GUIDELINES FOR CULTURAL RESOURCE STUDIES
EL DORADO COUNTY, CALIFORNIA

Approved by Board of Supervisors
August 17, 1999

TABLE OF CONTENTS

I. PURPOSE 1

II. QUALIFICATIONS 2
- A. Professional Qualification Standards 2
  - 1. History 2
  - 2. Archaeology 2
  - 3. Architectural History 3
  - 4. Architecture 3
  - 5. Historic Architecture 3
- B. Qualifications for Cultural Resources Recommendations 4

III. CULTURAL RESOURCES STUDIES 4
- A. Prefield Research. 4
- B. Inventory 5

IV. EVALUATION 6
- A. Criteria For Evaluation 6
- B. The Process of Evaluation 7

IV MITIGATION MEASURES 7
- A. Mitigation Measures in General 7
- B. Mitigation Measures Related to Impacts on Historical Resources. 7

V. REPORTING AND MANAGEMENT RECOMMENDATIONS: Archaeological Resource Management Reports (ARMR) 9
- A. Title Page 9
- B. Table of Contents 9
- C. Management Summary 9
- D. Introduction/Project Description 9
- E. Cultural Setting 10
- F. Research Results 10
- G. Methods/Field Inventory 10
- H. Report of Findings 10
- I. Discussion/Interpretation 11
- J. Recommendations 11
- K. References 11
- L. Appendices 11

M. Maps....12
N. Photographs....12
O. Illustrations....12

VI. Checklist of Critical Items for Reviewing Cultural Resource Studies

VII. Glossary of Terms

VIII. References (available for review or purchase at County Planning Department):

1. CEQA Guideline Summary: Historic Resources Sections
2. ARMR Recommended Contents and Format
3. Public Resources Code 5024.1 Title 14.CCR
4. California Department of Parks and Recreation Guidelines

GUIDELINES FOR CULTURAL RESOURCE STUDIES
EL DORADO COUNTY, CALIFORNIA

I. PURPOSE

El Dorado County seeks, through its planning process, to accommodate and integrate important aspects of our cultural heritage with the needs of contemporary society. These Cultural Resource Management Guidelines (Guidelines) are developed to assist El Dorado County in making informed decisions regarding the disposition of important cultural resources by ensuring that information and recommendations regarding cultural resources are supported by high-quality, professional research.

All discretionary land use projects proposed in El Dorado County require, at a minimum, compliance with the California Environmental Quality Act (CEQA), which states that "A project with an effect that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment."

These Guidelines promote regulations and standards consistent with those advocated by the State Historic Preservation Office (SHPO), which were developed to meet the information requirements and standards of both federal and state statutes for historic preservation. The establishment of a single standard for cultural resources studies would reduce duplication of work, reduce costs, and prevent delays resulting from multiple standards.

These Guidelines promote such integration by ensuring that:

- cultural resources studies and the resulting reports meet at least minimum professional standards;
- cultural resources studies and reports result in consistent application of standard practices; and
- the methods used, the information collected, the evaluation criteria, and management recommendations for cultural resources meet the statutory and regulatory requirements of CEQA and other historic preservation laws, as applicable.

II. QUALIFICATIONS

Thoughtful and appropriate identification, evaluation, and management of cultural resources can be made only with in-depth knowledge of cultural contexts and "standards of the industry." Such knowledge is demonstrated with educational background, regional experience, and recommendations appropriate to the subject matter.

The following professional qualifications standards are recommendations, not requirements. However, if cultural resources studies are conducted by firms or individuals that do not meet the recommended standards, the resulting reports may be subject to greater scrutiny than those prepared by qualified professionals that meet the minimum standards. The possibility of greater scrutiny is proposed to ensure that cultural resources studies have been adequately performed and that requisite information is included in resulting reports.

A. PROFESSIONAL QUALIFICATION STANDARDS

The following standards are adopted from *Archeology and Historic Preservation: the Secretary of Interior's Standards and Guidelines, Professional Qualifications Standards.* These standards are those used by the National Park Service, and define minimum education and experience recommended for historic preservation identification, evaluation, registration, and treatment activities. In some cases, additional areas or levels of expertise may be needed, depending on the complexity of the task and the nature of the historic properties involved. In the following definitions, a year of full-time professional experience need not consist of a continuous year of full-time work, but may be made up of discontinuous periods of full-time or part-time work adding up to the equivalent of a year of full-time experience.

1. **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 plus one of the following:

   a. 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; or

   b. Substantial contribution through research and publication to the body of scholarly knowledge in the field of history.

2. **Archaeology:** The minimum professional qualifications in archaeology are a graduate degree in archaeology, anthropology, or closely related field plus:

   a. At least one year of full-time professional experience or equivalent specialized training in archaeological research, administration, or management;

   b. At least four months of supervised field and analytic experience in

general North American archaeology; and

c. Demonstrated ability to carry research to completion.

In addition to these minimum qualifications, a professional in prehistoric archaeology should have at least one year of full-time professional experience at a supervisory level in the study of archaeological resources of the prehistoric period. A professional in historic archaeology should have at least one year of full-time professional experience at a supervisory level in the study of archaeological resources of the historic period.

3. **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:

   a. 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; or

   b. substantial contribution through research and publication to the body of scholarly knowledge in the field of American architectural history.

4. **Architecture:** The minimum professional qualifications in architecture are a professional degree in architecture plus at least two years of full-time experience in architecture; or a State license to practice architecture.

5. **Historic Architecture:** The minimum professional qualifications in historic architecture are a professional degree in architecture or a State licence to practice architecture, plus one of the following:

   a. At least one year of graduate study in architectural preservation, American architectural history, preservation planning or closely related field; or

   b. At least one year of full-time professional experience on historic preservation projects.

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

B. QUALIFICATIONS FOR CULTURAL RESOURCES RECOMMENDATIONS

It is noted that there are some owners of consulting firms that do not have all of the qualifications outlined above, but one or more individuals that work for them do. These guidelines recognize that it is appropriate for these firms to perform the work as long as the qualified person(s) actually performs the work.

III. CULTURAL RESOURCES STUDIES

CEQA and related guidelines and recommendations have evolved over nearly 30 years. As a consequence, the amendments to CEQA and the Public Resources codes that link to CEQA are a patchwork that does not provide a clear and coherent procedural path for conducting historical resources studies. The SHPO has provided *CEQA Guideline Summary, Historical Resource Sections 15064.5, 15126.4, 15325, 15332, Appendix G, January 1999* which identifies the mandates of the various Public Resources Codes as they relate to CEQA. The following sections provide procedural links between the various CEQA regulations. The SHPO's *CEQA Guideline Summary, Historic Resources Sections* is incorporated by referenced into these guidelines.

The SHPO has also produced guidelines for reporting the results of archaeological resource management studies called *Archaeological Resource Management Reports: Recommended Standards and Format* (1990), which are incorporated by reference into these guidelines. The guidelines provide insight into the tasks that should be conducted in order to provide the specified reporting information.

A. PREFIELD RESEARCH

Following are the recommended minimum standards for the identification of cultural resources.

1. **Prefield Research:** Cultural resources studies should be conducted through a review of available documents and literature. Often this review provides data on site-specific issues, that might include the general locations of ethnographic villages, cemeteries, early historic period homesteads and other useful information. The level of prefield research should be scaled to the undertaking size and type. If resources are identified during field inventory, additional research specifically relevant to those identified resources may be necessary to properly evaluate those resources.

    a. A records search should be requested from the North Central Information Center (NCIC) of the California Historical Resources Information System located at California State University, Sacramento, and include information necessary for the NCIC to identify the study area on a 7.5' United States Geographical Survey

(U.S.G.S.) topographic quadrangle. The NCIC imposes certain requirements in providing often sensitive cultural resource locations and information. The professional requesting the information should comply with the terms requested by the NCIC.

The NCIC request should not predate the cultural resources study by more than one year, and the NCIC findings should be included in the report and described in the report text.

b. Prefield research should include an examination of appropriate historic period maps. Information on these maps often has the locations of Native American sites and early historic period structures and features. Post-survey/inventory work should include reference to these maps for identification purposes.

c. Native American consultation should occur with appropriate knowledgeable Native Americans of local descent. Contact should be made with other groups or individuals with knowledge of local cultural resources of interest.

B. INVENTORY

When possible, field inventory should be performed under conditions of maximum ground visibility, which may vary by geographic area depending upon vegetation types.

1. Project land parcels should be subject to full coverage (i.e., completely walked by experienced surveyors walking in transects 10 to 15 meters wide under conditions of good ground visibility).

2. Should difficult terrain or dense vegetation preclude full coverage in the prescribed transects, those areas should be delineated on the project maps. Explanation for variance from full coverage should be given in the report text and omitted acreage calculated and entered within the report.

3. All sites (prehistoric and historic periods), features (including ditches, roads, dams, etc.), and isolates should be recorded on the most current and appropriate Department of Parks and Recreation (DPR) forms and located on the proposed project maps according to the most current DPR guidelines.

4. For complex sites having more than one locus, a scaled site map should be prepared that clearly and concisely shows all loci in relationship to one another. Individual feature or locus maps should also be made. Distance and bearings should be given on the maps to provide information on distances between the individual loci.

5. All scaled maps should have a legend detailing the features illustrated on the maps.

6. Photographs of all sites, features, and temporally diagnostic artifacts should be taken with all entries on a standard record form.

IV. EVALUATION

A. CRITERIA FOR EVALUATION

Evaluation of cultural resources is the critical decision-making point that determines the need for further consideration under CEQA. As stated in *CEQA Guidelines For Historical Resources Section 15064.5(3)*, a cultural resource is important or significant if it is an "historical resource".

Any object, building, structure, site, area , place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered to be an historical resource, provided the lead agency's determination is supported by substantial evidence in light of the whole record. Generally, a resource should be considered by the lead agency to be " historically significant" if the resource has integrity and meets the criteria for listing on the California Register of Historical Resources (CRHR) as follows:

(A) Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;

(B) Is associated with the lives of persons important in our past;

(C) Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or

(D) Has yielded, or may be likely to yield, information important in prehistory or history.

Public Resources Code Section 5024.1. Title 14 CCR, describes criteria and procedures for the CRHR and is incorporated by reference into these Guidelines.

B. THE PROCESS OF EVALUATION

CEQA Guidelines For Historical Resources Section 15064.5 also describes the appropriate steps in determining whether a cultural resource requires further consideration under CEQA as follows:

1. When a project will impact an archaeological site, a lead agency should first determine whether the site is an historical resource, as defined above.

2. If a lead agency determines that the archaeological site is an historical resource, it should refer to the provisions of Section 21084.1 of the Public Resources Code, and this section, Section 15126.4 of the Guidelines, and the limits contained in Section 21083.2 of the Public Resources Code do not apply.

3. If an archaeological site does not meet the criteria defined in subsection (A), but does meet the definition of a unique archaeological resource in section 21083.2 of the Public Resources Code, the site should be treated in accordance with the provisions of section 21083.2. The time and cost limitations described in Public Resources Code 21083.2 (c-f) do not apply to surveys and site evaluation activities intended to determine whether the project location contains unique archaeological resources.

4. If an archaeological resource is neither a unique archaeological nor an historical resource, the effects of the project on those resources should not be considered a significant effect on the environment. It should be sufficient that both the resource and effect on it are noted in the Environmental Checklist/Initial Study, or EIR, if one is prepared to address impacts on other resources, but they need not be considered further in the CEQA process.

IV MITIGATION MEASURES
(adapted from Section 15126.4 of the CEQA Guideline Summary).

A. MITIGATION MEASURES IN GENERAL

1. An EIR should describe feasible measures which could minimize significant adverse impacts.

    a. The discussion of mitigation measures should distinguish between the measures which are proposed by project proponents to be included in the project and simply reference that fact and briefly explain the reasons underlying the lead agency's determination.

B. MITIGATION MEASURES RELATED TO IMPACTS ON HISTORICAL RESOURCES.

1. Where maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation or reconstruction of the historical resource will be conducted in a manner consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings,

the project's impacts on the historical resource will generally be considered mitigated below a level of significance and thus is not significant.

2. In many circumstances, documentation of an historical resource, by way of historic narrative, photographs or architectural drawings, as mitigation for the effects of demolition of the resource will not mitigate the effects to a point where clearly no significant effect on the environment would occur.

3. Public agencies should, whenever feasible, seek to avoid damaging effects on any historical resource of an archaeological nature. The following factors should be considered and discussed in an EIR for a project involving such an archaeological site:

   a. Preservation in place is the preferred manner of mitigating impacts to archaeological sites. Preservation in place maintains the relationship between artifacts and archaeological context. Preservation may also avoid conflict with religious or cultural values of groups associated with the site.

   b. Preservation in place may be accomplished by, but is not limited to, the following;

      i. Planning construction to avoid archaeological sites;

      ii. Incorporation of sites within parks, greenspace, or other open space;

      iii. Covering the archaeological sites with a layer of chemically stable soil before building tennis courts, parking lots, or similar facilities on the site.

      iv. Deeding the site into a permanent conservation easement.

   c. When data recovery through excavation is the only feasible mitigation, a data recovery plan, which makes provision for adequately recovering the scientifically consequential information from and about the historical resource, should be prepared and adopted prior to any excavation being undertaken. Such studies should be deposited with the California Historical Resources Information System. Archaeological sites known to contain human remains should be treated in accordance with the provisions of Section 7050.5 Health and Safety Code.

   d. Data recovery should not be required for an historical resource if the lead agency determines that testing or studies have adequately recovered the scientifically consequential information from and about

the archaeological or historical resource, provided that the determination is documented in the EIR and that the studies are deposited with the NCIC.

V. REPORTING AND MANAGEMENT RECOMMENDATIONS

The Preservation Planning Bulletin: Archaeological Resource Management Reports (ARMR): Recommended Contents and Format.

The *Preservation Planning Bulletin: Archaeological Resource Management Reports (ARMR): Recommended Contents and Format* is incorporated by reference into these Guidelines and should be used as a reference for all cultural resource inventories. The report information listed below displays the minimum contents for cultural resource inventories that are conducted within El Dorado County.

However, the ARMR represents the contents and format recommended by the County. The ARMR issued by the California Office of Historic Preservation and intended for statewide use is far more detailed than the minimum contents listed below, and provides additional information on the preparation of cultural resource reports.

The report should be complete and prepared to professional standards. The following outline of required sections is to be followed at a minimum. Other sections may be added if they are pertinent to the project. The study should list the team and their qualifications relative to the nature of the resources and location of the project. Upon completion, the report should be submitted to the Planning Department and other appropriate agencies within 30 days of completion.

A. Title Page (ARMR, Section II)
Provide all information on the project name, author, client, acreage, and the date of preparation. If the proposed project has been assigned a number by the Planning Department, this number should also appear on the Title Page.

B. Table of Contents (ARMR, Section III)
This is required for all reports over ten pages in length.

C. Management Summary (ARMR, Section IV)
Provide proposed project specifics: acreage, coverage, results of the inventory, and brief site evaluations.

D. Introduction/Project Description (ARMR, Section V of checklist)
Describe the proposed project, General Plan land-use changes, zoning classifications, and identify the section, township and range, and the Assessor's Parcel Number(s) (APN) of the project. If there is a El Dorado County Planning Department discretionary project number, this should be included in this section and also placed on the Title Page.

E. Cultural Setting (ARMR, Section VIB)

These sections should reflect the research conducted for the inventory and should be appropriate to the project area. Details on regionally and geographically distant areas are not appropriate to the proposed project.

1. The prehistory should consider the most recent and relevant archaeological work and should be included for the purpose of interpretation of prehistoric period sites that are identified within the proposed project boundaries.

2. The ethnography should give a general statement on the local Maidu and add any information that might have a particular relationship to the subject property area.

3. The historical background should focus on events that have transpired within the locale of the proposed project. Details on local history may well be of importance in the identification of historic period resources, especially if pertinent information has been found that directly relates to the project lands. The historic context should be appropriate to the project area and to the identified resources. All references should be properly cited.

F. Research Results (ARMR, Section VI)

Include the results of the record search, review of historic site inventories, and all other archival research results in this section.

G. Methods/Field Inventory (ARMR, Section VIII)

1. Provide the names and qualifications of the principal investigator and the team members are to appear in the report (resumes to be appended in the report).

2. State the dates of the field work and the person days expended for each of the team members.

3. Clearly explain the methods, techniques, and strategies employed. Any omitted areas should be described with the acreage amounts denoted. These omitted areas should be shown on the project map or maps and be included in the report.

H. Report of Findings (ARMR, Section IX)

1. Study Results

   a. Provide a numerical compilation of the identified resources and discuss these resources by site type: prehistoric, historic feature, or isolated artifact.

b. Describe in detail the identified resources (prehistoric and historic).

c. Make a numbered and titled table if more than five cultural resources have been identified. Give site type, the cadastral location, latitude and longitude, and section, township and range in the table.

d. Reference all sites on the proper location map or maps that follow the text on study results. U.S.G.S. 7.5' topographic quadrangles are most appropriate and useful.

I. Discussion/Interpretation

1. Evaluations (ARMR, Section X)
   All resources including the isolates and features should be individually evaluated under the most current CEQA criteria and federal criteria if there is federal agency involvement. Rationale for these evaluations should be clearly defined in the text.

2. Impacts (ARMR, Section X)
   a. Each site should be discussed in terms of potential impacts. Indirect and cumulative effects should be considered as well as the direct impacts.

   b. A table should be prepared if more than five cultural resources have been identified. Resource numbers (temporary or permanent), site type, evaluation, findings, and the potential effects should be given on this table. The table should have a number and a title.

   c. Consideration of Alternatives and Rational for Recommendations

J. Recommendations (ARMR, Section XI)

Specific recommendations should be prepared for each site to mitigate such impacts and these recommendations should be substantive in scope and be achievable.

K. References (ARMR, Section XII)

All referenced documents, publications, maps, and personal communications should be presented in a standard professional style. Non-cited references are not necessary.

L. Appendices (ARMR, Section XIII and XIV)

All appendices should have a titled cover sheet and be sequentially numbered. References to these appendices should be incorporated in the text. Appendices should include:

1. Communication received from the North Central Information Center.
2. Resumes of all team personnel employed on the project.
3. Site forms and location maps.

M. **Maps** (ARMR, Section XIII)
All maps should be sequentially numbered. Reference to these maps should be incorporated in the text.

1. A survey coverage map is required, and the project boundaries clearly delineated with an identifying legend and scale.

2. A cultural resource location map is required if the field inventory is positive.

3. If historic period maps display pertinent information on identified cultural resources, these may be included and referenced in the text as well.

4. If deemed appropriate, other maps may be included, but these should be professionally presented, numbered, and referenced.

5. Submit a copy of the project plans with the identified cultural resources plotted on the map to the Planning Department.

N. **Photographs** (ARMR, Section XIII and XIV)
If photographs are included in the report, these should be suitably mounted on a backing sheet and then numbered sequentially. References should be made to these in the text. Each photograph should be identified as to the subject, view, and date on the mounting.

O. **Illustrations** (ARMR, Section XIII and XIV)
Should artifacts be illustrated in the field, these may be included if the report author deems them pertinent to the interpretation. All figures should be numbered sequentially and referenced in the report text.

VI. Checklist of Critical Items for Reviewing Cultural Resource Studies

Project: _____
Report Title and Date: _____
Report Type (Inventory, Evaluation, Data Recovery, etc.): _____
Reviewer and Date: _____

The following is a list of critical items which should be presented in a cultural resources study. This is only a partial list of items which are recommended by the El Dorado County Cultural Resources Preservation Commission. For a thorough review of any cultural resources study, the reviewer is encouraged to consult the *Guidelines for Cultural Resources Studies, El Dorado County, California* (May 1999) and Attachments.

- ❑ Title Page (Page 8A)
- ❑ Table of Contents (Page 8B)
- ❑ Project Information: Management Summary and Project Description (Page 9 C&D)
- ❑ Cultural Setting (Page 9E)
- ❑ Methods (Page 9G)
- ❑ Research Results and Findings (Page 9 F&H)
- ❑ Discussion (if appropriate) (Page 10I)
- ❑ Inventory Reports: Discussion of management status of resources (Page 9G)
- ❑ Evaluation Reports: Discussion of integrity and significance of each identified resource (Page 10I.1.)
- ❑ Assessment of Effects (if appropriate) (Page 10I.2.)
- ❑ Consideration of Alternatives (Page 10.3)
- ❑ Recommendations (Page 10J)
- ❑ References (Page 10k)
- ❑ Appendices: i.e. resumes, correspondence, photo records, maps (Page 10L)
- ❑ Confidential Appendices: i.e. resource inventory records and location maps (Page 10L)

VII. GLOSSARY OF TERMS

Archaeological Site: A bounded area of a resource containing archaeological deposits of features that is defined in part by the character and location of such deposits or features.

Cadastral location: Showing or recording property boundaries, subdivision lines, buildings, and related details.

California Environmental Quality Act (CEQA): (Public Resources Code Section 2100 *et seq.)* requires that the potential adverse effects upon the environmental of both private and public projects be reviewed by decision makers.

California Historical Resources Information System (CHRIS): The collection of site records, historic resources inventory forms, and all information on resources which has been acquired and managed by the State Office of Historic Preservation since 1975.

Evaluation: A process carried out whereby the significance and integrity of a cultural resource is judged, thereby recommending or determining its eligibility for listing on the CRHR or the NRHP.

Historic Context: An organizing structure for interpreting history that groups information about cultural resources sharing a common theme, geographical area, or chronology. The development of a historic context is the foundation for decisions regarding the planning, identification, evaluation, registration, and treatment of resources based on comparative historic significance.

Historic Resources Inventory form (DPR Form 523): A document which describes the characteristics and locations of buildings, structures, objects, and districts.

Inventory: A set of data generated through a survey (see Survey).

National Historic Preservation Act of 1966 (NHPA) (16 U.S.C. 470 (1966) (amended)): Established the National Register of Historic Places. Created a partnership between federal, state, and local agencies to extend the national historic preservation programs to properties of state and local significance.

National Register of Historic Places (16 U.S.C. 470a, 36 C.F.R. Parts 60, 63): The official inventory of districts, sites, buildings, structures, and objects significant in American history, architecture, archaeology, and culture which is maintained by the Secretary of the Interior.

Preservation: The act or process of applying measures to sustain the existing form , integrity, or historic fabric of an historical building or structure, or the form of vegetative cover of an historic site. It may include stabilization work, as well as ongoing maintenance of the historic fabric.

Protection: The act or process of applying measures to affect the physical condition of a cultural resource by guarding it from deterioration, loss, or attack by natural causes, or to cover or shield it from threat or danger or harm.

Research Design: Reveals the logic that will be used to direct identification, documentation, investigation, analysis, or treatment of an historical resource that identifies the goals, methods and techniques, potential results, and the relationship of the potential sites to other proposed activities or treatments.

Site: A 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 historical, cultural, or archaeological value regardless of the value of an existing building, structure, or object. Examples include trails, landscapes, battlefields, habitation sites, ceremonial areas, and petroglyphs.

Site Record: A document which describes the characteristics and location of a site, which has been completed for submittal to the California Historical Resources Information Center.

State Historic Preservation Officer (SHPO): This person is appointed by the Governor under the authority of Public Resources Code Section 5020.6. The SHPO serves as the Chief Administrative Officer of the Office of Historic Preservation and Executive Secretary of the State Historical Resources Commission. The SHPO administers state and federally mandated historic preservation programs under the authority of the National Historic Preservation Act of 1966 Section 101 (b)(3), (16 U.S.C. 470 (1966) (amended)) and Cal. Pub. Res. Code Section 5024.

Survey: The process of systematically identifying, researching, and documenting cultural resources within a defined geographic area.

Universal Transverse Mercator (UTM) Coordinates: A set of metric coordinates (easting and northing) that indicate a unique location according to the UTM grid appearing on maps of the U.S.G.S.

VIII. References (The following documents are available for review or purchase at the County Planning Department):

1. CEQA Guideline Summary: Historic Resources Sections
2. ARMR Recommended Contents and Format
3. Public Resources Code 5024.1 Title 14.CCR
4. California Department of Parks and Recreation Guidelines

Attachment 1

CEQA Guideline Summary
Historic Resources Sections

CEQA GUIDELINE SUMMARY

HISTORICAL RESOURCE SECTIONS

15064.5, 15126.4, 15325, 15331, APPENDIX I (appen_i.pdf file)

January 1999

State Office of Historic Preservation

15064.5. Determining the Significance of Impacts to Archeological and Historical Resources

(a) For purposes of this section, the term "historical resources" shall include the following:

(1) A resource listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources (Pub. Res. Code SS5024.1, Title 14 CCR, Section 4850 et seq.).

(2) A resource included in a local register of historical resources, as defined in section 5020.1(k) of the Public Resources Code or identified as significant in an historical resource survey meeting the requirements section 5024.1(g) of the Public Resources Code, shall be presumed to be historically or culturally significant. Public agencies must treat any such resource as significant unless the preponderance of evidence demonstrates that it is not historically or culturally significant.

(3) Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered to be an historical resource, provided the lead agency's determination is supported by substantial evidence in light of the whole record. Generally, a resource shall be considered by the lead agency to be "historically significant" if the resource meets the criteria for listing on the California Register of Historical Resources (Pub. Res. Code SS5024.1, Title 14 CCR, Section 4852) including the following:

(A) Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;

(B) Is associated with the lives of persons important in our past;

(C) Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or

(D) Has yielded, or may be likely to yield, information important in prehistory or history.

(4) The fact that a resource is not listed in, or determined to be eligible for listing in the California Register of Historical Resources, not included in a local register of historical resources (pursuant to section 5020.1(k) of the Public Resources Code), or identified in an historical resources survey (meeting the criteria in section 5024.1(g) of the Public Resources Code) does not preclude a lead agency from determining that the resource may be an historical resource as defined in Public Resources Code sections 5020.1(j) or 5024.1.

(b) A project with an effect that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment.

(1) Substantial adverse change in the significance of an historical resource means physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired.

(2) The significance of an historical resource is materially impaired when a project:

(A) Demolishes or materially alters in an adverse manner those physical characteristics of an historical resource that convey its historical significance and that justify its inclusion in, or eligibility for, inclusion in the California Register of Historical Resources; or

(B) Demolishes or materially alters in an adverse manner those physical characteristics that account for its inclusion in a local register of historical resources pursuant to section 5020.1(k) of the Public Resources Code or its identification in an historical resources survey meeting the requirements of section 5024.1(g) of the Public Resources Code, unless the public agency reviewing the effects of the project establishes by a preponderance of evidence that the resource is not historically or culturally significant; or

(C) Demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance and that justify its eligibility for inclusion in the California Register of Historical Resources as determined by a lead agency for purposes of CEQA.

(3) Generally, a project that follows the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings or the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings (1995), Weeks and Grimmer, shall be considered as mitigated to a level of less than a significant impact on the historical resource.

(4) A lead agency shall identify potentially feasible measures to mitigate significant adverse changes in the significance of an historical resource. The lead agency shall ensure that any adopted measures to mitigate or avoid significant adverse changes are fully enforceable through permit conditions, agreements, or other measures.

(5) When a project will affect state-owned historical resources, as described in Public Resources Code Section 5024, and the lead agency is a state agency, the lead agency shall consult with the State Historic Preservation Officer as provided in Public Resources Code Section 5024.5. Consultation should be coordinated in a timely fashion with the preparation of environmental documents.

(c) CEQA applies to effects on archaeological sites.

(1) When a project will impact an archaeological site, a lead agency shall first determine whether the site is an historical resource, as defined in subsection (a).

(2) If a lead agency determines that the archaeological site is an historical resource, it shall refer to the provisions of Section 21084.1 of the Public Resources Code, and this section, Section 15126.4 of the Guidelines, and the limits contained in Section 21083.2 of the Public Resources Code do not apply.

(3) If an archaeological site does not meet the criteria defined in subsection (a), but does meet the definition of a unique archeological resource in Section 21083.2 of the Public Resources Code, the site shall be treated in accordance with the provisions of section 21083.2. The time and cost limitations described in Public Resources Code Section 21083.2 (c-f) do not apply to surveys and site evaluation activities intended to determine whether the project location contains unique archaeological resources.

(4) If an archaeological resource is neither a unique archaeological nor an historical resource, the effects of the project on those resources shall not be considered a significant effect on the environment. It shall be sufficient that both the resource and the effect on it are noted in the Initial Study or EIR, if one is prepared to address impacts on other resources, but they need not be considered further in the CEQA process.

(d) When an initial study identifies the existence of, or the probable likelihood, of Native American human remains within the project, a lead agency shall work with the appropriate Native Americans as identified by the Native American Heritage Commission as provided in Public Resources Code SS5097.98. The applicant may develop an agreement for treating or disposing of, with appropriate dignity, the human remains and any items associated with Native American burials with the appropriate Native Americans as identified by the Native American Heritage Commission. Action implementing such an agreement is exempt from:

(1) The general prohibition on disinterring, disturbing, or removing human remains from any location other than a dedicated cemetery (Health and Safety Code Section 7050.5).

(2) The requirements of CEQA and the Coastal Act.

(e) In the event of the accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, the following steps should be taken:

(1) There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:

(A) The coroner of the county in which the remains are discovered must be contacted to determine that

no investigation of the cause of death is required, and

(B) If the coroner determines the remains to be Native American:

1. The coroner shall contact the Native American Heritage Commission within 24 hours.

2. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descended from the deceased Native American.

3. The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98, or (2) Where the following conditions occur, the landowner or his authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance.

(A) The Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 24 hours after being notified by the commission.

(B) The descendant identified fails to make a recommendation; or

(C) The landowner or his authorized representative rejects the recommendation of the descendant, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.

(f) As part of the objectives, criteria, and procedures required by Section 21082 of the Public Resources Code, a lead agency should make provisions for historical or unique archaeological resources accidentally discovered during construction. These provisions should include an immediate evaluation of the find by a qualified archaeologist. If the find is determined to be an historical or unique archaeological resource, contingency funding and a time allotment sufficient to allow for implementation of avoidance measures or appropriate mitigation should be available. Work could continue on other parts of the building site while historical or unique archaeological resource mitigation takes place.

Note: Authority: Sections 21083 and 21087, Public Resources Code. Reference: Sections 21083.2, 21084, and 21084.1, Public Resources Code; *Citizens for Responsible Development in West Hollywood v. City of West Hollywood* (1995) 39 Cal.App.4th 490.

Discussion: This section establishes rules for the analysis of historical resources, including archaeological resources, in order to determine whether a project may have a substantial adverse effect on the

significance of the resource. This incorporates provisions previously contained in Appendix K of the Guidelines. Subsection (a) relies upon the holding in *League for Protection of Oaklandis Architectural and Historic Resources v. City of Oakland* (1997) 52 Cal.App.4th 896 to describe the relative significance of resources which are listed in the California Register of Historical Resources, listed in a local register or survey or eligible for listing, or that may be considered locally significant despite not being listed or eligible for listing. Subsection (b) describes those actions which have substantial adverse effects. Subsection (c) describes the relationship between historical resources and archaeological resources, as well as limits on the cost of mitigating impacts on unique archaeological resources. Subsections (d) and (e) discuss the protocol to be followed if Native American or other human remains are discovered.

15126.4 Consideration and Discussion of Mitigation Measures Proposed to Minimize Significant Effects.

(a) Mitigation Measures in General.

(1) An EIR shall describe feasible measures which could minimize significant adverse impacts, including where relevant, inefficient and unnecessary consumption of energy.

(A) The discussion of mitigation measures shall distinguish between the measures which are proposed by project proponents to be included in the project and other measures proposed by the lead, responsible or trustee agency or other persons which are not included but the lead agency determines could reasonably be expected to reduce adverse impacts if required as conditions of approving the project. This discussion shall identify mitigation measures for each significant environmental effect identified in the EIR.

(B) Where several measures are available to mitigate an impact, each should be discussed and the basis for selecting a particular measure should be identified. Formulation of mitigation measures should not be deferred until some future time. However, measures may specify performance standards which would mitigate the significant effect of the project and which may be accomplished in more than one specified way.

(C) Energy conservation measures, as well as other appropriate mitigation measures, shall be discussed when relevant. Examples of energy conservation measures are provided in Appendix F.

(D) If a mitigation measure would cause one or more significant effects in addition to those that would be caused by the project as proposed, the effects of the mitigation measure shall be discussed but in less detail than the significant effects of the project as proposed. (*Stevens v. City of Glendale* (1981) 125 Cal.App.3d 986.)

(2) Mitigation measures must be fully enforceable through permit conditions, agreements, or other legally-binding instruments. In the case of the adoption of a plan, policy, regulation, or other public project, mitigation measures can be incorporated into the plan, policy, regulation, or project design.

(3) Mitigation measures are not required for effects which are not found to be significant.

(4) Mitigation measures must be consistent with all applicable constitutional requirements, including the following:

(A) There must be an essential nexus (i.e. connection) between the mitigation measure and a legitimate governmental interest. *Nollan v. California Coastal Commission*, 483 U.S. 825 (1987); and

(B) The mitigation measure must be "roughly proportional" to the impacts of the project. *Dolan v. City of Tigard*, 512 U.S. 374 (1994). Where the mitigation measure is an ad hoc exaction, it must be "roughly proportional" to the impacts of the project. *Ehrlich v. City of Culver City* (1996) 12 Cal.4th 854.

(5) If the lead agency determines that a mitigation measure cannot be legally imposed, the measure need not be proposed or analyzed. Instead, the EIR may simply reference that fact and briefly explain the reasons underlying the lead agency's determination.

(b) Mitigation Measures Related to Impacts on Historical Resources.

(1) Where maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation or reconstruction of the historical resource will be conducted in a manner consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (1995), Weeks and Grimmer, the project's impact on the historical resource shall generally be considered mitigated below a level of significance and thus is not significant.

(2) In some circumstances, documentation of an historical resource, by way of historic narrative, photographs or architectural drawings, as mitigation for the effects of demolition of the resource will not mitigate the effects to a point where clearly no significant effect on the environment would occur.

(3) Public agencies should, whenever feasible, seek to avoid damaging effects on any historical resource of an archaeological nature. The following factors shall be considered and discussed in an EIR for a project involving such an archaeological site:

(A) Preservation in place is the preferred manner of mitigating impacts to archaeological sites. Preservation in place maintains the relationship between artifacts and the archaeological context. Preservation may also avoid conflict with religious or cultural values of groups associated with the site.

(B) Preservation in place may be accomplished by, but is not limited to, the following:

1. Planning construction to avoid archaeological sites;

2. Incorporation of sites within parks, greenspace, or other open space;

3. Covering the archaeological sites with a layer of chemically stable soil before building tennis courts, parking lots, or similar facilities on the site.

4. Deeding the site into a permanent conservation easement.

(C) When data recovery through excavation is the only feasible mitigation, a data recovery plan, which makes provision for adequately recovering the scientifically consequential information from and about the historical resource, shall be prepared and adopted prior to any excavation being undertaken. Such studies shall be deposited with the California Historical Resources Regional Information Center. Archaeological sites known to contain human remains shall be treated in accordance with the provisions of Section 7050.5 Health and Safety Code.

(D) Data recovery shall not be required for an historical resource if the lead agency determines that testing or studies already completed have adequately recovered the scientifically consequential information from and about the archaeological or historical resource, provided that the determination is documented in the EIR and that the studies are deposited with the California Historical Resources Regional Information Center.

Note: Authority cited: Sections 21083 and 21087, Public Resources Code. Reference: Sections 21002, 21003, 21100, and 21084.1, Public Resources Code; *Citizens of Goleta Valley v. Board of Supervisors*, (1990) 52 Cal.3d 553; *Laurel Heights Improvement Association v. Regents of the University of California*, (1988) 47 Cal.3d 376; *Gentry v. City of Murrieta* (1995) 36 Cal.App.4th 1359; and *Laurel Heights Improvement Association v. Regents of the University of California* (1993) 6 Cal.4th 1112; *Sacramento Old City Assn. v. City Council of Sacramento* (1991) 229 Cal.App.3d 1011.

Discussion: This section describes the requirements for and selection of feasible mitigation measures. Subsection (a) reminds EIR preparers that the formulation of mitigation measures should not be deferred to a later time, but that mitigation measures may specify performance standards that will result in mitigation and may be undertaken in more than one way. Subsection (a) specifies that measures must

be fully enforceable through permit conditions or other requirements. It also offers a reminder that mitigation measures can be subject to Constitutional takings principles. Further, it clarifies that mitigation measures are not required for impacts which are not significant.

Subsection (b) describes how impacts to historical resources may be mitigated. It provides that compliance with federal standards for the treatment of historic properties will generally avoid a significant effect on the resource. It also clarifies that where a historic resource is to be demolished, documentation of the resource usually falls short of full mitigation. In addition, subsection (b) describes the factors to be considered and discussed in an EIR for a project involving an archaeological site.

15325. Transfers of Ownership of Interest In Land to Preserve ~~Open Space~~ Existing Natural Conditions and Historical Resources

Class 25 consists of transfers of ownership in interests in land in order to preserve open space, habitat, or historical resources. Examples include but are not limited to:

(a) Acquisition, sale, or other transfer of areas to preserve existing natural conditions, including plant or animal habitats.

(b) Acquisition, sale, or other transfer of areas to allow continued agricultural use of the areas.

(c) Acquisition, sale, or other transfer to allow restoration of natural conditions, including plant or ~~animal~~ habitats.

(d) Acquisition, sale, or other transfer to prevent encroachment of development into flood plains.

(e) Acquisition, sale, or other transfer to preserve historical resources.

Note: Authority cited: Sections 21083 and 21087, Public Resources Code; Reference: Section 21084, Public Resources Code.

Discussion: In *McQueen v. Midpeninsula Regional Open Space District* (1988) 202 Cal. App. 3d 1136, stated that the terms 'sale' and 'acquisition' are not interchangeable and reaffirmed that exemptions must comply with the "specific terms" of the exemption which are to be narrowly construed.

The class of project described by this section consists of transfers of ownership that are made to preserve open space, habitat, or historical resources. The 1998 revisions to this section clarify that sale or other transfer of lands is included among the exempt activities. Use of this exemption, like all categorical exemptions, is limited by the factors described in section 15300.2.

15331. Historical Resource Restoration/Rehabilitation.

Class 31 consists of projects limited to maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation or reconstruction of historical resources in a manner consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (1995), Weeks and Grimmer.

Note: Authority cited: Section 21083 and 21087, Public Resources Code. Reference: Section 21084, Public Resources Code.

Discussion: This section establishes an exemption for projects involving the maintenance, rehabilitation, restoration, preservation, or reconstruction of historical resources, provided that the activity meets published federal standards for the treatment of historic properties. These federal standards describe means of preserving, rehabilitating, restoring, and reconstructing historic buildings without adversely affecting their historic significance. Use of this exemption, like all categorical exemptions, is limited by the factors described in section 15300.2 and is not to be used where the activity would cause a substantial adverse change in the significance of a historical resource.

Attachment 2

Archaeological Resource Management Reports (ARMR): Recommended Contents and Format

Archaeological Resource Management Reports (ARMR): Recommended Contents and Format

February 1990

Preface

The California Office of Historic Preservation (OHP), under its state and federal mandates, has developed *Archaeological Resource Management Reports (ARMR): Recommended Contents and Format* (ARMR Guidelines) for the preparation and review of archaeological reports. The purpose of this guidance is to improve the quality of public archaeology in California. The ARMR Guidelines were developed to aid archaeological report preparation and review by ensuring that all needed data would be included and organized to optimize efficiency and utility. "Needed data" refers to information usually required by regulatory or review agencies and by the Information Centers of the California Archaeological Inventory. The checklist included with this guidance was developed as an additional means of rapidly assessing archaeological report quality.

It may be unnecessary to include all classes of information presented in this guidance in all reports. The content appropriate for any report should be determined by the type and scale of a project, by the nature and scheduling of cultural resources studies, and by the complexity of the resources and the information under consideration. Applicable federal or state laws and regulations, local ordinances and procedures may also determine appropriate report content.

Certain federal and state agencies routinely produce abbreviated reports adequate for management decisions. Some of the information discussed in this guidance (e.g., setting, research design, methods description) is presented in agency handbooks, manuals, guidelines, or overviews. Reference to these sources may be substituted in reports for an extended discussion of this information when routine or repetitive undertakings are involved.

Although these guidelines do not represent a state-mandated program, the OHP strongly urges anyone involved with public archaeology to read and use them. This guidance can be understood and effectively used by the professional archaeologist as well as by a broad spectrum of other professionals and decision-makers interested in ensuring that an investment in archaeology serves the public interest. Local governments in particular should adopt the guidelines as the standard according to which archaeological studies will be carried out, reported, and judged.

This guidance, and further guidance to follow, are major elements of the preservation planning process carried out by the OHP in accordance with its mandates. A central goal of this process is to ensure that land use planning at all levels of government routinely and affirmatively takes into account the needs and the value of historic properties. We hope this guidance will be an effective contribution toward attainment of that goal.

For copies of the ARMR guidelines, or further information on OHP programs and guidelines contact:

California Office of Historic Preservation
P.O. Box 942896, 1416 Ninth Street
Sacramento, California 94296-0001
(916) 445-8006.

Acknowledgements

The ARMR Guidelines is the product of many minds. Authored by Mr. Robert Jackson, the guidelines evolved from interim guidance developed by the author at the OHP. The guidelines also borrow from the *Guidelines For Cultural Resource Management (CRM) Reports* developed by Mr. Lester Ross and issued through the San Bernardino Archaeological Information Center.

Dr. Hans Kreutzberg devoted substantial editorial and organizational attention to the ARMR Guidelines, rendering the document intelligible to a broad spectrum of potential users. Mr. Thad Van Bueren provided valuable and substantial input on the document. Thanks also go to Ms. Dorene Clement and Mr. Nicholas Del Cioppo, Mr. Jim Woodward, and Dr. Michael Moratto for their review and editorial comments.

As a review agency, the OHP frequently offers critical comments that focus on problems of quality and consistency encountered in archaeological reports. While the ARMR Guidelines have been prepared to address such problems, it is important to acknowledge the many excellent archaeological reports that we have reviewed over the last several years. While too numerous for individual acknowledgement, the authors of these reports have provided models for specific topics presented in the ARMR Guidelines. To these authors we offer thanks and appreciation.

The cover illustration was drafted by Thad Van Bueren for the 1984 report *Archaeological Investigations in the Sacramento River Canyon, Volume I: Report of Testing at Seven Aboriginal Sites*, by Infotec Development, Incorporated. The California Department of Transportation, for whom the report was prepared, graciously consented to our use of the illustration.

Archaeological Resource Management Reports (ARMR): Recommended Contents and Format

Table of Contents

Preface i

Acknowledgements ii

Table of Contents iii

I. Cover Letters 1

II. Title Page 2

III. Table of Contents 3

IV. Management Summary/Abstract 3

V. Undertaking Information/Introduction 3

VI. Setting 4

VII. Research Design 5

VIII. Methods 6

IX. Report of Findings 7

X. Discussion/Interpretation 11

XI. Management Considerations 11

XII. References 15

XIII. Appendices 15

XIV. Confidential Appendices 16

XV. Further Reading and Guidance - Selected References 16

Checklist for Preparing and Reviewing
Archaeological Resource Management Reports ..... attached

I. Cover Letters

Adequate cover letters greatly facilitate review of ARM reports because they succinctly summarize the purpose and intent of the study. Cover letters are necessary for federal agency submissions to the Office of Historic Preservation or the Advisory Council on Historic Preservation. Unlike management summaries or abstracts, which are often prepared by a consultant, cover letters reflect the agency's views and requests of the reviewing entity on such issues as archaeological resource significance and management. Regardless of origin, cover letters should at a minimum:

A. Provide the undertaking's name, location, and any identifying number.

B. State the agency name and where applicable, district, region, section or branch.

C. Briefly describe the undertaking, including:

1. the type of undertaking (e.g., hydroelectric generating facility, highway widening, land exchange);

2. the acreage of the area encompassed by the undertaking, or its length and width in the case of linear projects;

3. the component parts of an undertaking and their land- and resource-disturbing potential; and

4. undertaking schedules or other factors that have affected, or that may affect, the conduct of archaeological resource studies.

D. Identify the law, regulation or agreement under which the document was prepared. These could include the *National Historic Preservation Act (NHPA), the National Environmental Policy Act (NEPA), the California Environmental Quality Act (CEQA)*, or local laws and regulations. The letter should also identify the point that compliance with applicable laws and regulations has reached.

E. Describe the phase of investigation addressed by the document or the type of documents submitted (e.g., inventory/identification report, research design or report on evaluation, treatment or management plan). Reference the specific type of investigation represented by the report. For instance, if the investigation is a survey, state also whether the survey was intensive, general, intuitive, etc.

F. Describe the results of the investigation. If the document reports the results of survey/identification, include the number and types of properties identified (e.g., historic archaeological, prehistoric archaeological). In addition, the letter should:

1. identify (by name) properties within and outside an Area of Potential Effects (APE) (if survey exceeds APE boundaries);

2. identify properties that may and may not be affected by the undertaking;

3. note special circumstances (e.g., Native American or other public concerns, controversies, undertaking time constraints, political sensitivity).

G. Indicate what action is being requested under the terms of applicable laws or regulations, and cite the specific section(s) of regulations to which the report is pertinent. Examples include requests for OHP consultation and concurrence in the adequacy of identification effort (*36 CFR 800.4 [b]*); requests for

concurrence in *National Register of Historic Places* eligibility (*36 CFR 800.4[c]*); and requests for concurrence in determinations of effect (*36 CFR 800.5*). Include a description of further actions the agency anticipates taking to comply with pertinent laws such as *CEQA* or the *NHPA*. If the document addresses previous review comments, it may be appropriate to attach review comments to the cover letter.

H. Name the agency contact person most familiar with the undertaking and with archaeological resources studies who has authority to deal with issues raised during the course of review (e.g., agency cultural resource specialists who prepare the letters and reports). Include phone number.

II. Title Page

The National Park Service has developed, and is encouraging the use of, a National Archaeological Data Base (NADB) comprising an annotated bibliography of archaeological resource management (ARM) reports. If used extensively and consistently, the NADB can be a valuable and efficient tool for managing ARM information. Consistent information and format in title pages will greatly facilitate computer entry of NADB data. A title page consistent with NADB standards, as outlined below, is appropriate for all reports.

A. List the authors. Include name, address, and phone number of any consulting firm.

B. Date the report by month and year.

C. Present the report title. Indicate the type of investigation conducted, undertaking name, location including county and city or equivalent designation.

D. Identify the entity submitting the report, such as the consulting firm, agency, or group that prepared and submitted the document. The submitter and the author may be identical.

E. Identify the party to whom the document was submitted (e.g., contracting or responsible party such as an agency, developer, or a lead agency under *CEQA*).

F. Reference the contract number/federal agency permit number.

G. Cite the U.S.G.S. topographic quadrangles depicting study area.

H. List the acreage included in the study.

I. List keywords. NADB accommodates a large number of key words. Appropriate content for the title page depends on the type and complexity of the report. Key words can include site numbers, county, type of undertaking, type of archaeological study, place names, important diagnostic artifact type, presence of human burials, evaluation, no resources found (if appropriate), Information Center file number (Information Centers should supply number), number of acres surveyed, quads, etc.). Archaeological site trinomials, township, and range but not section) are required in the key words section. If there are a large number of sites reported, cite the report page(s) that list the site trinomials.

III. Table of Contents *(appropriate if text of report exceeds 10 pages)*

A. List major report sections, subheadings, and appendices, with page numbers

B. Provide a list of maps with page numbers.

C. List figures with page numbers.

D. List tables with page numbers.

IV. Management Summary/Abstract

This section is appropriate in any type of ARM report. The Management Summary/Abstract should be a succinct (one to five pages) abstract of the scope and findings of the report. While much of the information described in this section is duplicated in a cover letter, cover letters often are either discarded after agency review or separated from archaeological reports in agency files. The Management Summary should be written so that non-archaeological professionals and the public, as well as professional archaeologists, can understand it.

A. Describe the purpose and scope of the archaeological investigation. Specify the type of study that was conducted (e.g., literature search, inventory, evaluation, data recovery).

B. List the date(s) of the investigation.

C. Summarize the major findings of the investigation. For example, if the document reports an archaeological survey, list the number and types of resources identified during the survey.

D. If resources have been evaluated, summarize their significance as determined pursuant to *Appendix K* of *CEQA: California Environmental Quality Act Statutes and Guidelines*, the *National Register of Historic Places* criteria, or other standards as appropriate.

E. Discuss how the undertaking affects significant resources.

F. Describe constraints on the investigation (e.g., time, finances, logistics, vegetation, weather, landowner permission).

G. Offer a summary of recommendations (e.g., evaluative test excavation, *National Register* eligibility recommendations, treatment recommendations).

H. Describe the disposition of field notes, collections, and reports.

V. Undertaking Information/Introduction

Undertaking means the land- or resource-disturbing activity for which an ARM study is prepared. The nature of an undertaking can determine the nature of the ARM study. Information about the undertaking is needed to determine how important archaeological resources may be affected. How much information is appropriate for a given report may depend on what was included in previous reports for the undertaking, and on the scope and size of the undertaking. Some of the following topics may not be relevant to a given undertaking.

A. Identify the contracting institution, contract number, permit number and expiration date.

B. Explain why the study was undertaken, citing relevant Federal, State, and local laws. Mention any studies that preceded and recommended the present effort.

C. Describe the undertaking, including the nature and extent of disturbance anticipated. If the undertaking consists of many features or facilities, identify and describe the nature and extent of its land- and resource-disturbing potential. Include:

1. an undertaking location map consisting of photocopies of relevant portions of appropriate USGS quadrangles clearly delineating the undertaking boundaries. Indicate the undertaking name, quad name, quad scale, township/range, and sections on each copy.

2. specific characteristics of the undertaking that influenced the nature of the ARM study. Include impact map(s) consisting of a photocopy of the undertaking location map (see above) that delineate areas of potential effects (APE), both direct and indirect. If appropriate, duplicate this map in Section XI, and include copies of planning maps, engineering drawings, architectural drawings, or artist's renderings that assist in defining the nature and extent of the undertaking.

D. Include a schedule for the undertaking. Describe phases of planning and construction.

E. Identify the geographical limits of the ARM study area in acres (e.g. the length and width of the survey area for linear undertakings). This area may or may not coincide with the undertaking area.

F. Describe how personnel conducting the work were organized and list the active participants and their duties. Statements of qualifications are to be provided in an appendix. Identify the persons participating in the study such as Native American observers, monitors, and consultants, interested parties with special knowledge or expertise, and technical specialists.

VI. Setting

A description of the undertaking's setting includes a discussion of both the natural and cultural environments in which archaeological resources were created and used. The discussion of setting, whether physical or cultural, involves a review of existing data and literature.

A. Natural Setting

While appropriate for all archaeological investigations, descriptions of the area's physical environments should be scaled to the size (area) of the undertaking and the potential role of the environment in understanding archaeological resources that might be present. Archaeological resources can be important for reasons other than their research value, and an analysis of the natural setting may provide such reasons.

1. Identify the natural physiographic region and biotic communities found therein.

2. Describe the current natural environment of the general area including landforms, hydrology, geology, soils, climate, vegetation, and animal life, as appropriate. The location of culturally important resources such as outcrops of cryptocrystalline, reservoirs, townsites, etc., should also be discussed, as appropriate.

3. Describe the natural environment as it is believed to have existed during the temporal periods of occupations under investigation, if such information is available.

4. Describe current land use (e.g., agriculture, mining, recreation, residential).

5. Assess the current condition of the land within the area of the undertaking (e.g., relatively unmodified, partially disturbed by construction or improvements).

B. Cultural Setting

1. Provide an overview of the archaeology of the study area, with the level of detail scaled to the undertaking size and type. Existing overviews should be cited. Regardless of whether overviews exist, survey reports should include at least a brief summary of the prehistory of the study area, citing relevant information sources. As appropriate, include:

   a. a review of the ethnographic information relevant to the study area, scaled to undertaking size and type. Consultation with the Native American Heritage Commission as well as interviews with knowledgeable consultants may be necessary.

   b. a review of the history (which may or may not include ethnographic period information) of the study area, particularly when historic archaeological resources are or could be present. Again, the depth and extent of this review should be scaled to the size and type of undertaking as well as the recognized patterns of historic land use.

2. For resource identification reports, evidence of a record search for known archaeological resources and previous ARM reports conducted at an Information Center of the California Archaeological Inventory should be included. Either a copy of the record search report performed by Information Center staff or the results of a records search performed by a professional consultant should be provided **in an appendix**.

3. If other documentary research is conducted, provide the names and addresses of institutions and other sources consulted and include copies of correspondence. Refer to the types of documents examined and briefly outline the results.

VII. Research Design

Research designs are explicit statements of the theoretical and methodological approaches to be followed in an archaeological study. Research designs should be included in almost every type of archaeological report, and should vary in nature and level of detail with the undertaking and investigation type. In some cases, research designs have been developed for specific geographic regions, types of investigations, or types of resources. At a minimum, such research designs should be included into ARM reports by reference. In other reports, project-specific research design sections are necessary (e.g., evaluative and data recovery excavations).

Research designs link theory, known information, research goals, and methods. The use of previously formulated research designs is acceptable if these designs are current and relate directly to the area and type of study under consideration. Predictive models are elements of a research design applicable to archaeological surveys. Predictive models are structured predictions concerning the types and locations of archaeological phenomena anticipated in an area.

A. Discuss the theoretical basis of the proposed research. Cite or discuss the research paradigms under which the investigators are operating.

B. Summarize previous research. A summary of important research questions pertinent to the study area or

to identified resources should be presented, with particular emphasis on the identification of relevant data gaps. Statements appealing to generally recognized goals of archaeology or anthropology by themselves usually lack the detail necessary for an adequate research design.

C. Present testable hypotheses or state the goals of the research. Any useful theoretical approach should be capable of generating testable hypotheses. A research design should present important research questions recognized for the region and relevant to the study, based on previous research.

D. Identify the test implications of the hypotheses.

1. Describe expected archaeological resource types, archaeological patterns, and data categories anticipated, as they relate to test implications. Discuss operational definitions for archaeological resource types (and rationales for their use), if different from OHP definitions of archaeological sites, historic resources, and isolated artifacts or resources.

VIII. Methods

Methods of investigation must always be included in an ARM report. The length and detail of this presentation should be scaled to the type and scope of the investigation. Discuss methodological considerations (as distinguished from methods) relevant to the resource types present or anticipated in the study area. Discuss the kinds of methods appropriate to achieving the objectives of the study. Conversely, identify constraints and difficulties that hinder(ed) realization of these goals.

A. If not offered previously, present definitions (and rationales for their use) of archaeological resource types. This is necessary when the definitions used for archaeological sites, historic resources, and isolated artifacts differ from those contained in the *California Archaeological Inventory Handbook for Completing An Archaeological Site Record*, distributed by the California OHP.

B. Describe the data gathering methods employed (e.g., remote sensing data; surface survey; surface chemical analysis; subsurface methods such as probing road and stream cuts or analyzing core probes). The methods description should provide details such as maps of survey transects, deployment of survey personnel, site recordation techniques, chemical analyses, subsurface test locations and methods, and remote sensing techniques.

1. Describe specific research and sampling strategies employed, the rationale for their use, a description of how they were implemented, and how many person-hours/days were expended, if such information is available. If methods follow agency or professional standards, define or at least cite the source for the definition of the method (e.g. intensive, general, intuitive, cursory surveys).

2. Using U.S.G.S quadrangles, show area(s) subject to investigation in relation to the Area of Potential Effects (APE) and project boundaries. For survey reports, depict areas surveyed, not surveyed, or surveyed using various strategies. Larger scale maps may also be appropriate to convey information regarding the nature of the investigation. Such maps can be included in an appendix (see section IX.A.2.b.).

3. Provide a descriptive summary of the areas examined, noting undertaking areas that were not inspected in relationship to the sampling strategies employed, and why. Note the percentage of ground visibility for the areas inspected.

4. Describe site recording procedures as appropriate.

5. Describe the types and methods of excavation. Number each excavation location on a map of the site sufficiently detailed to depict the relationship between natural and archaeological features within the site.

6. Describe cultural materials collected (if any), including methods of documentation and removal.

7. Describe measures undertaken or needed to restore archaeologically disturbed site areas when archaeological field studies are completed.

C. Indicate where collected materials, photographs, and other documents are curated. Curatorial agreements and reburial agreements should be provided in an appendix.

1. When photos or other documentation (e.g., remote sensing data) are not included in the report, name the repository where these data are stored. Provide appropriate reference numbers used to file and retrieve this data at the repository.

2. Discuss problems or constraints in conducting the research.

IX. Report of Findings

This section presents the information collected during the study. Thorough description of collected data is essential for the construction of meaningful and well-supported interpretations. When interpretations of data are mixed with or substituted for basic data presentations, the reader is left with no basis for independently assessing conclusions and inferences. It is therefore critical to explicitly separate data presentation from interpretation of those results whenever possible. Specific descriptive requirements for particular types of ARM studies are outlined below.

A. Archaeological Resource Inventory Reports

1. If no archaeological resources were located, their absence should be explicitly noted.

2. If resources were previously reported or anticipated but were not located, discuss the possible environmental and cultural factors that may have hidden or destroyed the resources.

3. Archaeological resources identified.

a. Provide information regarding the archaeological resources that were observed and recorded, including:

i. prehistoric archaeological sites (i.e., primarily surface and subsurface properties);

ii. historic archaeological sites;

iii. isolated artifacts.

b. Recent or contemporary resources (e.g., modern roads, power lines, structures) noted but not formally recorded might also be discussed and included on a map, although such information may not be appropriate or necessary, and is usually not confidential.

c. The following maps should generally be included in a report on the results of inventory. **Maps**

depicting archaeological site locations should <u>not</u> be included in reports that will be publicly circulated. The following types of maps might be placed in a separate appendix:

i. if not already presented (see section VIII.B.2.) area(s) subject to investigation in relation to the Area of Potential Effects (APE) and project boundaries on appropriate U.S.G.S. quadrangles (7.5 or 15 minute series). For survey reports, depict areas surveyed, not surveyed, or surveyed using various strategies. Larger scale maps may also be appropriate to convey information regarding the nature of the investigation.

ii. U.S.G.S quadrangle maps showing archaeological resource locations recorded during survey.

iii. archaeological resource sketch maps (if the report involves survey) consistent in content and quality with the standards established in the *California Archaeological Inventory Handbook for Completing an Archaeological Site Record* distributed by the California OHP. If archaeological site records are provided in a detachable appendix to the report, sketch maps may be included with the site records.

iv. archaeological site contour maps depicting topographic and archaeological details, and surface and subsurface study locations should be provided, if available, although such maps often are not prepared for inventory reports.

d. Describe archaeological resources. Provide a description of each resource listed under "Archaeological Resources Observed."

i. For each archaeological resource, complete a *California Archaeological Inventory* form (DPR 422A), using the *California Archeological Inventory, Handbook For Completing An Archeological Site Record* available from the OHP. Insert forms in a **<u>confidential</u>** Archaeological Resources appendix. Prior to completing the report, submit two copies of each form to the appropriate Information Center of the California Archeological Inventory, requesting state trinomial numbers for each recorded site.

ii. If isolated prehistoric resources are recorded, complete one copy of the *California Archaeological Isolated Artifact* form (DPR 422H) and insert in a **<u>confidential</u>** Isolated Resources appendix. The OHP encourages the recording of isolated artifacts.

iii. Provide a master map (photocopy of appropriate USGS quadrangle) depicting the locations of all archaeological resources. It may not be appropriate to include maps of archaeological resource locations in the body of the report if the report is available to the general public. Archaeological resource locations should appear only in **<u>confidential</u>** appendices (see Section IX.A.3.c.).

B. Archaeological Excavation Reports

Excavation can occur during any phase of archaeological investigation, including inventory. The description of excavation during these various phases should be scaled to the size of the excavation, the importance of the information to the objectives of the study, and the abundance and quality of information resulting from the excavation. In terms of data presentation, no distinction is made here between excavation conducted for evaluative purposes and excavation performed as a data recovery or mitigation phase. Data and interpretation should be presented separately when possible. Summarize the results of lengthy, appended special studies.

1. Describe the physical context of the archaeological deposit, including:

    a. site topography and geomorphology (if not addressed in Setting)

    b. soil type, structure, chemistry, stratigraphy and their relationship to surrounding soils. Summarize results of special studies such as particle size analysis and soil chemistry, and include a copy of special studies reports in an appendix.

        i. non-cultural soil constituents (floral, faunal). Include a summary of special studies and insert reports in an appendix;

        ii. anthropic soils and stratigraphic relationships.

    c. profiles of excavation units, trenches, or auger borings, as appropriate,

2. Describe archaeological features. Functional ascriptions/interpretations, such as hearth, oven, housepit, may be unavoidable at this level of data presentation. It may be appropriate to discuss the relationship between feature and non-feature archaeological material distributions (e.g., the relationship between midden deposits and ovens or housepits).

    a. Describe physical evidence including location, dimensions, attributes, and associations.

    b. Provide or reference illustrations and photographs of features.

    c. Either present in full or summarize the results of special studies related to features (e.g., radiocarbon, flotation, microconstituent analysis, chemical analysis).

3. Enumerate and describe artifacts by material type and artifact class (e.g., flaked-stone). Avoid typological ascriptions that impose or imply function or chronological association in the initial description. For example, biface, uniface, or modified flake is preferable to knife, scraper, or used flake. Such interpretations can follow in a separate subsection, as described below.

    a. Discuss typological consideration of artifacts such as stone tools, beads, bone and groundstone tools, and historic materials.

    b. Include illustrations/photographs of formal artifacts. These can be included in an appendix.

    c. Present the results of analyses of artifact manufacture and use (e.g., flaked-stone manufacturing technology, use-wear studies, pottery analysis, basketry identification). Extensive and detailed analyses may be included in appendices. A summary of the results of these studies should be presented in the body of the report. Such studies should define analytic methods and distinguishing traits of analytic categories. For example, if a flaked-stone analysis involved the identification of different types of flakes, then the attributes that define such flake types should be reported. References to previous analyses should not supplant basic descriptions of methods and analytic categories.

    d. Present the results of analyses such as radiocarbon dating, obsidian source and hydration studies, thermoluminescence dating, geomagnetic studies, pollen analysis, blood protein analysis, and others.

4. Describe non-artifactual archaeological material that reflects past human activities (e.g., burned seeds, charred animal bone), and materials that provide information on past environments or exploited resources (e.g., pollen).

    a. Include identification studies for floral and faunal remains, with interpretations regarding the kinds and amounts of resources used, consumed, etc.

    b. Present the results of physical analyses such as pollen, microconstituent analysis (flotation, coprolite studies).

5. Describe the context of discovery, examination, and disposition of human remains, if any. Given the often sensitive nature of human remains, examination and treatment of such remains will depend on the outcome of consultation with appropriate Native American representatives and the decisions of land owners regarding the disposition of human remains. Therefore, whether and how human remains and associated grave goods are examined may vary greatly. Similarly, the nature and extent of reporting on the treatment of human remains may vary with the nature of Native American concerns. It may not be possible or appropriate to maintain rigid reporting standards. In general however, the following information is desirable from an archaeological and management standpoint.

    a. Describe the context of the discovery of human remains. For example, describe if a human burial discovered during excavation was expected, based on consultant information or archaeological indicators.

    b. Describe measures taken pursuant to state law, local ordinance, agreement, and/or agency policy regarding human remains.

    c. Describe efforts to consult with the Native American Heritage Commission, appropriate Native American representatives or living descendants, county coroner, landowners, etc.

    d. Describe outcome of discussions regarding disposition of human remains.

    e. Describe actions taken with regard to the study of human remains, i.e., exposure, exhumation, analysis, reburial in-situ, reburial after exhumation.

        i. Describe the location, physical position, orientation, and nature of the remains (e.g., primary inhumation, cremation). Include a description of grave associations and the physical/contextual relationships between human remains and associated artifacts. For example, describe if artifacts were overlying or underlying the human remains in a patterned arrangement, or were found within burial pit fill.

        ii. Report the results of analyses, including specialists' reports in an appendix. Description of the remains and reporting the results of any analyses may occur under the reporting of archaeological features (Section IX.B.1.g.).

        iii. Include photographs and illustrations.

        iv. Record/report the reburial location on a New Deposit/Redeposit Record (DPR 422I). Such information should be included in a **confidential appendix** and treated in a manner sensitive to the desires of the most likely descendants of the human remains.

6. Describe the spatial distribution and patterning of cultural material by class (e.g., flaked-stone, bone). Present data on the intrasite distribution of cultural materials, i.e., vertical and horizontal stratigraphy, assisted by data tables.

X. Discussion/Interpretation

Descriptive data presented above should be discussed and interpreted with explicit reference to the research design or study objectives defined earlier in the report. In addition, unanticipated data recovered during the study may warrant discussion of additional research topics not included in the research design.

A. Discuss results of the investigation as they relate to specific topics and questions presented in research design. Preferably, organize the discussion according to the structure of the research questions, hypotheses, and test implications presented in the research design.

B. Discuss the results of the study in terms of the general research objectives of the study (e.g., settlement patterns, subsistence, change through time). This discussion should place the investigation in a regional context, noting its role or contribution to an understanding of local, regional, state, or national history or prehistory.

XI. Management Considerations

*The discussion of management topics should address the management goals of the study in a manner that is consistent with the specific regulatory process relevant to the ARM study. For example, an inventory report should discuss how complete the study was, the likelihood that additional resources are present in an undertaking APE, and measures that would be necessary to identify such resources. Unfortunately, terminology for similar procedures varies among local, state and federal guidelines or regulations. For example, an archaeological site might considered National Register **eligible** under the Section 106 process and **significant** under the Appendix K Guidelines for CEQA. The terms used in an ARM report should be consistent with the terms defined in the relevant guidelines or regulations.*

A. Inventory Reports

1. Identify the management status of resources identified during the study. For example, list archaeological properties that have been determined *National Register* eligible, important, unimportant, and those that have not been evaluated. If previously recorded and/or evaluated archaeological resources were identified, provide a list of these resources.

2. Describe the completeness of the study and the likelihood that additional, unidentified resources may be present.

3. Outline needs for further management action, such as additional field survey, evaluation of resources, or no further study.

B. Evaluation Reports

Resource evaluation is the cornerstone of the current ARM environment. The outcome of evaluation determines which resources will and will not be protected or considered further. Thoughtful evaluation also establishes the importance of archaeological resources and influences the type of consideration they are afforded.

1. Provide a detailed discussion addressing the significance or uniqueness of each archaeological resource using the criteria for evaluation employed in *CEQA: California Environmental Quality Act Statutes and Guidelines, Appendix K* or *36 CFR 60.4*, as appropriate. Critically consider the full complement of potential reasons (criteria) why a property might be considered important, not simply the most obvious or prominent.

   a. Consider the role of setting as a contributor to the importance of the resource. Archaeological resources can be eligible for the NRHP under *36 CFR 60.4(a)* for their association with events that have contributed to the broad patterns of history or prehistory, under *36 CFR 60.4(c)* because they embody the distinctive characteristics of a type, period, or method of construction, or represent the work of a master, or possess high artistic value. Under these criteria, setting may contribute substantially to the importance of the resource.

   b. Describe the integrity of each archaeological resource including an estimate of the percentage of the resource that is disturbed or remains. A consideration of integrity should relate to the reasons a resource is determined important. Thus, the environmental setting or surface of an archaeological site can be completely destroyed or disturbed yet the site may retain integrity if it is important only for the information its subsurface component contains.

   c. Identify the characteristics and areas of a resource that do and do not contribute to its importance. If the resource is a *National Register district*, identify the contributing and non-contributing properties within the district and describe the nature of their contribution, to the extent known.

      i. Present clear evidence that information from the resources can address or contribute to the resolution of important, specific research questions outlined in the research design.

   ii. Summarize or reference, as appropriate, the evidence that indicates the resource contains in appropriate contexts and in sufficient quantity and quality, the material needed to meet the data requirements of the stated hypotheses or research questions documented in Sections IX and X above.

      iii. Evaluate each resource in terms of its overall potential to address important questions or fill data gaps. Compare the resource to others in its local or regional context to determine how much it can help to achieve stated research goals.

C. Assess Effects.

Determining the nature of an undertaking's effects on an archaeological site depends on knowing what makes an archaeological resource important, and what specific ground disturbances or other physical changes are proposed.

For example, two projects may both involve grading. In one case, grading will disturb an archaeological resource important because of the information that it contains. In the other case, grading will disturb an archaeological resource important because it visibly represents a particular human adaptation to specific environmental challenges. In the first case, the assessment of effects might conclude that the information can be acceptably recovered through archaeological excavation. In the second case, there is no way to preserve the association between the site and its surroundings if grading occurs, and the effect of the grading might be considered adverse. The difference in the effect determination is due to the different reasons the archaeological sites were determined important.

The focus of an ARM report (inventory, evaluation, etc.) and what phase of the undertaking is involved will largely determine whether or not an assessment of effects can be included in the report. Lack of project design information or unevaluated resources are just two of many factors that could preclude an assessment of effects.

1. Discuss or reference a previous discussion of the general undertaking (see Section V-D). Discuss the likely effects the undertaking may have on each important archaeological resource. Use appropriate regulatory language and reference the local, state, or federal regulations or guidelines under which the effects of the undertaking are determined. Explain each determination.

    a. Discuss anticipated direct and indirect impacts to archaeological resources. Direct impacts include destruction, alteration, and isolation of the property of its setting, when setting is a characteristic contributing to the importance of the resource. While *36 CFR Part 800* does not distinguish between direct and indirect effects, anticipated indirect impacts of an undertaking should be presented. Indirect impacts could include growth inducement, increased public use, erosion of resources outside the undertaking area. It is also appropriate to discuss beneficial effects in addition to adverse effects.

2. For reports involving multiple resources, include a table listing all resources. Provide your opinion on the importance of each resource and identify the effect of the undertaking on each (e.g., no effect, effect, no adverse effect, adverse effect).

D. Consider Alternatives and Propose Management Actions

1. For each significant or unique resource that may be affected, discuss a range of possible measures to avoid or minimize an adverse effect. Examples include:

    a. relocation or redesign of the undertaking;

    b. preservation measures (e.g., site burial, erosion slope stabilization, vegetation cover, signing, public access restrictions, site monitoring);

    c. data recovery for portions of selected resources; and

    d. no undertaking.

2. Discuss the preferred alternative offering a rationale for this preference. This discussion may address the merits of the undertaking, the mission and needs of the agency, etc.

E. Recommendations/Proposals

Recommendations and proposals for further action can take a wide variety of forms depending on the nature of the ARM study and the undertaking.

1. Inventory Reports

    a. Inventory complete. Inventory reports may conclude that efforts to locate archaeological resources have been sufficient. The inventory may lead to one of the following conclusions and recommendations:

i. No resources were identified. The proposed undertaking does not involve or affect archaeological resources.

ii. Resources are present. Depending on the type of resources involved and the type of undertaking proposed, one of the following recommendations may be appropriate:

- Only unimportant resources are present. No further consideration is necessary.

- Archaeological resources are present but because of preventive measures, will not be affected by the undertaking.

- Archaeological resources are present. Evaluation of these resources is necessary.

- Sufficient information exists to evaluate resources. Offer recommendations regarding the importance of the resources. Often this is not possible for archaeological deposits on the basis on surface inspection alone.

b. Inventory incomplete. An initial effort to locate archaeological resources may reveal that a different level of effort or additional inventory work is necessary. This section should identify the constraints, limitations, or rationale behind the recommendation for additional work and offer specific recommendations for additional inventory.

2. Evaluation Reports

a. Evaluation results are summarized and conclusions or recommendations regarding the importance of archaeological resources are presented. When necessary, insert the following sorts of items in a confidential appendix:

i. *State Historical Landmarks* nominations.

ii. *National Register of Historic Places* nominations.

iii. *National Register* eligibility opinions.

iv. Opinions on the importance of the resources under *CEQA*.

b. Provide conclusions regarding the effect of the undertaking on important archaeological resources (e.g., no effect, no adverse effect, adverse effect). Recommend further studies or actions such as mitigation or other treatment for identified effects.

3. Treatment Reports

a. After mitigation, such as data recovery, has been completed, state whether the resource retains significance and propose additional measures needed to protect the resource or to recover additional significant information.

b. Discuss how effectively the treatment program met expectations.

XII. References (Use of *American Antiquity* format is encouraged).

XIII. Appendices

Depending on the type and purpose of the archaeological report, some of the following information may or may not be appropriate. In addition, investigators preparing archaeological reports for publication or wide distribution in addition to regulatory review, may wish to exclude some of the administrative information from the body of the report and instead include such information as a detached appendices or attachments.

A. Personnel qualification statements, briefs, or resumes.

B. Record search results.

1. Provide a copy of the Information Center record search, if conducted by Information Center staff.

2. If a records search is conducted at an Information Center by a qualified consultant, provide a copy of a receipt or evidence of such a search as well as a report of the results of that search, if not already included in the report. **Archaeological site locations must not be disclosed in documents accessible to the general public. Confidential appendices that report site locations should contain statements requesting that their distribution be carefully controlled (see Section XIV).**

C. Repository agreements.

D. Reviewer comments/agency correspondence.

E. Artifact/Collection catalog.

F. Artifact illustrations (if not in body of text).

G. Photographs and photo records.

H. Native American observer or monitor agreements.

I. Maps (non-confidential) and undertaking plans, drawings, etc.

J. Special studies/technical reports.

XIV. Confidential Appendices

Archaeological and sensitive Native American site locations and maps should not be included in copies of reports for general distribution. Archaeological site locations are exempted from the California Freedom of Information Act, as specified in Government Code 6254.10. However, review and regulatory agencies often need such information for management purposes. The placement of such information in a Confidential Appendix fulfills that need.

A. General Historical and Archaeological Resource Location Map (depicting locations of all properties within a study area).

B. Resource Inventory Records.

1. *Historic Resources Inventory* forms and maps (consistent with DPR 523).

2. *Archaeological Site Record* forms and maps (consistent with DPR 422).

3. *Isolated Artifact* forms and maps.

C. Native American sacred site location maps or descriptions, if regarded as sensitive. If not obtained from the Native American Heritage Commission (NAHC), disclosure of such information should occur only after coordinating with the NAHC and with appropriate groups and individuals recommended by the NAHC.

D. Heritage Nomination Forms.

1. *National Register of Historic Places* forms.

2. *National Historic Landmark* forms.

3. *Registered State Historical Landmark* forms.

4. *State Point of Historical Interest* forms.

XV. Further Reading and Guidance - Selected References

The following references are recommended for further information and guidance. Copies of many of these references, or information on their availability, can be obtained from the California Office of Historic Preservation, P.O. Box 942896, 1416 Ninth Street, Sacramento, California 94296-0001, (916) 445-8006.

Laws and Regulations

National Historic Preservation Act of 1966. Public Law 89-665; STAT. 915; U.S.C. 470, as amended by Public Law 91-243, Public Law 94-458, Public Law 96-199, Public Law 96-244, and Public Law 96-515.

Protection of Historic Properties (36 CFR Part 800). Federal Register, Vol. 51, No. 169. September 1986.

National Register of Historic Places (36 CFR Part 60).

National Register of Historic Places (36 CFR Parts 60 and 63). *Proposed Rule*. Federal Register, Vol. 51, No. 150. August 5, 1986.

Curation of Federally-Owned and Administered Archeological Collections (36 CFR 79). *Proposed Rule*. Federal Register, Vol. 52, No. 167. August 28, 1987.

Uniform Rules and Regulations: Archeological Resources Protection Act of 1979 (43 CFR Part 7). Federal Register, Vol. 43, No. 4. January 6, 1984.

CEQA: California Environmental Quality Act Statutes and Guidelines. Office of Planning and Research, Office of Permit Assistance, Sacramento, California, 1986.

California Health and Safety Code, Section 7050.5.

California Public Resources Code, Section 5097.

Department of the Interior Guidance

Secretary of Interior's Standards and Guidelines for Archeology and Historic Preservation. Federal Register, Vol. 48, No. 190, September 29, 1983.

Guidelines for Federal Agency Responsibilities under Section 110 of the National Historic Preservation Act. Federal Register, Vol. 53, No. 31. February 17, 1988.

The Section 110 Guidelines: Annotated Guidelines for Federal Agency Responsibilities under Section 110 of the National Historic Preservation Act. Jointly issued by the Advisory Council on Historic Preservation and the National Park Service, U.S. Department of the Interior, Washington, D.C. 1989.

The Curation and Management of Archeological Collections: A Pilot Study. Alexander J. Lindsay, et al. Cultural Resources Management Series. U.S. Department of the Interior, Washington, D.C. September 1980.

Archeological Survey: Methods and Uses. Thomas F. King. National Park Service, U.S. Department of the Interior, Washington, D.C. 1978.

Using UTM Grid System to Record Historic Sites. Heritage Conservation and Recreation Service, U.S. Department of the Interior, Washington, D.C. 1980.

How to Apply the National Register Criteria for Evaluation. (Bulletin 15). National Park Service, U.S. Department of the Interior, Washington, D.C. 1982.

National Register Bulletin Series. National Park Service, Department of the Interior, Washington, D.C.

Quantifying the Present and Predicting the Past: Theory, Method, and Application of Archaeological Predictive Modeling; Bureau of Land Management, U.S. Department of the Interior, Washington, D.C. 1987.

Advisory Council on Historic Preservation Guidance

Section 106, Step-by-Step. Advisory Council on Historic Preservation, Washington, D.C. 1986.

Treatment of Archeological Properties: A Handbook. Advisory Council on Historic Preservation. Washington, D.C. 1981.

Fact Sheet: A Five-Minute Look at Section 106 Review. Advisory Council on Historic Preservation, Washington, D.C. 1988.

Fact Sheet: Programmatic Agreements under Section 106. Advisory Council on Historic Preservation, Washington, D.C. 1988.

Fact Sheet: Section 106 Participation by Applicants for and Recipients of Federal Assistance, Permits, and Licenses. Advisory Council on Historic Preservation, Washington, D.C. 1988.

Fact Sheet: Section 106 Participation by Indian Tribes and Other Native Americans. Advisory Council on Historic Preservation, Washington, D.C. 1988.

Fact Sheet: Section 106 Participation by Local Governments. Advisory Council on Historic Preservation,

Washington, D.C. 1988.

Identification of Historic Properties: A Decisionmaking Guide for Managers. Advisory Council on Historic Preservation, Washington, D.C. 1988.

Public Participation in Section 106 Review: A Guide for Agency Officials. Advisory Council on Historic Preservation, Washington, D.C. 1989.

Preparing Agreement Documents. Advisory Council on Historic Preservation, Washington, D.C. 1989.

Federal Historic Preservation Case Law -- A Special Report. Advisory Council on Historic Preservation, Washington, D.C.

Recommended Outline: Ideal Data Recovery Plan. Advisory Council on Historic Preservation, Washington, D.C.

Where to Look: A Guide to Preservation Information. Advisory Council on Historic Preservation. Washington, D.C. 1983.

Miscellaneous Guidance and Readings

Appendix K, Archaeological Impacts. In *CEQA: California Environmental Quality Act Statutes and Guidelines*. Office of Planning and Research, Office of Permit Assistance, Sacramento, California, 1986.

Scholars as Contractors. William J. Mayer-Oakes and Alice W. Portnoy, editors. Cultural Resource Management Studies. National Park Service, U.S. Department of the Interior, Washington, D.C. 1979.
Scholars as Managers, or How the Managers Can Do It Better. Alice W. Portnoy, editor. National Park Service, U.S. Department of the Interior, Washington, D.C. 1979.

Guidelines for Cultural Resource Management (CRM) Reports. San Bernardino County Archaeological Information Center, San Bernardino, California.

California Archaeological Inventory Handbook for Completing An Archaeological Site Record. California Office of Historic Preservation, Sacramento, California. 1989.

California Archaeological Site Inventory Information Center Procedural Manual. California Office of Historic Preservation, Sacramento, California.

California Archaeological Resource Identification and Data Acquisition Program: Sparse Lithic Scatters. California Office of Historic Preservation, Sacramento, California, 1988.

Checklist for Preparing and Reviewing Archaeological Resource Management Reports

Name of Undertaking: _____

Name of Report: _____

Reviewer/Agency: _____ **Date:** _____

I. Cover Letters (see page 1 of ARMR Guidelines)

A. Provide the undertaking's name and location, and any identifying number.
B. State agency name and where applicable, district, region, section, or branch.
C. Briefly describe the undertaking (type, acreage, components, scheduling).
D. Describe the point that compliance with historic preservation law has reached.
E. Describe the phase and/or type of investigation addressed by the document.
F. Describe the results of the investigation.
G. Indicate what compliance action is being requested under applicable laws.
H. Name agency contact person administering, or most familiar with the undertaking and study.

II. Title Page (page 2)

A. List the authors and consulting firm.
B. Date the report by month and year.
C. Present the report title.
D. Identify the entity (e.g., agency, local government) submitting the report.
E. Identify the party to whom the document was submitted and contract number, if any.
G. Cite the U.S.G.S. topographic quadrangles depicting study area.
H. List the acreage included in the study.
I. List keywords.

III. Table of Contents (*if text of report exceeds 10 pages* [see page 3])

A. List major report sections, subheadings, and appendices, with page numbers.
B. Provide a list of maps with page numbers.
C. List figures with page numbers.
D. List tables with page numbers.

IV. Management Summary/Abstract (page 3)

A. Describe the purpose and scope of the archaeological investigation.
B. List the date(s) of the investigation.
C. Summarize the major findings of the investigation.
D. If resources have been evaluated, summarize their significance/uniqueness.
E. Discuss how the undertaking affects significant resources.
F. Describe constraints on the investigation (e.g., time, finances, logistics).
G. Offer a summary of recommendations.
H. Describe the disposition of field notes, collections, and reports.

V. **Undertaking Information/Introduction** (page 4 of ARMR Guidelines)

A. Identify the contracting institution, contract and permit numbers, etc.
B. Explain why the study was conducted.
C. Describe the undertaking (include maps).
D. Include a schedule for the undertaking.
E. Identify the geographical limits of ARM study area.
F. Describe how personnel were organized and list participants (qualifications in appendix).

VI. **Setting** (page 4)

A. Natural Setting (e.g., landforms, geology, soils, flora, fauna; current land use).
B. Cultural Setting (include records and literature search results).

VII. **Research Design** (page 6)

A. Discuss the theoretical basis of the proposed research.
B. Summarize previous research.
C. Present testable hypotheses or state the research goals.
D. Identify the test implications of the hypotheses or expected archaeological information.

VIII. **Methods** (page 6)

A. Present definitions for archaeological resource types.
B. Describe the methods employed and map the areas investigated.
C. Indicate where collected materials, photos, etc., are curated.

IX. **Report of Findings** (page 8)

A. Archaeological Resource Inventory Reports
   1. Present results (list resources present or absent).
   2. Include site records and location maps in confidential appendices.

B. Archaeological Excavation Reports
   1. Describe the physical context of the archaeological deposit.
   2. Describe archaeological features, artifacts, materials (ecofacts).
   3. Describe the discovery, examination, and disposition of human remains.

X. **Discussion/Interpretation** (page 12)

A. Discuss results of the investigation as they relate to specific research design items.
B. Discuss results of the study in terms of general research objectives.

XI. Management Considerations (page 12)

A. Inventory Reports
   1. Identify the management status of resources identified during the study.
   2. Describe the completeness of the study and likelihood of unidentified resources.
   3. Outline the need for further management actions.

B. Evaluation Reports
   1. Discuss significance or uniqueness of each archaeological resource.
   2. Discuss the integrity of each archaeological resource.

C. Assess Effects

D. Consider Alternatives/Proposed Management Actions
   1. Discuss possible measures to avoid/minimize impacts to resources.
   2. Discuss the preferred alternative and rationale behind the preference.

E. Recommendations/Proposals

XII. References (page 16)

XIII. Appendices (*Include sections listed below as appropriate*, page 16).

A. Personnel qualifications (provide briefs or resumes).
B. Record search results.
C. Repository agreements.
D. Reviewers comments/agency correspondence.
E. Artifact/Collection catalog.
F. Artifact illustrations (if not in body of text).
G. Photographs and photo records.
H. Native American observer or monitor agreements.
I. Maps (non-confidential) and undertaking plans, drawings, etc.
J. Special studies/technical reports.

XIV. Confidential Appendices (page 17)

A. Historical and Archaeological Resource Location Maps.
B. Resource Inventory Records for archaeological sites and historic structures.
C. Native American sacred site location maps or descriptions.
D. Heritage Nomination forms.

This publication was partially financed with federal funds from the National Park Service, Department of the Interior, under the *National Historic Preservation Act of 1966*. The contents do not necessarily reflect the views or policies of the Department of the Interior, nor does the mention of trade names or commercial products constitute endorsement or recommendation by the Department of the Interior.

The California Office of Historic Preservation receives federal funds from the National Park Service, Department of the Interior. Regulations of the U.S. Department of the Interior strictly prohibit unlawful discrimination in departmental Federally Assisted Programs on the basis of race, color, national origin, age or handicap. Any person who believes he or she has been discriminated against in any program, activity, or facility operated by a recipient of Federal assistance should write to: Director, Equal Opportunity Program, U.S. Department of the Interior, National Park Service, P.O. 37127, Washington, D.C. 20013-7127.

Attachment 3

Title 14
Adopt Chapter 11.5
California Register of Historic Places

STATE OF CALIFORNIA THE RESOURCES AGENCY

CALIFORNIA DEPARTMENT OF PARKS AND RECREATION
OFFICE OF HISTORIC PRESERVATION
TEL (916) 653-6624 FAX (916) 653-9824
http://www.cal-parks.ca.gov
P.O. Box 942896, Room 1442-7 - Sacramento, CA 94296-0001
Cherilyn E. Widell, *State Historic Preservation Officer*
Daniel Abeyta, *Deputy State Historic Preservation Officer*

California Register of Historical Resources

The California Register of Historical Resources is an authoritative guide to the state's significant historical and archeological resources.

The State Historical Resources Commission has designed this program for use by state and local agencies, private groups and citizens to identify, evaluate, register and protect California's historical resources.

The California Register program encourages public recognition and protection of resources of architectural, historical, archeological and cultural significance, identifies historical resources for state and local planning purposes, determines eligibility for state historic preservation grant funding and affords certain protections under the California Environmental Quality Act.

How does the California Register define a historical resource?

For the purposes of listing, a "historical resource" includes, but is not limited to, "any object, building, structure, site, area or place which is historically or archeologically significant, or is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military or cultural annals of California." Historical resources of local, state and national significance may be eligible for listing in the California Register if they satisfy the criteria established by the State Historical Resources Commission for this program.

What are the criteria for listing a resource in the California Register?

While the significance criteria for the California Register are similar to those used by the National Register, this new Register will document the unique history of California. The resource must be associated with events contributing to the broad patterns of the state's history and culture, or with historically important people; or it must embody distinctive characteristics of a type, period, region or construction method, or represent the work of a creative individual; or it must have the potential for yielding important information in California's history or prehistory.

How does a resource become listed in the California Register?

Resources may be added in three ways. Some are listed automatically, including California State Historical Landmarks from number 770 onward and all properties listed on, or formally determined eligible for, the National Register of Historic Places. State Historical Landmarks below number 770 and State Points of Historical Interest will be individually evaluated and recommended to the State Historical Resources Commission for inclusion in the Register or the Commission may develop procedures for their consideration. Other resources can be nominated to the Register by local governments, private organizations or citizens; these include individual resources, historical resources contributing to the significance of an historical district, resources identified in an historical resources survey with a significance rating of 1 to 5 and resources designated as local landmarks or listed by city or county ordinance.

What is the relationship of the California Register to the California Environmental Quality Act (CEQA)?

The California Register serves as the authoritative guide to resources that are to be considered under CEQA. However, simply because a resource is not currently listed in the California Register does not mean that it is not an historical resource and is not subject to CEQA environmental review. Two technical bulletins, *CEQA and Historical Resources* and *CEQA and Archeological Resources*, provide assistance to local governments in evaluating historical resources and project impacts. These publications may be purchased from the Governor's Office of Planning and Research in Sacramento for $3.00 each. Or they can be accessed on the Internet at http://199.253.163.150/ohp/index.htm.

How are local governments involved?

Local public agencies may assist in the nomination of resources to the California Register and may comment on nominations that originate from private groups or individuals within their jurisdictions. Applicants must inform local governments of resources within their jurisdictions that are being nominated for listing on the California Register.

Does the register affect property rights?

Historical resources nominated to the California Register may not be listed against the dissent of the property owner. Property owners must be notified, sent a copy of the nomination and provided the opportunity to comment upon the nomination. Local ordinances may provide benefits to property owners of listed properties, such as federal tax credits for certified historical resources rehabilitation projects, Mills Act local property tax incentives or use of the State Historical Building Code, which mandates that reasonable alternatives be applied when the use of the Uniform Building Code threatens the historical integrity of a structure.

How do we interpret historical resources survey information?

Historical resources inventories are the product of a survey process which identifies historical resources within a specific geographic area under defined parameters such as architectural style or historic context. Surveys that are over five years old should be updated to include more recent information. Categories 1-5 refer to the National Register Status codes, a standard reference code used to indicate potential eligibility for the National Register of Historic Places. DPR form 523 will be used as the standard recordation form for the California Register. Questions regarding the planning and interpretation of historical resources surveys should be directed to Jan Wooley, Coordinator of the Historical Resources Survey and Inventory Program, Office of Historic Preservation.

How do we evaluate archeological resources?

Survey and evaluation are two separate processes for archeological resources. Resources may have been recorded on a variety of forms or different formats. For the purposes of the California Register, DPR form 523 and its supporting documents will be considered in determining potential historical significance. Archeological resources should also be included in all new or updated surveys of local historical resources.

Where do I get more information on local historical resources?

Regional Information Centers serve as branches of the California Historical Resources Information System under contract with the Office of Historic Preservation to provide information on historical resources. Each Center maintains a variety of survey and project files on historical and archeological resources and may also provide research, training and technical assistance on a fee for services basis. Information on archeological sites may be restricted under state or federal law in order to protect the resource. A description of this program and list of Information Centers is included in the *Procedural Guide for the Historical Resources Information Centers.*

How can I get more information on the California Register of Historical Resources?

Contact the Information Center that serves your county or Jenan Saunders, California Register Coordinator, at the Office of Historic Preservation, P.O. Box 942896, Sacramento CA 94296-0001, (916) 653-9432 phone, (916) 653-9824 fax; email: calshpo.jenan@quiknet.com.

TITLE 14

ADOPT CHAPTER 11.5

CALIFORNIA REGISTER OF HISTORICAL RESOURCES

4850. Authority.

On September 27, 1992, Assembly Bill 2881 (Statutes of 1992, Chapter 1075) was signed into law amending the Public Resources Code as it affects historical resources. This legislation, which became effective on January 1, 1993, also created the California Register of Historical Resources, henceforth the California Register.

NOTE: Authority cited: Sections 5020.4, 5024.1, and 5024.6, Public Resources Code. Reference: Sections 5020.1, 5020.4, 5020.7, 5024.1, 5024.5, 5024.6, 21084, and 21084.1, Public Resources Code.

4850.1 Purpose.

The California Register is an authoritative listing and guide to be used by state and local agencies, private groups, and citizens in identifying the existing historical resources of the state and to indicate which resources deserve to be protected, to the extent prudent and feasible, from substantial adverse change.

Definitions are found in Appendix A, "A Glossary of Terms", of this chapter.

NOTE: Authority cited: Sections 5020.4, 5024.1, and 5024.6, Public Resources Code. Reference: Sections 5020.1, 5020.4, 5020.7, 5024.1, 5024.5, 5024.6, 21084, and 21084.1, Public Resources Code.

4851. Historical Resources Eligible for Listing in the California Register of Historical Resources.

The California Register consists of historical resources that are: (a) listed automatically; (b) listed following procedures and criteria adopted by the State Historical Resources Commission, henceforth the Commission; and (c) nominated by an application and listed after a public hearing process.

(a) Historical resources automatically listed in the California Register include the following pursuant to California Public Resources Code Section 5024.1 (d)(1) and (2):

(1) California historical resources listed in, or formally determined eligible for, the National Register of Historic Places, henceforth the National Register. "Formally determined eligible" for the purpose of this section means determined eligible through one of the federal

preservation programs administered by the California Office of Historic Preservation, henceforth the Office. Specifically, these programs are the National Register, Tax Certification (Evaluation of Significance, Part 1, 36 CFR Part 67), and National Historic Preservation Act (Section 106, 16 U.S.C. 470f) reviews of federal undertakings.

(2) California Registered Historical Landmarks, henceforth Landmarks, from No. 770 onward.

(3) Upon effective date of this chapter, the Office will notify resource owners by first class mail that as a result of listing or being formally determined eligible for listing in the National Register of Historic Places, and/or being designated a California Registered Historical Landmark subsequent to, and including No. 770, the resource has been automatically placed in the California Register. The owner(s) will be advised of the criteria for listing in the California Register and procedures for removal found in Sections 4855 and 4856 of this chapter. Removal may be requested at any time, but must satisfy one of the criteria for removal as listed in Section 4856 (a) of this chapter.

(b) Historical resources which require action by the State Historical Resources Commission to be listed in the California Register. The following resources require review and action by the Commission prior to listing, but are not subject to the formal nomination and application procedures described in Section 4851 (c) of this chapter.

(1) Landmarks with numbers preceding No. 770 pursuant to California Public Resources Code Section 5024.1 (d)(2). Procedures for inclusion of landmarks preceding No. 770 in the California Register have not been adopted by the State Historical Resources Commission at the time of inception of this chapter.

(2) California Points of Historical Interest, hereafter Points of Historical Interest, pursuant to California Public Resources Code Section 5024.1 (d)(3). Points of Historical Interest, which have been reviewed by the Office and recommended for listing by the Commission, will be included in the California Register if the following conditions are met:

(A) The resource meets the statutory criteria for the California Register;

(B) A boundary is provided that clearly delineates the area of historic importance;

(C) A list of contributing and noncontributing features is provided. Contributing features are those remaining from the resource's period of historic significance that retain integrity; and

(D) The application is accompanied by the appropriate State Historical Resources Commission approved recordation form, such as the DPR Form 523- Historic Resources Inventory Form.

Historical resource owners shall be notified of proposed Commission actions to nominate Points of Historical Interest to the California Register sixty (60) days prior to the Commission meeting at which a hearing is scheduled.

The Office shall notify resource owners of time and location of the hearing.

The Commission shall hear testimony regarding whether or not the criteria for listing a Point of Historical Interest in the California Register have been met. If the criteria for listing are met, the Commission shall recommend that the historical resource be made a Point of Historical Interest to the Director of the Department of Parks and Recreation. When the Director signs the

nomination, the historical resource shall be listed as a Point of Historical Interest and listed in the California Register.

(c) Historical resources which require nomination to be listed in the California Register pursuant to California Public Resources Code Section 5024.1 (e)(1)-(5). Historical resources may be nominated to the California Register by individuals, organizations, or government agencies.

(1) An historical resource or historic district;

(2) An historical resource contributing to the significance of a nominated historic district;

(3) A group of historical resources identified in historic resource surveys, if the survey meets the criteria and standards of documentation listed in Section 4852 (e);

(4) An historical resource, a group of historical resources, or historic districts designated or listed as city or county landmarks or historical resources or districts pursuant to any city or county ordinance, if the criteria for designation or listing under the ordinance have been reviewed by the Office as meeting the California Register criteria as stated in this chapter and approved by the Commission; or

(5) An historical resource or a group of local landmarks or historical resources designated under any municipal or county ordinance which has not been previously approved by the Office.

NOTE: Authority cited: Sections 5020.4, 5024.1, and 5024.6, Public Resources Code. Reference: National Historic Preservation Act (NHPA) of 1966 (16 U.S.C. 470a), as amended; National Environmental Policy Act (NEPA) of 1969 (42 U.S.C. 4321-4347); Title 36, Parts 60, 63, 67, and 800, Code of Federal Regulations; Sections 5020.1, 5020.4, 5020.7, 5024.1, 5024.5, 5024.6, 21084, and 21084.1, Public Resources Code.

4852. Types of Historical Resources and Criteria For Listing in the California Register of Historical Resources.

The criteria for listing historical resources in the California Register are consistent with those developed by the National Park Service for listing historical resources in the National Register, but have been modified for state use in order to include a range of historical resources which better reflect the history of California. Only resources which meet the criteria as set out below may be listed in or formally determined eligible for listing in the California Register.

(a) Types of resources eligible for nomination:

(1) Building. A resource, such as a house, barn, church, factory, hotel, or similar structure created principally to shelter or assist in carrying out any form of human activity. "Building" may also be used to refer to an historically and functionally related unit, such as a courthouse and jail or a house and barn;

(2) Site. 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 historical, cultural, or archeological value regardless of the value of any existing building, structure, or object. A site need not be marked by physical remains if it is the location of a prehistoric or historic event, and if no buildings, structures, or objects marked it at that time. Examples of such sites are trails, designed landscapes, battlefields, habitation sites, Native American ceremonial areas, petroglyphs, and pictographs;

(3) Structure. The term "structure" is used to describe a construction made for a functional purpose rather than creating human shelter. Examples of structures include mines, bridges, and tunnels;

(4) Object. The term "object" is used to describe those constructions that are primarily artistic in nature or are relatively small in scale and simply constructed, as opposed to a building or a structure. 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 use, role, or character. Objects that are relocated to a museum are not eligible for listing in the California Register. Examples of objects include fountains, monuments, maritime resources, sculptures, and boundary markers; and

(5) Historic district. Historic districts are unified geographic entities which contain a concentration of historic buildings, structures, objects, or sites united historically, culturally, or architecturally. Historic districts are defined by precise geographic boundaries. Therefore, districts with unusual boundaries require a description of what lies immediately outside the area, in order to define the edge of the district and to explain the exclusion of adjoining areas. The district must meet at least one of the criteria for significance discussed in Section 4852 (b)(1)-(4) of this chapter.

Those individual resources contributing to the significance of the historic district will also be listed in the California Register. For this reason, all individual resources located within the boundaries of an historic district must be designated as either contributing or as noncontributing to the significance of the historic district.

(b) Criteria for evaluating the significance of historical resources. An historical resource must be significant at the local, state, or national level under one or more of the following four criteria:

(1) It is associated with events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States;

(2) It is associated with the lives of persons important to local, California, or national history;

(3) It embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master or possesses high artistic values; or

(4) It has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation.

(c) Integrity. Integrity is the authenticity of an historical resource's physical identity evidenced by the survival of characteristics that existed during the resource's period of significance. Historical resources eligible for listing in the California Register must meet one of the criteria of significance described in section 4852 (b) of this chapter and retain enough of their historic character or appearance to be recognizable as historical resources and to convey the reasons for their significance. Historical resources that have been rehabilitated or restored may be evaluated for listing.

Integrity is evaluated with regard to the retention of location, design, setting, materials, workmanship, feeling, and association. It must also be judged with reference to the particular criteria under which a resource is proposed for eligibility. Alterations over time to a resource or historic changes in its use may themselves have historical, cultural, or architectural significance.

It is possible that historical resources may not retain sufficient integrity to meet the criteria for listing in the National Register, but they may still be eligible for listing in the California Register. A resource that has lost its historic character or appearance may still have sufficient integrity for the California Register if it maintains the potential to yield significant scientific or historical information or specific data.

(d) Special considerations:

(1) Moved buildings, structures, or objects. The Commission encourages the retention of historical resources on site and discourages the non-historic grouping of historic buildings into parks or districts. However, it is recognized that moving an historic building, structure, or object is sometimes necessary to prevent its destruction. Therefore, a moved building, structure, or object that is otherwise eligible may be listed in the California Register if it was moved to prevent its demolition at its former location and if the new location is compatible with the original character and use of the historical resource. An historical resource should retain its historic features and compatibility in orientation, setting, and general environment.

(2) Historical resources achieving significance within the past fifty (50) years. In order to understand the historic importance of a resource, sufficient time must have passed to obtain a scholarly perspective on the events or individuals associated with the resource. A resource less than fifty (50) years old may be considered for listing in the California Register if it can be demonstrated that sufficient time has passed to understand its historical importance.

(3) Reconstructed buildings. Reconstructed buildings are those buildings not listed in the California Register under the criteria in Section 4852 (b)(1), (2), or (3) of this chapter. A reconstructed building less than fifty (50) years old may be eligible if it embodies traditional building methods and techniques that play an important role in a community's historically rooted beliefs, customs, and practices; e.g., a Native American roundhouse.

(e) Historical resource surveys. Historical resources identified as significant in an historical resource survey may be listed in the California Register. In order to be listed, the survey must meet the following: (1) the resources meet the criteria of Section 4852 (b)(1)-(4) of this chapter; and (2) the survey documentation meets those standards of resource recordation established by the Office in the "Instructions for Nominating Historical Resources to the California Register" (August 1997), Appendix B.

(1) The resources must be included in the State Historical Resources Inventory at the time of listing of the survey by the Commission.

(2) The Office shall review all surveys to assure the standards of resource recordation, which can be found in the "Instructions for Nominating Historical Resources to the California Register" (August 1997), Appendix B of this chapter, have been met. If the survey meets the standards, the Office shall recommend to the Commission that all resources with a significance rating of category 1 through 4, or any subcategories thereof, on DPR Form 523 be listed in the California Register. The Office shall review all category 5 determinations for consistency with the California Register criteria of significance as found in Section 4852 (b) of this chapter. Office review will occur within sixty (60) days of receipt of the survey. At the end of sixty (60) days, the

Office will either: (1) forward the survey for consideration by the Commission or (2) request additional information.

The status codes, established to indicate eligibility to the National Register of Historic Places, have the following meanings:

(A) Category 1--Listed in the National Register of Historic Places;
(B) Category 2--Formally determined eligible for listing in the National Register;
(C) Category 3--Appears eligible for listing in the National Register;
(D) Category 4--Could become eligible for listing in the National Register; or
(E) Category 5--Locally significant.

(3) If the results of the survey are five or more years old at the time of nomination, the documentation for a resource, or resources, must be updated prior to nomination to ensure the accuracy of the information. The statute creating the California Register requires surveys over five (5) years old to be updated.

(f) Historical resources designated under municipal or county ordinances. Historical resources designated under municipal or county ordinances which have the authority to restrict demolition or alteration of historical resources, where the criteria for designation or listing have not been officially approved by the Office, may be nominated to the California Register if, after review by Office staff, it is determined that the local designation meets the following criteria:

(1) The ordinance provides for owner notification of the nomination of the resource for local historical resource designation and an opportunity for public comment.

(2) The criteria for municipal or county historical resource designation consider the historical and/or architectural significance and integrity of the historical resource and require a legal description of the resource.

(3) The designating authority issues findings or statements describing the basis of determination for designation.

(4) The designation provides some measure of protection from adverse actions that could threaten the historical integrity of the historical resource.

NOTE: Authority cited: Sections 5020.4, 5024.1, and 5024.6, Public Resources Code. Reference: Title 36, Part 60, Code of Federal Regulations; Sections 5020.1, 5020.4, 5020.7, 5024.1, 5024.5, 5024.6, 21084, and 21084.1, Public Resources Code.

4853. Application Format.

Applications shall be submitted on: (1) DPR Form 523-California Historic Resources Inventory Form, dated prior to January 1995; (2) DPR Form 422-Archeological Site Record, dated prior to January 1995; or (3) DPR Form 523 including supplemental forms DPR 523 (c), (f), (g), (h), (i), (j), (k), and/or (l) dated prior to January 1995, as appropriate. In addition, the applicant shall submit a set of clearly labeled photographs, as described in the OHP "Instructions for Nominating Historical Resources to the California Register"(August 1997), Appendix B, with the recordation form. If historical resources are recorded after the effective date of this chapter,

a DPR Form 523 must be used. In addition, the Commission may require other information for specific types of historical resources as listed in Section 4853 of this chapter.

(a) General requirements. The requirements of Section 4853 (a)(1)-(4) of this chapter shall apply to all historical resources which are nominated to the California Register:

(1) The applicant shall use the inventory form which corresponds to the date of recordation of the resource. The inventory form shall be accompanied by a cover letter which includes the name of the applicant, the resource owner and local government with land-use control authority, hereafter local government, and a concise statement of significance. The statement of significance should clearly list the justification for the importance of the historical resource.

(2) A sketch map shall be included, clearly showing the boundaries of the nominated resources, the footprint of all contributing and noncontributing resources, a directional North arrow, and scale. Careful and accurate information shall be provided with sufficient detail to ensure that a legal description of the proposed historical resource may be recorded. These details may include the UTM coordinates marked on a section grid, United States Geological Survey maps, parcel number(s), and legally recorded boundary lines. Boundaries of sites with no material evidence of the significant event must be clearly defined on the map on the basis of specific and definitive historical documentation.

(3) One or more color slides and black and white or color photos shall be provided to properly document the historical resource. Color slides should provide a realistic overview of the historical resource in its setting or detailed views of the historical resource itself, as appropriate. The Commission may require that the applicant provide photos of contributing historical resources on surveys which are over five (5) years old. All photos should be labeled, including the date taken and a location of the image relative to the sketch map described above.

(4) Primary numbers will be assigned by the Regional Information Center. The applicant shall provide a copy of the application to the Information Center which has responsibility for information regarding historical resources for the county in which the resources are located (see Appendix B) at the same time the application is submitted to the Office. The Office of Historic Preservation will assure primary numbers are assigned.

(b) Information Required for Historical Resources.

(1) Individual nominated resources. A single completed DPR Form 523 or Form 422 shall be submitted for each historical resource which is individually nominated. For resources recorded prior to the effective date of this chapter either a single completed DPR Form 523 or Form 422 shall be submitted for each historical resource which is individually nominated. If the historical resource is recorded after the effective date of this chapter, a DPR Form 523 (dated January 1995) shall be submitted for each historical resource.

(2) Historic districts. In the case of an historic district, the applicant shall complete one master form for the district as a whole, with an abbreviated form for each contributing resource. A list of noncontributing resources is required and must be provided in the cover letter. Owner information for each resource must be provided in the cover letter. Slides of contributing historical resources and/or streetscapes shall be included. Black and white or color photographs of each contributing historical resource and representative streetscape are required.

(3) Archeological resources. Archeological resources will be considered for nomination only after having been assigned a Site Trinomial Number by the appropriate Regional Information Center (see Appendix B). The Commission may require additional documentation to

more accurately identify and define the site. Depending upon the date the resource was recorded, the DPR Form 523 (dated January 1995) or Form 422 must be accompanied by a statement of significance or research design which explains why the resource qualifies for listing in the California Register.

(4) Historical resource survey. Historical resources which have recordation forms already on file in the inventory with the Office will not require additional DPR Inventory Forms 523 (dated January 1995) unless the Commission requests re-evaluation or re-survey. A cover letter shall provide the owner and the local government information as described in Section 4853 (a)(1) of this chapter, an overview of survey methodology to verify that the survey meets the standards discussed in Section 4852 (e) of this chapter and adequate mapping showing all areas surveyed.

(5) Historical resources and historic districts designated or listed as city or county landmarks, historic resources or districts pursuant to any city or county ordinance, and local landmarks and other resources designated under municipal or county ordinances.

DPR Form 523 shall be submitted for all local landmarks or locally designated historical resources that have not previously been documented or do not have approved recordation forms on file with the Office. A cover letter shall be submitted, as described in Section 4853 (a) of this chapter, and it must include information regarding resource ownership, local government, and a list of all resources included in the nomination. A copy of the ordinance or criteria for local designation must be submitted with the application. Submitting a copy of the ordinance is required whether the resource was designated under a local historic preservation ordinance, which may cover a group or category of historical resources, or under an ordinance or resolution designating only the specific historical resource which is being nominated.

NOTE: Authority cited: Sections 5020.4, 5024.1, 5024.5, and 5024.6, Public Resources Code. Reference: Section 27288.2, Government Code; Sections 5020.1, 5020.4, 5020.7, 5024.1, 5024.5, 5024.6, 5029, 21084, and 21084.1, Public Resources Code.

4854. Application Procedures.

(a) Ownership information. It is the responsibility of the applicant to provide complete information regarding the ownership of those historical resources which the applicant wishes to be included in the California Register. The ownership data must include assessor parcel numbers, maps, and a legal description of the resources. The applicant shall provide the owners' names and addresses on mailing labels, as well as any information necessary to establish whether a proposed resource or district has more than one owner. A boundary map and a list of all resource owners within the proposed district boundaries shall be included for each district. The list shall indicate whether the property of each owner is contributing or noncontributing to the significance of the district. Resources will not be listed in the California Register over the owner's objection, or in the case of a district, a majority of resource owners, but will be "formally determined eligible for listing" (see Section 4855(c) of this chapter).

(b) Submitting the application. Historical resources may be nominated by any individual or group including, but not limited to, members of the general public, private organizations, or local government with control authority over the designated historical resource.

(1) Local government, in whose jurisdiction the historical resource is located, shall submit their applications directly to the Office.

(2) If the applicant is not a local government, the applicant must notify the clerk of the local government by certified mail that an application will be filed with the Office and request that the local government join in the nomination and/or provide comments. Notification to the clerk of the local government shall include a copy of the application. Ninety (90) days after notification to the clerk of the local government, the applicant shall forward all completed applications and any comments to the Office.

(c) If the applicant is not the owner of the resource being nominated, within thirty (30) days of receipt of the application, the Office will provide a copy of the application to the owner and request any additional information.

NOTE: Authority cited: Sections 5020.4, 5024.1, and 5024.6, Public Resources Code. Reference: Sections 5020.1, 5020.4, 5020.7, 5024.1, 5024.5, 5024.6, 21084, and 21084.1, Public Resources Code.

4855. State Historical Resources Commission's Public Hearing of a Nomination.

After technical review by the Office, the nomination will be scheduled for a hearing by the State Historical Resources Commission. The Commission will only consider comments that relate to the criteria for listing a resource in the California Register.

(a) Public notification. At least sixty (60) days before the hearing to consider the nomination for listing, the Office shall do all of the following:

(1) Notify all affected historical resource owners that their resource has been nominated for listing; the time and place set for the hearing; and that the Commission will consider public comments related to whether the resource meets the criteria for listing in the California Register as well as any objections of the owner(s).

(2) Notify the local government and interested local agencies of the time and place set for the hearing and the opportunity for public comments in support of or opposition to the proposed listing.

(3) Notify the general public by means of the Commission's hearing notices of the scheduled hearing date and the opportunity to comment on the nomination.

(4) In the case of an historic district, nominated either individually or as part of a survey, the Office must make a reasonable effort to obtain the identities and addresses of all owners of resources within the proposed district. The Commission must provide notice of the hearing and opportunity to comment or object to all identified owners whether or not their properties were nominated as contributing resources.

(b) Support of or objections to the nomination. The Commission shall consider public comments when it determines whether to list the historical resource in the California Register. Any person or organization, including the following, may submit supporting or opposing comments to the Office before the hearing.

(1) Resource owners. Private resource owners must make any objection to listing in a notarized letter stating that they are the sole or partial owners, that they object to the listing, and the reasons for their objection. Letters of support from private resource owners are welcomed, but not required. If a private resource owner does not reply to a properly transmitted letter of notification, the absence of a reply will be interpreted as consent to the historical resource designation.

(A) Each owner or partial owner of a privately owned individual historical resource has one vote regardless of what percentage of the resource such person owns. Within a district, each owner has one vote regardless of how many buildings, or what percentage of the area of the proposed district, such person owns.

(B) If a majority of private resource owners should object for any reason, the proposed individual resource or district will not be listed. However, in such cases, the Commission shall designate the resource as "formally determined eligible for listing in the California Register." A resource that has been designated as eligible may be listed at a later time if, and when, the objection is withdrawn.

(2) Local government. Support of, and objections by, local government are to be given full and careful consideration. When the local government objects to the listing, the findings of the Commission shall identify the historical or cultural significance of the resource and explain why the resource was listed in the California Register over the objections of the local government.

(c) Determinations of eligibility and formal listing. A privately owned resource may not be listed in the California Register over the objection of its owner, or in the case of a resource with multiple owners, over the objection of a majority of private resource owners. A district may not be listed in the California Register over the objection of a majority of private resource owners within the proposed district. If a district is listed, it will be listed in its entirety and all contributing resources will be listed, whether or not the owner of that resource has objected.

(1) If a private resource cannot be listed solely due to owner objection, the Commission shall designate the resource as "formally determined eligible for listing."

(2) An historical resource shall be considered formally "listed in the California Register" when the Commission, upon reviewing the nomination, designates the resource as eligible for listing and accepts it for official listing in the California Register.

(3) The Commission shall adopt written findings to support its determinations. Findings shall include a description of the historical resources and the historical or cultural significance of the resources and identification of those criteria on which any determination was based.

(4) Within forty-five (45) days after approval or disapproval of a nomination by the Commission, the Officer shall notify the applicant, resource owner(s), and the affected local government in writing of the Commission's decision.

NOTE: Authority cited: Sections 5020.4, 5024.1, and 5024.6, Public Resources Code. Reference: Title 36, Part 60, Code of Federal Regulations; Sections 5020.1, 5020.4, 5020.7, 5024.1, 5024.5, 5024.6, 21084, and 21084.1, Public Resources Code.

4856. Criteria and Procedures for Removal of an Historical Resource from the California Register of Historical Resources.

Historical resources are formally determined eligible for, or listed in, the California Register on the basis of an evaluation of the historical data by qualified professionals. The Commission may, at its discretion, consider a request for formal de-listing after a public hearing has taken place.

(a) The Commission may remove an historical resource from the California Register if one of the following criteria is satisfied:

(1) The historical resource, through demolition, alteration, or loss of integrity has lost its historic qualities or potential to yield information; or

(2) New information or analysis shows that the historical resource was not eligible at the time of its listing.

(b) Documentation supporting a request for removal of an historical resource from the California Register shall be provided to the Commission for its review. The documentation shall include:

(1) A written request from the Officer, resource owner, a member of the public, or local government in which the historical resource is located recommending the removal of the resource, including a detailed justification based on the criteria listed in Section 4856 (a)(1) or (2);

(2) Photographs and other documentation regarding the current condition of the historical resource;

(3) Photographic and archival documentation of the historical resource at the time of listing; and

(4) Complete current ownership information for historical resources included in the listing.

(c) The Office shall notify the resource owners, the local government in which the historical resource is located, the general public, and the individual, organization, or government authority which made the original nomination at least sixty (60) calendar days prior to the date scheduled for the public hearing. At the hearing, the Commission shall hear comments and receive information regarding whether or not the criteria for removal of an historical resource from the California Register have been met. If the criteria have been met, the resource shall be removed from the California Register. If the criteria for removal have not been met, the historical resource shall remain in the California Register. The decision of the Commission shall be final unless a request for reconsideration is made pursuant to Section 4857 of this chapter.

(d) The Office shall notify the resource owners, the local government described above, the general public, and the individual, organization, or government agency which made the original nomination within sixty (60) days after reaching a final decision. The decision of the Commission shall be binding.

Note: Authority cited: Sections 5020.4, 5024.1, and 5024.6, Public Resources Code. Reference: Sections 5020.1, 5020.4, 5020.7, 5024.1, 5024.5, 5024.6, 21084, and 21084.1, Public Resources Code.

4857. Requests for Redetermination by the State Historical Resources Commission.

Requests for redetermination may be submitted within thirty (30) days after the Commission transmits notice of its final determination. Such requests shall set forth the reasons why the Commission's determination was improper, including all new relevant facts and information.

(a) The Commission has the power to reverse or alter its prior determinations, in whole or in part, if any of the following occur:

(1) There is a significant error in the facts, information, or analysis on which the prior decision was based; or

(2) The prior determination, in light of current information, appears to have been arbitrary, capricious, or based on substantial error.

(b) The Commission shall advise the applicant within sixty (60) days after receipt of a request for redetermination whether it will consider such request, and if so, set the date for a hearing by the Commission.

(c) If the request for redetermination is denied, then the original determination shall become final for all purposes, unless the resource is later shown to be demolished, altered, or has lost its integrity.

Note: Authority cited: Sections 5020.4, 5024.1, and 5024.6, Public Resources Code. Reference: Sections 5020.1, 5020.4, 5020.7, 5024.1, 5024.5, 5024.6, 21084, and 21084.1, Public Resources Code.

4858. Saving Clause.

If any one or more of the regulations in this chapter, or any portion of any one of these regulations is found or held to be invalid, all other regulations and portions of regulations shall be severable from the invalid regulation or portion and shall be presumed to be valid.

Note: Authority cited: Sections 5020.4, 5024.1, and 5024.6, Public Resources Code. Reference: Section 11350, Government Code; **California Drive-In Restaurant Asso. v. Clark** (1943) 22 Cal.2d 287, 140 P.2d 657; **Schenley Affiliated Brands Corp. v. Kirby** (1971) 21 Cal.App.3d 177, 98 Cal.Rptr. 609.

APPENDIX A:

A GLOSSARY OF TERMS

as used in the

CALIFORNIA REGISTER OF HISTORICAL RESOURCES

-A-

Archeological District. An area defined by a significant concentration, linkage, or continuity of sites.

Archeological Site. A bounded area of a resource containing archeological deposits or features that is defined in part by the character and location of such deposits or features.

The Archeological Resources Protection Act of 1979 (16 U.S.C. 470aa). Provides for protection of terrestrial and submerged archeological resources. Authorizes criminal prosecution

for the excavation, removal, or damage of archeological resources on public or Indian lands without appropriate permit. Governs the transportation of illegally obtained materials, access to information, and the permitting process.

-B-

Boundaries. Lines delineating the geographical extent or area of an historical resource.

Building. A resource, such as a house, barn, church, factory, hotel, or similar structure, created principally to shelter or assist in carrying out any form of human activity. Also, used to refer to an historically and functionally related unit, such as a courthouse and jail or a house and barn.

-C-

California Historical Resources Information System (CHRIS). That collection of Site Records, Historic Resource Inventory Forms, and all information on historical resources which has been acquired and managed by the State Office of Historic Preservation since 1975. This shall include the State Historic Resources Inventory, the California Archaeological Site Inventory, properties listed in the National Register of Historic Places, California Registered Historical Landmarks, California Points of Historical Interest, and the California Register of Historical Resources.

Conservation Easement. A less than fee simple interest in real property recorded as a deed restriction which is designed to protect the historic, cultural, archeological, or ecological characteristics of a property. For purposes of the regulations in this chapter, it is interchangeable with the term "Preservation Easement."

Cultural Heritage. Pertaining to the sum total of traditions, body of knowledge, etc., inherited as possessions, characteristics, or conditions expressing a traditional way of life subject to gradual, but continuous modifications by succeeding generations.

Cultural Resource. See Historical Resource.

Culture. A linkage of people possessing shared values, beliefs, and historical associations coupling social institutions and physical materials necessary for collective survival.

-D-

Disclosure, archeological site. To make available any records that pertain to an archeological site. However, "archeological site disclosure" need not take place if the nomination of a resource to the California Register requires making known any records which relate to archeological site information when those records are maintained by either the Department of Parks and Recreation or the State Historical Resources Commission.

District. A geographic area which possesses a significant concentration, linkage, or continuity of sites, buildings, areas, structures, or objects which are united historically, culturally, or aesthetically by plan, history, or physical development. For purposes of the regulations in this chapter, this term is interchangeable with "Historic District."

DPR Form 422. Department of Parks and Recreation Archeological Resources Inventory Form Number 422.

DPR Form 523. Department of Parks and Recreation Historic Resources Inventory Form Number 523.

-E-

Evaluation. A process carried out by the State Historical Resource Commission whereby the significance and integrity of an historical resource is judged, thereby determining its eligibility for listing.

-F-

Footprint. The form or pattern made by the perimeter of a building or other resource. Often used in connection with sketch maps or boundaries. A sketch map may show the footprint of historic resources as they are found on a parcel of land.

Formally Determined Eligible for Listing. An historical resource shall be considered "formally determined eligible for listing" when the State Historical Resources Commission accepts the nomination of the historical resource and designates the property as eligible for listing in the California Register.

-G-

Geographical Area. An area of land containing historical or archeological resources that can be identified on a map and delineated by boundaries.

-H-

Historic Context. An organizing structure for interpreting history that groups information about historical resources sharing a common theme, geographical area, or chronology. The development of "historic context" is a foundation for decisions regarding the planning, identification, evaluation, registration, and treatment of historical resources based upon comparative historic significance.

Historic District. A geographic area which contains a concentration of historic buildings, structures, or sites united historically, culturally, or architecturally. "Historic districts" are defined by precise geographic boundaries. Therefore, "historic districts" with unusual boundaries require

a description of what lies immediately outside the area in order to define the edge of the district and to explain the exclusion of adjoining areas.

Historic Fabric. (1) With regard to an historic building, "historic fabric" means the particular materials, ornamentation, and architectural features which are consistent with the historic character of the building. (2) With regard to an historic district, "historic fabric" means all sites, buildings, structures, features, objects, landscaping, street elements, and related design components of the district which are consistent with the historic character of the district. (3) With regard to an archeological district, "historic fabric" means sites, standing structures or buildings, historic landscape (land disturbance such as grading or construction), features (remnants of walls), and objects (artifacts) which are consistent with the historic character of the district.

Historic Integrity. The ability of a resource to convey its historical significance.

Historic Resources Inventory Form (DPR Form 523). A document which describes the characteristics and locations of buildings, structures, objects, and districts recorded for inclusion in an Historic Resources Inventory.

Historical Landmarks. See State Historical Landmark.

Historical Resource. Any object, building, structure, site, area, place, record, or manuscript which is historically or archaeologically significant, or which is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural history of California.

Historical Resources Inventory. A set of data, such as a list of historical resources, generated through an Historical Resources Survey.

Historical Resources Survey. The process of systematically identifying, researching, photographing, and documenting historical resources within a defined geographic area.

-I-

Identification. The process by which information is gathered regarding historical resources.

Information Center. See Regional Information Center.

-L-

Landscape, Cultural. A geographic area that (1) has been used, shaped, or modified by human activity, occupation, intervention; or (2) possesses significant value in the belief system of a culture or society.

Landscape, Designed. A geographic area that (1) has significance as a design or work of art; (2) was consciously designed and laid out by (a) a designer according to academic or professional design standards, theories, or philosophies of landscape architecture; or (b) by an amateur using a recognized style or tradition; (3) has an historical association with a significant person, trend, or event in landscape gardening or landscape architecture; or (4) has a significant relationship to the theory or practice of landscape architecture.

Landscape, Rural. A geographic area that (1) has historically been shaped or modified by human activity, occupancy, or intervention; (2) possesses a significant concentration, linkage, or continuity of areas of land use, vegetation, buildings or structures, roads or waterways, or natural features; or (3) provides a sense of place.

Listed. A California Register historical resource shall be considered "listed" when (1) the State Historical Resources Commission, after reviewing the nomination of the historical resource, accepts it for listing in the California Register; or (2) it has been automatically "listed" under Public Resources Code Section 5024.1 (d)(1) & (2).

Local government. A public agency with land-use control authority over a designated historical resource. Local governments may include special district, tribal, city, or county governments.

-M-

Manuscript. (1) Bodies or groups of personal papers. (2) Collections of documents acquired from various sources according to a plan. (3) Individual documents acquired by a manuscripts repository because of their special importance. (Society of American Archivists)

-N-

National Environmental Policy Act of 1969 (NEPA). (42 U.S.C. 4321-4347 (1969) (amended)). Created a process by which to analyze significant environmental impacts, including impacts to historical resources, for federally funded or licensed actions.

National Historic Preservation Act of 1966 (NHPA). (16 U.S.C. 470 (1966) (amended)). Established the National Register of Historic Places. Created a partnership between federal, state, and local agencies to extend the national historic preservation programs to properties of state and local significance.

National Register Criteria. The federally established standards for evaluating the eligibility of properties for inclusion in the National Register of Historic Places.

National Register of Historic Places, The. (16 U.S.C. 470a, 36 C.F.R. Parts 60, 63). The official inventory of districts, sites, buildings, structures, and objects significant in American history, architecture, archeology, and culture which is maintained by the Secretary of the Interior under the authority of the Historic Sites Act of 1935 (16 U.S.C. 461-467 (1935) (amended)) and the National Historic Preservation Act of 1966 (16 U.S.C. 470 (1966) (amended)).

Nomination. A formal application, submitted to the State Historical Resources Commission, for listing an historical resource on the California Register of Historical Resources.

-O-

Object. Manifestations that are primarily artistic in nature, or are relatively small in scale and simply constructed. The "object" may be a fixture (real property) or movable (personal property). Although it may be movable by nature or design, an object must be associated with a specific

setting or environment. The "object" should be in a setting appropriate to its significant historical use, role, or character; for example, a fountain or boundary marker.

Officer. The State Historic Preservation Officer (SHPO) is appointed by the Governor under the authority of Public Resources Code Section 5020.6. The SHPO serves as the Chief Administrative Officer of the Office of Historic Preservation and Executive Secretary of the State Historical Resources Commission. The SHPO administers state and federally mandated historic preservation programs under the authority of the National Historic Preservation Act of 1966, Section 101 (b)(3), (16 U.S.C. 470 (1966) (amended)) and Cal. Pub. Res. Code Section 5024.

Owner. Those individuals, partnerships, corporations, or public agencies holding fee simple title to a resource. The term does not include individuals, partnerships, corporations, or public agencies holding easements or less than fee simple interests, including leaseholds.

-P-

Penal Code, Section 622.5. Provides misdemeanor penalties for every person, other than the owner, who injures or destroys objects of historical or archeological interest located on public or private lands.

Point of Historical Interest. The California Point of Historical Interest Program (Cal. Pub. Res. Code Section 5021) is a state historical resources registration program, established in 1965, which provides official recognition for historical resources that are significant at a county or regional level, but do not qualify for designation as California Registered Historical Landmarks.

Preservation (treatment). The act or process of applying measures to sustain the existing form, integrity, or historic fabric of an historical building or structure, or the form or vegetative cover of an historic site. It may include stabilization work, as well as ongoing maintenance of the historic fabric.

Preservation Commission. A city or county board of appointed citizens with assigned responsibilities for surveying, designating, and protecting historical resources. May also be called an historic review board, design review board, landmarks commission, or cultural heritage commission.

Primary Number. The number used to identify and retrieve records regarding a specific site in the California Historical Resources Information System. The Primary Number describes the location of a resource in the same manner as a Site Trinomial Number.

Protection (treatment). The act or process of applying measures to affect the physical condition of an historical resource by guarding it from deterioration, loss, or attack by natural causes, or to cover or shield it from threat of danger or harm. In the case of buildings or structures, these measures are usually temporary; however, with regard to archeological resources, protective measures may be temporary or permanent.

Public Resources Code, Section 5097.5. Defines as a misdemeanor the unauthorized disturbance or removal of archeological, historical, or paleontological resources located on public lands.

-R-

Reconstruction (treatment). The act or process of reproducing through construction the exact form and detail of a vanished building, structure, or object, or any part thereof, as it appeared at a specified period of time.

Recordation. Section 27288.2 of the Government Code and Section 5029 of the Public Resources Code require the County Recorder to record a certified resolution of historical resources designation containing the name of the current property owner, the historical resources registration program, the designating entity, the specific historical resources designation, and a legal description of the property.

Regional Information Center. An Information Center of the California Historical Resources Information System, under contract to the Office of Historic Preservation, which receives, manages, and provides information on historical and archeological resources. "An Information Center" may also provide training or technical assistance on a fee-for-service basis.

Registration. A program by which an historic resource is documented, evaluated, and determined eligible or nominated for listing as a type of historical resource. Such programs may be local, state, or national.

Rehabilitation (treatment). 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. Reveals the logic that will be used to direct identification, documentation, investigation, analysis, or treatment of an historical resource that identifies the goals, methods and techniques, potential results, and the relationship of the potential results to other proposed activities or treatments.

Resource, Contributing. A resource which by location, design, setting materials, workmanship, feeling, and association adds to the sense of historical authenticity, historical development, or value of an historical resource.

Resource, Non Contributing. An historical resource which does not add to the sense of historical authenticity or evolution of an historic property or where the location, design, setting, materials, workmanship, history, and/or association of the historical resource have been so altered or deteriorated that the overall integrity of that resource has been irretrievably lost.

Restoration (treatment). The act or process of reproducing the exact form and detail of a vanished building, structure, or object, or a part thereof, as it appeared at a specific period of time.

-S-

Secretary of Interior Standards. Identified in the **Secretary of the Interior Standards and Guidelines for Historic Preservation Projects** (36 C.F.R.67), with accompanying interpretive guidelines, which are utilized by federal agencies in the preservation of historical properties that are listed, or are eligible for listing, on the National Register. They are also used by some State Historic Preservation Offices in evaluating projects proposed as historical resources in

accordance with federal regulations; or by local governments, organizations, and individuals in making decisions about the identification, evaluation, registration, or treatment of historic properties. The **Secretary of the Interior's Standards for Rehabilitation** is aimed at retaining and preserving those features and materials which are important in defining the historic character of an historical resource. Technical advice about archeological and historic preservation activities and methods is also included in the **Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation.**

Site. A 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 historical, cultural, or archeological value regardless of the value of any existing building, structure, or object. A "site" need not be marked by physical remains if it is the location of a prehistoric or historic event and if no buildings, structures, or objects marked it at that time. Examples include trails, designed landscapes, battlefields, habitation sites, Native American ceremonial areas, petroglyphs, and pictographs.

Site Record. A document which describes the characteristics and location of a site, and which has been completed for entry in the California Archaeological Site Inventory.

Site Trinomial Number. A site registration number assigned by the Office of Historic Preservation to a specific archeological resource under which all documentation for that resource will be recorded.

Stabilization (treatment). The act or process of applying measures designed to establish a weather resistant enclosure and the structural stability of an unsafe or deteriorated property, or one which has the potential to deteriorate or to become unsafe, while maintaining the essential form as it exists at present.

State Historic Preservation Officer (SHPO). See Officer.

State Historic Resources Inventory. Compilation of all identified and evaluated historical resources maintained by the State Office of Historic Preservation. It includes all those historical resources evaluated in surveys that were conducted in accordance with criteria established by the Office (see Appendix B) and were thereafter determined eligible for, or listed in, the National Register of Historic Places or designated as California Registered Historical Landmarks, California Points of Historical Interest, or the California Register of Historical Resources.

State Historical Building Code (SHBC). The State Historical Building Code is contained in Part 8 of Title 24 (State Building Standards Code) and applies to all qualified historical structures, districts, and sites designated under federal, state, or local authority. It provides alternatives to the Uniform Building Code in cases consistent with building regulations for the rehabilitation, preservation, restoration, or relocation of qualified historic structures designated as historic buildings.

State Historical Landmarks. The California Registered Historical Landmarks Program (Cal. Pub. Res. Code Section 5021) is a state historical resources registration program which was created in 1949 to recognize historical resources with regional and statewide significance to the history of California.

State Historical Resources Commission (SHRC). Commission appointed by the Governor under Public Resources Code Section 5020.4 and 5020.5. The SHRC has broad responsibilities for the statewide historic preservation program that include conducting a statewide inventory of

historical resources, establishing criteria for evaluating historical resources, and conducting public hearings to develop and review a statewide historical resources plan.

Statement of Significance. An organizational format which groups information about related historical resources based on theme, geographic units, and chronological period. The information should describe why the resource is significant within a relevant historic context.

Structure. A construction made for a functional purpose rather than creating human shelter. Examples of structures include mines, bridges, and tunnels.

-T-

Tax Certification. A provision of federal tax law which, under certain conditions, allows money invested in capital rehabilitation to be deducted from income taxes owed. See those provisions for certified National Register structures which are included in the Economic Recovery Act of 1981 (Internal Revenue Code Sections 48, 168, 170, and 280B).

Traditional Cultural Properties. A geographic area or historical resource that embodies important cultural values. It may contain landscape characteristics that are the tangible evidence of the activities and habits of the people who occupied, developed, and shaped the land to serve their needs, or it may include several categories of properties. It may also contain, or consist primarily of, natural features which are important in a religious or belief system.

-U-

UTM Coordinates. A set of metric coordinates (easting and northing) that indicate a unique location according to the **Universal Transverse Mercator** grid appearing on maps of the United States Geological Survey.