

# HISTORIC LINEAR RESOURCE GUIDE

Guidance for addressing historic linear resources associated with projects processed under the Programmatic Agreement

## PURPOSE

This document presents supplementary guidance on the treatment of historic linear resources associated with undertakings subject to review under the *Programmatic Agreement Among, The Federal Highway Administration (FHWA), The Florida Department of Transportation (FDOT), The Advisory Council on Historic Preservation (ACHP), and The Florida State Historic Preservation Officer (SHPO) Regarding Implementation Of The Federal-Aid Highway Program In Florida (PA)*. This guide was developed in coordination with the FDOT's Office of Environmental Management (OEM) staff, SHPO transportation compliance review staff, and the FDOT Districts. It is provided to promote clear and reasonable expectations, standardize how historic linear resources are addressed in specific situations, and facilitate efficient compliance reviews. The guidance presented complies with the laws and regulations cited within the PA and serves to augment (not replace) the information provided in the Division of Historical Resources' (DHR's) *Module Three: Guidelines for Use by Historic Preservation Professionals (Module 3), Chapter 1A-46, Florida Administrative Code (F.A.C.)*, FDOT's *Project Development and Environment (PD&E) Manual and Cultural Resource Management (CRM) Handbook* (collectively referenced herein as *Standards and Guidelines*).

The intention is not to record every linear resource of historic age in the state in the Florida Master Site File (FMSF), but rather to establish reasonable guidelines and foster meaningful cultural resource documentation. To that end, DHR recommends three gray literature references that provide additional criteria and evaluation parameters beyond the *Standards and Guidelines*. These gray literature documents, housed in the FMSF and available on the OEM SharePoint, are:

- Canal Memorandum (revised 2012)
- Florida's Historic Railroad Resources MPS (NRHP Listed May 5, 2001, FMSF MS# 6289)
- Florida's Historic Roads and Trails MPS Draft (Johnson, 2008, FMSF MS# 25314)

This gray literature provides additional parameters, beyond just historic age, to assist the recorder in determining whether a historic linear resource should be recorded for the FMSF and evaluated for listing in the National Register of Historic Places (NRHP). When a linear resource, or segment thereof, fails to meet these additional criteria or parameters and will be excluded from documentation and evaluation, it is expected that the researcher will:

1. Note the existence of said resource in relation to the undertaking in the reporting document;
2. Reference the appropriate gray literature source; and
3. Briefly explain the analysis for why the historic linear resource will be excluded.

Language such as "...per the *Canal Memorandum* (rev 2012), *canal X* does not merit documentation *insert justification here*." Or "...in accordance with the *Historic Roads and Trails MPS* (2008 Draft), *road name here* meets none of the suggested parameters beyond its historic age *because of x, y, z reasons here* and as such will not be recorded as a historic linear resource."

Please note that this is not a justification for a resource's *ineligibility* for listing in the NRHP, it is an explanation of why the resource does not even meet the threshold to warrant documentation in the FMSF and evaluation for listing in the NRHP.

Lastly, SHPO has determined that the Florida Turnpike (the physical road) is exempt from documentation as a historic linear resource, and that evaluation for NRHP eligibility is neither necessary nor required. Similar to the ACHP program comment on the Interstate Highway System, any non-Turnpike cultural resource within the current or any future proposed right-of-way, including but not limited to historic structures, canals, and historic or archaeological sites, are still subject to compliance with Section 106 documentation and NRHP evaluation.

**DEFINITIONS**

The following definitions are provided for the clarity of the discussion and **do not** constitute any formal or legal definition applicable beyond this guide:

**Adjacent to the APE:** references a resource located outside the defined boundary of the archaeological and historic Area of Potential Effect (APE), not to be confused with adjacent to the right-of-way as that may still be within the defined APE. The appropriate distance from an APE is project-specific but could range from abutting (shared) boundaries to the full extent of that project’s viewshed. APEs should be defined to address any resources that may be affected by the project – the resources we are referring to as adjacent should therefore never be at risk of project effects but do need to be acknowledged.

**Associated with:** references the presence of a historic linear resource in or adjacent to the APE regardless of the level of previous recordation, documentation, or evaluation.

**Cultural Resource Assessment Survey (CRAS):** the comprehensive survey for archaeological and historic resources within a project area that meets the Standards and Guidelines.

**Florida Master Site File (FMSF):** Florida’s official inventory of historic resources and archaeological sites. The FMSF maintains a paper files for each resource and maintains the digital database and GIS mapping platform. Completion of the appropriate FMSF Forms is essential to the accuracy of this database.

**Historic Property:** a Historic Resource that is listed, eligible, or potentially eligible for NRHP listing.

**Historic Resource:** a cultural entity (road, building, site, etc.) that is fifty (50) years or older at the time of the survey, or a resource that is anticipated to reach historic age by the time the subject project is completed.

**Linear Resource:** a special type of structure or historic landscape that is arranged in or extending along a straight or nearly straight line. This includes roads, railroads or rail beds, canals, etc.

**Stipulation VII Document:** any of three (3) document types depending on project specifics; Desktop Analysis, CRAS Report, or CRAS Addendum (see Stipulation VII Documentation Guide for further details).

**Treatment:** the range of recordation (FMSF forms, PA Stipulation Form, reports, etc.), documentation (maps, photographs, etc.), and significance evaluation (for listing in the National Register of Historic Places (NRHP)) that is required for each situation.

**Undertaking:** a project processed for review by the SHPO compliance review staff under the PA.

**EXAMPLE LANGUAGE – EVALUATING A SEGMENT OF A LARGER RESOURCE**

While *resource X* as a whole (*enter the appropriate NRHP evaluation or lack thereof here –Insufficient Information, Eligible, or Potentially Eligible*), the segment of *resource X* expressed within the APE does not convey significance or maintain integrity and is therefore recommended as a non-contributing, ineligible segment of the overall *resource X*. As such, the proposed project will have **No Adverse Effect** on *resource X*.” Presuming there are no other resources that will be adversely impacted by that project, the overall determination of effects for the project would also be **No Adverse Effect to Historic Properties**.

**ORGANIZATION**

The following conditional statements are prepared to address the most frequently observed situations where undertakings interact with historic linear resources. If your situation is not represented, or you have a special consideration that makes the path forward unclear, coordinate directly with SHPO staff for assistance.

**COLOR CODE LEGEND**

The following color code is used for both the charts below and the decision tree on the last page.

No FMSF forms required
Updated FMSF resource form and Survey Log <b>may</b> be required
Updated FMSF resource form and Survey Log required
New FMSF resource form and Survey Log required
Resources IN the APE
Resources Exemptions
Resources Above/Below/Adjacent to APE
General Guidance

## HISTORIC LINEAR RESOURCE EXEMPTIONS

**IF** the historic linear resource is **exempt** from Section 106 consideration due to meeting the qualifications of a Nationwide Program Alternative

**THEN** acknowledge the presence and name of the resource and identify the applicable program alternative that exempts the resource from consideration in the appropriate 106 document type for the undertaking. A Stipulation V/VI Form or Stipulation VII document may apply. There is no need to take exempt resources into consideration when determining a project's effects.

- No **FMSF** forms for that resource are required.

## HISTORIC LINEAR RESOURCE IN THE APE

**IF** the historic linear resource has never been recorded,

**THEN** record the segment of the resource within the APE, evaluate that segment's NRHP eligibility, discuss the project interaction with the resource, and present that information in a Stipulation VII document.

- If the resource continues beyond the APE and it is beyond the scope of work to evaluate the entire resource, **insufficient information** is the appropriate recommendation for the resource as a whole. In the absence of a clear NRHP determination for the whole resource, presume significance and apply the criteria of adverse effect to the segment within the APE to arrive at the project's determination of effect.
- If the resource is wholly contained within the APE, or it is within the scope of work to evaluate the entire resource, recommend the appropriate NRHP determination and propose a determination of effects for the project.

- A new **FMSF Resource Group** form and associated map/image(s) is required. Clearly indicate the segment of the resource being evaluated in the form and on the associated map.
- A **FMSF Survey Log** and associated map(s) is required.

**IF** the segment within the APE is not recorded, but SHPO evaluated a different segment of the resource as **ineligible** for NRHP listing,

**THEN** record the segment of the resource within the APE, evaluate that segment's NRHP eligibility, and discuss the project interaction with the segment of the resource in the APE. Present that information in a Stipulation VII document.

- If the resource continues beyond the segment in question and previously recorded segments, and it is beyond the scope of work to evaluate the entire resource, **insufficient information** is the appropriate recommendation for the resource as a whole. In the absence of a clear NRHP determination for the whole resource, presume significance and apply the criteria of adverse effect to the segment within the APE to arrive at the project's determination of effect.
- If the resource is wholly contained within the APE, is documented in its entirety by the current and previously recorded segments, or it is within the scope of work to evaluate the entire resource, recommend the appropriate NRHP determination and propose a determination of effects for the project.

- An updated **FMSF Resource Group** form and associated map/image(s) is required. Clearly indicate the segment of the resource being evaluated on the form and the map, if applicable.
- If a field visit or survey took place, **FMSF Survey Log** and associated map(s) is required.

\***Potentially Eligible** is a discontinued NRHP evaluation option from a previous version of the FMSF form that may still be present on earlier recorded/evaluated resources.

## HISTORIC LINEAR RESOURCE IN THE APE (CONTINUED)

<p><b>IF</b> the segment within the APE is not recorded, but SHPO evaluated a different segment of the resource as <i>eligible</i> for NRHP listing,</p>	<p><b>THEN</b> record the segment of the resource within the APE, evaluate that segment’s NRHP eligibility, but maintain the NRHP-<i>eligible</i> evaluation for the whole resource. Discuss the project interaction with the segment of the resource in the APE and apply the criteria of adverse effect to the segment within the APE to arrive at the project’s determination of effects. Present that information in a Stipulation VII document.</p>
	<ul style="list-style-type: none"> <li>• An updated <b>FMSF Resource Group</b> form and associated map/image(s) is required. Clearly indicate the segment of the resource being evaluated in the form and on the associated map.</li> <li>• If a field visit or survey took place, <b>FMSF Survey Log</b> and associated map(s) is required.</li> </ul>
<p><b>IF</b> the segment within the APE was previously recorded but is unevaluated by SHPO,</p>	<p><b>THEN</b> evaluate the segment of the resource within the APE for its NRHP eligibility, discuss the project interaction with the resource, and present that information in a Stipulation VII document.</p> <p>a. If the resource continues beyond the APE and it is beyond the scope of work to evaluate the entire resource, <i>insufficient information</i> is the appropriate recommendation for the resource <u>as a whole</u>. In the absence of a clear NRHP determination for the <u>whole</u> resource, presume significance and apply the criteria of adverse effect to the segment within the APE to arrive at the project’s determination of effect.</p>
	<ul style="list-style-type: none"> <li>• An updated <b>FMSF Resource Group</b> form and associated map/image(s) is required. Clearly indicate the segment of the resource being evaluated on the form and the map.</li> <li>• If a field visit or survey took place, <b>FMSF Survey Log</b> and associated map(s) is required.</li> </ul>
<p><b>IF</b> SHPO evaluated the historic linear resource in the APE as <i>ineligible</i> for NRHP listing within the past 10 years, and there <u>has</u> been a change in significance,</p>	<p><b>THEN</b> document the changes to the resource’s significance, present the updated NRHP eligibility evaluation, discuss the project interaction with the resource, recommend a determination of effect, and present that information in a Stipulation VII document.</p>
	<ul style="list-style-type: none"> <li>• An updated <b>FMSF Resource Group</b> form and associated map/image(s) is required. Clearly indicate the segment of the resource being evaluated on the form and the map.</li> <li>• If a field visit or survey took place, <b>FMSF Survey Log</b> and associated map(s) is required.</li> </ul>
<p><b>IF</b> the historic linear resource is <b>listed</b> on the NRHP, or SHPO evaluated it as <i>eligible</i> or <i>potentially eligible</i>* for NRHP listing,</p>	<p><b>THEN</b> document changes (if any) to the resource since the listing or eligibility determination, discuss the project interaction with the resource, apply the criteria of adverse effect to arrive at the project’s determination of effect, and present that information in a Stipulation VII document.</p>
	<ul style="list-style-type: none"> <li>• If changes are documented, an updated <b>FMSF Resource Group</b> form and associated map/image(s) is required. Clearly indicate the segment of the resource being evaluated in the form and on the associated map.</li> <li>• If there is no change to the historic property, an updated <b>FMSF Resource Group</b> form is not needed.</li> <li>• If a field visit or survey took place, <b>FMSF Survey Log</b> and associated map(s) is required.</li> </ul>
<p><b>IF</b> SHPO evaluated the historic linear resource in the APE as <i>ineligible</i> for NRHP listing within the past 10 years, and there has been <u>no</u> change in significance,</p>	<p><b>THEN</b> acknowledge the presence of said resource including the name, type of resource, and date of the SHPO NRHP-ineligible determination in the appropriate 106 document type for the undertaking. A Stipulation V/VI Form or Stipulation VII document may apply. There is no need to take <i>ineligible</i> resources into consideration when determining a project’s effects.</p>
	<ul style="list-style-type: none"> <li>• No <b>FMSF</b> forms for that resource are required.</li> </ul>

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## HISTORIC LINEAR RESOURCE **ADJACENT** TO THE APE

**Stipulation V or VI** projects: APEs should be defined to include all potential direct and indirect effects on historic resources. Verify during desktop analysis that there are no indirect (visual or noise) effects that need to be evaluated.

- If indirect effects do not exist, continue processing the project in the Stipulation V/VI Form.
- If potentially adverse indirect effects are possible, process the project in a Stipulation VII document and reference the situations below.

**Stipulation VII** projects: See below guidance for various situations; however, the following general parameters apply to any of the Stipulation VII documents:

1. The project details will guide how the APEs are defined and if any resources end up being **ADJACENT** to the APE. The SHPO reviewer is relying on the document submitted by FDOT to explain how ‘adjacent’ was interpreted for each project to minimize misunderstandings.
2. The suggestion to acknowledge or discuss an adjacent resource below is to promote clarity (i.e., instances of close or shared borders can be confusing) and only applicable if the resource falls within the parameters of ‘adjacent’ as defined for that project.
3. References to adjacent resources typically belong in the FMSF database search results for previously recorded resources section of the document and most discussions will be a brief sentence or two.
4. If there is any potential for the proposed project to impact the resource, the APE should be expanded to include the resource and it should be recorded and evaluated according to the guidance for resources in the APE.

<p><b>IF</b> the adjacent historic linear resource is <b>listed</b> on the NRHP, or SHPO evaluated it as <i>eligible</i> or <i>potentially eligible</i>* for NRHP listing,</p>	<p><b>THEN</b> acknowledge the presence of the resource, address the project interaction with the resource (or more accurately, the lack thereof), apply the criteria of adverse effect to arrive at the project’s determination of effect, and present that information in a Stipulation VII document.</p> <ul style="list-style-type: none"> <li>• No <b>FMSF</b> forms for that resource are required.</li> </ul>
<p><b>IF</b> the adjacent historic linear resource is unrecorded <b>OR</b> was recorded but unevaluated by the SHPO,</p>	<p><b>THEN</b> acknowledge the presence of the resource, address the project interaction with the resource (or more accurately, the lack thereof) and present that information in a Stipulation VII document.</p> <ul style="list-style-type: none"> <li>• No <b>FMSF</b> forms for that resource are required.</li> </ul>
<p><b>IF</b> SHPO evaluated the historic linear resource (or adjacent segment thereof) as <i>ineligible</i> for NRHP listing within the past 10 years, and there has been <u>no</u> change in significance,</p>	<p><b>THEN</b> acknowledge the presence of the resource in a Stipulation VII document. There is no need to take <i>ineligible</i> resources into consideration when determining a project’s effects.</p> <ul style="list-style-type: none"> <li>• No <b>FMSF</b> forms for that resource are required.</li> </ul>
<p><b>IF</b> SHPO evaluated the historic linear resource (or adjacent segment thereof) as <i>ineligible</i> for NRHP listing within the past 10 years, and there <u>has</u> been a change in significance,</p>	<p><b>THEN</b> acknowledge the presence of the resource, the potential for a change in the NRHP evaluation, and address the project interaction with the resource (or more accurately, the lack thereof) and present that information in a Stipulation VII document.</p> <ul style="list-style-type: none"> <li>• No <b>FMSF</b> forms for that resource are required.</li> </ul>

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**HISTORIC LINEAR RESOURCE ABOVE (SUCH AS A RAILROAD ON A BRIDGE OVER THE APE) OR BELOW THE APE (WHEN THE APE IS ON A BRIDGE OVER A RESOURCE SUCH AS A CANAL)**

**General Guidance for ABOVE/BELOW situations:** If there is any potential for the proposed project to impact the resource, either through direct physical impacts or indirect impacts such as alterations to the setting/viewshed to a degree that would impact the resource’s eligibility, the APE should be expanded to include that segment of the resource, and the resource should be treated according to the guidance for resources IN the APE.

<p><b>IF</b> the historic linear resource is <b>listed</b> on the NRHP, or SHPO evaluated it as <i>eligible</i> or <i>potentially eligible</i>* for NRHP listing,</p>	<p><b>THEN</b> acknowledge the presence of the resource, address the project interaction with the resource (or lack thereof), apply the criteria of adverse effect to arrive at the project’s determination of effect, and present that information in a Stipulation VII document.</p> <ul style="list-style-type: none"> <li>• No <b>FMSF</b> forms for that resource are required.</li> </ul>
<p><b>IF</b> the segment crossing the APE is not recorded, but SHPO evaluated a different segment of the resource as <i>eligible</i> for NRHP listing,</p>	
<p><b>IF</b> the historic linear resource is unrecorded or was previously recorded but unevaluated by the SHPO,</p>	
<p><b>IF</b> SHPO evaluated the historic linear resource as <i>ineligible</i> for NRHP listing within the past 10 years, and there has been <u>no</u> change in significance,</p>	<p><b>THEN</b> acknowledge the presence of the resource in a Stipulation VII document. There is no need to take <i>ineligible</i> resources into consideration when determining a project’s effects.</p> <ul style="list-style-type: none"> <li>• No <b>FMSF</b> forms for that resource are required.</li> </ul>
<p><b>IF</b> SHPO evaluated the historic linear resource as <i>ineligible</i> for NRHP listing within the past 10 years, and there <u>has</u> been a change in significance,</p>	<p><b>THEN.</b> acknowledge the presence of the resource, the potential change in the NRHP evaluation, and address the project interaction with the resource (or lack thereof), apply the criteria of adverse effect to the segment of the resource crossing the APE to arrive at the project’s determination of effect. Present that information in a Stipulation VII document.</p> <ul style="list-style-type: none"> <li>• No <b>FMSF</b> forms for that resource are required.</li> </ul>

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