WINDOW FROM THE INTERIOR, FACING WEST.

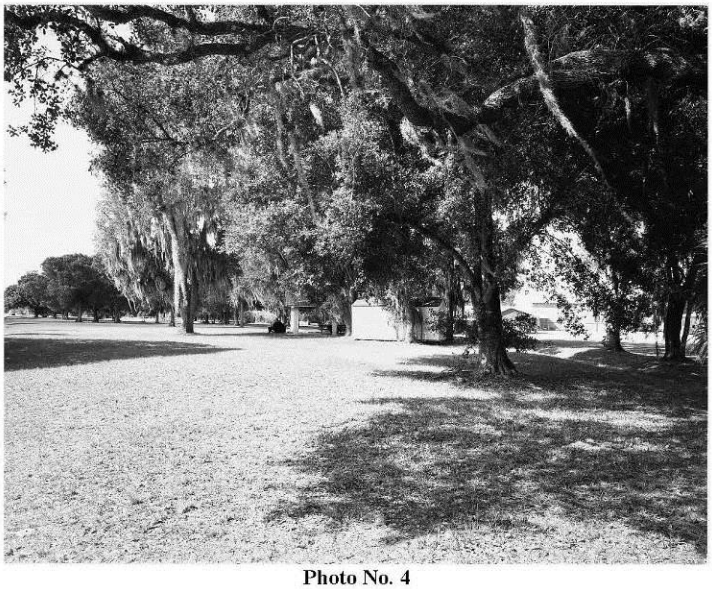
FL-xx-19 DETAIL VIEW OF THE BAPTISMAL FONT, FACING NORTH.

FL-xx-20 DETAIL VIEW OF THE ORIGINAL METAL CEILING PANELS BEHIND THE ALTAR, FACING SOUTH.

Photo No. 1

Photo No. 2

Photo No. 3



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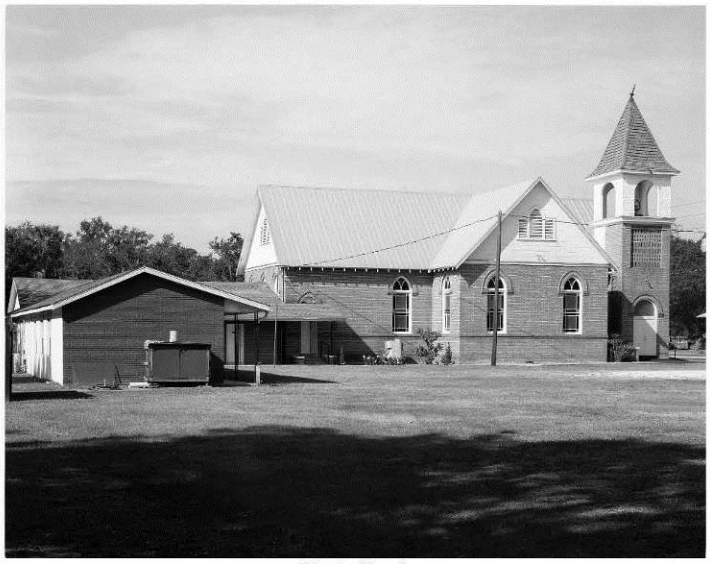

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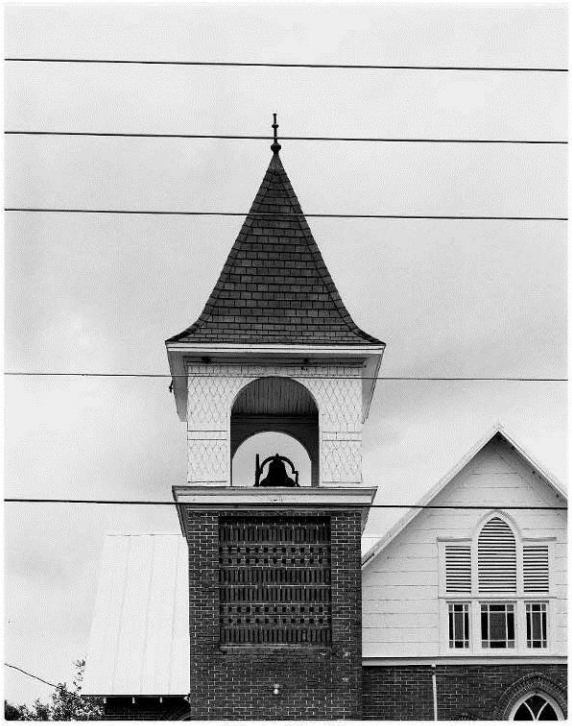

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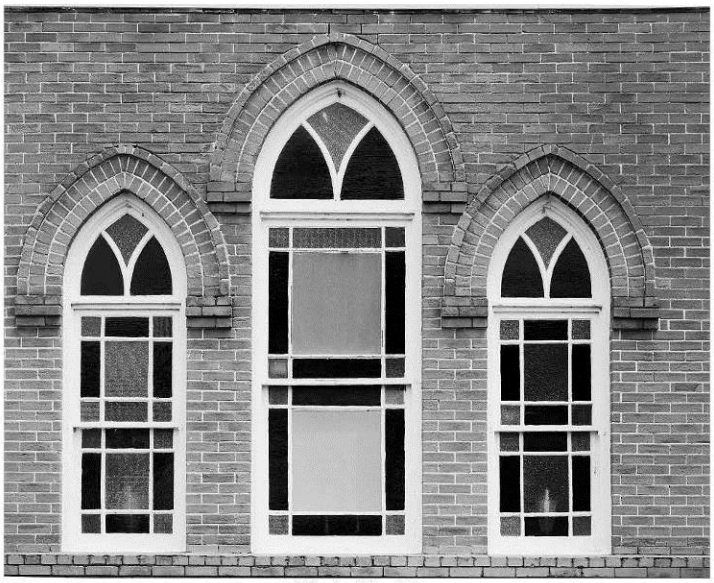

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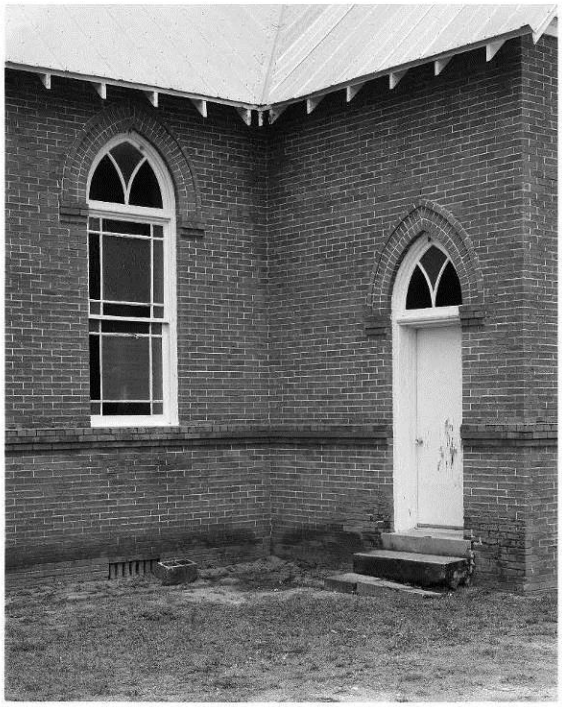

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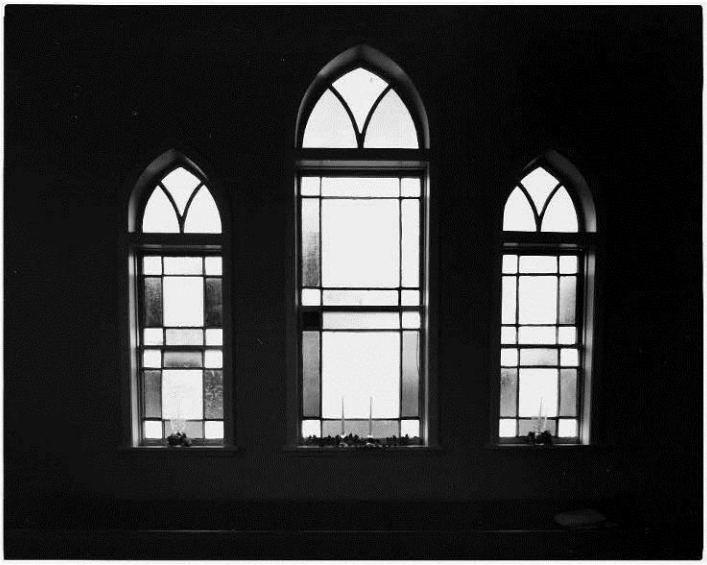
Photo No. 17



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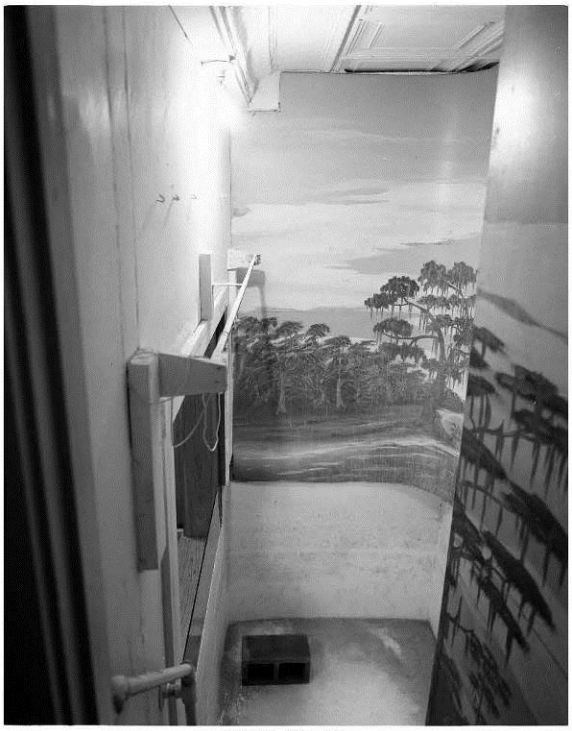


Photo No. 19

Photo No. 20

CHAPTER 10
ARCHAEOLOGICAL MITIGATION

10.0 OVERVIEW

In cases where an undertaking will result in adverse effects to a NRHP-listed or eligible archaeological site significant for the information it contains, and where preservation in place is not feasible, excavation and data recovery may be the best mitigation measure. While data recovery is NOT required by law, it is the most commonly agreed-upon measure for archaeological sites evaluated as significant under Criterion D, since it preserves important information that would otherwise be lost. For sites whose significance is not related to their research value (i.e., possesses scientific or educational value, or is potentially important as a heritage tourism asset), there is an opportunity for alternative mitigation treatments.

This chapter begins with a brief look at mitigation treatments designed to avoid or minimize adverse effects to archaeological sites. It lists measures that might be suitable as alternatives to excavation and data recovery. A detailed description of mitigation through archaeological excavation and data recovery follows. Included are content requirements for data recovery plans/research designs and excavation reports, plus standard excavation and analysis techniques.

Guidance contained in this chapter is consistent with the standards and guidelines set forth in Archeology and Historic Preservation: Secretary of the Interior's Standards and Guidelines and the DHR's Cultural Resource Management Standards and Operational Manual (2003), as well as Chapter 1A-46, FAC.

Chapter 10 covers the following:

10.1 ARCHAEOLOGICAL MITIGATION ALTERNATIVES

Mitigation includes actions that reduce or compensate for the impacts an undertaking may have on a NRHP-listed or eligible archaeological site. The appropriate mitigation measures depend on a number of factors, including the applicable criteria for NRHP eligibility, as well as the nature of the effects of the proposed undertaking. Mitigation measures for individual undertakings, as agreed upon by the consulting parties, usually are formalized as stipulations within a MOA. Whenever possible, the best measure is to actively preserve the archaeological site in place and to protect it from damage. If preservation is not feasible, minimization alternatives are the next best option. Data recovery

through archaeological excavation is an adverse effect and is undertaken only as a measure of last resort.

Burial sites are sensitive for the social, cultural, religious, and ceremonial values attached to them, and avoidance or disturbance to human remains on federal, tribal, state, or privately-held lands is mandated by federal (NAGPRA) and state (Chapter 872.05, FS) laws. Therefore, sites known to contain human remains, such as aboriginal burial mounds and cemeteries (precontact and historic) must be preserved and protected from damage or destruction. For FDOT undertakings, these sites are never appropriate for mitigative excavation. Additionally, sites containing funerary objects, sacred objects, or items of cultural patrimony, as defined by NAGPRA should not be excavated.

10.1.1 Minimization Alternatives

Commonly applied alternative measures for minimizing harm to significant archaeological sites include the following:

- **Redesign or reorientation** of the project. For example, redesign of a median as open space may be appropriate to preserve an archaeological site of small size and well defined boundary. Limiting the width of the proposed ROW or adjusting the locations of proposed pond sites also will limit direct construction impacts.
- **Repair, rehabilitation, or restoration** of an affected site. This measure may be suitable for historic period archaeological sites that contain architectural features (e.g., sugar mill ruins, a turpentine still, and a defensive wall at a battlefield site). The restoration of vandalized or eroded surface features of a site also may be appropriate.
- In-place **preservation/protection** of archaeological deposits can be accomplished in a variety of ways. Examples include covering the site with clean fill material, easily distinguished from the soil matrix of the site; planting native vegetation to stabilize the area (e.g., shoreline) adjacent to a site to prevent erosion; the use of fencing or barriers to route traffic away from the site; or the incorporation of the site into the project design, followed by periodic inspection.
- **Restriction** of ground disturbing activities to depths shallower than the uppermost-zone of deeply buried sites. For example, parking lot development is one type of shallow construction activity that may occur without adversely affecting underlying buried significant archaeological resources.
- **Monitoring** is another method to minimize project impacts. For example, data recovery projects typically focus on only a sample of a large site area; the remainder of the site might be directly impacted by construction. Archaeological monitoring of mechanical grading during construction is one way to document features and to recover data that would otherwise be lost.

10.1.2 Off-Site Mitigation

Off-site mitigation measures include a variety of research and education options, including the following:

- Preparation of a historic context for the region or syntheses of existing information;
- Preparation of a NRHP nomination for similar sites in the area, possibly comprising an archaeological district (e.g., St. Johns II period shell midden sites along Mosquito Lagoon;
- Publication of books, articles, technical assistance bulletins, land management plans, and local government comprehensive plans concerned with historic preservation issues, policies, and procedures;
- Preparation of modules for schools and classroom lecture material concerned with Florida's precolumbian heritage and archaeological site preservation and protection;
- Development of exhibits and interpretive displays, documentary videos, brochures, and websites highlighting the local prehistory, historic resources, and/or historic preservation programs of state and local governments;
- Site tours, public lectures and archaeology programs, market days, and celebrations in historic districts, and other activities drawing attention to the historic resources representing the prehistoric and historic heritage of the state and our communities; and
- Acquisition and preservation of archaeological sites away from the project APE in return for doing little or no direct mitigation on sites within the APE.

Given the nature of the FDOT undertaking, if preservation in place or any of these avoidance and minimization alternatives is not feasible, data recovery through archaeological excavation will be performed in an appropriate manner as a means of preserving the site's significance. Often times, a combination of limited data recovery and research, and/or public education initiatives are conducted.

10.2 EXCAVATION AND DATA RECOVERY

Data recovery through archaeological excavation, also referred to as Phase III mitigative excavation, is appropriate for those archaeological sites considered significant for their information potential and with minimal value for preservation in place. Only the portion of the site that will be adversely affected by the undertaking is included in the data recovery effort. While at least part of the significant site will be destroyed, mitigative excavation preserves data in the form of a written document, curated archaeological materials, and informational materials suitable for the public.

The following basic "principles" outlined by the ACHP in their Recommended Approach for Consultation on Recovery of Significant Information from Archaeological Sites are applicable for all FDOT excavation projects:

- *The pursuit of knowledge about the past is in the public interest.*
- *An archeological site may have important values for living communities and cultural descendants in addition to its significance as a resource for learning about the past; its appropriate treatment depends on its research significance, weighed against these other public values.*
- *Not all information about the past is equally important; therefore, not all archeological sites are equally important for research purposes.*
- *Methods for recovering information from archeological sites, particularly large-scale excavations, are by their nature destructive. The site is destroyed as it is excavated. Therefore management of archeological sites should be conducted in a spirit of stewardship for future generations, with full recognition of their non-renewable nature and their potential multiple uses and public values.*
- *Given the non-renewable nature of archeological sites, it follows that if an archeological site can be practically preserved in place for future study or other use, it usually should be (although there are exceptions). However, simple avoidance of a site is not the same as preservation.*
- *Recovery of significant archeological information through controlled excavation and other scientific recording methods, as well as destruction without data recovery, may both be appropriate treatments for certain archeological sites.*
- *Once a decision has been made to recover archeological information through… excavation, a research design and data recovery plan based on firm background data, sound planning, and accepted archeological methods should be formulated and implemented. Data recovery and analysis should be accomplished in a thorough, efficient manner, using the most cost-effective techniques practicable. A responsible archeological data recovery plan should provide for reporting and dissemination of results, as well as interpretation of what has been learned so that it is understandable and accessible to the public. Appropriate arrangements for curation of archeological materials and records should be made. Adequate time and funds should be budgeted for fulfillment of the overall plan.*
- *Archeological data recovery plans and their research designs should be grounded in and related to the priorities established in regional, state, and local historic preservation plans, the needs of land and resource managers, academic research interests, and other legitimate public interests.*
- *Human remains and funerary objects deserve respect and should be treated appropriately. The presence of human remains in an archeological site usually gives the site an added importance as a burial site or cemetery, and the values associated with burial sites need to be fully considered in the consultation process.*
- *Large-scale, long-term archeological identification and management programs require careful consideration of management needs, appreciation for the range of archeological values represented, periodic synthesis of research and other program results, and professional peer review and oversight.*

10.2.1 Project Planning Considerations

In planning a Phase III mitigative excavation project, FDOT and its consultant should consider or be aware of the following:

- **Time and Cost Considerations:** Site excavation and subsequent analyses and report production are costly and labor-intensive activities. A large, internally complex site yielding many artifacts and other classes of materials (e.g., faunal remains), which typically entail specialized analyses, may require several years of study and documentation. To demonstrate that FDOT has met its obligations pursuant to the stipulations of the MOA, as appropriate, FDOT and its consultant may prepare a Management Summary at a level of detail sufficient to allow for timely SHPO review and project clearance.
- **Site Security**: The protection of the site from vandalism or other damage is the responsibility of FDOT. It may be necessary to hire a professional security company to protect the site during non-working hours. Archaeological sites located in urban areas are particularly vulnerable to vandals, including artifact collectors. Additionally, during normal working hours, an active archaeological excavation may attract the attention of individuals as well as members of the press. Visitors to the site are disruptive to the progress of the work, and pose a danger to the physical integrity of the site. To prevent such situations, FDOT may need to dedicate personnel to control both access to the site, as well as the flow of information.
- **Health and Safety**: The safety and well-being of all employees working on FDOT related excavations is of great importance. All CRM firms performing the excavation project on behalf of FDOT must provide a copy of their Health and Safety Plan to the FDOT Project Manager. In addition, the fieldwork must be conducted under the direct supervision of a certified OSHA (Occupational Health and Safety Administration) Competent Person, defined as a person who can identify hazards in operation and who has the authority to take appropriate actions.
- **Inadvertent discovery of human remains**: Archaeological sites containing human remains are especially sensitive cultural resources for cultural, legal, ethical, and scientific reasons. If human remains are encountered during the course of the excavation, the contractor shall cease work in the immediate area of the burial, notify the FDOT Project Manager, and proceed in accordance with the procedures outlined in Chapter 872.05, FS. The procedural requirements for addressing the inadvertent discovery of human remains must be specified in the Data Recovery Plan/Research Design.

10.2.2 Types of Archaeological Sites

For any excavation project, the types of data classes expected, the relevant research questions, and the appropriate field and laboratory methods all are related to the specific type of archaeological site. A description of common site types found in Florida, including the data classes typically associated with each, follows.

Artifact Scatters are composed of ceramic sherds, shell food remains, shell tools, lithic tools and manufacturing debris, or any combination thereof. They most often are located on well-drained sandy ridges or on low rises in the pine flatwoods. Most artifact scatters represent short-term campsites related to hunting and gathering activities; larger sites with greater artifact density and diversity may represent more permanent habitations. **Lithic scatters**, a subtype of artifact scatters, are comprised almost exclusively of stone tools and quarrying and/or tool manufacturing debris. They are located, most commonly, where chert exposures suitable for tool making are present.

Artifact scatters range in size from a few hundred square meters to several hectares in extent. They often have relatively deep subsurface components, sometimes in excess of two meters. Organic preservation is usually poor, so the potential for subsistence remains and environmental data is limited. Occasionally, features such as post molds, hearths, or fire pits are present. Observable soil strata are often lacking. These deceptively simple sites often have experienced relatively complex histories of site formation, which are difficult to interpret based on archaeological data alone since none but the most nonperishable artifacts remains. For this reason, artifact scatters are perhaps most in need of supplementary data supplied by soil scientists, geologists, hydrologists, and palynologists.

Because the density and spatial distribution of artifacts and features are often variable at artifact scatters, initial shovel testing at relatively close intervals (25 m [82 ft] or less) is necessary to identify intrasite activity areas. Once identified, activity areas may be investigated through the placement of blocks of contiguous excavation units. This approach is most effective for identifying and removing artifact concentrations or features. In some cases, the use of heavy equipment such as graders or backhoes may be necessary to remove culturally sterile overburden in order to reveal deeply buried features and cultural deposits.

Research at these sites traditionally has focused on the collection of temporally diagnostic artifacts to establish chronological sequences, as well as studies of technology and site function. Because these sites often are spatially expansive, many researchers now are focusing attention on the intensive excavation of specific activity areas to learn as much as possible about smaller subsections of these sites. These are presumed to represent individual episodes of occupations within a larger site universe consisting of periodic, overlapping occupations.

Black Earth Middens are characterized by the presence of faunal material (bone and shell), floral material (often charred), and artifacts in dark, organic stained soils. They usually are located in hardwood hammocks adjacent to rivers, streams, lakes, ponds, marshes, sloughs, and swamps. Most of the known middens date to the post-Middle Archaic period although earlier occupations may be present in sub-midden contexts. Black earth middens evidence both long and short-term habitations. In addition to food remains, shell, bone, and antler tools and ornaments; pottery fragments; lithic tools and debris; features such as hearths, roasting pits, storage pits, post molds, and living floors, as well as occasional human burials, all can be expected in black earth middens. These sites are likely to yield charcoal and shell samples suitable for radiocarbon dating. Faunal materials provide data for subsistence, seasonality, environmental, and organizational studies.

Because of the usual excellent state of organic preservation at black earth middens, excavation strategies typically are directed towards obtaining representative samples of faunal and floral material for subsistence and seasonality reconstruction. Distinct stratification related to different occupations often is observable at these sites, and this, in combination with dateable organics and abundant artifacts, makes black earth middens useful sites for establishing ceramic chronologies. The typical excavation strategy includes units and/or trenches that provide a complete stratigraphic profile of the site. In addition, the internal spatial organization of these sites is investigated with large block excavations and the use of heavy equipment to remove overburden and expose sub-midden features. In the case of cultural deposits found below the water table, wellpoints are used sometimes to dewater excavation units.

Shell Middens are composed primarily of marine or fresh water shell refuse. Marine shell middens usually are located in coastal hammocks along bayshores and estuaries; freshwater shell middens are found along rivers or large streams and lakes. Shell middens generally contain abundant animal and shell food refuse, floral material, and artifacts, as well as features. Both marine and freshwater shell middens have been dated as early as the Middle to Late Archaic period and as late as the protohistoric period. Charcoal and shell from middens enables radiocarbon dating, while faunal and floral materials are suitable for studies of subsistence, seasonality, and environmental change. Except for the presence of abundant shell, shell middens are similar to black earth middens in terms of their research potential. These site types also share research approaches and excavation strategies.

Sand Mounds and Earthworks are common throughout Florida. Associated borrow pits indicate where material was obtained for their construction. Mounds were used for burials, as well as the foundations for dwellings. Very large mounds may have served a ceremonial function or as a foundation for the dwellings of religious and political leaders. Most sand mounds are believed to date to the post-Archaic period, although there are Archaic period mounds. The types of cultural materials found in sand mounds include ceramics, lithics, and faunal remains. Features may contain charcoal suitable for dating.

Earthwork types include linear ridges, circular embankments, and causeways constructed of earth and/or shell, as well as their associated borrow pits, and both linear and circular ditches. While occasionally encountered in isolation, earthworks are most often associated with other precontact features such as mounds or middens. Most of Florida's aboriginal earthworks are located on the southwest coast, in the Kissimmee River Valley, and in the Lake Okeechobee Basin region. Little is known about the function of these constructed features or their data potential. While their artifact content may be limited, analysis of soil stratigraphy, chemistry, and grain size may shed light on their function and construction history. The presence of carbonized materials suitable for dating greatly increases their research potential.

Typical mound and earthwork excavation strategies include the use of perpendicular trenches to obtain stratigraphic cross sections and to identify methods of construction. Additional block excavation of contiguous units also is conducted.

Historic Archaeological Sites typically are classified as artifact scatters. They consist of fragmentary and whole artifacts of glass, ceramic, or metal, as well as structural and industrial materials, and may date to any time after 1500 C.E. Historic period archaeological sites are diverse in kind, reflecting such activities as military, agricultural, commercial, industrial, and domestic activities, among others. Artifacts usually are located relatively close to the modern ground surface, often within 20-30 cm (8-12 in), and features such as trash pits, privy pits, and building foundations may be encountered. In urban areas, substantial amounts of fill material often overlay the earlier historic deposits.

Excavation strategies at historic artifact scatters are similar in many ways to those for precontact scatters. Initial shovel testing or auger testing at close intervals usually is necessary to identify the spatial distribution of subsurface artifact deposits. Remote sensing instrumentation may be used to identify buried features and foundations. For example, at military sites, metal detectors have been used successfully to identify the possible locations of musket balls and field discards from a battle. Electrical resistivity, magnetometer, and ground penetrating radar (GPR) also are useful to locate buried features, including structural remains. The block excavation of artifact concentrations and other features maximizes the recovery of spatial information. For sites in urban areas that are under modern fill, heavy equipment may be necessary to expose buried deposits.

The important feature that distinguishes historic period from precontact period archaeological sites is the availability of a documentary record for the former. Useful archival materials include deeds; tax, census, military, commercial, and probate records; historic maps and photographs; diaries; and a variety of other primary source materials. Informants also may provide valuable information.

Underwater Sites are grouped into three basic types: sites created on land that have subsequently become submerged, sites created in submerged contexts (e.g., refuse sites), and shipwrecks. The excavation of underwater archaeological sites is a highly specialized undertaking that makes use of remote sensing instrumentation, underwater cameras, and other special equipment. Chapter 1A-31, FAC provides the *Procedures for Conducting Exploration and Recovery of Historic Shipwreck Sites.*

10.2.3 Data Recovery Plan/Research Design

The first phase of the excavation project is the preparation of a Data Recovery Plan/Research Design, which provides a statement of research objectives and the specific methods to accomplish them in the most effective and least destructive way. It specifies relevant research questions and provides an overall plan to guide the excavation, laboratory analyses, and documentation, including a project schedule. Both the FDOT Project Manager and the SHPO review and approve the Data Recovery Plan/Research Design prepared by the CRM consultant prior to the start of fieldwork. If so stipulated in the MOA, Native American tribes and other consulting parties also may comment on the adequacy of the plan.

In accordance with the Secretary of the Interior's Standards and Guidelines for Archeological Documentation (as amended and annotated), the Data Recovery Plan/Research Design typically contains the following elements:

Research Problem(s) and Relevant Data Classes: The research design contains a statement of one or more specific research problems, questions, or hypotheses, as well as the data classes expected, both cultural and natural, and how selected classes will contribute to addressing the stated research questions. It is not necessary to focus equally on all available data classes. For example, faunal remains like fish otoliths are sensitive indicators of seasonality. If such remains are expected, then research questions related to the seasonal use of a site may be addressed successfully. Specifically explain the methods to be used to study each data class. In addition to site-specific research questions, the plan should include field and analytical measures necessary to address such issues as landscape, stratigraphy, site formation, site modification, and landscape modification.

Sampling Design: It is neither desirable nor possible to excavate the entirety of the site, as contained within the project APE. Therefore, the Data Recovery Plan/Research Design should provide an explanation of the proposed sampling strategy or strategies, and the justification for selection. The type of sampling strategy, either purposive or probabilistic, will depend on the types of questions asked, the data classes expected, and the internal structure of the site, among other factors. A purposive sampling strategy is based on prior knowledge about the distribution of artifacts and features at the site. This information may be available from the original CRAS, or obtained from systematic testing conducted as part of the mitigation effort. The advantage of using a purposive sampling design is that decisions regarding which parts of the site to include or to exclude are based on hard data. In probabilistic sampling, the decision as to where to excavate is determined randomly. Therefore, all portions of the site have a statistically determined chance of being included in the excavation sample. The advantage of this approach is that it enables predictable statements about the total population of artifacts or features. The disadvantage of a probabilistic sampling design is that potentially productive areas of the site may not be included in the sample. Due to the inherent limitations of each sampling strategy, a combination of purposive and probabilistic sampling typically is used.

In addition to the sampling strategy, include an estimate of what percentage of the site will be part of the data recovery effort. For a very large site, a sample as small as 1 percent or less may be acceptable if the sampling design is appropriate to the stated research goals. For example, a purposive sample that focuses on one or a few specific activity areas within a larger site universe, or a random sample from a previously defined activity area, may be acceptable strategies for dealing with the problems of small sample size at large sites. Another approach would be an excavation strategy that focuses on a single cultural component (e.g., Paleoindian or Early Archaic) within a multicomponent site. This approach would be especially justifiable if the site's significance derives primarily from the potential information yield associated with the specified component.

Field and Laboratory Methods: The proposed methods specify the requirements of data recovery and analysis relevant to project needs. At a minimum, this will include the following:

- A description of the size and placement of excavation units;
- The excavation procedure, including the use of arbitrary or natural levels, the size of arbitrary excavation levels, screen size, and recording conventions;
- Specification of special sampling techniques for soil, faunal remains, and other special data classes;
- Use of specialized techniques and equipment;
- Mapping procedures;
- Analysis procedures including a discussion of the types of analysis, the specific analytical methods and techniques, the basic artifact typologies that will be used, and the use of specialists; and
- Statement of expected results.

Archaeology is increasingly dependent on specialists in other fields (e.g., geology, sedimentology, palynology, zoology) to provide data that will assist in the interpretation of a particular site. If the services of outside specialists are used, include this information in the Data Recovery Plan/Research Design. Similarly, collaboration with historians and archivists may be needed for historical period sites, and with ethnographers or cultural anthropologists to coordinate, consult with, and solicit the views and concerns of affected local groups who may have a direct ethnic or historical relationship to the site. For example, excavations at a Seminole Indian encampment in the Everglades or a cigar worker's house in Ybor City would benefit from ethnographic research and informant interviews in conjunction with historic documents research.

10.2.4 Excavation and Data Collection Procedures

The excavation process involves the collection and recordation of artifacts, features, and other relevant data in both their horizontal and vertical contexts. The horizontal or spatial dimension preserves contemporary relationships among artifacts that enable the reconstruction of activities conducted at a site at specific points in time. The vertical dimension preserves the temporal relationships among artifacts, features, and occupational strata from which a developmental history of the site is reconstructed.

Regardless of the type of site excavated, all data recovery projects minimally contain the following components:

- Topographic mapping;
- Establishment of an excavation grid system;
- Broad scale testing to determine site boundaries and/or artifact and feature concentrations;
- Data recovery through controlled excavation; and
- Data recording.

Topographic Mapping: The first phase of an excavation involves the generation of a topographic map and the establishment of a permanent site datum. This establishes the point from

which all subsequent vertical measurements are referenced. If no benchmark is located nearby, assign an arbitrary elevation to the site datum until a true elevation is established. The topographic survey results in an accurate map of the landscape on which all subsequent artifact and feature distribution data are plotted. Topographic maps of the site available from other sources may be substituted and used to locate excavation units and major features if they are at a scale of 1"=100' (33.3 m) or larger and show elevation changes at a contour interval of no greater than 1 foot (0.3 m). However, because subtle changes in elevation may be of importance in identifying archaeological site features, it is usually preferable to have a topographic map generated specifically for archaeological use.

Grid System: A master grid system is helpful in maintaining horizontal control during excavation. The excavation units, shovel tests, and test trenches are referenced according to this grid system. Grid systems facilitate accurate three-dimensional recording of artifact and feature locations, and allow for the orderly expansion of the excavation in all directions. The grid coordinate system uses numerical and directional designations for each grid intersection (e.g., 100N/100E). The excavation grid is located in reference to a known location in space. The recommended procedure is to establish a base line along an existing section line, property line, or centerline of a major road, and tie in all excavation units relative to this base line. Alternatively, establish an arbitrary base line oriented to one of the cardinal directions, and then tie it into a USGS benchmark or other immovable landmark.

Broad Scale Testing: Typically, mitigative excavation involves broad scale testing to identify or refine site boundaries and to determine the locations of activity areas, artifact concentrations, or subsurface features within the site. If a purposive sampling design is used, broad scale testing provides the information necessary to make decisions regarding the placement of excavation units and test trenches. Although the identification of intrasite features and concentrations is not mandatory, if a probabilistic sampling design is used, delimiting the boundaries of the site is necessary to establish the size of the sampling universe. If boundaries were not determined during the CRAS survey, then sufficient subsurface testing is conducted during the initial stage of the excavation project.

For most sites, the preferred method for implementing a broad-scale testing program is the use of hand excavated shovel tests. These are either round (0.5 m [20 in] in diameter) or square (0.5 x 0.5 m/20 x 20 in) and shall extend to a depth of at least 1 m (3.3 ft) below ground surface unless prevented by impenetrable conditions. Substitute posthole diggers or augers if the goal of the testing program is simply the identification of site boundaries, especially where artifact density is relatively great and large areas need to be covered. However, it is not possible to maintain vertical control with either of these alternative methods.

The distance between individual tests is dependent on the type of site, the size of the area investigated, and the presumed density of subsurface materials. It also is dependent on the goal of the broad scale testing. If the goal is to identify site boundaries, and artifact density is relatively great, then larger intervals may be used. If artifact density is relatively low or variable across the site, or the goal of the testing is to identify intrasite activity areas, then smaller test intervals are necessary. However, in no case should test intervals exceed 25 m (82 ft).

Other methods, which may be acceptable under certain conditions, include the use of heavy equipment to excavate test trenches to reveal soil strata or strip off overburden to reveal subsurface features. At sites where surface artifacts occur, conduct controlled surface collections within a grid system. This method is useful particularly at late historic period sites where artifacts and features are often at or very near the modern ground surface.

On some types of sites, particularly those where subsurface features are suspected, the use of remote sensing instrumentation such as a magnetometer, electrical resistivity, or GPR may be employed. The use of these techniques is often a cost-effective way to locate isolated subsurface features such as coquina foundations, tabby walls, brick piers or pilings, and trash pits. Remote sensing also represents a noninvasive technique to help identify cemeteries and human remains. Similarly, stereo pair and false color imagery can assist in the location and identification of mounds, middens, earthworks, canals, and other above ground archaeological features, particularly if obscured from view by vegetation. These techniques enhance the location of features and maximize the data collection process.

Data Recovery through Controlled Excavation: Data recovery usually entails controlled excavation of a predetermined sample of the site universe. Depending on the type of site, research questions, and data classes expected, a number of strategies may be used including block excavation, isolated units, and/or linear trenching. If necessary, heavy equipment such as a grader or front-end loader removes the overburden. This is an effective way of removing sterile, disturbed, or non-significant fill, enabling hand excavation to focus on the significant deposits. Whenever heavy equipment is used, archaeologists must be present to monitor the soil removal and record any artifacts or features that are exposed, or to halt work in the event that human remains are uncovered.

Although specific techniques may vary from site to site, all archaeological excavations should conform to the basic practices of data collection and recording. These include the use of standardized excavation units and a grid system, the use of natural or arbitrary levels to maintain vertical control, the screening of excavated soil using a standard .64 cm (.25 in) mesh, the careful and standardized recording of provenience information including maps and stratigraphic profiles, and the maintenance of a complete photographic record of the excavation.

Excavation Units: The size of the excavation units will vary in accordance with the Data Recovery Plan/Research Design. Ordinarily, the most common sizes are 1 x 1 m (3.3 x 3.3 ft), 1 x 2 m (3.3 x 6.6 ft), 2 x 2 m (6.6 x 6.6 ft), and 3 x 3 m (9.9 x 9.9 ft). The advantage of larger sized squares is that the spatial arrangement of any post molds, fire pits, or other features exposed during excavation are visible in plan view, which facilitates accurate mapping. The disadvantage is compromised spatial control for the artifacts recovered during screening. To avoid this problem, subdivide larger units into smaller blocks (e.g., 1 m [3.3 ft] or 0.5 m [20 in] squares) and excavate these separately. Individual excavation units larger than a 3 x 3 m (9.9 x 9.9 ft) square are discouraged because of the lack of spatial control in the collection of smaller artifacts.

Excavation continues until at least two sterile levels are completed. At sites where Paleoindian or Early Archaic components are present, deep coring or the use of backhoe tests to

expose deeply buried soil horizons may be required to ensure that these early and sometimes ephemeral sites are not missed.

Archaeological excavation takes place within "natural" units whenever possible. "Natural" means any unit of matter that displays abrupt and observable boundaries. "Natural" units may include soil stains, distinct strata, pits, mounds, or the rooms of a building. While most "natural" collection units have a cultural origin, this may not always be true. For example, windblown sediments, alluvial silts, or storm surges create discernible strata, and these should be excavated as separate collection units. The reason for specifying the use of "natural" units is to ensure that artifacts or other materials resulting from different depositional episodes are not mixed together during recovery.

Features such as post molds, fire pits, and trash pits are excavated separately as a distinct unit and the material collected is bagged and recorded as a new provenience. Similarly, materials from the outside of a structure are kept separate from those materials collected from the structure's interior.

The methods used to excavate cultural features depend on the type of feature encountered and the nature of the soil matrix. The preferred method is to pedestal the feature and then excavate half of it to expose a cross-section profile; the profile is mapped and photographed. Excavate the remaining half of the feature as one sample. This is a particularly effective method when excavating in soft, sandy soils. In more stable soils, excavate feature fill as a total sample without pedestaling; however, no profiles are possible using this technique.

Excavation Levels: The excavation of individual units proceeds by arbitrary levels within natural or cultural stratigraphic zones if they are present. If soil stratification is not observable, use arbitrary excavation levels to maintain vertical control. The size of the arbitrary levels may vary depending on the vertical segregation of components.

It is not unusual in Florida to have precontact archaeological deposits extend to depths exceeding 2 m (6.6 ft) below present ground surface. In Florida's sandy soils, the vertical faces of deep excavation units can become unstable and may pose a safety hazard to workers. To overcome this problem, the walls must be sloped back 1.5 m (5 ft) for every 1 m (3.3 ft) in depth for all depths greater than 1.5 m (5 ft), per OSHA regulations. The team's Competent Person analyzes the soils to determine the OSHA requirements for sloping, benching, and shoring. Means of egress (e.g., ladder or ramp) are required for all excavations reaching a depth of 1.2 m (4 ft). Piles of excavated soil must be at least 0.6 m (2 ft) from the edge of the excavation. Also, in accordance with OSHA standard requirements, work is not allowed in excavation units where water has accumulated unless adequate precautions are taken. In addition, ladders of sufficient height and stability to enable excavators to enter and exit deep excavation units safely are required.

Screen Size: All soil is sifted through hardware cloth with a mesh size no greater than .64 cm (.25 inch) to ensure the most complete recovery of artifacts. Large mesh screens are acceptable only when used in conjunction with .64 cm (.25 inch) screens. Use mesh screens smaller than .64 cm (.25 inch) at any time, particularly for special sampling purposes. The use of water to assist in the screening process may be advisable in some situations. However, water sprayed under pressure may

damage small bones or delicate botanical remains. Consult with the zooarchaeologist, archaeobotanist, or other specialist regarding appropriate collection methods.

Column Samples: At sites containing faunal or floral material, collect at least one column sample for laboratory analyses. Excavate these using the same method used for the general unit levels; that is, by arbitrary levels or natural/cultural stratigraphic zones. The size of the column samples are appropriate to the needs of the special analyses for which they are used.

Artifact and Sample Collection: Place all recovered artifacts and other cultural materials in collection bags according to provenience: general level, individual features, and artifacts plotted in situ. All artifact collection bags must be of recloseable polyethylene plastic. Paper bags are unacceptable because of the potential for tearing and deterioration, and because they cannot be permanently sealed. Each bag is given an individual F.S. number in the field, and the F.S. Log is continuously updated as the fieldwork proceeds. Write provenience information legibly on the exterior of all collection bags in waterproof ink. At a minimum, label each bag with the following information:

- Project name (optional);
- FMSF number;
- Site name (if applicable);
- Provenience information - collection unit (e.g., excavation unit, feature number); stratigraphic zone or level; and depth;
- Date;
- Excavator's name or initials;
- F.S. number; and
- Bag number (e.g., Bag 1 of 3).

Other information may be included as necessary. Column samples, soil samples, or feature fill collected as total samples (i.e., without screening and discard of the soil matrix) should be placed in large, heavy (at least 4 mil in thickness) plastic bags with the provenience information legibly marked on the exterior of the bag in waterproof ink. Provenience information also is written on waterproof tags and either tied to or placed inside the bag. In order to ensure against bag failure and loss of the sample, the material may be double bagged. In this case, write the provenience information on the exterior of both bags. Another option for storage is plastic 5-gallon buckets or Tupperware-like containers.

Charcoal samples intended for radiocarbon dating are collected with the appropriate provenience information written on the exterior of the bag. It is important to ensure that any samples that will be submitted to specialists for analysis be collected in an appropriate manner. In cases where special techniques or equipment is required, qualified special consultants (e.g., a geomorphologist) collect and prepare the necessary samples (see Archeology and Historic Preservation: Secretary of the Interior's Standards and Guidelines).

Data Recording: To maintain the highest standards of data recording in the field, use standardized forms. Also capture site data, including the locations of artifacts and features, as well as stratigraphic profiles, through maps, sketches, and photography. Recommended guidance follows. In accordance with standard archaeological conventions, use the metric system for all measurements, except in the case of historical archaeological sites containing artifacts, features, or structural remains of primarily non-Spanish European, Euro-American, or African-American origin. At these sites, use the English system of measurement.

Standardized Forms: Use standardized forms for the recording of excavation and survey (i.e., elevations, angles, distances, etc.) data. These forms may be of variable design and format. Examples of standard level and feature forms are provided as **Exhibits 10.1 and 10.2**, respectively. Excavation notes on legal paper, notebook paper, or other non-standardized format are unacceptable. The site supervisor maintains a daily log of activities for each excavation unit that summarizes the tasks accomplished in the unit, problems encountered, significant finds, as well as general observations. Traditionally, surveyor's field notebooks are used to record daily progress because they are bound and waterproof; a loose-leaf notebook or binder also is acceptable. A F.S. log and a photo log also are maintained. The type of camera and film used, descriptions of each photograph, including direction and the date of the photograph, are included in the Photo Log.

Maps and Profiles: Draw a stratigraphic profile of at least one wall from each excavation unit and any 0.5 x 0.5 m (20 x 20 in) shovel tests. If walls are noticeably different, more than one profile will be necessary. Floor plans are drawn whenever features or artifact concentrations are encountered, but otherwise are not required for every level of every unit. **Exhibits 10.3 and 10.4** provide examples of a stratigraphic profile and excavation floor plan, respectively.

All maps must be neatly drawn and legible, and use standard symbols. Record soil colors using a Munsell soil color chart. Soil descriptions should conform as much as possible to standard soil classification descriptions (e.g., fine sand, sandy-clay, clayey-loam, silt, etc.).

Photographs: A complete photographic record of each excavation is made using either a traditional 35mm camera or a digital camera. For digital cameras, the size/resolution of the photo should be a minimum of 1600 x 1200 pixels at 300 ppi (pixels per inch) in accordance with general FMSF Photographic Documentation Policy. Take photographs of the excavation units to record features, concentrations, isolated finds, and the general work in progress. All photographs of stratigraphic profiles and excavation units must contain a north arrow, a scale, and a menu board with the site number, provenience, brief description (e.g., Feature 6, South wall profile, or floor at 1.55 m amsl), and date. A blackboard may be substituted for a menu board if the written information is legible and can be clearly discerned from the photo. Photographs containing information written on paper, cardboard, or media other than those specified in this section are not acceptable.

10.3 ANALYSIS AND CURATION

The analysis of artifacts and other cultural materials recovered during the field excavation is conducted at a level appropriate to address the research questions identified in the Data Recovery Plan/Research Design. It also is dependent upon the actual data classes recovered. To ensure comparability of data, a limited set of standard analyses is required for all FDOT-related excavation projects, as described below. Conduct additional analyses, as needed, to address site-specific research needs.

Prior to the beginning of artifact analysis, wash, clean, repackage in 4 mil polyethylene plastic bags with sealable closures, and assign specimen numbers for all stone and most historic artifacts. Also clean ceramic, bone, and shell artifacts, and stabilize to prevent deterioration, if needed. All washed artifacts are air-dried prior to rebagging. Artifacts recovered from sites exposed to saltwater inundation should be soaked in freshwater to remove the salts that may have been absorbed by the porous artifacts. Organic samples suitable for radiocarbon dating must be stored separately to avoid contamination. If artifacts are removed for outside analysis, or otherwise separated from their original provenience bags, label the new bags with the FMSF number, F.S. number, and specimen number.

Lithic Analysis: Standard analysis of aboriginal lithic artifacts includes:

- Identification of temporally diagnostic tool types;
- Morphological and functional classifications; and
- Debitage attribute analysis (e.g., flake size and amount of dorsal cortex).

Describe and classify all stone tools according to basic morphological categories: bifaces, unifaces, modified flakes, utilized flakes, microliths, waste flakes, cores, and hammerstones. Add other categories of stone artifacts as appropriate. Assign artifacts to existing cultural-temporal typologies, if possible, and describe each. Functional analysis of all identified tools should be conducted to the furthest extent possible. At a minimum, measure the edge angles of all functional tool edges using a goniometer.

Describe waste flakes (debitage) using a selected number of attributes, including flake size and the amount of dorsal cortex, or flake categories based on technological attributes if the consultants use the Sullivan and Rozen (1985) method. The raw material type (e.g., chert, coral, etc.) and presence or absence of thermal alteration also is recorded. Raw data for all of these analyses are included in the report in tabular format.

Other analyses, such as tool use-wear analysis and the identification of raw material provenience, are conducted, if appropriate, to meet the research objectives. These types of lithic analysis typically require specialized expertise, equipment, and/or adequate comparative collections. If such investigations are conducted, demonstrate in the Data Recovery Plan/Research Design that the analysts possess the necessary training, experience, and equipment to perform such work.

Ceramic Analysis: Standard ceramic analysis includes:

- Identification of temporally diagnostic types;
- Description of exterior surface treatment; and
- Description of rim and lip form and orientation.

All ceramic sherds are described and classified according to existing cultural-temporal typologies. Formal definitions of ceramic types are referenced; descriptions of paste, aplastic inclusions, surface treatment and/or decoration, rim and lip treatment, and any other criteria necessary for a full, complete, and comparable type description are included.

Ceramics are common at post-Archaic period sites in Florida, and in some parts of the state (e.g., in the Panhandle region and southwestern Florida), they are more common than lithic artifacts. Much of the utilitarian ware used by precolumbian native peoples consisted of vessels with plain, undecorated surfaces. Chronological analysis of these ceramics is difficult because of the lack of surface decoration, but not impossible. Differences in vessel wall thickness, rim orientation, and absolute and relative occurrence of different types of aplastic materials are some of the criteria that are used to develop ceramic seriations. At sites with mostly undecorated ceramics, conduct analyses to the level needed to realize fully the data potential of these artifacts.

Other analyses are conducted, as appropriate, to meet project research objectives. The microscopic identification of paste types and aplastic inclusions, or the identification of vessel function, may require specialized expertise, equipment, and/or comparative collections. The use of such specialists is noted in the Data Recovery Plan/Research Design.

Shell and Bone Artifacts: Shell and bone artifacts are analyzed both macro- and microscopically for traces of wear to determine their function. Fully describe and graphically record any decoration or surface treatment. Also, compare these artifacts to other known assemblages of shell and bone to determine chronological and functional associations. Use existing typologies to classify all shell and bone tools. In addition to tools, all bone and shell recovered during the excavation is examined for potential tool manufacturing debitage; such shell and bone debitage is analyzed as a standard component of the artifact analysis.

Historic Artifacts: Analysis of historic period artifacts includes functional identification and classification, and temporal placement. Artifact identification utilizes standard references for historic artifacts as well as primary source materials such as catalogues, manufacturer's production information, newspaper and magazine advertisements, and discussions with knowledgeable informants. There are many excellent references available for the functional classification of historic artifacts. Among these are works by Sprague (*North American Archaeologist* 2:251-261, 1981); Orser (*The Material Basis of the Postbellum Tenant Plantation*, 1988); and South (*Method and Theory in Historical Archeology*, 1977*).* The following table summarizes the categories (with examples) of historic artifacts according to Sprague, Orser, and South.

After Sprague (1981), *North American Archaeologist* 2:251-261.	
Personal Items	• items related to clothing, personal adornment, medicine and heath, indulgences (e.g., tobacco tins, hip flasks), pocket tools, infant care, etc.
Domestic Items	• items such as furnishings, house wares, food containers, cleaning and maintenance items, etc.
Architecture	• structures or structural remains, construction materials, plumbing fixtures, illumination and power features, and landscaping features
Transportation	• vehicles and items associated with their maintenance
Commerce and Industry	• items associated with agriculture and husbandry, hunting, fishing, timbering, turpentining, mining, construction, manufacturing, commercial services, etc.
Group Services	• items associated with government administration, education, entertainment, utilities, etc.
Group Ritual	• religious paraphernalia, public monuments, etc.
Unknowns	• unidentifiable objects or objects of unknown function
After Orser (1988), *The Material Basis of the Postbellum Tenant Plantation*	
Foodways	• Procurement – ammunition, fish hooks, traps • Preparation – baking pans, cooking vessels, large knives • Service – dishes, flatware, tableware • Storage – storage vessels, bottles, canning jars, bottle stoppers • Remains – floral and faunal
Clothing	• Fasteners – buttons, eyelets, snaps, hook and eyes • Manufacture – needles, pins, scissors, thimbles • Other – shoe leather, metal shoe shanks, clothes hangers
Household/Structural	• Architecture/construction – nails, flat glass, spikes, mortar, brick, slate • Hardware – hinges, tacks, nuts, bolts, staples, hooks, brackets • Furniture/accessories – stove parts, furniture pieces, lamp parts
Personal	• Medicinal – medicine bottles, droppers • Cosmetic – hairbrush, combs, jars • Recreational – smoking pipes, toys, musical instruments, souvenirs • Monetary – coins • Decorative – jewelry, hairpins, hatpins, spectacles • Other – pocketknife, fountain pens, pencils, inkwells
Labor	• Agricultural – barbed wire, horse/mule shoes, harness buckles, hoes, plow blades, scythe blades • Industrial – tools
After South (1977), *Method and Theory in Historical Archeology*	
Kitchen	• Ceramics • Wine bottles • Case bottles • Tumbler • Pharmaceutical type bottle • Glassware (stemmed, decanter, dishes) • Tableware (cutlery, knives, forks, spoons) • Kitchenware (pots, pans, pothooks, gridiron, trivets, teapots, water kettles, coffee pots, buckets, handles, kettles, etc.)
Bone	• Faunal remains
Architectural	• Window glass • Nails • Spikes • Construction hardware (hinges, pintels, shutter hooks and dogs, staples, fireplace backing plates, lead window cames, etc.)

	• Door lock parts (doorknobs, case lock parts, keyhole escutcheons, locking bolts, and brackets)
Furniture	• Hardware (hinges, knobs, drawer pulls and locks, escutcheon plates, keyhole surrounds, handles, rollers, brass tacks, etc)
Arms	• Musket balls, shot, sprue • Gunflints, gunspalls • Gun parts, bullet molds
Clothing	• Buckles • Thimbles • Buttons • Scissors • Straight pins • Hook and eye fasteners • Bale seals • Glass beads
Personal	• Coins • Keys • Personal items (wig curlers, brushes, mirrors, rings, signet sets, watch fobs, fob compass, fan, pencils, spectacles, tweezers, watch key, etc.)
Tobacco Pipe	
Activities	• Construction (plane bit, files, augers, gimlets, axe head, saws, chisels, rives, punches, hammers, etc.) • Farming (hoes, rakes, sickles, spades, etc.) • Toys (marbles, jew's-harp, doll parts, etc.) • Fishing gear (hooks, sinkers, gigs, harpoons) • Stub-stemmed pipes • Colono-Indian pottery • Storage items (barrel bands, brass cock) • Ethnobotanical (nuts, seeds, hulls) • Stable and Barn (stirrup, bit, harness boss, horseshoes, wagon and buggy parts, rein eyes, etc.) • Miscellaneous hardware (rope eye thimble, bolts, nuts, chain, andiron, tongs, case knife, flatiron, wick trimmer, washers, etc.) • Other (button manufacturing blanks, kiln waster furniture, silver smithing debris, etc. – reflecting specialized activities) • Military (swords, insignia, bayonets, artillery shot and shell, etc.)

Faunal Analysis: Faunal remains are fragile components of archaeological sites that require special care. The remains recovered from general excavation levels that were screened through a .64 cm (.25 inch) mesh do not require special laboratory processing and can be analyzed as soon as they are cleaned, air-dried, and cataloged. However, column samples and feature fill collected as total samples, and therefore not screened in the field, require such processing in the laboratory. The methods for processing faunal samples are dictated by the research questions to be addressed, and by the preferences of the zooarchaeologist directing the analysis. Controlled experiments have demonstrated that the analysis of faunal remains recovered exclusively from .64 cm (.25 inch) mesh screen is inadequate since it introduces a bias against small size remains, particularly the small, fragile bones associated with fish. As a result, the preferred method of processing the sample material is by screening through graduated, nested screens with .64 cm (1/4 in), .32 cm (1/8 in), and .16 cm (1/16 in) mesh. Sort and bag the three size fractions separately. The screening is performed either dry or wet depending on the nature of the deposits and the preference of the analyst.

The sorting of the faunal remains for each fraction is performed by lab personnel trained in faunal analysis, and is monitored by a lab supervisor trained in zooarchaeological identification. Identify faunal remains to the lowest possible taxonomic classification. Record fragment counts and weights for the identified fauna, as well as MNI (Minimum Numbers of Individuals) counts. Totals, percentages, and estimated biomass for each faunal category are calculated and reported in tabular form. Estimates of species diversity and equitability may be calculated using the Shannon-Wiener Diversity Index and the Sheldon Equitability Index, for example. These represent minimum data requirements for faunal analysis; other analyses also may be appropriate to address research objectives.

Botanical Analysis: Because plant remains are extremely fragile and do not preserve well, sample collection, processing, and analysis are highly specialized. Individuals trained in the techniques of archaeobotany perform the analysis of botanical remains. These specialists also are responsible for directing the collection of samples, processing the samples (including flotation, if necessary), and the identification and analysis of botanical remains.

Preparation for Curation: The long-term curation of cultural materials and associated records is the responsibility of FDOT. For CRM contractors performing the data recovery, at the completion of the project, provide all artifacts, field notes, maps, photographs, artifact inventory and analysis forms, and other associated records to the FDOT Project Manager for permanent storage and curation at a Department-designated repository. Label the outside of each artifact box with the following information:

- Project name(s);
- FMSF number(s);
- List of F.S. numbers included in the box; and
- Number of boxes associated with the project (e.g. Box 4 of 7).

Also include a typed F.S. Log sheet that contains each individual F.S. listed in numerical order with a brief description of the contents of each bag along with the boxed artifacts. In addition, a typed catalog of all materials (artifacts and other data) transmitted to FDOT is prepared and submitted.

10.4 DOCUMENTATION

The results of the data recovery project are provided or made accessible to a number of users, including the signatories to the MOA, Native American tribes, the public, and the professional archaeological community. With the exception of documentation intended for the general public, the report of findings should be a professional quality product that clearly and completely presents the objectives, methods, techniques, and results of the project. For the public, the information obtained from the mitigative excavation may be conveyed in a number of ways, including pamphlets, brochures, displays and exhibits, websites, and multimedia productions, among other vehicles. The

goal of disseminating information always is balanced by the need to protect sensitive site information whose disclosure might result in damage to the resource.

Management Summary: Given the large amount of time required for analyses and technical report preparation, the CRM consultant typically prepares a brief memorandum summarizing the results of the data recovery project, and submits it to the FDOT Project Manager within approximately 30 days of completion of fieldwork. FDOT provides the Management Summary to the SHPO to verify that it has met its obligations under the terms of the MOA.

Technical Report: The archaeological excavation report constitutes the only record of the impacted site and its contents. Therefore, it should describe completely, and in a clear and concise fashion, the excavation techniques, recording methods, stratigraphic and spatial relationships, environmental relationships, and analytical techniques employed, and should strive to place the site within its cultural, temporal, and environmental contexts. The following guidelines for archaeological excavation report content are consistent with the Secretary of the Interior's Standards and Guidelines for archaeological documentation and Florida's Archaeological Report Standards and Guidelines (Chapter 1A-46, FAC). The major components of the report, including the content requirements of each, follow.

Executive Summary: All reports contain a brief summary of the project written in nontechnical language. The summary includes an explanation of why the project was conducted, what research problems or questions were addressed, the results, and management recommendations.

Introduction: This contains a statement of when, why, and for whom the excavation was conducted, and references the pertinent agreement document under which the data recovery project was required. It identifies those responsible for conducting the fieldwork, analysis, and report preparation. The introduction includes:

- A description of the nature and extent of the proposed transportation project and associated impacts;
- A description of their effect on the archaeological site that is the subject of the report;
- A description of the project location including a project location map;
- A description of the archaeological site;
- A discussion of its significance; and
- A brief history of previous archaeological work at the site.

Physical Environment: This section provides a narrative description of the project location and associated environment. The purpose is to recognize the interpretive implications of the site's functional and environmental contexts. Thus, the level of detail and the specific features emphasized in the discussion are at the discretion of the authors. At a minimum, this section should provide sufficient information so that the reader is able to understand the relationship of the site to its natural setting. Summarize relevant information contributed by consulting specialists in the fields of palynology, geology, sedimentology, botany, biology, zoology, or hydrology, as appropriate.

This section also contains a discussion of historic land use patterns and the effect of these on the archaeological deposits contained at the site. For precolumbian sites, the changes that have occurred in the environment over the past 10-12,000 years may be relevant to an adequate interpretation of the site and its features. For example, for sites located in coastal areas, the effects of sea level change through time would be of considerable importance in understanding why and when the site was occupied, as well as factors related to the subsistence adaptation of the site's inhabitants. For interior sites, sea level change may be less important for understanding site use than climatic changes that have affected precipitation and surface water availability.

Research Design: The research design provides the overall plan for the excavation and includes a statement of relevant problems or research questions, a description of relevant data classes, and a specification of how results are evaluated. This section also includes any pertinent background or documentary research relevant to the development of the research design. Any changes or modifications to the research design resulting from consultation with the FDOT Project Manager, or changes in field strategy dictated by unforeseen discoveries or problems, also are addressed in this section.

Methods: This section presents a detailed discussion of the specific methods employed to conduct the excavation and data analyses. General laboratory processing, cataloging, and preliminary analysis methods are presented in this section. Methods associated with special analyses (e.g., radiocarbon dating, palynology, soils analysis, lithic use wear analysis, etc.) may be presented here or separately in their appropriate sections of the report.

Results: This section of the report will typically be the most variable as it is dependent on the type of site, the nature of the research design, and the data classes recovered and analyzed. It should include both description and interpretation. At a minimum, all reports shall contain the following information:

- A description of site stratigraphy;
- A discussion of site formation and transformation processes;
- A description of all excavated features;
- A description of artifact classes;
- Reports of any special analyses such as botanical, faunal, soils, etc.;
- A discussion of spatial and temporal distributions; and
- A section that summarizes the results in an interpretive framework.

The presentation of **site stratigraphy** includes a formal description of each of the major strata (cultural and/or natural) encountered. Representative profiles showing the stratification of the site shall be included. Clearly key these to the discussion of strata in the text. This section also may include the results of any soils analyses, chemical analyses, or other analyses necessary to supplement the discussion of stratigraphy.

The report includes a discussion of the processes (both cultural and natural) that resulted in **site formation**, burial, and preservation, as well as a discussion of any post-depositional processes that have altered the site.

Typical **features** include storage pits, hearths, postholes and molds, structural remains, or any other collection units with discrete boundaries. Such excavated features are described in terms of their overall dimensions (length, width, thickness, or depth), top and bottom elevation, shape, contents, stratigraphic association, function, and dating. If many features are excavated, these may be grouped together by general class (e.g., "oval, basin-shaped pits" or "post molds"), and each group can then be described in detail. In this case, descriptive data for individual features may be presented in a table included either in the body of the report or in an appendix. Plan views and profiles of representative features (preferably at least one example of each identified class) are included in the report.

Describe all **artifact** classes in detail. Many artifacts will occur in numbers too numerous to enable individual artifact descriptions. Describe these artifacts (e.g., ceramic sherds, lithic waste flakes, iron nails, bottle glass, etc.) as a general class. Temporally diagnostic artifacts or artifacts of a special or unique character are described in more detail using standard descriptive techniques. The use of tables is encouraged for the presentation of quantitative data on individual artifacts and for summary data on general artifact classes.

Complete provenience information is provided for all artifacts recovered from the site. This can be in the form of a table with raw counts of different artifact classes provided for each excavated provenience including individual excavation levels, features, surface collections, shovel tests, and test trenches. Since these data are likely to be quite extensive, include them in an appendix rather than the body of the report.

If any **special analyses** are conducted (e.g., faunal, botanical, soils, radiocarbon dating, etc.), the results of these analyses also are included in the report. Depending on the level of detail involved, these may require separate sections. Present any special methods not described in the general methods section with these analysis results.

Describe and discuss the **spatial and temporal distributions** of artifacts, ecofacts, and features, either in separate sections associated with various artifact or other data classes, or together in a section that integrates these data and discusses their relationships.

All reports contain a section that summarizes the excavation and various analysis results within an **interpretive framework**. Typically, this will involve a narrative discussion of the site's chronological, functional, and organizational reconstruction based on the data derived from the excavation and analysis. Additionally, the report should compare the results of the project to the expectations of the research design.

Summary and Conclusions: This section provides a synopsis of the major results of the excavation and evaluates these results in light of the expectations presented in the research design.

When results fail to match the expectations, include some discussion of why this may have been the case, with suggestions for further research.

References Cited: Alphabetically list all references cited in the text of the report following the format used in the journal *American Antiquity*.

Appendices: The appendices contain a variety of documents and data. These may include, but are not limited to, a copy of the agreement document (MOA), relevant correspondence, an updated FMSF form for the excavated site, a glossary of special terms, and data tables or special reports that are too long for the body of the report, or that provide background information not directly relevant to the report.

EXHIBIT 10.1
EXCAVATION LEVEL FORM

LEVEL FORM

Site Name and Number _____

UNIT _____ Size/orientation _____ Datum corner _____

Level _____ Depth _____ Zone _____

Top Elevation (cm bud) NW 1/4 _____ NE1/4 _____ SW 1/4 _____ SE 1/4 _____
Bottom Elevation (cm bud) NW 1/4 _____ NE1/4 _____ SW 1/4 _____ SE 1/4 _____

Fine Screen Sample Yes No Fine Screen Size _____

General Soil/Midden Description (shell composition, texture, color, etc.): _____

General Comments (disturbances, excavation techniques, natural & cultural contents, etc.): _____

Features (note #, brief description): _____

Artifacts/Samples: FS#s _____

Debitage	_____	Lithic Tools	_____
Ceramics	_____	Ceramic Types	_____
Shell	_____	Shell Tools	_____
Bone	_____	Bone Tools	_____
Human	_____	Other Items	_____
Historic/Modern		_____	
Other Samples		_____	

Photos B/W (roll/frames) _____ Color (roll/frame) _____
Digital (frames) _____

Date _____ Crew _____

EXHIBIT 10.2
FEATURE FORM

FEATURE FORM

Site Number _____ Site Name _____

Unit _____ Feature No. _____ Datum _____

Level _____ Depth _____ Zone _____

Location relative to unit datum (e.g. center = 120 cm W, 50 cm N) _____

_____

_____

Dimensions: Top Elevation (cm bud) _____ Bottom Elevation (cm bud) _____
Maximum Length _____ Orientation _____
Maximum Width _____ Orientation _____

Description (composition, shape, consistency, texture, color, etc.):_____

_____

_____

_____

_____

_____

General Comments (disturbances, excavation techniques, natural & cultural contents, etc.):

_____

_____

_____

_____

_____

Interpretation: _____

_____

_____

_____

_____

Screen size: _____ Sample(s) taken for further processing? Y / N # _____

Artifacts/Samples:

Debitage	_____	Lithic Tools	_____	Ceramics	_____
Bone	_____	Bone Tools	_____		
Shell	_____	Shell Tools	_____		
Other	_____				
Modern/historic	_____				

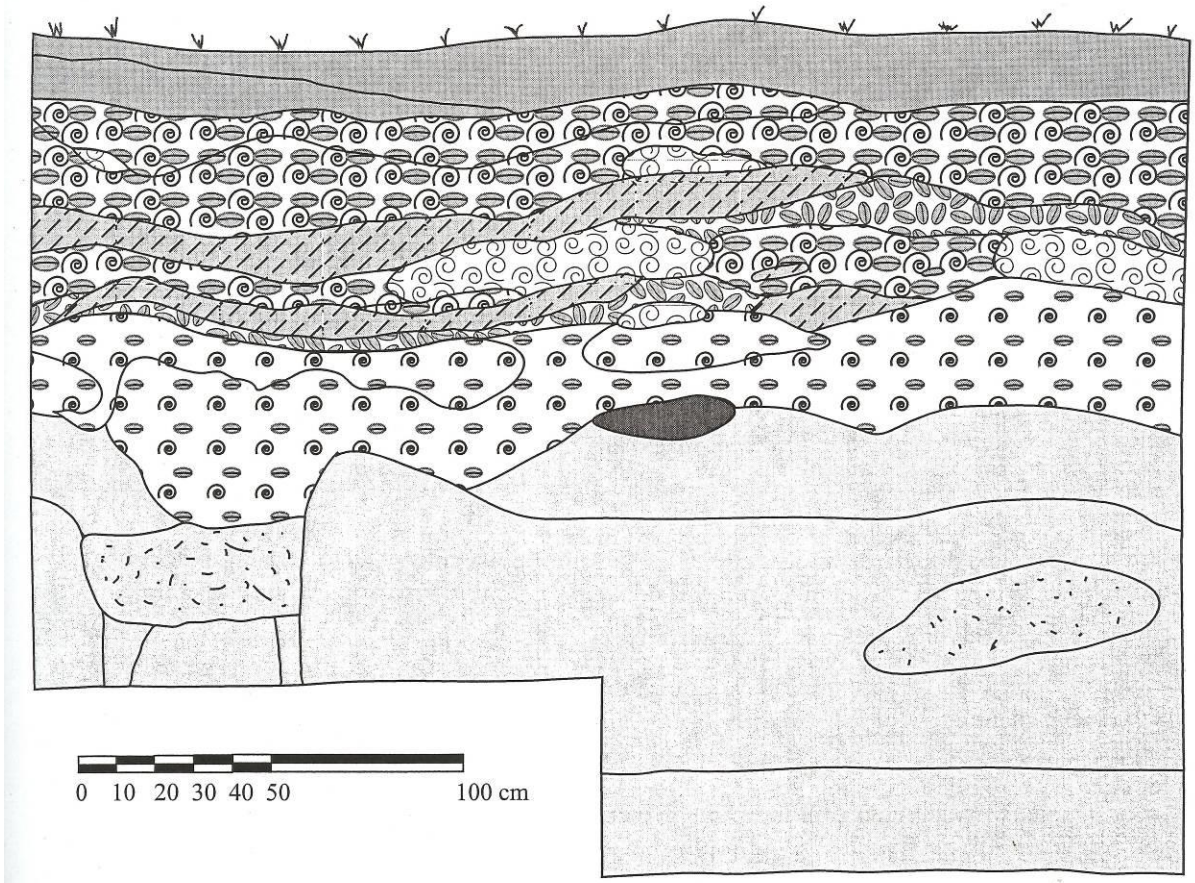
FS #s:_____

Photos B/W (roll/frames) _____ Color (roll/frame) _____
Digital (frames) _____

Crew _____

Date _____ Recorder _____

EXHIBIT 10.3
UNIT PROFILE FIGURE



Zone I - Upper humic and disturbed strata

Zone II - General mixed midden (mussel, apple snail, banded mystery snail)

Zone III - Mussel shell strata (burned and unburned)

Zone IV - Apple snail strata

Zone V - Less dense midden matrix

Zone VI - Sand strata (no midden)

Charcoal lense

Burned shell and ash

Sand with higher concentration of charcoal flecking

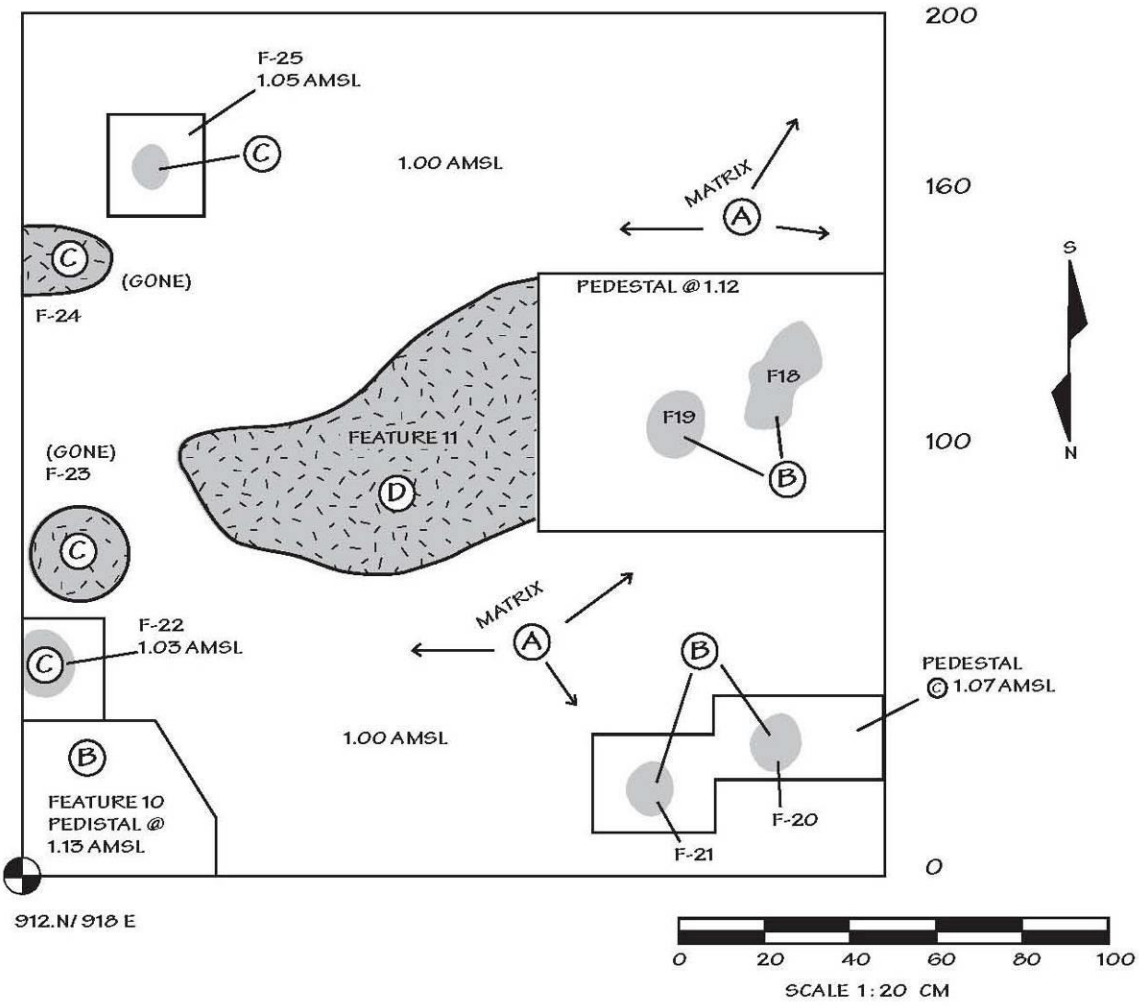
EXHIBIT 10.4
FLOOR PLAN FIGURE

(ZONE B3/ C INTERFACE)

(ZONE B3 WITH POSSIBLE FEATURES)

(BASE OF LEVEL - 110) @ / 1.0 AMSL

MAP: 35
LOCATION: YAT KITISCHEE
SITE: 8P11753
UNIT: 908N-914E(2 x 2)
DATE: 7-1-94
DESCRIPTION: BURIAL #1



DESCRIPTIONS

Ⓐ	10 YR 4/1	DARK GRAY SAND WITH VERY FEW SHELL (ZONE B-3)
Ⓑ	10 YR 3/1	VERY GRAY SAND WITH CRUCSHED SHELL, POSSIBLE FEATURES
Ⓒ	10 YR 3/1	VERY DARK GRAY SAND
Ⓓ	10 YR 4/1	VERY DARK GRAY SAND WITH CHARCOAL FLECKING-POSSIBLE PIT STAIN TURNED INTO FEATURE

* SEE MAP FOR ADDITIONAL STAINS
AFTER CLEANING THE FLOOR A SECOND TIME, ZONE C AND ADDITIONAL FEATURES APPEARED. ANOTHER MAP WITH THESE FEATURES WAS MADE AT THE SAME ELEVATION AS THIS MAP. (MAP #16)

APPENDIX A
SUGGESTED REFERENCE LIBRARY

FEDERAL HISTORIC PRESERVATION LAWS, LEGISLATION, AND EXECUTIVE ORDERS
(in chronological order)

American Antiquities Act of 1906, as amended (16 USC 431-433)
http://www.cr.nps.gov/local-law/FHPL_AntiAct.pdf

National Park Service Organic Act of 1916 (16 USC 1-4, 22, 43)
Section 1, NPS Mission, as amended (16 USC 1)
http://www.cr.nps.gov/local-law/FHPL_NPSOrganic1.pdf
Section 8, Reports on Threatened Landmarks and New Area Studies, as amended (16 USC 1a-5)
http://www.cr.nps.gov/local-law/FHPL_NPSOrganic8.pdf

Historic Sites Act of 1935, as amended (16 USC 461-467)
http://www.cr.nps.gov/local-law/FHPL_HistSites.pdf

Federal Property and Administrative Services Act of 1949, as amended (40 USC 484(k)(3) and (4))
http://www.epw.senate.gov/fpasa49.pdf

National Trust for Historic Preservation, as amended, [Creation and Purpose] (16 USC 468), 1949
http://www.cr.nps.gov/local-law/FHPL_NtlTrust.pdf

National Historic Preservation Act of 1966, as amended (16 USC 470 et seq.)
http://www.achp.gov/NHPA.pdf

Department of Transportation Act of 1966, as amended [Declaration of Purpose and Section 4(f)] (49 USC 303)
http://www.environment.fhwa.dot.gov/4f/index.asp

National Environmental Policy Act of 1969, as amended (42 USC 4321-4347)
http://www.nepa.gov/nepa/regs/nepa/nepaeqia.htm

EO 11593 – Protection and Enhancement of the Cultural Environment (1971) (3 CFR Part 154, 16 USC Part 470)
http://www.presidency.ucsb.edu/ws/index.php?pid=59095

National Marine Sanctuaries Act of 1972, as amended (16 USC 1431-1445)
http://www.cr.nps.gov/local-law/FHPL_NtlMarineSanct.pdf

Coastal Zone Management Act of 1972, as amended (16 USC 1451-1456)
http://www.cr.nps.gov/local-law/FHPL_CstlZoneMngmt.pdf

FEDERAL HISTORIC PRESERVATION LAWS, LEGISLATION, AND EXECUTIVE ORDERS
(in chronological order)

Department of Transportation Act, Section 4(i), as amended (49 USC 5561-5567), as created by the Amtrak Improvement Act of 1974
http://www.cr.nps.gov/local-law/FHPL_AmtrakImprv.pdf

Housing and Community Development Act of 1974, as amended (42 USC Part 5301)
http://portal.hud.gov/hudportal/HUD?src=/program_offices/comm_planning/communitydevelopment/rulesandregs

Archeological and Historic Preservation Act of 1974, as amended (16 USC 469)
http://www.cr.nps.gov/local-law/FHPL_ArchHistPres.pdf

Mining in the National Parks Act of 1976, (Section 9)(16 USC 1908)
http://www.cr.nps.gov/local-law/FHPL_MininginNPrks.pdf

Public Buildings Cooperative Use Act of 1976, (40 USC 601(a) and 611)
http://www.cr.nps.gov/local-law/FHPL_PblcBldgsCoopUse.pdf

American Indian Religious Freedom Act of 1978, as amended (42 USC 1996)
http://www.nps.gov/history/local-law/FHPL_IndianRelFreAct.pdf

Archaeological Resources Protection Act of 1979, as amended (16 USC 470aa-47011)
http://www.nps.gov/history/local-law/FHPL_ArchRsrcsProt.pdf

Internal Revenue Code of 1986, as amended, Qualified Conservation Contributions, (26 USC. 170(h))
http://www.cr.nps.gov/local-law/FHPL_IRS.pdf

Abandoned Shipwreck Act of 1987, (43 USC 2101-2106)
http://www.cr.nps.gov/local-law/FHPL_AbndShipwreck.pdf

Internal Revenue Code of 1990, as amended, Rehabilitation Credit (26 USC 47)
http://www.cr.nps.gov/local-law/FHPL_RehabCredit%20.pdf

Native American Graves Protection and Repatriation Act of 1990, as amended (25 USC 3001 et seq.)
http://www.nps.gov/history/local-law/FHPL_NAGPRA.pdf

Intermodal Surface Transportation Efficiency Act of 1991, as amended (23 U.S.C. 101(a)(35), 23 U.S.C. 101 note, and 23 U.S.C. 109(b)(c), and (p))
http://thomas.loc.gov/cgi-bin/query/z?c102:H.R.2950.ENR:

FEDERAL HISTORIC PRESERVATION LAWS, LEGISLATION, AND EXECUTIVE ORDERS
(in chronological order)

EO 13006 – Locating Federal Facilities on Historic Properties in Our Nation's Central Cities (1996)
http://www.presidency.ucsb.edu/ws/index.php?pid=52846&st=nation\%27s+central+cities&st1=

EO 13007 – Indian Sacred Sites (1996)
http://www.presidency.ucsb.edu/ws/index.php?pid=52866

American Battlefield Protection Act of 1996, (16 USC 469k)
http://www.cr.nps.gov/local-law/FHPL_AmBtlefieldPrtc.pdf

Transportation Equity Act for the 21st Century of 1998, (TEA-21) (PL 105-178)
http://www.fhwa.dot.gov/tea21/index.htm

EO 13175 – Consultation and Coordination with Indian Tribal Governments (2000)
http://www.presidency.ucsb.edu/ws/index.php?pid=61665

EO 13287 – Preserve America (2003)
http://www.presidency.ucsb.edu/ws/index.php?pid=61383&st=preserve+america&st1=

Sunken Military Craft Act of 2004, (10 USC 113)
http://www.cr.nps.gov/history/online_books/fhpl/sunken_military_craft.pdf

Safe, Accountable, Flexible, Efficient Transportation Act: A Legacy for Users, 2005 (23 USC 101)
www.gpo.gov/fdsys/pkg/PLAW-109publ59/pdf/PLAW-109publ59.pdf

Section 6002, Efficient Environmental Rules for Project Decisionmaking
http://www.fhwa.dot.gov/hep/section6002/appx.htm

FEDERAL REGULATIONS

Regulations Governing National Historic Preservation Programs

36 CFR Part 60 National Register of Historic Places
http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&tpl=/ecfrbrowse/Title36/36cfr60_main_02.tpl

36 CFR Part 61 Procedures for Approved State and Local Government Historic Preservation Programs
http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&tpl=/ecfrbrowse/Title36/36cfr61_main_02.tpl

36 CFR Part 63 Determinations of Eligibility for Inclusion in the National Register of Historic Places
http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr;sid=890821b27e359d44c7ee4455c3598501;rgn=div5;view=text;node=36%3A1.0.1.1.29;idno=36;cc=ecfr

36 CFR Part 68 The Secretary of the Interior's Standards for Historic Preservation Projects
http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&sid=11721df4c4a730443268591731d947b7&rgn=div5&view=text&node=36:1.0.1.1.33&idno=36

36 CFR Part 73 World Heritage Convention
http://www.ecfr.gov/cgi-bin/retrieveECFR?gp=1&SID=19f82c4c1efecec6b9f29cb803886ba1&ty=HTML&h=L&n=36y1.0.1.1.36&r=PART

36 CFR Part 78 Waiver of Federal Agency Responsibilities under Section 110 of the National Historic Preservation Act
http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&sid=700bc38c0231608e203404ff36c3b51f&rgn=div5&view=text&node=36:1.0.1.1.38&idno=36

36 CFR Part 800 Protection of Historic Properties (Advisory Council on Historic Preservation)
http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&tpl=/ecfrbrowse/Title36/36cfr800_main_02.tpl

Regulations Governing National Historic Landmarks

36 CFR Part 65 National Historic Landmarks Program
http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&rgn=div5&view=text&node=36:1.0.1.1.31&idno=36

FEDERAL REGULATIONS

Regulations Governing the Federal Archaeology Program

43 CFR Part 3	Preservation of American Antiquities http://www.ecfr.gov/cgi-bin/retrieveECFR?gp=1&SID=175feaacf08d599a998546e2315655ad&ty=HTML&h=L&r=PART&n=43y1.1.1.1.3
43 CFR Part 7	Protection of Archaeological Resources http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&SID=175feaacf08d599a998546e2315655ad&rgn=div5&view=text&node=43:1.1.1.1.7&idno=43
43 CFR Part 10	Native American Graves Protection and Repatriation Act http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&rgn=div5&view=text&node=43:1.1.1.1.10&idno=43
36 CFR Part 79	Curation of Federally Owned and Administered Archeological Collections http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&sid=d94b141ac85fc9922426e181b846ac79&rgn=div5&view=text&node=36:1.0.1.1.39&idno=36

Regulations Governing Federal Preservation Tax Incentives

36 CFR Part 67	Historic Preservation Certifications http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&tpl=/ecfrbrowse/Title36/36cfr67_main_02.tpl
26 CFR Parts 1 and 602	Income Tax: Investment Tax Credit for Qualified Rehabilitation Expenditures (Internal Revenue Service) http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&tpl=/ecfrbrowse/Title26/26tab_02.tpl
26 CFR Parts, 1, 20, 25, and 602	Income Tax: Qualified Conservation Contributions (Internal Revenue Service) http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&tpl=/ecfrbrowse/Title26/26tab_02.tpl

FEDERAL REGULATIONS

Regulations Governing Other Major Federal Historic Preservation Programs

23 CFR Part 771	Environmental Impact and Related Procedures (Department of Transportation, Federal Highway Administration) http://www.fhwa.dot.gov/hep/23cfr771.htm
23 CFR Part 774	Parks, Recreation Areas, Wildlife and Waterfowl Refuges, and Historic Sites (Section 4f) http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&tpl=/ecfrbrowse/Title23/23cfr774_main_02.tpl
30 CFR Part 700 to End	Office of Surface Mining Reclamation and Enforcement (Department of the Interior) http://www.ecfr.gov/cgi-bin/text-idx?sid=14c50a0fbcb78ec6a7481f0527c7be3b&c=ecfr&tpl=ibr/30V3.tpl
40 CFR Parts 1500-1517	Regulations of the Council on Environmental Quality http://www.ecfr.gov/cgi-bin/text-idx?SID=7db0d06e61ca99780ba2f91f5938c75b&c=ecfr&tpl=/ecfrbrowse/Title40/40cfrv34_02.tpl#1500
41 CFR Part 101-17	Assignment and Utilization of Space (General Services Administration, Public Buildings Service) http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&SID=1734365d53572407a1a1ce9135076fba&rgn=div5&view=text&node=41:2.1.1.4.11&idno=41
41 CFR Part 101-20	Management of Buildings and Grounds (General Services Administration, Public Buildings Service) http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&SID=1734365d53572407a1a1ce9135076fba&rgn=div5&view=text&node=41:2.1.1.4.14&idno=41

STATE LEGISLATION

Florida Statutes (http://www.leg.state.fl.us/statutes/)

Chapter 125	County Government http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&URL=0100-0199/0125/0125ContentsIndex.html&StatuteYear=2012&Title=-%3E2012-%3EChapter%20125
Chapter 163	Intergovernmental Programs http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&URL=0100-0199/0163/0163ContentsIndex.html&StatuteYear=2012&Title=-%3E2012-%3EChapter%20163
Chapter 253	State Lands http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&URL=0200-0299/0253/0253ContentsIndex.html&StatuteYear=2012&Title=-%3E2012-%3EChapter%20253
Chapter 253.027	Emergency Archaeological Properties Acquisition Act of 1988 http://www.flsenate.gov/Laws/Statutes/2012/253.027
Chapter 258	State Parks and Preserves http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&URL=0200-0299/0258/0258ContentsIndex.html&StatuteYear=2012&Title=-%3E2012-%3EChapter%20258
Chapter 267	Florida Historical Resources Act http://www.flsenate.gov/Laws/Statutes/2012/Chapter267
Chapter 337.274	Authorized FDOT Agency Access to Private Property http://www.flsenate.gov/Laws/Statutes/2012/337.274
Chapter 373	Water Resources http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&URL=0300-0399/0373/0373ContentsIndex.html&StatuteYear=2012&Title=-%3E2012-%3EChapter%20373
Chapter 380	Land and Water Management http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&URL=0300-0399/0380/0380ContentsIndex.html&StatuteYear=2012&Title=-%3E2012-%3EChapter%20380

STATE LEGISLATION

Chapter 403 Environmental Control
http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&URL=0400-0499/0403/0403ContentsIndex.html&StatuteYear=2012&Title=-%3E2012-%3EChapter%20403

Chapter 556 Underground Facility Damage Prevention and Safety
http://www.flsenate.gov/Laws/Statutes/2012/Chapter556

Chapter 872.05 Offenses Concerning Dead Bodies and Graves-Unmarked human burials
http://www.flsenate.gov/Laws/Statutes/2012/872.05

Rules of the Department of State (https://www.flrules.org/default.asp)

Chapter 1A-31 Procedures for Conducting Exploration and Recovery of Historic Shipwreck Sites
https://www.flrules.org/gateway/ChapterHome.asp?Chapter=1A-31

Chapter 1A-32 Archaeological Research
https://www.flrules.org/gateway/ChapterHome.asp?Chapter=1A-32

Chapter 1A-33 Use of Florida's Old Capitol
https://www.flrules.org/gateway/ChapterHome.asp?Chapter=1A-33

Chapter 1A-35 Historic Preservation Grants-In-Aid
https://www.flrules.org/gateway/ChapterHome.asp?Chapter=1A-35

Chapter 1A-38 Tax Exemption for Historic Properties
https://www.flrules.org/gateway/ChapterHome.asp?Chapter=1A-38

Chapter 1A-40 Administration of Permanent Collections
https://www.flrules.org/gateway/ChapterHome.asp?Chapter=1A-40

Chapter 1A-43 Historical Museums Grants-In-Aid
https://www.flrules.org/gateway/ChapterHome.asp?Chapter=1A-43

Chapter 1A-44 Procedures for Reporting and Determining Jurisdiction over Unmarked Human Burials
https://www.flrules.org/gateway/ChapterHome.asp?Chapter=1A-44

Chapter 1A-45 Guidelines for the Public Display of Human Skeletal Remains
https://www.flrules.org/gateway/ChapterHome.asp?Chapter=1A-45

STATE LEGISLATION

Chapter 1A-46 Archaeological and Historical Report Standards and Guidelines
https://www.flrules.org/gateway/ChapterHome.asp?Chapter=1A-46

Chapter 1A-48 Florida Historic Marker Program
https://www.flrules.org/gateway/ChapterHome.asp?Chapter=1A-48

Chapter 9J-5 Minimum Criteria for Review of Local Government Comprehensive Plans and Plan Amendments, Evaluation and Appraisal Reports, land Development Regulations and Determinations of Compliance
https://www.flrules.org/gateway/ChapterHome.asp?Chapter=9J-5

FLORIDA DEPARTMENT OF TRANSPORTATION

Handbooks

Project Development and Environmental Manual
http://www.dot.state.fl.us/emo/pubs/pdeman/pdeman1.shtm

Public Involvement Handbook
http://www.dot.state.fl.us/emo/pubs/public_involvement/pubinvolve1.shtm

Sociocultural Effects Handbook
http://www.dot.state.fl.us/emo/pubs/sce/sce1.shtm

Section 106 Exemptions (per FHWA)
Section 106 Exemption Regarding Effects to the Interstate Highway System
http://environment.fhwa.dot.gov/histpres/highways.asp

IHS exemptions in Florida
http://environment.fhwa.dot.gov/histpres/highways_list.asp

Historic Bridges
http://environment.fhwa.dot.gov/histpres/bridges.asp

ETDM Information

Efficient Transportation Decision Making Process
http://www.dot.state.fl.us/emo/ETDM.shtm

ETDM Guidelines
http://www.dot.state.fl.us/EMO/pubs/etdm/etdmmanual.shtm

Sample Correspondence

FDOT Sample Advance Notification Letter
http://www.dot.state.fl.us/emo/NA Website Files/Sample Notification Letter.doc

FDOT Sample CRAS submittal letter – no sites
http://www.dot.state.fl.us/emo/NA Website Files/Sample_CRASltr_nosites.doc
FDOT Sample CRAS submittal letter – sites discovered
http://www.dot.state.fl.us/emo/NA Website Files/Sample_CRASltr_sites.doc

FLORIDA DEPARTMENT OF TRANSPORTATION

Miscellaneous Data

Road jurisdiction transfers
http://www.dot.state.fl.us/planning/statistics/hwysys/jurisdictionhandbook.pdf

Florida Bridge Data
http://www.dot.state.fl.us/statemaintenanceoffice/

Historic Highway Bridges of Florida
http://www.dot.state.fl.us/emo/pubs/bridgebk.pdf

FLORIDA DIVISION OF HISTORICAL RESOURCES

General Information

Division of Historical Resources
http://www.flheritage.com/

Cultural Resource Management Standards & Operational Manual
http://www.flheritage.com/preservation/compliance/manual.cfm

Module One	Introduction to the Manual
Module Two	Training Component for Compliance Review Section Staff
Module Three	Guidelines for Use by Historic Preservation Professionals
Module Four	Florida Master Site File
Module Five	A Guide to Available Resources at the FMSF

Preliminary Site Information Questionnaire
http://www.flheritage.com/preservation/nr/docs/psiq.pdf

Florida's Historical Contexts
http://www.flheritage.com/facts/reports/contexts/

Florida Historic Cemeteries: A Preservation Handbook
http://www.flheritage.com/archaeology/cemeteries/documents/flhistcm.pdf

Florida Master Site File Forms and Guidelines
http://www.flheritage.com/preservation/siteFile/documents.cfm

Print Resources

The Historic Preservation Compliance and Review Program of the Florida Department of State, Division of Historical Resources: *A Guide to the Historic Preservation Provisions of State and Federal Environmental Review Laws* (1990).

Division of Historic Resources, Bureau of Archaeological Research: *Collections Guidelines* (2010), Minimum Requirements for B.A.R. Acquisition and Accessioning.

NATIVE AMERICAN RESOURCES

Tribes with Land or Ties to Florida
Miccosukee Tribe of Indians of Florida
http://www.miccosukee.com/tribe.htm

Mississippi Band of Choctaw Indians
http://www.choctaw.org/

Muscogee (Creek) Nation
http://www.muscogeenation-nsn.gov/

Poarch Band of Creek Indians
http://www.poarchcreekindians-nsn.gov/xhtml/index.htm

Seminole Nation of Oklahoma
http://seminolenation.com/

Seminole Tribe of Florida
http://www.seminoletribe.com/

Federal Laws
Indian Removal Act of 1830
http://www.civics-online.org/library/formatted/texts/indian_act.html

Five Civilized Tribes
http://digital.library.okstate.edu/encyclopedia/entries/F/FI011.html

Miscellaneous
National Conference of Tribal Historic Preservation Officers - www.nathpo.org

NATIONAL PARK SERVICE

Secretary of the Interior's Standards and Guidelines
Archeology and Historic Preservation
http://www.nps.gov/history/local-law/arch_stnds_0.htm

Treatment of Historic Properties with guidelines for preserving, rehabilitating, restoring & reconstructing historic buildings
http://www.nps.gov/history/hps/tps/standguide/

Federal Agency Historic Preservation Programs Pursuant to the National Historic Preservation Act
http://www.nps.gov/history/hps/fapa_110.htm

Abandoned Shipwreck Act Guidelines
http://www.nps.gov/history/archeology/submerged/intro.htm

Tribal Preservation Program
http://www.nps.gov/history/thpo/

Archeology Program
http://www.nps.gov/archeology/

National Register of Historic Places
http://www.nps.gov/history/nr/about.htm

NRHP Listings
http://nrhp.focus.nps.gov/natreghome.do?searchtype=natreghome

NRHP Criteria of Eligibility
http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&sid=8c18c9814190081bf5bd6d8378224785&rgn=div8&view=text&node=36:1.0.1.1.26.0.45.4&idno=36

NRHP Registration Form (Form 10-900)
http://www.nps.gov/nr/publications/forms.htm

National Register Bulletins
PDF versions of all NPS National Register Brochures, Bulletins, and Other Publications/Guidance can be downloaded at: http://www.nps.gov/nr/publications/index.htm. Links to the online versions of those NRBs referenced within this manual are as follows (listed by NRB number):

NATIONAL PARK SERVICE

Historic Residential Suburbs: Guidelines for Evaluation and Documentation for the National Register of Historic Places (no NRB number)
http://www.nps.gov/history/nr/publications/bulletins/suburbs/index.htm

Defining Boundaries for National Register Properties (NRB 12)
http://www.nps.gov/history/nr/publications/bulletins/boundaries/

How to Apply the National Register Criteria for Evaluation (NRB 15)
http://www.nps.gov/history/nr/publications/bulletins/nrb15/nrb15_2.htm

How to Complete the National Register Form (NRB 16A)
http://www.nps.gov/history/nr/publications/bulletins/nrb16a/nrb16a_III.htm

How to Complete the National Register Multiple Property Documentation Form (NRB 16B)
http://www.cr.nps.gov/nr/publications/bulletins/nrb16b/

How to Evaluate and Nominate Designed Historic Landscapes (NRB 18)
http://www.nps.gov/history/nr/publications/bulletins/nrb18/

Guidelines for Evaluating and Nominating Properties that Have Achieved Significance Within the Past Fifty Years (NRB 22)
http://www.nps.gov/history/nr/publications/bulletins/nrb22/

Guidelines for Local Surveys: A Basis for Preservation Planning (NRB 24)
http://www.nps.gov/history/nr/publications/bulletins/nrb24/

Guidelines for Evaluating and Documenting Rural Historic Landscapes (NRB 30)
http://www.nps.gov/history/nr/publications/bulletins/nrb30/

Guidelines for Evaluating and Nominating Properties Associated with Significant Persons (NRB 32)
http://www.nps.gov/history/nr/publications/bulletins/nrb32/

Guidelines for Evaluating and Registering Archeological Properties (NRB 36)
http://www.nps.gov/history/nr/publications/bulletins/arch/

Guidelines for Evaluating and Documenting Traditional Cultural Properties (NRB 38)
http://www.nps.gov/history/nr/publications/bulletins/nrb38/

Guidelines for Evaluating and Registering Cemeteries and Burial Places (NRB 41)
http://www.nps.gov/history/nr/publications/bulletins/nrb41/

NATIONAL PARK SERVICE

Heritage Documentation Programs
(http://www.nps.gov/history/hdp/)

HABS/HAER/HALS Standards
http://www.nps.gov/history/hdp/standards/

HABS/HAER/HALS Guidelines
http://www.nps.gov/history/hdp/standards/guidelines.htm

Library of Congress HABS/HAER/HALS Collection
http://www.loc.gov/pictures/collection/hh/

Preservation Briefs
The NPS has a series of preservation briefs that provide guidance on preserving, rehabilitating, and restoring historic buildings. These publications help historic building owners and contractors recognize and resolve common problems prior to work, and recommend methods and approaches for rehabilitating historic buildings that are consistent with their historic character. Topics range from building types (gas stations, log buildings) to specific building materials (terra-cotta, stained/leaded glass). Online versions of these preservation briefs can be downloaded at: http://www.nps.gov/tps/how-to-preserve/briefs.htm.

Preservation Tech Notes
The NPS has a series of Tech Notes that provide practical information on traditional practices and innovative techniques for successfully maintaining and preserving cultural resources. Topics range from spaces/systems (open offices/corridors, mechanical systems) to specific building elements/materials (windows/glass, finishes). Online versions of these preservation briefs can be downloaded at: http://www.nps.gov/tps/how-to-preserve/tech-notes.htm.

Print Resources

Federal Historic Preservation Laws. NPS, USDI, Washington, D.C. 2006

Federal Planning and Historic Places: The Section 106 Process. King, Tomas F (2000), Altamira Press, Walnut Creek.

Recording Historic Structures. John A. Burns, editor. John Wiley and Son. (2003)

ADVISORY COUNCIL ON HISTORIC PRESERVATION

Advisory Council on Historic Preservation
http://www.achp.gov/index.html

General Information
The National Historic Preservation Program: Overview
http://www.achp.gov/overview.html

ACHP Policy Statements
http://www.achp.gov/polstatements.html

ACHP Staff Directory
www.achp.gov/staff.html

Federal, State, and Tribal Historic Preservation Programs and Officers
http://www.achp.gov/programs.html

ACHP Office of Native American Affairs
http://www.achp.gov/nap.html

Recovery Act
http://www.achp.gov/recovery/index.html

Working with Section 106 (http://www.achp.gov/work106.html)
Section 106 Flowchart
http://www.achp.gov/regsflow.html

Section 106 Assistance for Users
http://www.achp.gov/usersguide.html

Section 106 Archaeology Guidance
http://www.achp.gov/archguide/

ACHP's Archeology Task Force
http://www.achp.gov/atf.html

ACHP Section 106 Training and Education
http://www.achp.gov/106select.html

Federal Historic Preservation Case Law, 1966-2000
http://www.achp.gov/pubs-caselaw.html

ADDITIONAL ONLINE RESOURCES

Publications

PDF versions of various ACHP publications can be downloaded at: http://www.achp.gov/pubs.html. Links to selected publications follow.

Section 106 Primer: Preserving America's Heritage
http://www.achp.gov/docs/Section106Primer2010.pdf

Alternatives for Implementing Section 106 of the National Historic Preservation Act: An Assessment
http://www.achp.gov/pubs-alternatives.html

Balancing Historic Preservation Needs with the Operation of Highly Technical or Scientific Facilities
http://www.achp.gov/pubs-scitech.html

Balancing Assessing the Energy Conservation Benefits of Historic Preservation: Methods and Examples
http://www.achp.gov/pubs-1979.html

ADDITIONAL ONLINE RESOURCES

National Programs and Organizations
National Conference of State Historic Preservation Officers
www.ncshpo.org

National Trust for Historic Preservation
http://www.preservationnation.org/

Preserve America
www.PreserveAmerica.gov

National Center for Preservation Technology and Training
www.ncptt.nps.gov

National Preservation Institute
www.npi.org

State Programs and Organizations
Florida Trust for Historic Preservation
http://www.floridatrust.org/

Florida Public Archaeology Network
http://www.flpublicarchaeology.org/

Main Street Program
http://www.flheritage.com/preservation/architecture/mainstreet/

Local Community Information
Certified Local Governments in Florida
http://www.flheritage.com/preservation/clg/docs/CLG_list.pdf

County Property Appraisers
http://dor.myflorida.com/dor/property/appraisers.html

Research
Florida Geographic Data Library
http://www.fgdl.org

LABINS: Historic plats, field notes, and tract books
http://data.labins.org/2003/SurveyData/LandRecords/landrecords.cfm
http://199.73.242.56/default.asp

ADVISORY COUNCIL ON HISTORIC PRESERVATION

Aerial photographs - Publication of Archival Library & Museum Materials
http://ufdcweb1.uflib.ufl.edu/ufdc/?c=flap

Automated Wreck and Obstruction Information System (AWOIS)
http://www.nauticalcharts.noaa.gov/hsd/AWOIS_download.html

Historic Bridge Foundation
http://historicbridgefoundation.com

APPENDIX B
GLOSSARY OF KEY TERMS

Adverse Effect: An undertaking is considered to have an adverse effect on a resource when it may diminish the integrity of the resource's location, design, setting, materials, workmanship, feeling, or association. Adverse effects on cultural resources may include, but are not limited to, physical destruction, damage, or alteration to all or part of a resource; isolation of the resource from or alteration of the character of the resource's setting when that character contributes to the resource's qualification for the National Register; neglect of a resource resulting in its deterioration or destruction; and the transfer, lease, or sale of the resource out of federal ownership/control.

Advisory Council on Historic Preservation (ACHP): An independent agency of the U.S. government whose members are charged with advising the President and the Congress on matters relating to historic preservation; recommending measures to coordinate activities of federal, state, and local agencies and private institutions and individuals relating to historic preservation; and advising on the dissemination of information pertaining to such activities. The Council reviews the policies and programs of federal agencies in regard to compliance with the NHPA.

Agreement Documents: Legal documents resulting from Section 106 consultation that obligate the signing parties to fulfill their Section 106 responsibilities by carrying out its terms. Three kinds of agreement documents include Agreement-based Determinations of No Adverse Effect, Memorandum of Agreements, and Programmatic Agreements.

Archaeological Resources (Sites): The locations of precontact or historic occupations or activities that can be used to reconstruct the lifeways of cultures of the past. They may range from a single artifact to the extensive ruins of a historic military fortification. An **archaeological district** consists of a group of sites that are linked historically by function, theme, or physical development or aesthetically by plan.

Area of Potential Effect (APE): The geographic area or areas within which an undertaking may cause changes in the character or use of cultural resources if any such resources exist. The APE always includes the actual site of the undertaking, and also may include other areas where the undertaking will cause changes in land use, traffic patterns, or other aspects that could affect cultural resources.

Avoidance: Active attempts to deflect harm to cultural resources by partial or complete project redesign or relocation.

Building: A feature created principally to shelter any form of human activity such as a house, barn, church, hotel, or similar construction.

Building complex: Multiple buildings in close spatial and functional association.

Burial place: A location where the dead are prepared for burial or cremation, or where the remains of the dead are placed. A burial place may be a single feature, ranging from the monumental tomb to an isolated grave expediently prepared alongside a battlefield or emigrant route. Other burial places are more complex, such as compound burial sites and cemeteries developed after deliberate selection and

arrangement of the landscape. In Native American and Pacific Island cultures, certain burial places were ephemeral because they took place above ground. However, where evidence remains of cremation areas and sites traditionally used for scaffold and other encasement burials, such places would be encompassed by the general classification, burial place. Cemeteries and burial places traditionally have been regarded as sacred and inviolate, especially by those whose ancestors are buried there.

Case Study Report: A document that serves as the preliminary documentation for determining potential effects and mitigative measures. It presents all available documentation pertaining to the significance and characteristics of the NRHP-listed or eligible property as well as a discussion of all effects that the proposed undertaking may have on the property.

Certified Local Government (CLG): Any city, town, or county which meets the criteria set forth in the NHPA amendments of 1980 (PL 96-515). A CLG carries out the requirements of the NHPA at the local level.

Code of Federal Regulations (CFR): A series published by the federal government which contains codification of the general and permanent rules published by agencies of the federal government.

Consultation: The process of seeking, discussing, and considering the views of other participants, and, where feasible, seeking agreement with them regarding matters arising in the Section 106 process.

Contributing Resource: A building, site, structure, or object that adds to the historic associations, historic architectural qualities, or archaeological values for which a property or historic district is significant.

Cultural Resources: All buildings, sites, structures, objects, and districts which are generally more than 50 years of age and which are evaluated as having significance in prehistory or history. This includes archaeological sites as well as historic structures; synonymous with Historic Property.

Cultural Resource Assessment Survey (CRAS): The process of identification, documentation, and evaluation of historical, archaeological, architectural, and traditional cultural properties.

Debitage: Pieces of chipped stone debris resulting from the manufacture and modification of stone tools. Also referred to as waste flakes.

De minimis: A Section 4(f) finding for which the requirements are satisfied if: either no historic properties are affected, or the Transportation program or project has no adverse effect on historic properties.

Designed Historic Landscape: A landscape that has significance as a design or work of art; a landscape consciously designed and laid out by a master gardener, landscape architect, architect, or horticulturalist to a design principle, or an owner or other amateur using a recognized style or

tradition in response or reaction to a recognized style or tradition; a landscape having a historical association with a significant person, trend, event, etc. in landscape gardening or landscape architecture; or a landscape having a significant relationship to the theory or practice of landscape architecture.

Direct Impacts (Effects): An undertaking within the APE that introduces visual, audible, or atmospheric effects and has the potential to alter those qualities of the property that make it eligible for NRHP inclusion would also be a direct impact.

Discontiguous district: A district composed of two or more definable significant areas separated by non-significant areas. This type of district is appropriate when the elements are spatially discrete; the space between the elements is not related to the significance of the district; and visual continuity is not a factor in the significance. An example of this would be a group of archaeological sites that are related to each other through cultural affiliations, periods, use, or site types.

District: A significant concentration, linkage, or continuity of sites, buildings, structures, or objects united historically or aesthetically by plan or physical development. These might include business districts, residential neighborhoods, college campuses, or farms.

Effect: An undertaking has an effect, either harmful or beneficial, on a cultural resource when the undertaking may alter characteristics of the resource that may qualify it for inclusion in the National Register.

Eligible Resource: A cultural resource that has been determined eligible for National Register listing by the Secretary of the Interior, or one that has not yet gone through the formal eligibility determination process but which meets the National Register Criteria of Eligibility. For Section 106 purposes, an "eligible" resource is treated in the same manner as a listed resource.

Evaluation: The process of determining the eligibility of a cultural resource for listing in the NRHP.

Florida Master Site File (FMSF): A comprehensive listing of recorded cultural resources in Florida, including archaeological sites, historic structures, bridges, cemeteries, resource groups, and NRHP-listed sites. It includes records for resources which are no longer extant.

Foreclosure: An action taken by an agency official that effectively precludes the Council from providing comments which the agency official can meaningfully consider prior to the approval of the undertaking.

Historic Context: A pattern or trend in history by which a specific occurrence, property, or site, is understood and its meaning within history or prehistory is made clear. The context is identified through consideration of the property as well as the history of the surrounding area.

Historic Property: Under Section 106 of the NHPA, a historic property is any prehistoric or historic district, site, building, structure, or object included in, or eligible for inclusion in, the National

Register maintained by the Secretary of the Interior. This term includes artifacts, records, and remains that are related to and located within such properties. The term includes properties of traditional religious and cultural importance to a Native American tribe or Native Hawaiian organization and that meet the National Register criteria.

Historic Residential Suburb: A historic district that is defined as a geographic area, usually located outside the central city, that was historically connected to the city by one or more modes of transportation; subdivided and developed primarily for residential use according to a plan; and possessing a significant concentration, linkage, and continuity of dwellings on small parcels of land, roads and streets, utilities, and community facilities.

Historic Structures: Cultural resources including bridges, residences, commercial buildings, constructed features, etc., which, with few exceptions, are at least 50 years old.

Identification: The inventory of all cultural resources within a project area of potential effects. This is accomplished through archaeological and historic structures surveys.

Indian Sacred Site: Any specific, discrete, narrowly delineated location on Federal land that is identified by an Native American tribe, or Native American individual determined to be an appropriately authoritative representative of a Native American religion, as sacred by virtue of its established religious significance to, or ceremonial use by, a Native American religion; provided that the tribe or appropriately authoritative representative of a Native American religion has informed the agency of the existence of such a site

Indian Tribe means "an Indian tribe, band, nation, or other organized group or community…., which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians" (36 CFR Part 800.16 (m)).

Indirect Impact (Effect): Indirect or secondary impacts are effects that may occur as an indirect result of an undertaking whenever the undertaking induces or makes possible related activities that have the potential to alter the NRHP quality of a property or its setting. Indirect impacts are generally removed in either time or distance from the undertaking and may include changes in transportation patterns, land use, population densities, or growth rates, and other reasonably foreseeable impacts.

Integrity: The authenticity of a cultural resource's identity, evidenced by the survival of physical characteristics that existed during the resource's historic or precontact period. The seven aspects of integrity are location, design, setting, materials, workmanship, feeling, and association.

Linear Resource: A special kind of rural historic landscape that consists of constructed linear features such as roads, railroads, trails, canals, causeways, and regional drainage systems.

Lithics: Stone tools and the debris (debitage or waste flakes) created in the process of tool manufacturer/modification.

Memorandum of Agreement (MOA): A kind of agreement document that is prepared when an undertaking will have adverse effects on cultural resources, and the consulting parties agree on ways to reduce, avoid, minimize or mitigate such effects. A three-party MOA is signed by the federal agency, the SHPO, and the Advisory Council; a two-party MOA is when the Advisory Council has not been involved in the consultation but receives the MOA after the federal agency has prepared it.

Minimization: Active attempts to reduce harm to the cultural resources by project redesign or relocation.

Mitigation: Any actions that reduce or compensate for the damage an undertaking may have on a National Register-listed or eligible property. Mitigation may include project redesign or relocation, data recovery, and documentation.

National Historic Landmark (NHL): A historic property evaluated and found to have significance at the national level and designated as such by the Secretary of the Interior.

National Register of Historic Places (NRHP): The national list of districts, sites, buildings, structures, and objects significant in American history, architecture, archaeology, engineering, or culture. It is maintained by the NPS on behalf of the Secretary of the Interior under authority of Section 101(a) of the NHPA, as amended. Properties listed may be significant at the national, state, or local level.

No Adverse Effect: When an undertaking has an effect on a cultural resource, but the effect would not be harmful to those characteristics that qualify the resource for inclusion in the National Register. A determination of No Adverse Effect can be determined in one of two ways: either the nature of the project itself is not harmful, or the harmful effects are mitigated through preservation covenants, the retrieval of important information through data recovery, or by following the Secretary of the Interior's Standards for Rehabilitation and Guidelines for the Rehabilitation of Historic Buildings.

No Effect: When an undertaking has no effect of any kind (either harmful or beneficial) on cultural resources.

Noncontributing Resource: A building, site, structure, or object that does not add to the historic significance of a property or district.

Object: This is primarily artistic in nature or relatively small in scale and simply constructed. It will be associated with a specific setting or environment. Examples include mileposts, fountains, boundary markers, or fixed outdoor sculptures.

Preservation: The act or process of applying measures to sustain the existing form, integrity, and material of a building or structure, and the existing form and vegetative cover to a site. It may include initial stabilization work, where necessary, as well as ongoing maintenance of the historic building materials.

Principal Investigator (PI): A qualified cultural resource professional responsible for the design and implementation of a cultural resources study.

Programmatic Agreement: A type of agreement document which sets forth means by which a whole federal agency program, or a large and complicated undertaking, will comply with Section 106 of the NHPA via an alternative to the standard process set forth in 36 CFR Part 800.

Project Area: For cultural resources studies, the term is synonymous with the Area of Potential Effect.

Provenience: The position of an archaeological find in time and space, recorded three-dimensionally.

Reconnaissance Survey: An examination of all or part of an area accomplished in sufficient detail to make generalizations about the types and distributions of historic properties that may be present.

Rehabilitation: The act or process of returning a property to a state of utility through repair or alteration which makes possible an efficient contemporary use while preserving those portions or features of the property which are significant to its historical, architectural, and cultural values.

Research Design: A statement of proposed identification, documentation, investigation, or other treatment of a historic property that identifies the project's goals, methods, and techniques; expected results; and the relationship of the expected results to other proposed activities or treatments.

Resource Group: Classification used by the DHR to document archaeological, historical, and mixed districts; rural and designed landscapes, building complexes, and linear resources.

Restoration: The act or process of accurately recovering the form and details of a property and its setting as it appeared at a particular period of time by means of the removal of later work or by the replacement of missing earlier work.

Rural historic landscape: A geographic area that historically has been shaped or modified by human activity, occupancy, or intervention, and that possesses a significant concentration, linkage, or continuity of areas of land use, vegetation, buildings and structures, roads and waterways, and natural features.

Secretary's Standards and Guidelines (48FR44716-44742): The Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation provide technical information about archaeological and historic preservation activities and methods. The Standards and Guidelines are prepared under the authority of Section 101(f), (g), and (h), and Section 110 of the NHPA, as amended.

Section 106: The portion of the NHPA that requires federal agencies to consider the effects of their undertakings on cultural resources. The head of any such federal agency is directed to afford the ACHP a reasonable opportunity to comment with regard to such undertakings.

Section 110: The portion of the NHPA that spells out the affirmative responsibilities of federal agencies for dealing with historic properties, above and beyond the agencies' Section 106 responsibilities. Section 110(a)(1) stipulates that it is the federal agencies' responsibility to preserve and use historic buildings; Section 110(a)(2) states that each federal agency shall establish a preservation program.

Section 4(f): Part of the DOTA that states that the Secretary of Transportation may approve a transportation program or project requiring the use of publicly owned land of a public park, recreation area, or wildlife and waterfowl refuge, or land of a historic site of national, state, or local significance only if there is no feasible and prudent alternative to using that land; and the program or project included all possible planning to minimize harm to the park, recreation area, wildlife and waterfowl refuge, or historic site resulting from the use.

Shovel Tests: Excavation units, usually 0.5 m [20 in] in diameter by a least 1 m [3 ft] deep, used to discover buried archaeological sites and also used to sample or probe a site before large-scale excavation.

Site: The location of an event, a precontact or historic occupation or activity, or a building or structure, whether standing, ruined, or vanished, where the location itself possesses historic, cultural, or archaeological value. Examples include battlefields, campsites, and shipwrecks.

Stabilization: The act or process of applying measures designed to reestablish a weather resistant enclosure and the structural stability of an unsafe or deteriorated property while maintaining the essential form as it exists at present.

State Historic Preservation Officer (SHPO): The official appointed or designated pursuant to Section 101(b)(1) of the NHPA to administer the state historic preservation program or a representative designed to act for the SHPO. The SHPO consults with federal and state agencies during Section 106 review, reviews National Register nominations, and maintains file data on cultural resources.

Structure: Functional constructions made for purposes other than human shelter such as apiaries, automobiles, bridges, earthworks, roads, railroads, or silos.

Traditional Cultural Properties: Properties associated with cultural practices or beliefs of a living community. These practices or beliefs must be rooted in that community's history and be important in maintaining the continuing cultural identity of the community.

Undertaking: Under the NHPA, a federal action that is subject to Section 106 review. It is intended to include any project, activity, or program that can result in changes in the character or use of historic properties, if any such historic properties are located in the APE. The project, activity, or program must be under direct or indirect jurisdiction of a federal agency or licensed or assisted by a federal agency. Undertakings include new and continuing projects, activities, or programs and any of their elements not previously considered under Section 106.

ZAPs Low, Medium, and High: Zones of Archaeological Potential; that is, areas of differential archaeological site location expectancy.

APPENDIX C
LIST OF ACRONYMS

ACHP	Advisory Council on Historic Preservation
AHPA	Archaeological and Historic Preservation Act
AIRFA	American Indian Religious Freedom Act
AN	Advanced Notification
AO	Archaeological Occurrence
AOA	Agency Operating Agreement
APE	Area of Potential Effect
ARPA	Archaeological Resource Protection Act
AWOIS	Automated Wreck and Obstruction Information System
BAR	Bureau of Archaeological Research
BMIS	Bridge Management Inventory System
BMP	Best Management Practices
CD	Compact Disk
C.E.	Common Era
CEMO	Central Environmental Management Office
CEQ	Council on Environmental Quality
CFR	Code of Federal Regulation
CLG	Certified Local Government
CRAS	Cultural Resource Assessment Survey
CRM	Cultural Resource Management
CSR	Case Study Report
DCA	Department of Community Affairs
DEIS	Draft Environmental Impact Statement
DEMO	District Environmental Office
DEP	Department of Environmental Protection
DHR	Division of Historical Resources
DME	District Medical Examiner
DOE	Determination of Eligibility
DOS	Department of State
DOTA	Department of Transportation Act
DPO	District Planning Office
EA	Environmental Assessment
EIS	Environmental Impact Statement
EMO	Environmental Management Office
EO	Executive Order
EST	Environmental Screening Tool
ETAT	Environmental Technical Advisory Team
ETDM	Efficient Transportation Decision Making
FAA	Federal Aviation Administration
FAC	Florida Administrative Code
FCMP	Florida Coastal Management Program
FDOT	Florida Department of Transportation

FEIS	Final Environmental Impact Statement
FELWMA	Florida Environmental Land and Water Management Act
FGDL	Florida Geographic Data Library
FHWA	Federal Highways Administration
FIHS	Florida Intrastate Highway System
FMSF	Florida Master Site File
FPAN	Florida Public Archaeology Network
FR	Federal Register
FRA	Federal Railroad Administration
FS	Florida Statutes
F.S.	Field Specimen
FTA	Federal Transit Administration
GIS	Geographic Information System
GPR	Ground Penetrating Radar
HABS	Historic American Building Survey
HAER	Historic American Engineering Record
HALS	Historic American Landscapes Survey
IHS	Interstate Highway System
ISTEA	Intermodal Surface Transportation Efficiency Act
JPEG	Joint Photographic Experts Group
LOF	Laws of Florida
LRTP	Long Range Transportation Planning
MNI	Minimum Number of Individuals
MOA	Memorandum of Agreement
MPO	Metropolitan Planning Organization
NAGPRA	Native American Graves Protection and Repatriation Act
NEPA	National Environmental Policy Act
NHL	National Historic Landmark
NHPA	National Historic Preservation Act
NOAA	National Oceanic and Atmospheric Administration
NPI	National Preservation Institute
NPS	National Park Service
NRB	National Register Bulletin
NRHP	National Register of Historic Places
OSHA	Occupational Safety and Health Administration
PA	Programmatic Agreement
PALMM	Publication of Archival Library & Museum Materials
PD&E	Project Development and Environment
PI	Principal Investigator
PL	Public Law
PSIQ	Preliminary Site Information Questionnaire
QA	Quality Assurance
RGB	Red Green Blue

ROW	Right-of-way
SAFETEA-LU	Safe, Accountable, Flexible, Efficient Transportation Act: A Legacy for Users
SEIR	State Environmental Impact Report
SHPO	State Historic Preservation Officer
SIA	Structural Inventory Assessment
SIS	Strategic Intermodal System
TCP	Traditional Cultural Property
TEA-21	Transportation Equity Act for the 21st Century
THPO	Tribal Historic Preservation Officer
TIFF	Tagged Image File Format
TIP	Transportation Improvement Program
USACE	United States Army Corps of Engineers
USC	United States Code
USCG	United States Coast Guard
USDA	United States Department of Agriculture
USDOT	United States Department of Transportation
USGS	United States Geological Survey
WER	Wetland Evaluation Report
WMD	Water Management District
WPA	Works Progress Administration
WRP	Wetland Resource Permit