

VIRGINIA:

**IN THE CIRCUIT COURT FOR THE CITY OF WILLIAMSBURG &
JAMES CITY COUNTY**

CAROL D. TYRER and
CIRCA~ CULTURAL
RESOURCE MANAGEMENT, LLC,

Petitioners-Appellants-Plaintiffs,

v.

JULIE V. LANGAN, in her official capacity as
Director of the Virginia Department of Historic Resources,
Serve: Director Julie V. Langan
801 Kensington Ave.
Richmond, VA 23221

and

VIRGINIA DEPARTMENT OF HISTORIC RESOURCES,
Serve: Director Julie V. Langan
2801 Kensington Ave.
Richmond, VA 23221

Respondents-Appellees-Defendants.

CL19001867-00

FILED
MONA A. FOLEY
CLERK CIRCUIT COURT
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CITY OF WILLIAMSBURG
COUNTY OF JAMES CITY
BY ps D.C.

PETITION FOR APPEAL AND COMPLAINT FOR DECLARATORY JUDGMENT

COME NOW, Carol D. Tyrer (“Ms. Tyrer”) and Circa~ Cultural Resource Management, L.L.C. (“Circa”), by counsel, pursuant to Rule 2A:4, Virginia Code §§ 2.2-4003, 2.2-4026, 8.01-184 and 8.01-261(1)(a)(2), and hereby present their petition for appeal from the final agency case decision regarding the qualifications of Ms. Tyrer, President of Circa, under Virginia Code § 10.1-2302 and 17 Va. Admin. Code §§ 5-20-30 and 5-20-40, and their Complaint for Declaratory Judgment against Julie V. Langan, Director of the Virginia Department of Historic Resources (the “Director”) and the Virginia Department of Historic Resources (“DHR”).

The case decision under review was communicated via email to Ms. Tyrer and Circa and memorialized in a letter dated September 6, 2019, which is attached hereto as Exhibit 10 (“Disqualification Decision”).

In support of said Petition, Ms. Tyrer and Circa state as follows:

1. Ms. Carol D. Tyrer is a Registered Professional Archaeologist and resident of Virginia.
2. Ms. Tyrer has been dedicated to the mission of the preservation of historic resources for decades, both as an amateur and professional archaeologist and consultant.
3. Her passion for history and archaeology began as a young girl collecting artifacts on her family farm.
4. Starting in 1981, and continuing well into her college years, Ms. Tyrer employed her time away from school as a young woman as a field and lab technician at the Jeffery L. Brown Institute for Archaeology in Chattanooga, Tennessee.
5. Ms. Tyrer has been practicing as a professional archaeologist in Virginia since 1989, when she worked as the Laboratory Director for Mid-Atlantic Archaeological Research & Associates. Ms. Tyrer has also served as a consultant to the Colonial Williamsburg Foundation.
6. Ms. Tyrer founded Circa~ Cultural Resource Management, L.L.C., a Virginia limited liability company, SCC ID No. S1616038, that provides archaeological assessments and Phase I, II, and III excavations of archaeological sites, on August 4, 2005. Circa employs and provides benefits to ten (10) people and is certified by the Virginia Department of Minority Business Enterprise as a Small, Women and Minority-Owned (“SWAM”) business.
7. Ms. Tyrer completed her graduate degree in 2012, while working full-time.

8. As the sole owner of Circa, Ms. Tyrer serves as its President, as well as a Project Manager, Principal Investigator, and Laboratory Director.

9. Ms. Tyrer and Circa have a constitutionally protected property right in Ms. Tyrer's status as a Qualified Archaeologist under the Virginia Antiquities Act, Va. Code §§ 10.1-2300 through -2306 ("VAA"); *see Dent v. West Virginia*, 129 U.S. 114, 121–22 (1889), and in her ability to lawfully perform all labor that a Qualified Archaeologist uniquely may perform.

10. DHR is a department under the auspices of the Virginia Secretary of Natural Resources, created by Virginia Code § 10.1-2201.

11. DHR is "headed by a Director" who is appointed "by the Governor to serve at his pleasure coincident with his own." Va. Code § 10.1-2201.

12. The current Director of DHR, appointed by Governor Ralph S. Northam, is Ms. Julie V. Langan ("Director"). The Director serves as the State Historic Preservation Officer ("SHPO") for purposes of 36 C.F.R. § 61.4(a).¹

JURISDICTION & VENUE

13. Ms. Tyrer and Circa timely filed a Notice of Appeal in accordance with Rule 2A:2 of the Rules of the Supreme Court of Virginia.

14. This Court has subject matter jurisdiction to conduct a direct review of final agency case decisions, such as the Disqualification Decision, for unlawfulness. *See* Va. Code § 2.2-4026(A).

15. This jurisdiction extends to embrace challenges to case decisions brought against agencies, including DHR, their officers, and their agents, by any person(s) aggrieved by said decision, which Ms. Tyrer and Circa are. *See* Va. Code § 2.2-4026(A); Va. Sup. Ct. R. 2A:4.

¹ For a State to participate in federal historic preservation programs, the Governor must appoint and designate a State Historic Preservation Officer ("SHPO") to administer the State historic preservation program.

16. Venue over this action is properly laid in this Court because Ms. Tyrer and Circa regularly conduct business activity in the City of Williamsburg, to wit, at 453 McLaws Circle, Suite 3, Williamsburg, Virginia 23185. *See* Va. Code § 2.2-4003; Va. Code § 8.01-261(1)(a)(2).

VIRGINIA BURIAL PERMIT REQUIREMENTS

17. No field investigation involving the removal of human remains or associated artifacts from any unmarked human burial on an archaeological site shall be performed except under the supervision and control of an archaeologist meeting the qualifications stated in 17 VAC 5-20-40. 17 Va. Admin. Code § 5-20-30(4), attached as Exhibit 1.

18. As part of the burial permit application process, the Virginia Administrative Code requires “[a] resume, vitae, or other statement of qualification shall be provided . . . demonstrating that the persons planning and supervising the field investigation and subsequent analysis meet the minimum qualifications,” which “shall include a graduate degree in archaeology, anthropology, or *closely related field* plus: (a) at least one year of full-time professional experience or equivalent specialized training in archaeological research, administration, or management; (b) at least four months of supervised field and analytic experience in general North American archaeology; and (c) demonstrated ability to carry research to completion.” 17 Va. Admin. Code § 5-20-40(C)(1)(a)–(c) (emphasis added). These standards are substantially similar to guidelines provided by the U.S. Secretary of the Interior and may be found within the following rulemaking, *Archeology and Historic Preservation; Secretary of the Interior’s Standards and Guidelines*, 48 Fed. Reg. 44716 (Sept. 29, 1983), attached as Exhibit 2 (“1983 SOI Standards and Guidelines”).

FEDERAL GUIDELINES FOR HISTORIC PRESERVATION PROJECTS

19. “The work of archaeologists is sometimes related to, and may be confused with, work of positions in other occupations.”² There is a wide variety of knowledge, education, experience, training that may qualify a person to act as an Archeological consultant on federal and state projects. There is no single set of qualifications and there is no certification program that is recognized at the federal or state level.

In summary:

Archeology is the scientific study of past human life through an examination of the physical remains of human activities. . . . Archeology uses a variety of theories and scientific techniques to help us understand human activities by reconstructing patterns of past human behavior. It is unique among the social sciences in its ability to provide insight into change over a long span of time, thus helping us to understand processes as well as events.

Archeological evidence consists of artifacts manufactured by humans; features comprising the physical evidence of past activities; ecofacts denoting other activities resulting in changes of natural object; and the contextual relationships between artifacts, features, and ecofacts in the earth.³

20. The Code of Federal Regulations (36 C.F.R. Part 61) and the Federal Register (62 Fed. Reg. 33708) offer insight into the requirements for the Virginia SHPO: “there are three basic components of each Historic Preservation Professional Qualification Standard: academic degrees or comparable training; professional experience; and products and activities that demonstrate proficiency in the field of historic preservation.” *Proposed Rule: The Secretary of the Interior’s Historic Preservation Professional Qualification Standards*, 62 Fed. Reg. 33708 (June 20, 1997), attached as Exhibit 3.

² U.S. Office of Personnel Mgmt., Position Classification Standard for Archeology Series, GS-0193 5 (July 1983), <https://www.opm.gov/policy-data-oversight/classification-qualifications/classifying-general-schedule-positions/standards/0100/gs0193.pdf> (last accessed Nov. 3, 2019).

³ *Id.* at 3–4.

21. The Director’s letter dated September 6, 2019, provides only a bare assertion that Ms. Tyrer does “not meet the minimum requirements established by The Secretary of the Interior’s Standards and Guidelines for Archeology and Historic Preservation – Professional Qualification Standards for Archeology (48 FR 44739).” There is no notice of any contrary fact basis or information in the possession of the agency relied upon in making this adverse decision; no factual or procedural basis for the adverse decision and no evidence or justification for the adverse decision.

**THE VIRGINIA ANTIQUITIES ACT (“VAA”)
Va. Code §§ 10.1-2300 through -2306**

22. Under the VAA, it is “unlawful for any person to conduct any type of archaeological field investigation involving the removal of human skeletal remains or associated artifacts from any unmarked human burial regardless of age of an archaeological site and regardless of ownership without first receiving a permit from the Director.” Va. Code § 10.1-2305(A); 17 Va. Admin. Code § 5-20-30. A violation of this section is a Class 1 misdemeanor, Va. Code § 10.1-2306, conviction for which carries a penalty of “confinement in jail for not more than twelve months and a fine of not more than \$2,500, either or both.” Va. Code § 18.2-11(a).

23. According to the VAA, “[t]he Director may issue a permit to conduct field investigations if the Director finds that . . . the applicant is a historic, scientific, or educational institution, professional archaeologist or amateur, who is qualified and recognized in the area of field investigations or archaeology.” Va. Code § 10.1-2302(B).

24. Regulations provide that “[n]o field investigation involving the removal of human remains or associated artifacts from any unmarked human burial on an archaeological site shall be performed except under the supervision and control of an archaeologist meeting the

qualifications stated in 17 VAC 5-20-40.” 17 Va. Admin. Code § 5-20-30, attached as Exhibit 4. For purposes of this Petition, one who meets the requirements of Virginia Code § 10.1-2302(B) and 17 Va. Admin. Code § 5-20-40 will be referred to as a “Qualified Archaeologist.”

25. “Director” means the Director of the Virginia Department of Historic Resources. Va. Code § 10.1-2201; *see* 17 Va. Admin. Code § 5-20-30. This office is presently occupied by Ms. Langan, who is sued in her official capacity.

26. “Field investigation” is defined by statute to mean “the study of the traces of human culture at any site by means of surveying, sampling, excavating, or removing surface or subsurface material, or going on a site with that intent.” Va. Code § 10.1-2300; 17 Va. Admin. Code § 5-20-10.

27. “Archaeology” is not defined by statute or regulation.

28. As part of the permit application process, “[a] resume, vitae, or other statement of qualification shall be provided . . . demonstrating that the persons planning and supervising the field investigation and subsequent analysis meet the minimum qualifications,” which “shall include a graduate degree in archaeology, anthropology, *or closely related field* plus:

- a. At least one year of full-time professional experience or equivalent specialized training in archaeological research, administration, or management;
- b. At least four months of supervised field and analytic experience in general North American archaeology; and
- c. Demonstrated ability to carry research to completion.”

17 VAC 5-20-40(C)(1)(a)–(c) (emphasis added).

TYRER'S QUALIFICATIONS AND RECOGNITION

29. Ms. Tyrer attended the University of Tennessee Chattanooga, where she earned a Bachelor of Arts in both Sociology and Anthropology as well as English and American Language and Literature in 1984.

30. At the suggestion of an employee of DHR, Ms. Tyrer obtained a Master's Degree. In June 2012, Ms. Tyrer obtained, among other degrees, a Master of Liberal Studies, with a Major in Global Affairs, and a Major/Concentration in World History and Culture from the University of Denver. A copy of Ms. Tyrer's Official Transcript and of her Diploma are attached as Exhibit 5.

31. Ms. Tyrer's education is relevant because her graduate degree and her coursework in pursuit of her graduate degree included studies closely related to the fields of archaeology and anthropology. Relevant courses include, but are not limited to, the Human Condition, Philosophy and Spirituality, World Religion Traditions, and Cultural Positioning. Her capstone seminar was on the history and potential future of the global pottery industry, including a discussion of the use of pottery in dating archaeological sites.

32. Ms. Tyrer meets the requirement that she possess a "graduate degree in archaeology, anthropology, or closely related field" and permit applications including work performed by her meet the requirements of 17 VAC 5-20-40. *See also* 17 Va. Admin. Code § 5-20-30. A copy of Ms. Tyrer's current curriculum vitae ("CV") is attached as Exhibit 6.⁴

33. Ms. Tyrer has over forty two (42) years of professional experience in the field of archeology and the management of archeological and museum collections. Ms. Tyrer's work has been integral to numerous projects in Williamsburg and James City County, the Historic Triangle

⁴ The CV provided as Exhibit 6 is current. It has been edited to correct errors found in prior versions.

more generally, throughout the Commonwealth of Virginia, where she has focused her activities since the late 1980s, and in States all over the mid-Atlantic region, including in Georgia, North Carolina, Pennsylvania, and West Virginia. Ms. Tyrer has been the principal author of over 400 technical reports and historical studies, which were submitted as part of permit applications under the VAA and similar archaeological permitting programs. Her technical writing, as well as her qualifications, have been accepted by DHR more than one hundred (100) times as part of various permit applications. And Ms. Tyrer's work has been accepted not only by DHR, but also by regulatory agencies in Georgia, North Carolina, Pennsylvania, and West Virginia.

34. Ms. Tyrer's qualifications have also been accepted many times by the Virginia Department of Environmental Quality ("DEQ"), which requires compliance with the same professional qualification standard for permit-by-rule solar project applications under 9 Va. Admin. Code § 15-60-40.B. A copy of 9 Va. Admin. Code § 15-60-40 is attached Exhibit 7.

35. Ms. Tyrer has a body of archaeological work dating back to at least 1991. *See Exhibit 6.*⁵ After founding Circa in 2005, Ms. Tyrer continued her archaeological work and has been the principal or sole author of publications and technical reports addressing archaeology, architecture, cultural resources, surveys, and other analyses, for sites in the Commonwealth of Virginia. Although she was the owner of Circa, Ms. Tyrer did not serve as the Principal Investigator until after she received her Master's Degree from the University of Denver in 2012.

36. Ms. Tyrer meets the minimum requirements to plan and supervise field investigations under 17 Va. Admin. Code § 5-20-40 and is otherwise qualified under any applicable standard to work as a Qualified Archaeologist.

⁵ *See supra* Fn. 4.

THE DISQUALIFICATION DECISION

37. Ms. Tyrer submitted certain materials relating to her status as a Qualified Archaeologist to the Director in conjunction with a permit application by the James River Water Authority (“JRWA”).

38. On July 23, 2019, a “mission-driven cultural heritage law and policy firm⁶” with offices in Washington, D.C.; New York, N.Y.; and, Richmond, Va., contacted the Director of DHR by letter demanding that DHR require “Principal Investigators at the site, for both the excavation elements and the osteological recovery, should be Secretary of Interior qualified and hold memberships in the Register of Professional Archaeologists.” Exhibit 8. The Secretary of the Interior does not have a process for qualification and there is no requirement that any Principal Investigator be a member of the Register of Professional Archeologists. This letter directly linked arbitrary and capricious standards for Principal Investigators, in this case, Ms. Tyrer, to the JRWA permit at issue and sought agreement from the Director that “the application for a burial permit cannot be granted, and her [Carol Tyrer’s] investigations and testing work at Point of Fork cannot form the foundation of a valid Treatment Plan.”

39. On August 15, 2019, but unbeknownst to Ms. Tyrer, the law and policy firm, representing persons opposed to the permit sought by the JRWA contacted DHR by letter to its Director, and alleged, *inter alia*, that Ms. Tyrer did not possess a graduate degree in archaeology or anthropology, or a closely related field. The law and policy firm further alleged that Ms. Tyrer did not meet the Secretary of Interior’s standards for professional qualifications for the burial permit or for supervising testing or excavations.

⁶ Cultural Heritage Partners, PLLC, Mission, <https://www.culturalheritagepartners.com/mission-values/> (last visited Nov. 3, 2019).

40. On Friday afternoon, August 16, 2019, the Director emailed Ms. Tyrer directly, indicating that “I would like to meet with you as soon as practicable to discuss this project. Could you please suggest a time early next week that you would be available? The purpose of the meeting is to discuss questions that relate to the burial permit application. I would appreciate you bringing to the meeting copies of your University of Denver transcript illustrating which courses you took when pursuing your MA in Hiistory [sic], Anthropology and Cultural Studies.” E-mail to C. Tyrer from J. Langan (Aug. 16, 2019), attached as Exhibit 9 (the “August 16 E-mail”).

41. The Director of DHR told Ms. Tyrer that the meeting was “to discuss the project” and “to discuss questions that relate to the burial permit application.” Exhibit 9.

42. On Monday, August 19, 2019, Ms. Tyrer, the Director and the State Archaeologist, Dr. Elizabeth Moore, met (the “August 19 Meeting”). No materials were provided to Ms. Tyrer, and no statements regarding any contemplated agency action or advising of any rights were made to Ms. Tyrer. At the August 19 Meeting, Ms. Tyrer provided her graduate school transcripts as requested and answered the Director’s questions.

43. Circa is a Virginia limited liability company, and was not represented by an attorney at the meeting with the agency. In fact, no counsel or other party besides Ms. Tyrer was present to advise, assist or otherwise represent Ms. Tyrer or Circa.

44. On Friday, September 6, 2019, the Director e-mailed Ms. Tyrer the Disqualification Decision. See E-mail from J. Langan to C. Tyrer (Sept. 6, 2019), attached as Exhibit 10.

45. In that letter, the Director thanked Ms. Tyrer “for meeting with me so quickly, for providing the requested course transcript and for describing the content of the courses taken at the University of Denver.” Exhibit 10.

46. The letter stated, in relevant part, “[f]ollowing careful review of your academic transcript and other documentation, I have determined that you do not meet the minimum requirements established by The Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation - Professional Qualifications Standards for Archaeology (48 FR 44739).” Exhibit 10. No further explanation of the basis for this decision was provided.

47. The letter acknowledged that “[t]his decision has consequences, and not just for the James River Water Authority Project,” which was what Ms. Tyrer was asked “to discuss” by the Director.

48. The letter offered that, “[f]or example, going forward I will be unable to issue a burial permit when the application identifies you as the Principal Investigator. . . . Additionally, our review of your work completed on behalf of Federal agencies and their applicants in support of Section 106 compliance will be suspended pending discussions with agencies and how they intend to satisfy their statutory responsibility to meet applicable standards and guidelines.”

49. As a consequence of the Disqualification Decision, DEQ also suspended processing of any permit by rule (“PBR”) solar project applications for which Ms. Tyrer served as the Qualified Archaeologist.

50. Blindsided by the Disqualification Decision, Ms. Tyrer immediately requested a further meeting and discussion, but received no response.

51. Instead, the Director took the case to the press. Her comments regarding the Disqualification Decision have been reported on numerous occasions to the media.

52. On October 4, 2019, Ms. Tyrer and Circa filed a notice of appeal of the Disqualification Decision with DHR and the Director.

53. Ms. Tyrer and Circa are under contract to serve as the Qualified Archaeologist for pending and anticipated applications for permits under the VAA.

54. Ms. Tyrer and Circa are under contract to serve as the Qualified Archaeologist for pending and anticipated permit-by-rule solar project applications under 9 Va. Admin. Code § 15-60-40.B.

55. Ms. Tyrer and Circa are under contract to serve as the Qualified Archaeologist for projects already underway and projects already constructed, whether under the VAA or under 9 Va. Admin. Code § 15-60-40.B.

56. Ms. Tyrer and Circa are under contract to serve as the Qualified Archeologist for projects under Section 404 of the Clean Water Act, 33 U.S.C. § 1344, which requires compliance with Section 106 of the Historic Preservation Act. Section 106 of the National Historic Preservation Act of 1966 (“NHPA”) requires federal agencies to consider the effects on historic properties of projects they carry out, assist, fund, permit, license, or approve throughout the country.

57. The Disqualification Decisions casts a shadow over all of these pending and anticipated permits, as well as numerous projects already underway and projects already constructed, throughout the Commonwealth.

VIRGINIA ADMINISTRATIVE PROCESS ACT
Va. Code §§ 2.2-4000 through 2.2-4032

58. The Virginia Administrative Process Act (“APA”), Va. Code §§ 2.2-4000 through 2.2-4032, applies to agencies, which is defined broadly enough to include DHR and the Director.

59. The APA applies to agency actions. *See* Va. Code § 2.2-4001 (“Agency action”); Va. Code § 2.2-4026(A). This includes case decisions, which are defined to “mean[] any agency proceeding or determination that, under laws or regulations at the time, a named party as a matter of past or present fact, or of threatened or contemplated private action, either is, is not, or may or may not be . . . in compliance with any existing requirement for obtaining or retaining a license or other right or benefit.”

60. As agencies make decisions that substantially affect the fundamentals rights and even the livelihood of Virginians, the APA ensures that some minimum process is afforded those who are on the receiving end of agency discretion.

61. Per the APA, “[a]gencies shall ascertain the fact basis for their decisions of cases through informal conference or consultation proceedings unless the named party and the agency consent to waive such a conference or proceeding to go directly to a formal hearing.” Va. Code § 2.2-4019(A).

62. Agencies may, in their case decisions, rely upon public data, documents or information only when the agencies have provided all parties with advance notice of an intent to consider such public data, documents or information. This requirement shall not apply to an agency’s reliance on case law and administrative precedent. Va. Code § 2.2-4019(B).

63. Informal fact-finding proceedings guarantee a number of protections for the regulated party’s rights, “includ[ing the] rights of parties to the case to (i) have reasonable notice thereof, which notice shall include contact information consisting of the name, telephone number, and government email address of the person designated by the agency to answer questions or otherwise assist a named party; (ii) appear in person or by counsel or other qualified representative before the agency or its subordinates, or before a hearing officer for the informal

presentation of factual data, argument, or proof in connection with any case; (iii) [and] have notice of any contrary fact basis or information in the possession of the agency that can be relied upon in making an adverse decision; (iv) receive a prompt decision of any application for a license, benefit, or renewal thereof; and (v) be informed, briefly and generally in writing, of the factual or procedural basis for an adverse decision in any case.”

64. Furthermore, by Rule of the Supreme Court of Virginia, “Any final agency case decision as described in § 2.2-4023 shall advise the party of the time for filing a notice of appeal.” Va. Sup. Ct. R. 2A:2(c).

ERRORS ASSIGNED

COUNT I

The Disqualification Decision Was In Error Because It Denied Ms. Tyrer & Circa the Process Afforded by the APA.

65. Ms. Tyrer and Circa incorporate and re-allege all allegations stated in paragraphs 1 through 64 of the Petition for Appeal as if fully restated herein.

66. In reaching the Disqualification Decision, DHR through its Director committed numerous errors of law, including a failure to comply “with statutory authority, jurisdiction limitations, [and of] right as provided in the basic laws as to subject matter,” and have failed to “observ[e] required procedure.” Va. Code § 2.2-4027.

67. Prior to the Disqualification Decision, DHR accepted the work of Ms. Tyrer as a Qualified Archaeologist. Therefore, Ms. Tyrer was “in compliance with an[] existing requirement for obtaining or retaining a license or other right or benefit.”

68. To reach the Disqualification Decision, a case decision under the APA, the Director was obliged to afford Ms. Tyrer and Circa, an interested party, an informal fact finding

conference or consultation proceeding “unless the named party and the agency consent to waive such a conference or proceeding to go directly to a formal hearing.”

69. Neither Ms. Tyrer nor Circa consented to waive such an informal fact finding conference or consultation proceeding.

70. Neither Ms. Tyrer nor Circa consented to go directly to a formal hearing.

71. Nor did Ms. Tyrer or Circa “request a summary case decision from” DHR or anyone else.

72. Accordingly, under the APA, the Ms. Tyrer and Circa were entitled to have the Director, and DHR, “ascertain the fact basis for their decisions of cases through informal conference or consultation proceedings.”

73. Yet no informal fact finding conference or consultation proceeding was conducted.

74. In the alternative, if the Court determines that the August 19, 2019 meeting was the requisite “informal fact finding conference or consultation proceeding,” that same proceeding did not comply with the APA or other law.

75. In reaching the Disqualification Decision, Ms. Tyrer and Circa were denied the protections afforded by law, including by the APA, such protections including but not limited to: (i) reasonable notice of the proceeding, which notice shall include contact information consisting of the name, telephone number, and government email address of the person designated by the agency to answer questions or otherwise assist a named party; (ii) the right to appearance in person or by counsel or other qualified representative before the agency or its subordinates, or before a hearing officer for the informal presentation of factual data, argument, or proof in connection with any case; (iii) notice of any contrary fact basis or information in the possession

of the agency that can be relied upon in making an adverse decision; (iv) a prompt decision of any application for a license, benefit, or renewal thereof; and (v) the factual or procedural basis for an adverse decision in any case.

76. Ms. Tyrer and Circa were denied the protections afforded by law, including by the APA, by not being given notice that a final agency case decision had been made or of the time for filing a notice of appeal. Nothing in the Disqualification Decision or any other communication from the Director or DHR provided such notice.

77. Ms. Tyrer and Circa were denied the protections afforded by law, including by the APA, by not being provided advance notice of public data, documents or information relied upon by the agency, or of the Director or of DHR's intent to consider such public data, documents or information.

78. Ms. Tyrer and Circa were denied the protections afforded by law, including by the APA, by the Director and DHR improperly shifting the burden of proof to Ms. Tyrer.

79. Ms. Tyrer and Circa were denied the protections afforded by law, including by the APA, by not being provided, even at the time of the August 19 Meeting, the purpose of the August 19 Meeting, the public data, the documents or information relied upon by DHR, or of DHR's intent to consider such public data, documents or information to deprive Ms. Tyrer of her livelihood and Circa of its business.

80. DHR, and the Director, held the August 19 Meeting with Ms. Tyrer without notice that any decision about her qualifications was contemplated and under a pretext. Ms. Tyrer and Circa were told that she was meeting with the Director to discuss a permit application of a client. In fact, she was attending a *de facto* informal hearing to deprive Ms. Tyrer of her livelihood and Circa of its business.

81. Ms. Tyrer and Circa were also not provided notice that a decision affirmatively finding that Ms. Tyrer lacked qualifications was under consideration at the August 19 Meeting.

82. Ms. Tyrer and Circa were denied notice reasonably calculated, under all the circumstances, to apprise interested parties of the pendency of the action and afford them an opportunity to present their objections.

83. Ms. Tyrer and Circa were denied notice of such nature as to reasonably convey the required information, and afford a reasonable time for those interested to make their appearance.

84. Ms. Tyrer and Circa were denied an opportunity to be heard and to present evidence pertinent to the Disqualification Decision.

85. Ms. Tyrer and Circa were denied the right to appearance in person or by counsel to contest or object to the Disqualification Decision.

86. Ms. Tyrer and Circa were denied notice of any contrary fact basis or information in the possession of the agency that can be relied upon in making an adverse decision, including the Disqualification Decision.

87. Ms. Tyrer and Circa were denied a prompt decision, that complied with the APA, of any application for a license, benefit, or renewal thereof.

88. Ms. Tyrer and Circa were not provided the factual or procedural basis for an adverse decision in this case, to wit, the Disqualification Decision.

89. Ms. Tyrer and Circa were also denied the opportunity to request any further process and the hearing due to them.

90. Ms. Tyrer and Circa were deceived as to the nature of the August 19 Meeting and unaware, both before and after, that DHR was viewing it as an informal fact finding hearing.

91. DHR, through its Director, committed an error of law for failing to comply with the explanatory requirements of clause (v) of subsection A of Virginia Code § 2.2-4019; that is, by failing to provide in writing the factual or procedural basis for an adverse decision. That failure alone requires remand pursuant to Virginia Code § 2.2-4027.

92. DHR, by and through the Director, did not observe required procedures in reaching the Disqualification Decision. Those failures are not mere harmless error because, *inter alia*, Ms. Tyrer meets all requirements to be a Qualified Archaeologist, the administrative record pertinent to this conclusion was incomplete and otherwise immature, and due notice and opportunity to present evidence, or to be apprised of evidence that DHR and the Director had, was not afforded. These procedural failings, and others, all “could have had a significant impact on the ultimate decision so as to undermine the ‘substantiality of the evidential support’ for the factual findings.” *See, e.g., Virginia Bd. of Med. v. Fetta*, 244 Va. 276, 283 (1992).

93. Both Ms. Tyrer and Circa have suffered, and will continue to suffer, loss of business and the related income, loss of livelihood, harm to their reputation, and also reasonable costs and attorney fees in contesting the Disqualification Decision.

94. The Disqualification Decision was not in compliance with statutory authority, jurisdiction limitations, and of right as provided in the basic laws as to subject matter,” failed to observe required procedures, and was not in accordance with law.

95. On September 17, 2019, DHR was placed on notice by letter from JRWA to DHR Director that Ms. Tyrer was qualified and the plan was sound. A copy of that September 17, 2019 letter is attached as Exhibit 11. The points made in that letter are incorporated by reference in this Petition. No additional informal conferences were held, and no representative of DHR made any attempt to contact Ms. Tyrer or Circa to ascertain the truth or to revise the DHR

decision that would have the effect of rendering Ms. Tyrer and Circa functionally unemployable for projects of this nature. To the extent DHR or the Director oppose the conclusion that the Disqualification Decision violated the APA and of the Virginia and federal guarantees of due process of law, that position is not substantially justified.

96. The Disqualification Decision was not substantially justified and was made for an improper purpose, to wit, to impede the application of JRWA and thwart the development it is seeking. The actions and inactions of DHR and its Director have caused financial and reputational harm to Ms. Tyrer and Circa in furtherance of opposition to a permit.

COUNT II

The Disqualification Decision Was In Error Because It Violates the Due Process of Law Guarantees of the United States and Virginia Constitutions.

97. Ms. Tyrer and Circa incorporate and re-allege all allegations stated in paragraphs 1 through 96 of the Petition for Appeal as if fully restated herein.

98. In reaching the Disqualification Decision, the DHR and/or its Director have committed numerous errors of law, including a failure to act in “accordance with constitutional right, power, privilege, or immunity.” Va. Code § 2.2-4027.

99. Ms. Tyrer and Circa are persons whose property rights are protected by the Fifth and Fourteenth Amendments of the U.S. Constitution and by Article I, Section 11 of the Virginia Constitution.

100. “[T]he due process protections afforded under the Constitution of Virginia are co-extensive with those of the federal constitution.” *Shivae v. Commonwealth*, 270 Va. 112, 119 (2005).

101. By affirmatively concluding that Ms. Tyrer was not a Qualified Archaeologist, not merely that Ms. Tyrer had not yet demonstrated her qualifications at the informal August 19

Meeting, the Director and DHR purported to subject Ms. Tyrer and Circa to criminal liability should Ms. Tyrer continue to pursue her calling and Circa its business. *See* Va. Code § 10.1-2306.

102. To deprive Ms. Tyrer and Circa of their constitutionally protected property right, “[a]n elementary and fundamental requirement of due process . . . is notice reasonably calculated, under all the circumstances, to apprise interested parties of the pendency of the action and afford them an opportunity to present their objections. The notice must be of such nature as reasonably to convey the required information, and it must afford a reasonable time for those interested to make their appearance.” *See Mullane v. Cent. Hanover Bank & Tr. Co.*, 339 U.S. 306, 315 (1950).

103. Ms. Tyrer and Circa were not apprised of the pendency of any case before DHR or the Director to find that Ms. Tyrer was not a Qualified Archaeologist.

104. The August 16, 2019 e-mail from the Director was not “of such nature as reasonably to convey the required information” regarding the nature of the August 19 Meeting or of the action under consideration.

105. Ms. Tyrer and Circa were not apprised that the Director was contemplating a finding that Ms. Tyrer was not a Qualified Archaeologist or the pendency of such a case. Therefore, the August 19 Meeting did not afford the Ms. Tyrer and Circa “an opportunity to present their objections.”

106. Nor did the August 16 E-mail or the August 19 Meeting “afford a reasonable time for those interested to make their appearance” and present their objections. The August 16 E-mail was not sent to JRWA, the entity whose permit application was the pretext for the August 19 Meeting and who is an affected party, as recognized by the Disqualification Decision itself.

107. In fact, the Disqualification Decision concedes that the Director did not even know the identities of all of the affected parties. For that reason, constitutionally required notice could not have been given.

108. On information and belief, other similarly situated professionals enjoy the rights denied Ms. Tyrer and Circa and Ms. Tyrer and Circa are being treated differently and their rights deprived.

109. The Disqualification Decision violated the federal and Virginia constitutional guarantees of due process of law enjoyed by Ms. Tyrer and Circa, and so was entered not in accordance with constitutional right, power, privilege, or immunity, or other law.

COUNT III

The Disqualification Decision Was In Error Because It Is Premised on An Erroneous Interpretation of the Qualifications Requirement and Lacks Substantial Evidentiary Support.

110. Ms. Tyrer and Circa incorporate and re-allege all allegations stated in paragraphs 1 through 109 of the Petition for Appeal as if fully restated herein.

111. In reaching the Disqualification Decision, the DHR and/or its Director have committed numerous errors of law, including a failure to comply “with statutory authority, jurisdiction limitations, or right as provided in the basic laws as to subject matter, the stated objectives for which regulations may be made, and the factual showing respecting violations or entitlement in connection with case decisions,” or to gather substantial “evidentiary support for findings of fact.” Va. Code § 2.2-4027.

112. Ms. Tyrer met the professional qualifications to be considered a Qualified Archaeologist under the Department of the Interior’s Professional Qualification Standards (“SOI Standards”) and thus is qualified to be a Principal Investigator under DHR guidelines.

113. The determination by the Director and DHR that Ms. Tyrer is not a Qualified Archaeologist is premised upon a legally mistaken interpretation of what constitutes a “closely related field.”

114. Moreover, the determination by the Director and DHR that Ms. Tyrer is not a Qualified Archaeologist lacks substantial evidentiary support.

115. In reaching the Disqualification Decision, the Director and DHR properly had before it only 1) Ms. Tyrer’s CV submitted in connection with the permit application; and, 2) a two-page transcript from the University of Denver. If the CV was at issue, Ms. Tyrer did not receive notice that this was the issue.

116. No advance notice of an intent to consider public data, documents or information was provided to Ms. Tyrer or Circa by any member of DHR or its Director.

117. Thus, there was not substantial evidence before the Director or DHR sufficient to support the Disqualification Decision, which affirmatively found that Ms. Tyrer was *not* a Qualified Archaeologist.

118. As a result, the Disqualification Decision is both factually and legally incorrect.

119. Moreover, Ms. Tyrer and Circa were not afforded due process in reaching the Disqualification Decision. *See supra*.

120. DHR’s sudden decision, given without notice or opportunity to prepare and be heard, has caused grave professional and personal harm to Ms. Tyrer, Circa and her clients.

121. This harm has been further compounded by DHR’s decision, communicated to Ms. Tyrer through an email to a client of Ms. Tyrer and Circa, to not reconsider the professional qualifications of another Circa employee, Dawn Muir, to determine whether Ms. Muir meets the DOI professional qualification standards for archaeology.

122. In concluding that Ms. Tyrer did not meet the requirements to be a Qualified Archaeologist, the Director and DHR—besides running roughshod over the APA and constitutional due process rights of Ms. Tyrer, Circa, JRWA and others—committed numerous other errors of law, including misinterpreting the 1983 SOI Standards and Guidelines.

123. The 1983 SOI Standards and Guidelines offer the guidance that the minimum professional qualifications in archaeology are a graduate degree in archaeology, anthropology, or closely related fields, 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 analytic experience in general North American archaeology; and (3) demonstrated ability to carry research to completion. The 1983 SOI Standards and Guidelines are attached as Exhibit 2.

124. As the agency set out in the September 6, 2019, letter, the only qualification Ms. Tyrer allegedly fails to possess is that of the requisite graduate degree. Given Ms. Tyrer's decades of experience as a professional archaeologist, including on well over one hundred projects that were approved by DHR, and experience on many more projects done under the auspices and with the approval of states other than Virginia, there can be no dispute that Ms. Tyrer possesses the remaining experience-based qualifications.

125. The 1983 SOI Standards and Guidelines set a broad standard that expressly contemplates inclusion of degrees beyond the two named fields. The plain language of the 1983 SOI Standard and Guidelines show that they are broad and inclusive.

126. Ms. Tyrer's graduate degree is a Master of Liberal Studies; Major: Global Affairs, Major/Concentration: World History and Culture. Exhibit 6⁷. Her undergraduate degree was in Anthropology and Archaeology.

127. "Anthropology" is defined as the "study of human beings and their ancestors through time and space and in relation to physical character, environmental and social relations, and culture" as well as the "theology dealing with the origin, nature, and destiny of human beings."⁸ It has also been defined as "the study considering man's physical character, historical and present geographical distribution, racial classification, group relationships and cultural history, the latter often limited to primitive stages" as well as "religious teaching about the origin, nature, and destiny of man from the perspective of his relation to God."⁹ "Archeology" is the "scientific study of material remains (such as tools, pottery, jewelry, stone walls, and monuments) of past human life and activities."¹⁰

128. Ms. Tyrer's Master's Degree Major was Global Affairs with a Major and Concentration in World History and Culture. Courses taken by Ms. Tyrer in pursuit of her graduate degree deal with the study of human beings and their ancestors through time and space and in relation to physical character, environmental and social relations, as well as cultural history. As shown on the attached transcript, relevant courses include the Human Condition, Philosophy and Spirituality, World Religion Traditions, and Cultural Positioning. Her capstone seminar was on the history and potential future of the global pottery industry, including a discussion of the use of pottery in dating archaeological sites.

⁷ See *supra* Fn. 4 and 5.

⁸ Merriam-Webster.com, <https://www.merriam-webster.com/dictionary/anthropology> (last visited Nov. 4, 2019). Merriam-Webster.com, <https://www.merriam-webster.com/dictionary/archeology> (last visited Nov. 4, 2019).

⁹ Webster's Third New Int'l Dictionary 93 (2002).

¹⁰ See, e.g., paragraph 18, *supra*.

129. Ms. Tyrer's graduate degree in a "closely related field" demonstrates that she is qualified under the SOI Standards, and cannot be treated differently than any other qualified professional by the Director or DHR.

130. Ms. Tyrer recently applied for the Register of Professional Archaeologists ("RPA") and was approved as a registered professional archaeologist on October 3, 2019. On information and belief, DHR has long recognized the RPA designation. The RPA website states: "To become a Registered Professional Archaeologist (RPA), an archaeologist must hold a graduate degree in archaeology, anthropology, or another related discipline (including but not limited to art history, classics, history, or museum studies) and have completed a thesis or dissertation, or its equivalent, that addresses a substantive archaeological question."¹¹

131. In light of Ms. Tyrer's educational background, her long experience as a professional archaeologist, the repeated acceptance of her work by DHR and numerous other state agencies, and her recognition by professional associations, it is plain that Ms. Tyrer is a Qualified Archaeologist.

132. DHR's incorrect determinations regarding Ms. Tyrer are a serious matter. It is not simply an abstract question of qualifications, but is a matter of the success or failure of a long-established, woman-owned small business that has been working in the field for many years.

133. The Disqualification Decision was made without proper procedure, was in error and reached without due regard for the effect that it would have on the numerous projects, past, present and future, that Ms. Tyrer and Circa have professionally advised, or due consideration for its effect on Ms. Tyrer's ability to continue practicing her profession and run her business.

¹¹ Register of Professional Archaeologist, What is the Register of Professional Archaeologists, <https://rpanet.org/about-the-register/> (last visited Nov. 4, 2019).

134. In concluding that Ms. Tyrer was not a Qualified Archaeologist, DHR and its Director acted without substantial evidentiary support, acted arbitrarily and capriciously, and the Disqualification Decision is premised on an erroneous interpretation of law and regulation.

135. In reaching the Disqualification Decision, DHR and the Director failed to act in accordance with statutory authority, jurisdiction limitations, and right as provided in the basic laws as to subject matter, the stated objectives for which regulations may be made, and the factual showing respecting violations or entitlement in connection with case decisions, failed to gather substantial evidentiary support for findings of fact, and otherwise failed to act in accordance with law.

COUNT IV

The Disqualification Decision Was In Error Because It Was Not Supported by the Evidence, and Lacks Substantial Evidentiary Support.

136. Ms. Tyrer and Circa incorporate and re-allege all allegations stated in paragraphs 1 through 134 of the Petition for Appeal as if fully restated herein.

137. DHR is required, *inter alia*, to provide notice of any contrary fact basis or information in the possession of the agency that can be relied upon in making an adverse decision and the factual or procedural basis for an adverse decision in any case.

138. DHR provided only that “careful review of your academic transcript and other documentation” was relied on for the determination.

139. This is insufficient evidence to support the Disqualification Decision, which purports to determine that Ms. Tyrer is not a Qualified Archaeologist, not merely that the materials presented to DHR and the Director to date did not establish the fact.

140. In concluding that Ms. Tyrer was not a Qualified Archaeologist, DHR and its Director acted without substantial evidentiary support, and so acted arbitrarily and capriciously, and not in accordance with law.

COUNT V

The Disqualification Decision Was In Error Because the Decision Was Arbitrary and Capricious and Exceeds the Powers of DHR and of the Director.

141. Ms. Tyrer and Circa incorporate and re-allege all allegations stated in paragraphs 1 through 140 of the Petition for Appeal as if fully restated herein.

142. As previously noted, DHR and the Director invited Ms. Tyrer to the August 19 Meeting to discuss a particular permit application with which she was involved.

143. Ms. Tyrer went to the August 19 Meeting with that understanding and because she had submitted her CV and work product as part of the JRWA's permit application.

144. Rather than addressing the adequacy of that permit application, or the materials submitted in accordance therewith, DHR and the Director purported to set itself up as an irregular adjunct to the Department of Professional and Occupational Regulation, making an ad hoc determination, without proper notice to interested parties or opportunity to object, that Ms. Tyrer was *not* a Qualified Archaeologist.

145. Virginia law does not authorize DHR or the Director to adjudicate, for all time and in all cases, whether a person is a Qualified Archaeologist. *See* Va. Code § 10.1-2301. Virginia law merely authorizes the Director to accept or reject applications for permits. *See* Va. Code §§ 10.1-2302.B, -2303.A, -2304, -2305.A. This legal conclusion, indicated by all parts of the VAA, is confirmed by Subsection (E) of 10.1-2305, which provides only that “[a]ny interested party may appeal the Director's decision to issue a permit or to act directly to excavate human remains to the local circuit court. Such appeal must be filed within fourteen days of the

Director's decision.” No particular statutory provision is made for appeal from a decision finding an applicant’s archaeologist not to be qualified, as DHR and the Director did here.

146. Furthermore, the regulations implementing the VAA do not contemplate any action such as the Disqualification Decision. Rather, they anticipate the Director either issuing or denying a permit. 17 Va. Admin. Code § 5-20-60. If the Director is to deny the permit, “the [D]irector shall conduct an informal conference in accordance with § 2.2-4019 of the Administrative Process Act.”

147. The Disqualification Decision goes too far when it purports to adjudicate whether Ms. Tyrer is a Qualified Archaeologist for all permits—past, present and future—thereby imposing a criminal prohibition against Ms. Tyrer’s practicing her calling in the field of archaeology and Circa conducting its business. The Disqualification Decision says, in relevant part “. . . going forward I will be unable to issue a burial permit when the application identifies you as the Principal Investigator. . . . Additionally, our review of your work completed on behalf of Federal agencies and their applicants in support of Section 106 compliance will be suspended pending discussions with agencies and how they intend to satisfy their statutory responsibility to meet applicable standards and guidelines.”

148. For these additional reasons, the Disqualification Decision is an arbitrary and capricious abuse of power, exceeds the scope of the power granted to DHR and those granted to the Director, and is not in accordance with law.

COUNT VI

Declaratory Judgment That Ms. Tyrer Is A Qualified Archaeologist

149. Ms. Tyrer and Circa incorporate and re-allege all allegations stated in paragraphs 1 through 147 of the Petition for Appeal as if fully restated herein.

150. Virginia Code § 8.01-184 gives this Court the power to make binding adjudications of right.

151. The power granted by Virginia Code § 8.01-184 extends to interpretation of statutes and governmental regulations, among other writings.

152. The power may be exercised “[i]n cases of actual controversy,” where there is an “actual antagonistic assertion and denial of right.”

153. In this case, there is an actual controversy over whether Ms. Tyrer possesses the professional qualifications requisite to be a Qualified Archaeologist.

154. DHR and the Director denies that Ms. Tyrer’s educational background satisfies the regulatory requirements to be a Qualified Archaeologist.

155. Ms. Tyrer and Circa maintain that Ms. Tyrer possesses a sufficient educational and other qualifications to be a Qualified Archaeologist.

156. Whether or not Ms. Tyrer meets the requirements to be a Qualified Archaeologist is a question of law, as none of the underlying facts are disputed.

157. Ms. Tyrer’s graduate degree from the University of Denver is in a closely related field within the meaning of 17 Va. Admin. Code § 5-20-40.

158. Ms. Tyrer and Circa continue to serve as the Principal Investigator for permit applications that are pending before DHR and the Director, and in other capacities that require Ms. Tyrer to be a Qualified Archaeologist.

159. The decision of this question will substantially affect and determine legal rights, including constitutionally protected property and liberty interests held by Ms. Tyrer and Circa, and will control DHR and the Director in the exercise of their statutory responsibilities in granting and denying these and other permit applications.

160. There is an actual case and controversy, where this court may make a binding adjudications of right regarding Ms. Tyrer's status as a Qualified Archaeologist.

161. Because Ms. Tyrer's graduate degree from the University of Denver is in a closely related field within the meaning of 17 Va. Admin. Code § 5-20-40, and she is otherwise a Qualified Archaeologist, a declaratory judgment to that effect should be issued, and the Disqualification Decision held to be unlawful.

PRAYER FOR RELIEF

WHEREFORE, for all of the foregoing facts and reasons, all of which support the errors specified herein, Ms. Tyrer and Circa respectfully request that this Court enter an Order to:

- A. Declare that Carol Tyrer does meet the minimum requirements to plan and supervise field investigations under 17 Va. Admin. Code § 5-20-40, and is otherwise a Qualified Archaeologist; and
- B. Find the Disqualification Decision not to be in accordance with law;
- C. Vacate, suspend and set aside the Disqualification Decision dated September 6, 2019, without remand or, in the alternative;
- D. Vacate, suspend and set aside the Disqualification Decision dated September 6, 2019, and remand the matter to DHR with an Order directing DHR to conduct a formal hearing in accordance with Va. Code § 2.2-4020; and, in all cases,
- E. Award to Ms. Tyrer and Circa reasonable costs and attorney fees, and such other and further relief as justice and equity may require.

DATE: November 4, 2019

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Dale G. Mullen", written over a horizontal line.

Dale G. Mullen (VSB No. 48596)

Michael H. Brady (VSB No. 78309)

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Counsel for Carol D. Tyrer and

CIRCA~ Cultural Resource Management, LLC

EXHIBIT 1

to

**TYRER and CIRCA~CULTURAL
RESOURCE MANAGEMENT, LLC
PETITION FOR APPEAL**

17VAC5-20-40. Permit Application.

A. Application for a permit shall be in such form as required by the director, but shall include the following basic information:

1. Name, address, email address, phone number, and institutional affiliation of the applicant.
2. Location and description of the archaeological site for which field investigation is proposed, including site number if assigned.
3. Proof of ownership of the archaeological site or the property on which the field investigation is to be conducted.
4. A written statement of the landowner's permission both to conduct such research and to remove human remains on the landowner's property, and allowing the director or the director's designee access to the field investigation site at any reasonable time for the duration of the permit. The landowner's signature to the written statement shall be notarized.
5. Applicant shall provide a signed statement confirming that adequate resources (financial and otherwise) are available to carry out the approved research design including respectful reburial in an appropriate location.
6. Applicant shall indicate whether or not this permit is being requested as part of a federal, state, or local government undertaking and, if so, shall provide a brief description of the undertaking.

B. A statement of goals and objectives of the project and proposed research design shall be provided as part of the permit application. The research design shall, at a minimum, address the following:

1. How the research design adheres to professionally accepted methods, standards, and processes used to obtain, evaluate, and analyze data on mortuary practices in particular and cultural practices in general.
2. Field documentation which shall include, but not be limited to (i) photographs, (ii) maps, (iii) drawings, and (iv) written records. Collected information shall include, but not be limited to (i) considerations of containment devices, (ii) burial shaft or entombment configuration, (iii) burial placement processes, (iv) skeletal positioning and orientation, (v) evidence of ceremonialism or religious practices, and (vi) grave items or artifacts analyses.

To the extent possible, the cultural information shall be examined at the regional level with appropriate archival research. The results of the evaluation, along with the osteological analysis, will be submitted in report form to the director for review, comment, and final acceptance.

3. The planned osteological examination of the human skeletons which shall include determinations of age, sex, racial affiliation, dental structure, and bone inventories for each individual in order to facilitate comparative studies of bone and dental disease. Said inventories shall provide to the extent possible a precise count of all skeletal elements observed, as well as the degree of preservation (complete or partial); separate tabulation of the proximal and distal joint surfaces for the major long bones should be recorded.

The research design should also address at a minimum the following additional analytical techniques and when they will be used: under what circumstances will bone be examined and x-rayed if necessary, to detect lesions or conditions resulting from disease, malnutrition, trauma, or congenital defects; the presence of dental pathological conditions including carious lesions, premortem tooth loss, and alveolar abscessing to be recorded: craniometric and postcraniometric data to be obtained in a systematic format that provides basic information such as stature; and other techniques as appropriate. Although the initial focus concerns description and documentation of a specific sample, the long-term objective is to obtain information that will facilitate future comparative research. The report based on the osteological analysis should identify the research objectives, method of analysis, and results. Specific data (e.g., measurements, discrete trait observations) supplementing those traits comprising the main body of the report may be provided in a separate file including, for example, tables, graphs, and copies of original data collection forms. Unique pathological specimens should be photographed as part of basic documentation.

4. The expected timetable for excavation, analysis and preparation of the final report on the entire investigation.

C. A resume, vitae, or other statement of qualification shall be provided as part of the permit application demonstrating that the persons planning and supervising the field investigation and subsequent analysis meet the minimum qualifications consistent with the federal standards as cited in 36 CFR 61 and 43 CFR 7, as follows:

1. The qualifications of the archaeologist performing or supervising the work shall include a graduate degree in archaeology, anthropology, or closely related field plus:

- a. At least one year of full-time professional experience or equivalent specialized training in archaeological research, administration, or management;
- b. At least four months of supervised field and analytic experience in general North American archaeology; and
- c. Demonstrated ability to carry research to completion.

In addition, a prehistoric archaeologist shall have at least one year of full-time experience

at a supervisory level in the study of archaeological resources of the prehistoric period. An historic archaeologist shall have at least one year of full-time experience at a supervisory level in the study of archaeological resources of the historic period.

2. The qualifications of the skeletal biologist needed to undertake the types of analyses outlined in subdivision B 3 of this section should have at least a master's degree with a specialization in human skeletal biology, bioarchaeology, forensic anthropology, or some other field of physical anthropology, plus two years of laboratory experience in the analysis of human skeletal remains. The individual must be able to develop a research design appropriate to the particular circumstances of the study and to conduct analyses of skeletal samples (including age, sex, race, osteometry, identification of osteological and dental disease, and the like), employing state-of-the-art technology. The individual must have the documented ability to produce a concise written report of the findings and their interpretation.

D. Under extraordinary circumstances, the director shall have the authority to waive the requirements of research design and professional qualifications.

E. The permit application shall also include a statement describing the curation, which shall be respectful, and the proposed disposition of the remains upon completion of the research. When any disposition other than reburial is proposed, then the application shall also include a statement of the reasons for alternative disposition and the benefits to be gained thereby. In the absence of special conditions, including those that may come to light during excavation or analysis, this disposition shall be reburial within a two-year period from the date of removal unless requested otherwise by next of kin or other closely affiliated party.

F. When a waiver of public notice or other requirement based on an emergency situation is requested by the applicant then the permit application must include:

1. A statement describing specific threats facing the human skeletal remains or associated artifacts. This statement must make it clear why the emergency justifies the requested waiver.
2. A statement describing the known or expected location of the burials or the factors that suggest the presence of burials.
3. A statement describing the conservation methods that will be used, especially for skeletal material. Note that conservation treatment of bones should be reversible.

Statutory Authority

§§ 10.1-2205 and 10.1-2305 of the Code of Virginia.

Historical Notes

Derived from VR390-01-02 § 4, eff. August 14, 1991; amended, Virginia Register Volume 32, Issue 25, eff. September 8, 2016; Errata, 33:2 VA.R. 298 September 19, 2016.

EXHIBIT 2

to

**TYRER and CIRCA~CULTURAL
RESOURCE MANAGEMENT, LLC
PETITION FOR APPEAL**

48 FR 44716-01, 1983 WL 113234(F.R.)
NOTICES
DEPARTMENT OF THE INTERIOR
National Park Service

Archeology and Historic Preservation; Secretary of the Interior's Standards and Guidelines

Thursday, September 29, 1983

*44716 AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: This notice sets forth the Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation. These standards and guidelines are not regulatory and do not set or interpret agency policy. They are intended to provide technical advice about archeological and historic preservation activities and methods.

DATE: These Standards and Guidelines are effective on September 29, 1983.

FOR FURTHER INFORMATION CONTACT: Lawrence E. Aten, Chief, Interagency Resources Division, National Park Service, United States Department of the Interior, Washington, D.C. 20240 (202-343-9500). A Directory of Technical Information listing other sources of supporting information is available from the National Park Service.

SUPPLEMENTARY INFORMATION: The Standards and Guidelines are prepared under the authority of Sections 101(f), (g), and (h), and Section 110 of the National Historic Preservation Act of 1966, as amended. State Historic Preservation Officers; Federal Preservation Officers including those of the Department of Agriculture, Department of Defense, Smithsonian Institution and General Services Administration; the Advisory Council on Historic Preservation; the National Trust for Historic Preservation; and other interested parties were consulted during the development of the Standards and Guidelines; additional consultation with these agencies will occur as the Standards and Guidelines are tested during their first year of use.

Purpose

The proposed Standards and the philosophy on which they are based result from nearly twenty years of intensive preservation activities at the Federal, State, and local levels.

The purposes of the Standards are:

To organize the information gathered about preservation activities.

To describe results to be achieved by Federal agencies, States, and others when planning for the identification, evaluation, registration and treatment of historic properties.

To integrate the diverse efforts of many entities performing historic preservation into a systematic effort to preserve our nation's cultural heritage.

Uses of the Standards

The following groups or individuals are encouraged to use these Standards:

Federal agency personnel responsible for cultural resource management pursuant to Section 110 of the National Historic Preservation Act, as amended, in areas under Federal jurisdiction. A separate series of guidelines advising Federal agencies on their specific historic preservation activities under Section 110 is in preparation.

State Historic Preservation Offices responsible under the National Historic Preservation Act, as amended, for making decisions about the preservation of historic properties in their States in accordance with appropriate regulations and the Historic Preservation Fund Grants Management Manual. The State Historic Preservation Offices serve as the focal point for preservation planning and act as a central state-wide repository of collected information.

Local governments wishing to establish a comprehensive approach to the identification, evaluation, registration and treatment of historic properties within their jurisdictions.

Other individuals and organizations needing basic technical standards and guidelines for historic preservation activities.

Organization

This material is organized in three sections: Standards; Guidelines; and recommended technical sources, cited at the end of each set of guidelines. Users of this document are expected to consult the recommended technical sources to obtain guidance in specific cases.

Review of the Standards and Guidelines

The Secretary of the Interior's Standards for Rehabilitation have recently undergone extensive review and their guidelines made current after 5 years of field use. Users and other interested parties are encouraged to submit written comments on the utility of these Standards and Guidelines except for the Rehabilitation Standards mentioned above. This edition will be thoroughly reviewed by the National Park Service (including consultation with Federal and State agencies), after the end of its first full year of use and any necessary modifications will be made. Subsequent reviews are anticipated as needed. Comments should be sent to Chief, Interagency Resources Division, National Park Service, United States Department of the Interior, Washington, D.C. 20240.

Contents

Standards for Preservation Planning

Guidelines for Preservation Planning

Standards for Identification

Guidelines for Identification

Standards for Evaluation

Guidelines for Evaluation

Standards for Registration

Guidelines for Registration

Standards for Historical Documentation

Guidelines for Historical Documentation

Standards for Architectural and Engineering Documentation

Guidelines for Architectural and Engineering Documentation

Standards for Archeological Documentation

Guidelines for Archeological Documentation

Standards for Historic Preservation Projects

Professional Qualifications Standards

Preservation Terminology

Secretary of the Interior's Standards for Preservation Planning

Preservation planning is a process that organizes preservation activities (identification, evaluation, registration and treatment of historic properties) in a logical sequence. The Standards for Planning discuss the relationship among these activities while the remaining activity standards consider how each activity should be carried out. The Professional Qualifications Standards discuss the education and experience required to carry out various activities.

The Standards for Planning outline a process that determines when an area should be examined for historic properties, whether an identified property is significant, and how a significant property should be treated.

Preservation planning is based on the following principles:

—Important historic properties cannot be replaced if they are destroyed. Preservation planning provides for conservative use of these properties, preserving them in place and avoiding harm when possible and altering or destroying properties only when necessary.

—If planning for the preservation of historic properties is to have positive effects, it must begin before the identification of all significant properties has been completed. To make responsible decisions about historic properties, existing information must be used to the maximum extent and new information must be acquired as needed.

—Preservation planning includes public participation. The planning process should provide a forum for open discussion of preservation issues. Public involvement is most meaningful when it is used to assist in defining values of properties and preservation planning issues, rather than when it is limited to review of decisions already made. Early *44717 and continuing public participation is essential to the broad acceptance of preservation planning decisions.

Preservation planning can occur at several levels or scales: in a project area; in a community; in a State as a whole; or in the scattered or contiguous landholdings of a Federal agency. Depending on the scale, the planning process will involve different segments of the public and professional communities and the resulting plans will vary in detail. For example, a State preservation plan will likely have more general recommendations than a plan for a project area or a community. The planning process described in these Standards is flexible enough to be used at all levels while providing a common structure which promotes coordination and minimizes duplication of effort. The Guidelines for Preservation Planning contain additional information about how to integrate various levels of planning.

Standard I. Preservation Planning Establishes Historic Contexts

Decisions about the identification, evaluation, registration and treatment of historic properties are most reliably made when the relationship of individual properties to other similar properties is understood. Information about historic properties representing aspects of history, architecture, archeology, engineering and culture must be collected and organized to define these relationships. This organizational framework is called a "historic context." The historic context organizes information based on a cultural theme and its geographical and chronological limits. Contexts describe the significant broad patterns of development in an area that may be represented by historic properties. The development of historic contexts is the foundation for decisions about identification, evaluation, registration and treatment of historic properties.

Standard II. Preservation Planning Uses Historic Contexts To Develop Goals and Priorities for the Identification, Evaluation, Registration and Treatment of Historic Properties

A series of preservation goals is systematically developed for each historic context to ensure that the range of properties representing the important aspects of each historic context is identified, evaluated and treated. Then priorities are set for all goals identified for each historic context. The goals with assigned priorities established for each historic context are integrated to produce a comprehensive and consistent set of goals and priorities for all historic contexts in the geographical area of a planning effort.

The goals for each historic context may change as new information becomes available. The overall set of goals and priorities are then altered in response to the changes in the goals and priorities for the individual historic contexts.

Activities undertaken to meet the goals must be designed to deliver a usable product within a reasonable period of time. The scope of the activity must be defined so the work can be completed with available budgeted program resources.

Standard III. The Results of Preservation Planning Are Made Available for Integration Into Broader Planning Processes

Preservation of historic properties is one element of larger planning processes. Planning results, including goals and priorities, information about historic properties, and any planning documents, must be transmitted in a usable form to those responsible for other planning activities. Federally mandated historic preservation planning is most successfully integrated into project management planning at an early stage. Elsewhere, this integration is achieved by making the results of preservation planning available to other governmental planning bodies and to private interests whose activities affect historic properties.

Secretary of the Interior's Guidelines for Preservation Planning

Introduction

These Guidelines link the Standards for Preservation Planning with more specific guidance and technical information. They describe one approach to meeting the Standards for Preservation Planning. Agencies, organizations or individuals proposing to approach planning differently may wish to review their approaches with the National Park Service.

The Guidelines are organized as follows:

Managing the Planning Process

Developing Historic Contexts

Developing Goals for a Historic Context

Integrating Individual Historic Contexts—Creating the Preservation Plan

Coordinating with Management Frameworks

Recommended Sources of Technical Information

Managing the Planning Process

The preservation planning process must include an explicit approach to implementation, a provision for review and revision of all elements, and a mechanism for resolving conflicts within the overall set of preservation goals and between this set of goals and other land use planning goals. It is recommended that the process and its products be described in public documents.

Implementing the Process

The planning process is a continuous cycle. To establish and maintain such a process, however, the process must be divided into manageable segments that can be performed within a defined period, such as a fiscal year or budget cycle. One means of achieving this is to define a period of time during which all the preliminary steps in the planning process will be completed. These preliminary steps would include setting a schedule for subsequent activities.

Review and Revision

Planning is a dynamic process. It is expected that the content of the historic contexts described in Standard I and the goals and priorities described in Standard II will be altered based on new information obtained as planning proceeds. The incorporation of this information is essential to improve the content of the plan and to keep it up-to-date and useful. New information must be reviewed regularly and systematically, and the plan revised accordingly.

Public Participation

The success of the preservation planning process depends on how well it solicits and integrates the views of various groups. The planning process is directed first toward resolving conflicts in goals for historic preservation, and second toward resolving conflicts between historic preservation goals and other land-use planning goals. Public participation is integral to this approach and includes at least the following actions:

1. Involving historians, architectural historians, archeologists, historical architects, folklorists and persons from related discipline to define, review and revise the historic contexts, goals and priorities;
2. Involving interested individuals, organizations and communities in the planning area in identifying the kinds of historic properties that may exist and suitable protective measures;
3. Involving prospective users of the preservation plan in defining issues, goals and priorities;
4. Providing for coordination with other planning efforts at local, state, regional and national levels, as appropriate; and
- *44718 5. Creating mechanisms for identifying and resolving conflicts about historic preservation issues.

The development of historic contexts, for example, should be based on the professional input of all disciplines involved in preservation and not be limited to a single discipline. For prehistoric archeology, for example, data from fields such as geology, geomorphology and geography may also be needed. The individuals and organizations to be involved will depend, in part, on those present or interested in the planning area.

Documents Resulting from the Planning Process

In most cases, the planning process produces documents that explain how the process works and that discuss the historic contexts and related goals and priorities. While the process can operate in the absence of these documents, planning documents are important because they are the most effective means of communicating the process and its recommendations to others. Planning documents also record decisions about historic properties.

As various parts of the planning process are reviewed and revised to reflect current information, related documents must also be updated. Planning documents should be created in a form that can be easily revised. It is also recommended that the format, language and organization of any documents or other materials (visual aids, etc.) containing preservation planning information meet the needs of prospective users.

Developing Historic Contexts

General Approach

Available information about historic properties must be divided into manageable units before it can be useful for planning purposes. Major decisions about identifying, evaluating, registering and treating historic properties are most reliably made in the context of other related properties. A historic context is an organizational format that groups information about related historic properties, based on a theme, geographic limits and chronological period. A single historic context describes one or more aspects of the historic development of an area, considering history, architecture, archeology, engineering and culture; and identifies the significant patterns that individual historic properties represent, for example, Coal Mining in Northeastern Pennsylvania between 1860 and 1930. A set of historic contexts is a comprehensive summary of all aspects of the history of the area.

The historic context is the cornerstone of the planning process. The goal of preservation planning is to identify, evaluate, register and treat the full range of properties representing each historic context, rather than only one or two types of properties. Identification activities are organized to ensure that research and survey activities include properties representing all aspects of the historic context. Evaluation uses the historic context as the framework within which to apply the criteria for evaluation to specific properties or property types. Decisions about treatment of properties are made with the goal of treating the range of properties in the context. The use of historic contexts in organizing major preservation activities ensures that those activities result in the preservation of the wide variety of properties that represent our history, rather than only a small, biased sample of properties.

Historic contexts, as theoretical constructs, are linked to actual historic properties through the concept of property type. Property types permit the development of plans for identification, evaluation and treatment even in the absence of complete knowledge of individual properties. Like the historic context, property types are artificial constructs which may be revised as necessary.

Historic contexts can be developed at a variety of scales appropriate for local, State and regional planning. Given the probability of historic contexts overlapping in an area, it is important to coordinate the development and use of contexts at all levels. Generally, the State Historic Preservation Office possesses the most complete body of information about historic properties and, in practice, is in the best position to perform this function.

The development of historic contexts generally results in documents that describe the prehistoric processes or patterns that define the context. Each of the contexts selected should be developed to the point of identifying important property types to be useful in later preservation decision-making. The amount of detail included in these summaries will vary depending on the level (local, state, regional, or national) at which the contexts are developed and on their intended uses. For most planning purposes, a synopsis of the written description of the historic context is sufficient.

Creating a Historic Context

Generally, historic contexts should not be constructed so broadly as to include all property types under a single historic context or so narrowly as to contain only one property type per historic context. The following procedures should be followed in creating a historic context.

1. Identify the concept, time period and geographical limits for the historic context

Existing information, concepts, theories, models and descriptions should be used as the basis for defining historic contexts. Biases in primary and secondary sources should be identified and accounted for when existing information is used in defining historic contexts.

The identification and description of historic contexts should incorporate contributions from all disciplines involved in historic preservation. The chronological period and geographical area of each historic context should be defined after the conceptual basis is established. However, there may be exceptions, especially in defining prehistoric contexts where drainage systems or physiographic regions often are outlined first. The geographical boundaries for historic contexts should not be based upon contemporary political, project or other contemporary boundaries if those boundaries do not coincide with historical boundaries. For example, boundaries for prehistoric contexts will have little relationship to contemporary city, county or state boundaries.

2. Assemble the existing information about the historic context

a. Collecting information: Several kinds of information are needed to construct a preservation plan. Information about the history of the area encompassed by the historic context must be collected, including any information about historic properties that have already been identified. Existing survey or inventory entries are an important source of information about historic properties. Other sources may include literature on prehistory, history, architecture and the environment; social and environmental impact assessments; county and State land use plans; architectural and folklife studies and oral histories; ethnographic research; State historic inventories and registers; technical reports prepared for Section 106 or other assessments of historic properties; and direct consultation with individuals and organized groups.

In addition, organizations and groups that may have important roles in defining historic contexts and values *44719 should be identified. In most cases a range of knowledgeable professionals drawn from the preservation, planning and academic communities will be available to assist in defining contexts and in identifying sources of information. In other cases, however, development of historic contexts may occur in areas whose history or prehistory has not been extensively studied. In these situations, broad general historic contexts should be initially identified using available literature and expertise, with the expectation that the contexts will be revised and subdivided in the future as primary source research and field survey are conducted. It is also important to identify such sources of information as existing planning data, which is needed to establish goals for identification, evaluation, and treatment, and to identify factors that will affect attainment of those goals.

The same approach for obtaining information is not necessarily desirable for all historic contexts. Information should not be gathered without first considering its relative importance to the historic context, the cost and time involved, and the expertise required to obtain it. In many cases, for example, published sources may be used in writing initial definitions of historic contexts; archival research or field work may be needed for subsequent activities.

b. Assessing information: All information should be reviewed to identify bias in historic perspective, methodological approach, or area of coverage. For example, field surveys for archeological sites may have ignored historic archeological sites, or county land use plans may have emphasized only development goals.

3. Synthesize information

The information collection and analysis results in a written narrative of the historic context. This narrative provides a detailed synthesis of the data that have been collected and analyzed. The narrative covers the history of the area from the chosen

perspective and identifies important patterns, events, persons or cultural values. In the process of identifying the important patterns, one should consider:

- a. Trends in area settlement and development, if relevant;
- b. Aesthetic and artistic values embodied in architecture, construction technology or craftsmanship;
- c. Research values or problems relevant to the historic context; social and physical sciences and humanities; and cultural interests of local communities; and
- d. Intangible cultural values of ethnic groups and native American peoples.

4. Define property types

A property type is a grouping of individual properties based on shared physical or associative characteristics. Property types link the ideas incorporated in the theoretical historic context with actual historic properties that illustrate those ideas. Property types defined for each historic context should be directly related to the conceptual basis of the historic context. Property types defined for the historic context "Coal Mining in Northeastern Pennsylvania, 1860–1930" might include coal extraction and processing complexes; railroad and canal transportation systems; commercial districts; mine workers' housing; churches, social clubs and other community facilities reflecting the ethnic origins of workers; and residences and other properties associated with mine owners and other industrialists.

- a. Identify property types: The narrative should discuss the kinds of properties expected within the geographical limits of the context and group them into those property types most useful in representing important historic trends.

Generally, property types should be defined after the historic context has been defined. Property types in common usage ("Queen Anne houses," "mill buildings;" or "stratified sites") should not be adopted without first verifying their relevance to the historic contexts being used.

- b. Characterize the locational patterns of property types: Generalizations about where particular types of properties are likely to be found can serve as a guide for identification and treatment. Generalizations about the distribution of archeological properties are frequently used. The distribution of other historic properties often can be estimated based on recognizable historical, environmental or cultural factors that determined their location. Locational patterns of property types should be based upon models that have an explicit theoretical or historical basis and can be tested in the field. The model may be the product of historical research and analysis ("Prior to widespread use of steam power, mills were located on rivers and streams able to produce water power" or "plantation houses in the Mississippi Black Belt were located on sandy clay knolls"), or it may result from sampling techniques. Often the results of statistically valid sample surveys can be used to describe the locational patterns of a representative portion of properties belonging to a particular property type. Other surveys can also provide a basis for suggesting locational patterns if a diversity of historic properties was recorded and a variety of environmental zones was inspected. It is likely that the identification of locational patterns will come from a combination of these sources. Expected or predicted locational patterns of property types should be developed with a provision made for their verification.

- c. Characterize the current condition of property types: The expected condition of property types should be evaluated to assist in the development of identification, evaluation and treatment strategies, and to help define physical integrity thresholds for various property types. The following should be assessed for each property type:

(1) Inherent characteristics of a property type that either contribute to or detract from its physical preservation. For example, a property type commonly constructed of fragile materials is more likely to be deteriorated than a property type constructed of durable materials; structures whose historic function or design limits the potential for alternative uses (water towers) are less likely to be reused than structures whose design allows a wider variety of other uses (commercial buildings or warehouses).

(2) Aspects of the social and natural environment that may affect the preservation or visibility of the property type. For example, community values placed on certain types of properties (churches, historic cemeteries) may result in their maintenance while the need to reuse valuable materials may stimulate the disappearance of properties like abandoned houses and barns.

It may be most efficient to estimate of the condition of property types based on professional knowledge of existing properties and field test these estimates using a small sample of properties representative of each type.

5. Identify information needs

Filling gaps in information is an important element of the preservation plan designed for each historic context. Statements of the information needed should be as specific as possible, focusing on the information needed, the historic context and property types it applies to, and why the information is needed to perform identification, evaluation, or treatment activities.

Developing Goals for a Historic Context

Developing Goals

A goal is a statement of preferred preservation activities, which is *44720 generally stated in terms of property types.

The purpose of establishing preservation goals is to set forth a "best case" version of how properties in the historic context should be identified, evaluated, registered and treated. Preservation goals should be oriented toward the greatest possible protection of properties in the historic context and should be based on the principle that properties should be preserved in place if possible, through affirmative treatments like rehabilitation, stabilization or restoration. Generally, goals will be specific to the historic context and will often be phrased in terms of property types. Some of these goals will be related to information needs previously identified for the historic context. Collectively, the goals for a historic context should be a coherent statement of program direction covering all aspects of the context.

For each goal, a statement should be prepared identifying:

1. The goal, including the context and property types to which the goal applies and the geographical area in which they are located;
2. The activities required to achieve the goal;
3. The most appropriate methods or strategies for carrying out the activities;
4. A schedule within which the activities should be completed; and
5. The amount of effort required to accomplish the goal, as well as a way to evaluate progress toward its accomplishment.

Setting priorities for goals

Once goals have been developed they need to be ranked in importance. Ranking involves examining each goal in light of a number of factors.

1. General social, economic, political and environmental conditions and trends affecting (positively and negatively) the identification, evaluation, registration and treatment of property types in the historic context.

Some property types in the historic context may be more directly threatened by deterioration, land development patterns, contemporary use patterns, or public perceptions of their value, and such property types should be given priority consideration.

2. Major cost or technical considerations affecting the identification, evaluation and treatment of property types in the historic context.

The identification or treatment of some property types may be technically possible but the cost prohibitive; or techniques may not currently be perfected (for example, the identification of submerged sites or objects, or the evaluation of sites containing material for which dating techniques are still being developed).

3. Identification, evaluation, registration and treatment activities previously carried out for property types in the historic context.

If a number of properties representing one aspect of a historic context have been recorded or preserved, treatment of additional members of that property type may receive lower priority than treatment of a property type for which no examples have yet been recorded or preserved. This approach ensures that the focus of recording or preserving all elements of the historic context is retained, rather than limiting activities to preserving properties representing only some aspects of the context.

The result of considering the goals in light of these concerns will be a list of refined goals ranked in order of priority.

Integrating Individual Contexts—Creating the Preservation Plan

When historic contexts overlap geographically, competing goals and priorities must be integrated for effective preservation planning. The ranking of goals for each historic context must be reconciled to ensure that recommendations for one context do not contradict those for another. This important step results in an overall set of priorities for several historic contexts and a list of the activities to be performed to achieve the ranked goals. When applied to a specific geographical area, this is the preservation plan for that area.

It is expected that in many instances historic contexts will overlap geographically. Overlapping contexts are likely to occur in two combinations—those that were defined at the same scale (i.e., textile development in Smithtown 1850–1910 and Civil War in Smithtown 1855–1870) and those defined at different scales (i.e., Civil War in Smithtown and Civil War in the Shenandoah Valley). The contexts may share the same property types, although the shared property types will probably have different levels of importance, or they may group the same properties into different property types, reflecting either a different scale of analysis or a different historical perspective.

As previously noted, many of the goals that are formulated for a historic context will focus on the property types defined for that context. Thus it is critical that the integration of goals include the explicit consideration of the potential for shared property type membership by individual properties. For example, when the same property types are used by two contexts, reconciling the goals will require weighing the level of importance assigned to each property type. The degree to which integration of historic contexts must involve reconciling property types may be limited by the coordinated development of historic contexts used at various levels.

Integration with Management Frameworks

Preservation goals and priorities are adapted to land units through integration with other planning concerns. This integration must involve the resolution of conflicts that arise when competing resources occupy the same land base. Successful resolution of these conflicts can often be achieved through judicious combination of inventory, evaluation and treatment activities. Since historic properties are irreplaceable, these activities should be heavily weighted to discourage the destruction of significant properties and to be compatible with the primary land use.

Recommended Sources of Technical Information

Resource Protection Planning Process. State and Plans Grants Division, 1980. Washington, D.C. Available from Survey and Planning Branch, Interagency Resources Division, National Park Service, Department of the Interior, Washington, D.C. 20240. Outlines a step-by-step approach to implementing the resource protection planning process.

Resource Protection Planning Process Case Studies. Available from Survey and Planning Branch, Interagency Resources Division, National Park Service, Department of the Interior, Washington, D.C. 20240. Reports prepared by State Historic Preservation Offices and other using the planning process.

Planning Theory. Andreas Faludi, 1980. Oxford: Pergamon Press. Constructs a model of planning using concepts borrowed from general systems theory.

SECRETARY OF THE INTERIOR'S STANDARDS FOR IDENTIFICATION

Identification activities are undertaken to gather information about historic properties in an area. The scope of these activities will depend on: existing knowledge about properties; goals for survey activities developed in the planning process; and current management needs.

Standard I. Identification of Historic Properties Is Undertaken to the Degree Required To Make Decisions

Archival research and survey activities should be designed to gather the information necessary to achieve defined preservation goals. The *44721 objectives, chosen methods and techniques, and expected results of the identification activities are specified in a research design. These activities may include archival research and other techniques to develop historic contexts, sampling an area to gain a broad understanding of the kinds of properties it contains, or examining every property in an area as a basis for property specific decisions. Where possible, use of quantitative methods is important because it can produce an estimate, whose reliability may be assessed, of the kinds of historic properties that may be present in the studied area. Identification activities should use a search procedure consistent with the management needs for information and the character of the area to be investigated. Careful selection of methods, techniques and level of detail is necessary so that the gathered information will provide a sound basis for making decisions.

Standard II. Results of Identification Activities are Integrated Into the Preservation Planning Process

Results of identification activities are reviewed for their effects on previous planning data. Archival research or field survey may refine the understanding of one or more historic contexts and may alter the need for additional survey or study of particular property types. Incorporation of the results of these activities into the planning process is necessary to ensure that the planning process is always based on the best available information.

Standard III. Identification Activities Include Explicit Procedures for Record-Keeping and Information Distribution

Information gathered in identification activities is useful in other preservation planning activities only when it is systematically gathered and recorded, and made available to those responsible for preservation planning. The results of identification activities should be reported in a format that summarizes the design and methods of the survey, provides a basis for others to review the results, and states where information on identified properties is maintained. However, sensitive information, like the location of fragile resources, must be safeguarded from general public distribution.

Secretary of the Interior's Guidelines for Identification

Introduction

These Guidelines link the Standards for Identification with more specific guidance and technical information. The Guidelines outline one approach to meet the Standards for Identification. Agencies, organizations and individuals proposing to approach identification differently may wish to review their approaches with the National Park Service.

The Guidelines are organized as follows:

Role of Identification in the Planning Process

Performing Identification

Integrating Identification Results

Reporting Identification Results

Recommended Sources of Technical Information

Role of Identification in the Planning Process

Identification is undertaken for the purpose of locating historic properties and is composed of a number of activities which include, but are not limited to archival research, informant interviews, field survey and analysis. Combinations of these activities may be selected and appropriate levels of effort assigned to produce a flexible series of options. Generally identification activities will have multiple objectives, reflecting complex management needs. Within a comprehensive planning process, identification is normally undertaken to acquire property-specific information needed to refine a particular historic context or to develop any new historic contexts. (See the Guidelines for Preservation Planning for discussion of information gathering to establish plans and to develop historic contexts.) The results of identification activities are then integrated into the planning process so that subsequent activities are based on the most up-to-date information. Identification activities are also undertaken in the absence of a comprehensive planning process, most frequently as part of a specific land-use or development project. Even lacking a formally developed preservation planning process, the benefits of efficient, goal-directed research may be obtained by the development of localized historic contexts, suitable in scale for the project area, as part of the background research which customarily occurs before field survey efforts.

Performing Identification

Research Design

Identification activities are essentially research activities for which a statement of objectives or research design should be prepared before work is performed. Within the framework of a comprehensive planning process, the research design provides a vehicle for integrating the various activities performed during the identification process and for linking those activities directly to the goals and the historic context(s) for which those goals were defined. The research design stipulates the logical integration of historic context(s) and field and laboratory methodology. Although these tasks may be performed individually, they will not contribute to the greatest extent possible in increasing information on the historic context unless they relate to the defined goals and to each other. Additionally, the research design provides a focus for the integration of interdisciplinary information. It ensures that the linkages between specialized activities are real, logical and address the defined research questions. Identification activities should be guided by the research design and the results discussed in those terms. (See Reporting Identification Results)

The research design should include the following:

1. Objectives of the identification activities. For example: to characterize the range of historic properties in a region; to identify the number of properties associated with a context; to gather information to determine which properties in an area are significant.

The statement of objectives should refer to current knowledge about the historic contexts or property types, based on background research or assessments of previous research. It should clearly define the physical extent of the area to be investigated and the amount and kinds of information to be gathered about properties in the area.

2. Methods to be used to obtain the information. For example: archival research or field survey. Research methods should be clearly and specifically related to research problems.

Archival research or survey methods should be carefully explained so that others using the gathered information can understand how the information was obtained and what its possible limitations or biases are.

The methods should be compatible with the past and present environmental character of the geographical area under study and the kinds of properties most likely to be present in the area.

3. The expected results and the reasons for those expectations.

Expectations about the kind, number, location, character and condition of historic properties are generally based on a combination of background research, proposed hypotheses, and analogy to the kinds of properties known to exist in areas of similar environment or history.

***44722 Archival Research**

Archival or background research is generally undertaken prior to any field survey. Where identification is undertaken as part of a comprehensive planning process, background research may have taken place as part of the development of the historic contexts (see the Guidelines for Preservation Planning). In the absence of previously developed historic contexts, archival research should address specific issues and topics. It should not duplicate previous work. Sources should include, but not be limited to, historical maps, atlases, tax records, photographs, ethnographies, folklife documentation, oral histories and other studies, as well as standard historical reference works, as appropriate for the research problem. (See the Guidelines for Historical Documentation for additional discussion.)

Field Survey

The variety of field survey techniques available, in combination with the varying levels of effort that may be assigned, give great flexibility to implementing field surveys. It is important that the selection of field survey techniques and level of effort be responsive to the management needs and preservation goals that direct the survey effort.

Survey techniques may be loosely grouped into two categories, according to their results. First are the techniques that result in the characterization of a region's historic properties. Such techniques might include "windshield" or walk-over surveys, with perhaps a limited use of sub-surface survey. For purposes of these Guidelines, this kind of survey is termed a "reconnaissance." The second category of survey techniques is those that permit the identification and description of specific historic properties in an area; this kind of survey effort is termed "intensive." the terms "reconnaissance" and "intensive" are sometimes defined to mean particular survey techniques, generally with regard to prehistoric sites. The use of the terms here is general and is not intended to redefine the terms as they are used elsewhere.

Reconnaissance survey might be most profitably employed when gathering data to refine a developed historic context—such as checking on the presence or absence of expected property types, to define specific property types or to estimate the distribution of historic properties in an area. The results of regional characterization activities provide a general understanding of the historic properties in a particular area and permit management decisions that consider the sensitivity of the area in terms of historic preservation concerns and the resulting implications for future land use planning. The data should allow the formulation of estimates of the necessity, type and cost of further identification work and the setting of priorities for the individual tasks

involved. In most cases, areas surveyed in this way will require resurvey if more complete information is needed about specific properties.

A reconnaissance survey should document:

1. The kinds of properties looked for;
2. The boundaries of the area surveyed;
3. The method of survey, including the extent of survey coverage;
4. The kinds of historic properties present in the surveyed area;
5. Specific properties that were identified, and the categories of information collected; and
6. Places examined that did not contain historic properties.

Intensive survey is most useful when it is necessary to know precisely what historic properties exist in a given area or when information sufficient for later evaluation and treatment decisions is needed on individual historic properties. Intensive survey describes the distribution of properties in an area; determines the number, location, and condition of properties; determines the types of properties actually present within the area; permits classification of individual properties; and records the physical extent of specific properties.

An intensive survey should document:

1. The kinds of properties looked for;
2. The boundaries of the area surveyed;
3. The method of survey, including an estimate of the extent of survey coverage;
4. A record of the precise location of all properties identified; and
5. Information on the appearance, significance, integrity and boundaries of each property sufficient to permit an evaluation of its significance.

Sampling

Reconnaissance or intensive survey methods may be employed according to a sampling procedure to examine less-than-the-total project or planning area.

Sampling can be effective when several locations are being considered for an undertaking or when it is desirable to estimate the cultural resources of an area. In many cases, especially where large land areas are involved, sampling can be done in stages. In this approach, the results of the initial large area survey are used to structure successively smaller, more detailed surveys. This "nesting" approach is an efficient technique since it enables characterization of both large and small areas with reduced effort. As with all investigative techniques, such procedures should be designed to permit an independent assessment of results.

Various types of sample surveys can be conducted, including, but not limited to: random, stratified and systematic. Selection of sample type should be guided by the problem the survey is expected to solve, the nature of the expected properties and the nature of the area to be surveyed.

Sample surveys may provide data to estimate frequencies of properties and types of properties within a specified area at various confidence levels. Selection of confidence levels should be based upon the nature of the problem the sample survey is designed to address.

Predictive modeling is an application of basic sampling techniques that projects or extrapolates the number, classes and frequencies of properties in unsurveyed areas based on those found in surveyed areas. Predictive modeling can be an effective tool during the early stages of planning an undertaking, for targeting field survey and for other management purposes. However, the accuracy of the model must be verified; predictions should be confirmed through field testing and the model redesigned and retested if necessary.

Special survey techniques

Special survey techniques may be needed in certain situations.

Remote sensing techniques may be the most effective way to gather background environmental data, plan more detailed field investigations, discover certain classes of properties, map sites, locate and confirm the presence of predicted sites, and define features within properties. Remote sensing techniques include aerial, subsurface and underwater techniques. Ordinarily the results of remote sensing should be verified through independent field inspection before making any evaluation or statement regarding frequencies or types of properties.

Integrating Identification Results

The results of identification efforts must be integrated into the planning process so that planning decisions are based on the best available information. The new information is first assessed against the objectives of the identification effort to determine whether the gathered information meets *44723 the defined identification goals for the historic context(s); then the goals are adjusted accordingly. In addition, the historic context narrative, the definition of property types and the planning goals for evaluation and treatment are all adjusted as necessary to accommodate the new data.

Reporting Identification Results

Reporting of the results of identification activities should begin with the statement of objectives prepared before undertaking the survey. The report should respond to each of the major points documenting:

1. Objectives;
2. Area researched or surveyed;
3. Research design or statement of objectives;
4. Methods used, including the intensity of coverage. If the methods differ from those outlined in the statement of objectives, the reasons should be explained.
5. Results: how the results met the objectives; result analysis, implications and recommendations; where the compiled information is located.

A summary of the survey results should be available for examination and distribution. Identified properties should then be evaluated for possible inclusion in appropriate inventories.

Protection of information about archeological sites or other properties that may be threatened by dissemination of that information is necessary. These may include fragile archeological properties or properties such as religious sites, structures, or objects, whose cultural value would be compromised by public knowledge of the property's location.

Recommended Sources of Technical Information

The Archeological Survey: Methods and Uses. Thomas F. King. Interagency Archeological Services, U.S. Department of the Interior, 1978. Washington, D.C. Available through the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402. GPO stock number 024-016-00091. Written primarily for the non-archeologist, this publication presents methods and objectives for archeological surveys.

Cultural Resources Evaluation of the Northern Gulf of Mexico Continental Shelf. National Park Service, U.S. Department of the Interior, 1977.

Guidelines for Local Surveys: A Basis for Preservation Planning. Anne Derry, H. Ward Jandl, Carol Shull and Jan Thorman. National Register Division, U.S. Department of the Interior, 1978. Washington, D.C. Available through the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402. GPO stock number 024-016-0089-7. General guidance about designing and carrying out community surveys.

The Process of Field Research: Final Report on the Blue Ridge Parkway Folklife Project. American Folklife Center, 1981.

Regional Sampling in Archeology. David Hurst Thomas. University of California, Archeological Survey Annual Report, 1968-9, 11:87-100.

Remote Sensing: A Handbook for Archeologists and Cultural Resource Managers. Thomas R. Lyons and Thomas Eugene Avery. Cultural Resource Management Division, National Park Service, U.S. Department of the Interior, 1977.

Remote Sensing and Non-Destructive Archeology. Thomas R. Lyons and James L. Ebert, editors. Remote Sensing Division, Southwest Cultural Resources Center, National Park Service, U.S. Department of the Interior and University of New Mexico, 1978.

Remote Sensing Experiments in Cultural Resource Studies: Non-Destructive Methods of Archeological Exploration, Survey and Analysis. Thomas R. Lyons, assembler. reports of the Chaco Center, Number One. National Park Service, U.S. Department of the Interior and University of New Mexico, 1976.

Sampling in Archeology. James W. Mueller, editor. University of Arizona Press, 1975. Tucson, Arizona.

Scholars as Contractors. William J. Mayer-Oakes and Alice W. Portnoy, editors. Cultural Resource Management Studies. U.S. Department of the Interior, 1979.

Sedimentary Studies of Prehistoric Archeological Sites. Sherwood Gagliano, Charles Pearson, Richard Weinstein, Diana Wiseman, and Christopher McClendon. Division of State Plans and Grants, National Park Service, U.S. Department of the Interior, 1982. Washington, D.C. Available from Coastal Environments Inc., 1260 Main Street, Baton Rouge, Louisiana 70802. Establishes and evaluates a method for employing sedimentological analysis in distinguishing site areas from non-site areas when identifying submerged archeological sites on the continental shelf.

State Survey Forms. Available from Interagency Resource Management Division, National Park Service, Department of the Interior, Washington, D.C. 20240. Characterizes cultural resource survey documentation methods in State Historic Preservation Offices.

Truss Bridge Types: A Guide to Dating and Identifying. Donald C. Jackson and T. Allan Comp. American Association for State and Local History, 1977. Nashville, Tennessee. Technical leaflet 95. Available from AASLH, 708 Berry Road, Nashville, Tennessee 37204. Information about performing surveys of historic bridges and identifying the types of properties encountered.

Secretary of the Interior's Standards for Evaluation

Evaluation is the process of determining whether identified properties meet defined criteria of significance and therefore should be included in an inventory of historic properties determined to meet the criteria. The criteria employed vary depending on the inventory's use in resource management.

Standard I. Evaluation of the Significance of Historic Properties Uses Established Criteria

The evaluation of historic properties employs criteria to determine which properties are significant. Criteria should therefore focus on historical, architectural, archeological, engineering and cultural values, rather than on treatments. A statement of the minimum information necessary to evaluate properties against the criteria should be provided to direct information gathering activities.

Because the National Register of Historic Places is a major focus of preservation activities on the Federal, State and local levels, the National Register criteria have been widely adopted not only as required for Federal purposes, but for State and local inventories as well. The National Historic Landmark criteria and other criteria used for inclusion of properties in State historic site files are other examples of criteria with different management purposes.

Standard II. Evaluation of Significance Applies the Criteria Within Historic Contexts

Properties are evaluated using a historic context that identifies the significant patterns that properties represent and defines expected property types against which individual properties may be compared. Within this comparative framework, the criteria for evaluation take on particular meaning with regard to individual properties.

Standard III. Evaluation Results in A List or Inventory of Significant Properties That Is Consulted In Assigning Registration and Treatment Priorities

The evaluation process and the subsequent development of an inventory of significant properties is an on-going activity. Evaluation of the significance of a property should be completed before registration is considered and before preservation treatments are selected. The inventory entries should contain sufficient information for subsequent activities such as registration or treatment of properties, including an evaluation statement that makes clear the significance of the property within one or more historic contexts.

****44724 Standard IV. Evaluation Results Are Made Available to the Public***

Evaluation is the basis of registration and treatment decisions. Information about evaluation decisions should be organized and available for use by the general public and by those who take part in decisions about registration and treatment. Use of appropriate computer-assisted data bases should be a part of the information dissemination effort. Sensitive information, however, must be safeguarded from general public distribution.

Secretary of the Interior's Guidelines for Evaluation

Introduction

These Guidelines link the Standards for Evaluation with more specific guidance and technical information. These Guidelines describe one approach to meeting the Standards for Evaluation. Agencies, organizations, or individuals proposing to approach evaluation differently may wish to review their approach with the National Park Service.

The Guidelines are organized as follows:

The Evaluation Process

Criteria

Application of Criteria within a Historic Context

Inventory

Recommended Sources of Technical Information

The Evaluation Process

These Guidelines describe principles for evaluating the significance of one or more historic properties with regard to a given set of criteria.

Groups of related properties should be evaluated at the same time whenever possible; for example, following completion of a theme study or community survey.

Evaluation should not be undertaken using documentation that may be out of date. Prior to proceeding with evaluation the current condition of the property should be determined and previous analyses evaluated in light of any new information.

Evaluation must be performed by persons qualified by education, training and experience in the application of the criteria. Where feasible, evaluation should be performed in consultation with other individuals experienced in applying the relevant criteria in the geographical area under consideration; for example, the State Historic Preservation Officer or local landmarks commission.

Evaluation is completed with a written determination that a property is or is not significant based on provided information. This statement should be part of the record.

Criteria: The purposes of evaluation criteria should be made clear. For example, the criteria may be used "to evaluate properties for inclusion in the county landmarks list," or "to implement the National Register of Historic Places program."

For Federal cultural resource management purposes, criteria used to develop an inventory should be coordinated with the National Register criteria for evaluation as implemented in the approved State comprehensive historic preservation plan.

Content of Criteria: Criteria should be appropriate in scale to the purpose of the evaluation. For example, criteria designed to describe national significance should not be used as the basis for creating a county or State inventory. Criteria should be categorical and not attempt to describe in detail every property likely to qualify. Criteria should outline the disciplines or broad areas of concern (history, archeology, architectural history, engineering and culture, for example) included within the scope of the inventory; explain what kinds of properties, if any, are excluded and the reasons for exclusion; and define how levels of significance are measured, if such levels are incorporated into the criteria. If the criteria are to be used in situations where the National Register criteria are also widely used, it is valuable to include a statement explaining the relationship of the criteria used to the National Register criteria, including how the scope of the inventory differs from that defined by the National Register criteria and how the inventory could be used to identify properties that meet the National Register criteria.

Information Needed to Evaluate Properties: The criteria should be accompanied by a statement defining the minimum information necessary to evaluate properties to insure that this information is collected during identification activities intended to locate specific historic properties. Generally, at least the following will be needed:

1. Adequately developed historic contexts, including identified property types. (See the Guidelines for Preservation Planning for discussion of development of historic contexts.)
2. Sufficient information about the appearance, condition and associative values of the property to be evaluated to:
 - a. Classify it as to property type;
 - b. Compare its features or characteristics with those expected for its property type; and
 - c. Define the physical extent of the property and accurately locate the property.

To facilitate distinguishing between facts and analysis, the information should be divided into categories, including identification and description of pertinent historical contexts; description of the property and its significance in the historical context; and analysis of the integrity of the property relative to that needed to represent the context.

Usually documentation need not include such items as a complete title history or biography of every owner of a property, except where that information is important in evaluating its significance. Information on proposed or potential treatments or threats, such as destruction of a property through uncontrollable natural processes, is also not needed for evaluation, unless those effects are likely to occur prior to or during the evaluation, thereby altering the significant characteristic of the property. If archeological testing or structural analysis is needed for evaluation, it should not proceed beyond the point of providing the information necessary for evaluation and should not unnecessarily affect significant features or values of the property.

When more information is needed: Evaluation cannot be conducted unless all necessary information is available. (See Information Needed to Evaluate Properties.) Any missing information or analysis should be identified (e.g. development of context or information on the property) as well as the specific activities required to obtain the information (archival research, field survey and testing, or laboratory testing). When adequate information is not available, it is important to record that fact so that evaluation will not be undertaken until the information can be obtained. In some cases needed information is not obtainable, for example, where historical records have been destroyed or analytical techniques have not been developed to date materials in archeological sites. If an evaluation must be completed in these cases, it is important to acknowledge what information was not obtainable and how that missing information may affect the reliability of the evaluation.

Application of the Criteria within a Historic Context

The first step in evaluation is considering how the criteria apply to the *44725 particular historic context. This is done by reviewing the previously developed narrative for the historic context and determining how the criteria would apply to properties in that context, based on the important patterns, events, persons and cultural values identified. (See the discussion of the historic context narrative in the Guidelines for Preservation Planning.) This step includes identification of which criteria each property type might meet and how integrity is to be evaluated for each property type under each criterion. Specific guidelines for evaluating the eligibility of individual properties should be established. These guidelines should outline and justify the specific physical characteristics or data requirements that an individual property must possess to retain integrity for the particular property type; and define the process by which revisions or additions can be made to the evaluation framework.

Consideration of property type and integrity: After considering how the criteria apply to the particular historic context, the evaluation process for a property generally includes the following steps:

1. A property is classified as to the appropriate historic context(s) and property type(s). If no existing property type is appropriate, a new property type is defined, its values identified, and the specific characteristics or data requirements are outlined and justified as an addition to the historic context. If necessary, a new historic context is defined for which values and property types and their integrity requirements are identified and justified.

2. A comparison is made between the existing information about the property and the integrity characteristics or data required for the property type.

a. If the comparison shows that the property possesses these characteristics, then it is evaluated as significant for that historic context. The evaluation includes a determination that the property retains integrity for its type.

b. If the comparison shows that the property does not meet the minimum requirements, one of several conclusions is reached:

(1) The property is determined not significant because it does not retain the integrity defined for the property type.

(2) The property has characteristics that may make it significant but these differ from those expected for that property type in that context. In this case, the historic context or property types should be reexamined and revised if necessary, based on subsequent research and survey.

The evaluation should state how the particular property meets the integrity requirements for its type. When a property is disqualified for loss of integrity, the evaluation statement should focus on the kinds of integrity expected for the property type, those that are absent for the disqualified property, and the impact of that absence on the property's ability to exemplify architectural, historical or research values within a particular historic context.

The integrity of the property in its current condition, rather than its likely condition after a proposed treatment, should be evaluated. Factors such as structural problems, deterioration, or abandonment should be considered in the evaluation only if they have affected the integrity of the significant features or characteristics of the property.

Inventory

An inventory is a repository of information on specific properties evaluated as significant.

Content: The inventory should include:

1. Summaries of the important historic contexts. These may be in the form of an approved plan or analyses of historic contexts important in the history of the geographical area covered by the inventory.
2. Descriptions of significant property types of these contexts, whether or not any specific properties have been identified.
3. Results of reconnaissance surveys or other identification activities, even if the level of information on specific properties identified as part of those activities is not sufficient to evaluate individual properties.
4. Information on individual properties that was used in evaluation.

Historic contexts are identified by name, with reference to documents describing those contexts, or with a narrative statement about the context(s) where such documents do not exist.

A description of the property. Part of this description may be a photographic record.

A statement that justifies the significance of the property in relation to its context(s). This statement should include an analysis of the integrity of the property.

Boundaries of the property.

A record of when a property was evaluated and included in the inventory, and by whom.

Records on demolished or altered properties and properties evaluated as not significant should be retained, along with full description of areas surveyed, for the planning information these records provide about impacts to properties and about the location and character of non-significant properties to prevent redundant identification work at a later time.

Maintenance: Inventory entries should be maintained so that they accurately represent what is known about historic properties in the area covered by the inventory. This will include new information gained from research and survey about the historic contexts, property types, and previously evaluated properties, as well as information about newly evaluated properties. For individual properties, addition of kinds of significance, change in the boundaries, or loss of significance through demolition or alteration should be recorded.

Uses and Availability: An inventory should be managed so that the information is accessible. Its usefulness depends on the organization of information and on its ability to incorporate new information. An inventory should be structured so that entries can be retrieved by locality or by historic context.

The availability of the inventory information should be announced or a summary should be distributed. This may be in the form of a list of properties evaluated as significant or a summary of the historic contexts and the kinds of properties in the inventory. Inventories should be available to managers, planners, and the general public at local, State, regional, and Federal agency levels.

It is necessary to protect information about archeological sites or other properties whose integrity may be damaged by widespread knowledge of their location. It may also be necessary to protect information on the location of properties such as religious sites, structures, or objects whose cultural value would be compromised by public knowledge of the property's location.

Recommended Sources of Technical Information

How to Apply the National Register Criteria. Available through the National Register Branch, Interagency Resources Division, National Park Service, U.S. Department of the Interior, Washington, D.C. 20240. Provides detailed technical information about interpretation of the significance and integrity criteria used by the National Register of Historic Places program.

How To Series. Available through the National Register Branch, Interagency Resources Division, National Park Service, U.S. Department of the Interior, Washington, D.C. 20240. Discusses application of the National Register criteria for evaluation. Titles include:

*44726 How To Establish Boundaries for National Register Properties.

How To Evaluate and Nominate Potential National Register Properties That Have Achieved Significance Within the Last 50 Years.

How To Improve Quality of Photos for National Register Nominations.

How To Apply for Certification of Significance Under Section 2124 of the Tax Reform Act of 1976.

How To Apply for Certification of State and Local Statutes and Historic Districts.

How To Quality Historic Properties Under the New Federal Law Affective Easements.

Importance of Small, Surface, and Disturbed Sites as Sources of Significant Archeological Data. Valerie Talmage and Olga Chesler. Interagency Archeological Service 1977. Washington, D.C. Available from the National Technical Information Service. NTIS Publication Number PB 270939/AS. Discusses the role of small, surface, and disturbed sites as sources of significant

information about a variety of prehistoric activities. These types of sites are frequently ignored in the development of regional archeological research designs.

Secretary of the Interior's Standards For Registration

Registration is the formal recognition of properties evaluated as significant. Preservation benefits provided by various registration programs range from honorific recognition to prohibition of demolition or alteration of included properties. Some registration programs provide recognition and other broad benefits while other programs authorize more specific forms of protection.

Standard I. Registration Is Conducted According To Stated Procedures

Registration of historic properties in the National Register of Historic Places must be done in accordance with the National Register regulations published in the Code of Federal Regulations, 36 CFR 60. Registration for other lists or purposes follow an established process that is understood by the public, particularly by those interests that may be affected by registration.

Standard II. Registration Information Locates, Describes and Justifies the Significance and Physical Integrity of a Historic Property

Registers are used for planning, research and treatment. They must contain adequate information for users to locate a property and understand its significance. Additional information may be appropriate depending on the intended use of the register.

Standard III. Registration Information is Accessible to the Public

Information should be readily available to the public and to government agencies responsible for the preservation of historic properties and for other planning needs.

Secretary of the Interior's Guidelines for Registration

Introduction

These Guidelines link the Standards for Registration with more specific guidance and technical information. They describe one approach to meeting the Standards for Registration. Agencies, organizations, or individuals proposing to approach registration differently may wish to review their approach with the National Park Service.

The Guidelines are organized as follows:

Purpose of Registration Programs

Registration Procedures

Documentation on Registered Properties

Public Availability

Recommended Sources of Technical Information

Purpose of Registration Programs

Registration of historic properties is the formal recognition of properties that have been evaluated as significant according to written criteria. Registration results in an official inventory or list that serves an administrative function. A variety of benefits or forms of protection accrue to a registered property, ranging from honorific recognition to prohibition of demolition or alteration.

Some registration programs provide recognition and other broad benefits or entitlements, while other registrations of properties may, in addition, authorize more specific forms of protection. The application of the registration process should be a logical outgrowth of the same planning goals and priorities that guided the identification and evaluation activities. All registration programs should establish priorities for recognition of their authorized range of properties; provide for confidentiality of sensitive information; and establish a means of appealing the registration or non-registration of a property.

Registration Procedures

Explicit procedures are essential because they are the means by which the public can understand and participate in the registration process. Procedures for registration programs should be developed by professionals in the field of historic preservation, in consultation with those who will use or be affected by the program. Prior to taking effect, procedures should be published or circulated for comment at the governmental level at which they will be used. (Procedures for registration of properties in the National Register of Historic Places and the National Historic Landmarks list, for example, are published in the Federal Register.)

Any registration program should include:

1. A professional staff to prepare or assess the documentation;
2. A professional review, independent of the nominating source, to provide an impartial evaluation of the documented significance;
3. Adequate notice to property owners, elected officials and the public about proposed registrations and the effects of listing, if any; and
4. A means of public participation.

Professional Review: The registration process should include an independent evaluation of the significance of the property and of the quality and thoroughness of the documentation supporting that significance. Such evaluation ensures that significance is adequately justified and that registration documentation meets the technical requirements of the registration process.

State and local preservation programs, concerned with both public and private properties, generally use a review board, panel or commission. This level of professional review has proven to be effective in assessing the significance of properties considered for registration.

Review boards and other forms of independent review should include professionals in the fields or disciplines included in the criteria; representatives of other fields or disciplines may be desirable to reflect other values or aspects of the register. Key personnel must be qualified by education, training or experience to accomplish their designated duties. (See the Professional Qualifications Standards.)

The scope of the independent review should be clearly stated in the registration procedures and should not include issues outside the scope of the applicable criteria for evaluation and other areas specified in the procedures. Generally, independent reviewers should not be involved in any primary research or analysis related to properties under consideration; this information should be gathered and organized prior to review meetings. Documentation presented to the reviewers should be made available to *44727 the public prior to review meetings or public hearings. Registration of properties should not take place until review of documentation has been completed.

Public Notice: Adequate notice allows property owners, officials and other interested parties to comment on proposed registrations prior to action by the independent reviewers. The degree of protection and control provided by a registration program may be a factor in determining what constitutes adequate notice. For example, adequate notice of proposed inclusion in honorific registers may be less complex than that for registration that results in local controls on alteration or demolition of registered properties.

Notice to elected officials and the public is necessary to distribute information about potential registrations of concern to planning and development interests.

Adequate notice to property owners may be accomplished through means ranging from individual notification by mail to publication of a public notice, depending on the nature of the registration program and the number and character of the properties involved.

Public notices and owner notification about proposed registrations should include the dates and times of public meetings and review meetings, the kinds of comments that are appropriate, and how comments will be considered in the evaluation process. The notice should also state where information can be obtained about the registration program, the criteria used to evaluate properties for inclusion, and the significance of specific properties under consideration.

The procedures should include a means of public participation in the form of submission of written comments or a review meeting open to the public or a public hearing.

The procedures should state time periods within which reviews, notices, comments, public hearings, review meetings and appeals will occur. The time periods should be short enough to allow for efficient recognition of historic properties but also allow adequate time for public comment and participation by those affected. Time periods may vary depending on whether activities are carried out at the local, State, or national level. These time schedules should be widely circulated so that the process is widely understood.

Appeal Process: A means of appeal should be included in the registration process to allow for reconsideration of a property's inclusion. Reasons for appeal may range from existence of additional information about the property supporting or refuting its significance to administrative or procedural error. An appeal process should specify to whom an appeal may be made and how the information that is provided will be evaluated. The appeal procedures should also state the time limit, if any, on appealing a decision and on consideration of information and issuance of a decision by the appeal authority.

Documentation on Registered Properties

Documentation requirements should be carefully weighed to provide the information actually needed to reach a registration decision and should be made public. It should be made certain that identification and evaluation activities obtain and record the information necessary for registration. Documentation should be prepared in a standardized format and on materials that are archivally stable and easy to store and retrieve.

Location: The precise location of a historic property must be clearly identified.

Street address, town or vicinity, and county should be provided. Properties should also be located on maps; these may be USGS maps, county planning maps, or city base maps or real estate maps. A uniform system of noting location, such as UTM grid points or longitude and latitude, should supplement mapping. It is recommended that each registration process standardize the preferred choice of maps appropriate to the scope of the process.

Description: An accurate description of a property includes a description of both the current and historical physical appearance and condition of the property and notes the relevant property type(s) for the applicable historic context(s). Discussion should include alterations, deterioration, relocation and other changes to the property since its period of significance.

Significance: A statement of significance should explain why a property meets the criteria for inclusion in the register to which it has been nominated.

This statement should contain at least 3 elements:

1. Reference to the relevant historic context(s);
2. Identification of relevant property types within the context and their characteristics; and
3. Justification that the property under consideration has the characteristics required to qualify it.

Relevant historic contexts can be identified through reference to the preservation plan or other documents where the contexts have been previously described or can be provided by a narrative discussion of the context. (The development of contexts and their use in evaluating properties are discussed in the Guidelines for Preservation Planning and the Guidelines for Evaluation.) A significant property type and its characteristics are identified either through reference to the historic context(s) or by a narrative in the documentation that describes historic contexts. Justification of a specific property is made by systematic comparison of its characteristics to those required for the property type.

Boundaries: The delineation and justification of boundaries for a registered property are important for future treatment activities. It is especially critical when legal restraints or restrictions may result from the registration of properties. Thus, boundaries should correspond as closely as possible to the actual extent and configuration of the property and should be carefully selected to encompass, but not exceed, the extent of the significant resource(s). The selection of boundaries should reflect the significant aspects of the property.

Arbitrary boundaries should not be chosen for ease of description since this can result in the inclusion of unrelated land or in exclusion of a portion of the historic property. Present property lines should not be chosen as property boundaries without careful analysis of whether they are appropriate to the historic property. A single uniform boundary description and acreage should not be applied to a group or class of properties (antebellum plantations, for example) without examination of the actual extent of each property. The selected boundaries should be justified as appropriate to the historic property.

Boundaries should be clearly and precisely described, using a verbal boundary description, legal description, accurate sketch map, or lines drawn on base maps, or a combination of these where needed to specify the limits of the property being registered. When used, maps should show the location of buildings, structures, sites or objects within the boundary.

Updating Information on Registered Properties: A change in the condition of the significant features of a property may require a change in the official registration record. Alteration of a significant architectural feature, for example, could mean that a property is no longer significant for its architectural design.

Additional significance of registered properties may be identified through development of new historic contexts. *44728 Research may reveal that a property is significant in other historic contexts or is significant at a higher level. For example, a property previously recognized as of local significance could be found to be of national significance.

A change in location or condition of a registered property may mean that the property is no longer significant for the reasons for which it was registered and the property should be deleted from the registered list.

Public Availability

Lists of registered properties should be readily available for public use, and information on registered properties should be distributed on a regular basis. Lists of properties registered nationally are distributed through publication in the Federal Register and to Congressional Offices and State Historic Preservation Offices. Comprehensive information should be stored and maintained for public use at designated national, State and local authorities open to the public on a regular basis.

Information should be retrievable by the property name, and location, historic context or property type. The specific location of properties that may be threatened by dissemination of that information must be withheld. These may include fragile archeological properties or properties such as religious sites, structures, or objects whose cultural value would be compromised by public knowledge of the property location.

Recommended Sources of Technical Information

How to Complete National Register Forms. National Register Division, National Park Service, U.S. Department of the Interior, 1977. Washington, D.C. Available through the Superintendent of Documents, US Government Printing Office, Washington, D.C. 20402. GPO Stock Number 024-005-00666-4. This publication is the standard reference on the documentation requirements of the National Register of Historic Places program.

How To Series. Available through the National Register Branch, Interagency Resources Division, National Park Service, Department of the Interior 20240. These information sheets contain supplementary information about interpreting the National Register criteria for evaluation and documentation requirements of the National Register registration program. Title include:

How To Establish Boundaries for National Register Properties.

How To Evaluate and Nominate Potential National Register Properties That Have Achieved Significance Within the Last 50 Years.

How To Improve the Quality of Photographs for National Register Nominations.

How To Apply for Certification of Significance Under Section 2124 of the Tax Reform Act of 1976.

How To Apply for Certification of State and Local Statutes and Historic Districts.

How To Qualify Historic Properties Under the New Federal Law Affecting Easements.

Note on Documentation and Treatment of Historic Properties

Documentation and treatment of historic properties includes a variety of techniques to preserve or protect properties, or to document their historic values and information. While documentation activities may be applied to any potentially historic property, generally only those properties that first have been evaluated as significant against specified criteria (such as those of the National Register) are treated. Some commonly applied treatments are preservation in place, rehabilitation, restoration and stabilization; there are other types of treatments also. Documentation and treatment may be applied to the same property; for example, archeological, historical, and architectural documentation may be prepared before a structure is stabilized or before foundations or chimneys or other lost features are reconstructed.

Alternatives for treatment will usually be available, and care should be applied in choosing among them. Preservation in place is generally preferable to moving a property. Over time, the preferred treatment for a property may change; for example, an archeological site intended for preservation in place may begin to erode so that a combination of archeological documentation

and stabilization may be required. If a decision is made that a particular property will not be preserved in place, the need for documentation must then be considered.

The three sets of documentation standards (i.e., the Standards for Historical Documentation, Standards for Architectural and Engineering Documentation, and Standards for Archeological Documentation) as well as the Standards for Historic Preservation Projects (Acquisition, Preservation, Stabilization, Protection, Rehabilitation, Restoration, and Reconstruction) describe the techniques of several disciplines to treat historic properties, and to document or preserve information about their historical values. The integration of planning for documentation and treatment with their execution is accomplished in a statement of objectives, or research design. Because both the goals and appropriate methodologies are likely to be interdisciplinary in nature, the relationship among these various activities should be specified in the research design to ensure that the resulting documentation produces a comprehensive record of historic properties in an efficient manner.

Secretary of the Interior's Standards for Historical Documentation

Historical documentation provides important information related to the significance of a property for use by historians, researchers, preservationists, architects, and historical archeologists. Research is used early in planning to gather information needed to identify and evaluate properties. (These activities are discussed in the Standards and Guidelines for Preservation Planning and the Standards and Guidelines for Identification.) Historical documentation is also a treatment that can be applied in several ways to properties previously evaluated as significant; it may be used in conjunction with other treatment activities (as the basis for rehabilitation plans or interpretive programs, for example) or as a final treatment to preserve information in cases of threatened property destruction. These Standards concern the use of research and documentation as a treatment.

Standard I. Historical Documentation Follows a Research Design That Responds to Needs Identified in the Planning Process

Historical documentation is undertaken to make a detailed record of the significance of a property for research and interpretive purposes and for conservation of information in cases of threatened property destruction. Documentation must have defined objectives so that proposed work may be assessed to determine whether the resulting documentation will meet needs identified in the planning process. The research design or statement of objectives is a formal statement of how the needs identified in the plan are to be addressed in a specific documentation project. This is the framework that guides the selection of methods and evaluation of results, and specifies the relationship of the historical documentation efforts to other proposed treatment activities.

Standards II. Historical Documentation Employs an Appropriate Methodology to Obtain the Information Required by The Research Design

Methods and techniques of historical research should be chosen to obtain needed information in the most efficient way. Techniques should be carefully selected and the sources should be *44729 recorded so that other researchers can verify or locate information discovered during the research.

Standard III. The Results of Historical Documentation Are Assessed Against the Research Design and Integrated Into the Planning Process

Documentation is one product of research; information gathered about the usefulness of the research design itself is another. The research results are assessed against the research design to determine how well they meet the objectives of the research. The results are integrated into the body of current knowledge and reviewed for their implications for the planning process. The research design is reviewed to determine how future research designs might be modified based on the activity conducted.

Standard IV. The Results of Historical Documentation Are Reported and Made Available to the Public

Research results must be accessible to prospective users. Results should be communicated to the professional community and the public in reports summarizing the documentation activity and identifying the repository of additional detailed information. The

goal of disseminating information must be balanced, however, with the need to protect sensitive information whose disclosure might result in damage to properties.

Secretary of the Interior's Guidelines for Historical Documentation

Introduction

These Guidelines link the Standards for Historical Documentation with more specific guidance and technical information. They describe one approach to meeting the Standards for Historical Documentation. Agencies, organizations or individuals proposing to approach historical documentation differently may wish to review their approaches with the National Park Service.

The Guidelines are organized as follows:

Historical Documentation Objectives

Research Design

Methods

Integrating Results

Reporting Results

Recommended Sources of Technical Information

Documentation Objectives

Documentation is a detailed record, in the form of a report or other written document, of the historical context(s) and significance of a property. Historical research to create documentation uses archival materials, oral history techniques, ethnohistories, prior research contained in secondary sources and other sources to make a detailed record of previously identified values or to investigate particular questions about the established significance of a property or properties. It is an investigative technique that may be employed to document associative, architectural, cultural or informational values of properties. It may be used as a component of structural recording or archeological investigation, to enable interpretation or to mitigate the anticipated loss of a property through conservation of information about its historical, architectural or archeological significance. Documentation generally results in both greater factual knowledge about the specific property and its values, and in better understanding of the property in its historical context. In addition to increasing factual knowledge about a property and its significance in one historical context, documentation may also serve to link the property to or define its importance in other known or yet-to-be defined historic contexts.

Documentation should incorporate, rather than duplicate, the findings of previous research. Research may be undertaken to identify how a particular property fits into the work of an architect or builder; to analyze the historical relationship among several properties; or to document in greater detail the historical contexts of properties. The kinds of questions investigated will generally depend on what is already known or understood and what information is needed. For example, documentation of a bridge whose technological significance is well understood, but whose role in local transportation history is not, would summarize the information on the former topic and focus research on the associative values of the property. The questions that research seeks to answer through deed, map or archival search, oral history and other techniques may also relate to issues addressed in structural documentation or archeological investigation; for example, the reasons for and history of modification of a building to be the subject of architectural or engineering documentation.

Research Design

Historical documentation is guided by a statement of objectives, research design or task directive prepared before research is performed. The research design is a useful statement of how proposed work will enhance existing archival data and permits comparison of the proposed work with the results. The purpose of the research design is to define the proposed scope of the documentation work and to define a set of expectations based on the information available prior to the research. Generally, the research design also ensures that research methods are commensurate with the type, quality and source of expected information.

The research design for a property should identify:

1. Evaluated significance of the property(ies) to be investigated;
2. Historical, architectural, archeological or cultural issues relevant to the evaluated significance of the property;
3. Previous research on those issues and how the proposed work is related to existing knowledge;
4. The amount and kinds of information required to produce reliable historical analyses;
5. Methods to be used to obtain the information;
6. Types of sources to be investigated; types of personnel required;
7. Expected results or findings based on available knowledge about the property and its context; and
8. Relationship of the proposed historical documentation to other proposed treatment activities; for example, recommendations on the use of documentation in interpretive programs or other aspects of treatment such as anticipated architectural, engineering or archeological documentation).

Research Methods

Research methods should be chosen based on the information needs, be capable of replication and be recorded so that another researcher could follow the same research procedure. Sources should be recorded so that other researchers can locate or verify the information discovered during the search.

Use of Sources: The variety of available written and graphic materials and the number of individuals that can serve as sources, including but not limited to personal records, deed and title books, newspapers, plats, maps, atlases, photographs, vital records, censuses, historical narratives, interviews of individuals and secondary source materials, should be considered in developing the research design. Part of the development of the research design is deciding what kinds of source materials are most likely to contain needed information and at what point in the research process that information will be most valuable. For example, *44730 often secondary sources are most valuable for gathering background information, while primary sources are more useful to gather or confirm specific facts. The documentation goals may not require exhaustive investigation of sources, such as deed records or building permits. Research may be kept cost-effective by making careful decisions about when to use particular sources, thereby limiting the use of time-consuming techniques to when absolutely necessary. Decisions about when to gather information may also affect the quality of information that can be gathered. When dealing with large project areas where loss of many properties is anticipated, it is important to gather information from local archival sources and oral histories before project activities destroy or disperse family or community records and residents.

Analysis of the accuracy and biases of source materials is critical in analyzing the information gathered from these sources. Maps, historical atlases and insurance maps should be assessed like written records for errors, biases and omissions; for example,

some map sources may omit structures of a temporary nature or may not fully depict ethnic or minority areas. Likewise, building plans and architectural renderings may not reflect a structure as it was actually built.

Analysis: Analysis should not only focus on the issues defined in the research design, but should also explore major new issues identified during the course of research or analysis. The documentation gathered may raise important issues not previously considered, and further investigation may be important, particularly when contradictory information has been gathered. It is important to examine the implications of these new issues to ensure that they are investigated in a balanced way.

Questions that should be considered in analyzing the information include:

1. Has enough information been gathered to answer the questions that were posed?
2. Do the answers contradict one another? If so, it may be necessary to search for more evidence. If no additional evidence is available, judgements must be based on the available sources, weighing their biases. Conflicts of source materials should be noted.

In general, the more the researcher knows about the general historical period and setting, and limitations of the source materials under investigation, the better the individual is prepared to evaluate the information found in the documentary sources investigated. Peer review or consultation with other knowledgeable individuals about the information and the tentative conclusions can be an important part of the analysis.

Integrating Results

The results of documentation must be integrated into the planning process so that planning decisions are based on the best available information. The new information is first assessed against the research design to determine whether the gathered information meets the defined objectives of the research. Then the relevant historic contexts, property types, and treatment goals for those contexts are all adjusted, as necessary, based on the historical documentation results.

Reporting Results

Reports should contain:

1. Summaries of the purpose of the documentation, the research design and methods and techniques of investigation.
2. Sources of facts or analyses so that other researchers can locate the information in its original context. Notation of any conflicts in source materials and how the individual performing the documentation interpreted these conflicts.
3. Sources consulted, including those expected to contain useful information and those that contained no information about the property(s).
4. Assessment of the accuracy, biases and historical perspective of all sources. This information and that identified in No. 3 may be provided in an annotated bibliography.
5. Discussion of major analyses and results, including conclusions regarding all major research issues identified in the research design, as well as important issues raised in the course of research. The analysis should be summarized in terms of its impact on interpreting the property's significance and expanding or altering the knowledge about the property and its context.
6. Researchers' interpretation of historical events or trends. These interpretations should be clearly identified.

Primary results should be preserved and made accessible in some manner, although they need not necessarily be contained in the report. At a minimum, the report should reference the location of notes and analyses.

Results of historical documentation should be made available for use in preservation planning and by the general public. Report formats may vary, depending on the audience and the anticipated uses of the documentation, but professionally accepted rules of report writing should be followed. If reports are of a technical nature, the format of the major scientific journal of the pertinent discipline may be the most appropriate format. Peer review of draft reports is one means of ensuring that state-of-the-art technical reports are produced.

Recommended Sources of Technical Information

Folklife and Fieldwork: A Layman's Introduction to Field Techniques. Peter Bartis. American Folklife Center, Washington, D.C., 1979.

Ordinary People and Everyday Life: Perspectives on the New Social History. James B. Gardnee and George Rollie Adams, editors, American Association for State and Local History, Nashville, Tennessee, 1983.

The Process of Field Research. Carl Fleischhauer and Charles K. Wolfe. American Folklife Center, Washington, D.C., 1981.

Researching Heritage Buildings. Margaret Carter. Ministry of the Environment, Ottawa, Canada, 1983.

Secretary of the Interior's Standards for Architectural and Engineering Documentation

These standards concern the development of documentation for historic buildings, sites, structures and objects. This documentation, which usually consists of measured drawings, photographs and written data, provides important information on a property's significance for use by scholars, researchers, preservationists, architects, engineers and others interested in preserving and understanding historic properties. Documentation permits accurate repair or reconstruction of parts of a property, records existing conditions for easements, or may preserve information about a property that is to be demolished.

These Standards are intended for use in developing documentation to be included in the Historic American Building Survey (HABS) and the Historic American Engineering Record (HAER) Collections in the Library of Congress. HABS/HAER, in the National Park Service, have defined specific requirements for meeting these Standards for their collections. The HABS/HAER requirements include information important to development of documentation for other purposes such as State or local archives.

****44731 Standard I. Documentation Shall Adequately Explicate and Illustrate What is Significant or Valuable About the Historic Building, Site, Structure or Object Being Documented.***

The historic significance of the building, site, structure or object identified in the evaluation process should be conveyed by the drawings, photographs and other materials that comprise documentation. The historical, architectural, engineering or cultural values of the property together with the purpose of the documentation activity determine the level and methods of documentation. Documentation prepared for submission to the Library of Congress must meet the HABS/HAER Guidelines.

Standard II. Documentation Shall be Prepared Accurately From Reliable Sources With Limitations Clearly Stated to Permit Independent Verification of the Information.

The purpose of documentation is to preserve an accurate record of historic properties that can be used in research and other preservation activities. To serve these purposes, the documentation must include information that permits assessment of its reliability.

Standard III. Documentation Shall be Prepared on Materials That are Readily Reproducible, Durable and in Standard Sizes.

The size and quality of documentation materials are important factors in the preservation of information for future use. Selection of materials should be based on the length of time expected for storage, the anticipated frequency of use and a size convenient for storage.

Standard IV. Documentation Shall be Clearly and Concisely Produced.

In order for documentation to be useful for future research, written materials must be legible and understandable, and graphic materials must contain scale information and location references.

Secretary of the Interior's Guidelines for Architectural and Engineering Documentation

Introduction .

These Guidelines link the Standards for Architectural and Engineering Documentation with more specific guidance and technical information. They describe one approach to meeting the Standards for Architectural Engineering Documentation. Agencies, organizations or individuals proposing to approach documentation differently may wish to review their approaches with the National Park Service.

The Guidelines are organized as follows:

Definitions

Goal of Documentation

The HABS/HAER Collections

Standard I: Content

Standard II: Quality

Standard III: Materials

Standard IV: Presentation

Architectural and Engineering Documentation Prepared for Other Purposes

Recommended Sources of Technical Information

Definitions

These definitions are used in conjunction with these Guidelines:

Architectural Data Form—a one page HABS form intended to provide identifying information for accompanying HABS documentation.

Documentation—measured drawings, photographs, histories, inventory cards or other media that depict historic buildings, sites, structures or objects.

Field Photography—photography, other than large-format photography, intended for the purpose of producing documentation, usually 35mm.

Field Records—notes of measurements taken, field photographs and other recorded information intended for the purpose of producing documentation.

Inventory Card—a one page form which includes written data, a sketched site plan and a 35mm contact print dry-mounted on the form. The negative, with a separate contact sheet and index should be included with the inventory card.

Large Format Photographs—photographs taken of historic buildings, sites, structures or objects where the negative is a 4 X 5', 5 X 7" or 8 X 10" size and where the photograph is taken with appropriate means to correct perspective distortion.

Measured Drawings—drawings produced on HABS or HAER formats depicting existing conditions or other relevant features of historic buildings, sites, structures or objects. Measured drawings are usually produced in ink on archivally stable material, such as mylar.

Photocopy—A photograph, with large-format negative, of a photograph or drawing.

Select Existing Drawings—drawings of historic buildings, sites, structures or objects, whether original construction or later alteration drawings that portray or depict the historic value or significance.

Sketch Plan—a floor plan, generally not to exact scale although often drawn from measurements, where the features are shown in proper relation and proportion to one another.

Goal of Documentation

The Historic American Buildings Survey (HABS) and Historic American Engineering Record (HAER) are the national historical architectural and engineering documentation programs of the National Park Service that promote documentation incorporated into the HABS/HAER collections in the Library of Congress. The goal of the collections is to provide architects, engineers, scholars, and interested members of the public with comprehensive documentation of buildings, sites, structures and objects significant in American history and the growth and development of the built environment.

The HABS/HAER Collections: HABS/HAER documentation usually consists of measured drawings, photographs and written data that provide a detailed record which reflects a property's significance. Measured drawings and properly executed photographs act as a form of insurance against fires and natural disasters by permitting the repair and, if necessary, reconstruction of historic structures damaged by such disasters. Documentation is used to provide the basis for enforcing preservation easement. In addition, documentation is often the last means of preservation of a property; when a property is to be demolished, its documentation provides future researchers access to valuable information that otherwise would be lost.

HABS/HAER documentation is developed in a number of ways. First and most usually, the National Park Service employs summer teams of student architects, engineers, historians and architectural historians to develop HABS/HAER documentation under the supervision of National Park Service professionals. Second, the National Park Service produces HABS/HAER documentation, in conjunction with restoration or other preservation treatment, of historic buildings managed by the National Park Service. Third, Federal agencies, pursuant to Section 110(b) of the National Historic Preservation Act, as amended, record those historic properties to be demolished or substantially altered as a result of agency action or assisted action (referred to as mitigation projects). Fourth, individuals and organizations prepare documentation to HABS/HAER standards and donate that documentation to the HABS/HAER collections. For each of these programs, ⁴⁴4732 different Documentation Levels will be set.

The Standards describe the fundamental principles of HABS/HAER documentation. They are supplemented by other material describing more specific guidelines, such as line weights for drawings, preferred techniques for architectural photography, and formats for written data. This technical information is found in the HABS/HAER Procedures Manual.

These Guidelines include important information about developing documentation for State or local archives. The State Historic Preservation Officer or the State library should be consulted regarding archival requirements if the documentation will become part of their collections. In establishing archives, the important questions of durability and reproducibility should be considered in relation to the purposes of the collection.

Documentation prepared for the purpose of inclusion in the HABS/HAER collections must meet the requirements below. The HABS/HAER office of the National Park Service retains the right to refuse to accept documentation for inclusion in the HABS/HAER collections when that documentation does not meet HABS/HAER requirements, as specified below.

Standard I: Content

1. Requirement: Documentation shall adequately explicate and illustrate what is significant or valuable about the historic building, site, structure or object being documented.

2. Criteria: Documentation shall meet one of the following documentation levels to be considered adequate for inclusion in the HABS/HAER collections.

a. Documentation Level I;

(1) Drawings: a full set of measured drawings depicting existing or historic conditions.

(2) Photographs: photographs with large-format negatives of exterior and interior views; photocopies with large format negatives of select existing drawings or historic views where available.

(3) Written data: history and description.

b. Documentation Level II;

(1) Drawings: select existing drawings, where available, should be photographed with large-format negatives or photographically reproduced on mylar.

(2) Photographs: photographs with large-format negatives of exterior and interior views, or historic views, where available.

(3) Written data: history and description.

c. Documentation Level III;

(1) Drawings: sketch plan.

(2) Photographs: photographs with large-format negatives of exterior and interior views.

(3) Written data: architectural data form.

d. Documentation Level IV: HABS/HAER inventory card.

3. Test: Inspection of the documentation by HABS/HAER staff.

4. Commentary: The HABS/HAER office retains the right to refuse to accept any documentation on buildings, site, structures or objects lacking historical significance. Generally, buildings, sites, structures or objects must be listed in, or eligible for listing in the National Register of Historic Places to be considered for inclusion in the HABS/HAER collections.

The kind and amount of documentation should be appropriate to the nature and significance of the buildings, site, structure or object being documented. For example, Documentation Level I would be inappropriate for a building that is a minor element of a historic district, notable only for streetscape context and scale. A full set of measured drawings for such a minor building would be expensive and would add little, if any, information to the HABS/HAER collections. Large format photography (Documentation Level III) would usually be adequate to record the significance of this type of building.

Similarly, the aspect of the property that is being documented should reflect the nature and significance of the building, site, structure or object being documented. For example, measured drawings of Dankmar Adler and Louis Sullivan's Auditorium Building in Chicago should indicate not only facades, floor plans and sections, but also the innovative structural and mechanical systems that were incorporated in that building. Large format photography of Gunston Hall in Fairfax County, Virginia, to take another example, should clearly show William Buckland's hand-carved moldings in the Palladian Room, as well as other views.

HABS/HAER documentation is usually in the form of measured drawings, photographs, and written data. While the criteria in this section have addressed only these media, documentation need not be limited to them. Other media, such as films of industrial processes, can and have been used to document historic buildings, sites, structures or objects. If other media are to be used, the HABS/HAER office should be contacted before recording.

The actual selection of the appropriate documentation level will vary, as discussed above. For mitigation documentation projects, this level will be selected by the National Park Service Regional Office and communicated to the agency responsible for completing the documentation. Generally, Level I documentation is required for nationally significant buildings and structures, defined as National Historic Landmarks and the primary historic units of the National Park Service.

On occasion, factors other than significance will dictate the selection of another level of documentation. For example, if a rehabilitation of a property is planned, the owner may wish to have a full set of as-built drawings, even though the significance may indicate Level II documentation.

HABS Level I measured drawings usually depict existing conditions through the use of a site plan, floor plans, elevations, sections and construction details. HAER Level I measured drawings will frequently depict original conditions where adequate historical material exists, so as to illustrate manufacturing or engineering processes.

Level II documentation differs from Level I by substituting copies of existing drawings, either original or alteration drawings, for recently executed measured drawings. If this is done, the drawings must meet HABS/HAER requirements outlined below. While existing drawings are rarely as suitable as as-built drawings, they are adequate in many cases for documentation purposes. Only when the desirability of having as-built drawings is clear are Level I measured drawings required in addition to existing drawings. If existing drawings are housed in an accessible collection and cared for archivally, their reproduction for HABS/HAER may not be necessary. In other cases, Level I measured drawings are required in the absence of existing drawings.

Level III documentation requires a sketch plan if it helps to explain the structure. The architectural data form should supplement the photographs by explaining what is not readily visible.

Level IV documentation consists of completed HABS/HAER inventory cards. This level of documentation, unlike the other three levels, is rarely considered adequate documentation for the HABS/HAER collections but is undertaken to identify historic resources in a given area prior to additional, more comprehensive documentation.

***44733 Standard II: Quality**

1. Requirement: HABS and HAER documentation shall be prepared accurately from reliable sources with limitations clearly stated to permit independent verification of information.

2. Criteria: For all levels of documentation, the following quality standards shall be met:

a. Measured drawings: Measured drawings shall be produced from recorded, accurate measurements. Portions of the building that were not accessible for measurement should not be drawn on the measured drawings, but clearly labeled as not accessible or drawn from available construction drawings and other sources and so identified. No part of the measured drawings shall be produced from hypothesis or non-measurement related activities. Documentation Level I measured drawings shall be accompanied by a set of field notebooks in which the measurements were first recorded. Other drawings, prepared for Documentation Levels II and III, shall include a statement describing where the original drawings are located.

b. Large format photographs: Large format photographs shall clearly depict the appearance of the property and areas of significance of the recorded building, site, structure or object. Each view shall be perspective-corrected and fully captioned.

c. Written history: Written history and description for Documentation Levels I and II shall be based on primary sources to the greatest extent possible. For Levels III and IV, secondary sources may provide adequate information; if not, primary research will be necessary. A frank assessment of the reliability and limitations of sources shall be included. Within the written history, statements shall be footnoted as to their sources, where appropriate. The written data shall include a methodology section specifying name of researcher, date of research, sources searched, and limitations of the project.

3. Test: Inspection of the documentation by HABS/HAER staff.

4. Commentary: The reliability of the HABS/HAER collections depends on documentation of high quality. Quality is not something that can be easily prescribed or quantified, but it derives from a process in which thoroughness and accuracy play a large part. The principle of independent verification HABS/HAER documentation is critical to the HABS/HAER collections.

Standard III: Materials

1. Requirement: HABS and HAER documentation shall be prepared on materials that are readily reproducible for ease of access; durable for long storage; and in standard sizes for ease of handling.

2. Criteria: For all levels of documentation, the following material standards shall be met:

a. Measured Drawings:

Readily Reproducible: Ink on translucent material.

Durable: Ink on archivally stable materials.

Standard Sizes: Two sizes: 19 x 24" or 24 x 36".

b. Large Format Photographs:

Readily Reproducible: Prints shall accompany all negatives.

Durable: Photography must be archivally processed and stored. Negatives are required on safety film only. Resin-coated paper is not accepted. Color photography is not acceptable.

Standard Sizes: Three sizes: 4 x 5", 5 x 7", 8 x 10".

c. Written History and Description:

Readily Reproducible: Clean copy for xeroxing.

Durable: Archival bond required.

Standard Sizes: 8½ x 11".

d. Field Records:

Readily Reproducible: Field notebooks may be xeroxed. Photo identification sheet will accompany 35 mm negatives and contact sheets.

Durable: No requirement.

Standard Sizes: Only requirement is that they can be made to fit into a 9½ x 12" archival folding file.

3. Test: Inspection of the documentation by HABS/HAER staff.

4. Commentary: All HABS/HAER records are intended for reproduction; some 20,000 HABS/HAER records are reproduced each year by the Library of Congress. Although field records are not intended for quality reproduction, it is intended that they be used to supplement the formal documentation. The basic durability performance standard for HABS/HAER records is 500 years. Ink on mylar is believed to meet this standard, while color photography, for example, does not. Field records do not meet this archival standard, but are maintained in the HABS/HAER collections as a courtesy to the collection user.

Standard IV: Presentation

1. Requirement: HABS and HAER documentation shall be clearly and concisely produced.

2. Criteria: For levels of documentation as indicated below, the following standards for presentation will be used:

a. Measured Drawings: Level I measured drawings will be lettered mechanically (i.e., Leroy or similar) or in a handprinted equivalent style. Adequate dimensions shall be included on all sheets. Level III sketch plans should be neat and orderly.

b. Large format photographs: Level I photographs shall include duplicate photographs that include a scale. Level II and III photographs shall include, at a minimum, at least one photograph with a scale, usually of the principal facade.

c. Written history and description: Data shall be typewritten on bond, following accepted rules of grammar.

3. Test: Inspection of the documentation by HABS/HAER staff.

Architectural and Engineering Documentation Prepared for Other Purposes

Where a preservation planning process is in use, architectural and engineering documentation, like other treatment activities, are undertaken to achieve the goals identified by the preservation planning process. Documentation is deliberately selected as a treatment for properties evaluated as significant, and the development of the documentation program for a property follows from the planning objectives. Documentation efforts focus on the significant characteristics of the property, as defined in

the previously completed evaluation. The selection of a level of documentation and the documentation techniques (measured drawings, photography, etc.) is based on the significance of the property and the management needs for which the documentation is being performed. For example, the kind and level of documentation required to record a historic property for easement purposes may be less detailed than that required as mitigation prior to destruction of the property. In the former case, essential documentation might be limited to the portions of the property controlled by the easement, for example, exterior facades; while in the latter case, significant interior architectural features and non-visible structural details would also be documented.

The principles and content of the HABS/HAER criteria may be used for guidance in creating documentation requirements for other archives. Levels of documentation and the durability and sizes of documentation may vary depending on the intended use and the repository. Accuracy of documentation should be controlled by assessing the reliability of all sources and making that assessment available in the archival record; by describing the limitations of the information available from research and physical examination of the *44734 property; and by retaining the primary data (field measurements and notebooks) from which the archival record was produced. Usefulness of the documentation products depends on preparing the documentation on durable materials that are able to withstand handling and reproduction, and in sizes that can be stored and reproduced without damage.

Recommended Sources of Technical Information

Recording Historic Buildings. Harley J. McKee. Government Printing Office, 1970. Washington, D.C. Available through the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402. GPO number 024-005-0235-9.

HABS/HAER Procedures Manual. Historic American Buildings Survey/Historic American Engineering Record, National Park Service, 1980. Washington, D.C.

Photogrammetric Recording of Cultural Resources. Perry E. Borchers. Technical Preservation Services, U.S. Department of the Interior, 1977. Washington, D.C.

Rectified Photography and Photo Drawings for Historic Preservation. J. Henry Chambers. Technical Preservation Services, U.S. Department of the Interior, 1975. Washington, D.C.

Secretary of the Interior's Standards for Archeological Documentation

Archeological documentation is a series of actions applied to properties of archeological interest. Documentation of such properties may occur at any or all levels of planning, identification, evaluation or treatment. The nature and level of documentation is dictated by each specific set of circumstances. Archeological documentation consists of activities such as archival research, observation and recording of above-ground remains, and observation (directly, through excavation, or indirectly, through remote sensing) of below-ground remains. Archeological documentation is employed for the purpose of gathering information on individual historic properties or groups of properties. It is guided by a framework of objectives and methods derived from the planning process, and makes use of previous planning decisions, such as those on evaluation of significance. Archeological documentation may be undertaken as an aid to various treatment activities, including research, interpretation, reconstruction, stabilization and data recovery when mitigating archeological losses resulting from construction. Care should be taken to assure that documentation efforts do not duplicate previous efforts.

Standard I. Archeological Documentation Activities Follow an Explicit Statement of Objectives and Methods That Responds to Needs Identified in the Planning Process

Archeological research and documentation may be undertaken to fulfill a number of needs, such as overviews and background studies for planning, interpretation or data recovery to mitigate adverse effects. The planning needs are articulated in a statement of objectives to be accomplished by the archeological documentation activities. The statement of objectives guides the selection of methods and techniques of study and provides a comparative framework for evaluating and deciding the relative efficiency of alternatives. Satisfactory documentation involves the use of archeological and historical sources, as well as those of other

disciplines. The statement of objectives usually takes the form of a formal and explicit research design which has evolved from the interrelation of planning needs, current knowledge, resource value and logistics.

Standard II. The Methods and Techniques of Archeological Documentation are Selected To Obtain the Information Required by the Statement of Objectives

The methods and techniques chosen for archeological documentation should be the most effective, least destructive, most efficient and economical means of obtaining the needed information. Methods and techniques should be selected so that the results may be verified if necessary. Non-destructive techniques should be used whenever appropriate. The focus on stated objectives should be maintained throughout the process of study and documentation.

Standard III. The Results of Archeological Documentation are Assessed Against the Statement of Objectives and Integrated Into the Planning Process

One product of archeological documentation is the recovered data; another is the information gathered about the usefulness of the statement of objectives itself. The recovered data are assessed against the objectives to determine how they meet the specified planning needs. Information related to archeological site types, distribution and density should be integrated in planning at the level of identification and evaluation. Information and data concerning intra-site structure may be needed for developing mitigation strategies and are appropriately integrated at this level of planning. The results of the data analyses are integrated into the body of current knowledge. The utility of the method of approach and the particular techniques which were used in the investigation (i.e. the research design) should be assessed so that the objectives of future documentation efforts may be modified accordingly.

Standard IV. The Results of Archeological Documentation are Reported and Made Available to the Public

Results must be accessible to a broad range of users including appropriate agencies, the professional community and the general public. Results should be communicated in reports that summarize the objectives, methods, techniques and results of the documentation activity, and identify the repository of the materials and information so that additional detailed information can be obtained, if necessary. The public may also benefit from the knowledge obtained from archeological documentation through pamphlets, brochures, leaflets, displays and exhibits, or by slide, film or multi-media productions. The goal of disseminating information must be balanced, however, with the need to protect sensitive information whose disclosure might result in damage to properties. Curation arrangements sufficient to preserve artifacts, specimens and records generated by the investigation must be provided for to assure the availability of these materials for future use.

Secretary of the Interior's Guidelines for Archeological Documentation

Introduction

These Guidelines link the Standards for Archeological Documentation with more specific guidance and technical information. They describe one approach to meeting the Standards for Documentation. Agencies, organizations or individuals proposing to approach archeological documentation differently may wish to review their approach with the National Park Service.

The Guidelines are organized as follows:

Archeological Documentation Objectives

Documentation Plan

Methods

Reporting Results

Curation

Recommended Sources of Technical Information

1. Collection of base-line data;

*44735 2. Problem-oriented research directed toward particular data gaps recognized in the historic context(s);

3. Preservation or illustration of significance which has been identified for treatment by the planning process; or

4. Testing of new investigative or conservation techniques, such as the effect of different actions such as forms of site burial (aqueous or non-aqueous).

Many properties having archeological components have associative values as well as research values. Examples include Native American sacred areas and historic sites such as battlefields. Archeological documentation may preserve information or data that are linked to the identified values that a particular property possesses. Depending on the property type and the range of values represented by the property, it may be necessary to recover information that relates to an aspect of the property's significance other than the specified research questions. It is possible that conflicts may arise between the optimal realizations of research goals and other issues such as the recognition/protection of other types of associative values. The research design for the archeological documentation should provide for methods and procedures to resolve such conflicts, and for the close coordination of the archeological research with the appropriate ethnographic, social or technological research.

Archeological Documentation Objectives

The term "archeological documentation" is used here to refer specifically to any operation that is performed using archeological techniques as a means to obtain and record evidence about past human activity that is of importance to documenting history and prehistory in the United States. Historic and prehistoric properties may be important for the data they contain, or because of their association with important persons, events, or processes, or because they represent architectural or artistic values, or for other reasons. Archeological documentation may be an appropriate option for application not only to archeological properties, but to above-ground structures as well, and may be used in collaboration with a wide range of other treatment activities.

If a property contains artifacts, features, and other materials that can be studied using archeological techniques, then archeological documentation may be selected to achieve particular goals of the planning process—such as to address a specified information need, or to illustrate significant associative values. Within the overall goals and priorities established by the planning process, particular methods of investigation are chosen that best suit the types of study to be performed.

Relationship of archeological documentation to other types of documentation or other treatments: Archeological documentation is appropriate for achieving any of various goals, including:

Documentation Plan

Research Design: Archeological documentation can be carried out only after defining explicit goals and a methodology for reaching them. The goals of the documentation effort directly reflect the goals of the preservation plan and the specific needs identified for the relevant historic contexts. In the case of problem oriented archeological research, the plan usually takes the form of a formal research design, and includes, in addition to the items below, explicit statements of the problem to be addressed and the methods or tests to be applied. The purpose of the statement of objectives is to explain the rationale behind the documentation effort; to define the scope of the investigation; to identify the methods, techniques, and procedures to be used; to provide a schedule for the activities; and to permit comparison of the proposed research with the results. The research

design for an archeological documentation effort follows the same guidelines as those for identification (see the Guidelines for Identification) but has a more property-specific orientation.

The research design should draw upon the preservation plan to identify:

1. Evaluated significance of the property(ies) to be studied;
2. Research problems or other issues relevant to the significance of the property;
3. Prior research on the topic and property type; and how the proposed documentation objectives are related to previous research and existing knowledge;
4. The amount and kinds of information (data) required to address the documentation objectives and to make reliable statements, including at what point information is redundant and documentation efforts have reached a point of diminishing returns;
5. Methods to be used to find the information; and
6. Relationship of the proposed archeological investigation to anticipated historical or structural documentation, or other treatments.

The primary focus of archeological documentation is on the data classes that are required to address the specified documentation objectives. This may mean that other data classes are deliberately neglected. If so, the reasons for such a decision should be carefully justified in terms of the preservation plan.

Archeological investigations seldom are able to collect and record all possible data. It is essential to determine the point at which further data recovery and documentation fail to improve the usefulness of the archeological information being recovered. One purpose of the research design is to estimate those limits in advance and to suggest at what point information becomes duplicative. Investigation strategies should be selected based on these general principles, considering the following factors:

1. Specific data needs;
2. Time and funds available to secure the data; and
3. Relative cost efficiency of various strategies.

Responsiveness to the concerns of local groups (e.g., Native American groups with ties to specific properties) that was built into survey and evaluation phases of the preservation plan, should be maintained in archeological investigation, since such activity usually involves site disturbance. The research design, in addition to providing for appropriate ethnographic research and consultation, should consider concerns voiced in previous phases. In the absence of previous efforts to coordinate with local or other interested groups, the research design should anticipate the need to initiate appropriate contracts and provide a mechanism for responding to sensitive issues, such as the possible uncovering of human remains or discovery of sacred areas.

The research design facilitates an orderly, goal directed and economical project. However, the research design must be flexible enough to allow for examination of unanticipated but important research opportunities that arise during the investigation.

Documentation Methods

Background Review: Archeological documentation usually is preceded by, or integrated with historical research (i.e. that intensive background information gathering including identification of previous archeological work and inspection of museum collections; gathering relevant data on geology, botany, urban geography and other related disciplines; archival research;

informant interviews, or recording of oral tradition, etc.). *44736 Depending on the goals of the archeological documentation, the background historical and archeological research may exceed the level of research accomplished for development of the relevant historic contexts or for identification and evaluation, and focuses on the unique aspects of the property to be treated. This assists in directing the investigation and locates a broader base of information than that contained in the property itself for response to the documentation goals. This activity is particularly important for historic archeological properties where information sources other than the property itself may be critical to preserving the significant aspects of the property. (See the Secretary of the Interior's Standards and Guidelines for Historical Documentation for discussion of associated research activities.)

Field Studies: The implementation of the research design in the field must be flexible enough to accommodate the discovery of new or unexpected data classes or properties, or changing field conditions. A phased approach may be appropriated when dealing with large complex properties or groups of properties, allowing for changes in emphasis or field strategy, or termination of the program, based on analysis of recovered data at the end of each phase. Such an approach permits the confirmation of assumptions concerning property extent, content or organization which had been made based on data gathered from identification and evaluation efforts, or the adjustment of those expectations and resulting changes in procedure. In some cases a phased approach may be necessary to gather sufficient data to calculate the necessary sample size for a statistically valid sample. A phased documentation program may often be most cost-effective, in allowing for early termination of work if the desired objectives cannot be achieved.

Explicit descriptive statements of and justification for field study techniques are important to provide a means of evaluating results. In some cases, especially those employing a sampling strategy in earlier phases (such as identification or evaluation), it is possible to estimate parameters of certain classes of data in a fairly rigorous statistical manner. It is thus desirable to maintain some consistency in choice of sampling designs throughout multiple phases of work at the same property. Consistency with previously employed areal sampling frameworks also improves potential replication in terms of later locating sampled and unsampled areas. It often is desirable to estimate the nature and frequency of data parameters based on existing information or analogy to other similar cases. These estimates may then be tested in field studies.

An important consideration in choosing methods to be used in the field studies should be assuring full, clear, and accurate descriptions of all field operations and observations, including excavation and recording techniques and stratigraphic or inter-site relationships.

To the extent feasible, chosen methodologies and techniques should take into account the possibility that future researchers will need to use the recovered data to address problems not recognized at the time the data were recovered. The field operation may recover data that may not be fully analyzed; this data, as well as the data analyzed, should be recorded and preserved in a way to facilitate future research.

A variety of methodologies may be used. Choices must be explained, including a measure of cost-effectiveness relative to other potential choices. Actual results can then be measured against expectations, and the information applied later in similar cases.

Destructive methods should not be applied to portions or elements of the property if nondestructive methods are practical. If portions or elements of the property being documented are to be preserved in place, the archeological investigation should employ methods that will leave the property as undisturbed as possible. However, in cases where the property will be destroyed by, for example, construction following the investigation, it may be most practical to gather the needed data in the most direct manner, even though that may involve use of destructive techniques.

Logistics in the field, including the deployment of personnel and materials and the execution of sampling strategies, should consider site significant, anticipated location of most important data, cost effectiveness, potential time limitations and possible adverse environmental conditions.

The choice of methods for recording data gathered in the field should be based on the research design. Based on that statement, it is known in advance of field work what kinds of information are needed for analysis; record-keeping techniques should focus on these data. Field records should be maintained in a manner that permits independent interpretation in so far as possible. Record-keeping should be standardized in format and level of detail.

Archeological documentation should be conducted under the supervision of qualified professionals in the disciplines appropriate to the data that are to be recovered. When the general public is directly involved in archeological documentation activities, provision should be made for training and supervision by qualified professionals. (See the Professional Qualifications Standards.)

Analysis: Archeological documentation is not completed with field work; analysis of the collected information is an integral part of the documentation activity, and should be planned for in the research design. Analytical techniques should be selected that are relevant to the objectives of the investigation. Forms of analysis that may be appropriate, depending on the type of data recovered and the objectives of the investigation, include but are not limited to: studying artifact types and distribution; radiometric and other means of age determination; studies of soil stratigraphy; studies of organic matter such as human remains, pollen, animal bones, shells and seeds; study of the composition of soils and study of the natural environment in which the property appears.

Reporting Results

Report Contents: Archeological documentation concludes with written report(s) including minimally the following topics:

1. Description of the study area;
2. Relevant historical documentation/background research;
3. The research design;
4. The field studies as actually implemented, including any deviation from the research design and the reason for the changes;
5. All field observations;
6. Analyses and results, illustrated as appropriate with tables, charts, and graphs;
7. Evaluation of the investigation in terms of the goals and objectives of the investigation, including discussion of how well the needs dictated by the planning process were served;
8. Recommendations for updating the relevant historic contexts and planning goals and priorities, and generation of new or revised information needs;
9. Reference to related on-going or proposed treatment activities, such as structural documentation, stabilization, etc.; and
- *44737 10. Information on the location of original data in the form of field notes, photographs, and other materials.

Some individual property information, such as specific locational data, may be highly sensitive to disclosure, because of the threat of vandalism. If the objectives of the documentation effort are such that a report containing confidential information such as specific site locations or information on religious practices is necessary, it may be appropriate to prepare a separate report for public distribution. The additional report should summarize that information that is not under restricted access in a format most useful to the expected groups of potential users. Peer review of draft reports is recommended to ensure that state-of-the-art technical reports are produced.

Availability: Results must be made available to the full range of potential users. This can be accomplished through a variety of means including publication of results in monographs and professional journals and distribution of the report to libraries or technical clearinghouses such as the National Technical Information Service in Springfield, Virginia.

Curation

Archeological specimens and records are part of the documentary record of an archeological site. They must be curated for future use in research, interpretation, preservation, and resource management activities. Curation of important archeological specimens and records should be provided for in the development of any archeological program or project.

Archeological specimens and records that should be curated are those that embody the information important to history and prehistory. They include artifacts and their associated documents, photographs, maps, and field notes; materials of an environmental nature such as bones, shells, soil and sediment samples, wood, seeds, pollen, and their associated records; and the products and associated records of laboratory procedures such as thin sections, and sediment fractions that result from the analysis of archeological data.

Satisfactory curation occurs when:

1. Curation facilities have adequate space, facilities, and professional personnel;
2. Archeological specimens are maintained so that their information values are not lost through deterioration, and records are maintained to a professional archival standard;
3. Curated collections are accessible to qualified researchers within a reasonable time of having been requested; and
4. Collections are available for interpretive purposes, subject to reasonable security precautions.

Recommended Sources of Technical Information

Archeomagnetism: A Handbook for the Archeologist. Jeffrey L. Eighmy, U.S. Department of the Interior, Washington, D.C., 1980.

The Curation and Management of Archeological Collections: A Pilot Study. Cultural Resource Management Series, U.S. Department of the Interior, September 1980.

Human Bones and Archeology. Douglas H. Ubelaker. Interagency Archeological Services, Heritage Conservation and Recreation Service, U.S. Department of the Interior, Washington, D.C., 1980. Available from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402

Manual for Museums. Ralph H. Lewis, National Park Service, U.S. Department of the Interior, 1976.

Treatment of Archeological Properties: A Handbook. Advisory Council on Historic Preservation. Washington D.C., 1980.

Secretary of the Interior's Standards for Historic Preservation Projects

General Standards for Historic Preservation Projects

The following general standards apply to all treatments undertaken on historic properties listed in the National Register.

1. Every reasonable effort shall be made to provide a compatible use for a property that requires minimal alteration of the building, structure, or site and its environment, or to use a property for its originally intended purpose.
2. The distinguishing original qualities or character of a building, structure, or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
3. All buildings, structures, and sites shall be recognized as products of their own time. Alterations which have no historical basis and which seek to create an earlier appearance shall be discouraged.
4. Changes which have taken place in the course of time are evidence of the history and development of a building, structure, or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.
5. Distinctive architectural features or examples of skilled craftsmanship which characterize a building, structure, or site shall be treated with sensitivity.
6. Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historic, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.
7. The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials shall not be undertaken.
8. Every reasonable effort shall be made to protect and preserve archeological resources affected by, or adjacent to, any acquisition, stabilization, preservation, rehabilitation, restoration, or reconstruction project.

Specific Standards for Historic Preservation Projects

The following specific standards for each treatment are to be used in conjunction with the eight general standards and, in each case, begin with number 9. For example, in evaluating acquisition projects, include the eight general standards plus the four specific standards listed under standards for Acquisition. The specific standards differ from those published for use in Historic Preservation Fund grant-in-aid projects (36 CFR Part 68) in that they discuss more fully the treatment of archeological properties.

Standards for Acquisition

9. Careful consideration shall be given to the type and extent of property rights which are required to assure the preservation of the historic resource. The preservation objectives shall determine the exact property rights to be acquired.
10. Properties shall be acquired in fee simple when absolute ownership is required to insure their preservation.
11. The purchase of less-than-fee-simple interests, such as open space or facade easements, shall undertaken when a limited interest achieves the preservation objective.
12. Every reasonable effort shall be made to acquire sufficient property with the historic resource to protect its historical, archeological, architectural or cultural significance.

***44738 Standard for Protection**

9. Before applying protective measures which are generally of a temporary nature and imply future historic preservation work, an analysis of the actual or anticipated threats to the property shall be made.

10. Protection shall safeguard the physical condition or environment of a property or archeological site from further deterioration or damage caused by weather or other natural, animal, or human intrusions.

11. If any historic material or architectural features are removed, they shall be properly recorded and, if possible, stored for future study or reuse.

Standards for Stabilization

9. Stabilization shall reestablish the structural stability of a property through the reinforcement of loadbearing members or by arresting deterioration leading to structural failure. Stabilization shall also reestablish weather resistant conditions for a property.

10. Stabilization shall be accomplished in such a manner that it detracts as little as possible from the property's appearance and significance. When reinforcement is required to reestablish structural stability, such work shall be concealed wherever possible so as not to intrude upon or detract from the aesthetic and historical or archeological quality of the property, except where concealment would result in the alteration or destruction of historically or archeologically significant material or spaces. Accurate documentation of stabilization procedures shall be kept and made available for future needs.

11. Stabilization work that will result in ground disturbance shall be preceded by sufficient archeological investigation to determine whether significant subsurface features or artifacts will be affected. Recovery, curation and documentation of archeological features and specimens shall be undertaken in accordance with appropriate professional methods and techniques.

Standards for Preservation

9. Preservation shall maintain the existing form, integrity, and materials of a building, structure, or site. Archeological sites shall be preserved undisturbed whenever feasible and practical. Substantial reconstruction or restoration of lost features generally are not included in a preservation undertaking.

10. Preservation shall include techniques of arresting or retarding the deterioration of a property through a program of ongoing maintenance.

11. Use of destructive techniques, such as archeological excavation, shall be limited to providing sufficient information for research, interpretation and management needs.

Standards for Rehabilitation

9. Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historic, architectural, or cultural material and such design is compatible with the size, scale, color, material, and character of the property, neighborhood, or environment.

10. Wherever possible, new additions or alterations to structures shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the structure would be unimpaired.

Standards for Restoration

9. Every reasonable effort shall be made to use a property for its originally intended purpose or to provide a compatible use that will require minimum alteration to the property and its environment.

10. Reinforcement required for structural stability or the installation of protective or code required mechanical systems shall be concealed wherever possible so as not to intrude or detract from the property's aesthetic and historical qualities, except where concealment would result in the alteration or destruction of historically significant materials or spaces.

11. Restoration work such as the demolition of non-contributing additions that will result in ground or structural disturbance shall be preceded by sufficient archeological investigation to determine whether significant subsurface or structural features or artifacts will be affected. Recovery, curation and documentation of archeological features and specimens shall be undertaken in accordance with appropriate professional methods and techniques.

Standards for Reconstruction

9. Reconstruction of a part or all of a property shall be undertaken only when such work is essential to reproduce a significant missing feature in a historic district or scene, and when a contemporary design solution is not acceptable. Reconstruction of archeological sites generally is not appropriate.

10. Reconstruction of all or a part of a historic property shall be appropriate when the reconstruction is essential for understanding and interpreting the value of a historic district, or when no other building, structure, object, or landscape feature with the same associative value has survived and sufficient historical or archeological documentation exists to insure an accurate reproduction of the original.

11. The reproduction of missing elements accomplished with new materials shall duplicate the composition, design, color, texture, and other visual qualities of the missing element. Reconstruction of missing architectural or archeological features shall be based upon accurate duplication of original features substantiated by physical or documentary evidence rather than upon conjectural designs or the availability of different architectural features from other buildings.

12. Reconstruction of a building or structure on an original site shall be preceded by a thorough archeological investigation to locate and identify all subsurface features and artifacts. Recovery, curation and documentation of archeological features and specimens shall be undertaken in accordance with professional methods and techniques.

13. Reconstruction shall include measures to preserve any remaining original fabric, including foundations, subsurface, and ancillary elements. The reconstruction of missing elements and features shall be done in such a manner that the essential form and integrity of the original surviving features are unimpaired.

Secretary of the Interior Guidelines for Historic Preservation Projects

The guidelines for the Secretary of the Interior's Standards for Historic Preservation Projects, not included here because of their length, may be obtained separately from the National Park Service.

Professional Qualifications Standards

The following requirements are those used by the National Park Service, and have been previously published in the Code of Federal Regulations, 36 CFR Part 61. The qualifications define minimum education and experience required to perform identification, evaluation, registration, and treatment activities. In some cases, additional areas or levels of expertise may be needed, depending on the complexity of the task and the nature of the historic properties involved. In the following definitions, a year of full-time professional experience need not consist of a continuous year of fulltime work but *44739 may be made up of discontinuous periods of full-time or part-time work adding up to the equivalent of a year of full-time experience.

History

The minimum professional qualifications in history are a graduate degree in history or closely related field; or a bachelor's degree in history or closely related field plus one of the following:

1. At least two years of full-time experience in research, writing, teaching, interpretation, or other demonstrable professional activity with an academic institution, historic organization or agency, museum, or other professional institution; or
2. Substantial contribution through research and publication to the body of scholarly knowledge in the field of history.

Archeology

The minimum professional qualifications in archeology are a graduate degree in archeology, anthropology, or closely related field plus:

1. At least one year of full-time professional experience or equivalent specialized training in archeological research, administration or management;
2. At least four months of supervised field and analytic experience in general North American archeology; and
3. Demonstrated ability to carry research to completion.

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

Architectural History

The minimum professional qualifications in architectural history are a graduate degree in architectural history, art history, historic preservation, or closely related field, with coursework in American architectural history; or a bachelor's degree in architectural history, art history, historic preservation or closely related field plus one of the following:

1. At least two years of full-time experience in research, writing, or teaching in American architectural history or restoration architecture with an academic institution, historical organization or agency, museum, or other professional institution; or
2. Substantial contribution through research and publication to the body of scholarly knowledge in the field of American architectural history.

Architecture.

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

Historic Architecture

The minimum professional qualifications historic in architecture are a professional degree in architecture or a State license to practice architecture, plus one of the following:

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

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

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

Preservation Terminology

Acquisition—the act or process of acquiring fee title or interest other than fee title of real property (including acquisition of development rights or remainder interest).

Comprehensive Historic Preservation Planning—the organization into a logical sequence of preservation information pertaining to identification, evaluation, registration and treatment of historic properties, and setting priorities for accomplishing preservation activities.

Historic Context—a unit created for planning purposes that groups information about historic properties based on a shared theme, specific time period and geographical area.

Historic Property—a district, site, building, structure or object significant in American history, architecture, engineering, archeology or culture at the national, State, or local level.

Integrity—the authenticity of a property's historic identity, evidenced by the survival of physical characteristics that existed during the property's historic or prehistoric period.

Intensive Survey—a systematic, detailed examination of an area designed to gather information about historic properties sufficient to evaluate them against predetermined criteria of significance within specific historic contexts.

Inventory—a list of historic properties determined to meet specified criteria of significance.

National Register Criteria—the established criteria for evaluating the eligibility of properties for inclusion in the National Register of Historic Places.

Preservation (treatment)—the act or process of applying measures to sustain the existing form, integrity and material of a building or structure, and the existing form and vegetative cover of a site. It may include initial stabilization work, where necessary, as well as ongoing maintenance of the historic building materials.

Property Type—a grouping of individual properties based on a set of shared physical or associative characteristics.

Protection (treatment)—the act or process of applying measures designed to affect the physical condition of a property by defending or guarding it from deterioration, loss or attack, or to cover or shield the property from danger or injury. In the case of buildings and structures, such treatment is generally of a temporary nature and anticipates future historic preservation treatment; in the case of archeological sites, the protective measure may be temporary or permanent.

Reconnaissance Survey—an examination of all or part of an area accomplished in sufficient detail to make generalizations about the types and distributions of historic properties that may be present.

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

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

Research design—a statement of proposed identification, documentation, investigation, or other treatment of a historic property that identifies the project's goals, methods and techniques, expected results, and the relationship of the expected results to other proposed activities or treatments.

Restoration—the act or process of accurately recovering the form and details of a property and its setting as it appeared at a particular period of time *44740 by means of the removal of later work or by the replacement of missing earlier work.

Sample Survey—survey of a representative sample of lands within a given area in order to generate or test predictions about the types and distributions of historic properties in the entire area.

Stabilization (treatment)—the act or process of applying measures designed to reestablish a weather resistant enclosure and the structural stability of an unsafe or deteriorated property while maintaining the essential form as it exists at present.

Statement of objectives—see Research design.

Dated: September 26, 1983.

Russell E. Dickenson,

Director, National Park Service.

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EXHIBIT 3

to

**TYRER and CIRCA~CULTURAL
RESOURCE MANAGEMENT, LLC
PETITION FOR APPEAL**

62 FR 33708

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Notices

Reporter

62 FR 33708 *

Federal Register > 1997 > June > Friday, June 20, 1997 > Notices > **DEPARTMENT OF THE INTERIOR (DOI) -- National Park Service (NPS)**

Title: The Secretary of the Interior's Historic Preservation Professional Qualification Standards

Action: Proposed renaming of and revisions to "the Secretary of the Interior's Professional Qualification Standards."

Agency

DEPARTMENT OF THE INTERIOR (DOI) > National Park Service (NPS)

Synopsis

[*33708] **SUMMARY:** The National Park Service (NPS) proposes to rename and revise "the Secretary of the Interior's Professional Qualification Standards" which are part of the larger "Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation." The statutory authority for the Secretary's development of these can be found in sections 101(g), 101(h), 101(i), and 101(j)(2)(A) of the National Historic Preservation Act, as amended (16 U.S.C. 470 et seq.). These Standards and Guidelines (including the Professional Qualification Standards) were published in the **Federal Register** in 1983 (48 FR 44716, September 29) as the Secretary's best guidance for historic preservation practice nationally. This remains their preeminent function.

The Standards are renamed "the Secretary of the Interior's Historic Preservation Professional Qualification Standards." This change reflects the fact that the Standards are designed to apply to each discipline as it is practiced in historic preservation; e.g., in the identification, evaluation, documentation, registration, and treatment of historic properties.

The proposed revisions update the standards for the five disciplines included in the 1983 publication and add standards for seven other disciplines mentioned in the National Historic Preservation Act as being important to historic preservation. The proposed revisions also provide (for the first time) published guidance on how to use and interpret the Standards.

These revisions are necessary because the old professional qualification standards had become out-of-date, did not include many disciplines important in the practice of historic preservation, and provided no guidance on their use and interpretation. This absence of national guidance led to confusion and inconsistency in the application of the Standards by Federal, State, Tribal, and local government agencies

and other organizations and individuals. The Standards are designed to be a tool to help recognize the minimum expertise generally necessary for performing professionally credible historic preservation work.

The Standards are not designed to identify the best or ideal person for any position. The effective application of any of these national Standards will require the development of a detailed job description containing additional information to suit a particular situation and need. These Standards do not apply to "entry-level" applicants or to preeminent professionals in the field. Rather, they outline the minimum education and experience and products that together provide an assurance that the applicant, employee, consultant, or advisor will be able to perform competently on the job and be respected within the larger historic preservation community.

All responses to this notice will be summarized as part of the publication of the official issuance of the "Secretary's Historic Preservation Professional Qualification Standards." All comments will also become a matter of public record.

Text

SUPPLEMENTARY INFORMATION:

Table of Contents-Appling the Historic Preservation Professional Qualification Standards:

Introduction

Program Evolution/Current Changes

Applicability

How to Use the Historic Preservation Qualification Standards

Questions and Answers

Discipline and Historic Preservation Proficiencies

Recommended Discipline Proficiencies

Recommended Historic Preservation Proficiencies

Historic Preservation Professional Qualification Standards

Archeology

(A)Prehistoric Archeology

(B)Historic Archeology

Architectural History

Conservation

Cultural Anthropology**Curation****Engineering****Folklore****Historic Architecture****Historic Landscape Architecture****Historic Preservation Planning****Historic Preservation****History**

Sources of Additional Information

Professional Organizations

Introduction *Background*

The identification, evaluation, protection, and preservation of America's important historic and cultural properties depends upon the participation of all citizens; however, certain decisions must involve individuals who meet nationally accepted professional standards in order to assure credibility in the practice of historic preservation at the Federal, State, and local levels, as well as in the private sector.

The Secretary of the Interior is responsible for establishing standards for all programs under Departmental authority. In accordance with this responsibility, "the Secretary of the Interior's Professional Qualification Standards" were developed by the National Park Service (NPS) 20 years ago to ensure that a consistent level of expertise would be applied nationally to the identification, evaluation, documentation, registration, treatment, and interpretation of historic and archeological resources.

The National Historic Preservation Act of 1966 (Pub. L. 89-665) gave the Secretary authority to set criteria for State grants, surveys, and plans. The National Park Service administratively required State Historic Preservation Officers (SHPOs) to maintain professionally qualified staff (in 1976), and to appoint qualified individuals as advisors to serve on State Review Boards (in 1977). The professional qualification standards have not changed since then. The 1980 Amendments to the National Historic Preservation Act (Pub. L. 96-515) statutorily affirmed the previous regulatory requirement for professionally qualified staff. Congress also reiterated the regulation's requirement that State Review Boards include a majority of members qualified in one of the professional disciplines which met minimum Professional [*33709] Qualification Standards defined in regulation in 36 CFR part 61 (Architecture, Architectural History, Prehistoric Archeology or Historic Archeology, and History). In addition, the 1980 amendments created the Certified Local Government (CLG) program to recognize the role of local governments in the national partnership, and stipulated that the CLG Review Commission membership needed to be adequate and qualified. The Congressional Committee Report for the 1980 amendments (H.R. Rept. 96-1457) called for "professional bodies which can objectively evaluate the historic significance of properties and provide professional advice on historic preservation matters."

Finally, States, local governments, Federal agencies, and the private sector often require that proposals from historic preservation contractors or work submitted by them meet these same professional practice Standards.

How To use the Historic preservation professional qualification standards provides background and general information in a question and answer format about the three basic components of each Standard: academic or comparable training; professional experience; and products and activities that demonstrate proficiency in the field of historic preservation.

Discipline and historic preservation proficiencies consists of a series of general proficiencies (knowledge, skills, and abilities) that are needed by historic preservation program applicants, employees, consultants, and advisors. The first set of proficiencies is related to disciplines; the second, to historic preservation.

Following the standard for each discipline is guidance about meeting the standard for that specific discipline, including a list of some of the most common "closely related fields" within academic degree programs; information on documenting professional experience; and a list of typical products and activities that may be used to document acquired proficiencies in the field of historic preservation.

Finally, a list of Professional Organizations is included to assist users in obtaining additional information about the disciplines, college and university departments, and publications on the practice of each discipline.

Program Evolution/Current ChangesIn its 1992 amendments to the Act (Pub. L. 102-575), Congress recognized the evolution and growth of the professional practice of historic preservation, and an expanded role for Indian tribes in implementing the National Historic Preservation Act. Accordingly, the number of disciplines acknowledged as key to the responsible practice of historic preservation has been increased by the Act and therefore by the National Park Service from the five identified almost 20 years earlier to 12, now including Archeology (Prehistoric and Historic), Architectural History, Conservation, Cultural Anthropology, Curation, Engineering, Folklore, Historic Architecture, Historic Landscape Architecture, Historic Preservation, Historic Preservation Planning, and History.

As a result, NPS consulted at length with Federal agencies, SHPOs, CLGs, and professional societies involved in historic preservation about issuing updated and expanded Professional Qualification Standards that recognize the evolution and development of the disciplines in the field.

"The Secretary of the Interior's Historic Preservation Professional Qualification Standards" are designed to be national measures for determining minimum requirements for professionals practicing in the field of historic preservation. The format for the Standards provides a consistent, yet flexible, framework for establishing sound professionalism in the twelve disciplines. There is one Standard for each of the disciplines.

Each Standard defines:

- Academic degrees or comparable training
- Professional experience; and
- Products and activities that demonstrate proficiency in historic preservation.

These Standards do not apply to "entry-level" applicants or to preeminent professionals in the field. Rather, they outline the minimum education and experience and products that together provide an assurance that the applicant, employee, consultant, or advisor will be able to perform competently on the job and be respected within the larger historic preservation community. The effective application of any of these national Standards will require the development of a detailed job description containing additional information to suit a particular situation and need.

Note: In each discipline, the most common method of meeting that Professional Qualifications Standard is discussed first. Less common alternatives follow. Typically, a graduate degree or professional license is listed first.

Applicability It should be emphasized that the "Historic Preservation Professional Qualification Standards" that follow are, in most instances, advisory in nature and may thus be used by anyone hiring personnel or consultants or appointing advisory boards or commissions. Because use of the Standards can help ensure appropriate, informed decisions about protecting and preserving our nation's historic and archeological resources, NPS strongly encourages their adoption and implementation.

However, under well-defined circumstances discussed below, "the Secretary's Historic Preservation Professional Qualification Standards" are requirements by statute and regulation. In those instances, a note is added at the end of the required Standard.

First, the National Historic Preservation Act, Section 101, requires that a professionally qualified staff be appointed or employed by State Historic Preservation Offices. Indian tribes that have executed a Memorandum of Agreement with NPS and assumed responsibilities pursuant to Section 101(d) of the Act also must employ or consult with professionally qualified individuals in carrying out those responsibilities. The performance and supervision of Historic Preservation Fund grant-assisted work must be performed and/or supervised by professionally qualified staff and/or contractors. In accordance with 36 CFR part 61 and NPS policy, three of twelve disciplines are required for State program staff and for staff of Tribes with Section 101(d) status: History, Archeology, and Architectural History. States and Tribes with 101(d) status may propose an alternative minimum staff composition for NPS concurrence if their historic resources, needs, or circumstances would be better served or met. States and Tribes with 101(d) status are expected to obtain the services of other qualified professionals as needed for different types of resources.

Second, section 101(b)(1)(B) and section 301(12) of the Act requires that a majority of State Review Board members be professionally qualified. As specified in 36 CFR part 61, this majority must include, but need not be limited, to the required disciplines of History, Archeology, and Architectural History. One person may meet the Standards for more than one required discipline.

Third, section 101(c)(1)(B) and section 301(13) of the Act requires that State programs encourage CLG Review Commissions to include individuals who are professionally qualified, to the extent that such individuals are [*33710] available in the community. The State may specify the minimum number of Commission members that must meet the Standards and decide which, if any, of the disciplines listed in the Standards need to be represented on the Commission.

An accompanying guidance section, Applying the Historic Preservation Professional Qualification Standards, has been prepared to assist the consistent application of the "Historic Preservation Professional Qualification Standards" when selecting an employee, consultant, or advisor. As such, the guidance provides additional information and recommendations, but never constitutes a requirement.

How To Use the Historic Preservation Professional Qualification Standards

There are three basic components of each Historic Preservation Professional Qualification Standard: academic degrees or comparable training; professional experience; and products and activities that demonstrate proficiency in the field of historic preservation. A number of commonly asked questions about the design and content of the Standards, as well as their application and implementation, are answered below in order to assist anyone applying for a position or anyone charged with obtaining the services of a professional in the field of historic preservation.

1. ***Under what authority are these Standards developed?*** "The Secretary of the Interior's Historic Preservation Professional Qualification Standards and Guidance" are part of the larger "Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation." The statutory authority for the Secretary's development of these can be found in sections 101(g), 101(h), 101(i), and 101(j)(2)(A) of the National Historic Preservation Act, as amended. These Standards and Guidance (including the Professional Qualification Standards) were published in the **Federal Register** in 1983 as the Secretary's best guidance for historic preservation practice nationally. This remains their preeminent function.
2. ***What about the requirements in Section 112 of the National Historic Preservation Act?*** Section 112 is not the statutory authority for the "Secretary of the Interior's Historic Preservation Professional Qualification Standards and Guidance" (see the preceding paragraph). Section 112 splits Federal agency requirements for meeting "professional standards" into two parts. Section 112(a)(1)(A) mandates that Federal "actions" meet professional standards; it is not directed at establishing professional qualification requirements. It is section 112(a)(1)(B) that requires the Federal Office of Personnel Management (OPM) to devise professional qualification requirements for Federal employees and contractors in seven disciplines. OPM is required by statute to consult with the National Park Service (NPS) and others in creating these requirements. When completed, NPS will offer the Professional Qualification Standards and Guidance as its best advice to OPM for their use.
3. ***Are the Standards regulatory or are they advisory?*** The Standards are not in and of themselves regulatory. A separate regulation or other official action which references or otherwise adopts part or all of them is necessary to give any force to any language in the Standards. In a number of instances, this has occurred. For example, the Standards for Rehabilitation are regulatory in the Federal Preservation Tax Incentives program through 36 CFR part 67. Likewise, the Professional Qualification Standards are regulatory for States, local historic preservation programs, and participating tribes through 36 CFR part 61. The guidance ("Academic Background" and "Documenting Professional Experience") accompanying the Professional Qualification Standards is intended to assist users in the application of the Standards; the guidance is not regulatory.
4. ***How were these Standards developed? Who was consulted?*** Consultation has been extensive over the four years of this project. The wide range of constituents that use the Standards dictates a broad consultation process, which, not surprisingly, results in widely varying opinions and recommendations. To date, NPS has consulted with: (1) Federal, tribal, State, and local government historic preservation programs as well as related organizations; (2) professional societies and organizations of professional societies; (3) academic programs in historic preservation and organizations of such programs; (4) individuals and companies in the

private practice of historic preservation as well as related organizations; and, (5) individuals working in the public sector as well as organizations of such people.

5. ***Why did the National Park Service choose the disciplines it did?*** These disciplines were selected because each is specifically mentioned in the National Historic Preservation Act. [See sections 112(a)(1)(A), 112(a)(1)(B), 201(a)(9), 301(12)(B), 301(13), and 401(c)(3).]
6. ***How are these Standards to be used?*** The Standards are designed to be a tool to help recognize the minimum expertise generally necessary for performing professionally credible historic preservation work. The Standards are not designed to identify the best or ideal person for any position or the preeminent practitioners in any discipline, nor are they developed to qualify apprentice or entry level workers. The Standards are designed to describe the typical expertise held by credible mid-level journeymen working in historic preservation.
7. ***Do the Standards apply to "entry level" or "technician" level positions?*** Although the work of "entry-level" or "technician-level" personnel is critical to the success of historic preservation projects, these professional levels are not addressed in the Secretary's Standards. The Standards apply only to the "journeyman" professional and define the minimum level of expertise necessary to provide reliable technical opinions relating to historic properties (without in-depth oversight or review by another professional in the discipline).
8. ***Do Federal agencies have to meet these Professional Qualification Standards?*** For Federal employees and Federal contractors, the Historic Preservation Professional Qualification Standards are regulatory only if they are specifically adopted by: (1) The Federal Office of Personnel Management (OPM) pursuant to its responsibility under Section 112(a)(1)(B) of the Act; (2) a Federal agency in its own agency-wide regulations, requirements, or policy; or (3) a Federal agency as part of a program or project agreement with another party.
9. ***How are general Standards applied in specific situations?*** General standards are intended to define minimum professional qualifications for identifying, evaluating, registering, treating, and interpreting historic properties nationwide; however, the best historic preservation professional for a particular office, program, project, or property depends upon the situation. Different skills and expertise are needed for different geographical areas and resource types. In most cases where the Standards are applied in hiring or contracting, job descriptions and qualifications will have to be tailored to specific situations and locations so that experience and training are relevant to the needs of the resources and the work to be done. Where there is a need for specialized expertise in a project, application of the Standards will necessarily focus upon specialized training and demonstrated experience and products. For example, a person may be highly skilled in restoring a [*33711] particular kind of resource (such as covered bridges), but that person would not be an appropriate choice to work on other types of resources.
10. ***Do all staff, consultants, and appointed advisors need to meet the Standards?*** SHPOs, CLGs, and tribes hire staff, select consultants, and appoint advisors to perform historic preservation work. However, it is NPS policy that historic preservation activity supported by the Historic Preservation Fund must be conducted, supervised, overseen, evaluated, or signed off by someone who meets the appropriate Professional Qualification Standard. Therefore, NPS requires the use of some of these Standards in certain circumstances by State Historic Preservation Offices, State Review Boards, and Certified Local Government Commissions

(see 36 CFR part 61). Consequently, in some offices there could be no staff meeting the Professional Qualification Standards as long as there is access somewhere along the line to the appropriate expertise. For offices (e.g., States) required to have professionally qualified staff and Review Board membership, the requirement is usually to have at least one qualified individual in the three specified core disciplines. States and Tribes with 101(d) status are expected to obtain the services of professionals qualified in other disciplines as needed. It is possible that an individual may meet the Professional Qualification Standards for more than one discipline. Other staff members working in the discipline do not have to meet the Standards.

11. ***What about professionals who were hired under the old Standards?***For programs administered by the National Park Service, each State staff, State Review Board member and Certified Local Government Commission member approved by the Secretary as meeting the Professional Qualification Standards will retain that status, regardless of any subsequent changes in the Standards, until such time as that individual no longer is employed by the State office, serves on the State Review Board, or serves on the Certified Local Government Commission with which that individual was affiliated as of the date of that individual's approval. Contractors qualified in a specified discipline under the old requirements will be deemed qualified in that discipline by NPS under the new rules as long as the contract, cooperative agreement, or other third-party agreement remains in effect. New contractual agreements would apply the new standards. Other organizations using the Professional Qualification Standards are encouraged to adopt a similar approach.
12. ***Why aren't the Standards for each discipline exactly the same?***Because each discipline is different and makes its own distinct contribution to historic preservation, the Professional Qualification Standards differ somewhat according to discipline. Each set of Standards includes educational and experience equivalencies to assure fairness in hiring practices; thus, a graduate or undergraduate degree, or other certification, registration, or professional license or training is given full consideration, when combined with differing periods of full-time professional experience. Documenting a record of high quality products and activities during past employment is required in every Standard; however, the type of products and activities will necessarily differ within each discipline.
13. ***Why does one have to demonstrate proficiency in a specific discipline as well as in historic preservation?***When decision makers lack the expertise required to make informed decisions, historic and cultural resources can be overlooked, mis-identified, mis-evaluated, damaged, or lost. Partial expertise can be just as harmful, whether a person is well-grounded in historic preservation, but lacks professional discipline skills, or, alternatively, is an expert in a professional discipline, but fails to understand its important connection to historic preservation. Involvement of people with expertise in both a professional discipline and historic preservation will greatly improve the reliability of decisions affecting our nation's heritage.
14. ***What constitutes full-time professional experience?***Full-time professional experience generally refers to experience received after the degree was awarded or education was completed. Full-time professional experience can be acquired in blocks of time that, together, add up to the number of years called for in the Standard. In some disciplines, a portion of this experience must have been earned under the direct supervision of a recognized professional. It

is possible that some education and experience received outside the United States is relevant to the identification, evaluation, documentation, registration, treatment, and interpretation of United States historic and cultural properties.

15. ***Does the required experience have to occur subsequent to obtaining the requisite educational or licensing credentials?*** Although it is preferable to have the practical experience after obtaining the academic training in a particular discipline, there is no such national requirement. The hiring, choosing, selecting, or contracting office must determine for itself how much experience, of what sort, and in what sequence, is appropriate for the job or position.
16. ***How many and what types of products and activities are routinely used to document the quality of professional experience?*** The applicant, employee, consultant, or advisor may cite products such as peer-reviewed articles and publications, audio-visual materials, awards, and National Register documentation. Activities could include teaching the theory or practices of a specific discipline; administrative, project review, or supervisory experience in a historic preservation program or office; and field or laboratory work. In any event, products and activities should demonstrate the appropriate use of the applicable "Secretary of the Interior's Standards for Archeology and Historic Preservation." Examples are provided in the Documenting Professional Experience section of the guidance for Applying the Standard for each discipline.
17. ***In determining academic qualifications, what is a "closely related field of study?"*** To provide flexibility in determining academic credentials, the Standards recognize that a graduate or undergraduate degree may have been attained in either the identified discipline or in a related discipline. Thus a candidate for the position of Architectural Historian may have an undergraduate degree in a closely related field of study, such as Art History or Historic Preservation.

Merely having a degree in a closely related field does not automatically meet the Standard. The course work taken to earn a degree in a related field should be weighed against the course requirements in the Standard's "main" discipline. For example, a degree in Art History does not necessarily, on its own, meet the Standard for Architectural History, unless course work relevant to the Standard can be documented, such as American architectural history. (See the Academic Background guidance given after each Standard, which discusses the typical closely related fields of study for each historic preservation discipline.)
18. ***How much and what kind of course work in a "closely related field" is required to meet the Professional Qualifications Standards?*** There is no set amount of credit hours. The office hiring or selecting must make a determination that the person with course work in a closely related field has enough relevant education to be [*33712] equivalent to that necessary for the standard degree in that discipline, and to enable that person to make judgments about the identification, evaluation, documentation, registration, or treatment of historic or archeological properties in the United States and its Territories.
19. ***When is "exceptional experience" a factor?*** In general, an applicant, employee, consultant, contractor, or advisor who does not possess a combination of education or training, experience, and products would not meet the Standards. However, in some cases, a person's experience and contributions have been so exceptional that he or she demonstrates the level of

expertise that meets the Standards. In particular, this may apply in those situations where persons embarked upon their careers before recognized academic programs were established, and their education or training was thus attained in alternative ways. In such instances, exceptional experience would be substituted for an academic degree or other training. It is up to the organization with administrative oversight responsibility for the program or project to determine whether the individual meets the Standards. For example, in a program under the purview of 36 CFR part 61, the State Historic Preservation Office would request an exception from the National Park Service for the person under consideration for a "professional" position on the State staff or Review Board. Otherwise, the organization doing the hiring or selecting of personnel would determine whether the individual meets the Standards.

Discipline and Historic Preservation Proficiencies The Historic Preservation Professional Qualification Standards call for an understanding of the general principles, procedures, and practices in the discipline as they are applied to historic preservation. This type of expertise is necessary for historic preservation programs in which the employee, consultant, or advisor is expected to deal with a range of historic resources and issues. Proficiencies in the disciplines and in the practice of historic preservation are outlined below.

Recommended Discipline Proficiencies The following discipline proficiencies (knowledge, skills, and abilities) should be possessed by applicants, employees, consultants, and advisors:

- Knowledge of the history of the discipline.
- Knowledge of current theories, principles, practices, methods, and techniques of the discipline.
- Familiarity with diverse specializations within the discipline.
- Skills in applying the discipline's techniques of practice, including critical analysis skills.
- Understanding of the discipline's relationships with other disciplines and the ability to design and carry out interdisciplinary projects.
- Understanding of complex research questions.
- Ability to place a specific project in a broader context.
- Knowledge of current scholarly research and its applicability to a given issue.
- Familiarity with the process of rigorous professional peer review that occurs before work is published.

Recommended Historic Preservation Proficiencies The following historic preservation proficiencies (knowledge, skills, and abilities) should be possessed by applicants, employees, consultants, and advisors:

- Familiarity with the origins and development of the historic preservation movement.
- Knowledge of the field of historic preservation as it is practiced in the United States, including its philosophies, theories, practices, laws, regulations, policies, and standards, and relationship to the discipline as a whole.

- Ability to apply Federal and relevant State and local historic preservation laws, regulations, policies, and standards in the public and private sectors, including Federal, State, and local government agencies, and private organizations.
- Ability to apply the appropriate set(s) of the "Secretary of the Interior's Standards for Archeology and Historic Preservation," and/or the National Register of Historic Places criteria.

In consideration of the foregoing, the "Secretary of the Interior's Professional Qualification Standards" are proposed to read as follows:

Historic Preservation Professional Qualification Standards

Archeology

(A) Prehistoric Archeology

(B) Historic Archeology

Architectural History

Conservation

Cultural Anthropology

Curation

Engineering

Folklore

Historic Architecture

Historic Landscape Architecture

Historic Preservation Planning

Historic Preservation

History Archeology; Historic Preservation Professional Qualification Standards

Archeology is the study of past human lifeways through the systematic observation, analysis, and protection of the material remains of human activities.

Standard for Archeologist

(A) Prehistoric

The applicant, employee, consultant, or advisor will have a graduate degree in Anthropology with a specialization in Prehistoric Archeology, or a graduate degree in Archeology with a specialization in Prehistoric Archeology, or a graduate degree in a closely related field (see Academic Background for Archeology), PLUS a minimum of two and one-half (2 1/2) years of full-time professional experience in applying the theories, methods, and practices of Archeology that enables professional judgments to be made about the identification, evaluation, documentation, registration, or treatment of prehistoric archeological properties in the United States and its Territories (at least six months of experience must have been acquired in the performance of field and analytical activities under the supervision of a professional prehistoric archeologist, and one year of experience in the study of the archeological resources of the prehistoric period must have been at a supervisory level); and products and activities that

demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation (see Documenting Professional Experience for Archeologists).

(B) Historical

The applicant, employee, consultant, or advisor will have a graduate degree in Anthropology with a specialization in Historical Archeology, or a graduate degree in Archeology with a specialization in Historical Archeology, or a graduate degree in a closely related field (see Academic Background for Archeology), plus a minimum of two and one-half (2 1/2) years of full-time professional experience applying the theories, methods, and practices of Archeology that enables professional judgments to be made about the identification, evaluation, documentation, registration, or treatment of historic archeological properties in the United States and its Territories (at least six months of experience must have been acquired in [*33713] the performance of field and analytical activities under the supervision of a professional Historical Archeologist, and one year of experience in the study of the archeological resources of the historic period must have been at a supervisory level); and products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation (see Documenting Professional Experience for Archeologists).

(Note: Pursuant to 36 CFR part 61, a person meeting this Standard (either Prehistoric or Historic Archeology) is required as part of the core staff for each State Historic Preservation Office (SHPO) and as part of each State Review Board. Expertise described by this standard is also needed for Tribal Preservation Office staff or consultants of tribes that have executed a Memorandum of Agreement to implement Section 101(d) of the National Historic Preservation Act. It also may be needed for consultants hired with HPF grant funds and for members of Certified Local Government Commissions.)

Archeology--Academic Background

Closely related fields: Anthropology, with a specialization in Archeology, is the typical degree discipline for archeologists practicing in the United States. One of the usual requirements for receiving the degree is completion of an archeological field school in which the student learns about techniques of survey, excavation, and laboratory processing. However, degree programs have also been established in Archeology, Cultural Resources Management, Historical Archeology, and Public Archeology. Some Historical Archeology programs are housed in History, Public History, or American Studies Departments. For these degrees, a list of courses taken should be reviewed to determine if the program is equivalent to that typically provided for a degree in Anthropology with a specialization in Archeology, including course work in archeological methods and theory, archeology of a geographic region (e.g., North America), and the field school.

Discipline specializations: The most prevalent specializations in Archeology include Historical Archeology or Prehistoric Archeology, i.e., the specialization in resources of either the prehistoric period or the historic period. These specializations necessarily

require expertise in different types of sites and different sources of information about past human activities. For example, a prehistoric archeologist usually requires a knowledge of environmental sciences, while a historical archeologist needs to understand the techniques of archival research. Additional specialized training and experience is also required for those specializing in, for example, underwater archeology, physical anthropology (human bones and burials), forensic archeology, or zooarcheology (non-human bones). In addition, archeologists typically specialize in the archeological resources of a particular time period, geographic region, resource type, or research subject.

Applying the Standard for Archeologist--Documenting Professional Experience

A professional archeologist typically has experience in field survey, site testing, site excavation, artifact identification and analysis, documents research, and report preparation. Supervised field experience as a graduate student may be counted as part of the overall 2 1/2 year professional experience requirement.

A Prehistoric Archeologist meeting this Standard would document one year of supervisory experience in the study of prehistoric archeological sites; a Historical Archeologist would document one year of supervisory experience in the study of sites of the historic period.

The two archeologist specializations of Prehistoric Archeology and Historic Archeology are not interchangeable. Documentation to show that someone qualifies in both Prehistoric and Historic Archeology should include a minimum of one additional year of supervisory experience on resources of the other specialty, for a total of 3 1/2 years of experience, with products and activities in both specializations.

Products and Activities.

Professional experience and expertise must be documented through "products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation." Products and activities that meet the appropriate Secretary Standards for Archeology and Historic Preservation may include:

- Survey and excavation reports of cultural resource management or Section 106 (or other compliance) projects. These reports are typically called "grey literature;" they often have multiple authors and are usually produced in limited quantities by consulting firms.
- National Register documentation resulting in property listings or Determinations of Eligibility.
- Materials such as presentations, booklets, brochures, lesson plans, or videos that interpret the results of archeological investigation for the general public.
- Publications including articles in professional journals, monographs, books, or chapters in edited books, related to the preservation of historic or archeological properties.
- Presentations at regional, national, or international professional conferences related to the preservation of historic or archeological properties.

- Professional service on boards or committees of regional, national, or international professional organizations concerned with the preservation of historic or archeological properties.
- Awards, research grants, research fellowships, or invitations to teaching posts.

This list is not comprehensive. Furthermore, it is not expected that all of these products and activities will need to be documented in order to meet the Standard; rather, a combination of several of these products and activities would be more typical. However, if the applicant were documenting professional experience in one of the specializations, the majority of products and activities should reflect that specialization.

Architectural History; Historic Preservation Professional Qualification Standards

Architectural History is the study of the development of building practices through written records and design and the examination of structures, sites, and objects in order to determine their relationship to preceding, contemporary, and subsequent architecture and events.

Standard for Architectural Historian

- (a) The applicant, employee, consultant, or advisor will have a graduate degree in Architectural History or a closely related field of study (see Academic Background for Architectural History), plus a minimum of two (2) years of full-time professional experience applying the theories, methods, and practices of Architectural History that enables professional judgments to be made about the identification, evaluation, documentation, registration, or treatment of historic properties in the United States and its Territories; and products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation (see Documenting Professional Experience for Architectural Historians); or * * *
- (b) An undergraduate degree in Architectural History or a closely [*33714] related field of study (see Academic Background for Architectural History), plus a minimum of four (4) years of full-time professional experience applying the theories, methods, and practices of Architectural History that enables professional judgments to be made about the identification, evaluation, documentation, registration, or treatment of historic properties in the United States and its Territories; and products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation (see Documenting Professional Experience for Historians).

(Note: Pursuant to 36 CFR part 61, a person meeting this Standard is required as part of the core staff for each State Historic Preservation Office (SHPO) and as part of each State Review Board. Expertise described by this standard is also needed for Tribal Preservation Office staff or consultants of tribes that have executed a Memorandum of Agreement to implement Section 101(d) of the National Historic Preservation Act. It also may be needed for consultants hired with HPF grant funds and for members of Certified Local Government Commissions.)

Architectural History--Academic Background

Closely related fields: Professional Architectural Historians typically receive their formal training through Architectural History, Art History, or Historic Preservation programs, which include course work in American Architectural History. Other fields of study may offer relevant training, provided that course work in American Architectural History is taken. These other fields may include American Studies, American Civilization, Architecture, Landscape Architecture, Urban and Regional Planning, American History, Historic Preservation, and Public History.

Discipline specializations: Architectural Historians tend to be generalists, although specializations within Architectural History are typically based on time periods (such as 18th century), on a particular architectural style (such as Georgian or vernacular), or a combination of these (such as plantation architecture in the antebellum South).

Applying the Standard for Architectural Historian--Documenting Professional Experience

Products and Activities

Professional experience and expertise must be documented through "products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation." A professional Architectural Historian typically has expertise in research, survey, documentation, and evaluation, of architectural resources, including buildings, structures, objects, and districts. Documentation of such experience is desirable. Products and activities that meet the appropriate Secretary's Standards for Archeology and Historic Preservation may include:

- Survey reports assessing the significance of historic properties.
- Historic structure reports.
- National Register documentation resulting in property listings or Determinations of Eligibility.
- Documentation that meets HABS/HAER standards for recording historic properties.
- Publications, which might include articles in regional, national, or international professional journals, monographs, books, or chapters in edited books, related to the preservation of historic structures.
- Presentations at regional, national, or international professional conferences related to the preservation of historic structures.
- Professional service on boards or committees of regional, national, or international professional organizations concerned with the preservation of historic structures.
- Awards, research grants, research fellowships, or invitations to teaching posts.

This list is not comprehensive. Furthermore, it should be understood that not all of these products and activities are needed in order to meet the Standard; rather, a combination of several products and activities would be more typical. If the

applicant were documenting professional experience in one of the specializations, however, the majority of products and activities would naturally reflect that specialization.

Conservation; Historic Preservation Professional Qualification Standards

Conservation is the practice of prolonging the physical and aesthetic life of prehistoric and historic material culture through documentation, preventive care, treatment, and research.

Standard for Conservator

- (a) The applicant, employee, consultant, or advisor will have a graduate degree in Conservation or a graduate degree in a closely related field of study with a certificate in Conservation (see Academic Background for Conservation), plus a minimum of three (3) years of full-time professional experience applying the theories, methods, and practices of Conservation that enables professional judgments to be made about the identification, evaluation, documentation or treatment of objects associated with historic and prehistoric properties in the United States and its Territories; and products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation (see Documenting Professional Experience for Conservators); or * * *
- (b) An undergraduate degree in Art History, or Natural or Physical Science, or another closely related field to Conservation (see Academic Background for Conservation), with an additional (3) years of full-time enrollment in an apprenticeship program equivalent to graduate studies in Conservation and supervised by a professional Conservator; plus a minimum of three (3) years full-time professional experience applying the theories, methods, and practices of Conservation that enables professional judgments to be made about the identification, evaluation, documentation, or treatment of objects associated with historic and prehistoric properties in the United States and its Territories; and products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation (see Documenting Professional Experience for Conservators).

Conservation--Academic Background

Closely related fields: Since Conservators tend to specialize in a particular class of objects, closely related fields will be diverse, and could include Art, Art Conservation, Art History, Architecture, Historic Preservation, Museum Studies, Chemistry, Physics, Engineering (or a related scientific field), Archeology, Anthropology, or other fields related to the conservation specialization. If a closely related field is being claimed, the degree in the closely related field should be accompanied by a certificate in Conservation, or the completion of course work equivalent to that typically offered in graduate Conservation programs. This course work should include examination, documentation, and treatment of objects; history and technology of objects; and

conservation science. In addition, such a program should include the completion of a two-semester internship.

Discipline specializations: Professional conservators specialize in the treatment and maintenance of a [*33715] specific class of objects or materials, such as archeological artifacts, architectural elements or fragments, or collections, books, ceramics, glass, decorative arts, ethnographic objects, furniture, metals, paintings, paper, photographs, sculpture, and textiles. Some conservators have studied more than one specialty, and have accumulated experience which allows them to practice in several of these specialties (although they are often closely related, such as books, drawings, prints or paper; decorative arts and furniture; sculpture and archeological artifacts). In these cases, the time period that distinguishes the materials is often the specialty. Each of these specialties requires focused training and experience, since each represents unique problems which are not always necessarily shared with other materials or time periods. Hence, a professional conservator should be able to perform according to professional standards of practice within the claimed area of specialty and should be both capable and willing to recognize his or her limitations. The professional conservator, moreover, should be generally knowledgeable about the issues of other specialties and the benefit of effective communication among the specialties. A broad understanding of the general principles of the conservation discipline is paramount as well, particularly in the area of technological and philosophical concerns that govern the ethics of the profession.

A note on Conservation education: Many professional Conservators received their training by serving apprenticeships with professional Conservators. For some time, however, graduate conservation programs have been established in academic institutions; these require an internship in recognition of the critical importance of hands-on training and experience in preparing students for professional practice.

Applying the Standard for Conservator--Documenting Professional Experience

A professional Conservator typically possesses specialized technical skills and has experience in the examination, analysis, documentation, treatment, and preventive care of a specific class, or classes, of objects.

Products and Activities

Professional experience and expertise must be documented through "products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation." Products and activities that meet the appropriate Secretary's Standards for Archeology and Historic Preservation may include:

- A portfolio of current and past conservation work, including written and photographic documentation.
- Reports of examination, condition, or treatment of objects.

- Publications, which might include articles in professional journals, monographs, books, or chapters in edited books, related to the care and treatment of objects.
- Presentations at regional, national, or international professional conferences, workshops or other educational venues related to the care and treatment of objects.
- Professional service on boards or committees of regional, national, or international professional organizations concerned with the conservation of objects.
- Awards, research grants, research fellowships, or invitations to teaching posts.

This list is not comprehensive. Furthermore, it should be understood that not all of these products and activities are needed in order to meet the Standard; rather, a combination of several products and activities would be more typical. If the applicant were documenting professional experience in one of the specializations, however, the majority of products and activities would naturally reflect that specialization.

Cultural Anthropology; Historic Preservation Professional Qualification Standards

Cultural anthropology is the description and analysis of cultural systems, which include systems of behaviors (economic, religious, social), values, ideologies, and social arrangements.

Standard for Cultural Anthropologist

- (a) The applicant, employee, consultant, or advisor will have a graduate degree in Anthropology with a specialization in Applied Cultural Anthropology, or a closely related field (see Academic Background for Cultural Anthropology), plus a minimum of two (2) years of full-time professional experience (including at least six months of field work supervised by a professional Cultural Anthropologist) applying the theories, methods, and practices of Cultural Anthropology that enables professional judgments to be made about the identification, evaluation, documentation, registration, or treatment of historic, prehistoric, or traditional cultural properties in the United States and its Territories; and products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation (see Documenting Professional Experience for Cultural Anthropologists); or * * *
- (b) An undergraduate degree in Anthropology or a closely related field (see Academic Background for Cultural Anthropology), with a specialization in Applied Cultural Anthropology, plus a minimum of four (4) years of full-time professional experience (including at least twelve months of field work supervised by a professional Cultural Anthropologist) applying the theories, methods, and practices of Cultural Anthropology that enables professional judgments to be made about the identification, evaluation, documentation,

registration, or treatment of historic, prehistoric, or traditional cultural properties in the United States and its Territories; and products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation (See Documenting Professional Experience for Cultural Anthropologists).

Cultural Anthropology--Academic Background

Closely related fields: A degree in Anthropology with a specialization in Applied Cultural Anthropology is the typical degree discipline for Cultural Anthropologists practicing in the United States. Closely related fields of study may include Sociology, Cultural Geography, Folklife, History, and American Studies.

Discipline specializations: Specializations in this discipline include Applied Cultural Anthropology, and Social Anthropology (which may be considered the most closely related to Cultural Anthropology; some academic programs even combine them, referring to Sociocultural Anthropology). Departments of Anthropology typically provide training in Archeology, Physical Anthropology, Ethnography, and Sociocultural Anthropology, and they may offer Applied Anthropology concentrations in one or more of these fields. Professional Cultural Anthropologists tend to specialize geographically (such as in the Southwest United States, Micronesia or New England) or topically (such as Medical Anthropology or Urban Anthropology), or in working with particular cultural or linguistic groups (such as fishermen, Irish immigrants, or Northwest Coast Indians). [*33716]

Applying the Standard for Cultural Anthropologist--Documenting Professional Experience

A professional Cultural Anthropologist typically has experience in the use of ethnohistoric and ethnographic techniques, including participant observation field work among one or more contemporary ethnic groups. The typical Cultural Anthropologist would also have performed field survey to identify and assess ethnographic resources, which can include, in addition to historic and cultural places of value, environmental features and places that have symbolic and other cultural value for Native American and/or other ethnic communities. A Cultural Anthropologist engaged in substantial ethnographic field work should demonstrate professional experience in the relevant geographic area and/or among the New World peoples, immigrant, ethnic, or minority communities with whom they will work.

Products and Activities

Professional experience and expertise must be documented through "products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation." Products and activities that meet the appropriate Secretary's Standards for Archeology and Historic Preservation may include:

- Ethnographic field studies and survey reports, oral histories, or social impact assessments.
- National Register documentation of ethnographic resources or traditional cultural properties resulting in property listings or Determinations of Eligibility.
- Publications, which might include articles in regional, national, or international professional journals, monographs, books, or chapters in edited books, related to the documentation and preservation of historic and archeological resources, and/or traditional cultural properties.
- Presentations at regional, national, or international professional conferences, symposia, workshops or exhibits related to the documentation and preservation of historic and archeological resources, and/or traditional cultural properties.
- Professional service on boards or committees or regional, national, or international professional organizations concerned with the documentation and preservation of historic and archeological resources.
- Awards, research grants, research fellowships, or invitations to teaching posts.

This list is not comprehensive. Furthermore, it should be understood that not all of these products and activities are needed in order to meet the Standard; rather, a combination of several products and activities would be more typical. If the applicant were documenting professional experience in one of the specializations, however, the majority of products and activities would naturally reflect that specialization.

Curation; Historic Preservation Professional Qualification Standards

Curation is the practice of documenting, managing, preserving, and interpreting museum collections according to professional museum and archival practices.

Standard for Curator

- (a) The applicant, employee, consultant, or advisor will have a graduate degree in Museum Studies or a closely related field of study (see Academic Background for Curation), plus a minimum of two (2) years of full-time professional experience applying the theories, methods, and practices of Curation that enables professional judgments to be made about the identification, evaluation, documentation, preventive care, or interpretation of collections associated with historic and prehistoric properties in the United States and its Territories; and products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation (see Documenting Professional Experience for Curators); or * * *

- (b) An undergraduate degree in Museum Studies or a closely related field of study (see Academic Background for Curation), plus a minimum of four (4) years of full-time professional experience applying the theories, methods, and practices of Curation that enables professional judgments to be made about the identification, evaluation, documentation, preventive care, or interpretation of collections associated with historic and prehistoric properties in the United States and its Territories; and products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation (see Documenting Professional Experience for Curator).

Curation--Academic Background

Closely related fields: A degree program called Museum Studies in one academic institution might be called Museum Science or Museology in another institution. Since Curators often specialize in particular disciplines, those fields of study would be relevant provided that theoretical as well as hands-on training was also obtained in museum methods and techniques, including collections care and management. Examples of relevant fields could include American Studies, Anthropology, Archeology, Art History, Archival or Library Science, History, Biology, Botany, Chemistry, Physics, Engineering, Geology, Zoology, and other similar fields of study, depending upon the nature of the collections to be curated.

Discipline specializations: Professional Curators tend to be specialists in a particular academic discipline relevant to the collections held by their institution or museum, which could include, for example, 19th-century Hudson Valley School paintings, Southwest Pueblo pottery, Civil War military uniforms, site-specific archeological materials, or natural history specimens.

Applying the Standard for Curator--Documenting Professional Experience

A professional Curator typically has experience in managing and preserving a collection according to professional museum and archival practices. Cultural training should involve experience with the chemical and physical properties of material culture, as well as practical and legal aspects of health and safety, an understanding of climate control systems, security, and conservation methods. The Curator is directly responsible for the care and academic interpretation of all objects, materials, and specimens belonging to or lent to the museum; recommendations for acquisition, de-accession, attribution and authentication; and research on the collections and the publication of the results of that research. The Curator also may have administrative and/or exhibition responsibilities.

Products and Activities

Professional experience and expertise must be documented through "products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation." Products and activities that meet the appropriate Secretary's Standards for Archeology and Historic Preservation may include:

- Exhibit catalogs and other scholarly reports.
- Field or laboratory work that demonstrates ability to conserve, document, or interpret archeological, [*33717] archival, or material culture objects or collections.
- Plans or finding aids for the preservation or documentation of museum collections.
- Publications, which might include articles in regional, national, or international professional journals, monographs, books, or chapters in edited books, related to the care and treatment of archeological, archival, or material culture objects or collections.
- Presentations at regional, national, or international professional conferences, symposia, workshops, or exhibits related to the care and treatment of archeological, archival, or material cultural objects or collections.
- Professional service on boards or committees or regional, national, or international professional organizations concerned with the care and treatment of archeological, archival, or material culture objects or collections.
- Awards, research grants, research fellowships, or invitations to teaching posts.

This list is not comprehensive. Furthermore, it should be understood that not all of these products and activities are needed in order to meet the Standard; rather, a combination of several products and activities would be more typical. If the applicant were documenting professional experience in one of the specializations, however, the majority of products and activities would naturally reflect that specialization.

Engineering; Historic Preservation Professional Qualification Standards

Engineering is the practice of applying scientific principles to the research, planning, design, and management of structures and machines such as roads, bridges, canals, dams, docks, locomotives, and buildings, including their structural, electrical, or mechanical systems. Historic Engineering involves specialized training in engineering principles, theories, concepts, methods, and technologies of the past, and appropriate methods of interpreting and preserving historic engineered structures or machinery.

Standard for Engineer

- (a) The applicant, employee, consultant, or advisor will have a State Government-recognized license to practice civil or structural engineering, plus, a minimum of two (2) years of full-time professional experience applying the theories, methods, and practices of engineering that enables professional judgments to be made about the documentation or treatment of historic structures and machines in the United States and its Territories; and products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation (see Documenting Professional Experience for Engineers); or * * *
- (b) A Masters of Civil Engineering degree with demonstrable course work in Historic Preservation, for historic structures rehabilitation, plus a minimum of two (2) years of full-time professional experience applying the theories, methods, and practices of Engineering that enables professional judgments to be made about the documentation or treatment of historic structures and machines in the United States and its Territories; and products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation (see Documenting Professional Experience for Engineers); or * * *
- (c) A Bachelors of Civil Engineering degree with at least one year of graduate study in History of Technology, Historic Preservation, Engineering History, or a closely related field (see Academic Background for Engineers), plus a minimum of two (2) years of full-time professional experience applying the theories, methods and practices of Engineering that enables professional judgments to be made about the documentation or treatment of historic structures and machines in the United States and its Territories; and products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation (see Documenting Professional Experience for Engineers).

(Note: Only persons who are licensed to practice Engineering in that State may prepare and seal plans and specifications in order to obtain construction permits, authorize payments to contractors, and certify that the work is complete. However, State staff, State Review Board members, and CLG staff or Commission members who are not licensed, but who meet the Standard for Engineer under (b) or (c) above, can review proposed and completed work for compliance with the applicable Secretary's Standards for Tax Act, HPF Grant, or other related programs.)

Engineering--Academic Background

Closely related fields: The Bachelor of Civil Engineering degree is a five-year degree that is unlikely to include historic preservation course work. The same is true of a Masters of Civil Engineering degree. An Engineer with an Engineering degree is well grounded in all aspects of engineering practice, including design, planning, construction specifications, and contract administration. Although this background is essential, additional training is needed in order to understand and work with historic structures, sites, and machines, with their complex material evolution and treatment problems. Specialized training, to supplement that provided by the professional Engineering program, should be acquired in such areas as American Architectural and Engineering History, History of Technology, Architectural Preservation, Conservation, Historic Construction Technologies, Historic Building Materials, Historical Archeology, and Historic Preservation.

Discipline specializations: Civil Engineering, Electrical Engineering, Mechanical Engineering, and Structural Engineering are typical specializations within the broader discipline of Engineering. The two specializations most often used in historic preservation projects are Civil and Structural Engineering. Occasionally, there may be the need for a Mechanical Engineer to address issues concerning historic machinery such as locomotives, steam engines, water turbines, electric generators, and similar machines and equipment, or particularly complex mechanical systems in a historic structure.

Applying the Standard for Engineer--Documenting Professional Experience

To be licensed by a State Government as a professional Engineer, an individual must pass a written exam and successfully fulfill education, training, and experience requirements. In addition, a professional Historical Engineer has both theoretical knowledge and technical skill associated with preserving historic structures and machines, and with the application of Engineering theories, methods, and practices that enables professional judgments to be made about the evaluation, documentation, or treatment of historic structures and machines in the United States and its Territories. A professional Historical Engineer typically has gained experience on structural preservation projects, which have included research and detailed investigations of historic structures or mechanical artifacts and preparation of recommendations for the treatment of such properties in order to preserve them in accordance with the appropriate Secretary's Standards for Archeology and Historic Preservation (particularly the Secretary's Standards for the Treatment of Historic Properties). [*33718]

Products and Activities

Professional experience and expertise must be documented through "products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation." Products and activities that meet the Secretary Standards for Archeology and Historic Preservation may include:

- Plans and Specifications for the preservation, rehabilitation, or restoration of historic structures, such as bridges, dams, canal locks, and for the structural rehabilitation or seismic stabilization of buildings.
- Adaptive reuse or feasibility studies that make recommendations for preserving or structurally stabilizing historic structures, including bridges.
- Historic Structure Reports or Condition Assessments of historic structures or machines.
- Documentation that meets HABS/HAER standards for recording historic structures or machines.
- Experience applying the Secretary of the Interior's Standards for the Treatment of Historic Properties to the review of work on historic structures, sites or machines.
- Awards for historic structure preservation, rehabilitation, or restoration received from local, regional, national, or international professional organizations.
- Publications, which might include articles in regional, national, or international professional journals, monographs, books, or chapters in edited books about the preservation of historic structures or machines.
- Presentations at regional, national, or international professional conferences, symposia, workshops, or exhibits about the preservation of historic structures or machines.
- Professional service on boards or committees or regional, national, or international professional organizations concerned with the preservation of historic structures or machines.

This list is not comprehensive. Furthermore, it should be understood that not all of these products and activities are needed in order to meet the Standard; rather, a combination of several products and activities would be more typical.

Folklore; Historic Preservation Professional Qualification Standards

Folklore is the study and documentation of traditional, expressive culture shared within various ethnic, familial, occupational, religious, and regional groups.

Standard for Folklorist

- (a) The applicant, employee, consultant, or advisor will have a graduate degree in Folklore, Folklife Studies, Anthropology or a closely related field of study (see Academic Experience for Folklore), with a specialization in Folklore or Folklife Studies, plus a minimum of two (2) years of full-time professional experience applying the theories, methods, and practices of Folklore that enables professional judgments to be made about the identification, evaluation, or documentation of folk cultures or lifeways associated with historic or prehistoric properties in the United States and its Territories; and products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation (see Documenting Professional Experience for Folklorists); or * * *
- (b) An undergraduate degree in Anthropology or a closely related field of study (see Academic Experience for Folklore), plus a minimum of four (4) years of full-time professional experience applying the theories, methods, and practices of Folklore that enables professional judgments to be made about the identification, evaluation, or documentation of folk cultures or lifeways associated with historic or prehistoric properties in the United States and its Territories; and products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation. (see Documenting Professional Experience for Folklorists).

Folklore--Academic Background

Closely related fields: Typically, a professional Folklorist has a graduate degree in Folklore or Folklife Studies, or from highly specialized study within other disciplines such as Anthropology, English, Linguistics, or Sociology, provided that such study included training in theory, research and fieldwork techniques, and in the diverse categories of expressive culture.

Discipline specializations: A graduate degree in Anthropology may be combined with a specialization in Folklore and Folklife Studies. Other specializations may include: English, Cultural Anthropology, Ethnohistory, Ethnobotany, Ethnozoology, Ethnoarchaeology, Cultural Geography, Sociology, and Oral History.

A professional Folklore specialist, or Folklorist, may specialize in any of the categories of traditional expressive culture, such as music (ethnomusicology), spoken word traditions, material culture,

customs, or religious and belief systems; or specialization may focus on the study of a particular contemporary group (such as the Pennsylvania Amish) or region of the United States (such as Appalachia).

Applying the Standard for Folklorist--Documenting Professional Experience

A professional Folklorist typically demonstrates professional knowledge and skills in established methods and techniques of folklore and folklife research in the collection, evaluation, documentation, analysis, and/or presentation of grassroots and traditional cultural expression, including folk music, spoken word, dance, craftsmanship and artistic traditions, folkways, customs, belief systems, traditional foodways, and regional and/or occupational groups and communities. Experience would typically include fieldwork, with on-site interviews, observation, and documentation of contemporary human cultural activities.

Products and Activities

Professional experience and expertise must be documented through "products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation." Products and activities that meet the appropriate Secretary's Standards for Archeology and Historic Preservation may include:

- Field studies and survey reports, oral histories, or assessments of the significance of historic properties.
- Publications, which might include articles in regional, national, or international professional journals; monographs, books, or chapters in edited books, related to assessing the significance of historic or traditional cultural properties.
- Presentations at regional, national, or international professional conferences, symposia, workshops, exhibitions, or other educational venues related to analyzing cultural traditions in evaluating the significance of historic or traditional cultural properties.
- Professional service on boards or committees of regional, national, or international professional organizations concerned with documenting and analyzing cultural traditions.
- Awards, research grants, research fellowships, or invitations to teaching posts.

This list is not comprehensive. Furthermore, it should be understood that not all of these products and activities are needed in order to meet [*33719] the Standard; rather, a combination of several products and activities would be more typical. If the applicant were

documenting professional experience in one of the specializations, however, the majority of products and activities would naturally reflect that specialization.

Historic Architecture; Historic Preservation Professional Qualification Standards

Historic Architecture is the practice of applying artistic and scientific principles to the research, planning, design, and management of the built environment with specialized training in the principles, theories, concepts, methods, and techniques of preserving historic buildings and structures.

Standard for Historical Architect

- (a) The applicant, employee, consultant, or advisor will have a State Government-recognized license to practice Architecture, plus, a minimum of two (2) years of full-time professional experience applying the theories, methods, and practices of Architecture that enables professional judgments to be made about the evaluation, documentation, or treatment of historic structures in the United States and its Territories; and products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation (see Documenting Professional Experience for Historical Architects); or
* * *
- (b) A Masters of Architecture degree with demonstrable course work in Architectural Preservation, Architectural History, Historic Preservation, Historic Preservation Planning, or a closely related field (see Academic Background for Historic Architecture), plus a minimum of two (2) years of full-time professional experience applying the theories, methods, and practices of Historic Architecture that enables professional judgments to be made about the evaluation, documentation, or treatment of historic structures in the United States and its Territories; and products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation (see Documenting Professional Experience for Historical Architects); or
* * *
- (c) A Bachelors of Architecture degree with at least one year of graduate study in Architectural Preservation, Architectural History, Historic Preservation, Historic Preservation Planning, or a closely related field (see Academic Experience for Historic Architecture), plus a minimum of two (2) years of full-time professional experience applying the theories, methods and practices of Historic Architecture that enables professional judgments to be made about the evaluation, documentation, or treatment of historic structures in

the United States and its Territories; and products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation (see Documenting Professional Experience for Historical Architects).

(**Note:** Only persons who are licensed to practice Architecture in that State may prepare and seal plans and specifications in order to obtain construction permits, authorize payments to contractors, and certify that the work is completed. However, State staff, State Review Board members, and CLG staff or Commission members who are not licensed, but who meet the Standard for Historical Architect under (b) or (c) above, can review proposed and completed work for compliance with the applicable Secretary's Standards for Tax Act, HPF Grant, or other related programs.)

Historic Architecture--Academic Background

Closely related fields: The Bachelor of Architecture degree is a five-year degree that does not always include historic preservation course work. The same may be true of a Masters of Architecture degree. An Historical Architect is first an Architect and, as such, is well grounded in all aspects of architectural practice, including architectural design, planning, construction specifications, and contract administration. Although this background is essential, additional training is needed in order to understand and work with historic structures, with their complex material evolution and treatment problems. Specialized training, to supplement that provided by the professional Architecture program, should be acquired in such areas as American Architectural History, Architectural Preservation, Conservation, Historic Construction Technologies, Historic Building Materials, and Historic Preservation.

Discipline specialization: Historic Architecture is a specialization within the broader discipline of Architecture.

Applying the Standard for Historical Architect--Documenting Professional Experience

To be licensed by a State Government as a professional Architect, an individual must pass a written exam and successfully fulfill education, training, and experience requirements. In addition, a professional Historical Architect has both theoretical knowledge and technical skill associated with preserving historic structures, and with the application of Architecture theories, methods, and practices that enables professional judgments to be made about the evaluation, documentation, or treatment of historic properties in the United States and its Territories. A professional Historical Architect typically has gained experience on structural preservation projects,

which have included research and detailed investigations of historic structures and preparation of recommendations for the treatment of properties in order to preserve them in accordance with the appropriate Secretary's Standards for Archeology and Historic Preservation (particularly the Secretary's Standards for the Treatment of Historic Properties).

Products and activities

Professional experience and expertise must be documented through "products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation." Products and activities that meet the Secretary Standards for Archeology and Historic Preservation may include:

- Plans and Specifications for the preservation, rehabilitation, or restoration of historic structures.
- Adaptive reuse or feasibility studies that make recommendations for preserving historic structures.
- Historic Structure Reports or Condition Assessments of historic structures.
- Documentation that meets HABS/HAER standards for recording historic structures.
- Experience applying the Secretary of the Interior's Standards for the Treatment of Historic Properties to the review of work on historic structures.
- Awards for historic structure preservation, rehabilitation, or restoration received from local, regional, national, or international professional organizations.
- Publications, which might include articles in regional, national, or international professional journals, monographs, books, or chapters in edited books about the preservation of historic structures.
- Presentations at regional, national, or international professional conferences, symposia, workshops, or exhibits about the preservation of historic structures.
- Professional service on boards or committees or regional, national, or international professional organizations [*33720] concerned with the preservation of historic structures.

This list is not comprehensive. Furthermore, it should be understood that not all of these products and activities are needed in order to meet the Standard; rather, a combination of several products and activities would be more typical.

Historic Landscape Architecture; Historic Preservation Professional Qualification Standards

Historic Landscape Architecture is the practice of applying artistic and scientific principles to the research, planning, design, and management of both natural and built environments with specialized training in the principles, theories, concepts, methods, and techniques of preserving cultural landscapes.

Standard for Historical Landscape Architect

- (a) The applicant, employee, consultant, or advisor will have a State Government-recognized license to practice Landscape Architecture, plus, a minimum of two (2) years full-time professional experience applying the theories, methods, and practices of Landscape Architecture that enables professional judgments to be made about the identification, evaluation, documentation, registration, or treatment of historic properties in the United States and its Territories; and products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation (see Documenting Professional Experience for Historic Landscape Architects); or * * *
- (b) A Masters degree in Landscape Architecture with demonstrable course work in the principles, theories, concepts, methods, and techniques of preserving cultural landscapes, plus a minimum or two (2) years of full-time professional experience applying the theories, methods, and practices of Landscape Architecture that enables professional judgments to be made about the identification, evaluation, documentation, registration, or treatment of historic properties in the United States and its Territories; and products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation (see Documenting Professional Experience for Historic Landscape Architects); or * * *
- (c) A four-year or five-year Bachelors degree in Landscape Architecture, plus a minimum of three (3) years of full-time professional experience applying the theories, methods, and practices of Landscape Architecture that enables professional judgments to be made about the identification, evaluation, documentation, registration, or treatment of historic properties in the United States and its Territories; and products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation (see Documenting Professional Experience for Historic Landscape Architects).

(Note: Only persons who are licensed to practice Landscape Architecture in that State may prepare and seal plans and specifications in order to obtain construction permits, authorize payments to contractors, and certify that the work is completed.

However, State staff, State Review Board members, and CLG staff or commission members who are not licensed, but who meet the Standard for Historical Landscape Architect under (b) or (c) above, can review proposed and completed work for compliance with the applicable Secretary's Standards for Tax Act, HPF Grant, Grant, or other related programs.)

Historic Landscape Architecture--Academic Background

Closely related fields: Landscape Architecture is the typical professional Bachelors degree, which is awarded after successful completion of a four-year or five-year undergraduate program. However, the Bachelors or Masters in Landscape Architecture may not always include historic preservation course work. While the standard Landscape Architecture degree program addresses all general aspects of landscape architectural practice (including design, planning, construction specifications, and professional practice), additional training is needed for Historical Landscape Architects. They may need training in landscape research, documentation, analysis, evaluation, and treatment techniques. This additional training is achieved through additional course work and/or professional experience.

Graduate study: The Masters in Landscape Architecture degree is the typical graduate degree, which is awarded after successful completion of a two-year or three-year graduate program. This degree should include studies in the principles, theories, concepts, methods, and techniques of preserving cultural landscapes. Course work may include cultural geography; landscape history; archival research techniques; historic preservation theory, principles, and practice; and preservation technologies.

Discipline specialization: Historic Landscape Architecture is a specialization within the broader field of Landscape Architecture. Historical Landscape Architects should have completed training in the principles, theories, concepts, methods, and techniques of preserving cultural landscapes. Cultural landscape preservation focuses on preserving a landscape's physical attributes, biotic systems, and use (especially when that use contributes to its historical significance). Graduate study and/or professional experience provides the specialized training needed by the Historical Landscape Architect.

*Applying the Standard for Historical Landscape Architect--
Documenting Professional Experience*

To be licensed by a State Government as a professional Landscape Architect, an individual typically must pass a written exam and successfully fulfill education, training, and experience requirements.

In addition, an Historical Landscape Architect must have two years of experience in the application of Landscape Architecture theories, methods, and practices to the identification, evaluation, documentation, registration, or treatment of historic properties in the United States and its Territories. A professional Historical Landscape Architect has both theoretical knowledge and technical skill associated with the preservation of cultural landscapes in accordance with the Secretary's Standards for Archeology and Historic Preservation. Cultural landscapes include historic sites, historic designed landscapes, historic vernacular landscapes, and ethnographic landscapes.

Products and Activities

Professional experience and expertise must be documented through "products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation." Products and activities that meet the appropriate Secretary's Standards for Archeology and Historic Preservation may include:

- Surveys and inventories of cultural landscapes.
- Documentation of cultural landscapes that meets the Secretary's Standards for Documentation.
- National Register nominations or Determinations of Eligibility for cultural landscapes.
- Cultural Landscape treatment and maintenance plans.
- Cultural Landscape Reports. [*33721]
- Publications, which might include articles in regional, national, or international professional journals, monographs, books, or chapters in edited books about cultural landscape preservation.
- Presentations at regional, national, or international professional conferences, symposia, workshops, or exhibits about cultural landscape preservation.
- Professional service on boards or committees or regional, national, or international professional organizations concerned with cultural landscape preservation.
- Awards, research grants, research fellowships, or invitations to teaching posts associated with cultural landscape preservation.

This list is not comprehensive. Furthermore, it should be understood that not all of these products and activities are needed in order to meet the Standard; rather, a combination of several products and activities would be more typical.

Historic Preservation Planning; Historic Preservation Professional Qualification Standards

Historic Preservation Planning, a specialization within Planning, is the practice of identifying and carrying out particular goals and strategies to protect historic and archeological resources at the local, regional, State, or national level.

Standard for Historic Preservation Planner

- (a) The applicant, employee, consultant, or advisor will have a State Government-recognized certification or license in Land-use Planning, plus, minimum of two (2) years of full-time professional experience applying the theories, methods, and practices of Historic Preservation Planning that enables professional judgments to be made about the identification, evaluation, documentation, registration, protection, or treatment of historic and archeological properties in the United States and its Territories; and products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation (see Documenting Professional Experience for Historic Preservation Planner); or * * *.
- (b) A graduate degree in Planning with demonstrable course work in Historic Preservation, or a graduate degree in a closely related field of study with demonstrable course work in Historic Preservation (see Academic Background for Historic Preservation Planning), plus a minimum of two (2) years of full-time professional experience applying the theories, methods, and practices of Historic Preservation Planning that enables professional judgments to be made about the identification, evaluation, documentation, registration, protection, or treatment of historic and archeological properties in the United States and its Territories; and products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation (see Documenting Professional Experience for Historic Preservation Planner); or * * *.
- (c) An undergraduate degree in Planning with demonstrable course work in Historic Preservation or an undergraduate degree in a closely related field of study with demonstrable course work in Historic Preservation (see Academic Background for Historic Preservation Planning), plus a minimum of four (4) years of full-time professional experience applying the theories, methods, and practices of Historic Preservation Planning that enables professional judgments to be made about the identification, evaluation, documentation, registration, protection, or treatment of historic and archeological properties in the United States and its Territories; and products and activities that demonstrate the successful application of

acquired proficiencies in the discipline to the practice of historic preservation (see Documenting Professional Experience for Historic Preservation Planner).

Historic Preservation Planning--Academic Background

Closely related fields: Professional Historic Preservation Planners typically receive their education through academic Planning programs, although increasingly Historic Preservation programs are offering Historic Preservation Planning as a concentration in which degrees are awarded. Other fields that may be closely related, provided that training relevant to Historic Preservation Planning is obtained, include Historical or Cultural Geography, Architecture, Urban Design, and Historic Preservation.

Discipline specializations: Historic Preservation Planning is a specialization within the broader discipline of Planning. Other specializations include Urban, City, Town, or Community Planning; Regional Planning; Land Use Planning; Environmental Planning; Recreation Planning; Transportation Planning; and Housing Planning.

Applying the Standard for Historic Preservation Planner--Documenting Professional Experience

In order to receive a license or be registered or certified as a professional Planner, an individual typically must pass a written exam and have completed a specified number of years of experience. A professional Historic Preservation Planner typically has gained experience in data collection and analysis; survey and evaluation of existing conditions; consultation with elected and appointed officials and the general public; identification of alternative strategies; enforcement or administration of relevant statutes and regulations; and the preparation of planning documents.

Products and Activities

Professional experience and expertise must be documented through "products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation." Products and activities that meet the appropriate Secretary's Standards for Archeology and Historic Preservation may include:

- Preservation plans adopted by government officials; and/or results of preservation planning studies incorporated into the local comprehensive or master plan.
- Ordinances for the protection of historic and/or archeological resources.

- Economic Feasibility Studies that make recommendations for preserving historic or archeological properties.
- Publications, which might include articles in regional, national, or international professional journals, monographs, books, or chapters in edited books, related to preservation planning.
- Presentations at regional, national, or international professional conferences, symposia, workshops, or exhibits related to preservation planning.
- Professional service on boards of committees or regional, national, or international professional organizations concerned with preservation planning.
- Planning awards received from local, regional, national, or international professional organizations.

This list is not comprehensive. Furthermore, it should be understood that not all of these products and activities are needed in order to meet the Standard; rather, a combination of several products and activities would be more typical. If the applicant were documenting professional experience in one of the specializations, however, the [*33722] majority of products and activities would naturally reflect that specialization.

Historic Preservation; Historic Preservation Professional Qualification Standards

Historic Preservation is the application of strategies that promote the identification, evaluation, documentation, registration, protection, treatment, continued use, and interpretation of prehistoric and historic resources.

Standard for Historic Preservationist

- (a) The applicant, employee, consultant, or advisor will have a graduate degree in Historic Preservation or a closely related field of study (see Academic Background for the Historic Preservation discipline), plus a minimum of two (2) years of full-time professional experience applying the theories, methods, and practices of Historic Preservation that enables professional judgments to be made about the identification, evaluation, documentation, registration, or treatment of historic and prehistoric properties in the United States and its Territories; and products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation (see Documenting Professional Experience for Historic Preservationists); or * * *.
- (b) An undergraduate degree in Historic Preservation or a closely related field of study (see Academic Background for the Historic Preservation discipline), plus a minimum of four (4) years of full-

time professional experience applying the theories, methods, and practices of Historic Preservation that enables professional judgments to be made about the identification, evaluation, documentation, registration, or treatment of historic and prehistoric properties in the United States and its Territories; and products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation (see Documenting Professional Experience for Historic Preservationists).

Historic Preservation--Academic Background

Closely related fields: Various fields of study may be considered closely related to Historic Preservation, such as American Studies, Architecture, Architectural History, Archeology, History, and Historical or Cultural Geography, provided that such programs of study include course work in the history of the designed environment, history and theory of preservation, historic preservation methods, techniques, and legislation (Federal, State and local), plus a formal supervised practicum or internship for hands-on application of knowledge and technical skills in the field.

Discipline specializations: While most Historic Preservationists tend to be generalists, many specialize in such areas as Architectural, Landscape, and Community Design, Historic Building Technology, Preservation Economics, Preservation Law, Historic Preservation Planning, and Site Interpretation and Management.

Applying the Standard for Historic Preservationist--Documenting Professional Experience

A professional Historic Preservationist typically has experience that demonstrates a well-grounded understanding of the principles, practices, laws and regulations, and diverse resources of historic preservation.

Products and Activities

Professional experience and expertise must be documented through "products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation of historic or archeological resources." Products and activities that meet the appropriate Secretary's Standards for Archeology and Historic Preservation may include:

- National Register documentation that has resulted in property listings or Determinations of Eligibility.
- Survey reports assessing the significance of historic properties.
- Historic Structure Reports.

- Adaptive reuse plans or feasibility studies that make recommendations for preserving historic properties.
- Written opinions that have been accepted that assess the impact that an undertaking will have on historic or archeological properties.
- Historic District Ordinances that have been adopted by a local government.
- Documentation that meets HABS/HAER standards for recording historic properties.
- Publications, which might include articles in regional, national, or international professional journals, monographs, books, or chapters in edited books, related to historic preservation.
- Presentations at regional, national, or international professional conferences, symposia, workshops, or exhibits related to historic preservation.
- Professional service on boards or committees or regional, national, or international professional organizations concerned with historic preservation.
- Awards, research grants, research fellowships, or invitations to teaching posts.

This list is not comprehensive. Furthermore, it should be understood that not all of these products and activities are needed in order to meet the Standard; rather, a combination of several products and activities would be more typical. If the applicant were documenting professional experience in one of the specializations, however, the majority of products and activities would naturally reflect that specialization.

History; Historic Preservation Professional Qualification Standards

History is the study of the past through written records, oral history, and material culture and the examination of that evidence within a chronological or topical sequence in order to interpret its relationship to preceding, contemporary and subsequent events.

Standard for Historian

- (a) The applicant, employee, consultant, or advisor will have a graduate degree in History or a closely related field of study (see Academic Background for History), plus a minimum of two (2) years of full-time professional experience applying the theories, methods, and practices of History that enables professional judgments to be made about the identification, evaluation, documentation, registration, or treatment of historic properties in the United States and its Territories; and products and activities that demonstrate the

62 FR 33708, *33722

successful application of acquired proficiencies in the discipline to the practice of historic preservation (see Documenting Professional Experience for Historians); or * * *

- (b) An undergraduate degree in History or a closely related field of study (see Academic Background for History), plus a minimum of four (4) years of full-time professional experience applying the theories, methods, and practices of History that enables professional judgments to be made about the identification, evaluation, documentation, registration, or treatment of historic properties in the United States and its Territories; and products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the [*33723] practice of historic preservation (see Documenting Professional Experience for Historians).

(Note: Pursuant to 36 CFR part 61 a person meeting this Standard is required as part of the core staff for each State Historic Preservation Office (SHPO) and as part of each State Review Board. Expertise described by this standard is also needed for Tribal Preservation Office staff or consultants of tribes that have executed a Memorandum of Agreement to implement Section 101(d) of the National Historic Preservation Act. It also may be needed for consultants hired with HPF grant funds and for members of Certified Local Government Commissions.)

History--Academic Background

Closely related fields: For this Standard, the professional degree is typically awarded in History, American History, or Public History. Relevant training can be obtained in programs of American Studies, American Civilization, Historical or Cultural Geography, Anthropology, Ethnohistory, and Historic Preservation, providing that course work is offered in historical research methods and techniques. Education in the social and cultural history of countries other than North America may be relevant when dealing with the histories of immigrant, ethnic or minority groups in the United States.

Discipline specializations: Professional Historians tend to concentrate their education and experience in one of the many chronological, regional, and topical specializations within American History (such as colonial history, southern history, community history, women's history, military history, history of technology, or industrial history).

Applying the Standard for Historian--Documenting Professional Experience

A professional Historian has experience in archival and primary documents research, evaluating and synthesizing this information, and preparation of scholarly narrative histories. Historic research experience in countries other than North America may be relevant when researching the histories of immigrant, ethnic or minority groups in the United States of America.

Products and Activities

Professional experience and expertise must be documented through "products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation." Products and activities that meet the appropriate Secretary's Standards for Archeology and Historic Preservation may include:

- National Register documentation that has resulted in property listings or Determinations of Eligibility.
- Documentation that meets HABS/HAER standards for recording historic properties.
- Survey reports assessing the significance of historic properties.
- Publications, which might include articles in regional, national, or international professional journals, monographs, books, or chapters in edited books, related to documenting and evaluating the significance of historic properties.
- Presentations at regional, national or international professional conferences, symposia, workshops, or exhibits related to documenting and evaluating historic properties.
- Professional service on boards or committees of regional, national, or international professional organizations concerned with documenting and evaluating the significance of historic properties.
- Awards, research grants, research fellowships, or invitations to teaching posts.

This list is not comprehensive. Furthermore, it should be understood that not all of these products and activities are needed in order to meet the Standard; rather, a combination of several products and activities would be more typical. If the applicant were documenting professional experience in one of the specializations, however, the majority of products and activities would naturally reflect that specialization.

Sources of Additional Information--Professional Organizations

The following organizations may be contacted to request additional information about the specific disciplines, college and university departments, workshops, and conferences and publications about the practice of each discipline.

American Anthropological Association, 4350 North Fairfax Drive, Suite 630, Arlington, VA 22203-1621

American Association of Museums, P.O. Box 4002, Washington, D.C. 20042-4002

American Association for State Federal and Local History, 530 Church Street, Suite 600, Nashville, TN 37219-2325

American Cultural Resources Association, c/o New South Associates, 6150 Ponce de Leon Avenue, Stone Mountain, GA 30083

American Folklife Center, Library of Congress, Washington, D.C. 20540-8100

American Historical Association, 400 A Street, SE., Washington, D.C. 20003

American Institute for the Conservation of Historic & Artistic Works, 1717 K Street, NW., Suite 301, Washington, D.C. 20006

American Institute of Architects, 1735 New York Avenue, NW., Washington, D.C. 20006

American Institute of Certified Planners, 1776 Massachusetts Avenue, NW., Washington, D.C. 20036

American Planning Association, 122 S. Michigan Avenue, Suite 1200, Chicago, IL 60603-6107

American Society of Civil Engineers, 1801 Alexander Bell Drive, Reston, VA 20191-4400

American Society of Landscape Architects, 4401 Connecticut Avenue, NW., Washington, D.C. 20008-2302

62 FR 33708, *33723

American Society of Mechanical Engineers, P.O. Box 2900, Fairfield, NJ 07007-2900
American Studies Association, 1120 19th Street, NW., Suite 301, Washington, D.C. 20036
Association for Preservation Technology, P.O. Box 3511, Williamsburg, VA 23187
Association of American Geographers, 1710 16th Street, NW., Washington, D.C. 20009
Center for Museum Studies, Smithsonian Institution, Arts and Industries Building, Suite 2235, MRC, 427, Washington, D.C. 20560
The Institute for Electrical and Electronic Engineers, 445 Hoes Lane, Piscataway, NJ 08855-1331
National Council on Preservation Education, c/o Center for Historic Architecture and Engineering, University of Delaware, Newark, DE 19716
National Council on Public History, 327 Cavanaugh Hall-IUPUI, 425 University Blvd., Indianapolis, IN 46202-5140
National Society of Professional Engineers, 1420 King Street, Alexandria, VA 22314-2794
National Trust for Historic Preservation, 1785 Massachusetts Avenue, NW., Washington, D.C. 20036
Organization of American Historians, 112 North Bryan Street, Bloomington, IN 47408-4199
Society for American Archaeology, 900 2nd Street, NE., Suite 12, Washington, D.C. 20002
Society for Applied Anthropology, P.O. Box 24083, Oklahoma City, OK 73124
Society of Architectural Historians, Charnley-Persky House, 1365 North Astor Street, Chicago, IL 60610-2144
Society for Historical Archeology, P.O. Box 30446, Tucson, AZ 85751
Society of Professional Archeologists, Department of Anthropology, Southern Methodist University, Dallas, TX 75275
Dated: June 12, 1997.
Katherine H. Stevenson,
Associate Director, Cultural Resource Stewardship and Partnerships, National Park Service.
[FR Doc. 97-16168 Filed 6-19-97; 8:45 am]
BILLING CODE 4310-70-P

Dates

DATES: Comments on this notice must be received by August 19, 1997 to be assured of consideration.

Contacts

ADDRESSES: Send comments to: Mr. Joe Wallis, Chief, Branch of State, Tribal, and Local Programs, Heritage Preservation Services, National Center for Cultural Resource Stewardship and Partnership Programs, National Park Service, U.S. Department of the Interior, 1849 C Street, NW., Washington, DC 20240. Comments may be hand-delivered or overnight mailed to 800 North Capitol Street, NW., Suite

62 FR 33708, *33723

200, Washington, DC 20002. Comments may be sent by fax to 202-343-6004 or by E-mail to John-
Renaud@nps.gov.

FOR FURTHER INFORMATION CONTACT: Mr. John Renaud, Branch of State, Tribal, and Local Programs, Heritage Preservation Services Division, National Center for Cultural Resource Stewardship and Partnership Programs, National Park Service, 202-343-1055, FAX 202-343-6004, or John-
Renaud@nps.gov (E-mail).

FEDERAL REGISTER

End of Document

EXHIBIT 4

to

**TYRER and CIRCA~CULTURAL
RESOURCE MANAGEMENT, LLC
PETITION FOR APPEAL**

Virginia Administrative Code

Title 17. Libraries and Cultural Resources

Agency 5. Board of Historic Resources

Chapter 20. Regulations Governing Permits for the Archaeological Removal of Human Remains

17VAC5-20-30. General Provisions.

Any person conducting any field investigation involving the removal of human remains or associated artifacts from any unmarked human burial on an archaeological site shall first obtain a permit from the director.

1. No field investigation involving the removal of human remains or associated artifacts from any unmarked human burial on an archaeological site shall be conducted without a permit.
2. In cases where a field investigation may reasonably be anticipated to involve the excavation and removal of human remains or associated artifacts, the person conducting such investigation may obtain a permit prior to the actual discovery of human burials.
3. In any case where human remains are encountered in a field investigation without having received a permit, all work on the burial or burials shall cease until a permit has been obtained.
4. No field investigation involving the removal of human remains or associated artifacts from any unmarked human burial on an archaeological site shall be performed except under the supervision and control of an archaeologist meeting the qualifications stated in 17VAC5-20-40.
5. Any human remains removed in the course of field investigations shall be examined by a skeletal biologist or other specialist meeting the qualifications stated in 17VAC5-20-40.
6. Any approved field investigation shall include an interim progress report summarizing the field portion of the permitted investigation within 60 days of completion of the removal of all human remains and associated artifacts. Reports indicating progress on analysis and report preparation shall be submitted to the department at 90-day intervals until the final report and disposition are accomplished.
7. The applicant shall make the site and laboratory available to the department for purposes of monitoring progress and compliance with this chapter as requested by the department.
8. A copy of the final report including the analysis of materials removed from the burial shall be delivered to the director according to the timetable described in the application.
9. Documentation of final disposition as required by the permit shall be delivered to the department within 15 days of such disposition.

10. Work conducted under a permit will not be considered complete until all reports and documentation have been submitted to and reviewed by the department to meet all conditions cited in this chapter or specified as part of an approved permit.

11. Failure to complete the conditions of the permit within the permitted time limit may result in revocation of the permit and constitute grounds for denial of future applications.

12. The applicant may apply for an extension or change to the conditions of the permit, including changes in research design, principal personnel or disposition, for good cause. Granting such an extension or alteration will be at the discretion of the director, after consultation with interested parties.

Statutory Authority

§§ 10.1-2205 and 10.1-2305 of the Code of Virginia.

Historical Notes

Derived from VR390-01-02 § 3, eff. August 14, 1991; amended, Virginia Register Volume 32, Issue 25, eff. September 8, 2016; Errata, 33:2 VA.R. 298 September 19, 2016.

EXHIBIT 5

to

**TYRER and CIRCA~CULTURAL
RESOURCE MANAGEMENT, LLC
PETITION FOR APPEAL**

How to Authenticate This Official PDF Transcript

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Invalid: If the transcript does not display a valid certification and signature message, reject this transcript immediately. An invalid digital certificate display means either the digital signature is not authentic, or the document has been altered. The digital signature can also be revoked by the transcript office if there is cause, and digital signatures can expire. A document with an invalid digital signature display should be rejected.



Author Unknown: Lastly, one other possible message, Author Unknown, can have two possible meanings: The certificate is a self-signed certificate or has been issued by an unknown or untrusted certificate authority and therefore has not been trusted, or the revocation check could not complete. If you receive this message make sure you are properly connected to the internet. If you have a connection and you still cannot validate the digital certificate on-line, reject this document.

Order Details:

Requester Name: Carol Tyrer
Requester Email Address: clrcacrm@yahoo.com
Recipient Name: Carol Tyrer
Recipient Email Address: clrcacrm@yahoo.com
Date Processed: 16-Aug-2019

The current version of Adobe® Reader is free of charge, and available for immediate download at <http://www.adobe.com>. If you require further information regarding the authenticity of this transcript, you may email or call the University of Denver at transcripts@du.edu or 303.871.4095.

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UNIVERSITY OF DENVER

Denver, Colorado 80208-9405
Office of the Registrar

Student No: 872038801

Date of Birth: 27-FEB

Date Issued: 16-AUG-2019

Record of: Carol Dickert Tyrer

Page: 1

Issued To: Carol Tyrer

Parchment DocumentID: 24526959

Course Level: Graduate

Credential/Degree Awarded: Master of Liberal Studies 07-JUN-2012

Major : Global Affairs

Maj/Concentration : World History and Culture

Credential/Degree Awarded: Graduate Certificate 07-JUN-2012

Major : Arts and Culture

Maj/Concentration : Creative Writing

SUBJ NO.	COURSE TITLE	CRED GRD	PTS R
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INSTITUTION CREDIT:

Autumn Quarter 2006

MALS 4045 The Human Condition 3.00 B+ 9.90

MALS 4400 AIS Literary Traditions 3.00 A- 11.10

Ehrs: 6.00 GPA-Hrs: 6.00 QPts: 21.00 GPA: 3.50

Winter Quarter 2007

MALS 4405 Modern Amerind Literature 3.00 A- 11.10

Ehrs: 3.00 GPA-Hrs: 3.00 QPts: 11.10 GPA: 3.70

Spring Quarter 2007

MALS 4010 World Without Borders 3.00 A- 11.10

Ehrs: 3.00 GPA-Hrs: 3.00 QPts: 11.10 GPA: 3.70

Autumn Quarter 2007

MALS 4020 Graduate Research & Writing 4.00 A 16.00

Ehrs: 4.00 GPA-Hrs: 4.00 QPts: 16.00 GPA: 4.00

Winter Quarter 2008

MALS 4740 Natural Science & Literature 4.00 A 16.00

Ehrs: 4.00 GPA-Hrs: 4.00 QPts: 16.00 GPA: 4.00

Spring Quarter 2008

MALS 4260 Writing the Short Story 4.00 A- 14.80

Ehrs: 4.00 GPA-Hrs: 4.00 QPts: 14.80 GPA: 3.70

Summer Quarter 2008

MALS 4130 Fiction Fundamentals 4.00 A- 14.80

MALS 4240 Memoir & Personal Essay 4.00 A 16.00

Ehrs: 8.00 GPA-Hrs: 8.00 QPts: 30.80 GPA: 3.85

Autumn Quarter 2008

MALS 4455 Into the Future: Global Trends 4.00 B 12.00

***** CONTINUED ON NEXT COLUMN *****

SUBJ NO.	COURSE TITLE	CRED GRD	PTS R
----------	--------------	----------	-------

Institution Information continued:

Ehrs: 4.00 GPA-Hrs: 4.00 QPts: 12.00 GPA: 3.00

Winter Quarter 2009

MALS 4030 Philosophy and Spirituality 4.00 B+ 13.20

Ehrs: 4.00 GPA-Hrs: 4.00 QPts: 13.20 GPA: 3.30

Autumn Quarter 2009

GS 4210 World Religious Traditions 4.00 A- 14.80

MALS 4120 Writing Non-Fiction 4.00 A 16.00

Ehrs: 8.00 GPA-Hrs: 8.00 QPts: 30.80 GPA: 3.85

Winter Quarter 2010

MALS 4190 The Writer's Workshop 4.00 A 16.00

Ehrs: 4.00 GPA-Hrs: 4.00 QPts: 16.00 GPA: 4.00

Autumn Quarter 2010

GS 4020 Cultural Positioning 4.00 A- 14.80

Ehrs: 4.00 GPA-Hrs: 4.00 QPts: 14.80 GPA: 3.70

Winter Quarter 2011

GS 4220 Competition and Conflict 4.00 A- 14.80

Ehrs: 4.00 GPA-Hrs: 4.00 QPts: 14.80 GPA: 3.70

Winter Quarter 2012

GS 4902 Capstone Seminar 4.00 B 12.00

Ehrs: 4.00 GPA-Hrs: 4.00 QPts: 12.00 GPA: 3.00

***** TRANSCRIPT TOTALS *****

	Earned Hrs	GPA Hrs	Points	GPA
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TOTAL INSTITUTION 64.00 64.00 234.40 3.66

TOTAL TRANSFER 0.00 0.00 0.00 0.00

OVERALL 64.00 64.00 234.40 3.66

***** END OF TRANSCRIPT *****

AN OFFICIAL SIGNATURE IS WHITE WITH A RED BACKGROUND REJECT DOCUMENT IF SIGNATURE BELOW IS NOT CLEAR

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Dennis Maurice Becker, Registrar

EXPLANATION OF TRANSCRIPT

GRADING SYSTEMS

LETTER GRADING SYSTEM COLLEGE OF LAW, BEGINNING FALL 1990 OTHER PROGRAMS, BEGINNING FALL 1992 GRADUATE TAX PROGRAM, ADOPTED FALL 2015

GRADE	DEFINITION	GRADE POINTS	GRADE	DEFINITION	GRADE POINTS
A	Excellent	4.0	P	Passing	0
A-		3.7	I	Incomplete	0
B+		3.3	W	Withdrawn	0
B	Good	3.0	NC	No Credit	0
B-		2.7	WC	Without Credit	0
C+		2.3	W/WP	Withdrawn	0
C	Satisfactory	2.0		Without Prejudice	0
C-		1.7	IP	In Progress or	0
D+		1.3		Grade Not Reported	0
D	Passing	1.0	NR	Grade Not Reported	0
D-		0.7	NP	No Pass	0
F	Failing	0			

NUMERIC GRADING SYSTEM COLLEGE OF LAW, PRIOR TO FALL 1990 GRADUATE TAX PROGRAM, PRIOR TO FALL 2015

GRADE	DEFINITION	GRADE POINTS	GRADE	DEFINITION	GRADE POINTS
85-100	A	85-100	W/WP	Withdrawn	0
77-84	B	77-84		Without Prejudice	
68-76	C	68-76	NR	Grade Not Reported	0
60-67	D	60-67	IP	In Progress or	0
45-59	F	45-59		Grade Not Reported	
P	Passing	0	NC	No Credit	0
F	Failing	0	I	Incomplete	0

GRADING SYSTEM BEGINNING FALL 1965

GRADE	DEFINITION	GRADE POINTS	GRADE	DEFINITION	GRADE POINTS
A	Excellent	4.0	W, WP**	Withdrawn	0
B	Good	3.0		Without Prejudice	
C	Satisfactory	2.0	NC	No Credit	0
D	Passing	1.0	WF*	Withdrawn Failing	0
F	Failing	0.0	I	Incomplete	0
P	Passing	0.0			

*Discontinued 1984

**Discontinued 1987

GOOD STANDING

All students are considered in good standing unless stated otherwise on the transcript.

REPEATED COURSES

Repeated courses are denoted under the "R" column. "I" indicates a repeated course is included in earned hours and GPA calculations; "A" indicates a repeated course is included in GPA calculations but excluded from earned hours; "E" indicates that a repeated course is excluded from earned hours and GPA calculations.

SUBJECT CODES

For a detailed explanation of the subject codes on this transcript please visit: <http://www.du.edu/registrar/course/coursecode.html>.

COURSE NUMBERING

Prior to September 1985 Beginning September 1985

1-99	Elementary	0001-0999	Elementary
100-199	Intermediate	1000-1999	Intermediate
200-299	Advanced	2000-2999	Advanced
300-399	Advanced and	3000-3999	Advanced and
	Graduate		Graduate
400 or Over	Graduate	4000-5999	Graduate

Beginning Summer 2002

0001-0999	Pre-collegiate, Remedial, or Continuing Education Unit Courses
1000-1999	Undergraduate Courses (Lower Division)
2000-2999	Advanced Undergraduate Courses (Upper Division)
3000-3999	Advanced Undergraduate and Graduate Courses (Combined)
4000 or Over	Graduate Courses

COURSES TAKEN AT OTHER INSTITUTIONS

Grades for courses taken at other institutions are marked with an asterisk and are not calculated into the grade point average.

ACADEMIC CALENDAR

With the exception of the College of Law, the academic calendar used is the quarter. The quarter is generally ten weeks exclusive of the final examination period. In fall 1990, the College of Law adopted a semester calendar. Study abroad, distance learning, interterm and other special courses vary in length but are reported in quarter hours (or semester hours for the College of Law).

LENGTH OF DEGREE PROGRAMS

The number of credit hours required for a degree is dependent on program requirements. A baccalaureate requires a minimum of 180 quarter hours; a master 45 and a doctorate 90-135 quarter hours beyond the bachelor's degree. 90 semester hours are required for a juris doctor degree.

SECONDARY MAJOR

A second major outside the primary degree program.

ACCREDITATION

The University of Denver is accredited by the Higher Learning Commission (HLC) of the North Central Association of Colleges and Schools as a degree-granting institution at the baccalaureate, graduate, professional, and doctoral levels.

TRANSCRIPT AUTHENTICITY

A transcript is official when each page bears the preprinted University seal and includes the signature and title of the issuing authority. The transcript form is red and incorporates a background design of the University's seal.

RELEASE OF INFORMATION

The message "ISSUED TO STUDENT" will be printed on the transcript when the transcript is provided directly to the student. This transcript cannot be released to any third party without the written consent of the student. These instructions are in accordance with the Family Educational Rights and Privacy Act of 1974.

RECIPROCAL AGREEMENT PROGRAM

Prior to fall 2007, graduate credit taken at the Iliff School of Theology may be reflected on this transcript under the subject code ILIF. Effective fall 2007, the University of Denver assumed the administrative operations of the Joint PhD program with the Iliff School of Theology. All graduate credit taken at Iliff thereafter is reflected on this transcript under the subject code THEO or RLGK. Complete transcripts for students who graduated from the Joint PhD program prior to fall 2007 are available from the Iliff School of Theology.

The University of Denver

upon the nomination of

The Faculty of University College

has admitted

Carol Dickert Tyrer

to the Degree of

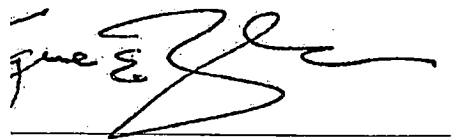
Master of Liberal Studies

with all the Rights, Honors and Privileges here and everywhere appertaining to that Degree.

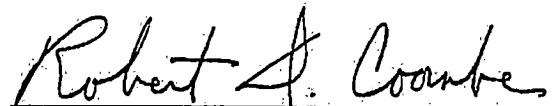
In Witness Whereof, the seal of the University and the signatures of the proper officers are herewith affixed.

Given in the City of Denver, in the State of Colorado

on the seventh day of June, in the year of our Lord two thousand and twelve.



Board of Trustees



Chancellor

EXHIBIT 6

to

**TYRER and CIRCA~CULTURAL
RESOURCE MANAGEMENT, LLC
PETITION FOR APPEAL**

CAROL D. TYRER, RPA
PRESIDENT/PROJECT MANAGER/PRINCIPAL INVESTIGATOR/LABORATORY DIRECTOR
CIRCA~ CULTURAL RESOURCE MANAGEMENT, LLC
Williamsburg, Virginia Office

Education:

University of Tennessee, Chattanooga, 1984, B.A.,
Sociology and Anthropology: Anthropology
University of Tennessee, Chattanooga, 1984, B.A, English
and American Language and Literature: Technical Writing
University of Tennessee, Chattanooga, 1987, English:
Technical Writing Graduate classes
University of Denver
Master of Liberal Studies, June 7, 2012
Major: Global Affairs
Maj/Concentration: World History and Culture
Graduate Certificate, June 7, 2012
Major: Arts and Culture
Maj/Concentration: Creative Writing

Register of Professional Archaeologists: October 2019 to
present

Professional Experience:

2005-present: President/Project Manager/Principal
Investigator/Laboratory Director, Circa~ Cultural Resource
Management, Inc., Williamsburg, Virginia.
2002-2005: Partner/Chief Financial Officer/Operations
Manager/Project Manager/Marketing Director/Laboratory
Director, James River Institute for Archaeology, Inc.
(JRIA), Williamsburg, Virginia.
1995-2002: Operations Manager/Project Manager/
Marketing Director/Archaeological Laboratory Director,
Cultural Resources, Inc. (CRI), Williamsburg, Virginia.
1991-1995: Project Manager/Marketing Director/
Archaeological Laboratory Director, Espey, Huston &
Associates, Inc. (EH&A), Williamsburg, Virginia.
1990-1991: Consultant, Colonial Williamsburg
Foundation.
1988-1991: Project Manager/Archaeological Laboratory
Director, Mid-Atlantic Archaeological Research &
Associates (MAAR), Williamsburg, Virginia.
1990 Field Crew, College of William and Mary
Archaeological Project Center, Williamsburg, Virginia.
1985-1986: Assistant Curator, Riley County Historical
Museum, Manhattan, Kansas.
1985: Assistant Field Supervisor, Environmental Systems,
Inc., Kansas City, Kansas.
1985: Field Supervisor/Field Crew, Fort Riley, Kansas,
University of Wichita, Kansas.
1983-1984: Field Crew, St. Simon's Island, Georgia,
University of Tennessee
1982-1984: Lab Technician, University of Tennessee
1977-1982: Field and Lab Technician (summers), TVA,
Chattanooga, Tennessee

Non-Profit Experience:

1996 to present: Co-president, Friends of the National Park
Service Historic Green Spring Park, Williamsburg,
Virginia
2010 to present: Vice-president Watermen's Museum,
Yorktown, Virginia

Fields of Experience:

Ms. Tyrer has over 42 years of professional experience in
the field of archaeology and the management of
archaeological and museum collections. Her current
responsibilities at Circa~ include managerial and technical
tasks associated with archaeological assessments and Phase
I, II, and III excavations, consultation with and
representation of clients before state and national review
agencies, writing and editing technical reports, preparing
and managing project budgets, and developing and
implementing archaeological research designs, site
predictability models, and sensitivity areas. She has been
the principal author of over 400 technical reports and
historical studies (all accepted by the regulatory agencies),
and worked closely with the Virginia Department of
Historic Resources (VDHR) and other official agencies to
fulfill the requirements of local, state, and federal
regulations related to both archaeological and architectural
resources.

As Laboratory Director, Ms. Tyrer has identified,
catalogued, and analyzed artifacts from sites in Tennessee,
North Carolina, South Carolina, Kentucky, West Virginia,
Maryland, Florida, Pennsylvania, Georgia, Kansas, and
Virginia. She has performed these analyses on prehistoric
sites of all periods (Paleoindian to Late Woodland) and on
17th, 18th, 19th, and 20th century historic sites. She is
familiar with the state and federal artifact curation
standards and she uses these guidelines when processing
artifacts for curation. She has prepared field soil samples
for flotation of faunal remains and for carbon-14 dating and
has experience in the conservation of metals. She also
identifies and analyzes artifacts recovered from excavations
and prepares distribution maps, vessel counts, and detailed
discussions on artifact types for reports.

Ms. Tyrer's specialty is the identification and analysis of
ceramics. She completed specialized computer cataloguing
of the extensive ceramic study collection at The Colonial
Williamsburg Foundation in Williamsburg, Virginia. Ms.
Tyrer has also worked in a county historical museum
identifying, labeling, curating, and appraising artifacts and
museum specimens, and preparing exhibits. In addition,
Ms. Tyrer has re-cataloged and analyzed the approximately
100,000-artifact collection from George Washington's
Boyhood Home using the Automated National Catalog
System (ANCS) developed by the National Park Service.

Ms. Tyrer has considerable experience in historic and prehistoric archaeological resources. She has personally designed and completed investigations for dozens of projects ranging from a large-scale study archaeological and historical resources to detailed investigations of numerous individual historic and prehistoric sites throughout the east coast. Ms. Tyrer's technical capabilities include detailed archival and literary research at the local, state, and national levels; site documentation and analysis; evaluation of properties for National Register and State Landmark significance; and technical report writing. As with other senior staff, she will also be responsible for the formulation of research designs,

preparation of project budgets, selection and guidance of field crews, and the preparation of technical reports.

Ms. Tyrer also has extensive experience with assessment, survey, evaluation, and mitigation of historic and prehistoric resources. She has developed sampling designs for site locations models and settlement patterns for prehistoric and historic sites for tracts of land ranging from a few acres to thousands of acres. These sampling designs are based on previous and present land use, environmental characteristics, and topographic features. Other responsibilities include the dissemination of archaeological information to the public through various media and exhibits, educational site brochures, and site visits.

Selected Publications/Technical Reports:

Archaeological Data Recovery Investigation at Sulley Plantation - Dairy Annex, Chantilly, Virginia (with Harding Polk).

Phase II Archaeological Investigations of Nine Previously Identified Sites (44FX13, 4FX672, 44FX683, 44FX1095, 44FX1327, 44FX1328, 44FX1329, 44FX1621, and 44FX1622) Ft. Belvoir, Virginia (with Jerry Traver and Harding Polk).

Archaeological Data Recovery at 44IW88 A Multicomponent Historic Late Seventeenth Century House Site and Prehistoric Campsite of the Archaic and Woodland Periods, Isle of Wight County, Virginia (with Jerry Traver).

Phase IA Cultural Resource Survey Pittsylvania Commonwealth Plant Pittsylvania County, Virginia (with Jerry Traver).

Phase I Cultural Resource Survey Portsmouth Naval Hospital Portsmouth, Virginia (with Jerry Traver).

Phase IA Cultural Resource Survey for the Proposed King and Queen County Landfill at Piedmont, King and Queen County, Virginia (with Jerry Traver).

Phase I Investigation of Various Development Sites and Training Areas, Vol. II, Ft. Belvoir, Virginia (with Harding Polk and Jerry Traver).

A Plan for Preservation and Interpretation of the Fairfax Ruins and Grave Site at Fort Belvoir, Virginia (with Harding Polk).

Phase IA Cultural Resource Overview for the Proposed U.S. Route 58 Corridor Study Bristol and Salem Districts (Study Areas 1, 2, & 3) Virginia (with Jerry Traver).

Phase I Cultural Resource Survey of the Proposed John Rolfe Parkway, Richmond, Virginia (with Jerry Traver).

Phase I Cultural Resource Survey Nottoway Waterline Southampton County, Virginia (with Jerry Traver).

1991 *A Study of The Architecture, The History, and The Archaeology of George Washington's Ferry Farm Stafford County, Virginia*. EH&A Document No. 9110340 (with Alain C. Outlaw, Martha W. McCartney, and Carl R. Lounsbury).

1991 *Archaeological Investigations of Mechanicsville to Kingsmill Virginia Natural Gas Lateral Pipeline*. EH&A Document No. 9110352 (with Alain C. Outlaw and Martha W. McCartney).

1992 *Terrestrial and Underwater Cultural Resources Investigations for the Wastewater Treatment Upgrade at Camp Lejeune, North Carolina*. EH&A Document No. 9310157 (with Alain C. Outlaw and Robert L. Gearhart II).

1992 *A Cultural Resource Survey of the St. Julian's Creek Annex Norfolk Naval Shipyard Portsmouth, Virginia*. EH&A Document No. 9110565 (with Alain C. Outlaw, Eugene Foster, and Martha W. McCartney).

1992 *Phase I Archaeological Investigations of Spratt Recycling, Inc., Property, (Schwab Tract), Swans Corner, Carolina County, Virginia*. EH&A Document No. 9210040 (with Alain C. Outlaw and Martha W. McCartney).

1992 *Archaeological Investigations at Green Spring, James City County, Virginia*. EH&A Document No. 9110494 (with Alain C. Outlaw and Martha W. McCartney).

Cataloging of Archaeological Collections at George Washington Birthplace National Monument, Westmoreland County, Virginia. Bimonthly reports on file with National Park Service, George Washington Birthplace, Virginia, 1993 - 1994.

1993 *Cultural Resources Investigations for the Sanitary Landfill at Camp Lejeune, North Carolina*.

Department of the Navy Atlantic Division, Norfolk, Virginia. EH&A Project No. 14093 (with Alain C. Outlaw).

1993 *Phase II Archaeological Investigations at 44JC669 and 44JC684, Green Spring, James City County, Virginia.* EH&A Document No. T9310318 (with Alain C. Outlaw and Martha W. McCartney).

1994 *Phase I Cultural Resources Investigations Near Owl Trap, Gloucester County, Virginia.* EH&A Document No. T9310342 (with Martha W. McCartney and Alain C. Outlaw).

1994 *Archaeological Investigations at Williamsburg Landing, Inc., James City County, Virginia.* EH&A Document No. CR94025.

1994 *Phase I Cultural Resources Survey for the Proposed Alternate Route 58 Project, Lee County, Virginia.* EH&A Document No. CR94020.

1994 *Phase I Cultural Resources Investigations for the Route 58 Widening, Grayson County, Virginia.* EH&A Document No. CR94018.

1995 *A Phase IA Archival Study of the Warhill Tract, James City County, Virginia.*

1995 *Phase I Cultural Resources Investigations at Five Permit Areas at Druid Hills, James City County, Virginia.*

1995 *Phase I Survey of the Proposed Runway Expansion for the Richmond International Airport, Henrico County, Virginia.*

1995 *Phase IA Archival Background at the Proposed James City County District Park, James City County, Virginia.*

1995 *Phase II Archaeological Excavations at 44CF373, 44CF379, 44CF382, and 44CF513 at River's Bend, Chesterfield County, Virginia* (with Martha W. McCartney).

1996 *Phase I Cultural Resources Investigations at the 10.5-Acre Williamsburg Landing Tract, James City County, Virginia.*

1996 *Phase IA Cultural Resources Study of the 200-Acre Portion of the Warhill Tract, James City County, Virginia.*

1996 *Archaeological Investigations of the Potomac Creek Site (44ST2), Stafford County, Virginia.*

1996 *Phase I Archaeological Investigations at Sixty-Nine Permit Areas and One Mitigation Area at the South Riding Development, Loudoun County, Virginia* (with Martha W. McCartney).

1996 *Phase IA Archaeological Assessment at the 19 Proposed BMP Locations, Stafford County, Virginia.*

1996 *Phase I and Phase II Archaeological Investigations for Five Permit Areas at the White Oak Semi-Conductor Tract, Henrico County, Virginia* (with Martha W. McCartney).

1996 *Cultural Resources Assessment at the 477-Acre Walnut Farms Tract, Stafford County, Virginia* (with Martha W. McCartney).

1996 *Phase I Cultural Resources Investigations for 75-Acre Permit Area at the Cypress Creek Tract, Isle of Wight County, Virginia* (with Alain C. Outlaw and Martha W. McCartney) Cultural Resources, Inc. Submitted to Langley and McDonald, P. C., Williamsburg, Virginia.

1996 *Phase I Archaeological Investigations for a Proposed Landfill at the Shoosmith Brothers Tract, Chesterfield County, Virginia* (with Martha W. McCartney).

1997 *Phase I Archaeological Investigations for the Proposed Virginia Power Utility Corridor, Henrico County, Virginia* (with Martha W. McCartney).

1997 *Phase I and Phase II Archaeological Investigations for Five Permit Areas at the White Oak Semiconductor Tract, Henrico County, Virginia* (co-author, Alain C. Outlaw and Martha McCartney) Cultural Resources, Inc. Submitted to Williamsburg Environmental Group, Inc., Williamsburg, Virginia.

1997 *Phase I and Phase II Archaeological Investigations for the Proposed Memorial Drive Extension, Henrico County, Virginia* (co-author, Alain C. Outlaw and Martha McCartney) Cultural Resources, Inc. Submitted to J. K. Timmons, Richmond, Virginia.

1997 *Phase II Evaluations at Site 44LD535 at the South Riding Development, Loudoun County, Virginia* (with Martha W. McCartney).

1997 *A Cultural Resources Management Plan for Fort A.P. Hill, Caroline County, Virginia* (with Alain C. Outlaw, Martha W. McCartney, and Baird Smith).

1997 *Phase I Cultural Resources Investigation of Approximately 240 Acres and a 32-Acre Permit Area at the Proposed James City County District Park, James City County, Virginia.*

1997 *Phase I Cultural Resources Investigation of the Proposed Woodbury Tract, James City County, Virginia.*

1997 *Phase I Cultural Resources Investigations of Four Permit Areas at the Proposed Warhill Development Tract, James City County, Virginia* Cultural Resources, Inc. Submitted to Williamsburg Environmental Group, Inc., Williamsburg, Virginia.

1997 *Phase I Cultural Resources Investigations of Three Permit Areas at the Proposed Terry Peterson Development Tract, James City County, Virginia* Cultural Resources, Inc. Submitted to Williamsburg Environmental Group, Inc., Williamsburg, Virginia.

1997 *Phase I Cultural Resources Investigations of the Proposed Lake Powell Forest Tract, James City County, Virginia.*

1997 *Phase II Archaeological Evaluations at Sites 44CF538 and 44CF543 on the Shoosmith Brothers Tract, Chesterfield County, Virginia.*

1997 *Phase II and Phase III Archaeological Investigations at Site 44JC93 Green Spring Plantation, James City County, Virginia* (with Martha W. McCartney).

1997 *Archaeological Assessment of the Fort Fisher Tract, Dinwiddie County, Virginia* (with Martha W. McCartney).

1997 *Phase I Survey of Indian River Road from: Lynnhaven Parkway to: Elbow Road (U000-134-146, PE-101) and Elbow Road From: Indian River Road to: 0.80 KM (0.5 MI) West of Princess Anne Road (U000-134-147, PE-101), City of Virginia Beach, Virginia, DRAFT* (with Martha W. McCartney).

1997 *Phase II Excavations at Site 44DW103, the Fort Fisher Tract, Dinwiddie County, Virginia* (with Martha W. McCartney).

1997 *Plan for the Archaeological Excavation of Historic Burials at Site 33JC966, Lake Powell Forest Tract, James City County, Virginia.*

1997 *Phase II Evaluation at Site 44GO290, Goochland County, Virginia* (co-authored with Martha McCartney) Cultural Resources, Inc. Submitted to Richard Sharp, Richmond, Virginia.

1997 *Archaeological Assessment of the Goodrich River Tract, Chesterfield County, Virginia* (co-authored with Martha McCartney) Cultural Resources, Inc. Submitted to The Goodrich River Trust Tract, Chester, Virginia.

1997 *Archaeological Assessment of the Approximately 595 Acre Meadowville Technology Park Tract, Chesterfield County, Virginia* (co-authored with Martha McCartney) Cultural Resources, Inc. Submitted to Timmons Consulting Engineers, Richmond, Virginia.

1997 *Plan for The Archaeological Excavation of Historic Burials At Site 44JC966 Lake Powell Forest Tract, James City County, Virginia.* Cultural Resources, Inc. Submitted to Horton and Dodd, P.C., Chesapeake, Virginia.

1997 *Phase I and Phase II Archaeological Investigations at the Approximately 798-Acre Phase IV, V,*

and VI Tracts at the South Riding Development, Loudoun County, Virginia, DRAFT (with James G. Harrison III and Martha W. McCartney).

1998 *Phase I Cultural Resources Investigations of Approximately 93 Acres at the Proposed Fenwick Hills Tract, James City County, Virginia* Cultural Resources, Inc. Submitted to BGA Richneck, L. L. C., Newport News, Virginia.

1998 *Phase II Excavations at Sites 44DW103, 44DW286, and 44DW287 at the Proposed Chaparral Steel Tract, Dinwiddie County, Virginia* (with Martha W. McCartney).

1998 *Archaeological Assessment of Judicial Boulevard and West Neck Parkway City of Virginia Beach, Virginia* (co-author, with Martha McCartney). Cultural Resources, Inc. Submitted to Langley and McDonald, P.C., Virginia Beach, Virginia.

1998 *Phase I Cultural Resources Investigations 6.57 +/- Acre Capitol Landing Road Tract, City of Williamsburg, Virginia* Cultural Resources, Inc. Submitted to Consolidated Realty Management Corporation, Williamsburg, Virginia.

1998 *An Archaeological Assessment of Two Tracts Proposed for the Ford's Colony Development in James City County, Virginia* (contributing author, with Douglas C. McLearn, and Matthew R. Laird, Ph.D.) Cultural Resources, Inc. Submitted to Realtec, Inc., Williamsburg, Virginia.

1998 *Phase I Archaeological Survey of the Goodrich River Tract, Chesterfield County, Virginia* (with Douglas C. McLearn and Martha W. McCartney).

1998 *Cultural Resources Survey for the Industrial Access Road, Dinwiddie County, Virginia* (with Martha W. McCartney).

1998 *Phase II Significance Evaluation of Site 44HE696, in the Elko Tract, Henrico County, Virginia* (contributing author with Douglas C. McLearn, and Matthew R. Laird, Ph.D.) Cultural Resources Inc. Submitted to County of Henrico, Department of Public Works, Richmond, Virginia.

1998 *Archaeological Assessment of the Filtrona Tract, Chesterfield County, Virginia* (with Matthew R. Laird, Ph.D.)

1998 *Phase I Archaeological Survey of the 196-Acre Green Spring Plantation Site, James City County, Virginia* (with the James River Institute for Archaeology).

1999 *Phase II Boundary Determination at Site 44JC679 Green Springs Plantation Development, James City County, Virginia* (with Martha W. McCartney).

1999 *Phase I Archaeological Survey on One Permit Area at the Proposed Powhatan Development Tract, James City County, Virginia* (with Matthew R. Laird, PhD.) Cultural Resources, Inc. Submitted to Langley and McDonald, P.C., Williamsburg, Virginia.

1999 *Phase I Archaeological Survey of Two Permit Areas at the Proposed Powhatan Development Tract, James City County, Virginia* (with Matthew R. Laird, Ph.D., and Douglas C. McLearen) Cultural Resources, Inc. Submitted to Langley and McDonald. P. C., Williamsburg, Virginia.

1999 *Phase I Archaeological Survey of Approximately 200 Acres at the Greenmount Property, James City County, Virginia* (with Matthew R. Laird, Ph.D., Douglas C. McLearen, and R. Taft Kiser).

1999 *Phase I Survey of Two Tracts Proposed for the Ford's Colony Development in James City County, Virginia* (with Matthew R. Laird, Ph.D., and Douglas C. McLearen) Cultural Resources, Inc. Submitted to Realtec, Inc., Williamsburg, Virginia.

1998 *Phase I Archaeological Survey of The 196-Acre Green Spring Plantation Site, James City County, Virginia*. Cultural Resources, Inc. Submitted to the National Park Service, Yorktown, Virginia.

1998 *Progress Report Osteological Analysis of Human Remains at Site 44GL394 Gloucester County, Virginia*. Cultural Resources, Inc. Submitted to Waste Management, Gloucester, Virginia.

1999 *Phase I Survey at Two Permit Areas at Williamsburg Crossing, James City County, Virginia* Cultural Resources, Inc. Submitted to Langley and McDonald, P.C., Williamsburg, Virginia.

1999 *Phase I Archaeological Survey of Site 44IW96, Eagle Harbor Tract, Isle of Wight County, Virginia* (contributing author, with Douglas C. McLearen, and Matthew R. Laird, Ph.D.) Cultural Resources, Inc. Submitted to Williamsburg Environmental Group, Inc., Williamsburg, Virginia.

1999 *Revised Data Recovery Plan For Mitigation of Adverse Effects To Interrelated Sites 44GL394, 44GL395, and 44GL399 At The Middle Peninsula Landfill and Recycling Facility Gloucester County, Virginia*. Cultural Resources, Inc. Prepared for Waste Management, Gloucester, Virginia.

1999 *Phase I Archaeological Survey of the Greenmount Property, James City County, Virginia* (contributing author, with Douglas McLearen, and Matthew R. Laird, Ph.D.) Cultural Resources, Inc. Submitted to Brookstone Ventures, LLC, Williamsburg, Virginia.

1999 *Phase I and II Archaeological Investigations of the Liguria Tract, 44JC1018, James City County, Virginia* (with Matthew R. Laird, Ph.D., and Douglas C. McLearen) Cultural Resources, Inc. Submitted to AES Consulting Engineers, Williamsburg, Virginia.

1999 *Phase I Archaeological Survey of Approximately 200 Acres at the Greenmount Property, James City County, Virginia* (with Taft Kiser, Matthew R. Laird, Ph.D., and Douglas McLearen) Cultural Resources, Inc. Submitted to C. A. Barrs, Contractor, Inc., Yorktown, Virginia.

1999 *Phase II Excavations at Sites 44DW103, 44DW286, 44DW287, and 44DW292 at the Chaparral Steel Tract, Dinwiddie County, Virginia* (with Martha W. McCartney).

1999 *Phase II Boundary Determination at Site 44JC679 Green Spring Plantation Development, James City County, Virginia* (co-author, with Martha McCartney) Cultural Resources, Inc. Submitted to Lewis Waltrip, Williamsburg, Virginia.

1999 *Archaeological Testing of Sites 44IW184, 44IW185, and 44IW20, Isle of Wight County, Virginia* (with Douglas C. McLearen) Cultural Resources, Inc. Submitted to Coastal Design & Construction, Inc., Gloucester, Virginia.

1999 *Phase I Archaeological Survey of the Enon Pump Station Site, Chesterfield County, Virginia* (with Martha W. McCartney and contributions by Anthony W. Smith and David M. Givens).

1999 *An Archaeological Assessment of the Brooks Tract, Hanover County, Virginia* (with Douglas C. McLearen, David H. Dutton, and Matthew R. Laird, Ph.D.).

1999 *Phase I Archaeological Survey of Selected Areas of the Eagle Harbor Tract South of Route 17, Isle of Wight County, Virginia* (contributing author, with Douglas C. McLearen, and Matthew R. Laird, Ph.D.) Cultural Resources, Inc. Submitted to Williamsburg Environmental Group, Williamsburg, Virginia.

1999 *Phase II Boundary Determinations for Sites 44JC719, 44JC1009, 44JC1011, 44JC1012, and 44JC1014, James City County, Virginia* (with Douglas C. McLearen, and R. Taft Kiser) Cultural Resources, Inc. Submitted to Carl A. Barrs, Yorktown, Virginia.

1999 *Data Recovery Plan for Site 44JC1006 on the Greenmount Property, James City County, Virginia* Cultural Resources, Inc. Submitted to Malcolm Pirnie, Inc., Newport News, Virginia.

1999 *Phase I Archaeological Survey of the 196-Acre Green Spring Plantation Site, James City County, Virginia* (with Matthew R. Laird, Ph.D.).

- 1999 *Phase II Archaeological Significance Evaluation of 44NK189, 44NK199, and 44NK201 Associated with Potential Wetlands Mitigation Areas on Capital Region Airport Commission Property in New Kent County, Virginia* (with Douglas C. McLearen).
- 1999 *Phase I Survey at Two Areas at the Prime Retail Outlet, James City County, Virginia.*
- 1999 *Phase I Archaeological Survey of Wetlands Mitigation and Permit Areas Along Tomahawk Creek and Little Tomahawk Creek in Chesterfield County, Virginia* (co-authored with Douglas C. McLearen and Matthew R., Ph.D.). Cultural Resources, Inc. Submitted to Watermill Properties, LLC, Williamsburg, Virginia.
- 2000 *Phase II Testing at Archaeological Sites 44JC686 and 44JC687 at the Proposed Patriot's Colony Tract, James City County, Virginia* (with Douglas C. McLearen).
- 2000 *Phase I Archaeological Survey of a 52-Acre Tract Slated for Industrial Development at the Bear Island Property in Prince George County, Virginia* (with Douglas C. McLearen, Anthony W. Smith, David M. Givens, and Matthew R. Laird, Ph.D.).
- 2000 *Data Recovery Plan, Archaeological Site 44JC1004 Ford's Colony, James City County, Virginia* Cultural Resources, Inc. Submitted to Realtec, Inc., Williamsburg, Virginia.
- 2000 *Intensive Testing at Archaeological Sites 44JC686 and 44JC687 at the Proposed Patriots Colony Tract, James City County, Virginia* (co-authored with Douglas C. McLearen) Cultural Resources, Inc. Submitted to The Williamsburg Environmental Group, Inc., Williamsburg, Virginia.
- 2000 *Phase I Archaeological Survey of the Proposed Meadowville Parkway, Chesterfield County, Virginia* (with Douglas C. McLearen, Martha W. McCartney, and David M. Givens).
- 2000 *Phase I Archaeological Identification Survey of Beaverdam Creek Pumping Station Force Main Improvements in Henrico County, Virginia* (with Douglas C. McLearen, Matthew R. Laird, Ph.D., and R. Taft Kiser).
- 2000 *Phase II Significance Evaluation of Site 44HE706 in the Elko Tract, Henrico County, Virginia* (senior author, with Matthew R. Laird, Ph.D., Donald G. Jones, Ph.D., R. Taft Kiser, and David M. Givens).
- 2000 *Phase I Archaeological Survey: Proposed BMP Pond, Wetland Mitigation Site, Construction Staging Area, and 1300 foot Section of Road Alignment Associated with the Proposed Meadowville Parkway, Chesterfield County, Virginia* (contributing author, with Douglas C. McLearen (senior author), Martha W. McCartney, and David M. Givens).
- 2000 *Phase I Archaeological Survey of Permit Areas Along a Portion of the Proposed Watermill Parkway in Chesterfield County, Virginia* (contributing author, with Douglas C. McLearen (senior author), Matthew R. Laird, Ph.D., and R. Taft Kiser).
- 2000 *Phase I Archaeological Identification Survey of Beaverdam Creek Pumping Station Force Main Improvements in Henrico County, Virginia* (contributing author, with Douglas C. McLearen (senior author), R. Taft Kiser, and Matthew R. Laird, Ph.D.) Cultural Resources, Inc. Submitted to Michael Baker, Jr., Inc., Richmond, Virginia.
- 2000 *Phase I Archaeological Survey of the Malvern Hill Wetland Mitigation Area, Henrico County, Virginia* (contributing author, with Douglas C. McLearen, Matthew R. Laird, Ph.D., and David M. Givens) Cultural Resources, Inc. Submitted by H. H. Hunt, Glen Allen, Virginia.
- 2001 *Phase II Evaluation at Site 44JC371 Ford's Colony Development in James City County, Virginia* (co-authored with Matthew R. Laird). Cultural Resources, Inc. Submitted to Realtec, Inc., Williamsburg, Virginia.
- 2001 *Phase I Cultural Resources Survey Zion Crossroads Tract, Lousia County, Virginia* (co-authored with Matthew R. Laird, and David M. Givens) Cultural Resources, Inc. Submitted to Carter Burgess, Fort Worth, Texas.
- 2001 *Phase II Evaluation at Site 44JC371 Ford's Colony Development in James City County, Virginia* (co-authored with Matthew R. Laird, Ph.D.) Cultural Resources, Inc. Submitted to Realtec, Inc., Williamsburg, Virginia.
- 2001 *Phase I Archaeological Survey of the Proposed 600 Foot Bike Trail Extension, James City County, Virginia* Cultural Resources, Inc. Submitted to James City County Development Management Office, Williamsburg, Virginia.
- 2001 *Phase I Archaeological Survey, Court Square, Albemarle County, Virginia* (contributing author, with Matthew R. Laird, Ph.D., and Clifton A. Huston). Cultural Resources, Inc. Submitted to PMA Planners and Architects, Newport News, Virginia.
- 2001 *Phase I Cultural Resources Survey, John Rolfe Parkway, Henrico County, Virginia* (contributing author with David H. Dutton, and David M. Givens) Cultural Resources Inc. Submitted to The Williamsburg Environmental Group, Inc., Williamsburg, Virginia.
- 2001 *Phase I Cultural Resources Survey, Garcia Tract, Loudoun County, Virginia* Cultural Resources Inc. Submitted to Barclay Ridge, L.L.C., Vienna, Virginia.

2002 *Phase I Archaeological Survey of the Proposed 8-Acre Williamsburg Apartments Property, James City County, Virginia* (co-authored with Matthew R. Laird). James River Institute for Archaeology, Inc. Submitted to Dr. David G. Walker, Williamsburg, Virginia.

2002 *Phase II Archaeological Investigation of Sites 44JC1085, 44JC1087, 44JC1088, and 44JC1089 at the Stonehouse Development, James City County, Virginia* (co-authored with Matthew R. Laird). James River Institute for Archaeology, Inc. Submitted to Stonehouse Development Company, Inc., Williamsburg, Virginia.

2002 *Phase I Archaeological Survey of Four Selected Portions of the Proposed Belleharbour Development, City of Suffolk, Virginia* (co-authored with Garrett R. Fesler and Matthew R. Laird). James River Institute for Archaeology, Inc. Submitted to Kimley-Horn & Associates, Inc., Virginia Beach, Virginia.

2002 *Phase I and II Archaeological Survey and Evaluation and Phase I and II Architectural Survey and Evaluation of the Aston (Eley) House and Lot Located in the City of Suffolk, Virginia* (co-authored with Garrett R. Fesler). James River Institute for Archaeology, Inc. Submitted to Tri-City Developers, LLC, Suffolk, Virginia.

2002 *Phase I Cultural Resources Survey of a Proposed 68-Acre Mining Area, Sussex County, Virginia* (co-authored with Matthew R. Laird). James River Institute for Archaeology, Inc. Submitted to Iluka Resources, Inc., Stony Creek, Virginia.

2002 *Phase I Archaeological Survey of 250 Acres at Fort Pickett, Nottoway County, Virginia*. (co-authored with Matthew R. Laird). James River Institute for Archaeology, Inc. Submitted to Malcolm Pirnie, Inc., Newport News, Virginia.

2002 *Phase III Data Recovery at Site 44YO1015, Located at Armed Forces Experimental Training Activity, Camp Peary in York County, Virginia*. James River Institute for Archaeology, Inc. (co-authored with Garrett R. Fesler and Matthew R. Laird). Submitted to AFETA Camp Peary, Williamsburg, Virginia.

2002 *Phase I Survey of Approximately 1.5 Acres, Centex Development, James City County, Virginia*. James River Institute for Archaeology, Inc. (co-authored with Matthew R. Laird). Submitted to Kerr Environmental Corporation, Virginia Beach, Virginia.

2002 *Phase I Archaeological Survey of the Proposed Richmond Waterline Replacement Project, Richmond, Virginia* (co-authored with Matthew R. Laird). James River Institute for Archaeology, Inc. Submitted to Greely & Hanson, Inc., Richmond, Virginia.

2002 *Phase I Archaeological Survey of Site 44YO264, York County, Virginia* (co-authored with Matthew R. Laird). James River Institute for Archaeology, Inc.

Submitted to Landmark Design Group, Inc., Williamsburg, Virginia.

2002 *Phase II Evaluation of Site 44JC674, James City County, Virginia* (co-authored with Matthew R. Laird). James River Institute for Archaeology, Inc. Submitted to Jamestown Management, LLC, Williamsburg, Virginia.

2002 *Phase I Archaeological Survey of 26 Acres at Fort Pickett, Nottoway County, Virginia* (co-authored with Matthew R. Laird). James River Institute for Archaeology, Inc. Submitted to Malcolm Pirnie, Inc., Newport News, Virginia.

2003 *Phase I Archaeological Survey of the Interior and Immediate Exterior of the Reconstruction James Fort Located at Jamestown Settlement, James City County, Virginia* (co-authored with Garrett R. Fesler and Matthew R. Laird). James River Institute for Archaeology, Inc. Submitted to The Jamestown-Yorktown Foundation, Williamsburg, Virginia.

2003 *Phase I Archaeological Survey of a Proposed 620' Interpretive Pathway Located at Jamestown Settlement, James City County, Virginia* (co-authored with Garrett R. Fesler and Matthew R. Laird). James River Institute for Archaeology, Inc. Submitted to Jamestown-Yorktown Foundation, Williamsburg, Virginia.

2003 *Phase I Archaeological Survey of a Proposed 3,700-Foot Desalinization Pipeline Corridor, James City County, Virginia* (co-authored with Matthew R. Laird). James River Institute for Archaeology, Inc. Submitted to James City County, James City County, Virginia.

2003 *Phase I Archaeological Survey of Approximately 250 Acres at the Greenmount Property, James City County, Virginia* (co-authored with Matthew R. Laird). James River Institute for Archaeology, Inc. Submitted to Greenmount Associates, LLC, Newport News, Virginia.

2003 *Phase I Archaeological Survey of Approximately 14 Acres at the Hankins Tract, James City County, Virginia* (co-authored with Matthew R. Laird). James River Institute for Archaeology, Inc. Submitted to RMC Allied Readymix, Inc., Atlanta, Georgia.

2003 *Phase I Cultural Resources Survey of the Proposed Virginia State University Student Housing Project Area, Chesterfield County, Virginia* (co-authored with Matthew R. Laird). James River Institute for Archaeology, Inc. Submitted to VHB, Inc., Williamsburg, Virginia.

2003 *Phase I Archaeological Survey of Permit Areas at the Proposed Watermill Development in Chesterfield County, Virginia* (co-authored with Matthew R. Laird). James River Institute for Archaeology, Inc. Submitted to Centex Homes, Richmond, Virginia.

2003 *Phase I Cultural Resources Survey of a 22.5-Acre Tract (Tax Map 49, Parcel 15), Stafford County, Virginia* (co-authored with Matthew R. Laird). James River Institute for Archaeology, Inc. Submitted to Caly Builders, Inc., Stafford, Virginia.

2003 *Phase I Archaeological Survey of Seven Testing Areas Associated with the Goochland/Henrico Regional Force Main Project, Goochland and Henrico Counties, Virginia* (co-authored with Matthew R. Laird). James River Institute for Archaeology, Inc. Submitted to Timmons Group, Richmond, Virginia.

2003 *Archaeological Testing at Red Hill, Charlotte County, Virginia* (co-authored with Nicholas M. Lucchetti). James River Institute for Archaeology, Inc. Submitted to Patrick Henry National Memorial, Brookneal, Virginia.

2003 *Phase IA Historical and Archaeological Assessment of Approximately 50 Acres Located in the City of Chesapeake, Virginia* (co-authored with Garrett R. Fesler). James River Institute for Archaeology, Inc. Submitted to HDR Engineering, Inc., Richmond, Virginia.

2003 *Phase II Evaluations of Sites 054-0988, 44LD767, and 44LD757, Loudoun County, Virginia* (co-authored with Matthew R. Laird). James River Institute for Archaeology, Inc. Submitted to John Laing Homes, LLC, Vienna, Virginia.

2003 *Phase I Archaeological Survey of Approximately 16 Acres at the Proposed Rippon Boulevard Elementary School Project, Prince William County, Virginia*. James River Institute for Archaeology, Inc. Submitted to HGS, Manassas, Virginia.

2003 *Phase I Cultural Resources Survey of Approximately 10 Acres of the Project "Value" Property, Rockingham County, Virginia* (co-authored with Matthew R. Laird). James River Institute for Archaeology, Inc. Submitted to H and M Architects/Engineers, Inc., Jackson, Tennessee.

2003 *Phase I Archaeological Survey of 450 Acres at Fort Pickett, Nottoway County, Virginia* (co-authored with Matthew R. Laird). James River Institute for Archaeology, Inc. Submitted to Malcolm Pirnie, Inc., Newport News, Virginia.

2003 *Archaeological Excavations at Site 44ST269, Stafford County, Virginia* (co-authored with Matthew R. Laird). James River Institute for Archaeology, Inc. Submitted to Leeland Station, LLC, Rockville, Maryland.

2003 *Data Recovery Plan for Site 44JC1012 on the Greenmount Property, James City County, Virginia* (co-authored with Matthew R. Laird). James River Institute for Archaeology, Inc. Submitted to Greenmount Associates, LLC, Newport News, Virginia.

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2003 *Phase I Archaeological Survey of Approximately 22 Acres, Henrico County, Virginia* (co-authored with Matthew R. Laird). James River Institute for Archaeology, Inc. Submitted to Michael Baker, LLC, Richmond, Virginia.

2003 *Phase I Archaeological Survey of the Proposed Meadowville Technology Park Industrial Access Road Realignment, Chesterfield County, Virginia* (co-authored with Matthew R. Laird). James River Institute for Archaeology, Inc. Submitted to Timmons Group, Richmond, Virginia.

2003 *Phase II Evaluations of Sites 44JC276, 44JC278, 44JC279, and 44JC425, James City County, Virginia* (co-authored with Matthew R. Laird). James River Institute for Archaeology, Inc. Submitted to Stonehouse Development Company, Inc., Williamsburg, Virginia.

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2003 *Phase I Archaeological Survey of Approximately 180 Acres, Prince William County, Virginia* (co-authored with Matthew R. Laird). James River Institute for Archaeology, Inc. Submitted to D.R. Horton, Inc., Fairfax, Virginia.

2004 *Phase I Archaeological Survey of Approximately Two Acres, Yorktown, Virginia* (co-authored with Matthew R. Laird). James River Institute for Archaeology, Inc. Submitted to C. A. Barrs, Yorktown, Virginia.

2004 *Phase I Archaeological Survey of Approximately Two Acres, Yorktown, Virginia* (co-authored with Matthew R. Laird). James River Institute for Archaeology, Inc. Submitted to York County, Yorktown, Virginia.

2004 *Phase I Archaeological Survey of 8.2 Acres for the Proposed Birmingham Green Assisted Living Facility, Manassas, Virginia* (co-authored with Matthew R. Laird). James River Institute for Archaeology, Inc. Submitted to DSC Advisory Services, LLC, Chesapeake, Virginia.

2004 *Phase I Cultural Resources Survey of Four Permit Areas at the Edgewater, Section 3, Development, Chesterfield County, Virginia* (co-authored with Matthew R. Laird). James River Institute for Archaeology, Inc. Submitted to Timmons Group, Richmond, Virginia.

2004 *Phase II Archaeological Evaluation of Sites 44SX259, 44SX270, and 44SX328, Sussex County, Virginia* (co-authored with Matthew R. Laird). James River Institute for Archaeology, Inc. Submitted to Iluka Resources, Inc., Stony Creek, Virginia.

2004 *Phase I Cultural Resources Survey of Permit Areas, Kingsland Glen, Chesterfield County, Virginia* (co-authored with Matthew R. Laird). James River Institute for Archaeology, Inc. Submitted to Barthol Design Associates, Richmond, Virginia.

2004 *Phase I Survey of Rippon Lodge*. James River Institute for Archaeology, Inc. Submitted to D.R. Horton, Fairfax, Virginia.

2005 *Phase II Evaluations of 22 Sites at the GreenMount Tract*. James River Institute for Archaeology, Inc.

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2006 *Phase I Archaeological Survey at Quality Way, Southpoint Industrial Park, Prince George County, Virginia* (co-authored with Nancy Phaup and Martha McCartney. Circa~. Submitted to Southpoint Industrial Park, Prince George County, Virginia.

2006 *Phase I Archaeological Survey at Warburton Tract, James City County, Virginia* (co-authored with Nancy Phaup and Martha McCartney. Circa~. Submitted to Ford's Colony, Williamsburg, Virginia.

2006 *Phase I Excavations for the James City County Trail, Warhill Sports Complex, James City County, Virginia* (co-authored with Nancy Phaup and Martha McCartney. Circa~. Submitted to James City County, Virginia.

2006 *Phase I Survey of the Approximately 10-acre BI Chemical Plant, Prince George County, Virginia* (co-authored with Nancy Phaup and Martha McCartney. Circa~. Submitted to Malcolm-Pirnie, Newport News, Virginia.

2006 *Phase I Survey of the Former Hood Property, Henrico County, Virginia* (co-authored with Nancy Phaup and Martha McCartney). Circa~. Submitted to Timmons Group, Inc., Chesterfield, Virginia.

2006 *Phase I Survey of the Henrico County East Middle School Access Road, Henrico County, Virginia*. (co-authored with Nancy Phaup and Martha McCartney. Circa~. Submitted to Timmons Group, Inc., Chesterfield, Virginia.

2006 *Phase I Survey of the Access Road for Matoaca Park, Chesterfield County, Virginia* (co-authored with Nancy Phaup and Martha McCartney). Circa~. Submitted to Timmons Group, Inc., Chesterfield, Virginia.

2006 *Phase I Survey of the Realignment of Water Country Way, York County, Virginia* (co-authored with Nancy Phaup and Martha McCartney). Circa~. Submitted to Busch Properties, Inc., Williamsburg, Virginia.

2007 *Cemetery Boundary Delineation of Site 089-5193 and 089-5202 Wilbourn property Stafford County Virginia* (co-authored with Aaron Levinthal and Dawn Frost, Circa~). Submitted to the Anderson Company, LLC. Manassas, Virginia.

2007 *Current Condition Assessment Brewers Neck Boulevard Isle of Wight County, Virginia* (co-authored with Aaron Levinthal and Dawn Frost, Circa~).

2007 *Current Condition Assessment Caeli Farm Loudon County, Virginia* (co-authored with Aaron Levinthal and Dawn Frost, Circa~).

2007 *Current Condition Assessment Greenville Megasite Greenville County, Virginia* (co-authored with Aaron Levinthal and Dawn Frost, Circa~). Submitted to Timmons Group, Inc., Chesterfield, Virginia.

2007 *Current Condition Assessment Gresham Property City of Richmond, Virginia* (co-authored with Aaron Levinthal and Dawn Frost, Circa~). Submitted to Timmons Group, Inc., Chesterfield, Virginia.

2007 *Current Condition Assessment McCale Property York County, Virginia* (co-authored with Aaron Levinthal and Dawn Frost, Circa~). Submitted to Vanasse Hangen Brustlin, Williamsburg, Virginia.

2007 *Current Condition Assessment O'Connor Tract Loudon County, Virginia* (co-authored with Aaron Levinthal and Dawn Frost, Circa~).

2007 *Current Condition Assessment Chester Site Chesterfield County, Virginia* (co-authored with Aaron Levinthal and Dawn Frost, Circa~). Submitted to Vanasse Hangen Brustlin, Williamsburg, Virginia.

2007 *Hancock Village Management Summary, Chesterfield County, Virginia* (co-authored with Aaron Levinthal and Dawn Frost, Circa~).

2007 *Phase I Archaeological Survey of 120 Acres at Jolly Pond Road James City County, Virginia* (co-authored

with Aaron Levinthal and Dawn Frost, Circa~). Submitted to James City County, Virginia.

2007 *Phase I Archaeological Survey for Approximately 6 Acres Stonehouse Development James City County, Virginia* (co-authored with Aaron Levinthal and Dawn Frost, Circa~).

2007 *Phase I Archaeological Survey for Approximately 140 Acres at the Proposed Rose Hill Tract, York County, Virginia* (co-authored with Aaron Levinthal and Dawn Frost, Circa~). Submitted to York County, Virginia.

2007 *Phase I Archaeological Survey of Albemarle River Subdivision Lots 16-21, Chesapeake, Virginia* (co-authored with Aaron Levinthal and Dawn Frost, Circa~).

2007 *Phase I Archaeological Survey of Approximately 415 Acres of the Turner Tract, Southampton County, Virginia* (co-authored with Aaron Levinthal and Dawn Frost, Circa~).

2007 *Phase I Archaeological Survey of Approximately One Acre at the Grove Christian Center Property James City County, Virginia* (co-authored with Aaron Levinthal and Dawn Frost, Circa~). Submitted to Grove Christian Center, James City County, Virginia.

2007 *Phase I Archaeological Survey of DSCR Road Alignment Chesterfield County, Virginia* (co-authored with Aaron Levinthal and Dawn Frost, Circa~).

2007 *Phase I Archaeological Survey of the Proposed Lakeridge Parkway Extension Section 2 Hanover County, Virginia* (co-authored with Aaron Levinthal and Dawn Frost, Circa~).

2007 *Phase I Archaeological Survey of the Park Valley Church Property Prince William County, Virginia* (co-authored with Aaron Levinthal and Dawn Frost, Circa~).

2007 *Phase I Archaeological Survey of Three Trails Meadowood Special Recreation Management Area, Fairfax County, Virginia* (co-authored with Aaron Levinthal and Dawn Frost, Circa~).

2007 *Phase I Archaeological Survey of the Wilbourn Property Stafford County, Virginia* (co-authored with Aaron Levinthal and Dawn Frost, Circa~). Submitted to the Anderson Company, LLC, Manassas Virginia.

2007 *Phase I Architectural Reconnaissance Survey of a 350-Acre Tract Associated with the Proposed Three Flags Development, Culpeper, Virginia* (co-authored with Aaron Levinthal and Dawn Frost, Circa~). Submitted to Angler Environmental.

2007 *Phase I Cultural Resources Survey of Golf Course Areas Holes 13-18 and Development Areas F and G at Magnolia Green, Chesterfield County, Virginia* (co-

authored with Aaron Levinthal and Dawn Frost, Circa~). Submitted to Timmons Group, Inc., Chesterfield, Virginia.

2007 *Phase I Cultural Resources Survey for Mill Creek Drive, Southampton County, Virginia* (co-authored with Aaron Levinthal and Dawn Frost, Circa~). Submitted to Timmons Group, Inc., Chesterfield, Virginia.

2007 *Phase I Cultural Resources Survey of Road Right-of-Way Magnolia Green Chesterfield County, Virginia* (co-authored with Aaron Levinthal and Dawn Frost, Circa~). Submitted to Timmons Group, Inc., Chesterfield, Virginia.

2007 *Phase I Cultural Resources Survey of the Georgia-Pacific Site Property Town of South Boston, Vicinity, Halifax County, Virginia* (co-authored with Aaron Levinthal and Dawn Frost, Circa~).

2007 *Phase I Cultural Resources Survey of the Lower Opossum Creek Wastewater Improvements, Hanover County, Virginia* (co-authored with Aaron Levinthal and Dawn Frost, Circa~).

2007 *Phase I Location Survey of Features Associated with Site 020-5350 Midlothian District of the Richmond Coal Basin: The Henry Jones Tract Chesterfield County, Virginia* (co-authored with Aaron Levinthal and Dawn Frost, Circa~). Submitted to Timmons Group, Inc., Chesterfield, Virginia.

2007 *Phase II Archaeological Survey of Sites 44JC1173 and 44JC1174 James City County School Site at Jolly Pond, James City County, Virginia* (co-authored with Aaron Levinthal and Dawn Frost, Circa~). Submitted to AES, Inc., Williamsburg, Virginia.

2007 *Phase II Archaeological Survey of Site 44CF0596 Chesterfield County, Virginia* (co-authored with Aaron Levinthal and Dawn Frost, Circa~). Submitted to Timmons Group, Inc., Chesterfield, Virginia.

2007 *Villages of Gloucester Management Summary, Gloucester, Virginia* (co-authored with Aaron Levinthal and Dawn Frost, Circa~).

2007 *Management Summary Totopotomoy Creek Wastewater Improvements, Hanover County, Virginia* (co-authored with Dawn Frost, Circa~).

2007 *Phase I Architectural Survey of the Tenaska Tract (Buschman Farm) Buckingham County, Virginia* (co-authored with Aaron Levinthal and Dawn Frost, Circa~).

2007 *Phase II Evaluation of Site 44BK0331 Buckingham County, Virginia* (co-authored with Aaron Levinthal and Dawn Frost, Circa~).

2007 *Phase I Cultural Resources Survey of the 14-Acre Walnut Tree Farm Prince William County, Virginia*

(co-authored with Aaron Levinthal and Dawn Frost, Circa~).

2007 *Phase I Architectural Survey of Littlefields, Westmoreland County, Virginia* (co-authored with Aaron Levinthal and Dawn Frost, Circa~).

2008 *Current Conditions Assessment Dinwiddie Commerce Park, Dinwiddie County, Virginia* (co-authored with Aaron Levinthal and Dawn Frost, Circa~).

2008 *Current Conditions Assessment at Magnolia Green, Chesterfield County, Virginia* (co-authored with Aaron Levinthal and Dawn Frost, Circa~).

2008 *Phase II Architectural Survey of Timberneck and Catlett Island, Gloucester County, Virginia* (co-authored with Aaron Levinthal and Dawn Frost, Circa~).

2008 *Phase II Evaluation of Site 44JC845, Moss Creek Development, James City County, Virginia* (co-authored with Aaron Levinthal and Dawn Frost, Circa~).

2008 *Archaeological Excavations of 44JC77, The Stonehouse Site, James City County, Virginia* (co-authored with Aaron Levinthal and Dawn Frost, Circa~).

2008 *Phase II Archaeological Evaluation for Site 44JC427, Stonehouse Tract, James City County, Virginia* (co-authored with Aaron Levinthal and Dawn Frost, Circa~).

2008 *Phase II Evaluation of Site 44JC837/047-0046, Stonehouse Tract, James City County, Virginia* (co-authored with Aaron Levinthal and Dawn Frost, Circa~).

2008 *Current Conditions Assessment, Thibault Tract, Chesterfield County, Virginia* (co-authored with Aaron Levinthal and Dawn Frost, Circa~).

2008 *Phase I Archaeological Survey of a Proposed Utility Line for the School Sites at Jolly Pond Road, James City County, Virginia* (co-authored with Aaron Levinthal and Dawn Frost, Circa~).

2008 *Current Conditions Assessment, Allegheny Master Plan, Allegheny County, Virginia* (co-authored with Aaron Levinthal and Dawn Frost, Circa~).

2008 *Current Conditions Assessment, Crosspointe Centre, Prince George County, Virginia* (co-authored with Aaron Levinthal and Dawn Frost, Circa~).

2008 *Historical Assessment for Indian Creek Dredging Project, City of Hampton, Virginia* (co-authored with Aaron Levinthal and Dawn Frost, Circa~).

2008 *Phase IA Cultural Resources Survey, St. Olaf's Church, James City County, Virginia* (co-authored with Aaron Levinthal and Dawn Frost, Circa~).

2008 *Current Conditions Assessment, Proposed Industrial Access Road Corridor, Crosspointe Centre, Prince George County, Virginia* (co-authored with Aaron Levinthal and Dawn Frost, Circa~).

2008 *Phase I Archaeological Survey of 42 Acres at Magnolia Green, Chesterfield County, Virginia* (co-authored with Aaron Levinthal and Dawn Frost, Circa~).

2008 *Phase I Cultural Resources Survey of the Smith River Sports Complex Access Road, Henry County, Virginia* (co-authored with Aaron Levinthal and Dawn Frost, Circa~).

2008 *Current Conditions Assessment Roma and Sharpe Tracts, Henry County, Virginia* (co-authored with Aaron Levinthal and Dawn Frost, Circa~).

2008 *Phase II Archaeological Evaluation for Site 44JC412 Stonehouse Tract, James City County, Virginia* (co-authored with Aaron Levinthal and Dawn Frost, Circa~).

2008 *Proposed Partial Data Recovery Plan for Site 44JC845 at Moss Creek Development, James City County, Virginia* (co-authored with Aaron Levinthal and Dawn Frost, Circa~).

2008 *Phase I Architectural Survey of the Greenville Megasite, Greenville County, Virginia* (co-authored with Aaron Levinthal and Dawn Frost, Circa~).

2008 *Proposed Partial Data Recovery Plan for Site 44CF684 at Magnolia Green, Chesterfield County, Virginia* (co-authored with Aaron Levinthal and Dawn Frost, Circa~).

2008 *Phase I Archaeological Survey of Timberneck at Catlett Island, Gloucester County, Virginia* (co-authored with Aaron Levinthal and Dawn Frost, Circa~).

2008 *Additional Phase III Archaeological Evaluations at Site 44JC1113 The Colonies, James City County, Virginia* (co-authored with Aaron Levinthal and Dawn Frost, Circa~).

2008 *Management Summary Beaufont Spring, Chesterfield County, Virginia* (co-authored with Aaron Levinthal and Dawn Frost, Circa~).

2008 *Phase I Cultural Resources Survey of Permit Areas Within the Bottoms Bridge Tract, New Kent County, Virginia* (co-authored with Aaron Levinthal and Dawn Frost, Circa~).

2008 *Phase I Cultural Resources Survey of the Stoup Property, Isle of Wight County, Virginia* (co-authored with Aaron Levinthal and Dawn Frost, Circa~).

2008 *Phase I Cultural Resources Survey of Christ United Methodist Church Property, Fairfax County,*

Virginia (co-authored with Aaron Levinthal and Dawn Frost, Circa~).

2008 *Phase II Archaeological Evaluation of Sites 44CF0697, 44CF0700, and 44CF0701 at Magnolia Green, Chesterfield County, Virginia* (co-authored with Aaron Levinthal and Dawn Frost, Circa~).

2008 *Phase I Archaeological Survey of Littlefields, Westmoreland County, Virginia* (co-authored with Aaron Levinthal and Dawn Frost, Circa~).

2008 *Phase II Evaluation of Site 44BK0329, Buckingham County, Virginia* (co-authored with Aaron Levinthal and Dawn Frost, Circa~).

2008 *Phase I Cultural Resources Survey of Middle Peninsula Environmental Bank, Gloucester County, Virginia* (co-authored with Aaron Levinthal and Dawn Frost, Circa~).

2008 *Phase I Cultural Resources Survey of Fluvanna High School Site, Fluvanna County, Virginia* (co-authored with Aaron Levinthal and Dawn Frost, Circa~).

2008 *Phase I Cultural Resources Survey of proposed Science and Technology Building Tract on the Richard Bland College Campus, Dinwiddie County, Virginia* (co-authored with Aaron Levinthal and Dawn Frost, Circa~).

2008 *Phase IA Cultural Resources Survey of Wildwood Estates Property, Loudon County, Virginia* (co-authored with Aaron Levinthal and Dawn Frost, Circa~).

2008 *Phase II Archaeological Survey of Five Sites and a Cemetery Delineation, Turner Tract, Southampton County, Virginia* (co-authored with Aaron Levinthal and Dawn Frost, Circa~).

2008 *Phase I Archaeological Survey of the Chicken Coop Trail, Meadowood Special Recreation Management Area, Fairfax County, Virginia* (co-authored with Aaron Levinthal and Dawn Frost, Circa~).

2009 *Phase I Cultural Resources Survey of Terrascape Design and Build Company Inc., at 16127 John Marshall Highway, Prince William County, Virginia* (co-authored with Aaron Levinthal and Dawn Frost, Circa~).

2009 *Current Condition Assessment, Towers Tract, Goochland County, Virginia* (co-authored with Aaron Levinthal and Dawn Frost, Circa~).

2009 *Current Condition Assessment, Wilderness North Tract, Orange County, Virginia* (co-authored with Aaron Levinthal and Dawn Frost, Circa~).

2009 *Phase II Archaeological Evaluation of 44GL0450 at Middle Peninsula Environmental Bank, Gloucester County, Virginia* (co-authored with Aaron Levinthal and Dawn Frost, Circa~).

2009 *Phase I Cultural Resources Survey of Faith Church Property, Henrico County, Virginia* (co-authored with Aaron Levinthal and Dawn Frost, Circa~).

2009 *Current Condition Assessment of the 8.8-Acre Bull Property Tract, Isle of Wight County, Virginia* (co-authored with Aaron Levinthal and Dawn Frost, Circa~).

2009 *Phase I Architectural Survey of the Roma Tract, Henry County, Virginia* (co-authored with Aaron Levinthal and Dawn Frost, Circa~).

2009 *Phase I Architectural Survey of Seven Housing Areas, Norfolk Redevelopment and Housing Authority, City of Norfolk, Virginia* (co-authored with Aaron Levinthal and Dawn Frost, Circa~).

2009 *Current Condition Assessment Deep Creek and Jones and Gilligan Creeks Craney Island Expansion Project Mitigation Sites, City of Chesapeake, Virginia* (with Aaron Levinthal and Dawn Frost, Circa~).

2009 *Archaeological Excavations at the Roma Tract Payne Cemetery Site 044-5184 Henry County, Virginia* (with Aaron Levinthal and Dawn Frost, Circa~).

2009 *Cemetery Delineation at Catlett Island Gloucester, County, Virginia* (with Aaron Levinthal and Dawn Frost, Circa~).

2009 *Phase II Archaeological Evaluation of Site 44NN60, Newport News, Virginia* (with Aaron Levinthal and Dawn Frost, Circa~).

2009 *Phase I Cultural Resources Survey of the College Triangle Retail Property, City of Williamsburg, Virginia* (with Aaron Levinthal and Dawn Frost, Circa~).

2009 *Phase I Archaeological Survey of Airport Gateway Land Bay A, Prince William County, Virginia* (with Aaron Levinthal and Dawn Frost, Circa~).

2009 *Phase I Archaeological Survey of Proposed Utility Replacement Corridor on the Richard Bland College Campus, Dinwiddie and Prince George Counties, Virginia* (with Aaron Levinthal and Dawn Frost, Circa~).

2009 *Phase I Archaeological Survey of Coleman Crossing, Gloucester Counties, Virginia* (with Aaron Levinthal and Dawn Frost, Circa~).

2009 *Current Conditions Assessment Rotterdam Property Craney Island Expansion Project Mitigation Sites, City of Chesapeake, Virginia* (with Aaron Levinthal and Dawn Frost, Circa~).

2009 *Phase II Architectural Survey of Master Craftsmen Jewelry Building College Triangle Retail Property, City of Williamsburg, Virginia* (with Dawn Frost, Circa~).

2009 *Cultural Resources Survey of 755 Scotland Street City of Williamsburg, Virginia* (with Aaron Levinthal, Amy Humphries, and Dawn Frost, Circa~).

2009 *Phase I Archaeological Survey of Approximately 30 Acres Liberty Landing Property, New Kent County, Virginia* (with Aaron Levinthal and Dawn Frost, Circa~).

2009 *Phase I Archaeological Survey of the Cape Henry Inn Tract Fort Story, City of Virginia Beach, Virginia* (with Aaron Levinthal and Dawn Frost, Circa~).

2009 *Management Summary, 3410 Goodwin Neck Road, York County, Virginia* (with Dawn Frost, Circa~).

2009 *Phase I Cultural Resources Survey of Quaker Steak and Lube Property, Prince William County, Virginia* (with Dawn Frost, Circa~).

2009 *Phase II Archaeological Survey of Sites 44YO1074 and 44YO1075 Hampton Roads Sanitation District York River Treatment Plant Expansion, York County, Virginia* (with Aaron Levinthal and Dawn Frost, Circa~).

2009 *Archaeological Excavations at the Greenhow Cemetery Site 089-5202, Stafford County, Virginia* (with Aaron Levinthal, Amy Humphries, and Dawn Frost, Circa~).

2009 *Phase I Cultural Resources Survey of the Sharpe Tract, Henry County, Virginia* (with Amy Humphries and Dawn Frost, Circa~).

2009 *Phase I Cultural resources Survey of Colonial Heights Baptist Church Property, Chesterfield County, Virginia* (with Amy Humphries and Dawn Frost, Circa~).

2009 *Phase I Archaeological Survey of Approximately One Acre at the Grove Christian Center Property, James City County, Virginia* (with Amy Humphries and Dawn Frost, Circa~).

2009 *Phase II Architectural Survey of the Watkins House, Henry County, Virginia* (with Dawn Frost, Circa~).

2009 *Phase I Cultural Resources Survey of the South Norfolk Jordan Bridge Project, Chesapeake and Portsmouth, Virginia* (with Aaron Levinthal and Dawn Frost, Circa~).

2009 *Phase II Architectural Survey Atlantic Wood Industries, Inc. Property, VDHR Site #124-5132, City of Portsmouth, Virginia* (with Dawn Frost, Circa~).

2010 *Current Conditions Assessment Windsor Road Property, Orange County, Virginia* (with Dawn Frost, Circa~).

2010 *Henricus State Park Riverbank Stabilization Project Management Summary, Chesterfield County, Virginia* (with Dawn Frost, Circa~).

2010 *Phase I Archaeological Survey of the 10-Acre Williamsburg James City County Schools Operations Center Expansion, James City County, Virginia* (with Dawn Frost and Amy Humphries, Circa~).

2010 *Phase I Archaeological Survey of 10 Trails Meadowood Special Recreation Management Area, Fairfax County, Virginia* (with Dawn Frost and Amy Humphries, Circa~).

2010 *Phase I Cultural Resources Survey of Deep Creek Ball Park Property, City of Chesapeake, Virginia* (with Dawn Frost and Amy Humphries, Circa~).

2010 *Current Conditions Assessment of the Approximately 350-Acre Dupont-Fabros Development Tract, Loudoun County, Virginia* (with Dawn Frost, Circa~).

2010 *Phase I Cultural Resources Survey of BiCounty Way Property, New Kent County, Virginia* (with Dawn Frost and Amy Humphries, Circa~).

2010 *Phase I Cultural Resources Survey of Mount Zion Baptist Church, Price William County, Virginia* (with Dawn Frost and Amy Humphries, Circa~).

2010 *Phase I Cultural Resources Survey of Stafford Commerce Center, Stafford County, Virginia* (with Dawn Frost and Amy Humphries, Circa~).

2010 *Phase I Cultural Resources Survey of Meherrin River Regional Jail Site, Brunswick County, Virginia* (with Dawn Frost and Amy Humphries, Circa~).

2010 *Phase I Cultural Resources Survey of Commonwealth Crossing Business Centre Water and Sewer Lines, Henry County, Virginia* (with Dawn Frost and Amy Humphries, Circa~).

2010 *Wynwood Property Management Summary, Chesterfield County, Virginia* (with Dawn Frost, Circa~).

2010 *Winterfield Commercial Park Viewshed Analysis, Powhatan County, Virginia* (with Dawn Frost, Circa~).

2010 *College Triangle Retail Project – The College of William and Mary Management Summary, City of Williamsburg, Virginia* (with Dawn Frost, Circa~).

2010 *Darby Road Parcels Management Summary, York County, Virginia* (with Dawn Frost, Circa~).

2010 *Phase I Cultural Resources Survey of Bryan's Landing Subdivision, City of Chesapeake, Virginia* (with Dawn Frost and Amy Humphries, Circa~).

2010 *Phase I Cultural Resources Survey of Greenhaven at Murray Drive Drainage Easement Acquisition from U.S. Navy, City of Chesapeake, Virginia* (with Dawn Frost Circa~).

2010 *Phase I Cultural Resources Survey of Pole Green Road and Rural Point Road Intersection Improvements, Hanover County, Virginia* (with Dawn Frost Circa~).

2010 *Phase I Cultural Resources Survey of Pole Green Road and Walnut Grove Road Intersection Improvements, Hanover County, Virginia* (with Dawn Frost Circa~).

2010 *Lee Hall Reservoir Management Summary, City of Newport News, Virginia* (with Dawn Frost, Circa~).

2010 *Phase I Cultural Resources Survey of the Approximately 350-Acre Dupont-Fabros Development Tract, Loudoun County, Virginia* (with Amy Humphries and Dawn Frost Circa~).

2010 *Phase IA Cultural Resources Assessment, Forest Heights and Neighbors Drive, James City County, Virginia* (with Dawn Frost Circa~).

2011 *Phase I Cultural Resources Survey of Nansemond River Estates property, City of Suffolk, Virginia* (with Dawn Frost and Amy Humphries Circa~).

2011 *Disturbance Assessment West Creek Medical Center, Goochland County, Virginia* (with Dawn Frost Circa~).

2011 *Phase I Cultural Resources Survey of Lowes Tract and Extension of Russell Branch Parkway, Loudoun County, Virginia* (with Dawn Frost Circa~).

2011 *Phase I Cultural Resources Survey of Foxfield Tract, Chesterfield County, Virginia* (with Dawn Frost and Amy Humphries Circa~).

2011 *Phase I Cultural Resources Survey of Brasfield Commons Tract, City of Petersburg, Virginia* (with Dawn Frost and Amy Humphries Circa~).

2011 *Phase I Cultural Resources Survey of Courthouse at Marketplace Property, Chesterfield County, Virginia* (with Dawn Frost and Amy Humphries Circa~).

2011 *Phase I Cultural Resources Survey of Sports Quest Tract Phase I, Chesterfield County, Virginia* (with Dawn Frost and Amy Humphries Circa~).

2011 *Phase I Cultural Resources Survey of West Creek Medical Center Shared Entrance Road Right-of-Way and Utility Right-of-Ways, Goochland County, Virginia* (with Dawn Frost and Amy Humphries Circa~).

2011 *Current Conditions Assessment of Stonebridge Property, Chesterfield County, Virginia* (with Dawn Frost Circa~).

2011 *Treatment Plan for Site 44GO0370 West Creek Emergency Center Tract, Goochland County, Virginia* (with Dawn Frost and Amy Humphries Circa~).

2011 *Management Summary 3190 Riverside Drive, Henry County, Virginia* (with Dawn Frost Circa~).

2011 *Current Conditions Assessment of Haymarket Tract, Prince William County, Virginia* (with Dawn Frost Circa~).

2011 *Current Conditions Assessment of J. Sergeant Reynolds Community College Tract, Henrico County, Virginia* (with Dawn Frost Circa~).

2011 *Phase I Cultural Resources Survey of George Mason University Life Sciences Building Parking Lot, Prince William County, Virginia* (with Dawn Frost and Amy Humphries Circa~).

2011 *Phase I Cultural Resources Survey of George Mason University Housing and Retail Building, Prince William County, Virginia* (with Dawn Frost and Amy Humphries Circa~).

2011 *Addendum to Phase I Cultural Resources Survey of Pole Green Road and Rural Point Road Intersection Improvements, Hanover County, Virginia* (with Dawn Frost and Amy Humphries Circa~).

2011 *Current Conditions Assessment of the Stafford County High School Property, Stafford County, Virginia* (with Dawn Frost, Circa~).

2011 *Current Conditions Assessment of the Mecklenburg Jail Site, Mecklenburg County, Virginia* (with Dawn Frost, Circa~).

2011 *Phase I Cultural Resources Survey of the Marine Animal Care Facility Tract, City of Virginia Beach, Virginia* (with Dawn Frost and Amy Humphries, Circa~).

2011 *Management Summary Dominion Virginia Power, Remington Site, Fauquier County, Virginia* (with Dawn Frost, Circa~).

2011 *Management Summary Dominion Virginia Power, Brunswick Site, County, Brunswick Virginia* (with Dawn Frost, Circa~).

2011 *Management Summary Dominion Virginia Power, Chesterfield Site, Chesterfield County, Virginia* (with Dawn Frost, Circa~).

2011 *Partial Phase III Archaeological Data Recovery of Site 44CF0684 at Magnolia Green, Chesterfield County, Virginia* (with Dawn Frost and Amy Humphries, Circa~).

2011 *Phase II Archaeological Evaluations and Boundary Determination of Site 44GO0370 at West Creek*

Emergency Center Tract, Goochland County, Virginia (with Dawn Frost, Circa~).

2011 *Phase I Cultural Resources Survey of Varina Stream Mitigation Bank, Henrico County, Virginia* (with Dawn Frost, Circa~).

2011 *Addendum to Current Conditions Assessment, Dinwiddie Commerce Park, Dinwiddie County, Virginia* (with Dawn Frost, Circa~).

2011 *Proposed Data Recovery Plan for Site 44CF0594 at the DeSear Farmstead Site, Chesterfield County, Virginia* (with Dawn Frost, Circa~).

2011 *Phase I Cultural Resources Survey of Dominion Virginia Power Brunswick Site, Brunswick County, Virginia* (with Dawn Frost, Circa~).

2011 *Current Conditions Assessment of the Stafford County Elementary School Property, Stafford County, Virginia* (with Dawn Frost and Amy Humphries, Circa~).

2011 *Phase I Cultural Resources Survey of Washington Ridge, York County, Virginia* (with Dawn Frost, Circa~).

2011 *Phase I Architectural Survey of Mainline Norfolk-Southern Railroad Project Area, City of Petersburg, Virginia* (with Dawn Frost, Circa~).

2011 *Phase I Architectural Survey of Mainline Norfolk and Western Railroad Project Area, City of Chesapeake, Virginia* (with Dawn Frost, Circa~).

2012 *Addendum to Phase I Archaeological Survey of the Proposed Meadowville Parkway, Chesterfield County, Virginia* (with Dawn Frost, Circa~).

2012 *Addendum to Phase I Cultural Resources Survey of Pole Green Road and Walnut Grove Road Intersection Improvements, Hanover County, Virginia* (with Dawn Frost, Circa~).

2012 *Management Summary, Dominion Virginia Power Chesterfield Tract Utility Corridor, Chesterfield County, Virginia* (with Dawn Frost, Circa~).

2012 *Management Summary, Village of Holland Water Supply, City of Suffolk, Virginia* (with Dawn Frost, Circa~).

2012 *Phase I Architectural Survey of Mainline Norfolk-Southern Railroad Project Area, City of Chesapeake, Virginia* (with Dawn Frost, Circa~).

2012 *Phase I Cultural Resources Survey of Atlee Road Extended, Hanover County, Virginia* (with Dawn Frost, Circa~).

2012 *Phase III Archaeological Excavations at Site 44JC1018, the Liguria Tract, James City County, Virginia* (with Dawn Frost and Amy Humphries, Circa~).

2012 *Management Summary, The Midlothian Mines within the Midlothian District of the Richmond Coal Basin, Chesterfield County, Virginia* (with Dawn Frost, Circa~).

2012 *Management Summary, For Site 44GO0370 West Creek Emergency Center Tract, Goochland County, Virginia* (with Dawn Frost, Circa~).

2012 *Management Summary, Roanoke Cement Company, Botetourt County, Virginia* (with Dawn Frost, Circa~).

2012 *Phase I Cultural Resources Survey of the Stafford County Chinchester Park Property, Stafford County, Virginia* (with Dawn Frost, Circa~).

2012 *Current Conditions Assessment Virginia State University Gateway II Residence Hall Student Housing Project, City of Petersburg, Virginia* (with Dawn Frost, Circa~).

2012 *Phase I Cultural Resources Survey of Swift Island Property, Buckingham County, Virginia* (with Dawn Frost, Circa~).

2012 *Orchard Bridge Commercial Tract Management Summary, Prince William County, Virginia* (with Dawn Frost, Circa~).

2012 *Phase II Archaeological Excavations at Sites 44CF0592 and 44CF0593, Chesterfield County, Virginia* (with Dawn Frost, Circa~).

2012 *Phase I Cultural Resources Survey of East Point Estates Tract, Currituck County, North Carolina* (with Dawn Frost, Circa~).

2012 *Phase I Cultural Resources Survey of the Upper Susquehanna River Mitigation Bank, Potter County, Pennsylvania* (with Dawn Frost, Circa~).

2012 *Phase I Cultural Resources Survey of Roanoke Cement Company Quarry Expansion and Stream Compensation Sites, Botetourt County, Virginia* (with Dawn Frost, Circa~).

2012 *Phase I Cultural Resources Survey of Willis Farm Tract, City of Suffolk, Virginia* (with Dawn Frost, Circa~).

2012 *Phase I Cultural Resources Survey of Orchard Bridge Tract, Prince William County, Virginia* (with Dawn Frost, Circa~).

2012 *Current Conditions Assessment of Dual Rail Tract, Dinwiddie County, Virginia* (with Dawn Frost, Circa~).

2012 *Phase I Cultural Resources Survey of the Deer Run Golf Course, City of Newport News, Virginia* (with Dawn Frost, Circa~).

2012 *Phase I Cultural Resources Survey of Capital One Meadowville Data Center Property, Chesterfield County, Virginia* (with Dawn Frost, Circa~).

2012 *Current Conditions Assessment of the Brambleton-Layng Property, Loudoun County, Virginia* (with Dawn Frost, Circa~).

2012 *Current Conditions Assessment of the Peebles Tract, Sussex County, Virginia* (with Dawn Frost, Circa~).

2012 *Phase I Cultural Resources Survey of the Capital Bike Trail Realignment, Turkey Creek, Dominion Line, and Kimages Creek Project Areas, Charles City County, Virginia* (with Dawn Frost, Circa~).

2012 *Phase I Cultural Resources Survey of Greensville Megasite, Greensville County, Virginia* (with Dawn Frost, Circa~).

2012 *Phase I Cultural Resources Survey of Brambleton, Cornelius I Property, Loudoun County, Virginia* (with Dawn Frost, Circa~).

2012 *Phase I Cultural Resources Survey of Brambleton, Cornelius II Property, Loudoun County, Virginia* (with Dawn Frost, Circa~).

2012 *Phase I Cultural Resources Survey of Brambleton, Guth Property, Loudoun County, Virginia* (with Dawn Frost, Circa~).

2012 *Phase I Cultural Resources Survey of Brambleton, Mack Smith Property, Loudoun County, Virginia* (with Dawn Frost, Circa~).

2012 *Phase I Cultural Resources Survey of Compton Berry Tract, Fairfax County, Virginia* (with Dawn Frost, Circa~).

2012 *Current Conditions Assessment of the Brambleton-Hallinan Property, Loudoun County, Virginia* (with Dawn Frost, Circa~).

2012 *Current Conditions Assessment, Philip Morris Site, City of Richmond, Virginia* (with Dawn Muir-Frost, Circa~).

2012 *Management Summary, Brunswick County Site, Brunswick County, Virginia* (with Dawn Muir-Frost, Circa~).

2013 *Management Summary, Busch Property Tract, York County, Virginia* (with Dawn Muir-Frost, Circa~).

2013 *Management Summary Specht Mitigation Site, Potter and Tioga Counties, Pennsylvania* (with Dawn Muir-Frost, Circa~).

2013 *Addendum to Phase I Cultural Resources Survey of the Capital Bike Trail Realignments Curles Neck Road, Shirley Carter Property, and Shirley Plantation Entrance Realignments, Charles City and Henrico Counties, Virginia* (with Dawn Muir-Frost, Circa~).

2013 *Phase I Cultural Resources Survey of Burbage Drive Extended, City of Suffolk, Virginia* (with Dawn Muir-Frost, Circa~).

2013 *Management Summary, Virginia Natural Gas Pipeline Corridor, Hanover County to City of Newport News, Virginia* (with Dawn Muir-Frost, Circa~).

2013 *Phase I Cultural Resources Survey of 7250 Idylwood Road, Fairfax County, Virginia* (with Dawn Muir-Frost, Circa~).

2013 *Phase I Cultural Resources Survey of Lee Hall Dam Improvement Project, City of Newport News, Virginia* (with Dawn Muir-Frost, Circa~).

2013 *Phase I Cultural Resources Survey of Colonial Heritage Deer Lake Tract, James City County, Virginia* (with Dawn Muir-Frost, Circa~).

2013 *Management Summary, Oakenwold Tract, Stafford County, Virginia* (with Dawn Muir-Frost, Circa~).

2013 *Phase III Archaeological Evaluations at Site 44GO0370, West Creek Emergency Center Tract, Goochland County, Virginia* (with Dawn Muir-Frost, Circa~).

2013 *Management Summary, Cussawego Creek Mitigation Bank, Crawford County, Pennsylvania* (with Dawn Muir-Frost, Circa~).

2013 *Management Summary, Longpoint Tract, Prince William County, Virginia* (with Dawn Muir-Frost, Circa~).

2013 *Management Summary, PRM Project, Marshall County, West Virginia* (with Dawn Muir-Frost, Circa~).

2013 *Management Summary, 330 Charles Street, City of Newport News, Virginia* (with Dawn Muir-Frost, Circa~).

2013 *Management Summary, Conneauttee Creek Mitigation Bank, Crawford County, Pennsylvania* (with Dawn Muir-Frost, Circa~).

2013 *Management Summary, Pigeon Creek Mitigation Bank, Washington County, Pennsylvania* (with Dawn Muir-Frost, Circa~).

2013 *Management Summary, North Branch Pigeon Creek Mitigation Bank, Washington County, Pennsylvania* (with Dawn Muir-Frost, Circa~).

2013 *Management Summary, Tenmile Creek Mitigation Bank, Washington County, Pennsylvania* (with Dawn Muir-Frost, Circa~)

2013 *Management Summary, Pike Run Mitigation Bank, Washington County, Pennsylvania* (with Dawn Muir-Frost, Circa~)

2013 *Management Summary, Wilson Property, James City County, Virginia* (with Dawn Muir-Frost, Circa~)

2013 *Management Summary, Laurel Hill Creek Mitigation Bank, Somerset County, Pennsylvania* (with Dawn Muir-Frost, Circa~).

2013 *Management Summary, Cross Creek Mitigation Bank, Washington County, Pennsylvania* (with Dawn Muir-Frost, Circa~).

2013 *Addendum to Phase I Cultural Resources Survey of the Varina Phase of the Virginia Capital Bike Trail Henrico and Charles City Counties, Virginia, A Cultural Resources Survey of the Northern Alignment of the Varina Phase of the Virginia Capital Bike Trail, Henrico and Charles City Counties, Virginia, and A Cultural Resources Survey of the New Market Heights Phase of the Virginia Capital Bike Trail, Henrico and Charles City Counties, Virginia* (with Dawn Muir-Frost, Circa~).

2013 *Current Conditions Assessment, House 1414 Ohio Street, City of Chesapeake, Virginia* (with Dawn Muir-Frost, Circa~).

2013 *Phase I Cultural Resources Survey of 5636 Guinea Road, Fairfax County, Virginia* (with Dawn Muir-Frost, Circa~).

2013 *Phase I Cultural Resources Survey of Longpoint Tract, Prince William County, Virginia* (with Dawn Muir-Frost, Circa~).

2013 *Management Summary, Simpson Road Tract, Dinwiddie County, Virginia* (with Dawn Muir-Frost, Circa~).

2013 *Management Summary, White Marsh Property, Surry County, Virginia* (with Dawn Muir-Frost, Circa~)

2013 *A Supplemental Cultural Resources Survey of the New Market Heights Phase of the Virginia Capital Trail, Henrico and Charles City Counties, Virginia* (with Dawn Muir-Frost, Circa~).

2013 *Phase I Architectural Survey of CSXT Bridge over Appomattox River, City of Hopewell, Virginia* (with Dawn Muir-Frost, Circa~).

2013 *Phase II Archaeological Excavations of Site 44JC1319 at Colonial Heritage Deer Lake Tract, James City County, Virginia* (with Dawn Muir-Frost, Circa~).

2013 *Addendum to Phase I Archaeological Survey of the Proposed Meadowville Parkway Wetland Bridge Crossing, Chesterfield County, Virginia* (with Dawn Muir-Frost, Circa~).

2013 *Phase I Cultural Resources Survey of Oakenwold Tract, Stafford County, Virginia* (with Dawn Muir-Frost, Circa~).

2013 *Phase I Cultural Resources Survey of Burgesses Quarter, York County, Virginia* (with Dawn Muir-Frost, Circa~).

2013 *Archaeological Excavations at the Moore Family Cemetery, Site 134-0057, City of Virginia Beach, Virginia* (with Dawn Muir-Frost, Circa~).

2013 *Phase I Cultural Resources Survey of North Branch Pigeon Creek Mitigation Bank, Washington County, Pennsylvania* (with Dawn Muir-Frost, Circa~).

2013 *Phase I Cultural Resources Survey of Conneauttee Creek Mitigation Bank, Crawford County, Pennsylvania* (with Dawn Muir-Frost, Circa~).

2013 *Management Summary, Rappahannock Cliffs, Essex County, Virginia* (with Dawn Muir-Frost, Circa~).

2013 *Phase I Cultural Resources Survey of Seely Creek Mitigation Bank, Bradford County, Pennsylvania* (with Dawn Muir-Frost, Circa~).

2013 *Proposed Data Recovery Plan for Site 44LD0679 at the Brambleton Tract, Loudoun County, Virginia* (with Dawn Muir-Frost, Circa~).

2013 *Proposed Data Recovery Plan for Site 44LD0680 at the Brambleton Tract, Loudoun County, Virginia* (with Dawn Muir-Frost, Circa~).

2013 *Phase I Cultural Resources Survey of the Buck Property, Loudoun County, Virginia* (with Dawn Muir-Frost, Circa~).

2013 *Phase III Archaeological Evaluations at Site 44CF0594 and Phase II Evaluation of Site 44CF0595, The DeSear Farmstead Site, Chesterfield County, Virginia* (with Dawn Muir-Frost, Circa~).

2013 *A Supplemental Cultural Resources Survey of the Varina Phase of the Virginia Capital Trail, Henrico and Charles City Counties, Virginia* (with Dawn Muir-Frost, Circa~).

2013 *Management Summary, 4153 Dam Neck Road, City of Virginia Beach, Virginia* (with Dawn Muir-Frost, Circa~).

2013 *Archaeological Excavations at the Stonebridge Site Cemetery, Site 44CF0769/020-5574, Chesterfield County Virginia* (with Dawn Muir-Frost, Circa~).

2013 *Phase I Cultural Resources Survey of the Appomattox River Greenway Trail, City of Colonial Heights, Virginia* (with Dawn Muir-Frost, Circa~).

2014 *Partial Phase III Archaeological Evaluation at Site 44JC0845, Moss Creek Development, James City County, Virginia* (with Dawn Muir-Frost, Circa~).

2014 *Management Summary, Pleasure House Point Property, City of Virginia Beach, Virginia* (with Dawn Muir-Frost, Circa~).

2014 *Phase I Cultural Resources Survey of Fisher Cove, City of Chesapeake, Virginia* (with Dawn Muir-Frost, Circa~).

2014 *Virginia Natural Gas Zinc-Ribbon Installation Project Management Summary, Cities of Newport News, Hampton, Portsmouth, and Norfolk, Virginia* (with Dawn Muir-Frost, Circa~).

2014 *Management Summary, Hartle Tract, Prince William County, Virginia* (with Dawn Muir-Frost, Circa~).

2014 *Phase I Archaeological Survey of Site 44YO0337, Battlefield Bluffs Property, York County, Virginia* (with Dawn Muir-Frost, Circa~).

2014 *Management Summary, New Holland Water Transmission Main, City of Suffolk, Virginia* (with Dawn Muir-Frost, Circa~).

2014 *Current Conditions Assessment, Project Twister – Keck Site, Chesterfield County, Virginia* (with Dawn Muir-Frost, Circa~).

2014 *Archaeological Excavations of Site 44HE0673, Redskins Training Facility, City of Richmond, Virginia* (with Dawn Muir-Frost, Circa~).

2014 *Phase III Archaeological Excavations at Site 44PW1832, Prince William County, Virginia* (with Dawn Muir-Frost, Circa~).

2014 *Phase I Cultural Resources Survey of the Compton Road Tract, Prince William County, Virginia* (with Dawn Muir-Frost, Circa~).

2014 *Standing Structures Architectural Summary, Battlefield Bluffs tract, York County, Virginia* (with Dawn Muir-Frost, Circa~).

2014 *Archaeological Investigations at Point of Rocks Park, Chesterfield County, Virginia* (with Dawn Muir-Frost, Circa~).

2014 *Phase I Cultural Resources Survey of Project Twister-Keck Site, Chesterfield County, Virginia* (with Dawn Muir-Frost, Circa~).

2014 *Current Condition Assessment, Sussex Megasite, Sussex County, Virginia* (with Dawn Muir-Frost, Circa~).

2014 *Management Summary, Holloway Tract, Henrico County, Virginia* (with Dawn Muir-Frost, Circa~).

2014 *Phase I Cultural Resources Survey of Speakes Subdivision, Prince William County, Virginia* (with Dawn Muir-Frost, Circa~).

2014 *Phase I Architectural Survey of City Garage, City of Petersburg, Virginia* (with Dawn Muir-Frost, Circa~).

2014 *Addendum to Phase I Cultural Resources Survey of Brambleton Cornelius I Property, Loudoun County, Virginia* (with Dawn Muir-Frost, Circa~).

2014 *Current Conditions Assessment, Building 17, the Canteen, Hampton Veterans Affairs Medical Center, City of Hampton, Virginia* (with Dawn Muir-Frost, Circa~).

2014 *Mitigation Summary, South Norfolk Historic District, City of Chesapeake, Virginia* (with Dawn Muir-Frost, Circa~).

2014 *Management Summary, Hazelwood Tract, James City County, Virginia* (with Dawn Muir-Frost, Circa~).

2014 *Addendum to Cayden Ridge Phase I Archaeological Investigations, Prince William County, Virginia* (with Dawn Muir-Frost, Circa~).

2014 *Addendum to A Cultural Resources Survey of the Varina Park Phase of the Virginia Capital Bike Trail, Henrico County, Virginia* (with Dawn Muir-Frost, Circa~).

2014 *Phase I Cultural Resources Survey of Baptist Run Mitigation Site, York County, Virginia* (with Dawn Muir-Frost, Circa~).

2014 *Phase I Cultural Resources Survey of Busch Property, York County, Virginia* (with Dawn Muir-Frost, Circa~).

2014 *Phase I Cultural Resources Survey of Cross Creek Mitigation Site, Washington County, Pennsylvania* (with Dawn Muir-Frost, Circa~).

2014 *Phase I Cultural Resources Survey of Princess Anne Road, City of Virginia Beach, Virginia* (with Dawn Muir-Frost, Circa~).

2014 *Additional Site and Survey Information Conneauttee Creek Mitigation Site, Crawford County, Pennsylvania* (with Dawn Muir-Frost, Circa~).

2014 *Phase I Cultural Resources Survey of Furnace Estates Subdivision, Stafford County, Virginia* (with Dawn Muir-Frost, Circa~).

2014 *Phase I Cultural Resources Survey of Elbow Road Property, City of Chesapeake, Virginia* (with Dawn Muir-Frost, Circa~).

2014 *Phase I Cultural Resources Survey of Kingsland Green Subdivision, Henrico County, Virginia* (with Dawn Muir-Frost, Circa~).

2014 *Supplemental Archaeological Testing of Proposed Drainage Pipe Installation Within Site 44HE1163, Varina Park Phase, Virginia Capital Trail, Henrico County, Virginia* (with Dawn Muir-Frost, Circa~).

2014 *Phase I Cultural Resources Survey of Pleasure House Point Property, City of Virginia Beach, Virginia* (with Dawn Muir-Frost, Circa~).

2014 *Management Summary, Kirby Tract Within the Greenmount Industrial Park, James City County, Virginia* (with Dawn Muir-Frost, Circa~).

2014 *Phase I Cultural Resources Survey of New River Valley Commerce Park, Pulaski County, Virginia* (with Dawn Muir-Frost, Circa~).

2014 *Phase I Cultural Resources Survey of Lynchburg Expressway, City of Lynchburg, Virginia* (with Dawn Muir-Frost, Circa~).

2014 *Phase I Cultural Resources Survey of Patrick Henry Connector Drive, City of Newport News, Virginia* (with Dawn Muir-Frost, Circa~).

2014 *Phase I Cultural Resources Survey of Widewater State Park Property, Stafford County, Virginia* (with Dawn Muir-Frost, Circa~).

2014 *Addendum to Phase I Cultural Resources Survey of Kingsland Green Subdivision, Henrico County, Virginia* (with Dawn Muir-Frost, Circa~).

2014 *Management Summary, Project Cavalier, Chesterfield County, Virginia* (with Dawn Muir-Frost, Circa~).

2014 *Data Recovery Plan for Site 44CF0701 at Magnolia Green, Chesterfield County, Virginia* (with Dawn Muir-Frost, Circa~).

2015 *Treatment Plan for Mosley Cemetery Site 44NC0920/058-5128, Mecklenburg County, Virginia* (with Dawn Muir-Frost, Circa~).

2015 *Phase I Architectural Survey of Mason Street Parking Deck, City of Harrisonburg, Virginia* (with Dawn Muir-Frost, Circa~).

2015 *Phase I Cultural Resources Survey of Line VM-131 Pipe Replacement, City of Chesapeake, Virginia* (with Dawn Muir-Frost, Circa~).

2015 *Phase I Cultural Resources Survey of Line VM-129 Pipe Relocation Southampton County, Virginia* (with Dawn Muir-Frost, Circa~).

2015 *Phase II Architectural Survey of the Sandbridge Texaco Station, City of Virginia Beach, Virginia* (with Dawn Muir-Frost, Circa~).

2015 *Supplemental Cultural Resources Survey, Access Road Alignment of the Varina Park Phase, Virginia Capital Trail* (with Dawn Muir-Frost, Circa~).

2015 *Phase I Cultural Resources Survey of the Smith Island Martin National Wildlife Refuge, Hurricane Sandy Resiliency Project #31, Fog Point Living Shoreline Restoration, Somerset County, Maryland* (with Dawn Muir-Frost, Circa~).

2015 *Phase II Survey of Midlothian Mines Within the Midlothian District of the Richmond Coal Basin, Chesterfield County, Virginia* (with Dawn Muir-Frost, Circa~).

2015 *Phase I Cultural Resources Survey of Jessup Road, Chesterfield County, Virginia* (with Dawn Muir-Frost, Circa~).

2015 *Current Conditions Assessment Dominion Virginia Power Remington Site, Fauquier County, Virginia* (with Dawn Muir-Frost, Circa~).

2015 *Phase I Cultural Resources Survey of Virginia Truck Tract, Chesterfield County, Virginia* (with Dawn Muir-Frost, Circa~).

2015 *Current Conditions Assessment, Meadowville Technology Park Project Niagra, Chesterfield County, Virginia* (with Dawn Muir-Frost, Circa~).

2015 *Current Conditions Assessment, Granville Estates, Stafford County, Virginia* (with Dawn Muir-Frost, Circa~).

2015 *Management Summary, Hibred Easement, Lancaster County, Pennsylvania* (with Dawn Muir-Frost, Circa~).

2015 *Management Summary, Campbell-Briar Creek Mitigation Site, Columbia County, Pennsylvania* (with Dawn Muir-Frost, Circa~).

2015 *Management Summary, Chippewa and Saddle Easement, Bradford County, Pennsylvania* (with Dawn Muir-Frost, Circa~).

2015 *Management Summary, Brewster Lake Potential Mitigation Site, Susquehanna County, Pennsylvania* (with Dawn Muir-Frost, Circa~).

2015 *Phase I Cultural Resources Survey of the Sliding Hill Road Widening Project, Hanover County, Virginia* (with Dawn Muir-Frost, Circa~).

2015 *Phase I Cultural Resources Survey of 55 Acres at Meadowville, Project Niagra Site, Chesterfield County, Virginia* (with Dawn Muir-Frost, Circa~).

2015 *Management Summary, Monterey Cemetery, Highland County, Virginia* (with Dawn Muir-Frost, Circa~).

2015 *Phase I Cultural Resources Survey of the Promenade at John Tyler Property, James City County, Virginia* (with Dawn Muir-Frost, Circa~).

2015 *Phase II Architectural Survey of Buildings 6, 107, and 124, Hampton Veterans Affairs Medical Center, City of Hampton, Virginia* (with Dawn Muir-Frost, Circa~).

2015 *Phase III Archaeological Excavations at the Turner Tract Cemetery, Site 44SN0286, Southampton County, Virginia* (with Dawn Muir-Frost, Circa~).

2015 *Phase I Cultural Resources Survey of Courthouse Manor Property, Stafford County, Virginia* (with Dawn M. Muir-Frost, Circa~).

2015 *Management Summary, Dinwiddie Airport, Dinwiddie County, Virginia* (with Dawn M. Muir-Frost, Circa~).

2015 *Phase I Archaeological Survey of LeGordon Drive Sidewalk Improvements, Chesterfield County, Virginia* (with Dawn M. Muir-Frost, Circa~).

2015 *Phase I Cultural Resources Survey of Matoaca and Hickory Road Intersection Improvement Project, Chesterfield County, Virginia* (with Dawn M. Muir-Frost, Circa~).

2015 *Management Summary Robinson Fork 2 Mitigation Site, Washington County, Pennsylvania* (with Dawn M. Muir-Frost, Circa~).

2015 *Management Summary Chesapeake Holdings Property, Stafford County, Virginia* (with Dawn M. Muir-Frost, Circa~).

2015 *Management Summary Back Bay National Wildlife Refuge Visitors Center and Horn Point Shoreline Restoration Areas, City of Virginia Beach, Virginia* (with Dawn M. Muir-Frost, Circa~).

2015 *Phase I Cultural Resources Survey of Lines VM-114, VM-115, and VM-116 Columbia Gas Pipeline,*

Chesterfield County, Virginia (with Dawn M. Muir-Frost, Circa~).

2015 *Phase II Architectural Survey of 5636 Guinea Road, Fairfax County, Virginia* (with Dawn M. Muir-Frost, Circa~).

2015 *Phase I Cultural Resources Survey of Tucker's Cove Tract, Currituck County, North Carolina* (with Dawn M. Muir-Frost, Circa~).

2015 *Phase I Cultural Resources Survey of Riverview at the Preserve, City of Chesapeake, Virginia* (with Dawn M. Muir-Frost, Circa~).

2015 *Management Summary, Henry County School Site, Henry County, Virginia* (with Dawn M. Muir-Frost, Circa~).

2015 *Phase I Cultural Resources Survey of Robinson Fork Mitigation Site, Washington County, Pennsylvania* (with Dawn M. Muir-Frost, Circa~).

2015 *Management Summary, Norwood Site, Greensville County, Virginia* (with Dawn M. Muir-Frost, Circa~).

2015 *Phase I Cultural Resources Survey of Buck Run Restoration Site Project, Washington County, Pennsylvania* (with Dawn M. Muir-Frost, Circa~).

2015 *Phase I Cultural Resources Survey of Virginia Dominion Power, Remington Site, Fauquier County, Virginia* (with Dawn M. Muir-Frost, Circa~).

2015 *Phase II Evaluation of Site 44ST1205 at Courthouse Manor Property, Stafford County, Virginia* (with Dawn M. Muir-Frost, Circa~).

2015 *Phase I Cultural Resources Survey of Fieldstone Property, City of Chesapeake, Virginia* (with Dawn M. Muir-Frost, Circa~).

2015 *Phase I Cultural Resources Survey of Sandbridge Road Phase VIIA Improvements, City of Virginia Beach, Virginia* (with Dawn M. Muir-Frost, Circa~).

2015 *Phase I Cultural Resources Survey of Starrucca Creek Mitigation Site Project, Susquehanna and Wayne Counties, Pennsylvania* (with Dawn M. Muir-Frost, Circa~).

2015 *Phase I Cultural Resources Survey Back Bay National Wildlife Refuge Alternative Transportation Study Sigma Trail Corridor, City of Virginia Beach, Virginia* (with Dawn M. Muir-Frost, Circa~).

2015 *Phase I Cultural Resources Survey of the 33-Acre EAH Tract, York County, Virginia* (with Dawn M. Muir-Frost, Circa~).

2015 *Archaeological Excavations at the Mosley Cemetery Site 44MC0920/058-5128, Mecklenburg County, Virginia* (with Dawn M. Muir-Frost, Circa~).

2015 *Phase I Cultural Resources Survey of the 52-Acre Bush Hill Property, Loudoun County, Virginia* (with Dawn M. Muir-Frost, Circa~).

2015 *Phase I Cultural Resources Survey of Beaverdam Creek Dam Rehabilitation Project, Loudoun County, Virginia* (with Dawn M. Muir-Frost, Circa~).

2016 *Phase II Archaeological Excavations of Site 44PW1941 at Cayden Ridge, Prince William County, Virginia* (with Dawn M. Muir-Frost, Circa~).

2016 *Management Summary Route 460 Utility Corridor, City of Suffolk, Virginia* (with Dawn M. Muir-Frost, Circa~).

2016 *Management Summary Firestone Property, Buckingham County, Virginia* (with Dawn M. Muir-Frost, Circa~).

2016 *Phase I Cultural Resources Survey of the Rhodes Point Erosion Control Project, Somerset County, Maryland* (with Dawn M. Muir-Frost, Circa~).

2016 *Proposed Data Recovery Plan of Site 44PW1941 at Cayden Ridge, Prince William County, Virginia* (with Dawn M. Muir-Frost, Circa~).

2016 *Phase I Cultural Resources Survey of the Bethlehem Road Property, Prince William County, Virginia* (with Dawn M. Muir-Frost, Circa~).

2016 *Phase I Archaeological Survey of the Bamboo Removal Site at Colonial National Historical Park, York County, Virginia* (with Dawn M. Muir-Frost, Circa~).

2016 *Phase I Archaeological Survey of Shore Drive Property, City of Virginia Beach, Virginia* (with Dawn M. Muir-Frost, Circa~).

2016 *Phase I Cultural Resources Survey of Eastview Farm Bank Site, Buckingham County, Virginia* (with Dawn M. Muir-Frost, Circa~).

2016 *Phase I Cultural Resources Survey of the Williamsburg Indoor Sports Complex Indoor Pool Facility, James City County, Virginia* (with Dawn M. Muir-Frost, Circa~).

2016 *Phase I Cultural Resources Survey of the Norwood Site, City of Emporia, Virginia* (with Dawn M. Muir-Frost, Circa~).

2016 *Phase I Cultural Resources Survey of Independence Boulevard Project, York County and the City of Newport News, Virginia* (with Dawn M. Muir-Frost, Circa~).

2016 *Phase I Cultural Resources Survey of Lackawaxen Creek Restoration project, Wayne County, Pennsylvania* (with Dawn M. Muir-Frost, Circa~).

2016 *Phase I Architectural Survey of Firestone Property, Buckingham County, Virginia* (with Dawn M. Muir-Frost, Circa~).

2016 *Management Summary, Firestone Property, Buckingham County, Virginia* (with Dawn M. Muir-Frost, Circa~).

2016 *Phase I Cultural Resources Survey of the Legacy of Poquoson Tract, City of Poquoson, Virginia* (with Dawn M. Muir-Frost, Circa~).

2016 *Management Summary Gilman and Walker Properties, New Kent County, Virginia* (with Dawn M. Muir-Frost, Circa~).

2016 *Addendum to Phase I Cultural Resources Survey of Buck Run Restoration Site Property, Washington County, Pennsylvania* (with Dawn M. Muir-Frost, Circa~).

2016 *Phase I Architectural Survey of 389 Mountain View Road, Stafford County, Virginia* (with Dawn M. Muir-Frost, Circa~).

2016 *Management Summary Sempeles Tract, Frederick County, Virginia* (with Dawn M. Muir-Frost, Circa~).

2016 *Addendum to Phase I Cultural Resources Survey of Oakenwold Tract, Stafford County, Virginia* (with Dawn M. Muir-Frost, Circa~).

2016 *Management Summary Swaterra Creek, Schuylkill County, Pennsylvania* (with Dawn M. Muir-Frost, Circa~).

2016 *Management Summary Graystone Property, Frederick County, Virginia* (with Dawn M. Muir-Frost, Circa~).

2016 *Phase I Architectural Survey of Providence Subdivision – Section 4, Hanover County, Virginia* (with Dawn M. Muir-Frost, Circa~).

2016 *Phase I Cultural Resources Survey of Wet Wood Property, New Kent County, Virginia* (with Dawn M. Muir-Frost, Circa~).

2016 *Phase I Architectural Survey of the Sappony Property, Sussex County, Virginia* (with Dawn M. Muir-Frost, Circa~).

2016 *Addendum to Phase I Archaeological Survey of Approximately 113 Acres of the Former Hood Property, Henrico County, Virginia* (with Dawn M. Muir-Frost, Circa~).

- 2016 *Phase I Cultural Resources Survey of Minecraft Property, Dinwiddie County, Virginia* (with Dawn M. Muir-Frost, Circa~).
- 2016 *Phase I Cultural Resources Survey of Two Road Crossings, Moore Point Property, City of Suffolk, Virginia* (with Dawn M. Muir-Frost, Circa~).
- 2016 *Phase I Archaeological Survey of Sappony Property, Sussex County, Virginia* (with Dawn M. Muir-Frost, Circa~).
- 2016 *Phase I Architectural Survey of Gilman and Walker Property, New Kent County, Virginia* (with Dawn M. Muir-Frost, Circa~).
- 2016 *Phase I Archaeological Survey of Gilman and Walker Property, New Kent County, Virginia* (with Dawn M. Muir-Frost, Circa~).
- 2016 *Management Summary, Franklin Property, Southampton County, Virginia* (with Dawn M. Muir-Frost, Circa~).
- 2016 *Management Summary, Ashwood Property, Prince William County, Virginia* (with Dawn M. Muir-Frost, Circa~).
- 2016 *Phase I Cultural Resources Survey of Tritach Tract, Spotsylvania County, Virginia* (with Dawn M. Muir-Frost, Circa~).
- 2016 *Addendum to Phase I Cultural Resources Survey of Virginia Dominion Power Remington Site, Fauquier County, Virginia* (with Dawn M. Muir-Frost, Circa~).
- 2016 *Management Summary, The Briel Property, Henrico County, Virginia* (with Dawn M. Muir-Frost, Circa~).
- 2016 *Phase I Cultural Resources Survey of Scott II Property, Powhatan County, Virginia* (with Dawn M. Muir-Frost, Circa~).
- 2016 *Phase II Archaeological Excavations of Sites 44HE1041, 44HE1042, and 44HE1043 at the Former Hood Property, Henrico County, Virginia* (with Dawn M. Muir-Frost, Circa~).
- 2016 *Phase I Cultural Resources Survey of Granville Property, Stafford County, Virginia* (with Dawn M. Muir-Frost, Circa~).
- 2016 *Phase I Cultural Resources Survey of Mussetter Road, Frederick County, Maryland* (with Dawn M. Muir-Frost, Circa~).
- 2016 *Phase I Cultural Resources Survey of the Calumet Property, Frederick County, Maryland* (with Dawn M. Muir-Frost, Circa~).
- 2016 *Phase I Archaeological Survey of Meadow Lawn Farm, Rockbridge County, Virginia* (with Dawn M. Muir-Frost, Circa~).
- 2016 *Phase I Cultural Resources Survey of 23108 Evergreen Mills Road Property, Loudoun County, Virginia* (with Dawn M. Muir-Frost, Circa~).
- 2016 *Management Summary, Belcher Tract, Louisa County, Virginia* (with Dawn M. Muir-Frost, Circa~).
- 2016 *Management Summary, Harrowgate Road Sidewalk Construction Project, Chesterfield County, Virginia* (with Dawn M. Muir-Frost, Circa~).
- 2016 *Addendum to Phase I Cultural Resources Survey of Virginia Dominion Power Remington Site, Fauquier County, Virginia* (with Dawn M. Muir-Frost, Circa~).
- 2016 *Phase I Cultural Resources Survey of Robious Road Sanitary Sewer Relocation, Chesterfield County, Virginia* (with Dawn M. Muir-Frost, Circa~).
- 2016 *Phase I Cultural Resources Survey of Michael Drive Roadway Extension, City of Chesapeake, Virginia* (with Dawn M. Muir-Frost, Circa~).
- 2016 *Management Summary, Twain Property, Surry County, Virginia* (with Dawn M. Muir-Frost, Circa~).
- 2016 *Management Summary, Lancaster Solar Farm, Lancaster County, Virginia* (with Dawn M. Muir-Frost, Circa~).
- 2016 *Management Summary, Dinwiddie Solar Farm, Dinwiddie County, Virginia* (with Dawn M. Muir-Frost, Circa~).
- 2016 *Phase II Archaeological Excavations of Site 44NK0292 at the Walker Tract, New Kent County, Virginia* (with Dawn M. Muir-Frost, Circa~).
- 2016 *Phase I Cultural Resources Survey of Bryans Cove Property, City of Chesapeake, Virginia* (with Dawn M. Muir-Frost, Circa~).
- 2016 *Phase I Cultural Resources Survey of South Creek Restoration Site, Bradford County, Pennsylvania* (with Dawn M. Muir-Frost, Circa~).
- 2016 *Phase I Cultural Resources Survey of the Mid County Park and Estate Homes Property, Prince William County, Virginia* (with Dawn M. Muir-Frost, Circa~).
- 2016 *Phase I Cultural Resources Survey of Swatara Creek Restoration Site, Schuylkill County, Pennsylvania* (with Dawn M. Muir-Frost, Circa~).
- 2016 *Phase I Archaeological Survey of Eyre Hall Property, Northampton County, Virginia* (with Dawn M. Muir-Frost, Circa~).

2017 *Phase I Cultural Resources Survey of Nansemond River Golf Course Property, City of Suffolk, Virginia* (with Dawn M. Muir-Frost, Circa~).

2017 *Phase I Cultural Resources Survey of Sampson Creek Property, City of Chesapeake County, Virginia* (with Dawn M. Muir-Frost, Circa~).

2017 *Management Summary, Crystal Hill Property, Halifax County, Virginia* (with Dawn M. Muir-Frost, Circa~).

2017 *Management Summary, Deb Allen Property, Halifax County, Virginia* (with Dawn M. Muir-Frost, Circa~).

2017 *Phase I Cultural Resources Survey of Proposed Mezzo Apartment Homes Property, City of Virginia Beach, Virginia* (with Dawn M. Muir-Frost, Circa~).

2017 *Phase I Cultural Resources Survey of the Bailey Tract, Chesterfield County, Virginia* (with Dawn M. Muir-Frost, Circa~).

2017 *Management Summary, Occoquan Project, Prince William County, Virginia* (with Dawn M. Muir-Frost, Circa~).

2017 *Management Summary, Brandy Station Property, Culpeper County, Virginia* (with Dawn M. Muir-Frost, Circa~).

2017 *Addendum to Phase I Cultural Resources Survey of Robinson Fork Mitigation Site, Washington County, Pennsylvania* (with Carol D. Tyrer, Circa~).

2017 *Addendum to Phase I Cultural Resources Survey of South Creek Restoration Site, Bradford County, Pennsylvania* (with Dawn M. Muir-Frost, Circa~).

2017 *Phase I Archaeological Survey of Hollyfield North Tract, King William County, Virginia* (with Dawn M. Muir-Frost, Circa~).

2017 *Management Summary, Stevensburg Property, Culpeper, Virginia* (with Dawn M. Muir-Frost, Circa~).

2017 *Management Summary, Gardy Mill Property, Westmoreland County, Virginia* (with Dawn M. Muir-Frost, Circa~).

2017 *Phase I Cultural Resources Survey Scot Center Relocation, City of Newport News, Virginia* (with Dawn M. Muir-Frost, Circa~).

2017 *Management Summary, Spring Grove Tract, Surry County, Virginia* (with Dawn M. Muir-Frost, Circa~).

2017 *Phase I Architectural Survey of the Belcher Tract, Louisa County, Virginia* (with Dawn M. Muir-Frost, Circa~).

2017 *Management Summary and Archaeological Probability Analysis, Mount Jackson Property, Shenandoah County, Virginia* (with Dawn M. Muir-Frost, Circa~).

2017 *Management Summary, Newtown Road, Hampton Roads Sanitation Department Utility Right-of-Way, City of Virginia Beach, Virginia* (with Dawn M. Muir-Frost, Circa~).

2017 *Management Summary, Western Section of Newtown Road, Hampton Roads Sanitation Department Utility Right-of-Way, City of Virginia Beach, Virginia* (with Dawn M. Muir-Frost, Circa~).

2017 *Phase I Cultural Resources Survey of Buck Run Restoration Site II, Washington County, Pennsylvania* (with Dawn M. Muir-Frost, Circa~).

2017 *Addendum to Phase I Cultural Resources Survey of Pleasure House Point Property, City of Virginia Beach, Virginia* (with Dawn M. Muir-Frost, Circa~).

2017 *Phase I Cultural Resources Survey of American Legion Property, Gloucester County, Virginia* (with Dawn M. Muir-Frost, Circa~).

2017 *Phase I Cultural Resources Survey of Fiddlers Green Property, Gloucester County, Virginia* (with Dawn M. Muir-Frost, Circa~).

2017 *Ashland Trolley Management Summary, Hanover County, Virginia* (with Dawn M. Muir-Frost, Circa~).

2017 *Phase I Cultural Resources Survey of Hogan Kent and Greene Tract, Loudoun County, Virginia* (with Dawn M. Muir-Frost, Circa~).

2017 *Phase I Cultural Resources Survey of Pump Station No. 5 and Royal Glen Pump Station Sewer Corridor, Hanover County, Virginia* (with Dawn M. Muir-Frost, Circa~).

2017 *Phase I Archaeological Survey of the Mechanicsville Solar Farm Tract, Hanover County, Virginia* (with Dawn M. Muir-Frost, Circa~).

2017 *Phase I Architectural Survey of the Mechanicsville Solar Farm Tract, Hanover County, Virginia* (with Dawn M. Muir-Frost, Circa~).

2017 *Phase I Architectural Survey of the Franklin County Property, Franklin County, Virginia* (with Dawn M. Muir-Frost, Circa~).

2017 *Phase I Archaeological Survey of the Franklin County Property, Franklin County, Virginia* (with Dawn M. Muir-Frost, Circa~).

2017 *Management Summary and Archaeological Probability Analyses, Colonial Trail West Property, Surry County, Virginia* (with Dawn M. Muir-Frost, Circa~).

2017 *Phase I Architectural Survey of Turkey Run Farm, Chesterfield County, Virginia* (with Dawn M. Muir-Frost, Circa~).

2017 *Phase I Cultural Resources Survey of Ashton Creek Pump Station New Force Main Property, Chesterfield County, Virginia* (with Dawn M. Muir-Frost, Circa~).

2017 *Turner Solar Farm Management Summary, Henrico County, Virginia* (with Dawn M. Muir-Frost, Circa~).

2017 *Phase I Architectural Survey of the Nokesville Solar Site, Prince William County, Virginia* (with Dawn M. Muir-Frost, Circa~).

2017 *Phase I Archaeological Survey of the Nokesville Solar Site, Prince William County, Virginia* (with Dawn M. Muir-Frost, Circa~).

2017 *Management Summary, Reservoir Tract, Louisa County, Virginia* (with Dawn M. Muir-Frost, Circa~).

2017 *Management Summary and Archaeological Probability Analyses, Pamplin Solar Property, Appomattox County, Virginia* (with Dawn M. Muir-Frost, Circa~).

2017 *Management Summary and Archaeological Probability Analyses, Carson Solar Property, Appomattox County, Virginia* (with Dawn M. Muir-Frost, Circa~).

2017 *Management Summary, Chickahominy Power, Charles City County, Virginia* (with Dawn M. Muir-Frost, Circa~).

2017 *Addendum to Phase I Cultural Resources Survey of Buck Run Restoration Site II, Washington County, Pennsylvania* (with Dawn M. Muir-Frost, Circa~).

2017 *Management Summary, Pottery Tract West and East, James City County and York County, Virginia* (with Dawn M. Muir-Frost, Circa~).

2017 *Management Summary, Chesapeake Solar Farm, City of Chesapeake, Virginia* (with Dawn M. Muir-Frost, Circa~).

2017 *Phase I Cultural Resources Survey of Johnson Creek Force Main Gravity Sewer and Water Line, Chesterfield County, Virginia* (with Dawn M. Muir-Frost, Circa~).

2017 *Management Summary, Hickory Solar Farm, City of Chesapeake, Virginia* (with Dawn M. Muir-Frost, Circa~).

2017 *Management Summary, 1090 German School Road, City of Richmond, Virginia* (with Dawn M. Muir-Frost, Circa~).

2017 *Management Summary, Sycamore Solar Farm, Pittsylvania County, Virginia* (with Dawn M. Muir-Frost, Circa~).

2017 *Management Summary, Maplewood Solar Farm, Pittsylvania County, Virginia* (with Dawn M. Muir-Frost, Circa~).

2017 *Phase I Cultural Resources Survey of Dorey Park Pedestrian Trail, Henrico County, Virginia* (with Dawn M. Muir-Frost, Circa~).

2017 *Phase I Archaeological Survey of Colonial Trail West Solar Farm Site, Surry County, Virginia* (with Dawn M. Muir-Frost, Circa~).

2017 *Phase I Architectural Survey of Colonial Trail West Solar Farm Site, Surry County, Virginia* (with Dawn M. Muir-Frost, Circa~).

2017 *Greenwood Solar Farm Current Conditions Assessment, Culpeper County, Virginia* (with Dawn M. Muir-Frost, Circa~).

2017 *Phase I Cultural Resources Survey of Osborne Landing, Henrico County, Virginia* (with Dawn M. Muir-Frost, Circa~).

2017 *Phase I Cultural Resources Survey of Monticello Avenue Trail, City of Williamsburg, Virginia* (with Dawn M. Muir-Frost, Circa~).

2017 *Phase I Architectural Survey of Mount Jackson Property, Shenandoah County, Virginia* (with Dawn M. Muir-Frost, Circa~).

2017 *Phase I Cultural Resources Survey of Oakland Property, James City County, Virginia* (with Dawn M. Muir-Frost, Circa~).

2017 *Phase I Cultural Resources Survey of Randolph I Mitigation Bank, Randolph County, West Virginia* (with Dawn M. Muir-Frost, Circa~).

2017 *Phase I Archaeological Survey of Mount Jackson Property, Shenandoah County, Virginia* (with Dawn M. Muir-Frost, Circa~).

2017 *Dragon Fly Solar Farm Current Conditions Assessment, Campbell County, Virginia* (with Dawn M. Muir-Frost, Circa~).

2017 *Phase I Archaeological Survey of Buckingham Solar Site, Buckingham County, Virginia* (with Dawn M. Muir-Frost, Circa~).

2017 *Phase I Architectural Survey of Buckingham Solar Site, Buckingham County, Virginia* (with Dawn M. Muir-Frost, Circa~).

2017 *Phase I Cultural Resources Survey of Forest Glen, James City County, Virginia* (with Dawn M. Muir-Frost, Circa~).

2017 *Phase I Architectural Survey of Gardy's Mill Site, Westmoreland County, Virginia* (with Dawn M. Muir-Frost, Circa~).

2017 *S B Solar Farm Current Conditions Assessment, Halifax County, Virginia* (with Dawn M. Muir-Frost, Circa~).

2017 *Phase I Archaeological Survey of Gardy's Mill Site, Westmoreland County, Virginia* (with Dawn M. Muir-Frost, Circa~).

2017 *Phase I Architectural Survey of Church View Property, Middlesex County, Virginia* (with Dawn M. Muir-Frost, Circa~).

2017 *Phase I Archaeological Survey of Church View Property, Middlesex County, Virginia* (with Dawn M. Muir-Frost, Circa~).

2018 *Phase I Archaeological Survey of Rives Road, Prince George County, Virginia* (with Dawn M. Muir, Circa~).

2018 *Phase I Architectural Survey of Rives Road, Prince George County, Virginia* (with Dawn M. Muir, Circa~).

2018 *Phase I Cultural Resources Survey of Gala Pipeline, Alleghany County, Virginia* (with Dawn M. Muir, Circa~).

2018 *Phase I Architectural Survey of Spring Grove Property, Surry County, Virginia* (with Dawn M. Muir, Circa~).

2018 *Grasshopper Solar Farm Current Conditions Assessment, Mecklenburg County, Virginia* (with Dawn M. Muir, Circa~).

2018 *Addendum to Phase I Archaeological Survey of Church View Property, Middlesex County, Virginia* (with Dawn M. Muir, Circa~).

2018 *Phase I Cultural Resources Survey of Hai Tran Poultry Farm Property, Accomack County, Virginia* (with Dawn M. Muir, Circa~).

2018 *Phase I Archaeological Survey of Pamplin Solar Farm Site, Appomattox County, Virginia* (with Dawn M. Muir, Circa~).

2018 *Phase I Architectural Survey of Walnut Solar Farm, King and Queen County, Virginia* (with Dawn M. Muir, Circa~).

2018 *Phase II Archaeological Evaluations of the Bailey Tract, Chesterfield County, Virginia* (with Dawn M. Muir, Circa~).

2018 *Phase I Architectural Survey of Pamplin Solar Site, Appomattox County, Virginia* (with Dawn M. Muir, Circa~).

2018 *Cape Solar Farm Current Conditions Assessment, Page County, Virginia* (with Dawn M. Muir, Circa~).

2018 *Cavalier Solar Farm Current Conditions Assessment, Greene County, Virginia* (with Dawn M. Muir, Circa~).

2018 *Dewey Solar Farm Current Conditions Assessment, Orange County, Virginia* (with Dawn M. Muir, Circa~).

2018 *Dogwood Solar Farm Current Conditions Assessment, Page County, Virginia* (with Dawn M. Muir, Circa~).

2018 *Phase I Cultural Resources Survey of Shugart Solar Farm, Charles County, Maryland Virginia* (with Dawn M. Muir, Circa~).

2018 *Culpeper Management Summary, Culpeper County, Virginia* (with Dawn M. Muir, Circa~).

2018 *Leatherwood Solar Site Management Summary, Henry County, Virginia* (with Dawn M. Muir, Circa~).

2018 *Phase I Cultural Resources Survey of Haymarket Bypass, Prince William County, Virginia* (with Dawn M. Muir, Circa~).

2018 *Phase I Archaeological Survey of Chesapeake Solar Site, City of Chesapeake, Virginia* (with Dawn M. Muir, Circa~).

2018 *Phase I Architectural Survey of Chesapeake Solar Site, City of Chesapeake, Virginia* (with Dawn M. Muir, Circa~).

2018 *Phase I Cultural Resources Survey of Seven Pines Mitigation Bank, Marion County, West Virginia* (with Dawn M. Muir, Circa~).

2018 *Phase I Architectural Survey of Route 17 – Shoulders Hill Road, City of Suffolk, Virginia* (with Dawn M. Muir, Circa~).

2018 *Phase I Cultural Resources Survey of the Michael Drive Tract, City of Chesapeake, Virginia* (with Dawn M. Muir, Circa~).

2018 *Phase I Archaeological Survey of the East West Roadway, Chesterfield County, Virginia* (with Dawn M. Muir, Circa~).

2018 *Phase I Architectural Survey of the East West Roadway, Chesterfield County, Virginia* (with Dawn M. Muir, Circa~).

2018 *Management Summary, Bunting Road, York County, Virginia* (with Dawn M. Muir, Circa~).

2018 *Phase II Archaeological Evaluation of Site 44PG0584, Rives Road Solar Farm, Prince George County, Virginia* (with Dawn M. Muir, Circa~).

2018 *Phase I Cultural Resources Survey of the 2.50-Acre Wellingford Industrial Park Lot 6A, Prince William County, Virginia* (with Dawn M. Muir, Circa~).

2018 *Phase I Archaeological Survey of Cherrywood Solar Farm, Caroline County, Maryland* (with Dawn M. Muir, Circa~).

2018 *Phase I Archaeological Survey of Greenwood Solar Farm, Culpeper County, Virginia* (with Dawn M. Muir, Circa~).

2018 *Phase I Architectural Survey of Greenwood Solar Farm, Culpeper County, Virginia* (with Dawn M. Muir, Circa~).

2018 *Phase I Architectural Survey of Crystal Hill Solar Site, Halifax County, Virginia* (with Dawn M. Muir, Circa~).

2018 *Phase I Cultural Resources Survey of Paradise Creek Bridge Project, City of Portsmouth, Virginia* (with Dawn M. Muir, Circa~).

2018 *Phase I Cultural Resources Survey of False Cape, City of Virginia Beach, Virginia* (with Dawn M. Muir, Circa~).

2018 *Phase I and II Cultural Resources Survey and Excavation Report for the James River Water Authority Intake, Pump Station, and Pipeline Project, Fluvanna County, Virginia* (with Dawn M. Muir, Circa~).

2018 *Phase I Architectural Survey of Turner Solar, LLC, Henrico County, Virginia* (with Dawn M. Muir, Circa~).

2018 *Addendum to Phase I Archaeological Survey of the Circa 145-Acre Haymarket Crossing Property, Prince William County, Virginia* (with Dawn M. Muir, Circa~).

2018 *Phase I Cultural Resources Survey of the Accokeek Creek Sewer Alignment, Stafford County, Virginia* (with Dawn M. Muir, Circa~).

2018 *Phase I Cultural Resources Survey of Widewater State Park Property, Stafford County, Virginia and Charles County, Maryland* (with Dawn M. Muir, Circa~).

2018 *Assessment and Probability Analysis Foxglove Solar LLC, Frederick County, Virginia* (with Dawn M. Muir, Circa~).

2018 *Management Summary, Maplewood Solar Farm, Pittsylvania County, Virginia* (with Dawn M. Muir, Circa~).

2018 *Management Summary Petersburg Gas Works Retort Building, City of Petersburg, Virginia* (with Dawn M. Muir, Circa~).

2018 *Phase I Cultural Resources Survey, Ohio Creek Alternatives, City of Norfolk, Virginia* (with Dawn M. Muir, Circa~).

2018 *Management Summary Camden Plantation, Camden County, North Carolina* (with Dawn M. Muir, Circa~).

2018 *Phase I Cultural Resources Survey of Columbia Gas Transmission, LLC VM System, Drip Removal Project, Greene County, Virginia* (with Dawn M. Muir, Circa~).

2018 *Phase I Cultural Resources Survey of Lower Smith River Sewer Conveyance, Henry County, Virginia* (with Dawn M. Muir, Circa~).

2018 *Phase I Archaeological Survey of Grasshopper Solar I, Mecklenburg County, Virginia* (with Dawn M. Muir, Circa~).

2018 *Phase I Archaeological Survey of the Cherrywood Solar I LLC Property, Caroline County, Maryland* (with Dawn M. Muir, Circa~).

2018 *Addendum to Phase I Cultural Resources Survey of Lynchburg Expressway, City of Lynchburg, Virginia* (with Dawn M. Muir, Circa~).

2019 *Phase I Cultural Resources Survey of the Columbia Gas LLC-VNG Suffolk No. 3 Meter Station Expansion Project, City of Suffolk, Virginia* (with Dawn M. Muir, Circa~).

2019 *Assessment and Probability Analysis, Colonial Solar Farm, Surry County, Virginia* (with Dawn M. Muir, Circa~).

2019 *Phase I Architectural Survey of Dragonfly Solar, Campbell County, Virginia* (with Dawn M. Muir, Circa~).

2019 *Phase I Cultural Resources Survey of Toano Self Storage Tract, James City County, Virginia* (with Dawn M. Muir, Circa~).

- 2019 *Phase I Cultural Resources Survey of Casalight Nokesville Tract, Prince William County, Virginia* (with Dawn M. Muir, Circa~).
- 2019 *Phase II Architectural Survey of the Wilroy House, City of Suffolk, Virginia* (with Dawn M. Muir, Circa~).
- 2019 *Phase I Cultural Resources Survey Highland Springs School Tract, Henrico County, Virginia* (with Dawn M. Muir, Circa~).
- 2019 *Phase I Cultural Resources Survey of Union Bridge Solar Farm, Carroll County, Maryland* (with Dawn M. Muir, Circa~).
- 2019 *Phase I Architectural Survey of the Walnut Solar Site, King and Queen County, Virginia* (with Dawn M. Muir, Circa~).
- 2019 *Phase I Archaeological Survey of the Walnut Solar Site, King and Queen County, Virginia* (with Dawn M. Muir, Circa~).
- 2019 *Phase I Cultural Resources Survey of the Bethlehem Road Property, Prince William County, Virginia* (with Dawn M. Muir, Circa~).
- 2019 *Phase I Cultural Resources Survey of the Piedmont Line 24 Replacement Project, Pitt County, North Carolina* (with Dawn M. Muir, Circa~).
- 2019 *Assessment and Probability Analysis, Banbury Cross, Loudoun County, Virginia* (with Dawn M. Muir, Circa~).
- 2019 *Phase I Cultural Resources Survey of the Richmond Road Property, James City County, Virginia* (with Dawn M. Muir, Circa~).
- 2019 *Phase I Cultural Resources Survey of the Tranquility Tract, York County, Virginia* (with Dawn M. Muir, Circa~).
- 2019 *Management Summary, Christ Community Church Multipurpose Building, James City County, Virginia* (with Dawn M. Muir, Circa~).
- 2019 *Phase I Cultural Resources Survey of the Lifepointe Church Tract, James City County, Virginia* (with Dawn M. Muir, Circa~).
- 2019 *Phase I Archaeological Survey of Harrowgate-Cougar Trail Sidewalk Improvements, Chesterfield County, Virginia* (with Dawn M. Muir, Circa~).
- 2019 *Phase I Archaeological Survey of Marina to Merriewood Sidewalk Improvements, Chesterfield County, Virginia* (with Dawn M. Muir, Circa~).
- 2019 *Phase I Cultural Resources Survey of the Hopkins Road Sidewalk Improvements, Chesterfield County, Virginia* (with Dawn M. Muir, Circa~).
- 2019 *Phase I Cultural Resources Survey of the Lorton Community Center Tract, Fairfax County, Virginia* (with Dawn M. Muir, Circa~).
- 2019 *Assessment and Probability Analysis, Westmoreland Solar Farm Site, Westmoreland County, Virginia* (with Dawn M. Muir, Circa~).
- 2019 *Phase I Archaeological Survey of Winterpock Road Widening Project, Chesterfield County, Virginia* (with Dawn M. Muir, Circa~).
- 2019 *Phase II Archaeological Evaluation of Site 44CS0348, The Chesapeake Solar Site, City of Chesapeake, Virginia* (with Dawn M. Muir, Circa~).
- 2019 *Phase II Archaeological Evaluation of Site 44FV0269, James River Water Supply Pump Station and Pipeline Alignment, Fluvanna County, Virginia* (with Dawn M. Muir, Circa~).
- 2019 *Phase I Architectural Survey of Mount Nebo Solar Farm, Surry County, Virginia* (with Dawn M. Muir, Circa~).
- 2019 *Phase I Cultural Resources Survey of Archers Mead Tract, Isle of Wight County, Virginia* (with Dawn M. Muir, Circa~).
- 2019 *Phase I Cultural Resources Survey of 136 Tewning Road, City of Williamsburg, Virginia* (with Dawn M. Muir, Circa~).
- 2019 *Management Summary and Archaeological Probability Analysis for Spring Grove II Solar Site, Surry County, Virginia* (with Dawn M. Muir, Circa~).
- 2019 *Partial Phase III Archaeological Excavations of Site 44PW1941 at Cayden Ridge, Prince William County, Virginia* (with Dawn M. Muir, Circa~).
- 2019 *Phase I Cultural Resources Survey, Misenheimer Solar Farm, Stanly County, North Carolina* (with Dawn M. Muir, Circa~).
- 2019 *Addendum to Phase I Cultural Resources Survey of Nansemond Bridge Alternatives, City of Suffolk, Virginia* (with Dawn M. Muir, Circa~).
- 2019 *Phase I Cultural Resources Survey Nansemond Road Improvements, City of Suffolk, Virginia* (with Dawn M. Muir, Circa~).

EXHIBIT 7

to

**TYRER and CIRCA~CULTURAL
RESOURCE MANAGEMENT, LLC
PETITION FOR APPEAL**

9VAC15-60-40. Analysis of the Beneficial and Adverse Impacts on Natural Resources.

A. Analyses of wildlife. To fulfill the requirements of § 10.1-1197.6 B 7 of the Code of Virginia, the applicant shall conduct preconstruction wildlife analyses. The analyses of wildlife shall include the following:

1. Desktop surveys and maps. The applicant shall obtain a wildlife report and map generated from DGIF's Virginia Fish and Wildlife Information Service web-based application (9VAC15-60-120 C 3) or from a data and mapping system including the most recent data available from DGIF's subscriber-based Wildlife Environmental Review Map Service of the following: (i) known wildlife species and habitat features on the site or within two miles of the boundary of the site and (ii) known or potential sea turtle nesting beaches located within one-half mile of the disturbance zone.
2. Desktop map for avian resources in Coastal Avian Protection Zones (CAPZ). The applicant shall consult the "Coastal Avian Protection Zones" map generated on the department's Coastal GEMS geospatial data system (9VAC15-60-120 C 1) and determine whether the proposed solar energy project site will be located in part or in whole within one or more CAPZ.

B. Analyses of historic resources. To fulfill the requirements of § 10.1-1197.6 B 7 of the Code of Virginia, the applicant shall also conduct a preconstruction historic resources analysis. The analysis shall be conducted by a qualified professional meeting the professional qualification standards of the Secretary of the Interior's Standards for Archeology and Historic Preservation (9VAC15-60-120 B 2) in the appropriate discipline. The analysis shall include each of the following:

1. Compilation of known historic resources. The applicant shall gather information on known historic resources within the disturbance zone and within one-half mile of the disturbance zone boundary and present this information on the context map referenced in 9VAC15-60-70 B, or as an overlay to this context map, as well as in tabular format.
2. Architectural survey. The applicant shall conduct a field survey of all architectural resources, including cultural landscapes, 50 years of age or older within the disturbance zone and within one-half mile of the disturbance zone boundary and evaluate the eligibility of any identified resource for listing in the VLR.
3. Archaeological survey. The applicant shall conduct an archaeological field survey of the disturbance zone and evaluate the eligibility of any identified archaeological site for listing in the VLR. As an alternative to performing this archaeological survey, the applicant may

make a demonstration to the department that the project will utilize nonpenetrating footings technology and that any necessary grading of the site prior to construction does not have the potential to adversely impact any archaeological resource.

C. Analyses of other natural resources. To fulfill the requirements of § 10.1-1197.6 B 7 of the Code of Virginia, the applicant shall also conduct a preconstruction desktop survey of natural heritage resources within the disturbance zone.

D. Summary report. The applicant shall provide to the department a report presenting the findings of the studies and analyses conducted pursuant to subsections A, B, and C of this section, along with all data and supporting documents. The applicant shall assess and describe the expected beneficial and adverse impacts, if any, of the proposed project on wildlife and historic resources identified by these studies and analyses.

Statutory Authority

§ 10.1-1197.6 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 28, Issue 21, eff. July 18, 2012.

EXHIBIT 8

to

**TYRER and CIRCA~CULTURAL
RESOURCE MANAGEMENT, LLC
PETITION FOR APPEAL**



July 23, 2019

Julie Langan, Director
Virginia Department of Historic Resources
2801 Kensington Avenue
Richmond, VA 23221

Re: Monacan Indian Nation's Objection to the James River Water Authority's Application for the Removal and Temporary Curation of Human Remains Located at Point of Fork, Fluvanna County, Virginia, DHR File No. 2015-0984.

Dear Director Langan:

My law firm represents the Monacan Indian Nation ("the Nation"), a federally recognized sovereign tribe, regarding the James River Water Authority's ("JRWA") planned water pipeline and pump station at Point of Fork, Virginia. The Nation requests that the Virginia Department of Historic Resources ("DHR") deny JRWA's Application for the Removal and Temporary Curation of Human Remains, DHR File No. 2015-0984, dated March 22, 2019.¹ **It is critical to note at the outset that under no circumstances will the Nation support the issuance of a burial permit to JRWA for this project.**

I. Virginia Law Requires Denial of the Burial Permit.

Virginia law empowers DHR to issue or deny permits for the archaeological removal of human remains. Virginia's Administrative Code states at 17VAC5-20-60(B) that the Director shall "give priority to comments and recommendations made by individuals and parties most closely connected with the human burials subject to the application." It goes on to state:

In making a decision on the permit application, the Director shall consider the following:

1. The level of threat facing the human skeletal remains and associated cultural resources.
2. The appropriateness of the goals, objectives, research, design, and qualifications of the applicants to complete the proposed research in a scientific fashion. The director shall consider the U.S. Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation, set out at 48 FR 44716 (September 29, 1983), in determining the appropriateness of the proposed research and in evaluating the qualifications of the applicants.

¹ DHR has the power to deny burial permits based on several enumerated considerations laid out in Va. Code §10.1-2305 and expanded upon in 17VAC5-20-60, as discussed herein.

3. Comments received from the public.
4. The appropriateness of the proposed disposition of remains upon completion of the research. The director may specify a required disposition as a condition of granting the permit.
5. The performance of the applicant on any prior permitted investigation.
6. The applicability of other federal, state and local laws and regulations.

17VAC5-20-60(C). The regulations also state that “Failure to adequately meet all conditions in a previous permit shall be grounds for denial of any subsequent permit applications.” 17VAC5-20-60(D).

Application of the six considerations enumerated in 17VAC5-20-60(C) – especially when coupled with the fact that the Nation, the party most closely connected with the burials, stridently opposes this project – requires DHR to deny the burial permit on multiple grounds:

1. **Level of Threat.** The human remains at the sites are not currently at risk or under threat – except those posed by the proposed project. JRWA grossly downplays the threat the project poses to Monacan burials, stating merely that the “possibility of finding human remains is moderate” while admitting that the site is difficult to protect from looting. To the contrary, the Nation knows that human remains are buried on this site. Burials have been located there numerous times; for example, in the 1880s, Gerard Fowke of the Smithsonian Institution identified 25 Indian burials uncovered by flooding, and in 1980, construction of a gas line in the area uncovered additional burials. Exposing this known burial site and its associated cultural objects by constructing a pump station will threaten the human skeletal remains and associated cultural resources, and will create significant risks that could be avoided entirely.
2. **Appropriateness of the goals, objectives, research, design, and qualifications of the applicants to complete the proposed research in a scientific fashion.** JRWA has hired a consulting firm, Circa~ Cultural Resource Management, LLC, to conduct archaeological testing and an abbreviated archaeological excavation at Rassawek. Circa~’s initial plan failed to cite any archaeological work performed in the area in the last 30 years, or to sufficiently describe Rassawek or its importance to Monacan and Virginia history. As discussed in the Nation’s recent comments regarding the draft Memorandum of Agreement, Treatment Plan, and Monitoring Plan circulated by the Army Corps of Engineers (MOA), Circa~’s plan to excavate the impacted sites involves considerable use of construction machinery and does not commit to excavating all features and layers that may be destroyed. Circa~ proposes to screen only around 5% of the part of Rassawek being destroyed by the project, meaning that isolated human remains are likely to be missed. Multiple senior archaeologists have expressed concern to the Nation, JRWA, and DHR that three or four highly stratified floodplain deposits will not be adequately excavated under Circa~’s approach.

Circa~ also violated its anticipatory burial almost as soon as DHR issued it. As reported in DHR’s October 17, 2017, letter to JRWA, a DHR representative visited the project location on two occasions the week after the agency issued the permit. The DHR representative

reported that Circa~ failed to meet certain permit conditions during his visits, and that the archaeologists responsible for the field investigations were not directly supervising the work.

The Nation also notes that the Principal Investigator on the project, Carole Tyrer, is not a Registered Professional Archaeologist. Her failure to register means that she is not subject to grievance procedures within the profession, and DHR's denial of the burial permit is the only way to achieve some accountability for her failure to meet professional standards. Inexplicably, the current permit application proposes to waive Secretary of Interior qualifications for the Principal Investigator, citing "extraordinary circumstances" (17 VAC Section 5-20-40(D)) which are not listed or detailed. Given the cultural and spiritual sensitivity of the project location and Circa~'s previous disregard of burial permit requirements, the Nation is profoundly concerned about the quality of Circa~'s work and JRWA's failure to commit enough funding to achieve proper results. It is reasonable for DHR to require that anyone responsible in the future for disinterment of Monacan remains, when unavoidable, abide by the highest professional standards and hold a membership in the Register of Professional Archaeologists (RPA).

Circa~'s violations of the anticipatory burial permit, paired with the applicant's stated desire to sidestep research design and professional qualification requirements, provide ample grounds for DHR to deny the requested permit.

3. **Public Comment.** The Nation notes that more than 1,300 individuals and organizations to date have signed a letter to the Army Corps and Governor Northam opposing the project and requesting that DHR deny the burial permit. Hundreds of these signatories are professional archaeologists and preservationists concerned about the excavation of burials and potential damage to the sites. The Nation's opposition to this burial permit is shared by the six other federally recognized Indian tribes in Virginia, the Alliance of Colonial Era Tribes, and the Inter-Tribal Women's Circle. Multiple non-tribal organizations have likewise requested that DHR deny the burial permit, including the Council of Virginia Archaeologists, the City of Charlottesville Human Rights Commission, Preservation Virginia, and the Piedmont Chapter of the Sierra Club. We enclose herewith a letter requesting that DHR deny the burial permit, along with signatures and public comments.

The Nation believes that by requesting that DHR waive the public notice requirement, JRWA seeks to avoid this broad public opposition to disturbing Monacan burials. JRWA should be required to post public notice that they intend to disturb Monacan ancestors, and taxpayers should be made aware that their government is conducting such a shameful act.

4. **Appropriateness of the proposed disposition of remains upon completion of the research.** JRWA has not proposed any particular disposition of remains, stating in the application only that it "intends to work with the Monacan Indian Nation to develop a protocol to be implemented in the event any Native American remains are discovered during construction of the project." This proposal is neither sufficient nor appropriate. JRWA has demonstrated a lack of willingness to cooperate with the Nation in good faith in other aspects of the permitting process (see comment letters to the Army Corps of Engineers dated November 27, 2018, December 21, 2018, and June 5, 2019), and the Nation cannot be

compelled to cooperate with JRWA to disturb and disinter its ancestors against its will. Accordingly, DHR must deny the permit.

5. **The performance of the applicant on any prior permitted investigation.** As noted above (para. 2), Circa~ violated the anticipatory burial permit almost as soon as it was issued, thus establishing that it cannot be trusted to comply with the terms of any future burial permit. Circa~'s blatant violations are grounds for DHR's denial of the permit application.
6. **The applicability of other federal, state and local laws and regulations.** DHR has consulted with the Army Corps regarding the proposed project. As a result, DHR should be fully aware of the Nation's concerns about the Corps using the wrong permitting process (a Nationwide permit rather than an Individual permit, and illegally segmenting the project) and the Corps's failure to consider alternatives that would not disturb Monacan burials. DHR should not issue a burial permit as a result of such a flawed process. To issue a burial permit would be perceived as approval of the Corps's process, which has been inconsistent with federal law, and which the Nation reserves the right to challenge in court.

The Nation also notes that JRWA did not submit with its application notarized statements from landowners granting permission to remove human remains from their property and to conduct research on those remains, as required under 17VAC5-20-40(A)(4). The Nation understands that certain landowners do not wish to cooperate with this permit and are likely to refuse to sign it.

If DHR does not deny this permit application, in its current state and with the current applicants, it is unclear what permit ever would be sufficiently out of compliance with Virginia law and regulations to warrant denial.

II. The Balance of Equities Demands Denial of the Burial Permit.

A. Disturbing the Monacans' Ancestors Should Be A Last Resort.

Disturbing human remains should never be a developer's first resort, yet JRWA has offered no alternatives to disturbing the Monacans' ancestors – despite JRWA's admission that it could move the proposed pump station to any of at least three other locations. JRWA has known since at early as 2015 that the Point of Fork site is archaeologically, historically, and spiritually sensitive, but JRWA did not reach out to the Nation until June 2017. By that point, JRWA had finalized site plans and purchased the land for the future pump station, even though it knew that the project would likely disinter Monacan ancestral remains.

Though JRWA is well-aware that this project will destroy Monacan remains, it has yet to explain to the Nation why it must disturb these burials. Disturbing these graves should not be tolerated except for the most compelling reasons, which JRWA does not have.

B. Repatriation Is A Traumatic Experience the Nation Should Not be Forced to Endure.

JRWA has no understanding of the deep and unavoidable trauma that the Nation will suffer as a result of repatriation of its ancestors' remains. Tribes often have their ancestors' bones returned in cardboard boxes, having been handled unceremoniously by strangers. Careful treatment and rehabilitation of these remains is something that drains the Nation of emotional, financial, and mental resources and attention. The Nation has already had to endure several somber and traumatizing repatriation ceremonies in the past, and it does not wish to experience that again – especially when JRWA has the ability to avoid these issues by relocating the pump station.

C. JRWA Cannot Promise to Return All Monacan Cultural and Human Remains to the Nation.

JRWA does not commit to using thorough screening techniques and proposes to leave most features outside of the planned excavation trenches unexcavated. As a result, JRWA cannot claim to be providing the Nation with all human remains from the sites. Instead, it is highly likely that some remains of Monacan ancestors will be churned-up in fill and discarded as trash on a project site or wherever the fill is deposited. This outcome is unacceptable to the Nation, and should be unacceptable to the Commonwealth of Virginia and to the Army Corps, which has federal trust responsibilities to the Nation.

In addition, the Nation previously expressed to the Corps how important it is to the tribe to be able to preserve and store cultural archaeological remains at their tribal museum in Amherst, close to the majority of their tribal members. JRWA has stated that they will *try* to negotiate with landowners so that any artifacts found as a result of the excavation *might* be given to the Monacans for permanent curation. JRWA refuses to promise this outcome, however, and its negotiations on this front do not seem to be going well. Even if JRWA can come to an agreement with landowners, the Nation fears that JRWA's inadequate planning will result in the haphazard and disrespectful treatment of human remains.

D. Procedures for the Careful Recovery of Human Remains at Site 44FV0269 are Unclear.

The burial permit application states that the permit will cover "Sites 44FV0022, 44FV0024, 44FV0268, *and, if necessary, 44FV0269*" (emphasis added). The Corps recently determined that 44FV0269 is not eligible for the National Register, although DHR has not yet concurred with this determination due to substantial report deficiencies.

If 44FV0269 is not slated for data recovery, what will the procedures be for identifying and protecting human remains? Regardless of a site's National Register status, the Nation has a strong interest in the respectful treatment and systematic recovery of human remains from any Monacan site. Construction monitoring alone will lead to poor outcomes for recovery of any human remains on that site, and it is likely that JRWA simply plans to destroy that site if it is not legally required to excavate. DHR should require data recovery at 44FV0269 as a condition of any permit, to ensure that any Monacan ancestors on the site are recovered.

III. Should DHR Issue the Burial Permit Despite the Above, Conditions of the Permit Must Provide Adequate Care and Mitigation for the Removal of Monacan Ancestors.

If DHR declines to exercise its authority to deny the burial permit, despite the overwhelming reasons to do so, various conditions must be attached to such a permit, as discussed below. The Nation reserves its rights to challenge any burial permit issued to JRWA regardless of whether these conditions are attached.

- 1. The burial permit should not be approved until basic issues of mitigation, site excavation methodology, treatment of human remains, curation, and inventory are appropriately resolved and finalized in a Memorandum of Agreement, Treatment Plan, and Monitoring Plan.** The Nation has profound concerns that the project proponent is pushing to have agreement documents finalized without providing adequate and detailed commitments regarding human remains and archaeological recovery. The Nation is concerned that 14 months after the submission of the Draft Phase I/Phase II report for this project, which had significant deficiencies, no consulting parties have been provided with a revised or final version of the report. The Nation is also concerned that the Corps may be moving towards concluding Section 106 consultation despite persistent concerns regarding archaeological methodology. The Nation asks DHR, as the state historic preservation office, to continue to press the Corps regarding the lack of clarity and commitments in these documents. Complying with the finalized agreements and providing final reports should be a condition of the burial permit.
- 2. The archaeological resources consultant used for the excavation and human remains recovery should be chosen with concurrence from the Monacan Indian Nation.** Monacan burials will be identified and recovered through archaeological methods, and the Nation must have confidence in the archaeologists doing this critical work. There is no way to separate the excavation of human remains from the wider archaeological investigation; many remains are likely to be recovered in bundled contexts or found as isolated bone from previous disturbances. The current archaeological recovery methods (as the Nation discussed in its June 5, 2019 comments to the Corps and in a July 10, 2019 meeting with DHR staff), are insufficient to preserve and recover all human remains. The Nation strongly objects to Circa~ conducting any further work on such significant and sensitive sites.
- 3. Before issuing the burial permit, DHR should consult with the three North Carolina tribes that also share Eastern Siouan background.** The Sappony Tribe, the Occaneechi Band of the Saponi Nation, and the Haliwa-Saponi Indian Tribe have an ancestral affiliation with the site of Rassawek and should be consulted on this burial permit. The Nation and other Eastern Siouan tribes who descend from the Monacan Confederacy are the parties most connected with the human burials, and these tribes may have additional perspectives that DHR should consider.
- 4. Before receiving a burial permit, JRWA should provide a surety bond as requested in the Nation's June 5, 2019 comments.** The bond amount should be determined by the archaeological consultant's estimate of the funds needed to ensure completion of site analysis

and report completion, as well as funds to cover all of the costs of repatriation and reburial in the event the project is abandoned.

5. The permit should ensure the careful and respectful recovery of human remains from the project area, which include:

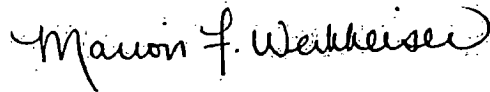
- a. Assembly of a peer review process for excavation and human remains recovery on the project, as recommended in guidance from the President's Advisory Council on Historic Preservation.
- b. Geospatial recording of all sites excavated using a total station and geospatial analysis in ArcGIS or equivalent software, to ensure accuracy of site data for future analysis.
- c. Development (in conjunction with the spiritual preferences of the Monacan Indian Nation) of methodologies for human remains recovery, curation, and inventory by a trained osteologist meeting the Secretary of Interior standards and with experience in recovering prehistoric human skeletal remains in Virginia or the Mid-Atlantic.
- d. Screening of 100% of cultural layers encountered during data recovery through a 1/8th inch screen or smaller.
- e. Screening of 100% of non-burial feature fill encountered through a 1/16th inch screen or using a water flotation tank.
- f. Recovery of 100% of burial feature fill pending further negotiations with the Nation.
- g. Commitments that during site monitoring, a monitor shall have responsibility for only one piece of equipment operating at a single time.
- h. Greater description of requirements and guidance regarding how features discovered via monitoring should be identified, assessed, and recovered, in conjunction with peer review panel.
- i. Principal Investigators at the site, for both the excavation elements and the osteological recovery, should be Secretary of Interior qualified and hold memberships in the Register of Professional Archaeologists.
- j. Overnight security at the site throughout the entire excavation to ensure that human remains are not looted.

6. JRWA should provide the Nation with the financial resources to pay for the reburials that will be required for the remains. The budget for reburials includes the cost of funeral services to prepare the human remains, transfer and transportation of the bones, construction equipment to excavate grave shafts, feasting ceremonies associated with a reburial event, cost of items and containers used to reinter the remains, any associated headstone, plaque, or landscaping needed, and provisions for the perpetual care of the reburial sites. Attached is a budget description of what would be needed, which estimates the costs to total \$305,000. (See Appendix A, enclosed herewith.)

* * *

For the reasons stated herein, under no circumstances will the Nation support the issuance of a burial permit to JRWA for this project and the Nation strongly urges DHR to deny JRWA's application, as required by applicable laws and regulations. The Nation welcomes further consultation with DHR as your office considers these issues. Please feel free to reach out to me with any questions or additional information requests.

Sincerely,



Marion F. Werkheiser
Attorney at Law

Enclosures

cc: The Honorable Matt Strickler, Secretary of Natural Resources
The Honorable Kelly Thomasson, Secretary of the Commonwealth
Office of U.S. Senator Tim Kaine
Office of U.S. Senator Mark Warner
Nekole Alligood, NAGPRA Officer, The Delaware Nation
Chief Robert Gray, Pamunkey Indian Tribe
Executive Director Dante Desiderio, Sappony Tribe
Chief B. Ogletree Richardson, Haliwa Saponi Indian Tribe
Chairperson William Hayes, Occaneechi Band of Saponi Nation
Chief Anne Richardson, Rappahannock Tribe
Chief Frank Adams, Upper Mattaponi Indian Tribe
Chief Gerald Stewart, Eastern Chickahominy Indian Tribe
Chief Stephen Adkins, Chickahominy Tribe
Chief Samuel Bass, Nansemond Indian Tribe
Joe Hines, Principal, Timmons Group
Carol Tyrer, President, Circa~ Cultural Resource Management, LLC
Steve Nichols, Fluvanna County Administrator
Greg Krystyniak, Faulconer Construction
Christian Goodwin, Louisa County Administrator

Appendix A: Anticipated Repatriation and Reburial Costs

Equipment Cost		\$15,000
Perpetual Care of Site		\$100,000
Transfer and Transportation of Bones		\$2500 plus \$4.00 per mile
Individual Prep Supplies Total		\$250 per Individual/ Approximately 150 individuals
<i>Sage</i>		
<i>Cedar</i>		
<i>Tobacco</i>		
<i>Eagle Feather</i>		
<i>Red Cloth</i>		
Total		\$37,500
Staff to Prepare Remains		Minimum 50 people for approximately 2 days
<i>Time/Labor</i>		\$150/day per person for a minimum of 50 people
<i>Hotel Costs</i>		\$99/day for minimum of 10 people
<i>Food Costs</i>		\$61/day at Federal Per Diem Rate for Lynchburg Va. Min 50 people
<i>Travel Reimbursement</i>		0.545 per mile for all travel. Min 50 people
Total		Approximately \$250 - \$350 per person per day/ \$25,000 to \$35,000 total
Staff/Spiritual Leader for On-site Monitoring		On-site Monitoring anytime Remains are found (estimate of 60 days)
<i>Time/Labor</i>		\$200/day for Spiritual Leader and Assistant (estimate of 60 days)
<i>Hotel Costs</i>		\$99/day for 2 people
<i>Food Costs</i>		\$61/day at Federal Per Diem Rate for 2 people
<i>Travel Reimbursement</i>		0.545 per mile for all travel for 2 people
<i>On-site Monitoring professional</i>		\$25/hr for the duration of the project (est. \$45,000 to \$ 55,000)
Total		\$90,000
Feast Cost		Minimum of 500 people in attendance
<i>Time/Labor</i>		\$150/day minimum of 20 people for 2 days (\$6,000 total)
<i>Supplies (non food items)</i>		\$5,000
<i>Food items</i>		\$10,000
<i>Facilities Cost</i>		\$2,500
Total		\$23,500
Approx. Total		305,000

EXHIBIT 9

to

**TYRER and CIRCA~CULTURAL
RESOURCE MANAGEMENT, LLC
PETITION FOR APPEAL**

From: Langan, Julie <julie.langan@dhr.virginia.gov>

Sent: Friday, August 16, 2019 3:38 PM

To: Carol Tyrer <Carol@circacrm.com>

Subject: JRWA

Carol:

I would like to meet with you as soon as practicable to discuss this project. Could you please suggest a time early next week that you would be available? The purpose of the meeting is to discuss questions that relate to the burial permit application. I would appreciate you bringing to the meeting copies of your University of Denver transcript illustrating which courses you took when pursuing your MA in History, Anthropology and Cultural Studies.

Sincerely,

Julie V. Langan
Director/State Historic Preservation Officer
Department of Historic Resources
2801 Kensington Avenue
Richmond, VA 23221
Office: (804) 482-6087
Cell: (804) 385-6936

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EXHIBIT 10

to

**TYRER and CIRCA~CULTURAL
RESOURCE MANAGEMENT, LLC
PETITION FOR APPEAL**

Attachments:

ltr to CTyrer 09052019 (1).docx

From: Langan, Julie <julie.langan@dhr.virginia.gov>

Sent: Friday, September 6, 2019 12:45 PM

To: Carol Tyrer <Carol@circacrm.com>

Subject: Professional Qualifications

Carol:

Please see attached letter.

Sincerely,

Julie V. Langan
Director/State Historic Preservation Officer
Department of Historic Resources
2801 Kensington Avenue
Richmond, VA 23221
Office: (804) 482-6087
Cell: (804) 385-6936

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COMMONWEALTH of VIRGINIA

Department of Historic Resources

Matt Strickler
Secretary of Natural Resources

2801 Kensington Avenue, Richmond, Virginia 23221

Julie V. Langan
Director

Tel: (804) 367-2323
Fax: (804) 367-2391
www.dhr.virginia.gov

September 6, 2019

Ms. Carol Tyrer
President
Circa~ Cultural Resource Management, LLC
453 McLaws Circle, Suite 3
Williamsburg, Virginia 23185

Dear Carol:

I am writing to follow up on our meeting on August 19th focused on concerns brought to my attention regarding whether you meet the Professional Qualifications Standards for Archaeology.

First, I want to thank you for meeting with me so quickly, for providing the requested course transcript and for describing the content of the courses taken at the University of Denver. I also appreciate your prompt revision of your resume.

Following careful review of your academic transcript and other documentation, I have determined that you do not meet the minimum requirements established by The Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation - Professional Qualifications Standards for Archaeology (48 FR 44739). This decision has consequences, and not just for the James River Water Authority Project. For example, going forward I will be unable to issue a burial permit when the application identifies you as the Principal Investigator. 17VAC5-20-40, the Virginia administrative code guiding the application of the burial permitting process, requires that the persons "planning and supervising the field investigation" associated with archaeological recovery of human remains meet these minimum requirements. Additionally, our review of your work completed on behalf of Federal agencies and their applicants in support of Section 106 compliance will be suspended pending discussions with agencies and how they intend to satisfy their statutory responsibility to meet applicable standards and guidelines.

Sincerely,

A handwritten signature in cursive script that reads "Julie V. Langan".

Julie V. Langan
Director

Western Region Office
962 Kime Lane
Salem, VA 24153
Tel: (540) 387-5443
Fax: (540) 387-5446

Northern Region Office
5357 Main Street
PO Box 519
Stephens City, VA 22655
Tel: (540) 868-7029
Fax: (540) 868-7033

Eastern Region Office
2801 Kensington Avenue
Richmond, VA 23221
Tel: (804) 367-2323
Fax: (804) 367-2391

EXHIBIT 11

to

**TYRER and CIRCA~CULTURAL
RESOURCE MANAGEMENT, LLC
PETITION FOR APPEAL**



JAMES RIVER WATER AUTHORITY

132 Main Street, P.O. Box 540, Palmyra, VA 22963



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Eric M. Dahl
County Administrator
Fluvanna County

Brendan S. Hefty
Legal Counsel

September 17, 2019

By Email (julie.langan@dhr.virginia.gov)

Director Julie Langan
Virginia Department of Historic Resources
2801 Kensington Avenue
Richmond, Virginia 23221

Re: James River Water Authority Project
Revised Treatment Plan
USACE Action ID Number: NAO-2014-00708
DHR File No. 2015-0984

Dear Director Langan:

On behalf of the James River Water Authority (JRWA) and the 60,000 residents of Louisa and Fluvanna Counties we represent, I am writing you to convey our great disappointment in your September 6, 2019 letter to Eric Dahl denying the JRWA's anticipatory burial permit application. It was surprising to receive that denial without any advance notice. There are several assertions in the letter that are not accurate and others that are unclear. If JRWA had been given notice and an opportunity to sit down with you and your staff before the denial letter was issued—which is required by your regulations (17VAC5-20-60.E)—we could have resolved some or all of these issues. Because we were not afforded due process, we must respond to the assertions in your letter after-the-fact and urge you to immediately reconsider this improvidently issued decision.

Project Archaeologist's Qualifications

JRWA unequivocally disagrees with the statement in your letter that the "archaeological consultant associated with this project does not meet the requirements established by the Secretary of the Interior and promulgated through 36 CFR 61 as the Professional Qualifications Standards for Archaeology." Before outlining the reasons for this disagreement, we must first express our strong objection to the manner in which you came to this decision.

JRWA did not become aware until *after* your denial letter that you independently contacted the archeological consultant, Ms. Carol Tyrer, by email on August 16, 2019, for the stated purpose of scheduling an in-person meeting to “discuss questions that relate to [JRWA’s] burial permit application.” Although your email said you would “appreciate” if Ms. Tyrer would bring copies of her academic transcript, there was no clear indication that the purpose of the meeting was to disqualify her standing as a professional archaeologist or to determine whether there were grounds to deny JRWA’s permit.

Your actions were not in line with the fair and transparent manner Virginia’s citizens expect state agencies to serve persons, businesses, and fellow arms of Virginia’s government who come before them seeking permits and approvals. As you are aware, Ms. Tyrer is a sub-consultant to JRWA’s engineering consultant and has no direct contractual relationship with the Authority. It was inappropriate for DHR to schedule a meeting with this sub-consultant, and to use that meeting as the basis to deny JRWA’s permit application, without notifying the Authority or its counsel. If appropriate notice had been provided, JRWA would have evaluated the accusation and prepared to defend the consultant’s work on the project and our pending permit application. We were denied that opportunity.

Your action was also grossly unfair to the consultant, who has been a valued member of the project team for several years. Your August 16 email gave the consultant no warning that she should have been prepared to defend her standing as a professional archaeologist, which is her livelihood. Had she been informed of the true purpose of the meeting and the fact that her continued livelihood was in the balance, no doubt she would have secured personal legal representation and prepared a robust defense.

We next turn to the archaeological consultant’s qualifications. DHR is well-aware that she has been a principal archaeologist on hundreds of cultural resource studies, data recoveries, and burial permits throughout Virginia and surrounding states. It is our understanding that her work has been accepted by DHR in each of these cases. Indeed, we must remind you that in the previous anticipatory burial permit you issued for this project on October 4, 2017, you stated about this same consultant: “The Department has reviewed the vita of the professionally-qualified archaeologist responsible for the proposed work and *has found her qualified to complete the work.*” We must also remind that your staff, Joanna Wilson Green, stated in an email to JRWA dated November 22, 2017 that: “The consulting parties agree that [*the consultant*] will be on site at all times during deep testing, and that all earthmoving conducted pursuant to this deep testing will be performed under their direct supervision.”

Your letter provides no justification for the assertion that the consultant’s qualifications do not meet the standards in 36 C.F.R. Part 61 or 17VAC5-20-40.C for archeology. Since your denial letter was issued, we have undertaken our own evaluation of her qualifications. The Secretary of Interior standards incorporate three basic components: “academic degrees or comparable training;

professional experience; and products and activities that demonstrate proficiency in the field of historic preservation.” 62 Fed. Reg. 33708, 33709 (Jun. 20, 1997). Given that Ms. Tyrer has been a practicing archaeologist full time for over 35 years, has authored over 700 publications and technical reports, and managed hundreds of field studies and research projects with DHR’s involvement, we presume the professional experience and demonstrated proficiency components are not in question. The academic component requires a graduate degree in “archaeology, anthropology, or closely related field.” Anthropology is defined as the “study of human beings and their ancestors through time and space and in relation to physical character, environmental and social relations, and culture.” Merriam-Webster’s Dictionary. Ms. Tyrer holds a graduate degree in “Global Affairs” with a “World History and Culture Specialty.” Her graduate coursework included relevant studies of Native American literature, natural science, cultural positioning, graduate research and writing, religious studies, and cultural competition and conflict. Furthermore, we note that the Secretary of Interior’s guidance permit consideration of an archaeologist’s undergraduate degree in determining whether the “closely related field” academic component of the standards have been satisfied. 62 Fed. Reg. at 33711. Ms. Tyrer obtained an undergraduate degree in Sociology and Anthropology with an “Anthropology Specialty” in 1984. Her course of study included freshman through senior level archaeological classes including theory, field methods, laboratory methods, artifact identification, and an archaeological field school. We fail to see how DHR could justifiably conclude how the consultant is not qualified as a professional archeologist.

Existing Research Design and Data Recovery Plan

Your letter states that the “failure of the archaeological consultant to meet the above requirements renders the information previously provided regarding the scope of the permit application and associated plans unreliable.” It further states the “existing research design and data recovery plan”—which we assume is a reference to the Treatment Plan—“must be reviewed and revised by a qualified archaeological consultant to meet . . . the Department’s standards.” There is no reasonable basis for this assertion.

As we believe you are aware, Ms. Tyrer was not the only archaeologist who participated in the project’s Phase I and II fieldwork and the development of the research design or data recovery plan. As the email from Ms. Green referenced above noted, other archeologists who participated in the previous fieldwork, including the onsite supervisor, met the professional qualification standard. The existing research design and data recovery plan includes multiple authors, at least two of whom (not including Ms. Tyrer) meet the professional qualification standards. The statement that those plans are “unreliable” due to Ms. Tyrer’s purported lack of qualifications ignores the participation and review by other archeologists on the team. We must reiterate that this is a topic we could have resolved in advance had JRWA been provided proper notice of the Department’s concerns and tentative decision to deny the burial permit application.

Notwithstanding our firm belief that Ms. Tyrer is eminently qualified, and in response to requests from consulting parties for a peer review of those documents, JRWA has issued a Request for Proposals for additional archeological consulting services to review the project's research design and data recovery plan. Proposals remain under review, and no contract has yet been awarded. We note this, however, because even if DHR's concerns about Ms. Tyrer could not have been resolved satisfactorily, JRWA could have offered to substitute a different archeologist for Ms. Tyrer for purposes of the anticipatory burial permit application. This is further reason why DHR's failure to follow its own regulations before denying the permit application is counterproductive and has harmed JRWA.

Approval of the Monacan Indian Nation

JRWA objects in the strongest possible terms to the assertion that the research design and data recovery plan "must . . . meet the approval of the Monacan Indian Nation, who are directly affected by this project." The assertion that the project "directly affects" the Monacans is factually wrong. The project is wholly situated on private—not tribal—property. In fact, Chief Dean Branham stated publicly on September 9, 2018 that the tribe was not aware of this site until JRWA brought it to their attention. The tribe's only access to the project site has been at JRWA's invitation. Neither construction nor operation of this water supply project will directly affect the Monacans.

Your assertion also is legally incorrect. Because this project does not touch tribal land, the Monacans' status under the National Historic Preservation Act is that of a consulting party—nothing more or less. The tribe's federally recognized status does not affect their lawful role in the Section 106 process. It is wholly inappropriate, and we believe unlawful, for DHR to purport to cede its decision-making authority to a consulting party.

In short, the Monacans have stated publicly that they will not agree to any research design or data recovery plan for the site, and your letter appears to state that the research design and data recovery plan must be approved by the Monacans. In light of the Monacans' recent well-publicized statements about the project, we read your letter as effectively granting the Monacans a veto power over the project. If our reading of the letter is correct, it appears that consultation is at an impasse.

Omission of Information Relating to Archeological Study of Potential Burials

JRWA consulted with the Monacans prior to filing the anticipatory burial permit. As we have relayed to DHR on several occasions, the message conveyed to JRWA was clear that the Monacans would object to any archeological study of burials in the unlikely event any unknown burials were discovered during further excavations. The Monacans also specifically requested that no public notice be issued for the burial permit application. JRWA proceeded in good faith to honor those requests. However, your letter cites comments from the Monacans' legal counsel to the contrary as a basis for permit denial.

JRWA has no objection to providing an archeological study proposal for burials—should any be found—and in proceeding with public notice of the application. We object to the unclear and constantly shifting expectations being placed on this project. The comment letter referenced in your letter were not submitted in good faith; it was an obvious attempt to obstruct the project and make issuance of a permit with reasonable conditions impossible. With each new comment letter that is submitted by that party, the expectations and demands change. DHR should not take those comments at face value and allow that party to make a mockery of the consultation process.

Landowner Permission

JRWA disagrees with your statement that the application must be denied because JRWA had “not obtained landowner permission for access to those portions of the project area not with the legal ownership of JWRA” The order from the Circuit Court of Fluvanna county which was attached to the application established the JRWA’s absolute right to use the property in accordance the easements described therein. As owner of the water line easement, the JRWA has the right “to erect, construct, install and lay and thereafter use, operate, inspect, repair, maintain, replace, and remove utility lines for the purposes of provision and conveyance of water and appurtenances thereto.” Additionally, “JRWA its agents, employees and successors and assigns, shall have full and free use of the said easement and rights for the purposes named herein and all rights and privileges reasonably necessary to the enjoyment and exercise of the Water Line Easement.” The JRWA, as the owner of the easement, has all the legal and necessary property rights to excavate within the easement, including the potential to discover and remove any human remains, and therefore, is the real party in interest with respect to the ownership of the property at issue.

The intent of the easement is to give JRWA the right to take any reasonably necessary action to construct and install the utility lines, including the excavation and removal any human remains contained within the easement. As a matter of law, the underlying property holder that granted the easement to the JRWA cannot unreasonably interfere with the easements granted to the JRWA. See the Virginia Supreme Court’s decision in *Walton v. Capital Land*, 252 Va. 324 (1996). Consequently, the JRWA as the owner with the control over the property rights at issue is the “landowner” that is required to sign the application for the burial permit under 17VAC5-20-40. The underlying landowner does not have the legal authority to deny the JRWA’s rights contained in the easement and therefore, is not the appropriate person to sign the burial application.

Also, the Virginia Supreme Court has defined the owner of an easement as a “landowner.” “An easement is a privilege held by one landowner to use and enjoy certain property of another in a particular manner and for a particular purpose. This privilege encompasses an affirmative right to use and enjoy the encumbered property free from interference by the grantor of the easement or by other persons.” *Anderson v. Delore*, 278 Va. 251. Additionally, although 17VAC5-20-10 does not specifically define the term “landowner,” the Virginia Code has elsewhere. For example, Section 29.1-509 defines “landowner” to mean the legal title holder or any easement holder.”

Lastly, as DHR is aware, at least one of the underlying property owners is an outspoken opponent of the project. The position stated in your letter effectively hands that person a de facto veto over the burial permit and, as a consequence, over the Memorandum of Agreement, which requires that JRWA obtain an anticipatory burial permit prior to construction. DHR's overly restrictive construction of "landowner" is unprecedented and incorrect. We urge DHR to reconsider.

* * *

JRWA does not agree that an anticipatory burial permit should be necessary for this project. As we have outlined for DHR on several occasions, the likelihood of uncovering any unknown burial sites is minimal. In response to a specific comment from DHR, the most recent version of the Memorandum of Agreement (MOA) included a requirement (Section X.B) that an anticipatory burial permit be obtained prior to construction. We did not object to that requirement because we assumed a burial permit application would be processed in the normal course. The reasons outlined in your letter for denial of the permit demonstrate that the application has not been processed in the normal course and is instead being held to arbitrary and capricious—and likely unattainable—standards. If DHR insists on requiring an anticipatory burial permit as an MOA condition and prevents JRWA from reasonably obtaining such permit, then we are at an impasse and further consultation would be fruitless.

JRWA has no option but to push forward with the Corps permit application process to construct a new water supply for its citizens. We have a duty to our citizens to provide them with clean and affordable public water supply. As we have discussed, this project was conceived in response to the 50-year water supply plans prepared by Louisa and Fluvanna Counties in response to an executive order from then-Governor Warner. DHR is aware that this application process has dragged on for over five years and that there is now an urgent need for an expanded water supply in the Zion Crossroads area. Progress toward completion of this project has been continually frustrated by changing requirements and unclear and uncommunicated expectations. Your September 6 letter is emblematic of how this process has been conducted to date.

Furthermore, the improvident issuance of your September 6 letters has had a compounding effect that has caused irreversible damage to both the JRWA and the archeological sub-consultant. Within two business days after you issued the letter, the Monacans' legal counsel forwarded all three letters (letter to JRWA, the Corps, and the consultant) to the consulting parties by email on September 10, 2019 and then the Corps of Engineers quoted your letter in the letter they issued on September 10, 2019. In addition, the JRWA is dismayed a consulting party, who was not copied on the letters, would receive copies of a JRWA permit denial so quickly and outside the normal process of distributing information to consulting parties. Obviously, this will create a significant and completely unjustifiable public relations issue among the 60,000 citizens of Fluvanna and

Louisa Counties, as well as surrounding media, that will cause the JRWA and both Counties to spend significant time, energy, and resources attempting to explain how DHR was errant in the issuance of the September 6 letters. Again, we strongly believe all of these issues could have been easily addressed and resolved had DHR followed the administrative code as required by law.

DHR's stated values are "Integrity," "Transparency," and "Customer Service." The letter we received on September 6 is not consistent with those values. JRWA requests that you promptly withdraw and reconsider the permit denial based on better information. We would be happy to meet with you to make sure you have the best available information. If your decision is not changed by this information, however, we must insist that you provide JRWA with advance notice of that determination and an opportunity to meet with you as required by 17VAC5-20-60.E.

Sincerely,

A handwritten signature in black ink, appearing to read "D. D. Watson", with a large, stylized loop at the end.

D. D. Watson
Chairman
James River Water Authority

Copy:

Col. Patrick Kinsman, USACE
Mr. Tom Walker, USACE
Ms. Jennifer Frye, USACE
Mr. John Eddins, ACHP
Mr. Roger Kirchen, VDHR
Ms. Joanna Wilson Green, VDHR
Ms. Gray O'Dwyer, OAG