CHAPTER 3:

INITIAL SCOPING FOR CULTURAL RESOURCE INVESTIGATIONS

A project’s PDP path categorization and the type of environmental document planned will inform the decision making process for scoping cultural resource investigations. However, the two cultural resource agreements - the Section 106 PA and the State Project Agreement - will govern the decision on how cultural resources are processed on projects. The project manager should make these environmental document and cultural resource scoping/processing decisions in consultation with the District Environmental Coordinator (DEC).

The type of cultural resource documentation needed for processing in ODOT’s PDP is determined by how a project would be processed under either agreement, whether federally funded or 100% state or state/local funded. It is important that project managers, project planners and environmental staff understand how both of these agreements are used on ODOT’s program.

General project scoping guidelines (also refer to the Section 106 P.A. Flow Charts and the specific PDP path and task information):

- **PDP Path 1 projects**: Typically NEPA Exempt and will likely be processed under Appendix A of the Section 106 PA or Appendix A of the State Project Agreement as appropriate. If the PDP Path 1 project is a CE Level 1 project, processing would likely be under Appendix B of either agreement.

- **PDP Path 2 projects**: Typically CE Level 1 NEPA documents and will likely be processed under Appendix B of the Section 106 PA or Appendix B of the State Project Agreement.

- **PDP Path 3 projects**: The broadest range of projects and will typically be CE Level 2, CE Level 3, or CE Level 4 NEPA documents. Some of these projects might be processed under Appendix B of either agreement. However, some may require Phase I and/or Phase II cultural resource survey based on the amount of new right-of-way needed.

- **PDP Path 4 projects**: Typically CE Level 3, CE Level 4, or in some cases, EA or EIS level NEPA documents. Projects on this path will be more complex projects. Although some Path 4 projects might qualify for processing under Appendix B of the Section 106 PA, most will likely require Phase I and/or Phase II cultural resource survey documentation. Some of these projects will also involve cultural resource mitigation.

- **PDP Path 5 projects**: Typically EIS or EA level NEPA documents. In some cases, a Path 5 project could be a CE Level 4 NEPA document. Path 5 projects are of the highest complexity. Some Path 5 projects might qualify for processing under Appendix B of the Section 106 PA; most will likely require Phase I and/or Phase II cultural resource survey documentation. Some of these projects will also involve cultural resource mitigation.

It should be remembered that detailed cultural resources analysis requiring Phase I history/architecture or archaeological survey is considered part of the identification phase of the Section 106 process (see Chapters 5 and 7). Detailed cultural resources analysis requiring Phase II history/architecture or archaeological survey is considered part of the evaluation phase of the Section 106 process (see Chapters 6 and 8).
Secondary Source Review (Records Check) For The Project Initiation Package

The PDP Planning Phase requires the development of the Project Initiation Package (PIP) which contains a broad range of basic secondary source information. The PIP is produced early in the Planning Phase by the ODOT District staff and is required for projects following Paths 2-5 (refer to the PDP web page). The cultural resource secondary source review (also called the ‘Section 106 Records Check’) is just one part of the overall PIP on a project.

The PIP is not required to be produced for a PDP Path 1 project. However, a Path 1 project that will be processed as a CE Level 1 environmental document generally must be reviewed by the ODOT-OES cultural resource staff, pursuant with the Section 106 Programmatic Agreement, if it cannot be processed under Appendix A of the Section 106 PA. In those cases, a Section 106 Scoping Request must be submitted by the ODOT District environmental staff to ODOT-OES for processing (see Chapter 4).

Even for some Path 1, NEPA Exempt projects, it is recommended that Districts check the online secondary source information mentioned below to ensure compliance with both the CE Programmatic Agreement and Appendix A of the Section 106 Programmatic Agreement. For Path 1, NEPA Exempt projects, this information does not need to be submitted to ODOT-OES unless the project may involve a historic property or a historic district.

The PIP is intended to focus on critical issues that can be identified with existing information from secondary sources and/or identified during a site visit. Based on the information presented in the PIP, locations of concern within the study area may be identified. These areas of concern do not necessarily identify locations that must be avoided but identify locations that may entail additional study, coordination, creative management or design approaches, or increased right-of-way or construction costs. Locations that must be avoided are referred to as “fatal flaws.”

In order to determine the appropriate amount of cultural resource documentation needed, it is important to have a clear and accurate project description with a clear understanding of the project’s footprint (if such detail is available), the secondary source review information, a field review, and a photograph log keyed to preliminary project mapping (such as aerial mapping, conceptual plans, etc.). All are critical in order to characterize the cultural resource issues in a project area and plan the scope of cultural resources involvement before the level or type of documentation is selected. The project description should be generated by the District office, LPA project sponsor, or the prime consultant on the project. ODOT-OES staff and cultural resource consultants should get the project description from one of these sources, as appropriate for the project.

To compile the initial cultural resource records check for the PIP, information sources to be reviewed include the National Register of Historic Places (NRHP), Ohio Historic Inventory, Ohio Archaeological Inventory, Determination of Eligibility database, historic cemeteries database, and the previously surveyed areas database. This information is available electronically through the OHPO’s GIS website (refer to http://www.ohpo.org/gis/index.htm). The compilation of information from the OHPO should also include a map from the OHPO GIS system of the project area showing any resources identified from this secondary source review. The project study area/APE should also be approximated on this map (refer to Figure 3, Appendix K). In addition, the National Historic Landmarks list for Ohio should be checked, which is available via this link and as a database on the OHPO GIS system. If a project includes bridges, ODOT’s 2010 historic bridge update at www.buckeyeassets.org should also be consulted.

Note that the OHPO GIS system has a historic bridge layer which should be selected and included as part of all OHPO GIS records checks. The OHPO GIS system features both NRHP listed and NRHP eligible bridges. It also includes bridges that do not have Structure File Numbers and are not included in www.buckeyeassets.org. These are bridges that are not on or
intersected by the highway system and are designated by numbers that include “xxxx.” (Researchers should be aware that the bridge layer in the OHPO GIS system does not currently come on automatically – it has to be clicked on and turned on for access. The OHPO is planning to change that so that it loads automatically.)

Like the OHPO GIS system, ODOT’s www.buckeyeassets.org website has those NRHP listed and eligible bridges as well, but also includes pre-1962 highway bridges determined ‘not eligible for the NRHP’ by FHWA, OHPO, and ODOT as a result of the 2010 historic bridge update. That listing by ODOT is very useful as a scoping tool for showing that certain bridges in a project study area/APE will not require evaluation, thus allowing project managers and planners to fine tune their scopes of work.

All of the cultural resource secondary source review information gathered for the PIP is available online and is expected to be from electronic sources only. All of this information – plus field observations from the site visit – will be recorded on the PIP form. Such field data is critical, because what is seen in the field can trigger the need for additional investigation (for example, a previously unknown canal lock or prism observed during the field visit or noting that a building has been demolished).

This secondary source review information will be provided by the ODOT District staff on most projects. It may be provided by ODOT-OES cultural resource staff at times. In some cases, this additional information might be provided by a consultant.

Additional information regarding the cultural resources secondary source review may be found in ODOT-OES’ training materials.

**Project Management Considerations For Cultural Resources Scoping**

These questions will help guide project managers, project planners and environmental staff in their process of considering the scope of cultural resource documentation needed for their projects.

**Implementing Agreement Considerations**

- If a federal-aid project, will the project be processed under Appendix A or Appendix B of the Section 106 PA? If not, will Phase I or II cultural resource surveys need to be performed?

- If a State funded or State/Local funded project, will the project be processed under Appendix A or Appendix B of the State Project Agreement? If not, will Phase I or II cultural resource surveys need to be performed?

**PDP Project Path Considerations**

- What PDP Project Path (Paths 1-5) is planned for the project?

**NEPA Document Considerations**

- What type of NEPA document is planned (Environmental Impact Statement, Environmental Assessment, or Categorical Exclusion)?

- If Categorical Exclusion, what level is planned (i.e., CE Exempt, CE 1, CE 2, CE 3 or CE 4) based on ODOT and FHWA’s Categorical Exclusion programmatic agreement?

**Jurisdictional Considerations**

- Does the project cross lands owned or managed by an agency or jurisdictional authority of the federal or state government?
Cultural Resource Probability Considerations

- Are known archaeological sites located in the APE and/or study area of the proposed project?
- Are known historic/architectural resources located in the APE and/or study area of the proposed project?
- Are archaeological or historic/architectural resources included in or determined eligible for inclusion in the NRHP located in the APE and/or study area of the project?
- Does a resource with National Historic Landmark status exist within the APE and/or study area of the proposed project?
- Are there archaeological or historic districts located in the APE and/or study area of the proposed project?
- Is a historic cemetery located in the APE and/or study area of the proposed project?
- Are any historic bridges located in the APE and/or study area of the proposed project?
- For archaeological site probability, are wetlands (ponds, lakes) and/or watercourses (rivers, streams) located in the immediate vicinity of the proposed project?
- For archaeological site probability, do areas of elevated topography occur in relation to wetlands and watercourses in the area of the proposed project?
- Are there any known concerns from the public and/or Section 106 Consulting Parties regarding historic resources in the APE and/or study area of the proposed project?
- For more complex projects (i.e., for some Path 3, and most Path 4 and Path 5) which may be long term projects, project managers and planners should consider the need for additional information on resources that are 45, 40, or 35 years of age because of the time frame for project.
- Are county auditor property appraiser's records available for the project area?
- In certain situations, and if available, the property appraiser's information could be used to determine if there are contiguous concentrations of resources that are 50 years of age or older located within the APE of the proposed project. Though this is not to be considered as required data to be checked, on some projects it could be useful information for project planning and scoping.

Based on the evaluation of the secondary source (PIP) information compiled during the PDP Planning Phase, the project manager, in consultation with the DEC, may determine that it is necessary that a review of the information be performed by the ODOT-OES cultural resources staff. If so, all of the information collected thus far will be compiled into a “Section 106 Scoping Request Form” (Section 106 SRF) by the District or a consultant, and forwarded by the DEC to ODOT-OES.

The components and intent of the Section 106 SRF are further explained in Chapter 4.