

***FINAL DRAFT***  
**INTEGRATED CULTURAL RESOURCES MANAGEMENT  
PLAN FOR  
FORT MYER-HENDERSON HALL, VIRGINIA  
AND  
FORT MCNAIR, DISTRICT OF COLUMBIA  
2011-2015**



**January 2011**

*DRAFT*  
**INTEGRATED CULTURAL RESOURCES  
MANAGEMENT PLAN FOR  
FORT MYER-HENDERSON HALL, VIRGINIA  
AND  
FORT MCNAIR, DISTRICT OF COLUMBIA  
2011-2015**

*Prepared by*



**6850 Versar Center  
Springfield, Virginia 22151**

*Prepared for:*

**The United States Army  
Joint Base Myer-Henderson Hall  
and  
The United States Corps of Engineers, Mobile District**

**Contract No: W91278-08-D-0028**

**January 2011**

**INTEGRATED CULTURAL RESOURCES MANAGEMENT PLAN  
FORT MYER-HENDERSON HALL, VIRGINIA  
AND  
FORT MCNAIR, DISTRICT OF COLUMBIA**

PREPARED BY \_\_\_\_\_ DATE \_\_\_\_\_  
Eric F. Griffiths, M.A.  
Project Manager  
Versar, Inc.

PREPARED BY \_\_\_\_\_ DATE \_\_\_\_\_  
Dennis Knepper  
Project Archeologist  
Versar, Inc.

REVIEWED BY \_\_\_\_\_ DATE \_\_\_\_\_  
Kristie Lalire  
Cultural Resource Program Manager – JBMHH

REVIEWED BY \_\_\_\_\_ DATE \_\_\_\_\_  
Francis A. Douglas  
Director of the JBM-HH Directorate of Environmental Management

APPROVED BY \_\_\_\_\_ DATE \_\_\_\_\_  
Colonel Carl R. Coffman  
JBMHH Garrison Commander

[PAGE INTENTIONALLY BLANK]

## **EXECUTIVE SUMMARY**

This Integrated Cultural Resources Management Plan (ICRMP) outlines U.S. Army policies, procedures, and responsibilities for meeting cultural resources compliance and management requirements at Fort Myer-Henderson Hall, Virginia and Fort McNair, District of Columbia. The document has been prepared in accordance with Army Regulation (AR) 200-1, the Department of the Army's policy for environmental protection and enhancement. Section 6 of these regulations, which deals specifically with cultural resources management, requires installations to make informed decisions regarding cultural resources under their control that may be impacted by the military mission. The policies described herein are designed to ensure compliance with AR 200-1 that the Joint Base Myer-Henderson Hall (JBMHH) and Fort McNair personnel make informed decisions regarding the cultural resources under their control, comply with public laws, support the military mission, and are consistent with sound principles of cultural resources management.

This ICRMP is a 5-year plan (2011-2015) updating the previous ICRMP prepared in 2000 by Hanbury Evans Newill Watts & Company. It is designed to be a component of the installation Master Plan, to complement other JBMHH plans and to serve as the installation's decision document for the conduct of cultural resources management actions. The Fort Myer-Henderson Hall and Fort McNair ICRMP is an internal Army compliance and management plan designed to integrate the entirety of the installation's cultural resources program with ongoing mission activities, allow for ready identification of potential conflicts between the installation's missions and the cultural resources management program, and identify compliance actions necessary to maintain the availability of mission-essential properties and acreage.

Both Fort Myer-Henderson Hall and Fort McNair have properties that are either listed or have been determined eligible for listing on the National Register of Historic Places (NRHP). The Fort Myer Historic District was designated a National Historic Landmark (NHL) in 1972. The NHL district contains 65 contributing resources. Another 26 buildings were recommended as potential contributing resources to an expanded NRHP district in the recent Versar 2010 architectural survey of Fort Myer. Fort McNair contains a historic district that has been determined eligible for listing on the NRHP. The Fort McNair Historic District contains 97 contributing resources. One of these buildings is the Army War College, which was designated a NHL in 1972.

This ICRMP comprises six sections. Section 1, the Introduction, explains the purpose and scope of this document, identifies the missions of the installations, and lists current tenants located at each facility. Section 2 discusses the environmental setting at each installation. This section describes the geology, topography, climate, soils, and other important environmental characteristics associated with each facility. Section 3 provides a detailed discussion of all legislative and regulatory requirements affecting CRM activities for the Army. Section 4 provides historic contexts for Fort Myer-Henderson Hall and Fort McNair and Section 5 identifies existing cultural resources at these installations that are associated with the historic contexts discussed in Section 4. Sections 6, 7, 8, and 9 provide the management plan for general cultural resources management at Fort Myer-Henderson Hall

and Fort McNair, an economic analysis model, a Native American management plan for both installations, and a public involvement and outreach plan.

## TABLE OF CONTENTS

EXECUTIVE SUMMARY .....	i
TABLE OF CONTENTS.....	iii
LIST OF FIGURES .....	viii
LIST OF TABLES.....	ix
1.0 INTRODUCTION.....	1-1
1.1 PURPOSE AND SCOPE.....	1-1
1.2 MISSION.....	1-2
1.2.1 Joint Base Myer-Henderson Hall (JBMHH).....	1-2
1.2.2 Current JBMHH Tenants and their Missions.....	1-2
1.3 ORGANIZATION OF THE ICRMP.....	1-5
2.0 ENVIRONMENTAL SETTING.....	2-1
2.1 INSTALLATION DESCRIPTION .....	2-1
2.1.1 Fort Myer-Henderson Hall.....	2-1
2.1.2 Henderson Hall .....	2-1
2.1.3 Fort McNair .....	2-1
2.2 PHYSIOGRAPHY/GEOLOGY .....	2-4
2.2.1 Fort Myer and Henderson Hall .....	2-4
2.2.2 Fort McNair .....	2-4
2.3 SOILS .....	2-4
2.3.1 Fort Myer and Henderson Hall .....	2-4
2.3.2 Fort McNair .....	2-5
2.4 CLIMATE.....	2-5
2.5 BIOTA .....	2-8
3.0 LEGISLATIVE AND REGULATORY REQUIREMENTS.....	3-1
3.1 FEDERAL LEGISLATION .....	3-1
3.1.1 National Environmental Policy Act.....	3-1
3.1.2 National Historic Preservation Act, Public Law 89-665; 16 U.S. Code (U.S.C.) Sections 470-470W-6.....	3-1
3.1.3 Historic Sites Act of 1935.....	3-3
3.1.4 Archaeological and Historic Preservation Act of 1974 .....	3-3
3.1.5 Archaeological Resources Protection Act, Public Law 96-95; 16 U.S.C. 470aa- 470mm, as amended.....	3-3
3.1.6 Native American Graves Protection and Repatriation Act, Public Law 101-601; 25 U.S.C. 3001-3013 .....	3-4
3.1.7 American Indian Religious Freedom Act, Public Law 95-341; 42 U.S.C., 1990 3- 4	
3.1.8 Americans with Disabilities Act of 1990; 42 U.S.C. 12101 .....	3-5
3.1.9 Section 504 of the Rehabilitation Act of 1973; 29 U.S.C. 70; and implementing regulations of the Department of Health, Education, and Welfare; 45 CFR Parts 84, 85.....	3-5
3.1.10 Public Law 90-480, "Architectural Barriers Act," August 12, 1968, as amended (42 U.S.C. 4151 et seq.).....	3-6
3.2 FEDERAL REGULATIONS AND GUIDELINES .....	3-6
3.2.1 Protection of Historic and Cultural Properties; 36 CFR Part 800, as amended.	3-6

- 3.2.2 National Register of Historic Places; 36 CFR Part 60..... 3-7
- 3.2.3 Procedures for Approved State, Tribal, and Local Government Historic Preservation Programs; 36 CFR Part 61 ..... 3-7
- 3.2.4 The Section 110 Guidelines: Annotated Guidelines for Federal Agency Responsibilities under Section 110 of the National Historic Preservation Act . 3-7
- 3.2.5 Archaeology and Historic Preservation: Secretary of the Interior’s Standards and Guidelines (48FR44716-39, September 29, 1983) ..... 3-8
- 3.2.6 Protection of Archaeological Resources; 43 CFR Part 7 ..... 3-9
- 3.2.7 Department of the Interior, Curation of Federally Owned and Administered Archaeological Collections; 36 CFR Part 79 ..... 3-10
- 3.2.8 Eagle Permits, Permits for Indian Religious Purposes; 50 CFR Part 22.22 .... 3-10
- 3.2.9 National Historic Landmarks Program; 36 CFR Part 65 ..... 3-10
- 3.3 EXECUTIVE ORDERS AND PRESIDENTIAL MEMORANDA..... 3-11
  - 3.3.1 Executive Order 13287 Preserve America, March 3, 2003 ..... 3-11
  - 3.3.2 Executive Order 11593, Protection and Enhancement of the Cultural Environment, May 13, 1971 ..... 3-11
  - 3.3.3 Executive Order 13007, Indian Sacred Sites, May 24, 1996 ..... 3-12
  - 3.3.4 Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, November 2000 ..... 3-12
  - 3.3.5 Memorandum for Heads of Executive Departments and Agencies, April 29, 1994: Government-to-Government Relations with Native American Tribal Governments ..... 3-12
  - 3.3.6 Memorandum for Heads of Executive Departments and Agencies, dated April 29, 1994: Policy Concerning Distribution of Eagle Feathers for Native American Religious Purposes ..... 3-13
- 3.4 DEPARTMENT OF DEFENSE AND U.S. ARMY REGULATIONS, PROTOCOLS, AND GUIDELINES..... 3-13
  - 3.4.1 Army Regulation 200-1, Environmental Protection and Enhancement (December 27, 2007) ..... 3-13
  - 3.4.2 Army Regulation 210-20, Master Planning for U.S. Army Installations (1991). 3-14
  - 3.4.3 Army Regulation 405-80, Granting Use of Real Estate (October 10, 1997) ... 3-15
  - 3.4.4 Army Regulation 405-90, Disposal of Real Estate (May 10, 1985), Supplemented by Army Materiel Command Supplement (April 1, 1987) ..... 3-15
  - 3.4.5 Army Regulation 415-15, Military Construction, U.S. Army Program Development (August 30, 1994)..... 3-16
  - 3.4.6 Army Regulation 420-10, Management of Installation Directorates of Engineering and Housing (July 2, 1987) ..... 3-16
  - 3.4.7 Army Regulation 600-7, Nondiscrimination on the Basis of Handicap in Programs and Activities Assisted or Conducted by the Department of the Army (November 15, 1983) ..... 3-17
  - 3.4.8 Department of Defense Directive (DoDD) 4710.1, Archaeological and Historic Resources Management, 21 June 1984 ..... 3-18
  - 3.4.9 Department of Defense Instruction (DoDI) 4715.3, Environmental ..... 3-18
  - 3.4.10 The Ronald W. Reagan National Defense Authorization Act for 2005..... 3-19

3.4.11	Department of Defense American Indian and Alaska Native Policy (October 1998) .....	3-20
3.5	ADVISORY COUNCIL ON HISTORIC PRESERVATION PROGRAM PROCEDURES PROGRAMMATIC AGREEMENTS, AND PROGRAM COMMENTS .....	3-20
3.5.1	Army Alternate Procedures – 36 CFR 800: Protection of Army Historic Properties .....	3-20
3.5.2	Programmatic Memorandum of Agreement among the United States Department of Defense, the Advisory Council on Historic Preservation and the National Conference of State Historic Preservation Officers.....	3-21
3.5.3	Program Comment for Cold War Era Unaccompanied Personnel Housing (1946-1974), August 18, 2006.....	3-21
3.6	STATE AND LOCAL STATUTES .....	3-21
3.7	JBM-HH LEASES AND LAND USE AGREEMENTS.....	3-22
3.8	OTHER GUIDANCE APPLICABLE TO JBM-HH.....	3-22
3.8.1	JBM-HH PA/MOAs and ICRMP SOPs .....	3-22
3.8.2	JBM-HH Native American Access Procedures .....	3-23
4.0	HISTORIC CONTEXTS.....	4-1
4.1	PREHISTORY .....	4-1
4.2	CONTACT PERIOD (A.D. 1608-1730) .....	4-3
4.3	HISTORIC PERIOD.....	4-4
4.3.1	Fort Myer .....	4-4
4.3.2	Civil War (1861-1865).....	4-5
4.3.3	Reconstruction and Growth (1865-1914) .....	4-7
4.3.4	Return of the Signal Corps and Early Aviation (1899-1909) .....	4-14
4.4	WORLD WAR I TO WORLD WAR II (1914-1941) .....	4-18
4.5	WORLD WAR II (1941-1945).....	4-19
4.6	THE NEW DOMINION (1946-PRESENT).....	4-21
4.6.1	Fort McNair .....	4-21
4.7	CIVIL WAR (1861-1865) .....	4-28
4.8	RECONSTRUCTION AND GILDED AGE (1865-1914).....	4-34
4.9	WORLD WAR I TO WORLD WAR II (1914-1941) .....	4-40
4.10	THE COLD WAR (1946-1989) .....	4-40
4.11	THE POST COLD WAR ERA.....	4-40
4.12	ARCHITECTURAL CONTEXT .....	4-41
4.12.1	Quartermaster Plans .....	4-41
4.12.2	Beaux Arts and Mckim, Mead, and White.....	4-41
4.13	FORT MYER-HENDERSON HALL AND FORT MCNAIR REGIONAL NATIVE AMERICAN GROUPS .....	4-44
5.0	CULTURAL RESOURCES OVERVIEW AND INVENTORY .....	5-1
5.1	CULTURAL RESOURCES INVESTIGATIONS .....	5-1
5.2	MANAGEMENT PLANS/COMPLIANCE DOCUMENTS .....	5-2
5.2.1	Fort Myer-Henderson Hall.....	5-2
5.2.2	Fort McNair .....	5-3
5.3	ARCHAEOLOGICAL INVESTIGATIONS AND RESOURCES.....	5-3
5.3.1	Fort Myer-Henderson Hall Archaeological Investigations.....	5-3

- 5.3.2 Fort Myer-Henderson Hall Archaeological Sites..... 5-4
- 5.3.3 Fort McNair Archaeological Investigations..... 5-4
- 5.3.4 Fort McNair Archaeological Sites ..... 5-4
- 5.3.5 Collections ..... 5-5
- 5.3.6 Traditional Cultural Properties ..... 5-5
- 5.3.7 Paleontological Resources ..... 5-5
- 5.4 ARCHITECTURAL INVESTIGATIONS ..... 5-6
  - 5.4.1 Fort Myer-Henderson Hall Architectural Studies ..... 5-6
  - 5.4.2 Fort Myer – Henderson Hall Historic Buildings, Structures, and Districts ..... 5-6
  - 5.4.3 Fort McNair Architectural Studies..... 5-12
  - 5.4.4 Fort McNair Historic Resources ..... 5-12
- 5.5 plaNS AND SCHEDULES FOR future cultural resources studies ..... 5-17
  - 5.5.1 Archaeological Survey ..... 5-17
  - 5.5.2 Archaeological Predictive Models/Sensitivity Assessments ..... 5-17
  - 5.5.3 Architectural Resources ..... 5-34
- 6.0 MANAGEMENT PLAN..... 6-1
- 6.1 OVERVIEW ..... 6-1
- 6.2 THE CULTURAL LANDSCAPE MANAGEMENT APPROACH..... 6-1
- 6.3 GENERAL OBJECTIVES ..... 6-3
  - 6.3.1 Compliance with Federal Preservation Law ..... 6-3
  - 6.3.2 Locate, Evaluate, and Protect Archaeological, Historical, and Sacred Sites ..... 6-3
  - 6.3.3 Contribute to the Body of Knowledge ..... 6-4
  - 6.3.4 Efficient Management Techniques ..... 6-4
- 6.4 ROLES AND RESPONSIBILITIES ..... 6-4
  - 6.4.1 Garrison Commander (or Designated Representative) Responsibilities..... 6-4
  - 6.4.2 Cultural Resources Manager Responsibilities ..... 6-5
- 6.5 INTERNAL COORDINATION PROCESS ..... 6-6
  - 6.5.1 JBMHH Garrison Commander ..... 6-6
  - 6.5.2 Base Civil Engineer/Public Works/Master Planning ..... 6-7
  - 6.5.3 Environmental Coordinator ..... 6-7
  - 6.5.4 Security Police ..... 6-7
  - 6.5.5 Tenant Organizations under the Resource Management ..... 6-7
  - 6.5.6 Public Affairs ..... 6-7
- 6.6 EXTERNAL COORDINATION PROCEDURES..... 6-8
  - 6.6.1 Major Command (Garrison Commander)..... 6-8
  - 6.6.2 Headquarters Department of the Army ..... 6-8
  - 6.6.3 SHPOs and Other Consulting Parties ..... 6-8
  - 6.6.4 Tribal Historic Preservation Officer ..... 6-10
  - 6.6.5 Advisory Council on Historic Preservation ..... 6-10
  - 6.6.6 Affected Native American Groups ..... 6-11
  - 6.6.7 Public Involvement ..... 6-11
- 6.7 GUIDELINES FOR INVENTORIES/EVALUATIONS ..... 6-11
- 6.8 PRESERVATION/PROTECTION PLAN (INCLUDING SITE NONDISCLOSURE INFORMATION)..... 6-12
  - 6.8.1 Archaeological Sites ..... 6-12
  - 6.8.2 Buildings and Structures ..... 6-14

6.8.3	Traditional Cultural Properties .....	6-18
6.8.4	Other Preservation/Protection Measures.....	6-19
6.8.5	Master Planning and Proposed Projects Affecting Cultural Resources at Fort Myer-Henderson Hall and Fort McNair .....	6-19
6.9	STREAMLINING SECTION 106: Programmatic agreement documents.....	6-22
6.10	CURATION.....	6-24
6.11	ICRMP REVIEW .....	6-25
6.12	CULTURAL RESOURCES MANAGER STAFFING AND TRAINING NEEDS .....	6-25
6.13	JBMHH KEY OBJECTIVES AND CULTURAL RESOURCES MANAGEMENT GOALS .....	6-25
6.14	STANDARD OPERATING PROCEDURES .....	6-28
6.14.1	SOP #1 Section 106 Consultation.....	6-28
6.14.2	SOP # 2: Archaeological Procedures.....	6-31
6.14.3	SOP #3: Curation Procedures .....	6-34
6.14.4	SOP # 4: Building Maintenance Procedures.....	6-40
6.14.5	SOP #5: Historic Building Demolition.....	6-43
6.14.6	SOP#6: Sale or Outlease of Property.....	6-43
6.14.7	SOP #7: Updated Base Planning Procedures.....	6-44
7.0	ECONOMIC ANALYSIS.....	7-1
7.1	OPERATING EXPENSES .....	7-2
7.2	LIFE CYCLE COST ANALYSIS (LCC) .....	7-2
8.0	NATIVE AMERICAN CONSULTATION MANAGEMENT PLAN.....	8-1
8.1	NATIVE AMERICAN GROUPS WITH AN INTEREST IN ACTIVITIES AT Fort Myer-Henderson Hall and Fort McNair.....	8-1
8.2	PREVIOUS CONSULTATION PRACTICES AND PROCEDURES.....	8-3
8.3	PROTECTION OF TRADITIONAL CULTURAL PROPERTIES .....	8-3
8.4	ACCESS TO SACRED/CEREMONIAL SITES .....	8-5
8.5	DEVELOPMENT OF AN ACCESS AGREEMENT .....	8-5
8.6	RECOMMENDATIONS FOR A COORDINATED CONSULTATION APPROACH.....	8-6
9.0	PUBLIC INVOLVEMENT PLAN .....	9-1
9.1	PURPOSE OF THE PLAN.....	9-1
9.2	INDIVIDUALS AND GROUPS INVOLVED .....	9-1
9.3	TIMING.....	9-2
9.4	STATUTORY GUIDANCE.....	9-2
9.4.1	National Historic Preservation Act (NHPA).....	9-2
9.4.2	National Environmental Policy Act.....	9-5
9.4.3	Archaeological Resources Protection Act.....	9-6
9.5	PUBLIC OUTREACH .....	9-6
10.0	BIBLIOGRAPHY .....	10-1

## APPENDICES

- APPENDIX A: ACRONYMS AND ABBREVIATIONS
- APPENDIX B: GLOSSARY
- APPENDIX C: ARMY REGULATION 200-1
- APPENDIX D: SECRETARY OF THE INTERIOR’S STANDARDS FOR THE PROTECTION OF HISTORIC PROPERTIES 36 CFR 800 – REVISED
- APPENDIX E: SECRETARY OF THE INTERIOR’S PROFESSIONAL QUALIFICATION STANDARDS 36 CFR 61-APPENDIX A
- APPENDIX F: SHPO AND TRIBAL CORRESPONDENCES
- APPENDIX G: EXECUTED PA AND MOA DOCUMENTS
- APPENDIX H: VASHPO GUIDELINES FOR ARCHITECTURAL SURVEYS AND ARCHAEOLOGICAL INVESTIGATIONS
- APPENDIX I: DCHPO GUIDELINES FOR ARCHAEOLOGICAL INVESTIGATIONS
- APPENDIX J: NATIONAL PARK SERVICE (NPS) PRESERVATION BRIEFS
- APPENDIX K: ENVIRONMENTAL ASSESSMENT FOR ICRMP

## LIST OF FIGURES

Figure 2-1: Location of Fort Myer-Henderson Hall .....	2-2
Figure 2-2: Location of Fort McNair .....	2-3
Figure 2-3: Distribution of Soil Types within Fort Myer-Henderson Hall.....	2-6
Figure 2-4: Distribution of Soil Types within Fort McNair .....	2-7
Figure 4-1: Plan of Fort Whipple.....	4-7
Figure 4-2: Photograph of Albert Myer .....	4-8
Figure 4-3: Fort Myer, 1885 .....	4-10
Figure 4-4: Officer Quarters on Grant Avenue, 1876.....	4-10
Figure 4-5: Hospital and Railroad Station, ca. 1895-1910 .....	4-11
Figure 4-6: Fort Myer 1900 .....	4-13
Figure 4-7: U.S. Army Dirigible #1 at Fort Myer c. 1907.....	4-15
Figure 4-8: 1908 Photograph of Orville Wright Flying Over Summerall Field.....	4-16
Figure 4-9: South Post Area in 1943.....	4-20
Figure 4-10: South Post Area in 1968 with World War II Construction Shown in Upper Right Portion of Photograph.....	4-20
Figure 4-11: 1850s Bosche Map Showing U.S. Arsenal and the Penitentiary .....	4-25
Figure 4-12: Plan of the District of Columbia Penitentiary .....	4-27
Figure 4-13: Drawing of Trial Room.....	4-31
Figure 4-14: Top: Alexander Gardner Photograph of the Conspirators’ Hanging Bottom: The Site Today along with Building 20 (the Scaffold Stood Near the Tennis Courts) .....	4-33
Figure 4-15: Plat of the Washington Barracks.....	4-35
Figure 4-16: Baist Map Showing Army War College and Engineering School.....	4-38
Figure 5-1: Present District Boundaries with Proposed Areas of District Expansion .....	5-7
Figure 5-2: Locations of NRHP Boundaries, and Surveyed Resources at Fort McNair. ...	5-14

Figure 5-3: Kise, Straw, and Frank Survey Areas at Fort Myer (KSF 1992) ..... 5-20

Figure 5-4: High Potential Areas at Fort Myer in URS ARMP (URS 2004) ..... 5-21

Figure 5-5: Fort McNair Area in the Mid-19<sup>th</sup> Century (Boschke 1859) ..... 5-25

Figure 5-6: Locations of Arsenal Buildings Superimposed on Modern Satellite Image of Fort McNair (based on Boschke 1859). ..... 5-26

Figure 5-8: Fort McNair Area in the Late-19th Century (Strum 1900)..... 5-28

Figure 5-9: Fort McNair Area Showing Late-19th Century Topography: currently the ground west and southwest of James Creek Canal is level suggesting that the area has been filled ..... 5-29

Figure 5-10: Fort McNair Area in the Early-20th Century (Baist 1903)..... 5-30

Figure 5-11: Locations of War College Buildings Superimposed on Modern Satellite Image of Fort McNair (based on Baist 1903)..... 5-31

Figure 5-12: Fort McNair Areas of Archaeological Sensitivity Proposed by URS 2004... 5-32

Figure 5-13: Fort McNair’s Current Assessment of Archaeological Sensitivity..... 5-33

**LIST OF TABLES**

Table 1-1: Fort Myer-Henderson Hall and Fort McNair Tenant Locations ..... 1-4

Table 5-1: Previous Cultural Resources Studies Conducted at Fort Myer-Henderson Hall. 5-1

Table 5-2: Previous Cultural Resources Studies Conducted at Fort McNair ..... 5-2

Table 5-3: Surveyed Resources and Management Recommendations ..... 5-8

Table 5-4: Fort Myer-Henderson Hall Historic Monuments ..... 5-11

Table 5-5: Recorded Buildings, Structures, Sites, and Objects at Fort McNair ..... 5-15

Table 5-6: Archaeological Potential at Fort Myer ..... 5-18

[PAGE INTENTIONALLY BLANK]

## **1.0 INTRODUCTION**

### **1.1 PURPOSE AND SCOPE**

Since 2009, Joint Base Myer Henderson Hall (JBMHH) has overseen the operations of the Fort Myer Military Community (FMMC), which consists of Fort Myer and Henderson Hall located in Virginia and Fort McNair, located in the District of Columbia. This Integrated Cultural Resources Management Plan (ICRMP) outlines U.S. Army policies, procedures, and responsibilities for meeting cultural resources compliance and management requirements at Fort Myer-Henderson Hall, Virginia and Fort McNair, District of Columbia. The document has been prepared in accordance with Army Regulation (AR) 200-1 (Appendix C). The policies described herein are designed to ensure that the JBMHH personnel make informed decisions regarding the cultural resources under their control, comply with public laws, support the military mission, and are consistent with sound principles of cultural resources management.

This ICRMP is a 5-year plan (2011-2015) updating the previous ICRMP prepared in 2003 by Hanbury Evans Newill Watts & Company. It is designed to be a component of the installation Master Plan, to complement other JBMHH plans and to serve as the installation's decision document for the conduct of cultural resources management actions. The Fort Myer-Henderson Hall and Fort McNair ICRMP is an internal Army compliance and management plan designed to integrate the entirety of the installation's cultural resources program with ongoing mission activities, allow for ready identification of potential conflicts between the installation's missions and the cultural resources management program, and identify compliance actions necessary to maintain the availability of mission-essential properties and acreage.

The scope of this plan includes regulations and guidance that are beyond the statutory authority of the Virginia Department of Historic Resources (VASHPO) and the District of Columbia Historic Preservation Officer (DCHPO), the Advisory Council on Historic Preservation (ACHP), and any affected Native American groups. Because of this, the plan is not intended to be the subject of, implemented by reference to, or included in National Historic Preservation Act (NHPA) Programmatic Agreements (PAs), Memoranda of Agreement (MOAs), or Native American Graves Protection and Repatriation Act (NAGPRA) Comprehensive Agreements (CAs). However, the sections of the Myer-Henderson Hall and Fort McNair ICRMP that pertain to NHPA or NAGPRA compliance (Chapters 1, 4, 5, and 6) can be extracted from the document, and those actions can be integrated by reference into a PA, MOA, or CA. Requests for review of the Myer-Henderson Hall and Fort McNair ICRMP by entities other than Army organizations may be useful for the gathering of external expertise; however, review comments will be considered nonbinding.

## 1.2 MISSION

### 1.2.1 Joint Base Myer-Henderson Hall (JBMHH)

The mission of JBMHH is to operate the Army's model installation and provide consistent installation services and support in a safe and secure environment, enabling successful joint mission accomplishment and enhancing the well-being of our nation's service members, their families and Department of Defense (DoD) civilians in the National Capital Region (NCR).

### 1.2.2 Current JBMHH Tenants and their Missions

The current tenants at JBMHH and Fort McNair are provided on the installation's website at <http://www.fmmc.army.mil/sites/local/default.asp>. The missions of the major tenant organizations are summarized below:

**3rd US Infantry Regiment BCT** – The mission of the "The Old Guard" - 3rd US Infantry Regiment BCT is to conduct ceremonies in order to maintain the traditions of the US Army, showcase the Army to our nation's citizens and the world, and to defend the dignity and honor of our fallen comrades. On order, 3d Infantry Regiment BCT protects federal property and/or assists civilian authorities in the NCR in order to limit the effects of attacks or disasters.

**Andrew Rader Dental Clinic** – The clinic provides dental care to service men and women and DoD civilians in the NCR. The dental clinic is located in Building 409.

**Andrew Rader Army Health Clinic** – The US Army's principal free standing executive medicine health clinic in the NCR. The clinic serves over 14,000 beneficiaries, providing primary care, mental health, physical therapy, pediatrics, women's health and acute care and ancillary services.

**Army and Air Force Exchange Service (AAFES)** – The mission of the AAFES is to provide merchandise and services to military families worldwide and generating earnings to supplement military Morale, Welfare and Recreation (MWR) programs.

**Army and Air Force Mutual Aid Association (AAFMAA)** – The mission for the AAFMAA is to be the premier provider of insurance and survivor services to the Army and Air Force communities.

**Fort Myer Commissary** – Operated by the Defense Commissary Agency, headquartered at Fort Lee, Virginia. The mission is to operate a worldwide chain of commissaries that provides groceries to military personnel, retirees and their families within a safe and secure shopping environment.

**Criminal Investigation Division (CID)** – The U.S. Army CID is the Army's primary criminal investigative organization and DoD's premier investigative organization. The CID is responsible for conducting criminal investigations in which the Army is, or may be, a party

of interest. A complete description of the organization and its mission can be found at <http://www.cid.army.mil/mission.html>.

**U.S. Army Band** – The United States Army Band “Pershing’s Own” provides world-class music in support of the leadership of the USA to include all branches of government, DoD, Department of the Army (DoA), and the U.S. Army Military District of Washington. The U.S. Army Band “Pershing’s Own” also provides musical support for a wide spectrum of national and international events including troop support, community and civil relations, recruiting initiatives, and outreach to music education centers of influence.

**Walter Reed Army Veterinary Command (AMC)** – The United States Army Veterinary Command (VETCOM) provides military veterinary services in support of United States Army Medical Command (MEDCOM) and DoD missions in their areas of responsibility. In addition, VETCOM assures the readiness of the Veterinary Command and deploys individual and unit professional filler system (PROFIS) personnel. The responsibilities of VETCOM include food safety and quality assurance, care of government owned animals, and animal disease prevention and control.

**Center of Military History (CMH)** – The mission of the CMH is to advance knowledge through research, preserve knowledge through artifacts and records, transmit knowledge through teaching, and disseminate knowledge through historical products.

**Inter-American Defense College (IADC)** – The mission of the IADC is to prepare selected military officers, police officials, and civilians of the American nations for future senior leadership responsibilities in the Hemisphere.

**Joint Forces Headquarters -National Capitol Region Military District of Washington (JFHQ-NCR/MDW)** – JFHQ-NCR/MDW plans, coordinates, maintains situational awareness, and as directed, employs forces for homeland defense and defense support to civil authorities in the NCR Joint Operations Area to safeguard the Nation’s capital.

The U.S. Army Military District of Washington serves as the Army Forces Component and core staff element of the JFHQ-NCR to conduct operations that deter, prevent, and respond to threats aimed at the NCR; and conducts world-class ceremonial, musical and special events in support of our Nation’s leadership.

**National Defense University (NDU)** – The mission of the NDU is to prepare military and civilian leaders from the United States and other countries to evaluate national and international security challenges through multi-disciplinary educational and research programs, professional exchanges, and outreach (National Defense University unknown).

**U.S. Army Health Clinic (Fort McNair)** – One of the US Army’s principal free standing executive medicine health clinic in the NCR. The clinic serves beneficiaries by providing primary care, mental health, physical therapy, pediatrics, women’s health and acute care and ancillary services.

Information provided from the JBMHH indicates that three (3) tenant organizations at Fort Myer-Henderson Hall occupy buildings located within the Fort Myer Historic District. Two of these buildings are contributing resources to the district. Four tenant organizations occupy buildings that are contributing resources to the Fort McNair Historic District. Table 1-1 lists all of the tenant organizations and their locations at both Fort Myer – Henderson Hall and Fort McNair.

<b>Table 1-1: Fort Myer-Henderson Hall and Fort McNair Tenant Locations</b>				
<b>Bldg No.</b>	<b>Facility</b>	<b>Tenant</b>	<b>Year Built</b>	<b>NRHP-Eligibility Status</b>
<i><b>Fort Myer-Henderson Hall</b></i>				
239	Fort Myer	Walter Reed AMC (Veterinary Services)	1893	Within NHL District-
249	Fort Myer	3rd US Infantry Regiment BCT	1903	Within NHL District
305	Fort Myer	U.S. Army Criminal Investigation Division (CID)	1899	Outside Historic District
102 Sheridan Ave.	Fort Myer	Army and Air Force Mutual Aid Association		Outside Historic District
400	Fort Myer	U.S. Army Band		Within NHL District but not 50 Years Old
409	Fort Myer	Andrew Radar Dental Clinic		Outside Historic District
450	Fort Myer	Army and Air Force Exchange Service (AAFES)		Outside Historic District
523	Fort Myer	Fort Myer Commissary		Outside Historic District
525	Fort Myer	Andrew Rader Army Health Clinic and Dental Clinic		Outside Historic District
	Fort Myer	Resident Engineer Office, Baltimore District Corps of Engineers?		
<i><b>Fort McNair</b></i>				
35	Fort McNair	Center of Military History	1904, 1919	DC District & NRHP DOE
39	Fort McNair	Joint Forces Headquarters-National Capitol Region Military District of Washington	1904	DC District & NRHP DOE
58	Fort McNair	U.S. Army Health Clinic	1881	DC District & NRHP DOE
52	Fort McNair	Inter-American Defense College (IADC)	1905	DC District & NRHP DOE
62	Fort McNair	National Defense University (NDU)		Outside HD

### **1.3 ORGANIZATION OF THE ICRMP**

The remainder of the ICRMP for Fort Myer-Henderson Hall and Fort McNair is organized in the following manner. Section 2 contains a description of the Fort Myer-Henderson Hall and Fort McNair installations as well as the environmental settings in which they are situated. Section 3 contains the applicable statutes and regulations necessary for the U.S. Army to comply with their section 106 obligations for cultural resources. Section 4 presents a cultural historical overview which provides information from the earliest occupation in Virginia and the District of Columbia in the Paleo-Indian period through the Post-Cold war and present period at Fort Myer-Henderson Hall and Fort McNair. This section also contains a brief discussion of current Native American groups in the region. Section 5 contains a summary of all previous cultural resources studies conducted at Fort Myer-Henderson Hall and Fort McNair and an inventory of all identified cultural resources located at each installation.

Section 6 contains the five year management plan. This section includes a discussion of the planned undertakings largely derived from the Joint Base Real Property Master Plan (RPMP), most recently updated in June 2010 and describes how these undertakings may affect cultural resources extant on Fort Myer-Henderson Hall and Fort McNair. This section also presents priorities for the completion of the tasks identified in this ICRMP. Section 7 contains a discussion on the Economic Analysis of historic buildings and structures that are being considered for demolition and replacement at each installation. Section 8 contains a discussion on the appropriate steps to take and who to contact to initiate Native American consultation. Section 9 outlines when and why public involvement on the installations is appropriate. Section 10 contains the references cited.

There are 13 appendices for this ICRMP. Appendix A contains a list of acronyms and abbreviations used throughout the ICRMP document and Appendix B contains a glossary. Appendix C contains the Army Regulation 200-1. Appendix D contains the Secretary of the Interior's Standards for the Protection of Historic Properties 36 CFR 800 – amended August 2004. Appendix E contains the Secretary of the Interior's Professional Qualification Standards 36 CFR 61 800. Appendix F contains SHPO correspondence. Appendix G contains PAs and MOAs executed between JBMHH and its Section 106 consulting parties. Appendix H contains VASHPO guidelines and Appendix I contains DCHPO guidelines. Appendix J contains the three Preservation Briefs that are most relevant to Fort Myer-Henderson Hall and Fort McNair and Appendix K contains the EA for implementation of this ICRMP.

[PAGE INTENTIONALLY BLANK]

## **2.0 ENVIRONMENTAL SETTING**

### **2.1 INSTALLATION DESCRIPTION**

#### **2.1.1 Fort Myer-Henderson Hall**

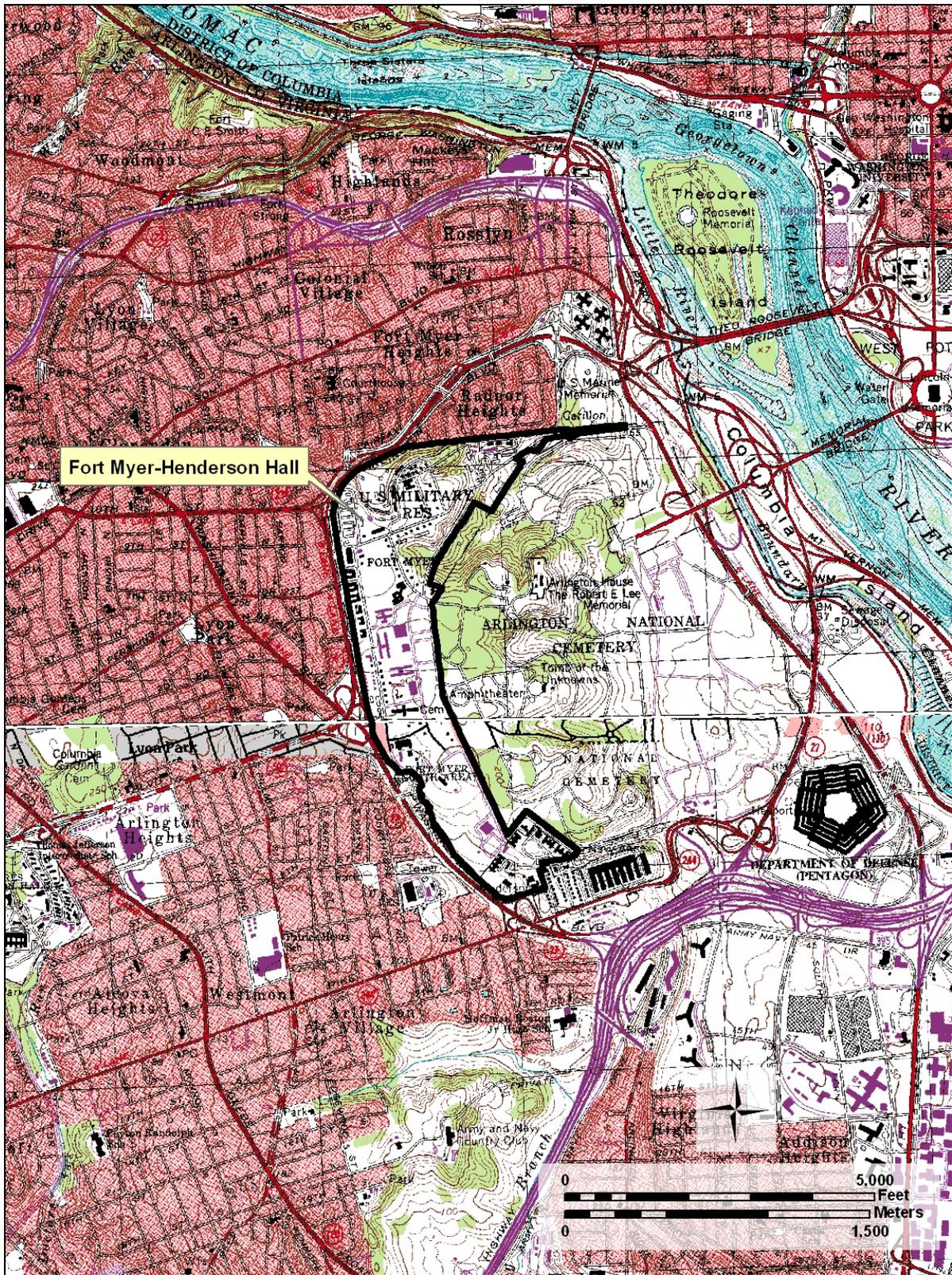
The following is adapted from the existing Archaeological Resources Management Plan (ARMP) (URS 2004). Fort Myer covers 243.4 acres adjacent to the north and west boundary of Arlington National Cemetery in Arlington, Virginia (Figure 2-1). Most of the post is developed, with only a few areas of preserved open space. The post contains barracks and residential housing for senior general officers. Many buildings serve as offices for the commissioned and civilian labor forces that operate and manage Fort Myer. There are also several large stable buildings that house ceremonial cavalry horses. Along with the built environment, open spaces present on post include historic Summerall Field, which has served as the formal Parade Ground since the early 1900s, and Whipple Field, a preserved landscape commemorating the Civil War-era Fort Whipple which was formerly situated adjacent to the field. Also preserved is a pasture area, now used as picnic grounds, along the wall that borders Arlington Cemetery.

#### **2.1.2 Henderson Hall**

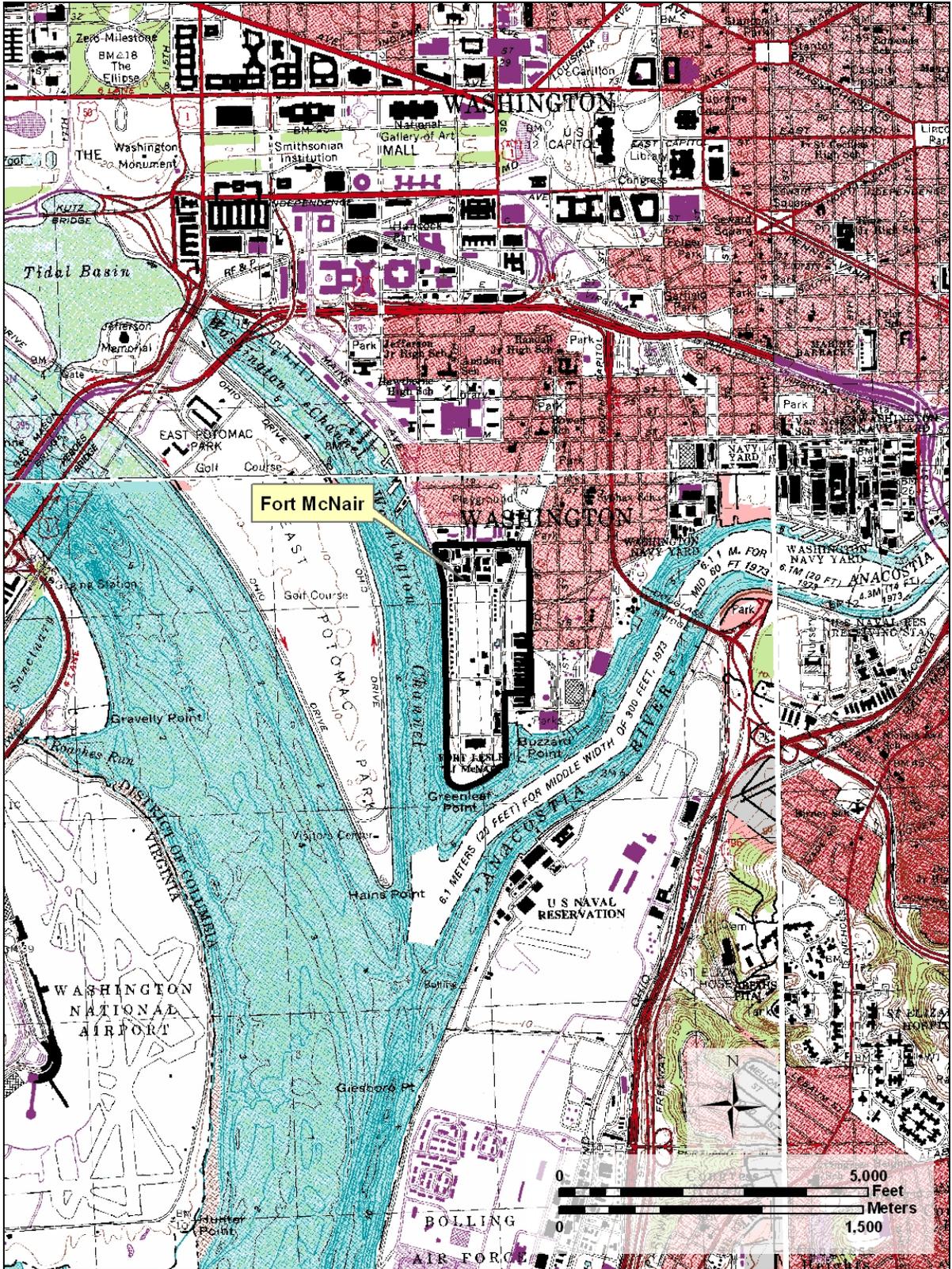
Henderson Hall comprises 25.6 acres and is located at the south end of Fort Myer. Part of the Arlington Estate of George Washington Park Custis, the land where Henderson Hall is located was part of a gift from George W P Custis to one of his freed slaves, Maria Syphax. The Syphax land was acquired by the U.S. Government in 1943 for redevelopment and installation of the Women's Marine Reserves, later to become Henderson Hall. In 1927, Abbey Mausoleum was erected on the site. However, all 19th and early 20th century buildings have been demolished. Today, Henderson Hall is comprised of late 20th century buildings providing support services. .

#### **2.1.3 Fort McNair**

The following is adapted from the existing CRMP (KSF1994), with additional information from (FMMC 2008). Fort McNair is located in southwestern Washington, D.C., at the confluence of the Anacostia River and the Washington Channel of the Potomac River (Figure 2-2). The installation encompasses 107.8 acres. Fort McNair houses the National Defense University, provides headquarters for the Military District of Washington, and is the home of the Army's vice chief of staff, as well as other senior officers. The post also houses Company A, 3rd U.S. Infantry, known as the Commander-in-Chief's Guard.



**Figure 2-1: Location of Fort Myer-Henderson Hall**  
(USGS 7.5' Washington West, Alexandria Quadrangles)



**Figure 2-2: Location of Fort McNair**  
(USGS 7.5' Washington West, Washington East, Anacostia, Alexandria Quadrangles)

## **2.2 PHYSIOGRAPHY/GEOLOGY**

### **2.2.1 Fort Myer and Henderson Hall**

The following is adapted from the existing ARMP (URS 2004). Fort Myer and Henderson Hall are located at the Fall Line transition between the Piedmont Uplands and the unconsolidated soils of the Coastal Plain (Smith 1976). Historically, several small drainages ran through the post, but most have been either channeled in culverts or filled in. Among the tributaries of the Potomac River that flow in and around Fort Myer, Wampakin Run, originates in the Fort Meyer picnic area and flows south through Arlington National Cemetery. Long Branch extends along the western and southern boundary of the Fort Myer and southern boundary of Henderson Hall, but has been canalized and flows through a series of culverts. Several intermittent drainages can be seen around Whipple Field and along the steep slopes and ravines north of the picnic area.

### **2.2.2 Fort McNair**

The following is adapted from LeeDecker and Anderson (1982). Fort McNair is located on the Atlantic Coastal Plain, south of the Fall Line transition from the Piedmont. The Atlantic Coastal Plain is a mass of unconsolidated sediments that rest on a surface of hard crystalline rock of Precambrian and Paleozoic age. The coastal plain was formed primarily by the deposition of sediments transported from the Appalachian Mountains and the Piedmont Province beyond the fall line. In the vicinity of the study area, the thickness of the coastal plain deposits is between 200 and 300 feet (Smith 1976). The Coastal Plain is generally characterized by nearly level topography that shows only gradual changes in elevation. Recent fill deposits mantle the post and adjacent neighborhoods: the natural topography of the area has been altered by deposition of fill; the present land surface rises only slightly toward the east and north. Historically, the western portion of the area contained the channel of James Creek and later the James Creek Canal, while the adjacent land surfaces to the east was a low-lying floodplain.

## **2.3 SOILS**

### **2.3.1 Fort Myer and Henderson Hall**

Portions of the following description are adapted in from the existing ARMP (URS 2004). Soils at Fort Myer and Henderson Hall are developed from ancient terraces of the Potomac River as well as from weathered bedrock of the Piedmont. The topography in this area includes upland knolls and steep slopes, with elevations ranging between approximately 140 and 250 feet above mean sea level (amsl). Many of the remnant terraces of the Potomac River within the area contain superficial deposits of varying-sized cobbles and gravels of Pleistocene age that form a thin layer over both bedrock and ancient, weathered-in-place upland soils (Kise, Franks & Straw [KFS]1991:13). Soil within the boundaries of the installation (Figure 2-3) is characterized by the Soil Conservation Service as a single type: Urban land-Udorthents complex, 2-15 percent slope (Harper 2007:42; USDA- Natural Resources Conservation Service [NCRS] n.d.). In general, this classification describes highly disturbed or developed land. Urban land is described as areas more than 80 percent of

which are covered by impervious surfaces (such as concrete or asphalt) or buildings (Smith 1976:50). Udorthents consist of mixed earthy fills including “a mixture of organic and inorganic waste from human activity and sandy, gravelly, clayey, silty, and micaceous soil material.” Udorthents are typically located on poorly drained soils as a base for development (Smith 1976:45).

### **2.3.2 Fort McNair**

The following is adapted from the existing CRMP (KSF1994). Fort McNair lies within an area classified by the Soil Conservation Service as either Matapeake-Urban land complex and Urban land (Figure 2-4) (Smith 1976:36; USDA-NCRS n.d.). Matapeake soils are well-drained silt loams, while Urban land includes ground that is more than 80 percent covered with pavement or buildings. The Matapeake-Urban land complex is characterized as Matapeake soils that have been graded and/or covered with fill for urban development, with 20 percent or less of the area comprising undeveloped soil (Smith 1976:36).

## **2.4 CLIMATE**

The climate of the Washington, D.C., area, including Arlington County, is humid and semi-continental, with meteorological systems generally flowing west to east. In seasonal variation, summer and fall are dominated by tropical air masses originating in the Gulf of Mexico and moving northward, while winter is more frequently characterized by cold, dry air streaming out of central Canada (Mack 1966). The average winter temperature is 37 degrees Fahrenheit, while the summertime average is 77 degrees. Total annual precipitation averages about 39 inches, of which about 18 inches fall in the form of snow (Smith 1976).

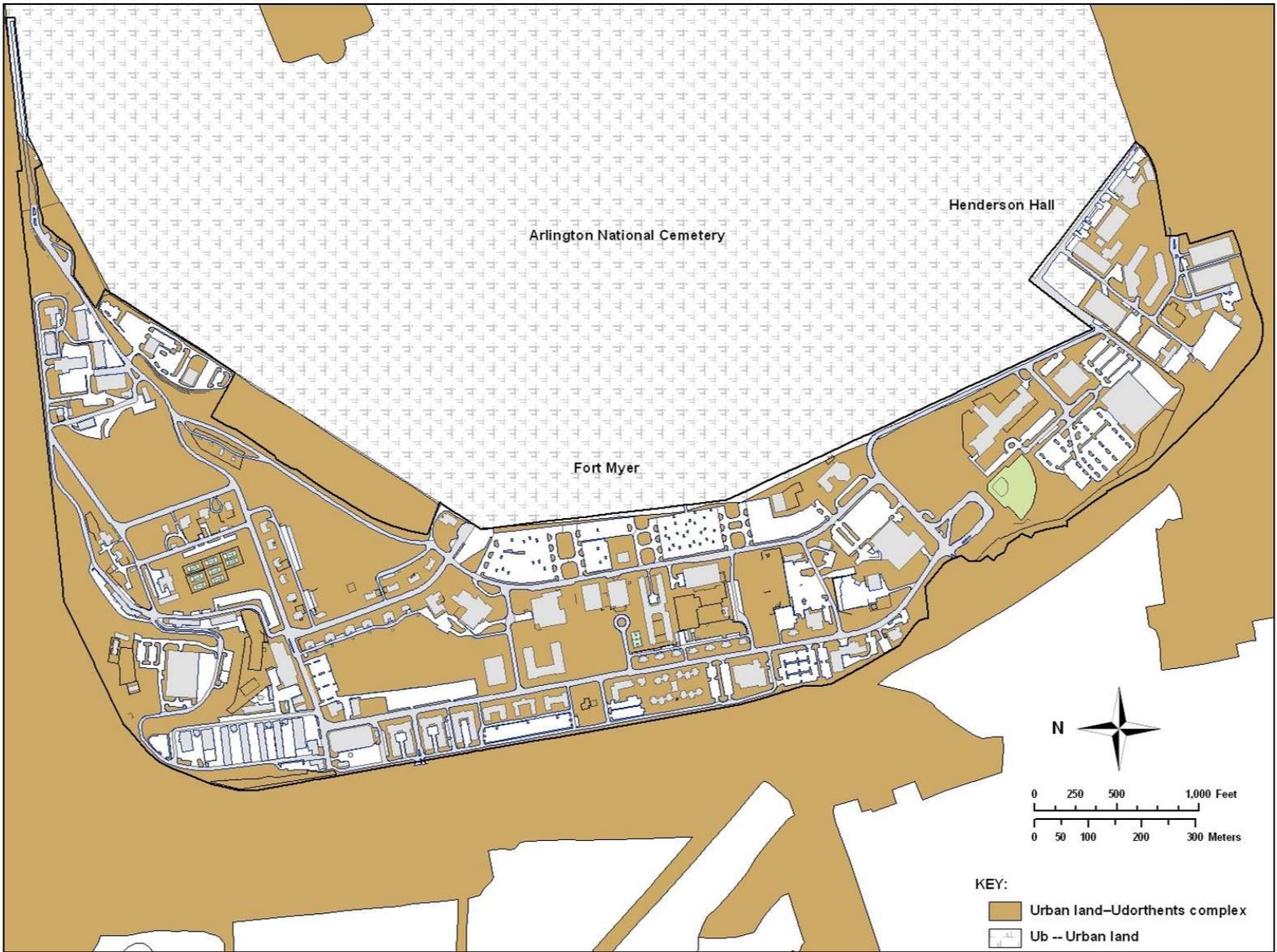


Figure 2-3: Distribution of Soil Types within Fort Myer-Henderson Hall

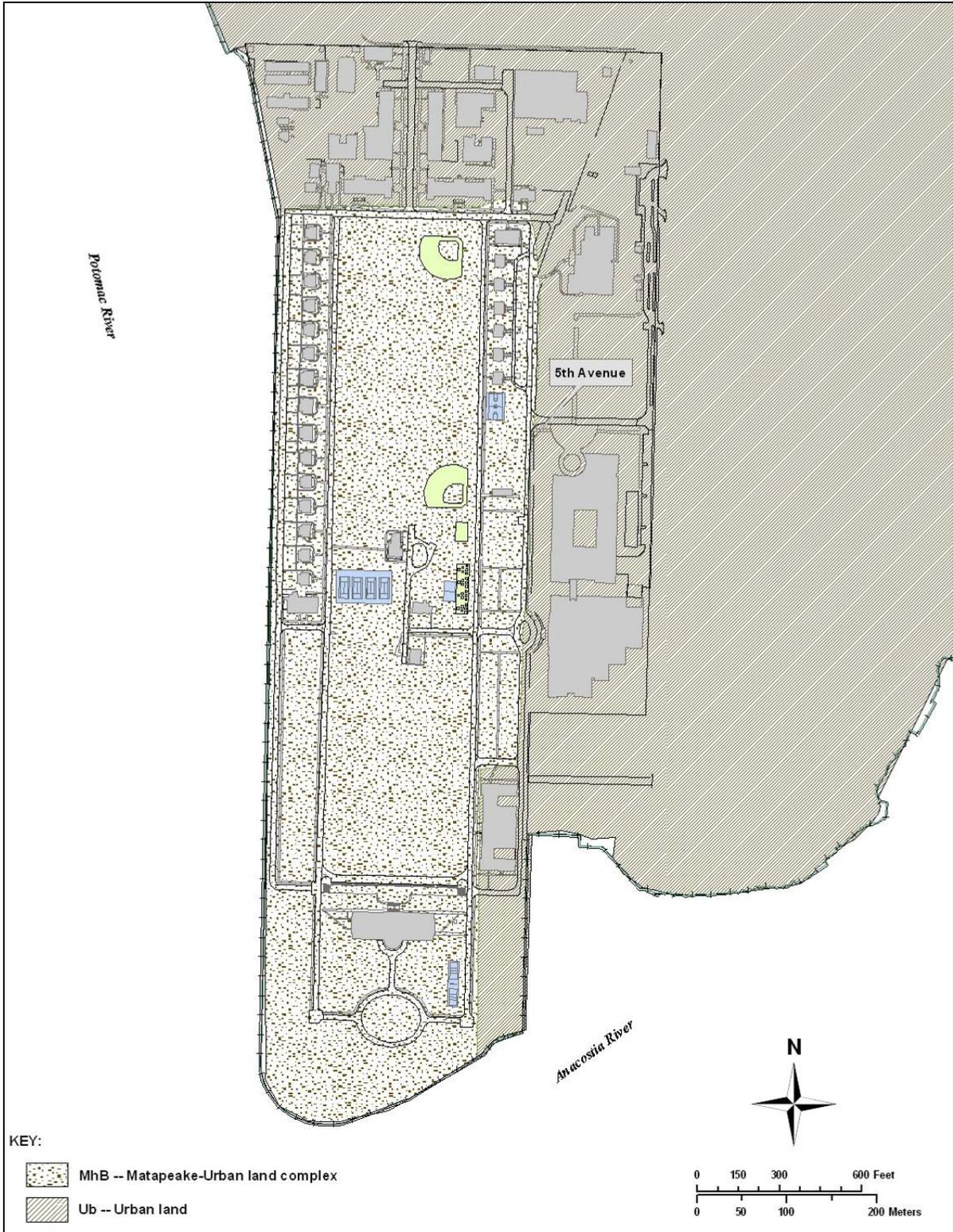


Figure 2-4: Distribution of Soil Types within Fort McNair

## 2.5 BIOTA

Functioning terrestrial and aquatic ecological systems exist within both installations, although natural land and water environments that were present before urbanization have been severely disturbed. Although now masked by the many changes along the shoreline, a number of different ecological zones would have been present near the sites in early historical and late prehistoric times. These zones can be characterized as estuarine, marshy, floodplain, and Coastal Plain upland habitats.

The upper end of the Potomac basin, including the tidal Anacostia, is considered a mid-estuary habitat. This area is described as a tidal freshwater zone with salinity levels of less than 0.5 parts per thousand both at surface and bottom throughout the year (Lippson et al. 1979). Silting and chemical pollutants have until lately rendered area watercourses virtually devoid of life, but recent cleanup efforts have resulted in the return of a number of species (Bandler 1989). A variety of freshwater fish species have been recorded in the area, including carp, largemouth bass, gar, blue gill, catfish, and crappie. Anadromous and semi-anadromous species (those running upstream from saltwater environments to spawn in freshwater) are present in the form of striped bass, white perch, alewife, and several varieties of herring and shad (Lippson et al. 1979).

Tidal freshwater marshes have formed along the Potomac estuary at various confluences with tributary streams. These wetland areas are normally rich in natural resources, attracting plant species such as cattail, smartweed, bulrush, and cordgrass, as well as various tubers (Lippson et al. 1979). The marshes harbor a large number of both native resident and migratory bird species, along with a variety of reptile and mammal species.

Fort Myer and Fort McNair lie within the oak-hickory forest as defined by Shelford (1963). Naturally occurring arboreal species included several sub-species of oak, hickory, and chestnut, along with maple, walnut, poplar, sycamore, gum, and pine, many occupying the more poorly drained ground represented by flats, toe slopes, depressions, or stream and wetland margins. Understory species included dogwood, holly, laurel, birch, ash, willow, and hornbeam, along with various shrubs and vines (Hitchcock and Standley 1919; Smith 1976).

In their natural condition, the marshes along the Potomac and Anacostia and the wooded ground on terraces above would have harbored numerous mammal species, including black bear, bobcat, white-tailed deer, and smaller mammals, such as raccoon, opossum, rabbit and squirrel, that inhabit the forest edge environment. The present-day, highly urbanized character of the area has meant a considerable decline in the number of plant and animal species actually observed. Land reclamation and filling have altered pre-existing topographic contours, often at the expense of the ecologically rich tidal marshes along shorelines. Open ground now typically contained planted grasses or trees and shrubs. Animals are mostly small, seen in the form of rodent or insect populations, or as scavenger species, such as raccoon or opossum, that are especially suited to an urban parkland setting.

### **3.0 LEGISLATIVE AND REGULATORY REQUIREMENTS**

This chapter summarizes the federal statutes, regulations, Executive Orders (EOs), and memoranda applicable to the management of historic properties and the operation of the JBM-HH cultural resources program. This chapter is organized as follows: Section 3.1 summarizes each of the federal laws that pertain to cultural resources. Section 3.2 outlines the implementing regulations and guidelines. Section 3.3 summarizes EOs and Presidential Memoranda. U.S. Army regulations, protocols, and guidelines are presented in Section 3.4. Section 3.5 includes summaries of PAs and Comments executed between the ACHP and the DoD or Army for alternate compliance procedures and the treatment of specific property types at military installations. State and local regulations/guidelines are included in Section 3.6 and guidance specific to JBM-HH is addressed in Sections 3.7 and 3.8. Additional discussions of legislation are contained within the various sections of the document that address procedures for complying with legislative acts and regulations.

Federal legislation and regulations apply to the management of cultural resources on federal reservations, including military installations like Fort Myer, Henderson Hall, and Fort McNair. Federal and Army regulations also apply to tenants (i.e., other federal agencies, contractors, and lessees) situated on real property under the Army's jurisdiction.

#### **3.1 FEDERAL LEGISLATION**

##### **3.1.1 National Environmental Policy Act**

The NEPA of 1969, as amended, requires decision makers to consider the environmental effects of their proposed programs, projects, and actions prior to initiation. Impact assessments under NEPA must consider effects on all types of cultural resources as well as any effects on Native American groups, or other ethnic and social communities to whom cultural resources may be important.

NEPA is implemented by 40 Code of Federal Regulations (CFR) Parts 1500 through 1508.

##### **3.1.2 National Historic Preservation Act, Public Law 89-665; 16 U.S. Code (U.S.C.) Sections 470-470W-6**

The NHPA of 1966 is the primary federal statute that addresses the management of cultural resources. It establishes federal policy on historic preservation and provides the framework by which the nation's historic preservation program has been developed. Provisions of NHPA most applicable to the Army's historic preservation program include:

**National Register of Historic Places (NRHP).** The NRHP is the nation's inventory of historic properties of value on a state, local, or national level. It also serves as the national repository of documentation on the variety of historic property types.

**State Historic Preservation Officers (SHPO).** The NHPA provides for a SHPO appointed by the governor to oversee a state's historic preservation program and integrate it into the national program.

**Advisory Council on Historic Preservation (ACHP).** The ACHP was created to review federal actions concerning historic properties and to advise the President and Congress on historic preservation issues.

**Regulations, standards, and guidelines.** This guidance is to be consulted by the ACHP and the Department of the Interior with respect to issues, regulations, standards, and guidelines related to provisions of NHPA.

As defined under NHPA (Section 301), a historic property includes any prehistoric or historic district, site, building, structure, or object included in, or eligible for inclusion in, the National Register, including artifacts, records, and material remains related to such a property or resource. The primary responsibilities of federal agencies under NHPA are contained in the following sections of NHPA:

**Section 106** requires that, prior to conducting activities classified as undertakings, federal agencies:

- Take into account the effects of undertakings on historic properties.
- Allow the ACHP an opportunity to comment on undertakings that could affect historic properties.

The implementing regulation for Section 106 is 36 CFR Part 800. Section 106 guidance was revised by the ACHP and published in Federal Register (FR) (69 F.R. 40544) on July 6, 2004. The new guidance became effective on August 5, 2004. Additional information on the Section 106 process is available on the ACHP website [www.achp.gov](http://www.achp.gov).

**Section 110** affects all activities concerning historic properties under federal jurisdiction. It requires federal agencies to:

- Assume responsibility for, and undertake preservation of, historic properties under their jurisdiction.
- Ensure that historic properties are adequately documented prior to engaging in alteration.
- Designate historic preservation officers.
- Consider the preservation of historical and cultural values in the management of historic properties.
- Exercise a high standard of care in the management of NHLs.
- Expend funds to carry out historic preservation responsibilities and, if appropriate, pass costs on to federal license and permit applicants.
- Develop programs to identify, evaluate, and nominate historic properties to the NRHP.

Section 110 guidelines were published in the Federal Register on February 17, 1988 (53FR4727-46).

**Section 111** addresses the lease or exchange of historic properties, including stipulations for agreements to manage those properties. Federal agencies are directed to:

- Establish and implement alternatives for historic properties not needed by the agency for current or projected uses. This includes adaptive use.
- Lease historic properties, as necessary, if the lease will adequately ensure the preservation of the historic property.
- If desired, contract the management of historic properties following consultation with the ACHP to ensure adequate preservation of the properties.

### **3.1.3 Historic Sites Act of 1935**

This Act establishes as national policy the preservation for public use of historic resources by giving the Secretary of the Interior the power to undertake historic surveys and to document, evaluate, acquire, and preserve archaeological and historic sites across the country. This Act led to the eventual establishment within the National Park Service (NPS) of the Historic American Buildings Survey/Historic American Engineering Record (HABS/HAER) division, as well as the NHL Program and the National Natural Landmarks Program.

### **3.1.4 Archaeological and Historic Preservation Act of 1974**

The Archaeological and Historic Preservation Act (AHPA) of 1974 provides for survey, recovery, preservation, and protection of scientific, prehistoric, historic, or archaeological data that may be irreparably lost as a result of any federal construction project or federally licensed project, activity, or program. The AHPA has been interpreted as providing protection for paleontological resources, which are included within the category of scientific data.

### **3.1.5 Archaeological Resources Protection Act, Public Law 96-95; 16 U.S.C. 470aa-470mm, as amended**

Provisions of the Archaeological Resources Protection Act (ARPA) that are applicable to federal or Native American lands set forth requirements beyond those of NHPA. These include: establishing standards for permissible excavation, as validated through a permit process, and prohibiting unauthorized excavation by:

- Prescribing civil and criminal penalties for violations of ARPA.
- Requiring federal agencies to identify archaeological sites.
- Encouraging cooperation between federal agencies and private individuals.

ARPA defines archaeological resources as:

...any material remains of past human life or activities which are of archaeological interest, as determined under uniform regulations promulgated pursuant to this chapter. Such regulations containing such determinations shall include, but not be limited to: pottery, basketry, bottles, weapons, weapon

projectiles, tools, structures or portions of structures, pit houses, rock paintings, rock carvings, intaglios, graves, human skeletal materials, or any portion or piece of any of the foregoing items. Nonfossilized and fossilized paleontological specimens, or any portion or piece thereof, shall not be considered archaeological resources, under the regulations under this paragraph, unless found in archaeological context. No item shall be treated as an archaeological resource under regulations under this paragraph unless such item is at least 100 years of age.

### **3.1.6 Native American Graves Protection and Repatriation Act, Public Law 101-601; 25 U.S.C. 3001-3013**

The Native American Graves Protection and Repatriation Act (NAGPRA) requires consultation with appropriate Native groups (e.g., Native Americans, Alaska Natives, Native Hawaiians) prior to excavation (either intentionally or through inadvertent discovery) of specified cultural items, comprising:

**Human remains.** The physical remains of the body of a person of Native American ancestry. The term does not include remains or portions of remains that may reasonably be determined to have been freely given or naturally shed by the individual from whose body they were obtained, such as hair made into ropes or nets and not part of a burial.

**Associated funerary objects.** Objects that, as part of the death rite or ceremony of culture, are reasonably believed to have been placed with individual human remains, where both the human remains and associated funerary objects are in the possession or under the control of a federal agency or museum.

**Unassociated funerary objects.** The same as associated funerary objects, except that the human remains are not in the possession or control of the federal agency or museum, and the objects can be identified by a preponderance of evidence.

**Sacred objects.** Specific ceremonial objects needed by traditional Native American religious leaders for the practice of traditional Native American religions by their present-day adherents.

**Items of cultural patrimony.** Objects having ongoing historical, traditional, or cultural importance central to the Native American group itself.

In addition to consultation, NAGPRA specifically requires federal agencies to inventory and repatriate Native American cultural items in their possession.

### **3.1.7 American Indian Religious Freedom Act, Public Law 95-341; 42 U.S.C., 1990**

The American Indian Religious Freedom Act (AIRFA) establishes the rights of Native Americans to have access to sacred sites or sites of religious importance. AIRFA defines a religious site as any place or area including, but not limited to, any geophysical or geographical area or feature:

- Sacred to Native American religion;
- Where Native American practitioners are required by their religion to gather, harvest, or maintain natural substances or natural products for use during ceremonies, rituals, or for spiritual purposes and/or;
- Which is utilized by Native American religious practitioners for ceremonies, rituals, or other spiritual practices.

A religious site may or may not contain physical remains, objects, or other elements that could identify it as an archaeological site. AIRFA defines objects as specific items of use for religious practices that have spiritual or ritualistic importance. They may include sacred objects, non-sacred objects, and objects of cultural patrimony. Additional information on Native American traditional resources and how to protect them can be found in National Register Bulletin 38 (Parker and King 1998).

AIRFA has no affirmative position on Native American consultation; however, the intent of AIRFA (i.e., the identification of religious or sacred sites so that access can be allowed) can be met only through the consultation process.

### **3.1.8 Americans with Disabilities Act of 1990; 42 U.S.C. 12101**

The Americans with Disabilities Act (ADA) of 1990 provides a national mandate prohibiting discrimination against disabled individuals. It defines a disabled individual as any individual having a physical or mental impairment that limits his or her life activities. Further, it establishes standards addressing discrimination toward disabled individuals and ensures that the federal government plays a central role in enforcing these standards. In addition to providing access to facilities, this legislation addresses the accessibility of interpretive media, including the closed-captioning of all video and films and exhibits, as well as specially designed brochures for the visually impaired. This law is relative to cultural resources management because of its applicability to the preservation and protection of historic buildings and their character-defining features.

### **3.1.9 Section 504 of the Rehabilitation Act of 1973; 29 U.S.C. 70; and implementing regulations of the Department of Health, Education, and Welfare; 45 CFR Parts 84, 85**

Section 504 of the Rehabilitation Act of 1973 and implementing regulations stipulate that federal agencies are required to publish regulations to ensure that federally assisted programs are accessible to all handicapped persons. Modifications for handicapped access not consistent with the Secretary's Standards for the Treatment of Historic Properties (36 CFR part 68) and applicable guidelines are considered adverse effects (36CFR800.5(a)(2)(ii)). Historic properties shall be equipped with programs accessible to and usable by handicapped persons that are in accordance with the Secretary's Standards. For further guidance on Army responsibilities regarding program accessibility for handicapped persons at historic properties see Army Regulation 600-7 Chapter 3-5 in Section 3.4.

### **3.1.10 Public Law 90-480, "Architectural Barriers Act," August 12, 1968, as amended (42 U.S.C. 4151 et seq.)**

This legislation establishes standards for physical access. Any newly constructed facilities must be designed to allow accessibility by visitors and/or staff with disabilities. Projects involving historic structures that require modification must be undertaken with the participation of a historic architect in compliance with other federal regulations, such as the NHPA. Alternative methods of accessibility must also be considered.

## **3.2 FEDERAL REGULATIONS AND GUIDELINES**

### **3.2.1 Protection of Historic and Cultural Properties; 36 CFR Part 800, as amended**

The implementing guidance for Section 106 of the NHPA is provided in 36 CFR Part 800, Protection of Historic and Cultural Properties. The regulation defines the process by which conflicts between historic preservation goals and proposed activities are identified and establishes the steps for resolution of conflicts through consultation. In addition to detailed procedures regarding the Section 106 process, the regulation provides identification of the various participants in the process, both consulting parties and interested persons.

The most recent revisions to 36 CFR Part 800 were published in the Federal Register and became effective August 5, 2004. Most of the revisions pertain to court decisions which held (1) that the ACHP could not require a federal agency to change its determinations regarding whether its undertakings affected or adversely affected historic properties, and (2) that Section 106 does not apply to undertakings that are merely subject to state or local regulation administered pursuant to a delegation or approval by a federal agency. The final amendments clarify that ACHP opinions on effect findings are advisory and do not require federal agencies to reverse their findings. The final amendments still require a federal agency that makes an effect finding and receives a timely objection to submit it to the ACHP for a specified review period. Within that period, the ACHP will then be able to give its opinion on the matter to the agency official and, if it believes the issues warrant it, to the head of the agency. The agency official, or the head of the agency, as appropriate, would take into account the opinion and provide the ACHP with a summary of the final decision that contains the rationale for the decision and evidence of consideration of the ACHP's opinion. However, the federal agency would not be required to abide by the ACHP's opinion on the matter.

The amendments also change the time period for the ACHP to issue its opinion regarding "No Adverse Effect" findings, by allowing the ACHP to extend its 15 day response period to accommodate schedules of ACHP members and staff, who would be most likely be formulating such responses. An additional amendment clarifies that even if a SHPO/ Tribal Historic Preservation Officers (THPO) concurs with an agency's "No Adverse Effect" finding; the ACHP and any consulting party still have until the end of the 30 day review period to file an objection. Such objections would require the federal agency to either resolve the objection or submit the dispute to the ACHP for its non-binding opinion.

The final amendments establish that the ACHP can propose an exemption to the Section 106 process on its own initiative, rather than needing a federal agency to make such a proposal.

### **3.2.2 National Register of Historic Places; 36 CFR Part 60**

The process by which properties are added to, or removed from, the NRHP is provided in 36 CFR Part 60, *National Register of Historic Places*. Of critical importance to the Army's cultural resources program is Part 60.4, which provides the NRHP criteria for evaluation. These criteria state that the quality of significance is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association and

- (a) that are associated with **events** that have made a significant contribution to the broad patterns of our history; or
- (b) that are associated with the **lives of persons** significant in our past; or
- (c) **that embody the distinctive characteristics** of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- (d) that have yielded, or may be likely to yield, information **important in prehistory or history**.

### **3.2.3 Procedures for Approved State, Tribal, and Local Government Historic Preservation Programs; 36 CFR Part 61**

As required by the NHPA, the Secretary of the Interior promulgated Regulation 36 CFR Part 61: *Procedures for Approved State, and Local Government Historic Preservation Programs* to establish a process whereby state and local programs are ratified. Of importance to this discussion of the Army's regulatory requirements are the Secretary of the Interior's Professional Qualification Standards, published as Appendix A of 36 CFR Part 61, in the Federal Register in 1983 (48 FR 44716, September 29). These standards are included as Appendix E of this document. These standards define the minimum education and experience required to perform the historic preservation activities addressed within the Secretary of the Interior's Standards and Guidelines. The categories of activities include: archaeology, architectural history, architecture, historic architecture, and history. Proposed revisions to the standards were published in the Federal Register in 1997, but were never adopted.

### **3.2.4 The Section 110 Guidelines: Annotated Guidelines for Federal Agency Responsibilities under Section 110 of the National Historic Preservation Act**

These guidelines were developed by the Secretary of the Interior and the ACHP to assist federal agencies in establishing, monitoring, reviewing, and evaluating their programs for compliance with Section 110 of the NHPA. The overall purpose of the guidelines is to ensure the integration of historic preservation responsibilities into a federal agency's plans and programs. Step-by-step guidance is provided for implementation of each subsection of

Section 110. Of greatest importance to this ICRMP are the following guidelines (followed by reference to the pertinent subsection):

- Examples of various effective uses of historic properties (a)(1).
- Considerations for the management of historic properties, including, but not limited to, level and area of significance, kinds of value, integrity, condition, costs to maintain, and existing use or potential reuse (a)(1).
- Establishment of a program to locate, inventory, and nominate all properties that appear to qualify for inclusion in the National Register (a)(2).
- Avoidance of damage to historic properties through deterioration, demolition, alteration, transfer, or related actions (a)(2).
- Appropriate documentation of historic properties subject to alteration or demolition, and proper distribution of that documentation (b).
- Designation of a federal preservation officer, including recommended qualifications (c).
- Recommendations for the procurement of funds to accomplish historic preservation activities (g).

### **3.2.5 Archaeology and Historic Preservation: Secretary of the Interior's Standards and Guidelines (48FR44716-39, September 29, 1983)**

These Standards and Guidelines provide technical advice for the accomplishment of archaeological and historic preservation activities and methods. They are not regulatory, nor are they meant to establish agency policy. Each section is organized into three parts: standards, guidelines, and technical sources. Information is published on the following topics:

**Preservation Planning.** This section describes the relationship between the key elements of preservation activities—identification, evaluation, registration, and treatment of historic properties. One of the most detailed discussions within this section is the development of historic contexts.

**Identification.** These standards and guidelines are designed to assist in the gathering of information on historic properties. Specific procedures are provided for developing a research design, conducting archival research, performing the field survey, and reporting results of these efforts.

**Evaluation.** This section provides guidance on determining whether resources identified meet the criteria of significance. The process under which the criteria are applied and the preparation of an inventory of historic properties is discussed.

**Registration.** The standards and guidelines for registration provide procedures for and purpose of registration programs. The types of documentation that should be included as part of the process are also discussed.

**Historical Documentation.** This is the first of three sets of documentation standards. In general, documentation encompasses a wide variety of treatment options designed to preserve or protect properties or to document their historic values and information. Historical documentation provides information related to the significance of a given property to many historic preservation specialists (e.g., historians, architects, and archaeologists). It can be used early in the planning process to assist with identification and evaluation activities, or as part of a complete treatment plan to be applied to significant properties. Critical to effective historical documentation is the development of a sound research design with specific objectives and carefully selected research methods.

**Architectural and Engineering Documentation.** These standards and guidelines address the documentation of historic buildings, sites, structures, and objects. This generally includes measured drawings, photographs, and textual information. Within the guidelines are specific procedures for the development of HABS/HAER documentation.

**Archaeological Documentation.** Like the previously discussed standards for documentation, archaeological documentation can be appropriate at any time during the historic preservation process. Activities can include archival research, observation, and recording of both above-ground and below-ground resources. Objectives and methods must be carefully defined and are most often contained within a research design. Curation of materials and records recovered during the project and the reporting of results of the investigation complete the archaeological documentation process.

**Historic Preservation Projects.** Eight general standards, and associated specific standards, are provided for the treatment of historic properties. Topics discussed include acquisition, protection, stabilization, preservation, rehabilitation, restoration, and reconstruction. The guidelines provide extremely detailed procedures for the effective implementation of the previously listed treatment options.

**Professional Qualification Standards.** These qualifications were originally published as Appendix A to 36 CFR Part 61. These standards define the minimum education and experience required to perform the historic preservation activities addressed within the Secretary of the Interior's Standards and Guidelines.

### **3.2.6 Protection of Archaeological Resources; 43 CFR Part 7**

*Protection of Archaeological Resources* provides regulations implementing ARPA. Identical versions of Subpart A, Uniform Regulations, were issued as 32 CFR Part 229, for the DoD. Among the procedures provided are those that relate to:

- Permit requirements, exceptions, and application process.
- Custody of archaeological resources removed from federal lands.
- Assessment of damages and civil penalties for ARPA violations.
- Confidentiality of information regarding the location and nature of archaeological resources.

### **3.2.7 Department of the Interior, Curation of Federally Owned and Administered Archaeological Collections; 36 CFR Part 79**

This regulation requires that staff and consultants responsible for the curation, management, and preservation of archaeological collections be qualified museum professionals. Items should be handled, stored, cleaned, and conserved in an appropriate manner; if items are exhibited, the collection shall be exhibited in a manner appropriate to the nature of the material remains and associated records, protected from breakage and/or deterioration, and preserved so that it may be studied in future laboratory analyses. Site forms, field notes, artifact inventory lists, computer disks and tapes, catalog forms, and a copy of the final report shall also be curated in a manner as to protect them from theft, fire, or other damage. Collections should be periodically inspected and monitored for damage and deterioration, as well as inventoried to verify the location of material remains, associated records, and other federal personal property that is furnished to the repository in accordance with Section 79.11. Access to the collection for scientific, educational, and religious purposes shall also be provided in accordance with Section 79.10.

### **3.2.8 Eagle Permits, Permits for Indian Religious Purposes; 50 CFR Part 22.22**

This regulation permits the possession, taking, and transportation of golden and/or bald eagles, or their parts, eggs, or nests for religious use by Native American religious ceremonial or cultural activities. It requires individuals to submit a completed application form to the DoI providing the basic information, such as name and address, certification from the Bureau of Indian Affairs (BIA) showing Native American heritage, and certification from an authorized official of the religious group performing bona fide tribal religious ceremonial or cultural activities.

For the preservation of bald and golden eagles, the Secretary of the Interior may permit or deny the possession, taking, or transportation of specimens for agricultural or scientific societies, exhibition by public museums or zoological parks, or religious purposes of Native American tribes.

### **3.2.9 National Historic Landmarks Program; 36 CFR Part 65**

NHLs are a special category of historic property so designated by the Secretary of the Interior because of their national importance in American history, architecture, archaeology, engineering, or culture. Section 800.10 of the ACHP's implementing regulations for the NHPA (36 CFR Part 800) and Section 110(f) of the NHPA specify special protection for NHLs.

The National Natural Landmarks Program was established in 1962 under the authority of the Historic Sites Act of 1935. A National Natural Landmark is a nationally significant natural area that has been designated by the Secretary of the Interior. To be nationally significant a site must be one of the best examples of a type of biotic community or geologic feature in its physiographic province. Examples of the natural diversity include terrestrial and aquatic ecosystems, features, exposures, and land forms that record active geologic processes as well as fossil evidence of biological evolution. The goal of the National Natural Landmarks

Program is to identify, recognize, and encourage the protection of sites containing the best examples of geological and ecological components of the nation's landscape.

### **3.3 EXECUTIVE ORDERS AND PRESIDENTIAL MEMORANDA**

Executive orders (EO) and memorandums have been enacted that advance the protection, preservation, and promotion of prehistoric and historic resources also may affect CRM activities. These include:

- Executive Order 13287 Preserve America, March 3, 2003.
- Executive Order 11593, Protection and Enhancement of the Cultural Environment, May 13, 1971.
- Executive Order 13007, Indian Sacred Sites, May 24, 1996.
- Executive Order 13175 – Consultation and Coordination with Indian Tribal Governments, 2000.
- Memorandum for Heads of Executive Departments and Agencies, 29 April 1994: Government-to-Government Relations with Native American Tribal Governments.
- Memorandum for Heads of Executive Departments and Agencies, dated April 29, 1994: Policy Concerning Distribution of Eagle Feathers for Native American Religious Purposes.

#### **3.3.1 Executive Order 13287 Preserve America, March 3, 2003**

EO 13287 provides leadership in preserving America's heritage by actively advancing the protection, enhancement, and contemporary use of the historic properties owned by the Federal Government, and promotes intergovernmental cooperation and partnerships for the preservation and use of historic properties; directs Federal agencies to increase their knowledge of historic resources in their care and to enhance the management of these assets; encourages agencies to seek partnerships with State, tribal, and local governments and the private sector to make more efficient and informed use of their resources for economic development and other recognized public benefits; better combines historic preservation and nature tourism by directing the agencies to assist in the development of local and regional nature tourism programs using the historic resources that are a significant feature of many State and local economies.

#### **3.3.2 Executive Order 11593, Protection and Enhancement of the Cultural Environment, May 13, 1971**

EO 11593 directs Federal agencies to provide leadership in preserving, restoring, and maintaining the historic and cultural environment of the nation, to ensure the preservation of cultural resources; to locate, inventory, and nominate to the NRHP all properties under their control that meet the criteria for nomination; and to ensure that cultural resources are not inadvertently damaged, destroyed, or transferred before the completion of inventories and evaluations for the NRHP. The intent of EO 11593 was integrated into the NHPA, Section 110 through the 1980 amendments to the statute.

### **3.3.3 Executive Order 13007, Indian Sacred Sites, May 24, 1996**

EO 13007 directs that access to Native American sacred sites for ceremonial use by Native American religious practitioners be accommodated on federal lands. It also directs that the physical integrity of sacred sites be protected and that the confidentiality of these sites be maintained. It further directs that procedures be implemented or proposed to facilitate consultation with appropriate Native American tribes and religious leaders.

### **3.3.4 Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, November 2000**

EO 13175 released in November 2000 supercedes EO 13084. Section 2 of EO 13175 directs in part that, “In formulating policies that have tribal implications,

(a) Agencies shall respect Indian tribal self-government and sovereignty, honor tribal treaty and other rights, and strive to meet the responsibilities that arise from the unique legal relationship between the between the Federal Government and Indian tribal governments.

(b) With respect to Federal statutes and regulations administered by Indian tribal governments, the Federal government shall grant Indian tribal governments the maximum administrative discretion possible.

(c) When undertaking to formulate and implement policies that have tribal implications, agencies shall:

- (1) Encourage Indian tribes to develop their own policies to achieve program objectives;
- (2) where possible, defer to Indian tribes to establish standards; and
- (3) in determining whether to establish Federal standards, consult with tribal officials as to the need for Federal standards and any alternatives that would limit the scope of Federal standards or otherwise preserve the prerogatives and authority of Indian tribes.”

The EO further states in Section 5 that “Each agency shall have an accountable process to ensure meaningful and timely input by tribal officials in the development of regulatory policies that have tribal implications. Within 30 days after the effective date of this order, the head of each agency shall designate an official with principal responsibility for the agency’s implementation of this order. Within 60 days of the effective date of this order, the designated official shall submit to the Office of Management and Budget (OMB) a description of the agency’s consultation process.”

### **3.3.5 Memorandum for Heads of Executive Departments and Agencies, April 29, 1994: Government-to-Government Relations with Native American Tribal Governments**

This memorandum calls for consultation between federal agencies and federally recognized Native American tribes on a government-to-government basis. The designated tribal

representative will be treated as the representative of a government. Consultation shall occur formally and directly between the head of the federal agency and the tribal leader.

### **3.3.6 Memorandum for Heads of Executive Departments and Agencies, dated April 29, 1994: Policy Concerning Distribution of Eagle Feathers for Native American Religious Purposes**

The religious practices of Native Americans are protected by AIRFA. Native Americans are also permitted the use of eagle feathers for religious, ceremonial, or cultural activities by 50 CFR Part 22.22. This memorandum requires Installation Commanders to collect and transfer eagle body parts and carcasses for use in Native American religious activities. Any carcasses considered salvageable should be shipped to the U.S. Fish and Wildlife Service, Forensic Laboratory.

## **3.4 DEPARTMENT OF DEFENSE AND U.S. ARMY REGULATIONS, PROTOCOLS, AND GUIDELINES**

DoD and Army guidelines pertaining to cultural resources are generally addressed by regulations, protocols and guidelines developed specifically for the U.S. Army and the DoD community (Army, Navy, Air Force, Marines). The primary AR governing the management of cultural resources is AR 200-1, The Army's policy on environmental protection and enhancement (Appendix C).

### **3.4.1 Army Regulation 200-1, Environmental Protection and Enhancement (December 27, 2007)**

AR 200-1 prescribes Army responsibilities, policies, and procedures to preserve, protect, and restore the quality of the environment. The primary areas covered include hazardous material and hazardous waste management, water resources, and air quality; however, AR 200-1 also establishes environmental quality goals to protect and conserve natural and cultural resources.

Section 6 prescribes policies for the management of cultural resources under the jurisdiction of the Army and designates responsibilities for cultural resources management within the Army, including the Army staff level, Installation Commander, or Commander's representative. The regulation provides general procedures required to maintain compliance with federal legislation regarding cultural resources when engaging in various Army activities and provides specific procedures to follow for the development of PAs and MOAs, under Section 106 of the NHPA, NRHP nominations, and CAs or Plans of Action under NAGPRA. AR 200-1 offers guidance for the establishment of a comprehensive cultural resources management and planning strategy; offers an overview of applicable federal legislation; and provides miscellaneous information regarding the development and implementation of ICRMPs.

Applicable to the management of cultural resources are procedures to ensure early consideration and evaluation of the effects upon the environment resulting from any proposed action (as required by NEPA and further defined in AR 200-2). Programs and

activities will be implemented to prevent or minimize these effects to the extent possible. Specifically, Section 6 stipulates that:

- (1.) Establish a historic preservation program, to include the identification, evaluation, and treatment of historic properties in consultation with the ACHP, SHPO, local governments, Federally recognized Indian Tribes, Native Hawaiian organizations, and the public as appropriate. Document historic properties that will be substantially altered or destroyed as a result of Army actions.
- (2.) The religious rights of Native Americans will be protected by granting access to sites, use and possession of sacred objects, and practice of ceremonial and traditional rites. Commanders and state adjutants will consult with tribal governments before taking actions that affect Federally recognized Indian Tribes considered during the development of such plans, projects, programs and activities
- (3.) The conservation of cultural and historic resources will be promoted through the implementation of an integrated, multi-use, natural resource and land management program.

AR 200-1 further requires the development of methods and procedures for cultural resources management (Section 2-1[4][i]). Consideration of areas of cultural, historical, or archaeological significance is to be included in the preparation of environmental baseline surveys (EBSs) prepared pursuant to any real property transaction (Section 12-5[c][2][a]).

In addition, AR 200-1 requires an annual review of the environmental program. Headquarters, Department of the Army (HQDA) implemented the Environmental Performance Assessment System (EPAS) program to achieve, maintain, and monitor environmental compliance. Active army installations are assessed for compliance performance approximately every three years as recommended in DoDI 4715.6, Environmental Compliance. EPAS Guide CR.1.5.A requires that internal self-assessments occur annually and external assessments are conducted at least once every three years at all installations that require an ICRMP.

### **3.4.2 Army Regulation 210-20, Master Planning for U.S. Army Installations (1991)**

AR 210-20 describes the real property master planning processes, especially those pertaining to the development of the RPMP. The RPMP is based on installation mission and guidance from related planning documents and provides direction for the development of the installation. Among the desired results of RPMP implementation is the identification, protection, and enhancement of natural, cultural, and environmental resources; identification of environmental compliance issues; and facilitation of good stewardship of the environment. The considerations associated with these goals include: (1) the assessment of real property master planning in compliance with NEPA, and (2) incorporation of environmental (including historic preservation) reports and plans as supporting documentation to the real property master planning process.

The specific application of AR 210-20 to cultural resources management includes the development of a cultural resources baseline analysis. This presentation provides input to the discussion of environmental concerns and constraints to development, as well as the identification of information gaps to be filled through surveys and studies. An overlay graphically depicts the environmental conditions specified in the narrative. An environmental analysis of effects resulting from implementation of the Capital Investment Strategy (CIS) on cultural resources (and other areas as applicable) is designed to assess future impacts early in the planning process. Environmental documentation in support of all components of the RPMP is usually generated on a programmatic level. Among the sources of supporting information to the RPMP listed in AR 210-20 are the Historic Preservation Plan (HPP) and other cultural resources management plans.

### **3.4.3 Army Regulation 405-80, Granting Use of Real Estate (October 10, 1997)**

AR 405-80 describes procedures for making military real estate under the control of the Army available to other agencies, groups, and individuals. Specific guidelines for leases of Army lands and real property are also provided. Surveys are conducted to determine any surplus lands available, designating them excess and underused. Use by others will not be authorized by the Army if it conflicts with provisions of environmental policies and legislation, including NEPA and the NHPA. An environmental analysis is conducted to document the environmental consequences of the proposed outgrant; the analysis is incorporated into a Determination of Availability submitted to the appropriate authorities for approval prior to granting use. Other information pertinent to cultural resources in the Determination of Availability includes statements regarding the inclusion of the property in the NRHP and consideration given to requirements of the NHPA. Provisions are also set forth in AR 405-80 to allow, with the approval of the Secretary of the Army, the examination of archaeological ruins, the excavation of archaeological sites, and the collection of objects of antiquity on Army lands by qualified institutions. An ARPA permit may also be required.

### **3.4.4 Army Regulation 405-90, Disposal of Real Estate (May 10, 1985), Supplemented by Army Materiel Command Supplement (April 1, 1987)**

Procedures for the disposal of military real estate are contained in AR 405-90. Among the procedures provided are:

- Preparing recommendations to excess real property.
- Disposing of non-excess property and the acquisition of replacement land, construction, or facilities.
- Disposal of property by the General Services Administration (GSA).
- Return of withdrawn public domain lands, as appropriate.
- Disposal of property by DA.

Special considerations stipulated in AR 405-90 include compliance with environmental, historical, and cultural protection requirements. Among additional requirements for disposal of property that contains historical or cultural resources are (1) HQDA approval of DA Form 337 (*Request for Approval of Disposal of Buildings and Improvements*) for historic sites or

properties, and (2) special procedures for the protection and maintenance of historic properties declared excess or surplus.

### **3.4.5 Army Regulation 415-15, Military Construction, U.S. Army Program Development (August 30, 1994)**

This regulation supersedes AR415-13 (Military Construction, U.S. Army (MCA) Disposal of Structures) (May 1, 1984) and defines procedures associated with U.S. Army military construction and repair, with emphasis on the programming and execution phases. Military construction is considered a single undertaking, which may include:

- (1.) The erection, installation, or assembly of a new facility.
- (2.) The addition, expansion, extension, alteration, relocation, or replacement of an existing facility.
- (3.) Site preparation, excavation, filling, landscaping, land improvements, utility connections, and installed equipment.
- (4.) Related real property requirements.

These activities have the potential to adversely affect significant cultural resources either through ground disturbance, modification of historic buildings or structures, or alteration of the visual integrity of a given site or district. Preparation and submittal of environmental documentation that addresses possible effects is conducted as part of the pre-design activities. Compliance with the NHPA requirements is specifically discussed in Section F-4, *Preservation of Historic Properties and Archaeological Sites*. The appropriate treatment of archaeological sites contained within a proposed project area focuses upon (1) advance planning to conduct the appropriate investigations early in the project, and (2) protecting previously unknown archaeological finds until required clearances are obtained.

### **3.4.6 Army Regulation 420-10, Management of Installation Directorates of Engineering and Housing (July 2, 1987)**

This regulation sets forth the responsibilities, organization, and function of the Directorate of Public Works (DPW). It also defines appropriate levels of maintenance and repair for facilities, depending upon their current and planned use. Among the responsibilities of the Directorate of Engineering and Housing (DEH) or DPW is the management of the environmental program and the management of real property (e.g., construction, repair, demolition). The DEH/DPW is also the designated manager of the cultural resources program and is responsible for ensuring compliance with all appropriate regulations and legislation. Finally, AR 420-10 establishes responsibilities and procedures for the implementation of U.S. Army Corps of Engineers (USACE) Installation Support (IS).

### **3.4.7 Army Regulation 600-7, Nondiscrimination on the Basis of Handicap in Programs and Activities Assisted or Conducted by the Department of the Army (November 15, 1983)**

This regulation provides guidance on Army responsibilities regarding program accessibility for handicapped persons at historic properties.

- a. In the case of historic properties, program accessibility will mean that, when viewed in their entirety programs are usable by handicapped persons. (See the glossary for explanation of the term historic property.) Because the primary benefit of historic properties is the experience of the property itself, priority will be given to those methods of achieving program accessibility that make the historic property physically accessible to handicapped persons.
- b. Methods of achieving program accessibility to otherwise inaccessible areas or features of historic properties include the following:
  - 1) Making physical alterations that give handicapped persons access.
  - 2) Using audiovisual materials and devices.
  - 3) Assigning individuals to guide handicapped persons.
  - 4) Adopting other innovative methods.
- c. When program accessibility cannot be achieved without causing a substantial impairment of significant historic features, modification or waiver of access standard may be sought from the Assistant Secretary of the Army, Manpower and Reserve Affairs (ASA(M&RA)) or designee.
  - 1) A decision to grant a modification or waiver will be based on consideration of the following:
    - (a) Scale of the property, reflecting its ability to absorb alterations.
    - (b) Use of the property, whether primarily for public or private purposes.
    - (c) Importance of historic features of the property to conducting the program.
    - (d) Costs of alterations, compared to the increase in accessibility.
  - 2) The ASA(M&RA) or designee—
    - (a) Periodically will review waivers granted under this paragraph.
    - (b) May withdraw waivers if technological advances or changes warrant.
- d. The decision by the ASD(MRA&L) or designee to grant a modification or waiver of access standards is subject to section 106 of the NHPA (PL 89-665), as amended. Section 106 reads as follows: "The head of any Federal agency having direct or indirect jurisdiction over a proposed Federal or federally assisted undertaking in any State and the head of any Federal department or independent agency having authority to license any undertaking shall, prior to the approval of the expenditure of any Federal funds on the undertaking or prior to the issuance of any license as the case may be, take into account the effect of the undertaking on any district, site, building, structure, or object that is included in the NRHP. The head of any such Federal

agency shall afford the ACHP established under title II of this Act a reasonable opportunity to comment with regard to such undertaking.”

- e. The decision cited in d above will be based on title 36, CFR, chapter VIII, part 800 (36 CFR 800). When the property is federally owned, or when Federal funds may be used for alterations, the ASA(M&RA) or designee will obtain comments (as cited in sec 106 quoted in d above) under 36 CFR 800 before effecting structural alterations.

### **3.4.8 Department of Defense Directive (DoDD) 4710.1, Archaeological and Historic Resources Management, 21 June 1984**

DoDD 4710.1 establishes policy, procedures and responsibilities of all military personnel for the management of archaeological and historic resources under the jurisdiction of the DoD. Specifically, the directive states “It is DoD policy to integrate archaeological and historic preservation requirements of applicable laws with the planning and management of activities under DoD control.” The directive reinforces DoD responsibilities to comply with Federal laws and regulations, assigns specific responsibilities to department heads, and lists management procedures that mirror Federal laws and regulations for archaeological and historic resources.

### **3.4.9 Department of Defense Instruction (DoDI) 4715.3, Environmental**

Conservation Program, 3 May 1996. DoDI 4715.3 outlines the general requirements that DoD installations must implement to ensure “that natural and cultural resources entrusted to DoD care are sustained in a healthy condition for scientific, research, education, and other compatible uses for future generations” while still fulfilling the Department’s primary military mission. The Instruction applies to all property under DoD control and mandates compliance with applicable federal statutes and implementing regulations, as well as Presidential EOs.

DoDI 4715.3 stipulates the development of natural and cultural resource management plans and their integration into broader planning efforts and processes. The ICRMP focuses on significant historic, architectural, and archaeological resources. The plan identifies the number and types of applicable resources at each installation, assigns responsibilities within the chain of command, and provides specific instructions concerning the effective management of the resources. DoDI 4715.3 also states that “Native Americans shall have access to DoD sites and resources that are of religious importance, or that are important to the continuance of their cultures (e.g., areas containing traditionally used plants and traditionally used hunting areas), consistent with the military mission, appropriate laws (42 USC 1996, reference (d)), and regulations, and subject to the same safety, security, and resource considerations as the general public.”

As with all planning documents, ICRMPs are dynamic and should be reviewed annually, updated as mission or environmental changes warrant, and revised and approved by appropriate command levels at least every five years.

### **3.4.10 The Ronald W. Reagan National Defense Authorization Act for 2005**

The Ronald W. Reagan National Defense Authorization Act for 2005 includes provisions for the protection and preservation of sunken military craft and outlines prohibitions, penalties, and liability for damages to sunken military craft. The defense provision also encourages agreements to be made with foreign governments over the protection of sunken military craft. The act establishes right and title to the United States of all sunken U.S. military craft. The title to the shipwreck will not be relinquished except upon divestiture of title by the United States and will not be forfeited with the passage of time, regardless of when the sunken military craft sank.

Site prohibitions include any unauthorized activities directed at sunken military craft. The act forbids any attempt to engage in activity directed at a sunken military craft that disturbs, removes, or injures any sunken military craft, except--

1. as authorized by a permit under this title;
2. as authorized by regulations issued under this title; or
3. as otherwise authorized by law.

The defense act permits the Secretary of Defense to issue permits authorizing persons to engage in an activity otherwise prohibited with respect to a United States sunken military craft, for archaeological, historical, or educational purposes. Any permit issued though is required to be carried out consistent with the requirements and restrictions that apply under any other provision of federal law. The Secretary of Defense must also consult with the head of each federal agency having jurisdiction under federal law for any actions directed with respect to sunken military craft or the locations of these crafts. The Secretary must also consult with the Secretary of State with respect to any foreign sunken military craft located in United States waters.

Any other person who violates any shipwreck without proper permitting is subject to civil penalty under this law. A fine may be imposed of not more than \$100,000 for each violation. If the Navy determines that there any sunken military craft has been disturbed unlawfully, the Attorney General can be authorized at the request of the Secretary of Defense to seek relief of disturbance or injury to such crafts from known responsible parties. The district courts of the United States have jurisdiction in such a case to order such relief as the public interest and the equities of the case may require.

Any person who engages in an activity in violation of regulation or permit issued under this title that disturbs, removes, or injures any United States sunken military craft shall pay the United States enforcement costs and damages resulting from such disturbance, removal, or injury. Such costs may include:

1. the reasonable costs incurred in storage, restoration, care, maintenance, conservation, and curation of any sunken military craft that is disturbed, removed, or injured in violation of section 1402 or any regulation or permit issued under this title; and

2. the cost of retrieving, from the site where the sunken military craft was disturbed, removed, or injured, any information of an archaeological, historical, or cultural nature.

### **3.4.11 Department of Defense American Indian and Alaska Native Policy (October 1998)**

A copy of the DoD American Indian and Alaska Native Policy is available from the AFCEE website (<http://www.afcee.af.mil/shared/media/document/AFD-070828-063.doc> [DoD 1998]). The preamble to the policy states:

“These principles establish the Department of Defense's (DoD) American Indian and Alaska Native Policy for interacting and working with federally recognized American Indian and Alaska Native governments (hereinafter referred to as "tribes"). These principles are based on tribal input, federal policy, treaties, and federal statutes. The DoD policy supports tribal self governance and government-to-government relations between the federal government and tribes. Although these principles are intended to provide general guidance to DoD Components on issues affecting tribes, DoD personnel must consider the unique qualities of individual tribes when applying these principles, particularly at the installation level. These principles recognize the importance of increasing understanding and addressing tribal concerns, past, present, and future. These concerns should be addressed prior to reaching decisions on matters that may have the potential to significantly affect protected tribal resources, tribal rights, or Indian lands.” (DoD 1998)

### **3.5 ADVISORY COUNCIL ON HISTORIC PRESERVATION PROGRAM PROCEDURES PROGRAMMATIC AGREEMENTS, AND PROGRAM COMMENTS**

The ACHP has issued program comments or have made programmatic agreements with the DoD and the DoA designed to streamline the regulatory process. Many of these agreements are applicable to specific property types.

#### **3.5.1 Army Alternate Procedures – 36 CFR 800: Protection of Army Historic Properties**

The Army Alternate Procedures are designed to provide for more efficient, consistent, and comprehensive Army compliance with the goals and mandates of Section 106, while supporting the critical mission of training soldiers for defense of the nation. Installations may choose to either continue to follow ACHP regulations in the implementation of installation undertakings or installations may choose to follow the Army Alternate Procedures. Installations that follow the Army Alternate Procedures will prepare a Historic Property Component of the ICRMP in consultation with SHPOs, THPOs, Native American groups, and other stakeholders. After the ACHP certifies that the Historic Properties Component is complete and the certification criteria have been met, the installation is free to implement its actions in accordance with the Historic Properties Component for five years

without further SHPO, THPO or ACHP project-by-project review. Following the Army Alternate Procedures is optional and JBMHH has elected not to employ them. For reference, the amended Army Alternate Procedures are available at <http://www.achp.gov/AAPfinal-4-16-04.pdf>.

### **3.5.2 Programmatic Memorandum of Agreement among the United States Department of Defense, the Advisory Council on Historic Preservation and the National Conference of State Historic Preservation Officers**

In 1986 the DoD entered into a Programmatic Memorandum of Agreement (PMOA) (amended in 1991) with the ACHP and National Conference of State Historic Preservation Officers (NCSHPO) upon direction from Congress to demolish World War II-era (1939-1946) temporary buildings on DoD installations. Under the PMOA, the DoD may demolish and remove World War II temporary buildings without project-specific review under 36 CFR 800, following completion of a comprehensive documentary study of the buildings by DoD. The stipulations of the original PMOA were fulfilled by the DoD and the stipulations added in the 1991 amendment do not change the requirements of the recordation program. The PMOA only covers demolition and transfer of structures, without provision for treatment. Actions such as rehabilitation, renovation, and relocation are not covered. Any undertakings, other than demolition, with the potential to affect World War II temporary structures would require project-specific review with the SHPO under 36 CFR 800.

### **3.5.3 Program Comment for Cold War Era Unaccompanied Personnel Housing (1946-1974), August 18, 2006**

The ACHP approved a Program Comment that facilitates the DoD compliance with Section 106 of the NHPA regarding the management and treatment of Cold War Era Unaccompanied Personnel Housing (UPH) constructed between 1946-1974. The program comment went into effect on May 21, 2007. Full text of the program comment can be found at: <http://www.achp.gov/progalt/DoD%20UPH%20program%20comment.pdf>. Under this program comment, all DoD departments meet their Section 106 responsibilities and no longer need to follow a case-by-case Section 106 review process for UPH listed or eligible for the NRHP to mitigate adverse effects. Stipulations of the PC require Army, Navy, Air Force, and DoD-Wide mitigation procedures. The ACHP requires the DoA to make its historic context document, UPH During the Cold War (1946-1989) available to a wider audience, which require the removal of portions of the document that are a security risk. The DoN and Department of the Air Force (DoAF) will produce context documents of their own for UPH that will be attached as an appendix to the Army context. In addition both agencies will document a representative sample of UPH facilities. DoD wide mitigation measures include making all copies of documents related to UPHs available electronically, provide a list of UPH properties covered by the Program Comment available to stakeholders, and the DoD will encourage all military departments to adaptively reuse UPH properties.

## **3.6 STATE AND LOCAL STATUTES**

State and local cultural resources laws and regulations may not apply to Army property because there has been no waiver of sovereign immunity in this area. In accordance with AR

200-1, the HQDA Staff Judge Advocate will be consulted whenever a question arises concerning the applicability of a state or local requirement to this ICRMP. However, DoDI 4715.3 provides “Federal or State conservation officials shall be given access to DoD-controlled natural and cultural resources to conduct official business consistent with an installation’s operational, security, and safety policies and procedures, and with applicable requirements of laws and regulations (e.g., Section 1531 et seq. of 16 USC and 36 CFR 60 (references (f) and (g)).”

The VASHPO and the DCHPO are the SHPOs for the Commonwealth of Virginia and the District of Columbia. SHPOs administer the national historic preservation program at the State level, review NRHP nominations, maintain data on historic properties that have been identified but not yet nominated, and consult with Federal agencies during Section 106 review. Each of SHPO is headed by a State Historic Preservation Officer, who is appointed by the state’s governor or chief executive. JBM-HH must consult with VASHPO for undertakings affecting Fort Myer and the DCHPO for undertakings affecting Fort McNair. SHPO correspondences with JBM-HH can be found in Appendix F.

### **3.7 JBM-HH LEASES AND LAND USE AGREEMENTS**

Various federal agencies lease property at Fort Myer-Henderson Hall and Fort McNair. If improvements are required, the lessee must contact JBM-HH and clear the activity through the JBM-HH Cultural Resources Manager (CRM). Tenants are responsible for maintaining the land and keeping it clean and free of contamination. Parcel improvements require coordination with JBM-HH and clearance from the JBM-HH CRM.

### **3.8 OTHER GUIDANCE APPLICABLE TO JBM-HH**

#### **3.8.1 JBM-HH PA/MOAs and ICRMP SOPs**

JBM-HH has enacted a PA with VASHPO for the privatization of Army Lodging. The purpose of a PA is to streamline the process for consultation, review, and compliance with federal laws, in this case Section 106 of the NHPA. By undertaking a PA, the federal agency and the SHPOs ultimately establish an agreement to ensure the successful completion of Section 106 consultation outside of the normal procedures set forth in 36CFR800.

The Military Housing Privatization Initiative provides for the private management of housing at military installations. In compliance with this initiative, JBM-HH will provide the long term privatized leasing of housing operations for a 50 year period. Because relinquishing the management of historic resources to a private organization will result in potential adverse effects, a PA was prepared specifically governing the management of cultural resources under the lease agreements. A copy of this PA is provided in Appendix G.

In addition to the Housing Privatization Initiative, a MOA was executed between JBM-HH, VASHPO, and the ACHP regarding the demolition of Building 42, 43, 45, and 46. Stipulations in the MOA required JBM-HH to record these buildings according to HABS standards. JBM-HH agreed that the plank portion of Building 42 would be preserved and possibly even moved to protect it from demolition should the building be determined to

possess significance related to the plank construction. The Army also agreed to conduct studies for the feasibility of retaining Buildings 45 and 46 and would work in consultation with VASHPO and the ACHP to address any new construction or archaeological site needs. A copy of the MOA can be found in Appendix G.

JBM-HH has prepared SOPs that describe how the installation will comply with the requirements of cultural resources laws and regulations. The SOPs are described in detail in Section 6.13. Many of the SOPs emphasize an internal administrative process to enforce ICRMP objectives.

### **3.8.2 JBM-HH Native American Access Procedures**

No Native American access procedures have been developed for JBM-HH. Federally recognized tribes of the Tuscarora Nation of New York, the Catawaba Indian Nation, and the United Keetoowah of the Cherokee Indians in Oklahoma have been identified as having historic ties to the area. These tribes have been invited as consulting parties for Section 106 undertakings consultation, however none have expressed an interest in participating.

[PAGE INTENTIONALLY BLANK]

## 4.0 HISTORIC CONTEXTS

### 4.1 PREHISTORY

The following summary of the prehistory of the Fort Myer-Henderson Hall and Fort McNair areas was compiled from site reports, as well as other sources containing information on the presence of Native Americans in or near the installations.

Fort Myer-Henderson Hall and Fort McNair are situated in the Middle Atlantic region of the Eastern United States. The prehistory of this region is traditionally divided into three major periods: the Paleoindian Period (circa 10,000 B.C. to 7,000 B.C.), the Archaic Period (circa 7,000 B.C. to 1,000 B.C.), and the Woodland Period (circa 1,000 B.C. to A.D. 1,600). The Contact Period (circa A.D. 1600 to 1750) represents the transitional period when Native American cultures of the Mid-Atlantic region were exposed to the material culture of European traders, explorers, and settlers.

***Paleoindian Period (Before 8000 B.C.)*** – The earliest record of human habitation in northern Virginia is concurrent with the final retreat of the Wisconsin polar ice sheet some 12,000 years ago (Carbone 1976). The region's most intensively studied Paleoindian sites are in the Shenandoah Valley of western Virginia. The reason for this apparent focus of Paleoindian sites is likely related to the maximum overlap of environmental sources for cryptocrystalline lithic sources and rich ecological zones in that region (Gardner 1974, 1978). A small number of fluted projectile points with Paleoindian attributes have been found in Fairfax County, but the paucity of diagnostic artifacts for this period makes interpretation difficult (Johnson 1986). Given the nature of these finds, it is likely that occupations in the northern Virginia region during the Paleoindian Period were sparse or ephemeral at best (Bromberg 1987; Johnson 1986).

Local environments of the Paleoindian period were different from that which is observed today. Prior to circa 9500 B.C., a mosaic of deciduous and boreal forests and grasslands would have been present. Wetter climatic conditions would have caused the widespread distribution of freshwater wetlands throughout interior areas (KFS 1991:7). These environments would have provided ample habitat for a variety of game animals including now-extinct mastodon, mammoth, and moose (KFS 1991:7).

The tool kit of the Paleoindian groups indicates a focus on the procurement and processing of animal resources. This focus is suggested by the distinct projectile points and lithic bifacial cutting tools that were highly efficient for the hunting and processing of animals for meat, skins, bone, and antler. These early groups usually made the tools from high quality jasper or chert, whose physical characteristics enabled re-sharpening, reshaping, and otherwise continual use.

Archaeologists have deduced a number of possible scenarios from the paucity of Paleoindian sites. Paleoindian groups were highly mobile, moving throughout the environment as the need for natural resources demanded. Social organization for these mobile groups was most likely based upon single or multiple family bands, similar to modern gatherer-hunter societies

(KFS 1991:7). The main type of Paleoindian site was the base camp. Secondary sites included resource procurement and processing sites.

***Archaic Period (8000 to 1000 B.C.)*** – The grasslands and boreal forests of the Paleoindian Period gradually receded from the region as temperatures and climates changed. The environment of the Paleoindian Period gave way to oak, hickory, and hemlock forests that increased as the Wisconsin ice sheet continued its retreat far to the north. The mesic forests that developed during this period flourished in the warm and wet climatic conditions of the region (KFS 1991:8). The Pleistocene period megafauna, such as the mammoth and moose, became extinct during the transition from the Paleoindian Period to the Archaic Period. A foraging pattern among the human occupants of the region emerged. This pattern was a slow adaptive process in response to the gradual ecological shift that had begun during the Paleoindian Period.

As the Native Americans spread out in search of floral and faunal resources within smaller territories, they also began to utilize locally available lithic materials such as quartz and quartzite. The toolkit was a primary difference between the earlier Paleoindian peoples and the Archaic Period inhabitants. Archaic Period tool kits included prepared stone tools for the processing of plant foods. These tools included grinding stones, pestles, and tools for woodworking, such as grooved axes, celts, and gouges (KPS 1991:8). The increased reliance upon plant resources is evidenced by the presence of these types of tools, as opposed to the focus on hunting tools in the Paleoindian period.

Projectile point forms also changed during the Archaic Period. This period is also characterized by the increased use of locally available, but generally poorer quality, lithic types, such as quartz.

***Woodland Period (1000 B.C. to A.D 1630)*** – The most pronounced shifts in human societies in the Middle Atlantic region occurred during the Woodland Period. A dramatic change in climate and environment occurred during the Early Woodland period, affecting the Native American groups living then (KFS 1991:9).

Probably the most significant change that occurred between the Paleoindian Period and the Woodland Period was the extensive melting of the Wisconsin ice sheet. The result was an increase in sea level that continued until around 3,000 B.C. After that time, the sea level rise slowed, allowing for the development of the estuarine wetlands that now characterize the Chesapeake Bay watershed. This development of an estuarine environment allowed for the influx of anadromous fish species, which spend their life in salt water only returning to fresh water to spawn. Anadromous fish such as the Atlantic sturgeon, American shad, alewife, and Blueback herring were each a seasonal visitor to the far reaches of the Chesapeake Bay, including the Potomac River as far up river as the beginning of the Fall Line.

While subsistence during the Early and Middle Woodland periods continued to focus on hunting animals and gathering plant resources, fishing became as important to local Native Americans in the northern Virginia region as previous land-based subsistence practices. The rich resources that developed in the estuarial environment must have been a major attraction

to these prehistoric groups, as site locations during this period become increasingly focused on areas adjacent to primary rivers of the Chesapeake Bay. Estuarine base camps further indicate the level of reliance upon marine resources, as shown through the appearance of extensive oyster and clam shell middens that have been recorded as comprising more than several acres in size.

The Late Woodland period is marked by the appearance of agricultural food production systems and settled village life (KFS 1991: 10). Around A.D. 1000, the natural environment of northern Virginia had assumed its "modern" characteristics that were eventually encountered by European settlers (KFS 1991:10). These characteristics included average temperature, seasonal cycles, and the increased sea level. In association with increased agricultural reliance was the development of pottery. The appearance of pottery in prehistoric societies in the Middle Atlantic region is probably one of the most significant and noticeable differences in the prehistoric artifact assemblage recovered from archaeological sites of this period.

#### **4.2 CONTACT PERIOD (A.D. 1608-1730)**

Early in the 17th century, the Late Woodland period merges with the period of European contact, the later beginning regionally in 1608, when Captain John Smith first sailed up the Potomac River. At least four Native American villages from this time are thought to have been located within the Washington, D.C., city limits (Humphrey and Chambers 1985). One of them, called Nacochtanke or Anacostank, was described by Smith as a large palisaded village near the confluence of the Anacostia and Potomac Rivers. Nacochtanke may in fact have been a dispersed settlement including agricultural fields and numbering about 80 families. The village has not been located with certainty archaeologically, although several sites from that time period have been identified along the river in the area of modern-day Bolling Air Force Base, at Giesboro Point, and near the Sousa Bridge (Proudfit 1890; Powell 1966; Evans 1978). Two ossuaries (secondary burials containing the remains of multiple individuals) were found on Bolling Air Force Base, and these features may date from the occupation of Nacochtanke (Stewart and Wedel 1937; Evans 1978). Nacochtanke was occupied by members of the Conoy or Piscataway, an Algonquian-speaking tribal confederation related to the Nanticoke on the Eastern Shore of the Chesapeake Bay (Feest 1978). Potomac Creek pottery, associated archaeologically with the Piscataway, is prevalent in the area (Clark 1980).

For a period of time, life for the Native American populations in the Anacostia Valley continued as it had before Smith's visit, as evidenced by the persistence of locally manufactured ceramics and stone tools. However, as European settlers arrived, trading relationships were established, and items of European origin began to displace traditional tools: iron axes and hoes replaced stone tools; metal pots replaced ceramic vessels; brass and copper ornaments appeared in place of traditional stone, shell, or bone. Meanwhile, indigenous groups suffered extensive loss of population through warfare, disease, and migration. By 1700, few Native Americans remained in the area (Feest 1978).

## 4.3 HISTORIC PERIOD

### 4.3.1 Fort Myer

#### **Early National Period (1789-1830) – Antebellum Period (1830-1860)**

What is now Fort Myer was part of the Arlington estate owned by George Washington Park Custis during the first half of the nineteenth century. His father, John Park Custis, who was George Washington's stepson, purchased what was known as the Abingdon Estate along with a few lesser tracts from Gerard Alexander. Following John Park Custis' death in 1781, his son and heir, George Washington Park Custis, inherited 1100 acres of his father's estate located along the Potomac River, immediately opposite the site of the city of Washington (Arlington Historical Society No Date) [http://arlingtonhistoricalsociety.org/learn/snapshots/arlington\\_estate.html](http://arlingtonhistoricalsociety.org/learn/snapshots/arlington_estate.html).

George Washington Park Custis constructed Arlington House on a bluff overlooking the city of Washington as a memorial to George Washington, who became his guardian following the death of his father. Custis inherited many of Washington's personal effects following the death of Martha in 1802 and desired a building to house these artifacts fitting to the memory of George Washington. The Greek Revival house he constructed was one of the first such designs in the United States to incorporate the Colossal type columns that were a distinctive trademark of the style. Custis wanted the monumental columns to be seen across the Potomac River from the city of Washington. Work began on the house in 1802. The north wing was completed near the end of 1802, and the south wing was completed in 1804. The west or rear side of the house was not entirely completed until 1818. Originally named Mount Washington, Custis changed the name of the estate to Arlington, after the first Custis family estate in Northampton County, Virginia (National Park Service (NPS) 2001 and Arlington Historical Society No Date).

The Arlington estate was more than a memorial to George Washington, it was a fully functional nineteenth-century plantation. Slave quarters for the house servants were located immediately behind the mansion house. Other quarters for field hands were located at other remote parts of the plantation away from the house. Arlington was part of the plantation economy of antebellum society. Slaves cultivated and harvested the crops in the field, processed and stored the crops, and even assisted in their marketing. Specialized laborers such as blacksmiths, barrel makers, and others also operated shops on the estate to support the plantation operations.

Custis had only one child that survived to adulthood, Mary Anna Randolph Custis. In 1831, Mary married a young Army Lieutenant named Robert E. Lee. The Lees lived at Arlington during most of their marriage, even though Robert E. Lee was often away during the course of his Army career. Their children were raised at Arlington. Following the death of George Washington Park Custis in 1857, Mary and his grandchildren inherited the estate. After this time, Robert E. Lee spent more time at Arlington managing the estate. It was at Arlington that he made his fateful decision in the spring of 1861 to resign his commission with the United States Army. He soon accepted a commission in the Confederacy representing his native state of Virginia. With this decision and the proximity of the estate to the city of

Washington, the Lees expected to lose the estate, at least for the duration of the war; and in fact, Union forces crossed the river and occupied Arlington estate less than two months after the Confederate firing on Fort Sumter (Hanbury, Evans, Newill Vlattas & Company 2000:37).

#### **4.3.2 Civil War (1861-1865)**

The Union Army used the Arlington estate as a headquarters and hospital and only late in the war was that site designated as a burial ground. The Quartermaster General, Montgomery Meigs provided the orders to start burying Union dead in the rose garden of the estate in 1864. The cemetery soon expanded beyond the rose garden and remained in the government's possession after the war, eventually becoming the nation's most renowned military cemetery. Lee's sons however won the final battle over the property though a court settlement over the seizure of the estate.

The U.S. government established a freedman's village on the grounds in 1863 for freed slaves. After Abraham Lincoln issued the Emancipation Proclamation, thousands of former slaves flocked to the city of Washington. The government established what were termed as "freedman's villages" to house all the newly arrived freedmen. The villages were also designed to train the newly freed men and women with labor skills and to educate their children. The freedman's village at Arlington was near the present day Southgate Road between Henderson Hall and Arlington National Cemetery. It contained about 50 one-story houses that accommodated two families (Cornibert 2004).

The freedman's village itself was not located on any of the Arlington parcels that are part of the present day site of Fort Myer. However, many of the freedmen may have had an impact on the development of the military site. It has been recorded that many of the freedmen worked as laborers in the construction of the earthworks and supporting structures in the vicinity that were part of the defenses of Washington (Hanbury, Evans, Newill Vlattas & Company 2000:40).

The defenses of Washington became an immediate concern at the commencement of the Civil War in 1861. This concern was only exacerbated following the Confederate victory at the First Battle of Manassas in July 1861. By August of 1862, the city was encircled by a string of forts and fortifications. Union engineers carefully located the forts on high points with good converging fields of fire to cover all approaches to the city. Forts Cass, Tillinghast, and Craig were all located on the outskirts of the Arlington property (Hanbury, Evans, Newill Vlattas & Company 2000:39). Fort Cass was located on land currently part of Fort Myer. The caisson stables currently occupy the site of Fort Cass. Diagrams of the fort show earthworks with officer quarters, barracks, and mess halls located behind the fort (URS 2004:2-10).

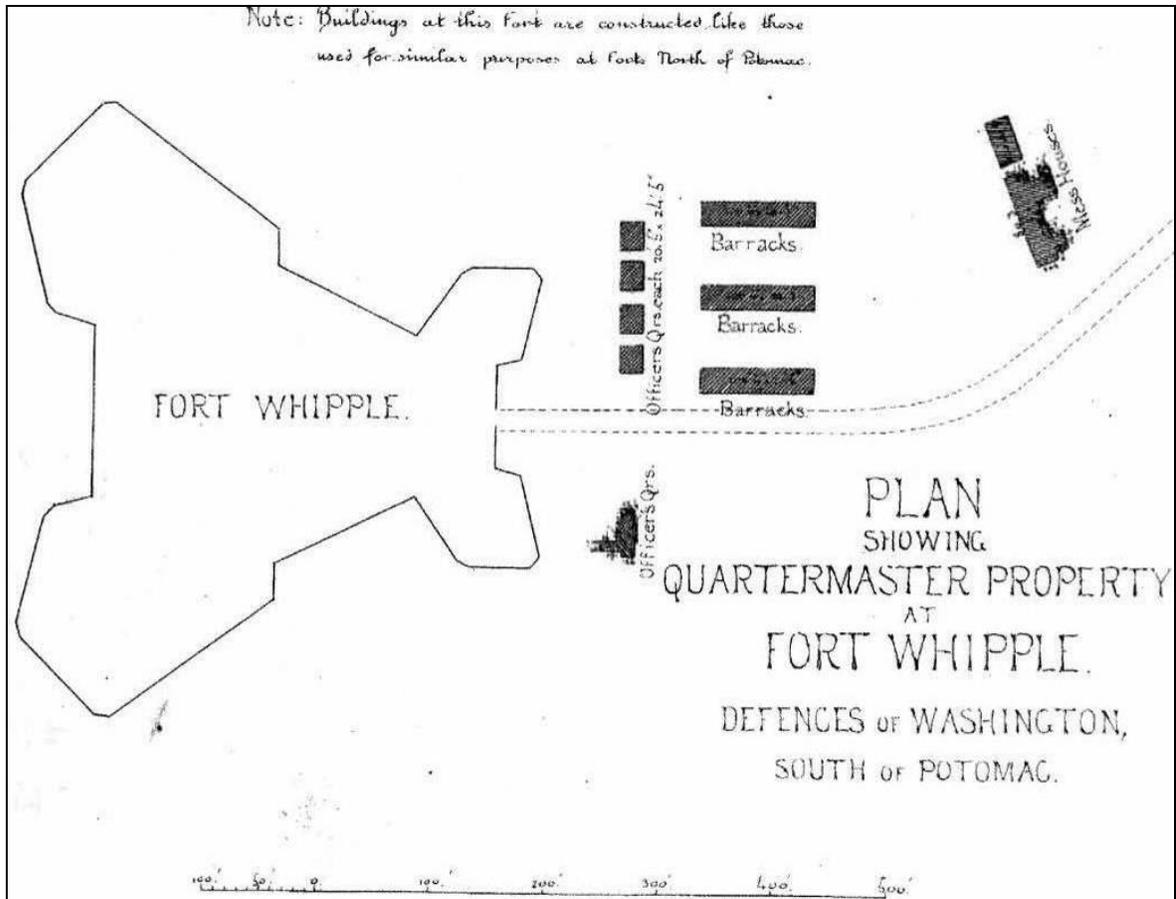
In October of 1862, military authorities determined that the federal capital required even more protection, which prompted the construction of a second ring of forts (Hanbury, Evans, Newill Vlattas & Company 2000:39). Among the new fortifications was Fort Whipple, also on property now part of Fort Myer. Fort Whipple was located east of Fort Cass and was the more substantial of the two earthworks. Union engineers completed the fort in May 1863

and named it after Major General A. W. Whipple, who died from wounds received at the Battle of Chancellorsville at around the time the fort was completed.

The Quartermaster Plan for Fort Whipple shows a more elaborately constructed earthworks than Fort Cass. The plan shows the fort as having four bastions at each corner of the earthwork (Figure 4-1). The bastions at the west side of the fort were larger in scale than those at the east side. Four officer quarters are shown aligned in a row behind the fort. Each of these buildings was 20.5 feet by 24.5 feet in dimension. A larger officer quarters is shown on the plan located across a road that ended at the rear gate into the fort. Three long rectangular barracks are located behind the officer quarters and mess halls were further down the road from these buildings. Because the plan has no compass orientation, the exact directional location of these elements cannot be determined (URS 2004:2-11). In addition to the wooden barracks, wooden stables that are not shown on the plan were also constructed just outside the fort. These buildings were simple open structures sheltered by a gabled roof (URS 2004:2-12). Other period plans show magazines, filling houses, and bombproof shelters located within the fort (The History of Fort Myer, No Date:5). The Quartermaster General's Office provides an inventory of buildings that were part of the Fort in an 1867 letter to the Secretary of War requesting permission for their sale. These buildings were listed as follows (Batzli 1997:14):

- One Barracks Building, 100 x 21 feet with bunks
- One Laundress Quarters, 80 x 20 ½ feet
- One Laundress Quarters, 40 x 20 ½ feet
- One Sergeants Quarters, 16 x 12 feet
- One Stable, 44 x 24 feet
- One Hospital Kitchen, 12 x 15 feet
- One Hospital Stewards Room and Dispensary, 58 x 20 feet
- One Officers Quarters, 58 x 20 feet
- One Officers Quarters, 44 x 16 feet

The 14<sup>th</sup> Massachusetts Volunteer Heavy Artillery was the first unit to occupy Fort Whipple on 22 June 1863. Lt. Col. L. P. Wright commanded this unit, which was part of the command known as the "Defense of the Potomac". Contingents of the 145<sup>th</sup> Ohio Infantry, 2<sup>nd</sup> Connecticut Heavy Artillery, 10<sup>th</sup> New York Heavy Artillery, 3<sup>rd</sup> Massachusetts Light Artillery, and Battery I of the Pennsylvania Light Artillery later occupied the fort in 1864. The 4<sup>th</sup> United States Artillery was stationed at Fort Whipple between 1865 and 1867 and Company I of the 12<sup>th</sup> United States Infantry occupied the fort in 1868 (The History of Fort Myer, No Date:6).



**Figure 4-1: Plan of Fort Whipple**

### 4.3.3 Reconstruction and Growth (1865-1914)

With the end of the Civil War the government no longer needed the defensive works around the City of Washington and many were abandoned. Fort Whipple, however continued as an active military post. By the late 1860s, new barracks, a kitchen, storerooms, and offices were constructed at the site (Bell 1981:9). Sometime after the Civil War and shortly before the site was occupied by the Signal School, a hospital was established at the fort. Photographs show the hospital as a two-story wood-frame structure (URS 2004:2-12). The Army leveled the original earthen Civil War fortification sometime between 1868 and 1871 (Batzli 1997:14).

In 1869, the Army made Fort Whipple the home of the U.S. Signal School. The Signal Corps was created during the Civil War largely from the leadership and ideas of the corps first commander, Albert James Myer (Figure 4-2). Myer was originally part of the Army's medical corps, having entered service in 1854 as an assistant surgeon. Dr. Myer had an interest in sign language and the use of the telegraph, which he applied to the military arts. By 1856, he had developed a system of signal communication for military use and in that same year he drafted his first memorandum promoting the use of a signal system for the Army. In an era where communication was difficult on the battlefield, Myer believed that



**Figure 4-2: Photograph of Albert Myer**

such a system was necessary for an effective Army. The War Department, however, was slow to agree. Not until 1860 did Congress create such a title/position. The Army promoted Myer to the rank of Major and gave him the office of “Signal Officer”. In the beginning there was no corps, only the Signal Officer and his small staff. It was not until 1863 that the Army finally established the Signal Corps (Glassford No Date).

The first test for the Signal Corps ironically did not take place in combat with Confederate forces, but rather with American Indians in New Mexico. Myer participated in the campaigns of Colonel Canby’s command against the Navajo nation. Here he established a system of signal communication that was included among the instructional schools for newly arrived officers in the Department of the Southwest. Myer’s system relied upon both flag and torch signals (Glassford No Date).

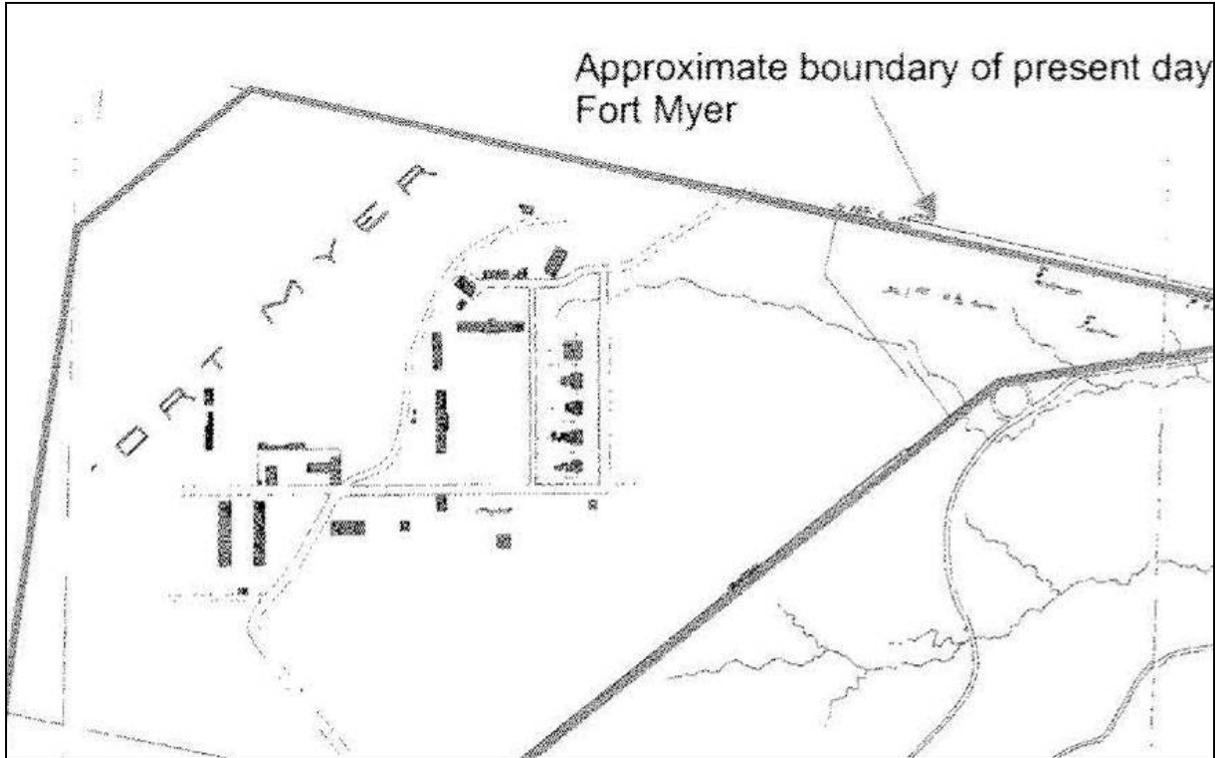
Myer was recalled east shortly after the Civil War began. He began his first signal school at Fort Monroe in June 1861. Myer first class consisted of 11 officers. In August 1861, the Army established a Signal Camp of Instruction at Georgetown to be near the nation’s capital. The Army promoted Lieutenant Samuel T. Cushing to take charge of the school. Cushing was a student of Myer from their days together in New Mexico.

The exact impact of the Myer's efforts upon the Union War effort is difficult to quantify. However, the Army did assign signal officers to major operations after 1862. Signal officers also were present during the amphibious operation led by Ambrose Burnside at Roanoke Island in early 1862. Perhaps nothing better attests to the success and increased recognition of Myer and his office than the establishment of the Signal Corps in 1863 and the fact that the U.S. Military Academy at West Point began classes in signal training based on Myer's system as early as July of 1863 (Glassford No Date).

Following the Civil War, the Army continued to advance the training and development of the Signal Corps through the permanent establishment of a Signal School at Fort Whipple. Myer was assigned to head the school. The Army chose Fort Whipple because of its geographic location at the top of a bluff, a very advantageous site for signal exercises (URS 2004:2-16).

The physical features of Fort Whipple were in declining condition by the time Myer arrived on the site in 1869. A report by the Surgeon General's Office noted that the only buildings at the site were a two-story officers' quarters, the hospital, a dispensary, guardhouse, and small office. The condition of these buildings was reported as "decidedly bad" (URS 2004:2-16). The fort's condition at this time reflects in part the original purpose as an earthwork designed as only a temporary defensive fortification. The supporting buildings were constructed hastily and were suitable for only what time and nature allowed. The fort and the supporting buildings were never intended for permanent use.

With Fort Whipple becoming the permanent site of the Army's Signal School, Myer almost immediately set out making improvements that would change the military landscape of the site, laying the foundations for the present plan of Fort Myer today. Maps from 1878 and 1885 (Figure 4-3) show there was a line of four to five officer quarters located on what is today Grant Avenue at the present location of Quarters 5, 6, 7, and 8 (Figure 4-4). Other new buildings associated with the Signal School were constructed south and west of Grant Avenue around a parade ground. These buildings were probably among those described in an 1875 report of the Surgeon General's Office noting improvements to the site. The new buildings listed in this report include a 200-man barracks, a 12-room instructional building that also housed the post headquarters, officers' quarters, two buildings for married soldiers, a kitchen, and a mess hall (Batzli 1997:21). The Linderkohl 1878 map and the Morey 1885 map show a street extending southwest of Grant Avenue that corresponds with present day Washington Avenue. Buildings are noted on the map located at the present day site of Quarters 2 and Buildings 42 and 47. Some large rectangular buildings, depicting the location of the barracks and headquarters/instructional building, are noted as extending near the present day tennis courts west of Johnson Lane. Other buildings are located along an east-west street that corresponds with present day Jackson Avenue. These buildings are located mostly within the southern portion of the military reservation at the site of Patton Hall and Building 241 (Linderkohl 1878 and Morey 1885).



**Figure 4-3: Fort Myer, 1885**



**Figure 4-4: Officer Quarters on Grant Avenue, 1876**  
(Photo obtained from National Archives RG 111-RC, Virginia-General, Drawer 45)

In 1871, a new two-story, wood-frame hospital was constructed near the where Building 335 is located at the present time (Figure 4-5). The hospital accommodated 12 beds and was located on a well-drained and ventilated site. A steam-powered pumping system was created to pump water from the ravine and reservoir to cisterns used by both human consumption and for the horses housed on post. The Army constructed wooden bridges to carry the roads over the ravine. The roads themselves were not paved. Even as late as 1880, they were noted as “mud holes” after a saturating rain (Netherton and Netherton 1987:217).



**Figure 4-5: Hospital and Railroad Station, ca. 1895-1910**

(Photo from Library of Congress, Prints and Photographs Room, Daniel French Collection  
Lot 12359-1 LC USZ62-48670)

The Signal Corps peacetime activities conducted during this period included the development of new techniques utilizing state-of-the-art technology. In 1877, Meyer installed the Army’s first telephone line between his Washington office and Fort Whipple (Batzli 1997:22). The Corps also improved procedures for the field telegraph. The new procedures, experiments, and lessons learned were incorporated into the instruction at the Signal School (Netherton and Netherton 1987:217).

The Signal Corps and School’s activities increasingly focused on advancements in the field of weather forecasting during their time at Fort Whipple. Myer was interested at this time in establishing a weather service that would transmit meteorological information both nationally and internationally. The Signal Corps devised a system for this using improved telegraph applications and lighthouses in the exchange of information (Netherton and Netherton 1987:217). The Signal School conducted many experiments and applications associated with weather forecasting at Fort Whipple. By 1878, Fort Whipple received nearly eight hundred telegraphs per day from over 224 weather stations across the country and in the Aleutian Islands (Batzli 1997:22). Myer himself received international recognition for his work in

weather forecasting and reporting. He was nicknamed “Old Probabilities” because of his contributions in this field (Netherton and Netherton 1987:217).

Myer died unexpectedly in 1880, having achieved the rank of Brigadier General. In recognition of his contributions, the Army renamed Fort Whipple after him. It was not long after Myers death that Fort Myer would cease to be the home of the U.S. Army Signal School.

In 1886, the U.S. Army re-designated Fort Myer as a cavalry post and the signal school was moved off the post. The senior ranking commander in the United States Army, General Philip H. Sheridan was primarily responsible to this change in the mission at Fort Myer. A former cavalry officer of distinction during the Civil War, Sheridan envisioned Fort Myer as a showplace for the Army’s equestrian skill and talent. The War Department allocated \$25,000 for new construction at Fort Myer, so that the post could better accommodate its new role. There were also aesthetic reasons. Many of the buildings that had been part of the Signal School were out-of-date and consisted of aging frame construction that did not correspond with the Army’s improved building standards (Netherton and Netherton 1987:218).

Prior to the arrival of the cavalry, the Adjutant General’s Office conducted an inventory of Fort Myer. The Adjutant General’s Office identified the post as containing 33 buildings located on 152 acres of land. Most of the buildings dated to the 1870s. Contemporary descriptions characterize the post as more of a residential community than an Army fort. An account in the 12 July 1888 edition of the Evening Star describes Fort Myer as this:

It would be impossible to imagine a more delightful home than on this high plateau commanding on every side views that are magnificent in their scope. The “Fort” is practically no fort at all but merely a collection of buildings enclosed by a fence, barbed wire maybe, with gates at intervals that are hospitably open....A rustic bridge leads the visitor to the eastern limit of the plan where the pretty quarters of the officers stand. They are shaded by handsome trees, and surrounded by neat lawns and flower beds. From here a striking view of the city is obtained. (Batzli 1997:25)

The first cavalry units began arriving in 1887. On 15 July 1887, Troop “B” of the Sixth Cavalry arrived from Fort Lewis, Colorado, and on 21 July 1887, Troop “B” of the 4<sup>th</sup> Cavalry arrived from Fort Haachuca, Arizona (Batzli 1997:24).

Significant amounts of new construction occurred at Fort Myer between 1890 and 1910. Most of the buildings constructed during this time remain extant as part of the present-day post. Maps from 1885 and 1900 illustrate the expansion of the post to include new buildings constructed along Jackson Avenue, Lee Avenue, Forrest Circle, Sheridan Avenue, and in the Lower Post Area, located at the eastern end of the installation (Figures 4-3 and 4-6). Grant Avenue was chosen as the location for the homes of the post commander and other high ranking officers that lived within the post. The five wood-frame houses located on Grant Avenue continued to be used until they were demolished and replaced by larger, more

massive, and more elegant dwellings constructed on Quartermaster Corp standardized plans shortly after the turn of the twentieth century. New houses were also constructed along Jackson and Lee Avenues. The post expanded to include Forrest Circle and Sheridan Avenue where stables, a riding hall, and a riding school were constructed along with enlisted men's barracks. The Army used the riding hall to showcase equestrian skills. However, a fire destroyed the first riding hall, which was located where Conmy Hall (Building 241) stands today (URS 2004:2-16).



**Figure 4-6: Fort Myer 1900**

Another important addition to the post was the construction of a spur of the Washington, Arlington & Falls Church Railway in 1894. For the first time Fort Myer had a railroad link. The line entered the post near the present-day Wright Gate and extended along much of what are today McNair road and the Arlington Cemetery Wall before arriving at a station constructed on post. The station was located at the intersection of McNair Road and Lee Avenue (Batzli 1997:27).

Sheridan intended Fort Myer to become the showplace of the cavalry wing of the U.S. Army. The reputation of the installation grew steadily throughout the 1890s for its horsemanship. The riding hall was the site of some of the Army's grandest displays and training in mounted drills and shows (Netherton and Netherton 1987:219).

Among the new cavalry units transferred to Fort Myer was Troop K of the 9<sup>th</sup> U.S. Cavalry. Troop K had the distinction to be part of the Buffalo Soldiers, African-American cavalry units that served in the United States Army during the late nineteenth century. In 1891,

Troop K became the first of the Buffalo Soldiers stationed east of the Mississippi River when they were sent to Fort Myer. The unit consisted of 69 enlisted men and three officers. Their commander, Major Guy V. Henry requested the change of duty to rest his troops who had been engaged in a brutal winter campaign against the Sioux. Prior to their arrival at Fort Myer, Troop K was stationed at Fort Robinson, Nebraska (Fort Myer Equal Opportunity Office No Date:3-4).

Troop K of the 9<sup>th</sup> U.S. Cavalry was stationed at Fort Myer between 1891 and 1894. However, it is not known for certain exactly where on the post these soldiers were quartered. It is certain that the Army would house these soldiers at a separate location from other units given the prevalence of segregation within the Army at this time.

During their time at Fort Myer, the 9<sup>th</sup> Cavalry participated in the various drills, demonstrations, parades, and shows that were normally conducted at the fort. Equestrian riding shows were commonly held in the riding hall on post. In August of 1893, Troop K was chosen to escort the President of the United States during a parade event. On 3 October 1894, the Army redeployed all of the 9<sup>th</sup> Cavalry back to Fort Robinson. However, other Buffalo Soldiers of the 10<sup>th</sup> Cavalry were deployed to Fort Myer nearly 30 years later in October of 1931 (Fort Myer Equal Opportunity Office No Date:7-9).

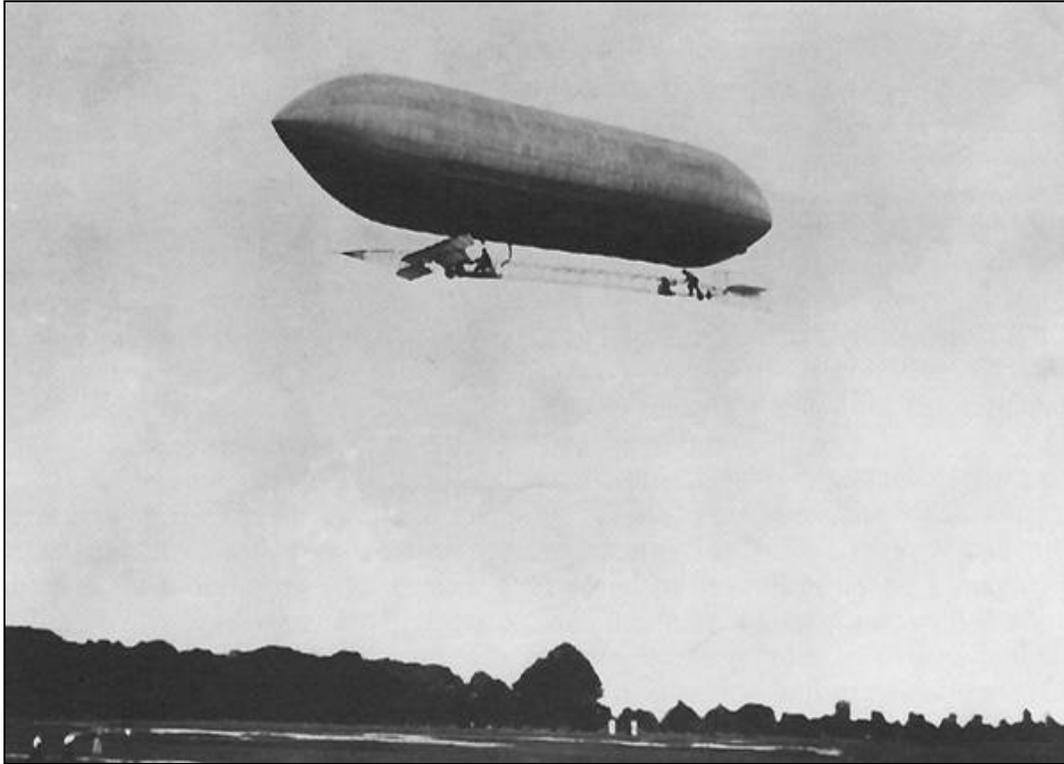
#### **4.3.4 Return of the Signal Corps and Early Aviation (1899-1909)**

The Signal Corps returned to Fort Myer in 1899. Quarters 1 and 2, a barracks (Building 305), a storehouse (Building 308), a balloon house, stables, and an administration building (Building 317) were all constructed for the Signal Corps. The balloon house, which is no longer extant, was necessary because the Signal Corps used Fort Myer as its base of operations for its balloon flights (URS 2004:2-20). The building was a simple wood-frame structure clad with sheets of corrugated metal that stood 40 feet in height and was 100 feet long and 40 feet wide. Balloons became a focus of the Signal Corps operations during the late nineteenth century and were used for military observations during the Spanish-American War. The Army housed most of its balloons during this period at Fort Myer. The Army formed a Balloon Detachment in charge of the safe keeping and operation of the balloons. The detachment consisted of one lieutenant and 12 to 24 enlisted men (Netherton and Netherton 1987:220).

Advances in aviation technology led the Army to investigate the use of new aircraft: the dirigible and the airplane. The Signal Corps began testing both of these aircraft types at Fort Myer. The Army signed a contract with Thomas Baldwin for the construction of a dirigible which was delivered to Fort Myer in July 1908 (Figure 4-7). The dirigible was 88 feet long when filled with 20,000 cubic feet of gas. The dirigible set atop a propeller and navigation shaft that was powered by a gasoline-driven propeller engine designed by Glenn Curtiss (Netherton and Netherton 1987:220).

The first official test flight of the dirigible was made on August 14 and 15, 1908 between Fort Myer and West Cherrydale. Although only a round trip of four miles, the dirigible successfully navigated the trip at a top speed of 20 miles per hour. The successful tests

convinced the Army to officially purchase the dirigible, which became known as Signal Corps Airship No. 1 (Netherton and Netherton 1987:220).

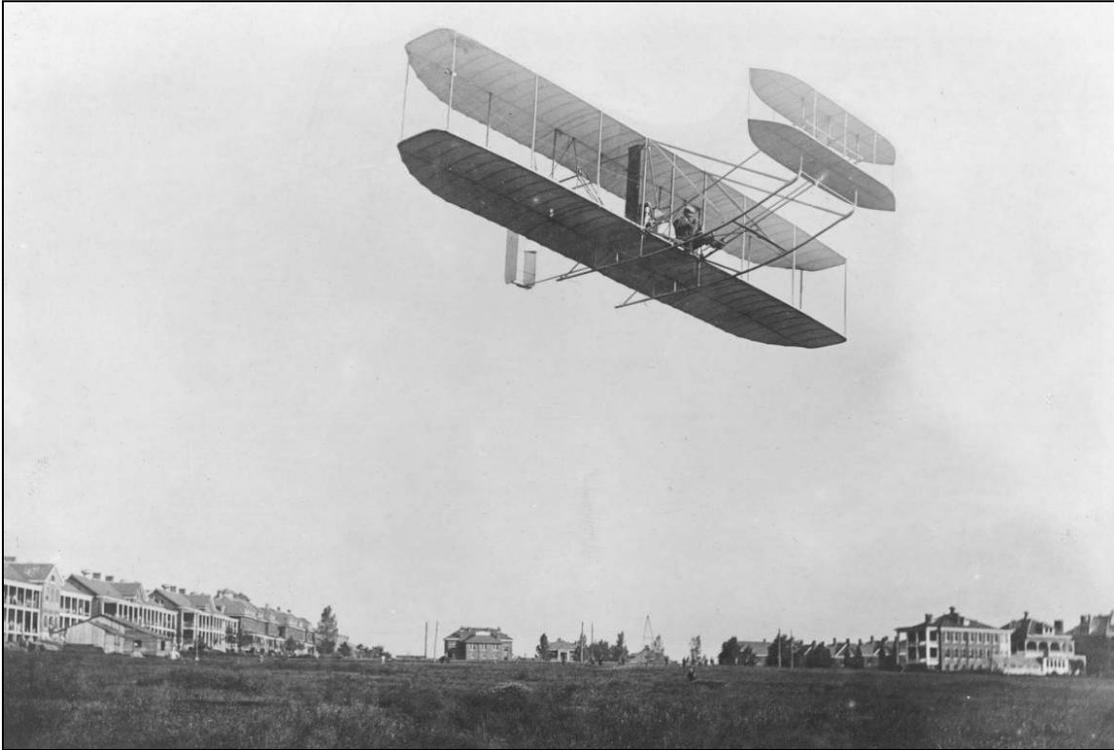


**Figure 4-7: U.S. Army Dirigible #1 at Fort Myer c. 1907**  
(Reproduced in M. Marshal 1965)

Later in 1908, the Signal Corps began experiments on an aircraft of a different kind, the Wright Flyer. In 1908 the Army took a serious interest in the Wright flyer and invited Orville and Wilber Wright to conduct demonstrations at Fort Myer. The Wright brothers, eager to acquire a lucrative Army contract for their flyer eagerly accepted the offer. In May 1908, Orville and Wilber trained for the demonstration at the Outer Banks in North Carolina, where they made their historic first flight at Kitty Hawk. Orville Wright came to Fort Myer in early September for the demonstrations. His brother Wilbert decided to represent the interests of the brothers by performing demonstrations in Europe at the same time Orville was at Fort Myer. The Army wanted a plane that could hold one passenger, stay airborne for over an hour, and meet designed speed tests. The demonstrations took place at Summerall Field (Figure 4-8).

The first successful test occurred on September 3<sup>rd</sup> with Orville flying repeatedly over Summerall Field and setting a new record for sustained flight in the process. During the next few days, Orville continued to better his own record for sustained flight (The Arlington Historical Magazine October 2008:47). On September 9<sup>th</sup>, the Wright Flyer passed 57 times over Summerall Field. Later that day, he carried his first passenger and the first Army officer to every fly in a plane, Lieutenant Frank Lahm, during another demonstration flight over Fort Myer that lasted six minutes and twenty-four seconds (The Arlington Historical Magazine

October 2008:51). That time was bested three days later when with a flight that lasted an hour and fifteen minutes (The Arlington Historical Magazine October 2008:47).



**Figure 4-8: 1908 Photograph of Orville Wright Flying Over Summerall Field**

Crowds of spectators witnessed each of Orville's flights. Among the spectators on September 9<sup>th</sup> was sculptor Gutzon Borglum, who later became renowned for creating the presidential images on Mount Rushmore. Borglum wrote the following account of a flight that day:

Presently the crowd warned us something was to happen. Wright had arrived – a light-weighted and not over keen looking man – he passed the ropes and entered the shed, put his hands affectionately on the laundered wing of his Pegasus, and said something to his faithful, foreign looking assistant. Word was passed about some troopers gathered, and together, much as boys handle a great kite, they dragged the flyer across the field to a little tripod, a derrick, from which hung a weight, and from which, along the ground extended a small rail. Upon this rail resting on a free wheel the flyer was placed.

The hour had arrived; there was some wind, but orders were given and the motor started. The aeroplane resting on the rail was anchored, and the weight suspended from the derrick was raised. Its falling, through rope attachments, aided the aeroplane to get speed instantly – a kind of push off.

As soon as the motor started, the plane gave a slight jump forward. The wind from the propellers drove the hats from the spectators' heads. Wright pulled his

cap closely down over his head, took his seat, called to his assistant, and away he slid – close to the ground, much as a duck does as it turns to escape, he swept the weed tops for possibly a hundred yards; then he seemed to mount suddenly six, ten, twenty feet. At this height he reached the end of the parade ground, turned to the left, and now we saw him in side profile. He crossed the short far end quickly, and as he turned towards us the machine was inclined inward. This Wright does deliberately, or the machine skids as an auto will in turning a slippery corner...Round and round he slid for an hour or more. All wonder was in the start, the ride, and the most conclusive proof that the plane with power took its place at will and maintained it.

The crowd stood open-mouthed, with murmurs of wonder and an occasional toot from [an] automobile horn; then as he passed over us everybody let go in an uproar of shouting and handclapping. The miracle had happened! Nothing can take this step made into space from man.

...Finally having made the record, he began his descent from the far end of the field. Down he came, in long sweeps, settling rapidly, then turning upward and down again on he slid over the tops of the weeds, then stopping so gently – more gently than does a bird.

The crowd broke; everyone raced for the machine. One quaint old lady who had been left in a small buggy to watch the horse, while her younger folk could be free, whipped up her horse, drove straight to the aeronaut and begged for a shake of his hand. She was one of the few who shook it. (The Arlington Historical Magazine October 2008:48-49)

The flight witnessed by Borglum that day as well as the flights during the preceding days and the days that followed were all successful. But then tragedy struck. On 17 September 1908, Wright conducted another passenger flight. This time Lt. Thomas Selfridge was the assigned passenger. The plane took off normally from Summerall Field and stayed airborne for three to four minutes. Then without warning, the plane took a nose dive. Wright tried to gain control, but the plane violently struck the ground. Wright survived the crash and was immediately transported to the hospital where he would spend several weeks of recuperating. Selfridge was not so lucky, sustaining a fractured skull. He later died of that injury, becoming the first ever casualty resulting from an airplane crash (The Arlington Historical Magazine October 2008:52). Selfridge was buried at Arlington National Cemetery and one of the west gates of the Cemetery was named in his honor (Netherton and Netherton 1987:221).

Even with the accident, the Army did not pass on the airplane. However with Orville Wright severely injured and his plane in pieces, the Army postponed all further demonstrations that year. Orville Wright returned to Fort Myer nine months later in June 1909. The final demonstration flights commenced between June 28 and July 30. Wright flew nearly every day between these dates. The most memorable flight was the last of the demonstration flights, a cross-country flight to Shooters Hill in Alexandria (where the George Washington

National Masonic Memorial now stands) and back, which was finally conducted on 30 July 1909. On this day Lt. Benjamin D. Foulois was the passenger on this trip. Eyewitnesses note that a large audience was in attendance that day including high-ranking officers from the Army, congressional leaders, cabinet members and thousands of other on-lookers. The crowd was so large that a squadron of cavalry was ordered to keep the spectators away from the flight line. Wright took off and circled the field once before heading directly to Shooters Hill. A balloon was raised at the turning point, but a strong wind destroyed the balloon, leaving it up to Wright himself to find the mark and return home. Orville actually reportedly went well beyond the mark before turning about for the home trip. When the buzzing of the engine was heard again at Summerall Field, the crowd immediately began cheering. Wright successfully navigated the plane away from the crowds and landed safely (The Arlington Historical Magazine October 2008:52-53).

On the flight to Shooters Hill, the Wright Flyer maintained an average speed of 42.7 mph, exceeding the 40mph minimum desired by the Army. On 2 August 1909, the Army formally awarded a \$25,000 contract to the Wrights for their airplane (The Arlington Historical Magazine October 2008:54).

#### **4.4 WORLD WAR I TO WORLD WAR II (1914-1941)**

With the onset of World War I, Fort Myer remained a cavalry post. Over 1500 horses remained at Fort Myer during this time (Hanbury, Evans, Newill Vlattas & Company 2000:43). During World War I, Fort Myer served as the home of one of the first Reserve Office Training camps for the Army. The officer training camp remained at Fort Myer through the 1920s (The History of Fort Myer).

In 1919, the U.S. 3<sup>rd</sup> Cavalry Regiment returned to Fort Myer. The cavalry units stationed at Fort Myer continued to hold exhibitions and shows. During the 1920s and 1930s, Fort Myer's horsemen held a reputation as being among the finest in the country (Netherton and Netherton 1987:222). Fort Myer's equestrian reputation also rose significantly when it became the official training site of the U.S. Olympic equestrian team during the 1920s. The Olympic training facility was located south of Building 59 (Batzli 1997:30).

Among the men of the 3<sup>rd</sup> Cavalry Regiment were Colonels Jonathan Wainwright and George S. Patton, both of whom served as post commanders during the 1930s. Patton who was known to have a passion for horses, held horse shows on the post that were more like lavish pageants and spectacles. His shows were often filled with leading members of governments and Washington D.C.'s social and business elite. Patton's shows themselves were full of colorful costumes and often were based on historical and patriotic themes (Netherton and Netherton 1987:222).

Brilliant horse shows, mounted reviews and escorts for the President of the United States and foreign dignitaries were often the order of the day at Fort Myer under the commands of Jonathan Wainwright and George S. Patton. Fort Myer was more or less a "show place" rather than a training ground for modern warfare, even though some in the cavalry seemed to refuse to relent that the day of the horse in warfare was over. However, the serious business of war remained part of the post's mission. Because of the availability of rugged land, the

Army chose Fort Myer as the testing ground for a new vehicle first officially known as the “Truck, General Purpose, ¼ ton (4x4)” which became better known as the “Jeep”. The name supposedly derived from the abbreviation of its designation as General Purpose vehicle or GP. The Army intended to use the new vehicle as a scout vehicle (Netherton and Netherton 1987:225).

One of the last “official” cavalry units stationed at Fort Myer was the Machine Gun Troops of the 10<sup>th</sup> Cavalry, which arrived in 1931 and remained on post until 1949, after which the 703<sup>rd</sup> Military Police Battalion replaced the last cavalry units (Hanbury, Evans, Newill Vlattas & Company 2000:43). The 10<sup>th</sup> Cavalry was primarily a machine gun unit at this time. It was also the last of the African-American units serving at Fort Myer before integration of the U.S. Army following President Truman’s signing of Executive Order 9981 in 1948. The 10<sup>th</sup> Cavalry was housed in the Lower Post area, which was separated from the major portions of the post and in line with the Army’s segregation practices of this time.

Much of the construction at Fort Myer during the 1930s was funded through New Deal programs. Works Progress Administration (WPA) monies funded much of the general maintenance on post during the mid and late 1930s. Repairs of roofs, gutters, and downspouts; chimney cleaning; sidewalk construction, general masonry repair; and plumbing repair were all funded through WPA programs (United States Army Quartermaster 1934, 1935) Major construction on the post during the 1930s included the erection of non-commissioned officers (NCO) quarters, a new riding hall, and the current post chapel.

#### **4.5 WORLD WAR II (1941-1945)**

With Japan’s attack on Pearl Harbor on December 7, 1941, the military dominion of Fort Myer also expanded at the beginning of World War II. The Army converted 210 acres of Arlington Farms into the Arlington Cantonment. It was anticipated that this area would be needed for troop training, but a lot of the area was used by military personnel employed at the newly constructed Pentagon. The entire camp consisted of 700 and 800 series of temporary cantonment constructions (Figures 4-9 and 4-10). These were standardized designs for barracks, mess halls, post exchanges and other training and recreational buildings that were built at camps throughout the country for military readiness due to World War II. This area became known first as the Arlington cantonment and then later as Fort Myer’s South Post (Netherton and Netherton 1987:225).

The South Post also became home of units of the Women’s Army Corps (WAC). The 2525<sup>th</sup> Service Unit, WAC was stationed at the South Post. This unit contained 1,900 enlisted women who served in over 60 War Department agencies (Grahn 1993:195). The WAC evolved from the Women’s Army Auxiliary Corps (WAAC), which was formed by Congress on 14 May 1942. The WAAC was only designated as an auxiliary unit that was not officially part of the Army, unlike the WAC which was part of the Army. The WACs served in many different capacities within the Army. Most served in non-combat situations being assigned primarily to administrative and clerical duties. The Signal Corps trained WAC personnel in the operation of radio functions (Treadwell 1991:307, 309).



**Figure 4-9: South Post Area in 1943**



**Figure 4-10: South Post Area in 1968 with World War II Construction Shown  
in Upper Right Portion of Photograph**

(Photograph from <http://www.fortmyervamemories.com/southpost.html>)

The South Post continued to be used after World War II. However, because the South Post was only designated to be a temporary part of Fort Myer, all of the buildings were demolished over time. The last of the World War II temporary buildings were demolished in 1975. The South Post eventually became Section 60 of Arlington National Cemetery. The demand for additional burial areas resulting from the increase casualties from the Vietnam War led to the cemetery acquiring portions of the South Post between 1968 and 1975. Today this area is used as a burial place for service men and women who have been killed in Iraq and Afghanistan (Netherton and Netherton 1987).

#### **4.6 THE NEW DOMINION (1946-PRESENT)**

Since the end of World War II, Fort Myer has continued to serve a ceremonial role as part of its mission for the Army. During World War II, the post officially ended its affiliation with the cavalry, since the mechanized era made the cavalry obsolete. However, its proximity to Arlington National Cemetery and the Pentagon has defined its use up to the present day. The installation houses the Chairman of the Joint Chiefs of Staff, the Vice Chairman of the Joints Chiefs of Staff, the Chief of Staff of the Army, and the Chief of Staff of the Air Force because of its proximity to the Pentagon. The post's geographic relationship with Arlington National Cemetery makes the post highly symbolic as the site of thousands of military funerals every year (URS 2004:2-24).

In 1951, the Army consolidated the North and South Posts in an attempt at better administration and maintenance throughout the post. The 3<sup>rd</sup> Infantry was officially stationed at Fort Myer by orders of President Truman in 1948. The 3<sup>rd</sup> Infantry is the oldest active infantry unit in the U.S. Army. The unit serves as the Army's official ceremonial and security unit and often escorts the President and Vice President of the United States. The 3<sup>rd</sup> Infantry also provides the guards for the Tomb of the Unknown Soldiers and color guards and military escorts for public events, including military funerals (Netherton and Netherton 1987:226).

During the Cold War era, the south end of the present-day post was the most heavily developed. The entire 400 area, which consists of troop support buildings, was constructed during the mid-to-late twentieth century (URS 2004:2-21).

##### **4.6.1 Fort McNair**

The District of Columbia Comprehensive Plan for Historic Preservation has established historic contexts for the purpose of identifying resources important to the history of the city. Each of the District's developed historic contexts is defined by theme and time period. Fort McNair is associated with the Military Presence context theme from 1800 – 1945. The following chapter provides a short history that is designed to outline the significant developments at Fort McNair that are associated with the Military Presence context between 1800 and 1945.

### **Early National Period (1789-1830) - Antebellum Period (1830-1860)**

The origins of Fort McNair date back to the original plan for the City of Washington made by Pierre L'Enfant. Located at the head of Greenleaf Point where the Potomac and Anacostia Rivers converge, L'Enfant envisioned that this site would be the city's arsenal. His 1791 plan for the City of Washington shows not only the footprint for the entire arsenal, but goes as far as mapping out actual buildings on the site (McClellan 1993:7:10). Greenleaf point was already known to be an ideal place for military occupation because of its commanding location at the confluence of the Potomac and Anacostia Rivers. A small fortified site existed at the location even before any development of the federal city occurred. Travelers during the mid 1790s noted a single cannon mounted in a small fortification at the location. In 1794, when Congress authorized the construction of two arsenals, the Secretary of War chose the site on Greenleaf Port as one of the locations. The other location chosen was Whitestone Point near Baltimore, Maryland (O'Brien 1935:3-5).

#### *Washington Arsenal*

In 1803, George Hadfield; a military storekeeper at Albany, New York; prepared the plans for what would become Washington Arsenal. Later that year, Congress authorized \$700 for its construction (O'Brien 1935:6). Considerable construction occurred over the next few years. By 1807, the Washington Arsenal had a powder magazine, carpenter's shop, and a smithy, and several large buildings (McClellan 1993:7:10).

A Frenchman named Andrew Villard was the arsenal's first commanding officer. Villard held the unofficial rank of Captain but was a civilian and not an officer in the United States army. He was in charge of the day-to-day management of the arsenal but did not command any of the regular soldiers quartered on site. This duty fell to regular army officers. By 1812, Lt. Samuel Perkins was commanding officer of the regular army troops at the arsenal (McClellan 1993:9).

The Washington Arsenal primarily stored and distributed rifles and cannon manufactured at the arsenals in Harper's Ferry, Virginia; Springfield, Massachusetts; and Foxhall's Columbia Foundry in Georgetown. The workmen at the Washington Arsenal cleaned, repaired, and made fittings for weapons and built large carriages for the heavier weapons. The arsenal expanded its operations during the War of 1812. In August of 1814, powder manufacturing was added among the arsenal's activities. This decision might have been influenced by widespread fear of a British attack on Washington, which in fact did happen. On August 19, 1814, three days before the Battle of Bladensburg sealed the fate of Washington City, a British flotilla had moved up the Potomac River and reached Fort Warburton, where Fort Washington is located today. The garrison there consisted of about 50 men under the command of Captain Sam T. Dyson. Shortly after the British warships had taken up position and began firing upon the fort, the entire garrison evacuated and fled the site, leaving the fort in the hands of the British, who destroyed the works and spiked all the guns (McClellan 1993:9).

The defeat at Fort Warburton left the entire Potomac River open and the British advanced to Alexandria, Virginia with no opposition. On August 24, an unarmed militia brigade consisting of 1,200 infantry and 100 cavalry hastily tried to obtain arms from the arsenal but

was denied. First Lieutenant Nehemiah Baden was in temporary command of the arsenal at this time. The War Department ordered Baden to deploy mobile artillery to protect the Capital and the Presidential Palace. It soon became evident that an attack would come from the northeast. A British force of 5,000 men led by General Robert Ross met and easily defeated a hastily organized American army leaving the City of Washington open for invasion. On the 25<sup>th</sup>, the British burned the Presidential Palace, Capital and most other public buildings. On the following day, a British force of 200 assaulted the arsenal with the objective of destroying the arms and munitions stored there without much resistance, burning the barracks, storage, and factory buildings along with 20,000 small arms. The most disastrous part of the invasion for the British occurred at the Arsenal when the powder magazine exploded killing 40 soldiers (McClellan 1993:11-12).

The War of 1812 ended with the signing of the Treaty of Ghent on 17 February 1815. Most of the public buildings and places destroyed during the war were soon restored, including the arsenal. Contemporary accounts describe the new facility as consisting of eight buildings arranged in a quadrangle and were constructed between 1816 and 1817 at a cost of \$30,000. Two parallel rows of three buildings were located on the long axis of the quad. These buildings were barracks for officers and enlisted men, a headquarters, and shop buildings. Two warehouses were located on the north and south sides of the central square, extending along the short axis of the quad. All of the buildings were all two-story brick structures designed in the Federal style, the most popular style of this time (McClellan 1993:15).

Captain Villard continued as the arsenal's superintendent at this time, which continued to concentrate on repairing gun carriages and cleaning and repairing small arms. The arsenal employed over 20 civilians. Ten civilians generally worked on the gun carriages and over twelve more were engaged with tasks involved with the cleaning and repairing of small arms. The government paid workers a wage ranging from \$1.25 to \$2 per day and working hours were from sun up till sun down. In addition to the civilian workers, Major Joseph Nelson commanded a small unit of 30 soldiers permanently garrisoned on post (McClellan 1993:9).

In addition to storing and repairing weapons, a primary mission of the arsenal was to collect weapons, munitions, and other military materials that were scattered around Washington during the War of 1812. It took many years in recovering all of the various items used in the defense of Washington. Excess material in the form of clothing and knapsacks were even sold to the public. The City of Washington slowly recovered and returned to normal. The Presidential Palace was reconstructed and became known as the White House. Once the President began entertaining guests again, he often requested that the Washington Arsenal launch rockets over Tiber Creek (McClellan 1993:16-17).

Greenleaf's Point, the location of the arsenal, was also settled at this time by many affluent Washingtonians. The neighborhood contained the estates of Richard Bland Lee, Judge of the Orphans' court; Charles Bullfinch, the Architect of the Capital; and Thomas Dougherty, Clerk of the House of Representatives (McClellan 1993:15).

Additional buildings at Washington Arsenal were completed by 1821. Shop buildings were constructed east of the square and buildings were constructed north of the square for the

storage of guns and ammunition. However, limited budgets at this time allowed for the arsenal to employ only 10 people (McClellen 1993:16-18). Budget issues would plague the arsenal for the next twenty years even though funding was allocated at intervals for facility improvements. In 1837, \$25,000 was allotted for various works at the arsenal that included: \$12,000 for the fill of James Creek and repair of wharf, \$3,200 for the construction of a 1,600 foot seawall, and \$10,000 for the completion of a magazine and keeper's house on the site (McClellen 1993:27).

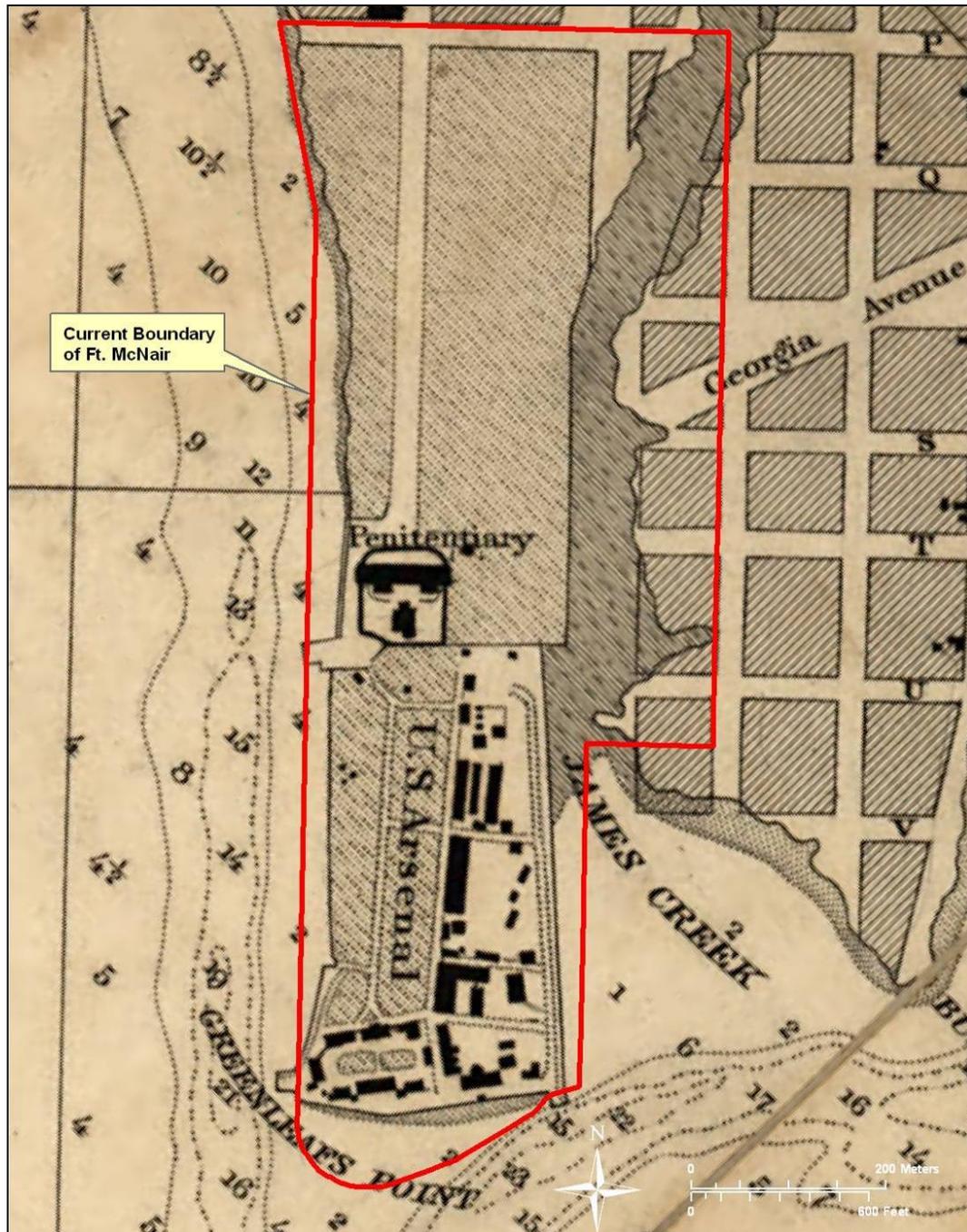
An 1837 guide of Washington described the Arsenal as being located on a ¼ square-mile plot that contained three gun sheds, a magazine, laboratories, a model office, carriage maker's shop, blacksmith shop, and a foundry (Figure 4-11). Among the equipment and stores housed on site included a 12-horsepower steam engine, screw-cutting machine, drilling machine, circular and upright saws, bellows, lathes, a turning lathe, and stores of 800 iron cannon, 30 brass cannon, 100 wooden field carriages, and 40,000 small arms (McClellen 1993:27).

The "Model Arsenal" was a recently constructed addition to the post at this time. The purpose of the building was the store patterns and models for various arms and military equipment used by not only the United States armed forces, but those of other nationals as well that were acquired by the War Department. The "Model Arsenal" is the only extant building associated with the arsenal presently at Fort McNair (O'Brien 1935:21).

The budget shortfalls experienced during the 1820s were over by the early 1840s. At this time, the Washington Arsenal employed 25 mechanics and laborers, 110 hired men, and 50 boys reported used for making rifle cartridges (O'Brien 1935:30). With the emphasis on the production of rifle cartridges, it is clear that by this time the Washington Arsenal mission had evolved beyond being just a storage place for munitions.

Between 1841 and 1845, additional buildings and structures were constructed at the arsenal site. A wharf was built at the southern end of the post. The wharf is shown on 19<sup>th</sup>-century plans for Washington Arsenal. The wharf probably replaced an earlier structure because the arsenal no doubt needed docks for shipping transports. Other buildings of unknown use were built at the upper end of the reservation near the penitentiary. Accounts from the 1850s relate that the arsenal was involved in the making and rolling of copper for the Navy Yard. The facility also used state-of-the art technology to produce munitions for small arms. Observers described the workshops at this time as containing:

...much useful and ingenious machinery, propelled by steam, for manufacturing gun-carriages and equipments for artillery, and for preparing ammunitions of all kinds. Among these may be noted particularly the machines for planing and boring wood and iron, those for toning and mortising the spokes and hubs of wheels; Blanchard's ingenious lathe for turning irregular forms in wood, such as spokes and axe handles; the machinery for making leaden bullets by pressing them out of the bar lead instead of casting them; and above all the beautiful machine for making and charging Percussion Caps, for small arms, invented by George Wright, a workman at the Arsenal. (O'Brien 1935:20-21)



**Figure 4-11: 1850s Bosche Map Showing U.S. Arsenal and the Penitentiary**

Weapons testing was introduced as part of the Arsenal's mission around 1840, and new structures were constructed to support this. In 1843, Ordnance Department reports identified the construction of ballistic pendulums at the site. A ballistic pendulum along with a gun pendulum is located on the 19<sup>th</sup> century arsenal plan. Testing conducted with the pendulums determined the proper proportion of length and width of cannon construction and the best methods available for the manufacturing and providing of gun power (McClellan 1993:30).

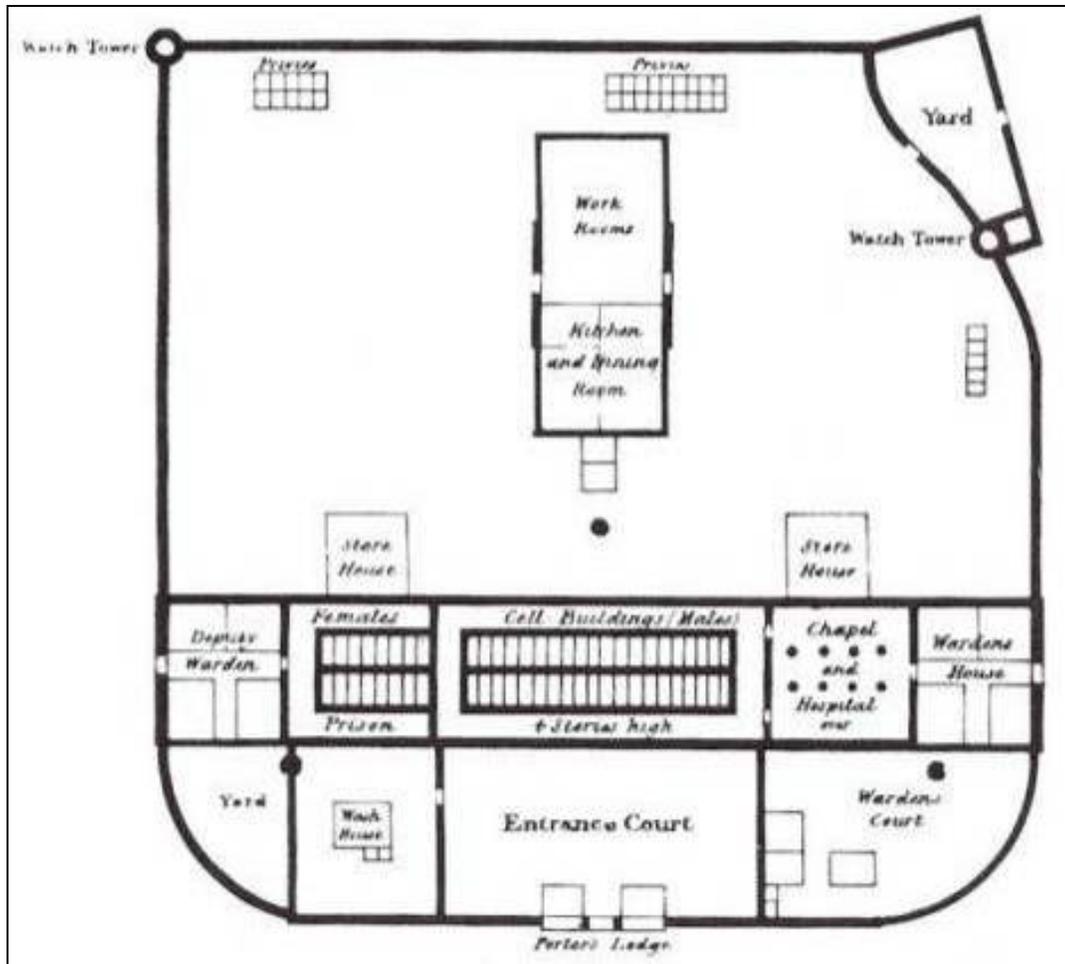
*The District of Columbia Penitentiary (1829-1862)*

Congress established the District of Columbia Penitentiary on 3 March 1829. The original act outlined the annual appropriations, selection and pay of wardens and guards, system of discipline rules, punishment powers, health care, and visitation rights, among other items. The location chosen for the new Penitentiary was along SW T Street, which was adjacent to the Washington Arsenal. The site was believed to be ideal because of this location where prisoners and supplies could be transported via water transportation rather than having to transport through the City of Washington (McClellan 1993:33).

President John Quincy Adams relied upon Charles Bullfinch to design the penitentiary. Bullfinch, a renowned Boston architect most noted for his contributions to Federal style architecture, at this time held the position of Architect of the Capital. Bullfinch's original designs involved the construction of a rectangular, three story brick building 120 feet long, 50 feet wide, and 36 feet high. An eastern extension 92 x 50 feet was added to the building a few years later to serve as the women's ward. This building would serve as the cell block, which contained four tiers of 40 cells. Each individual cell was only 3'4" wide by 7'11" long to ensure that one prisoner would only be housed in each cell. Bullfinch designed the cells so small to prevent overcrowding, which often resulted from wardens assigning two prisoners to a cell intended for single occupancy. Two cells with dimensions 25 x 38 feet extended from the south elevation of the main prison building. The wings were provided to accommodate administration and hospital facilities. South of the main prison was a large open courtyard that was surrounded by a 20 foot high brick wall (McClellan 1993:33-35).

Visitors entered the facility at its western end, which contained the warden's office (Figure 4-12). The western extension of the building consisted of four rooms on each of its three floors. The prison chapel was located in one of the rooms on the second story. The eastern extension contained the women's cell block and addition space used as a laundry. The eastern wing contained rooms on all three of its floors similar in dimension as those in the western wing, with the exception of the third floor. One large room was located in the north half of the eastern wing that measured approximately 40 x 27 feet. It would be in this room where the government would try the Lincoln conspirators (Cauchon 2009: Part 1).

The initial portion of the prison was completed in 1829 at a cost of \$141,000. The first warden was Benjamin Williams, who began at this post in May of 1830. The first prisoners arrived in April of 1831. Upon arrival to the penitentiary, each prisoner was given a cell that contains a bible, two blankets, and a coarse sheet. The code of conduct prevented prisoners from quarreling, conversing, laughing, dancing, singing, using alcohol or tobacco, writing or receiving letters, and destroying property. Prisoners were fed on the cheapest food that would support health and wellness. Prisoner rations were not to exceed 12 oz of pork, 16 oz of beef, 10 oz of wheat, and 12 oz of corn meal. Meal times were set at 45 minutes for breakfast and an hour each for lunch and dinner (McClellan 1993:36).



**Figure 4-12: Plan of the District of Columbia Penitentiary**

The primary emphasis placed on correction care at the new penitentiary reflected new ideas of criminal reform with rehabilitation rather than punishment as the emphasis of incarceration. Work therapy was adapted as one means for rehabilitation. All the prisoners were taught various trades to ensure they could be integrated into society when released and at the same time provide a valuable service. Various priests and ministers from the City of Washington donated their services by conducting weekly religious and moral instruction with the inmates, which reportedly had a good effect upon the prisoners' behavior (O'Brien 1935:17). Prisoner industries at the Washington Penitentiary including a laundry, broom factory, carpenter shop, and shoe factory. The shoe factory was the largest industry at the prison. A separate building was constructed in the courtyard to house the factory. The shoe factory never cleared a profit and was only in operation for a few years. The reason why it ceased operation was not that the factory was not profitable, but that the prison foolishly obtained a government contract to provide 15,000 pairs of shoes for the Navy. A law forbade government agencies from bidding on government contracts, and a scandal erupted when it was uncovered that the penitentiary violated this law. The shoe factory was closed in the wake of this scandal (McClellan 1993:37).

By the end of 1831, the penitentiary held 21 prisoners. Warden Williams was soon replaced by Isaac Clark because of accusation of misappropriation of funds. The penitentiary continued to grow over the next seven years. By the end of 1838, the prison population included a total of 76 prisoners, 9 of whom were female. African-American prisoners amounted to 49 of the 76 inmates (McClellan 1993:37). Most prisoners served short sentences of two years or less at the penitentiary, providing great turn-over in the prison population. The penitentiary was also never filled to capacity, and it was likely because of this that it was decided to allow the incarceration of non-district offenders (Cauchon 2009).

#### **4.7 CIVIL WAR (1861-1865)**

The Civil War permanently put an end to the penitentiary. The need for armaments and munitions resulted in increased operations of the Washington Arsenal. Because the arsenal required more space to house its expanding stores of munitions, it looked to acquire the penitentiary site for its own use. This transfer was ultimately sanctioned because the penitentiary was not critical to the war effort, but also because the prison was always under-utilized. In its 33 year history, the District Penitentiary confined 1,189 convicted prisoners, most of whom served less than two year sentences. The transfer of the prison property to the military authorities was made with careful secrecy. Prisoners were removed by boat at night and stealthily transported to serve out the remainder of their sentences in Albany, New York. The arsenal made immediate use of some of the old prison buildings. The former shoe factory was converted into a shop for producing harnesses, gun pouches, and other military equipment made from leather (McClellan 1993:39-40).

The Washington Arsenal was in a constant state of activity during the Civil War. In August of 1861, the *Washingtonian* estimated that over 800 iron cannon and 30 brass cannon were stored in the arsenal yard and reported much activity as constant wagons loaded with small arms and munitions constantly arrived and left the facility (McClellan 1993:49).

The Arsenal at this time was commanded by Major George D. Ramsey, who during the course of the war became a friend to Abraham Lincoln and was held in high regard by many high ranking officers, including George McClellan. Under Ramsey's leadership, the Washington Arsenal produced over 120,000 cartridges and 150,000 percussion caps per day for the war effort. The arsenal also produced field harness for horses. The War Department also stationed light artillery units at the site on a continued basis during the war (McClellan 1993:50).

The hectic activity during the war probably contributed to a number of reported incidents of explosions due to careless activity. One incident occurred when a workman used a chisel to cut a defective fuse from a case shot. A spark caused by the chisel resulted in an explosion killing one man and maiming three others. The most catastrophic even occurred on 17 June 1864 involving the explosion that killed 21 young girls. During the war, the Arsenal employed many young women. On 17 June 1864, a total of 108 women were working at the arsenal's main laboratory making cartridges for small arms when a fuse from some fireworks place outside the building ignited in the hot sun and then flew through an open window igniting a large quantity of loose powder. Many of the working girls managed to save themselves by jumping out of windows, while suffering broken bones as a result of the fall

(O'Brien 1935:21-22). A public funeral service was held at the Arsenal on Sunday, June 19<sup>th</sup>. Remains of fifteen of the 21 victims were laid to rest. President Lincoln attended the services and led the processional to the final resting places at Congressional Cemetery (O'Brien 1935:35).

### *The Lincoln Conspirators' Trial and Execution*

The Old Penitentiary became the site for the trial, execution, and temporary burial place of the Lincoln conspirators. The old penitentiary also became the initial temporary burial place of the remains of Abraham Lincoln's assassin, John Wilkes Booth, who was killed during a fight with federal troops at the Garrett farm in Virginia on 26 April 1865. According to Colonel Lafayette Baker, Secretary of War Edwin Stanton ordered him to dispose of Booth's body after the autopsy and the positive identification of certain people who knew Booth well. In his book, *History of the Secret Service*, Baker claims that he chose the penitentiary as the location because it had been used for years for only munitions storage. Booth's remains were secretly buried in a crude grave excavated in one of the first floor cells of the prison block. The remains were removed when the penitentiary was slated for demolition a few years later, and finally turned over to his family in 1869 (O'Brien 1935b: *Army Ordnance*:36).

On 28 April 1865, Secretary of War Stanton ordered the Washington Arsenal to prepare the old penitentiary for the housing of inmates on a short-term basis. The inmates that Stanton referred to were no ordinary prisoners, but the conspirators who allegedly acted with Booth in the assassination plot. President Andrew Johnson appointed General John F. Hartranft to serve as the provost marshal and military governor of the prison. His primary duty in this regard would be to supervise every aspect of the prisoners' daily lives during their stay at the penitentiary. Ultimately, the well-being of the prisoners were his responsibility (Elliott 2009).

The eight prisoners assigned to Hartranft charged in the assassination plot of President Lincoln were Mary Surratt, Lewis Payne, David Herold, George Atzerodt, Samuel Mudd, Edmond Spangler, Samuel Arnold, and Michael O'Laughlin. All had been arrested within two weeks after the death of Lincoln. Herold, the last to be arrested, was with John Wilkes Booth when federal troops caught up with the assassin at the Garrett farm in Virginia on April 26 and mortally wounded him during the confrontation. Herold, Atzerodt, Spangler, Arnold, Payne, and O'Laughlin were confined in the ironclad vessels Montauk and Saugus. Surratt and Mudd were confined in slightly better conditions at the Old Capital Prison, probably because Surratt was a women and Mudd, the doctor who set Booth's broken leg, because of his professional status (Swanson and Weinberg 2006:15).

All eight prisoners were incarcerated at the penitentiary by May 4<sup>th</sup>. Because their care was his primary responsibility, General Hartranft issued strict orders for the guards to ensure the prisoners were observed at all times. Prisoners were to undergo a personal inspection at least twice every 24 hours. The inspection would be treated as a medical inspection conducted by a doctor who would be accompanied by Hartranft. Dr. George L. Porter, the army physician of the arsenal, was assigned to conduct the examinations. The prisoners were to be prevented from committing any self-inflicted harm. The men were shackled with special handcuffs that kept their hands apart. All of the prisoners were required to wear padded hoods after Lewis

Payne attempted to commit suicide by beating his head against the walls of his cell. The hoods were of special interest to the press and other observers, although the prisoners' were never photographed in them. Samuel Arnold's description of the hoods conjures up images of a device of torture rather than one for protection. Arnold described the hoods as:

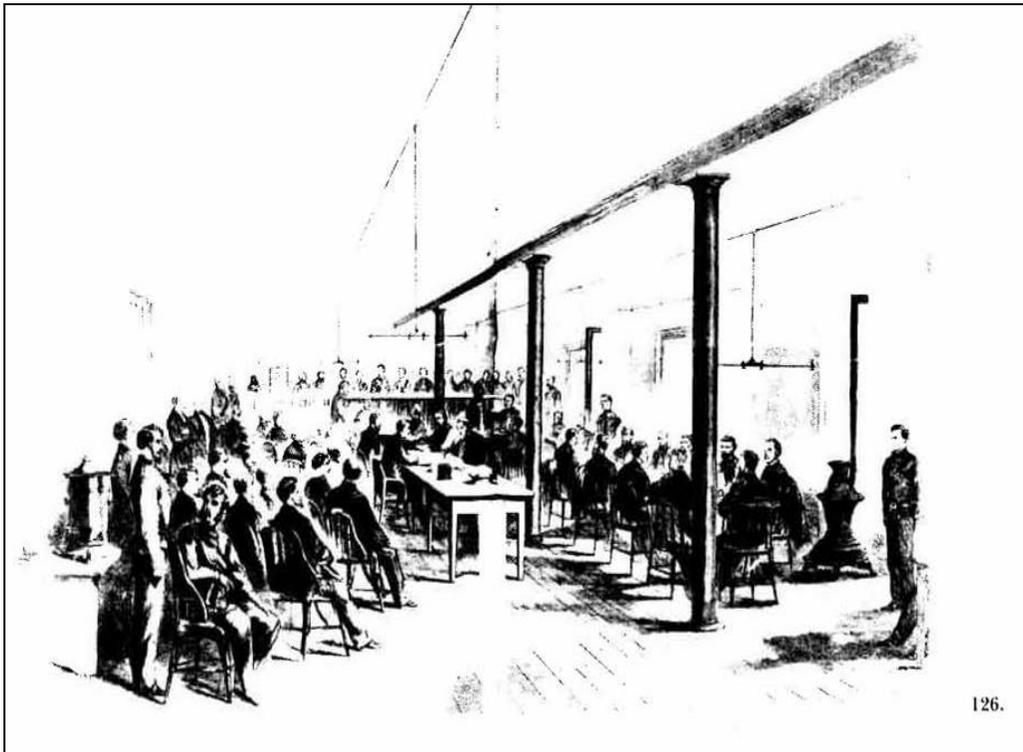
...prepared for head cover, of much more torturous and painful pattern than the one formerly used. It fitted the head tightly, containing cotton pads which were placed directly over the eyes and ears, having the tendency to push the eye balls back far in their sockets, one small aperture allowed about the nose through which to breathe, and one by which food could be served to the mouth, thence extending with lap ears on either side of the chin to which were attached eyelets and cords...These cords were pulled tight as the jailor in charge could pull them, causing the most excruciating pain and suffering and tied in such a manner around the neck that it was impossible to remove them. (Swanson and Weinberg 2006:17)

The manhunt for Lincoln's assassin, the arrests of those implicated in the plot, and the subsequent trial provoked the greatest media circus of the time. Newspapers around the country covered the events every day, reporting both news and gossip. No doubt on account of the media attention, the government decided to try all of the conspirators together within the penitentiary. Stanton wanted the conspirators tried swiftly by a military commission. However, others in the administration, probably most notably Secretary of the Navy Gideon Wells, believed that because the conspirators were civilians, they could only be tried in civilian courts. President Johnson decided in favor of Stanton after Attorney General James Speed prepared a legal brief supporting that a military commission could try civilians arguing that the assassination of a president during an armed rebellion was an act of war (Swanson and Weinberg 2006:19).

The military commission consisted of a court of nine appointed judges, all high ranking military officers. The commission members included Major General David Hunter, presiding officer; Major General Lew Wallace, Major General August Kautz, Brigadier-General Albion P. Howe, Brigadier General Robert S. Foster, Brigadier General Cyrus Comstock, Brigadier General T. M. Harris, Colonel Horace Porter, Lieutenant Colonel, David R. Clendenin (Adjacent Generals Office 1865). Trial before a military commission was to the advantage of the prosecution who wanted a swift verdict and execution. The defense had little time to consult with the defendants, prepare witnesses, or even cross examine witnesses for the prosecution. A simple majority vote would result in conviction and two-thirds vote was needed to impose the death penalty.

The trial began on May 12<sup>th</sup> and was held in a makeshift room on the third floor of the old penitentiary (Figure 4-13). The courtroom was arranged to hold the military tribune, the eight accused, sundry guards, and selected representatives of the media. The room where the trial was held was located in the northeast corner of the third floor of the penitentiary. The room measured approximately 40 x 27 feet. Flat bars were placed over the windows and the interior lighting was lit by gas fixtures. The entire room was painted white with three columns standing in a row in the center of the building. At far end of the room was a raised

platform behind a wood railing where the defendants were to sit. Defense councilors were seated in tables in front of the platform. Two long rectangular tables were located in the center of the room. The commission judges were seated around one of the tables on the north side of the room and invited reporters were located around the other table on the south side of the room. Stanton reluctantly allowed for the presence of a few reporters representing various newspapers around the county (Elliott 2009). Admission to the trial required passes signed by General David Hunter (Swanson and Weinberg 2006:21).



**Figure 4-13: Drawing of Trial Room**

(Original printed in Frank Leslie's Illustrated Newspaper. Reprinted in Swanson and Weinberg 2006)

Although the government intended all of the defendants be seated on the platform, it was determined that because of failing health, Mary Surratt should sit at her attorney's table in front of the platform. The other seven prisoners were seated on the platform with six guards; all seated in alternating sequence (prisoner-guard-prisoner-guard-etc.). When not in the courtroom, the prisoners were confined to their cells. Hartranft ensured that the prisoners were not put in adjacent cells to guarantee their seclusion and prevent messages from being transmitted in any way between cells. The prisoner's meals generally consisted of bread and salted meat served with coffee or tea (Elliott 2009).

The trial of the Lincoln conspirators lasted seven weeks. In that time the tribunal heard the testimony of 361 witnesses and the proceedings produced over 4,900 pages of transcripts. Much of the testimony was sensational and irrelevant to the trial such as the reported Confederate plan to infect the northern population with yellow fever. Such testimony was reported in over-sensationalized stories by the press who believed that the conspiracy involved hundreds of people and probably led to Jefferson Davis himself. Ultimately

evidence was presented connecting each of the accused with Booth. Herold, Atzerodt, and Payne were involved in the assassination plot. Mary Surratt owned the boarding house where the conspirators met, and she delivered carbines and a set of binoculars to her innkeeper in Charles County, Maryland at the request of Booth on the day of the assassination. Booth picked up these items on his escape route. The evidence against O'Laughlin and Arnold was that they were involved with Booth's plans to kidnap the president, but had no knowledge of the assassination plans. Mudd not only aided in the assassin's escape, knowingly or unknowingly, but he had been introduced to Booth through Confederate agents the previous fall. Spangler's only culpable crime was that he arranged for Booth's horse to be held at Ford's Theater, while the assassin went in to shoot the president (Swanson and Weinberg 2006:22).

The last day of the trial occurred on June 29, after which the commission retired to deliberate. Most believed that it would be several weeks for the commission to reach a verdict for all eight accused, but it actually took just a few days. On 5 July 1865, the commission presented their verdicts and their sentences to President Andrew Johnson, who approved all of the sentences. The next day, Hartranft visited each of the accused to inform them of their sentences in person. The commission sentenced Atzerodt, Herold, Payne, and Mrs. Surratt to death by hanging. Hartranft also told each that the sentence would be carried out the next day on July 7<sup>th</sup>, making any appeal other than a stay of execution by the President of the United States impossible. He also handed to each of the convicted an envelope that contained a copy of their death warrant. The commission sentenced the other conspirators to hard labor prison sentences to be carried out at Fort Jefferson, located at the Isle of Dry Torurugas in the Florida Keys (Swanson and Weinberg 2006:99 and Elliott 2009).

The scaffold for the hanging was being constructed in the penitentiary courtyard even while the commission was deliberating. Four graves were dug alongside the scaffold where the bodies of the convicted would be disposed. News of the hanging did not reach the public until the morning of July 7<sup>th</sup>. A media frenzy circulated around the hanging just as it had during the trial. The press related detailed stories about how each of the accused spent their last hours and how each died. Select members of the media were allowed into the courtyard to view the hanging. Among those invited was the photographer Alexander Gardner. Gardner took his famous photographs of the hanging from the second story of the Shoe factory (Figure 4-14). At around 1pm in the afternoon, the four prisoners were led out into the courtyard in full view of the freshly dug graves and simple pine boxes that would serve as their coffins. Each was seated on the scaffold while their sentences were read. Within a few minutes the trap door on the scaffold was sprung and all four of the convicted dropped to their deaths. Mary Surratt became the first woman executed by the United States government. Many had expected that President Johnson would commute her sentence to life imprisonment because she was a woman (Swanson and Weinberg 2006:99).



**Figure 4-14: Top: Alexander Gardner Photograph of the Conspirators' Hanging  
Bottom: The Site Today along with Building 20 (the Scaffold Stood Near the Tennis Courts)**



#### 4.8 RECONSTRUCTION AND GILDED AGE (1865-1914)

##### *Post Civil War: From Washington Arsenal to Washington Barracks*

The District of Columbia Penitentiary would never again hold prisoners following the execution of the Lincoln conspirators. Because it had outlived its purpose, much of the penitentiary would be removed within two years. The demolition process began in 1867. The bodies of Booth and his four conspirators along with Andersonville commandant Henry Wirtz, who was buried with the others after his execution at the Old Capital prison, were removed from their graves. The scaffolding from the hanging which had never been removed was finally dismantled. The prison building itself and the walls around the courtyard were the next to be demolished. The government decided to demolish only the central portions of the penitentiary building leaving portions of both wings intact. Architect Adolph Cluss renovated the 44 foot portions of the eastern and western extensions left intact after the demolition into residences. Cluss constructed additions to the north end of each renovated dwelling. The additions were constructed of brick salvaged from the penitentiary demolition. Cluss modernized the interiors of these buildings to include gas lights, fireplaces in every room, and tin bath tubs. Marble mantel pieces for the fireplaces were imported from England (McClellen 1993:55).

Following the Civil War, there remained little need for an arsenal in Washington D.C. Much of the equipment housed there became outdated by the 1870s. During the mid 1870s, it became clear that the arsenal would close eventually, with the property being transferred to the Army Quartermaster Corps. The army began clearing the post of stores and equipment housed at the facility. In 1878, the U.S. Army transferred the property to the Quartermaster Corps and it soon became known as the Washington Barracks (McClellen 1993:61-62).

Plats for the Washington Barracks show a boulevard extending north-south through the former prison compound ending at the arsenal with a traffic circle located between the two dwellings created from the destruction of the former prison (Figure 4-15). What is now Building 20 was known during the late nineteenth century as Building 2-B and was used as the post surgeon's quarters. It was located east of the circle. Building 2-A, the other building located east of the circle was the quarters of the commanding officer. During the 1870s, Colonel Franklin D. Callender became the post commander. Callender oversaw the construction of the wrought-iron entrance gate and the construction of the north wall along present day P Street, which was made from brick. He also was in command of Washington Barracks when the northern portion of the seawall was constructed (McClellen 1993:57-58).

The Washington Barracks would serve as a garrison for artillery troops within what was known as Military District 5. In 1881, the location served as the headquarters for the 2<sup>nd</sup> U.S. Artillery. Garrison duty consisted of monotonous drilling and formation marches. A 1,000 yard firing range was constructed along James Creek for practice with small arms, but there was no room large enough to have a range devoted to artillery. Some soldiers at the barracks were assigned special duty service, such as serving in funerals or at functions at the White House.

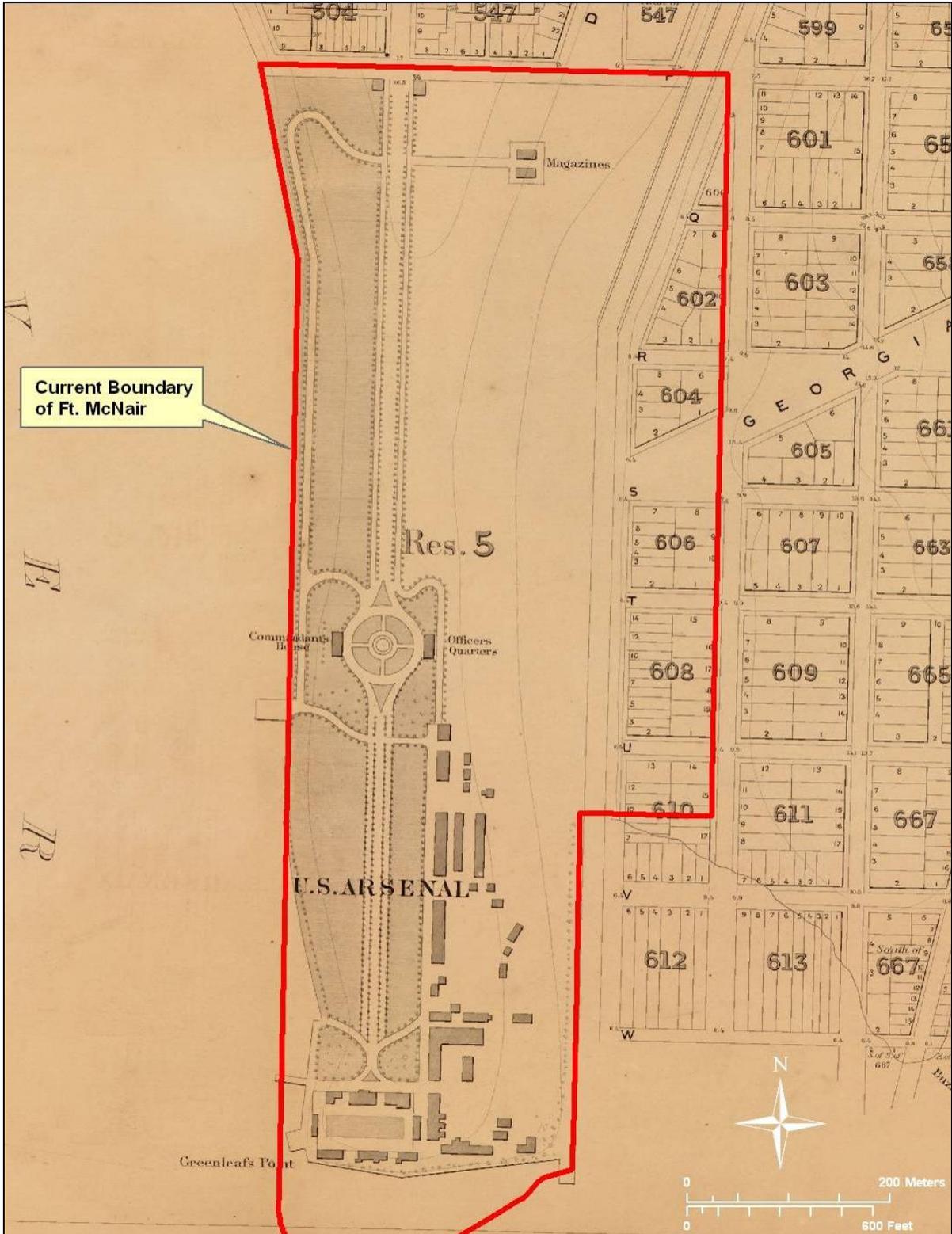


Figure 4-15: Plat of the Washington Barracks

It became known to most in the army that the Washington Barracks was not the best location for artillery troops because of the lack of live artillery ranges for practice. The site was also seen as unhealthy and generally unfit for occupation in general. Much of the area between the White House and the Anacostia River was marshland. Also, much of the city's sanitation waste was washed out into James Creek (McClellan 1993:65 and 71).

The most prominent individual associated with Washington Barracks during this time was Walter Reed. Reed was a commissioned Major and surgeon with the 2<sup>nd</sup> Artillery during the 1880s, and later served on the faculty of the Army Medical School when it opened in Washington D.C. in 1893. Reed is credited with proving that yellow fever and other infectious diseases were carried by the mosquito. It is believed that Reed conducted many of his test and experiments that proved his theories while at the Washington Barracks. The marsh-like conditions of the location during the last years of the nineteenth century, while unfit as healthy living space, were ideal for Reed since this area was infested with mosquitoes. Reed died unexpectedly in 1902 following the rupture of his appendix (McClellan 1993:121-122).

Reed spent much of his time in what was the post hospital constructed in 1881, which is today Building 54. This hospital was later determined too small to meet the needs of the military community at the Washington Barracks and was replaced by a larger building constructed between 1893 and 1894. This second hospital was designated as one of three Army General Hospitals at the time of the Spanish-American War. The Hospital Corps of the Army Medical School was trained at this new facility (McClellan 1993:121).

#### *The U.S. Army War College and Engineering School*

During the last decade of the 19<sup>th</sup> century, it became evident that the Washington Barracks was unsuitable to garrison artillery units because of the lack of training ranges. The army selected the post to become the new home of the Engineering School of Application, which at that time was located in Willets Point, New York. General Order 155 issued 27 November 1901 authorized the establishment of the new engineering school at the Washington Barracks, and that the site would also serve as the Army War College for the advanced training of army officers.

The Army War College was designed as the learning center for the "new army". Both were visions of Elliott Root and Theodore Roosevelt at the turn-of-the-twentieth century. The Spanish American War demonstrated to United States military leaders just how unorganized the United States military was, and leaders like Root and Roosevelt realized that a better organized centralized structure was needed to ensure the advancement of the U.S. military among the elite of the world powers. The Army War College was created to serve as a training center for elite officers where the models for Army organization and planning would be taught. In the years after its establishment, the Army War College would serve an important role in the education of many of the army's high ranking officers (Gamble 1972).

The transformation of the location into a college would require a major redesign of the site. The existing building associated with the arsenal and barracks were unsuitable for most of the buildings needed for the college. Many of the arsenal buildings were almost 100 years

old and were in desperate states of disrepair. The existing facilities also lacked the necessary housing to accommodate officers and enlisted men at the engineering school and War College. According to Captain C. D. Parkhurst, the last artillery battalion commander stationed at Washington Barracks, the existing barracks could only house 300 men. The new school was estimated to have at least a little over 400 men permanently assigned to the post. Captain Parkhurst also relayed information about the limitations of the site. In his report to the Adjutant General of the Department of the East, Parkhurst described that the only area on or near the site without development was the east bank of James Creek, which he noted as being “spongy” in reference no doubt to the marsh-like conditions. However, Parkhurst stated that with some filling and leveling of the land along with the implementation of modern sanitation, the site had the potential of being one of the finest posts in the country (McClellen 1993:73-74).

The only solution left to the Army was to demolish the existing buildings and design a new facility on the site that would accommodate the needs of the engineering school and War College. The Army gave the task for designing the new facility to the architectural firm of McKim, Mead, and White. McKim, Mead, and White, widely known by this time as one of America’s finest design firms at around the turn-of-the-twentieth century, designed a campus plan consisting of a large quadrangle containing a drill field flanked by rows of officer housing (Figure 4-16). At the south end of the quadrangle was the War College. The new buildings designed by McKim, Mead, and White could not provide all of the space needed by the engineering school and War College. So, the Army retained three buildings part of the old site that McKim, Mead, and White intended to demolish. These buildings included the Model Arsenal and Quarters 2-B, now Quarters 20, the lone extant part of the old penitentiary and site of the trial of the Lincoln Conspirators (McClellen 1993:74). Stanford White was so angered when he saw the physical presence of the nineteenth century buildings within his campus plan that he immediately left the site and never returned.

Captain John S. Sewell supervised the construction for the new War College and engineering school. Sewell had a distinguished career graduating second in his class at West Point and then embarked on an impressive career as an army engineer. He worked in Washington D.C. on the construction of the Government Printing Office, Department of Agriculture, and the Soldier’s Home. Mark Wilmarth, a private civil engineer, assisted Captain Sewell on the project (McClellen 1993:76).

The site plan was altered before construction commenced. Charles McKim persuaded the army to place the engineering school just within the main gate along P Street and placing the War College at the head of the peninsula. The original plan had the locations of these two schools reversed (McClellen 1993:78).

Congress authorized \$900,000 for the construction of both the engineering school and War College. The final cost however exceeded \$1,300,000. The cost overruns were due to a combination of design and construction costs that exceeded original budget forecasts (McClellen 1993:78). Work began on the Army War College in 1903, when President Theodore Roosevelt laid the building’s cornerstone. The War College was the most

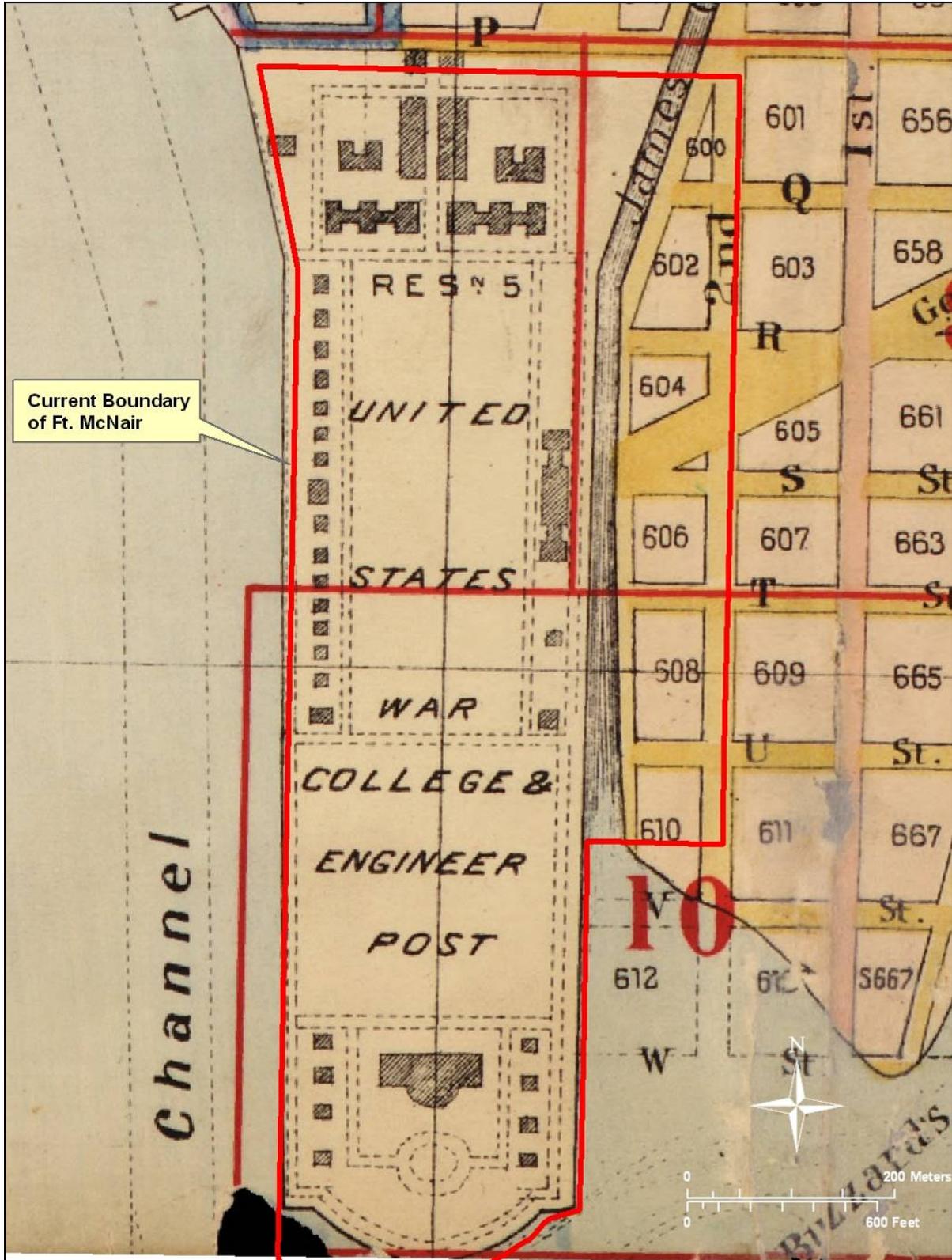


Figure 4-16: Baist Map Showing Army War College and Engineering School

impressive architectural feature of the post constructed during this time. The building, designed in the Beaux Arts style by McKim, Mead, and White, featured a vaulted rotunda 128 feet high. Roosevelt no doubt liked the finished product as he often met with his military leaders at the War College. It was there that Roosevelt often came to review the plans for the “Great White Fleet”, the Navy’s operation to paint the battleship fleet white before embarking on a global cruise to demonstrate American naval strength. In 1910, the War Department library was transferred to the library (McClellen 1993:133-134).

By 1905, the most urgently needed buildings for the Engineer School and War College were completed. These buildings included two troop barracks, one barracks for the company band, two mess halls, one barracks for the band, two storehouses for the post quartermaster and engineers, two stables, one cook/baker’s school, six duplex quarters for NCOs, and 15 sets of officers’ quarters. The NCOs’ quarters were constructed for \$81,000 a piece and the officers’ quarters were constructed for \$210,000 a piece. The barracks were each constructed for \$100,000 (McClellen 1993:78).

The first Army War College class was assembled in November of 1904. The school’s first commandant was Major General S.B.M. Young. The first class consisted of nine students, all majors. Among the first class was Major John Pershing, who would become the commander of the U.S Expeditionary Force during World War I (McClellen 1993:138).

By World War I, 13 classes had graduated from the War College. By the time of the “Great War” the students attending the school also included members of the Navy and Marine Corps and some non-commissioned officers (McClellen 1993:141-142).

The engineering school was in operation soon after the initial buildings were completed. Each of the engineering companies that occupied the new barracks contained approximately 95 soldiers. The school operated much like other military camps. Reveille awoke soldiers early in the morning, where the first order of business was regular calisthenics and drill. This was followed by breakfast in the mess hall and instructional activities and more drill for the remainder of the day. Classroom instruction included all of the engineering basics of the day including functions involving basic trade school instruction that focused on plumbing, masonry, and carpentry. The school also had a machine shop (McClellen 1993:80).

In 1915 a total of 37 officers and 189 non-commissioned officers were stationed at the Washington Barracks. Commissioned officers on post included the commandant, one quartermaster, one surgeon, 2 engineering school directors, 5 student officers and 19 battalion officers. The non-commissioned officers served in the engineering school, engineer band, cook and baker school, hospital corps, and the 1<sup>st</sup> Battalion of Engineers. The Army War College included another 57 non-commissioned officers (McClellen 1993:80-82).

The most notable soldier to serve at the Washington Barracks between 1901 and 1915 was Douglas MacArthur. MacArthur attended the Engineer School as part of the 2<sup>nd</sup> Engineering Battalion. While stationed at the Washington Barracks, MacArthur served as an aide at many White House functions at the request of President Roosevelt (McClellen 1993:83).

#### **4.9 WORLD WAR I TO WORLD WAR II (1914-1941)**

During World War I, heavy military traffic passed through the Washington Barracks. In addition to the regular personnel assigned to the schools on post, intermittent troops constantly passed through the post embarking onto Europe. The Army constructed temporary cantonment buildings in the open area south of the duplexes. Even tents were erected on various portions of the parade ground (McClellen 1993:82).

A year after the end of World War I, the Engineering School left the Washington Barracks relocating to Fort Belvoir leaving only the Army War College at the site. Because no other unit shared the site, the Army officially changed the name of the location from the Washington Barracks to the “Army War College”. The name change was precipitated because of confusion as to the War College’s location (McClellen 1993:145).

Little new development or change occurred with the campus during the 1920s and 1930s. After World War I, decreased defense appropriations meant that little money was available for new construction. The government had even less revenue when the Great Depression began. The post did however benefit from a few New Deal programs. Quarters 20 was almost completely renovated in 1937-1938 with WPA funds (McClellen 1993:151).

On 7 August 1941, Brigadier General Lesley J. McNair joined the Army General Headquarters and made his own headquarters at the Army War College. McNair oversaw a variety of Army schools and training centers. After America’s entry into World War II, he spent some of his time in combat zones in Europe. On 25 July 1944, General McNair was killed by friendly fire at St. Lo in Normandy, France. In honor of McNair, the post changed its name to Fort Lesley J. McNair on 13 January 1948 (McClellen 1993:157-158).

#### **4.10 THE COLD WAR (1946-1989)**

After World War II, the Army War College moved to Carlisle, Pennsylvania, leaving the post vacant. However, the site was soon occupied by the National War College (NWC), after its founding in 1946. The NWC primary mission was to train a select group of officers and civilians for leadership in the fields of national security policy and military strategy. In 1965, over 165 students were enrolled at the NWC. In 1976, the NWC was re-designated the National Defense University, which included the Industrial College of Armed Forces at Fort McNair, and the Armed Forces Staff College in Norfolk, Virginia (McClellen 1993:163-165).

#### **4.11 THE POST COLD WAR ERA**

During the late 20<sup>th</sup> and early 21<sup>st</sup> centuries, Fort McNair expanded to include land an area known as Tempo C, which was located at the east end of the facility. Marshall Hall (1991), Lincoln Hall (2007), and the Fitness Center (2007) were all constructed in this area. Tempo C is located outside the designated boundaries of the historic district and is separated by the historic portions of the facility by a 12-foot-high brick wall that notes the original boundary of the post.

## 4.12 ARCHITECTURAL CONTEXT

Construction at Both Fort Myer and Fort McNair has followed general patterns for Army standardized construction since the Post Civil War era. Fort McNair has also been the site of more formal planning due to the establishment of the Army War College.

### 4.12.1 Quartermaster Plans

Construction at both Fort Myer and Fort McNair for over two decades following the end of the Civil War followed the first set of standardized plans developed by the Quartermaster Corps. These first standardized plans resulted from the consolidation of western posts and coastal fortifications during the period immediately after the Civil War. The Quartermaster Corps discovered that standardized plans addressed the need for better planning and design in both post layout and the construction of individual buildings. The Surgeon General's *Report on the Hygiene of the United States Army, with Descriptions of Military Posts* noted that many soldiers lived in crowded conditions with contaminated water supplies due to poor construction, which also contributed to the spread of disease among the soldiers (USACE 1997:5). The ultimate aim of standardized plans was to control construction to ensure better living standards for soldiers, but also to set aesthetic standards sufficient to promote the Army's prestige. In 1872, Quartermaster General Montgomery Meigs introduced standardized plans for barracks, officers' quarters, storehouses, guard houses, and other support buildings commonly constructed on Army posts (Goodwin 1995:154). Because of the criticisms from the Surgeon General about the sanitation conditions in military barracks and hospitals, the new plans incorporated concerns about hygiene and health in the construction of hospitals and barracks. Integrated water, sewage, and heating systems were capaciously designed for the first time (Goodwin 1995:154 and 175).

The Quartermaster Corps no longer performed the actual construction and building design, but rather contracted professional architects and builders for this work. The Quartermaster Corps oversaw the work and approved all plans, which were usually based on simplified versions of Queen Anne, Colonial Revival, Italianate, Romanesque Revival, and other popular styles of the day (Goodwin 1995:175). During the 1880s and 1890s, the Quartermaster Corps often used Victorian styles, which were in vogue (USACE 1997:82).

### 4.12.2 Beaux Arts and McKim, Mead, and White

It was not until the twentieth century that the Quartermaster Corps became conscious about providing facility plans. Formal post planning was not practiced during the nineteenth century. However, most posts were arranged on a traditional plan which centered on a parade ground. Usually the headquarters building was located at one end of the parade ground with barracks, officer housing, mess halls, and other buildings located around the other sides of the parade ground. Buildings were most commonly laid out in grid patterns beyond the parade ground.

The redesign of Fort McNair during the early twentieth century was largely the result of progressive thought that had inspired the City Beautification Movement. In an era when cities were become more crowded, dirty, and chaotic, reformers believed they could

eliminate blight with better planned cities. Beaux-Arts architecture and planning became the ideal design for the new movement. Named after the famous French school of architecture, the Ecole des Beaux-Arts, Beaux Arts design incorporated classical elements, such as order and symmetry, into a unified design that also included broad vistas. In a Beaux-Arts plan buildings were generally symmetrically arranged around a central landscape element, such as a park, and/or along wide boulevards often arranged on an axis. The buildings were all of similar height and proportion and were decorated with classical ornamentation.

The first major architectural design to incorporate Beaux-Arts planning was the World Columbian Exposition of 1893 held in Chicago. Designed to commemorate the 400<sup>th</sup> anniversary of Columbus's discovery of America, the exposition was the first major Beaux-Arts design in the United States. Daniel Burnham, one of Chicago's most renowned architects, was chosen as the exposition director of works. Burnham, himself not a professionally trained architect, forged partnerships with many who were. Among those who took part in the exhibitions design were Richard Morris Hunt, William Jenny, Charles McKim, William Mead, and Stanford White; the latter three all part of the firm McKim, Mead, and White. Most of these men had been trained at the Ecole des Beaux-Arts.

By 1900 most major cities were incorporating Beaux-Arts planning into urban redevelopment projects. In Washington D.C., the McMillan Commission of 1901 was formed to provide a new plan for the Nation's capital. The McMillan Plan was to improve upon, or modernize, L'Enfant's original plan for Washington. Members of the Commission included Charles McKim and Daniel Burnham. The McMillan Plan created what is today the National Mall and provided for the museum buildings symmetrically laid out around the Mall.

Charles McKim's firm, McKim, Mead, and White, was chosen as the architecture firm responsible for the redesign of the Washington Barracks. The firm received this commission probably through McKim's influence with the McMillan Commission. When asked to review the earliest plans for the facility, McKim suggested that original proposal of placing the engineering school at the tip of the peninsula and the war college near the P Street gates should be reversed. McKim believed the tip of the peninsula was the most prominent location better suited for the war college (McClellan 1993:76).

McKim, Mead, and White was one of the most successful architecture firms in the world at the turn of the twentieth century. The firm's success was due to the influence of its Beaux Arts design and to the three partners themselves. Charles McKim in many ways was the idealistic force behind the firm. He was the most academic and creatively inspired of the three partners. After working in the offices of architect Russell Sturgis, McKim spent three years studying at the Ecole des Beaux Arts in Paris. After his return to the United States, McKim worked for the renowned architect Henry Hobson Richardson in New York before obtaining his own commissions (Roth 1993:564-565).

In 1877, McKim and William Rutherford Mead became partners and started their own firm. Mead met McKim while both were studying at the Ecole des Beaux Arts. Mead served as the office manager for the firm and became the most involved with the financial side of the

business. Although he did also contribute to design projects, Mead was probably less influential in this regard than McKim in developing the firm's architectural reputation. Stanford White became the last partner to join the firm in 1879. White had also worked with Richardson and had known the other two partners since the early 1870s. Although possessing less academic training than McKim and Mead, White's talents and zeal led him to produce more designs than any of the other two partners. He was particularly adept at experimenting with new forms (McKim, Mead, and White 1914:x).

Many of the firm's employees helped shape its success, goals, and reputation. Early designers with the firm included Joseph Wells, William Kendall, Burt Fenner, and William Richardson. All but Wells, who died young at the age of 37 in 1890, would go on to become partners with the firm (McKim, Mead, and White 1914:x).

The firm's early work concentrated heavily upon domestic clients. The homes designed by the firm incorporated styles of the time, such as Colonial Revival and shingle. However, the firm was never against experimenting, combining different motifs. For example, their designs produced for the Newport house of Samuel Tilton combined American Colonial and European medieval motifs (White 2003:10).

During the mid 1880s; McKim, Mead, and White began to move away from the Colonial Revival designs popular in the domestic market to more classically inspired designs based on European precedent. All three partners were probably in consensus on the shift towards classicism as all three were very influenced by European classical architecture. McKim and Mead's inspiration came from being trained at the Ecole des Beaux Arts. Although not classically trained, White spent over a year on a self-educational architectural tour of Europe. This decision turned out to be one of the most influential in the growth, fame, and prosperity of the firm. By the time of the World Columbian Exposition; McKim, Mead, and White already had a reputation for Beaux Arts classicism. Commissions that won the firm notoriety included the Beaux Arts design for the Rhode Island State House in 1891. The firm was chosen to design the Agricultural building, which was one of the most prominent buildings at the 1893 fair (McKim, Mead, and White 1914:x).

After the World Columbian Exposition introduced Beaux Arts planning and design to American architecture, Beaux Arts designs became increasingly popular in the decades that followed. McKim, Mead, and White was in a better position than most firms to take a leading role in advancing the new movement because the firm had already been designing in this vocabulary prior to the exposition. Many of the most prominent public buildings constructed at the turn-of-the-twentieth century would be designed by McKim, Mead, and White in the Beaux Arts style, including New York's Metropolitan Museum of Art, the West Wing of the White House, and the restoration of the University of Virginia, designed by Thomas Jefferson (White 2003:9).

#### **4.13 FORT MYER-HENDERSON HALL AND FORT MCNAIR REGIONAL NATIVE AMERICAN GROUPS**

There are no federally recognized American Indian Tribes directly associated with the Fort Myer-Henderson Hall or Fort McNair. Federally recognized tribes that have been identified as having historic ties to the region include the Tuscarora Nation of New York, the Catawaba Indian Nation, and the United Keetoowah of the Cherokee Indians in Oklahoma.

There are eight state-recognized Native American tribes living in and around Virginia that could be potentially interested in the preparation of this ICRMP, as well as in JBM-HH activities in general. The tribes include the Chickahominy Indian Tribe, Eastern Chickahominy Tribe, Mattaponi Tribe, Monacan Indian Nation, Nansemond Indian Tribe, Pamunkey Indian Tribe, Rappahannock Tribe, and Upper Mattaponi Tribe. A detailed description of each tribe can be found in *The Virginia Indian Heritage Trail* (Wood 2008). Coordination procedures for Native American groups can be found in Section 8.0. Contact information for the tribes with potential interest in Fort Myer-Henderson Hall can be found in Section 8.1.

## 5.0 CULTURAL RESOURCES OVERVIEW AND INVENTORY

This portion of the ICRMP provides a comprehensive overview of past cultural resources investigations conducted at Fort Myer-Henderson Hall and Fort McNair and an inventory of all previously recorded historic properties. The information herein was gathered through review of documentation of the previous studies on file at Fort Myer as well as a records search at the VASHPO and DCHPO.

### 5.1 CULTURAL RESOURCES INVESTIGATIONS

The following sections provide brief discussions of the cultural resources investigations conducted at Fort Myer-Henderson Hall and Fort McNair. The text is not intended to be comprehensive or to detail all of the findings of each investigation—that level of detail can be found within the individual reports cited within this section and listed in Section 10.0. Table 5-1 and Table 5-2 each provide a list of all cultural resources investigations conducted at Fort Myer-Henderson Hall and Fort McNair.

<b>VASHPO Rpt No.</b>	<b>Citation</b>	<b>Report</b>
None	Massey 1988	Historic American Building Survey (HABS) of Building 42, Fort Myer, Virginia.
AR-23	Mariani & Assoc. 1989	Study/Survey of Historically Significant Army Family Housing Quarters. Installation Report, Fort Myer, Virginia
None	KSF1991	ICRMP, Fort Myer, Virginia
None	Bell 1991	Quarters One: The United States Army Chief of Staff's Residence Fort Myer, Virginia.
None	Batzli 1998	Fort Myer, Virginia: Historic Landscape Inventory
None	USACE 1998	Phase I Cultural Resource Investigation, Buildings 42, 45, and 46; Washington Avenue, Fort Myer, Arlington County, Virginia
AR-072	Gardner et al. 1999	Phase I Archeological Resource Reconnaissance of Selected Portions of the Henderson Hall Marine Corps Facility, Arlington County, Virginia.
None	Hanbury, Evans, Newill, Vlattas & Company 2000	ICRMP, Fort Myer, Virginia
None	Bodor and Michaud 2004	Archaeological Resources Management Plan, Fort Myer, Arlington, VA
None	Kalbman 2008	Historic Structures Report for Building 249.

<b>Table 5-2: Previous Cultural Resources Studies Conducted at Fort McNair</b>		
<b>DCHPO Rpt No.</b>	<b>Citation</b>	<b>Report</b>
129	Soil Systems, Inc. 1982	Archaeological Assessment of the Fort McNair Metrobus Garage Facility Southwest Washington, D.C.
325	Johnson 1985a	Historical/Archeological Evaluation, Dental Clinic, Ft. McNair
326	Johnson 1985b	National Defense University Academic/ Library Center, Archeological Investigation of Construction Site
127	NPS 1987	Environmental Assessment, Rehabilitate Two NPS-Owned Marinas, Buzzards Point Washington, D.C.
138	Goodwin et al. 1988	Phase I Cultural Resources Reconnaissance, Washington D.C. and Vicinity Local Flood Protection Project
Unknown	Mariani & Associates Architects 1989	Study/Survey of Historically Significant Army Family Housing Quarters. Installation Report, Fort McNair, Washington, D.C.
379	KSF1994	Fort McNair Cultural Resource Management Plan, Draft Report.
	Hanbury Evans Newill Vlattas & Co. 1998	Revitalize 12 Historic Senior NCO Quarters, Fort McNair, Military District of Washington
411	Hanbury Evans Newill Vlattas & Co. 2000	Fort Myer Military Community, Integrated Cultural Resources Management Plan
Unknown	URS 2004	Archaeological Resources Management Plan, Fort McNair, Washington, D.C.
Unknown	URS 2008	Buildings 20 and 17, Construction History, Fort McNair, Washington, D.C.

## **5.2 MANAGEMENT PLANS/COMPLIANCE DOCUMENTS**

### **5.2.1 Fort Myer-Henderson Hall**

Three formal management plans have been developed for Fort Myer-Henderson Hall; a CRMP was prepared by KFS Historic Preservation Group, Kise Franks & Straw Inc. (KFS) in 1991; an ICRMP was prepared by Hanbury, Evans, Newill Vlattas & Company in 2000 (KSF1991, Hanbury, Evans, Newill Vlattas & Company 2000); and an ARMP was prepared by URS Group, Inc., in 2004 (URS 2004). The CRMP included a review of all previous cultural resources investigations, an inventory of previously recorded historic properties, an archaeological sensitivity assessment, and management recommendations.

In 2000, an ICRMP was prepared by Hanbury, Evans, Newill Vlattas & Company for the FMCMC. The ICRMP was prepared in compliance with AR 200-4 (previous regulations governing CRM policy for the U.S. Army) and DA PAM 200-4 for FY 2000 through FY 2004. The document combined information from all previously conducted architectural and archeological studies, the CRMP, the ARMP, and the DPW Installation Plan to allow

JBMHH to comply with its Section 106 responsibilities without hindering the military mission. This current document serves as an update to the 2000 ICRMP for FY 2011 through FY 2015.

In 1985, a MOA was signed between Fort Myer, VASHPO, and the ACHP regarding the demolition of Buildings 42, 43, 45, and 46 at Fort Myer, and a 2009 addendum to that MOA was signed (MOA 2009). In 2009, a PA was also signed between Fort Myer and VASHPO for the Privatization of Army Lodging (Appendix G).

## **5.2.2 Fort McNair**

Three formal management plans have been developed for Fort McNair. The first was a CRMP prepared by KFS in 1994 (KSF1994) that included a review of previous cultural resources investigations, an inventory of previously recorded historic properties on the installation, an archaeological sensitivity assessment, and management recommendations. The second document was an ICRMP prepared by Hanbury, Evans, Newill Vlattas & Company in 2000 (Hanbury, Evans, Newill Vlattas & Company 2000) that updated the CRMP. The third management plan was an ARMP prepared by URS Group, Inc., in 2004 (URS 2004), that comprised a further update.

## **5.3 ARCHAEOLOGICAL INVESTIGATIONS AND RESOURCES**

### **5.3.1 Fort Myer-Henderson Hall Archaeological Investigations**

No formal survey or testing was conducted at Fort Myer until the early 1990s, when work was carried out in association with the first CRMP and the BRAC process (KSF 1991, 1992). Archaeological survey was conducted in several areas as part of the field investigation associated with the CRMP. The general site map from that study shows six areas that were surveyed: Transient Housing; Commissary; AAFES PX Expansion; AAFES Shoppette; Logistics Complex – Hollow Site; Logistics Complex – Munitions Bunker (Figure 5-1). A summary from the 2004 ARMP notes that auger holes and shovel tests were excavated across a wide area in the south part of the post near the Radar Clinic, helipad, and athletic fields (the Commissary survey area), where a dump from the 1950s containing demolition debris from remodeling of the White House was located. Evidence of cut-and-fill indicated that the area had been disturbed, and no further work was recommended. Other areas noted include expansion of the Officer's Club along Jackson Avenue, which testing indicated was disturbed; and expansion of the Post Exchange and Shoppette (AAFES survey areas), where visual inspection indicated no potential for undisturbed deposits.

Limited testing was also conducted in association with restoration of Building 42, on Washington Avenue north of Whipple Field Housing. The building dates to 1877 and is the oldest structure on the post, listed on the NRHP for "its unique construction type, its relationship to the evolution of military housing and its relationship to Quartermaster General Montgomery C. Meigs" (Einhorn Yaffee Prescott 1993:1-1). Further testing was recommended if ground-disturbing activities were to be carried out (Boyd 1993). An archaeological survey of portions of Henderson Hall was conducted by Thunderbird Archeological Associates, Inc., in 1999 (Gardner et al. 1999), that included pedestrian survey

and shovel testing in two areas: one near the Abbey Mausoleum; the other near the Dade Family memorial. No archaeological potential was noted in either area.

### **5.3.2 Fort Myer-Henderson Hall Archaeological Sites**

VASHPO lists no sites within Fort Myer and Henderson Hall. Four sites are listed adjacent to the post: 44AR0017, Arlington House, a nineteenth-century domestic site; 44AR0019, a small artifact scatter with prehistoric and late-nineteenth-century components; 44AR0032, Arlington House Ravine, a nineteenth-century domestic site and Late Archaic lithic quarry; and 44AR0043, a prehistoric site located on the property recently transferred from Fort Myer to Arlington Cemetery. The ARMP assessed the effects of the latter site on site potential at Fort Myer: “While not within the bounds of Fort Myer, the proximity of a prehistoric site to the eastern sections of the post suggests that other prehistoric period resources may be present within undisturbed portions in the picnic/pasture area” (URS 2004:3-3). A small lithic scatter was reported by KSF in the KSF CRMP in 1991, although the location of the site is unclear and the site was not reported to VASHPO. High probability areas for unidentified sites are identified in Table 5-6.

### **5.3.3 Fort McNair Archaeological Investigations**

The first archaeological investigations conducted in the area of Fort McNair were in the 1890s by William Henry Holmes, of the Bureau of American Ethnology. Holmes typically conducted surface reconnaissance investigations, during the course of which he recorded a prehistoric site that he designated BE205 at the mouth of James Creek, at the foot of Second Street near what is now the southeast corner of the post. Following a lengthy hiatus, a series of federal compliance investigations was conducted in the 1980s in the eastern half of the property. The development projects driving these compliance studies included construction of a Metrobus garage and maintenance facility (LeeDecker and Anderson 1982; Sorensen and Evans 1982); expansion of the dental clinic (USACE 1985a); and construction of the National Defense University Academic/Library Center (USACE 1985b). These projects included analyses of engineering surveys (bore holes) and auger testing conducted by archaeologists, the results of which indicated the presumed course of James Creek and the James Creek section of the Washington Canal, the mid-19<sup>th</sup>-century shoreline of the Anacostia River, and the depth of fill in the eastern part of the post.

### **5.3.4 Fort McNair Archaeological Sites**

No prehistoric/Native American archaeological sites or historical archaeological sites have been recorded within the boundaries of Fort McNair. One site, 51SW015, is located nearby on Half Street NW, near northeast corner of the installation boundary. The site contained domestic artifacts from the 19th through 20th centuries.

A prehistoric archaeological site was recorded in the area by William Henry Holmes in the 1890s. Designated BE205, the site lay at the mouth of James Creek, near the foot of Second Street, SW, and reportedly contained artifacts from the Late Archaic period (Savannah River) and an unspecified subperiod of the Woodland (untyped ceramics) (LeeDecker and Anderson 1982:11). In the late-nineteenth century, Second Street extended to the current intersection

with V Street (LeeDecker and Anderson 1982:15), but the precise location of the archaeological site has been lost.

### **5.3.5 Collections**

Currently, there are no known archaeological collections housed at JBM-HH or Fort McNair. Likewise, no known artifacts have been excavated at Fort McNair or JBM-HH that are currently housed at an off-post permanent curation facility or private collection.

### **5.3.6 Traditional Cultural Properties**

A Traditional Cultural Property (TCP), as defined by the National Register Bulletin #38 (Parker and King 1998), is one that is eligible for inclusion in the NRHP because of its association with cultural practices or beliefs of a living community that (a) are rooted in that community's history, and (b) are important in maintaining the continuing cultural identity of the community. Traditional cultural properties are typically associated with properties that hold cultural or religious significance for Native American groups. However, Americans of all ethnic backgrounds can ascribe cultural value to specific properties that may meet the criteria for inclusion on the NRHP. Examples of TCPs include:

1. A location associated with the traditional beliefs of a Native American group about its origins, its cultural history, or the nature of the world.
2. A location where Native American religious practitioners have historically gone, and are known or thought to go today, to perform ceremonial activities in accordance with traditional cultural rules of practice.
3. A location where a community has traditionally carried out economic, artistic, or other cultural practices important in maintaining its historical identity.

As of the preparation of this ICRMP, no TCPs have been identified at Fort Myer, Henderson Hall, or Fort McNair. A systematic inventory of traditional cultural properties has not been undertaken. Such properties should be identified in consultation with the appropriate Native American groups or other interested parties as part of the five-year plan.

### **5.3.7 Paleontological Resources**

Paleontological resources are scientifically significant fossilized remains, specimens, deposits and other such data from prehistoric, nonhuman life. Such resources include invertebrate fossils (i.e., animals without backbones such as clams, snails, corals), plant fossils (e.g., pollen grains, plant leaves and stalks, petrified wood), and vertebrate fossils (i.e., animals with a skeleton such as fish, sharks, whales, dinosaurs). Paleontological resources are not considered to be archaeological resources under ARPA unless found in an archaeological context. However, AR 200-4 (2-6b) states that important paleontological specimens and deposits are considered as significant scientific data under the AHPA and should be integrated into ICRMPs for management purposes. As of the preparation of this ICRMP, no paleontological resources have been documented at Fort Myer, Henderson Hall, or Fort McNair.

## **5.4 ARCHITECTURAL INVESTIGATIONS**

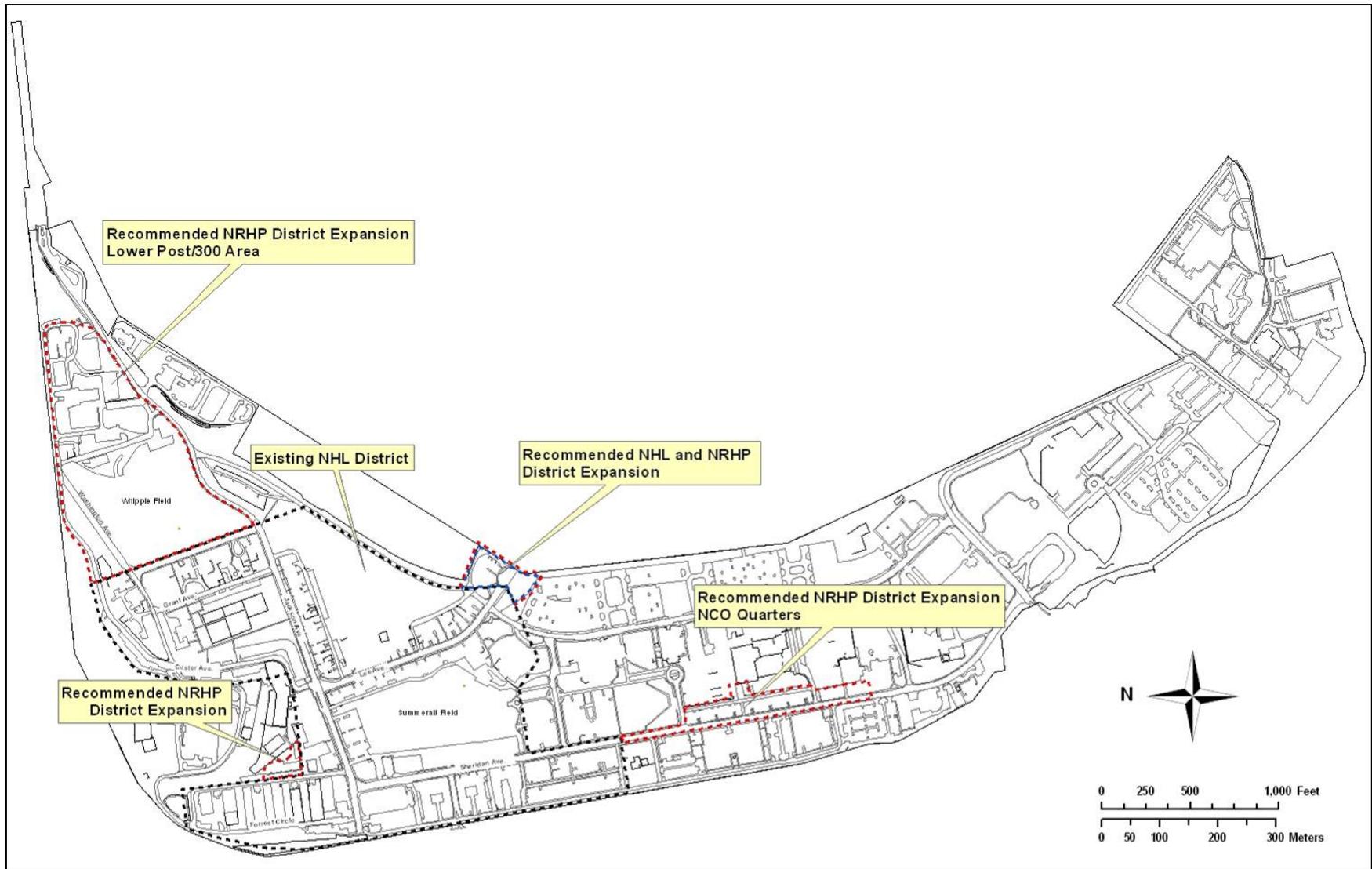
### **5.4.1 Fort Myer-Henderson Hall Architectural Studies**

No known architectural survey was conducted at Fort Myer prior to the first ICRMP produced in 1991. DSS records indicate that properties located within the Fort Myer Historic District were surveyed in 1991 by Mark Bower and Martin Abbot. The resources were most likely recorded at this time as part of the ICRMP update. Versar, Inc. of Springfield Virginia conducted the most recent comprehensive survey at JBM-HH as part of the ICRMP revision in 2010. Versar identified and recorded a total of 105 resources (buildings, structures, sites, and objects) 50 years of age or older. Sixty-two of these resources were previously recorded. Seventy-one of these resources are within the boundaries of the current NHL district. The survey determined areas outside of the present historic district that contain concentrations of architectural resources which contribute to the historic development of Fort Myer. These areas; the 300/Lower Post Area, the Post Chapel, and NCO quarters located along Sheridan Avenue; were recommended as contributing resources to an expanded NRHP historic district. The Versar study only recommended the Post Chapel as having exceptional significance to meet NHL criteria. Therefore, an expansion of the NHL district was only recommended to include the Post Chapel. Six of the 71 resources (Buildings 29, 30, 60, 61, 211, and 215) within the current district boundaries are power utility buildings constructed after 1949 that post date the period of significance. Because of their lack of significance and association, Versar recommended these buildings be classified as non-contributing resources. Versar recommended that the remaining buildings have sufficient significance and integrity to be considered as contributing resources.

### **5.4.2 Fort Myer – Henderson Hall Historic Buildings, Structures, and Districts**

#### **Historic Districts**

Portions of Fort Myer were designated a NHL district in 1972 based on the exceptional significance of the facility's association with Orville Wright's flight demonstrations. These led to the Army's first contract for airplanes and arguably the birth of the Army Air Corps. Fort Myer was also the home of the Army and Deputy Army Chief of Staff, Chair of the Joint Chiefs of Staff, and the Air Force Chief of Staff. The boundaries of the Fort Myer Historic District remain the same as the boundaries originally established in 1972 and are depicted on Figure 5-1. The 2000 ICRMP identified the potential for an expansion of the district to include buildings in the Lower Post Area and elsewhere on post that were not included within the NHL boundaries but were 50 years of age or older and were somehow associated with the historical development of Fort Myer. The Versar 2010 architectural study determined that additional areas did warrant inclusion as part of an expanded district. While the Versar study only identified the Post Chapel as meeting the exceptional significance standards required of NHL districts, the 300 Area/ Lower Post Area and the NCO Quarters along Sheridan Avenue were identified as containing a sufficient collection of resources that would merit inclusion in a NRHP eligible district consisting of these areas along with the present district. The proposed district expansion is pending SHPO concurrence.



**Figure 5-1: Present District Boundaries with Proposed Areas of District Expansion**

## Buildings, Structures, and Sites

*Fort Myer and Henderson Hall* – A total of 91 buildings, 2 sites, and 3 objects that have been identified as significant cultural resources. All of these resources are either contributing resources to the NHL district or have been recommended as contributing elements to a NRHP expanded district. Table 5-3 below lists the buildings and structures that are NRHP-eligible that are not included within the Fort Myer HD. These include the current contributing resources that form the core of the NHL district plus resources outside district boundaries in areas that are part of proposed NRHP expansion of the present historic district.

<b>Resource Name</b>	<b>VASHPO No.</b>	<b>Function</b>	<b>Date Built</b>	<b>Status</b>
Quarters 1	000-0005 and 000-0004-0040	Residence	1899	Contributing
Quarters 2	000-0004-0041	Residence	1899	Contributing
Quarters 5	000-0004-0042	Residence	1903	Contributing
Quarters 6	000-0004-0043	Residence	1908	Contributing
Quarters 7	000-0004-0044	Residence	1909	Contributing
Quarters 8	000-0004-0045	Residence	1903	Contributing
Quarters 11A&B	000-0004-0046	Duplex	1892	Contributing
Quarters 12A&B	000-0004-0047	Duplex	1892	Contributing
Quarters 13A&B	000-0004-0048	Duplex	1903	Contributing
Quarters 14A&B	000-0004-0049	Duplex	1903	Contributing
Quarters 15A&B	000-0004-0050	Duplex	1908	Contributing
Quarters 16A&B	000-0004-0051	Duplex	1908	Contributing
Quarters 17	000-0004-0052	Residence	1935	Contributing
Quarters 19A&B	000-0004-0053	Duplex	1932	Contributing
Quarters 20A&B	000-0004-0054	Duplex	1932	Contributing
Quarters 21A&B	000-0004-0055	Duplex	1932	Contributing
Quarters 22A&B	000-0004-0056	Duplex	1932	Contributing
Quarters 23A&B	000-0004-0057	Duplex	1896	Contributing
Quarters 24A&B	000-0004-0058	Duplex	1896	Contributing
Quarters 25A&B	000-0004-0059	Duplex	1896	Contributing
Quarters 26A&B	000-0004-0060	Duplex	1896	Contributing
Quarters 27A&B	000-0004-0061	Duplex	1903	Contributing
Quarters 28	000-0004-0062	Residence	1935	Contributing
Building 29	000-0004-0064	Utility	1950	Non-Contributing
Building 30	000-0004-0065	Utility	1950	Non-Contributing
Building 40	000-0004-0066	Garage	1938	Contributing
Building 42	000-0004-0067	Quarters	1877	Contributing
Building 47	000-0004-0072	Garage	1942	Contributing
Building 48	000-0004-0071	Barracks	1944	Contributing
Building 50	000-0004-0070	Visitors Lodge	1906	Contributing
Building 51	000-0004-0068	Garage	1942	Contributing
Building 53	000-0004-0069	Garage	1942	Contributing
Building 54	000-0004-0073	Garage	1942	Contributing
Building 56	000-0004-0074	Garage	1942	Contributing
Building 57	000-0004-0075	Garage	1942	Contributing
Building 59	000-0004-0063	Headquarters/ Hospital	1896	Contributing
Building 60	000-0004-0076	Utility	1950	Non-Contributing
Building 61	000-0004-0077	Utility	1950	Non-Contributing

**Table 5-3: Surveyed Resources and Management Recommendations**

<b>Resource Name</b>	<b>VASHPO No.</b>	<b>Function</b>	<b>Date Built</b>	<b>Status</b>
Building 201	000-0004-0078	Commissary	1893	Contributing
Building 202	000-0004-0079	Quartermaster Office	1900-02	Contributing
Building 203	000-0004-0080	Barracks	1915	Contributing
Building 211	000-0004-0084	Utility	1950	Non-Contributing
Building 214	000-0004-0081	Officer Club	1896	Contributing
Building 215	000-0004-0085	Utility	1950	Non-Contributing
Building 216	000-0004-0082	Provost Office	1896	Contributing
Building 217	000-0004-0083	Post Office	1900	Contributing
Building 218	000-0004-0087	Cavalry Ordnance	1896	Recommended Contributing/ Eligible to Expanded District
Building 219	000-0004-0086	QM Storehouse	1895	Recommended Contributing/ Eligible to Expanded District
Building 224	000-0004-0089	Stables	1906	Contributing
Building 225	000-0004-0096	Guardhouse	1908	Contributing
Building 227	000-0004-0090	Stables	1904	Contributing
Building 228	000-0004-0093	Stables	1891	Contributing
Building 229	000-0004-0097	Guardhouse	1901	Contributing
Building 230	000-0004-0091	Stable	1891	Contributing
Building 231	000-0004-0092	Stable	1896	Contributing
Building 232	000-0004-0098	Guardhouse	1896	Contributing
Building 233	000-0004-0094	Stable	1896	Contributing
Building 234	000-0004-0099	Guardhouse	1941	Contributing
Building 236	000-0004-0095	Stable	1909	Contributing
Building 237	000-0004-0100	Vet Stable/Fire house	1909	Contributing
Building 238	000-0004-0101	Vet Office	1934	Contributing
Building 239	000-0004-0102	Riding School	1893	Contributing
Building 241	000-0004-0103	Riding Hall	1934	Contributing
Building 242	000-0004-0104	Gym	1904	Contributing
Building 243	000-0004-0105	Theater	1929	Contributing
Building 246	000-0004-0106	Barracks	1895	Contributing
Building 247	000-0004-0107	Barracks	1895	Contributing
Building 248	000-0004-0108	Barracks	1903	Contributing
Building 249	000-0004-0109	Barracks	1903	Contributing
Building 250	000-0004-0110	Barracks	1908	Contributing
Building 251	000-0004-0111	Barracks	1934	Contributing
Building 265	000-0004-0088	Snack Bar	1948	Outside District/Not Eligible
Building 301	000-0004-0115	Water Plant/ Pump House	1937	Outside District/Not Eligible
Building 305	000-0004-0113	Barracks	1899	Recommended Contributing/ Eligible to Expanded District
Building 306	000-0004-0112	Stable	1899	Recommended Contributing/ Eligible to Expanded District
Building 307	000-0004-0114	Warehouse	1910	Recommended Contributing/ Eligible to Expanded District
Building 308	000-0004-0010	Storehouse	1899	Demolished
Building 309	000-0004-0009	Storehouse	1919	Demolished
Building 311	000-0004-0008	Saddle Storage	1932	Demolished
Building 312	000-0004-0007	Stable	1930	Recommended Contributing/ Eligible to Expanded District

**Table 5-3: Surveyed Resources and Management Recommendations**

<b>Resource Name</b>	<b>VASHPO No.</b>	<b>Function</b>	<b>Date Built</b>	<b>Status</b>
Building 313	000-0004-0005	Warehouse	1939	Recommended Contributing/ Eligible to Expanded District
Building 316	000-0004-0005	Garage	1900	Recommended Contributing/ Eligible to Expanded District
Building 317	000-0004-0004	Residence	1900	Recommended Contributing/ Eligible to Expanded District
Building 318	000-0004-0003	Warehouse	1927	Recommended Contributing/ Eligible to Expanded District
Building 321	000-0004-0002	Stable	1905	Recommended Contributing/ Eligible to Expanded District
Building 322	000-0004-0001	Cafeteria	1939	Recommended Contributing/ Eligible to Expanded District
Building 323	000-0004-0011	Warehouse	1940	Demolished
Buildings 326-329	000-0004-0012	Ordnance Magazines	1941	Outside District/Not Eligible
Building 335	000-0004-0014	Chapel	1935	Recommended Contributing/ Eligible to Expanded District
Building 338	000-0004-0015	Gatehouse	1970	Demolished
Building 412	000-0004-0008	Guardhouse	1904	Outside District
Building 420	000-0004-0017	Guardhouse	1909	Demolished
Building 421	000-0004-0018	Artillery Garage and Gun Shed	1934	Demolished
Building 423	000-0004-0019	Commissary	1920	Demolished
Building 426A&B	000-0004-0020	Duplex	1932	Recommended Contributing/ Eligible to Expanded District
Building 427A&B	000-0004-0021	Duplex	1932	Recommended Contributing/ Eligible to Expanded District
Building 428A&B	000-0004-0022	Duplex	1932	Recommended Contributing/ Eligible to Expanded District
Building 429	000-0004-0023	Garage	1932	Recommended Contributing/ Eligible to Expanded District
Building 430	000-0004-0024	Garage	1932	Recommended Contributing/ Eligible to Expanded District
Building 431A&B	000-0004-0025	Duplex	1932	Recommended Contributing/ Eligible to Expanded District
Building 432A&B	000-0004-0026	Duplex	1932	Recommended Contributing/ Eligible to Expanded District
Building 434	000-0004-0027	Bath House	1932	Outside District Boundaries/ Not Eligible
Building 435A&B	000-0004-0028	Duplex	1932	Recommended Contributing/ Eligible to Expanded District
Building 436A&B	000-0004-0029	Duplex	1934	Recommended Contributing/ Eligible to Expanded District
Building 439A&B	000-0004-0030	Duplex	1932	Recommended Contributing/ Eligible to Expanded District
Building 442	000-0004-0032	Ordnance Shop	1942	Demolished
Building 443	000-0004-0033	Quarters	1932	Demolished
Summerall Field	000-0004-0034	Parade Ground/ Drill Field	1872	Contributing
Summerall Field Flag Pole	000-0004-0035	Object	1942	Contributing

**Table 5-3: Surveyed Resources and Management Recommendations**

Resource Name	VASHPO No.	Function	Date Built	Status
Whipple Field	000-0004-0037	Landscape	1870	Recommended Contributing/ Eligible to Expanded District
Whipple Field Flagpole	000-0004-0038	Object	1941	Recommended Contributing/ Eligible to Expanded District
Myer Monument	000-0004-0039	Object	1941	Recommended Contributing/ Eligible to Expanded District

### Monuments/Plaques

A number of monuments and plaques are located throughout Fort Myer-Henderson Hall. Most of these represent signage affixed to buildings which do not qualify as resources (i.e. they can not be classified as buildings, structures, site, district, or objects.). The actual monuments represent headstones of notable horses buried on post or commemorative stone markers, which are interpretive in nature. Table 5-4 lists all of the monuments identified at Fort Myer. Accountability for monuments and plaques are primarily the responsibility of the JBM-HH Historian and not the Cultural Resources Manager.

**Table 5-4: Fort Myer-Henderson Hall Historic Monuments**

Monument	Location	Status
Conversano Beja horse Burial site	McNair Road stone plaque in ground	Extant
Buffalo Soldier Kiosk	Marshall Drive free standing exhibit	Extant
Buffalo Soldier Plaque	Plaque mounted to Bldg 305	Extant
Buffalo Soldier Sign	Plaque mounted to Bldg 306	Extant
Buffalo Soldier History	Plaque mounted to Bldg 306	Extant
Conversano Beja Plaque	Free standing plaque next to Bldg 233	Removed
McKinney Memorial Stable Plaque	Plaque mounted to Bldg 236	Removed
Conmy fHall Plaque	Plaque mounted to Bldg 247	Extant
Conmy Hall Plaque	Plaque mounted to Bldg 247	Extant
Commander in Chief Oak Plaque	Mounted to granite in ground adjacent to Bldg 243	Extant
Wright Bros Flyer Monument	Free standing stone monument by Summerall Viewing Stand	Extant
First Flight Monument	Free standing stone monument by Summerall Viewing Stand	Extant
Selfridge Memorial Plaque	Plaque mounted to Summerall Viewing Stand	Extant
Famous Firsts Aeronautics Plaques	Plaque mounted to Summerall Viewing Stand	Extant
Summerall Field Plaque	Plaque mounted to Summerall Viewing Stand	Extant
Earth Day 20th Anniversary Plaque	Free standing stone marker with bronze plaque Summerall Field	Extant/Dated
Black Jack Burial Site Memorial	Free standing stone marker with bronze plaque Summerall Field	Extant
Wibur M. Brucker Hall	Stone plaque in laid in wall of Bldg 400	Extant

<b>Monument</b>	<b>Location</b>	<b>Status</b>
Selfridge Gate Plaque	Plaque mounted to Selfridge Gate	Extant
Spates Hall Plaque	Plaque mounted to wall of Bldg 407	Extant
Patton Hall Plaque	Plaque mounted to wall of Bldg 214	Extant
Spanish American War Memorial	Free standing stone marker with metal plaque front lawn of Bldg 246	Removed
Fort Myer HD Marker	Plaque mounted to unfinished stone adjacent to Bldg 243	Extant
Michael Groves Memorial Plaque	Plaque mounted to front wall of Bldg 246	Removed
Folland Hall Plaque	Plaque mounted to front wall of Bldg 242	Extant
Pair Cannons	Cannons mounted to stone bases on front lawn of Bldg 249	Removed
Gian-Carlo Coppola Memorial	Stone marker on front lawn of Historic Chapel Bldg 335	Extant
Kenyon Joyce Chapel Plaque	Plaque mounted to wall of Historic Chapel Bldg 335	Extant
Andrew Rader Plaque	Plaque mounted to wall Bldg 525	Removed
Wainwright Hall Plaque	Plaque mounted to wall of Bldg 50, Wainwright Hall	Extant
Gen Albert J Myer Monument	Free standing stone marker on Grant Avenue	Extant and potential contributing resource (000-0004-0039)

### 5.4.3 Fort McNair Architectural Studies

No known comprehensive survey was conducted of architectural resources at Fort Myer prior to the 2009-2010 survey conducted by Versar as part of the ICRMP revision for JBM-HH. The only known historic building recordation conducted at Fort McNair prior to 2009 was a HABS documentation completed for the Army War College in 1974. The HABS recordation consists of two data pages briefly outlining the building's significance with some accompanied photograph views. Robinson and Associates provided an addendum to the original HABS documentation in 1998. The addendum provides more description of the property and assessment of significance. The HABS document for the Army War College is available online at the Library of Congress, accessible via the following link: <http://www.loc.gov/pictures/item/DC0440/?sid=fec4c48f943665839e5ecab3e95ac73d>.

### 5.4.4 Fort McNair Historic Resources

#### Historic Districts

The Fort McNair Historic District was determined eligible for listing on the NRHP in 1977 by the DCHPO. Fort McNair has various noteworthy architectural and historical associations. The site was originally the location of the Washington Armory and District of Columbia Penitentiary. The penitentiary served as the location of the trial and execution of the Lincoln Conspirators. Later redesigned and renamed Washington Barracks, which contained the Army's first medical center and school. It was here that Walter Reed

conducted many of his experiments with determining the cause of yellow fever. When the site became home of the Army War College, the installation was redesigned again, this time by the famed architectural firm of McKim, Mead, and White. District boundaries for the historic areas of the post include all of the area between the Washington Channel, 5<sup>th</sup> Avenue, P Street, and the Anacostia River and are depicted on Figure 5-2.

### **Historic Buildings and Structures**

The Fort McNair Historic District contains a total of 54 buildings and 5 structures and 1 site. Among the most notable buildings on site are the Army War College (Building 60), which has been designated a NHL; Building 20, the lone remaining building part of the Federal Penitentiary of Washington, D.C. and site of the trial of the Lincoln conspirators, Building 21, the lone remaining building associated with the Washington Arsenal, and Building 54, the post hospital during the 19<sup>th</sup> century where Dr. Reed conducted much of his research. Table 5-5 identifies all of the contributing buildings, structures, and sites to the Fort McNair Historic District that were surveyed as part of the architectural study associated with this ICRMP update.

### **Objects**

Fort McNair also contains objects that are contributing resources to the NRHP eligible historic district at both installations. Many artillery pieces from various wars dating back to the Revolutionary War are static displays on the post. While commemorative in nature and not directly associated with the history of the post, JBM-HH treats these static displays as contributing resources to the NRHP eligible historic district. A total of 37 objects are located on the post and are identified in Table 5-5.

### **Documents**

An extensive archive of original documents, including published works, memoranda, maps, photographs, and motion pictures relating to the military history of JBM-HH and Fort McNair are housed in the Center of Military History, at Fort McNair and are in the custody of the Command Historian. The information contained within the Fort Myer and Fort McNair collections of documents, records, photographs, and maps may provide important information about archeological and architectural resources during the Military period at Fort Myer and Fort McNair. These are valuable resources for research purposes. Other photographs are in the care of the curator of the Fort Myer Old Guard Museum. The information contained within the Old Guard Museum may provide important information about archeological and architectural resources. Other repositories include the Special Collections of the National Defense University Library at Fort McNair, which holds collections of maps, photographs, and manuscripts related to the history of Fort McNair.

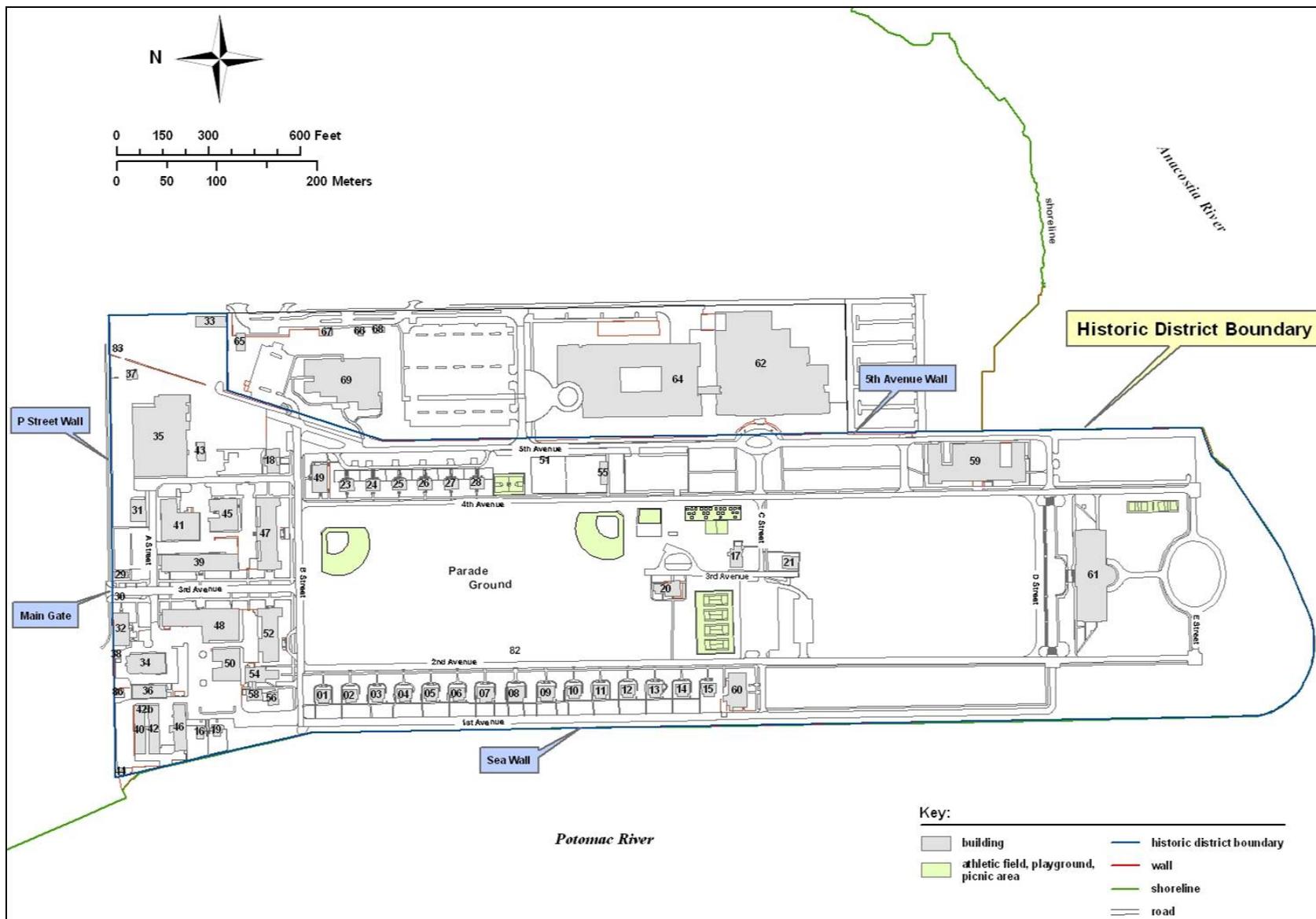


Figure 5-2: Locations of NRHP Boundaries, and Surveyed Resources at Fort McNair.

<b>Bldg. #</b>	<b>Current Use/Historic</b>	<b>Date Built</b>	<b>NRHP Eligibility</b>	<b>Status</b>
1	General Officers Quarters	1905	DC District & NRHP DOE	Contributing
2	General Officers Quarters	1905	DC District & NRHP DOE	Contributing
3	General Officers Quarters	1905	DC District & NRHP DOE	Contributing
4	General Officers Quarters	1905	DC District & NRHP DOE	Contributing
5	General Officers Quarters	1905	DC District & NRHP DOE	Contributing
6	General Officers Quarters	1905	DC District & NRHP DOE	Contributing
7	General Officers Quarters	1905	DC District & NRHP DOE	Contributing
8	Commanding Officers Quarters	1905	DC District & NRHP DOE	Contributing
9	General Officers Quarters	1905	DC District & NRHP DOE	Contributing
10	General Officers Quarters	1905	DC District & NRHP DOE	Contributing
11	General Officers Quarters	1905	DC District & NRHP DOE	Contributing
12	General Officers Quarters	1905	DC District & NRHP DOE	Contributing
13	General Officers Quarters	1905	DC District & NRHP DOE	Contributing
14	General Officers Quarters	1905	DC District & NRHP DOE	Contributing
15	Officers Quarters	1905	DC District & NRHP DOE	Contributing
16	Quarters for Old Post/ Hospital Steward	1915	DC District & NRHP DOE	Contributing
17	Guard House, Quarters, Office	1881 QM Plans	DC District & NRHP DOE	Contributing
18	org. Barracks for Army Band Members	1903-1905	DC District & NRHP DOE	Contributing
19	Quarters, hospital staff quarters	1920	DC District & NRHP DOE	Contributing
20	Grant Hall off quart/admin org. deputy warden res.	1832, alt. 1870s Adolf Cluss	DC District & NRHP DOE	Contributing
21	Model Bldg for Arsenal	1838	DC District & NRHP DOE	Contributing
23A&B	Senior NCO Quarters	1905	DC District & NRHP DOE	Contributing
24A&B	Senior NCO Quarters	1905	DC District & NRHP DOE	Contributing
25A&B	Senior NCO Quarters	1905	DC District & NRHP DOE	Contributing
26A&B	Senior NCO Quarters	1905	DC District & NRHP DOE	Contributing
27A&B	Senior NCO Quarters	1908	DC District & NRHP DOE	Contributing
28A&B	Senior NCO Quarters	1908	DC District & NRHP DOE	Contributing
29	Post Office	1939	DC District & NRHP DOE	Contributing
30	Sentry House and Six Gun Gate	1951, entry moved; cast iron gate/finals 1850	DC District & NRHP DOE	Contributing
31	67th Ordnance Detachment, 1904-stable guard house	1868, alt. 1904	DC District & NRHP DOE	Contributing
32	Post HQ, Post Exchange, Telephone Exchange	1914	DC District & NRHP DOE	Contributing
34	QM Shop, Central Heating Plant	1914, 1920 & 1939 add.	DC District & NRHP DOE	Contributing
35	Engineer Stables/QM Stables	1904, 1919	DC District & NRHP DOE	Contributing
36	Paint Shop	1940	DC District & NRHP DOE	Contributing
37	Service Station	1930	DC District & NRHP DOE	Contributing
39	QM Commissary Store/ Officers Post Exchange	1904	DC District & NRHP DOE	Contributing
40	Community Facilities Building	1880, 1902, 1908, 1912	DC District & NRHP DOE	Contributing
41	Blacksmith Shop, Bakery, storehouse	1905 alt. 1913 & 1939	DC District & NRHP DOE	Contributing

<b>Bldg. #</b>	<b>Current Use/Historic</b>	<b>Date Built</b>	<b>NRHP Eligibility</b>	<b>Status</b>
42	Storehouse for Engineering School	1905	DC District & NRHP DOE	Contributing
43	Gas Station	1938	DC District & NRHP DOE	Contributing
44	Gas Meter House	1959	DC District & NRHP DOE	Contributing
45	Mess Hall NCO Club	1905	DC District & NRHP DOE	Contributing
46	Enlisted Barracks	1912	DC District & NRHP DOE	Contributing
47	Enlisted Barracks & Chapel	1904	DC District & NRHP DOE	Contributing
48	Enlisted Barracks	1905	DC District & NRHP DOE	Contributing
49	Gymnasium	1908	DC District & NRHP DOE	Contributing
50	Enlisted Mess Hall	1903	DC District & NRHP DOE	Contributing
52	Enlisted Barracks	1905	DC District & NRHP DOE	Contributing
54	Army General Hospital	1881	DC District & NRHP DOE	Contributing
55	Bath House	1959	DC District & NRHP DOE	Contributing
56	Hospital morgue	1880	DC District & NRHP DOE	Contributing
58	Dispensary	1881	DC District & NRHP DOE	Contributing
60	Officers Club	1903	DC District & NRHP DOE	Contributing
61	War College	1907	DC District & NHL	Contributing
82	Reviewing Stand	1916	DC District & NRHP DOE	Contributing
	Parade & Drill Field	1903-1907	DC District & NRHP DOE	Contributing
	Main Entrance, P St Gates	3rd quarter 19th c	DC District & NRHP DOE	Contributing
	Boundary Wall	1900	DC District & NRHP DOE	Contributing
	Boundary Wall	1940	DC District & NRHP DOE	Contributing
	Sea Wall	Pre-1900	DC District & NRHP DOE	Contributing
	French Cannon	Acquired 1776	DC District & NRHP DOE	Contributing
	French Cannon	Acquired 1776	DC District & NRHP DOE	Contributing
	French Cannon	Acquired 1776	DC District & NRHP DOE	Contributing
	10 inch Seacoast Mort	Acquired 1863	DC District & NRHP DOE	Contributing
	Airplane propeller	Acquired 1946	DC District & NRHP DOE	Contributing
	Anchor	Acquired 1946	DC District & NRHP DOE	Contributing
	British Cannon	Captured 1779	DC District & NRHP DOE	Contributing
	13 inch Seacoast Mortar	Acquired 1863	DC District & NRHP DOE	Contributing
	18 pd Parrott Cannon	Acquired 1856	DC District & NRHP DOE	Contributing
	British Cannon	Acquired 1779	DC District & NRHP DOE	Contributing
	Anchor	Acquired 1946	DC District & NRHP DOE	Contributing
	Airplane propeller	Acquired 1946	DC District & NRHP DOE	Contributing
	32 pounder Howitzer bronze	Acquired 1852	DC District & NRHP DOE	Contributing
	32 pounder Howitzer bronze	Acquired 1856	DC District & NRHP DOE	Contributing
	French Cannon	Acquired 1776	DC District & NRHP DOE	Contributing
	75mm Pack Howitzer	Acquired 1927	DC District & NRHP DOE	Contributing
	10 inch Seacoast Mort	Acquired 1863	DC District & NRHP DOE	Contributing
	Spanish Mortar	Captured 1898	DC District & NRHP DOE	Contributing
	13 inch Mortar Shells	Acquired 1863	DC District & NRHP DOE	Contributing
	Mexican Cannon	Captured 1846	DC District & NRHP DOE	Contributing
	British Cannon	Captured 1814	DC District & NRHP DOE	Contributing
	French Cannon	Acquired 1776	DC District & NRHP DOE	Contributing
	French Cannon	Acquired 1776	DC District & NRHP DOE	Contributing
	Navy 9 Pounder	Acquired Rev. War or War of	DC District & NRHP DOE	Contributing

<b>Bldg. #</b>	<b>Current Use/Historic</b>	<b>Date Built</b>	<b>NRHP Eligibility</b>	<b>Status</b>
		1812		
	Navy 9 Pounder	Acquired Rev. War or War of 1812	DC District & NRHP DOE	Contributing
	32 Pounder	Acquired 1845-1865	DC District & NRHP DOE	Contributing
	12 Pounders Pair	Acquired 1845-1864	DC District & NRHP DOE	Contributing
	12 Pounders Pair	Acquired 1845-1864	DC District & NRHP DOE	Contributing
	32 Pounder	Acquired 1845-1865	DC District & NRHP DOE	Contributing
	10 inch Seacoast Mort	Acquired 1863	DC District & NRHP DOE	Contributing
	French 6 Pounder	Acquired 1776	DC District & NRHP DOE	Contributing
	Spanish Bronze Cannon	Acquired 1803 in Louisiana Purchase	DC District & NRHP DOE	Contributing
	Mortar Shells	Acquired 1863	DC District & NRHP DOE	Contributing
	Field Cannons	Acquired 1902	DC District & NRHP DOE	Contributing
	Spanish Bronze Mortar	Captured 1898	DC District & NRHP DOE	Contributing

## **5.5 PLANS AND SCHEDULES FOR FUTURE CULTURAL RESOURCES STUDIES**

### **5.5.1 Archaeological Survey**

JBM-HH intends to conduct future cultural resources investigations in fulfillment of its obligations under Section 110 of the NHPA to identify significant cultural resources. While architectural surveys have been conducted to this end, no comprehensive archaeological survey of Fort Myer, Henderson Hall, and Fort McNair has been undertaken. A Scope of Work (SOW) has been prepared to conduct a comprehensive archaeological survey at Fort Myer-Henderson Hall. This work is anticipated to be conducted during FY10 and FY11. No formal plans have been committed for conducting comprehensive archaeological survey at Fort McNair. However, this should be given priority as a future planned project because of the potential for archaeological deposits at this facility. Any future comprehensive archaeological investigations at JBM-HH and Fort McNair will need to pay particular attention to areas that have been determined to possess moderate-to-high probabilities for archeological deposits.

### **5.5.2 Archaeological Predictive Models/Sensitivity Assessments**

The development of cultural resources predictive models and sensitivity assessments focuses on identifying the types of resources present in a given area and then determining the relationships between resource types and easily identifiable features of the natural or cultural environment (e.g., elevation, drainage characteristics, transportation routes, vegetation, previous disturbances) (Altschul et al. 2004; King, Hickman and Berg 1977). From these observations, it is possible to project with some degree of accuracy where the different types

and numbers of archaeological sites, features and other elements are likely to occur. Predictive models are useful in large or mission-constricted areas where a complete survey is not feasible or cost-effective. Sample surveys are often employed to develop predictive models that will assist with area planning in these types of situations.

**Fort Myer-Henderson Hall**

The 1991 CRMP (KSF 1991:41) identified three areas on the post believed to be undisturbed by extensive construction and to have moderate-to-high potential for prehistoric archaeological materials (Figure 5-3). As summarized in the 2004 ARMP (URS 2004:3-3), the areas were located:

- north and south of the picnic pavilion and east of McNair Road (near site 44AR32 that extends into Arlington National Cemetery): “This area is considered to have...high potential for prehistoric archaeological resources, due to a previously recorded site in the immediate area, as well as the presence of a former small tributary, which is now filled;”
- north of the Memorial Chapel (Building 480), “east of the parking lot, and east of McNair Road. Although this area has been affected by numerous activities including road construction and utility installation, discrete areas may contain archaeological resources;” and
- north of Building 525, in a wide large area between Carpenter Road and the reservation boundary.

Two later ICRMPs (Hanbury, Evans, Newill Vlattas & Company 1998, 2000) echoed the 1991 results, while noting that an installation-wide survey had not been completed, referring to survey as an “on-going process,” and that field surveys were to that point conducted on an “as needed” basis (Hanbury, Evans, Newill Vlattas & Company 1998:49): i.e., impact driven.

The 2004 ARMP (URS 2004:3-5 to 3-19) further identified 10 areas at Fort Myer described as historically significant and thus exhibiting archaeological potential (Table 5-6, Figure 5-4). Two of the areas, Summerall Field and the Brick NCO Quarters, were noted as having low potential for prehistoric and historical resources due to extensive disturbance, and thus these two areas have not been included in Table 5-6.

<b>Table 5-6: Archaeological Potential at Fort Myer</b>				
<b>Area</b>	<b>Historical Use</b>	<b>General Conditions</b>	<b>Prehistoric Potential</b>	<b>Historical Potential</b>
Lower Post <i>Area 1</i>	Signal Corps/ Balloon House, Buffalo Soldiers	Sloped, paved	Low - disturbed, eroded	High-buried foundation of Fort Whipple or Signal Corps structures
Pasture Picnic <i>Area 2</i>	Railroad, Horse Pasture	Undeveloped	High-level, near water and 44AR32; corresponds with KSF first area	Low

Stables <i>Area 3</i>	Fort Cass, Cavalry Stables	Level and paved	Low-to-moderate - development disturbance	High - buried remains of Fort Cass
Barracks <i>Area 4</i>	Cavalry Troops Barracks, Riding Hall	Developed, buildings turn of 20 <sup>th</sup> century	Low - development disturbance	Moderate - development disturbance
Whipple Field <i>Area 5</i>	Fort Whipple Officer's Quarters	Open field, undeveloped	High - level stream terrace, near 44AR32	High - entrance to Fort Whipple, buried remains of magazine
Lee Ave Housing <i>Area 7</i>	Officer Housing	Houses and yards turn of 20 <sup>th</sup> century	Low - development disturbance	High - yard deposits
Whipple Field Housing <i>Area 8</i>	Fort Whipple, Officer's Quarters Quarters One	Houses and yards late-19 <sup>th</sup> century	Low - development disturbance	High - yard deposits
Jackson Ave Housing <i>Area 9</i>	Officer's Quarters Signal Corps Observatory	Houses and yards turn of 20 <sup>th</sup> century	Low - development disturbance	High - yard deposits

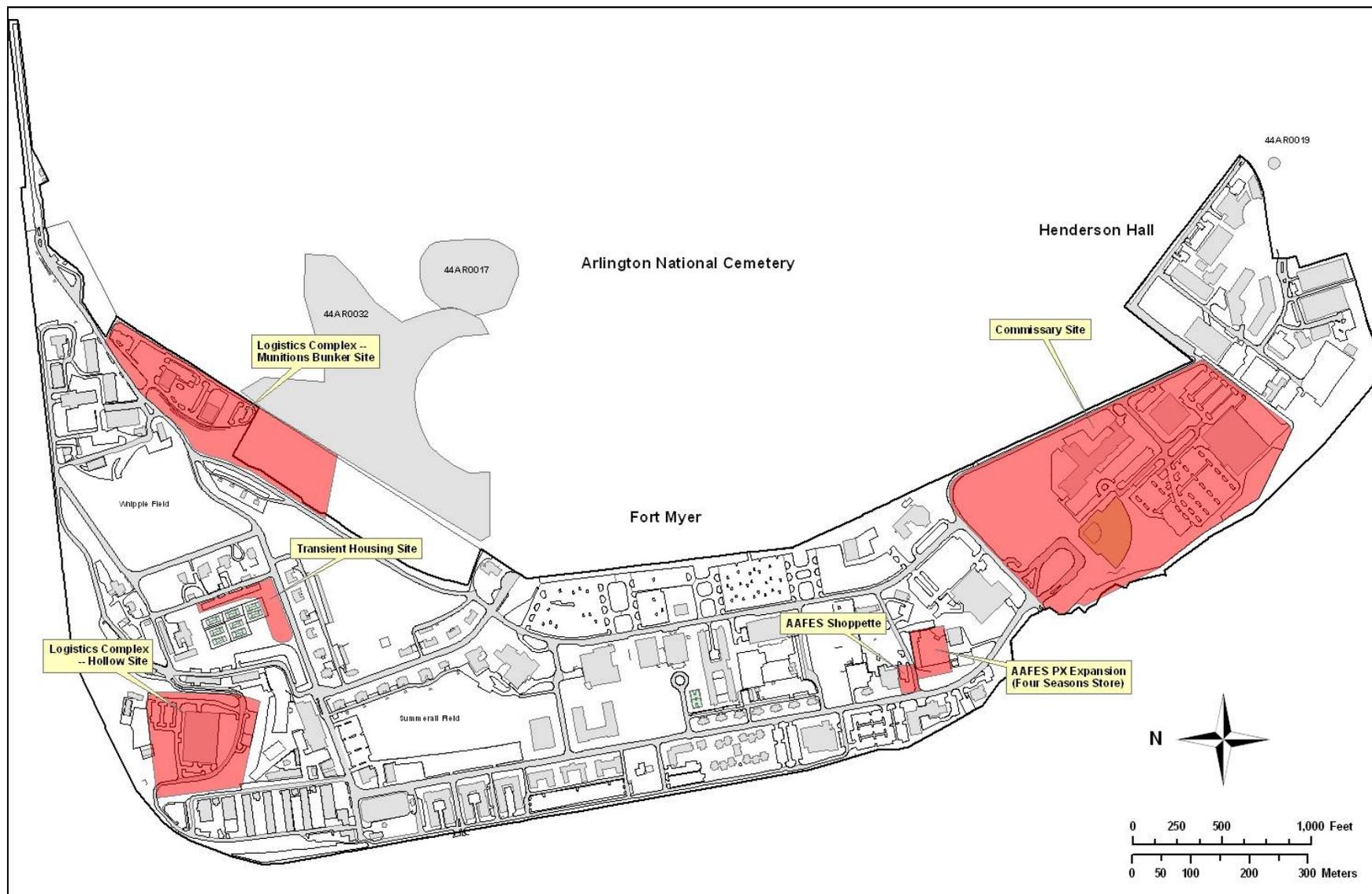


Figure 5-3: Kise, Straw, and Frank Survey Areas at Fort Myer (KSF 1992)

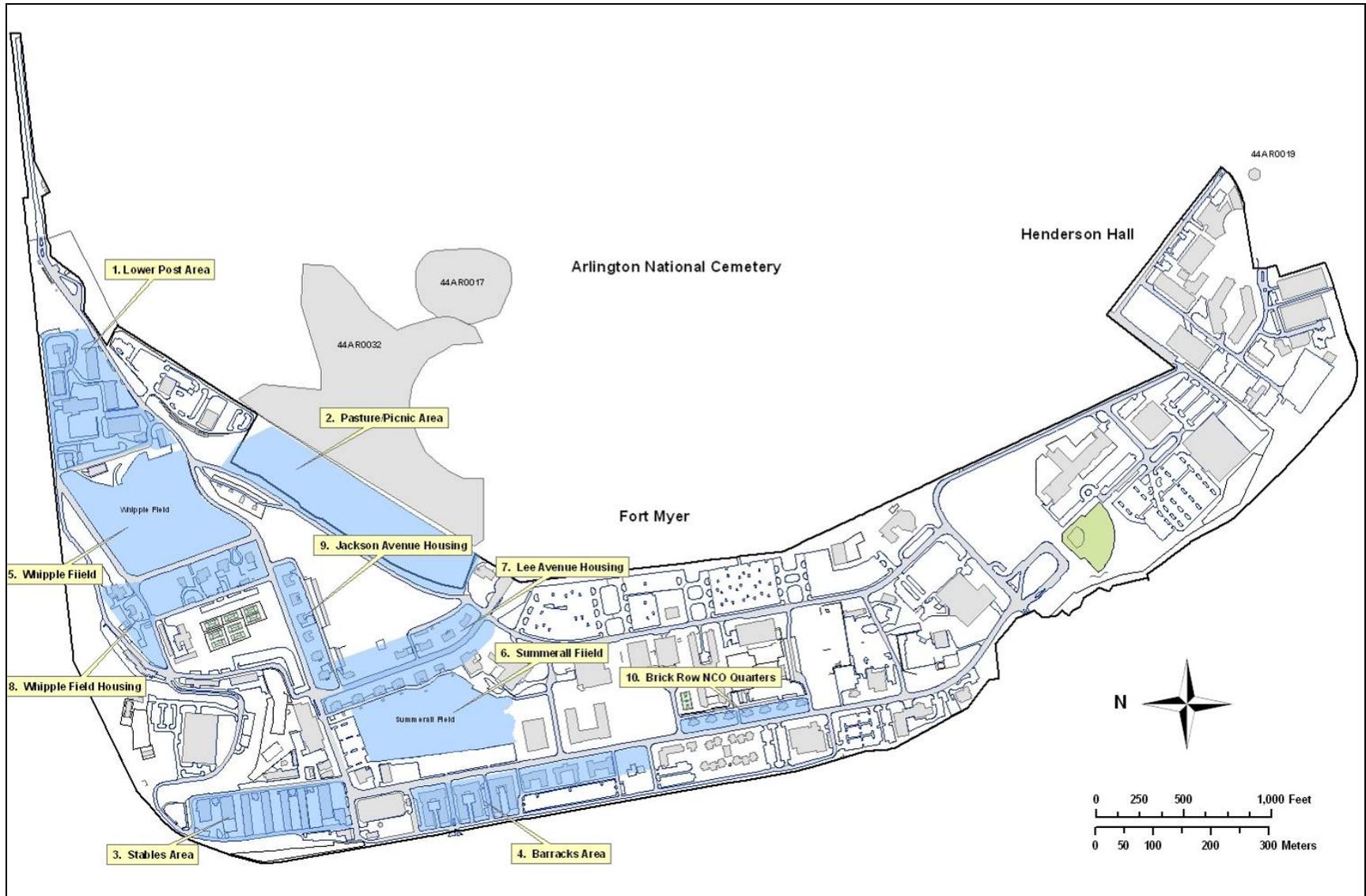


Figure 5-4: High Potential Areas at Fort Myer in URS ARMP (URS 2004)

## Fort McNair

Prehistoric sites have been recorded along the banks of the Anacostia River and its tributaries, although relatively few are known on the western shore of the river in the vicinity of Fort McNair. Given the soil characteristics at Fort McNair, with most of the property consisting of fill or urban surfaces, or both, there is little practical potential for prehistoric sites on the post. The post is situated at the confluence of two important estuary streams, and prehistoric archaeological sites oriented toward aquatic or riverine resources would be likely in such a setting. Yet, original ground surfaces appear to be either disturbed by historical development or deeply buried.

Past cultural resources investigations support this assessment. A series of investigations was conducted in the 1980s in the eastern half of the property in association with development projects that included the proposed construction of a Metrobus garage and maintenance facility (LeeDecker and Anderson 1982; Sorensen and Evans 1982); expansion of the dental clinic (USACE 1985a); and proposed construction of the National Defense University Academic/Library Center (USACE 1985b). The results of engineering surveys (bore holes) and auger testing conducted by archaeologists were analyzed, and the presumed course of James Creek and the James Creek section of the Washington Canal were located (LeeDecker and Anderson 1982; Sorensen and Evans 1982). The analyses indicated that north of R Street, between 2<sup>nd</sup> Street and 5<sup>th</sup> Avenue, fill deposits extend 3.6-11.0 meters (12-to-36 feet) below grade and lie on top of marshy wetlands and the base of the canal. The mid-19<sup>th</sup>-century shoreline was identified at least 2.2 meters (7.2 feet) below grade south of T Street (USACE 1985b).

In contrast to prehistoric sites, the 1994 CRMP states that the potential for historical archaeological sites is high, an assessment that is repeated in the 2000 ICRMP (Custer 1994; Hanbury, Evans, Newill Vlattas & Company 2000). The latter cites Baker 1997, an unpublished report of a records search that cites the *Annual Report on Reconstruction of Washington Barracks, D.C., Fiscal Year Ending June 30, 1904*, stating that “Although modern disturbances and filling have impacted many areas of the Fort...historic archaeological resources are probably still present in many areas” (Hanbury, Evans, Newill Vlattas & Company 2000:47). The 1994 CRMP includes a study of historical maps that indicate numerous structures and buildings from the nineteenth and early-twentieth centuries have been located in the southern portion of the installation, roughly coincident with the boundaries of the Historic District. While more recent development around the parade grounds/common may have disturbed archaeological deposits there, the Management Plans indicate that potential is still high for significant remains in the open ground.

The first actual buildings on the point were associated with the Washington Arsenal in 1815 (the 1994 study discusses fortifications at Greenleaf Point shown on the 1798 Stockdale map, but notes that these were planned, not actual structures). The 2004 ICRMP notes that the first buildings were built on Greenleaf Point in 1803 (URS 2004:2-9). The arsenal was reportedly destroyed during the British attack on Washington, D.C., in the War of 1812, and was rebuilt by 1815. The southern end of the point appears to have been all but truncated by a wide marsh on a map dated 1815 in the 1994 CRMP (KSF1994:Figure C.5). A gun battery is shown on the island created by the marsh. The precise locations of the arsenal and battery

were considered uncertain because of the absence of landmarks for aligning the historical and modern maps. However, the interpretation in the 1994 study places the War College within the marsh and the arsenal and battery further to the south, on the island. In addition, a magazine, garden and sheds are indicated on a map from 1820 in a location corresponding with the area immediately north of what is now D Street.

The nation's first federal penitentiary was constructed north of the Arsenal in 1826. On maps from the 1850s, the penitentiary building and residential structures appear on what is today the northern part of the parade ground between C Street and B Street (C Street today aligns roughly with what was U Street in the mid-nineteenth century, and B Street with what was O Street, while Delaware Avenue and 4<sup>th</sup> Street West extended south to T Street). The most detailed map from this period appears to be Boschke's map of 1859 (Figure 5-5). The locations of the arsenal and penitentiary buildings were transferred from that map to the modern topographic quad sheet and a georeferenced satellite image (Figure 5-6). The overlays suggest that while some building locations lie beneath more recent development, several appear to occur in undeveloped areas within the parade ground north of C Street, along what would be 3<sup>rd</sup> Avenue, or south of D Street and Roosevelt Hall (National War College). The buildings appear on later maps in various combinations in approximately the same locations, e.g., Petersen and Enthoffer 1872 (Figure 5-7), or Strum 1900 (Figure 5-8). The variations in the footprints suggest different levels of precision in mapping, but all indicate that portions of the parade ground have potential for nineteenth-century building remnants.

By 1881, the Arsenal was referred to as the Washington Barracks (URS 2004:2-14). Townsley's map of the barracks from 1893 shows topographic contours: behind, or east of, the barracks buildings they mark a distinct slope to the mouth of James Creek, indicating that level ground there today consists of fill (Figure 5-9). After the turn of the twentieth century, most of the Arsenal buildings disappeared, and in their stead buildings associated with the War College line the parade ground (Figure 5-10). Many of these buildings are either situated in developed areas between 4<sup>th</sup> and 5<sup>th</sup> Avenue or are still standing e.g., Roosevelt Hall or officers' housing between 1<sup>st</sup> and 2<sup>nd</sup> Avenue (Figure 5-11).

The 2004 ICRMP proposed nine archaeologically sensitive areas, or "areas within the post that have potential to contain archaeological resources" (URS 2004:3-4). The areas constitute a large proportion of the installation (Figure 5-12):

Area I is the southern end of the post, on the tip of land that was once separated from the remainder of the post by low, marshy areas. The 1815 map shows a gun battery location in this area and at least four other structures. Maps from 1855, 1861, 1880 and 1887 indicate arsenal buildings along the tip of the land. Since these structures were demolished, no construction has taken place here and the area is currently an open space.

Areas II and III potentially contain the remains of late-nineteenth-century officers quarters that once flanked the point on its east and west sides. According to early eighteenth-century maps, this area was once marsh and was subsequently filled, with the officers quarters built after the filling episode. Maps from 1855, 1861, 1880, 1887, 1892, and 1903-1908 indicate structures in these two areas.

Area IV runs along the eastern side of the southern open space north of the National War College building. This is the location of a number of mid-to-late-nineteenth-century Washington Arsenal buildings and a possible garden, as shown on maps from 1838, 1855, 1861, 1880, 1887, and 1892. The 1798 map shows a fortification that is potentially located in this area. This fortification may extend further west into Area V.

Area V is the potential location for the 1798 fortification. No other structures appear to have been constructed here since then, except for the road leading from the city to the main section of the arsenal to the south, which ran through this area.

Area VI is a small rectangular section along the western side of the post that may be the location of a magazine from the early-nineteenth century, and is indicated on the 1820 map.

Area VII is located in the center of the post, and encompasses the location of the nineteenth century penitentiary buildings, as well as mid-to late-nineteenth century barracks, as shown on maps from 1855, 1861, 1880, 1887, and 1892. There are three nineteenth-century buildings remaining in this area... The penitentiary building was demolished, but there has been no subsequent development in this area, other than the construction of the parking lot and C Street.

Area VIII is located along the east-central edge of the original post and includes the location of various late-nineteenth and early-twentieth century residences and support buildings, including the observatory that once stood there.

Area IX covers the entire northern section of the post and roughly comprises the parcels of land bought to expand the Washington Arsenal in the nineteenth century. This area has the potential to contain non-military residences dating from the early to mid-nineteenth century, as shown on the 1855 and 1861 maps. The 1892 map indicated several buildings in the area of 3<sup>rd</sup> and 4<sup>th</sup> Avenues, and B Street. Much of this area has seen construction activities during the latter half of the 20<sup>th</sup> century, and as such, archaeological resources in this area may have been negatively impacted, or be deeply-buried by fill layers. (URS 2004:3-6)

While the 2004 assessment appears valid, it may be more complicated than is necessary for the purposes of this ICRMP. Previous work on the post suggested little archaeological potential east of 5th Avenue, which corresponds with the original location of the creek and canal. Nevertheless, deposits that may correspond with original ground surfaces along the creek edge have been recorded buried beneath 2-11 meters (6-to-36 feet) of fill. While archaeological sensitivity in this area may be low, deep impacts below the documented levels of fill may require testing on an as needed basis for specific undertakings

In contrast, information from the west side of the post is less complete and reliable. The depth of fill and the presence of intact, if buried surfaces has not been established there with any consistency, or in fact with any direct evidence. Historical archaeological sensitivity has been assumed based on interpretations of historical maps showing the locations of buildings that stood in the area that is now the open parade ground. The absence of later historical development in those areas increases their archaeological potential.

Prehistoric sensitivity in the same western section of the post is high given the location of the facility at the confluence of two major estuary streams (the Anacostia and Potomac rivers) and again, the apparent lack of ground disturbance from widespread development. Since the

part of Fort McNair in question consists of the parade ground and other ceremonial or landscaped grounds, extensive testing and ground disturbance such as would be required to inventory the area for cultural resources is not practical. Therefore, it is recommended that the entire area be considered archaeologically sensitive and that any testing be conducted on an as needed basis for specific undertakings (Figure 5-13).

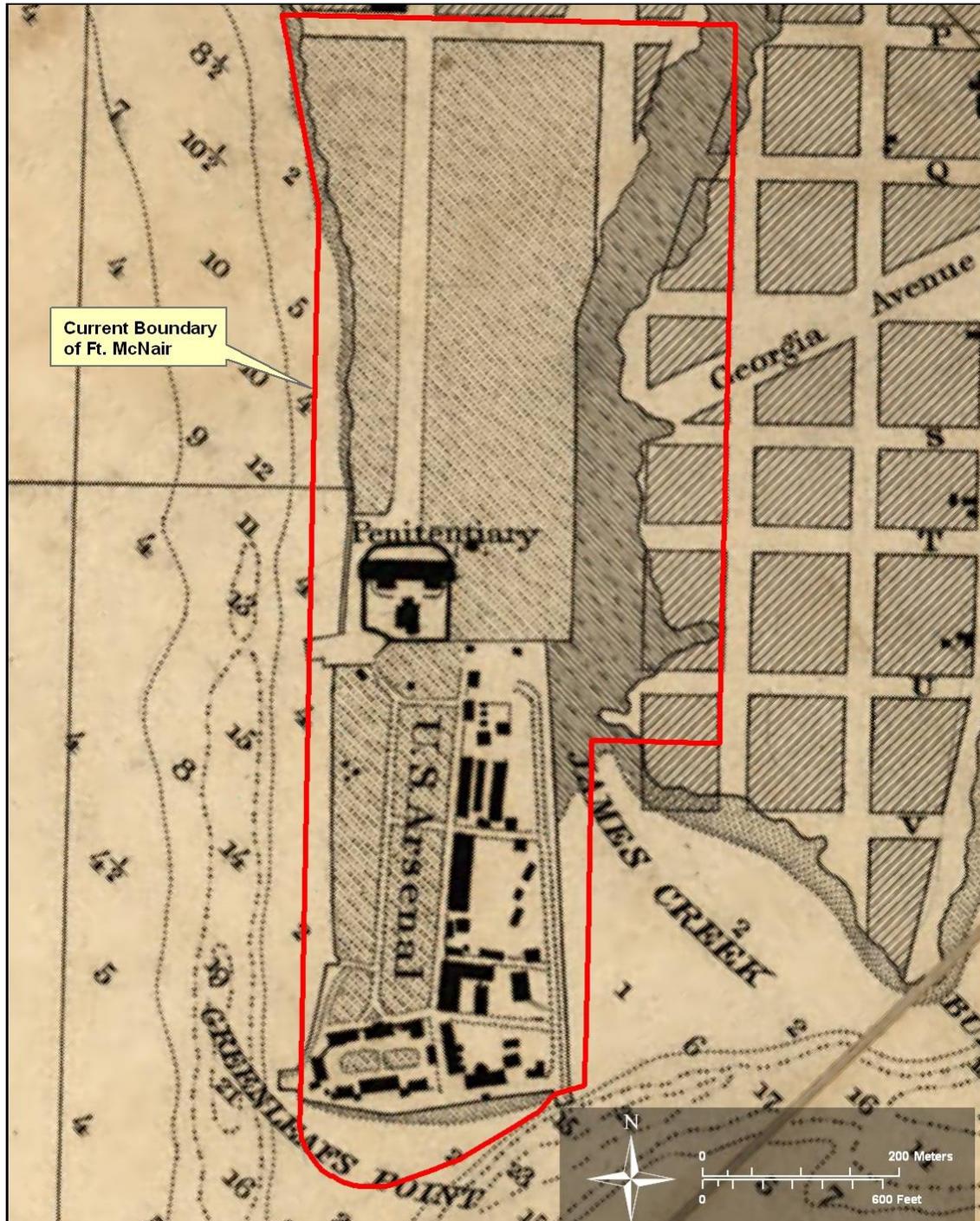


Figure 5-5: Fort McNair Area in the Mid-19<sup>th</sup> Century (Boschke 1859)



**Figure 5-6: Locations of Arsenal Buildings Superimposed on Modern Satellite Image of Fort McNair (based on Boschke 1859).**

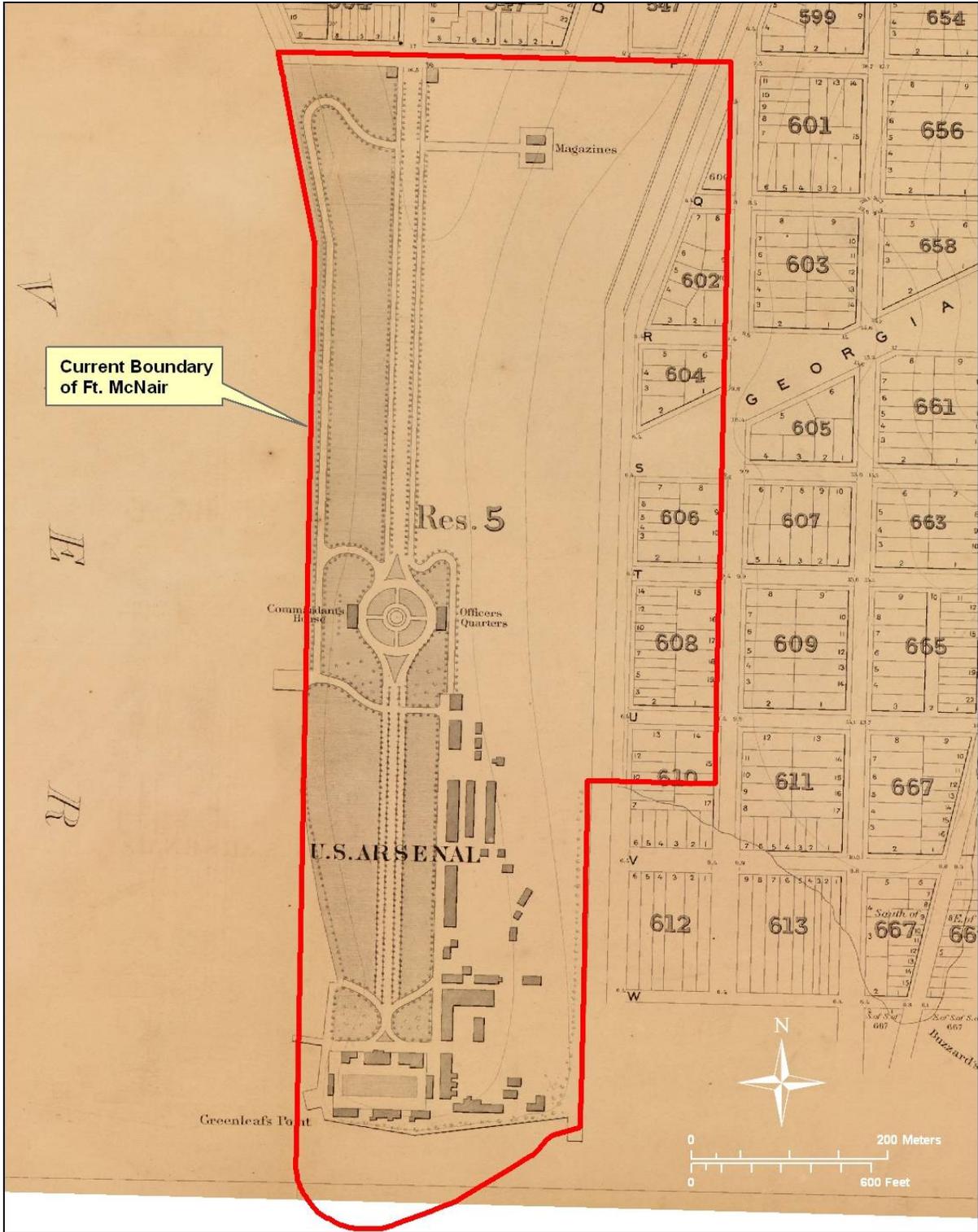


Figure 5-7: Fort McNair Area in the Later 19th Century (Bastert A.:1872)

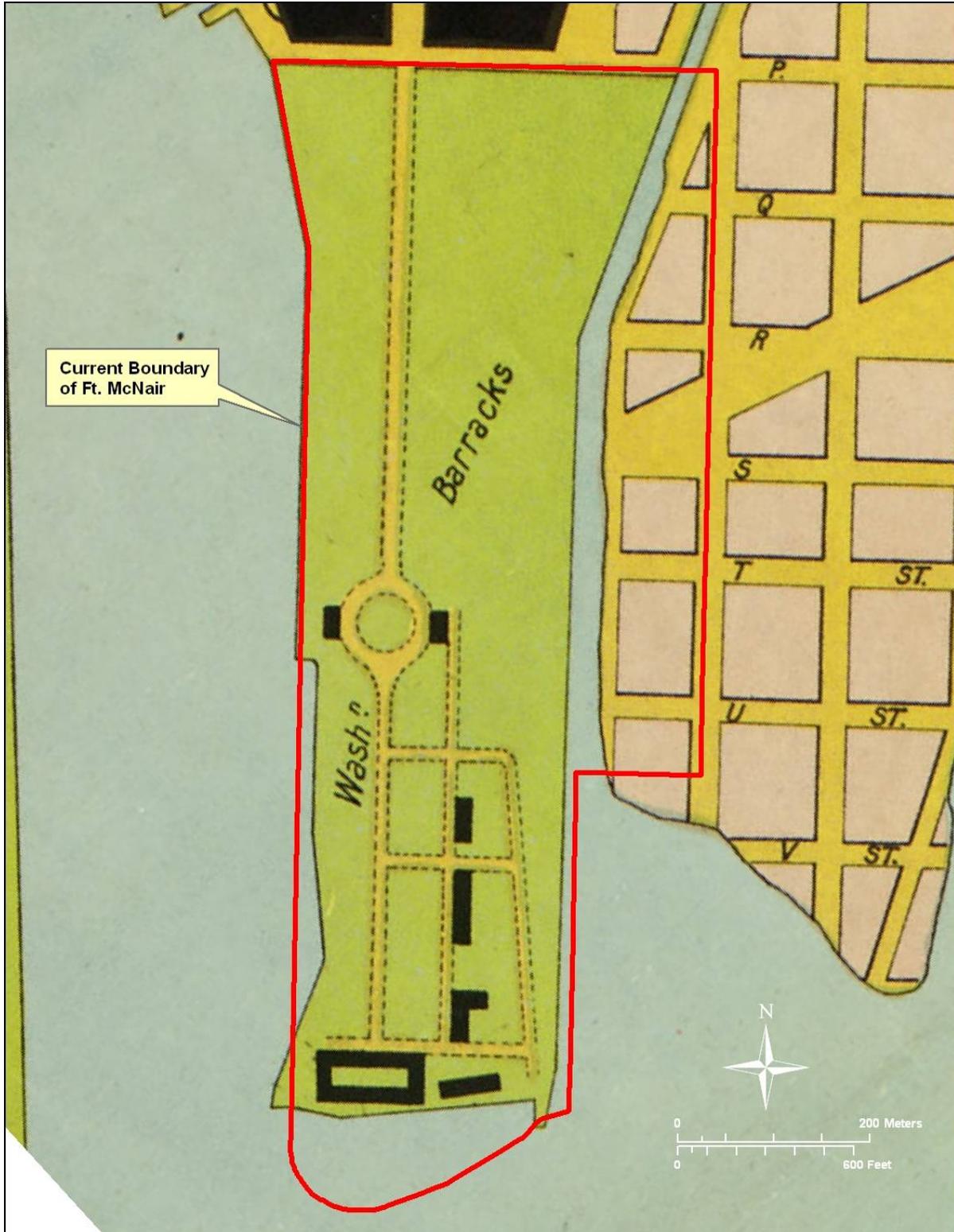
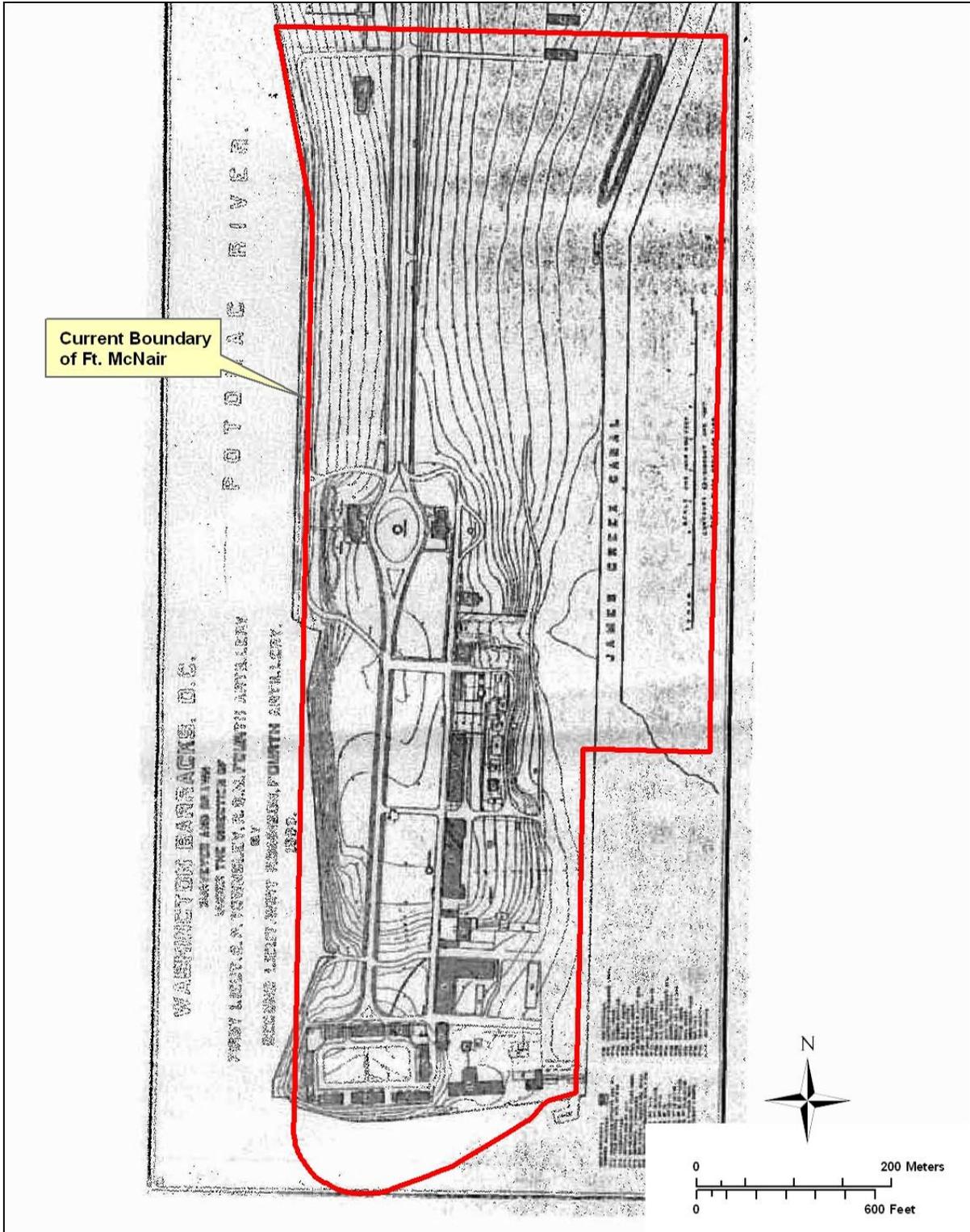


Figure 5-8: Fort McNair Area in the Late-19th Century (Strum 1900)



**Figure 5-9: Fort McNair Area Showing Late-19th Century Topography: currently the ground west and southwest of James Creek Canal is level suggesting that the area has been filled**

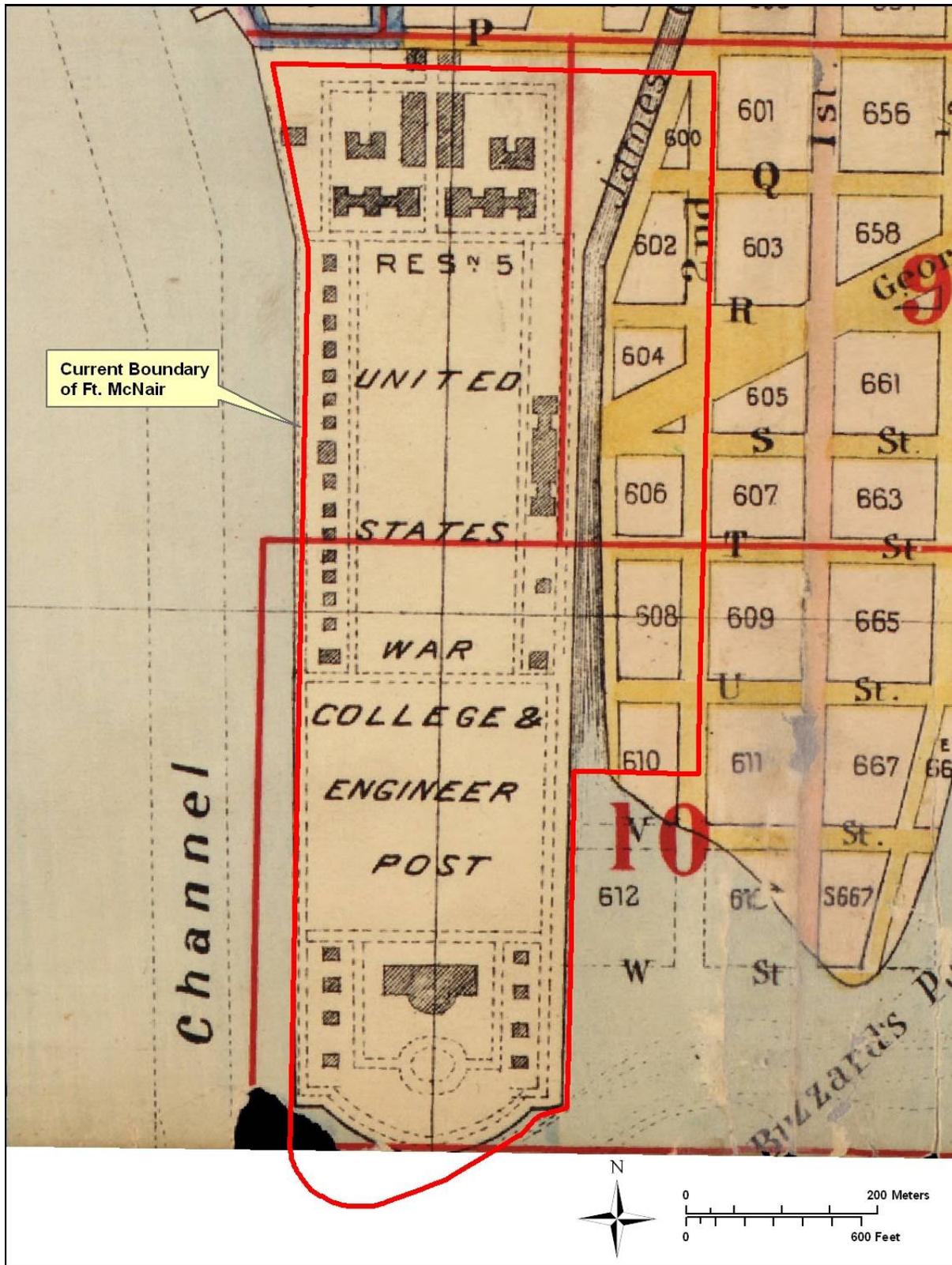


Figure 5-10: Fort McNair Area in the Early-20th Century (Baist 1903)



**Figure 5-11: Locations of War College Buildings Superimposed on Modern Satellite Image of Fort McNair (based on Baist 1903)**

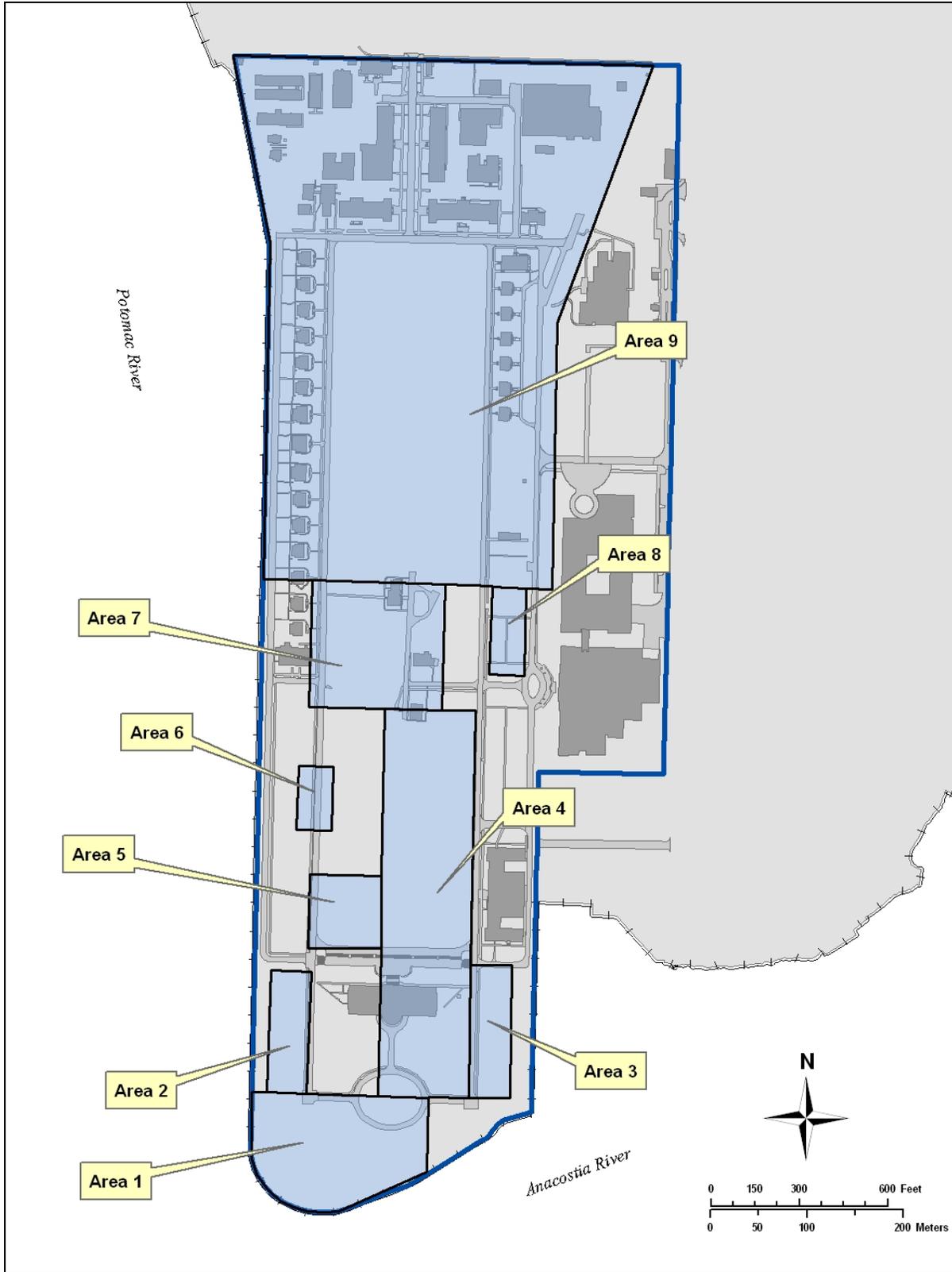


Figure 5-12: Fort McNair Areas of Archaeological Sensitivity Proposed by URS 2004

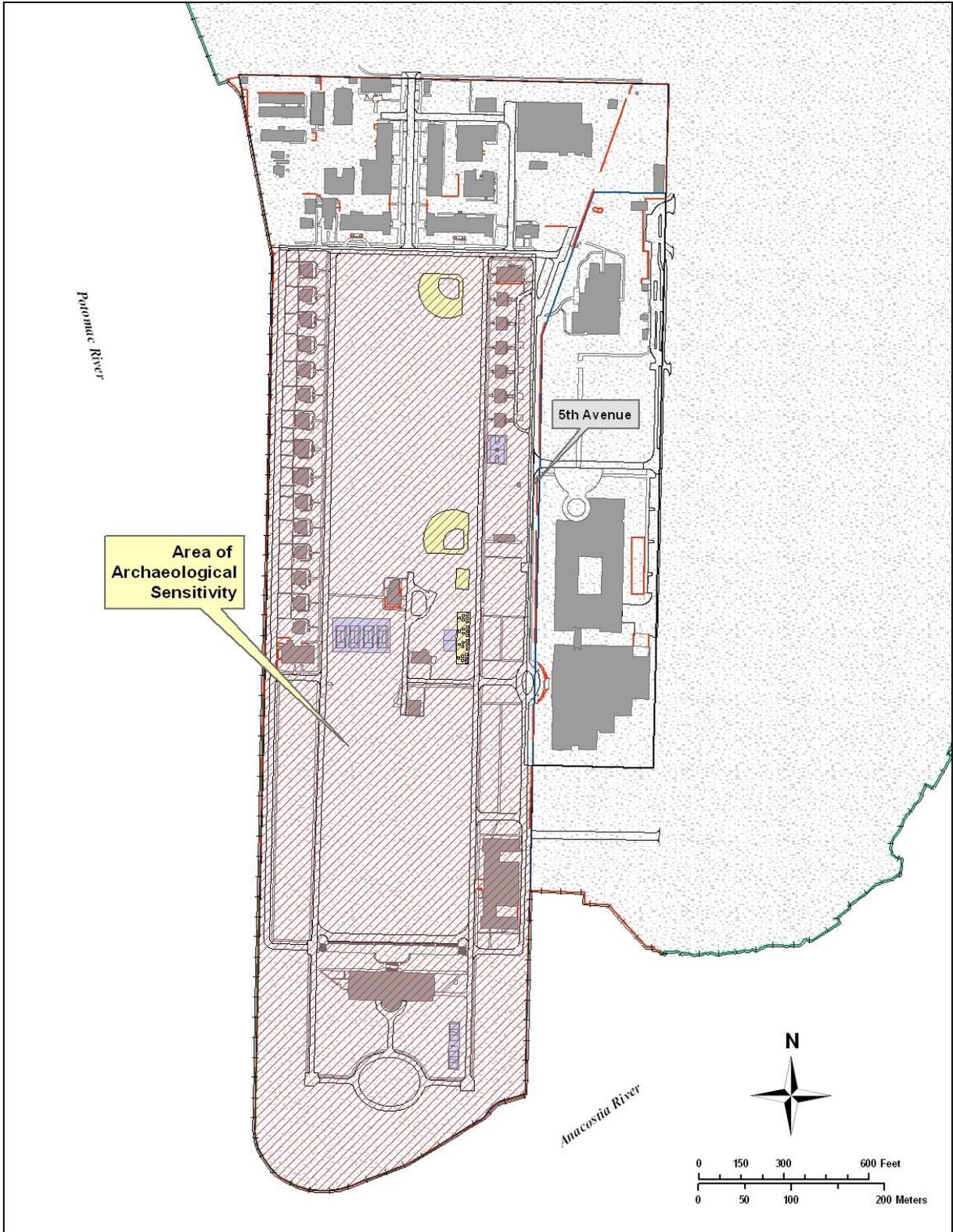


Figure 5-13: Fort McNair's Current Assessment of Archaeological Sensitivity

### **5.5.3 Architectural Resources**

JBM-HH will need to complete additional architectural surveys. Survey efforts are an ongoing process because architectural resources that have not been included in past studies will need to be evaluated once they turn 50 years of age. Further comprehensive architectural surveys should be conducted as necessary with future ICRMP updates to ensure that all resources at least 50 years old have been surveyed and evaluated for NRHP eligibility. All survey and evaluation studies should be sent to VASHPO for SHPO review and concurrence. All architectural resources built prior to 1959 have been inventoried and evaluated.

A review of JBM-HH DPW property lists indicates that one building at Fort McNair will need survey and evaluation. Eisenhower Hall (Building 59) was constructed in 1960 and is now 50 years old; the building has not been previously surveyed or evaluated. Real property lists identify that no other buildings at Fort McNair, Fort Myer, or Henderson Hall will mature to 50 years of age within the next five years.

## **6.0 MANAGEMENT PLAN**

### **6.1 OVERVIEW**

This portion of the ICRMP describes the objectives, priorities, staffing, policies, and methods that will be relied upon and utilized to accomplish the legal compliance requirements for the management of cultural resources at JBM-HH. The cultural landscape management approach offers significant management advantages for an integrated management plan (e.g., spatial analyses of project-driven field inventories within specific project boundaries, utilizing the cultural approach, can predict potential cultural resources locations demonstrating interrelationships that exist among known cultural and natural resources, and document past military impacts to the area). Likewise, cultural resources on the installation will be managed within an installation-wide framework of interrelated landscape components brought together through GIS data layers of cultural, natural, and human-related information, rather than existing as a single, unassociated entity.

### **6.2 THE CULTURAL LANDSCAPE MANAGEMENT APPROACH**

A cultural landscape planning approach is specifically explained in Chapter 2 of DA Pamphlet 200-4, *Cultural Resources Management*. For the purpose of this document's clarity, however, the following is provided here. The cultural landscape approach provides the overall framework for the ICRMP and future implementation of project-specific compliance actions. This ICRMP serves as the platform to operationalize the cultural landscape concept.

Cultural resources constitute essential and significant elements of ecosystems in which Army installations and their component activities exist and function. Planning and management of cultural resources, therefore, should occur within the context of a comprehensive and integrated land, resource, and infrastructure approach that adapts and applies principles of ecosystem management. This involves planning and management of cultural resources by reference to the landscape (i.e., the "Cultural Landscapes Planning Approach"). Principal components of this management approach are as follows:

The cultural landscape planning approach defines a "cultural landscape" as a geographic area that includes the collective cultural and natural resources features and the spatial relationships among those surface and subsurface features. Examples of natural features include terrain, habitat areas, and topography. Cultural features include archaeological sites, sacred sites, historic buildings, and the modern built environment. All of these natural and man-made features, including those related to military operations, are viewed as a series of surface and subsurface features that make up the installation's cultural landscape.

- The cultural landscape planning approach focuses on the analysis of the spatial relationships among natural and man-made landscape features. Cultural and natural resources distribution maps can provide the data for systematic analysis of spatial patterning and land use through time. Factors such as elevation, slope, soil texture and drainage, vegetative cover, distance to water and proximity to roads, other transportation routes, and service centers have resulted in non-random patterns of

human land use through time. These factors influenced the locations selected for prehistoric and historic settlement and activity areas.

- Distribution maps of cultural and natural resources locations, overlain with specific locations of military testing and training areas (including past, present, and to the extent possible, future activities) will show a non-random pattern of distribution across the landscape. Spatial analyses based on such distributions can indicate if the locations of cultural resources, natural resources, and military training and infrastructure improvement activities coincide. The coinciding distribution of cultural and natural resources and specific locations of military activities are important land management factors.
- Identification of the non-random patterns of land use is beneficial for compliance-related environmental documentation that requires future impact prediction (e.g., NEPA and NHPA documents). It is beneficial for the preparation of analyses for the consideration of alternatives, and for impact avoidance, in a manner that avoids conflict with sensitive resources. Section 5.2 discusses existing archaeological sensitivity assessments of Fort Myer, Henderson Hall, and Fort McNair. This type of specific spatial information allows predictive scenarios that aid in the management of the resources, and adds timeliness to compliance activities and the completion of mission objectives.
- The cultural landscape planning approach identifies military installations as an integral part of the landscape and attempts to identify interrelationships between the natural and cultural elements.
- The cultural landscape approach emphasizes the fact that installation natural and cultural resources may result from and obtain significance through the continuous military occupation and use of the land.
- The cultural landscape planning approach is most useful as an overall conservation planning strategy fully integrating cultural and natural resources and the military mission.

Cultural landscape as a planning approach should not be confused with “Cultural Landscapes,” which is a property type. The latter includes historic military landscapes that are architecturally designed and associated with historic building districts in U.S. Army cantonment areas and that are part of the larger cultural landscape.

The value of the cultural landscape approach to cultural resources evaluation and treatment is that a resource’s significance is not determined in isolation, but within the entire context of the landscape and interrelationships among its components. The cultural landscape approach allows greater flexibility in environmental impact analysis and the development of mitigative strategies in terms of trade-offs that can be negotiated when the linkages between cultural and natural resources are identified. The approach also allows for more informed and defensible decision-making.

### **6.3 GENERAL OBJECTIVES**

The basic objective of this ICRMP is to integrate the legal requirement for historic preservation with the planning and accomplishment of military testing, construction, and other mission-essential activities, as well as real property and land use decisions at Fort Myer, Henderson Hall, and Fort Mc Nair. Specific objectives of this ICRMP are discussed below.

#### **6.3.1 Compliance with Federal Preservation Law**

Section 3.0 of this document summarizes the federal statutes, regulations, EOs, and memoranda applicable to the management of cultural resources and the cultural resources management program at JBMHH.

#### **6.3.2 Locate, Evaluate, and Protect Archaeological, Historical, and Sacred Sites**

In order to comply with those laws and regulations noted in Section 3.0, the CRM must identify and protect all classes of historic properties at Fort Myer, Henderson Hall, and Fort McNair. Only one building 50 years of age or older (Building 61 at Fort McNair) has not been surveyed and evaluated for NRHP eligibility. No other buildings at Fort Myer, Henderson Hall, or Fort McNair will mature to 50 years of age within the next five years. Past archaeological assessments have recommended archaeological inventory for archaeologically sensitive portions of the installation.

When evaluating a proposed project, the CRM must first determine if the proposed action is an undertaking and then determine the area of potential effect (APE) (SOP 1). The CRM must then determine whether any of the known historic properties or archaeologically sensitive areas within the installations fall within the APE to determine whether Army undertakings at Fort Myer and/or Fort McNair will affect historic properties (36 CFR 800.4). Planning such projects may proceed with the understanding that changes in design or delays may occur where mitigation must be applied as a result of consultation. The CRM must consult in a timely manner with the VASHPO and DCHPO concerning all undertakings that have the potential to affect historic properties not otherwise excluded by a PA or MOA. JBM-HH must identify if any undertaking will result in adverse effects to historic properties by applying the criteria of adverse effect. If historic properties will be adversely affected by the undertaking, JBM-HH must resolve these adverse effects through consultation with the ACHP, VASHPO, and DCHPO.

#### **Requirements Affecting National Historic Landmarks (NHL)**

36CFR800.10 addresses special requirements that affect the protection of NHL that will govern the management of contributing resources associated with the Fort Myer NHL district. Under 36CFR800.10, JBM-HH must plan projects as necessary to minimize harm to the NRL if it may be directly and/or adversely affected by an undertaking. JBM-HH is required to request the participation of the ACHP in consultation to resolve any adverse effects. The Secretary of the Interior also is to be notified of any consultation and is to be invited to participate in the consultation.

### **6.3.3 Contribute to the Body of Knowledge**

Valuable contributions to regional cultural history can be achieved through the analysis and synthesis of data collected on Fort Myer-Henderson Hall and Fort McNair. The dissemination of information on areas that heretofore may not have been included in regional contexts adds to their richness and usefulness to historic preservation.

### **6.3.4 Efficient Management Techniques**

It is incumbent upon the CRM to conserve funds through the employment of more efficient management techniques and the initiation of mission-oriented evaluation procedures for archaeological sites and other cultural resources properties.

## **6.4 ROLES AND RESPONSIBILITIES**

Roles and responsibilities involving cultural resources compliance will be the responsibility of two positions, the Garrison Commander, and the Cultural Resources Program Manager. The Cultural Resources Program Manager reports directly to the Director of the JBM-HH Directorate of Environmental Management and assumes responsibility for maintaining JBM-HH's cultural resources program. The Garrison Commander oversees all of the U.S. Army's administrative capacity at JBM-HH. He/She is will be the U.S. Army's primary representative involving interagency interface and designated signatory for all agreement documents

### **6.4.1 Garrison Commander (or Designated Representative) Responsibilities**

The Garrison Commander's responsibilities can be summarized here as:

- Is responsible for establishing a cultural resources management program by means of this ICRMP.
- Designates, as appropriate, a CRM to coordinate the installation's cultural resources management program.
- Establishes government-to-government relationships with federally recognized Native American tribes. If there are significant Native American issues at JBM-HH, the Garrison Commander should also designate an Installation Liaison for Native American Issues.
- Establishes a process that requires installation staff elements, tenants, and other interested parties to coordinate with the CRM early in the planning of projects and activities to determine if any historic properties are, or may be, present that could be directly or indirectly affected by a project or activity. These elements include any training and testing activities, master planning, environmental impact analysis, or natural resources and endangered species management planning and programming, including INRMPs.
- Establishes funding priorities and program funds for cultural resources compliance into the Environmental Program Requirements (EPR) report.

- Serves as the “Agency Official,” as defined in 35 CFR Part 800 with responsibility for installation compliance with the NHPA.
- Serves as the “Federal Agency Official,” as defined in 43 CFR Part 10 with responsibility for installation compliance with NAGPRA.
- Serves as the “Federal Land Manager,” as defined in 32 CFR Part 229 with responsibility for installation compliance with ARPA.
- Serves as the “Federal Agency Official,” as defined in 36 CFR Part 79 with management authority over archaeological collections and associated records.
- Signs all NHPA PAs, MOAs, and NAGPRA CAs and Plans of Action after Major Command (IMA) and HQDA comments have been addressed, and prepares NRHP nominations for historic properties.

#### **6.4.2 Cultural Resources Manager Responsibilities**

- Reviews all projects (e.g., Military Construction, U.S. Army [MCA], job order contracts, training exercises) and DA 1391 (Military Construction Project Data) forms and determines the type and level of impacts to cultural resources.
- Prepares and implements, if appropriate, an installation-wide NHPA Section 106 PA in accordance with 36 CFR Part 800 to address and streamline NHPA compliance procedures for ongoing missions and operations activities that are “undertakings,” as defined in the NHPA. If a JBM-HH-wide NHPA Section 106 PA is not appropriate, the CRM, acting for the Director of the JBM-HH Directorate of Environmental Management and the Garrison Commander, must ensure that NHPA Section 106 compliance procedures are followed for each undertaking. Those compliance procedures are outlined in 36 CFR Part 800, “Protection of Historic Properties,” the implementing regulations for the NHPA.
- May be designated as the Installation Liaison for Native American issues. There have been no Native American remains found at Fort Myer-Henderson Hall or Fort McNair as of yet. However, if NAGPRA issues become relevant, the CRM, acting for the Director of the JBM-HH Directorate of Environmental Management and the Garrison Commander, will prepare and implement an installation-wide NAGPRA CA.
- Determines the applicable laws and regulations and identifies the applicable SOP from those contained in this ICRMP. Determines other applicable consultation or regulatory requirements, or if the undertaking is considered under a PA developed for NHPA compliance.
- Participates in consultation as provided in the ICRMP or otherwise specified by appropriate laws and regulations, and conducts and reviews appropriate studies, as necessary.
- Serves as the JBMHH point of contact for Native American consultation, the ACHP, and the VASHPO and DCHPO.
- Coordinates cultural resources management activities with organizational elements, tenants, and other parties identified by the JBMHH Commanding Officer.

- Arrange for regular training on historic preservation and compliance issues for the CRM staff, facility managers, DPW staff, and tenant organizations.
- Initiates and prepares ARPA permits as required.
- Has responsibilities for record keeping and curation by:
  - Developing and maintaining records, reports, and documentation sufficient for consultation and an assessment of cultural resources for their eligibility for inclusion in the NRHP (including maps, plans, notes, data forms, records, photographs, memoranda, journal notes, Job Order Requests [JORs], and draft and final reports).
  - Providing for curation of archaeological collections from Fort Myer-Henderson Hall and/or Fort McNair, in accordance with 36 CFR Part 79 (*Curation of Federally Owned and Administered Archaeological Collections*).
- Other administrative responsibilities include:
  - Assisting the Director of the JBM-HH Directorate of Environmental Management the Garrison Commander with developing funding priorities for all cultural resources program and compliance activities.
  - Developing budget requirements for compliance with this ICRMP and applicable PAs and/or MOAs, using the A106 budgeting process to program these requirements through Army channels.
  - Ensuring that the current ICRMP is operational at all times and that all procedures of the ICRMP and stipulations of any PAs and/or MOAs are implemented, as required by AR 200-1.

## **6.5 INTERNAL COORDINATION PROCESS**

Required coordination and consultations that may impact the missions at Fort Myer, Henderson Hall, and Fort McNair must be identified as a priority and addressed early to avoid impacts to readiness. The CRM should attend any JBM-HH meetings where any project conducted on the installation is discussed and/or scheduled.

### **6.5.1 JBMHH Garrison Commander**

All Section 106 actions require consultation and coordination with the VASHPO or DCHPO and others may require coordination with the IMA and HQDA. The ACHP should be provided an opportunity to participate in adverse effect determinations and the development of mitigation measures and agreement documents. In preparing PAs and MOAs, the JBM-HH Garrison Commander (and the CRM designate) will work cooperatively to address all IMA and HQDA comments on draft agreements.. Following integration of IMA and HQDA comments, the JBM-HH Garrison Commander will sign the agreement, obtain ACHP, VASHPO or DCHPO, IMA (as appropriate), and any consulting party signature, and forward the document to the ACHP for its record or for signature.

### **6.5.2 Base Civil Engineer/Public Works/Master Planning**

Coordination with the JBM-HH DPW is essential during the review of any ground-disturbing action or building modification activities. These JBM-HH organizations act as conduits for all activities and/or actions that may require NHPA Section 106 compliance. Coordination with the CRM, who will consult with the ACHP, VASHPO or DCHPO, is a critical step.

### **6.5.3 Environmental Coordinator**

Coordination and review of projects within this division is imperative as all aspects of the environment are encompassed by the cultural landscape planning approach. This is most useful as an overall conservation planning strategy, fully integrating cultural and natural resources, and the military mission. Should such an approach be undertaken, an environmental coordinator will need to facilitate the process. The Director of the JBM-HH Directorate of Environmental Management would be the most appropriate position to fill this role.

### **6.5.4 Security Police**

The CRM should work with the installation security personnel (e.g. Provost Marshall) to ensure that ARPA violations do not occur. If necessary, SOPs should be developed to assist with historic properties protection. The JBM-HH security personnel, legal staff, recreation management, and other environmental staff are required to be informed about cultural resources laws and their enforcement under ARPA. Any coordination regarding these issues should be routed through the CRM.

### **6.5.5 Tenant Organizations under the Resource Management**

Tenant organizations are required to notify the CRM of any potential changes to historic properties and to coordinate the Section 106 process through the cultural resources management office.

Tenants do not formally lease the land they utilize; they have either Interservice Support Agreements (ISAs) or outgrant agreements with JBM-HH. Like leased parcels, tenant-utilized parcels are managed by JBM-HH, including any environmental issues that may arise. Coordination and “clearance” of an undertaking must be staffed through the CRM as part of the process.

### **6.5.6 Public Affairs**

The JBM-HH CRM should initiate a program for educating military and civilian personnel about historic preservation. Coordination with the Public Affairs Officer (PAO) can assist with the dissemination of that information, help in locating historic information concerning specific sites or activities, and may assist in developing interpretive programs.

## **6.6 EXTERNAL COORDINATION PROCEDURES**

The key to the successful balance of mission requirements and cultural resources compliance and management responsibilities is early planning and coordination to prevent conflicts between the mission and the resources.

### **6.6.1 Major Command (Garrison Commander)**

The Garrison Commander must sign all consulting agreements, which is primarily PAs and MOAs. Any Section 106 actions requiring PAs or MOAs (initial draft form) should be initiated by the JBM-HH CRM with approval from the Director of the JBM-HH Directorate of Environmental Management. All PAs and MOAs should be submitted to IMA for review and approval. The JBM-HH CRM shall ensure that the initial draft PA or MOA reflects and embodies the results of the consultation efforts by JBM-HH, the VASHPO or DCHPO, and the ACHP. The IMA will provide a technical and legal review as appropriate. Documents will be revised and corrected as needed prior to signing by the Garrison Commander.

### **6.6.2 Headquarters Department of the Army**

IMA will provide the JBM-HH Garrison Commander with technical review and will coordinate with the Judge Advocate General (JAG) to obtain legal review. IMA and the JBM-HH Garrison Commander will provide the HQDA with technical and legal reviews. If the PA or MOA has Army-wide implications, the IMA or HQDA may elect to be a participant in, and an Army signatory to, such an agreement. Otherwise, the JBM-HH Garrison Commander has signature authority for NHPA PAs, MOAs pertaining to Army-owned and -controlled federal properties, or actions subject to Army federal approval that fall within the JBM-HH Garrison Commander's area of responsibility.

### **6.6.3 SHPOs and Other Consulting Parties**

The VASHPO and the DCHPO coordinate state participation in implementation of the NHPA and is a key participant in the Section 106 process. The role of the VASHPO and DCHPO is to consult with and assist Fort Myer and Fort McNair when identifying historic properties, assessing effects upon them, and considering alternatives to avoid or reduce those effects. The VASHPO reflects the interests of the Commonwealth of Virginia and its citizens in the preservation of their cultural heritage, and helps Fort Myer identify those persons interested in an undertaking and its effects upon historic properties. The DCHPO reflects the interests of the District of Columbia and its citizens in the preservation of their cultural heritage, and helps Fort McNair identify those persons interested in an undertaking and its effects upon historic properties. The National Capital Planning Commission (NCPC) and the United States Commission of Fine Arts (USCFA) have served as consulting parties for past 106 consultations at Fort McNair and Fort Myer and Henderson Hall. Therefore, these organizations should continue to be consulting parties for any future Section 106 consultation at these installations. Arlington County, Virginia has also been involved as a consulting party for Section 106 activities at Fort Myer. The National Park Service (NPS) is also another potential consulting party that may have interest at activities at Fort Myer and Fort McNair. Tribal entities may also be consulting parties when areas of interest to the

tribes are affected. When any of the consulting parties decline to participate or does not respond within 30 days to a written request for participation, Fort Myer or Fort McNair may proceed with the next step of the Section 106 process without input from the consulting parties that have declined the request for participation. However, these agencies can reenter the Section 106 consultation process at any of the future stages of the process. All “undertakings” at Fort Myer and Fort McNair that fall under Section 106 must be coordinated with the consulting parties or have a PA or MOA in place that allows for agreed-upon procedures in place of normal Section 106 compliance. The following is a full list of all potential consulting parties.

Virginia Department of Historic Preservation  
2801 Kensington Avenue  
Richmond, VA 23221  
Telephone: (804) 367-2323

District of Columbia Office of Planning  
Historic Preservation Office  
1100 4th Street, SW, Suite E650  
Washington, DC 20024  
Telephone: (202) 442-7600

U. S. Commission of Fine Arts  
401 F Street NW, Suite 312  
Washington, DC 20001-2728  
Telephone: (202) 504-2200  
Email [cfastaff@cfa.gov](mailto:cfastaff@cfa.gov)

National Capital Planning Commission  
401 9th Street NW  
North Lobby, Suite 500  
Washington, DC 20004  
Telephone: 202-482-7200  
Email [info@ncpc.gov](mailto:info@ncpc.gov)

National Park Service (Philadelphia)  
National Capital Regional Office  
1100 Ohio Drive SW  
Washington, DC 20242  
Telephone: (202) 619-7256

Arlington County  
Michael Leventhal  
Historic Preservation Program Coordinator  
Telephone: (703) 228-3813  
Email: [mleventhal@arlingtonva.us](mailto:mleventhal@arlingtonva.us)

Virginia Council on Indians  
P.O. Box 1475  
Richmond, VA 23218  
Telephone: 804.225.2084  
E-mail: [vci@governor.virginia.gov](mailto:vci@governor.virginia.gov)

#### **6.6.4 Tribal Historic Preservation Officer**

In 1992, amendments to the NHPA allowed federally recognized Indian tribes to assume formal responsibility for the preservation of significant historic properties on tribal lands. Specifically, Section 101(d)(2) allows tribes to assume any or all of the functions of a SHPO with respect to tribal land.

For other tribes, the federal agency must consult a designated representative of the tribe in addition to the SHPO during review of projects occurring on, or affecting historic properties on, their tribal lands. Federal agencies must also consult with Indian tribes that attach religious and cultural significance to historic properties, regardless of their location.

The National Park Service maintains a list of tribes that have formally assumed the responsibilities of the SHPO for purposes of Section 106 compliance on their tribal lands (NPS Tribal Preservation Program 2005). They have designated THPOs whom federal agencies consult in lieu of the SHPO for undertakings occurring on, or affecting historic properties on, tribal lands. Some of the federally recognized tribes have THPOs, as do some of the member bands/reservations of the recognized tribes. If the federally recognized tribe has a THPO, then they may be the point of contact for NHPA consultation initiated by JBM-HH. It should be noted that there are no tribal lands on Fort Myer or Fort McNair but JBM-HH should consult with appropriate tribes about properties on the installation that may be of interest to them. Section 8 provides a Native American Consultation Plan that provides more information on THPOs.

#### **6.6.5 Advisory Council on Historic Preservation**

The ACHP is responsible for commenting to JBM-HH when invited to participate, or when comments are requested on an undertaking that affects historic properties. When NHL are affected under Section 106, 36CFR800.10 charges that the agency request the involvement of the ACHP in the consultation process. Because the Fort Myer Historic District is a NHL, the ACHP will likely have a more extensive role in any Section 106 consultation involving contributing resources associated with the district. The ACHP will also likely take a lead in Section 106 consultation involving the Army War College at Fort McNair. Contact information for the ACHP is provided below:

Advisory Council on Historic Preservation  
Old Post Office Building  
1100 Pennsylvania Avenue, NW, Suite 803  
Washington, DC 20004  
Telephone: (202) 606-8503  
Web site: [www.achp.gov](http://www.achp.gov)

### **6.6.6 Affected Native American Groups**

JBM-HH, the VASHPO and DCHPO, and the ACHP should be sensitive to the special concerns of Native American tribes in historic preservation issues, which often extend beyond Native American lands to other historic properties. When an undertaking will affect traditional or historical territories of Native American tribes, JBM-HH shall invite the governing body of the responsible tribe(s) to be a consulting party and to concur in any agreement. When a Native American tribe has established formal procedures relating to historic preservation, JBM-HH, the VASHPO or DCHPO, and ACHP shall, to the extent feasible, carry out responsibilities under these regulations consistent with such procedures. When an undertaking may affect properties of historic value to a Native American tribe on non-Native American lands, the consulting parties shall afford such tribe the opportunity to participate as a consulting party. Section 8.0 of this document discusses Native American consultation processes and contact information for federally recognized tribes that have historical ties to the area that includes Fort Myer, Henderson Hall, and Fort McNair.

### **6.6.7 Public Involvement**

JBM-HH must take into account the views of the public on historic preservation issues and encourage maximum public participation in the Section 106 process. JBM-HH, in the manner described below, and the VASHPO and DCHPO should seek and consider the views of the public when taking steps to identify historic properties, evaluate effects, and develop alternatives. Public participation in the Section 106 process may be fully coordinated with, and satisfied by, public participation programs carried out by JBM-HH under the authority of NEPA and other pertinent statutes. Notice to the public under these statutes should adequately inform the public of preservation issues in order to elicit public views on such issues that can then be considered and resolved, when possible, in decision-making. Members of the public with interests in an undertaking and its effects on historic properties should be given reasonable opportunity to have an active role in the Section 106 process. Section 9.0 of this document outlines a public involvement plan.

## **6.7 GUIDELINES FOR INVENTORIES/EVALUATIONS**

JBM-HH must locate and identify all historic properties within the area of potential affect (APE) of an undertaking, and it must request the VASHPO or DCHPO's views about whether further actions are needed to identify historic properties (36 CFR Part 800.4). Inventories of historic buildings and structures are an ongoing process, and a potential for undiscovered archaeological sites remains. Future investigations should be conducted in accordance with Section 110 of the NHPA to comply with the requirement to inventory and evaluate all Federal property or in advance of ground disturbing activities in areas determined to retain potential for archaeological resources.

SHPOs provide the requirements for the identification and documentation of cultural resources within their respective jurisdictions. JBM-HH would need to rely upon VASHPO guidelines for survey and evaluations at Fort Myer and DCHPO guidelines for conducting survey and evaluations at Fort McNair. Appendix H and I identifies the various guidelines

that will need to be complied with when conducting cultural resources investigations at Fort Myer, Henderson Hall, and Fort McNair

In general, it is the Army's policy to not formally nominate properties to the NRHP unless the sites are of popular interest and normally open to the public. AR 200-1 makes it part of the installation's mission to:

1. Nominate to the NRHP only those properties that the Army plans to transfer out of Federal management through privatization efforts.
2. Nominate other properties only when justified by exceptional circumstances.

As a general practice the Army believes that formal nomination for listing in the NRHP makes no difference in the way historic properties are managed, and diverts scarce resources away from other cultural resources management activities. However, significant historic events have occurred at a few Army installations that warrant recognition as a NRHP or NHL. Both Fort Myer and Fort McNair are worthy of such consideration because of the exceptionally significant historic associations these facilities possess. Portions of Fort Myer have already been designated as a NHL for its role in Army aviation as the site of the Wright's first Army aircraft test flight and as the home of the Army Chief of Staff. Likewise Fort McNair has such resources like Building 20, where the trial for the Lincoln conspirators was held and the old post hospital (Building 54) where Walter Reed conducted some of his studies on Yellow Fever. The exceptional significance of these sites warrant NRHP and possibly even NHL designation or listing should JBM-HH wish to pursue such as part of the CRM program.

## **6.8 PRESERVATION/PROTECTION PLAN (INCLUDING SITE NONDISCLOSURE INFORMATION)**

JBM-HH must protect historic properties using avoidance, physical protection, or other mitigation procedures, and regularly review the adequacy of such preservation/protection measures.

### **6.8.1 Archaeological Sites**

There are several useful documents that address archaeological site protection/preservation. Useful documents include: *Consulting About Archaeology Under Section 106* (1990), *Recommended Approach for Consultation on Recovery of Significant Information from Archaeological Sites* (1999), *Section 106 Archaeology Guidance* (June 2007), *Archaeology and Historic Preservation: Secretary Of The Interior's Standards and Guidelines* (NPS 1983) and *Treatment of Archaeological Properties - A Handbook* (ACHP 1988). These basic documents deal with almost every aspect of preservation activities and offer standards and guidelines for each. All archaeological resources must be protected until they are evaluated for NRHP eligibility by a professional archaeologist and this evaluation is reviewed by the VASHPO or DCHPO. At present, no archaeological sites have been recorded at Fort Myer, Henderson Hall, or Fort McNair. However, the archaeological potential at these installations has never been firmly established because no comprehensive Section 110 archaeological study has been conducted at either facility. Based on current land use and known historic

land use, there remains a high potential for historic period sites and moderate potential for prehistoric sites to be present and preserved at both installations. When new discoveries are identified in the future, archaeological sites should be at the very least properly recorded and evaluated if necessary. Because a systematic archaeological survey has not yet been conducted at either Fort Myer, Henderson Hall, or Fort McNair, this study recommends a reassessment of the previous archaeological sensitivity study conducted by URS in 2004 (Bodor and Machaud 2004). The purpose of the reassessment would be to determine which areas on the installation retain archaeological potential and whether any of those areas have been impacted by development in the decade since the URS study. Phase I archaeological surveys should also be conducted in areas that have a potential to yield archaeological deposits. Completing these activities would fulfill some of JBM-HH's responsibilities under Section 110 of the NHPA.

There are four treatment plans for the protection of prehistoric and historic sites:

- Avoidance of all areas having significant sites. In the majority of cases, the most effective and cost-effective way to protect NRHP-eligible sites is through avoidance. Coordination of mission activity planning and cultural resources management, particularly in the early stages of planning, can determine if significant sites exist in the APE and, if so, the scope of the project changed so that it no longer affects specific sites. The CRM may determine that large blocks of land need to be avoided entirely or if specific, small locations can simply be bypassed.
- Physical protection of individual sites by fencing, berming, burying, or taking protective measures for making them inaccessible. In some cases, it may be necessary to protect the site by placing temporary fencing or berming around site boundaries; marking site boundaries with fluorescent flagging often accomplishes the same goal. This procedure, in combination with written, graphic and verbal instructions for site avoidance, provides adequate physical protection of archaeological sites. Under some circumstances, JBMHH may consider depositing a layer of sterile (i.e., non-cultural-bearing) sediment over the site's surface. Archaeological sites that are easily accessible for unauthorized surface collection are good candidates for this procedure.
- Monitoring the effectiveness of protection measures. The requirements of an undertaking and the needs for site protection often become relatively complex, and avoidance of historic properties, even with the assistance of physical barriers, is difficult. In-field monitoring of these situations is an effective technique for completing mission objectives and protecting archaeological sites. Monitoring also includes visiting properties periodically to determine if avoidance, physical barriers, or both are helping to maintain site integrity.
- Protection of a statistically valid sample of the different classes of significant sites. AR 200-4 states that these classes will include "sites that show the chronological, functional, and cultural variability in the properties characteristic of the installation and the region. Members of the sample will be located where they can be avoided by installation activities or protected in other ways. The sample will be updated periodically as new data permit." Critical to this treatment is the implementation of a

sample survey to define classes of sites within different environmental types and then to determine which ones are significant.

When protection of a resource is impossible, data recovery should be conducted to compensate for the site's loss of integrity and information potential. Accordingly, the data recovery program should be structured to retrieve a representative sample of the information that justified the site's significance and NRHP status. Moreover, it should meet federal standards pertinent to documentation and excavation (36 CFR Part 66; 48 FR 44734-44737). Close coordination with the VASHPO or DCHPO is a must at this stage of preservation activities.

- Data recovery projects will be actively directed by a professional archaeologist who meets the Secretary of the Interior's qualifications for archaeology (see Appendix E).
- A data recovery plan will be prepared for each mitigation project. The plan will describe the significance of each investigated site to the archaeological record or surrounding region. It will justify that significance by relating the kinds of information present at the site to the specific questions that the recovered information can address. With respect to field investigations, the plan will thoroughly discuss the kinds of data recovery techniques employed and the specific information those techniques are designed to recover; it also will indicate and justify the use of various techniques at different locations within the site.
- Although data recovery projects will be problem-oriented, investigation should also seek to obtain a reasonable amount of information that may be useful for addressing other questions or problems in the future. In sum, data recovery should attempt to recover a wide range of data.
- To adapt to unforeseen problems, discoveries, and opportunities, data recovery projects will be designed with flexibility in mind.

## **6.8.2 Buildings and Structures**

To date buildings or structures within Fort Myer have been recommended NRHP-eligible or are contributing elements to the Fort Myer Historic District and 97 resources within Fort McNair have been recommended NRHP eligible or are contributing elements to the Fort McNair Historic District. Section 6.9 includes a list of the types of maintenance or routine activities for these resources that do not usually require SHPO consultation. Consultation would include a description of the proposed undertaking (e.g., disposal, demolition, modification, repair, replacement or addition), supplying photographs of the building(s) involved and their surroundings, and noting their age of construction and use. The CRM must request the VASHPO (for Fort Myer and Henderson Hall) or DCHPO's (for Fort McNair) concurrence in a determination of National Register eligibility and adverse effect and must continue Section 106 consultation to resolve any adverse effects. To date JBM-HH does not have any installation wide PA documents with neither the VASHPO nor the DCHPO that would exempt any activities from Section 106 review.

Protection/treatment alternatives for historic buildings and structures include maintenance, preservation, rehabilitation, and documentation and should follow Secretary of the Interior

Standards (Appendix D). SOP 2 and the definitions provided below provide specific procedures for the protection of Fort Myer-Henderson Hall and Fort McNair's historic buildings and structures.

*Maintenance:* The act or process of preventing deterioration through regular cleaning, servicing, and replacement of worn or deteriorated materials, and minor repair without altering the building's essential character or form.

*Mothballing:* The act or process of removing a building from active use and protecting it from deterioration.

*Preservation:* The act or process of applying measures to sustain the existing form, integrity, and material of a building or structure and its site features. It may include initial stabilization as well as ongoing maintenance of the historic building materials.

*Rehabilitation:* The act or process of returning a property to a state of utility through repair or alteration which makes possible efficient contemporary use while preserving those portions or features of the property which are significant to its historical, architectural, and cultural values.

*Repair:* The act or process of fixing a building element that is broken or deteriorated while retaining the building's essential character and form.

*Restoration:* The act or process of accurately recovering the form and details of a property and its setting as it appeared at a particular time by means of removal or later work or by replacement of missing earlier work.

*Stabilization:* The act or process of applying measures to re-establish a weather-resistant enclosure and the structural stability of an unsafe or deteriorated property while maintaining the present essential form of the building.

**Maintenance.** Regular building inspections and cyclical maintenance is the most cost-effective technique for ensuring the ongoing preservation of the historic properties at Fort Myer-Henderson Hall and Fort McNair. Funds expended on regular maintenance can save the considerable costs associated with major repairs or replacement. A cyclical maintenance and monitoring plan should be developed to address the timing and methods to be used.

All features of the buildings' exterior and interior should be inspected, including roofs, gutters, walls, windows, doors, foundations, and the site perimeter. Any problems, changes, or potential concerns should be noted. Information should be recorded on forms specifically developed for this purpose, and photographs should be included to document all changes. Additionally, locations of identified problems should be noted on floorplans and elevations. Copies of reduced HABS/HAER drawings might prove useful for this purpose. If HABS/HAER drawings are unavailable for a building or structure, architectural/engineering drawings can be used.

Roofs should be inspected for evidence of deflection, ponding, rust, and pulling nails, as well as cracks. Gutters and downspouts should be inspected for missing components, cracks, breaks, pulling nails, staining (on the system and adjacent surfaces), build-up of debris, and water collection at the building base. Walls should be inspected for being plumb, for cracks (noting size, direction, and activity), for the condition of the masonry (noting deterioration such as chipping, spalling, and efflorescence), and the condition of mortar joints (solidity and powdering). Windows should be inspected for cracked glazing, the condition of frames and sashes (noting biological damage such as mold, rot, or insect infestation, cracks, gaps in elements and operation), conditions of sills, and conditions of caulking and weather stripping. Doors should be inspected for their ease of operation, condition of wood (noting cracks, missing elements, biological damage), metal, glazing and hardware. The foundation should be inspected for cracks, condition of masonry, discoloration and efflorescence. The perimeter site should be inspected for drainage, ponding, and evidence of adjacent plantings damaging the structural integrity of the building.

Less frequently although, still on a regular schedule, the interiors of buildings and structures should be inspected for any damage or deterioration, particularly noting any effects on those interior features deemed to be character-defining by the VASHPO or DCHPO. Interior space should be inspected for the condition of ceilings, walls, floors, and fixtures, as well as mechanical, electrical and plumbing systems.

**Mothballing** should be considered for any Fort Myer, Henderson Hall, or Fort McNair building left vacant and when no new use is envisioned for a considerable period of time. Guidance for mothballing historic properties is provided in *Preservation Brief 31* (Appendix J) and includes a number of specific steps:

- *Documentation*
  - Prepare HABS/HAER drawings and photographs-document, if such records have not been previously prepared for the building or structure.
  - Prepare a condition assessment of the building or structure.
- *Stabilization*
  - Structurally stabilize a building based on the condition assessment.
  - Exterminate or control pests.
  - Protect the exterior from moisture penetration.
- *Mothballing*
  - Secure the building and its features to reduce vandalism and break-ins.
  - Provide adequate ventilation.
  - Secure or modify utilities and mechanical systems.
  - Develop and implement a maintenance and monitoring plan for protection.

**Preservation** is often also referred to as conservation and includes simple measures often undertaken as components of maintenance. It incorporates actions required to stabilize a building and halt further deterioration. Preservation measures useful at Fort Myer-Henderson Hall would include the monitoring, maintenance, and repair of brick and stone masonry. Steel and wood-sash windows and doors should also be evaluated, maintained and repaired

as part of building maintenance. Preservation measures useful at Fort McNair would include the monitoring, maintenance, and repair of brick and stone masonry and upkeep of wood-sash and metal windows and doors on all buildings. Monuments and objects such as the canons on display in front of selected buildings and other locations such as the flag pole area at Fort Myer would also have preservation needs.

**Rehabilitation** may involve the preservation/conservation of elements, reconstruction or replacement of missing or severely deteriorated members, or the introduction of new features or systems in keeping with the historic character of the original. Rehabilitation ensures that buildings continue to function.

**Repair** is essential for preventing further deterioration of building and structure elements (e.g., mortar, concrete, and metal) and to retain the integrity of Fort Myer, Henderson Hall, and Fort McNair's historic properties. Repair should always be undertaken in a manner compatible with the existing element, matching materials, colors, textures, and methods of application. Repair is preferable to replacement, and should be considered the appropriate solution whenever possible. Section 6.0 of this document should be consulted when considering the replacement of a historic feature.

Windows on the historic buildings also require ongoing repair and maintenance. Steel sash windows should be carefully evaluated for the presence of corrosion and the condition of paint, glass, glazing compounds, and hardware. Metal surfaces should be kept clean and coated with rust-inhibiting primers. Light rust and flaking paint should be removed as necessary with a wire brush, sandpaper, or adapted mechanical tools or with appropriate anticorrosive compounds. Excess moisture should be eliminated to prevent further corrosion. Routine maintenance procedures are outlined in *Preservation Brief 13* (Appendix J).

Wood sash windows should also be evaluated for the presence of rot and the condition of paint, glass, glazing compounds and hardware. Repairs and replacements to wood windows should be made in accordance with *Preservation Brief 9* (Appendix K).

**Restoration** is appropriate for character-defining elements found to be critical to the integrity of Fort Myer, Henderson Hall, and Fort McNair's buildings and structures. Restoration may include the removal of insensitive in-fill, the demolition of additions, and the reconstruction of elements removed or destroyed. Replacement elements should be based on documented (e.g., photographs, drawings or physical evidence), rather than conjectural, solutions, or should be designed as compatible, contemporary alternatives.

**Stabilization** should be approached as the initial step in the preservation or rehabilitation process, as it will reduce further structural problems and arrest decay and deterioration.

**Documentation** If a Fort Myer, Henderson Hall, or Fort McNair undertaking is expected to have an adverse effect on one of its undocumented historic properties (i.e., a building or structure that has not been recorded using standards provided by HABS/HAER) and the effects cannot be mitigated by repair, restoration, avoidance, or other means, the adverse effects are typically mitigated through HABS/HAER documentation or other standard

acceptable to the SHPO(s). VASHPO, for instance, generally prescribes the use of an intensive level recordation for its Data Sharing System (DSS) as its primary recordation measure for mitigation projects. It may be advisable to proactively complete such efforts as funding or staff-time allows for those buildings not yet recorded. Such documentation might be undertaken by a student team under the direction of a qualified faculty advisor. Documentation includes measured drawings, photographs, histories, inventory cards, or other media that depict the property. Standards for documentation have been developed by the NPS, HABS/HAER Division and must:

- Be conducted by an architectural historian or historic architect who meets the requirements of 36 CFR Part 61, (Appendix E) and who is supported by the appropriate personnel and equipment.
- Adequately explicate and illustrate what is significant or valuable about the historic site, structure, or object being documented.
- Use the appropriate level of HABS/HAER documentation (i.e., Levels I-IV), as determined through consultation or with the NPS.

### **6.8.3 Traditional Cultural Properties**

No TCPs have been identified or recorded at Fort Myer, Henderson Hall, or Fort McNair and the potential for them to occur is unknown (see Section 8.3). The CRM should be familiar with National Register Bulletin No. 38, *Guidelines for Evaluating and Documenting Traditional Cultural Properties*, as well as guidance provided in NHPA, NAGPRA, EO 13007 Indian Sacred Sites, AIRFA, the memoranda concerning the use of eagle feathers for Native American religious purposes, and government-to-government relations with Native American tribes, and ARPA.

Determining the likelihood of TCPs at Fort Myer, Henderson Hall, and Fort McNair can be based on background research into the history and ethnography of the area and on consultation with Native American groups. Although, there is no prior indication of traditional cultural concerns, documentation and consultation must be conducted during any Section 106 review or field inventory. Consultation with federally-recognized Native American groups must be conducted as part of the closure of the installation. Information about the potential for TCPs or other issues of concern to Native American groups can be addressed as part of this consultation. An ethnographic specialist may be used to assist in the documentation, consultation, and Section 106 review process.

If TCPs are identified at Fort Myer, Henderson Hall, or Fort McNair at some time in the future, the following measures can be taken for protection or mitigation. However, these measures should be further refined during consultations with representatives from any potentially affected Native American groups.

- Avoidance: Excluding JBM-HH activities from within the boundaries of identified TCPs.

- **Physical Protection:** If verbal, written, or graphic communications are not effective at keeping undertakings from encroaching on TCPs, physical barriers can be used for protection.

If JBMHH activities cannot avoid TCPs, consultation with interested representatives from potentially affected groups is required to determine the extent and degree of impact and the appropriate mitigation measures. Consultation can determine what actions qualify as adverse effects, how close to the property mission activities can be conducted, and any differences between short- and long-term impacts. All parties should be made aware of the proposed impacts and alternative mitigation measures.

#### **6.8.4 Other Preservation/Protection Measures**

Protection of historic properties includes educating JBM-HH military personnel, civilian employees, and other land users about the legal consequences of intentionally or unintentionally disturbing cultural resources on installation lands. Such disturbance includes the collecting of surface finds of prehistoric and historic artifacts or paleontological objects (petrified wood or other fossils). Another protection measure is to ensure that archaeological site data is not distributed through survey reports or other documents accessible to the public. Nondisclosure of site information is covered under the Freedom of Information Act, ARPA (Section 9A [32 CFR Part 229.18]), and Section 304(a) of the NHPA.

#### **6.8.5 Master Planning and Proposed Projects Affecting Cultural Resources at Fort Myer-Henderson Hall and Fort McNair**

JBMHH updated the 30-year master plan in June 2010. This joint facility plan is designed to address the long term planning needs at Fort Myer, Henderson Hall, and Fort McNair. The master plan notes infrastructural and facility needs, while acknowledging potential environmental impacts (both to natural and cultural resources) to the existing facility that might result from future development.

##### **Fort Myer**

On-going projects identified in the master plan scheduled to be completed by 2011 include:

- Construction of a 216-person barracks across from Building 410
- Converting the Education Center (Building 219) to the TOG Museum
- Converting Building 228 into the interim BN headquarters
- Renovation to Building 249

Projects scheduled to be completed by 2017 include the following improvements to facilities and infrastructure:

- Renovating Building 205 to accommodate personnel relocated from Building 406
- Construction of a new United States Army Band Building with a parking lot
- Construct new parking structures along Sheridan Avenue
- Reconfiguring Hatfield Gate

- Renovating the old TUSAB (231) building
- Configuring new parking at the Memorial Chapel (Building 335)
- Realigning Carpenter Road
- Improving McNair Road and installing security cameras

Long term projects identified to be completed within by 2024 include:

- Demolition of existing bowling center to construct a new dining facility on the site
- Demolition of existing DFAC and Community Center to construct two 210-person barracks on these sites
- Converting Buildings 246, 247, 248, 250, and 251 to TOG Operations.

Potential plans under consideration that may be added to the master plan in the near future include the following projects:

- Expanding the Commissary to the east
- Creating a one-stop AAFES retail center
- Constructing Privatized Army Lodging adjacent to Hatfield Gate
- Expanding the Department of Emergency Services and the Physical Fitness Center
- Creating a processing facility at the main gate

Ongoing renovation projects at Buildings 219, 228, and 249 affect the current National Historic Landmark because all of these buildings are contributing resources to the historic district. Section 106 consultation has been completed or has already been initiated concerning the proposed renovation plans for these buildings. It should be noted that interior renovations that do not affect the exterior appearance of these buildings will not likely result in adverse effects to the historic district. The renovation project for Building 249 has also been undertaken to carefully preserve historic interior features.

The construction of a new 216-person barracks on Sheridan Avenue, across from Building 410 is located outside the boundary of the historic district. Although the building will not directly impact the historic district, its close proximity can result in the potential for visual impacts that could adversely affect the district's integrity of setting. JBMHH should consider addressing potential visual impacts as part of any Section 106 consultation. Any ground breaking disturbance may also disturb potential archaeological deposits. The archaeological potential of this area has never been thoroughly evaluated.

One proposed project not mentioned in the master plan is the plans to create a sustainability park in the area north of Building 50. The project is not currently funded. If funding is acquired and the project moves forward, cultural resources will be impacted. The project itself will be within the boundaries of the NHL historic district. Likely impacts to historic buildings will be the demolition of Building 47 and renovation to Building 42. Both buildings are contributing resources to the historic district. The demolition of Building 47 will result in adverse effects requiring mitigation. Building 42 will likely be renovated to make it a rest room for the park. JBMHH has already initiated Section 106 consultation as part of the planning effort behind the project. Renovations to Building 42 will be

sympathetic to the original design and materials. JBMHH is making the preservation of the exterior features and materials a priority for renovation considerations and will continue consultation with VASHPO should the project commence beyond initial planning stages in the future.

Projects planned for completion by 2017 will include limited additional development likely to directly impact the historic district. The only additional contributing resource directly impacted by facility improvements will be Building 231, which is scheduled to be renovated by this time. Other construction projects might have visual impacts to historic areas at Fort Myer. Three-story parking garages are planned to be constructed behind Buildings 249, 250, and 251; along other portions of Sheridan Avenue south of Building 251; and behind, or east of, Buildings 426, 427, and 428. The parking garage behind Buildings 249, 250, and 251 may result in visual impacts to the current NHL district. The garages further down Sheridan Road will result in the demolition of Building 410, which is older than 50 years. The Versar 2010 Architectural Survey identified this building as a non-contributing resource to any expansion of district boundaries. If VASHPO concurs with this finding, the demolition of this building will not result in adverse effects to cultural resources. The parking structures however may have visual impacts to the duplexes along Sheridan Avenue (Buildings 426-436 and 439). The Versar 2010 Architectural Survey recommended these dwelling be included in an expanded NRHP eligible historic district. The proposed new band building is to be located at the current location of Building 468. This construction of this new building also poses potential visual impacts to the dwellings along Sheridan Avenue. Should VASHPO concur with the Versar study, the potential visual impacts by the various construction projects planned will need to determine what, if any, effect these will have on the dwellings along Sheridan Avenue. Subsurface disturbance for construction will need to assess the likelihood of encountering archaeological deposits.

Long term projects will include planned renovations to Buildings 246, 247, 248, 249, 250, and 251. All of these buildings are contributing resources to the NHL district. Any renovation of these buildings will initiate Section 106 consultation. Whether the renovation of these buildings will result in effects to the historic district will depend upon if exterior features will be altered. Interior building renovations that do not result in any changes to the exterior of the building generally have little if any impact to historic districts.

### **Henderson Hall**

Planned renovations to existing buildings at Henderson Hall will not effect upon historic buildings because no historic buildings (contributing or individually NRHP eligible or listed) are located at Henderson Hall. Because this location has not been surveyed to determine the presence of archaeological deposits, it is not clear if projects requiring subsurface disturbance will impact archaeological resources. The following projects identified as part of the Henderson Hall Area Development Plan in the JBMHH Master Plan may require subsurface disturbance:

- MCX Expansion, Roadway & Storm-Water Management Pond
- Proposed MCX Expansion
- Proposed Car Wash Building

## **Fort McNair**

The Master Plan provides no specific schedule for development at Fort McNair. The probable reason for this is that little development can be planned within the historic district, which comprises most of the installation, due to the fact that planning must stringently adhere to the 1903 McKim, Mead, and White Plan and there is little open space in areas not covered under the 1903 plan. Demolition of historic buildings in these areas will result in adverse effects. Renovations to historic buildings may also result in effects to the historic district should renovation designs result in changes to exterior appearance of these buildings.

The Master Plan acknowledges the need to maintain close adherence to the 1903 McKim, Mead, and White campus plan. This means that not only planning needs not only to consider effects to historic buildings, but also effects to landscape features and circulation systems. Both of these latter two considerations are also important aspects of the Beaux-Arts McKim, Mead, and White plan. Significant landscape features and circulation system include the tree lined streets, parade ground, and the roadways and natural landscape around the National War College, or Roosevelt Hall (Building 61).

The Master Plan acknowledges that most likely new development will occur at the eastern portion of the facility between 5<sup>th</sup> Avenue and 2<sup>nd</sup> Street. This area is not part of the historic district and is the location where all of the most recently constructed buildings have been erected. Any new construction in this area would need to consider visual impacts to the historic district.

One current project not identified in the Master Plan is the renovation for Building 20, the only remaining building associated with the Penitentiary and the site of the trial of the Lincoln assassination conspirators. The building is a contributing resource to the NRHP eligible historic district. An architectural survey conducted by Versar in 2010 also identified the building as being potentially individually eligible for listing on the NRHP as well. It should be noted that the DCHPO has not reviewed this report at this time.

JBM-HH is currently planning renovations to Building 20 and Section 106 consultation has been initiated. As of this date, project plans are not final. JBM-HH is investigating means to restoring the Lincoln conspirator's trial room to its 1865 appearance. A feasibility report is pending concerning this effort.

## **6.9 STREAMLINING SECTION 106: PROGRAMMATIC AGREEMENT DOCUMENTS**

Programmatic agreements (PAs) can be agreed upon between the federal agency and the consulting parties that could exempt from Section 106 consultation routine maintenance activities that will produce no effects created by undertakings upon historic properties. JBM-HH has no such PAs with either the VASHPO or the DCHPO. Potential Actions that might be included in such an installation-wide PA that do not require consultation with the VASHPO (for Fort Myer and Henderson Hall) or DCHPO (for Fort McNair), pending VASHPO or DCHPO concurrence and programmatic implementation of this ICRMP, may include:

- All activities in areas considered too disturbed to warrant further archaeological study, as agreed to in consultation with the VASHPO or DCHPO, that are not visible from the historic buildings within the Fort Myer or Fort McNair Historic Districts.
- Routine maintenance work on existing features such as roads, fire lanes, mowed areas, disposal areas, and ditches (not, however, significant widening of such features).
- Outgrants and contracting actions when the proposed use involves no active or potential construction, alteration, destruction, relocation of buildings or structures, or disturbance of the ground surface.
- Ground-disturbing activities in all areas considered too disturbed to warrant further archaeological study, as agreed to by the VASHPO or DCHPO.
- Reviews, reports, studies, undertakings for planning purposes and decision-making, including reports of excess, provided that no lands or facilities are physically laid away or disposed of by demolition, sale, or transfer, without appropriate documentation, coordination, or other action as required by a program to cease maintenance if such a program is in effect.
- Facilities maintenance activities by the Army that do not alter the building facades or interiors of NRHP eligible properties (alteration does not include repair of deteriorated materials or missing elements, which is exempt when they are replaced in kind or with materials identical to the original).

Maintenance activities that will require no consultation with the VASHPO or DCHPO should include the following:

**Interior Work:**

- Plumbing rehabilitation and replacement, including pipes and fixtures.
- Heating system rehabilitation and replacement, including furnaces, pipes, radiators, or other heating units.
- Electrical wiring, including wiring and receptacle.
- Restroom improvements for handicapped access, provided that the work is contained within an existing restroom.
- Interior treatments: floors, walls, ceilings, woodwork—provided that the work is limited to painting, refinishing, repapering, or laying carpet or other suitable and reversible floor covering material; and construction of temporary walls (timber or steel-framed with drywall finish); no removal of existing exterior doors, permanent interior walls, floors, or support columns will be permitted without consultation.
- Insulation, provided it is restricted to ceilings and attic spaces.

**Exterior Work:**

- Caulking, weather stripping, reglazing.
- Sidewalk and curbing replacement.
- Gutters and downspout replacement.

- Storm windows, provided that they conform to the original shape and size of the historic windows and that the meeting rail coincides with that of the existing sash; color should match existing windows and trim.
- In-kind replacement: this is understood to mean that the new features or replacement items will duplicate the material, dimensions, and detailing of the original:
  - Porches and loading platforms: stairs, railings, posts and columns, brackets, cornices, and flooring.
  - Roofs.
  - Siding.
  - Exterior architectural details and features, including but not limited to brickwork, lintels, and trim.
  - Windows, including both trim and sash.
  - Doors.
- Clean and seal treatments that do not include sand blasting or the use of chemicals that have not been approved for use by the VASHPO or DCHPO.
- Activities occurring entirely within heavily contaminated areas will not be subject to archaeological survey if a separate agreement can be reached. Hazardous waste remediation may vary in its impact on a given locality. Heavily contaminated areas will not be subject to archaeological survey because of a need to avoid undue danger or injury to survey personnel through contact with unexploded ordnance or other hazard. Rather, the Army will ensure that personnel conducting Remedial Investigations/Feasibility Studies of environmental hazards are familiar with those areas identified as archaeologically sensitive and with the need to exercise care when working in those areas, with professional archaeological advice available in the event of an archaeological discovery. Impacts should be minimal to the architectural resources, which comprise the majority of the cultural resources at Fort Myers, Henderson Hall, and Fort McNair. If contaminated areas can not be avoided, then OSHA standards will be followed for cultural resources personnel involved in inventory and/or assessment.
- Activities that do not require construction of new facilities, or disturbance of previously undisturbed surfaces, do not require VASHPO or DCHPO consultation. However, those undertakings involving earth-disturbing activities of previously undisturbed surfaces shall be subject to further coordination with the VASHPO or DCHPO pursuant to 36 CFR 800.
- Acquisition of lands, if the Army is transferring land internally or receiving it from another Federal agency.

## **6.10 CURATION**

At the present time of this plan, no known archaeological material has been excavated at Fort Myer, Henderson Hall, or Fort McNair and stored at a curation facility. Any cultural materials that may be collected during future archaeological investigations at Fort Myer, Henderson Hall, and/or Fort McNair or any collections currently in the possession of JBM-HH must be curated in compliance with 36 CFR Part 79 (Curation of Federally Owned and Administered Archaeological Collections). Should archaeological artifacts be discovered at

Fort Myer, Henderson Hall, or Fort McNair in the future, JBM-HH should develop a curation agreement with a facility meeting the standards cited in 36 CFR Part 79 and associated documentation.

The Regional Archaeological Curation Facility at Fort Lee, Virginia, provides for permanent curation of Federal agency archaeological collections and would be the appropriate facility to curate any collections from Fort-Myer, Henderson Hall, or Fort McNair. The facility meets all Federal curation standards under 36 CFR Part 79.

## **6.11 ICRMP REVIEW**

This ICRMP has been developed to cover a 5-year period (2011-2015) and reviews and updates the previous ICRMP (Hanbury, Evans, Newill Vlattas & Company 2000). The ICRMP was updated to reflect the results of cultural resources investigations conducted since implementing the previous ICRMP. Other events that could trigger a re-evaluation of the ICRMP include:

- Deficiencies resulting from an internal or external environmental audit.
- A significant increase in the number or percentage of completed cultural resources surveys.
- Change in, or exception to, HQDA policy.
- New or revised federal statutes, regulations, EOs, or Presidential Memoranda.
- Addition of new resource types or categories.

## **6.12 CULTURAL RESOURCES MANAGER STAFFING AND TRAINING NEEDS**

There is a funded CRM position at JBM-HH; currently held by an individual meeting the professional standards described in 36 CFR 61, Appendix A. Individuals engaged in cultural resources management at JBM-HH should be provided training in the NHPA Section 106 review process (as well as in other essential federal guidance necessary for the protection of historic properties at the installation (e.g., NAGPRA). The JBM-HH CRM is supposed to meet the professional standards described in 36 CFR 61, Appendix A published in the Federal Register in 1983 (48 FR 44716, September 29). These standards are included as Appendix E of this document. These standards define the minimum education and experience required to perform the historic preservation activities addressed within the Secretary of the Interior's Standards and Guidelines. The categories of activities include: archaeology, architectural history, architecture, historic architecture, and history. Proposed revisions to the standards were published in the Federal Register in 1997, but were never adopted.

## **6.13 JBMHH KEY OBJECTIVES AND CULTURAL RESOURCES MANAGEMENT GOALS**

This section outlines goals to be achieved during the course of the five years of this plan. The following cultural resources objectives and goals are not necessarily in order of priority.

## **General**

- Provide cultural resources management training for program staff as necessary.
- Initiate and maintain a working relationship with the VASHPO and DCHPO to improve consistency of Section 106 reviews.
- Develop PAs to govern routine maintenance activities for streamlining Section 106 consultation.
- Develop and send Annual Reports on the status of Cultural Resource compliance activities to the HQDA/Army Environmental Center (HQDA/AEC) communications officer, the VASHPO and DCHPO and, if requested the ACHP.

## **Archaeological Resources**

- Conduct an on-the-ground reassessment of the archaeological sensitivity assessment made as part of the 2004 CRMP (Figures 5.4 and 5.13). A reassessment would be prudent in order to account for development and disturbance within medium and high archaeological sensitivity areas in the last five years.
- Conduct archaeological survey of those areas considered to have a medium or high archaeological sensitivity based on the reassessment in consultation with the VASHPO and DCHPO.

## **Geographical Information System (GIS)**

Continue to develop and update installation cultural resources GIS layers to include any revisions to archaeologically sensitive areas, areas that the VASHPO and DCHPO agree do not merit further study, and newly identified historic properties. JBMHH has GIS layers of historic districts, NRHP-eligible buildings, archaeological sites, and archaeologically sensitive areas.

- Integrating cultural resources management data with a statewide GIS program will allow the cultural resources program to more efficiently support JBM-HH's mission. Minimally, GIS layers should be developed for historic buildings, archeological sites, predictive archeological models, and the location of the geographic area where federally recognized tribes have ancestral ties. Ideally, historic buildings survey data should be stored within a database that can be related to a GIS theme. GIS can facilitate application of the cultural landscape approach to cultural resource management and integration of cultural resource best management practices into installation-wide planning and projects.
- GIS layers and themes depicting archeological resources and sacred sites are considered sensitive, as are other types of layers (i.e. some military operational layers) and will be access restricted to personnel with a need to know only. These layers will not be released to the general public, contractors, or employees of JBM-HH if they do not have a valid need to know as determined by the military chain of command, the EPM, or the appointed Geographic Information Officer (GIO).
- Procedures: When preparing the SOW for contracts addressing cultural resources issues, results of cultural resource surveys and evaluations should be delivered in GIS

format to include survey areas, transects, and cultural sites and properties and eligibility status. Within the SOW, reference the latest Army guidance regarding GIS file formats and standards, and include that all data created or modified in this contract will adhere to the Spatial Data Standards for Facilities, Infrastructure and Environment (SDSFIE) and the Federal Geographic Data Committee (FGDC) metadata standards.

- Maps should include, at a minimum, a north arrow, legend, map creator, map purpose, and creation date.
- GIS themes depicting buildings and other facility types should be attributed with the appropriate keys to align with the PRIDE database. This will enable the query and display of the cultural resource information stored within PRIDE through GIS. For example, a map can be created showing whether or not a building has been evaluated, is eligible, or is listed in the NRHP, or as a national landmark; or if the building is a contributing resource to a district that is eligible or listed in the NRHP.
- Timing: The timing of this project will vary depending on the current status of the GIS program. The GIS must be updated as new information becomes available in order to stay current and remain a useful manager tool.

### **Historic Buildings and Structures**

- Submit any requested supporting materials by the VASHPO or DCHPO for the Fort Myer and Fort McNair Historic Districts for the purposes of identifying contributing resources. Towards this end, submit the recent assessment of the Fort Myer and Fort McNair Historic Districts for submission to the VASHPO and DCHPO (Griffitts 2009).
- Submit reports from previously conducted architectural surveys and evaluations to the VASHPO and DCHPO and request concurrence with findings if not previously done.
- Complete architectural survey and evaluations for NRHP-eligibility of previously buildings listed in Tables 5.3 and 5.5. Only one building at Fort McNair will be greater than or will reach 50 years of age by 2014. Eisenhower Hall (Building 59) was constructed in 1960 and is the only remaining unevaluated building 50 years old at Fort McNair. All buildings 50 years of age or older have been evaluated at Fort Myer. No building at either installation or Henderson Hall currently less than 50 years of age will mature to the 50 years mark by 2014.
- Train maintenance staff in the repair of historic properties.

### **Curation**

- Make arrangements for use of an existing curation facility or identify an appropriate repository to house any archaeological collections that may be recovered from either installation or returned to JBMHH. This facility must meet the requirements set forth in 36 CFR 79.

### **Native American Consultation**

- Consult with Native American groups identified in Section 8.1 as necessary concerning TCPs, and any other items of potential concern for the tribes. This may occur as part of an on-the-ground reassessment of the archaeological sensitivity assessment.
- Develop CAs, if needed, with affected Native American tribes regarding mutually acceptable methods for the treatment of affiliated cultural materials and sites should any be found.

### **Education/Outreach**

- Develop signage for Fort Myer and Fort McNair Historic District buildings and structures, summarizing their histories and significance.
- Encourage facility-wide support and recognition of National Historic Preservation Month.

## **6.14 STANDARD OPERATING PROCEDURES**

The integration of cultural resources management objectives into the Army missions at JBM-HH is a central tenet of this ICRMP. Internal and external coordination procedures (e.g., natural resources management, master-planning) are addressed in SOPs 1 through 7. These SOPs outline the procedures necessary to accomplish the objectives and priorities discussed throughout this section. During the implementation of cultural resources compliance activities (such as the Section 106 review process) that require public involvement, the dissemination of the information and the opportunity for public comment should be scheduled within the framework of existing public information meetings or events, either as part of the NEPA process or in cooperation with JBM-HH PAO.

### **6.14.1 SOP #1 Section 106 Consultation**

As stated throughout this section, Section 106 consultation will need to be initiated when undertakings are likely to have potential impacts to historic resources. In terms of Fort Myer-Henderson Hall and Fort McNair, this would involve most maintenance procedures to any of the contributing resources in the historic districts at both installations, with the exception of the minimal activities that will most likely not result in the need for Section 106 consultation that are addressed in SOP #4. The following steps should be taken to determine if Section 106 consultation will need to be initiated and if so, ensure its successful completion.

**Step 1: Identify an Undertaking and Determine if the Undertaking will result in potential effects to historic properties.** The CRM should be included in project planning and development. Project proponents will need to provide materials to the CRM to review all undertakings. The CRM will need to determine if any proposed project will constitute an “undertaking” as defined in 36CFR800. An “undertaking” is defined as a project, activity, or program funded or is under direct or indirect jurisdiction of a federal agency. An undertaking must be an activity that has the potential to affect historic properties if present.

Undertakings that will cause potential effects to historic properties include but not limited to the following:

1. Activities that will likely change or alter the physical appearance of contributing resources within the historic districts at Fort Myer and Fort McNair.
2. Demolition of historic buildings and structures.
3. An activity that requires federal licensing and permitting.
4. Removal of contributing resources from their original locations within the districts.
5. Ground disturbing activities in areas that possess archaeological potential or have unknown potential for archaeological remains.
6. Activities that will change or alter historic materials and/or appearance of interior features.

If the undertaking is a type of activity that does not have the potential to cause effects on historic properties, JBM-HH has no further obligations under Section 106. Likewise, it should also be determined if the undertaking will be resolved as part of previous enacted PA or MOA agreements. These agreements will address the course needed for resolution of effects. Finally, the undertaking will fall under any Program Comments issued by the ACHP, like for example, the PMOA for World War II temporary construction. The Program Comments will likely already have prescribed compliance needs for resolution of adverse effects and would not require standard Section 106 consultation

**Step 2: Coordinate with Other Review.** Ensure coordination of the steps of the Section 106 process, as appropriate, with the overall planning schedule for the undertaking and with any reviews required under other policy, such as the NEPA, the NAGPRA, the AIRFA, the ARPA and agency-specific legislation, such as section 4(f) of the Department of Transportation Act. Where consistent with procedures under Section 106, JBM-HH may use information developed for compliance with other regulations meet the requirements of Section 106. The CRM will need agreement of the consulting parties to ensure that Section 106 can be carried out in its entirety from the procedures set forth under other compliance regulations.

**Step 3: Identify Consulting Parties.** The primary consulting parties will include VASHPO for Fort Myer and Henderson Hall and the DCHPO for Fort McNair. JBM-HH may invite other parties into the Section 106 consultation as consulting parties, assuming that the organization or individuals have a specified interest, role, or responsibility resulting from the undertaking. The NCPC and the USCFA have been included as consulting parties on past Section 106 consultation involving projects at Fort McNair, Fort Myer, and Henderson Hall. Arlington County has been consulted on issues affecting Fort Myer and Henderson Hall. These organizations should be given the opportunity join Section 106 consultation on future undertakings. The ACHP and the NPS should also be invited as a consulting party with any undertaking that might affect NHL properties.

**Step 4: Identify Historic Properties.** The CRM will consult the resource inventory provided in Section 5 of this document to determine the nature and location of historic resources within the area(s) of potential effect (APE).

**Step 5: Assessment of Adverse Effect.** In consultation with the consulting parties, the CRM will determine if the undertaking will adversely affect historic resources. The CRM will use the Criteria of Adverse Effect to determine if adverse effects will result from the undertaking. An undertaking is considered to have an adverse effect when it may alter, directly or indirectly, any of the characteristics that qualify the property for inclusion in the NRHP in a manner that would diminish the integrity of the property's location, design, setting, materials, workmanship, feeling, or association. Examples of Adverse Effects on historic properties under 36 CFR 800.5(a)(2) include, but are not limited to:

1. Physical destruction of or damage to all or part of the property;
2. Alteration of a property that is not consistent with the Secretary of Interior's Standards for treatment of historic properties (36 CFR 68) and applicable guidelines;
3. Removal of the property from its historic location;
4. Change of the character of the property's use or of physical features within the property's setting that contribute to its historic significance;
5. Introduction of visual, audible, or atmospheric elements that are out of character with the property or alter its setting;
6. Neglect of a property resulting in its deterioration or destruction; and
7. Transfer, lease, or sale of the property.

If the consulting parties agree that the undertaking will not result in adverse effects, the CRM will maintain an official record of this finding. Views of the public are to be taken into account as part of Section 106 consultation. The CRM will provide information of the effect and the findings for adverse/no adverse effects to the general public. Section 106 consultation will close with any official record for a finding of no adverse effect.

**Step 6: Resolution of Adverse Effects.** Resolution of adverse effects are to be carried out in accordance with 36CFR800.6. JBM-HH will notify the ACHP to determine its participation. The agency official shall notify the ACHP of the adverse effect finding by providing the following documentation:

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

6. Copies or summaries of any views provided by consulting parties and the public

JBM-HH will consult with the SHPO, THPO if necessary, the ACHP (if they chose to participate), and other consulting parties to seek ways to avoid, minimize or mitigate the adverse effects. Agreement for the resolution of adverse effects will be made through a signed MOA. The CRM will document the findings to the ACHP and provide an opportunity for public comment.

**Step 7: Failure of Resolution of Adverse Effects.** Should JBM-HH and the consulting parties can not reach an agreement on how to resolve adverse effects, JBM-HH should terminate Section 106 consultation in accordance with 36CFR800.7. The CRM must document the failure to resolve adverse effects and report this to the ACHP.

#### 6.14.2 SOP # 2: Archaeological Procedures

**Treatment of Archaeological Sites.** Neither Fort Myer, Henderson Hall, nor Fort McNair contain any recorded archaeological sites. However, the archaeological potential of both facilities has never been fully explored because comprehensive archaeological surveys have not been conducted at either facility. The 2004 ARMP for Fort Myer identifies 10 areas at the post with archaeological potential (Table 5-8). No ARMP of a similar nature has been conducted at Fort McNair, so site potential of this facility has yet to be assessed. Site specific archeological investigations should be conducted future project areas when (1) ground disturbing activities will occur and (2) the project area is located in a location with a moderate-to-high potential for archaeological resources. If sites are discovered and recorded as potentially eligible for NRHP listing during Phase I studies, Phase II site testing is recommended to further determine the presence or absence of intact cultural features if additional disturbance of the area is planned.

**Future Archaeological Sites and Surveys.** Comprehensive Phase I archaeological investigations should be conducted for both Fort Myer, Henderson Hall and Fort McNair as soon as possible. The archaeological potential of either facility can only be assessed with testing. Further archaeological work should follow recommendations of both comprehensive surveys. If sites are discovered and recorded as potentially eligible for NRHP listing during Phase I studies, Phase II site testing is recommended to further determine the presence or absence of intact cultural features if additional disturbance of the area is planned. Phase III data recovery

**Unanticipated Archaeological Discoveries.** Although JBM-HH may receive concurrence from the SHPO and other parties about its proposed undertakings at many points in the compliance process, JBM-HH should also maintain the necessary resources to handle an unanticipated discovery.

An unanticipated discovery is defined as a discovery (usually archaeological) made during a construction project in an area that has already been adequately surveyed or deemed as not requiring survey (with SHPO concurrence), and the unanticipated discovery in question was not found during that survey. The following are the steps that are taken during an unexpected cultural resource discovery:

1. The persons responsible for the activity that resulted in the discovery of the site (construction contractor, permittee, etc.) stop all work in the area that may adversely affect the resource and notifies the CRM. Following the Section 106 guidelines [Section 800.11(d)(1)], the CRM is to assume that the discovered properties are eligible for Section 106 review. All work is not obligated to cease on the project, but reasonable efforts should be made to prevent further damage until a NRHP evaluation is completed and any mitigation measures are determined.
2. The CRM then follows standard Section 106 procedures and hires a qualified archaeologist to conduct NRHP eligibility testing of the site. The CRM works with the selected contractor to coordinate the earliest time the base can resume work in the site area.
3. Personnel hired or subcontracted by JBM-HH for their special knowledge (e.g. history, architecture, archaeology, etc.) must carry academic and professional qualifications in their own fields of competence and meet minimum criteria as established by the Department of the Interior's "Archaeological and Historic Preservation: Secretary of the Interior's Guidelines" (Federal Register 48(190):44716ff; September 19, 1983).
4. The consultant conducts testing and/or research within a reasonable period of time and provides a written report and determination concerning the NRHP eligibility of the site.
5. These findings are then forwarded to the SHPO for their concurrence. If the discovery is determined eligible for the NRHP, a plan for its avoidance, protection or recovery of information is prepared and submitted to SHPO for approval. Work in the affected area is not to proceed until either (1) the development and implementation of appropriate data recovery or recommended mitigation procedures; or (2) the determination is made that the discovery is not eligible for inclusion on the NRHP. Once initial concurrence is received from the SHPO, the project can move forward.

**Discovery and Removal of Human Remains.** Discoveries involving human remains will most likely come from an unexpected discovery made during the course of a ground-disturbing activity such as construction or an authorized archaeological excavation. In the event of a discovery, it is imperative that all work in the area that might affect the integrity of the burial be terminated immediately. Because burials may fall under three possible categories--Native American, Euro-American, and recently interred--the guidelines below are used to determine what chain of command is to be followed.

The unexpected discovery of human remains requires the following steps:

The persons responsible for the activity that resulted in the discovery of the remains (construction contractor, permittee, etc.) stops all work in the area that could potentially have an adverse effect on the discovered human remains and simultaneously contact the Army CID, headquartered at Fort Belvoir, Virginia. and the CRM for consultation and implementation of the appropriate burial laws.

1. The CRM is then to notify a qualified Cultural Resources Specialist (referred to as “Specialist”) for the Base. The Specialist then needs to first certify the receipt of notification of the burial, then take immediate steps, if necessary, to secure and protect the discovered human remains and cultural items, including, as appropriate, stabilizing or covering [43 CFR 10.4(d)(1,2)].
2. Personnel hired or subcontracted by JBM-HH for their special knowledge (e.g. history, architecture, archaeology, etc.) must carry academic and professional qualifications in their own fields of competence and meet minimum criteria as established by the Department of the Interior’s “Archaeological and Historic Preservation: Secretary of the Interior’s Guidelines” (Federal Register 48(190):44716ff; September 19, 1983).
3. The Specialist and the NCIS are then required to determine the origin of the burial; Native American, Euro-American, or recently interred. Criterion a-b below are utilized to determine the next steps in each instance.
  - a. If it is determined that the burial is Native American then the Specialist takes jurisdiction and follows the procedures pursuant to 43 CFR 10.5.
  - b. If it is believed that the burial represents a recent inhumation that may be involved in a criminal investigation then NCIS assumes jurisdiction.
4. NAGPRA requires the Specialist, within one (1) working day, notify the known Indian Tribe or Tribes likely to be culturally affiliated with the discovered human remains or cultural items.
5. NAGPRA requires a minimum 30-day work stoppage in the area of the discovery with reasonable efforts made to protect the human remains or cultural items discovered [43 CFR 10.4(c)], unless a contingency plan approved by all parties is in place. However, all work is not obligated to cease on the project, but every effort must be made to prevent further damage until a NRHP evaluation is completed and any mitigation measures are determined. The activity that resulted in the inadvertent discovery may resume thirty (30) days after certification, by the notified Point of Contact or Indian Tribe, of receipt of the notice of discovery, if the resumption of the activity is otherwise lawful.
6. Where the disturbances involve human remains known to have affinity to specific living groups such as federally recognized Native American tribes or ethnic groups, the Specialist will make a reasonable effort to identify, locate, and notify leaders, officials, or spokespersons for these groups. In the case of Native American tribes, NSA Crane notifies the recognized tribal governing body. The tribal representative will participate in the mitigation planning.
7. Where the disturbance involves internments that the Specialist cannot identify with a specific Native American tribe, the Specialist will make a reasonable effort to notify groups who may be expected to have an interest in the disposition of the remains based on a professional determination of generalized cultural affinity. If such groups identify themselves as having such an interest, they will be provided a reasonable opportunity to consult with NSA Crane in regard to appropriate treatment of the

internment. If any group claims an affinity with the remains, the responsibility for documenting and validating that claim rests with the group.

8. JBM-HH (and its representative, e.g., private cultural resources contractor) will treat discovered human remains with dignity and respect until such time that they are reburied. Costs that accrue as a result of consultation, treatment, or curation, will be borne by JBM-HH. To the extent possible, the general public should be excluded from viewing any gravesites and associated artifacts. JBM-HH will not release photographs of gravesites and/or funerary objects to the press or to the general public.
9. It is JBM-HH's responsibility to reach an agreement regarding the treatment and disposition of the remains in consultation with SHPO, State Archaeologists, tribal authorities, and other interested parties. The SHPO recommends the following:
  - a. Leave the human remains in place, if possible;
  - b. If this is not possible, SHPO recommends careful removal and scientific study; however, the extent of study depends on many circumstances and should be addressed on a case-by-case basis.
  - c. If the identity can be determined with relative certainty, or if a direct lineal descendant is found, then the remains should be handled according to the wishes of the descendants, unless there are overarching scientific reasons to pursue another course of action.
  - d. If the identity cannot be established, serious consideration should be given to the expressed wishes of people who can establish a claim of direct descent or cultural affiliation.
10. JBM-HH may resume its activity 30 days after receipt of written confirmation, providing all state and federal rules have been met. A waiver of the 30-day work stoppage requirement is possible if there is a contingency plan in place.

**Native American Tribe Jurisdiction Information.** Both VASHPO and the DCHPO would be able to assist JBM-HH in determining Native American tribe jurisdiction. A list of tribes with potential interest in the areas containing Fort Myer, Henderson Hall, and Fort McNair can be found in Section 8.1 of this document.

### **6.14.3 SOP #3: Curation Procedures**

Legislative authority for the long-term preservation and safekeeping of federally owned archaeological collections includes the Antiquities Act of 1906 (P.L. 59-209), the Historic Sites Act of 1935 (P.L. 74-292), the Archaeological Recovery Act of 1960 (P.L. 86-523), the NHPA of 1966 (P.L. 89-665), as amended, and the ARPA of 1979 (P.L. 96-95), as amended. In addition to the cited public laws, Federal curation regulation 36 CFR Part 79 establishes definitions, standards, procedures and guidelines to be followed by Federal agencies in the management and preservation of archaeological and historical collections recovered from Federal properties under their immediate jurisdiction. The implementation of the guidelines and standards presented in 36 CFR Part 79 provides a mechanism for the preservation and conservation of the material culture and also provides the basic framework to meet the requirements of the NAGPRA (P.L. 101-601; 104 Stat. 3048; 25 USC 3001-13), which

concerns the repatriation of American Indian skeletal remains, funerary objects, sacred objects, and objects of cultural patrimony recovered from Federal properties held by Federal agencies.

An archaeological collection is defined in 36 CFR Part 79 as material remains that are excavated or removed during an archaeological survey, excavation, or other study of a prehistoric or historic resource and associated records that are prepared or assembled in connection with the survey, excavation, or other study. It is important to note that records associated with archaeological investigations are considered part of the collection and subject to this regulation. Such associated records include documentation of efforts to locate, evaluate, record, study, preserve, or recover a prehistoric or historic resource and may include field notes, photographs, maps, artifact inventories, reports, and archival documents associated with archaeological investigations.

The overall goal of the Federal curation program, as set forth in 36 CFR Part 79, is to ensure the preservation and accessibility of artifacts and records for use by members of the public interested in the archaeology of the region. Archaeological collections are a significant element of our national patrimony and are valuable for the scientific information they contain, as well as for educational purposes. Without the proper conservation and storage, archaeological artifacts and records deteriorate and become displaced. Archaeological collections remain Federal property and must be maintained in perpetuity. Army policy supports the use of off-post curation facilities that are designated regional curation facilities for archaeological collections. The Regional Archaeological Curation Facility at Fort Lee, Virginia, is a local facility that meets Federal curation standards under 36 CFR Part 79.

Should any archaeological investigation be undertaken, JBM-HH should establish a cooperative agreement with a regional archaeological center, such as the Regional Archaeological Curation Facility, Fort Lee, Virginia, for long-term curation and management of archaeological collections. Terms and conditions to include in contracts, memoranda, and agreements for curatorial services are outlined specifically in 36 CFR Part 79.8. JBM-HH should specify in future archaeological SOWs that the contractor will process and catalog any artifacts in accordance with 36 CFR Part 79 and applicable state curation standards, and arrange for curation of the objects and associated documentation at an approved facility such as the Regional Archaeological Curation Facility, Fort Lee, Virginia. A curation management fee also should be included in any budget. The current curation fee at the Regional Archaeological Curation Facility, Fort Lee, is \$350 per standard storage box (15"x12.5"x10").

The Regional Archaeological Curation Facility, Fort Lee, Virginia, accepts artifacts that have been processed following the curation standards established by the Virginia Department of Historic Resources (VASHPO 2009). These guidelines indicate:

**Cleaning**

- All artifacts should be cleaned. The only exceptions would be those, which might provide more information through specialized analysis in their unwashed state, e.g., blood residue analysis. Containers with either special artifacts or artifacts that require

special care must be clearly marked, and any specific instructions must accompany the artifacts.

### **Conservation**

- Artifacts should be preserved. Depending upon the context, degree and type of deterioration, research and exhibit value of the artifact, selected artifacts may need special conservation treatment. A professional conservator should perform artifact condition evaluations and, when appropriate, conduct the recommended conservation treatment. Archaeological artifacts that require consultation with a conservator include: wet material recovered from submerged or waterlogged sites, dry organics recovered from rockshelters, metals, extraordinarily fragile objects, and those composed of two or more materials. The department has a staff conservator who can provide technical assistance.

### **Cataloging**

- Artifacts should be sorted by provenience, material, and analytic category. Artifacts or batches of similar artifacts should be labeled with individual artifact numbers within their provenience. This number should be included in the artifact description for the catalogue submitted with the collection. The use of individual artifact numbers facilitates retaining sorts and locating specific objects for study or exhibit. Any artifact's occurrence that does not qualify for a site designation should be termed a 'location' and the artifact(s) may be given a 'location' number within that specific project. DHR does not assign location numbers.

### **Labeling**

- Label all artifacts with the recommended ink (Indian ink or rapidograph), sealant (B-72), and, where contrast is necessary for legibility, white backing (acrylic paint or white B-72). The procedure should consist of a layer of sealant (B-72) followed by the white pigment when necessary, then the label numbers covered by another coat of sealant. (B-67 is the preferred topcoat as it decreases the chance of smearing). Label artifacts in the most inconspicuous spot with the state site number, a number representing provenience, and an artifact number. Label all piece-plotted objects individually. For small collections (less than 200 objects) label selected artifacts. Polymers such as Bakelite, rubber, and plastics should not be labeled; secure them in labeled containers that also contain a label on archival material. For larger collections, label all diagnostics. The following artifact types are examples of those that need not be individually labeled: artifacts too small to be labeled, slag, cinders, shellfish, non-human bone, fire cracked rock, flakes, window glass, nails, brick, mortar, and coal. These items can be grouped by material type within a provenience. These grouped or batched artifacts receive one artifact number. With other batched artifacts, label one artifact from the group with the site number, provenience and artifact number and place it in a plastic bag with the rest. The bag should be labeled on the exterior and also contain a Mylar, Tyvek, or acid free paper or card stock label with the same information.

## Samples

- Large quantities of brick rubble, window glass, shell, etc. will not be accepted for curation. In general terms a statistically valid sample (ca. 100) of any particular shell species is needed from each component of a site. Selective sampling of other materials is recommended. It is preferred that soil samples be processed before being submitted. Unprocessed (raw) soil samples may be submitted for curation only in consultation with Collections Section staff. Unprocessed samples, retained for back-up analyses, may require fumigation or freeze-drying. All large and medium fractions of water-screened material should be sorted prior to submission. If the large quantity of fine fraction material makes complete sorting difficult/impractical/impossible, a statistical sample from various units of excavation should be sorted. Flotation samples should be placed in appropriate sealed containers according to fraction size and accurately labeled, e.g. 'flotation sample, light fraction, context details' or 'water screened sample, heavy fraction, context details'. Radiocarbon samples and soil samples for chemical, phytolith and pollen analysis should be processed whenever possible before submitting collection for curation. Small special samples of charred material and soil that are submitted for long-term management and possible future analysis or testing should be clearly marked and packaged in appropriate sealed containers.

## Selective Discard

- Certain types of bulk artifacts and artifacts with limited context or no context have questionable long-term research and exhibit value and thus may not warrant permanent management with the collection. These materials may include: fire-cracked rock, flakes, brick fragments, mortar, slag, coal, shell, artifacts designated as 'locations,' and 20<sup>th</sup>/21<sup>st</sup> century debris, especially artifacts less than 50 years old. In certain types of field recovery approaches, like controlled surface collecting, many of these items may be noted, counted, weighed, and left in the field. Recovered items that are slated for selective discard must be cataloged and analyzed. The collection's catalog must clearly identify and quantify the discarded materials. A project's principal investigator, in consultation with the Chief Curator, should employ the best professional judgment to decide what to discard. Factors to consider in reaching the decision to selectively discard materials include: archaeological context, the redundancy of the materials, and the item's research, education, or exhibit potential.

## Packaging

- Place all artifacts in polyethylene, zip-lock plastic bags at least 2 ml thick. Bags 10" x 10" or larger must be at least 4 ml thick. Artifacts must be grouped and bagged by provenience, and separated by material type within the provenience. Sharpie pens should be used to label plastic bags. Oversized artifacts must be securely tagged with appropriate information. Use archivally stable and acid-free materials for those items requiring special packaging. If the artifact collection is large, key artifact classes (example: projectile points, personal items, glass ware, minimum vessels counts, etc.), including illustrated artifacts, may be pulled from the provenience material and bagged/boxed separately. If small collections of artifacts from different sites/projects

are packed together in a box, these should be grouped by county; if they are from multiple counties, arrange them alphabetically by county.

### **Boxes**

- Place all artifact bags in acid free boxes (either standard 15" x 12.5" x 10" or half-sized 15" x 12.5" x 5" Hollinger corrugated cardboard) organized by catalog number for submission to the Department. Interior acid-free cardboard boxes may be used as containers and dividers for separate site collections or provenience. Material must be organized by provenience and/or appropriately grouped by material and packed with respect to weight and fragility. No box should weigh more than forty pounds. Label all artifact boxes with site number, provenience, project name, project start date, and research institution, contractor, or individual. (VASHPO 2009).

All records associated with an archaeological project should be curated and stored with any artifacts recovered. The Regional Archaeological Curation Facility at Fort Lee follows the record curation standards established by the Virginia Department of Historic Resources (VASHPO 2009). These guidelines indicate:

### **Ownership**

- Ownership of the collection must be clear. A copy of the ownership agreement or transfer letter must accompany the collection.

### **Field Records**

- Prepare one stable copy of all original field archaeology documentation on acid free paper. Originals on acid free paper are acceptable. These should be organized and clearly labeled and submitted with the collection for management. For long-term storage large-sized maps, drawings, and charts will be placed by the department in flat acid-free files. Do not include material that is not directly pertinent to the field project, such as personnel and budget records, general research and report preparation notes and xeroxes, and rough drafts. Submit one copy of the final report.

### **Artifact Catalog**

- Submit a hard copy catalogue of all artifacts that includes the name of the organization, project name, start date, site number, provenience, and artifact number.

### **Treatment Statements**

- A statement indicating which objects received conservation treatment and a copy of the treatment record must accompany the collection. If conservation has not been completed, provide a list of those objects needing treatment. In order to maintain a stable, long-term storage repository, unstable materials that have not been conserved may be refused.

### **Photographs**

- Submit all slides (Kodachrome is preferred) and/or black and white negatives, and contact sheets in archival material. Label the archival set of slides and prints with at least the state site number and provenience or subject. Prepare a catalogue of all

photographic documentation with an explanation of the labeling information. Digital images, if submitted, should be in the form of uncompressed .TIF files. Film images are preferred, but, if digital images are submitted instead of film images, a hard copy of the digital images at least 5” x 7” and resolution 300 dpi or better on archival paper must accompany the digital files.

### **Digital Records**

- Submission of the artifact catalog, final report, scanned field records, and digital images on computer disks and CDs in addition to hard copy on acid free paper and photographic archives is requested but not required.

### **Labeling**

- As indicated throughout this document, accurate, informative labels are required for individual specimens, containers, inventory forms, photographs, etc. The labels should include, where appropriate: site number, provenience, project name, project start date, and research organization, contractor, or individual. (VASHPO 2009).

Inspections of federally curated archaeological collections shall be conducted annually in accordance with the Federal Property and Administrative Services Act (40 U.S.C. 484), and its implementing regulation (41 CFR Part 101). Consistent with 36 CFR Part 79.11, the JBMHH shall ensure that the Repository Official at any curation facility housing future collections from Fort Myer Henderson Hall and Fort McNair will perform the following requirements:

1. Provides the Federal Agency Official with a copy of the catalog list of the contents of the collection received and accessioned by the repository;
2. Provides the Federal Agency Official with a list of any other U.S. Government-owned personal property received by the repository;
3. Periodically inspects the physical plant for the purpose of monitoring the physical security and environmental control measures;
4. Periodically inspects the collection for the purposes of assessing the condition of the material remains and associated records, and of monitoring those remains and records for possible deterioration and damage;
5. Periodically inventories the collection by accession, lot or catalog record for the purpose of verifying the location of the material remains and associated records;
6. Periodically inventories any other U.S. Government-owned personal property in the possession of the repository;
7. Has qualified museum professionals conduct the inspections and inventories;
8. Following each inspection and inventory, prepares and provides the Federal Agency Official with a written report of the results of the inspection and inventory, including the status of the collection, treatments completed and recommendations for additional treatments.
9. Within five (5) days of the discovery of any loss or theft of, deterioration and damage to, or destruction of the collection (or a part thereof) or any other U.S. Government-owned personal property, prepares and provides the Federal Agency Official with a

written notification of the circumstances surrounding the loss, theft, deterioration, damage or destruction, and

10. Makes the repository, the collection and any other U.S. Government-owned personal property available for periodic inspection by the Federal Agency Official and when the collection contains religious remains, the Indian tribal elders, religious leaders, and other officials representing the Indian tribe or other group for which the remains have religious or sacred importance. (36 CFR Part 79.11)

#### **6.14.4 SOP # 4: Building Maintenance Procedures**

Maintenance to historic buildings can result in possible adverse effects if properly prescribed treatment plans are not followed. This SOP outlines the steps to be taken prior to maintenance and repair activities on JBM-HH properties. It is intended for all personnel other than the CRM. Examples of applicable personnel are:

1. Leadership
2. Facilities Maintenance Office, Directorate of Public Works
3. U.S. Property and Fiscal Officer (USPFO)
4. Master and strategic planning
5. Maintenance staff
6. Facility managers
7. Environmental Quality Control
8. Personnel assigned to historic facilities.

These procedures are intended to ensure that no disturbance or destruction of significant architectural resources (or their character-defining features) and archeological resources take place. Appropriate project personnel at the DPW in charge of planning and execution will need to consult the CRM early in the planning stage to determine proposed maintenance procedures will (1) will occur to a historic property and (2) if the proposed events will result in potential effects.

The CRM will:

- determine whether the proposed activity has the potential to impact cultural resources. If so, it is the CRM's responsibility to activate the NHPA Section 110/106 process and coordinate with the SHPO or other stakeholders.
- advise the Manager of any project modifications of treatment plans or appropriate treatments that have been defined in consultation with the SHPO and other stakeholders.

Various general maintenance procedures will likely have no significant impact to historic buildings. Regardless of the actions involved, project conception and plans will need to be forward to the CRM to determine if Section 106 procedures should be initiated. Common maintenance items not likely to impact the preservation of historic materials and features may be categorical exclusions in an installation-wide PA designed to streamline Section 106 consultation. To date, Fort Myer does not have such a PA in place and therefore these

activities may still require review under Section 106. Common maintenance activities of this nature could include:

- a. In kind sidewalk, street, and storm gutter repair or replacement;
- b. Work outside of the historic districts (Districts), except exterior work where buildings are directly adjacent to the District, or where new construction will be directly adjacent to the District or affect the view, appearance, or character of the District or supporting buildings;
- c. Introduction into the District, or removal from the District, of temporary office, storage, or garbage disposal facilities;
- d. Maintenance of existing landscaping and trees;
- e. Removal of dead, dying, or diseased, unsalvageable trees;
- f. Interior rehabilitation of non-contributing buildings within the districts;
- g. Interior modifications of historic buildings, when the SHPO has previously determined in writing that the significance of the buildings does not include the interior of the space, as long as the modifications are not visible from or do not affect the historic features of the exterior of the building.
- h. Minor in-kind repair or replacement of some building or site features, elements, or materials of contributing buildings such that original or significant historic fabric is matched in materials, size, dimension, color, texture, finish, construction details, and all other visual qualities. These buildings or site features would include:
  - (1) Repair or replacement of in-kind roofing;
  - (2) Repair or replacement of existing siding or replacement of deteriorated siding to match existing siding;
  - (3) Replacement of in-kind doors and door hardware;
  - (4) Repair, replacement, or installation of gutters and downspouts;
  - (5) Repair or replacement of window panes with in-kind glass lights; and
  - (6) Repairs to or replacement of existing screen windows and storm doors and windows.
- i. Minor modifications to heating, ventilation, and air conditioning (HVAC), plumbing, or electrical systems provided that such work does not affect the exteriors or significant interior features of contributing buildings and that the recommendations found in Preservation Brief Number 24, "Heating, Ventilating, and Cooling Historic Buildings: Problems and Recommended Approaches," are adhered to;
- j. Energy conservation methods that are non intrusive and not readily visible, such as interior insulation, interior storm windows, caulking, and weather-stripping may not be accomplished by cutting holes into exterior siding, and insulation shall have a vapor barrier;
- k. Painting of the exterior of the buildings within the District or directly adjacent to the District in the same color and/or finish;

**Secretary of the Interior's Standards for Rehabilitation.** Any rehabilitation of historic buildings should ensure compliance with the Secretary of the Interior Standards for Rehabilitation. The following Secretary of the Interior's Standards are general principles used to plan and undertake appropriate work on historic properties to minimize impact to the integrity of the resource and to ensure continual use.

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a building shall be avoided.
3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.
6. Deteriorated historic features shall be repaired rather than replaced. When the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
8. Significant archaeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

It should be noted at the outset that the following guidelines are intended to assist in applying the Standards to projects generally; consequently, they are not meant to give case-specific advice or address exceptions or rare instances. For example, the guidelines cannot tell the installation which features of their own historic buildings are important in defining the historic character and must be preserved--although examples are provided in each section--or which features could be altered, if necessary, for the new use. This kind of careful case-by-

case decision making is best accomplished by seeking assistance from qualified historic preservation professionals in the planning stage of the project. Such professionals should be consulted in order to conduct an architectural feasibility study, historic structures report, or other in-depth renovation study.

#### **6.14.5 SOP #5: Historic Building Demolition**

This SOP outlines the steps to be taken prior to disposal or demolition of federally owned or controlled property that is eligible for listing on the NRHP or that needs further evaluation to determine eligibility. It is intended for all personnel. Examples of applicable personnel are:

1. Leadership
2. Facilities Maintenance Office, DPW
3. U.S. Properties and Fiscal Officer (USPFO)
4. Master and strategic planning
5. Maintenance personnel
6. Facility managers and custodians
7. Environmental Quality Control Committee (EQCC)
8. Personnel assigned to historic facilities

If mission requirements cause the demolition or excess of a building or structure that is either eligible for listing on the National Register of Historic Places or that has not been evaluated for eligibility, the project proponent should contact the CRM early in the planning stage to initiate the Section 106 process. The CRM will request information on alternatives to the demolition or disposal action such as the potential for using the building for another mission purpose (including potential renovation or rehabilitation), or the potential to relocate or lease the building. An Economic Analysis (Section 7) should be conducted prior to making a decision to demolish a historic building and replace it with new construction. Often, rehabilitation or renovation can be more cost-effective. The economic analysis is also necessary to document that JBMHH has no alternative other than demolition, should the analysis show that maintaining the building to be financially prohibited.

Facility managers and planners will need to consult the CRM once any historic resource is slated for demolition and ensure that proper time is provided to complete Section 106 consultation prior to demolition. If mission requirements cause the demolition and replacement of historic buildings or structures onsite, the replacement design should be compatible with other buildings in the same area. Changes to the landscape should convey the historic pattern of land use, topography, transportation patterns, and spatial relationships. Compliance procedures can require a minimum of 4 to 6 months to complete. Ground disturbing activities will also likely require archaeological investigations (See SOP #1).

#### **6.14.6 SOP#6: Sale or Outlease of Property**

This SOP outlines the steps to be taken prior to the lease or sale of federally owned or controlled property that is eligible for listing on the NRHP or that needs further evaluation to determine eligibility. It is intended for all personnel. Examples of applicable personnel are:

1. Leadership
2. Facilities Maintenance Office, Directorate of Public Works
3. U.S. Properties and Fiscal Officer (USPFO)
4. Master and strategic planning
5. Maintenance personnel
6. Facility managers and custodians
7. Environmental Quality Control Committee (EQCC)
8. Personnel assigned to historic facilities

Sale or the leasing of federal property to a private entity may constitute an adverse effect and will require Section 106 consultation. The CRM should be informed of any plans to lease or sell real estate containing significant historic resources well within the planning stages prior to the property disposal. The CRM should initiate Section 106 consultation which must conclude successfully prior to the property transfer.

Separate PA documents have been used to mitigate the effects for the leased property to private entities. A PA was enacted between JBMHH and VASHPO for the privatization of Army lodging at Fort Myer-Henderson hall. Stipulations of the PA require that the managing entity is bound to Section 106 oversight and must ensure that it abides by the Secretary of the Interior Standards as its treatment guidelines for maintenance of the buildings.

#### **6.14.7 SOP #7: Updated Base Planning Procedures**

**Update of the ICRMP.** The ICRMP will be in effect for five (5) years from the execution date, which shall be the date of the final signature on the Endorsement Page. The CRM will ensure that the ICRMP be revised every five (5) years. Such a revision will ensure that the ICRMP is kept up to date and deals with topical issues. In the interim, the CRM will be responsible for ensuring that the policies of the installation remain consistent with both the letter and spirit of existing and new federal laws such as the NHPA, AIRFA, the NAGPRA, and similar acts which may be passed in the next five years.

**Integration of ICRMP into Installation Master Plan.** The ICRMP, while a stand-alone document, should be incorporated into the next update of the Base Master Plan. By incorporating the ICRMP into the master plan, the historic and cultural components of the base will be a part of base planning and policy. This integration will allow the base to continue its mission without compromising the historic integrity of the installation.

## 7.0 ECONOMIC ANALYSIS

As Fort Myer and Fort McNair contain historic properties, it is important to retain and preserve the contributing historic structures and their associated significant character-defining features. The Secretary of the Interior's Standards recommend repair over replacement, and replacement in lieu of removal. As such, the removal of significant buildings or features is considered an "adverse effect" pursuant to the Section 106 review.

Any demolition or disposal action will most likely involve Public Works. By including the CRM at all scheduling meetings, an opportunity to identify the necessity of economic analysis early in the planning stages of a project will be established, thereby reducing time, frustration, and cost that may be associated with delays and redesigns of projects found to not conform to the Secretary of the Interior's Standards.

The NHPA requires that historic properties be considered for reuse to the maximum extent feasible before considering their disposal. In other words, the demolition of buildings should remain as a last option, only after all other options have been considered, and proven infeasible, including mothballing. The decision to reuse, replace, or demolish a facility needs to be justified with a least cost, life-cycle economic analysis. This same approach should be considered when major character-defining elements (e.g., windows, doors) are replaced with new materials. A number of computer software programs are currently available for this purpose. The USAEC and the Construction Engineering Research Laboratory (CERL) has developed a computer-based analysis (Layaway Economic Analysis [LEA]) for buildings that allows the input and manipulation of costs associated with repairs, maintenance, demolition, and replacement of buildings. The LEA tool also has components that allow for adjustments for NRHP properties. Users may go to: <http://aec.army.mil/usaec/cultural/software.html> to download the complete LEA software (USAEC 2005a).

As a general rule, when the economic analysis demonstrates that rehabilitation costs exceed 70 percent of replacement costs, replacement construction may be justified. However, the 70-percent value may be exceeded where the significance of a particular historic structure warrants special attention, or if warranted by the life-cycle cost comparisons.

Often overlooked when considering the cost of new construction is the inherent value of existing building elements, such as foundation, footings, exterior walls, floor structure, stairs, and elevator shafts, elements that could add considerable cost in a new structure, often with a reduced expected life. An additional consideration is time. Rehabilitation often results in considerable savings in construction time and can many times be completed at a fraction of the time required for the construction of a new facility of comparable size and complexity.

The architectural quality of materials and that of the overall finished product also has inherent value, as new buildings rarely possess the fine quality elements/features of historic facilities, elements that may be exploited positively in a market saturated with standard designed facilities. Such inherent values may be calculated by the rent a potential tenant may be willing to pay for the prestige of locating in a historic building over the current real estate

market rate. The value of restoring or rehabilitating a NRHP structure outweighs the potential impacts of new construction.

The initial cost of buildings is only a fraction of the long-term cost of ownership and operation. The true cost of new construction must include not only the associated labor and materials, but demolition and disposal costs, re-landscaping, cost and associated time for environmental reviews, the long-term costs, the life-cycle costs, utility costs, replacement costs, and other pertinent factors such as hazardous materials removal. If hazardous materials are present, demolition costs will almost always need to consider costly hazardous materials disposal costs. For renovation projects, however, Hazardous materials may only have to be removed if affected by the specific renovation or remodeling plans. Generally, replacement costs should not be based on replacement in kind, but on a design that is architecturally compatible with the historic property, unless the feature is critical to the integrity of the historic building.

### **7.1 OPERATING EXPENSES**

These are costs associated with the operation of a building. Included within this category are costs associated with maintenance over the life of the building, utilities, emergency equipment, elevator operation, telephone and other communication, and replacement.

### **7.2 LIFE CYCLE COST ANALYSIS (LCC)**

Life Cycle Cost Analysis allows for the comparison of costs of projects at different times. There are two approaches commonly used for this purpose: the present worth approach and the equivalent uniform annual cost. The former is the sum of all initial and future costs of a project individually converted into their present value equivalents. The latter is the annual total of individual costs converted into their uniform annual costs over the life of the building.

Additionally, in comparing investment alternatives, such as in determining whether or not to pay more initially for a product with a longer life, a savings-investment ratio (SIR) may be used. The SIR formula would be the difference of the LCC of the alternatives over the difference in their initial costs (ICST):

$$\text{SIR} = (\text{LCC A} - \text{LCC B}) / (\text{ICST A} - \text{ICST B})$$

## 8.0 NATIVE AMERICAN CONSULTATION MANAGEMENT PLAN

Legal mandates pertaining to Native American cultural resources and religious freedom include the NHPA, NAGPRA, NEPA, ARPA, AIRFA, and EO 13007 (Deloria and Stoffle 1998). Army Regulation AR 200-1 requires the development of a plan to involve Native American groups in the compliance process as part of the ICRMP. Consultation with the appropriate Native American groups is necessary to identify TCPs as well as sacred or ceremonial sites. The NHPA requires protection of TCPs and access to sacred and ceremonial sites is guaranteed by AIRFA and EO 13007. A comprehensive plan for protection and access procedures is required only if these types of properties are identified, which will not be known until consultation is complete.

### 8.1 NATIVE AMERICAN GROUPS WITH AN INTEREST IN ACTIVITIES AT FORT MYER-HENDERSON HALL AND FORT MCNAIR

Current tribal groups with a potential interest in the Fort Myer-Henderson Hall and Fort McNair areas have been identified. There are currently no federally recognized Native American tribes in Virginia or the District of Columbia. Three federally recognized tribes outside of Virginia and the District of Columbia have been identified with potential ties to the land where Fort Myer-Henderson Hall and Fort McNair are located. These tribes are the Tuscarora Nation of New York, the United Keetoowah Band of Cherokee Indians in Oklahoma, and the Catawba Indian Nation. Of these three, only the Catawba Indian Nation has a THPO. THPO contact information for the Catawba nation is:

Catawba Indian Nation  
 Wenonah G. Haire, THPO and Director, Catawba Cultural Preservation Project  
 Caitlin Haire, THPO  
 1536 Tom Steven Road  
 Rock Hill, SC 29730  
 Telephone: 803-328-2427  
 Email: wenonahh@ccppcrafts.com, caitlinh@ccppcrafts.com  
 Website: <http://www.ccppcrafts.com>

There is no association of JBMHH administered lands documented in treaties with the U.S. government, historic and ethnographic literature, and tribal testimony (Klein and Baldwin 2003).

In addition to the federally recognized Tribes above, there are eight tribes recognized by the Commonwealth of Virginia that might have an interest in the Fort Myer-Henderson Hall area; the Chickahominy Tribe, Eastern Chickahominy Tribe, Mattaponi Tribe, Monacan Indian Nation, Nansemond Tribe, Pamunkey Tribe, Rappahannock Tribe, and the Upper Mattaponi Tribe. A detailed description of each tribe can be found in *The Virginia Indian Heritage Trail* (Wood 2008). These Tribes can be included in coordination with the interested public, but not in government-to-government consultation as with federally recognized Tribes. A list of Native American tribal contacts is provided below.

Chickahominy Tribe  
Center for Local History  
P.O. Box 128  
Charles City, VA 23030  
Telephone: (804) 652-1516

Eastern Chickahominy Tribe  
3120 Mt. Pleasant Road  
Providence Forge, VA 23140  
Telephone: (804) 9662760  
Website: [www.cied.org](http://www.cied.org)  
Chief: Gene Adkins

Mattaponi Tribe  
1467 Mattaponi Reservation Circle  
West Point, VA 23181  
Telephone: 804.769.4508  
Chief: Carl Custalow

Monacan Indian Nation Inc.  
P.O. Box 1136  
Madison Heights, VA 24572  
Telephone: (434) 946-0389  
Electronic Mail:  
Tribal Secretary: [MNation538@aol.com](mailto:MNation538@aol.com)

The Nansemond Indian Tribe  
P.O. Box 6558  
Portsmouth, Va. 23703  
<http://www.nansemond.org/>

Pamunkey Tribe  
175 Lay Landing Road  
King William, VA 23086  
Telephone: (804) 843-4792

Rappahannock Tribe  
Rappahannock Tribe Cultural Center  
5036 Indian Neck Road, Indian Neck, VA 23148  
Telephone: (804) 769-0260  
Email: [info@rappahannocktribe.org](mailto:info@rappahannocktribe.org)

Upper Mattaponi Tribe  
13383 King William Rd  
King William, VA 23086-3400  
Telephone: (804) 769-0041

## **8.2 PREVIOUS CONSULTATION PRACTICES AND PROCEDURES**

Fort Myer has invited tribal entities to participate in Section 106 consultation when appropriate. General practice is to identify interested and possibly consulting parties, then contact these entities to engage their interest. In 2008, the U.S. Army contacted the Virginia Council on Indians inviting them to participate in Section 106 consultation for the privatization of Army housing at Fort Myer. Due to the absence of known Native American archaeological or culturally affiliated sites, the Virginia Council on Indians declined to participate in Section 106 consultation on this project (Appendix F). Future consultation with tribal entities really only needs to be conducted with federally recognized tribes (as far as consulting party invitations under Section 106). JBMHH should work with VASHPO to identify tribes that may be willing to participate as an interested or consulting party under Section 106 or NEPA.

## **8.3 PROTECTION OF TRADITIONAL CULTURAL PROPERTIES**

No TCPs are currently known to exist at Fort Myer-Henderson Hall or Fort McNair. JBMHH may wish to conduct a formal survey for TCPs if a cultural resources surveys of Fort Myer-Henderson Hall or Fort McNair shows that this is warranted. Sections 110 and 106 of the NHPA apply to TCPs as well as to other types of historic properties. Section 101(d)(6) of the NHPA defines a TCP as a historic property that is eligible for inclusion in the NRHP because of its traditional, religious, and cultural importance to an Indian Tribe. A TCP may be eligible under Criterion A, association with significant historical events, or Criterion B, association with the lives of significant persons. An archaeological site subject to evaluation under Criterion D may also be identified as a TCP eligible under Criteria A or B. There are some types of TCPs, however, that are not represented by archaeological sites. Although a TCP must be a tangible location, it may be a natural feature of the landscape that has not been subject to cultural modification and is, therefore, not necessarily identified by archaeological surveys. Consultation with the appropriate Native American group is necessary to identify TCPs.

Potential TCPs on Fort Myer-Henderson Hall and Fort McNair should be identified through consultation with Native American groups in order to comply with Section 110(a)(2)(B) of the NHPA. This section of the Act requires a federal agency to ensure that “properties under the jurisdiction or control of the agency that are listed in, or may be eligible for, the National Register are managed and maintained in a way that considers the preservation of their historic, architectural, archaeological, and cultural values in compliance with Section 106.”

Steps for consultation on TCPs are:

- Identify cultural affiliation.
- Initiate consultation.
- Provide notification/schedule/response.
- Identify TCPs.
- Document TCPs.
- Conduct site visits.

The first step is to identify the appropriate tribes, including both federally recognized tribes and other groups that may have a cultural affiliation with the lands under the installation's control. This includes tribes owning lands in the vicinity of Fort Myer-Henderson Hall and Fort McNair, tribes who occupied the region in aboriginal times, and tribes with which JBMHH has had previous relationships. Ethnohistoric research is usually conducted to identify tribes and potential types of resources (PAM 200-4, VI-3; National Register). A list of tribes and tribal points of contact (POCs) has been developed for JBMHH and is provided. This list includes those federally recognized Tribes that probably have the closest ties to the area now occupied by Fort Myer-Henderson Hall and Fort McNair. Consultation with these tribes could identify other groups that should also be consulted.

Consultation must be initiated with the tribal government on a government-to-government basis, although other tribal members may eventually be consulted. Written notification consists of a letter to each group requesting information. Adequate time should be allowed for a response, and follow-up notification may be required. The response may consist of a letter or a request for a meeting.

If TCPs are reported to exist, the next step is to identify the locations and document their significance. National Register Bulletin 38 provides guidelines for the identification and evaluation of TCPs (Parker and King 1998). An ethnographer familiar with the tribes may be retained to assist in eliciting information to identify TCPs and may interview knowledgeable representatives of each group offering information. Because of the sensitive nature of information pertaining to TCPs, when more than one tribe is involved, each is usually consulted separately and confidentiality of data is maintained. If an ethnographer assists, initial interviews may take place at the individual tribal offices. Some tribal governments may prefer to conduct their own interviews with knowledgeable members and provide the information to the agency.

Following the identification and documentation of TCPs through letters, interviews and/or meetings, site visits are necessary to further document their locations, significance, and physical integrity, and to develop appropriate protective measures.

If a property is to be designated a TCP, documentation must be adequate to support a determination of eligibility for inclusion in the NRHP. Two NRHP documentation requirements that may be more problematic for TCPs than for archaeological sites are the establishment of property boundaries, which may include unmodified elements of the landscape, and chronology. To adequately document the latter, both the period of significance and the period of traditional use must be determined (PAM 200-4, VI-3).

JBMHH should prepare a protection plan for all TCPs. Prior to finalizing plans and implementing standard protective measures, such as access restrictions, fences, signs, and patrols for the identified TCPs, JBMHH should request comments from the tribes who identify the TCPs. The tribes may have requests such as active participation in monitoring site condition. They may request restrictions on the use of signs or fences to protect sites if the tribe perceives this as an undesirable visual impact.

## **8.4 ACCESS TO SACRED/CEREMONIAL SITES**

AIRFA guarantees Native American traditional religious practitioners access to sacred sites. EO13007 directs federal agencies to accommodate access to sacred sites and ceremonial use of them by Indian religious practitioners. It also directs the agencies to avoid adversely affecting the physical integrity of sacred sites. No sacred sites are known to exist on Fort Myer-Henderson Hall or Fort McNair grounds, but the possibility can't be ruled out until a more detailed archaeological assessment or survey of the installation shows otherwise. Compliance with AIRFA and EO 13007 apply only if identification of historic properties and subsequent consultation identifies the potential for such properties. If the potential for sacred or ceremonial sites is not identified, then this section will not apply to Fort Myer-Henderson Hall or Fort McNair.

Until access is requested or a site is threatened by an undertaking, a federal agency may be unaware of the existence of sacred sites within its jurisdiction. Information regarding sacred sites may be more difficult to obtain than information regarding TCPs. This information is even more sensitive and religious practitioners may even keep it secret from other tribal members. The definition of sacred sites in EO 13007, however, requires the tribe or religious representative to inform the agency of the existence of the sacred site. Advance knowledge of the existence and location of sacred sites facilitates arrangements for access when access is requested. It is also necessary for JBMHH to know the general locations of all sacred sites in order to provide adequate protection from inadvertent impacts (PAM 200-4, VI-3).

The consultation process for sacred sites is similar to that for TCPs, but it results in an agreement for access. The associated steps are listed below and then discussed in further detail:

- Identify cultural affiliation.
- Initiate consultation.
- Provide notification/schedule/response.
- Identify sacred sites.
- Document sacred sites.
- Conduct site visits.

## **8.5 DEVELOPMENT OF AN ACCESS AGREEMENT**

JBMHH may wish to conduct a formal survey for sacred sites if archaeological assessments of Fort Myer-Henderson Hall or Fort McNair shows that this is warranted. However, development of an access agreement applies only if identification of historic properties and subsequent consultation with tribal representatives identifies the potential for such properties. If the potential for sacred or ceremonial sites is not identified, then JBMHH will not need to develop an access agreement.

The identification process for sacred sites differs from that for TCPs; therefore, the POC list in Table 9-1 may not be adequate for obtaining information about sacred sites. Religious leaders within the tribes may need to provide this information. As in the recommended

procedures for TCPs, tribal representatives and religious leaders should not be expected to provide this sensitive information at a meeting where other groups are present. An ethnographer who is known to the tribe may be effective in eliciting this type of information, or the tribal government may prefer to obtain the information from members of the group. JBMHH representative should then visit the area of the sacred site with the Native American leader to confirm the location, assess the condition, and discuss requested access and ceremonial use.

Sacred sites do not require the same type of documentation as TCPs. The Army pamphlet states that, "If a site is truly important to the ongoing traditions of a community, a knowledgeable representative of that community should be able to characterize its general location and appearance. Therefore, Army personnel should not generally question a traditional religious leader's determination that a site is sacred" (PAM 200-4, IV-3.6).

To comply with the requirement to provide access, consultation should address expected frequency and regularity of access requests; size of the group that will need access; JBMHH's requirements for lead time to process access requests; and any special conditions required by JBMHH with respect to security or safety during site visits.

## **8.6 RECOMMENDATIONS FOR A COORDINATED CONSULTATION APPROACH**

The following steps may be taken to facilitate consultation, if needed:

1. Establishment of an ongoing consultation relationship with Native Americans.
2. Designation of a Coordinator for Native American Affairs if necessary.
3. Incorporation of consultation procedures into existing Army planning and procedural documents if any are developed.

In the interest of maintaining a consistent approach to issues of concern to Native Americans and a continuous relationship with the identified groups, consultation efforts should continue to be managed by the designated coordinator for Native American affairs. Consultation and agreement documents must, however, be signed by the Garrison Commander.

There are no known TCPs, sacred sites, or human burials located at Fort Myer-Henderson Hall or Fort McNair. While past archaeological assessments of the installation have suggested that there may originally have been some potential for prehistoric archaeological sites, it is not known whether any could have survived the intensive development of the land. The same may be true for TCPs and sacred sites. JBMHH should conduct a cultural resources assessment that addresses the land use and development history of the installations that makes recommendations about whether more intensive archaeological survey or other ethnographic studies to identify TCPs or sacred sites are warranted. This assessment should be coordinated with the Tribes listed in Section 8.1 as well as the VASHPO and DCHPO. If needed, a single, coordinated TCP and sacred sites study can be undertaken to begin to achieve this goal. AR 200-1 recommend that consultation to identify both TCPs and sacred sites be undertaken as part of planning efforts, rather than waiting until either access for

religious sites is requested by Native Americans or previously unidentified resources are threatened by proposed projects or mission-related activities.

If this initial consultation with Tribes concerning identification efforts shows that there is a need for further consultation with the Tribes (i.e., if sites of interest to the tribes are found or suspected to exist), JBMHH should develop a coordinated approach to consultation as outlined in Army Regulations. In the interest of maintaining a consistent approach to issues of concern to Native Americans and a continuous relationship with the identified groups, consultation efforts should continue to be managed by the designated coordinator for Native American affairs if necessary. Consultation and agreement documents if any are developed, must, however, be signed by the Garrison Commander.

Incorporation of this Native American Consultation Management Plan (if it is needed) into the ICRMP is the first step toward incorporating consultation procedures into existing documents that are used by the installation. Consultation to identify TCPs and sacred sites throughout the installation and develop agreements with the tribes should be undertaken as part of long-range planning. Procedures for protection and access, once they are agreed upon by the installation and the Native American groups, can then be incorporated into other documents where appropriate.

[PAGE INTENTIONALLY BLANK]

## **9.0 PUBLIC INVOLVEMENT PLAN**

### **9.1 PURPOSE OF THE PLAN**

The purpose of the Public Involvement Plan section of the ICRMP is to provide an organized, comprehensive approach for incorporating public participation into the cultural resources compliance process at Fort Myer-Henderson Hall and Fort McNair. The Plan addresses public information needs directly required by, or related to, several cultural resources statutes. These information needs may include legal notices; public meetings; media relations; and notifications to, or discussions with, special interest groups (e.g., Native American tribes), federal agencies, local governments, or interested individuals within the public. The plan also identifies the formal and informal timing of public involvement activities and the types of individuals essential to the process.

The federal statutes requiring public involvement and/or consultation in the cultural resources compliance process include the NHPA, NEPA, NAGPRA, ARPA, and EO 13007. AIRFA has no direct requirement for consultation with Native American (or other culturally affected) groups; however, the intent of this statute can be met only through the consultation process and is, therefore, included within this ICRMP. Specific guidance for consulting with Native American groups under NAGPRA, AIRFA, and EO 13007 is discussed in Chapter 8. As of 2005, there are no known cultural resources at Fort Myer-Henderson Hall or Fort McNair that fall under the purview of NAGPRA, ARPA or AIRFA. Guidance for public involvement under the NHPA, NEPA, and ARPA is provided in Sections 9.2 through 9.5.

The goal of the public involvement process is to provide adequate opportunity for members of the public to learn about, and provide comment on, cultural resources activities and policies conducted under the jurisdiction of JBMHH. Because both Fort Myer-Henderson Hall and Fort McNair are facilities closed to the general public, public involvement will consist primarily of soliciting the views of the public on undertakings involving historic properties as required by the NHPA through the NEPA process.

### **9.2 INDIVIDUALS AND GROUPS INVOLVED**

One of the keys to developing an effective cultural resources public involvement process lies in clearly identifying those individuals essential to the process. Although the list will vary depending on the nature of the policy or activity, DoD and civilian individuals and groups that may be critical to an effective public involvement process with JBMHH, include (but are not limited to):

- Garrison Commander
- Security Officer
- Public Affairs Officer
- CRM/Liaison for Native American Issues
- Land and Natural Resources Managers
- NEPA Coordinator
- VASHPO and DCHPO
- ACHP
- Keeper of the National Register
- Applicable Cultural Groups (e.g., Native American tribes)
- Local Governments
- Other interested members of the public

Roles and responsibilities of individuals involved in the public participation process have been discussed in Chapter 6.

### **9.3 TIMING**

All of the statutory guidance requiring public involvement to support cultural resources compliance encourages public participation at the earliest possible time. Early coordination helps to ensure that planning and decisions reflect cultural resources values, avoid possible delays later in the process, identify potential conflicts and find appropriate resolutions, and allows for the widest feasible range of alternative actions to be considered. The NHPA and ARPA do not provide specific timelines for public involvement activities; NEPA does have this guidance, however, and that information is provided in Section 9.4.2.

### **9.4 STATUTORY GUIDANCE**

#### **9.4.1 National Historic Preservation Act (NHPA)**

Public involvement activities under the NHPA are largely focused within two sections of the Act, Sections 106 and Section 110. Section 110 considers agency responsibilities when identifying, evaluating, nominating, and protecting historic properties and indicates that the agency shall ensure

. . .that the [agency's] preservation-related activities are carried out in consultation with other federal, state, and local agencies, Indian tribes, Native Hawaiian organizations carrying out historic preservation planning activities, and with the private sector . . .

The primary focus on public participation under the NHPA is in the Section 106 review process. This section of the Act provides for active participation by the public in various ways, depending on their particular interests. The Section 106 regulations discuss public participation in detail (36CFR800.2(d)). Guiding principles of the process include:

1. Public participation in Section 106 review should support historic preservation objectives and help the federal agency meet its program responsibilities.
2. Both federal agencies and members of the public have responsibilities in a public participation program.
3. Public participation objectives should be approached with flexibility.
4. The level and type of public participation should be appropriate to the scale and type of undertaking and to the likelihood that historic properties may be present and subject to effect.

To support these principles, the ACHP's guidance for public participation informs agency officials about the ways of identifying interested persons and involving them in the review process, and in evaluating agency public participation programs. Within this framework, the ACHP recommends that agencies follow the procedures outlined in the following subsections. JBMHH may also involve the public in undertakings involving historic

properties through its NEPA compliance procedures (Section 9.4.2) rather than those outlined in 36 CFR 800.3 through 13 and described in this Section.

**Determine the Extent of Public Participation Needed.** The initial step in the Section 106 process involves information needs. It is at this point in the process that JBMHH should begin to consider public participation. Aspects of the process to consider at this step include:

- Whether or not there are potential public participants (local governments, Indian tribes, public or private organizations) that might have knowledge of, or concerns with, historic properties in the area.
- The level of effect that a project may have on historic properties.
- The scale of the project.
- Whether the project is of sufficient magnitude to warrant broad public involvement.

**Identify Potential Participants.** The NHPA through its implementing regulations (36 CFR Part 800.4) directs agencies to seek information from “local governments, Indian tribes, public and private organizations, and other parties likely to have knowledge of, or concerns with, historic properties in the area.” For JBMHH, the VASHPO and DCHPO can assist in developing an initial list of such parties, each of whom, when contacted, may be able to identify others. The PAO and CRM for JBMHH should also be able to identify potential interested parties. In addition, JBMHH should also notify the public that it has initiated Section 106 review. This can be accomplished through articles in local newspapers, media releases, or other appropriate mechanisms (e.g., public meetings).

**Seek Information.** People identified as having particular knowledge or concerns about potentially affected historic properties should be asked to share any information or concerns that they might have. Local governments and historic preservation organizations have official POCs who may be useful in providing information, and Indian tribes and other types of cultural groups may have traditional leaders who are highly knowledgeable about historic properties in the area. Small public and private organizations, such as local historical societies, museums, universities, and neighborhood organizations often have helpful information as well; however, these types of groups may need assistance in understanding the Section 106 process and how their information can best suit the needs of the project. Examples of individuals or organizations that may be able to assist JBMHH during information gathering include, but are not limited to: the Arlington County Historic Preservation Program, Arlington Historical Society, Arlington Heritage Alliance, Inc., Virginia Historical Society, Archeological Society of Virginia, Northern Virginia Chapter of the Archeological Society of Virginia, Historical Society of Washington, D.C., and the Maritime Archeological and Historical Society of Washington D.C., each of the tribes listed in Section 8.1, and both avocational and professional archaeologists in the Fort Myer-Henderson Hall and Fort McNair areas.

**Coordinate with Interested Parties.** Although the regulations do not stipulate a specific form of coordination with interested persons, the ACHP recommends that agencies seek their views, particularly when an interested party either has jurisdiction over an area (e.g., a property owner that might be affected by a JBMHH activity) or if an interested party is

believed to have special knowledge of, or interest in, a particular property (e.g., a local historical society with interest in a potentially historic building or archaeological site). Table 9-1 provides information on a broad range of potentially interested parties. Which, if any, of these parties may be appropriate to involve in the Section 106 process will depend on the size and nature of the project in question, and whether the group in question is likely to have any specialized knowledge or interest in it.

If no historic properties are to be affected (either if no historic properties are found within a project area, or they are present but will not be effected), 36 CFR 800.4(d)(1) requires an agency to make available to the public the documentation of the finding as described in 36 CFR 800.11(d). Broad dissemination of “no historic properties affected” findings are encouraged, because public review may reveal historic properties inadvertently missed in the identification effort and avoid future project delays.

If historic properties are found within a project area, the agency must consider the effects that might occur to those properties and follow through with the remaining requirements of the Section 106 review process. Documentation of the remaining requirements of Section 106 review must be made available to the public. How the documentation is made available to the public will vary depending upon the scale and nature of the project and may be as simple as making documentary files available for public review. For more complex projects, more active participation between JBM-HH and the public may be required. This could include formal or informal meetings, telephone conversations, public meetings, exchanges of documents, and/or on-site inspections.

**Document the Public Participation Efforts.** Documenting the public involvement process (typically in a written chronological summary format) allows process reviewers, including federal courts, in the event of litigation, to review the record and determine whether or not an agency has adequately involved the public. Documentation should be sufficient to answer the following questions:

- What general efforts did the agency make to ensure that the public was aware that the undertaking was being planned, and that Section 106 review was being carried out?
- What particular elements of the public (and why these particular elements) were contacted for information or to identify concerns?
- What groups and individuals were identified as interested persons, and how were they involved in the review process?
- What concerns were identified, and how were they resolved?

The ACHP encourages maximum public participation in the Section 106 process and promotes full integration of public participation with other agency planning programs. As such, JBMHH should ensure that its projects and historic preservation issues are made known to the individuals and organizations discussed within this section; should elicit expressions of public interest, knowledge, and concern regarding any potentially affected historic properties; and, when possible, should resolve conflicts between JBMHH mission requirements and the historic preservation interests of the public.

NHPA guidance leaves the specific means of conducting public involvement to the parties involved, recognizing their ability to structure the process in a way most appropriate to their needs. However, the ACHP encourages a balanced and fair process, giving full consideration to the views and needs of all parties. Whatever means are employed, all of the participating individuals and groups must be given an opportunity to participate.

NHPA guidance provides no time limit for this portion of the Section 106 process.

#### **9.4.2 National Environmental Policy Act**

The Section 106 public involvement requirements of the NHPA can be met through dissemination of NEPA documents. Under NEPA, agencies have the responsibility to consider any potential effects that their activities might have on the environment, including historic properties. As a result, NEPA and the NHPA are often linked when issues involving cultural resources identification and protection arise. Compliance with one Act does not necessarily satisfy the requirements of the other Act; however, agencies frequently coordinate studies (e.g., surveys to identify historic properties) and solicit public participation to satisfy the needs of both. The timing and interrelationship between NEPA and Section 106 public involvement efforts include:

- Consultation with participants for the identification, evaluation, and effect determination on any historic properties during the Section 106 process can be concurrent with the development and preparation of NEPA documents (EAs, Environmental Impact Statement [EISs], Record of Environmental Consideration).
- Draft EAs and EISs can be used as the basis for consultation under NEPA.
- Results of consultation and public participation can be included in the final NEPA document.

Like the public involvement processes associated with NHPA legislation, NEPA's implementing regulations (40 CFR Part 1500-1508) stipulate formal time lines for certain types of public coordination and review, and it is during these specified periods that issues related to cultural resources frequently come to light. The critical time periods include:

- The **public scoping period**, which can be appropriate for either an EA or an EIS depending on the scope and magnitude of the project. For an EIS, public scoping meetings are generally held after publishing a "Notice of Intent" (NOI) [to prepare an EIS] in the Federal Register. The public scoping period is approximately 30 days in length; however, there is no statutory guidance for the duration of this period, and the ending date is generally determined by the agency. For particularly controversial projects, early public scoping meetings are sometimes held, before the NOI release in order to determine the degree of interest and/or concern by the public.

As a part of the scoping process, agencies are required to invite the participation of affected federal, state, and local agencies; any affected Native American tribes; the proponent of the action; and other interested persons. This can be accomplished by providing public notices of NEPA-related public meetings or hearings and the availability of draft documents. In all

cases, agencies must mail notices to those requesting them. Depending on the nature of the action, agencies may also be required to notify Indian tribes, publish notices in newspapers or through other local media, use direct mailings, or post notices on, or off site, where the action will take place.

- The **public comment period** begins on the date that a draft EIS is published. Public hearings to consider comments (agency and public) on the draft are generally held after the draft is published, but not before the public has had an opportunity to review the document for at least 15 days. The public comment period extends for 45 days, during which time public meetings are held to gather public citizen and agency input on the draft document. During this period, no decision on the project can be made.
- The **public review period** occurs after the final EA or EIS is published. For the EA, this is generally a 30-day period, within which the final EA and Finding of No Significant Impact must be available for public review at public libraries or other public information centers. For an EIS, the public review period is 30 days, and begins when the final EIS is filed the Environmental Protection Agency. This 30-day period allows the preparing agency and the public to consider the conclusions of the document before the decisionmaker makes a final decision on whether or not to proceed with the project. After the 30-day period ends, a Record of Decision is published that formalizes the decision, as well as any significant factors that were used in the decision process.

### **9.4.3 Archaeological Resources Protection Act**

There have been no archaeological sites recorded on Fort Myer-Henderson Hall or Fort McNair as of the preparation of this ICRMP. The following provisions are applicable to any archaeological sites that are uncovered in the future. ARPA has two fundamental purposes: (1) to protect irreplaceable archaeological resources on public and Native American lands from unauthorized excavation, removal, damage, alteration, or defacement; and (2) to increase communication and the exchange of information among governmental authorities, the professional archaeological community, and private individuals (most particularly, those holding private archaeological collections). As a result, ARPA encourages the establishment of a program to increase public awareness of the significance of, and the need to protect, archaeological resources on installations. Public awareness of these kinds of issues can be accomplished through the types of public outreach activities described in Section 9.5, through public service information seminars (e.g., JBMHH staff as guest speakers to local archaeological societies and citizens' groups), and through active participation in programs such as National Historic Preservation Week.

## **9.5 PUBLIC OUTREACH**

EO 13287 (Preserve America) encourages federal agencies to make historic properties available to the public where it is compatible with the mission. However, since September 11, 2001, Fort Myer-Henderson Hall and Fort McNair are no longer an open post due to force protection measures. Access to the post is granted only to those who have specific business with the Fort Myer military community. The public is not permitted general access to the post but visitors may access the post under special circumstances.

## 10.0 BIBLIOGRAPHY

Advisory Council on Historic Preservation (ACHP)

1988 *Treatment of Archaeological Properties - A Handbook*. Washington, D.C. Revised, 1991.

Altschul, Jeffrey H., Lynne Sebastian, and Kurt Heidelberg

2004 *Predictive Modeling in the Military: Similar Goals, Divergent Paths*. Preservation Research Series 1, Statistical Research Institute Foundation, Rio Rancho, New Mexico.

Arlington Historical Magazine

2008 *Orville Wright in Arlington, 1908-1909*. October 2008.

Arlington Historical Society

N.D. Arlington Estate. Electronic document [http://arlingtonhistoricalsociety.org/learn/snapshots/arlington\\_estate.html](http://arlingtonhistoricalsociety.org/learn/snapshots/arlington_estate.html) accessed March 2010.

Bandler, B.G.

1989 *In the Anacostia Watershed*. Vol II, No. 2. Interstate Commission on the Potomac Basin, Rockville, Maryland.

Baist, G.W.

1900-1960 *Baist's Real Estate Atlas of Surveys of Washington, District of Columbia*. Geography and Maps Division, Library of Congress, Washington, D.C.

Bastert A.

1872 Cadastral Topographical Map of N.W. Washington, D.C. A. Peterson and J. Enthoffer, Washington, D.C.

Batzli, Samuel A.

1997 Fort Myer Virginia Historic Landscape Inventory. Prepared for the United States Corps of Engineers.

Bell, William Gardner

1981 *Quarters One: The United States Army Chief of Staff's Residence, Fort Myer, Virginia*. Center of Military History, United States Army, Washington, D.C. 1981.

Boschke, A.

1859 Topographical Map of the District of Columbia surveyed in the years 1856, '57, '58 and '59. Accessed at <http://memory.loc.gov/ammem/browse/ListSome.php?category=Maps>.

Boyd, Varna

1993 *Archaeological Consultation for Building #42, Commissary Sergeant's Quarters, Fort Myer, Virginia*. Prepared for Einhorn Yaffee Prescott, Washington, D.C.

Bromberg, Francine

1987 Site Distribution in the Coastal Plain and Fall Zone of the Potomac Valley from ca. 6500 B.C. to A.D. 1400. M.A. Thesis, The Catholic University of America, Washington, D.C.

Carbone, V.A.

1976 *Environmental Prehistory in the Shenandoah*. Unpublished Ph.D. Dissertation, Catholic University, Washington D.C.

Cauchon, Barry

2009 A Little Touch of History: The Washington D.C. Arsenal Penitentiary.

Clark, W.E.

1980 The Origins of the Piscataway and Related Indian Culutres. *Maryland Historical Magazine* 75(1):8-22.

Cornibert, Stefan

2004 Freedman's Village: A Lost Chapter of Arlington's Black History. Electronic document <http://www.arlingtoncemetery.net/freedman-100104.htm> accessed April 2010.

Deloria, Vine and Jr. and Richard W. Stoffle (editors)

1998 Native American Sacred Sites and the Department of Defense. Rocky Mountain Regional Office, National Park Service. Submitted to U.S. Department of Defense, Department of Defense Legacy Resource Management Program Projects No. 982 and 1308. Electronic document <https://www.denix.osd.mil/denix/Public/ES-Programs/Conservation/Legacy/Sacred/toc.html> accessed December 2005.

Einhorn Yaffee Prescott

1993 *Field Investigation Report: Restoration of Building 42, Fort Myer, Virginia*. Prepared for U.S. Army Corps of Engineers, Baltimore District.

Elliott, John

2009 A Little Touch of History, the Washington D.C. Arsenal Penitentiary. Obtained online at <http://awesometalks.wordpress.com/2009/08/04/the-washington-d-c-arsenal-penitentiary-part-2-of-3/>.

Evans, J.

1978 *Preliminary Archeological Reconnaissance of the Anacostia Force Main, Washington, D.C.* Prepared by the Potomac River Archeology Survey, Department of Anthropology, American University, Washington, D.C. for the Washington Suburban Sanitary Commission.

Feest, C.F.

1978 Nanticoke and Neighboring Tribes. In *Handbook of North American Indians*, Vol. 15: Northeast, edited by B. Trigger, pp. 253-270.

Fitch, James Marston

1972 *American Building, Volume 2: The Environmental Forces That Shaped it*. 2nd edition. Houghton Mifflin Company, Boston, Massachusetts.

Fort Myer Military Community Equal Opportunity Office

N.D. *Fort Myer Buffalo Soldiers*. Unpublished manuscript on file at Arlington Public Library, Central Library, Arlington, Virginia.

Fort Myer Military Community (FMMC)

2008 "Joint Base Myer-Henderson Hall." Electronic document <http://www.fmmc.army.mil/sites/about/history-mcnair.asp> accessed January 2010.

Funk, R. E.

1978 Post Pleistocene Adaptations. In *Handbook of North American Indians. Vol. 15, Northeast*, edited by Bruce Trigger, pp.16-27. Smithsonian Institution, Washington, D.C.

Gamble, Robert, Chris Redburn and Alica Wentworth True

1972 National War College. National Register of Historic Places Inventory – Nomination Form.

Gardner, W.

1974 The Flint Run Complex: Pattern and Process during the Paleo-Indian to Early Archaic. In *The Flint Run Paleo-Indian Complex: A Preliminary Report, 1971-1973 Seasons*, edited by W. Gardner, pp.5-47. Occasional Publication 1, Archaeology Laboratory, Catholic University of America, Washington, D.C.

1978 *A Comparison of Ridge and Valley, Blue Ridge, Piedmont and Coastal Plain Archaic Period Site Distribution, an Idealized Transect*. Paper presented at the Middle Atlantic Archaeological Conference, Rehoboth, Delaware.

Glassford, W.A., Lieutenant

N.D. The Signal Corps. Unpublished history. Electronic document <http://www.history.army.mil/books/R&H/R&H-SC.htm> accessed April 2010.

Goddard, R. H. I.

1978 Delaware. In *Handbook of North American Indians. Vol. 15, Northeast*, edited by Bruce Trigger, pp.213-239. Smithsonian Institution, Washington, D.C.

R. Christopher Goodwin and Associates, Inc. (Goodwin)

1995 National Historic Context for Department of Defense Installations, 1790-1940. Prepared for the U.S. Army Corps of Engineers, Baltimore District.

Grahn, Elna Hilliard

1993 *In the Company of WACs*. Sunflower University Press, Manhattan, Kansas.

Hanbury, Evans, Newill Vlattas & Company

2000 Fort Myer Military Community Integrated Resource Management Plan. Submitted to FMCM DPW Environmental Division, Fort Myer, Virginia.

Harper, J.D., Jr.

2007 *Soil Survey of Arlington County*. USDA Soil Conservation Service, Washington, D.C.

Hitchcock, A.S., and P.C. Standley

1919 Flora of the District of Columbia and Vicinity. *Contributions from the United States National Herbarium* 21:1-329.

Humphrey, R. L., and M.E. Chambers

1985 *Ancient Washington; American Indian Cultures of the Potomac Valley*. George Washington Studies No. 6. Second edition. George Washington University, Washington, D.C.

Johnson, M.F.

1986 *The Prehistory of Fairfax County: An Overview*. Heritage Resources Branch, Falls Church, Virginia.

King, Thomas F., Patricia Hickman, and Gary Berg

1977 *Anthropology in Historic Preservation: Caring for Culture's Clutter*. Academic Press, Inc. New York.

King, Thomas F.

2000 *Federal Planning and Historic Places. The Section 106 Process*. AltaMira Press, Walnut Creek, California.

Kise, Franks and Straw (KSF)

1991 *Fort Myer Cultural Resource Management Plan*. Prepared for the U.S. Army Corps of Engineers, Baltimore District.

1992 *Phase I Archaeological Survey, BRAC Project Areas, Fort Myer, Arlington County, Virginia*. Prepared for the U.S. Army Corps of Engineers, Baltimore District.

1994 *Fort McNair Cultural Resource Management Plan*. Prepared for the U.S. Army Corps of Engineers, Baltimore District. Delivery Order # 0024.

LeeDecker, C., and E. Anderson

1982 *Archaeological Assessment of the Fort McNair Metrobus Garage Facility, Southwest Washington, D.C.* Prepared by Soil Systems, Inc. of Alexandria, Virginia for Skidmore, Owings, & Merrill.

Linderkohl, Charles A

1878 Site of Proposed Base Line, Fort Myer. Geography and Map Division, Library of Congress, Washington, D.C.

Lippson, A.F., N.S. Haire, A.F. Holland, F. Jacobs, J. Jensen, R.L. Moran-Johnson, T.T. Polgar, and W.A. Richkus

1979 *Environmental Atlas of the Potomac Estuary*. Environmental Center, Martin Marietta Corporation.

Mack, F.K.

1966 *Ground Water in Prince George's County*. Maryland Geological Survey, Bulletin 29.

McClellan Phyllis I.

1993 *Silent Sentinel on the Potomac, Fort McNair 1791-1991*. Heritage Books, Inc., Bowie, Maryland.

McKim, Mead, and White

1914 *Monograph of the Work of McKim, Mead, and White 1879-1915*. The Architectural Book Publishing Company, New York.

Morey, William J.

1885 *Map of Fort Myer and Vicinity*. On file at Geography and Map Division, Library of Congress.

National Defense University

n.d. Mission Statement. Electronic document <http://www.ndu.edu/info/mission.cfm> accessed February 2010.

National Park Service (NPS)

1983 Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation (as amended). Electronic document [http://www.cr.nps.gov/history/online\\_books/nps28/28appenc.htm](http://www.cr.nps.gov/history/online_books/nps28/28appenc.htm) accessed November 2009.

1991 National Register Bulletin #38. Guidelines for Evaluating and Documenting Traditional Cultural Properties. U. S. Government Printing Office, Washington, D.C.

2001 *Arlington House, History and Restoration*. Electronic document <http://www.nps.gov/archive/arho/tour/history.html> accessed March 2010.

2005 National Register of Historic Places: National Register Information System, National Register Research database. National Park Service, ParkNet. Electronic document <http://www.cr.nps.gov/NR/research> accessed November 2009.

Netherton, Nan and Ross Netherton

1987 *Arlington County in Virginia: A Pictorial History*. The Donning Company, Norfolk, Virginia.

Obrien, William J.

1935a The Story of the United States Arsenal and Washington Barracks. U.S. Army War College, Washington D.C.

- 1935b “The Washington Arsenal: Historic Landmark of the Nation’s Capital”. *Army Ordnance*. Volume XVI, No. 91.
- Parker, Patricia, and Tom King  
1998 Guidelines for Evaluating and Documenting Traditional Cultural Properties. National Register Bulletin 38, National Park Service, revision of 1992 and 1990 editions. Interagency Resources Division, National Park Service, U.S. Department of the Interior. Electronic document <http://www.cr.nps.gov/nr/publications/bulletins/nrb38/> accessed November 2009.
- Powell, B.  
1966. *Archaeological Base Map, National Capital Region Documentation*. On file, District of Columbia, Office of Planning, Historic Preservation Division.
- Proudfit, S.V.  
1889 Ancient Village Sites and Aboriginal Workshops in the District of Columbia. *American Anthropologist* 2:241-246.  
  
1890 A Collection of Stone Implements from the District of Columbia. *Proceedings of the United State National Museum* 13:187-194.  
  
1923 Aboriginal Occupancy of the District of Columbia. *Records of the Columbia Historical Society* 25:182-193.
- R. Christopher Goodwin and Associates, Inc. (Goodwin)  
1995 National Historic Context for Department of Defense Installations, 1790-1940. Prepared for the U.S. Army Corps of Engineers, Baltimore District.
- Roth, Leland M.  
1993 *International Dictionary of Architects*. St. James Press.
- Smith, H.  
1976 *Soil Survey of District of Columbia*. USDA Soil Conservation Service, Washington, D.C.
- Sorensen, J.D., and J. Evans  
1982 *Preliminary Archeological Reconnaissance of the Capitol Gateway Project*. Prepared by Potomac River Archeology Survey for EDAW Corporation.
- Stewart, T.D., and W.R. Wedel  
1937 The Finding of Two Ossuaries in the Site of the Indian Village of Nacotchtanke (Anacoastia). *Journal of the Washington Academy of Sciences* 27(5):213-219.
- Strum, G.P.  
1900 Map of Alexandria County, Virginia. For the Virginia Title Co. Prepared by Howard and Taylor, Civil and Topographical Engineers.

Swanson, James L. and Daniel R. Weinberg

2008 *Lincoln's Assassins: Their Trial and Execution*. Harper Collins, New York, NY.

Treadwell, Mattie E.

1991 *The Women's Army Corps*. Center for Military History, Washington D.C.

United States Adjutant Generals Office

1865 Proceedings of A Military Commission Convened at Washington D.C for the Trial of the Alleged Conspirators of the Murder of President Abraham Lincoln.

United States Army Corps of Engineers (USACE)

1985a *National Defense University Academic/Library Center, Archeological Investigation of Construction Site*. Letter report, U.S. Army Corps of Engineers, Baltimore District.

1985b *Historical/Archeological Evaluation, Dental Clinic, Ft. McNair*. Letter report, U.S. Army Corps of Engineers, Baltimore District.

1997 Context Study of the United States Quartermaster General Standardized Plans 1866-1942. Prepared by the U.S. Army Corps of Engineers Seattle District Technical Center of Expertise for Preservation of Structures and Buildings, November 1997.

United States Army Environmental Center (USAEC)

1997 Thematic Study and Guidelines: Identification and Evaluation of U.S. Army Cold War Era Military-Industrial Historic Properties. USAEC, Aberdeen Proving Ground, Maryland.

United States Army Quartermaster

1934 Construction Completion Report of Riding Hall, Contract W 6141-qm-64. Record Group 77, Entry 391. National Archives and Records Administration, College Park, Maryland.

1935 Construction Completion Report of Chapel, Contract W 6141-qm-56. Record Group 77, Entry 391. National Archives and Records Administration, College Park, Maryland.

ca. 1941 Engineering Records for Buildings at Fort Myer. On file at the U.S. Army Fort Myer Historian's Office, Building 59.

United States Department of Agriculture (USDA)

1981 Land Resource Regions and Major Land Resource Areas of the United States. USDA Agriculture Handbook 296. USDA Natural Resources Conservation Service (formerly Soil Conservation Service), National Soil Survey Center, Lincoln, Nebraska. Electronic document <http://www.statlab.iastate.edu/soils/MLRAweb/mlra/> accessed December 2009.

Unknown

1963 *The History of Fort Myer, Virginia.*

URS

2004 *Archaeological Resources Management Plan, Fort Myer, Arlington, VA.* Prepared for Fort Myer Military Community, directorate of Public Works and Logistics, Arlington, Virginia.

White, Samuel G and Elizabeth

2003 *McKim, Mead, & White: The Masterworks.* Rizzoli, New York.

United States Department of Agriculture, Natural Resources Conservation Service, Soil Survey Staff (USDA-NRCS)

n.d. "Official Soil Series Descriptions." Electronic document <http://soils.usda.gov/technical/classification/osd/index.html> accessed July 2010.

Virginia Department of Historic Resources (VASHPO)

2009 *Virginia Department of Historic Resources State Collection Management Standards.* Prepared by the Virginia Department of Historic Resources, Richmond, Virginia.

Weeks, Kay D., and Anne E. Grimmer

1995 *The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings.* NPS Cultural Resource Stewardship and Partnerships, Heritage Preservation Services, Washington, D.C.

Wood, Karenne

2008 *The Virginia Indian Heritage Trail.* Virginia Foundation of Humanities and Public Policy, Charlottesville, Virginia.

## **APPENDIX A**

### **ACRONYMS AND ABBREVIATIONS**



## ACRONYMS AND ABBREVIATIONS

AAFES	Army and Air Force Exchange Service
AAFMAA	Army and Air Force Mutual Aid Association
ACHP	Advisory Council on Historic Preservation
AHPA	Archaeological and Historic Preservation Act
AIRFA	American Indian Religious Freedom Act
amsl	above mean sea level
APE	area of potential effect
AR	Army Regulation
ARMP	Archaeological Resources Management Plan
ARPA	Archaeological Resources Protection Act
ASA(M&RA)	Assistant Secretary of the Army, Manpower and Reserve Affairs
BIA	Bureau of Indian Affairs
BRAC	Base Realignment and Closure
CA	Comprehensive Agreement
CEQ	Council on Environmental Quality
CERL	Construction Engineering Research Laboratory
CFR	Code of Federal Regulations
CID	Criminal Investigation Division
CIS	Capital Investment Strategy
CMH	Center of Military History
DCHPO	District of Columbia Historic Preservation Officer
DEH	Directorate of Engineering and Housing
DoA	Department of the Army
DoAF	Department of the Air Force
DoD	Department of Defense
DoDD	Department of Defense Directive
DoDI	Department of Defense Instruction
DPW	Directorate of Public Works
DSS	Data Sharing System
EA	Environmental Assessment
EBS	environmental baseline survey
EIS	Environmental Impact Statement
EO	Executive Order
EPAS	Environmental Performance Assessment System
EPR	Environmental Program Requirements
FGDC	Federal Geographic Data Standards
FNSI	Finding of No Significant Impacts
FR	Federal Register
GIO	Geographic Information Officer
GIS	Geographical Information System
GSA	General Services Administration
HPP	Historic Preservation Plan
HQDA	Headquarters, Department of the Army
HVAC	heating, ventilation, and air conditioning

IADC	Inter-American Defense College
ICRMP	Integrated Cultural Resources Management Plan
IS	Installation Support
ISA	Interservice Support Agreement
HABS	Historic American Buildings Survey
HAER	Historic American Engineering Record
HPP	Historic Preservation Plan
JAG	Judge Advocate General
JBMHH	Joint Base Myer-Henderson Hall
JFHQ-NCR/MDW	Joint Forces Headquarters -National Capitol Region Military District of Washington
JOR	Job Order Request
KFS	Kise, Franks & Straw
LCC	Life Cycle Cost Analysis
LEA	Layaway Economic Analysis
MEDCOM	Medical Command
MOA	Memoranda of Agreement
MWR	Morale, Welfare and Recreation
NAGPRA	Native American Graves Protection and Repatriation Act
NCO	Non-Commissioned Officer
NCPC	National Capital Planning Commission
NCR	National Capital Region
NCSHPO	National Conference of State Historic Preservation Officers
NDU	National Defense University
NEPA	National Environmental Policy Act
NHL	National Historic Landmark
NHPA	National Historic Preservation Act
NOI	Notice of Intent
NPS	National Park Service
NRHP	National Register of Historic Places
NWC	National War College
OMB	Office of Management and Budget
PA	Programmatic Agreement
PAO	Public Affairs Officer
PMOA	Programmatic Memorandum of Agreement
POC	points of contact
PROFIS	professional filler system
RPMP	Real Property Master Plan
SDS	Spatial Data Standards
SIR	savings-investment ratio
SOP	Standard Operating Procedures
SOW	Scope of Work
TCP	Traditional Cultural Property
THPO	Tribal Historic Preservation Officer
UPH	Unaccompanied Personnel Housing
USACE	United States Army Corps of Engineers

USC	United States Code
USCFA	United States Commission of Fine Arts
VDHR	Virginia Department of Historic Resources
VETCOM	Veterinary Command
WAAC	Women's Army Auxiliary Corps
WAC	Women's Army Corps
WPA	Works Progress Administration

[PAGE INTENTIONALLY BLANK]

## **APPENDIX B**

### **GLOSSARY**



## GLOSSARY

This appendix gives brief examples of several key terms and concepts common to cultural resource laws and regulations that are used in this ICRMP. Other terms and concepts are also applicable and are defined in the relevant laws and regulations.

**Adverse Effect:** An undertaking has an adverse effect on a historic property when it diminishes the integrity of the property's location, design, setting, materials, workmanship, feeling, association, or information content. Adverse effects include:

- Physical destruction, damage, or alteration to all or part of the property;
- Isolation of the property from its setting;
- Introduction of elements that alter the setting or that are out of character;
- neglect of a property resulting in its deterioration or destruction; and
- transfer, sale, or lease of a property.

**Advisory Council for Historic Preservation (ACHP):** Established by the NHPA of 1966 to advise the President and Congress, to encourage private and public interest in historic preservation, and to comment on Federal agency action under Section 106 of the NHPA.

**Area of Potential Effect (APE):** The geographic area or areas within which an undertaking may cause changes in the character or use of historic properties, if any such properties exist there. This area always includes the actual site of the undertaking, but may also include other areas where the undertaking will cause changes in land use, traffic patterns, or other aspects that could affect historic properties.

**Council Comment:** The ACHP participates in the Section 106 review process by signing an MOA, by reviewing and commenting on an MOA, or, rarely, if no agreement can be reached and consultation is terminated, by issuing comments directly to the agency head (during the 3 year period 1991-1993, only 14 of 5,958 ACHP cases were terminated).

**Criteria of Effect:** An undertaking has an effect on a historic property when it alters characteristics of the property that qualify the property for inclusion to the NRHP. These characteristics may include a property's location, setting, or use (see Adverse Effect).

**Cultural Resource:** A cultural resource is any place, site, building, or object, or collection of these, that was built or fashioned by people. Fossils and geological specimens that occur naturally are not cultural resources. Ordinarily, cultural resources are defined as more than 50 years old. Not all cultural resources are considered to be significant under the NHPA (see Historic Property). Cultural resources include the following types.

- A *district* is a geographically definable area with a concentration of cultural resource properties that are united by past events, or aesthetically by plan or physical development.

- A *site* is the location of a prehistoric or historic event or occupation, or a structure that contains historical or archeological value.
- A *building* is a structure created to shelter human activities such as a house, jail, church, barn, or factory.
- A *structure* is an engineering edifice designed to aid human activities, such as a road, bridge, or canal.
- An *object* is a moveable artifact of functional, aesthetic, cultural, historic, or scientific value, such as a cannon, a church bell, or a prehistoric basket.

**Cultural Resource Manager (CRM):** As defined by AR 200-4, the Commanding Officer of each Army installation must designate a CRM to coordinate the installation's management of cultural resources. The CRM must coordinate with other installation staff early in the planning of projects and activities that may affect cultural resources. Specific duties are defined by the installation's CRMP and/or by Programmatic Agreement and Memoranda of Agreement.

**Determination of Eligibility:** Under the NHPA, a property is evaluated for eligibility for inclusion to the NRHP by determining if it:

- is associated with significant historical events;
- is associated with significant historical persons;
- embodies the distinctive characteristics of a type, period, or method of construction, or is the work of a master, or has high artistic values; or
- has yielded, or is likely to yield, important information about history or prehistory.

Eligibility must be determined solely on the historical, architectural, cultural, or scientific importance of a property. Management issues and mission requirements may not be considered.

Ordinarily, properties that have achieved significance within the last 50 years are not eligible, unless it is of "exceptional importance." Importantly, an "eligible" property is treated as if it were already listed on the NRHP, and is afforded the same protection as a listed property.

**Historic Property:** As defined by the NHPA, a historic property is any district, site, building, structure, or object that is included in the NRHP or is eligible for inclusion in the NRHP. Historic properties may be associated with either the prehistoric and/or the historic periods. Historic properties include those already listed on the NRHP, *as well as those not yet listed but determined to be eligible.*

**Keeper of the Register:** The individual who has been delegated authority by the National Park Service, on behalf of the Secretary of the Interior, to list properties and to determine their eligibility for the NRHP.

**Memorandum of Agreement (MOA):** A formal agreement containing the results of discussions between the federal agency, the SHPO, the ACHP, and sometimes interested persons. It documents mutual agreement of facts, intentions, procedures, and parameters for future agency actions.

**Mitigation:** Lessening the adverse effects an undertaking may cause to historic properties. The procedures and parameters for mitigation are stipulated in a MOA and can include:

- avoiding the effect altogether by not taking an action or by relocating the action;
- reducing or eliminating the effect over time by preservation and maintenance;
- limiting the magnitude of the undertaking;
- repairing, rehabilitating, or restoring the property;
- recovering and recording information from properties that may be destroyed or damaged; compensating for effect by providing substitute resources.

**National Register Nomination Form:** A legal document submitted to the Keeper of the Register and prepared following the technical requirements of the National Park Service. The form includes data, text maps, and photographs and must be prepared according to standards generally accepted by academic historians, architectural historians, and archeologists.

**National Register of Historic Places (NRHP):** Created by the NHPA, the NRHP is the master inventory of the nation's known historic properties, maintained by the National Park Service on behalf of the Secretary of the Interior. Listings include buildings, districts, structures, sites, objects those possess historic, architectural, engineering, archeological, or cultural significance.

**Programmatic Agreement (PA):** A formal agreement between the federal agency, the SHPO, and sometimes the ACHP to modify and/or replace the Section 106 Consultation process for numerous undertakings in a large or ongoing program.

**Section 106 Consultation:** The procedure for compliance with the NHPA in which the federal agency requests the comments of the SHPO and/or the ACHP when an undertaking may affect a historic property.

**State Historic Preservation Officer (SHPO):** Appointed by the Governor, the SHPO is an official who represents state interests in Section 106 review. In New Jersey, the SHPO is attached to the Department of Environmental Protection, Division of Parks and Forestry, Historic Preservation Office.

**Undertaking:** As defined by the NHPA, an undertaking is any project, action, activity, or program (any elements of these) that is under the direct or indirect jurisdiction of a Federal agency and that has the potential to have an effect on a historic property. Included are construction, rehabilitation, repair projects, demolition, planning, licenses, permits, loans, loan guarantees, grants, Federal property transfers, and many other federal activities.

[PAGE INTENTIONALLY BLANK]

## **APPENDIX C**

### **ARMY REGULATION (AR) 200-1**

AR 200-1 is available at: [http://www.army.mil/usapa/epubs/pdf/r200\\_1.pdf](http://www.army.mil/usapa/epubs/pdf/r200_1.pdf)



**APPENDIX D**

**36 CFR PART 800 -- PROTECTION OF HISTORIC PROPERTIES**



**36 CFR PART 800 -- PROTECTION OF HISTORIC PROPERTIES (incorporating amendments effective August 5, 2004)**

**Subpart A -- Purposes and Participants**

Sec.

800.1 Purposes.

800.2 Participants in the Section 106 process.

**Subpart B -- The Section 106 Process**

800.3 Initiation of the section 106 process.

800.4 Identification of historic properties.

800.5 Assessment of adverse effects.

800.6 Resolution of adverse effects.

800.7 Failure to resolve adverse effects.

800.8 Coordination with the National Environmental Policy act.

800.9 Council review of Section 106 compliance.

800.10 Special requirements for protecting National Historic Landmarks.

800.11 Documentation standards.

800.12 Emergency situations.

800.13 Post-review discoveries.

**Subpart C -- Program Alternatives**

800.14 Federal agency program alternatives.

800.15 Tribal, State and Local Program Alternatives. (Reserved)

800.16 Definitions.

Appendix A – Criteria for Council involvement in reviewing individual section 106 cases

**Authority:** 16 U.S.C. 470s.

**Subpart A-Purposes and Participants**

**§ 800.1 Purposes.**

(a) *Purposes of the section 106 process.* Section 106 of the National Historic Preservation Act requires Federal agencies to take into account the effects of their undertakings on historic properties and afford the Council a reasonable opportunity to comment on such undertakings. The procedures in this part define how Federal agencies meet these statutory responsibilities. The section 106 process seeks to accommodate historic preservation concerns with the needs of Federal undertakings through consultation among the agency official and other parties with an interest in the effects of the undertaking on historic properties, commencing at the early stages of

project planning. The goal of consultation is to identify historic properties potentially affected by the undertaking, assess its effects and seek ways to avoid, minimize or mitigate any adverse effects on historic properties.

(b) *Relation to other provisions of the act.* Section 106 is related to other provisions of the act designed to further the national policy of historic preservation. References to those provisions are included in this part to identify circumstances where they may affect actions taken to meet section 106 requirements. Such provisions may have their own implementing regulations or guidelines and are not intended to be implemented by the procedures in this part except insofar as they relate to the section 106 process. Guidelines, policies and procedures issued by other agencies, including the Secretary, have been cited in this part for ease of access and are not incorporated by reference.

(c) *Timing.* The agency official must complete the section 106 process “prior to the approval of the expenditure of any Federal funds on the undertaking or prior to the issuance of any license.” This does not prohibit agency official from conducting or authorizing nondestructive project planning activities before completing compliance with section 106, provided that such actions do not restrict the subsequent consideration of alternatives to avoid, minimize or mitigate the undertaking's adverse effects on historic properties. The agency official shall ensure that the section 106 process is initiated early in the undertaking's planning, so that a broad range of alternatives may be considered during the planning process for the undertaking.

**§ 800.2 Participants in the Section 106 process.**

(a) *Agency official.* It is the statutory obligation of the Federal agency to fulfill the requirements of section 106 and to ensure that an agency official with jurisdiction over an undertaking takes legal and financial responsibility for section 106 compliance in accordance with subpart B of this part. The agency official has approval authority for the undertaking and can commit the Federal agency to take appropriate action for a specific undertaking as a result of section 106 compliance. For the purposes of subpart C of this part, the agency official has the authority to commit the Federal agency to any obligation it may assume in the

implementation of a program alternative. The agency official may be a State, local, or tribal government official who has been delegated legal responsibility for compliance with section 106 in accordance with Federal law.

(1) *Professional standards.* Section 112(a)(1)(A) of the act requires each Federal agency responsible for the protection of historic resources, including archeological resources, to ensure that all actions taken by employees or contractors of the agency shall meet professional standards under regulations developed by the Secretary.

(2) *Lead Federal agency.* If more than one Federal agency is involved in an undertaking, some or all the agencies may designate a lead Federal agency, which shall identify the appropriate official to serve as the agency official who shall act on their behalf, fulfilling their collective responsibilities under section 106. Those Federal agencies that do not designate a lead Federal agency remain individually responsible for their compliance with this part.

(3) *Use of contractors.* Consistent with applicable conflict of interest laws, the agency official may use the services of applicants, consultants, or designees to prepare information, analyses and recommendations under this part. The agency official remains legally responsible for all required findings and determinations. If a document or study is prepared by a non-Federal party, the agency official is responsible for ensuring that its content meets applicable standards and guidelines.

(4) *Consultation.* The agency official shall involve the consulting parties described in paragraph (c) of this section in findings and determinations made during the section 106 process. The agency official should plan consultations appropriate to the scale of the undertaking and the scope of Federal involvement and coordinated with other requirements of other statutes, as applicable, such as the National Environmental Policy Act, the Native American Graves Protection and Repatriation Act, the American Indian Religious Freedom Act, the Archeological Resources Protection Act and agency-specific legislation. The Council encourages the agency official to use to the extent possible existing agency procedures and mechanisms to fulfill the consultation requirements of this part.

(b) *Council.* The Council issues regulations to implement section 106,

provides guidance and advice on the application of the procedures in this part, and generally oversees the operation of the section 106 process. The Council also consults with and comments to agency officials on individual undertakings and programs that affect historic properties.

(1) *Council entry into the section 106 process.* When the Council determines that its involvement is necessary to ensure that the purposes of section 106 and the act are met, the Council may enter the section 106 process. Criteria guiding Council decisions to enter the section 106 process are found in appendix A to this part. The Council will document that the criteria have been met and notify the parties to the section 106 process as required by this part.

(2) *Council assistance.* Participants in the section 106 process may seek advice, guidance and assistance from the Council on the application of this part to specific undertakings, including the resolution of disagreements, whether or not the Council is formally involved in the review of the undertaking. If questions arise regarding the conduct of the section 106 process, participants are encouraged to obtain the Council's advice on completing the process.

(c) *Consulting parties.* The following parties have consultative roles in the section 106 process.

(1) *State historic preservation officer.*

(i) The State historic preservation officer (SHPO) reflects the interests of the State and its citizens in the preservation of their cultural heritage. In accordance with section 101(b)(3) of the act, the SHPO advises and assists Federal agencies in carrying out their section 106 responsibilities and cooperates with such agencies, local governments and organizations and individuals to ensure that historic properties are taking into consideration at all levels of planning and development.

(ii) If an Indian tribe has assumed the functions of the SHPO in the section 106 process for undertakings on tribal lands, the SHPO shall participate as a consulting party if the undertaking takes place on tribal lands but affects historic properties off tribal lands, if requested in accordance with § 800.3(c)(1), or if the Indian tribe agrees to include the SHPO pursuant to § 800.3(f)(3).

(2) *Indian tribes and Native Hawaiian organizations.*

(i) *Consultation on tribal lands.*

(A) *Tribal historic preservation officer.* For a tribe that has assumed the responsibilities of the SHPO for section 106 on tribal lands under section 101(d)(2) of the act, the tribal historic preservation officer (THPO) appointed or designated in accordance with the act is the official representative for the purposes of section 106. The agency official shall consult with the THPO in lieu of the SHPO regarding undertakings occurring on or affecting historic properties on tribal lands.

(B) *Tribes that have not assumed SHPO functions.* When an Indian tribe has not assumed the responsibilities of the SHPO for section 106 on tribal lands under section 101(d)(2) of the act, the agency official shall consult with a representative designated by such Indian tribe in addition to the SHPO regarding undertakings occurring on or affecting historic properties on its tribal lands. Such Indian tribes have the same rights of consultation and concurrence that the THPOs are given throughout subpart B of this part, except that such consultations shall be in addition to and on the same basis as consultation with the SHPO.

(ii) *Consultation on historic properties of significance to Indian tribes and Native Hawaiian organizations.*

Section 101(d)(6)(B) of the act requires the agency official to consult with any Indian tribe or Native Hawaiian organization that attaches religious and cultural significance to historic properties that may be affected by an undertaking. This requirement applies regardless of the location of the historic property. Such Indian tribe or Native Hawaiian organization shall be a consulting party.

(A) The agency official shall ensure that consultation in the section 106 process provides the Indian tribe or Native Hawaiian organization a reasonable opportunity to identify its concerns about historic properties, advise on the identification and evaluation of historic properties, including those of traditional religious and cultural importance, articulate its views on the undertaking's effects on such properties, and participate in the resolution of adverse effects. It is the responsibility of the agency official to make a reasonable and good faith effort to identify Indian tribes and Native Hawaiian organizations that shall be consulted in the section 106 process. Consultation should commence early in the planning process, in order to identify and discuss relevant

preservation issues and resolve concerns about the confidentiality of information on historic properties.

(B) The Federal Government has a unique legal relationship with Indian tribes set forth in the Constitution of the United States, treaties, statutes, and court decisions. Consultation with Indian tribes should be conducted in a sensitive manner respectful of tribal sovereignty. Nothing in this part alters, amends, repeals, interprets or modifies tribal sovereignty, any treaty rights, or other rights of an Indian tribe, or preempts, modifies or limits the exercise of any such rights.

(C) Consultation with an Indian tribe must recognize the government-to-government relationship between the Federal Government and Indian tribes. The agency official shall consult with representatives designated or identified by the tribal government or the governing body of a Native Hawaiian organization. Consultation with Indian tribes and Native Hawaiian organizations should be conducted in a manner sensitive to the concerns and needs of the Indian tribe or Native Hawaiian organization.

(D) When Indian tribes and Native Hawaiian organizations attach religious and cultural significance to historic properties off tribal lands, section 101(d)(6)(B) of the act requires Federal agencies to consult with such Indian tribes and Native Hawaiian organizations in the section 106 process. Federal agencies should be aware that frequently historic properties of religious and cultural significance are located on ancestral, aboriginal, or ceded lands of Indian tribes and Native Hawaiian organizations and should consider that when complying with the procedures in this part.

(E) An Indian tribe or a Native Hawaiian organization may enter into an agreement with an agency official that specifies how they will carry out responsibilities under this part, including concerns over the confidentiality of information. An agreement may cover all aspects of tribal participation in the section 106 process, provided that no modification may be made in the roles of other parties to the section 106 process without their consent. An agreement may grant the Indian tribe or Native Hawaiian organization additional rights to participate or concur in agency decisions in the section 106 process beyond those specified in subpart B of this part. The agency official shall

provide a copy of any such agreement to the Council and the appropriate SHPOs.

(F) An Indian tribe that has not assumed the responsibilities of the SHPO for section 106 on tribal lands under section 101(d)(2) of the act may notify the agency official in writing that it is waiving its rights under § 800.6(c)(1) to execute a memorandum of agreement.

(3) *Representatives of local governments.* A representative of a local government with jurisdiction over the area in which the effects of an undertaking may occur is entitled to participate as a consulting party. Under other provisions of Federal law, the local government may be authorized to act as the agency official for purposes of section 106.

(4) *Applicants for Federal assistance, permits, licenses and other approvals.* An applicant for Federal assistance or for a Federal permit, license or other approval is entitled to participate as a consulting party as defined in this part. The agency official may authorize an applicant or group of applicants to initiate consultation with the SHPO/THPO and others, but remains legally responsible for all findings and determinations charged to the agency official. The agency official shall notify the SHPO/THPO when an applicant or group of applicants is so authorized. A Federal agency may authorize all applicants in a specific program pursuant to this section by providing notice to all SHPO/THPOs. Federal agencies that provide authorizations to applicants remain responsible for their government to government relationships with Indian tribes.

(5) *Additional consulting parties.* Certain individuals and organizations with a demonstrated interest in the undertaking may participate as consulting parties due to the nature of their legal or economic relation to the undertaking or affected properties, or their concern with the undertaking's effects on historic properties.

(d) *The public.*

(1) *Nature of involvement.* The views of the public are essential to informed Federal decisionmaking in the section 106 process. The agency official shall seek and consider the views of the public in a manner that reflects the nature and complexity of the undertaking and its effects on historic properties, the likely interest of the public in the effects on historic properties, confidentiality concerns of private individuals and businesses, and

the relationship of the Federal involvement to the undertaking.

(2) *Providing notice and information.* The agency official must, except where appropriate to protect confidentiality concerns of affected parties, provide the public with information about an undertaking and its effects on historic properties and seek public comment and input. Members of the public may also provide views on their own initiative for the agency official to consider in decisionmaking.

(3) *Use of agency procedures.* The agency official may use the agency's procedures for public involvement under the National Environmental Policy Act or other program requirements in lieu of public involvement requirements in subpart B of this part, if they provide adequate opportunities for public involvement consistent with this subpart.

#### **Subpart B-The section 106 Process**

##### **§ 800.3 Initiation of the section 106 process.**

(a) *Establish undertaking.* The agency official shall determine whether the proposed Federal action is an undertaking as defined in § 800.16(y) and, if so, whether it is a type of activity that has the potential to cause effects on historic properties.

(1) *No potential to cause effects.* If the undertaking is a type of activity that does not have the potential to cause effects on historic properties, assuming such historic properties were present, the agency official has no further obligations under section 106 or this part.

(2) *Program alternatives.* If the review of the undertaking is governed by a Federal agency program alternative established under § 800.14 or a programmatic agreement in existence before January 11, 2001, the agency official shall follow the program alternative.

(b) *Coordinate with other reviews.* The agency official should coordinate the steps of the section 106 process, as appropriate, with the overall planning schedule for the undertaking and with any reviews required under other authorities such as the National Environmental Policy Act, the Native American Graves Protection and Repatriation Act, the American Indian Religious Freedom Act, the Archeological Resources Protection Act and agency-specific legislation, such as section 4(f) of the Department of

Transportation Act. Where consistent with the procedures in this subpart, the agency official may use information developed for other reviews under Federal, State or tribal law to meet the requirements of section 106.

(c) *Identify the appropriate SHPO and/or THPO.* As part of its initial planning, the agency official shall determine the appropriate SHPO or SHPOs to be involved in the section 106 process. The agency official shall also determine whether the undertaking may occur on or affect historic properties on any tribal lands and, if so, whether a THPO has assumed the duties of the SHPO. The agency official shall then initiate consultation with the appropriate officer or officers.

(1) *Tribal assumption of SHPO responsibilities.* Where an Indian tribe has assumed the section 106 responsibilities of the SHPO on tribal lands pursuant to section 101(d)(2) of the act, consultation for undertakings occurring on tribal land or for effects on tribal land is with the THPO for the Indian tribe in lieu of the SHPO. Section 101(d)(2)(D)(iii) of the act authorizes owners of properties on tribal lands which are neither owned by a member of the tribe nor held in trust by the Secretary for the benefit of the tribe to request the SHPO to participate in the section 106 process in addition to the THPO.

(2) *Undertakings involving more than one State.* If more than one State is involved in an undertaking, the involved SHPOs may agree to designate a lead SHPO to act on their behalf in the section 106 process, including taking actions that would conclude the section 106 process under this subpart.

(3) *Conducting consultation.* The agency official should consult with the SHPO/THPO in a manner appropriate to the agency planning process for the undertaking and to the nature of the undertaking and its effects on historic properties.

(4) *Failure of the SHPO/THPO to respond.* If the SHPO/THPO fails to respond within 30 days of receipt of a request for review of a finding or determination, the agency official may either proceed to the next step in the process based on the finding or determination or consult with the Council in lieu of the SHPO/THPO. If the SHPO/THPO re-enters the section 106 process, the agency official shall continue the consultation without being required to reconsider previous findings or determinations.

(d) *Consultation on tribal lands.*

Where the Indian tribe has not assumed the responsibilities of the SHPO on tribal lands, consultation with the Indian tribe regarding undertakings occurring on such tribe's lands or effects on such tribal lands shall be in addition to and on the same basis as consultation with the SHPO. If the SHPO has withdrawn from the process, the agency official may complete the section 106 process with the Indian tribe and the Council, as appropriate. An Indian tribe may enter into an agreement with a SHPO or SHPOs specifying the SHPO's participation in the section 106 process for undertakings occurring on or affecting historic properties on tribal lands.

(e) *Plan to involve the public.* In consultation with the SHPO/THPO, the agency official shall plan for involving the public in the section 106 process. The agency official shall identify the appropriate points for seeking public input and for notifying the public of proposed actions, consistent with § 800.2(d).

(f) *Identify other consulting parties.* In consultation with the SHPO/THPO, the agency official shall identify any other parties entitled to be consulting parties and invite them to participate as such in the section 106 process. The agency official may invite others to participate as consulting parties as the section 106 process moves forward.

(1) *Involving local governments and applicants.* The agency official shall invite any local governments or applicants that are entitled to be consulting parties under § 800.2(c).

(2) *Involving Indian tribes and Native Hawaiian organizations.* The agency official shall make a reasonable and good faith effort to identify any Indian tribes or Native Hawaiian organizations that might attach religious and cultural significance to historic properties in the area of potential effects and invite them to be consulting parties. Such Indian tribe or Native Hawaiian organization that requests in writing to be a consulting party shall be one.

(3) *Requests to be consulting parties.* The agency official shall consider all written requests of individuals and organizations to participate as consulting parties and, in consultation with the SHPO/THPO and any Indian tribe upon whose tribal lands an undertaking occurs or affects historic properties, determine which should be consulting parties.

(g) *Expediting consultation.* A consultation by the agency official with the SHPO/THPO and other consulting parties may address multiple steps in §§ 800.3 through 800.6 where the agency official and the SHPO/THPO agree it is appropriate as long as the consulting parties and the public have an adequate opportunity to express their views as provided in § 800.2(d).

**§ 800.4 Identification of historic properties.**

(a) *Determine scope of identification efforts.* In consultation with the SHPO/THPO, the agency official shall:

(1) Determine and document the area of potential effects, as defined in § 800.16(d);

(2) Review existing information on historic properties within the area of potential effects, including any data concerning possible historic properties not yet identified;

(3) Seek information, as appropriate, from consulting parties, and other individuals and organizations likely to have knowledge of, or concerns with, historic properties in the area, and identify issues relating to the undertaking's potential effects on historic properties; and

(4) Gather information from any Indian tribe or Native Hawaiian organization identified pursuant to § 800.3(f) to assist in identifying properties, including those located off tribal lands, which may be of religious and cultural significance to them and may be eligible for the National Register, recognizing that an Indian tribe or Native Hawaiian organization may be reluctant to divulge specific information regarding the location, nature, and activities associated with such sites. The agency official should address concerns raised about confidentiality pursuant to § 800.11(c).

(b) *Identify historic properties.* Based on the information gathered under paragraph (a) of this section, and in consultation with the SHPO/THPO and any Indian tribe or Native Hawaiian organization that might attach religious and cultural significance to properties within the area of potential effects, the agency official shall take the steps necessary to identify historic properties within the area of potential effects.

(1) *Level of effort.* The agency official shall make a reasonable and good faith effort to carry out appropriate identification efforts, which may include background research, consultation, oral history interviews,

sample field investigation, and field survey. The agency official shall take into account past planning, research and studies, the magnitude and nature of the undertaking and the degree of Federal involvement, the nature and extent of potential effects on historic properties, and the likely nature and location of historic properties within the area of potential effects. The Secretary's Standards and Guidelines for Identification provide guidance on this subject. The agency official should also consider other applicable professional, State, tribal and local laws, standards and guidelines. The agency official shall take into account any confidentiality concerns raised by Indian tribes or Native Hawaiian organizations during the identification process.

(2) *Phased identification and evaluation.* Where alternatives under consideration consist of corridors or large land areas, or where access to properties is restricted, the agency official may use a phased process to conduct identification and evaluation efforts. The agency official may also defer final identification and evaluation of historic properties if it is specifically provided for in a memorandum of agreement executed pursuant to § 800.6, a programmatic agreement executed pursuant to § 800.14 (b), or the documents used by an agency official to comply with the National Environmental Policy Act pursuant to § 800.8. The process should establish the likely presence of historic properties within the area of potential effects for each alternative or inaccessible area through background research, consultation and an appropriate level of field investigation, taking into account the number of alternatives under consideration, the magnitude of the undertaking and its likely effects, and the views of the SHPO/THPO and any other consulting parties. As specific aspects or locations of an alternative are refined or access is gained, the agency official shall proceed with the identification and evaluation of historic properties in accordance with paragraphs (b)(1) and (c) of this section.

(c) *Evaluate historic significance.*

(1) *Apply National Register criteria.* In consultation with the SHPO/THPO and any Indian tribe or Native Hawaiian organization that attaches religious and cultural significance to identified properties and guided by the Secretary's Standards and Guidelines for Evaluation, the agency official shall

apply the National Register criteria (36 CFR part 63) to properties identified within the area of potential effects that have not been previously evaluated for National Register eligibility. The passage of time, changing perceptions of significance, or incomplete prior evaluations may require the agency official to reevaluate properties previously determined eligible or ineligible. The agency official shall acknowledge that Indian tribes and Native Hawaiian organizations possess special expertise in assessing the eligibility of historic properties that may possess religious and cultural significance to them.

(2) *Determine whether a property is eligible.* If the agency official determines any of the National Register criteria are met and the SHPO/THPO agrees, the property shall be considered eligible for the National Register for section 106 purposes. If the agency official determines the criteria are not met and the SHPO/THPO agrees, the property shall be considered not eligible. If the agency official and the SHPO/THPO do not agree, or if the Council or the Secretary so request, the agency official shall obtain a determination of eligibility from the Secretary pursuant to 36 CFR part 63. If an Indian tribe or Native Hawaiian organization that attaches religious and cultural significance to a property off tribal lands does not agree, it may ask the Council to request the agency official to obtain a determination of eligibility.

(d) *Results of identification and evaluation.*

(1) *No historic properties affected.* If the agency official finds that either there are no historic properties present or there are historic properties present but the undertaking will have no effect upon them as defined in § 800.16(i), the agency official shall provide documentation of this finding, as set forth in § 800.11(d), to the SHPO/THPO. The agency official shall notify all consulting parties, including Indian tribes and Native Hawaiian organizations, and make the documentation available for public inspection prior to approving the undertaking.

(i) If the SHPO/THPO, or the Council if it has entered the section 106 process, does not object within 30 days of receipt of an adequately documented finding, the agency official's responsibilities under section 106 are fulfilled.

(ii) If the SHPO/THPO objects within 30 days of receipt of an adequately documented finding, the agency official shall either consult with the objecting party to resolve the disagreement, or forward the finding and supporting documentation to the Council and request that the Council review the finding pursuant to paragraphs (d)(1)(iv)(A) through (d)(1)(iv)(C) of this section. When an agency official forwards such requests for review to the Council, the agency official shall concurrently notify all consulting parties that such a request has been made and make the request documentation available to the public.

(iii) During the SHPO/THPO 30 day review period, the Council may object to the finding and provide its opinion regarding the finding to the agency official and, if the Council determines the issue warrants it, the head of the agency. A Council decision to provide its opinion to the head of an agency shall be guided by the criteria in appendix A to this part. The agency shall then proceed according to paragraphs (d)(1)(iv)(B) and (d)(1)(iv)(C) of this section.

(iv)(A) Upon receipt of the request under paragraph (d)(1)(ii) of this section, the Council will have 30 days in which to review the finding and provide the agency official and, if the Council determines the issue warrants it, the head of the agency with the Council's opinion regarding the finding. A Council decision to provide its opinion to the head of an agency shall be guided by the criteria in appendix A to this part. If the Council does not respond within 30 days of receipt of the request, the agency official's responsibilities under section 106 are fulfilled.

(B) The person to whom the Council addresses its opinion (the agency official or the head of the agency) shall take into account the Council's opinion before the agency reaches a final decision on the finding.

(C) The person to whom the Council addresses its opinion (the agency official or the head of the agency) shall then prepare a summary of the decision that contains the rationale for the decision and evidence of consideration of the Council's opinion, and provide it to the Council, the SHPO/THPO, and the consulting parties. The head of the agency may delegate his or her duties under this paragraph to the agency's senior policy official. If the agency official's initial finding will be revised, the agency official shall proceed in

accordance with the revised finding. If the final decision of the agency is to affirm the initial agency finding of no historic properties affected, once the summary of the decision has been sent to the Council, the SHPO/THPO, and the consulting parties, the agency official's responsibilities under section 106 are fulfilled.

(D) The Council shall retain a record of agency responses to Council opinions on their findings of no historic properties affected. The Council shall make this information available to the public.

(2) *Historic properties affected.* If the agency official finds that there are historic properties which may be affected by the undertaking, the agency official shall notify all consulting parties, including Indian tribes or Native Hawaiian organizations, invite their views on the effects and assess adverse effects, if any, in accordance with § 800.5.

#### **§ 800.5 Assessment of adverse effects.**

(a) *Apply criteria of adverse effect.* In consultation with the SHPO/THPO and any Indian tribe or Native Hawaiian organization that attaches religious and cultural significance to identified historic properties, the agency official shall apply the criteria of adverse effect to historic properties within the area of potential effects. The agency official shall consider any views concerning such effects which have been provided by consulting parties and the public.

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

(2) *Examples of adverse effects.* Adverse effects on historic properties include, but are not limited to:

(i) Physical destruction of or damage to all or part of the property;

(ii) Alteration of a property, including restoration, rehabilitation, repair, maintenance, stabilization, hazardous material remediation and provision of handicapped access, that is not consistent with the Secretary's Standards for the Treatment of Historic Properties (36 CFR part 68) and applicable guidelines;

(iii) Removal of the property from its historic location;

(iv) Change of the character of the property's use or of physical features within the property's setting that contribute to its historic significance;

(v) Introduction of visual, atmospheric or audible elements that diminish the integrity of the property's significant historic features;

(vi) Neglect of a property which causes its deterioration, except where such neglect and deterioration are recognized qualities of a property of religious and cultural significance to an Indian tribe or Native Hawaiian organization; and

(vii) Transfer, lease, or sale of property out of Federal ownership or control without adequate and legally enforceable restrictions or conditions to ensure long-term preservation of the property's historic significance.

(3) *Phased application of criteria.*

Where alternatives under consideration consist of corridors or large land areas, or where access to properties is restricted, the agency official may use a phased process in applying the criteria of adverse effect consistent with phased identification and evaluation efforts conducted pursuant to § 800.4(b)(2).

(b) *Finding of no adverse effect.* The agency official, in consultation with the SHPO/THPO, may propose a finding of no adverse effect when the undertaking's effects do not meet the criteria of paragraph (a)(1) of this section or the undertaking is modified or conditions are imposed, such as the subsequent review of plans for rehabilitation by the SHPO/THPO to ensure consistency with the Secretary's Standards for the Treatment of Historic Properties (36 CFR part 68) and applicable guidelines, to avoid adverse effects.

(c) *Consulting party review.* If the agency official proposes a finding of no adverse effect, the agency official shall notify all consulting parties of the finding and provide them with the documentation specified in § 800.11(e). The SHPO/THPO shall have 30 days from receipt to review the finding.

(1) *Agreement with, or no objection to, finding.* Unless the Council is reviewing the finding pursuant to paragraph (c)(3) of this section, the agency official may proceed after the close of the 30 day review period if the SHPO/THPO has agreed with the finding or has not provided a response, and no consulting party has objected. The agency official shall then carry out the undertaking in accordance with paragraph (d)(1) of this section.

(2) *Disagreement with finding.*

(i) If within the 30 day review period the SHPO/THPO or any consulting party notifies the agency official in writing that it disagrees with the finding and specifies the reasons for the disagreement in the notification, the agency official shall either consult with the party to resolve the disagreement, or request the Council to review the finding pursuant to paragraphs (c)(3)(i) and (c)(3)(ii) of this section. The agency official shall include with such request the documentation specified in § 800.11(e). The agency official shall also concurrently notify all consulting parties that such a submission has been made and make the submission documentation available to the public.

(ii) If within the 30 day review period the Council provides the agency official and, if the Council determines the issue warrants it, the head of the agency, with a written opinion objecting to the finding, the agency shall then proceed according to paragraph (c)(3)(ii) of this section. A Council decision to provide its opinion to the head of an agency shall be guided by the criteria in appendix A to this part.

(iii) The agency official should seek the concurrence of any Indian tribe or Native Hawaiian organization that has made known to the agency official that it attaches religious and cultural significance to a historic property subject to the finding. If such Indian tribe or Native Hawaiian organization disagrees with the finding, it may within the 30 day review period specify the reasons for disagreeing with the finding and request the Council to review and object to the finding pursuant to paragraph (c)(2)(ii) of this section.

(3) *Council review of findings.*

(i) When a finding is submitted to the Council pursuant to paragraph (c)(2)(i) of this section, the Council shall review the finding and provide the agency official and, if the Council determines the issue warrants it, the head of the agency with its opinion as to whether the adverse effect criteria have

been correctly applied. A Council decision to provide its opinion to the head of an agency shall be guided by the criteria in appendix A to this part. The Council will provide its opinion within 15 days of receiving the documented finding from the agency official. The Council at its discretion may extend that time period for 15 days, in which case it shall notify the agency of such extension prior to the end of the initial 15 day period. If the Council does not respond within the applicable time period, the agency official's responsibilities under section 106 are fulfilled.

(ii)(A) The person to whom the Council addresses its opinion (the agency official or the head of the agency) shall take into account the Council's opinion in reaching a final decision on the finding.

(B) The person to whom the Council addresses its opinion (the agency official or the head of the agency) shall prepare a summary of the decision that contains the rationale for the decision and evidence of consideration of the Council's opinion, and provide it to the Council, the SHPO/THPO, and the consulting parties. The head of the agency may delegate his or her duties under this paragraph to the agency's senior policy official. If the agency official's initial finding will be revised, the agency official shall proceed in accordance with the revised finding. If the final decision of the agency is to affirm the initial finding of no adverse effect, once the summary of the decision has been sent to the Council, the SHPO/THPO, and the consulting parties, the agency official's responsibilities under section 106 are fulfilled.

(C) The Council shall retain a record of agency responses to Council opinions on their findings of no adverse effects. The Council shall make this information available to the public.

(d) *Results of assessment.*

(1) *No adverse effect.* The agency official shall maintain a record of the finding and provide information on the finding to the public on request, consistent with the confidentiality provisions of § 800.11(c). Implementation of the undertaking in accordance with the finding as documented fulfills the agency official's responsibilities under section 106 and this part. If the agency official will not conduct the undertaking as proposed in the finding, the agency official shall reopen consultation under paragraph (a) of this section.

(2) *Adverse effect.* If an adverse effect is found, the agency official shall consult further to resolve the adverse effect pursuant to § 800.6.

**§ 800.6 Resolution of adverse effects.**

(a) *Continue consultation.* The agency official shall consult with the SHPO/THPO and other consulting parties, including Indian tribes and Native Hawaiian organizations, to develop and evaluate alternatives or modifications to the undertaking that could avoid, minimize or mitigate adverse effects on historic properties.

(1) *Notify the Council and determine Council participation.* The agency official shall notify the Council of the adverse effect finding by providing the documentation specified in § 800.11(e).

(i) The notice shall invite the Council to participate in the consultation when:

(A) The agency official wants the Council to participate;

(B) The undertaking has an adverse effect upon a National Historic Landmark; or

(C) A programmatic agreement under § 800.14(b) will be prepared;

(ii) The SHPO/THPO, an Indian tribe or Native Hawaiian organization, or any other consulting party may at any time independently request the Council to participate in the consultation.

(iii) The Council shall advise the agency official and all consulting parties whether it will participate within 15 days of receipt of notice or other request. Prior to entering the process, the Council shall provide written notice to the agency official and the consulting parties that its decision to participate meets the criteria set forth in appendix A to this part. The Council shall also advise the head of the agency of its decision to enter the process. Consultation with Council participation is conducted in accordance with paragraph (b)(2) of this section.

(iv) If the Council does not join the consultation, the agency official shall proceed with consultation in accordance with paragraph (b)(1) of this section.

(2) *Involve consulting parties.* In addition to the consulting parties identified under § 800.3(f), the agency official, the SHPO/THPO and the Council, if participating, may agree to invite other individuals or organizations to become consulting parties. The agency official shall invite any individual or organization that will assume a specific role or responsibility

in a memorandum of agreement to participate as a consulting party.

(3) *Provide documentation.* The agency official shall provide to all consulting parties the documentation specified in § 800.11(e), subject to the confidentiality provisions of § 800.11(c), and such other documentation as may be developed during the consultation to resolve adverse effects.

(4) *Involve the public.* The agency official shall make information available to the public, including the documentation specified in § 800.11(e), subject to the confidentiality provisions of § 800.11(c). The agency official shall provide an opportunity for members of the public to express their views on resolving adverse effects of the undertaking. The agency official should use appropriate mechanisms, taking into account the magnitude of the undertaking and the nature of its effects upon historic properties, the likely effects on historic properties, and the relationship of the Federal involvement to the undertaking to ensure that the public's views are considered in the consultation. The agency official should also consider the extent of notice and information concerning historic preservation issues afforded the public at earlier steps in the section 106 process to determine the appropriate level of public involvement when resolving adverse effects so that the standards of § 800.2(d) are met.

(5) *Restrictions on disclosure of information.* Section 304 of the act and other authorities may limit the disclosure of information under paragraphs (a)(3) and (a)(4) of this section. If an Indian tribe or Native Hawaiian organization objects to the disclosure of information or if the agency official believes that there are other reasons to withhold information, the agency official shall comply with § 800.11(c) regarding the disclosure of such information.

(b) *Resolve adverse effects.*

(1) *Resolution without the Council.*

(i) The agency official shall consult with the SHPO/THPO and other consulting parties to seek ways to avoid, minimize or mitigate the adverse effects.

(ii) The agency official may use standard treatments established by the Council under § 800.14(d) as a basis for a memorandum of agreement.

(iii) If the Council decides to join the consultation, the agency official shall follow paragraph (b)(2) of this section.

(iv) If the agency official and the SHPO/THPO agree on how the adverse

effects will be resolved, they shall execute a memorandum of agreement. The agency official must submit a copy of the executed memorandum of agreement, along with the documentation specified in § 800.11(f), to the Council prior to approving the undertaking in order to meet the requirements of section 106 and this subpart.

(v) If the agency official, and the SHPO/THPO fail to agree on the terms of a memorandum of agreement, the agency official shall request the Council to join the consultation and provide the Council with the documentation set forth in § 800.11(g). If the Council decides to join the consultation, the agency official shall proceed in accordance with paragraph (b)(2) of this section. If the Council decides not to join the consultation, the Council will notify the agency and proceed to comment in accordance with § 800.7(c).

(2) *Resolution with Council participation.* If the Council decides to participate in the consultation, the agency official shall consult with the SHPO/THPO, the Council, and other consulting parties, including Indian tribes and Native Hawaiian organizations under § 800.2(c)(3), to seek ways to avoid, minimize or mitigate the adverse effects. If the agency official, the SHPO/THPO, and the Council agree on how the adverse effects will be resolved, they shall execute a memorandum of agreement.

(c) *Memorandum of agreement.* A memorandum of agreement executed and implemented pursuant to this section evidences the agency official's compliance with section 106 and this part and shall govern the undertaking and all of its parts. The agency official shall ensure that the undertaking is carried out in accordance with the memorandum of agreement.

(1) *Signatories.* The signatories have sole authority to execute, amend or terminate the agreement in accordance with this subpart.

(i) The agency official and the SHPO/THPO are the signatories to a memorandum of agreement executed pursuant to paragraph (b)(1) of this section.

(ii) The agency official, the SHPO/THPO, and the Council are the signatories to a memorandum of agreement executed pursuant to paragraph (b)(2) of this section.

(iii) The agency official and the Council are signatories to a

memorandum of agreement executed pursuant to § 800.7(a)(2).

(2) *Invited signatories.*

(i) The agency official may invite additional parties to be signatories to a memorandum of agreement. Any such party that signs the memorandum of agreement shall have the same rights with regard to seeking amendment or termination of the memorandum of agreement as other signatories.

(ii) The agency official may invite an Indian tribe or Native Hawaiian organization that attaches religious and cultural significance to historic properties located off tribal lands to be a signatory to a memorandum of agreement concerning such properties.

(iii) The agency official should invite any party that assumes a responsibility under a memorandum of agreement to be a signatory.

(iv) The refusal of any party invited to become a signatory to a memorandum of agreement pursuant to paragraph (c)(2) of this section does not invalidate the memorandum of agreement.

(3) *Concurrence by others.* The agency official may invite all consulting parties to concur in the memorandum of agreement. The signatories may agree to invite others to concur. The refusal of any party invited to concur in the memorandum of agreement does not invalidate the memorandum of agreement.

(4) *Reports on implementation.* Where the signatories agree it is appropriate, a memorandum of agreement shall include a provision for monitoring and reporting on its implementation.

(5) *Duration.* A memorandum of agreement shall include provisions for termination and for reconsideration of terms if the undertaking has not been implemented within a specified time.

(6) *Discoveries.* Where the signatories agree it is appropriate, a memorandum of agreement shall include provisions to deal with the subsequent discovery or identification of additional historic properties affected by the undertaking.

(7) *Amendments.* The signatories to a memorandum of agreement may amend it. If the Council was not a signatory to the original agreement and the signatories execute an amended agreement, the agency official shall file it with the Council.

(8) *Termination.* If any signatory determines that the terms of a memorandum of agreement cannot be or are not being carried out, the signatories

shall consult to seek amendment of the agreement. If the agreement is not amended, any signatory may terminate it. The agency official shall either execute a memorandum of agreement with signatories under paragraph (c)(1) of this section or request the comments of the Council under § 800.7(a).

(9) *Copies.* The agency official shall provide each consulting party with a copy of any memorandum of agreement executed pursuant to this subpart.

**§ 800.7 Failure to resolve adverse effects.**

(a) *Termination of consultation.* After consulting to resolve adverse effects pursuant to § 800.6(b)(2), the agency official, the SHPO/THPO, or the Council may determine that further consultation will not be productive and terminate consultation. Any party that terminates consultation shall notify the other consulting parties and provide them the reasons for terminating in writing.

(1) If the agency official terminates consultation, the head of the agency or an Assistant Secretary or other officer with major department-wide or agency-wide responsibilities shall request that the Council comment pursuant to paragraph (c) of this section and shall notify all consulting parties of the request.

(2) If the SHPO terminates consultation, the agency official and the Council may execute a memorandum of agreement without the SHPO's involvement.

(3) If a THPO terminates consultation regarding an undertaking occurring on or affecting historic properties on its tribal lands, the Council shall comment pursuant to paragraph (c) of this section.

(4) If the Council terminates consultation, the Council shall notify the agency official, the agency's Federal preservation officer and all consulting parties of the termination and comment under paragraph (c) of this section. The Council may consult with the agency's Federal preservation officer prior to terminating consultation to seek to resolve issues concerning the undertaking and its effects on historic properties.

(b) *Comments without termination.* The Council may determine that it is appropriate to provide additional advisory comments upon an undertaking for which a memorandum of agreement will be executed. The Council shall provide them to the

agency official when it executes the memorandum of agreement.

(c) *Comments by the Council.*

(1) *Preparation.* The Council shall provide an opportunity for the agency official, all consulting parties, and the public to provide their views within the time frame for developing its comments. Upon request of the Council, the agency official shall provide additional existing information concerning the undertaking and assist the Council in arranging an onsite inspection and an opportunity for public participation.

(2) *Timing.* The Council shall transmit its comments within 45 days of receipt of a request under paragraph (a)(1) or (a)(3) of this section or § 800.8(c)(3), or termination by the Council under § 800.6(b)(1)(v) or paragraph (a)(4) of this section, unless otherwise agreed to by the agency official.

(3) *Transmittal.* The Council shall provide its comments to the head of the agency requesting comment with copies to the agency official, the agency's Federal preservation officer, all consulting parties, and others as appropriate.

(4) *Response to Council comment.* The head of the agency shall take into account the Council's comments in reaching a final decision on the undertaking. Section 110(l) of the act directs that the head of the agency shall document this decision and may not delegate his or her responsibilities pursuant to section 106. Documenting the agency head's decision shall include:

(i) Preparing a summary of the decision that contains the rationale for the decision and evidence of consideration of the Council's comments and providing it to the Council prior to approval of the undertaking;

(ii) Providing a copy of the summary to all consulting parties; and

(iii) Notifying the public and making the record available for public inspection.

**§ 800.8 Coordination With the National Environmental Policy Act.**

(a) *General principles.*

(1) *Early coordination.* Federal agencies are encouraged to coordinate compliance with section 106 and the procedures in this part with any steps taken to meet the requirements of the National Environmental Policy Act (NEPA). Agencies should consider their section 106 responsibilities as early as possible in the NEPA process, and plan

their public participation, analysis, and review in such a way that they can meet the purposes and requirements of both statutes in a timely and efficient manner. The determination of whether an undertaking is a “major Federal action significantly affecting the quality of the human environment,” and therefore requires preparation of an environmental impact statement (EIS) under NEPA, should include consideration of the undertaking's likely effects on historic properties. A finding of adverse effect on a historic property does not necessarily require an EIS under NEPA.

(2) *Consulting party roles.* SHPO/THPOs, Indian tribes and Native Hawaiian organizations, other consulting parties, and organizations and individuals who may be concerned with the possible effects of an agency action on historic properties should be prepared to consult with agencies early in the NEPA process, when the purpose of and need for the proposed action as well as the widest possible range of alternatives are under consideration.

(3) *Inclusion of historic preservation issues.* Agency officials should ensure that preparation of an environmental assessment (EA) and finding of no significant impact (FONSI) or an EIS and record of decision (ROD) includes appropriate scoping, identification of historic properties, assessment of effects upon them, and consultation leading to resolution of any adverse effects.

(b) *Actions categorically excluded under NEPA.* If a project, activity or program is categorically excluded from NEPA review under an agency's NEPA procedures, the agency official shall determine if it still qualifies as an undertaking requiring review under section 106 pursuant to § 800.3(a). If so, the agency official shall proceed with section 106 review in accordance with the procedures in this subpart.

(c) *Use of the NEPA process for section 106 purposes.* An agency official may use the process and documentation required for the preparation of an EA/FONSI or an EIS/ROD to comply with section 106 in lieu of the procedures set forth in §§ 800.3 through 800.6 if the agency official has notified in advance the SHPO/THPO and the Council that it intends to do so and the following standards are met.

(1) *Standards for developing environmental documents to comply with Section 106.* During preparation of the EA or draft EIS (DEIS) the agency official shall:

(i) Identify consulting parties either pursuant to § 800.3(f) or through the NEPA scoping process with results consistent with § 800.3(f);

(ii) Identify historic properties and assess the effects of the undertaking on such properties in a manner consistent with the standards and criteria of §§ 800.4 through 800.5, provided that the scope and timing of these steps may be phased to reflect the agency official's consideration of project alternatives in the NEPA process and the effort is commensurate with the assessment of other environmental factors;

(iii) Consult regarding the effects of the undertaking on historic properties with the SHPO/THPO, Indian tribes and Native Hawaiian organizations that might attach religious and cultural significance to affected historic properties, other consulting parties, and the Council, where appropriate, during NEPA scoping, environmental analysis, and the preparation of NEPA documents;

(iv) Involve the public in accordance with the agency's published NEPA procedures; and

(v) Develop in consultation with identified consulting parties alternatives and proposed measures that might avoid, minimize or mitigate any adverse effects of the undertaking on historic properties and describe them in the EA or DEIS.

(2) *Review of environmental documents.*

(i) The agency official shall submit the EA, DEIS or EIS to the SHPO/THPO, Indian tribes and Native Hawaiian organizations that might attach religious and cultural significance to affected historic properties, and other consulting parties prior to or when making the document available for public comment. If the document being prepared is a DEIS or EIS, the agency official shall also submit it to the Council.

(ii) Prior to or within the time allowed for public comment on the document, a SHPO/THPO, an Indian tribe or Native Hawaiian organization, another consulting party or the Council may object to the agency official that preparation of the EA, DEIS or EIS has not met the standards set forth in paragraph (c)(1) of this section or that the substantive resolution of the effects on historic properties proposed in an EA, DEIS or EIS is inadequate. If the agency official receives such an objection, the agency official shall refer the matter to the Council.

(3) *Resolution of objections.* Within 30 days of the agency official's referral of an objection under paragraph (c)(2)(ii) of this section, the Council shall review the objection and notify the agency as to its opinion on the objection.

(i) If the Council agrees with the objection:

(A) The Council shall provide the agency official and, if the Council determines the issue warrants it, the head of the agency with the Council's opinion regarding the objection. A Council decision to provide its opinion to the head of an agency shall be guided by the criteria in appendix A to this part. The person to whom the Council addresses its opinion (the agency official or the head of the agency) shall take into account the Council's opinion in reaching a final decision on the issue of the objection.

(B) The person to whom the Council addresses its opinion (the agency official or the head of the agency) shall prepare a summary of the decision that contains the rationale for the decision and evidence of consideration of the Council's opinion, and provide it to the Council. The head of the agency may delegate his or her duties under this paragraph to the agency's senior Policy Official. If the agency official's initial decision regarding the matter that is the subject of the objection will be revised, the agency official shall proceed in accordance with the revised decision. If the final decision of the agency is to affirm the initial agency decision, once the summary of the final decision has been sent to the Council, the agency official shall continue its compliance with this section.

(ii) If the Council disagrees with the objection, the Council shall so notify the agency official, in which case the agency official shall continue its compliance with this section.

(iii) If the Council fails to respond to the objection within the 30 day period, the agency official shall continue its compliance with this section.

(4) *Approval of the undertaking.* If the agency official has found, during the preparation of an EA or EIS that the effects of an undertaking on historic properties are adverse, the agency official shall develop measures in the EA, DEIS, or EIS to avoid, minimize, or mitigate such effects in accordance with paragraph (c)(1)(v) of this section. The agency official's responsibilities under section 106 and the procedures in this

subpart shall then be satisfied when either:

- (i) a binding commitment to such proposed measures is incorporated in
  - (A) the ROD, if such measures were proposed in a DEIS or EIS; or
  - (B) an MOA drafted in compliance with § 800.6(c); or
- (ii) the Council has commented under § 800.7 and received the agency's response to such comments.

(5) *Modification of the undertaking.* If the undertaking is modified after approval of the FONSI or the ROD in a manner that changes the undertaking or alters its effects on historic properties, or if the agency official fails to ensure that the measures to avoid, minimize or mitigate adverse effects (as specified in either the FONSI or the ROD, or in the binding commitment adopted pursuant to paragraph (c)(4) of this section) are carried out, the agency official shall notify the Council and all consulting parties that supplemental environmental documents will be prepared in compliance with NEPA or that the procedures in §§ 800.3 through 800.6 will be followed as necessary.

#### **§ 800.9 Council review of section 106 compliance.**

(a) *Assessment of agency official compliance for individual undertakings.* The Council may provide to the agency official its advisory opinion regarding the substance of any finding, determination or decision or regarding the adequacy of the agency official's compliance with the procedures under this part. The Council may provide such advice at any time at the request of any individual, agency or organization or on its own initiative. The agency official shall consider the views of the Council in reaching a decision on the matter in question.

(b) *Agency foreclosure of the Council's opportunity to comment.* Where an agency official has failed to complete the requirements of section 106 in accordance with the procedures in this part prior to the approval of an undertaking, the Council's opportunity to comment may be foreclosed. The Council may review a case to determine whether a foreclosure has occurred. The Council shall notify the agency official and the agency's Federal preservation officer and allow 30 days for the agency official to provide information as to whether foreclosure has occurred. If the Council determines foreclosure has occurred, the Council shall transmit the determination to the

agency official and the head of the agency. The Council shall also make the determination available to the public and any parties known to be interested in the undertaking and its effects upon historic properties.

(c) *Intentional adverse effects by applicants.*

(1) *Agency responsibility.* Section 110(k) of the act prohibits a Federal agency from granting a loan, loan guarantee, permit, license or other assistance to an applicant who, with intent to avoid the requirements of section 106, has intentionally significantly adversely affected a historic property to which the grant would relate, or having legal power to prevent it, has allowed such significant adverse effect to occur, unless the agency, after consultation with the Council, determines that circumstances justify granting such assistance despite the adverse effect created or permitted by the applicant. Guidance issued by the Secretary pursuant to section 110 of the act governs its implementation.

(2) *Consultation with the Council.* When an agency official determines, based on the actions of an applicant, that section 110(k) is applicable and that circumstances may justify granting the assistance, the agency official shall notify the Council and provide documentation specifying the circumstances under which the adverse effects to the historic property occurred and the degree of damage to the integrity of the property. This documentation shall include any views obtained from the applicant, SHPO/THPO, an Indian tribe if the undertaking occurs on or affects historic properties on tribal lands, and other parties known to be interested in the undertaking.

(i) Within thirty days of receiving the agency official's notification, unless otherwise agreed to by the agency official, the Council shall provide the agency official with its opinion as to whether circumstances justify granting assistance to the applicant and any possible mitigation of the adverse effects.

(ii) The agency official shall consider the Council's opinion in making a decision on whether to grant assistance to the applicant, and shall notify the Council, the SHPO/THPO, and other parties known to be interested in the undertaking prior to granting the assistance.

(3) *Compliance with Section 106.* If an agency official, after consulting with

the Council, determines to grant the assistance, the agency official shall comply with §§ 800.3 through 800.6 to take into account the effects of the undertaking on any historic properties.

(d) *Evaluation of Section 106 operations.* The Council may evaluate the operation of the section 106 process by periodic reviews of how participants have fulfilled their legal responsibilities and how effectively the outcomes reached advance the purposes of the act.

(1) *Information from participants.* Section 203 of the act authorizes the Council to obtain information from Federal agencies necessary to conduct evaluation of the section 106 process. The agency official shall make documentation of agency policies, operating procedures and actions taken to comply with section 106 available to the Council upon request. The Council may request available information and documentation from other participants in the section 106 process.

(2) *Improving the operation of section 106.* Based upon any evaluation of the section 106 process, the Council may make recommendations to participants, the heads of Federal agencies, and the Secretary of actions to improve the efficiency and effectiveness of the process. Where the Council determines that an agency official or a SHPO/THPO has failed to properly carry out the responsibilities assigned under the process in this part, the Council may participate in individual case reviews conducted under such process in addition to the SHPO/THPO for such period that it determines is necessary to improve performance or correct deficiencies. If the Council finds a pattern of failure by a Federal agency in carrying out its responsibilities under section 106, the Council may review the policies and programs of the agency related to historic preservation pursuant to section 202(a)(6) of the act and recommend methods to improve the effectiveness, coordination, and consistency of those policies and programs with section 106.

#### **§ 800.10 Special requirements for protecting National Historic Landmarks.**

(a) *Statutory requirement.* Section 110(f) of the act requires that the agency official, to the maximum extent possible, undertake such planning and actions as may be necessary to minimize harm to any National Historic Landmark that may be directly and adversely affected by an undertaking. When

commenting on such undertakings, the Council shall use the process set forth in §§ 800.6 through 800.7 and give special consideration to protecting National Historic Landmarks as specified in this section.

(b) *Resolution of adverse effects.* The agency official shall request the Council to participate in any consultation to resolve adverse effects on National Historic Landmarks conducted under § 800.6.

(c) *Involvement of the Secretary.* The agency official shall notify the Secretary of any consultation involving a National Historic Landmark and invite the Secretary to participate in the consultation where there may be an adverse effect. The Council may request a report from the Secretary under section 213 of the act to assist in the consultation.

(d) *Report of outcome.* When the Council participates in consultation under this section, it shall report the outcome of the section 106 process, providing its written comments or any memoranda of agreement to which it is a signatory, to the Secretary and the head of the agency responsible for the undertaking.

#### **§ 800.11 Documentation standards.**

(a) *Adequacy of documentation.* The agency official shall ensure that a determination, finding, or agreement under the procedures in this subpart is supported by sufficient documentation to enable any reviewing parties to understand its basis. The agency official shall provide such documentation to the extent permitted by law and within available funds. When an agency official is conducting phased identification or evaluation under this subpart, the documentation standards regarding description of historic properties may be applied flexibly. If the Council, or the SHPO/THPO when the Council is not involved, determines the applicable documentation standards are not met, the Council or the SHPO/THPO, as appropriate, shall notify the agency official and specify the information needed to meet the standard. At the request of the agency official or any of the consulting parties, the Council shall review any disputes over whether documentation standards are met and provide its views to the agency official and the consulting parties.

(b) *Format.* The agency official may use documentation prepared to comply with other laws to fulfill the

requirements of the procedures in this subpart, if that documentation meets the standards of this section.

#### *(c) Confidentiality.*

(1) *Authority to withhold information.* Section 304 of the act provides that the head of a Federal agency or other public official receiving grant assistance pursuant to the act, after consultation with the Secretary, shall withhold from public disclosure information about the location, character, or ownership of a historic property when disclosure may cause a significant invasion of privacy; risk harm to the historic property; or impede the use of a traditional religious site by practitioners. When the head of a Federal agency or other public official has determined that information should be withheld from the public pursuant to these criteria, the Secretary, in consultation with such Federal agency head or official, shall determine who may have access to the information for the purposes of carrying out the act.

#### *(2) Consultation with the Council.*

When the information in question has been developed in the course of an agency's compliance with this part, the Secretary shall consult with the Council in reaching determinations on the withholding and release of information. The Federal agency shall provide the Council with available information, including views of the SHPO/THPO, Indian tribes and Native Hawaiian organizations, related to the confidentiality concern. The Council shall advise the Secretary and the Federal agency within 30 days of receipt of adequate documentation.

(3) *Other authorities affecting confidentiality.* Other Federal laws and program requirements may limit public access to information concerning an undertaking and its effects on historic properties. Where applicable, those authorities shall govern public access to information developed in the section 106 process and may authorize the agency official to protect the privacy of non-governmental applicants.

(d) *Finding of no historic properties affected.* Documentation shall include:

(1) A description of the undertaking, specifying the Federal involvement, and its area of potential effects, including photographs, maps, drawings, as necessary;

(2) A description of the steps taken to identify historic properties, including, as appropriate, efforts to seek information pursuant to § 800.4(b); and

(3) The basis for determining that no historic properties are present or affected.

(e) *Finding of no adverse effect or adverse effect.* Documentation shall include:

(1) A description of the undertaking, specifying the Federal involvement, and its area of potential effects, including photographs, maps, and drawings, as necessary;

(2) A description of the steps taken to identify historic properties;

(3) A description of the affected historic properties, including information on the characteristics that qualify them for the National Register;

(4) A description of the undertaking's effects on historic properties;

(5) An explanation of why the criteria of adverse effect were found applicable or inapplicable, including any conditions or future actions to avoid, minimize or mitigate adverse effects; and

(6) Copies or summaries of any views provided by consulting parties and the public.

#### *(f) Memorandum of agreement.*

When a memorandum of agreement is filed with the Council, the documentation shall include, any substantive revisions or additions to the documentation provided the Council pursuant to § 800.6(a)(1), an evaluation of any measures considered to avoid or minimize the undertaking's adverse effects and a summary of the views of consulting parties and the public.

(g) *Requests for comment without a memorandum of agreement.* Documentation shall include:

(1) A description and evaluation of any alternatives or mitigation measures that the agency official proposes to resolve the undertaking's adverse effects;

(2) A description of any reasonable alternatives or mitigation measures that were considered but not chosen, and the reasons for their rejection;

(3) Copies or summaries of any views submitted to the agency official concerning the adverse effects of the undertaking on historic properties and alternatives to reduce or avoid those effects; and

(4) Any substantive revisions or additions to the documentation provided the Council pursuant to § 800.6(a)(1).

#### **§ 800.12 Emergency situations.**

(a) *Agency procedures.* The agency official, in consultation with the appropriate SHPOs/THPOs, affected Indian tribes and Native Hawaiian organizations, and the Council, is encouraged to develop procedures for taking historic properties into account during operations which respond to a disaster or emergency declared by the President, a tribal government, or the Governor of a State or which respond to other immediate threats to life or property. If approved by the Council, the procedures shall govern the agency's historic preservation responsibilities during any disaster or emergency in lieu of §§ 800.3 through 800.6.

(b) *Alternatives to agency procedures.* In the event an agency official proposes an emergency undertaking as an essential and immediate response to a disaster or emergency declared by the President, a tribal government, or the Governor of a State or another immediate threat to life or property, and the agency has not developed procedures pursuant to paragraph (a) of this section, the agency official may comply with section 106 by:

(1) Following a programmatic agreement developed pursuant to § 800.14(b) that contains specific provisions for dealing with historic properties in emergency situations; or

(2) Notifying the Council, the appropriate SHPO/THPO and any Indian tribe or Native Hawaiian organization that may attach religious and cultural significance to historic properties likely to be affected prior to the undertaking and affording them an opportunity to comment within seven days of notification. If the agency official determines that circumstances do not permit seven days for comment, the agency official shall notify the Council, the SHPO/THPO and the Indian tribe or Native Hawaiian organization and invite any comments within the time available.

(c) *Local governments responsible for section 106 compliance.* When a local government official serves as the agency official for section 106 compliance, paragraphs (a) and (b) of this section also apply to an imminent threat to public health or safety as a result of a natural disaster or emergency declared by a local government's chief executive officer or legislative body, provided that if the Council or SHPO/THPO objects to the proposed action within seven days, the agency official shall comply with §§ 800.3 through 800.6.

(d) *Applicability.* This section applies only to undertakings that will be implemented within 30 days after the disaster or emergency has been formally declared by the appropriate authority. An agency may request an extension of the period of applicability from the Council prior to the expiration of the 30 days. Immediate rescue and salvage operations conducted to preserve life or property are exempt from the provisions of section 106 and this part.

#### **§ 800.13 Post-review discoveries.**

(a) *Planning for subsequent discoveries.*

(1) *Using a programmatic agreement.* An agency official may develop a programmatic agreement pursuant to § 800.14(b) to govern the actions to be taken when historic properties are discovered during the implementation of an undertaking.

(2) *Using agreement documents.* When the agency official's identification efforts in accordance with § 800.4 indicate that historic properties are likely to be discovered during implementation of an undertaking and no programmatic agreement has been developed pursuant to paragraph (a)(1) of this section, the agency official shall include in any finding of no adverse effect or memorandum of agreement a process to resolve any adverse effects upon such properties. Actions in conformance with the process satisfy the agency official's responsibilities under section 106 and this part.

(b) *Discoveries without prior planning.* If historic properties are discovered or unanticipated effects on historic properties found after the agency official has completed the section 106 process without establishing a process under paragraph (a) of this section, the agency official shall make reasonable efforts to avoid, minimize or mitigate adverse effects to such properties and:

(1) If the agency official has not approved the undertaking or if construction on an approved undertaking has not commenced, consult to resolve adverse effects pursuant to § 800.6; or

(2) If the agency official, the SHPO/THPO and any Indian tribe or Native Hawaiian organization that might attach religious and cultural significance to the affected property agree that such property is of value solely for its scientific, prehistoric, historic or archeological data, the agency official may comply with the

Archeological and Historic Preservation Act instead of the procedures in this part and provide the Council, the SHPO/THPO, and the Indian tribe or Native Hawaiian organization with a report on the actions within a reasonable time after they are completed; or

(3) If the agency official has approved the undertaking and construction has commenced, determine actions that the agency official can take to resolve adverse effects, and notify the SHPO/THPO, any Indian tribe or Native Hawaiian organization that might attach religious and cultural significance to the affected property, and the Council within 48 hours of the discovery. The notification shall describe the agency official's assessment of National Register eligibility of the property and proposed actions to resolve the adverse effects. The SHPO/THPO, the Indian tribe or Native Hawaiian organization and the Council shall respond within 48 hours of the notification. The agency official shall take into account their recommendations regarding National Register eligibility and proposed actions, and then carry out appropriate actions. The agency official shall provide the SHPO/THPO, the Indian tribe or Native Hawaiian organization and the Council a report of the actions when they are completed.

(c) *Eligibility of properties.* The agency official, in consultation with the SHPO/THPO, may assume a newly-discovered property to be eligible for the National Register for purposes of section 106. The agency official shall specify the National Register criteria used to assume the property's eligibility so that information can be used in the resolution of adverse effects.

(d) *Discoveries on tribal lands.* If historic properties are discovered on tribal lands, or there are unanticipated effects on historic properties found on tribal lands, after the agency official has completed the section 106 process without establishing a process under paragraph (a) of this section and construction has commenced, the agency official shall comply with applicable tribal regulations and procedures and obtain the concurrence of the Indian tribe on the proposed action.

#### **Subpart C-Program Alternatives**

##### **§ 800.14 Federal agency program alternatives.**

(a) *Alternate procedures.* An agency official may develop procedures to implement section 106 and substitute them for all or part of subpart B of this part if they are consistent with the Council's regulations pursuant to section 110(a)(2)(E) of the act.

(1) *Development of procedures.* The agency official shall consult with the Council, the National Conference of State Historic Preservation Officers or individual SHPO/THPOs, as appropriate, and Indian tribes and Native Hawaiian organizations, as specified in paragraph (f) of this section, in the development of alternate procedures, publish notice of the availability of proposed alternate procedures in the Federal Register and take other appropriate steps to seek public input during the development of alternate procedures.

(2) *Council review.* The agency official shall submit the proposed alternate procedures to the Council for a 60-day review period. If the Council finds the procedures to be consistent with this part, it shall notify the agency official and the agency official may adopt them as final alternate procedures.

(3) *Notice.* The agency official shall notify the parties with which it has consulted and publish notice of final alternate procedures in the Federal Register.

(4) *Legal effect.* Alternate procedures adopted pursuant to this subpart substitute for the Council's regulations for the purposes of the agency's compliance with section 106, except that where an Indian tribe has entered into an agreement with the Council to substitute tribal historic preservation regulations for the Council's regulations under section 101(d)(5) of the act, the agency shall follow those regulations in lieu of the agency's procedures regarding undertakings on tribal lands. Prior to the Council entering into such agreements, the Council will provide Federal agencies notice and opportunity to comment on the proposed substitute tribal regulations.

(b) *Programmatic agreements.* The Council and the agency official may negotiate a programmatic agreement to govern the implementation of a particular program or the resolution of adverse effects from certain complex project situations or multiple undertakings.

(1) *Use of programmatic agreements.* A programmatic agreement may be used:

(i) When effects on historic properties are similar and repetitive or are multi-State or regional in scope;

(ii) When effects on historic properties cannot be fully determined prior to approval of an undertaking;

(iii) When nonfederal parties are delegated major decisionmaking responsibilities;

(iv) Where routine management activities are undertaken at Federal installations, facilities, or other land-management units; or

(v) Where other circumstances warrant a departure from the normal section 106 process.

(2) *Developing programmatic agreements for agency programs.*

(i) The consultation shall involve, as appropriate, SHPO/THPOs, the National Conference of State Historic Preservation Officers (NCSHPO), Indian tribes and Native Hawaiian organizations, other Federal agencies, and members of the public. If the programmatic agreement has the potential to affect historic properties on tribal lands or historic properties of religious and cultural significance to an Indian tribe or Native Hawaiian organization, the agency official shall also follow paragraph (f) of this section.

(ii) *Public Participation.* The agency official shall arrange for public participation appropriate to the subject matter and the scope of the program and in accordance with subpart A of this part. The agency official shall consider the nature of the program and its likely effects on historic properties and take steps to involve the individuals, organizations and entities likely to be interested.

(iii) *Effect.* The programmatic agreement shall take effect when executed by the Council, the agency official and the appropriate SHPOs/THPOs when the programmatic agreement concerns a specific region or the president of NCSHPO when NCSHPO has participated in the consultation. A programmatic agreement shall take effect on tribal lands only when the THPO, Indian tribe or a designated representative of the tribe is a signatory to the agreement. Compliance with the procedures established by an approved programmatic agreement satisfies the agency's section 106 responsibilities for all individual undertakings of the program covered by the agreement until

it expires or is terminated by the agency, the president of NCSHPO when a signatory, or the Council. Termination by an individual SHPO/THPO shall only terminate the application of a regional programmatic agreement within the jurisdiction of the SHPO/THPO. If a THPO assumes the responsibilities of a SHPO pursuant to section 101(d)(2) of the act and the SHPO is signatory to programmatic agreement, the THPO assumes the role of a signatory, including the right to terminate a regional programmatic agreement on lands under the jurisdiction of the tribe.

(iv) *Notice.* The agency official shall notify the parties with which it has consulted that a programmatic agreement has been executed under paragraph (b) of this section, provide appropriate public notice before it takes effect, and make any internal agency procedures implementing the agreement readily available to the Council, SHPO/THPOs, and the public.

(v) If the Council determines that the terms of a programmatic agreement are not being carried out, or if such an agreement is terminated, the agency official shall comply with subpart B of this part with regard to individual undertakings of the program covered by the agreement.

(3) *Developing programmatic agreements for complex or multiple undertakings.* Consultation to develop a programmatic agreement for dealing with the potential adverse effects of complex projects or multiple undertakings shall follow § 800.6. If consultation pertains to an activity involving multiple undertakings and the parties fail to reach agreement, then the agency official shall comply with the provisions of subpart B of this part for each individual undertaking.

(4) *Prototype programmatic agreements.* The Council may designate an agreement document as a prototype programmatic agreement that may be used for the same type of program or undertaking in more than one case or area. When an agency official uses such a prototype programmatic agreement, the agency official may develop and execute the agreement with the appropriate SHPO/THPO and the agreement shall become final without need for Council participation in consultation or Council signature.

(c) *Exempted categories.*

(1) *Criteria for establishing.* The Council or an agency official may propose a program or category of undertakings that may be exempted

from review under the provisions of subpart B of this part, if the program or category meets the following criteria:

- (i) The actions within the program or category would otherwise qualify as "undertakings" as defined in § 800.16;
- (ii) The potential effects of the undertakings within the program or category upon historic properties are foreseeable and likely to be minimal or not adverse; and
- (iii) Exemption of the program or category is consistent with the purposes of the act.

(2) *Public participation.* The proponent of the exemption shall arrange for public participation appropriate to the subject matter and the scope of the exemption and in accordance with the standards in subpart A of this part. The proponent of the exemption shall consider the nature of the exemption and its likely effects on historic properties and take steps to involve individuals, organizations and entities likely to be interested.

(3) *Consultation with SHPOs/THPOs.* The proponent of the exemption shall notify and consider the views of the SHPOs/THPOs on the exemption.

(4) *Consultation with Indian tribes and Native Hawaiian organizations.* If the exempted program or category of undertakings has the potential to affect historic properties on tribal lands or historic properties of religious and cultural significance to an Indian tribe or Native Hawaiian organization, the Council shall follow the requirements for the agency official set forth in paragraph (f) of this section.

(5) *Council review of proposed exemptions.* The Council shall review an exemption proposal that is supported by documentation describing the program or category for which the exemption is sought, demonstrating that the criteria of paragraph (c)(1) of this section have been met, describing the methods used to seek the views of the public, and summarizing any views submitted by the SHPO/THPOs, the public, and any others consulted. Unless it requests further information, the Council shall approve or reject the proposed exemption within 30 days of receipt, and thereafter notify the relevant agency official and SHPO/THPOs of the decision. The decision shall be based on the consistency of the exemption with the purposes of the act, taking into consideration the magnitude of the exempted undertaking or program and the likelihood of impairment of historic

properties in accordance with section 214 of the act.

(6) *Legal consequences.* Any undertaking that falls within an approved exempted program or category shall require no further review pursuant to subpart B of this part, unless the agency official or the Council determines that there are circumstances under which the normally excluded undertaking should be reviewed under subpart B of this part.

(7) *Termination.* The Council may terminate an exemption at the request of the agency official or when the Council determines that the exemption no longer meets the criteria of paragraph (c)(1) of this section. The Council shall notify the agency official 30 days before termination becomes effective.

(8) *Notice.* The proponent of the exemption shall publish notice of any approved exemption in the Federal Register.

(d) *Standard treatments.*

(1) *Establishment.* The Council, on its own initiative or at the request of another party, may establish standard methods for the treatment of a category of historic properties, a category of undertakings, or a category of effects on historic properties to assist Federal agencies in satisfying the requirements of subpart B of this part. The Council shall publish notice of standard treatments in the Federal Register.

(2) *Public participation.* The Council shall arrange for public participation appropriate to the subject matter and the scope of the standard treatment and consistent with subpart A of this part. The Council shall consider the nature of the standard treatment and its likely effects on historic properties and the individuals, organizations and entities likely to be interested. Where an agency official has proposed a standard treatment, the Council may request the agency official to arrange for public involvement.

(3) *Consultation with SHPOs/THPOs.* The Council shall notify and consider the views of SHPOs/THPOs on the proposed standard treatment.

(4) *Consultation with Indian tribes and Native Hawaiian organizations.* If the proposed standard treatment has the potential to affect historic properties on tribal lands or historic properties of religious and cultural significance to an Indian tribe or Native Hawaiian organization, the Council shall follow the requirements for the agency official set forth in paragraph (f) of this section.

(5) *Termination.* The Council may terminate a standard treatment by publication of a notice in the Federal Register 30 days before the termination takes effect.

(e) *Program comments.* An agency official may request the Council to comment on a category of undertakings in lieu of conducting individual reviews under §§ 800.4 through 800.6. The Council may provide program comments at its own initiative.

(1) *Agency request.* The agency official shall identify the category of undertakings, specify the likely effects on historic properties, specify the steps the agency official will take to ensure that the effects are taken into account, identify the time period for which the comment is requested and summarize any views submitted by the public.

(2) *Public participation.* The agency official shall arrange for public participation appropriate to the subject matter and the scope of the category and in accordance with the standards in subpart A of this part. The agency official shall consider the nature of the undertakings and their likely effects on historic properties and the individuals, organizations and entities likely to be interested.

(3) *Consultation with SHPOs/THPOs.* The Council shall notify and consider the views of SHPOs/THPOs on the proposed program comment.

(4) *Consultation with Indian tribes and Native Hawaiian organizations.* If the program comment has the potential to affect historic properties on tribal lands or historic properties of religious and cultural significance to an Indian tribe or Native Hawaiian organization, the Council shall follow the requirements for the agency official set forth in paragraph (f) of this section.

(5) *Council action.* Unless the Council requests additional documentation, notifies the agency official that it will decline to comment, or obtains the consent of the agency official to extend the period for providing comment, the Council shall comment to the agency official within 45 days of the request.

(i) If the Council comments, the agency official shall take into account the comments of the Council in carrying out the undertakings within the category and publish notice in the Federal Register of the Council's comments and steps the agency will take to ensure that effects to historic properties are taken into account.

(ii) If the Council declines to comment, the agency official shall continue to comply with the requirements of §§ 800.3 through 800.6 for the individual undertakings.

(6) *Withdrawal of comment.* If the Council determines that the consideration of historic properties is not being carried out in a manner consistent with the program comment, the Council may withdraw the comment and the agency official shall comply with the requirements of §§ 800.3 through 800.6 for the individual undertakings.

(f) *Consultation with Indian tribes and Native Hawaiian organizations when developing program alternatives.* Whenever an agency official proposes a program alternative pursuant to paragraphs (a) through (e) of this section, the agency official shall ensure that development of the program alternative includes appropriate government-to-government consultation with affected Indian tribes and consultation with affected Native Hawaiian organizations.

(1) *Identifying affected Indian tribes and Native Hawaiian organizations.* If any undertaking covered by a proposed program alternative has the potential to affect historic properties on tribal lands, the agency official shall identify and consult with the Indian tribes having jurisdiction over such lands. If a proposed program alternative has the potential to affect historic properties of religious and cultural significance to an Indian tribe or a Native Hawaiian organization which are located off tribal lands, the agency official shall identify those Indian tribes and Native Hawaiian organizations that might attach religious and cultural significance to such properties and consult with them. When a proposed program alternative has nationwide applicability, the agency official shall identify an appropriate government to government consultation with Indian tribes and consult with Native Hawaiian organizations in accordance with existing Executive orders, Presidential memoranda and applicable provisions of law.

(2) *Results of consultation.* The agency official shall provide summaries of the views, along with copies of any written comments, provided by affected Indian tribes and Native Hawaiian organizations to the Council as part of the documentation for the proposed program alternative. The agency official and the Council shall take those views

into account in reaching a final decision on the proposed program alternative.

#### **§ 800.15 Tribal, State, and local program alternatives. (Reserved)**

#### **§ 800.16 Definitions.**

(a) *Act* means the National Historic Preservation Act of 1966, as amended, 16 U.S.C. 470-470w-6.

(b) *Agency* means agency as defined in 5 U.S.C. 551.

(c) *Approval of the expenditure of funds* means any final agency decision authorizing or permitting the expenditure of Federal funds or financial assistance on an undertaking, including any agency decision that may be subject to an administrative appeal.

(d) *Area of potential effects* means the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist. The area of potential effects is influenced by the scale and nature of an undertaking and may be different for different kinds of effects caused by the undertaking.

(e) *Comment* means the findings and recommendations of the Council formally provided in writing to the head of a Federal agency under section 106.

(f) *Consultation* means the process of seeking, discussing, and considering the views of other participants, and, where feasible, seeking agreement with them regarding matters arising in the section 106 process. The Secretary's "Standards and Guidelines for Federal Agency Preservation Programs pursuant to the National Historic Preservation Act" provide further guidance on consultation.

(g) *Council* means the Advisory Council on Historic Preservation or a Council member or employee designated to act for the Council.

(h) *Day or days* means calendar days.

(i) *Effect* means alteration to the characteristics of a historic property qualifying it for inclusion in or eligibility for the National Register.

(j) *Foreclosure* means an action taken by an agency official that effectively precludes the Council from providing comments which the agency official can meaningfully consider prior to the approval of the undertaking.

(k) *Head of the agency* means the chief official of the Federal agency responsible for all aspects of the agency's actions. If a State, local or tribal government has assumed or has

been delegated responsibility for section 106 compliance, the head of that unit of government shall be considered the head of the agency.

(l)(1) *Historic property* means any prehistoric or historic district, site, building, structure, or object included in, or eligible for inclusion in, the National Register of Historic Places maintained by the Secretary of the Interior. This term includes artifacts, records, and remains that are related to and located within such properties. The term includes properties of traditional religious and cultural importance to an Indian tribe or Native Hawaiian organization and that meet the National Register criteria.

(2) The term *eligible for inclusion in the National Register* includes both properties formally determined as such in accordance with regulations of the Secretary of the Interior and all other properties that meet the National Register criteria.

(m) *Indian tribe* means an Indian tribe, band, nation, or other organized group or community, including a native village, regional corporation or village corporation, as those terms are defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602), which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.

(n) *Local government* means a city, county, parish, township, municipality, borough, or other general purpose political subdivision of a State.

(o) *Memorandum of agreement* means the document that records the terms and conditions agreed upon to resolve the adverse effects of an undertaking upon historic properties.

(p) *National Historic Landmark* means a historic property that the Secretary of the Interior has designated a National Historic Landmark.

(q) *National Register* means the National Register of Historic Places maintained by the Secretary of the Interior.

(r) *National Register criteria* means the criteria established by the Secretary of the Interior for use in evaluating the eligibility of properties for the National Register (36 CFR part 60).

(s)(1) *Native Hawaiian organization* means any organization which serves and represents the interests of Native Hawaiians; has as a primary and stated purpose the provision of services to Native Hawaiians; and has demonstrated expertise in aspects of

historic preservation that are significant to Native Hawaiians.

(2) *Native Hawaiian* means any individual who is a descendant of the aboriginal people who, prior to 1778, occupied and exercised sovereignty in the area that now constitutes the State of Hawaii.

(t) *Programmatic agreement* means a document that records the terms and conditions agreed upon to resolve the potential adverse effects of a Federal agency program, complex undertaking or other situations in accordance with § 800.14(b).

(u) *Secretary* means the Secretary of the Interior acting through the Director of the National Park Service except where otherwise specified.

(v) *State Historic Preservation Officer (SHPO)* means the official appointed or designated pursuant to section 101(b)(1) of the act to administer the State historic preservation program or a representative designated to act for the State historic preservation officer.

(w) *Tribal Historic Preservation Officer (THPO)* means the tribal official appointed by the tribe's chief governing authority or designated by a tribal ordinance or preservation program who has assumed the responsibilities of the SHPO for purposes of section 106 compliance on tribal lands in accordance with section 101(d)(2) of the act.

(x) *Tribal lands* means all lands within the exterior boundaries of any Indian reservation and all dependent Indian communities.

(y) *Undertaking* means a project, activity, or program funded in whole or in part under the direct or indirect jurisdiction of a Federal agency, including those carried out by or on behalf of a Federal agency; those carried out with Federal financial assistance; and those requiring a Federal permit, license or approval.

(z) *Senior policy official* means the senior policy level official designated by the head of the agency pursuant to section 3(e) of Executive Order 13287.

**Appendix A to Part 800 -- Criteria for Council Involvement in Reviewing Individual section 106 Cases**

(a) *Introduction.* This appendix sets forth the criteria that will be used by the Council to determine whether to enter an individual section 106 review that it normally would not be involved in.

(b) *General policy.* The Council may choose to exercise its authorities under

the section 106 regulations to participate in an individual project pursuant to the following criteria. However, the Council will not always elect to participate even though one or more of the criteria may be met.

(c) *Specific criteria.* The Council is likely to enter the section 106 process at the steps specified in the regulations in this part when an undertaking:

(1) *Has substantial impacts on important historic properties.* This may include adverse effects on properties that possess a national level of significance or on properties that are of unusual or noteworthy importance or are a rare property type; or adverse effects to large numbers of historic properties, such as impacts to multiple properties within a historic district.

(2) *Presents important questions of policy or interpretation.* This may include questions about how the Council's regulations are being applied or interpreted, including possible foreclosure or anticipatory demolition situations; situations where the outcome will set a precedent affecting Council policies or program goals; or the development of programmatic agreements that alter the way the section 106 process is applied to a group or type of undertakings.

(3) *Has the potential for presenting procedural problems.* This may include cases with substantial public controversy that is related to historic preservation issues; with disputes among or about consulting parties which the Council's involvement could help resolve; that are involved or likely to be involved in litigation on the basis of section 106; or carried out by a Federal agency, in a State or locality, or on tribal lands where the Council has previously identified problems with section 106 compliance pursuant to § 800.9(d)(2).

(4) *Presents issues of concern to Indian tribes or Native Hawaiian organizations.* This may include cases where there have been concerns raised about the identification of, evaluation of or assessment of effects on historic properties to which an Indian tribe or Native Hawaiian organization attaches religious and cultural significance; where an Indian tribe or Native Hawaiian organization has requested Council involvement to assist in the resolution of adverse effects; or where there are questions relating to policy, interpretation or precedent under section 106 or its relation to other

authorities, such as the Native American Graves Protection and Repatriation Act.

**APPENDIX E**

**36 CFR PART 61: PROCEDURES FOR APPROVED STATE, AND  
LOCAL GOVERNMENT HISTORIC PRESERVATION PROGRAMS**



The Keeper shall notify the petitioner and the applicable State Historic Preservation Officer, Federal Preservation Officer, or person or local government where there is no approved State Historic Preservation Program, of his decision. The State Historic Preservation Officer or Federal Preservation Officer transmitting the petition shall notify the petitioner, the owner(s), and the chief elected local official in writing of the decision. The Keeper will provide such notice for petitions from persons or local governments where there is no approved State Historic Preservation Program. The general notice may be used for properties with more than 50 owners. If the general notice is used it shall be published in one or more newspapers with general circulation in the area of the nomination.

(k) The Keeper may remove a property from the National Register on his own motion on the grounds established in paragraph (a) of this section, except for those properties listed in the National Register prior to December 13, 1980, which may only be removed from the National Register on the grounds established in paragraph (a)(1) of this section. In such cases, the Keeper will notify the nominating authority, the affected owner(s) and the applicable chief elected local official and provide them an opportunity to comment. Upon removal, the Keeper will notify the nominating authority of the basis for the removal. The State Historic Preservation Officer, Federal Preservation Officer, or person or local government which nominated the property shall notify the owner(s) and the chief elected local official of the removal.

(l) No person shall be considered to have exhausted administrative remedies with respect to removal of a property from the National Register until the Keeper has denied a petition for removal pursuant to this section.

## PART 61—PROCEDURES FOR STATE, TRIBAL, AND LOCAL GOVERNMENT HISTORIC PRESERVATION PROGRAMS

Sec.

- 61.1 Authorization.
- 61.2 Definitions.
- 61.3 Implementation of this part.

- 61.4 State programs.
- 61.5 Grants to State programs.
- 61.6 Certified local government programs.
- 61.7 Subgrants to certified local governments.
- 61.8 Tribal programs. [Reserved]
- 61.9 Grants to tribal programs. [Reserved]
- 61.10 Waiver.
- 61.11 Information collection.

AUTHORITY: 16 U.S.C. 470 *et seq.*

SOURCE: 64 FR 11742, Mar. 9, 1999, unless otherwise noted.

### § 61.1 Authorization.

The National Historic Preservation Act of 1966, as amended (16 U.S.C. 470 *et seq.*):

(a) Requires the Secretary of the Interior (Secretary) to promulgate regulations for:

(1) Approving and overseeing State historic preservation programs;

(2) Certifying local governments to carry out the purposes of the Act;

(3) Ensuring that applicable State Historic Preservation Officers (SHPOs) allocate to certified local governments (CLGs) a share of grants that the SHPOs receive under the Act; and

(4) Assisting Indian tribes in preserving their particular "historic properties" (as defined by the Act);

(b) Directs the Secretary to administer a program of grants-in-aid to States and Indian tribes for historic preservation projects and programs that the Secretary has approved; and

(c) Requires the Secretary to make available information concerning professional standards, methods, and techniques for the preservation of "historic properties" (as defined by the Act) and the administration of historic preservation programs.

### § 61.2 Definitions.

As used in this part:

(a) All terms that the National Historic Preservation Act of 1966, as amended, defines have the same meaning in the regulations in this part that the statute provides; see especially sections 101(a)(1)(A), 101(b), 101(c)(4), 108, and 301.

(b) *Act* means the National Historic Preservation Act of 1966, as amended, (16 U.S.C. 470 *et seq.*).

(c) *Chief elected local official* means the elected head of a local government.

## National Park Service, Interior

## § 61.4

(d) *The Secretary's Standards* means only the "Standards" portions and not the "Guidelines" portions of "the Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation." The Secretary's Standards provide broad national principles of archeological and historic preservation practices and methods. "The Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation" also contains "the Secretary's Guidelines" which provide broad national guidance on how to apply "the Secretary's Standards."

(e) *State historic preservation program* or *State program* means a State government organization or program meeting the requirements that section 101(b) of the Act specifies.

### § 61.3 Implementation of this part.

(a) *National Park Service policy of management by exception.* The National Park Service (NPS) will administer the regulations in this part in such a way (and where feasible) as to:

(1) Limit the use of direct Federal management review procedures to high risk situations, to new programs, or to activities that are appropriate for the Federal Government to oversee;

(2) Presume that State, tribal, and local government historic preservation officials manage their programs in an accountable way unless situations indicate the contrary; and

(3) Rely to the maximum extent feasible on State, tribal, and local government systems of financial and program management that meet Federal standards. At the discretion of the Secretary, each State, tribal, and local government may substitute its own fiscal audit and management systems for the Secretary's comparable fiscal audit and management requirements, so long as the State, tribal, or local government system establishes and maintains accounting standards substantially similar to Federal standards and provides for independent peer review.

(b) *The Secretary's Standards.* NPS will use the Secretary's Standards as technical performance standards for matters covered by this part. NPS may also use as technical performance standards (for matters covered by this part) additional guidance that NPS

identifies and provides from time to time after appropriate consultation and notice.

(c) Each State historic preservation program staff member, State Historic Preservation Review Board (Review Board) member, and certified local government (CLG) historic preservation review commission (Commission) member whom the Secretary has approved as meeting "the Secretary's (Historic Preservation) Professional Qualifications Standards" will retain that status, regardless of subsequent revisions to those Standards, until such time as that individual no longer works in that program, or serves on that Review Board, or serves on that Commission with which that individual was affiliated as of the date of that individual's approval.

(d) You may obtain publications and other information mentioned in this part by contacting: Heritage Preservation Services, National Center for Cultural Resource Stewardship and Partnership Programs, National Park Service, 1849 C Street NW (NC Suite 200), Washington, D.C. 20240 or via the National Park Service Home Page for cultural programs at <http://www.cr.nps.gov>.

### § 61.4 State programs.

(a) For a State to participate in the program that this part describes, the Governor must appoint and designate a State Historic Preservation Officer (SHPO) to administer the State historic preservation program.

(b) It is the responsibility of the SHPO to carry out the duties and activities that section 101 (b)(3) of the Act describes. In performing those duties and activities:

(1) The SHPO must carry out a historic preservation planning process that includes the development and implementation of a comprehensive statewide historic preservation plan that provides guidance for effective decision making about historic property preservation throughout the State.

(2) The SHPO, in addition to surveying and maintaining inventories of historic properties, may also obtain:

(i) Comparative data valuable in determining the National Register eligibility of properties;

(ii) Information on properties that may become eligible for the National Register of Historic Places with the passage of time; and/or

(iii) Information on the absence of historic properties for use in planning for public and private development projects.

(3) The SHPO must provide for adequate public participation in the State historic preservation program as a whole.

(i) As part of the process of recommending a property to the National Register, the SHPO must comply with the consultation and notification procedures contained in 36 CFR part 60.

(ii) The SHPO may authorize other persons or entities to fulfill the notice requirements in 36 CFR part 60 pursuant to the Secretary's written guidance.

(iii) The SHPO also may authorize the historic preservation review commission (Commission) of a certified local government (CLG) to act in place of the State Historic Preservation Review Board (Review Board) for the purpose of considering National Register nominations within its jurisdiction, provided that the Commission both meets the professional qualifications required for the Review Board when considering such nominations and otherwise follows the Secretary's written guidance.

(iv) In accordance with the Secretary's written guidance and with the consent of both the property owners in a nomination and the chief elected local official, the Review Board (or the Commission acting in its place) may consider the nomination without a face-to-face meeting.

(4) The SHPO may carry out all or any part of his or her responsibilities by contract or cooperative agreement with any qualified nonprofit organization, educational institution, or otherwise pursuant to State law. However, the SHPO may not delegate the responsibility for compliance with the Act or with grant assistance terms and conditions.

(c) The Secretary will consider individual SHPO proposals for programs that, for a specified period, include fewer duties than those section 101(b)(3) of the Act specifies, if a dif-

ferent approach would better serve an appropriate balance of historic property, customer or constituent, and historic preservation needs.

(d) *Procedures for review and approval of State historic preservation programs.*

(1) In accordance with the Act, the Secretary will evaluate each State program for consistency with the Act periodically, but not less often than every four years. If the Secretary determines that it meets the program requirements of paragraphs (a), (b), (e) and (f) of this section, he or she will approve the State program as set forth in this section.

(2) The Secretary may use on-site and/or off-site inquiries to perform such evaluation. The Secretary will provide the SHPO with a timely report containing written findings and analyses that highlight the strengths and weaknesses of the State program.

(3) *Approval method.* (i) If the Secretary determines that a State program is consistent with the Act, the report will include notice that the State program's approved status continues.

(ii) If the Secretary determines that a State program has major aspects not consistent with the Act, the report will include notice of deficiencies along with required actions for correcting them. Unless circumstances warrant immediate action, the Secretary will provide a specified period to allow the SHPO either to correct the deficiencies or to present for Secretarial approval a justifiable plan and timetable for correcting the deficiencies. During this period, the SHPO has the opportunity to request that the Secretary reconsider any findings and required actions.

(iii) The Secretary will provide timely notice of continued approved State program status to a SHPO successfully resolving deficiencies. Once the Secretary renews a State program's approved status, he or she generally will not review the program until the next regular evaluation period. However, if the Secretary deems it necessary, he or she may conduct a review more often.

(iv) The Secretary will provide timely notice of the revocation of a program's approved status to any SHPO whose program has deficiencies that warrant immediate action or that remain uncorrected after the expiration

## National Park Service, Interior

## §61.4

of the period specified pursuant to paragraph (d)(3)(ii) of this section. The Secretary will then initiate financial suspension and other actions in accordance with the Act, applicable regulatory requirements, and related guidance that the National Park Service issues.

(e) The SHPO must appoint or employ a professionally qualified staff.

(1) Except as approved pursuant to paragraph (e)(2) of this section, the staff must include at a minimum, one individual meeting “the Secretary’s (Historic Preservation) Professional Qualifications Standards” for history, one individual meeting “the Secretary’s (Historic Preservation) Professional Qualifications Standards” for historic or prehistoric archeology, and one individual meeting “the Secretary’s (Historic Preservation) Professional Qualifications Standards” for architectural history. “The Secretary’s (Historic Preservation) Professional Qualifications Standards” and related guidance are part of the larger “Secretary of the Interior’s Standards and Guidelines for Archeology and Historic Preservation.” The SHPO may determine that additional professional staff members representing the required or other disciplines are necessary to administer the State program in accordance with the Act.

(2) The Secretary will consider proposals from a SHPO for a minimum required staff composition that differs from the requirement that paragraph (e)(1) of this section specifies, if the proposal addresses better an appropriate balance of historic property, customer or constituent, and historic preservation needs in that State.

(3) When a staff position that paragraph (e)(1) of this section requires becomes vacant, the SHPO must fill the vacancy in a timely manner. In the interim, the SHPO must ensure that appropriately qualified individuals address technical matters. A vacancy in a required position that persists for more than six months is cause for review, comment, and appropriate action by the Secretary.

(f) Unless State law provides for a different method of appointment, the SHPO must appoint an adequate and

qualified State historic preservation Review Board (Review Board).

(1) All Review Board members must have demonstrated competence, interest, or knowledge in historic preservation. A majority of Review Board members must meet “the Secretary of the Interior’s (Historic Preservation) Professional Qualifications Standards” which are part of the larger “Secretary’s Standards and Guidelines for Archeology and Historic Preservation.” The members meeting “the Secretary’s (Historic Preservation) Professional Qualifications Standards” must include at a minimum, one individual meeting “the Secretary’s (Historic Preservation) Professional Qualifications Standards” for history, one individual meeting “the Secretary’s (Historic Preservation) Professional Qualifications Standards” for prehistoric archeology or historic archeology, and one individual meeting “the Secretary’s (Historic Preservation) Professional Qualifications Standards” for architectural history. One person may meet the Standards for more than one required discipline. The other Review Board members, if any, who comprise the majority that meets “the Secretary’s (Historic Preservation) Professional Qualifications Standards” may represent, subject to the SHPO’s selection, any of the disciplines that those “Standards” describe.

(2) The Secretary will consider proposals from a SHPO for a minimum required Review Board composition that differs from the requirement that paragraph (f)(1) of this section specifies, if the proposal addresses better an appropriate balance of historic property, customer or constituent, and historic preservation needs in that State.

(3) When a required Review Board position becomes vacant, the SHPO must fill the vacancy in a timely manner. In the interim, the SHPO must ensure that the Review Board has access to advice from appropriately qualified individuals. A lapse of more than one year in filling the vacancy is cause for review, comment, and appropriate action by the Secretary.

(4) The Review Board must meet as often as is necessary to complete its work in a timely fashion but no less often than once a year.

## § 61.5

(5) The Review Board must adopt written procedures governing its operations consistent with the provisions of this section and related guidance that the National Park Service issues.

(6) Review Board responsibilities include, but are not limited to, the following:

(i) Providing advice to the SHPO on the full range of Historic Preservation Fund-supported activities, that section 101 (b)(3) of the Act describes;

(ii) Reviewing and making recommendations on National Register nomination proposals;

(iii) Participating in the review of appeals to National Register nominations; and

(iv) Performing such other duties as may be appropriate.

### § 61.5 Grants to State programs.

(a) Each State with an approved State program is eligible for grants-in-aid from the Historic Preservation Fund (HPF).

(b) The National Park Service (NPS) will administer HPF matching grants-in-aid in accordance with the Act, OMB Circular A-133 and 43 CFR part 12, and related guidance that NPS issues. Failure by a State program to meet these requirements is cause for comment and appropriate action by the Secretary.

### § 61.6 Certified local government programs.

(a) Each approved State program must provide a mechanism for certification (by the State Historic Preservation Officer and the Secretary) of local governments to carry out the purposes of the Act.

(b) Each State Historic Preservation Officer (SHPO) must follow procedures that the Secretary approves for the certification of local governments. Each SHPO also must follow procedures for removal of certified local government (CLG) status for cause. A SHPO must submit any proposed amendment to its procedures to the Secretary for approval. The Secretary will act on each proposal in a timely fashion generally within 45 days of receipt.

(c) When a SHPO approves a local government certification request in accordance with the State program's Na-

## 36 CFR Ch. I (7-1-04 Edition)

tional Park Service (NPS)-approved certification process, the SHPO must prepare a written certification agreement between the SHPO and the local government. The certification agreement must list the specific responsibilities of the local government when certified. The SHPO must submit to the Secretary the written certification agreement and any additional information as is necessary for the Secretary to certify the local government pursuant to the Act and this part. If the Secretary does not disapprove the proposed certification within 15 working days of receipt, the Secretary has certified the local government.

(d) Beyond the minimum responsibilities set out in the Act for all CLGs, the SHPO may make additional delegations of responsibility to individual CLGs. However, these delegations may not include the SHPO's overall responsibility derived from the Act or where law or regulation specifies.

(e) The SHPO must ensure that each local government satisfies the following minimum requirements as conditions for certification. Each CLG must:

(1) Enforce appropriate State or local legislation for the designation and protection of historic properties. The State procedures must define what constitutes appropriate legislation, as long as:

(i) Designation provisions in such legislation include the identification and registration of properties for protection that meet criteria established by the State or the locality for significant historic and prehistoric resources within the jurisdiction of the local government;

(ii) Protection provisions in such legislation include a local review process under State or local law for proposed demolitions of, changes to, or other action that may affect historic properties as paragraph (e)(1)(i) of this section describes; and

(iii) The legislation otherwise is consistent with the Act.

(2) Establish by State or local law and maintain an adequate and qualified historic preservation review commission (Commission). All Commission members must have a demonstrated interest, competence, or knowledge in

historic preservation. Unless State or local legislation provides for a different method of appointment, the chief elected local official must appoint all Commission members.

(i) The State procedures must encourage certified local governments to include individuals who meet “the Secretary’s (Historic Preservation) Professional Qualifications Standards” among the membership of the Commission, to the extent that such individuals are available in the community.

(ii) The State procedures may specify the minimum number of Commission members who must meet “the Secretary’s (Historic Preservation) Professional Qualifications Standards.” The State procedures may also specify which, if any, disciplines the Commission’s membership must include from among those disciplines that the Standards describe. Membership requirements set by the State procedures for Commissions must be cognizant of the needs and functions of Commissions in the State and subject to the availability of such professionals in the community concerned.

(iii) Provided that the Commission is otherwise adequate and qualified to carry out the responsibilities delegated to it, the SHPO may certify a local government without the minimum number or types of disciplines established in State procedures, if the local government can demonstrate that it has made a reasonable effort to fill those positions, or that an alternative composition of the Commission best meets the needs of the Commission and of the local government.

(iv) The SHPO must make available to each Commission orientation materials and training designed to provide a working knowledge of the roles and operations of Federal, State, and local historic preservation programs, and historic preservation in general.

(3) Maintain a system for the survey and inventory of historic properties. The SHPO must ensure that such systems and the data that they produce are capable of integration into and are compatible with statewide inventories and (when and as appropriate) with State and local planning processes.

(4) Provide for adequate public participation in the local historic preser-

vation program as a whole. The SHPO must provide each CLG with appropriate guidance on mechanisms to ensure adequate public participation in the local historic preservation program including the process for evaluating properties for nomination to the National Register of Historic Places.

(5) Satisfactorily perform the responsibilities delegated to it under the Act. The SHPO must monitor and evaluate the performance of each CLG according to written standards and procedures that the SHPO establishes. If a SHPO’s evaluation of a CLG’s performance indicates that such performance is inadequate, the SHPO must suggest in writing ways to improve performance. If, after a period of time that the SHPO stipulates, the SHPO determines that the CLG has not improved its performance sufficiently, the SHPO may recommend that the Secretary decertify the local government. If the Secretary does not object within 30 working days of receipt, the Secretary has approved the decertification.

(f) Effects of certification include:

(1) Inclusion in the process of nominating properties to the National Register of Historic Places in accordance with sections 101 (c)(2)(A) and (c)(2)(B) of the Act. The SHPO may delegate to a CLG any of the responsibilities of the SHPO and the Review Board in processing National Register nominations as specified in 36 CFR part 60 (see also §61.4(b)(3)), except for the authority to nominate properties directly to the National Register. A CLG may make nominations directly to NPS only when the State does not have an approved program pursuant to §61.4.

(2) Eligibility to apply for a portion of the State’s annual Historic Preservation Fund (HPF) grant award. Each State must transfer at least 10 percent of its annual HPF grant award to CLGs for historic preservation projects and programs in accordance with the Act and as §61.7 specifies.

(g) The District of Columbia is exempt from the requirements of this section because there are no subordinated local governments in the District. If any other jurisdiction that section 301(2) of the Act defines as a State believes that its political subdivisions lack authorities similar to those of

## § 61.7

## 36 CFR Ch. I (7-1-04 Edition)

local governments in other States, and hence cannot satisfy the requirements for local government certification, it may apply to the Secretary for exemption from the requirements of this section.

(h) *Procedures for direct certification by the Secretary where there is no approved State program pursuant to § 61.4.* To the extent feasible, the Secretary will ensure that there is consistency and continuity in the CLG program of a State that does not have an approved State program.

(1) Where there is no approved State program, a local government wishing to become certified must apply directly to the Secretary.

(2) The application must demonstrate that the local government meets the specifications for certification set forth in paragraph (e) of this section.

(3) The Secretary will review certification applications under this paragraph (h) and take action in a timely fashion generally within 90 days of receipt.

### § 61.7 Subgrants to certified local governments.

(a) Each SHPO must transfer at least 10 percent of its annual Historic Preservation Fund (HPF) grant award to CLGs as subgrants for historic preservation projects and programs in accordance with the Act. In any year that the annual HPF State grant appropriation exceeds \$65,000,000, SHPOs must transfer one half of the amount over \$65,000,000 to CLGs according to procedures that the Secretary will establish.

(b) Each CLG is eligible to receive funds from the 10 percent (or greater) CLG share of the State's total annual HPF grant award. However, the SHPO need not award funds to all CLGs.

(c) Each SHPO must maintain and follow a procedure that the Secretary approves for the use and distribution of funds from the State's annual HPF grant award to CLGs to ensure that no CLG receives a disproportionate share of the allocation. The procedure will provide a clear basis for the funding decisions. The SHPO must submit any proposed amendment to its procedure to the Secretary for approval. The Secretary will respond to such a proposal

in a timely fashion generally within 45 days of receipt.

(d) Each SHPO must notify annually each CLG of its opportunity to apply for HPF funding as well as what is entailed in the application and project selection process.

(e) Each CLG receiving an HPF grant award from the CLG share is a subgrantee of the State. The SHPO must ensure that each CLG adheres to all applicable grant conditions and government-wide and program specific requirements that the National Park Service issues. The SHPO may require specific uses of funds subgranted to CLGs. CLGs may not apply subgranted HPF monies as matching share for any other Federal grant.

(f) Where there is no approved State program pursuant to § 61.4, the Secretary will determine the method for allocating funds to CLGs in that State in accordance with the procedures set forth for the State in this section. To the extent feasible, the Secretary will ensure consistency and continuity in the funding allocation policy of the CLG program for a State that does not have an approved historic preservation program.

### § 61.8 Tribal programs. [Reserved]

### § 61.9 Grants to tribal programs. [Reserved]

### § 61.10 Waiver.

The Secretary may waive any of the requirements of the rules in this part that are not mandated by statute or by other applicable regulations if the Secretary finds, in writing, that the historic preservation program would benefit from such waiver and the waiver would not compromise the purposes, conditions, and requirements of the National Historic Preservation Act of 1966, as amended.

### § 61.11 Information collection.

(a) The Office of Management and Budget (OMB) under 44 U.S.C. 3507 *et seq.*, has approved the collection of information contained in this part. OMB has assigned clearance number 1024-0038 to this collection of information. The National Park Service (NPS) collects this information as part of the process for reviewing the procedures

## National Park Service, Interior

## § 62.2

and programs of State and local governments participating in the national historic preservation program and the Historic Preservation Fund grant program. NPS will use the information to evaluate those programs and procedures for consistency with the National Historic Preservation Act of 1966, as amended, and compliance with government-wide grant requirements. The obligation to respond is required to obtain a benefit under these programs. Note that a Federal agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. NPS provides no assurance of confidentiality to respondents with the exception of locational information concerning some properties that government historic preservation property inventories include. Pursuant to section 304 of the National Historic Preservation Act of 1966, as amended, NPS tightly controls release of information when such release could have the potential of damaging those qualities which make a property historic.

(b) We estimate the public reporting burden for the collection of this information to average 14.06 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, to Ms. Diane M. Cooke, Information Collection Officer, National Park Service, 1849 C Street NW, Washington, D.C. 20240 and to the Office of Management and Budget, Office of Information and Regulatory Affairs, Attention: Desk Officer for the Department of the Interior (1024-0038), Washington, D.C. 20503.

### PART 62—NATIONAL NATURAL LANDMARKS PROGRAM

Sec.

- 62.1 Purpose.
- 62.2 Definitions.
- 62.3 Effects of designation.

- 62.4 Natural landmark designation and recognition process.
- 62.5 Natural landmark criteria.
- 62.6 Natural landmark monitoring.
- 62.7 Natural landmark modifications.
- 62.8 Natural landmark designation removal.
- 62.9 General provisions.

AUTHORITY: 16 U.S.C. 1a-5, 461 *et seq.*, 463, 1908.

SOURCE: 64 FR 25717, May 12, 1999, unless otherwise noted.

#### § 62.1 Purpose

The procedures in this part set forth the processes and criteria for the identification, evaluation, designation and monitoring of national natural landmarks.

(a) The National Natural Landmarks Program focuses attention on areas of exceptional natural value to the nation as a whole rather than to one particular State or locality. The program recognizes areas preserved by Federal, State and local agencies as well as private organizations and individuals and encourages the owners of national natural landmarks to voluntarily observe preservation precepts.

(b) The National Natural Landmarks Program identifies and preserves natural areas that best illustrate the biological and geological character of the United States, enhances the scientific and educational values of preserved areas, strengthens public appreciation of natural history, and fosters a greater concern for the conservation of the nation's natural heritage.

#### § 62.2 Definitions.

The following definitions apply to this part:

*National Natural Landmark* is an area designated by the Secretary of the Interior as being of national significance to the United States because it is an outstanding example(s) of major biological and geological features found within the boundaries of the United States or its Territories or on the Outer Continental Shelf.

*National Registry of Natural Landmarks* is the official listing of all designated national natural landmarks.

*National significance* describes an area that is one of the best examples of a biological community or geological feature within a natural region of the

**APPENDIX F**

**SHPO AND TRIBAL CORRESPONDENCES**



**From:** Beacham, Deanna [mailto:Deanna.Beacham@governor.virginia.gov]  
**Sent:** Tuesday, November 25, 2008 1:26 PM  
**To:** Gooden, Wanda B Dr CIV USA IMCOM  
**Cc:** Holma, Marc  
**Subject:** DHR File No. 2008-0404

Greetings Ms. Gooden:

Thank you for your recent letter to the Virginia Council on Indians regarding the subject file, Privatization of Army Lodging Program for Fort Myer, inviting the Council to participate in consultation on this project.

The Virginia Council on Indians regularly participates in Section 106 consultation on such projects. All Section 106 and similar consultation for projects falling under the requirements of the National Historic Preservation Act of 1966 by the Virginia Council on Indians is my responsibility, so any future correspondence on similar topics can be directed to me. The Chair of the Council is elected annually, and does not undertake the administrative work for the Council.

In the case of this project, given the absence of any pre-Colonial or Native archaeological sites, and the fact that the land of the Area of Potential Effect has been previously disturbed, the Virginia Council on Indians declines the opportunity to participate in this consultation. We thank you for the communication, and look forward to being contacted regarding future projects.

Sincerely yours,

Deanna Beacham  
**Virginia Council on Indians**  
**Office of the Governor**  
P.O. Box 1475  
Richmond, VA 23218  
804.225.2084  
804.201.1658 (cell)  
deanna@governor.virginia.gov  
<http://indians.vipnet.org>

Classification: **UNCLASSIFIED**



**APPENDIX G**

**EXECUTED PROGRAMMATIC AGREEMENT (PA) AND  
MEMORANDUM OF AGREEMENT (MOA) DOCUMENTS**



**PROGRAMMATIC AGREEMENT  
BETWEEN  
FORT MYER, VIRGINIA  
AND THE  
VIRGINIA STATE HISTORIC PRESERVATION OFFICER  
FOR THE  
PRIVATIZATION OF ARMY LODGING**

**WHEREAS,** the Army, pursuant to the Military Housing Privatization Initiative (P.L. 104-106, 110 Stat. 544, Title XXVIII, Subtitle A, Section 2801), which amends 10 U.S.C. Chapter 169, by addition of a new Subchapter IV—Alternative Authority for Acquisition and Improvement of Military Housing, codified at 10 U.S.C. § 2871, et seq., has directed Fort Myer to solicit proposals from one or more qualified private entities to construct or renovate, and operate, maintain and manage, all such housing and certain ancillary facilities for an initial period of 50 years at Fort Myer, Virginia, through the Privatization of Army Lodging Initiative (PAL) (Undertaking); and

**WHEREAS,** Rest Easy LLC (Partnership) will implement the privatization of current Army lodging and ancillary facilities at Fort Myer under PAL; and

**WHEREAS,** the Partnership shall be a separate legal entity formed after Congressional review of the Fort Myer PAL project at closing, the partners of the Partnership shall be the Department of the Army, acting through the Garrison Commander of Fort Myer, and Rest Easy, LLC; and

**WHEREAS,** the Partnership shall be granted a Lease of the existing Fort Myer lodging area (consisting of buildings 47 and 50, Wainwright Hall, as shown in Attachment A) and new hotel construction on undeveloped land at Fort Myer as shown in Attachment A and the stipulations of this Programmatic Agreement (Agreement) shall be made an exhibit to the Lease so that the stipulations become an integral part of the Lease; and

**WHEREAS,** PAL at Fort Myer will result in the transfer of a long-term interest in the construction, demolition, renovation, rehabilitation, operation, and maintenance of lodging and other ancillary facilities at Fort Myer largely independent of direct government control, but intended for the use by Army personnel and guests; and

**WHEREAS,** Fort Myer has determined that implementation of the Undertaking has the potential to effect historic properties listed in or eligible for the National Register of Historic Places (NRHP) and has consulted with the Virginia State Historic Preservation Officer (SHPO) in accordance with sections 106, 110(f), and 111 of the National Historic Preservation Act (NHPA), as amended, (16 U.S.C. 470 et seq.) and the implementing regulations found at 36 CFR Part 800 (rev. 2004); and

**WHEREAS,** Fort Myer in consultation with the SHPO has determined that the Area of Potential Effects (APE) for the Undertaking is defined as shown in Attachment A; and

**WHEREAS**, Fort Myer has conducted an inventory of historic properties identifying within the APE historic buildings, structures, and landscape features comprising the Fort Myer Historic District (SHPO survey no. 000-0004), an historic property listed to the National Register of Historic Places (NRHP) and designated a National Historic Landmark (NHL) by the National Park Service (NPS) on November 28, 1972, the boundaries of which are shown in Attachment B; and

**WHEREAS**, Buildings 47 and 50 are contributing resources to the Fort Myer Historic District; and

**WHEREAS**, Fort Myer in consultation with the SHPO has determined that Arlington National Cemetery (ANC), a property owned and administered by the Department of the Army (Army) is a historic property eligible for listing to the NRHP, and that the portion of ANC located within the APE is contributing to the NRHP-eligible historic property; and

**WHEREAS**, Fort Myer has determined that because the site for the construction of the new hotel was previously the location of a 12-story military housing complex constructed in 1966 and demolished in 2006 after consultation with the SHPO pursuant to Section 106, no further archaeological investigations are warranted within the site of the new hotel, and the SHPO concurred in an electronic mail response dated June 26, 2008; and

**WHEREAS**, Fort Myer, in consultation with the SHPO, has determined that the ground encompassing the PAL footprint for the site of Wainwright Hall (Building 50) and Building 47 has been disturbed due to previous construction activities and no further archaeological investigations are warranted at this site for the current actions described in the project review packet submittal dated 7 March 2008 and received by the SHPO on 11 March 2008; and

**WHEREAS**, in compliance with 16 USC § 470h-2(f); 36 CFR Part 800.10(a), the Army has taken actions to minimize harm to an NHL to the maximum extent possible by retaining portions of Building 47, an ancillary garage that initially required complete removal due to security access issues related to the undertaking and by the Army requiring Partnership adherence to the *Secretary of the Interior's Standards for the Treatment of Historic Properties, with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings* (Treatment Standards) to avoid adverse effects to Building 50 as stipulated in this agreement; and

**WHEREAS**, the stipulations of this Agreement are binding on all signatories and their respective successors and assigns provided that this Agreement will be incorporated into the Lease as an exhibit such that this Agreement will become binding upon the Partnership upon the execution of the Lease; and

**WHEREAS**, after careful consideration of options to avoid adverse effect on Building 47, the Army has determined that implementation of the preferred alternative as shown in

Attachment C will have an adverse affect on this garage, a contributing building of the Fort Myer NHL District, by its partial demolition; and

**WHEREAS**, Fort Myer has invited the Advisory Council on Historic Preservation (ACHP) to participate in the resolution of adverse effects to properties eligible for listing in the NRHP pursuant to 36 CFR Part 800.6(a)(1) and the ACHP has declined to participate as a consulting party in a letter dated April 17, 2008; and

**WHEREAS**, Fort Myer, in a registered letter dated March 7, 2008 has invited the Secretary of the Interior (Secretary) to participate in the resolution of adverse effects to an NHL property listed on the NRHP pursuant to 36 CFR Part 800.10(c), and the Secretary has declined to respond to the invitation to participate as a consulting party; and

**WHEREAS**, the Partnership has been provided the opportunity to review and comment on the draft language of this Agreement and has been invited to concur with this Agreement pursuant to 36 CFR Part 800.6(c) (3); and

**WHEREAS**, as defined in 36 CFR Part 800.16(m), the federally recognized tribes of the Tuscarora Nation of New York, the Catawba Indian Nation, and the United Keetoowah Band of Cherokee Indians in Oklahoma were identified as having historic ties to the area that now comprises Fort Myer and were invited to consult via a registered letter dated July 24, 2008 on the Undertaking pursuant to 36 CFR Part 800.2(c)(ii) without reply from any tribe; and

**WHEREAS**, ANC has participated in this consultation and has been invited to concur with this Agreement pursuant to 36 CFR Part 800.6(c) (3); and

**WHEREAS**, the County of Arlington, the Arlington Heritage Alliance, the Commission of Fine Arts, the National Capital Planning Commission and the Virginia Council on Indians (VCI) were contacted and invited to participate, with the County of Arlington participating and invited to concur in this Agreement pursuant to 36 CFR Part 800.6(c)(3); and

**WHEREAS**, the Army has provided the public an opportunity to comment on this Undertaking through the Section 106 process via notification and request for comment on the Fort Myer internet website; and

**NOW THEREFORE**, Fort Myer and the SHPO (Signatories) agree that the Undertaking shall be implemented in accordance with the following stipulations in order to take into account the effect of the Undertaking on historic properties and this Agreement, when executed, evidences the Army has taken to into account the effect of the Undertaking on historic properties and sought ways to avoid, reduce or mitigate adverse effects as required under Section 106, 110 and 111 of the NHPA of 1966, as amended.

## STIPULATIONS

Fort Myer shall ensure that the following measures are carried out:

### **I. PROFESSIONAL QUALIFICATIONS STANDARDS AND BASELINE INFORMATION FOR DESIGN DEVELOPMENT**

#### **A. Fort Myer Cultural Resource Management Staff.**

1. Staff shall consist of a Cultural Resource Manager (CRM) at Fort Myer. The Fort Myer CRM shall serve as the primary point of contact for this Undertaking and shall be responsible for all internal Army review and coordination of historic properties between Fort Myer and the SHPO under this Agreement.
2. The Fort Myer CRM shall have access to Qualified Staff. For the purposes of this Agreement, "Qualified Staff" is defined as an individual who meets the Secretary of the Interior's *Professional Qualification Standards* (48 FR 44716, Sept., 1983). Qualified Staff shall have professional qualifications, training, and experience relevant to the technical requirements of a given undertaking. For example: Architectural Historians or Historical Architects will be utilized to survey historic buildings, while Archaeologists or Anthropologists will be utilized to perform archaeological investigations.

**B. Partnership Cultural Resource Management Staff.** For the purposes of this Agreement, the Partnership staff shall also utilize individuals, who meet the Secretary of the Interior's *Professional Qualification Standards* (48 FR 44716, Sept., 1983). The Partnership's qualified staff shall coordinate the preparation, development and review of rehabilitation plans, proposed projects and work requirements that affect historic properties. The Partnership's qualified staff shall act on behalf of the Partnership and participate in consultations between the Army, the Fort Myer CRM, and the SHPO concerning plans, projects, and work requirements as listed above.

**C. Baseline Documentation for Building 50.** Fort Myer shall require the Partnership to document existing interior and exterior conditions of Building 50, Wainwright Hall, in an Existing Conditions Survey and Assessment (ECSA) prior to commencement of rehabilitation work and submit the document to the Fort Myer CRM.

1. The ECSA shall record all character defining elements that qualify the structure for the NRHP, interior and exterior, through written materials, available existing drawings, diagrams and photographs (both current conditions and historic views). All photographic documentation shall be consistent with the SHPO guidance found in "Photographic Documentation for National Park Service (NPS) Register Nominations and Virginia Department of Historic Resources (DHR) Basic Survey" (Updated September 13, 2006).

2. The Fort Myer CRM shall provide the draft ECSA to the signatories and other consulting parties of this Agreement for review and comment. The signatories and other consulting parties shall have thirty (30) days in which to review and comment on the ECSA. During the thirty (30) day review period rehabilitation work may proceed on non-historic materials and features.
3. The Fort Myer CRM shall ensure that any comments received from the signatories and other consulting parties on the draft ECSA within the thirty (30) day review period shall be considered and incorporated into the final ECSA. If Fort Myer does not received comments from any of the signatories or consulting parties within the thirty (30) day review period Fort Myer may assume that the non-responding party has no comment. The ECSA shall serve as a reference of baseline documentation throughout the term of this Agreement and the term of the Lease.
4. The Fort Myer CRM shall provide the final ECSA to the signatories and other consulting parties of this Agreement. The final ECSA shall be bound and on acid-free archival paper.

## II. CONVEYANCE ACTIVITIES

**A. Agreement to Become Part of the Lease.** Fort Myer shall convey long-term interests in the subject properties to the Partnership by real estate instrument. To ensure that the Lease shall contain such terms and conditions as necessary and appropriate to meet the requirements of Sections 106, 110(f), and 111 of the NHPA to provide for adequate consideration and treatment of historic properties that may be affected by the PAL program, this Agreement in its entirety shall be incorporated into and made part of the Lease.

**B. Background Information Provided by Army.** Before execution of any conveyance or finalization of the lease for the Undertaking, Fort Myer shall provide the Partnership access to all previously compiled information on any historic properties within the APE to guide the Partnership in the management and use of the properties. Fort Myer shall indicate that historic properties are subject to alternate and more stringent management requirements pursuant to Stipulation IV.

**C. Changes in the Lease.** Renewal of or any modifications to the Lease shall be subject to consultation among the signatories and other consulting parties to determine whether such renewal or modifications constitute a new federal undertaking subject to provisions of the NHPA.

## III. MITIGATION

### A. Partial Demolition and Adaptive Reuse of Building 47

1. After execution of the Lease, Fort Myer shall allow the Partnership to undertake the demolition of portions of Building 47.
2. Fort Myer shall ensure that the Partnership retains two (2) bays of Building 47 to house an electrical generator for Wainwright Hall as shown in Attachment C.

#### **B. Documentation of Building 47**

1. Fort Myer shall ensure that Building 47 is documented consistent with guidance found in the *Guidelines for Preparing Identification and Evaluation Reports for Submission Pursuant to Sections 106 and 110, National Historic Preservation Act*, and the SHPO's *Guidelines for Conducting Cultural Resource Survey in Virginia* (rev. 2003) and "Photographic Documentation for National Park Service (NPS) Register Nominations and Virginia Department of Historic Resources (DHR) Basic Survey" (Updated September 13, 2006), or subsequent revisions or replacements of these documents. Documentation of Building 47 shall consist of completion of a SHPO Intensive Level Survey Form for the building and entered into the SHPO Data Sharing System (DSS). Fort Myer shall ensure the form is completed and entered into DSS.
2. Fort Myer shall not allow Building 47 to be demolished until the SHPO has reviewed the documentation and concurred that it meets the guidance provided in Stipulation III.B.1, above. The SHPO agrees to provide comments within thirty (30) days of confirmed receipt of the documentation materials. If the SHPO does not respond within the comment period Fort Myer may assume that the SHPO has no comments and may proceed with the demolition.

### **IV. HISTORIC PROPERTY MANAGEMENT DURING THE TERM OF THE LEASE**

#### **A. Design Principles**

In order to strive to avoid adversely affecting historic properties, Fort Myer shall ensure, to the greatest extent possible, that the Partnership conforms to the *Secretary of the Interior's Standards for the Treatment of Historic Properties, with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Properties and Guidelines for the Treatment of Cultural Landscapes* (Treatment Standards) during the term of the Lease.

#### **B. New Hotel Consultation Process**

1. New Hotel Design Development Process

a. Fort Myer shall ensure that the New Hotel is located on its site and designed in such a manner that conforms to the Treatment Standards to the greatest extent possible.

b. Fort Myer shall require the Partnership to submit exterior and landscaping designs at the initial schematic, 65%, and 98% of design development stages to the SHPO and other consulting parties. Submittals to the SHPO and other consulting parties shall consist of the following:

- i) Elevation drawings of the New Hotel exterior.
- ii). Site plan, to include landscaping plan.
- iii). Narrative description of exterior materials and plantings
- iv). Three-dimensional renderings, if available.

2. The review of all materials pertaining to the New Hotel shall follow the “Project Review and Coordination” process described in Stipulation IV.D., below.

### **C. Wainwright Hall (Building 50) Consultation Process**

1. Fort Myer shall ensure that Wainwright Hall (Building 50) and its surrounding landscape are rehabilitated in accordance with the rehabilitation section of the Treatment Standards to the greatest extent possible.

2. Fort Myer shall require the Partnership to submit information regarding the rehabilitation of Wainwright Hall (Building 50) and its surrounding landscape at the initial schematic, 65%, and 98% of design development to the SHPO and other consulting parties. Submittals to the SHPO and other consulting parties shall consist of the following:

- i). Project description and specifications.
- ii). Interior and exterior rehabilitation plans (if applicable).
- iii). Site plan, to include landscaping plan (if applicable).

3. The review of all materials pertaining to the rehabilitation of Wainwright Hall (Building 50) and its surrounding landscape shall follow the “Project Review and Coordination” process described in Stipulation IV.D., below.

4. Prior to any new construction or other ground-disturbing activity that will occur at Wainwright Hall (Building 50) during the future term of the Lease following the rehabilitation of the building and partial demolition of Building 47, the Fort Myer CRM in consultation with the SHPO shall determine the need for an archaeological survey in accordance with 36 CFR Part 800.3. If a survey is recommended, the Fort Myer CRM shall undertake a survey of the APE sufficient to determine the NRHP-eligibility of archaeological resources in accordance with Section 36 CFR Part 800.4. Fort Myer shall require the Partnership to reimburse Fort Myer for the cost of the survey.

#### **D. Project Review and Coordination**

Fort Myer shall ensure that projects subject to the terms of the Lease are reviewed and coordinated with the SHPO and other consulting parties pursuant to the following procedures:

1. Fort Myer shall require the Partnership to submit all proposed projects having the potential to effect historic properties within the APE of this Undertaking to the Fort Myer CRM.
  - a. The Fort Myer CRM shall be responsible for creating and keeping a record of each project review.
  - b. The documentary record of each project review will be maintained in the Fort Myer environmental archives.
2. The Fort Myer CRM or Qualified Staff shall review the project and plans and respond to the Partnership within twenty (20) working days with a determination regarding the potential for an adverse effect on historic properties. If the Fort Myer CRM determines the project meets the Treatment Standards, the project may proceed as planned. Projects involving ground disturbance must be coordinated with the SHPO pursuant to Stipulation IV.C.4., below.
3. The SHPO may at any time request to review and comment on any project submitted to Fort Myer CRM if it has reason to believe that a historic property may be adversely affected by a proposed undertaking.
4. If the Fort Myer CRM makes a determination of Adverse Effect, the Fort Myer CRM shall make recommendations to the Partnership for alterations to the project plans in order to avoid or minimize the adverse effect. These recommendations shall be made in accordance with the Treatment Standards with the goal of minimizing the project to a Determination of Conditional No Adverse Effect, to be forwarded to the SHPO for review and concurrence, and other consulting parties for review and comment.
5. If the Partnership does not accept these recommendations, the Fort Myer CRM shall consult with the SHPO and other consulting parties to this Agreement to develop and implement a mitigation strategy pursuant to 36 CFR Part 800.6.
6. The Fort Myer CRM shall provide the SHPO and other consulting parties thirty (30) days from the receipt of complete project submission materials to review and comment on the proposed undertaking. The Fort Myer CRM shall consider all comments received from the SHPO and any consulting party during the thirty (30)-day comment period in its decision-making process. If the Fort Myer does not receive comments from the SHPO or any other consulting party during the

thirty (30)-day comment period it may assume that the non-responding party has no comment.

7. Actions listed in Stipulation V, Exempt Activities, are exempt from the project review process outlined above.

#### **E. Emergency Actions**

1. Emergency actions are those actions deemed necessary by the Partnership as an immediate and direct response to an emergency situation, which is a disaster or emergency declared by the President, tribal government, or the Governor of the State, or other immediate threats to life or property. Emergency actions under this Agreement are only those implemented within thirty (30) days from the initiation of the emergency situation.
2. If the emergency action has the potential to affect historic properties, the Partnership shall notify the Fort Myer CRM, who shall notify the SHPO and other consulting parties prior to undertaking the action, when feasible. As part of the notification, the Partnership shall provide a plan to the Fort Myer CRM to address the emergency. The Fort Myer CRM shall review and modify the plan if necessary and forward it to the SHPO and other consulting parties for review and comment. The SHPO and other consulting parties shall have seven (7) calendar days to review and comment on the plan to address the emergency. If the SHPO or other consulting parties does not comment or object to the plan within the review period, the Fort Myer CRM shall direct the Partnership to implement the proposed plan.
3. If the Partnership is unable to consult with the Fort Myer CRM prior to carrying out emergency actions, the Partnership shall notify the Fort Myer CRM, the SHPO, and other consulting parties within forty-eight (48) hours after the initiation of the emergency action. This notification shall include a description of the emergency action taken, the effects of the action(s) to historic properties, and, where appropriate, any further proposed measures to avoid, minimize, or mitigate potential adverse effects to historic properties. The SHPO and other consulting parties shall have seven (7) calendar days to review and comment on the proposal where further action is required to address the emergency. If the SHPO or other consulting parties do not object to the plan within the review period, the Fort Myer CRM shall direct the Partnership to implement the proposed plan.
4. Where possible, such emergency actions shall be undertaken in a manner that does not foreclose future preservation or restoration of historic properties. Where such emergency actions may affect Historic Buildings, they shall be undertaken in a manner that is consistent with the Treatment Standards. In addition, where possible, such actions shall be done with on-site monitoring by the appropriate preservation professional who meets, at a minimum, the *Professional Qualifications Standards* in his or her field of expertise.

5. Where the SHPO and/or any other consulting party have reason to believe that a historic property may be adversely affected by an emergency action, the party shall submit a request to the Army to review and comment on that action.
6. Immediate rescue and salvage operations conducted to preserve life or property are exempt from these and all other provisions of this Agreement.

#### **F. Status Reports**

Fort Myer shall report to the SHPO and other consulting parties on the status of the Undertaking using a report prepared by the Partnership and the Fort Myer CRM annually in the month to be agreed upon by the SHPO, the Partnership, and Fort Myer. This report shall include information on the current condition of the historic properties, actions taken by the Partnership to maintain the properties in accordance with the Treatment Standards, and descriptions of unanticipated problems that could affect the integrity or upkeep of the historic properties, or any other activities or policies that affect or may affect the historic properties, including the documentation of Fort Myer CRM project reviews carried out under Stipulation IV. D , above.

#### **V. EXEMPT ACTIVITIES**

A. The following activities may be carried out without further consultation with the SHPO, provided that the Fort Myer CRM ensures that these activities are consistent with the Treatment Standards:

1. General operation and routine and cyclical maintenance to Wainwright Hall and Building 47.
2. Temporary installation of facilities to provide access to Wainwright Hall by disabled persons provided these changes make no permanent modification to NRHP-eligible architectural or cultural landscape elements.
3. Any change to the mechanical, electrical, or plumbing systems, basement, or attic spaces of Wainwright Hall, as long as such change does not affect any significant exterior or interior historic character-defining elements.

B. Activities not listed above shall be completed as directed in Stipulation IV above. The replacement of character-defining moldings, doors and windows is not exempt and must be reviewed using the process outlined in Stipulation IV above.

C. In the event that the signatories to this Agreement concur in writing that additional exemptions are appropriate, such exemptions may be enacted in accordance with the stipulations in this Agreement.

## VI. POST REVIEW DISCOVERIES

**A. Unanticipated Discovery.** In the event of unanticipated discovery of archaeological materials during any of its activities, the Partnership shall immediately stop work in the area of discovery and notify the Fort Myer CRM. The Partnership shall ensure that no unauthorized personnel have access to the site and no further damage is done to the discovery until Fort Myer has complied with 36 CFR 800.13(b) and any other legal requirements. Failure to report such finds shall be interpreted as willful destruction of archaeological properties on federal land.

**B. Documentation and Reporting.** All archaeological investigations carried out pursuant to this Agreement shall be conducted by Qualified Staff and shall be consistent with the Secretary of the Interior's *Standards and Guidelines for Archaeological Documentation* (48 FR 44734-37, September 29, 1983) and the SHPO's Guidelines for Conducting Cultural Resource Survey in Virginia (rev. 2003) and shall take into account the ACHP's publications *Recommended Approach for Consultation on Recovery of Significant Information from Archeological Sites* (1999; rev. 2003) and *Section 106 Archaeology Guidance* (June 2007) or subsequent revisions or replacements to these documents. Two (2) copies of all technical reports and a CD-Rom shall be submitted to the SHPO for review and comment.

## VII. CONSULTATION WITH FEDERALLY RECOGNIZED INDIAN TRIBES

**A.** Federally recognized Indian tribes with historic ties to the Fort Myer area were afforded the opportunity to comment on the Undertaking. No replies were received. During the term of this Agreement, should a federally recognized tribe express interest in this Undertaking during the duration of this Agreement, or if a tribe should receive formal Federal recognition as defined in 36 CFR Part 800.16(m), said tribe interested in developing consultation procedures for projects resulting from the Undertaking may consult with Fort Myer to develop such procedures pursuant to 36 CFR Part 800.2(c) (2)(ii)(E).

**B.** If the Fort Myer CRM in consultation with the SHPO and other consulting parties determines that NRHP-eligible archaeological resources identified in a survey will be affected by a proposed undertaking as defined by 36 CFR Part 800.5, the Fort Myer CRM shall continue consultation in accordance with 36 CFR Part 800.6 to determine how to avoid or resolve an adverse effect on the property. The Fort Myer CRM shall invite consultation with any federally recognized tribe that may attach cultural or religious significance to properties that may be affected as required under 36 CFR Part 800.2 (c) (2) (ii) and with the VCI. Fort Myer shall require the Partnership to reimburse Fort Myer for the cost of any consultation with federal tribes and the VCI.

## **VIII. ANTI-DEFICIENCY ACT**

The Army's obligations under this Agreement are subject to the availability of appropriated funds, and the stipulations of this Agreement are subject to provisions of the Anti-Deficiency Act. The Army shall make reasonable and good faith efforts to secure the necessary funds to implement its obligations under this Agreement. If compliance with the Anti-Deficiency Act alters or impairs the Army's ability to implement its obligations under this Agreement, the Army shall consult in accordance with the amendment and termination procedures found in Stipulation X. below.

## **IX. DISPUTE RESOLUTION**

A. Should the any party to this Agreement object in writing within thirty (30) days to any plans or other documents provided by the Army, the Fort Myer CRM or others for review pursuant to this Agreement, Fort Myer shall consult with the objecting party to resolve the objection. If Fort Myer determines it cannot resolve the objection, Fort Myer shall forward to the ACHP all dispute-relevant documentation and a recommended course of action. Within thirty (30) days after receipt of documentation, the ACHP will either:

1. Provide Fort Myer with recommendations, which Fort Myer shall take into account in reaching a final decision regarding the dispute; or
2. Notify Fort Myer that it will or will not comment pursuant to 36 CFR 800.7(c). Fort Myer shall take into account any comment the ACHP provides in response to such request and do so in accordance with 36 CFR 800.7(c)(4) with reference to the subject of the dispute.

B. Any recommendation or comment that the ACHP provides pertains only to the subject of the dispute. Fort Myer's responsibility to carry out all other actions under this Agreement, other than those disputed, shall not change.

C. At any time during implementation of the measures stipulated in this Agreement, should an objection pertaining to this Agreement be raised by a member of the public, Fort Myer shall notify the SHPO and other consulting parties and take the objection into account, and shall make a good faith effort to consult with the objector to resolve the object.

## **X. AMENDMENT AND TERMINATION**

- A. Any signatory to this Agreement can propose that the Agreement be amended, whereupon Fort Myer shall consult with the SHPO to consider such an amendment. All signatories to the Agreement must agree to the proposed amendment. Any amendment to this Agreement shall be in effect upon the date of the last signature.

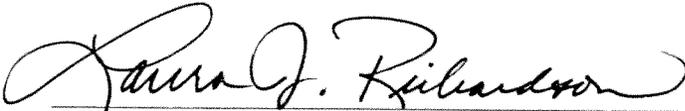
- B. If a change occurs in the Undertaking that creates new circumstances that Fort Myer must address, or, if Fort Myer is unable to carry out the terms of this Agreement, any signatory to this Agreement may request an amendment in accordance with 36 CFR Part 800.6(c)(7).
- C. Revisions to the NHPA or 36 CFR Part 800 during the term of the Lease that affect this Agreement shall require amendment of this Agreement by the signatory parties.
- D. Any signatory to this Agreement may terminate the Agreement by providing thirty (30) days written notice to the other signatory party. During the period after notification and prior to termination, Fort Myer and the SHPO shall consult to seek agreement on amendments or other actions that would avoid termination. In the event of termination, Fort Myer shall negotiate a new PA per 36 CFR Part 800.14(b), or request, consider, and respond to the ACHP's formal comments per 36 CFR Part 800.7.
- E. Should the parties to this Agreement not agree on an amendment or in the event of the Army's failure to comply with the stipulations of this Agreement prior to execution of a Lease, this Agreement shall be terminated. In such an event, the Army may elect not to execute a lease that has the potential to adversely affect historic properties until applicable stipulations of the Agreement are met or until it obtains alternative documentation from the Council that it has met the requirements of the Act.

## **XI. DURATION AND APPLICABILITY**

- A. This Agreement shall become effective upon the date of the last signature of a signatory party.
- B. This Agreement shall remain in effect for the duration of the Army's Lease with the Partnership unless previously terminated under the provisions of Stipulation X above. If the parties to the Lease or their successors agree to extend the Lease, the parties to this Agreement or their successors shall consult 6 months prior to the expiration of the Lease on the need to renew or amend this Agreement.
- C. Fort Myer shall incorporate this Agreement into the Lease as an exhibit and it shall become an integral part of the Lease. The Agreement shall become applicable to Rest Easy, LLC after the Partnership is formed and upon the execution of the Lease. The Lease is expected to be a 50-year lease, with an option to renew the lease for twenty-five (25) more years upon mutual agreement between the parties.

Execution of this Agreement by Fort Myer and the SHPO, and its submission to the ACHP in accordance with 36 CFR Part 800.6(b)(1)(iv), shall, pursuant to 36 CFR Part 800.6(c), be considered to be an agreement with the ACHP for the purposes of Section 110(l) of NHPA. Execution and submission of this Agreement, and implementation of its terms evidence that Fort Myer has afforded the ACHP an opportunity to comment on the Undertaking and its effects on historic properties and that Fort Myer has taken into account the effect of this Undertaking on historic properties and sought ways to avoid, reduce or mitigate adverse effects as required under Section 106, 110 and 111 of the NHPA as amended.

**FORT MYER, VIRGINIA**



Laura J. Richardson  
Colonel, US Army  
Commanding

Date 3 APR 2009

**VIRGINIA STATE HISTORIC PRESERVATION OFFICER**



Kathleen S. Kilpatrick  
State Historic Preservation Officer

Date 4/27/09

**Concur:**

**Rest Easy LLC**

By: RE Managing Member LLC, its managing member,

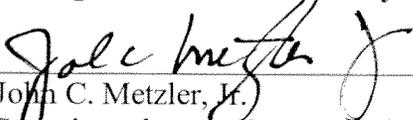
By: Actus Lend Lease Holdings LLC, its sole member,

\_\_\_\_\_ Date \_\_\_\_\_

Bruce Anderson

Senior Vice President

**Arlington National Cemetery**

  
\_\_\_\_\_  
John C. Metzler, Jr.  
Superintendent, Arlington National Cemetery

Date May 22, 2009

**County of Arlington**

  
\_\_\_\_\_  
Ron Carlee  
County Manager, County of Arlington

Date 5/20/09

**Concur:**

**Rest Easy LLC**

By: RE Managing Member LLC, its managing member,

By: Actus Lend Lease Holdings LLC, its sole member,

Bruce Anderson

Date 5-27-2009

Bruce Anderson

Senior Vice President

**Arlington National Cemetery**

John C. Metzler, Jr.

John C. Metzler, Jr.  
Superintendent, Arlington National Cemetery

Date May 22, 2009

**County of Arlington**

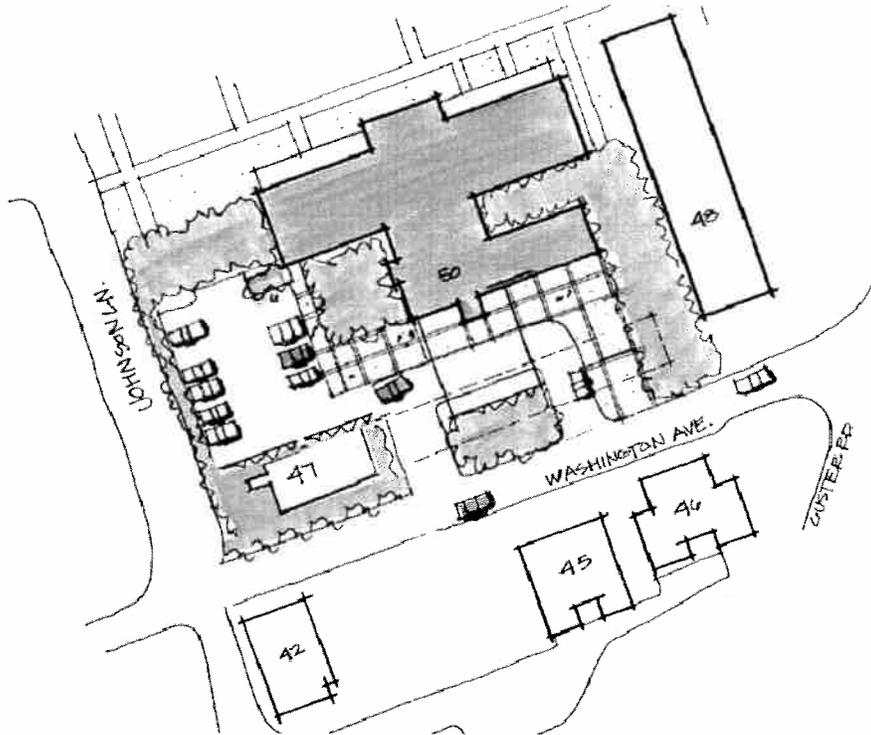
Ron Carlee

Ron Carlee  
County Manager, County of Arlington

Date 5/20/09

The Partner proposes to place a monument sign outside of the building on the proposed site that respects the historical aspect of the site.

The landscaping for the renovated Wainwright Hall shall meet the Secretary of the Interior's Standards since the site is recognized as a historic landscape that was once used by the Signal Corps as a parade ground in the 1870's. Appropriate plantings will be chosen to compliment the landscaping in addition to walk paths and light to compliment the landscaping that currently occurs on the site.



**Renovation of Wainwright Hall and partial demolition of Building 47 concept. Property line indicates PAL footprint and site improvements.**

#### **Wainwright Hall PAL Site Archaeological Potential**

The grounds within the PAL footprint have been highly disturbed by previous construction activities. Other site activities are surface level paving over previously disturbed areas that were paved. The Army finds that there is little potential for archaeological resources and no further investigations are warranted.





Preserving America's Heritage

February 26, 2009

Mr. William M. Niez  
Director of Public Works  
US Army Installation Management Command  
Headquarters, United States Army Garrison, Fort Myer  
204 Lee Avenue  
ATTN: Environmental Division  
Fort Myer, VA 22211-1199

**REF: Amendment to the Memorandum of Agreement Between Fort Myer, Virginia State Historic Preservation Officer and the Advisory Council on Historic Preservation Regarding the Demolition of Buildings 42, 43, 45, and 46, Fort Myer, Virginia (1985), Fort Myer, Arlington, Virginia**

Dear Mr. Niez:

The enclosed Memorandum of Agreement (MOA) amendment for the above referenced project has been accepted and signed by the Advisory Council on Historic Preservation (ACHP). This acceptance and signing completes the requirements of stipulations of the original MOA and is consistent with the requirements of Section 106 of the National Historic Preservation Act and the ACHP's implementing regulations, 36 C.F.R. Part 800.

Upon receipt of this transmittal letter and the signed amendment, please forward one copy of the amendment to the Virginia State Historic Preservation Officer. If you have any questions, please contact Mr. Katharine R. Kerr at (202) 606-8534 or [kkerr@achp.gov](mailto:kkerr@achp.gov).

Sincerely,

Charlene Dwin Vaughn, AICP  
Assistant Director  
Office of Federal Agency Programs

Enclosures

ADVISORY COUNCIL ON HISTORIC PRESERVATION

1100 Pennsylvania Avenue NW, Suite 803 • Washington, DC 20004  
Phone: 202-606-8503 • Fax: 202-606-8647 • [achp@achp.gov](mailto:achp@achp.gov) • [www.achp.gov](http://www.achp.gov)

AMENDMENTS TO  
MEMORANDUM OF AGREEMENT  
BETWEEN FORT MYER  
VIRGINIA STATE HISTORIC PRESERVATION OFFICER  
AND THE  
ADVISORY COUNCIL ON HISTORIC PRESERVATION  
REGARDING THE DEMOLITION OF BUILDINGS 42, 43, 45, AND 46  
FORT MYER, VIRGINIA

*The above-titled 1985 Memorandum of Agreement (MOA) shall be amended as follows:*

*(1) Replace all references to the U.S. Army Military District of Washington (MDW) with Fort Myer, Virginia (Fort Myer)*

*(2) Replace all reference to the Advisory Council on Historic Preservation as the "Council" with the "ACHP"*

*(3) Stipulations A, B, and C have been completed as required in the 1985 MOA and the following are revisions and additions to the 1985 MOA:*

*Stipulation D New Construction of the MOA shall be revised to read as follows:*

Fort Myer shall provide plans and drawings depicting the site of Buildings 45 and 46 as a park to the SHPO for review and comment electronically and in hard copy via certified mail at the 30%, 60%, and 90% design phase. The SHPO will submit their comments electronically to Fort Myer within thirty (30) calendar days from the receipt of plans and drawings for each design phase.

*Stipulation E Archaeology of the MOA shall be revised to read as follows:*

1. Fort Myer shall require minimal earth disturbance during demolition of Buildings 45 and 46.
2. In the event that previously unidentified archaeological sites are discovered during ground disturbing activities, all construction work involving ground disturbance shall be halted in the area of the site and in the surrounding area where further subsurface deposits may reasonably be expected to occur. An archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards (36 C.F.R. 61) shall inspect the work site and determine the extent and the nature of the affected archaeological property within two (2) working days of the discovery. Construction work may then proceed in the Project Area outside of the area of discovery.
3. Within five (5) working days of the discovery, Fort Myer shall notify the SHPO with assessment of National Register of Historic Places eligibility of

the site and proposed actions to resolve any adverse effects. The SHPO will have two (2) working days to respond to Fort Myer on the assessment.

4. If the property is determined by Fort Myer in consultation with the SHPO to meet the National Register Criteria (36 C.F.R. Part 60.6), Fort Myer shall ensure compliance with 36 C.F.R. § 800.13(b)(3) of the ACHP's regulations.

*Stipulation G Anti Deficiency Act shall be added to read as follows:*

The stipulations of this agreement are subject to the provisions of the Anti-Deficiency Act. If compliance with the Anti-Deficiency Act alters or impairs Fort Myer's ability to implement the stipulations of this agreement, Fort Myer shall consult in accordance with the amendment and termination procedures found at Stipulation F and J of this agreement.

*Stipulation H Dispute Resolution shall be added to read as follows:*

Should any signatory party to this MOA object at any time to any actions proposed or the manner in which the terms of this MOA are implemented, Fort Myer shall consult with such party to resolve the objection. If Fort Myer determines that such objection cannot be resolved, Fort Myer will:

1. Forward all documentation relevant to the dispute, including the Fort Myer's proposed resolution, to the ACHP. The ACHP shall provide Fort Myer with its advice on the resolution of the objection within thirty (30) calendar days of receiving adequate documentation. Prior to reaching a final decision on the dispute, Fort Myer shall prepare a written response that takes into account any timely advice or comments regarding the dispute from the ACHP, signatories and concurring parties, and provide them with a copy of this written response. Fort Myer will then proceed according to its final decision.
2. If the ACHP does not provide its advice regarding the dispute within the thirty (30) calendar day time period, Fort Myer may make a final decision on the dispute and proceed accordingly. Prior to reaching such a final decision, Fort Myer shall prepare a written response that takes into account any timely comments regarding the dispute from the signatories and concurring parties to the MOA, and provide them and the ACHP with a copy of such written response.
3. Fort Myer's responsibility to carry out all other actions subject to the terms of this MOA that are not the subject of the dispute remain unchanged.

*Stipulation I Duration shall be added to read as follows:*

This MOA amendment will expire if its stipulations are not carried out within five (5) years from the date of its execution. At such time, and prior to work continuing on the undertaking, Fort Myer shall either (a) execute a MOA pursuant

to 36 C.F.R. § 800.6, or (b) request, take into account, and respond to the comments of the ACHP under 36 C.F.R. § 800.7. Prior to such time, Fort Myer may consult with the other signatories to reconsider the terms of the MOA and amend it in accordance with Stipulation F, Amendments. Fort Myer shall notify the signatories as to the course of action it will pursue.

*Stipulation J Termination shall be added to read as follows:*

If any signatory to this MOA determines that its terms will not or cannot be carried out, that party shall immediately consult with the other parties to attempt to develop an amendment per Stipulation F, Amendments of the 1985 MOA. If within thirty (30) working days (or another time period agreed to by all signatories) an amendment cannot be reached, any signatory may terminate the MOA upon written notification to the other signatories.

Once the MOA is terminated, and prior to work continuing on the undertaking, Fort Myer must either (a) execute an MOA pursuant to 36 CFR § 800.6, or (b) request, take into account, and respond to the comments of the ACHP under 36 C.F.R. § 800.7. Fort Myer shall notify the signatories as to the course of action it will pursue.

*Per Stipulation F Amendments of the 1985 MOA, the signatories agree to these amendments.*



Garrison Commander  
Fort Myer, Virginia

12 Feb 2009

Date



Director and State Historic Preservation Officer  
Virginia Department of Historic Resources

18 Feb 2009

Date



Executive Director  
Advisory Council on Historic Preservation

2/26/09

Date

# Advisory Council On Historic Preservation

The Old Post Office Building  
1100 Pennsylvania Avenue, NW, #809  
Washington, DC 20004

## MEMORANDUM OF AGREEMENT

WHEREAS, the US Army Military District of Washington (MDW) has determined that demolition of buildings #42, 43, 45, and 46, and the construction of replacement housing on those sites, will have an effect upon the Fort Myer Historic District, a National Historic Landmark, and has requested the comments of the Advisory Council on Historic Preservation (Council) pursuant to Section 106 and Section 110 of the National Historic Preservation Act (16 U.S.C. 470f) and its implementing regulations, "Protection of Historic and Cultural Properties" (36 CFR Part 800),

NOW, THEREFORE, MDW, the Virginia State Historic Preservation Officer (SHPO), and the Council agree that the undertaking shall be implemented in accordance with the following stipulations in order to take into account the effect of the demolition and new construction on the Fort Myer Historic District.

### Stipulations

MDW will ensure that the following measures are carried out prior to initiating any alteration or demolition work.

#### A. DOCUMENTATION

Buildings #42, 43, 45, and 46 will be recorded so that there will be a permanent record of their history and appearance. Recordation will include historic research, measured drawings and photographs done to the standards of the Historic American Buildings Survey (HABS) (National Park Service, Department of the Interior, Washington, DC, 20243). All documentation must be accepted by HABS, and the Council notified of its acceptance, prior to demolition or alteration. Copies of this documentation will be provided to the Virginia SHPO. In developing the record of the above listed buildings special attention should be given to determining the historic and architectural origins and significance of the plank portion of building #42, its historic relationship to Fort Myer, and its relationship to the evolution of military housing.

*Elizabeth B. ...*

B. BUILDING #42

1. If it is determined that the plank portion of building #42 is either historically or architecturally significant, significant to Fort Myer, or significant to evolution of military housing, it will be moved from its current site and restored. The plank portion of the building will be moved in accordance with the recommended approaches in the Department of the Interior's publication "Moving Historic Buildings," Heritage Conservation and Recreation Service, Publication Number 9, 1979, and restored in accordance with the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings (Standards). Prior to moving the plank portion of building #42 MDW will take the following actions:

a. determine if there is an appropriate site and use for the structure within the Fort Myer Historic District; if none is available,

b. offer the structure to an appropriate Army or Federal agency for relocation, restoration and use; if none is available,

c. offer the structure to appropriate State or County agencies, or individuals, that will agree to relocate the structure to an appropriate site and restore it to its documented historic appearance.

2. If the structure is transferred out of US Army ownership, restrictive covenants will be added to the transfer document that require relocation to an appropriate site and restoration of the structure in accordance with the Standards and that will, thereafter, run with the structure.

3. MDW's determinations and offerings made under stipulation B-1 will be forwarded to the Virginia SHPO and the Council for information purposes.

4. MDW's proposed restrictive covenants under stipulation B-2 will be submitted to the Virginia SHPO and Council for review and comment prior to transfer of the structure. The Virginia SHPO and the Council will submit their comments to MDW within 15 working days.

C. BUILDINGS #45 AND 46

1. The feasibility of retaining buildings #45 and 46, in situ, will be investigated. This analysis will be accomplished through the development of architectural and economic studies that compare the retention and reuse of these structures with the military housing standards and the allowed expenditures for replacement housing units at this site. The studies will include the following:

a. an analysis to determine any structural deficiencies in either building;

b. an analysis to determine what changes would be required to either building to meet military health, safety and housing requirements;

c. schematic architectural designs illustrating the alternative ways by which both buildings could be rehabilitated as single housing units and single or duplex family housing units.

d. an economic analysis of the cost of the alternative housing schemes and a comparison of those costs to the allowed new construction expenditure at this site.

2. Copies of these studies, accompanied by a determination from MDW whether it is feasible to retain either, or both, building #45 or 46, will be submitted to the Virginia SHPO and the Council for review and comment. The Virginia SHPO and the Council will submit their comments to MDW within 15 working days from receiving adequate documentation.

3. If it is determined that either, or both, building #45 or 46 will be retained, it, or they, will be rehabilitated in accordance with the Standards. Plans and specifications for such rehabilitation will be submitted to the Virginia SHPO and the Council for review and comment. The Virginia SHPO and Council will submit their comments to MDW within 15 working days from receipt of adequate documentation.

#### D. NEW CONSTRUCTION

The design of replacement housing units, including site work and landscaping, will be carried out in accordance with the Standards and in consultation with the Council. Plans and specifications for all new construction on the site will be forwarded to the Virginia SHPO and the Council for review and comment. The Virginia SHPO and the Council will submit their comments to MDW within 15 working days from the receipt of adequate documentation.

#### E. ARCHEOLOGY

If, in conjunction with demolition or construction activities, archeological properties are found which appear to meet the National Register criteria, a plan for archeological data recovery, or other appropriate treatment, will be developed and implemented in consultation with the Virginia SHPO.

#### F. AMENDMENTS

If any of the signatories to this agreement determine that the terms of the Agreement cannot be met, or believes a change is necessary, that signatory shall immediately request the consulting parties to consider an amendment or addendum to the Agreement. Such an amendment or addendum shall be executed in the same manner as the original Agreement.

Execution of this Memorandum of Agreement evidences that MDW has afforded the Council an opportunity to comment on the demolition of buildings #42, 43, 45, and 46, and the construction of replacement housing on those sites, and its effects on the Fort Myer Historic District, and that the US Army has taken into account the effects of the project on the historic district.

W. B. [Signature] (date) 18 Oct 85

Deputy Installation Commander,  
U.S. Army  
Military District of Washington

A. Bryan Mitchell (date) 4/26/85

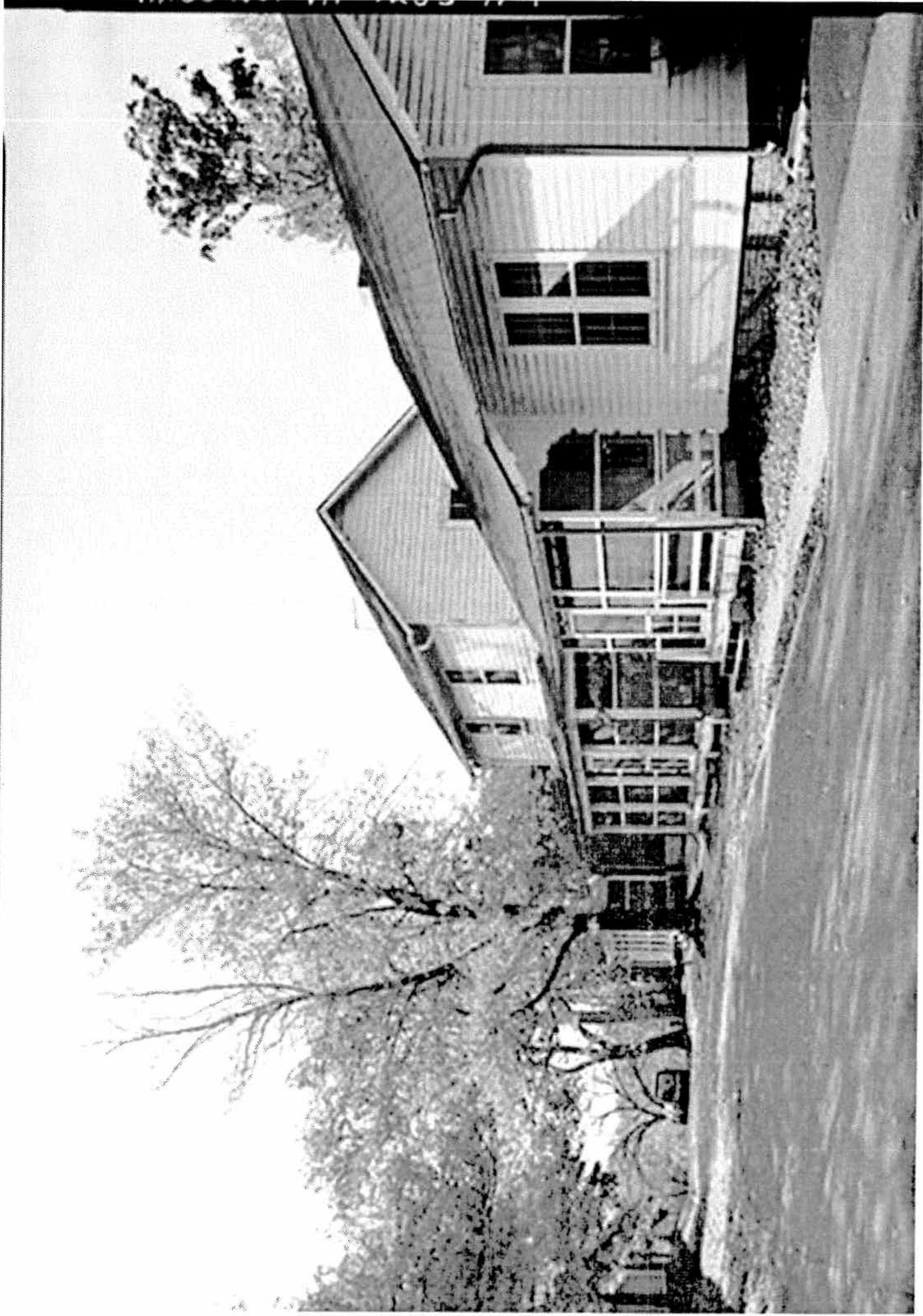
Virginia Historic Preservation  
Officer

John W. [Signature] (date) 4/8/85

Executive Director  
Advisory Council on Historic  
Preservation

Alexander [Signature] (date) 5/12/85

Chairman  
Advisory Council on Historic Preservation



View of Washington Street looking west ,including from right to left Quarters 42, 43, 45 and 46, prior to demolition of Buildings 43, 45 and 46 (HARS photo)



**APPENDIX H**

**VDHR GUIDELINES FOR ARCHITECTURAL SURVEYS AND  
ARCHAEOLOGICAL INVESTIGATIONS**





# **Data Sharing System (DSS)**

## **Data Entry Manual**

**For**

## **Architectural Resources**

Virginia Department of Historic Resources  
2801 Kensington Avenue  
Richmond, VA 23221

July 2009

## TABLE OF CONTENTS

Introduction .....	3
Helpful Reminders .....	3
Getting Started in the DSS.....	3
Obtaining a new DHR ID #:.....	3
General Field/Data Attribute Information:.....	4
Updating Existing DSS Records .....	5
Updating DSS Records of Specific Types of Resources .....	6
Demolished/Destroyed Resources.....	6
Relocated Resources.....	6
Recording Cemeteries as Architectural Resources .....	7
Submitting DSS Records & Supporting Documentation .....	7
Screen 1: General Resource Information .....	9
Screen 2: Physical Characteristics .....	13
Screen 3: Historic District Information.....	14
Screen 4: Individual Resource Information .....	15
Screen 5: Primary Resource Exterior Component Description.....	18
Screen 6: Individuals and Events Associated with Property .....	19
Screen 7: National Register Criteria Information .....	20
Screen 8: Graphic Media Documentation .....	21
Screen 9: Bibliographic Information .....	22
Screen 10: CRM (Cultural Resource Management) Event Information .....	23
Screen 11: Bridge Information .....	24
Screen 12: Cemetery Information .....	25
Screen 13: Individual/Organization/Agency Mailing Information.....	26
Appendix A. Resource Name Explanation (Screen 1): .....	27
Appendix B. Resource Type (screen 4): .....	28
Appendix B. Resource Type, Continued (screen 4):.....	29
Appendix C: Form (Screen 4): .....	30
Appendix D. Recommended Architectural Style Manuals .....	31

## Introduction

Adherence to the instructions set forth in this manual is required for recording newly surveyed resources and/or updating existing records in the Data Sharing System (DSS). The DSS is the electronic archive or repository for data collected during a survey of cultural resources in the Commonwealth of Virginia. Records that do not meet the recordation standards of the Virginia Department of Historic Resources (DHR) as set forth in this manual are returned to the DSS user for revisions. The reason for return will be limited to referral to a general section of this manual as opposed to specific comments.

## Helpful Reminders

Be sure to consult the DSS Users Guide for general information about the DSS Login Screen, potential error messages - and their meaning - and other helpful information that is not specific to data entry. Also, consult the Cultural Resources Survey in Virginia manual for guidance on survey methods, fieldwork in the Commonwealth and the information that is required to collect and prepare as a result of a cultural resource survey. The Archaeology Data Entry Manual is another document that might be helpful. These documents are located within the web site of the Virginia Department of Historic Resources: <http://www.dhr.virginia.gov/>.

## Getting Started in the DSS

After the fieldwork and the requisite research are complete, it is time to record the survey data in the DSS. It is required to create a record in the DSS that, among other things, records the name of the surveyed resource, its physical location, a description of the immediate setting and any associated secondary resource(s) and if the surveyor is of the opinion that the resource is significant enough to warrant further study.

In order to record an architectural resource in the DSS, the user must have a DHR ID #. This number can be obtained from either the Archivist or the Architectural Inventory Manager at the Department of Historic Resources (DHR). Contact information for these individuals can be found here [http://www.dhr.virginia.gov/homepage\\_features/staff3.htm](http://www.dhr.virginia.gov/homepage_features/staff3.htm) on the DHR web site.

## Obtaining a new DHR ID #:

- In order for DHR to assign a new DHR ID #, submit (via fax or email) a copy of a clearly labeled section of the appropriate United States Geological Service (USGS) topographic quadrangle map showing the resource's exact location, as well as its historic/common name and/or its address. Please zoom-in sufficiently to show the black dot on the quad map.
- **NOTE:** If an exact address is not known at this time, provide at least the nearest road name or route number. Be sure to specify the topographic map "name" and the county or locality on the fax or in the email message. The omission of any of these pieces of information causes delays in the assignment of requested DHR ID #'s.
- **NOTE:** The DHR Archives keeps track of the assigned DHR ID #'s and is the only entity that has the authority to issue these numbers for use in the DSS. Do not assign your own number or enter a temporary number for architectural resources. In addition, the Archivist retains the map that is sent to DHR with the number request. For this reason, submit this same map with the final DSS & survey documentation deliverables.

### General Field/Data Attribute Information:

- **Red Field Names:** The user must enter data in these fields in order to save the record. The user cannot save the record without entering data in these fields.
- **“Add, Modify, Update, Remove”:** These four functionality “buttons” assist with adding new information into a record, editing and updating existing information, and/or removing erroneous information, respectively. These tools are found throughout the database in fields where there could be multiple entries of data pertinent to the primary resource.
- **“Save”:** At the end (in the bottom right corner) of every screen, you must select the “Save” button in order to advance to the next screen AND save the data that was just entered, otherwise, the information that was just entered will NOT be retained. The “Next” button serves to advance to the next screen ONLY and does not retain any of the data that was edited or entered. If you return to a previously edited page, to ensure that you see all the changes you have made to that screen, first select the “Refresh” button on the page using the icon in the Microsoft Explorer toolbar. If the refresh icon is not on the toolbar, go to View (in the toolbar), and select “Refresh” from the list.
- **Open Text Fields:** DHR refers to the following fields as “open text fields:” Users can enter “free-form” text in these fields. Preface all information in the open text fields with the date (month, year) of the survey, regardless if this is the first survey or a follow-up survey.
  - Site Description (screen 2)
  - Secondary Resource Summary (screen 2)
  - Architectural Description (screen 4)
  - Significance Statement (screen 5)

DHR recommends that users compose descriptive text for the open text fields in a Microsoft Word document and then save the text. This is recommended for two reasons: 1) it allows for a Spell/Grammar Check of the Word document (DSS does not offer spell check), and 2) the link to the database is automatically disconnected if there is no perceived action in the database for an extended period of time (maximum 15 minutes). **At present, there is no warning of the impending “time-out.”** The lost connection may not be realized until an attempt to save data and advance to the next screen is made. At that point, an error message will display (see User’s Guide). Regrettably, any data entered on that screen will be **lost**.

- **Blank Fields:** Users are not required to enter data in all fields within the DSS record for reconnaissance-level survey. However, do not leave certain fields blank. Specific instructions about acceptable blank fields are within this document. Many of the look-up lists throughout the database offer “Other” as an option. Users should know that “Other” is a viable and appropriate option to select. This indicates to the Architecture Inventory Manager and to other DSS users that the field was not intentionally disregarded.

## Updating Existing DSS Records

DSS users can update DSS records that already exist in the DSS with new survey information. The user must first send a request to the DSS Architecture Inventory Manager to move the DSS record(s) into a specified edit box. Please adhere to the following guidance:

\*\*\*Although there are a few exceptions, **do not** remove the information that is already in the DSS record. Please be mindful that when new information is added to the record (e.g., a physical or “911” street address in the Address and Location Field), the existing information (e.g., the rural route number) should be updated accordingly. \*\*\*

- Some DSS records contain data that was entered when the record was created in the Integrated Preservation Software (IPS), the database application that preceded the DSS. Subsequent to the conversion of survey data from the IPS to the DSS, it was learned that some of the data did not transfer; which occurred most often in the open text fields. Many of the archives files contain hard copy IPS records. The survey information is contained on these. This makes archival research of previously surveyed resources all the more critical. **NOTE:** For more information about the IPS as well as the IPS to DSS conversion, please refer to the DSS Users Manual.
- Prior to the recent changes made to the DSS (during 2007 and 2008), new data could be added to a record and the record could be saved without correcting errors that were a result of the IPS to DSS data conversion. Subsequent to these DSS changes, there are now “validation” requirements in certain fields like the Site Description and Secondary Resource Summary that now require data input. Error messages will result if this data is not added or corrected prior to attempting to save data and more forward. To prevent these error messages, enter current survey information and select “Update” and/or “Save.” If problems occur, contact the DSS Architecture Inventory Manager for assistance
- When editing records, for fields that can only accommodate one selection (e.g., the architectural style, screen 4), previous survey data **may be changed**. If this is done, make note of such changes in your architectural description. For fields that can accommodate multiple selections, simply add the new information. For example, if a resource name is added, enter that name in the Resource Name field and then select the appropriate Resource Name Explanation. Again, do not remove existing resource names; remember to adjust the Resource Name Explanation, if necessary.
- When updating an open text field, enter an updated description underneath the existing description and preface the new description with the date (month and year) of the survey. DHR does not have a required format for entering the fieldwork date; for example, either “06/2009” or “Sept. 2009” is acceptable.
- When updating the site description (screen 2), the secondary resource summary (screen 2), and the architectural description(s) (screen 4), if the previous survey was conducted more than six years prior to the current survey, or the date of the most recent survey is unknown, the user must provide a thorough updated description. Otherwise, the description may state something akin to “The site/resource has not undergone major changes since the last survey.”
- For resources that have already been determined potentially eligible, eligible or are already listed on either the Virginia Landmarks Register and/or the National Register of Historic Places (NRHP), the updated significance statement (screen 5) must state if the resource retains sufficient integrity to retain that status.

## Updating DSS Records of Specific Types of Resources

### Demolished/Destroyed Resources

The DSS record should reflect that a resource is demolished/no longer extant at the time of survey. It is required to update several fields within the DSS record to reflect the condition of the resource(s) and the surrounding site (see below).

Follow these steps in order to update the record:

- **Site Description (screen 2):** Prepare a site description that details the site as it is found at the time of survey. If a new building is now in the same location, please mention this.
- **Secondary Resource Summary (screen 2):** If any secondary resources were noted from a previous survey that were not found in a follow-up survey, indicate that these resources were not located and are presumed to be no longer extant.
- **NR (National Register) Resource Status (screen 3):** If applicable, change the status to "Undetermined."
- **Status (Individual Resource Information - screen 4):** Update the status of the resource to "Demolished" from this look-up list.
- **Architectural Description (Individual Resource Detail Information - screen 4):** Indicate that the resource is no longer extant. Mention any new construction on the site of the demolished resource in this field. A comprehensive architectural description for the new resource is not required. Also within this field, update the "Threats to Resource" field: remove any existing threats and select only demolition from the options.
- **Primary Resource Exterior Component Description (screen 5):** Do not remove the information that is currently in the record.
- **Significance Statement (screen 5):** Draft an appropriate statement of significance.
- **CRM Event (screen 10):** In addition to selecting the appropriate type of survey that was conducted, select the "Destroyed" CRM event to indicate that the primary resource is no longer extant. If the date, or approximate date of demolition, is known, enter that date in the CRM date. Otherwise, indicate that the date is not known in the "CRM Comments" field and enter the date of survey in the "CRM Date" field.

**NOTE: Submit photographs of the post-demolition surveyed site.**

For individual resources, DHR retains the originally assigned DHR ID number, even if a new building has been constructed in place of the original resource. However, for resources within historic districts, if a new building was constructed subsequent to the demolition/destruction of the historic/original building, a new DHR ID # must be assigned for the new resource. Contact the Archivist or Architectural Inventory Manager for this number.

### Relocated Resources

Relocation of a primary resource from its original location warrants assignment of a new DHR ID number if the resource is moved to a different county or locality. DHR will retain the original DHR ID #. For the purposes of cross-referencing, DHR will enter a CRM event (on screen 10) within the new DSS record of the original DHR ID #.

Construction of a replacement primary resource on the relocated resource's site also warrants assignment of a new DHR ID #. The relocated resource will have a new address. The newly

constructed building will assume the original address. Add any new secondary resources observed during resurvey to the record. Complete the DSS record as with any newly surveyed resource, but paying particular attention to note remaining landscape features or secondary resources that are contemporary with the original primary resource.

### **Recording Cemeteries as Architectural Resources**

Historic burial sites commonly referred to as cemeteries, can be comprised of both above- and below-ground elements. A cemetery must be recorded as an architectural resource if no sub-surface disturbance occurred during the cultural resource survey. The cemetery must be recorded as both an architectural resource and as an archaeological site if either of the following conditions are present:

- There has been or will be ground-disturbing activities at the site (including archaeological investigations); and,
- Inscribed markers are not present but only unmarked gravestones or plain fieldstones or depressions, which denote burials.

In addition to following the same recordation guidance for architectural resources, as provided herein, use the following instructions to record a cemetery, as either a primary or a secondary resource:

- **Screen 2: Site Description:** If the cemetery is the primary resource, a site description is required in this field. If the cemetery is a secondary resource, describe its setting in the Architectural Description field on screen 4. Using complete sentences, describe both the natural and man-made features in the immediate physical surrounding. Discuss any setback from the nearest road, the general topographic features, and the general condition of the property on which the cemetery is located. Remember to preface the text with the date (month/year) of the fieldwork.
- **Screen 4: Architectural Description:** Describe the configuration of the markers, stones, depressions, and any period vegetation or plantings that are contemporary with the cemetery's establishment. Note if a fence or wall is present. This field is also ideal for recording the inscription(s) of marker(s). Discuss larger landscape features that go beyond the immediate area in this field as well. Be sure to indicate any threats to the resource as well.
- **Screen 5: Exterior Components:** It is acceptable to leave these blank for cemeteries that are primary resources.
- **Screen 12: Cemetery Information:** Record the general information about the cemetery on this screen. See page 25 for more detailed instructions.

### **Submitting DSS Records & Supporting Documentation**

- Once the survey data is entered, submit your records electronically from the edit box to the Architectural Inventory Manager. This is accomplished by checking the box to the left of the DHR ID # in the user's edit box and selecting the "Submit" button.
  - **NOTE:** For records that are associated with an historic district, please email the Architecture Inventory Manager and request that all records associated with that district be moved from the user's edit box into the DSS.

## DSS Data Entry Manual for Architectural Resources

- In addition, an e-mail notification to the Architectural Inventory Manager is required. Once submitted, the Architectural Inventory Manager will review the record(s) and either submit the record(s) into the DSS or return them to the user's edit box for revisions.  
**NOTE:** The review of the records may or may not occur before records and supporting documentation (see below) are sent to DHR. Ideally, the records will be reviewed and the user will be notified of any required edits. However, the volume of submitted records may prohibit this.
- The DHR Cultural Resources Survey Manual (survey manual) outlines the four components that should be prepared subsequent to a cultural resources survey (reconnaissance, intensive, new or re-survey).
  - DSS Record;
  - B&W photographs (labeled and sleeved);
  - Site plan (a North arrow, the closest road and "Not to Scale" must be included);
  - Appropriate sections of the topographic quad map.

Refer to the Cultural Resources Survey Manual for more specific information about information that is required on a site plan.

**NOTE:** If DSS records and the supporting documents are submitted pursuant to the National Historic Preservation Act of 1966, as amended under Section 106 or Section 110 for review and comment by DHR's Office of Review and Compliance (ORC), the user must submit all of the aforementioned materials along with any required reports or other supporting materials required by ORC.

ORC staff will forward the DSS records and supporting survey documentation to the Architectural Inventory Manager. Upon receipt of these materials from ORC, the Architectural Inventory Manager will review all materials to ensure compliance with DHR recordation standards. Once the materials meet DSS Quality Assurance/Quality Control (DSS QA/QC), the Architectural Inventory Manager creates archive files using the hard-copy survey materials. The Architectural Inventory Manager returns the files to the lead project reviewer in ORC to initiate project review. **NOTE: The 30-day project review period for ORC begins once the Architectural Inventory Manager acknowledges the DSS records and supporting materials meet DSS QA/QC.** After ORC responds to the project, the archive files are returned to the Architectural Inventory Manager, who will update the DSS records with eligibility information, and formally accession the files into the Archives.

\*\*\*\*This concludes the overview section of the manual.\*\*\*\*

**The following pages provide the DSS user with the necessary instructions to enter data from the survey form into the DSS, and thereby, creating a DSS record.**



### Resource Name/Resource Name Explanation:

- Enter the preferred or most common name of the resource first and indicate the explanation for the name from the Resource Name Explanation look-up list (See Appendix A). It is possible that a resource is referred to by several names. Knowing this, list all of the resource names using the “add” function. To add a new resource name to the DSS record, enter a resource name and choose the appropriate selection from the Resource Name Explanation look-up list. Use the “add” function to move the entry out of the boxes and into the record.
- Named properties (e.g., historic houses named for an individual or family) should be entered with the individual’s first name listed first followed by the surname.
- If a resource does not have a historic name associated with it, record the resource name according to its resource type with an additional description; for example “Commercial Building, 1029 Broad Street” or “Barn, Off Route 630.” The explanation under these resource name examples is “Function/Location.” In most instances, particularly in historic districts and urban areas, the record should include a “Function/Location” name for the resource in addition to any Current or Historic names.
- To alter an existing resource name, highlight a previously entered name by clicking on it and then select “Modify.” This will move that entry into the boxes either to view it or to modify it. Once modified, select “Update”; this will move that entry out of the boxes and back into the record.
- **NOTE:** If an entry is not moved back into the record using the “add” or update” functions, the data will be lost when the page is saved.

With the exception of numbered streets higher than “tenth,” spell out the names of streets. Also spell out the street’s prefix and suffix. For example, “100 Second Street, North,” and “200 31<sup>st</sup> Street, West” This rule also applies to the address and location section of this page (see below).

### Address and Location:

- **Street #:** Enter only the street number in this field. If this is not known, it is acceptable to leave this field blank. Do not enter alphabetic or other non-numeric characters in this field.
- **Street Name:** Enter the complete street name. Do not abbreviate words such as “street,” “road,” “drive,” “boulevard,” etc.; always spell out the entire word. For street names that also include directional terms, enter the direction after the street name. For example, enter “Second Street, North.” Naturally, there are some road names where this rule will not apply. However, note that this format is especially critical for records that are being prepared for a National Register nomination for an historic district. The direction part of the street name is placed after the street name so that all resources on a given street are listed together in the Inventory Report.
- **Street # Suffix:** If the resource has an address range (e.g., 1200-1202 Third Street) or an apartment number (e.g., “1/2” or “A”) enter that part of the address in this field. For an address range, enter the first number in the range in the “Street #” field and the last number in the range in the “Street # Suffix” field. Do not add the dash “-” character; the DSS automatically inserts this character in the printed record.
- **Address Explanation:** Select an explanation from the look-up list. If the resource has only one address the address explanation is the current address. **There can be ONLY one current address. NOTE:** When updating a record, and the previously recorded current address is a rural route number, and the resource now has a 911/Emergency

Response System address, change the address explanation for the rural route number to alternate. The "911" address is now the current address.

- Do not enter both the street name and route number together in one entry. For example, 12516 Harris Mill Road/Route 632 is not correct. Enter the street name (Current) and the route number (Alternate) separately. The street/house number is not needed for the route #; it is acceptable to leave this field blank in this instance.
- **NOTE:** If both the route number and the street name are known, it is not required to enter both. Reference to the route number may be included in the site description.

**Town/ Village/ Hamlet:**

- If the resource is located in a town, village, or hamlet, or within its vicinity, enter the name of that jurisdiction.

**County or Independent City:**

- Select the appropriate choice(s) from the list of counties and independent cities within the Commonwealth of Virginia. Multiple counties can be selected for those resources that straddle multiple localities. **TIP:** "Jump" to the desired county or city name by selecting the first letter of that word on the keyboard and continue to depress that key until the selected name appears.

**Zip Code:**

- Enter the resource's zip/postal code. Note that this is useful but not required for reconnaissance-level survey.

**Vicinity:**

- Select "Yes" if the resource is located within the vicinity or the periphery of the town, village, or hamlet entered in the "Town/ Village/ Hamlet" field. Otherwise, leave this field blank.

**Tax Parcel:**

- Enter the resource's tax parcel number. Note that this is useful but not required for reconnaissance-level survey.

**Magistrate:**

- Enter the magisterial district in which the resource is located. Note that this is useful but not required for reconnaissance-level survey.

**Restricted UTM (Universal Transverse Mercator) data:**

- If the UTM data should be suppressed, select the appropriate response from the look-up list. Typically, this information is suppressed if the location of a resource needs to be restricted from the public-at-large.

**Open to Public:**

- Select "No" for residential properties and/or other privately owned buildings.
- Select "Yes" for commercial establishments, public buildings, government buildings, libraries, museums, etc.
- Select "Yes, limited" for those resources with a seasonal schedule (e.g., parks, historic sites or historic districts).

**Is There a CRM report:**

- If a Cultural Resource Management (CRM) report is being prepared in connection with the survey of this resource, or if a previous report exists, indicate “Yes.” Otherwise, select “No.”

**UTM Coordinates:**

- **NOTE:** Coordinates are not required for properties recorded at reconnaissance level survey. The coordinates **ARE** required for an intensive level survey and/or if the record is being created in support of a nomination to the NRHP.
- **UTM Center:** When entering UTM coordinates, if the resource is ten acres or smaller, a central UTM point should be entered in this field.
- **UTM Coords:** If the resource is larger than ten acres, multiple points should be entered to indicate its boundaries. Refer to the appropriate National Park Service bulletin for additional guidance.

**USGS QUAD/Selected USGS QUAD:**

- Select the name of the USGS 1:24000 quadrangle (quad) topographic map on which the resource is located.
- If the resource straddles more than one quad sheet, multiple quad names can be selected. To move the appropriate sheet name from the “USGS Quad” field to the “Selected USGS Quad,” locate the name in the list on the left and select/ highlight it by clicking once on the name. Click on the right-pointing arrow. This action will move the quad name from the list on the left to the open-space on the right.
- To deselect an erroneous quad name, highlight the name on the right, click the arrow pointing to the left and the name will be returned to the full list. **NOTE:** The returned quad sheet name is placed at the bottom of the list of available USGS Quads.
- **TIP:** “Jump” to the desired quad name by selecting the first letter of that quad on the keyboard and continue to depress that key until the selected quad name appears.

**Remember to select “SAVE” in order to proceed to the next screen and to save the recorded information.**

**\*\*\*\*Prior to saving data and advancing to the next screen, DHR suggests that DSS users develop the habit of ensuring that all “Add/Update” entries are complete. This will result in successful data saves. \*\*\*\***

## Screen 2: Physical Characteristics

### Setting:

- Choose an appropriate setting from the look-up list. Below are the options and an explanation of those options:
  - Hamlet: A crossroads-style community that is unincorporated.
  - Rural: A resource in an open, pastoral setting.
  - Suburban: An evolved residential neighborhood.
  - Town: An incorporated community.
  - Transportation Corridor: An otherwise rural area that has built up along a main road.
  - Village: An unincorporated community with a town-like setting built on a grid pattern; larger in area than a hamlet.
  - Urban: A densely built-up area within an independent city's boundaries

### Acreage:

- Exact acreage is useful but not required **except for** intensive-level surveys. Otherwise, it is acceptable to leave this field blank.

### Site Description/Notable Landscape Feature:

- This open text field requires a description of the resource's immediate surroundings. In complete sentences, describe the setting in which the surveyed resource is located. The descriptive statement needs to include the significant fabricated, designed and/or natural landscape features. Note the setback from the road that fronts the resource. If the resource is in an urban environment, discuss the streetscape, plantings in the right-of-way, period retaining walls, etc.
- If the record is for a resource within a historic district, the site description should contain information that describes the district in general and then followed by a description of the site specific to the individual resource.

### Secondary Resource Summary:

- This open text field should provide an inventory of secondary resources and their physical relationship to the primary resource. When describing physical relationships, use directions such as north, south, east and west. If directional location terms are not used, indicate, "Refer to site plan" in the summary. (Include all secondary resources on the site plan that will accompany the DSS record.)
- When there are no secondary resources, state "None."
- Regardless of what text is entered in this field, remember to preface it with the date of field work.

### Ownership Status/Selected Ownership Status:

- Select from "Private," "Public-Federal," "Public-Local," or "Public-State." To do this, click on the ownership type, then click the right-facing arrow. This moves the selection from the "Ownership Status" column to the "Selected Ownership Status" column.
- If applicable, it is permissible to select multiple ownership types.

### Government Agency Owner:

- If the resource is owned by a state or federal agency, select the appropriate entity from the look-up list.

**Remember to select “SAVE” in order to proceed to the next screen and to save the recorded information.**

### **Screen 3: Historic District Information**

**NOTE:** Typically, information is entered in this screen to record information about those resources that are part of an historic district. However, if the project involves recording resources in the DSS with tertiary numbers, the name of the primary resource must be entered in the “Name of National Register Historic District” field. Otherwise, proceed to Screen 4 by selecting “Next.”

#### **Name of National Register Historic District:**

- Enter the proposed name of the historic district in this field. If the resource is located within more than one historic district, separate the names of the districts with a semi-colon. For example, “Downtown Historic District; Commercial Historic District.”
- Be sure to include “Historic District” as part of the name (e.g. Downtown Historic District should be entered rather than just Downtown or Downtown HD).

#### **Name of DHR Eligible Historic District:**

- This field should no longer be used. Enter the district name in the “Name of National Register Historic District” field.

#### **Name of Local Historic District:**

- Include the name of a local historic district, if applicable.

#### **NR (National Register) Count:**

- Include the number of each resource type for that particular surveyed resource.

#### **NR (National Register) Resource Type:**

- Select the appropriate resource type as defined by the NPS.
- **NOTE:** The resource type “district” is no longer an option offered within the DSS. (Refer to NPS NR Bulletin 16, p. 15 for all resource type definitions and examples.)

#### **NR Resource Status:**

- Select either contributing or non-contributing based on whether the resources contribute to the overall significance of the resource and support the eligibility for the NRHP. Contributing resources support the resource’s significance and those resource that are non-contributing do not support the resource’s significance.
- Use “Undetermined” if a resource is no longer extant.

**Remember to select “SAVE” in order to proceed to the next screen and to save the recorded information.**

## Screen 4: Individual Resource Information

### Resource Type (formerly “WUZIT” or “what is it”):

- Choose the resource type from the look-up list. The list is lengthy, but if you do not find an exact match for your resource, select “other” and explain the nature of the resource in the architectural description. For properties with multiple resources, select the applicable resource types by using the “Add/Modify” function. **TIP:** “Jump” to the desired resource type by selecting the first letter of that word on the keyboard and continue to depress that key until the selected type appears.
- **NOTE:** The selected resource type should reflect the historic function of the resource, if this function is known; otherwise, it should reflect the current function.
- Discuss the historic function in the significance statement (screen 5) and record any historic names and/or function in the “Resource Name” field the on screen 1.
- See Appendix B for a list of the available “resource type” options.

### Count:

- Enter the quantity of each resource type.

### Status:

- Select one option from this look-up list whether the resource is “Contributing,” “Non-contributing,” or “Demolished.”
  - Choose “Contributing” if the resource is at least 50 years of age, has retained its integrity and supports the significance of the resource.
  - Select “Non-contributing” if the resource is not at least 50 years of age, is lacking integrity, and/or does not support the significance of the resource.
  - If the resource is no longer extant, select demolished. **NOTE:** Refer back to the section titled “Demolished Resources” on page 6 for more detailed instructions regarding demolished resources.

### Individual Resource Detail Information:

In this section, describe ALL of the resources on the surveyed property, each resource having an individual entry. As each resource is entered in this section (by clicking the “ADD” button), the information will be compiled as a resource entry and become “Resource [number]” at the bottom of this section. For example, after completing the full description of the resource and adding any known threats to the resource, use the “Add/Modify” button at the bottom to create or update what will be known as Resource 1. Below is an explanation of each field in this section.

### Primary Resource:

- Be sure to select “Yes” for “Primary Resource” when you are describing the main resource on the surveyed property. **NOTE:** There can only be **one** primary resource per record.
- **NOTE:** If the resource contains more than one dwelling, make a “best guess” assessment as to the primary resource, record this as the single dwelling, and record other dwellings as secondary dwellings.
- Although there are exceptions (see note below), secondary resources should also be recorded in separate entries within the “Individual Resource Detail Information” field. For secondary resources, select “No” from the “Primary Resource” look-up list, and fill out the other fields (listed below) as applicable.

- **NOTE:** If there are groups of identical or similar resources clustered together, enter this group as one resource. Describe the appearance of each resource in the grouping. A good example of this situation is groups of sheds, barns, grain bins or other similarly functioning resources.
- **This approach cannot be employed for resources recorded in support of a NRHP nomination, as this will adversely affect the total resource count.**

**Resource Type (formerly “WUZIT”, i.e., “what is it”):** Select the resource type from the Individual Resource Information box. For example, if “Single Dwelling” is selected in the box at the top of Screen 4, make sure it is selected in this box as well.

**Estimated Date of Construction:**

- Enter the date of construction for the primary resource and the appropriate modifier (null, pre, post, ca), if applicable. This can be an estimate or a date verified by an authoritative source. For secondary resources, enter the appropriate date and modifier (pre, post, ca), if applicable.
- If the date of construction is a range, either estimated or known, then enter the earliest date in this field, and note that range in the open text field.

**Date Source:**

- Select the source for the date of construction from the look-up list.
- **NOTE:** If the source used for the date of construction was anything other than the architectural style elements observed during the site visit itself, cite that source on screen 9.

**Architectural Style:**

- Select the most appropriate architectural style. If the resource illustrates no particular style, select the choice “No Discernible Style.” Do not leave this field blank.

**Form:**

- This is an optional field and there may not always be an associated form. See Appendix C for definitions of the various forms.

**Architectural Description:**

- In this open text field, summarize the architectural attributes of the resource under consideration using complete sentences and in a narrative format. DHR suggests that the user compose the text in a Microsoft Word document and then copy and paste the description into this field. By employing this suggested method, the user can utilize Word’s spell check device, it saves time and avoids the potential of lost data. (See note under Site Description, Screen #2).
- Many of the existing records in the DSS were originally created in the IPS database application. These records transferred to the DSS during a data conversion. During this conversion, some survey data was lost. In some records, the only data that converted are the data “headers.” In the Architectural Description field, these are seen as “Architecture Summary: End Architecture Summary”; Interior Description: End Interior Description” Alterations and Additions: End Alterations and Additions.” It is acceptable to remove these headers from the description field **IF** no other information was converted. Be mindful to read the description carefully since in some instances only a few words converted. The information that should have been converted does exist in the hard copy IPS records, which are in the archives files at DHR.

**Condition:**

- Select the appropriate current condition of the resource.
- **NOTE:** When updating a record and the resource's condition has changed since the most recent previous survey, make note of the change in the architectural description field relative to the description in the former survey.

**Number of Stories:**

- Record the number of stories in whole or half numbers such as 1.5 for one-and-one-half stories; 2.5 for two-and-one-half stories. Count the main/first floor as a full story. Other floors are counted as full stories if they have vertical walls on all sides extending six feet or more above the lower stories. Half-stories (counted as 0.5) include those with two sloping interior walls, and fenestration includes gable-end windows. An attic story with frieze windows or one with windows at or just above floor level on the façade or roofs that have a cross-gable, or cross-gables with windows, are also considered half stories.

**Interior Accessed:**

- Select "Yes" or "No." For reconnaissance-level survey, interior examination is not required.

**Reason for No Access:**

- When no attempt to access the interior is made, choose "not accessible" from the look-up list. Otherwise, select the appropriate reason from the look-up list.

**Interior Plan:**

- If the interior has been examined, choose the appropriate plan from the look-up list. If the interior has not been accessed DO NOT record the interior plan as this is conjectural. If the interior can be seen from the street, a statement concerning the possible floor plan may be included in the architectural description field.

**Threats to Resource:**

- If applicable, the user can select multiple threats by using the "Add/Modify" functions. If no threats are apparent, select "None Known."
- If a resource has been re-surveyed, and threats are now present, where none were present at the most recent survey, remove the previously selection, and add the appropriate threat (s). To remove a threat, select (click once) and then select "Remove."
- **Do not confuse the "Add/Modify" buttons within the threats box with the "Add/Modify" buttons at the bottom of this box, which refers to adding additional resources.**

The second set of "Add/Modify" functions after the "threats to resource" are used to encapsulate all of the individual resource detail information under a resource name, such as Resource 1. To view and/or edit the information inputted for each resource, highlight the resource (e.g. Resource 1) and select "Modify."

**DHR Historic Time Period:**

- The historic time periods are listed chronologically from "Paleo-Indian" to "The New Dominion." The appropriate time period is determined by the date of construction of the primary resource.
- **NOTE:** This field is not intended to record the period of significance but to convey a sense of what was occurring in history when the primary resource was constructed.

**DHR Historic Context:**

- Select as many historic contexts as are applicable.
- **NOTE:** When recording a house, always select the “Domestic” context.

**Remember to select “SAVE” in order to proceed to the next screen and to save the recorded information.**

**Screen 5: Primary Resource Exterior Component Description**

The part of screen 5, referred to as the “component box,” conveys the structural members of the primary resource as well as how those members are finished, or treated. The structure of this facet of the DSS allows users to select the materials of which the components are made from several look-up lists.

**NOTE:** The Exterior Component Description box does NOT need to be completed for most structures and/or sites (e.g., bridges, railroad beds, cemeteries) as the component box does not provide appropriate options. Instead, provide a detailed description in the “Architectural Description” field on screen 4.

Below are the features of the “component box”:

- **Component:** The conventional order for completing the component table is as follows: foundation; structural system; porch; windows; roof; chimney. A resource’s description begins with the foundation and proceeds upward. It is possible to have more than one type of component. For example, there may be exterior end chimneys as well as interior chimneys. **NOTE:** Do not use “Other” as a component.
- **Component Type:** All the options relating to each particular component are grouped together.
- **Materials:** The materials are listed alphabetically. Note that the material relates back to the material treatment. If “Structural System, Weatherboard” is selected for the Material Treatment, then “Wood” is the appropriate material to select.
- **Material Treatment:** Again, all the options relating to each treatment type are grouped together. The following options are not in the correct order at this time: [Structural System] Ashlar, Roughly-Dressed; Chimneys, Cap, Corbelled. These will be corrected in the future, but in the interim, they still can be selected.

If changes were made to an architectural element since a prior survey, select the current component option to replace the originally selected options. It is critical to note this change to the resource in the Architectural Description on screen 4.

Note that “Unknown” and “Other” (in the look-up lists) are viable options. Select these instead of leaving a field intentionally blank. This indicates that perhaps the most appropriate component type, material or treatment is not listed. As is usually the case, there are exceptions. If “Chimney – None” and/or “Porch – None,” are selected, it is acceptable to leave the “Material” and the “Material Treatment” fields blank.

Use the “Add” button to add selections from the look-up lists. Remember to select “Save” at the bottom of the screen.

**NOTE:** When a record is viewed, only numeric characters (that represent the terms in database tables) are seen. In order to see what was entered, highlight it and select “Modify.”

**See the next page for guidance about the significance statement.**

**Significance Statement:**

- Complete this open text field with complete sentences and preface the text with the month and year of the survey. The significance statement should include relevant about its history or other information that substantiates the significance of the resource relative to the criteria of NRHP. The applicable NRHP criteria should be included.
- For resources that are surveyed as elements within an historic district, the significance statement must be comprised of two parts:
  - Initially, discuss the significance of the district itself.
  - Complete the significance statement with a few sentences to place that particular resource into context within the district and briefly explain why it does or does not contribute to the historic district.
- For Section 106 projects, the significance statement should state why the resource does or does not meet the four criteria for listing in the NRHP and whether the resource warrants further study.
- For resources that have already been determined potentially eligible, eligible, or are already listed, the significance should state if this status remains true and why.

**Remember to select “SAVE” in order to proceed to and to save the recorded information.**

### **Screen 6: Individuals and Events Associated with Property**

**NOTE: This screen is optional for reconnaissance and intensive-level surveys.**

However, if the user chooses to enter either persons or events that are significant to the resource, enter them in one of these fields using these instructions.

- **Associated Function:** Choose the function of the individual you are entering, such as the owner (this is the original owner and subsequent former owners) or architect. Include the first and last name of the individual, as appropriate. If an entity, such as an architectural firm name, is associated, enter this name in the Last Name field. Since several individuals may be associated with the resource, you have the option to “Add” additional persons.
- **Historical Events:** Include the starting and finishing date. The type of event could be “construction date,” “major alterations,” “demolition,” etc. Use the open text field to clarify particular events associated with the resource. There may be several different events associated with the resource. Use the “Add/Modify” function to add these various events to the system.

Remember to cite any sources referenced on this screen (as sources of historic events) on screen 9.

**Remember to select “SAVE” in order to proceed to and to save the recorded information.**

## Screen 7: National Register Criteria Information

**It is important to note that the DSS will only reflect records as intensive-level surveys if this screen is completed. Therefore, the user *must* make all selections on this screen (with noted exceptions below) for all intensive-level surveys. By populating the following fields with data, “Intensive Level Survey” (versus Reconnaissance Level Survey) is included in the header of an exported architectural report.**

- **NR Potential Eligibility:** Select one or more criteria under which this resource is being nominated. This should be supported explicitly within the Significance Statement on screen 5. Consult the appropriate NRHP bulletins for guidance.
- **Criteria Exceptions:** There are certain exceptions that the National Register recognizes should be included here if applicable. For instance, a church would be nominated under Criteria Exception/Consideration A and a building that has been moved from its original site would be considered under Criteria Exception/Consideration B. You may select as many Criteria Exceptions as are applicable. See NRHP bulletins for guidance.
- **Integrity fields:** Choose “Yes” or “No” from the look-up list. The criteria fields for integrity include Location, Design, Setting, Materials, Workmanship, Feeling, and Association (See National Register Bulletin # 15 “How to Apply the National Register Criteria for Evaluation”).
- **Period of Significance:** As per NR Bulletin 16 “How to Complete the National Register Registration Form” (formerly bulletin 16A), the Period of Significance can be a year or a range of years. It represents the length of time when a resource was associated with important events, activities, or persons or attained the characteristics that qualify it for the NRHP listing. The year or years may be preceded by “ca.” if estimated.
- **Level of Significance:** Select the appropriate level of significance.
- **Organization/Person Submitting Form:** Disregard this field.
- **Significant Person:** If Criterion B is considered, enter the name of the person or persons in this field. Enter the name in the following format: “Brown, James.”
- **NR Date:** This is the field for the date that the resource is evaluated by DHR staff. It includes a field for the day, month and year. **DHR staff completes this field.**
- **NR Eligible:** **DHR staff completes this field.**
- **NR Score:** This is the score given by the DHR National Register Architectural Evaluation Committee. **DHR staff completes this field.**
- **NR Area of Significance:** Select the most applicable areas of significance. The choices are listed alphabetically. **TIP:** “Jump” to the desired area you want by selecting the first letter of that area on the keyboard and continue to depress that key until the selected area appears.

**Remember to select “SAVE” in order to proceed to and to save the recorded information.**

## Screen 8: Graphic Media Documentation

- **DHR Negative #:** Enter the DHR negative number if you are submitting negatives to be stored at DHR with the DSS record. Obtain this number from the DHR Archivist. If DHR is not the repository of record for the negatives or if digital photography is used during the survey, do not request a negative number, and leave this field blank.
- **Photographic Media:** This is a free text field. Enter the type of film media submitted – usually 35mm B&W Photos, Color Slides, or Digital Images.
- **Negative (formerly Photo Depository) Repository:** This indicates the location of where the negatives are stored. If DHR issues a negative number and the negatives are submitted to DHR, enter DHR in this field. Otherwise, indicate where the negatives or the original media are being permanently retained. **NOTE:** Although a CD containing digital images may be submitted to DHR, do not enter DHR in this field. This field is intended to convey whom a researcher can contact to obtain original reproductions of the images in the Archives file.
- **Photo Date:** Enter the date the photographs were taken.
- **Photographer (formerly Photo Filename):** Enter the name of the photographer in this format: first initial followed by last name (e.g., S. Jones). If applicable, the photographer may also elect to list their associated CRM firm after or in place of their name (e.g., S. Jones/CRM of VA).
- **Photo Doc:** Disregard this field.

**Remember to select “SAVE” in order to proceed to and to save the recorded information.**

## Screen 9: Bibliographic Information

The purpose of this screen is to record any courses that were used in any way while surveying a resource.

- **First name:** Enter the first name of the author of the bibliographic source.
- **Last name:** Enter the last name of the author of the bibliographic source. However, if there are multiple authors list the last name of the first author followed by “et al.” and list the remaining authors in the full citation in the “Bibliographic Notes” field. If the author is an entity, list the entity name in the “Last Name” field.
- **DHR CRM Report # (formerly Citation Abbreviation): This field is for DHR staff only.** This field is used to record the report number that is assigned (by DHR staff) to a CRM report after the report has been accessioned into the Archives” collection. For example, AR-073 is the “call number” assigned to this CRM report that resulted from a project conducted in Arlington County.
- **Record Type:** Select the appropriate resources from this look-up list. Sources that should be cited are those used in preparation of the National Register nomination, CRM report, the DSS record, or the source used to determine the construction data.
- **Bibliographic Notes:** This is an open text field to provide the complete citation for the resources used for the project. **NOTE:** If multiple (more than five) sources were used, it is acceptable to copy and paste the “works cited” into this section. Choose “Other” from the look-up list and indicate that this list constitutes the bibliography for that particular NRHP nomination, report, etc. Record the name of the compiler of the bibliography as the author.

**NOTE:** Regarding oral interviews, the author is the interviewer, or the person who conducts the interview. Record this individual’s name in the “First Name” and “Last Name” fields. The interviewee is the person who was interviewed. Enter the name (s) of this person(s) along with the date, time, and location of the interview in the “Bibliographic Notes” field.

This is an “Add/Modify” field, so multiple bibliographic references are permitted.

**Remember to select “SAVE” in order to proceed to and to save the recorded information.**

## Screen 10: CRM (Cultural Resource Management) Event Information

### CRM Event Type:

- DSS records will have multiple CRM events such as “Survey: Phase I/Reconnaissance,” “VLR (Virginia Landmarks Register) Listing,” “Easement: DHR” and “Rehabilitation Tax Credit” to list a few from this look-up list. Once the project at hand is completed, choose the appropriate CRM event from the look-up list to add this project to the ones already listed. Do not edit or remove an existing event.

### Event Date:

- The date can include the day, the month, and the year; if the day is not known, it will default to 99, and the year will default to 9999. **NOTE: This information should reflect the date of the survey, not the date of data entry.**

### DHR Project Review ID#:

- This number is assigned by DHR’s Office of Review and Compliance (ORC) if the DSS record is created as part of compliance with Sections 106 or 110 of the National Historic Preservation Act of 1966 (Example: 2002-0985). If this number is unknown, contact the appropriate staff member in ORC (refer to [http://www.dhr.virginia.gov/review/sect\\_106\\_staff.htm](http://www.dhr.virginia.gov/review/sect_106_staff.htm) for staff assignments); otherwise, leave this field blank.

### CRM Person/Organization:

- This field should indicate the name of the individual or the CRM firm who completed the survey. However, if that individual was completing the work either on behalf of or as an employee of a CRM firm, enter the full name of the CRM firm in the “Last Name” field. Enter the name of the person (or persons) that were involved in the project and the capacity of their involvement in “CRM Event Comments” field.

### CRM Event Comments:

- This open text field should include additional information about the nature (e.g., “cost share survey”) and/or the scope of work of the survey (e.g., “...surveyed on behalf of Old Dominion Electric for a proposed transmission line ...”). As stated above, if more than one employee of the associated CRM firm conducted the survey/field work, the names of these individuals should be recorded in the comments section. In addition, if the person that completed the survey IS NOT the person who entered the data into the DSS, that responsible person’s name should be recorded as well. The project numbers assigned by the CRM firm may be recorded in the CRM Event comments.

The “Add/Modify” function allows for multiple CRM events for each resource.

**Remember to select “SAVE” in order to proceed to and to save the recorded information.**

## Screen 11: Bridge Information

Record information that is specific to a surveyed bridge on this screen. Record the remaining survey field notes in the remaining appropriate fields in the DSS record, as they would be for any other type of resource.

The following notes the difference between the two numbers assigned to bridges in Virginia:

- Each structure in the Virginia Department of Transportation (VDOT) inventory has two numbers, Virginia Structure Number and Structure ID.
  - The **Virginia Structure Number** is a four-digit number and is unique to a particular county. Note that bridges in different counties can have the same Structure Number, but these numbers are unique to that county. For example, both Augusta County and Wythe County have a Structure No. 6123. However, the Structure ID number [see below] will be different for each of those structures. There will not be two bridges in the same county at the same time with the same Virginia Structure Number. However, if the bridge is replaced, its successor at that site will have the same number as the old bridge at that site.
  - **NOTE:** In most VDOT districts, the Virginia Structure Number is painted on the bridge or the abutment.
  - The **Structure ID** is up to fifteen digit numbers and is unique to the entire inventory maintained by VDOT.

(Courtesy: Ann Miller, VDOT, Charlottesville, VA)

The following fields must be completed for this screen:

- **Virginia Structure Number (formerly Bridge Structure Number):** The VDOT structure number identifies the structure at a particular crossing. If the structure is replaced, the structure number will transfer to the new structure. This is a required field when filling out this screen. If the Virginia Structure Number is unknown, enter "0."
- **Structure ID (formerly VDOT Bridge ID):** The Structure ID is a unique 15-digit number that does not transfer if a structure is replaced. When a structure is replaced, its unique structure ID is retired with it.
- **Bridge Type:** From the look-up list, select the bridge type that most closely describes the bridge surveyed.
- **Name of Entity Crossed:** Enter the name of the body of water, railroad, or roadway that the bridge crosses.
- **Type of Entity Crossed:** Select the type of entity from the look-up list.
- **Current Use:** Select the current use of the bridge from the look-up list.
- **Number of Spans:** Enter the number of spans for the bridge.
- **Number of Lanes:** Enter the number of lanes of the bridge deck.

**Remember to select "SAVE" in order to proceed to and to save the recorded information.**

## Screen 12: Cemetery Information

Cemeteries are recorded in the DSS as architectural resources and archaeological sites because they can have both aboveground and subsurface features. In addition to the guidance on page 7 of this manual, follow these general recordation requirements:

Remember, if the cemetery is the primary resource, describe the setting of the site that surrounds the cemetery in the “Site Description” field on screen two, but if it is a secondary resource, describe the setting of the cemetery within the ‘architectural’ description on screen four.

The following is a brief explanation of the fields on screen 12:

- **Historic Religious Affiliation:** Select the religious affiliation from the look-up list.
- **Current Use:** Select the current use of the cemetery from the look-up list.
- **Artistic Value:** Select from the most appropriate choice based on the level of craftsmanship displayed in the tombstone(s). Consult the NR Bulletin: Guidelines for Evaluating and Registering Cemeteries and Burial Places for additional guidance.
- **Earliest Marked Death Date:** Enter the day, month, and year of death from the visible markers.
- **Latest Marked Death Date:** Enter the day, month, and year of death from the visible markers.
- **Marked Graves:** Note whether the burials are marked or not, or if there is a combination of marked and unmarked.
- **Enclosure Type:** Select the most appropriate cemetery enclosure.
- **Approximate # of Gravestones:** Select a range of numbers from the look-up list.
- **Ethnic Affiliation:** If known, enter the ethnic affiliation for the majority of the burials from the look-up list. This field has its own “Add/Modify” series of functions, allowing for multiple ethnic affiliations for the cemetery.
- **Significant Markers and/or Interred Individuals:** Select the marker type from the “Marker Type” look-up list. **NOTE:** At this time, this table does not properly function. If there are discernible markings on the tombstone, select “Marked” from the look-up list. Enter the first and last name of the interred individual; the birth date; and the death date. You may use the “Add/Modify” function to add as many entries here as needed.

At the bottom of this screen, be sure to select “Add” from the third set of “Add-Modify” functions on this screen in order to be sure the entire cemetery information is saved.

**Remember to select “SAVE” in order to proceed to and to save the recorded information.**

### **Screen 13: Individual/Organization/Agency Mailing Information**

Record the current property owner on this screen. Do not record previous owners on this screen; record these individuals on screen 6.

- **Owner Names:** Do not choose a selection from this look-up list.
- **New Individual / Organization/ Agency Mailing Information:** It is useful but not required to obtain owner information for reconnaissance-level surveys. If the information is obtained, enter data in all applicable fields.
- **Surveyor Notes:** This is an open text field where the surveyor can add any miscellaneous notes about the owner or informant, as well as a date indicating when this information was collected.
- **Owner Relationship:** This field indicates the relationship of the individual listed on this screen to the resource. The first set of “Add/Modify” functions on this screen should be used to select all of the appropriate choices from the “Owner Relationship” look-up list. For example, the same individual can be the owner, occupant, and informant. The second set of “Add/Modify” functions is available at the bottom of the screen in order to record multiple individuals who are associated with the property.

**Select the SAVE button one last time.**

**At this point, the record has been saved and added to the user’s works-in-progress.**

## Appendix A. Resource Name Explanation (Screen 1):

**Alleged:** This name explanation is used for a more colloquial name that is common within the community of a resource, but perhaps not outside of the community.

**Alternate Spelling:** This name is used for resource names that are spelled differently than the common spelling.

**Current:** This is the current iteration that is used to refer to a resource. This name has not been used for at least fifty years.

**Descriptive:** Used for resources where all other resource name explanations are not appropriate. This is typically used for resources like wind tunnel, power grid, etc.

**Function/Location:** This explanation should be the default name when a resource cannot be attributed with any other name. For example, the resource name for a house that does not have an historic name is "House, 123 Arlington Boulevard" and "Function/Location" is the correct Resource Name Explanation because the resource functions as a house and the location is the address. This is also appropriate for commercial buildings. **NOTE:** This can be used in conjunction with a resource that has an historic name associated with it as a secondary resource name.

**Historic:** This is used for a common resource name that was associated with the resource and is not currently used to refer to the resource.

**Historic/Current:** This explanation is used for a resource whose name has been used for fifty years and is still used to refer to the resource.

**Historic/Location:** This explanation combines two explanations: "Function/Location" and "Historic." This is ideal for buildings that have an historic name associated with them that is not completely telling about the nature of the resource. In addition, this name provides an opportunity to incorporate the resource's address into the resource name.

**NRHP Listing:** This resource name explanation is used for the name that has been determined to be the official designation assigned by the National Park Service following submission and approval of the National Register of Historic Places nomination. **NOTE:** This is typically entered by DHR staff but any user can select this name explanation.

**Appendix B. Resource Type (screen 4):**

Resource Type	Resource Type	Resource Type
Administration Bldg.	Chimney	Fortification/Military Base
Agricultural Bldg.	Church School	Foundation
Agricultural Outbuildings	Church/Chapel	Fountain
Airfield	Cistern	Funeral Home
Amphitheater	City/Town Hall	Furnace
Animal Shelter/Kennel	Classroom Building	Garage
Apartment Building	Clinic	Garden
Apiary	Clubhouse	Gatehouse/Guard House
Arcade	Coal House	Gateposts/Entry
Archaeological Site	Coal Tower	Gazebo
Archway	Coast Guard Station	Granary
Armory	Commercial Building	Greenhouse/Conservatory
Auditorium	Communications Facility	Gymnasium
Automobile Showroom	Convent	Hangar
Aviary	Corncrib	Historic District
Aviation-Related	Courthouse	Hospital
Bandstand	Crypt	Hotel/Inn
Bank	Culvert	Ice House
Barbecue Pit	Customs House	Incinerator
Barn	Dairy	Jail
Barn,Dairy	Dam	Kiln
Basketball Court	Department Store	Kitchen
Bath House	Depot	Lake
Battle Site	Dining Hall/Cafeteria	Landscape Feature, Man-Made
Bell Tower/Carillon	Distillery/Still House	Landscape Feature, Natural
Blacksmith Shop	Dock	Library
Boat	Dormitory/Barrack	Lighthouse
Boathouse	Dormitory/Barracks	Lodge
Boiler House	Double House	Magazine
Bomb Shelter	Dovecote	Market
Bowling Alley	Dwelling/Store	Mausoleum
Brewery	Earthworks	Meeting/Fellowship Hall
Bridge	Electrical Transmission Line	Mental Hospital
Bus Station	Energy Facility	Military Residential/Quarters
Camp	Exhibition Hall	Milk Tank
Camp Cabin	Factory	Mill
Canal	Fairground	Mill house
Canal Lock	Fence	Mining Structure
Capitol	Field	Missile Site
Carport	Fire Station	Mixed: Domestic/Industrial
Carriage House	Fire Tower	Mixed: Commerce/Domestic
Cemetery	Fish Hatchery	Mobile Home/Trailer
Ceramics workshop	Ford	Monastery
Chicken House/Poultry House	Forest/Woods	Monument/Marker

**Appendix B. Resource Type, Continued (screen 4):**

Resource Type	Resource Type	Resource Type
Mortuary	Resort	Underwater
Motel/Motel Court	Restaurant	Unoccupied Land
Multiple Dwelling	Restroom Facility	Vacant Lot
Museum	Riding Ring	Vineyard
Music Facility	Road/Road Trace	Voting House
Nursing Home	Road-Related (Vehicular)	Wall
Observatory	Root Cellar	Warehouse
Office/Office Building	Roundhouse	Wash House
Orchard	Sanitarium	Water Tower
Other	Scale/Scale Building	Well/Well House
Outbuilding, Domestic	School	Windmill
Park	Sculpture/Statue	Winery
Parking Garage	Secondary Dwelling	Work in Progress
Parking Lot	Seminary	Work of Art
Parsonage/Glebe	Service Station	Workshop
Pedestrian-Related	Sewer/Water Works	
Pen	Shed	
Pet Cemetery	Shed, Generator	
Pier/Boat Ramp	Shed, Machine	
Planetarium	Shed, Tool	
Plantation	Shed, Vehicle/Equipment	
Playing Field	Shed, Wood	
Plaza/Courtyard	Shelter	
Police Station	Shopping Center	
Pond	Shrine	
Pool House	Silo	
Pool/Swimming Pool	Single Dwelling	
Poor House/Farm	Slave/Servant Quarters	
Post Office	Smoke/Meat House	
Potato House	Spring/Spring House	
Power Plant	Stable	
Prison	Stadium	
Privy	Storage	
Processing Plant	Store	
Professional	Synagogue	
Property	Tavern/Ordinary	
Pump	Tennis Court	
Pump House	Theater	
Quarry	Tobacco Barn	
Quonset Hut	Toll House/Booth	
Rail-Related	Track	
Railroad Bed	Trail	
Research Facility/Laboratory	Trough	
Reservoir	Tunnel	

## Appendix C: Form (Screen 4):

- **A-Frame:** A house, usually constructed of wood, with a roof that extends steeply downward from both sides of a central ridge, almost to the building foundation. A rigid structural framework in the shape of the upright upper-case letter “A” supports the roof. Refer to page 499 of McAlester’s” *A Field Guide to American Houses* for images.
- **American Four-Square:** A one- or two-story house with a square floor plan and four rooms, one integrated into each corner. A hipped or pyramidal roof, occasionally with hipped dormers, surmounts the house and an off-center entry door pierces the façade.
- **Bungalow:** A small one-story or one-and-a-half story house form with Asian origins and popularized during the early-twentieth century Arts & Crafts/Craftsman movement. The house usually has a low profile and wood-frame construction.
- **Concrete Shell:** Also known as a thin shell concrete structure, the form historically employed thin, often curved, or domed slabs of concrete. The shell form, dating as far back as the second century (the Pantheon in Rome), does not have any interior or exterior structural support. The form appears in different building types: storage, commercial and residential. Modern thin concrete shells, first seen in the 1920s, are made from thin steel reinforced concrete, but still, there is not any form of structural reinforcement, other than from the building form itself.<sup>1</sup>
- **Contemporary:** Defined in the McAlester field guide as more of a style, the contemporary form is seen transcending modern styles; see pages 477 & 483 in McAlester’s” *A Field Guide to American Houses* for examples.
- **Dome:** For a definition and examples of the dome form, refer to pages 496 & 497 of McAlester’s” *A Field Guide to American Houses*
- **Duck:** Roadside architecture is perhaps a more common name for this architectural style/form. The Duck name refers to a specific building constructed in the shape of a duck because it housed a poultry shop. Philadelphia architect Robert Venturi coined the term because of the Duck building built on Long Island, NY, in the 1930s. Regardless of the term that is used to describe this form, it is a building that intentionally advertises itself through its unique shape.<sup>2</sup>
- **Googie:** This architectural form incorporated bold angles, colorful signs, plate glass, sweeping cantilevered roofs, and pop-culture imagery into its building design. Architects used “Googie” in bowling alleys, chain restaurants, coffee shops and other commercial buildings built after WWII up until the 1960s.<sup>3</sup>
- **Hyperbolic Paraboloids:** This building form is also referred to as saddle roof because of its saddle-like appearance and form. Essentially, hyperbolic paraboloids are the intersection of concave and convex lines. See this issue of Kansas Preservation for some pictorial examples: [http://www.kshs.org/resource/ks\\_preservation/kpmayjun07.pdf](http://www.kshs.org/resource/ks_preservation/kpmayjun07.pdf).
- **I-House:** A vernacular house that is one room deep, two stories high and three or five bays wide and forms an I-shape.
- **Mixed Use:** A building that functions simultaneously in different capacities. For example, a building with a commercial enterprise in the first floor has residential units in the second floor.
- **Octagon:** An eight-sided architectural form made popular during the Exotic Revival (1840-1880) architectural movement.

---

<sup>1</sup> [http://en.wikipedia.org/wiki/Concrete\\_shell#Historic\\_concrete\\_shells](http://en.wikipedia.org/wiki/Concrete_shell#Historic_concrete_shells). Accessed 5.22.2009.

<sup>2</sup> <http://www.outsidelands.org/giantcamera.php> Accessed 3.30.2009.

<sup>3</sup> <http://www.spaceagecity.com/googie/> Accessed 3.30.2009.

- **Palladian:** Primarily used for Italian villas, Andrea Palladio popularized this five-part house form during the 16<sup>th</sup> century. Brought to the United States in architectural pattern books, architects used this house form in the 18<sup>th</sup> and 19<sup>th</sup> centuries to mirror the villa form: a large central block connected to smaller, flanking pavilions (blocks) via hyphens.
- **Pre-fab (Pre-fabricated):** A pre-fabricated resource is one that arrives on site already constructed. A mobile home or metal outbuildings are examples.
- **Shopping Mall/Center:** A shopping center enclosed within a large structure; sometimes two or three stories high, placed around a central atrium; may have numerous stores, entertainment facilities such as movie theaters, fast-food outlets, restaurants and public areas.
- **Shotgun:** Typically, a shotgun house is a narrow, front-gable, one-story house that is one-room wide and has a full-width porch that spans the facade.
- **Skyscraper:** Using Louis H. Sullivan's requirements, the modern skyscraper form must have a sub-grade story and an attic, "an elaborate ground floor and a mezzanine for consumer-oriented businesses, and an indefinite number of tiers of offices."<sup>4</sup>
- **Split-Level:** Another stylistic form employed during the Modern movement according to McAlester's *A Field Guide to American Houses* (see pages 477 & 481).
- **Usonian:** Frank Lloyd Wright developed this house form in 1936 during the midst of the Great Depression. Wright's motive was to control building expenses. The house does not have an attic, a basement, and minimal architectural expression. The form features a low-pitched roof and an open interior space and was typically one-story in height. Find additional information about the Frank Lloyd Wright's Usonian House movement here: <http://www.pbs.org/flw/buildings/usonia/usonia.html>.

## Appendix D. Recommended Architectural Style Manuals

The DHR does not require the use of any one architectural style manual but DHR does recommend the following reference books to those individuals conducting cultural resource surveys in the Commonwealth of Virginia:

- Harris, Cyril M. *American Architecture: An Illustrated Encyclopedia*. New York: W.W. Norton & Company. 1998.
- Lounsbury, Carl S., Ed. *An Illustrated Glossary of Early Southern Architecture and Landscape*. Charlottesville, VA: The University Press of Virginia. 1994.
- Massey, James C. & Shirley Maxwell. *The Illustrated Old House Glossary*. Washington, D.C.: The Historic House Association of America. 1983.
- McAlester, Virginia & Lee. *A Field Guide to American Houses*. New York: Alfred A. Knopf. 1996.

---

<sup>4</sup> Dell Upton. *Architecture in the United States*. Oxford: Oxford University Press. 1998. p. 212.  
Virginia Department of Historic Resources  
2801 Kensington Avenue  
Richmond, VA 23221  
July 2009



## CHAPTER 6

# CONDUCTING ARCHAEOLOGICAL INVESTIGATIONS

### Introduction

The Secretary of the Interior has developed broad national performance standards and guidelines to assist federal agencies in carrying out their historic preservation activities, entitled *Archaeology and Historic Preservation: Secretary of the Interior's Standards and Guidelines*, herein called the *SOI Standards*. The guidance on archaeological investigations presented herein is intended to supplement the *SOI Standards*. Professionals working in Virginia have long recognized the need to standardize archaeological field investigations conducted in the Commonwealth. *DHR Guidelines* was established to meet this need, and to fill the gap between the broad-based federal guidelines and the various previously published field manuals. The following guidelines are intended to provide standards and offer general guidance without hindering the development and use of new and innovative approaches.

The intent of the following guidance is to clarify expectations for archaeologists, their clients and the public, and others involved in archaeological investigations. The guidelines describe widely accepted archaeological practices used in the mid-Atlantic region. The guidelines also encourage the selection of methods and techniques generally found to be the most efficient and cost-effective.

It is expected that these guidelines will enable project sponsors to better understand and assess proposals for archaeological survey. Users of the guidelines are to contact the Department of Historic Resources (DHR) with questions about particular projects. It is anticipated that the guidelines will be updated at regular intervals to incorporate unanticipated considerations and new approaches.

### Definition of an Archaeological Site

In general terms, an archaeological site is defined as the physical remains of any area of human activity greater than fifty years of age for which a boundary can be established. Examples of such resources include the following: domestic/habitation sites, industrial sites, earthworks, mounds, quarries, canals, roads, shipwrecks, etc. Under the general definition, a broad range of site types would qualify as archaeological sites without the identification of any artifacts. To establish a boundary for archaeological sites manifested exclusively by artifacts, the recovery of a minimum of three items is needed, related either temporally or functionally and located within a spatially restricted area (a 300 square foot area is suggested). This definition does not apply to cultural material that has been recently redeposited or reflects casual discard. However, single artifacts that represent one episode of behavior may receive a site designation if the researcher can justify the discard event to be culturally meaningful and/or associated with specific landscape features. Other items to consider in deciding whether or not an area warrants a site designation include survey conditions, survey methods and site types. Additional guidance on underwater site definition may be found in *An Assessment of Virginia's Underwater Cultural Resources*, available from DHR. Any occurrence that does not qualify for a site designation shall be termed a location.

Estimates of site boundaries may be based on the spatial distribution of artifacts and/or cultural features and their relationship to other features of the natural environment (landform, drainage) and

## Conducting Archaeological Investigations

Excerpt from unpublished Guidelines for Conducting Survey in Virginia, April 2009

cultural environment (historic landscape features). In addition, historic background information is to be taken into consideration when defining the boundaries of a historic site. It is recognized that the boundaries for resources located in urban or underwater environments may be difficult to estimate at the Phase I level. For all archaeological sites identified, a DHR Archaeological Site Inventory Form must be completed and submitted to DHR for review and approval via the Data Sharing System (DSS). It is also required that DSS site forms for previously recorded sites be updated with newly acquired information.<sup>1</sup>

### Levels of Investigation

There are three levels of documentation for historic resources. The first two levels constitute components of what is defined in the federal standards as an "intensive" survey. It is important to note that this is different from a "reconnaissance" survey. Although defined in the federal standards, a reconnaissance level survey is not appropriate for projects submitted for review pursuant to Section 106 unless otherwise agreed upon by DHR and the project sponsor.

For practical purposes DHR has divided an intensive archaeological survey into two levels: identification (Phase I) and evaluation (Phase II). The third level (Phase III) constitutes treatment for significant resources. DHR normally does not recognize additional division into sub-phases (for example, Phase Ia and Phase Ib). All levels of investigation are to be conducted in accordance with Occupational Health and Safety Administration (OSHA) safety guidelines.<sup>2</sup>

Each phase is defined briefly below:

- **Identification (Phase I)**

Identification involves compiling all relevant background information, along with comprehensive recordation of all sites, buildings, structures, objects and potential districts within the survey area. This information is used in planning and making decisions about historic resource management needs. The goals of a Phase I archaeological investigation are:

- To locate and identify all archaeological sites in the survey area;
- To estimate site size and boundaries and to provide an explanation as to how the estimate was made; and
- To assess the need for further (Phase II) investigation.

- **Evaluation (Phase II)**

Evaluation of a resource's significance entails assessing the characteristics of a property against a defined historic context and the criteria of Virginia Landmarks Register (VLR) and National Register of Historic Places (NRHP). The evaluation shall result in a definition of those resources which are eligible or ineligible for VLR and NRHP listing. The purpose of a site evaluation is:

- To accurately define site boundaries and assess the horizontal and vertical integrity;

---

<sup>1</sup> For a DSS registration form, please contact the DHR DSS Accounts Manager at 804-367-2323.

<sup>2</sup> Please see the OSHA web site at <http://www.osha.gov/index.html> for further information.

## Conducting Archaeological Investigations

Excerpt from unpublished Guidelines for Conducting Survey in Virginia, April 2009

- To determine whether the site is eligible for the NRHP and under what criterion; and
- To provide recommendations for future treatment of the site.

These goals can best be met when research strategies focus on determining site chronology, site function, intrasite structure and integrity. The level of effort and the methods employed will vary depending upon site size, site type and the environmental setting.

It is important to note that resource evaluations must apply to the resource as a whole, not just to the portion of the resource within the project area. Sites evaluated as part of a federal or state agency undertaking shall be evaluated in their entirety, not just within the immediate project boundaries. However, testing strategies for Phase II evaluation studies may focus primarily on that portion of the resource that will be directly affected by the proposed project.

- **Treatment (Phase III)**

Once the significance of a historic property has been established through consultation with DHR, the appropriate treatment for the resource must be developed. Only after evaluations are completed are treatment plans or documents developed. Treatment can include a variety of measures such as avoidance, recordation, data recovery, development of a historic preservation plan, rehabilitation, or restoration. Documentation requirements for treatment are determined on a case-by-case basis.

## Research Design

Regardless of level, all archaeological investigations shall be guided by prepared research designs that refer to regional preservation plans and embody a wide range of theoretical and methodological approaches. Research designs shall not predetermine what one will find in the field but must be flexible in response to changing project needs and discoveries in the field. Consultation with DHR on appropriate research designs is to be carried out before beginning any project.

## Identification (Phase I)

- **Phase I Background Research**

Background research provides information regarding historic contexts and anticipated locations, frequency, and types of sites in the survey area. Background research will identify:

- Previous archeological research in the area;
- The degree of existing disturbance;
- High and low probability areas; and
- The location of historic map-projected sites.

The purpose of background research is not to produce a general prehistoric chronology, an exhaustive general history of the county, or an exhaustive synthesis of deed records or cartographic resources. A general historic context is to be developed to the level needed to aid in site-specific recommendations. Typically, background research will be conducted before

field investigations are initiated. The level of background research must be appropriate to the scale of the project.

Sources of potentially valuable information are numerous and varied, including published and written texts, oral accounts, official documents, family records, artifact collections, and observations about folkways. In addition to more traditional sources of information such as state and university repositories, specialists and locally knowledgeable persons are to be consulted along with local governments, historical societies, museums, libraries, and other repositories. Previous historic resources studies, existing archaeological collections, and other such data are particularly valuable sources of information and are to be checked, and references made to these sources.

- **Conventional Survey**

At a minimum, the following sources shall be considered:

- DHR Archaeological Site Inventory - This contains information about site type, temporal affiliation, location and settlement pattern data and other site characteristics of previously recorded sites in the survey area and vicinity.
- DHR library of historic resource reports - These reports contain information similar to the archaeological site files but with additional data on historic contexts, regional chronologies, and settlement and subsistence patterns.
- Residents or informants with knowledge of local resources - Such people may have information on previously unrecorded sites in the area or can offer an oral history for historic sites.
- DHR Architectural Inventory - This contains information on types of historic sites and structures, temporal affiliation, and location and settlement pattern data for structures that may no longer be extant.
- Archival map research - Holdings at the Virginia State Library and Archives are indexed according to county. Other sources include the Gilmer maps, and United State Geological Survey (USGS) quadrangles over 50 years old. The *Official Military Atlas of the Civil War* as well as the maps prepared between 1991 and 1994 by the Civil War Sites Advisory Commission shall also be considered.
- Local and county historical societies and published local and county histories. These often contain site specific information. The Library of Virginia maintains an electronic directory of local historical societies: <http://www.lva.lib.va.us/whowere/directories/vhs/index.htm>.
- United States Department of Agriculture (USDA) Soil Survey reports for the county, or counties, within which the project area lies.

- **Special Environment Surveys**

Surveys can be conducted in environments where conventional site discovery methods cannot be employed. The three most common examples are urban environments, where modern construction and materials obscure the ground surface; military sites, where artifacts can occur in very low density and frequently consist of metal items and may include potentially dangerous ordnance; and underwater environments, where resources may be submerged. More intensive

background research is necessary for these types of environments, and different sources of background information are available.

**Urban Sites** – Urban areas often contain buried historic remains but they may also contain prehistoric sites or sites that were previously underwater or in rural settings. Documentary research is to be performed as early as possible in the project planning stage well in advance of any pending construction. At a minimum, the research will consider the following:

- Archival records, such as city directories, city ordinances, Sanborn insurance maps, census data, etc.
- Relevant information on previous disturbance. Construction that may have disturbed earlier deposits may be assessed by a visual inspection of the survey area and an examination of any records that relate to ground disturbance activities (for example, presence of basements on Sanborn insurance maps, construction of utility lines, etc.).
- Historic maps that contain locational data on structures.
- Historic photographs and illustrations (for example, *Harper's Weekly*, etc.)

**Military Sites** – Military sites are difficult to identify because they typically have low artifact densities dispersed over a large area. Campsites were often policed to keep them clean and in order, and are characterized by features separated by expanses of open, essentially artifact-free ground.<sup>3</sup> At a minimum, research will consider the following:

- Historic background research of military maps and published records (for example, *The Official Military Atlas of the Civil War*, Hotchkiss maps and National Park Service (NPS) battlefield maps). Battlefields, earthworks, and troop movements are typically depicted on military maps. Encampments are seldom depicted but may be associated with battlefields and earthworks.
- Individuals and organizations knowledgeable about military sites in the area (for example, local archaeologists, local historians, and NPS personnel) are to be consulted.

**Underwater Sites** – Underwater sites may consist of sites that were once terrestrial (either prehistoric or historic), shipwrecks, docks, piers, launch ways, etc. Professionals working in underwater environments shall consider the following:

- DHR Archaeological Site Inventory and library of historic resource reports, and other Virginia shipwreck data;
- The degree of previous disturbance (dredging, etc.);
- Documents such as navigation charts, naval records, bathymetric charts, geological charts, etc.;
- Interviews with local divers and watermen; and
- Piers and other associated terrestrial remains that may suggest the presence of submerged resources.

---

<sup>3</sup> Christopher T. Espenshade, Robert L. Jolley, and James B. Legg, "Value and Treatment of Civil War Military Sites," *North American Archaeologist*, 23:39-67.

- **Phase I Methods**

Field methods are to be appropriate to existing field conditions, based on a research design, and reflect the current state of professional knowledge.

- **Conventional Survey**

When field conditions warrant, systematic visual inspection of plowed fields and surface collection of artifacts has proven to be a highly effective and efficient method of site survey. Systematic surface collection is encouraged after replowing and disking of previously plowed fields to a depth no greater than the previous disturbance prior to inspection. However, even in previously plowed areas, the clearing of trees and large brush to facilitate surface collection has the strong potential to disturb sub-plowzone soils and, therefore, is not regarded as an acceptable methodology. All exposed surfaces are to be inspected. However, at least 50% exposure is needed to warrant visual inspection without complementary subsurface investigation.

When an archaeological site is identified by visual inspection, excavation of at least two shovel test pits (STPs) is recommended to assess site depth and the presence or absence of intact cultural strata and/or features. However, low probability areas (for example, poorly drained soils and steep slopes, generally with a grade greater than 15%) and extensively disturbed non-floodplain areas need only be subject to visual inspection. If the visual survey locates natural benches, quarries, or other cultural features, the visual testing is to be augmented with additional, selectively placed, STPs. Rockshelters identified during visual survey shall be noted on field maps, but no excavation is to be conducted without receiving the proper permit from the Virginia Department of Conservation and Recreation (DCR) and DHR. For large survey areas that utilize predictive models at the Phase I level to identify archaeological sites, verification of the model is to include testing of at least 10% of the areas identified as low probability.

Excavation of cylindrical STPs (not smaller than 15 inches in diameter) remains one of the most reliable means of site identification in areas of low surface visibility. Whenever possible, STPs are to be tied to a known datum or fixed reference point, with their location clearly marked on appropriate maps.

As a general rule STPs are to be excavated at intervals no greater than 50 feet and will continue to sterile subsoil, if possible. It is recognized that different site types, as well as soils and topography, may justify a larger STP interval. Justification for an STP interval greater than 50 feet shall be clearly presented in the report. Similarly, a tighter interval is to be considered if small, low-density sites are anticipated. The standard 50-foot interval for STPs may also be augmented by judgmental testing in:

- High probability areas;
- Map-projected site areas; and
- Areas containing vegetation or cultural landscape features associated with historic sites.

Additional STPs at tighter intervals shall be excavated to determine whether individual artifacts recovered from one STP with no adjacent positive STPs are isolated finds or small low-density sites. An attempt is to be made to estimate the site boundaries at this stage of the investigation. The boundaries for sites in areas of poor surface visibility may be defined by the excavation of STPs in a cruciform pattern or at radial transects.<sup>4</sup>

All soils from STPs must be screened through ¼-inch hardware cloth. All artifacts fifty years of age and over are to be retained with the exception of materials such as brick, shell, charcoal, etc., which may be quantified in the field, a sample retained and the remainder discarded.

Notes on all STPs and trenches will be recorded and are to include information on survey/site/transect identification and location, either a profile drawing or detailed description of strata, soil types, Munsell descriptions, depth measurement, and a list of artifacts (both those kept and discarded). It is important to note the environmental conditions under which any testing strategy was employed (for example, adverse weather, condition of ground surface, etc.).

A detailed map is to be prepared showing areas surveyed, areas eliminated from survey due to disturbance, slope, wetness, etc., and the location of the positive and negative STPs.

- **Remote Sensing**

Remote sensing may be used to augment more traditional survey methods by identifying high potential areas for subsurface testing. Remote sensing (using metal detectors,<sup>5</sup> proton magnetometers and ground penetrating radar, etc.) may be appropriate for certain types of sites associated with the Contact Period or Civil War, and is particularly useful for identifying burials. In underwater survey, remote sensing is often effective in identifying targets for later diver verification. A specific case is to be made in the research design for the use of remote sensing, and its

---

<sup>4</sup> Joseph L. Chartkoff, "Transect Interval Sampling in Forests," *American Antiquity*, 43:46-53.

<sup>5</sup> Metal detecting has proven to be the most efficient way to identify and properly evaluate Civil War sites. Often the nature of military camps, in particular, makes them difficult to identify and evaluate using commonly accepted cultural resources management methodologies. In addition these sites are often missed due to their location in areas that are overlooked due to terrain slope or proximity to natural resources (see Clarence R. Geier, David G. Orr, and Mathew Reeves, *Huts and History: The Historical Archaeology of Military Encampment during the American Civil War* (Gainesville, Florida: University Press of Florida, 2006), and Susan E. Winter, "Civil War Fortifications and Campgrounds on Maryland Heights, the Citadel of Harpers Ferry", *Look to the Earth: Historical Archaeology and the American Civil War*, edited by C. R. Geier and S. E. Winter (Knoxville, Tennessee, 1994) p. 128–129). Metal detecting should be performed on all portions of a project area that are not disturbed or inundated; an appropriate methodology involves using a 25-foot transect grid established across the project area, then conducting metal detecting in a zig-zag pattern within each transect with approximately 6-foot wide sweeps to ensure maximum coverage. Positive contacts are to be identified with pin flags and the area around each positive contact intensely swept to determine if additional cultural materials are located in the region. The locations of the pin flags should be excavated to determine if the contact is positive for historic ferrous and/or non-ferrous metal artifacts, and all contacts positive for artifacts mapped, so that artifact distribution maps that show and discriminate between locations of military and non-military, possible dual use, and overtly military artifacts can be produced.

relationship to other survey methods made explicit.

Four geophysical techniques are principally employed in archaeology: magnetometry, electrical resistivity, electromagnetic conductivity (EM), and ground-penetrating radar (GPR). For a discussion of each approach, their suitability in various environments, and the latest advances in the field of geophysical methods refer to 'Geophysical Surveys as Landscape Archaeology' by Kenneth L. Kvamme.<sup>6</sup>

- **Special Environment Surveys**

**Deep Sediments** – If colluvial, alluvial or aeolian deposits are known to be present in the survey area from background research or by field inspection, testing will be needed to identify buried sites or the potential for such sites. Testing may include a combination of geophysical methods such as coring, hand excavation of deep shovel tests or three-foot square units, or mechanical slit trenching. The choice of technique will depend upon the depth of the deposits. DHR strongly recommends that deep testing be performed on all parcels of alluvial or colluvial soil within the project area. If full-scale systematic testing of the project area is not feasible, a geomorphologist is to be employed to develop a sampling program that identifies soils suitable for the preservation or formation of cultural deposits.

When deep testing is accomplished by the use of mechanical equipment, care must be taken to avoid excessive damage to fragile archaeological sites. Slit trenching with heavy equipment such as a backhoe (preferably toothless) is to be used in situations where deep sediments cannot be reached through hand excavation. Trenches are to be placed in a manner suitable to reconstruct the past and present landforms. For large continuous sections of terrain, the testing is to be adequate to reconstruct the alluvial history of the floodplain. The excavations are to continue until a depositional environment not favorable for formation or preservation of cultural horizons is found. In special circumstances where the terrain limits the access of heavy equipment and hand excavation is not feasible, coring or augering may be implemented. The soils from the cores are to be extracted in a controlled manner and sifted when appropriate.

After excavation, the trench profile will be troweled to inspect for stratigraphy and cultural features. A detailed profile drawing and description shall be completed. If a geomorphologist is used, he or she is to assist in the placement of trenches, evaluation, and interpretation of the excavation profiles. The evaluation may include tests for soil type and texture, standardized color descriptions, and grain size distributions. The geomorphologist will submit a detailed interpretive analysis on the deep testing that will be included as an appendix to the full technical report of investigations. This analysis will address the issues of site depositional processes, their effects on archaeological preservation, visibility of archaeological sites, and landform evolution over time. A summary and discussion of the results should be presented in the body of the technical report.

---

<sup>6</sup> *American Antiquity*, 68: 435-457.

In most cases it will not be possible to determine if buried cultural artifacts are present simply by visual inspection of the profile alone. Therefore hand excavation will be required. Preferably, a three-foot square test unit will be excavated at the margin of each backhoe trench where favorable soil horizons have been identified. The test unit will be excavated in a series of arbitrary and/or natural stratigraphic levels until soil horizons not favorable to the formation or preservation of cultural horizons have been identified. All soil will be sifted through ¼-inch mesh hardware cloth and the artifacts retained according to level. As conditions dictate, alternate sampling strategies may be implemented to evaluate the integrity, age and cultural period of the soil profile. For example, in consultation with the geomorphologist, recent fill layers or very recent alluvium may be removed without sifting. However, the researcher must justify that the sampling strategy is satisfactory to identify historic resources that may be present. In addition, if cultural material is encountered during deep testing and a geomorphologist is not already employed, arrangements are to be made to use a geomorphologist in an evaluation of all the trenches.

**Urban Sites** – Archaeological testing in urban settings often involves unusual circumstances. We recommend that research designs for urban Phase I surveys be discussed in advance with DHR staff. Prior documentary research is critical because the spatial limits of urban archeological deposits often cannot be defined in the same manner as the boundaries of non-urban sites. Such research may aid in determining the historical boundaries of streets, blocks, house lots, etc. In general, identification efforts in an urban area are to include:

- Test units (in most cases larger than STPs) based upon available documentary evidence and current site conditions.
- Identification of the presence, distribution, and preservation of architectural evidence, site stratigraphy, features, and assessment of site significance based upon all available documentary evidence. Previous work at urban sites indicates it is useful to target midlot and backlot areas for cellars, privies, wells and cisterns.
- Recordation and assessment of features containing large numbers of artifacts.
- The use of mechanized equipment, such as backhoes, excavators, front end loaders, etc. Mechanized equipment is efficient for exposing buried deposits, particularly when the overburden of fill is deep. It should be recognized, however, that the fill may be seen as part of the history of the site itself and not simply as a modern intrusion. Mechanized equipment must be used with care to complement more traditional archaeological strategies.
- Sampling strategies for artifact recovery. Sampling strategies are to be addressed on an individual basis and the method chosen justified in the research design.
- Recordation of excavation procedures including drawings and photographs.

**Military Sites** – Conventional survey employing shovel testing at military sites has consistently proven to be unsuccessful in identifying these types of sites. Military sites such as encampments and battlefields are to be considered sensitive resources as many contain unmarked burials. Surveys in areas having potential for military sites need to be sensitive to the following:

- A thorough visual observation of the ground surface needs to be conducted to identify surface features (huts, chimney falls, latrines, etc), broad scatters and/or clusters of building materials, and evidence of relic hunting. This is especially needed for transect surveys where it is likely that only a portion of the site is contained in the project area.
- Areas of steep slopes (>15%), sometimes excluded from survey, need to be examined as slopes are often favored locations for military encampments.
- Landscape features are key components to military sites and can be recorded as archaeological resources.
- Metal detector surveys are recommended because the majority of diagnostic items deposited at military sites are metallic. When implemented, the metal detector survey shall consider relevant factors such as the experience of the metal detector operator(s), the type of metal detector(s), ground cover, intensity of survey coverage, extent of previous relic hunting, and environmental factors.<sup>7</sup>

A system of interpreting battlefield landscapes known as the KOCOA system (explained below) has been adopted by the NPS and endorsed by the American Battlefield Protection Program for the evaluation of historic battlefield environments. It encompasses key landscape features that may have affected or directed the military action in a given location, and keeps the evaluator from focusing solely upon archaeological remains or built environment such as earthworks:

K: Key terrain (terrain that must be taken or held to obtain victory)

O: Observation and fields of fire (terrain that permits observation of enemy movements and avenues of approach)

C: Cover/concealment (terrain that provides troops with cover or protection from enemy fire)

O: Obstacles (features that stand in the way of seizing key terrain – these can be natural, such as heavy woods or deep swamp, or man-made such as fencelines, ditches or earthworks)

A: Avenues of approach (terrain by which the enemy may be approached – this can be anything from an established roadway to an open field)

**Underwater Sites** – Archaeological testing in underwater settings often involves unusual circumstances. Research designs for underwater Phase I surveys are to be discussed in advance with DHR staff. In general, identification efforts in an underwater setting are to include:

- Placement of test units based on remote sensing results and knowledge of the sunken vessel or submerged cultural remains.
- Use of mechanized equipment where extensive modern overburden is present.
- Careful examination of air-lifted and water-dredged soil samples. The soil samples must always be screened through mesh or net bagging.

---

<sup>7</sup> Conner and Scott 1998; Espenshade et al. 2000

## Conducting Archaeological Investigations

Excerpt from unpublished Guidelines for Conducting Survey in Virginia, April 2009

- Recordation of the excavation procedure to include drawings and photographs if visibility permits.
- Compliance with safety standards of nationally recognized diving organizations (PADI, Instructors NAUI, SSI, etc.).

### • **Phase I Field Documentation**

The choice of methods for recording Phase I survey field data are to be based on a research design and enable independent interpretation. At a minimum, the following information shall be recorded:

STP documentation is to include the following:

- Provenience;
- Name of excavator;
- Date;
- Description of cultural material;
- Soils; and
- Profile.

Project maps are to include the following:

- Orientation and scale; and
- Location of all STPs and all above ground cultural features, including cultural landscape features and any previously disturbed areas.

Photographs are to be taken of:

- All site locations;
- All cultural features evident on the surface (for example, mounds, cellar depressions, etc.); and
- All cultural evidence beneath the surface (for example, features, significant stratigraphy, etc.).

### **Evaluation (Phase II)**

The goals of Phase II evaluation survey are:

- To determine whether the site is eligible for the NRHP; and
- To provide recommendations for future treatment of the site.

Phase II evaluation will accurately assess the horizontal and vertical integrity of the site as well as define the site boundaries. The level of effort and the methods employed will vary depending upon the environmental setting and site type. The site shall be evaluated in its entirety, not just within the immediate project boundaries. However, testing strategies for Phase II evaluation studies may focus primarily on that portion of the resource to be directly affected by the proposed project.

Phase II analysis is to be oriented toward evaluation of the site and its ability to answer important research questions. This may be accomplished by:

- Examination of intra-site structure;
- Discussion of the relationship between surface and subsurface remains;
- Tabulation of data on provenience;
- Radiocarbon dating;
- Identification of feature flotation samples.

The evaluation will take into account the percentage of the site area excavated and consider how well the excavated portion represents the site as a whole.

- **Phase II Background Research**

Background research shall be conducted prior to the initiation of any fieldwork. Background research is to be sufficient to form research questions and to develop relevant historic contexts to aid in determining the site's eligibility for the VLR and the NRHP.

Phase II background research will expand upon and refine the research conducted during the Phase I identification by addressing the following:

- Placing the study in a regional research context;
- A more intensive examination of reports and records consulted during the Phase I survey;
- More in-depth interviews with informants; and
- Examination of more detailed records, (for example, deed records, tax records, census records, probate records, circuit court records, etc.).

Background research for prehistoric period sites is to focus on gathering more detailed information concerning site chronology, function, and regional settlement and subsistence patterns. For historic sites, background research will focus on site-specific data such as site chronology, function, and the ethnicity and socioeconomic status of site occupants.

- **Phase II Methods**

The choice of field methods is to be based upon a research design and shall always reflect the current state of professional knowledge.

Accurately defining site boundaries is a goal that can often be accomplished by conducting a controlled surface collection for those sites having good ground surface visibility. Previously plowed sites with poor surface visibility may require re-plowing, within the depth limits of the existing plow zone, and exposure to rainfall to enhance artifact visibility. In forested settings a more intensive systematic subsurface testing program to establish boundaries may be necessary.

Testing strategies will take into account the following:

- Results of the Phase I testing;
- Results of background research;
- Cultural or natural features located on the surface (for example, mounds, cellar depressions, fence lines, avoidance of previously disturbed areas, large trees etc.);

## Conducting Archaeological Investigations

Excerpt from unpublished Guidelines for Conducting Survey in Virginia, April 2009

- Systematic or probability-based sampling schemes; and
- Remote sensing results.

Plow disturbed sites constitute one of the most frequent classes of resources within the Commonwealth. In investigating these sites at the Phase II level, the initial goals are to be to evaluate the depth of plow disturbance, the quantity and taxonomic variety of artifacts present, and the extent and cultural integrity of spatial distributions. Strategies useful in attaining these goals may include high-density STP excavation (10-foot interval), high resolution surface collection (10-foot grid), and the hand excavation of larger test units.

These efforts should result in the recovery of a representative sample of artifacts and an initial assessment of activity areas within the site boundaries prior to any mechanical removal of the plowzone. It is to be understood that any mechanical removal is a sampling strategy. Complete removal of the plowzone may preclude other treatment options, such as avoidance, and in the context of the 106 process may therefore be considered an adverse effect.

Phase II investigations are to also determine if subsurface cultural features are present beneath the plow horizon. Appropriate methods may include hand excavation and sifting of the plow layer, and/or the use of mechanical equipment to expose the underlying horizon. Once the surface layer has been removed the base of the excavation is to be troweled or shovel shaved to expose any soil anomalies. Each soil discoloration shall be investigated to determine if it is a cultural feature. It is recommended that 2-10% sample of the surface area within the site boundaries be exposed and that mechanical means be used only after artifact concentrations have been thoroughly recorded through hand excavation and screening. The investigator shall also be aware that silt fencing may be required to stabilize the landscape if more than 100 contiguous square feet of soil is disturbed through testing.

On a case-by-case basis sampling of features may be needed to verify their cultural association and to determine their age, function and research potential. During this process, each feature is to be scale-drawn in plan and profile and photographed. Feature fill is to be water screened through 1/16<sup>th</sup>-inch mesh screen and volumetrically large matrix samples are to be processed by water flotation. All of the materials recovered by screening, and the flotation fractions, shall be sorted, identified, and bagged by provenience. Also, organic samples are to be retained for dating. When previously recovered data addresses the issues of feature integrity and age, additional feature excavation should not be undertaken. Again, it is to be understood that sampling of features at the Phase II level will focus on limited and well-defined goals. While it is impossible to define a point applicable in all instances at which Phase II testing (evaluation) ends and data recovery (Phase III or treatment) begins, a rule of thumb is that Phase II testing is completed when sufficient information has been gathered to make a determination of eligibility or a management decision. "Testing" that destroys large portions of a site prevents the consideration of other site treatment alternatives and shall be avoided at the Phase II level. In the context of the 106 process, excessive testing at the Phase II level may result in a finding of Adverse Effect and sanctions to the responsible agency. When in doubt, consult with DHR staff about the percentage of features or levels proposed for sampling.

A permanent, fixed datum is to be established on all sites recommended for Phase III data recovery.

- Special Environments

Testing strategies in deeply buried floodplain sites, urban settings, and underwater sites are to be based on the results of intensive archival research and of Phase I testing. Safety factors shall be considered in determining the need for further work to be conducted in special environments. This includes properties with documented hazardous material, as well as deeply buried sites. Appropriate safety standards must be adhered to in all cases.

- **Phase II Field Documentation**

As with Phase I identification, the choice of methods for recording Phase II evaluation field data will be based on a research design and enable independent interpretation. At a minimum, the following information is to be recorded:

Test unit documentation will include the following:

- Provenience;
- Name of excavator;
- Date;
- Description of cultural material;
- Soils;
- Profile; and
- Planview.

The site map will include the following:

- Orientation and scale;
- Location of all STPs, larger size test units, and all above ground cultural features, including cultural landscape features and any previously disturbed areas;
- Site datum; and
- Site boundaries.

Photo documentation is to be provided for

- All cultural features evident on the surface (for example, mounds, cellar depressions, etc.); and
- All cultural evidence beneath the surface (for example, features, significant stratigraphy, etc.).

Provenience documentation is to be provided for the horizontal and vertical provenience of each artifact or collection of artifacts.

## **Evaluation of Human Remains and Cemeteries**

Human burials represent a unique resource and require special consideration during archaeological recovery and evaluation for inclusion on the NRHP. In Virginia, the archaeological removal of human remains and/or associated grave goods requires a permit issued by DHR in accordance

### Conducting Archaeological Investigations

Excerpt from unpublished Guidelines for Conducting Survey in Virginia, April 2009

with *Code of Virginia* 10.1-2305. The exception would be the removal of Native American remains and funerary objects on federal (or tribal) land. Such removal must proceed in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA). The research design is to be coordinated with development of the Plan of Action under NAGPRA in accordance with 43 CFR 10.<sup>8</sup>

For specific guidance on criteria for listing cemeteries, refer to the NPS's National Register Bulletin 41, *Guidelines for Evaluating and Registering Cemeteries and Burial Places*. When evaluating burials for listing on the NRHP, DHR and the National Park Service consider the following:

- Historic documentation, if applicable;
- Association with a person or event of significance;
- Funerary monuments/buildings/landscapes with significant artistic or stylistic merit;
- Clearly delineated features (grave shafts), presence of associated artifacts, and/or good bone preservation;
- Potential to address specific research questions; and
- Applicability of NRHP Criteria Considerations.

In the event that a cemetery is recommended eligible under NRHP criteria A, B, or C, it must also meet (at minimum) Criteria Considerations C and D. Cemeteries and archaeological sites recommended eligible under Criterion D are not required to meet the Criteria Considerations. In general, burials must have good bone preservation in order to be eligible under Criterion D. However, it may be possible to demonstrate significance without good bone preservation if documentation, along with artifacts, can establish a secure date for the remains and demonstrate the ability of the resource to provide significant new information on topics such as mortuary practices.

### Phase III Data Recovery

All due consideration is to be given to practical methods of preserving significant archaeological sites in place. However, when appropriate consultation has taken place and it is agreed that preservation in place is not practical, data recovery may be appropriate. Data recovery will address defined and defensible research questions. It is to be conducted in the most efficient manner possible. In the context of the 106 process, data recovery is defined as an adverse effect, and as such, requires consultation with DHR and other consulting parties toward the development of a Memorandum of Agreement (MOA). The nature, scope and boundaries of the data recovery will be determined by the parties consulting on the project. On prehistoric sites, the Virginia Council on Indians (VCI) and the affected tribe(s) are participants in the consultation.

In terms of the substantive content, it is recommended that the research design be guided by certain basic principles presented in the Advisory Council on Historic Preservation's *Recommended Approach for Consultation on Recovery of Significant Information from Archeological Sites*.<sup>9</sup> In particular, the research design shall take the public benefit into account and provide for a plan to make the information available to the interested public as well as the archaeological community. The preparer of a data recovery plan is to ensure that:

---

<sup>8</sup> Refer to the NAGPRA web site for additional information, at [http://www.cr.nps.gov/nagpra/TRAINING/Intentional\\_Excavations.pdf](http://www.cr.nps.gov/nagpra/TRAINING/Intentional_Excavations.pdf).

<sup>9</sup> This document is available online at <http://www.achp.gov/archguide.html>.

- The amount and areas of the site to be excavated are reasonable given the anticipated project impacts to the site, and the questions posed in the data recovery plan are answerable given the excavation strategy;
- The research questions appear logical, current and answerable in terms of the potential information the site(s) can be expected to yield given the amount and nature of excavation proposed; and
- The proposed field and laboratory methods for retrieving the information are consonant with the questions asked of the data.
- The laboratory methods shall, when appropriate, incorporate state-of-the-art analytical procedures such as radiocarbon dating, neutron activation, mass spectrometry, infrared spectroscopy, and other suitable analytical methodologies to evaluate relevant research questions.

All data recovery plans are to include the following elements:

- Information on the archaeological property or properties where data recovery is to be carried out, and the context in which such properties are eligible for listing in the NRHP;
- Discussion of the research questions to be addressed through the data recovery, with an explanation/justification of their relevance and importance;
- Description of the recovery methods to be used, with an explanation of their pertinence to the research questions;
- Information on arrangements for any regular progress reports or meetings to keep agency managers, DHR, and other consulting parties up-to-date on the course of the work;
- Description of the proposed disposition of recovered materials and records, along with evidence of agreement regarding curatorial responsibilities;
- Proposed methods for disseminating results of the work to the interested public (for example, presentation during Virginia Archaeology Month, etc.); and
- Proposed methods by which any relevant Indian tribes, local governments and other specific groups will be kept informed of the work, and if human remains or grave goods are expected to be encountered, information on consultation with the VCI and any other relevant Indian tribe regarding final disposition of the materials. On federal land this will be included in the Plan of Action required under NAGPRA.

### **Curation of Artifacts and Documentation**

Archaeological investigations usually result in the retrieval of archaeological materials (for example, cultural artifacts, soil, zooarchaeological items) and production of original data (notes, records, photographs) for a project. Artifacts and data are an integral part of the documentary record of an archaeological site and are to be curated to ensure their stability and availability for future research.

Artifacts that are removed from private lands in connection with a federal action are generally the property of the land owner. Notes, records and photographs generated as a result of a federal action are the property of the federal government, regardless of the location of the archeological site. Provision for the costs of curation may be made a condition of the issuance of a federal license or permit. When the owner cannot provide proper curatorial care, the federal curation standards recommend but do not require that the federal agency seek title to the collection.

The place where a project's artifacts and original data will be curated is to be determined before

## Conducting Archaeological Investigations

Excerpt from unpublished Guidelines for Conducting Survey in Virginia, April 2009

beginning fieldwork. DHR encourages placement of collections with the State Collection Management Facility, managed by DHR, which is the principal repository for archaeological materials recovered from sites in Virginia. Prior to acceptance of a collection, DHR requires documentation of ownership or a Memorandum of Understanding (MOU) with the involved state or federal agency clearly establishing curation responsibilities. The current fee is \$350.00 per Hollinger box.

The NPS has established federal curation standards, entitled *Curation of Federally Owned and Administered Archeological Collections* (36 CFR 79), which apply to surveys, excavation or other studies conducted in connection with a federal action, assistance, license or permit. In 1993 (revised 2007), DHR, in consultation with the Council of Virginia Archaeologists (COVA), established minimum standards for the processing and curation of archaeological collections.<sup>10</sup> These standards are to be followed for all collections to be curated by DHR. DHR recommends adherence to these requirements for all archaeological collections generated in Virginia, in order to standardize curation practices, ensure professionalism in the treatment of archaeological materials, and to assure the availability of collections and documentation for future research.

Any repository that is providing curatorial services for a collection subject to the federal regulations must possess the capability to provide adequate long-term curatorial services, as set forth in 36 CFR 79, to safeguard and preserve the associated records and any material remains deposited in the repository. There is no grandfather clause in the federal regulations. This applies equally to repositories that agree to preserve collections after the effective date (October 12, 1990), as well as repositories that agreed prior to that date. If a repository's officials find that they are no longer able to provide long-term curation, they have the responsibility to consult with the federal agency responsible for the project regarding an acceptable repository for the existing collections.

## Personnel

The Principal Investigator has the responsibility to conduct field investigations in a manner that will add to the understanding of past cultures and will develop better theories, methods and techniques for interpreting the archaeological record while causing minimal attrition of the archaeological resource base. All archeological investigations are to be conducted by or under the direct supervision of individuals meeting appropriate professional qualifications for archaeology. The *Secretary of the Interior's Professional Qualification Standards*, part of the *SOI Standards*, establish the following minimum professional qualifications in archaeology:

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

- At least one year of full-time professional experience or equivalent specialized training in archaeological research, administration or management;
- At least four months of supervised field and analytic experience in general North American archaeology; and
- Demonstrated ability to carry research to completion.

An individual meeting the *Professional Qualification Standards*, whether the Principal Investigator or Field Supervisor, should be present on site at least 75% of the time and has the ultimate

---

<sup>10</sup> See Appendix F.

#### Conducting Archaeological Investigations

Excerpt from unpublished Guidelines for Conducting Survey in Virginia, April 2009

responsibility for the overall quality of the project and for achieving the objectives of the research design. In addition, the Principal Author of all reports (if he or she is not the same individual as the Principal Investigator) must meet the *Professional Qualification Standards*. Also, any geomorphologist conducting work associated with an archaeological investigation is to have professionally peer-reviewed publications within the field of geoarchaeology and two years of experience in supervising deep testing programs.

Analysis of human skeletal and/or nonskeletal remains must be performed by, or under the direct and constant supervision of, an individual meeting the following requirements:

- Graduation from an accredited anthropology program with an advanced degree in physical anthropology, human osteology, or biological anthropology;
- Demonstrated experience in the handling, reconstruction, and analysis of human remains recovered from an archaeological context; and
- Demonstrated ability to bring research to completion.

The skills of all other investigative personnel must be appropriate to the requested task, the nature of the project, and to the goals and specifications delineated in the research design.

#### Permits

The following permits may be necessary to conduct archaeological work in the state. The Principal Investigator is responsible for ensuring that any applicable permits are acquired.

- **Human remains** (administered by DHR, *Code of Virginia* 10.1-2305): General cemetery protection laws deem it a felony to remove human remains from a grave without a court order or appropriate permit. The archaeological removal of human remains and associated funerary artifacts requires a permit from DHR. The exception applies to the removal of Native American remains on federal land covered by NAGPRA in that situation. The regulations governing the state permit process require a detailed research plan and both a qualified archaeologist and a qualified physical anthropologist (unless waived by the Director of DHR in deference to the wishes of the descendents) to perform the recovery and skeletal analysis. The application for the archaeological removal of human remains is available on DHR's web site, at [http://www.dhr.virginia.gov/pdf\\_files/Permit-RemovalOfHumanBurials.PDF](http://www.dhr.virginia.gov/pdf_files/Permit-RemovalOfHumanBurials.PDF).
- **State-owned and/or state-controlled lands** (administered by DHR, *Code of Virginia* 10.1-2302): DHR is charged with coordinating all archaeological field investigations and survey conducted on state-controlled lands (10.1-2301;1,2). DHR is given exclusive right and privilege to conduct field investigations on state lands but may grant those privileges to others through a permit process (10.1-2302 and 2303). DHR also has final authority to identify and evaluate the significance of sites and objects of antiquity found on state lands (10.1-2301;3). Applications for archaeological investigations on state-controlled land are available on the DHR web site at [http://www.dhr.virginia.gov/pdf\\_files/StateLandsApp.PDF](http://www.dhr.virginia.gov/pdf_files/StateLandsApp.PDF).
- **Cave permits** (administered by DCR, *Code of Virginia* 10.1-1000-1008; Cave Protection Act): The Cave Protection Act protects from vandalism all geological, biological, and historic features in caves regardless of ownership. A permit is required from DCR, Natural Heritage

## Conducting Archaeological Investigations

Excerpt from unpublished Guidelines for Conducting Survey in Virginia, April 2009

Division, for research within caves and rock shelters. The concurrence of DHR is required before the issuance of a permit.

- **Underwater permits** (administered by the Virginia Marine Resources Commission (VMRC), *Code of Virginia* 10.1-2214 and 28.2-1203, and the United States Army Corps of Engineers (COE), Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. § 403), and Section 404 of the Clean Water Act [42 U.S.C. § 7506(c)]): Exploratory permits are issued without DHR concurrence and allow limited recovery of artifacts, generally no more than seven. The VMRC recommends an exploratory permit for all scientific studies, including remote sensing. Once a historic site is identified, a recovery permit granting exclusive rights is to be requested. At that stage, a permit from the COE will also be needed regardless of the amount of dredging involved.
- **Federal lands permit** (Archeological Resources Protection Act of 1979 (ARPA) 16 U.S.C. §§ 469-469c): ARPA permits are issued by the federal agency owning the land when the archaeological investigations are not conducted by, or contracted on behalf of, the responsible federal agency.
- **Local permits as required:** The appropriate local officials must be contacted to inquire about and obtain any necessary permits, and to find out about any local regulations that apply to archaeological investigations.



## CHAPTER 7

### ORGANIZING ARCHAEOLOGICAL SURVEY MATERIALS

#### Department of Historic Resources Identification Numbers

Before a file on a surveyed resource is placed in the Department of Historic Resources (DHR) Archives, it must receive a DHR identification number. This unique number is used in the identification, filing, and entering of information into the Data Sharing System (DSS). The DHR Archives arranges archaeological site files by county or city, and then sequentially by identification number within each locality.

For all archaeological sites, DHR archaeological site numbers are assigned by the DHR Archaeology Inventory Manager. Before issuing numbers, the Archivist must receive a completed DSS form and United States Geological Survey (USGS) topographic quadrangle mapping identifying newly surveyed sites. Please see below for details on mapping requirements

Sites are assigned a three-part identifier that is unique to that site. The first part refers to the state identifier for Virginia, which is 44. The next part is a two-letter county or city abbreviation. Finally, the third part consists of a four-digit number assigned to an individual site in that particular county or city. The three parts of the identifier are combined to create one state archaeology site number. For example, three sites located during a survey in Albemarle County would be given the following sequential state site numbers: 44AB0001, 44AB0002 and 44AB0003. Please note that zeros are used as placeholders for unused digits.

In some cases, a four-digit tertiary number may be assigned in addition to the site number. The tertiary number is used to define a specific context that falls within a larger archaeological complex. For example, a historic house within the Buckland Archaeological District would be issued the number 44PW1659-0001. These numbers are to be assigned sequentially, unless the consultant chooses to use a historic land lot number as well. Each tertiary number must have an accompanying DSS site form specific to this site and be mentioned generally in the parent site form.

In instances where a submerged site in open water does not fall within a county boundary, it will be recorded as though within the nearest county.

#### Archival Management

An individual DHR Archives archaeological survey file consists of the following materials:

- A DSS-generated survey form printed single-sided on standard archival paper and clipped with plastic clips (such as *Plastiklips*).
- A digital section or high-quality photocopy of a USGS topographic quadrangle map (typically 1:24,000 scale) on which the identified site's boundaries are clearly marked. The DHR identification number and name of the quadrangle map must be clearly indicated.

The DHR survey file will be prepared by DHR Archives staff upon assignment of a DHR identification number and receipt of relevant mapping in hard-copy or electronic form.

### **Data Sharing System (DSS) Forms**

An archaeology site inventory record is to be submitted through the DSS with a temporary site Number in the place of the DHR identification number on the first screen. Once the site information has been entered into the DSS, it is submitted to DHR for review. The Archaeology Inventory Manager will review the electronic record. A permanent DHR identification number will be assigned to replace the temporary identification number originally submitted. The paper copy DSS record is filed at DHR with the original map and other supporting material, once the record is complete and has been accepted by DHR. For more information about DSS data entry for archaeological survey, consult the DSS User Guide and DSS Data Entry Manuals available at [www.dhr.virginia.gov](http://www.dhr.virginia.gov), or contact the Archaeology Inventory Manager at (804) 367-2323.

To update a DSS form for a previously recorded site, please contact the DHR Archaeology Inventory Manager. The form will be placed in the appropriate edit box to receive updates. There is a maximum of three months for individuals to update the site form. Once additions are finished, the updated site form shall be submitted for review to the DHR Archaeology Inventory Manager. If a site boundary needs to be altered, an updated map with the new boundary will also be required by DHR.

### **USGS Topographic Quadrangle Maps**

For all archaeology surveys, a section in digital format of the appropriate USGS topographic quadrangle map(s), or clear paper copy map, clearly showing the boundaries of the identified site(s) and temporary DHR identification number are required. DHR prefers that the map is in color and that the shape of the site boundary is created from data collected by a Global Positioning System (GPS). However, other maps may be submitted upon approval from the Archaeology Inventory Manager. DHR will not accept black and white photocopies or faxes of quadrangle maps if contour lines, roads, and other features are not visible due to low resolution. Mapping may be accomplished using DSS or the in-house geodatabase and ESRI ArcGIS Mapper in DHR's Archives (contact the DHR Archivist for further information).

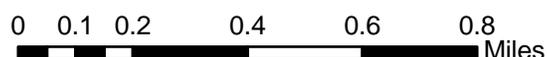
The map submitted must also include the following<sup>11</sup>:

- **Name of USGS Quadrangle:** The name of the USGS quadrangle must be present on the map.
- **Date of Production:** The interpretation and accuracy of a map is time-sensitive. DHR requires the map to be labeled with the month and year of the map's production. The production date is to be separate from the dates located in the data sources.

---

<sup>11</sup> When creating a map in DSS, the name of the USGS quadrangle and cartographer information need to be added. This may be accomplished using the "Print" function and typing the information into the "Map Description."

- **Cartographer:** The name of the preparer and his or her affiliation are to be included on the map.
- **Scale and Scale Bar:** A scale bar with digits rounded appropriately must be present, along with the scale. The unit of measurement is to be in miles or feet. The map must be in a scale between 1:10,000 and 1:24,000, depending on the size of the site. If the scale of a quadrangle map is not sufficient to clearly provide locations of surveyed properties, a new one will be requested. Styles of scale bars may vary; an example is provided below:



- **North Arrow:** An arrow or compass pointing to true north is required. DHR will also accept a north arrow pointing to magnetic north when present in conjunction with true north. Styles of arrows and compasses may vary; an example is provided below:



- **Sources of Information:** Consultants must identify the sources of their data so readers may track information and interpretation. Most importantly, the map is to indicate the firm that has compiled the data as well as its age for every data set. For data obtained by the consultant, it is also required to indicate how the data was processed or created.

For information regarding the curation of photos, slides, field notes, and other archaeological materials, refer to the Curation Management Guidelines in Appendix F.

### **GIS Spatial Data**

DHR requests that GIS spatial data for archaeological surveys be provided when available. Contact the DHR Technology Administrator/DSS Manager at (804) 367-2323 for additional information.

### **Archaeological Site Confidentiality and Security**

According to the National Park Service (NPS), information about sensitive archaeological sites shall be restricted if its publication is likely to endanger the resource, worsen existing damage, endanger the resource's setting, or cause desecration of a site used in traditional cultural

Organizing Archaeological Survey Materials

Excerpt from unpublished Guidelines for Conducting Survey in Virginia, April 2009

practice.<sup>12</sup> Legal authority for restricting site information is provided by the National Historic Preservation Act (NHPA)<sup>13</sup>, Archaeological Resources Protection Act (ARPA)<sup>14</sup>, and the Code of Virginia.<sup>15</sup> No information about the character or location of any archaeological site, regardless of restrictions, will be given to any persons outside of the archaeological community.

All DHR staff members and accredited archaeologists may obtain information on a restricted site, upon agreeing to the condition that their intentions will not cause harm in any of the manners listed above and spelled out in the state and federal guidance materials referenced above. A written agreement may be required before access to restricted information is allowed. To inquire about obtaining access to information on a restricted site, contact the DHR Archaeological Inventory Manager or DHR Archivist at 804-367-2323.

---

<sup>12</sup> John Knoerl, Diane Miller, and Rebecca H. Shrimpton, National Register Bulletin 29: *Guidelines for Restricting Information About Historic and Prehistoric Resources* (U.S. Department of the Interior, National Park Service [n.d.]).

<sup>13</sup> Section 304 of the NHPA states, "The head of any Federal agency, after consultation with the Secretary [of the Interior], shall withhold from disclosure to the public, information relating to the location or character of historic resources whenever the head of the agency or the Secretary determines that the disclosure of such information may create a substantial risk of harm, theft, or destruction to such resources or to the area of place where such resources are located."

<sup>14</sup> Section 9(a) of the ARPA states, "Information concerning the nature and location of any archaeological resource for which the excavation or removal requires a permit or other permission under this Act or under any other provision of Federal law may not be made available to the public under any other provision of law unless the Federal land manager concerned determines that such disclosure would further the purposes of this Act of the Act of June 27, 1960 (16 U.S.C. 469-469c) and not create a risk of harm to such resources or to the site at which such resources are located."

<sup>15</sup> Section 2.2-3705.7(10) of the Code of Virginia includes in limitations on release of information, "Records containing information on the site specific location of rare, threatened, endangered or otherwise imperiled plant and animal species, natural communities, caves, and significant historic and archaeological sites if, in the opinion of the public body that has the responsibility for such information, disclosure of the information would jeopardize the continued existence or the integrity of the resource."

References

Excerpt from unpublished Guidelines for Conducting Survey in Virginia, April 2009

## REFERENCES

Advisory Council on Historic Preservation

- 1990 *Consulting About Archeology Under Section 106*. U.S. Government Printing Office, Washington, D.C.

Advisory Council on Historic Preservation

- 1999 *Recommended Approach for Consultation on Recovery of Significant Information from Archeological Sites*. Available on the Internet at:  
<http://www.achp.gov/archguide.html>.

The Archeological Resources Protection Act of 1979 (ARPA)

- 1979 Available on the Internet at: <http://www.nps.gov/archive/vick/laws/arpa.htm>.

Andrus, Patrick W.

- 1992 National Register Bulletin 40: *Guidelines for Identifying, Evaluating, and Registering America's Historic Battlefields*. U.S. Department of the Interior, National Park Service, 1992. Available on the Internet at:  
<http://www.nps.gov/history/nr/publications/bulletins.htm>.

Birnbaum, Charles A., ASLA

- 1993 Preservation Brief 36: *Protecting Cultural Landscapes: Planning, Treatment, and Management of Historic Landscapes*. U.S. Department of the Interior, National Park Service, 1994. Available on the Internet at:  
<http://www.nps.gov/history/nr/publications/bulletins.htm>.

Blanton, Dennis B. and Donald W. Linebaugh

- 1994 *An Assessment of Virginia's Underwater Cultural Resources*. Virginia Department of Historic Resources Survey and Planning Report Series No. 3

Brown, Nancy, et al.

- 2001 "More than a Database: the National Park Service's Cultural Landscapes Inventory Improves Resource Stewardship." *Crossing Boundaries in Park Management: Proceedings of the 11<sup>th</sup> Conference on Research and Resource Management in Parks and on Public Lands*, edited by David Harmon. Hancock, MI: The George Wright Society.

Chartkoff, Joseph L.

- 1978 Transect Interval Sampling in Forests. *American Antiquity* 43:46-53.

Christensen, Alan Jay

- 2005 *Dictionary of Landscape Architecture and Construction*. McGraw-Hill.

Cheek, Richard, Rudy J. Favretti, and the Garden Club of Virginia

- 1993 *Gardens and Landscapes of Virginia*. Garden Club of Virginia.

*Code of Virginia*

- Var. 10.1-1000-1008, 10.1-2214, 10-1-2302, 10.1-2305, 2.2-3705.7(10), and

References

Excerpt from unpublished Guidelines for Conducting Survey in Virginia, April 2009

28.2-1203. Available on the Internet at: <http://leg1.state.va.us/000/src.htm>.

Conner, Melissa and Douglas D. Scott

1978 Metal Detector Use in Archaeology: An Introduction. *Historical Archaeology* 32:76-85

Curl, James Stevens

2005 *A Dictionary of Architecture and Landscape Architecture*. Oxford University Press.

Espenshade, Christopher T., Robert L. Jolley, and James B. Legg

2002 Value and Treatment of Civil War Military Sites. *North American Archaeologist* 23:39-67.

Favretti, Rudy J.

1972 *Colonial Gardens*. Barre Publishers.

1991 *Landscapes and Gardens for Historic Buildings: A Handbook for Reproducing and Creating Authentic Landscape Settings*. AltaMira Press.

Geir, Clarence R., David G. Orr and Mathew Reeves

2006 *Huts and History: The Historical Archaeology of Military Encampment during the American Civil War*. University Press of Florida, Gainesville, Florida

Harris, Cyril M.

2002 *American Architecture: An Illustrated Encyclopedia*. W. W. Norton & Company.

2005 *Dictionary of Architecture and Construction*. McGraw-Hill.

1977 *Historic Architecture Sourcebook*. McGraw-Hill.

1983 *Illustrated Dictionary of Historic Architecture*. Dover Publications.

Heinemann, Ronald L, et al.

2007 *Old Dominion, New Commonwealth: A History of Virginia 1607-2007*. University of Virginia Press.

Keller, J. Timothy, ASLA, and Genevieve P. Keller

1995 National Register Bulletin 18: *How to Evaluate and Nominate Designed Historic Landscapes*. U.S. Department of the Interior, National Park Service. Available on the Internet at: <http://www.nps.gov/history/nr/publications/bulletins.htm>.

Knoerl, John, Diane Miller, and Rebecca H. Shrimpton

n.d. National Register Bulletin 29: *Guidelines for Restricting Information About Historic and Prehistoric Resources*. U.S. Department of the Interior, National Park Service. Available on the Internet at: <http://www.nps.gov/history/nr/publications/bulletins.htm>.

## References

Excerpt from unpublished Guidelines for Conducting Survey in Virginia, April 2009

### Leighton, Ann

- 1986 *American Gardens in the Eighteenth Century: "For Use or Delight"*. University of Massachusetts Press.
- 1987 *American Gardens of the Nineteenth Century: For Comfort and Affluence*. University of Massachusetts Press.
- 1986 *Early American Gardens: "For Meate or Medicine"*. University of Massachusetts Press.

### Lounsbury, Carl, and Vanessa Elizabeth Patrick

- 1999 *An Illustrated Glossary of Early Southern Architecture and Landscape*. University Press of Virginia.

### McAlester, Virginia and Lee

- 1998 *A Field Guide to American Houses*. Alfred A. Knopf, Inc.

### McClelland, Linda Flint, J. Timothy Keller, ASLA, Genevieve P. Keller, and Robert Z. Melnick, ASLA

- n.d. National Register Bulletin 30: *Guidelines for Evaluating and Documenting Rural Historic Landscapes*. U.S. Department of the Interior, National Park Service. Available on the Internet at: <http://www.nps.gov/history/nr/publications/bulletins.htm>.

### Massey, James C., and Shirley Maxwell

- 1983 *The Illustrated Old House Glossary*. Historic House Association of America.

### National Park Service

- 2006 *National Register of Historic Places and National Historic Landmarks Survey Photo Policy Expansion*. Available on the Internet at: <http://www.nps.gov/history/nr/policyexpansion.htm#digital>.

### Potter, Elizabeth Walton, and Beth M. Boland

- 1992 National Register Bulletin No. 41: *Guidelines for Evaluating and Registering Cemeteries and Burial Places*. U.S. Government Printing Office. Available on the Internet at: <http://www.nps.gov/history/nr/publications/bulletins.htm>.

### Salmon, Emily J. and Edward D. C. Campbell, Jr.

- 1994 *The Hornbook of Virginia History: A Ready Reference Guide to the Old Dominion's People, Places, and Past*. The Library of Virginia.

### U.S. Army Corps of Engineers

- 1899 Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. § 403). Available on the Internet at <http://www.usace.army.mil/cw/cecwo/reg/rhsec10.htm>.

### U.S. Department of the Interior, National Park Service

- 1983 Archeology and Historic Preservation: Secretary of the Interior's Standards and Guidelines. *Federal Register* 48(190):44716-44742.

References

Excerpt from unpublished Guidelines for Conducting Survey in Virginia, April 2009

U.S. Environmental Protection Agency

1972 Section 404 of the Clean Water Act. Available on the Internet at:  
<http://www.epa.gov/lawsregs/laws/cwa.html>.

Virginia Department of Historic Resources

2007 *State Collections Management Standards*. On file at the Virginia Department of Historic Resources.

Winter, Susan E.

1994 "Civil War Fortifications and Campgrounds on Maryland Heights, the Citadel of Harpers Ferry." In *Look to the Earth: Historical Archaeology and the American Civil War*, edited by C. R. Geier and S. E. Winter, pp. 128–129. Knoxville, Tennessee.

1990 Curation of Federally Owned and Administered Archeological Collections; Final Rule. *Federal Register* 55 (177): 37616-37639.

1990 National Register Bulletin No. 29: *Guidelines for Restricting Information About Historic and Prehistoric Resources*. U.S. Government Printing Office.

1970 *Amateur's Guide to Terms Commonly Used in Describing Historic Buildings*. Compiled by the Landmark Society of Western New York. On file, Virginia Department of Historic Resources.

1966 *National Historic Preservation Act of 1966*, as amended. Available on the Internet at:  
<http://www.achp.gov/nhpa.html>.

**APPENDIX I**

**DCHPO GUIDELINES FOR ARCHAEOLOGICAL  
INVESTIGATIONS**



# **GUIDELINES FOR ARCHAEOLOGICAL INVESTIGATIONS IN THE DISTRICT OF COLUMBIA**

The following are **REQUIRED** for a report submission to be accepted:

1. A completed site form
2. An electronic (PDF) copy of the complete report, including site form(s) and SHPO concurrence letter
3. A public project summary suitable for posting on the HPO web site.

Please note: An electronic version of the site form is available as a Word doc and PDF; contact the SHPO archaeologist for a copy.

It is typical for curation facilities to assess fees; please budget accordingly

*Issued by*

District of Columbia  
Department of Consumer and Regulatory Affairs  
Historic Preservation Division  
and  
District of Columbia  
Historic Preservation Review Board

April 1998

*Prepared by*

D. C. Preservation League

*In association with:*

Greenhorne & O'Mara, Inc.  
Parsons Engineering Science, Inc.  
Woodward-Clyde Federal Services, Inc.

These "Guidelines for Conducting Archaeological Work in the District of Columbia" have been funded with the assistance of a matching grant from the U.S. Department of the Interior, National Park Service, through the D.C. Department of Consumer and Regulatory Affairs, Historic Preservation Program, under provisions of the National Historic Preservation Act of 1966, as amended. This program receives Federal financial assistance for identification and protection of historic properties. Under Title VI of the Civil Rights Act of 1964, as amended; and Section 504, National Rehabilitation Act of 1973, as amended, the U.S. Dept. of Interior (and the District of Columbia), prohibit discrimination on the basis of race, color, age, national origin, or handicap in its federally assisted programs. If you believe you have been discriminated against in any program activity, or if you desire further information, please write to: Office of Equal Opportunity, U.S. Dept. of Interior, Washington, D.C. 20240

Reproduction and distribution of these Draft Guidelines was made possible through the support of Greenhorne & O'Mara, Inc., 9001 Edmonston Road, Greenbelt, MD 20770.

## ACKNOWLEDGMENTS

The *Guidelines for Archaeological Investigations in the District of Columbia* were developed as cooperative effort among the District's archaeological and historic preservation communities. Draft guidelines were the product of a grant from the Historic Preservation Fund Survey and Planning Grant Assistance Program, which was part of the Department of Consumer and Regulatory Affairs FY1995 (Round II) Grant-In-Aid program. The helpful assistance of Don McCleary and Stanley Onye in managing the grant application and implementation process is acknowledged and appreciated. Overall guidance for the development of the guidelines was provided by Mr. Stephen J. Raiche, Chief, Historic Preservation Division and the District of Columbia Historic Preservation Review Board.

The District of Columbia Preservation League (DCPL) administered this grant under the guidance of Julie Mueller, Sam Friedman, and Sally Berk. The program's steering committee was comprised of: Nancy Kassner, Staff Archaeologist, DC Historic Preservation Division; Robert Sonderman, Archaeologist on the District of Columbia's Historic Preservation Review Board, Elizabeth Crowell, Senior Archaeologist, Parsons Engineering Science, Inc.; Bernard K. Means, Research Archaeologist, Greenhorne & O'Mara, Inc.; and John H. Sprinkle, Jr., Principal Historian, Woodward-Clyde Federal Services.

A workshop for the development of these guidelines was held on June 5, 1995, in which the preservation community in Washington, D.C., along with archaeologists located in the Mid-Atlantic Region, were invited. Participants included: Donna Seifert and Charles Cheek, John Milner Associates; Michael Petraglia, Petar Glumac, Carter Shields, Parsons Engineering Science; Richard A. Geidel, KCI Technologies; Pam Cressey, Steve Shephard, Fran Bromberg, Barbara Magid, Alexandria Archaeology; Gary Shaffer, Beth Cole, Maryland Historical Trust; Janet Friedman, Dames and Moore; Ann Palkovich, George Mason University; Paul Inashima, Steve Strach, Marian Creveling, Linda McPeck, National Park Service; Charlie LeeDecker, Louis Berger, Inc.; Janice Artemel, Windwalker Corp; and Louise Akerson, Baltimore Center for Urban Archaeology. Laura Henley Dean, Meredith Wilson and Tom McCullough, representing the Advisory Council on Historic Preservation, also participated in the workshops. The hard work and commitment of these participants in drafting the guidelines is gratefully acknowledged.

These guidelines draw heavily on the foundation laid by the Maryland Historical Trust's *Guidelines for Archaeological Investigations in Maryland* (Shaffer and Cole 1994). The varied assistance and cooperation of the staff at the Maryland Historical Trust is gratefully acknowledged.

## TABLE OF CONTENTS

ACKNOWLEDGEMENTS .....	i
CHAPTER	
I INTRODUCTION .....	1
II IDENTIFICATION OF ARCHAEOLOGICAL RESOURCES .....	5
III EVALUATION OF ARCHAEOLOGICAL RESOURCES .....	13
IV TREATMENT OF ARCHAEOLOGICAL RESOURCES .....	20
V CURATION STANDARDS FOR ARCHAEOLOGICAL COLLECTIONS .....	29
VI REPORTING STANDARDS FOR ARCHAEOLOGICAL STUDIES .....	42
APPENDICES	
APPENDIX A: ARCHAEOLOGICAL SITE FORM	
APPENDIX B: SAMPLE MAPS/PROFILES	
APPENDIX C: NATIONAL ARCHAEOLOGICAL DATA BASE FORM	

These "Guidelines for Conducting Archaeological Work in the District of Columbia" have been funded with the assistance of a matching grant from the U.S. Department of the Interior, National Park Service, through the D.C. Department of Consumer and Regulatory Affairs, Historic Preservation Program, under provisions of the National Historic Preservation Act of 1966, as amended. This program receives Federal financial assistance for identification and protection of historic properties. Under Title VI of the Civil Rights Act of 1964, as amended, and Section 504, National Rehabilitation Act of 1973, as amended, the U.S. Dept. of Interior (and the District of Columbia), prohibit discrimination on the basis of race, color, age, national origin, or handicap in its federally assisted programs. If you believe you have been discriminated against in any program activity, or if you desire further information, please write to: Office of Equal Opportunity, U.S. Dept. of Interior, Washington, D.C. 20240

## **I. INTRODUCTION**

### **A. PURPOSE OF THE GUIDELINES**

Until now there has been no standardization of requirements for archaeological studies conducted in the District of Columbia. With the guidelines that follow, there now can be greater consistency in the work that is performed and a uniform set of standards for the quality of archaeological work that is conducted in the District. Consequently, there can be consistency in reviewing the archaeological reports resulting from this work. These guidelines are to be used by professional archaeologists, both those who previously have worked in D.C. and those who have not; compliance officers and other decision-makers in Federal Agencies; academicians; researchers and the general public. These guidelines detail the reasons why archaeology should be undertaken and the level of effort required at each phase of work; or during a project. The goal of the guidelines is to standardize the level of effort required and to assure the quality of archaeological investigations for all archaeologists who conduct work in the District of Columbia.

### **B. DEVELOPMENT OF THE GUIDELINES**

For the past fifteen years, archaeological work in the District of Columbia has increased from a few projects a year to at least 25 - 30 projects a year. In the earlier years it often was assumed that the District's archaeological resources either were disturbed or destroyed because of the built environment. Over time, as the number of compliance projects increased, however, it became quite evident that important archaeological resources still do remain in this built environment. Because the intact sites that are available for study are relatively scarce, however, their excavation must be conducted with a thoughtful and careful approach. These guidelines have been developed to direct archaeological study in the District and meet this goal. This project has been in the planning stage a long time; each archaeologist who has worked in this office has realized the necessity for the guidelines. With only one archaeologist in the Historic Preservation Office, however, it was important that these guidelines be developed with input from other professionals in the Preservation field. This effort was accomplished through a grant from the National Park Service. Three professional consultant groups responded to a Request for Proposal (RFP) issued regarding the development of these guidelines. Since each proposal differed in its approach, it was decided that the ideas from each of the groups would be incorporated into one grant, and that all three consultants would be participants in this grant, along with the staff archaeologist in the D. C. State Historic Preservation Office, and, the archaeologist on the D. C. Historic Preservation Review Board. The grant then was to have oversight by the D. C. Preservation League, a non-profit historic preservation group in the District. A mailing list of invitees to a workshop on developing D. C. Archaeological Guidelines was created which included the archaeological community, architectural historians, historians, architects, the greater preservation community, developers, and members of the public. As expected, the bulk of the respondees were from the archaeological community, not only from the Washington, D. C. area, but from other Mid-Atlantic states, as well.

The workshop, held on June 5, 1996, was a major success. Using the Standards and Guidelines for Archaeological Work in Maryland as a template, each workshop leader modified a chapter of the guidelines (i.e., identification, evaluation) as it pertained to the District and with the input of the workshop attendees, developed this draft of Archaeological Guidelines to be used in the District of Columbia. The next step in this process, before the finalization of the guidelines, will be the presentation of these Guidelines to the members of the Historic Preservation Review Board for their input and any suggestions, additions, corrections, or changes. A large scale mailing of this document also will go out to the historic preservation community and the public for its review, and comments, if any. After all comments are reviewed and incorporated, final guidelines will be produced.

### **C. HISTORIC PRESERVATION REVIEW PROCESS IN THE DISTRICT OF COLUMBIA. \* See Note below.**

The District of Columbia has a strong historic preservation law, the Historic Landmark and Historic District Protection Act of 1978, D. C. Law 2-144. This Historic Protection Act provides for the official landmark designation of Landmarks and Historic Districts. It also requires that certain types of work affecting designated properties be reviewed to ensure that historic characteristics are preserved. It does provide for the protection of archaeological resources, if they are designated as landmarks.

Under D. C. Law, projects are reviewed initially by Historic Preservation Division (HPD) staff who make recommendations to the Historic Preservation Review Board (HPRB). The HPRB is an eleven-member body appointed by the Mayor, comprised of preservation professionals and private citizens. The Review Board, which meets every month, discusses those projects brought before them by the staff. These projects usually consist of alterations/demolitions/new construction/ to historic properties. The HPRB then votes on how the project should proceed, based on the staff report, presentation made by the applicant, and comments (if any) by opposing and consenting parties. There have been several projects in the downtown historic district in which developers have proposed to demolish buildings which contribute to the historic district. As part of the mitigation for the loss of the building (if it is decided that it can be demolished) archaeological investigations have been required. Under these circumstances the developers have had to use their own funds to finance the excavation. In this case it is not realistic to have the developer go through all three phases of work, so a tight research design is necessary in order to direct the excavation, and to maximize the retrieval of scientific knowledge.

Under Section 106 of the National Historic Preservation Act of 1966, as amended, there has been a considerable amount of archaeological work conducted in the District. Some of the larger Section 106 cases are brought to the Review Board primarily as a courtesy to the Board (for example, the MCI Arena was reviewed by the Board). The Board may make a recommendation to the State Historic Preservation Officer, but the Board does not have the legal authority to make a decision regarding a 106 case. It is the SHPO that has the final authority in Section 106 decisions.

\* Note: the DC Historic Preservation Act has been amended to include archaeology. Please see the HPO web site for details of the changes.

## D. QUALIFICATIONS OF INVESTIGATORS

Archaeological investigations are routinely complex endeavors that involve a wide range of professional specialists. Job titles include: Project Manager, Principal Investigator, Field Director, Crew Chief, Field Crew, Laboratory Director, and Laboratory Staff, in addition to photographers, draftspersons, computers specialists, editors, and document production staff.

The DC HPD recognizes the qualifications for investigators promulgated by the National Park Service (36 CFR Part 61: Appendix A). Although currently under review by the NPS, these guidelines specify the education, experience, and skills required by the person who directs archaeological investigations as well as other studies in historic preservation.

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

- 1. At least one year of full-time professional experience or equivalent specialized training in archaeological research, administration or management;*
- 2. At least four months of supervised field and analytical experience in general North American archaeology; and,*
- 3. Demonstrated ability to carry research to completion.*

*In addition to these minimum qualifications, a professional in prehistoric archaeology shall 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 shall have at least one year of full-time professional experience at a supervisory level in the study of archaeological resources of the historic period (36 CFR Part 61: Appendix A).*

Following the theme of these professional qualifications, the DC HPD requires that for investigations in the District an archaeologist have at least one year of full-time professional experience at a supervisory level in the study of archaeological resources found in urban contexts. The principal archaeologist who meets the qualifications listed above must be designated within any research designs, work plans, reports, or other documentation associated with an individual undertaking. The HPD retains the right to approve or reject the use of the proposed Principal Investigator or Field Supervisor if those individuals' qualifications are inadequate or not appropriate for the project. In addition, the personnel that have been designated as the Principal Investigator, and Field Supervisor, cannot be substituted without prior discussion with the Historic Preservation Division.

## **E. PERIODIC REVIEW OF GUIDELINES**

One of the important recommendations that developed out of the guidelines conference was the recognition that guidance for archaeological studies should be subject to periodic review for completeness and to address any changes made in procedures considered standard practice among historic preservation professionals. To address this concern, the DCSHPO will provide a periodic review of these guidelines on a two year cycle. The first review will occur two years from the day the final guidelines are published, if necessary. Individuals or organizations wishing to present suggested changes to the HPD should present written comments to: District of Columbia, Department of Consumer and Regulatory Affairs, Historic Preservation Division, 614 H Street, NW, Room 305, Washington, DC 20001, to the attention of Nancy Kassner, Staff Archaeologist.

## II. IDENTIFICATION OF ARCHAEOLOGICAL RESOURCES (PHASE I ARCHAEOLOGICAL SURVEY)

This chapter describes the goals, scope of work, archival and background studies, field investigations, analyses, and reporting required for completing Phase I archaeological surveys in the District of Columbia.

### A. GOALS

The purpose of the Phase I archaeological survey within the District is to identify the presence, or likelihood, of a project area to contain archaeological resources considered potentially eligible for the National Register of Historic Places. Phase I survey should comprise a reasonable and good faith effort to identify important archaeological resources.

This phase of archaeological investigation assumes that the project sponsor has:

1. Determined whether the proposed project is an undertaking that is subject to consideration under the National Historic Preservation Act or other applicable laws and/or regulations;
2. Explicitly defined the *project area or area of potential effect (APE) of the proposed undertaking*; and,
3. Conducted an *assessment of information needs* to confirm that further consideration of archaeological resources is warranted.

The project area is defined as *the geographic area or areas within which an undertaking may cause changes in the character or use of historic properties, if any such properties exist*. For undertakings requiring review under the National Historic Preservation Act, the project area is equivalent to the Area of Potential Effects (36 CFR Part 800.2(c)).

An assessment of information needs includes:

1. Identification of previously recorded archaeological sites, historic structures, or other cultural resources within the project area;
2. Identification of previous archaeological, architectural, or historical studies within the project area;
3. Consultation with the DCSHPO regarding the nature of potential impacts to archaeological resources within the project area; and,
4. Recommendation by the DCSHPO regarding the need for and scope of further archaeological studies.

The product of the identification phase of archaeological research should include:

1. A brief sketch of DC history and how the specific history of the project area fits within that general historical context;

2. A summary of the specific land use history for the project area that focuses on the physical integrity of potential archaeological resources and the impact of previous disturbance to the archaeological record (this includes a discussion of any utilities that have been placed in the area).
3. A summary of cartographic and other documentary information on the project area; and,
4. An assessment of archaeological sensitivity for the project area.

## **B. SCOPE OF WORK**

Phase I studies should explicitly include consideration of the objectives, methods, and expected results.

### **1. Objectives of the Study**

The objective of Phase I archaeological survey is to identify the presence, or likelihood of, archaeological resources within a given project area. Phase I surveys may be divided into two stages: *reconnaissance* and *intensive* surveys. Focusing primarily on documentary research, reconnaissance level surveys identify the likelihood of a project area to contain archeological resources. Intensive level surveys, which include both background research and archaeological fieldwork, identify the presence of archaeological resources within a project area. In actual practice the boundary between reconnaissance and intensive archaeological survey is often blurred, given the necessity for flexibility in the design and implementation of archaeological studies in urban environments. In other words, in the urban environment, there are times when subsurface testing is conducted during the Phase I and there are times when excavation is not conducted during the Phase I. This depends on the particular project, and, the time constraints involved. Often when a Phase I is conducted, the Phase II is conducted immediately thereafter or there is a combined Phase I and II. This occurs because so much earthmoving is required that it becomes costly and time consuming to backfill, and then re-open the same areas for a Phase II. There also have been projects in which the Phase I research consisted only of documentary assessment completed at a Phase II level.

### **2. Methods and Techniques**

As with any scientific and professional endeavor, archeological survey requires consideration of methods and techniques prior to the beginning of fieldwork. This description of methodology should present the libraries, archives, and other repositories where background research was conducted as well as the specific sources consulted. If fieldwork is conducted as part of the Phase I survey, a complete description of the methods and techniques must be presented so that the quality and integrity of the findings may be evaluated after fieldwork is completed. For both documentary and field studies it is vital that both negative and positive results be recorded as part of the standard methodology.

### **3. Expected Results**

Every archaeological study builds upon the foundations exposed by previous investigations of a region, area, or city. Part of the scope of work for Phase I survey must include a statement of expectations regarding the potential results of the study.

### **C. ARCHIVAL AND BACKGROUND RESEARCH**

Both reconnaissance and intensive Phase I surveys must include archival and background research. The purpose of this work is to identify, gather, and analyze information that is readily available regarding the history, development, landuse, and archaeological sensitivity of a project area. Archival and background research comprise three principal components: documentary research, informant interviews, and analysis of archaeological collections.

#### **1. Documentary Research**

Documentary research is a vital component to all archaeological endeavors. Typical sources included written documents, such as: wills, deeds, and newspapers; maps and other cartographic sources; and, photographs and other illustrations. The purpose of documentary research is to identify and characterize the range of potential archaeological resources that may exist within a given project area. In addition, documentary research generally yields information on the history of land use within a parcel and how that history may have impacted the site's archaeological record.

Generally the following types of records are useful in completing documentary research:

- District of Columbia Archaeological Site Inventory;
- Archaeological Reports from sites excavated near the project area;
- Contractor's or developer's maps and planning documents;
- Historic maps and atlases, including U.S. Coastal Survey maps from the late 19<sup>th</sup> century;
- National Archaeological Database (NADB);
- National Register of Historic Places Information System (NRIS);
- Insurance records and maps, e.g. Sanborn/Baist Company maps;
- Publications on local prehistory and history;
- Environmental data sources, e.g. Natural Resources Conservation Service (formerly Soil Conservation Service) maps;
- Environmental Impact Statements and Environmental Assessments;
- Masterplans or other facility operation documents;
- Building and/or demolition permits;
- Taxation maps;

Reports to the Commissioners records;  
Street directories; and,  
Public utility records.

Additional records that are found will, of course, be acceptable.

## **2. Informant Interviews**

Many individuals retain important knowledge regarding the history of Washington, especially on recent developments within individual lots and parcels. Local neighborhood and preservation organizations should be contacted for information on individuals knowledgeable about sections of the District. In addition, personnel from various city agencies, government organizations, or long-time city businesses may have information about the history of individual parcels. Informant interviews may be combined with preliminary field inspections of a project area.

## **3. Archaeological Collections**

Although the District has yielded significant archaeological collections through excavations conducted during the late 19th century and throughout the 20th century, there is no one single repository for archaeological materials and their associated site records. At present the DC SHPO does not maintain a curation facility for artifact assemblages. Artifacts and field records may be found at the Smithsonian Institution, and at various colleges and institutions. In addition, several consulting archaeological firms retain collections resulting from excavations within the city.

Where appropriate, these wide ranging collections should be reviewed in order to provide a context for potential archaeological sites. Often analysis of previously-excavated collections is warranted prior to the continuation of archaeological work within one property or project area. For example, before completing Phase III excavation in 1995 at a site associated with development of Metro's Green Line, the artifacts and field notes from an early 1980s excavation were analyzed (Louis Berger & Associates, Inc. 1993). This work allowed the archaeologists to refine the research questions applied to the individual site during subsequent data recovery excavations (Louis Berger & Associates, Inc. 1994).

## **4. Sources of Information**

Until the establishment of the Federal city at the end of the eighteenth century, much of the District was part of Maryland, thus some background research may be required at the Maryland State Archives in Annapolis. For most projects, there are five principal repositories for documentary and archival information on the District:

Martin Luther King Memorial Library  
9th & G Streets, NW  
Washingtoniana Room, 3rd Floor  
(202) 727-1111  
M-F: 9:00-9:00  
Sat: 9:00-5:30

National Archives  
Pennsylvania Avenue At 8th Street, NW  
Microfilms, Room 400  
(202) 501-5400  
M-F: 9:00-9:45  
Sat: 9:00-5:00

Library of Congress, Madison Building  
First & East Capitol Streets, SE  
Prints & Photographs, Room 337  
(202) 707-6394  
M-F: 8:30-5:00  
Geography & Map Division, Room B01  
(202) 707-5522  
M-F: 8:30-5:00  
Sat: 8:30-12:00

Historical Society of Washington, D.C.  
1307 New Hampshire Avenue, NW  
(202) 785-2068  
Wed., Fri, & Sat: 10:00-4:00  
Thurs: 12:00-4:00 (members only)

Note - HSW has moved to the Carnegie  
Library at Mt. Vernon Square:  
801 K St., NW  
202-383-1800; [www.historydc.org](http://www.historydc.org)  
Tues - Sat. 10am-5pm

D.C. Archives, Office of Public Records  
Naylor Court, between 9th, 10th, N & O Streets, NW  
(202) 727-2052  
M-F: 7:30-4:00 (call for appointment)

In addition, due to the large federal land ownership in the District, it is important to contact the applicable federal (e.g., General Services Administration, Department of the Interior, Department of Defense, or Department of Housing and Urban Development); or other agency (Washington Metropolitan Area Transit Authority) for information derived from previously sponsored historic preservation projects. Often these agencies have conducted preliminary studies in association with the National Historic Preservation Act (NHPA) or the National Environmental Policy Act (NEPA) such as Environmental Assessments (EA) or Environmental Impact Statements (EIS) which may contain important information on historic development or landuse. EAs and EISs are not necessarily housed with the Historic Preservation Division.

The DCSHPO is the most important repository for information about the archaeological record of the District. The DCSHPO maintain records on National Historic Landmarks (NHL); National Register of Historic Places (NRHP) districts and individual properties; as well as a city-wide inventory of archaeological sites and structures. As of 1996, there are approximately 200 recorded archaeological sites within the District. Archaeological site forms for these properties are retained by the DC SHPO. Access to the information contained on these forms is restricted to professional archaeologists and other researchers with legitimate research interests in the location of archaeological sites across the city. In addition, the SHPO maintains records on approximately 21,000 standing structures, objects, and other buildings. These records presently are being entered into the National Park Service's Integrated Preservation Software (IPS) program for database management.

#### **D. FIELD INVESTIGATIONS**

The District of Columbia is composed primarily of urban land, with relatively small open areas of undeveloped parcels. Covered with buildings, structures, roadways, and parking lots, urban areas require distinctive technical approaches to archaeological studies, such that urban archaeology is a recognized subdiscipline in the field of historical archaeology. In addition, because of the additive nature of urban construction, where large scale topographic transformation of individual parcels is possible and common, the potential for deeply buried archaeological sites and features often must be considered in cities. Traditional Phase I survey methods, such as the hand-excavation of shovel test pits or conducting surface collection of artifacts, are generally impractical in urban settings.

Urban environments present unique challenges to archaeologists, especially in the area of worker health and safety. In addition to complex stratigraphic contexts, the likelihood of deeply buried deposits means that excavation methodologies also must take into account applicable Occupational Safety and Health Agency (OSHA) regulations and guidelines for work in trenches, deep excavations, or confined spaces. Moreover, urban environments have the potential to contain parcels contaminated with hazardous materials. The presence of hazardous materials may be dealt with by employing the appropriate level of protection needed.

Given the difficulties of traditional excavation techniques within urban environments, Phase I studies within the District often comprise only reconnaissance level investigations, with background and archival work completed in conjunction with limited field investigations.

On *developed parcels* (e.g. those where machine-assisted excavation would be necessary) the Phase I field investigation should include:

1. Pedestrian reconnaissance of the entire project area;
2. Sketch of parcel, land use features, surface indications of cultural remains, etc.;
3. Mechanical excavation or test boring for geophysical and hazardous materials analysis; (this is not usually conducted by the archaeological consultant, but can be informative if it is obtained);

4. If warranted, machine-assisted excavation of trenches.

In areas that contain undeveloped parcels (e.g. where machine assisted excavation is not required) Phase I archaeological fieldwork should include the hand-excavation of shovel test pits, test units, or other excavation units designed to identify the presence or absence of below ground cultural remains. The distribution and interval of test pits may be left to the professional judgment of the project's Principal Investigator.

#### **E. ANALYSES**

After background studies, archival research, and, if warranted, archaeological fieldwork is completed, the Phase I archaeological survey must analyze the data gathered. Analysis should focus on four components: a summary of archival and background research, a description of alterations over time to the urban landscape within the project area; a description of results of any field investigations conducted; and, an assessment of archaeological sensitivity. Archaeological sensitivity of a particular project area means the likelihood of the area, or portions of the area, to contain archaeological sites, features, or artifacts that may be reasonably considered important in understanding the history of the District. For archaeological projects sponsored in compliance with federal legislation, the threshold for significant archaeological sites is whether the property can be considered, after Phase I work, potentially eligible for listing on the National Register of Historic Places.

#### **F. REPORTING**

Phase I archaeological surveys must follow the reporting requirements outlined in Chapter V. Generally, the requirements call for the production of a professional report that summarizes the goals, methods, and results of each Phase I investigation.

#### **G. ARCHAEOLOGICAL SITE FORMS**

An archaeological site is the location of human activity in the past for which a boundary may be defined. Given the predominantly urban landscape of the District, the DC SHPO recommends defining archaeological sites as comprising the area encompassed by individual projects. Thus, a proposed project that involves an entire city block would receive one site number and a limited excavation on one lot within a city block would each be designated as an individual site. Completing the archaeological site form is required for all resources identified as a result of Phase I archaeological survey within the District.

The DC Archaeological Site Form is presented in Appendix A. In 1996, the DC SHPO adopted the Integrated Preservation Software (IPS) system for data management of its cultural resources data base. Beginning on June 30, 1997 all archaeological sites forms (either new or revised) must be entered into the DC SHPO IPS database.

**Additional Considerations:**

Occasionally projects in the District are on a "fast track", and must be completed within a compressed schedule. Under these circumstances, in order to maximize field time, Phase I and Phase II work is collapsed. That is, the historic work and Phase I testing is conducted as usual. However, if any intact resources are found and they are potentially eligible for the National Register, then Phase II fieldwork is conducted immediately on these resources. This eliminates the process of backfilling the trenches, writing a separate Phase I report, then returning to the field again to open the same trenches in order to conduct the Phase II work. When the Phase I study is complete the Principal Investigator for the project should meet with the DCHPD archaeologist and any appropriate Agency representatives to review Phase I findings and discuss the Phase II. At the completion of the Phase II work under these circumstances, a combined Phase I and Phase II report will be written.

### **III. EVALUATION OF ARCHAEOLOGICAL SITES (PHASE II TESTING)**

#### **A. OVERVIEW**

The purpose of the Phase II testing program is to evaluate the significance of archaeological sites threatened by project impacts. Significance is defined as the eligibility of an archaeological site for listing in the National Register of Historic Places.

The following criteria are used in evaluating properties for nomination to the National Register; this evaluation of eligibility will be conducted for all properties effected by Federal Agency undertakings.

The quality of significance in American history, architecture, archaeology, and culture is present in districts, sites, buildings, structures, and objects of state and local importance that possess integrity of location, design, setting, materials, workmanship, feeling, and association and

- (a). that are associated with events that have made a significant contribution to the broad patterns of our history; or
- (b). that are associated with the lives of persons significant in our past; or
- (c). that embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- (d). that have yielded, or may be likely to yield, information important in prehistory or history.

#### **D.C. Landmarks**

In order to evaluate significance, the Phase II investigation will involve a more intensive study of individual sites within the project impact area through techniques designed to reveal information on historic context, integrity, horizontal and vertical boundaries, and type and level of significance.

If sites meet the eligibility criteria for inclusion in the National Register of Historic Places, the Federal agency will assess whether the project will have an effect on the site, and whether that effect will be adverse (36 CFR 800.9). This assessment is made in writing to the State Historic Preservation Officer who will or will not concur with the determination of effect. If there is agreement as to the eligibility of the resource between the SHPO and the Federal agency, then a plan for the consideration of the resource will be developed. Adverse effects to archaeological sites may be mitigated through avoidance; excavation; or, occasionally, other methods.

If a resource is not considered eligible then no further field investigations would be necessary.

## **B. TASKS**

### **1. Scope of Work and Research Design**

For prehistoric, historic, or submerged sites, Phase II testing should be sufficient to evaluate site significance, including integrity, site boundaries and cultural affiliation. Specific methods and techniques will be developed on the basis of site conditions, the results of previous Phase I survey, and the background research. All Scopes of Work should be developed in consultation with the District of Columbia State Historic Preservation Office. Research questions appropriate to the endeavor will be developed in consultation with the D. C. SHPO and will be used to guide archaeological excavation. In the preparation of the scope of work, the placement of 20 percent of the trenches, units, and/or shovel tests should be left to the discretion of the Principal Investigator, dependent upon field conditions. The placement of the remaining trenches/units/shovel tests should be based upon where they will best address the research questions. Despite the anticipated variability of field methods, certain goals will be common to all Phase II investigations (see NPS 1982):

1. To define the category of the archaeological resource, usually as a site or as a district;
2. To establish horizontal and vertical site boundaries;
3. To determine if the archaeological resource has integrity. Archaeological information important in determining integrity includes internal site stratigraphy, natural and man-made post-depositional disturbances, site formation processes, the presence and nature of features, and the presence and preservation of artifactual and organic remains in their original context.
4. To establish the historic context for evaluating the archaeological resource. Archaeological information that may establish context includes:
  - a. period(s) of occupation- Phase II investigations should date the site, through (1) the recovery of a sufficient number of chronologically diagnostic artifacts to date the site or its components, (2) the recovery of datable carbon samples or other chronometric samples, or (3) the recording of geomorphological data that may provide approximate chronological limits to the occupation of the site.
  - b. functional type- Phase II investigations should identify site function by determining the presence and nature of features, the intrasite patterning of artifacts, site size (through boundary definition), and use of other analytical methods;
5. To identify the type of significance (criteria [a] through [d]), at a local, regional, or national level.

Site-specific research questions should be developed to direct the research and fieldwork at the site. The research questions should be such, that, in answering them, the National Register

eligibility of the site can be addressed. The research design should present proposed research questions and anticipated property types which may be present at the site.

Suggested Phase II research questions may include:

What is the sequence of the land use history of this property? How is that manifested in the archaeological record? What documentary sources are available to answer this question?

What has been disturbed? Is the disturbance localized?

What topographic changes have occurred on the property? (Compare them over time)

What is the occupation history of the property? What ethnic groups, socioeconomic groups, and/or occupational groups are represented by the inhabitants of the property?

What property types might be anticipated in the project area? How are they represented elsewhere in the District or region in terms of their frequency or infrequency?

Are potential buried environmental landforms present on the site?

Other research questions, directed specifically at the land use which occurred on the property should be developed, as well.

The research design also should address the applicability of the work to regional research questions, not just site specific ones. It also should be directed toward answering questions of a much broader nature, reflecting what "social events" were occurring at the time the site was occupied (and for which it is significant) (For example, in the early 19th century the Industrial Revolution changed the entire dynamics of the family; the class system; and women's roles. These are broader social issues that may be related to a site, or may provide the context for the site.)

Upon completion of the Scope of Work and Research Design, the resulting documents should be submitted to the DCSHPO for review and approval. Any DCSHPO comments should be incorporated into the final Scope of Work and Research Design which will direct the project.

If the Scope of Work or Research Design is more than 2 years old, it will need to be reevaluated by the DCSHPO, even if it already has reviewed and approved the Scope of Work and/or Research Design previously.

## 2. Background Research

For prehistoric, historic, or submerged sites, supplementary documentary research beyond that conducted at the Phase I level is necessary to develop research questions and to develop the historic context for the evaluation of archaeological resources. This allows a more comprehensive understanding of the significance of the resources and, accordingly, of their potential eligibility for inclusion in the National Register. This phase of documentary research is necessarily more intensive and specific than that conducted at the Phase I level and should address the following considerations:

1. A more in-depth understanding of the character of the project or area of potential effects (APE) including occupation, land-use, and development;
2. A more in-depth review of the previous archaeological work conducted at the site and a synthesis of work on related site types in the region;
3. Site-specific documentary data on historic sites to be examined by archaeological field testing are particularly important in this phase. This is necessary so that the empirical data derived from the archaeological testing can be interpreted more fully within an historic context;
4. For historic sites, documentation of significant persons, events, or sites associated with or in the project area or area of potential effects (APE) shall be undertaken to determine the applicability of National Register criteria other than (d).

It should be noted that all the Phase II documentary research outlined above should be conducted prior to any field testing; however, this may not always be possible. In such cases on historic sites, sufficient documentary research shall be conducted prior to the field testing, including a title search to establish the history of property ownership, and research into other property-specific sources, such as diaries, tax maps, etc; so that basic decisions may be made as to field strategy and appropriate techniques. Additional research may be required after the completion of fieldwork, specific to features discovered as part of the study.

The minimum level of documentary research for a Phase II archaeological investigation on an historic site also includes examination of the following types of information:

1. Environmental data; topographic information available from current and historical topographic maps; and previous archaeological investigations shall be reviewed.
2. Primary sources shall be examined and assessed for the project relevant information they contain. Typical classes of documents that should be consulted include deeds, tax assessments, insurance surveys, census data, road docket, city directories, maps, atlases, city plats, building permits, lithographs, photographs, and other public and private records, such as family papers, travel accounts, diaries, and other documents, as may be appropriate for achieving the goals of the Phase II investigation.

3. Secondary sources which pertain to the historical, cultural, or processual contexts of identified sites or properties shall be consulted in order to address more fully issues of site significance and National Register eligibility. Secondary sources to be reviewed should include architectural surveys, National Register forms, and HABS/HAER documentation, as well as secondary histories.
4. Where appropriate, oral history interviews would assist in the evaluation of the National Register significance of the site. The decision to use oral history interviews as part of a project should be decided in coordination with the DCHPD archaeologist.

The goal of background research is to collect enough information to develop an historic context which presents a complete land use history.

### 3. Fieldwork

*Terrestrial Site Evaluation.* The Consultant shall determine the horizontal limits of the site by means of systematic shovel test excavation, or the use of systematically spaced backhoe trenches dependent on site conditions. All units of measurement on the site shall be done using feet and tenths of feet. The testing methodology utilized will be determined on the basis of site conditions.

The interval between shovel test pits (STP), when utilized, shall be determined on a project by project basis. The diameter of the STPs will measure 15" in diameter. All shovel tests shall be excavated in natural levels, into Pleistocene-aged deposits. The integrity of archaeological deposits, their vertical extent and stratigraphy, and the cultural/temporal affiliation of components shall be examined through the excavation of additional test units not less than 3 x 3 feet in size.

In areas where archaeological resources may be buried beneath urban fill, a series of backhoe trenches should be excavated across the site to remove the overburden which overlays these archaeological deposits. The number of backhoe trenches excavated should be sufficient to determine the boundaries of the archaeological resources. Upon encountering intact archaeological deposits, excavation should proceed using shovels and trowels. A number of 3 x 3 foot square test units, to be determined in consultation with the DCHPD archaeologist, should be excavated in each trench to determine site integrity.

All soil from shovel tests and test units shall be screened through 1/4" mesh (or finer) hardware cloth. Soil shall be described using Munsell soil colors and USDA designations for soil texture. Care shall be taken to preserve relevant data from *in situ* deposits, e.g. soil samples, flotation samples, carbon samples.

All trenches, units, shovel tests and features shall be fully documented. Units and features will be drawn and photographed in profile and plan view. Trenches and shovel tests will be drawn and photographed in profile. Photographs will include both black and white print film and color slides. In addition to photographs of record, context shots will be taken showing general site conditions and archaeologists at work. The location of all trenches, units, shovel tests, and features will be mapped to scale on a site map.

If suitable mapping is not available, topographic mapping of the site area shall be completed using a contour interval of 5 ft. or less. All trenches, unit locations, shovel tests, features, and all relevant cultural and natural features shall be shown on a site map.

The grid established for these investigations shall be tied into a permanent landmark, and a permanent datum shall be established in a permanently stable area, if possible.

Where appropriate, special analyses, such as radiocarbon dating, geomorphological analysis, floral and faunal analyses, cross mending or refitting, and other special studies shall be carried out to determine site chronology, function, and environment. Where complex architectural features are present, the use of an historical architect may be required to assist in the interpretation of the structure.

*Submerged Site Evaluation.* Potentially significant magnetic and/or acoustic anomalies discovered during the Phase I submerged survey shall be tested by excavation under the direct supervision of a Principal Investigator specializing in submerged sites in order to determine the cause of the anomalies. Inspection by divers, coring or other appropriate means shall be used to test the nature of the suspected prehistoric or historic sites. In the case of magnetic anomalies, sediment should, in many cases, be removed to allow identification, approximate dating and determination of importance of objects and sites found.

In conducting a Phase II evaluation of a submerged resource, the Consultant shall:

1. Perform the submerged test excavations by locating and making hands-on diving examinations of anomalies or features. The presence of all submerged and buried targets, shipwrecks, objects, and features shall be ascertained;
2. Provide a seaworthy survey vessel, crew and fuel sufficient to perform the work adequately and expeditiously. The contractor shall provide shore base transponders and on board positioning equipment, using a Motorola Mini-Ranger III or an equivalent for positioning requirements;
3. Use survey techniques, methodologies and equipment that conform with the state of the art of current professional knowledge and development.

#### **4. National Register Evaluation**

Site boundaries shall be mapped on project drawings in sufficiently small scale to indicated the details of the archaeological investigation.

The Federal Agency shall assess the significance of the site, stating the criteria of significance (under Criteria [a], [b], [c], and/or [d]), and the level of significance. A statement of significance should be prepared which evaluates the site in reference to the DC Historic Contexts and the historic context which has been developed for the site. Justification for significance shall include:

criteria for significance and level of significance; site integrity; site boundaries; and historic context. In the evaluation of the site, it is necessary to explain what makes the site significant. This would include, but not be limited to, research potential and value, the rarity of the site type, the public value, and the potential impact to archaeological resources. If a site is significant under criterion (d), the Consultant shall address how *important* information is contained therein; the specific research questions that could be addressed; and how important information derived from this site relates to information gained from similar sites excavated within the region.

The Federal Agency shall assess the impact of proposed construction on a significant site. The undertaking (project) should be assessed as having "no effect", "no adverse effect" or an "adverse effect" on intact archaeological resources. If an undertaking has an adverse effect on archaeological resources, a Memorandum of Agreement will be developed between the Agency, SHPO and other participating parties, in which a plan to mitigate adverse effects will be set out. Methods for mitigation may include data recovery through site excavation or avoidance, or some combination thereof.

If data recovery is part of a plan to mitigate adverse effects, a scope of work and schedule shall be prepared. This proposal should identify research questions that will yield important information derived from study of the site, when Criterion (d) applies. The research design and methodology in the scope of work shall guide field work and analysis to specifically answer these research questions. This scope should be reviewed by the DC HPD archaeologist prior to the initiation of Phase III fieldwork.

#### **IV. TREATMENT OF ARCHAEOLOGICAL RESOURCES (PHASE III DATA RECOVERY INVESTIGATIONS)**

##### **A. GOALS**

The purpose of treatment for compliance projects is to avoid, minimize or mitigate the adverse effect of an undertaking on an archaeological property listed in or determined eligible for inclusion on the National Register of Historic Places.

There are various treatment measures: preservation in place including avoidance/covenant/easements; recovery of important data, in-place protection (long-term planning); destruction of site without recovery (acceptance of loss); nomination of the site to the NR; development of a historic preservation plan; or implementing an archaeological resource training or interpretation program (alternatives to mitigation or in addition to mitigation).

##### **B. PROCESS**

When there is an adverse effect to an archaeological property, there is negotiation among the participating parties regarding the treatment of that property. The participating parties are usually the State Historic Preservation Officer, the Federal Agency, and the Advisory Council on Historic Preservation. During consultation, interested persons are afforded an opportunity to provide comment to and consult with the federal agency and SHPO on the potential effects of the undertaking and possible ways to avoid or mitigate effects. As a result of this consultation process, a Memorandum of Agreement (MOA) is developed regarding the treatment of the resource. The MOA specifies how the undertaking will be carried out in order to avoid or mitigate adverse effects, or documents acceptance of such effects. MOAs are legally binding documents, therefore they should be written with care (See Advisory Council's "Preparing Agreement Documents" 1989).

The Memorandum of Agreement should contain some of the following information:

- Who the lead agency is for the project;
- Project meetings/reporting dates;
- Amendments to account for changes in the project;
- An end date which is project specific;
- Some of the stipulations should have an end date; i.e. if there is going to be public interpretation it should be developed within one year (or a stated time period) of completion of project.

Treatment approaches are decided on a case by case basis. Each project has its own characteristics and needs as do the historic properties involved. Early evaluation of effects is essential for consideration of all treatment measures prior to construction. A project should be reviewed early for its effects on all historic properties, architectural and archaeological. Review of the design should be at the beginning of the project, during the project and at the end of the project to ensure that there have not been any changes regarding areas of impact. All areas that

may be potentially affected, including staging areas, should be noted, so that all areas to be impacted will be assessed. Often there is no understanding of what causes impact to archaeological properties; (i.e. the movement of heavy equipment over an area which has been identified as having archaeological resources); thus areas that may be adversely affected are not included as part of the area of potential effect.

### **C. SOURCES OF TECHNICAL INFORMATION**

There are a number of technical bulletins published by the Advisory Council on Historic Preservation, the National Park Service and other Federal Agencies which are helpful in explaining the Section 106 process and various treatment options:

- Treatment of Archeological Properties (ACHP 1980);
- Preparing Agreement Documents (ACHP 1989);
- Consulting About Archeology Under Section 106 (ACHP 1990);
- The Section 110 Guidelines (ACHP and NPS 1989);
- Secretary of Interior's Standards and Guidelines for Architectural and Engineering Documentation (Dickenson 1983; 44730-34);
- Secretary of Interior's Standards and Guidelines for Archeological Documentation (Dickenson 1983; 44734-37);
- Secretary of Interior's Standards for Historic Preservation Projects (Dickenson 1983; 44747-42);
- The Archeological Sites Protection and Preservation Notebook (U.S. Army Corps of Engineers 1992, Vicksburg District); and,
- 36CFR79 Curation Standards.

### **D. PRESERVATION IN PLACE**

Ideally, the best treatment option for archaeological resources is preservation in place. However, in the District of Columbia, where open space is limited, and development is important for economic reasons, preservation in place may be considered but is rarely practiced. Preservation can be achieved in several ways: by avoidance, protection, and acquisition of protective easements.

#### **1. Avoidance**

This is the most preferable treatment option. It may be possible to reroute a road corridor to avoid a site; or to redesign the placement of a building in order to avoid archaeological resources. In the urban environment, however, it often is impossible to redesign a building to avoid a site since space is scarce and valuable. Thus, other treatment options must be considered in these circumstances.

Avoidance is not considered protection of a site. If there will be future construction on the property that has been avoided, a long-range plan should be developed to protect or determine how to deal with the site in the future.

## **2. Burying of site**

In some cases an archaeological site may be saved from adverse effect by burying it under filter cloth and clean fill. This only is practiced when there will be no deep impacts to a site. Consultation with the DCHPD should take place to determine the acceptable methods for burying the site.

## **3. Protection**

This consists of the shielding of the resource from damage inflicted through natural and human forces. During project construction measures to protect a site can include: fencing (must be very obvious) around the site; routing of construction activities and staging areas to prevent inadvertent disturbance; explicit resource protection measures in contractor specifications; vegetative planting to screen soil exposure, signage, site stabilization; law enforcement patrols to deter vandalism, and, in some circumstances site visits to see that a site is being avoided by construction crews. The Agency's Historic Preservation Plan should incorporate demolition by neglect (adverse effect) language.

## **4. Acquisition of Protective Easements/Covenants**

Easements and/or Covenants are legal tools to ensure the property's preservation in perpetuity. An easement is a legal instrument designed to protect and preserve a historic property in perpetuity without conveying or transferring ownership of the property. Easements offer the strongest protection for archaeological sites and should be reviewed again after a certain time period.

## **E. ACCEPTANCE OF LOSS**

In some instances preservation in place or recovery may not constitute viable treatment options for a given undertaking or archaeological property.

Life threatening or serious health and safety issues can supersede a project's preservation values. When hazardous waste is an issue, assessment should be made of the cost for excavation of the site, the amount of contamination on the site and the significance of the site. Then, the public benefits versus value of archaeological resource should be weighed. It should be emphasized that the presence of hazardous waste on a site does not automatically preclude archaeological excavation. If there is a question in this regard, the advice of outside experts should be sought.

If testing demonstrates that a significant archaeological property does not have additional data which may be used to address valuable research questions, then recovery is not an appropriate treatment option or justifiable expense.

If acceptance of loss is the selected option, the parties should consider implementing alternative treatment measures to mitigate the destruction of the resource. These can take the form of a detailed archival and documentary study of the property.

If a site is considered to contain hazardous waste and archaeological excavation is not feasible, an example of a mitigation measure for this site could be the writing of a book, and/or the development of a video of a quality that could be aired on PBS, based on the findings of the research.

## **F. DATA RECOVERY**

As a result of adverse effects to archaeological properties usually the mitigation treatment is to recover the property's valuable information. The purpose of data recovery is to retrieve and analyze information from an archaeological property necessary to address important research questions which have been developed as part of the research design for the site. Recovery is accomplished through detailed archaeological excavation, recordation, background research, analyses, and reporting, performed in accordance with a well defined and justified data recovery plan.

Data recovery involves a substantial commitment of time and funds, and should be based firmly on sound background data, planning and a valid research design. Data recovery must be preceded by appropriate background research, identification and evaluation (the initial stages of this should have been done during Phase I and Phase II investigations), in order to understand the property's significant characteristics and data expectations. Efficient and cost effective measures should be employed to maximize retrieval of the data necessary to achieve the desired goals, yet minimize costs. The consulting parties determine the extent of recovery efforts on a case-by-case basis. Data recovery must be conducted in accordance with a comprehensive research design/data recovery plan, reviewed by the Historic Preservation Division, Advisory Council, and other involved parties, as appropriate. Completion of an approved data recovery plan generally fulfills an agency's compliance responsibilities for an undertaking, unless unexpected discoveries occur during construction.

### **I. Research Design/Data Recovery Plan (Critical)**

All data recovery efforts must be guided by an explicit and thorough research design /data recovery plan.

Careful development of the Phase III research design is critical for the retrieval of significant information--the main goal of this phase of research. The HPD and Advisory Council (for Section 106 projects) review substantive contents of the plan to ensure that the proposed research

questions are viable and answerable based on the site's data expectations, the methodology is appropriate, and the amount and areas proposed for investigation are reasonable for the given archaeological property and undertaking.

The objectives of Phase III archaeological investigations must include:

1. Description of the archaeological property under study and the characteristics which make it eligible for the National Register;
2. Maximum retrieval of important data relevant to the defined research questions from the archaeological property;
3. Determining the property's characteristics and variability, including inter- and intra-site patterning; and
4. Public education/interpretation of the data recovery results.

The Methods and Techniques section of the plan should justify the research strategies planned to retrieve the maximum amount of data necessary to meet the study objectives. Discussion should address methods to be used in background research, fieldwork, analyses, data management and dissemination of results. Method and Techniques should include a schedule and a justification of the proposed treatment and disposition of the recovered materials and records. **(It should be noted here that the District at this time (1997) does not have a qualified repository for the storage of artifacts. Under these circumstances, contractors should be prepared to house the collections until a repository is established, or the Agency should investigate the possibility of storing the artifacts).** Finally, it should discuss the proposed methods for informing the interested public about the project, making the results of the research available to the public, and involving the interested public in the data recovery, if feasible.

Expected Results should rely heavily upon previous research reports (Phase I and II investigations) and other readily available documents, in order to discuss the quantity, age, condition, and other general characteristics of the archaeological materials and features anticipated in the study. The anticipated results must be applicable to the proposed research questions and hypotheses.

In addition to the above elements, the plan also should discuss provisions for regular status reports, meetings and site visits

## **2. Archival and Background Research**

For Phase III investigations, the main purpose of archival and background research is to augment information on a previously identified archaeological property in order to address the desired research questions/hypotheses. Research should focus on summarizing previous work on the resource, analyzing existing collections from the property, refining the research questions and clarifying the methodologies necessary to address those research issues.

### **3. Field Studies**

In order to achieve the goal of maximum data retrieval, Phase III fieldwork strategies generally employ excavation of a portion or a sample of the archaeological property. Total excavation of the property is not recommended or required, except under extraordinary circumstances. The amount of work to be done will be determined on a case-by-case basis, based upon the nature of the archaeological property, the research questions, and the undertaking itself.

Fieldwork strategies may involve the use of mechanical equipment (grapple or backhoe) to remove fill and to reach the natural soils. The depth at which these soils are encountered should have been established during the Phase I and Phase II excavations. In parts of the District, the use of mechanical equipment is required to remove the overburden which overlies intact archaeological surfaces or features, often under many feet of fill. Thus, it is important that archaeologists have experience using heavy equipment in urban environments in order to conduct the work without disturbing archaeological resources.

If during the project archaeological properties are encountered which contain substantial structural or architectural remains (i.e. foundations, earthworks, ruins, industrial complexes), the consulting parties will agree on the level and method of recordation documentation necessary for the project. Historic American Building Survey (HABS) or Historic American Engineering Records (HAER) standards and recording techniques may be applied to archaeological resources such as foundations, wharves, shipways, marine railways, and vessels. Documentation may include recording significant historical information, architectural plans and features, engineering details, landscape elements, and acquiring significant oral historical information related to the historic property.

### **4. Analysis**

Analysis is an integral component of Phase III investigations and is essential for interpreting the fieldwork results and fulfilling data recovery goals. Phase III analytical studies should be directed towards the retrieval of information from excavated materials to address defined research questions. This work must entail: 1) interpretation of site activities, functions, time span, and historic contexts, and 2) the study of the research questions/hypotheses addressing the resource's local, regional, or national significance. Initial analytical activities should involve the identification and classification of all artifacts and features according to explicit procedures and using the best current standards or professional knowledge. Phase III analyses also should integrate the newly acquired data with the results of previous Phase I and Phase II investigations, in order to reliably interpret the site as a whole.

5. Public Education/Interpretation Phase III investigations must include measures to inform the general public and interested parties about the results of data recovery efforts. Since Phase III investigations essentially mitigate adverse effects to a significant archaeological property and are often undertaken at considerable public expense, the public should receive tangible evidence of the research results.

Public education/interpretation may encompass many varied mechanisms and media. The measures appropriate for a given project will depend upon the nature of: the project itself, the archaeological property under study, the resource's location, and the priorities and interests of the involved agency, project sponsor and interested public. Public interpretation programs should be developed in consultation with the D.C. State Historic Preservation Office. Upon request the DCSHPO may provide guidance on measures best suited to a particular project and resource. Public interpretation may be implemented during fieldwork or upon completion of analysis and reporting. Consulting parties must consider what methods will be most effective and efficient for a given project without impeding project schedule and implementation. Public education should be aimed at increasing public awareness and sensitivity to archaeological resource protection and include means to safeguard the archaeological property from any potential vandalism which increased public attention could inadvertently cause. Finally, agencies and project sponsors should take advantage of the positive public relations benefits which will be generated by a successful public education program.

The following is a list of possible public education/interpretation efforts:

1. Public open house to view fieldwork results;
2. Videotape;
3. Development of WEB page;
4. Newspaper articles/press day;
5. Signage on site;
6. Pamphlets discussing excavations;
7. Tours for school groups
8. Slide talks to schools, public interest groups;
9. Exhibits or displays.

## **6. Reporting**

Following the analysis of archaeological resources, researchers must prepare complete draft and final reports on all of the Phase III activities. Chapter VII below contains standards and guidelines for these reports, copies of which must be submitted to the Historic Preservation Division, by the participating agency.

## **G. OTHER TREATMENT METHODS**

Some examples:

1. Develop an Historic Preservation Plan/Cultural Resource Management Plan;
2. Development, testing and refinement of a predictive model for site locations of a particular time, period, type, or geographic region;
3. Initiate cultural resource sensitivity, educational, or interpretive programs for agency staff or the general public;
4. Acquire a perpetual historic preservation easement on a significant archaeological property to compensate for acceptance of loss of a similar site type;

5. Prepare and submitting a National Register nomination on an individual historic property, district, or a multiple resource nomination;
6. Synthesize existing archaeological data pertaining to a particular geographic region, time period, or resource type.

## H. PLAN FOR UNEXPECTED DISCOVERIES

Although completion of a data recovery program or other treatment measure performed pursuant to an MOA fulfills an agency's historic preservation responsibilities, it is advisable to develop a plan for addressing unexpected discoveries that may arise during construction. Construction may expose significant features that were not included in the data recovery program or were inaccessible for recovery. The discovery plan may be included as a stipulation of the MOA or a component of a data recovery program. Having an approved plan in place enables the agency to proceed with the undertaking in a discovery situation following the plan actions and avoids the need for additional consultation and potential delays. The Advisory Council's regulations (36 CFR 800.11) includes provisions for considering properties discovered during project implementation.

Discovery plans generally include provisions for promptly considering and recovering, if warranted, significant archaeological properties discovered during construction. The plan may incorporate professional archaeological monitoring during project ground disturbing activities with associated reporting, recording and recovery of major features or artifacts uncovered where practical. However, monitoring does not substitute for proper identification, evaluation and treatment of archaeological properties during project planning, unless there are exceptional circumstances.

In the absence of an approved discovery plan, an agency must provide the Advisory Council (for federal projects) with an opportunity to comment when a previously unidentified property that may be eligible for inclusion in the National Register is discovered during project implementation.

Federal historic preservation laws do not require the agency to stop all work on the undertaking during discovery situations. However, the agency should make a good faith effort to avoid or minimize harm to the historic property until it has completed consultation or implementation of the discovery plan provisions.

If human remains are discovered during construction, those resources warrant exceptional care and consideration. Any excavation of burials should be preceded by careful consideration, thorough planning and extensive consultation. If a proposed project area contains or is likely to contain human remains (e.g. based on the proximity of known burials, historical records, oral accounts, or the results of previous investigations), the project sponsor or archaeologist should consult with HPD to determine an appropriate course of action.

The Federal Native American Graves Protection and Repatriation Act (NAGPRA) (25 U.S.C. 3001 - 3013) establishes protection and procedures for the treatment of Native American human burials located on federally-owned property or Indian lands. NAGPRA gives certain rights regarding the treatment and disposition of human remains, funerary objects, sacred objects and objects of cultural patrimony to lineal descendants and to federally recognized Indian tribes when these groups demonstrate cultural affiliation. The law encourages the avoidance and preservation of archaeological sites which contain Native American burials on federal lands. NAGPRA requires federal agencies to consult with qualified culturally affiliated Indian Tribes or lineal descendants prior to undertaking any archaeological investigations which may encounter human remains or upon the unanticipated discovery of human remains on federal land. The consulting parties decide the appropriate treatment and disposition of human remains and other cultural items recovered. This consultation may be a lengthy process and should occur early in the project planning.

The Historic Preservation Division does not encourage the excavation of human remains, unless those remains are imminently threatened by natural or human forces, or unless those resources have outstanding research potential. However, cemeteries and burials should be located, recorded and evaluated as archaeological properties when discovered through archaeological investigations. Under D. C. Law it is mandated as to the process to follow when a burial is discovered.

## V. PROCESSING AND CURATION OF COLLECTIONS (ARTIFACTS AND RECORDS)

At this time, there is no repository for records and resources retrieved from excavations within the District of Columbia. These standards are presented in anticipation of an official repository for the District.

These standards were written by Dr. Gary Shaffer and Ms. Beth Cole of the Maryland Historical Trust, as part of the revised Standards and Guidelines for Archaeological Investigations in Maryland, 1994. These standards have been effective in ordering and protecting the archaeological collections from Maryland, and therefore are adapted here, with minor editorial changes, for the collections from the District of Columbia.

Archaeological investigations generally result in the retrieval of material remains (artifacts, specimens) and the production of associated records (notes, maps, photographs). Materials and records are an integral component of an archaeological investigation. These irreplaceable items, frequently obtained with considerable public and private effort and expense, require professional processing and curation to ensure their stability, long term preservation, and accessibility for future research and public interpretation. Archeological collections should be deposited in a qualified repository which will safeguard and permanently curate the collection in accordance with current professional standards.

In 1990, the Department of the Interior/National Park Service issued federal curation regulations, entitled "Curation of Federally-Owned and Administered Archeological Collections" (36 CFR § 79). The federal regulations establish definitions, standards, guidelines, and procedures which federal agencies are required to follow, in order to preserve archaeological collections. The regulations presented in 36 CFR § 79 must be followed for federal compliance projects, as appropriate. Although the regulations are legally applicable only to federal agencies and programs, they offer pertinent guidance that may be applied to the treatment of all archaeological collections.

The federal curation regulations provide a useful definition of the term *collection*, which will be followed in this document:

***Collection*** means material remains that are excavated or removed during a survey, excavation or other study of a prehistoric or historic resource, and associated records that are prepared or assembled in connection with the survey, excavation or other study. [36 CFR § 79.4(a), emphasis added].

The standards presented in this chapter must be followed for all collections that eventually will be curated by the District. These standards should be followed when collections are being curated on an interim basis by an Agency or contractor. The DCSHPO strongly recommends adherence to these requirements for all other archaeological collections generated in D.C., in order to standardize curation practices; ensure professionally acceptable

treatment of archaeological materials; and facilitate the availability of collections and documentation for future research. The District reserves the right to waive all or portions of these standards for extraordinary circumstances (for example, exceptional collections generated by non-professionals or from emergency salvage excavations).

This chapter presents the minimum standards and related discussion on the following items: the goal of the standards, disposition and curation of collections, the processing material remains and associated records, collection submittal requirements, and sources of technical information.

#### **A. GOAL**

*The goal of the following minimum standards is to ensure that all archaeological collections generated by professional or avocational archaeologists in the District receive appropriate processing, packaging, documentation, and curation.* Treatment of collections in accordance with these minimum standards will help provide for the long term preservation of these materials and records.

These standards outline overall procedures for the cleaning, labeling, cataloging, packaging, documentation, and curation of collections (including material remains and records). However, these standards are not intended to substitute for more detailed laboratory methods and procedures, which professionals are expected to have already learned through other sources. It is assumed that archaeologists will employ the best applicable current standards of professional knowledge in their treatment of artifacts and records. The procedures presented herein are minimum standards. Professionals are encouraged to utilize additional professionally recommended procedures for the treatment and curation of archeological materials and records, whenever appropriate.

The disposition of a project's artifact and records collection should be decided prior to initiation of fieldwork and in consultation with the HPD. Prior to processing any collection, the archeologist should contact the selected repository for its procedures on appropriate labeling, cataloging, and packaging techniques.

#### **B. DISPOSITION AND CURATION OF COLLECTIONS**

To ensure the long-term preservation of archeological materials and associated records, collections should be deposited with an appropriate curation repository. The federal curation standards provide a definition of the term *repository*:

*Repository* means a facility such as a museum, archeological center, laboratory or storage facility managed by a university, college, museum, other educational or scientific institution, a Federal, State or local Government agency or Indian tribe that can provide professional, systematic and accountable curatorial services on a long-term basis. [36 CFR § 79.4(j)]

The regulations also present detailed standards to determine whether a repository has the capability to provide adequate long-term curatorial services. Required factors include appropriate physical facilities, temperature and humidity controls, security, controlled access, fire protection and suppression, records maintenance and storage, routine inspection, and qualified staff (36 CFR § 79.9). Collections generated by federal agencies and programs must be curated by an appropriate repository.

In addition to considering a repository's professional qualifications, the federal standards offer further guidance on how to select a suitable repository for a collection. In general, it is advisable to curate a collection in a repository which is located in the same state or jurisdiction where the collection originated, and which maintains other collections from the same site, project area, or broader geographic region. Collections should not be subdivided and stored in multiple locations, unless such storage is warranted due to conservation, research, exhibit, or other legitimate purposes. Finally, material remains and their associated records should be curated at the same repository in order to sustain the collection's integrity and research value (36 CFR § 79.6[b]).

Unfortunately in the District, there is no current repository for archaeological material. Several federal agencies have storage facilities, and some of the artifacts are being stored in them. The General Services Administration (GSA) has conducted a number of archaeological excavations within the District, and have provided a facility at the Washington Navy Yard for storage of these artifacts. It is not an approved facility, that is, it does not conform to the standards as specified by 36CFR79, Curation of Federally-Owned and Administered Archaeological Collections, 1991. Currently, the National Park Service is storing some of the D. C. artifacts, however, at this time they are not willing to acquire any new material. Occasionally a project has occurred in the District in which both National Park Service and local land is excavated. The material excavated from the Park Service land is stored by the National Park Service in their facility, however, the material excavated from the local (District) property is to be stored by the District.

Because there is no facility, a number of consultants and Universities are storing the material that they have excavated during projects conducted in the District. In one case, a developer is storing the artifacts from a project on his property, in the building that he built on the land. He will donate these artifacts to the District when we have a curation facility.

Situations may arise where a property owner requests to keep the material remains recovered from the owner's private property. Under these circumstances, the archeologist should encourage the owner to donate the collection to a suitable repository by explaining the ethical reasons for appropriate curation and by providing information on incentives for such a donation (tax benefits, recognition, ensuring accessibility for future generations). A repository may be willing to accept the entire collection and then loan selected items back to the property owner for display or study purposes. If a property owner insists on retaining possession of the artifacts recovered from their property, the items must be returned to the owner.

Prior to transfer of material remains to requesting private property owners, the objects should be cataloged, processed, and packaged in accordance with minimum professional standards. In

addition, the objects should be thoroughly recorded, including photographs and drawings of diagnostic artifacts and other objects critical to the interpretation of the archaeological resources. The resulting documentation should be incorporated into any associated collection records, all of which should be deposited in a suitable repository along with a clear identification of the location of the transferred material remains in the owner's possession. Finally, the archeologist should provide the owner with written curatorial recommendations on how to store and handle the collection to avoid or minimize damage and deterioration of the items. The owner also should be supplied with information on incentives for the future donation of the collection to an appropriate repository, and sources for additional technical assistance and advice.

### **C. PROCESSING MATERIAL REMAINS**

Archaeological investigations often produce material remains from the area under study. The federal regulations provide the following definition of *material remains*:

*Material remains* means artifacts, objects, specimens and other physical evidence that are excavated or removed in connection with efforts to locate, evaluate, document, study, preserve or recover a prehistoric or historic resource. [36 CFR § 79.4(a)(1)]

Material remains may comprise a wide variety of items including: architectural elements, artifacts of human manufacture, natural objects used by humans, waste or debris resulting from the manufacture or use of human-made or natural materials, organic materials, human remains, elements of shipwrecks, components of petroglyphs or art works, environmental or chronometric specimens, and paleontological specimens recovered in direct physical association with a prehistoric or historic resource (36 CFR § 79.4 [a][1][i-x]). The nature and composition of the material remains will prescribe its specific handling and treatment. However, the following general procedures must be followed in the processing of material remains.

#### **1. Cleaning**

All artifacts must be cleaned. (Exceptions: Artifacts designated for special studies, such as blood residue analysis, can be curated in an unwashed state. These artifacts must be packaged separately from the rest of the collection. Containers with these special artifacts must be clearly marked, and any specific instructions must accompany the artifacts. The artifact inventory must note the artifacts' unwashed condition.)

#### **2. Labeling**

- a. All artifacts must be permanently labeled with provenience information including, at a minimum, the official site number (or X number for isolated finds) and official lot number. The artifact label or catalog number is an essential designation which relates the individual object to its provenience of recovery. The horizontal location of an artifact in a site and its vertical position

within the soil are critical factors for developing accurate site interpretation. Without an appropriate label, this provenience information may become lost and is very difficult, if not impossible, to reconstruct. If an artifact becomes separated from its bag or is removed for study or exhibit purposes, the label ensures that the object may be returned to its appropriate place.

Archaeologists may add additional designations following the official site and lot numbers, if desired, to suit individual cataloging and analyses needs. However, the catalog must include a key translating the full provenience system utilized. The HPD recognizes that under certain circumstances, alternative procedures to the lot number system may be warranted. For example, federal agencies may require consultants to use an agency's own labeling practices. If an alternative system is proposed for collections to be curated by the HPD, prior written concurrence of the D.C. State Historic Preservation Office's Archaeologist must be obtained before this option can be employed.

- b. **Artifacts must be marked directly on their surface using permanent waterproof ink and a clear overcoat, such as Acryloid B-72.** Porous artifacts can receive a clear undercoat as a marking base. Dark artifacts can be prepared for marking with an undercoat (such as titanium dioxide in Acryloid B-72), or marked directly with contrasting waterproof ink. The District discourages the use of gesso since it is not long lasting and may peel. Archaeologists must employ the best current standards of professional knowledge in labeling artifacts with ink, sealant, and white backing - when needed. Contact the HPD's Archaeologist for a list of acceptable marking materials and procedures.
- c. **Artifacts too small to be marked, or impractical to mark for other reasons (such as fragility or unwashed condition), must be placed in perforated polyethylene zip-lock bags (minimum thickness = 2 mil) or other acceptable packaging material (see item 3.a below).** Provenience information must be written in permanent black marker on the bag's exterior, and must be duplicated with permanent ink on an archivally stable tag (such as acid-free paper, mylar, or tyvek) enclosed in the bag.
- d. **For small and large collections (i.e.,  $\geq 200$  objects), certain classes of artifacts (e.g. shell, fire-cracked rock, flakes, window glass, nails, brick, slag, mortar, coal) need not be individually labeled.** These items may be grouped together by material type, within each provenience, and must be marked and bagged as specified in item D.2.c above. However, all diagnostic artifacts (for example, projectile points and ceramics) must be individually labeled, as feasible. **All non-human bone must be labeled, as feasible.** Non-human bones too small to be individually labeled should be processed following the procedures outlined in item D.2.c above. (See section D.4.c below for a discussion of processing human remains.)

- e. **All other classes of archeological material (for example processed floral and soil samples) must be assigned a lot number and appropriately labeled with provenience information.**
- f. **All collections must be accompanied by a catalog (see section F) which includes a key clearly translating the labeling system employed to record the provenience information.**

### **3. Packaging**

- a. **Artifacts must be stored in perforated, permanently marked, polyethylene reclosable bags similar to (zip-lock) plastic bags (minimum thickness = 2 mil), as feasible. Tiny or delicate objects must be stored in archivally stable, acid-free materials with appropriate padding and protection (see item D.3.e below). Perforation of plastic bags or other airtight packaging is necessary to allow air exchange and avoid cargo sweat.**
- b. **All plastic bags must be permanently labeled on the exterior and on an interior tag with appropriate provenience information. Provenience information must be written in permanent black marker on the bag's exterior, and must be duplicated with permanent ink on an archivally stable tag (such as acid-free paper, mylar, or tyvek) enclosed in the bag.**
- c. **Artifacts must be grouped and bagged by provenience, and separated by material type within the provenience. (Exceptions may be warranted for small lot sizes and for legitimate research, conservation, and exhibit purposes. However, the documentation accompanying the collection must provide an explanation and justification for the organization system employed.)**
- d. **All other classes of material remains (such as floral and faunal samples) must be placed in acceptable, sealed, perforated containers and permanently labeled with the provenience information (including site and lot numbers).**
- e. **Archivally stable, acid-free packing materials must be used for packaging all objects. Fragile and delicate objects must be specially packaged to ensure proper protection during shipping and storage. The HPD recommends the use of small acid free boxes padded with acid free foam core or ethafoam blocks. For oversize items (such as mill stones, ship's timbers, or architectural elements), contact the DCSHPO's Archaeologist for appropriate packaging recommendations.**
- f. **All artifacts must be placed in acid-free boxes (e.g., "Hollinger") for shipping and final storage. (Use only the box type specified by the designated curatorial repository.) Artifacts should conform to a consistent system and packaged by catalog number, whenever possible. The DCSHPO accepts two standard box sizes:**

- i. Standard records box (12.5" wide x 15" long x 10" high), and
  - ii. A half-size box (12.5" wide x 15" long x 5" high).
- g. **Specialized storage containers or packaging materials may be utilized, if warranted.** However, use of alternative materials requires the prior written approval of the DCSHPO Archaeologist.
- h. **All artifact containers must be permanently labeled to identify the containers' contents, provenience, and lot numbers.**

#### 4. **Special Considerations**

- a. **Wet Material Remains:** Material remains recovered from submerged sites or water logged contexts (such as a marshy area or soil levels beneath the water table) require special handling and treatment to ensure the stability and long term preservation of the objects. Wet conditions often promote excellent preservation of certain materials, particularly organic remains (such as wood, leather, cloth, and botanical remains). However, once these materials are excavated and removed from their wet environment, rapid deterioration will occur unless the items are appropriately and promptly treated. Projects involving or anticipating the recovery of wet material remains must include provisions and funding for the appropriate treatment and conservation of those materials by a trained professional conservator.

**The DCSHPO may refuse to accept collections with unconserved material remains.** For additional guidance on the treatment of wet material remains, contact the DCSHPO's Archaeologist at (202) 727-7360.

- b. **Conservation:** Like wet material remains, certain other types of materials also require professional handling and treatment to ensure their long term preservation. Such items may include metal objects (buttons, buckles, hardware) or organic materials (bone implements, leather) which will deteriorate without proper stabilization and treatment. The HPD strongly recommends professional conservation of unstable material remains prior to curation of the collection, whenever possible. Items which particularly warrant conservation include those objects recovered from a site that are critical to the site's interpretation, as well as exhibit-quality objects. Projects which anticipate the recovery of unstable material remains (such as well and privy excavations or intensive historic site investigations) must include provisions and funding for the appropriate treatment of those materials by a trained professional conservator.

The DCSHPO may refuse to accept collections with unconserved material remains. For additional guidance on the treatment of unstable material remains, contact the DCSHPO's Archaeologist at (202) 727-7360.

- c. **Human Remains:** The HPD does not encourage the excavation and long term curation of human remains, unless those remains are imminently threatened by natural or human forces, or unless the remains have outstanding research potential. Procedures for the treatment of human remains and associated grave goods may vary depending on the anticipated final disposition of the remains and the wishes of descendants or culturally affiliated groups. Treatment procedures must be established prior to initiating any excavation of human remains or undertaking a project which anticipates their recovery. Any treatment decisions must conform with applicable federal and state legislation, regulations, and policies in addition to these standards and guidelines. Chapter VIII.C presents a more detailed discussion of special provisions related to human remains and cemeteries.

Contact the DCSHPO Archaeologist for guidance and information on the appropriate handling and treatment of human remains and associated grave goods, at (202) 727-7360.

- d. **Selective Discarding of Material Remains:** Certain types of material may have questionable long term research value and thus may not warrant permanent curation with the collection. These materials may include: brick, mortar, slag, coal, shell, and recent 20th century debris (i.e., less than 50 years old). It may be more prudent to discard these items following analyses, rather than to permanently curate the materials with the collection. A project's principal investigator, in consultation with the DCSHPO, should employ the best professional knowledge and judgement to decide the most appropriate disposition of these materials. Factors to consider in reaching the decision to selectively discard materials include: the archeological context of recovery, the items' research potential, the amount and manageability of the materials. The principal investigator should carefully consider the potential *future* research value of the items. Depending upon the situation, the selective discard may encompass all, none, or a portion of the materials. It may be prudent to retain a sample of the materials slated for discard for future study and analyses. Items slated for selective discard must be analyzed and cataloged. The collection's catalog must specify the types and quantities of discarded materials, along with a justification for the selected disposition, and note that the items were discarded.

For further guidance or questions regarding the selective discard of material remains, contact the DCSHPO Archaeologist at (202) 727-7360.

- e. **Other Types of Material Remains:** Other types of material remains (specimens, flotation and soil samples, etc.) must be appropriately processed before curation.

Projects proposing or anticipating the recovery of these types of material remains should include adequate provisions in the budget for appropriate processing and specialized analyses. If sufficient funding is not available for analyses, the materials should be appropriately processed and packaged to ensure their long term preservation for future analyses. Only thoroughly dried soil samples retained for back-up analyses will be curated without prior processing.

Contact the DCSHPO Archaeologist for further guidance and assistance regarding the processing, storage and analyses of other types of material remains, at (202) 727-7360.

## **E. PROCESSING ASSOCIATED RECORDS**

Archeological investigations also generate important associated records, in addition to the materials recovered. Federal regulations define these *associated records*:

*Associated records* means original records (or copies thereof) that are prepared, assembled and document efforts to locate, evaluate, record, study, preserve or recover a prehistoric or historic resource. [36 CFR § 79.4(2)]

These records may encompass a broad variety of materials including: field notes, maps, drawings, photographs, slides, negatives, films, video and audio tapes, oral histories, artifact inventories, computer disks and diskettes, manuscripts, reports, remote sensing data, public records, archival records, and administrative records relating to the archeological investigations. The materials contain essential documentation of the archeological research and warrant appropriate treatment to ensure their long term preservation for future researchers.

The scope of a given archeological investigation will determine what kinds of associated records are produced for the project. The nature and composition of the resulting records will prescribe their specific handling and treatment. However, the following general procedures must be followed in the processing of associated records.

### **1. Required Records**

- a. **HPD must receive the original and one legible acid free copy of all records and submitted for curation with the collection.** The original on acid-free paper and one copy on acid-free paper by a heat fusion process (e.g. Xerox dry process) is acceptable, or two copies on acid-free paper. Copies should be submitted unbound, unpunched, double-sided (if feasible), and on 8½" by 11" paper.
- b. All associated photographic documentation (including transparency slides, negatives, and contact sheets) must be submitted for curation with the collection. Photographic documentation must be prepared on an archivally stable medium

using the best known archival processing. The American National Standards Institute (ANSI) periodically publishes standards related to photography. One complete copy of the photographic documentation is acceptable.

- c. **An inventory of all associated records and a catalog of photographic materials, along with an explanation of labels must accompany all collections (see section F below).**

## **2. Labeling**

- a. **All project records must contain permanent labels.** Labels must identify, at a minimum, the project name, site number, and date of preparation. Labels should be clearly written, typed or stamped directly on the records or sleeves, as appropriate, and not on adhesive materials that may be subject to separation.
- b. **All photographic documentation must be clearly labeled.** Labels must contain, at a minimum, the site number, date the photograph was taken, the provenience within the site of the photograph (feature/square, layer/level), and the direction of view, as appropriate.

## **3. Packaging**

- a. **All records must be packaged using archivally stable, acid-free materials.** Containers must be permanently labeled.
- b. **All photographic documentation must be stored in archivally stable, acid-free containers.** Contact the repository prior to packaging for a list of approved materials. Containers must be permanently labeled.

## **F. CATALOGING MATERIAL REMAINS AND RECORDS**

All collections, including the material remains and associated records must be inventoried. An itemized descriptive catalog(s) must accompany all collections. All catalog records and reports must be on an electronic medium. The catalog must provide a detailed description of the items, identifying and classifying the archeological materials and records according to best current professional standards. The catalog maintains an essential record of the objects represented; therefore, it should present as much information about the items as possible. Should an item ever become lost, stolen, or deteriorate beyond recognition, the catalog may be the only surviving record of that item. Catalogs are a means of obtaining information about a collection or specific items within the collection without handling the actual objects themselves. A detailed catalog will help minimize the need for subsequent handling of the objects. In addition to item-specific descriptions, the catalog should specify the collector or donor's name, project name, official District site and lot numbers, and date of collection.

Catalogs are frequently prepared and maintained in a computer database. The Trust strongly encourages submittal of a copy of the computer database on standard computer storage media, with appropriate labeling and identification of utilized software, with the collection for permanent curation. However, two archivally stable paper copies of the inventory also must always accompany the collection.

To submit a collection to the DCSHPO for permanent curation, the following procedures must be followed.

1. **Transfer of Ownership** Prior to acceptance of a collection, the HPD requires a signed Deed of Gift transferring ownership of the materials to the HPD. The consulting archeologist is responsible for informing the project sponsor or property owner about the necessity for executing the Deed of Gift prior to transmitting the collection. The District may make exceptions to the signed Deed of Gift requirement, in unusual circumstances. However, prior written consent of the HPD staff archeologist is required before acceptance of a collection without a Deed of Gift. In the case of federally owned collections, a signed Memorandum of Understanding for Curatorial Services must accompany the collection. For collections owned by District agencies other than the DC State Historic Preservation Office, a signed interagency Letter of Agreement and Transfer Deed is required. The HPD recognizes that federal and state collections agreements may take considerable time to execute; and it will agree to take temporary custody of a government-owned collection, without a signed agreement, only upon written confirmation from the agency that the agreement is forthcoming.
  
2. **Collection Documentation** Certain documentation must accompany each collection submitted to DCSHPO for curation. The State Historic Preservation Office Archaeologist [(202) 727-7360] may provide the sample forms mentioned below. Comparable forms may be used, **provided** that those forms contain the same information in a similar format. All documentation must be submitted on acid-free paper. The following items constitute the required documentation which must be submitted with each collection.
  - a. A completed document which transfers ownership of the collection to HPD or authorizes the DCSHPO to provide curatorial services:
    - i. **DEED OF GIFT** (for collections from non-District or non-federal ownership)
    - ii. **MEMORANDUM OF UNDERSTANDING FOR CURATORIAL SERVICES** (for federally-owned collections)
    - iii. **LETTER OF AGREEMENT and TRANSFER DEED** (for District-owned collections).

- b. **Two copies of a typed and complete HPD ARCHEOLOGICAL SPECIMEN CATALOG, or an DCSHPO-approved equivalent. These must be submitted on acid-free paper as an original and one copy.**
- c. **A list of all associated records (see item E.1.c above).**
- d. **A list of conserved objects, along with the conservator's report of conservation treatment(s) and photographic documentation.**
- e. **A list of those objects needing conservation treatment, with a justification of why the material was not conserved by the current project.**

### **3. Inspection**

Acceptance of any collection is subject to inspection and approval by the HPD's staff archeologist or collections manager. Through inspection, the DCSHPO strives to ensure adequacy of artifact and record processing, packaging, and documentation. Collections not meeting the minimum requirements stipulated herein will be returned to the donor at the donor's expense. For this reason, close coordination with the HPD's Staff Archeologist is required. For large collections (more than 10 boxes), pre-shipment inspection by the staff archeologist or the collections manager at the donor's facility is recommended.

### **4 Shipping/Transmittal**

- a. **Shipment/transmittal of collections is the responsibility of the donor. Collections should be packaged using inert material and sufficiently secured to avoid any in-shipment damage. Collections will not be accepted unless the HPD staff archeologist receives notification at least 48 hours prior to delivery and issues written or verbal approval for the transmittal.**

## **H. SOURCES OF TECHNICAL INFORMATION**

Additional guidance and technical information on the appropriate processing and curation of collections may be found in the following sources:

Preserving Field Records (Kenworthy et al. 1985);  
A Conservation Manual for the Field Archeologist (Sease 1987);  
Curation of Federally-Owned and Administered Collections; Final Rule (36 CFR § 79);  
National Park Service Museum Handbook Part I: Museum Collections (NPS 1990B); and,  
National Park Service Museum Handbook Part II: Museum Records (NPS 1987).

The American National Standards Institute (ANSI) periodically issues various technical publications, including standards relevant to the processing and storage of associated records (paper and photographic documentation). Public libraries generally maintain the current catalog of ANSI publications. For further information on ANSI, contact the American National Standards Institute, 11 West 42nd Street, New York, New York 10036, (212) 642-4900.

## **VI REPORTING STANDARDS FOR ARCHAEOLOGICAL STUDIES**

The following sections provide guidance for producing professional reports that comply with the DCSHPOs recommendations for archaeological projects in the District. Separate report standards are presented for Phase I Archaeological Survey, Phase II Archaeological Testing, and Phase III Archaeological Data Recovery studies. Each report standard follows the same overall organization, with differences where appropriate to the level of the investigation.

In a general sense, the District's archaeological resources belong to the citizens of the city and of the nation. Thus, the DCSHPO requires that professional archaeological reports be distributed to certain specified repositories. One copy of each final report submitted to and accepted by the DCSHPO (with high quality photographic reproduction of graphics and photographs) shall be submitted to the following institutions:

District of Columbia Archives;  
Washington Historical Society; and,  
Martin Luther King, Jr. Library.

The DC HPD shall be responsible for submitting final copies of archaeological studies to these institutions.

### **A. REPORT GUIDELINES FOR PHASE I (IDENTIFICATION) STUDIES**

#### **1. Cover**

List of document repositories (e.g. libraries, SHPOs office) on inside of cover

#### **2. Title page**

- a. Title of report, which includes name, project type (Phase I, Identification), and location of the project; cover of report must contain same title
- b. Author(s) of report (including specialists) and organizational affiliations
- c. Principal investigator(s) of project
- d. Agency and/or client for which report prepared with contract number(s)
- e. Date of current version of report
- f. Indication whether draft or final report
- g. Name of archaeological site(s) and development
- h. Report number assigned by D.C. archaeology office

#### **3. Abstract or Management Summary**

A summary, generally no more than a page long, providing information on:

- a. Purpose of the undertaking
- b. Sponsor of the undertaking
- c. Physiographic zone of project location and section of D.C.
- d. Definition of Area of Potential Effect
- e. Research strategy

- f. Findings: brief summary of cultural remains encountered, if any, approximate date(s) of cultural remains, and significance or potential significance of the cultural remains
  - g. Integrity of Deposits
  - h. Project impact on cultural remains
  - i. Recommendations
  - j. Repository of collections and project records
4. **Public report summary**  
Will be included in body of report, but must be able to function as a stand-alone document. This public report summary will be two to five pages in length and oriented toward a non-specialist audience. Summary is intended to tell the "story" of the site. The recommendations for more, or no further, excavation should be part of this document.
5. **Table of Contents**  
Must include entries for all report chapters, headings and subheadings, lists of figures, tables, etc., including page numbers for all entries, including:
- a. Chapters
  - b. List of Figures (includes any graphic illustration in a single numerical sequence, e.g. no separate numbering schemes for maps, photographs, soil profiles, etc.)
  - c. List of Tables
  - d. References cited
  - e. Appendices
  - f. Acknowledgements
6. **Introduction**
- a. Purpose of project, including both management and research reasons for conducting the project
  - b. Description of project and brief statement of results
  - c. Project administration and organization, including identifying the sponsor(s)
  - d. Specific reason(s) or law(s) calling for current historic preservation work
  - e. Brief description and location of project area, including lot and square numbers, and including size of project area in acres and hectares
  - f. Brief description of methods
  - g. Dates of project undertaking, including background research and field investigations
  - h. Refer to related historic preservation studies for the project
  - i. Summary of results of this research
7. **Project Location and General Description**
- a. Current street address and maps clearly showing the project's location within the District of Columbia and its relation to surrounding streets and other aspects of the urban landscape (one map will be appropriate USGS 7.5' quadrangle and one or more maps will be at a larger scale)

- b. Present land use
- c. Description of current conditions, including ground cover, surface features, disturbance, etc. (must include photograph(s) and map(s) illustrating current conditions)
- d. Physiographic zone

**8. Research Design**

- a. Provide a detailed statement of objectives, including applicability of work to regional research questions
- b. Provide an explicit statement giving the basis on which cultural remains will be interpreted and evaluated, discussing (but not limited to)
  - i. identifying past and current land-use patterns in the project area and surrounding area, as appropriate
  - ii. identifying social groups and any key individuals associated with activities in the project area
  - iii. identifying residential patterns and community organization as they change through time
  - iv. identifying past construction activities that may have destroyed or impacted cultural remains in the study area
  - v. development of research questions to assess the potential eligibility of the resources
- c. Develop a locational model for prehistoric and historic cultural remains
- d. Describe the objectives and rationale of locational model for prehistoric and historic cultural remains

**9. Results of Archival and Background Research**

- a. Methods and techniques of archival research, including list of institutions where archival or background research was conducted and types of resources consulted at the aforementioned institutions
- b. Past and present natural environments, as appropriate
- c. Concise synopsis of prehistoric cultural record of the physiographic area and of the local area, to an appropriate level of detail
- d. Concise synopsis of historic cultural record of the District of Columbia, including any significant events occurring in the project area
- e. Critical review of previous prehistoric and historic investigations within or near the project area
- f. Narrative overview of historic land use of project area, including:
  - i. historic maps with project area clearly indicated on each
  - ii. information from other sources, including newspapers, fire insurance maps, and historic photographs
  - iii. informant interviews with current or former resident(s), if any, of the project area and adjacent properties within the project neighborhood

- g. A list of identified cultural resources in the project area keyed to a map of the project area
- 10. Methods and techniques of field investigations**  
For Identification projects that include a component of testing
- a. Limits of project area versus area investigated, if different
  - b. Sampling design and rationale
  - c. Testing methods and rationale
  - d. Map(s) of the project area clearly delineating areas tested and the different testing methods employed
- 11. Field Results**  
For Identification projects that include a component of testing
- a. A review of site stratigraphy, including relevant profiles and soils descriptions
  - b. Summary of cultural features, including plans, profiles, and photographs
  - c. Map(s) of identified cultural remains
  - d. Discussion of site chronology
- 12. Methods and techniques of artifact analyses**  
For Identification projects that include a component of testing
- a. A glossary defining and describing artifact categories and/or material types used, known dates for artifact categories, and references used to create definitions of artifact categories
  - b. A descriptive summary by provenience and artifact category (can be included as an appendix and in digital format)
  - c. Table(s) summarizing major artifact categories by provenience
  - d. Distribution/density map(s) of major artifact categories
  - e. Photographs and/or drawings of diagnostic artifacts
  - f. Discussion of artifact analyses with reference to published comparable studies
  - g. Discussion of relevance to addressing research questions
- 13. Interpretation**  
This should include primarily a discussion of the information derived from the field research and analysis as applied to the cultural context, locational model for cultural remains, and relevance of results to addressing research questions.
- a. Discuss aspects of background, fieldwork, and artifact analyses used for basis of interpretations
  - b. Discuss function(s) and distribution(s) of cultural remains
  - c. Assess the applicability of the locational model for historic and prehistoric cultural remains
  - d. Assess the reliability of the data
  - e. Assess the results of the interpretations against the goals of the study
  - f. Discuss the future research potential of the project area and the cultural remains recovered during the undertaking

- g. Discuss what is now known that was not known prior to the project
- h. Discuss how the project contributes to an understanding of D.C.'s past

**14. Summary and Recommendations**

- a. Summary of results and evaluation of methods and techniques employed
- b. Assessment of impact of proposed construction on identified cultural properties
- c. Assess need for additional investigations or mitigation alternatives
- d. List all public benefits derived from project

**15. References Cited**

Follow latest published guidelines from *American Antiquity*, using *Historical Archaeology* for historic documents. The Chicago Manual of style will be consulted for items not included in the aforementioned published guidelines.

**16. Appendices**

- a. Qualifications of investigators
- b. Scope of work
- c. Full copies of special studies (faunal, soil analyses, etc.)
- d. Artifact Inventory
- e. Relevant historic documents referred to in text (e.g. deeds, probate inventories, etc.)
- f. Relevant project correspondence
- g. National Archaeological Database - Reports Recording Form

**B. REPORT GUIDELINES FOR PHASE II (EVALUATION) STUDIES**

**1. Cover**

List of document repositories (e.g. libraries, SHPOs office) on inside of cover

**2. Title page**

- a. Title of report, which includes name, project type (Phase II, Evaluation), and location of the project; cover of report must contain same title
- b. Author(s) of report, including specialists, and their organizational affiliations
- c. Principal investigator(s) of project
- d. Agency and/or client for which report prepared with contract number(s)
- e. Date of current version of report
- f. Indication whether draft or final report
- g. Name of archaeological site(s) and development
- h. Report number assigned by D.C. archaeology office

**3. Abstract or Management Summary**

A summary, generally no more than a page long, providing information on:

- a. Purpose of the undertaking

- b. Sponsor of the undertaking
  - c. Physiographic zone of project location and section of D.C.
  - d. Size of project and percent previously disturbed
  - e. Research strategy implemented during the undertaking
  - f. Findings: brief summary of cultural remains encountered, if any, approximate date(s) of cultural remains, and significance or potential significance of the cultural remains
  - g. Integrity of Deposits
  - h. Project impact on cultural remains
  - i. Recommendations
4. **Public report summary**  
 Will be included in body of report, but must be able to function as a stand-alone document. This public report summary will be five to ten pages in length and oriented toward a non-specialist audience. Summary is intended to tell the "story" of the site and why it is (or is not) eligible for listing on the National Register
5. **Table of Contents**  
 Must include entries for all report chapters, headings and subheadings, lists of figures, tables, etc., including page numbers for all entries, including
- a. Chapters
  - b. List of Figures (includes any graphic illustration in a single numerical sequence; e.g. no separate numbering schemes for maps, photographs, soil profiles, etc.)
  - c. List of Tables
  - d. References cited
  - e. Appendices
  - f. Acknowledgements
6. **Introduction**
- a. Purpose of project, including both management and research reasons for conducting the project
  - b. Description of project and brief statement of results
  - c. Project administration and organization, including identifying the sponsor(s)
  - d. Specific reason(s) or law(s) calling for current historic preservation work
  - e. Brief description and location of project area, including size of project area in acres and hectares
  - f. Brief description of methods
  - g. Dates of project undertaking, including background research and field investigations
  - h. Refer to related historic preservation studies for the project, including the Identification report
  - i. Summary of results of this research

**7. Project Location and General Description**

- a. Current street address and maps clearly showing the project's location within the District of Columbia and its relation to surrounding streets and other aspects of the urban landscape (one map will be appropriate USGS 7.5' quadrangle and one or more maps will be at a larger scale)
- b. Present land use
- c. Description of current conditions, including ground cover, surface features, disturbance, etc. (must include photograph(s) and map(s) illustrating current conditions)
- d. Physiographic zone

**8. Research Design**

For Evaluation projects, the research design will be developed in coordination with the SHPOs office.

- a. Provide a detailed statement of objectives, including applicability of work to regional research questions
- b. Provide an explicit statement giving the basis on which cultural remains will be interpreted and evaluated. Specifically include only additional research not included in the Identification phase. Should include discussing (but not limited to)
  - i. identifying past and current land-use patterns for the specific site location
  - ii. identifying social groups and any key individuals associated with activities in the project area
  - iii. identifying residential patterns and community organization as they change through time
  - iv. identifying past construction activities that may have destroyed or impacted cultural remains in the study area
  - v. development of research questions that will evaluate the significance of cultural remains in the project area

**9. Results of Archival and Background Research**

- a. Methods and techniques of archival research, including list of institutions where archival or background research was conducted and types of resources consulted at the aforementioned institutions
- b. Past and present natural environments, from earliest prehistoric habitation of the area
- c. Concise synopsis of prehistoric cultural record of the physiographic area and of the local area
- d. Concise synopsis of historic cultural record of the District of Columbia, including any significant events occurring in the project area
- e. Critical review of previous prehistoric and historic investigations within or near the project area

- f. Narrative overview of historic land use of project area, including:
    - i. chain of title
    - ii. tax and census information on owners and tenants
    - iii. land surveys and plat information
    - iv. information from other sources, including newspapers, fire insurance maps, and historic photographs
    - v. informant interviews with current or former resident(s), if any, of the project area and adjacent properties within the project neighborhood
    - vi. historic maps with project area clearly indicated
    - vii. city directories
    - viii. building permits
  - h. A list of identified cultural resources in the project area keyed to a map of the project area
- 10. Methods and techniques of field investigations**  
 Include within the body of the report an overview of this section. Detailed descriptions should be included as a separate appendix referred to from the body of the report.
- a. Limits of project area versus area investigated, if different
  - b. Sampling design and rationale
  - c. Testing methods and rationale
  - d. Map(s) of the project area clearly delineating areas tested and the different testing methods employed
- 11. Field Results**  
 Include within the body of the report an overview of this section. Detailed descriptions should be included as a separate appendix referred to from the body of the report.
- a. A review of site stratigraphy, including relevant profiles and soils descriptions
  - b. Summary of cultural features, including plans, profiles, and photographs
  - c. Map(s) of identified cultural remains
  - d. Discussion of site chronology
- 12. Methods and techniques of artifact analyses**  
 Include within the body of the report an overview of this section. Detailed descriptions should be included as a separate appendix referred to from the body of the report.
- a. A glossary defining and describing artifact categories and/or material types used, known dates for artifact categories, and references used to create definitions of artifact categories
  - b. A descriptive summary by provenience and artifact category (can be included as an appendix and in digital format)
  - c. Table(s) summarizing major artifact categories by provenience
  - d. Distribution/density map(s) of major artifact categories

- e. Photographs and/or drawings of diagnostic artifacts
- f. Discussion of artifact analyses with reference to published comparable studies
- g. Discussion of relevance to addressing research questions

**13. Interpretation**

This should include primarily a discussion of the information derived from the field research and analysis as applied to the cultural context, locational model for cultural remains, and relevance of results to addressing research questions.

- a. Discuss aspects of background, fieldwork, and artifact analyses used for basis of interpretations
- b. Discuss function(s) and distribution(s) of cultural remains
- c. Assess the applicability of the locational model for historic and prehistoric cultural remains
- d. Assess the reliability of the data
- e. Assess the results of the interpretations against the goals of the study
- f. Discuss the future research potential of the project area and the cultural remains recovered during the undertaking

**14. Summary and Recommendations**

- a. Summary of results and evaluation of methods and techniques employed
- b. Assessment of impact of proposed construction on identified cultural properties
- c. Assess need for additional investigations or mitigation alternatives
- d. Assessment of National Register eligibility (Phase IIs only)
- e. List all public benefits derived from project

**15. References Cited**

Follow latest published guidelines from *American Antiquity*, using *Historical Archaeology* for historic documents. The Chicago Manual of style will be consulted for items not included in the aforementioned published guidelines.

**16. Appendices**

- a. Qualifications of investigators
- b. Scope of work
- c. Full copies of special studies (faunal, soil analyses, etc.)
- d. Artifact Inventory
- e. Relevant historic documents referred to in text (e.g. deeds, probate inventories, etc.)
- f. Relevant project correspondence
- g. National Archaeological Database - Reports Recording Form

## **C. REPORT GUIDELINES FOR PHASE III (TREATMENT) STUDIES**

### **1. Cover**

List of document repositories (e.g. libraries, SHPOs office) on inside of cover

### **2. Title page**

- a. Title of report, which includes name, project type (Phase III, Treatment), and location of the project; cover of report must contain same title
- b. Author(s) of report, including specialists, and their organizational affiliations
- c. Principal investigator(s) of project
- d. Organizational affiliations of author(s), including specialist(s), and principal investigator(s)
- e. Agency and/or client for which report prepared with contract number(s)
- f. Date of current version of report
- g. Indication whether draft or final report
- h. Name of archaeological site(s) and development
- i. Report number assigned by D.C. archaeology office

### **3. Abstract or Management Summary**

A summary, generally no more than a page long, providing information on:

- a. Purpose of the undertaking
- b. Sponsor of the undertaking
- c. Physiographic zone of project location and section of D.C.
- d. Size of project and percent previously disturbed
- e. Research strategy implemented during the undertaking
- f. Findings: brief summary of cultural remains encountered, if any, approximate date(s) of cultural remains, and significance or potential significance of the cultural remains
- g. Integrity of Deposits
- h. Project impact on cultural remains
- i. Recommendations
- j. Repository of collections and project records

### **4. Public report summary and public involvement**

Will be included in body of report, but must be able to function as a stand-alone document. This public report summary will be 15 to 30 pages in length and oriented toward a non-specialist audience. Summary is intended to tell the "story" of the site. The public report summary is considered the minimal effort toward public involvement for the Treatment phase. Additional public involvement will include one or more of the following: on-site tours, on-site interpretive displays, public lectures, audiovisual media, and brochures (a standardized example will be provided in the guidelines).

**5. Table of Contents**

Must include entries for all report chapters, headings and subheadings, lists of figures, tables, etc., including page numbers for all entries, including

- a. Chapters
- b. List of Figures (includes any graphic illustration in a single numerical sequence; e.g. no separate numbering schemes for maps, photographs, soil profiles, etc.)
- c. List of Tables
- d. References cited
- e. Appendices
- f. Acknowledgements

**6. Introduction**

- a. Purpose of project, including both management and research reasons for conducting the project
- b. Description of project and brief statement of results
- c. Project administration and organization, including identifying the sponsor(s)
- d. Specific reason(s) or law(s) calling for current historic preservation work
- e. Brief description and location of project area, including size of project area in acres and hectares
- f. Brief description of methods
- g. Dates of project undertaking, including background research and field investigations
- h. Refer to related historic preservation studies for the project, including Identification and Evaluation phases
- i. Brief summary of results

**7. Project Location and General Description**

- a. Current street address and maps clearly showing the project's location within the District of Columbia and its relation to surrounding streets and other aspects of the urban landscape (one map will be appropriate USGS 7.5' quadrangle and one or more maps will be at a larger scale)
- b. Present land use
- c. Description of current conditions, including ground cover, surface features, disturbance, etc. (must include photograph(s) and map(s) illustrating current conditions)
- d. Physiographic zone

**8. Description of Previous Investigations**

Describe what is known about the project area based on results of Identification and Evaluation phases.

**9. Research Design**

For Evaluation projects, the research design will be developed in coordination with the SHPOs office.

- a. Provide a detailed statement of objectives, including applicability of work to regional research questions
- b. Provide an explicit statement giving the basis on which cultural remains will be interpreted and evaluated, discussing (but not limited to)
  - i. identifying social groups and any key individuals associated with activities in the project area
  - ii. identifying residential patterns and community organization as they change through time
  - iii. development of research questions that will evaluate the significance of cultural remains in the project area

**10. Results of Archival and Background Research**

- a. Methods and techniques of archival research, including list of institutions where archival or background research was conducted and types of resources consulted at the aforementioned institutions
- b. Past and present natural environments, from earliest prehistoric habitation of the area, when appropriate
- c. Concise synopsis of prehistoric cultural record of the physiographic area and of the local area, if appropriate
- d. Concise synopsis of historic cultural record of the District of Columbia, including any significant events occurring in the project area, if appropriate
- e. Critical review of previous prehistoric and historic investigations within or near the project area
- f. Narrative overview of historic land use of project area, including:
  - i. chain of title
  - ii. tax and census information on owners and tenants
  - iii. land surveys and plat information
  - iv. information from other sources, including newspapers, fire insurance maps, and historic photographs
  - v. informant interviews with current or former resident(s), if any, of the project area and adjacent properties within the project neighborhood
- g. A list of identified cultural resources in the project area keyed to a map of the project area

**11. Methods and techniques of field investigations**

Include within the body of the report an overview of this section. Detailed descriptions should be included as a separate appendix referred to from the body of the report.

- a. Limits of project area versus area investigated, if different
- b. Sampling design and rationale
- c. Testing methods and rationale

- d. Map(s) of the project area clearly delineating areas tested and the different testing methods employed

**12. Field Results**

Include within the body of the report an overview of this section. Detailed descriptions should be included as a separate appendix referred to from the body of the report.

- a. A review of site stratigraphy, including relevant profiles and soils descriptions
- b. Summary of cultural features, including plans, profiles, and photographs
- c. Map(s) of identified cultural remains
- d. Discussion of site chronology

**13. Methods and techniques of artifact analyses**

Include within the body of the report an overview of this section. Detailed descriptions should be included as a separate appendix referred to from the body of the report.

- a. A glossary defining and describing artifact categories and/or material types used, known dates for artifact categories, and references used to create definitions of artifact categories
- b. A descriptive summary by provenience and artifact category (can be included as an appendix and in digital format)
- c. Table(s) summarizing major artifact categories by provenience
- d. Distribution/density map(s) of major artifact categories
- e. Photographs and/or drawings of diagnostic artifacts
- f. Discussion of artifact analyses with reference to published comparable studies
- g. Discussion of relevance to addressing research questions
- h. Provide location of where artifacts and documentation are curated

**14. Interpretation**

This should include primarily a discussion of the information derived from the field research and analysis as applied to the cultural context, locational model for cultural remains, and relevance of results to addressing research questions.

- a. Discuss aspects of background, fieldwork, and artifact analyses used for basis of interpretations
- b. Discuss function(s) and distribution(s) of cultural remains
- c. Assess the applicability of the locational model for historic and prehistoric cultural remains
- d. Assess the reliability of the data
- e. Assess the results of the interpretations against the goals of the study
- f. Discuss the future research potential of the project area and the cultural remains recovered during the undertaking

**15. Summary and Recommendations**

- a. Summary of results and evaluation of methods and techniques employed
- b. Assessment of impact of proposed construction on identified cultural properties
- c. Assess need for additional investigations or mitigation alternatives
- d. Assessment of National Register eligibility (Phase IIs only)
- e. List all public benefits derived from project

**16. References Cited**

Follow latest published guidelines from *American Antiquity*, using *Historical Archaeology* for historic documents. The Chicago Manual of style will be consulted for items not included in the aforementioned published guidelines.

**17. Appendices**

- a. Qualifications of investigators
- b. Scope of work
- c. Full copies of special studies (faunal, soil analyses, etc.)
- d. Artifact Inventory
- e. Relevant historic documents referred to in text (e.g. deeds, probate inventories, etc.)
- f. Relevant project correspondence
- g. National Archaeological Database - Reports Recording Form

**D. STANDARDS FOR ILLUSTRATIONS, INCLUDING MAPS, DRAWINGS, AND PHOTOGRAPHS**

- a. All illustrations must be cited in the text body of the report and must be placed on a page immediately following the citation or in the appropriate order, if multiple illustrations are cited in the text body
- b. Informative title, including location and orientation of camera for all photographs, with necessary captions
- c. Scale or indication that source lacks a scale
- d. North arrow for maps
- e. Clarity
- f. Utility of illustrations is stressed; they must provide useful information which cannot readily be transmitted in written form
- g. Color coding of maps can be done where appropriate, though red and green should be avoided as color choices
- h. Digital photographic images can be used in place of actual photographs if the digital image resolution is at least 600 dots per inch (horizontal and vertical) and the image is produced on a printer with a resolution of at least 600 dots per inch (horizontal and vertical).

## REFERENCES CITED

Louis Berger & Associates, Inc. (LBA)

- 1993 Archaeological Mitigation Plan, Jenkins Farm Archaeological Site (51SE4) District of Columbia, Outer Branch Avenue Segment, Green Line (F) Route Washington Area Regional Metrorail System. Prepared for the Washington Metropolitan Area Transit/ Authority, Washington, DC.
- 1994 Archaeological and Historical Investigations of the Jenkins Farm Site (51SE4) District of Columbia, Outer Branch Avenue Segment, Green Line (F) Route Washington Area Regional Metrorail System. 2 Volumes. Prepared for the Washington Metropolitan Area Transit Authority, Washington, DC.

## APPENDICES

APPENDIX A  
ARCHAEOLOGICAL SITE FORM



ENVIRONMENT	13. TOPOGRAPHY <input checked="" type="checkbox"/> Flood plain <input type="checkbox"/> Terrace <input type="checkbox"/> Valley slope <input type="checkbox"/> Upland <input type="checkbox"/> Stream cut <input checked="" type="checkbox"/> Other (specify) FILLED IN HISTORIC PERIOD	
	14. WATER Nearest source POTOMAC RIVER   Distance from site 10,000 FT	
	15. CURRENT GROUND COVER ASPHALT	
	16. CURRENT LAND USE <input type="checkbox"/> Vacant <input type="checkbox"/> Residential <input type="checkbox"/> Parkland <input type="checkbox"/> Institutional <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Parking lot <input type="checkbox"/> Other (specify)	PAST LAND USE (Describe) RESIDENTIAL AND COMMERCIAL BUILDINGS AND YARDS
	17. SURROUNDING ENVIRONMENT <input type="checkbox"/> Open land <input type="checkbox"/> Waterfront <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Woodland <input type="checkbox"/> Residential <input checked="" type="checkbox"/> Other (specify)	MUSEUM, OFFICES
CONDITION	18. SITE INTEGRITY Degree of Disturbance <input type="checkbox"/> Undisturbed <input type="checkbox"/> Slightly disturbed <input checked="" type="checkbox"/> Moderately disturbed <input type="checkbox"/> Extensively disturbed <input type="checkbox"/> Unknown Type of Disturbance <input type="checkbox"/> Natural causes <input type="checkbox"/> Scientific excavation <input checked="" type="checkbox"/> Non-scientific excavation <input type="checkbox"/> Extensive surface collection <input checked="" type="checkbox"/> Construction <input checked="" type="checkbox"/> Utility trenches <input type="checkbox"/> Road/Highway <input checked="" type="checkbox"/> Grading <input type="checkbox"/> Periodic inundation <input type="checkbox"/> Long term inundation <input checked="" type="checkbox"/> Buried site/urban fill <input type="checkbox"/> Unknown <input type="checkbox"/> Other (specify)	
	19. THREATS TO SITE <input type="checkbox"/> Renewal <input type="checkbox"/> Highways <input type="checkbox"/> Private <input type="checkbox"/> Vandalism <input type="checkbox"/> Deterioration <input type="checkbox"/> Developers <input type="checkbox"/> Zoning <input type="checkbox"/> Unknown <input checked="" type="checkbox"/> Other (specify) DEVELOPMENT BY GSA	
	20. ACCESSIBILITY TO PUBLIC <input type="checkbox"/> Free access <input checked="" type="checkbox"/> Need owner's permission <input type="checkbox"/> Restricted <input type="checkbox"/> No access	
RESEARCH STATUS	21. PREVIOUS INVESTIGATIONS Scientific Investigations <input type="checkbox"/> Surface collected <input type="checkbox"/> Tested <input type="checkbox"/> Excavated Non-scientific Investigations <input type="checkbox"/> Surface collected <input type="checkbox"/> Excavated By Whom/Affiliation Date POTENTIAL ASSESSED BY ENGINEERING-SCIENCE (PAPPAS ET AL. 1992)	
	22. PRESENT LOCATION OF MATERIALS JOHN MILNER ASSOCIATES, 5250 CHEROKEE AVENUE, FOURTH FLOOR, ALEXANDRIA, VA, 22312	
	23. PUBLISHED REFERENCES TO SITE PHASE IA ARCHAEOLOGICAL INVESTIGATIONS FOR THE FBI WASHINGTON FIELD OFFICE, PAPPAS ET AL. 1992. ENGINEERING-SCIENCE	
	24. RECOVERED DATA (Identify in detail, including features, burials, related outbuildings, landscape features, etc.) Documentary HISTORICAL MAPS INCLUDE USGS 1983, ELLICOTT 1800, KING 1803, TANNER 1836, KELLY 1850, BOSCHKE 1861, FAETZ AND PRATT 1874, GREENE 1880, HOPKINS 1892, BAIST 1903, SANBORN 1888, 1904, 1928, 1956, AND 1984. Archaeological BURIED MID-19TH C YARD DEPOSITS LATE 19TH C. STRUCTURE FOUNDATIONS TURN OF CENTURY YARD DEPOSITS	

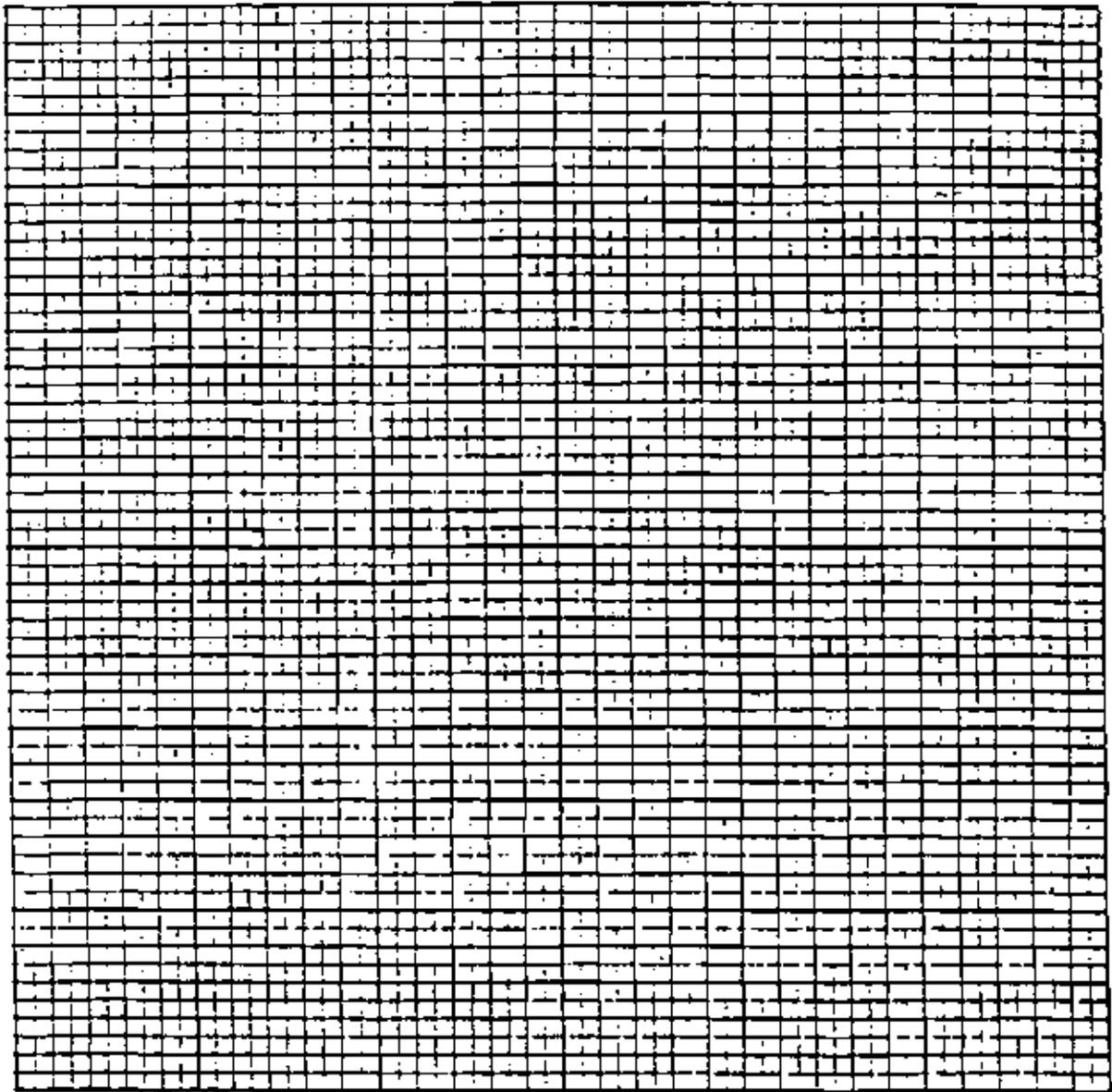
25. ATTACH TO THIS FORM THE PORTION OF USGS QUAD WITH SITE AREA MARKED

26. SKETCH PLAN OF SITE

Scale:



SEE ATTACHED



SITE PLAN

27. PHOTOGRAPHS (Attach if available. Label each with: date of photo, photograph view shown, name of site, site number, where negative is filed.)

28. LANDMARK STATUS  /  Listed in National Register  /  Not eligible  
 /  Eligible to NR under criteria  A.  B.  C.  D.  
 /  Listed as D.C. Landmark  /  Not eligible to Landmarks list  
 /  Eligible for Landmark list under criteria  1  2  3  4  5  6

29. ARCHAEOLOGICAL AND/OR HISTORICAL SIGNIFICANCE (Describe. Give also thematic categories as appropriate)

ARCHEOLOGICAL RESOURCES RECOMMENDED  
ELIGIBLE FOR NATIONAL REGISTER UNDER CRITERION D.

SIGNIFICANCE

30. ADDITIONAL INFORMATION

TECHNICAL REPORT OF PHASE II INVESTIGATIONS BEING PREPARED FOR GENERAL SERVICES ADMINISTRATION BY JOHN MILNER ASSOCIATES, INC. (AUGUST 1993)

31. REPORTED BY

Name DONNA J. SEIFERT

Organization JOHN MILNER ASSOCIATES, INC.

Address 5250 CHEROKEE AVE., 4TH FLOOR, ALEXANDRIA, VA 22312

Date AUG 11 1993

FOR OFFICE USE ONLY

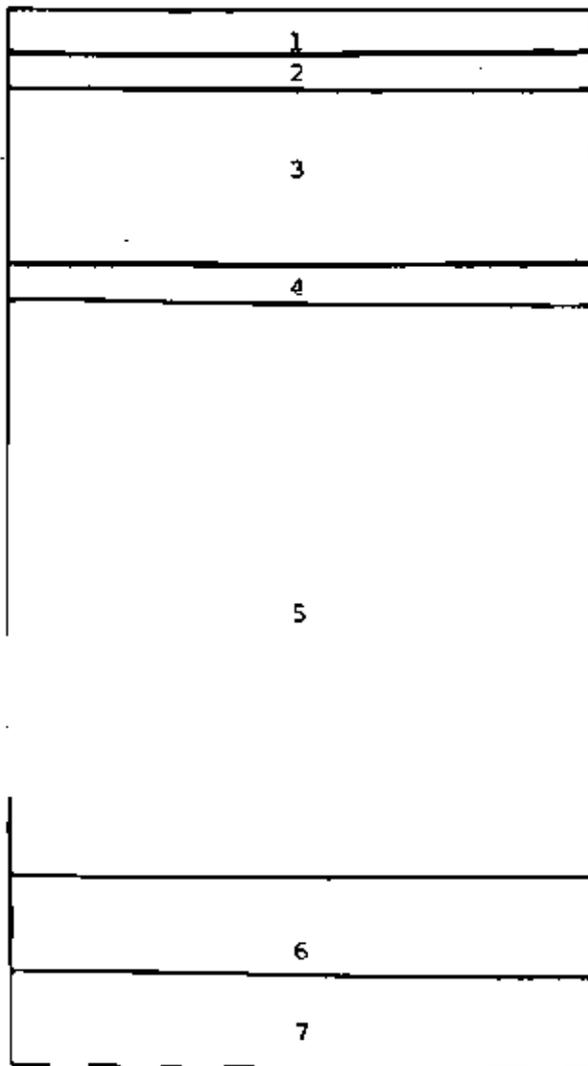
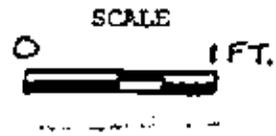
FIELD EVALUATION  
By Whom:

  /   Site inspected/verified

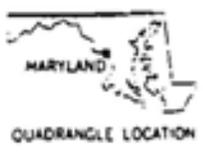
Date:

COMMENTS

10. GENERALIZED SITE PROFILE



- 1) Asphalt
- 2) Modern silty sand fill with inclusions of demolition debris.
- 3) Lot destruction layer of sand with clay containing fragments of brick, coal, and pebbles.
- 4) Late 19th - early 20th Century occupation layer of silty sand.
- 5) 1871-1875 Urban improvement fill layer of silty sand and sandy clay. Sterile.
- 6) Mid-19th century yard surface.
- 7) Subsoil.



25.  
 Location of the Project  
 Area, Square 530  
 (USGS 1983)

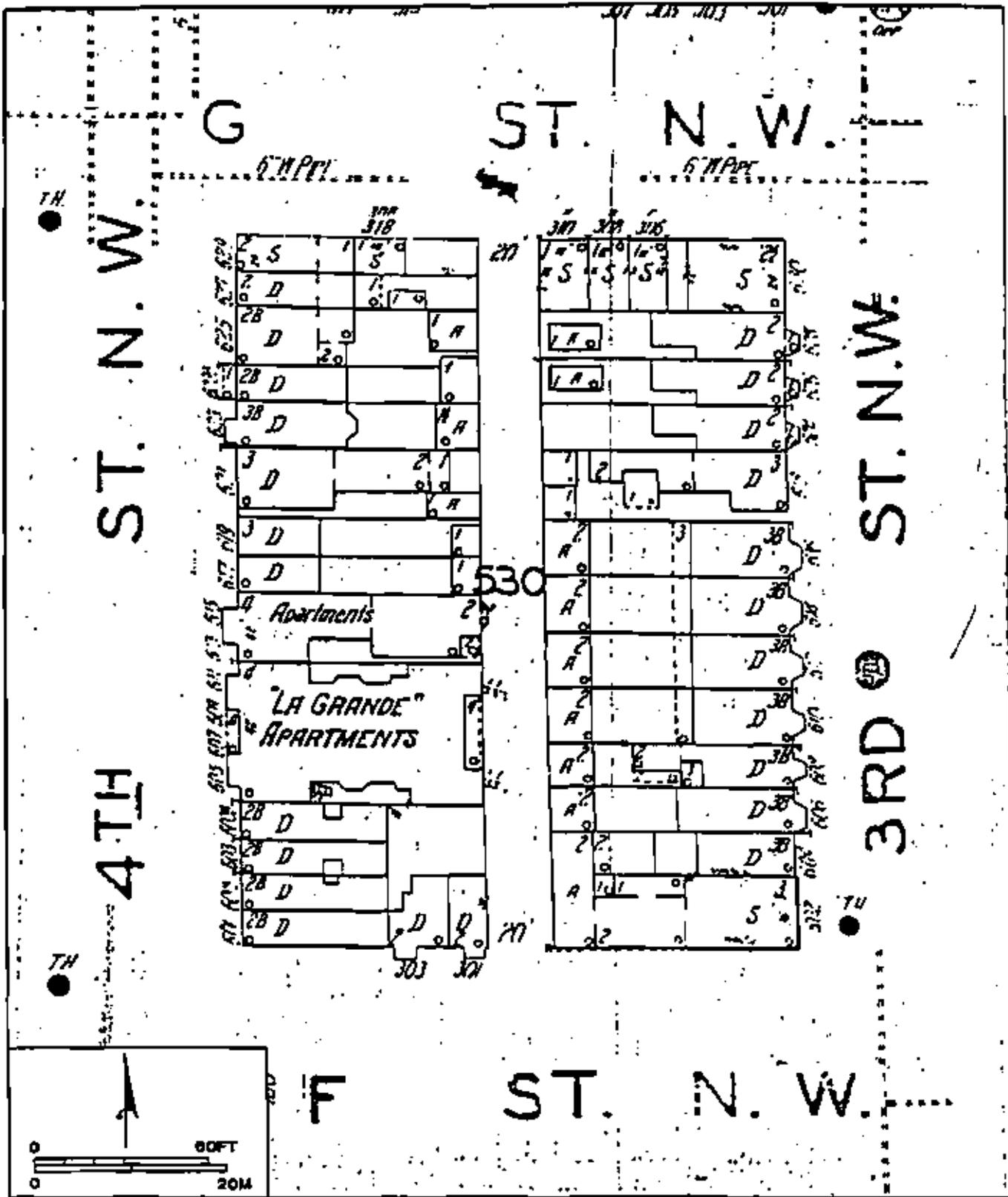
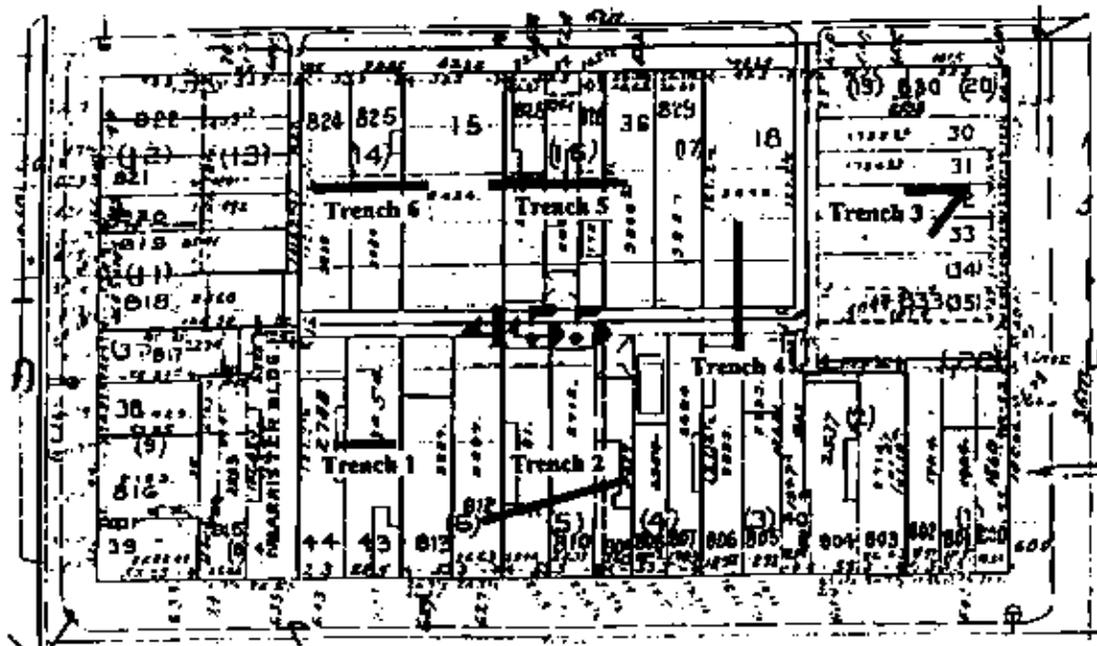


Figure 1

**APPENDIX B**  
**SAMPLE MAPS/PROFILES**

G Street N.W.



— Trenches

50 Feet

Source: Balis 1960

Area Phase II

Figure 1.2  
Location of First Six  
Phase I Trenches

Figure 1: Site Plan (Glumac, et al. 1995).



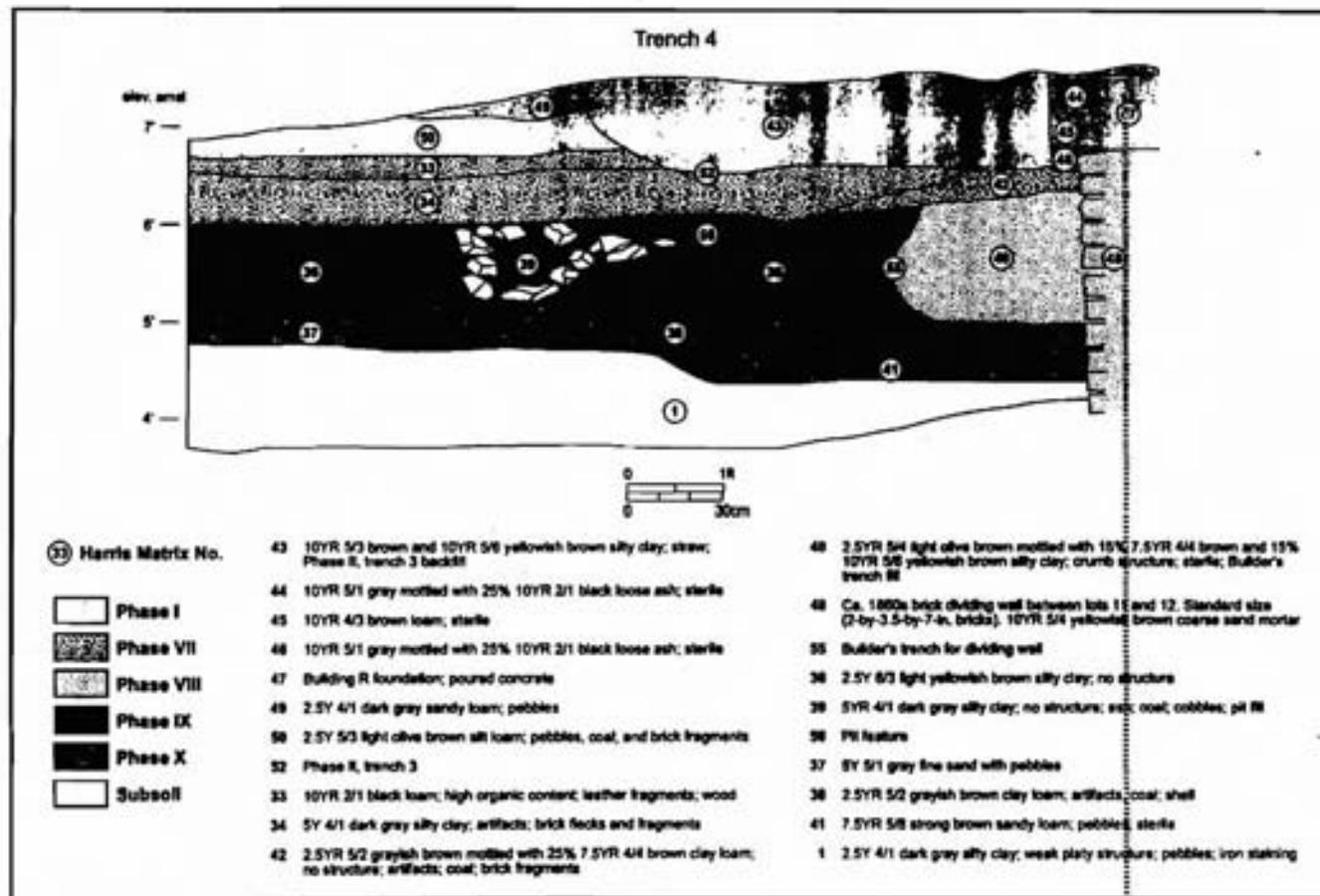


Figure 27. Trench 4, south profile.

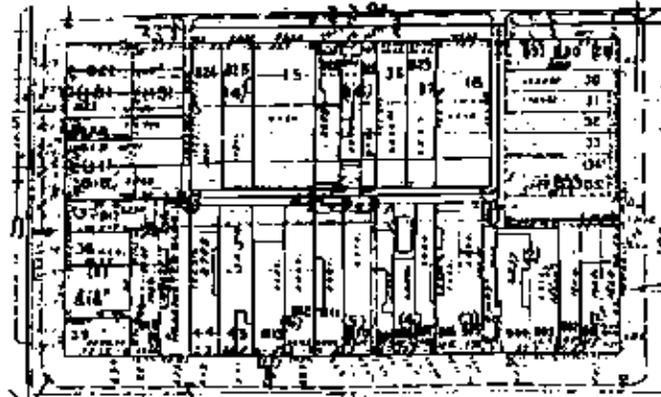
Figure 3: Trench Profile (Seifert, et al. 1995).

Parsons Engineering Science

Square 455

12	13	14	15	16	17	18	19	20
11								21
10								22
9	8	7	6	5	4	3	2	1

Source: Tax Assessment, after Faatz & Pratt, 1873

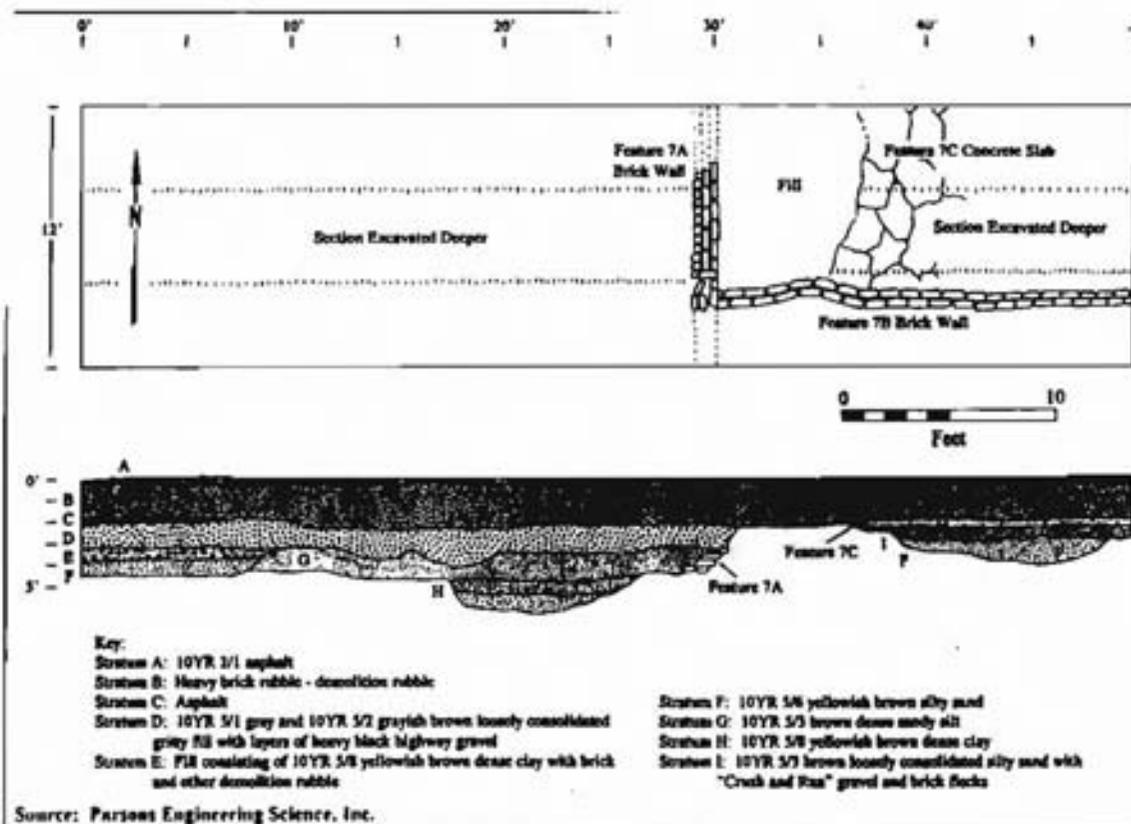


Source: Baiste, 1960

Arena Phase II

Figure 5.1  
Lot Numbers in Square 455

Figure 4: Comparison of 1873 and 1960 Lot Assessments (Glumac, et al. 1995).



Area Phase VII

Figure 5.28  
Planview and North  
Profile of Trench 7

Figure 5: Planview and Profile (Glumac, et al. 1995).

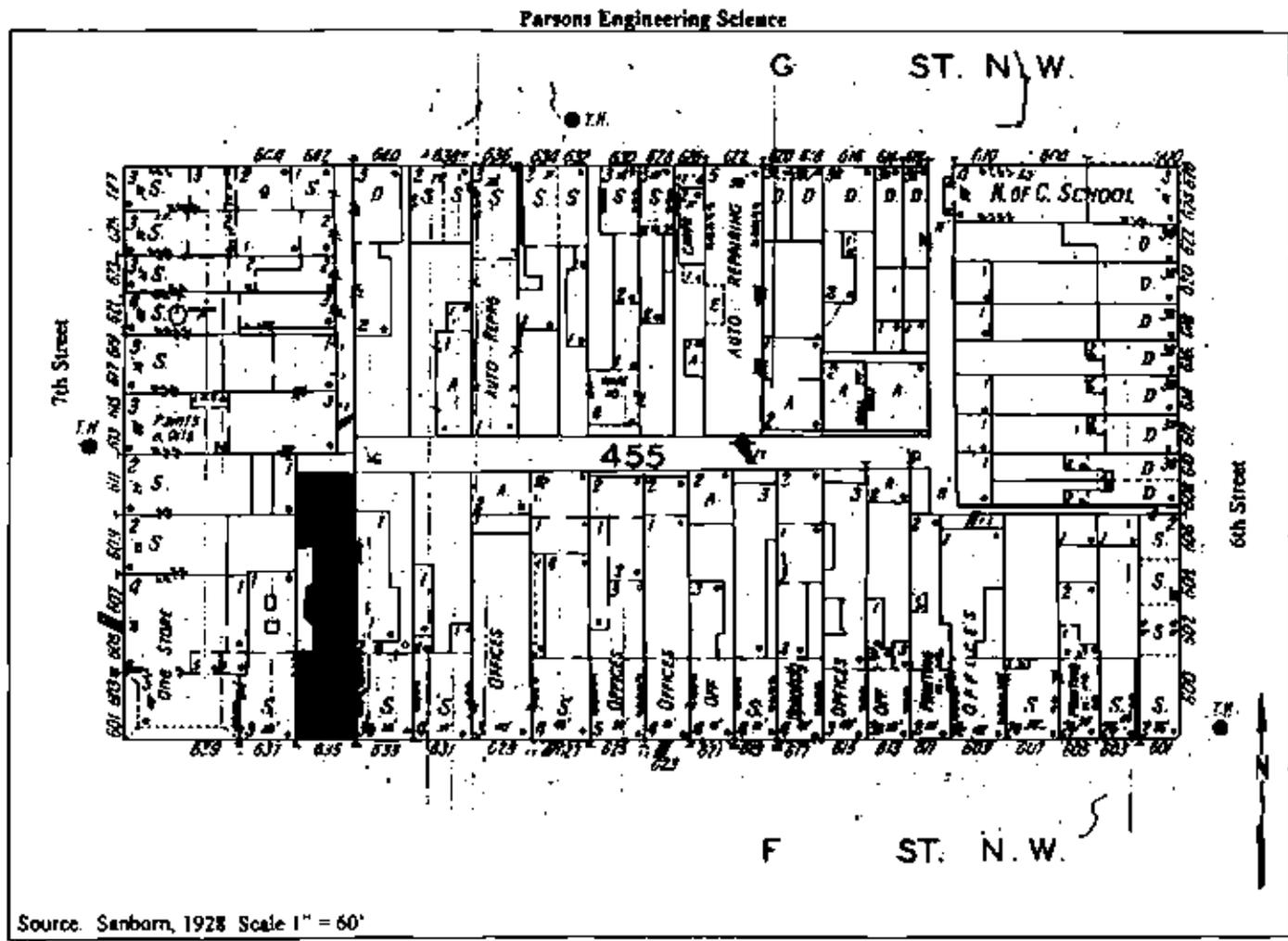


Figure 3.7  
 Square 455 in 1928  
 based on Sanborn

Figure 6: 1928 Sanborn Map (Glumac, et al. 1995).

### References for Sample Figures

Glumac, P., E. Crowell, B. Crane, C. Shields, J. Rutherford, and V. Robertson

1995 *Phase I and II Archaeological Investigation for the Washington, DC Arena.*

Report prepared for EDAW, Inc., Alexandria by Parsons Engineering Science.

Seifert, D., J. Balicki, E. O'Brien, D. Heck, G. McGowan, and A. Smith

1998 *Archaeological Data Recovery: Smithsonian Institution National Museum of the American Indian Mall Site.* Office of Physical Plant Project No. 902003.

Prepared for the Smithsonian Institution and Venturi, Scott Brown and Associates, Inc. by John Milner Associates, Inc., Alexandria, Virginia.

APPENDIX C

NATIONAL ARCHAEOLOGICAL DATA BASE FORM

NADB - REPORTS RECORDING FORM

Complete items 5 through 14. Refer to the "Instructions for Completing NADB - Reports Recording Forms."

1. DOCUMENT NO. \_\_\_\_\_

2. SOURCE \_\_\_\_\_ AND SHPO - ID \_\_\_\_\_

3. FILED AT \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. UTM COORDINATES

Zone _____	Easting _____	Northing _____
Zone _____	Easting _____	Northing _____
Zone _____	Easting _____	Northing _____
Zone _____	Easting _____	Northing _____
Zone _____	Easting _____	Northing _____
Zone _____	Easting _____	Northing _____

Continuation, see 14.

5. AUTHORS \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6. YEAR \_\_\_\_\_

Year published,

7. TITLE \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

8. PUBLICATION TYPE (circle one)

- 1 Monograph or Book
- 2 Chapter in a Book or Report Series
- 3 Journal Article
- 4 Report Series
- 5 Dissertation or Thesis
- 6 Paper presented at a Meeting
- 7 Unpublished or Limited Distribution Report
- 8 Other

9. INFORMATION ABOUT PUBLISHER/PUBLICATION

Follow the American Antiquity style guide published in 1983, Vol. 48, pp. 438-441, for the type of publication circled.

---

---

---

---

---

10. STATE/COUNTY (Referenced by report. Enter as many states, counties, or towns, as necessary. Enter all, if appropriate. Only enter Town if the resources considered are within the town boundaries.)

STATE 1 \_\_\_ COUNTY \_\_\_\_\_ TOWN \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

STATE 2 \_\_\_ COUNTY \_\_\_\_\_ TOWN \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

STATE 3 \_\_\_ COUNTY \_\_\_\_\_ TOWN \_\_\_\_\_  
\_\_\_\_\_

Continuation, see 14.

11. WORKTYPE (circle all that are appropriate)

- 01 Cultural Resource Management Plan
  - 31 Archeological Overview and Assessment
  - 32 Archeological Identification Study (Phase I)
  - 33 Archeological Evaluation Study (Phase II)
  - 34 Archeological Data Recovery (Phase III)
  - 35 Archeological Collections and Non-Field Studies
  - 999 Other Non-Archeological Studies
- Furnish a keyword in keyword category 1 to identify nature of this non-archeological study.

12. KEYWORDS and KEYWORD CATEGORIES

- 0 Types of Resources (or "no resources")
- 1 Generic Terms/Research Questions/Specialized Studies
- 2 Archeological Taxonomic Names
- 3 Defined Artifact Types/Material Classes
- 4 Geographic Names or Locations
- 5 Time
- 6 Project Name/Project Area
- 7 Other keywords

Enter as many keywords (with the appropriate keyword category number) as you think will help a person (1) who is trying to understand what the report contains or (2) who is searching the database for specific information. Whenever appropriate, record the number of acres studied in a document.

_____ acres [ 4 ]	_____ [ ]	_____ [ ]
_____ [ ]	_____ [ ]	_____ [ ]
_____ [ ]	_____ [ ]	_____ [ ]
_____ [ ]	_____ [ ]	_____ [ ]
_____ [ ]	_____ [ ]	_____ [ ]
_____ [ ]	_____ [ ]	_____ [ ]
_____ [ ]	_____ [ ]	_____ [ ]
_____ [ ]	_____ [ ]	_____ [ ]
_____ [ ]	_____ [ ]	_____ [ ]

Continuation, see 14.

13. FEDERAL AGENCY CODE \_\_\_\_\_

14. CONTINUATION/COMMENTS (include item no.) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

FORM COMPLETED BY

Name \_\_\_\_\_ Date \_\_\_\_\_

Address \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_

Zip \_\_\_\_\_

Telephone Number \_\_\_\_\_



**APPENDIX J**

**NATIONAL PARKS SERVICE (NPS) PRESERVATION BRIEFS**



## LIST OF PRESERVATION BRIEFS

The Preservation Briefs can be viewed online at: <http://www.nps.gov/history/hps/tps/briefs/presbhom.htm> or hard copies of the Briefs may be purchased from the Government Printing Office at: <http://www.nps.gov/history/hps/tps/tpscat.htm>.

- Preservation Brief 1: Cleaning and Water-Repellent Treatments for Historic Masonry Buildings
- Preservation Brief 2: Repointing Mortar Joints in Historic Masonry Buildings.
- Preservation Brief 3: Conserving Energy in Historic Buildings
- Preservation Brief 4: Roofing for Historic Buildings
- Preservation Brief 5: Preserving Historic Adobe Buildings
- Preservation Brief 6: Dangers of Abrasive Cleaning to Historic Buildings
- Preservation Brief 7: The Preservation of Historic Glazed Architectural Terra Cotta
- Preservation Brief 8: Aluminum and Vinyl Siding on Historic Buildings
- Preservation Brief 9: The Repair of Historic Wooden Windows
- Preservation Brief 10: Exterior Paint Problems on Historic Woodwork
- Preservation Brief 11: Rehabilitating Historic Storefronts
- Preservation Brief 12: The Preservation of Pigmented Structural Glass
- Preservation Brief 13: The Repair and Thermal Upgrading of Steel Windows
- Preservation Brief 14: New External Additions to Historic Buildings
- Preservation Brief 15: Preservation of Historic Concrete
- Preservation Brief 16: The Use of Substitute Materials on Historic Buildings
- Preservation Brief 17: Architecture Character: Identifying the Visual Aspects of Historic Buildings as an Aid to Preserving Their Character
- Preservation Brief 18: Rehabilitating Interiors of Historic Buildings
- Preservation Brief 19: The Repair and Replacement of Historic Wooden Shingle
- Preservation Brief 20: The Preservation of Historic Barns
- Preservation Brief 21: Repairing Historic Flat Plaster Walls and Ceiling
- Preservation Brief 22: The Preservation and Repair of Historic Stucco
- Preservation Brief 23: Preserving Historic Ornamental Plaster
- Preservation Brief 24: Heating, Ventilating, and Cooling Historic Buildings
- Preservation Brief 25: The Preservation of Historic Signs
- Preservation Brief 26: The Preservation of Historic Log Buildings
- Preservation Brief 27: The Maintenance and Repair of Architectural Cast Iron
- Preservation Brief 28: Painting Historic Interiors
- Preservation Brief 29: The Repair, Replacement, and Maintenance of Historic Slate Roofs
- Preservation Brief 30: The Preservation and Repair of Historic Clay Tile Roofs
- Preservation Brief 31: Mothballing Historic Buildings
- Preservation Brief 32: Making Historic Properties Accessible
- Preservation Brief 33: The Preservation and Repair of Historic Stained and Leaded Glass
- Preservation Brief 34: Preserving Composition Ornament
- Preservation Brief 35: Understanding Old Buildings
- Preservation Brief 36: Protecting Cultural Landscapes
- Preservation Brief 37: Appropriate Methods of Reducing Lead-Paint Hazards in Historic Housing
- Preservation Brief 38: Removing Graffiti from Historic Masonry

Preservation Brief 39: Holding the Line: Controlling Unwanted Moisture in Historic Buildings  
Preservation Brief 40: Preserving Historic Ceramic Tile Floors  
Preservation Brief 41: The Seismic Retrofitting of Historic Buildings  
Preservation Brief 42: The Maintenance, Repair, and Replacement of Historic Cast Stone  
Preservation Brief 43: The Preparation and Use of Historic Structures Reports.  
Preservation Brief 44: The Use of Awnings on Historic Buildings: Repair, Replacement, and  
New Design.  
Preservation Brief 45: Preserving Historic Wooden Porches  
Preservation Brief 46: The Preservation and Reuse of Historic Gas Stations  
Preservation Brief 47: Maintaining the Exterior of Small and Medium Size Historic Buildings

**APPENDIX K**

**ENVIRONMENTAL ASSESSMENT FOR ICRMP**



***FINDING OF NO SIGNIFICANT IMPACT***

**FINDING OF NO SIGNIFICANT IMPACT  
ENVIRONMENTAL ASSESSMENT  
FOR  
IMPLEMENTATION OF AN  
INTEGRATED CULTURAL RESOURCES MANAGEMENT PLAN  
AT FORT MYER-HENDERSON HALL, VIRGINIA AND FORT MCNAIR,  
WASHINGTON, D.C.**

The United States Army, Joint Base Myer-Henderson Hall (JBMHH) Fort Monmouth prepared an Environmental Assessment (EA) to identify and evaluate potential environmental effects of implementing an Integrated Cultural Resources Management Plan (ICRMP) at Fort Myer-Henderson Hall, Virginia and Fort McNair, Washington, D.C. JBMHH prepared the EA in accordance with the National Environmental Policy Act (NEPA) 42 *United States Code* (USC) § 4321 to 4370e), the Council on Environmental Quality (CEQ) Regulations for Implementing the Procedural Provisions of NEPA (CEQ regulations, 40 CFR Parts 1500 –1508), and *Environmental Analysis of Army Actions* (32 CFR 651).

**1. Description of Proposed Action and Alternatives**

**Proposed Action.** JBMHH, Fort Monmouth proposes to implement the ICRMP at Fort Monmouth during fiscal years 2007 through 2010. Department of Defense Instruction (DODI) 4715.3 *Environmental Conservation Program*, and Army Regulation (AR) 200-1, *Environmental Enhancement and Protection*, require development of an ICRMP. The ICRMP establishes explicit responsibilities, standard operating procedures, and long-range goals for managing cultural resources at Fort Myer-Henderson Hall and Fort McNair, in compliance with all applicable laws and regulations, while ensuring the safety and efficiency of federal and state missions. Cultural resources include historic properties, cultural items, American Indian sacred sites, and archeological resources. The Proposed Action is the Preferred Alternative.

**Alternatives Considered.** JBMHH analyzed a No-Action Alternative. Current cultural resources management measures would remain in effect under the No-Action Alternative, but there would be no comprehensive plan to integrate mission needs with cultural resources protection. The No-Action Alternative is not viable to the Fort Monmouth because it does not meet the requirements of AR 200-1 and DODI 4715.3. An environmental analysis of a No-Action Alternative is required by CEQ regulations to serve as a benchmark against which the Proposed Action can be evaluated.

**2. Environmental Analysis**

Based upon the analysis contained in the EA, it has been determined that the known and potential impacts of the Proposed Action on the physical, cultural, and natural environment would be positive. Implementation of the ICRMP would result in the efficient management of cultural resources at Fort Myer-Henderson Hall and Fort

McNair. The goals included in the ICRMP require integration with natural resources, military training, and facility management. As a result, all cultural, natural, and human resources under JBMHH's control will receive more consideration and protection than previously afforded. Implementation of the Proposed Action would not result in substantial adverse environmental effects.

Neither the Proposed Action nor the No-Action Alternative creates disproportionately high or adverse human health or environmental effects on children, minority or low-income populations, or communities at or surrounding Fort Myer-Henderson Hall and Fort McNair.

### **3. Regulations**

The Proposed Action would not violate NEPA, its regulations promulgated by the CEQ, *Environmental Analysis of Army Actions*, or any other federal, state, or local environmental regulations.

### **4. Public Review and Comment**

The draft ICRMP and EA were made available for public review and comment. The announcement of the availability of the documents was published in [enter publication] on [enter date]. Copies of these documents were made available at JBMHH's Public Works Office. Copies were also made available for electronic distribution. The draft public comment period ended [enter date] and no comments were received.

The ICRMP, EA, and draft Finding of No Significant Impacts (FNSI) were made available for public review and comment for 15 days after publication of the notice of availability. The ICRMP, EA, and draft FNSI were available for review at locations listed in the notice of availability. Written comments were to have been submitted to the JBMHH Directorate of Public Works Office.

### **5. Finding of No Significant Impact**

Based on the information presented in the final EA, JBMHH proposes to implement the Preferred Alternative. Once public comments have been addressed and if a determination is made that the Proposed Action will have no significant impact, the FNSI will be signed and the action will be implemented. The requirements of NEPA and the CEQ regulations will have been met. An Environmental Impact Statement will not be prepared, and JBMHH will issue this Finding of No Significant Impact.

---

Date

Carl R. Coffman, Colonel, U.S. Army  
Garrison Commander – JBMHH