CHAPTER 8:

EVALUATION OF HISTORIC PROPERTIES:

PHASE II ARCHAEOLOGY SURVEY

It is the intent of the PDP Environmental Engineering Phase to have refined environmental studies and design work initiated concurrently. For PDP Path 2, 3, 4, and 5 Projects, Phase II Archaeology Survey is typically conducted in the PDP Environmental Engineering Phase in the APE of the preferred alternative in order to refine the level of impacts associated with the alignment.

The purpose of the Phase II archaeological field survey is to take a detailed look at the preferred alternative and the associated impacts from design work that has been completed. Based on the level of potential impacts, as documented in the secondary source review, Feasibility Study, Alternative Evaluation Report and supporting environmental studies, a determination is made on the required level of refined environmental field studies and regulatory agency coordination.

Therefore, the goal of the Phase II Archaeology Survey is to evaluate NRHP eligibility and integrity of sites for which eligibility could not be determined at the Phase I survey level. NRHP eligibility is determined at Phase II by documenting site structure and the contents of the component(s) being evaluated. For sites to be considered eligible, the Phase II survey must show that selected sites retain integrity and demonstrate that further research and analysis of recovered data has some bearing on the historic/cultural context or archaeological research questions.

This work will likely occur within the construction limits of the preferred alternative. In the PDP Process, it is a project management decision on the timing of the need for the results of Phase II survey.

On December 20, 2012, Ohio Governor John Kasich signed House Bill 458 into law. The bill contains language that revises Ohio’s current damage prevention law (ORC 3781.25-32 and 153.64). The new legislation, which became effective March 27, 2013, is designed to increase public safety by enhancing communications and cooperation amongst stakeholders.

By law, everyone MUST contact the Ohio Utilities Protection Service, 8-1-1 or 1-800-362-2764, at least 48 hours but no more than 10 working days (excluding weekends and legal holidays) before beginning ANY digging project. Please refer to www.oups.org for more information.

The information listed below is intended as guidance. Assessment methods include, but are not limited to: obtaining a representative sample of the type and range of cultural materials within an archaeological site and obtaining additional historical information about a site. The researcher must consider archaeological context and the historic context to address all applicable aspects of NRHP criteria of eligibility and integrity.

The types of maps and tables useful in reporting a Phase II Archaeological Survey vary greatly depending on the type of property, the setting, and the nature and scope of the project. Additional guidance on developing the Phase II survey strategy, and conducting and reporting a Phase II Archaeology Survey can be found in the OHPO Archaeology Guidelines (1994).

Since determination of a project’s effect on historic properties is an agency responsibility under 36 CFR Part 800, no Phase II survey report should ever discuss effect in any manner.

An individual that has been prequalified by ODOT to conduct archaeological surveys must direct the Phase II Archaeology Survey.

Refer to Appendix E for guidance on archaeology survey report formats.
Treatment of Human Remains

Historic and prehistoric human remains are subject to protection under ORC Section 2909.05 and ORC Section 2927.11. As such, if previously unidentified human remains are discovered during survey, work in that portion of the survey will stop immediately. The remains will be covered and/or protected in place in such a way that minimizes further exposure of and damage to the remains.

The person in charge in the field (i.e., the Principal Investigator, Project Director, or Field Director) will immediately contact the ODOT-OES Cultural Resources Section and the ODOT District Environmental Coordinator. ODOT staff will notify local law enforcement and/or the County Coroner and FHWA. If the project has a US Army Corps of Engineers (USACOE) permit issued, the ODOT District Environmental Coordinator must notify the ODOT-OES Permits Section and the USACOE. ODOT-OES cultural resource staff will notify OHPO.

If the remains are found to be Native American Indian, a treatment plan will be developed by ODOT-OES and OHPO in consultation with FHWA and appropriate federally recognized Native American Indian tribes. FHWA and ODOT-OES will ensure that any treatment and reburial plan is fully implemented. If the remains are not Native American Indian, the appropriate local authority will be consulted to determine final disposition of the remains. Avoidance and preservation in place is the preferred option for treating human remains.

For Native American Indian human remains discovered on federal lands, the federal land managing agency will be responsible for consultation under the Native American Graves Protection and Repatriation Act of 1990 (PL 101-601). For skeletal remains discovered on property owned by the State of Ohio, ODOT will comply with Section 149.53 of the ORC. Under this section, the Director of the Ohio Historical Society shall determine final disposition of any discovered skeletal remains.

Phase II Archaeology Survey

Level of Work: Phase II Archaeology Survey (36 CFR 800.4(b) Identification of Historic Properties), with NRHP eligibility assessment.

Area of Work: Archaeological sites within the APE of the preferred alternative recommended for Phase II survey (generally the footprint or direct impact area of the project unless otherwise agreed to by ODOT-OES).

Survey Objectives:

- Collect sufficient artifact and context information pertinent to address each site’s significance and integrity with respect to the National Register Criteria.
- Collect sufficient artifact and context information from each site determined eligible for the NRHP to document the effect of the project and whether preservation in place is possible.
- Refine historic/cultural context as it pertains to the specific properties being evaluated.
- Apply the NRHP Criteria of Eligibility and aspects of integrity.
- Confirm the periods of occupation determined during Phase I survey.
- Document the nature and composition of the site’s artifact assemblage.
- Document the nature and extent of natural and cultural disturbances to each site.
- Determine regional and local settlement patterns as they pertain to impacted components.
- Discuss site geomorphology.
- Discuss sampling strategies.
- Preparation of relevant research questions.
- Discuss types of data needed to answer research questions.
- Determine and discuss the following:
  - Type of property (i.e., object, site, district).
  - Type of significance and the applicable aspects of integrity of the site.
  - Site size and boundaries.
Presence or absence of in situ remains in relation to site design and function.
 Chronologies of site activities and construction episodes.
 Nature and extent of area disturbance and its effects on archaeological record.

Survey Methods:
- Refer to Archaeology Guidelines (OHPO 1994) for general field methods.
- Use GPS devices meeting ODOT’s accuracy requirements during all Phase II field investigations to provide UTM coordinates for all field data points. (NOTE: ODOT requires a GPS unit with GIS data collection capability that is accurate within 1 meter.)
- Field methodology varies greatly from project to project based on a number of factors; it is expected that investigators will clearly articulate their field methodology in the Phase II report and discuss field methodology issues with ODOT-OES as needed.
- Consult with ODOT-OES prior to conducting any geophysical survey.
- Consult with ODOT-OES prior to conducting any geomorphological survey.
- Consult with ODOT-OES prior to changing field methodology due to field observation/conditions.
- Perform appropriate level of evaluative effort so that recommendations regarding eligibility or non-eligibility of properties can be made.
- Photographs should provide sufficient information about resources being investigated.
- Complete updated or new OAI forms for all properties subjected to Phase II assessment.

Deliverables:
- Phase II Archaeological Survey Report that meets ODOT and OHPO guidelines with recommendations for or against eligibility and/or further work (Phase III mitigation) as appropriate; project manager and DEC should reference the abstract and the summary and conclusions sections of this report for the archaeological site information in project APE; refer to Appendix E for report guidelines.

ODOT/Project Sponsor Responsibilities:
- ODOT District or the project sponsor will provide projects maps with preferred alternative identified.
- ODOT District or the project sponsor will send property owner notification letter (and copy head of archaeological survey) at least 48 hours before field work is conducted.
- ODOT-OES will provide comments on the NRHP eligibility of sites, if needed prior to report submission.
- ODOT-OES and District will review report.
- ODOT-OES and/or District will provide recommendation/scope for next step of cultural resource work and Section 106 process. Refer to Chapters 10 and 11 for more information.
- ODOT/FHWA will conduct all necessary tribal consultation.
- ODOT-OES will conduct all agency coordination and make all determinations of effect in consultation materials.