

APPENDIX D

CULTURAL RESOURCE TYPES EXEMPT FROM EVALUATION

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Section 106 regulations require a “reasonable and good faith effort” to identify historic properties, pursuant to 36 C.F.R § 800.4(b)(1). The procedures in this Appendix enable a Corps PQS to concentrate their efforts on properties that have the potential to be historic properties by identifying categories of properties that have no potential to be a historic property.

Properties should be evaluated only if the Corps PQS staff reasonably determine that the property has potential for historic significance. Evidence of such potential is based on the following NRHP criteria codified in 36 C.F.R § 60.4 and consists of associations with significant historic events or individuals (Criterion A or B); engineering, artistic, design, or aesthetic values (Criterion C); information value (Criterion D); or the presence of tribal or community concerns; or inclusion as a potential contributing element within a larger property requiring evaluation, such as a historic district.

This Appendix defines categories of cultural resources that do not warrant evaluation pursuant to Stipulation II (A) of this Agreement. Exempted cultural resources may be documented, if documentation is warranted based on professional judgment, at a level commensurate with the nature of the property (i.e., appropriate DPR 523 forms, or memo).

In consultation with federally recognized Tribes, non-federally recognized Tribes, and the other Consulting Parties, the Corps and SHPO have jointly determined that the following class or classes of cultural resources are not eligible for listing on the NRHP, when reviewed and determined by a Corps PQS staff.

Historic – Era Archaeological Property Types and Features Exempt from Evaluation:

- 1) Isolated regionally ubiquitous historic era artifacts.
 - a) Fewer than 10 historic era artifacts per 100 square meters (e.g., several glass shards from a single glass bottle are one artifact)
- 2) Unassociated with a Historic Theme: historic artifact scatters that cannot be definitively associated with a specific historical theme or depicted on the following documents: General Land Office (GLO) map; land status map; mineral survey records; State Water Engineer's records; 15-minute Quadrangle; or local city and county records.
- 3) Post-1975 Cultural Resources: Cultural resources (e.g., refuse scatters or features that post-date 1975 (or contain a majority of artifacts that post-date 1975) are not considered eligible for the purposes of Section 106 compliance unless the resource is of exceptional significance as defined in National Register Bulletin 22, entitled How to Evaluate and Nominate Potential National Register Properties That Have Achieved Significance Within the Last 50 Years.

- 4) Linear Resources: Linear resources in isolation from other linear resources, archaeological deposits, and buildings/structures are discussed below in this framework for categorical exemptions. Artifacts directly associated with that linear resource, such as an insulator for a telecommunication line is considered inclusive to that linear resource. In addition, linear resources may not be depicted on the following documents: GLO map; land status map; mineral survey records; State Water Engineer's records; 15-minute Quadrangle; or local city and county records.
- a) Roads/Trails: If a road or trail is not dateable, cannot be historically associated with a historic theme, lacks engineered features associated with the road or trail, or cannot be located in geographical space (e.g., the feature shows up on records but cannot be located on the ground), then that segment is considered not eligible under all criteria.
 - b) Water Conveyance: If a water conveyance system is not dateable, cannot be historically associated with a historic theme, and lacks engineered features associated with the water conveyance feature, then that segment is considered not eligible under all criteria.
 - c) Fences: If a fence is not dateable, lacks unique construction features or is constructed of metal T-posts and barbed wire, then that segment of the fence is considered not eligible under all criteria.
 - d) Telecommunication lines (telegraph, telephone, power transmission): If a telecommunication line is not dateable, lacks unique engineered features associated with that segment of the telecommunication line, or lacks integrity due to maintenance or upgrading of the original poles or lines, then the Corps PQS can determine that segment is considered not eligible under all criteria.