NEW YORK STATE DEPARTMENT OF TRANSPORTATION
CULTURAL RESOURCE SCREENING PROCEDURES
(Revised January 2006)

APPLICABILITY
Department procedures established for Section 106 of the National Historic Preservation Act\(^1\), as delegated by the Federal Highway Administration (FHWA), require identification of historic properties within a project’s Area of Potential Effects (APE), “… if any such properties exist” (36 CFR 800.16(d)). When the project scope and activities have the potential to cause effects on historic properties, the Regional Cultural Resource Coordinator (CRC) should conduct a screening during the project’s Scoping Phase to assess the likelihood that unidentified historic properties (building, structure, object, site, district) exist within the project limits.

Depending on the scope, scale, and nature of the project, a cultural resource survey may be needed to locate, inventory, and evaluate historic properties. Actions that generally trigger a survey include:

- Highway relocation or new construction, including detours and widening
- Earth-moving activity in previously undisturbed soils
- Right-of-way acquisition
- Property acquisition, removal or demolition of buildings/structures 50+ years old
- Significant changes to setting changes of building/ structure 50+ years old

For these projects, an initial screening by the CRC will serve to document existing conditions, locate known historic properties, record prior ground disturbance, and establish survey limits.

If the project involves non-exempt activities\(^2\), but is limited in scope and scale, a cultural resource screening will help the CRC assess project effect, or establish the need for a cultural resource survey to identify historic properties. Examples of such activities include:

- Minor strip takings
- Minor right-of-way acquisition
- Minor earth-moving activities
- Introduction of new features in potential or known historic districts (lighting, trees, retaining walls, signs, traffic calming devices, street furnishings)
- Minor changes to setting of building/ structure more than 50 years old (tree removal, sidewalk replacement)

* The CRC is advised to coordinate as appropriate with other functional groups in the Region (e.g. Maintenance) to assess whether Section 106/14.09 may be triggered by activities such as slope stabilization, shoulder widening, repair or relocation of retaining walls, scour protection, dredging, or work to drainage channels and ditches.

SCREENING PROCEDURES
In accordance with 36 CFR 800.4(2), Cultural Resource Screening Procedures require review of “…existing information on historic properties within the area of potential effects, including any data concerning possible historic properties not yet identified.”

\(^1\) The same procedures are applied to state-funded projects with no federal involvement which are subject to Section 14.09 of the New York State Historic Preservation Act.

\(^2\) For guidance on exempt activities, see “Construction Projects Accepted by FHWA as Exempt from Further Section 106 Review (12/22/00)”.
Research and background information

The Regional CRC gathers information on known historic properties from online resources, and requests a site file search and sensitivity assessment for archaeological resources from the New York State Museum. The following sources are recommended:

- Environmental Analysis Bureau (EAB) Modeling & Technology / Environmental Viewer
  - Historic properties listed in the National Register of Historic Places (NRHP) (Buildings, structures, sites, objects and districts)
  - NYSDOT Historic Bridge Inventory (2000) - previously evaluated pre-1961 bridges

- NYSDOT WinBolts database
  - NYSDOT Historic Bridge Inventory (2000) - previously evaluated pre-1961 bridges
  - Structural details, Spans inventory, Work history

- SPHINX – OPRHP/SHP Online Resources: [http://nysparks.state.ny.us/shpo/resources/index.htm](http://nysparks.state.ny.us/shpo/resources/index.htm)
  - Previously inventoried properties – NRHP listed, eligible, or unevaluated
  - NRHP nominations for listed properties

A site file and literature search conducted by the State Museum provides the CRC with locations of recorded archaeological sites and sensitivity assessments for prehistoric and historic archaeological resources. To request this information, the CRC should submit a memo to EAB, and the request will be forwarded to the Director of the SED Cultural Resource Survey Program. The State Museum will include the following:

- Locations of previous cultural resource surveys
- Known prehistoric site locations and sensitivity assessment for prehistoric or pre-contact archaeological resources
- Known historic site locations, historic maps, and sensitivity assessment for historic archaeological resources

Site Visit

The Regional CRC makes a site visit to inspect existing conditions and evaluate cultural resource potential based on knowledge of the project scope, proposed impacts in horizontal and vertical dimensions, and background information on any known historic properties within or in proximity to the project limits. The site visit should be scheduled to avoid seasonal conditions that restrict ground visibility.

- Inspect and record current conditions, including land use, setting, type and extent of development, natural and manmade features.
- Identify any areas of disturbance, including new construction, utility right-of-way, drainage ditches, road shoulders, or areas that have recently been filled or excavated.
- Note locations of any previously identified historic properties (NRHP listed/ eligible buildings, NRHP listed/ eligible bridges, known archaeological sites) provided through background research. Document potential contributing features (trees, walls, outbuildings, etc.) observed within the project limits.
Based on historic maps and observation, identify all buildings and structures 50+ years old that have not been previously evaluated.

- Record any location identified as a Map Documented Structure (MDS), to designate site potential associated with a structure depicted on historic maps that is no longer standing.

- Examine and document any observed evidence of potential historic sites, including structural remains or landscape features (plantings, walls, fences, brick or slate sidewalks, etc.).

- Examine and document any evidence of historic transportation alignments or features, including roads, railroads, and canals.

**SCREENING RESULTS AND DETERMINATIONS**

In accordance with general Section 106 requirements, the decision resulting from a Cultural Resource Screening should include “sufficient documentation to enable any reviewing parties to understand its basis” (36 CFR 800.11(a)). Documentation may include photographs, maps, and drawings, as appropriate.

**No Historic Properties Identified**

- No buildings/structures 50 years old or older within the project limits; and
- No potential for archaeological resources within the project limits due to documented prior ground disturbance

The project file or Design Report should document that no historic properties were identified as a result of the Cultural Resource Screening. Section 106 obligations are satisfied.

**Historic Properties Identified**

- Project limits are entirely within a NRHP listed / eligible historic district or individual NRHP property; and
- Subsurface impacts are restricted to areas of documented prior ground disturbance

The CRC may request Historic Setting Analysis to provide information that will contribute to context-sensitive design in keeping with the historic character and significance. The Regional CRC assesses project effect in accordance with NYSDOT Section 106 procedures. Summary documentation should incorporate screening results to assess whether proposed work may alter the setting, landscape features, or contributing resources, and address measures to avoid, minimize or mitigate effects.

**Potential Historic Properties**

- The project limits include previously unevaluated buildings/structures more than 50 years old.; and/or
- The project limits include previously undisturbed soils in areas of proposed subsurface impacts.

If the screening documents one or both of these criteria, and potential historic properties cannot be avoided, a Cultural Resource Survey is recommended for inventory and evaluation. Note that the presence or absence of archaeological resources cannot be determined solely on the basis of the sensitivity assessment and field inspection, unless prior disturbance to the depth of proposed impact can be documented.
On the basis of proposed project impacts and existing conditions, the CRC defines “project area” boundaries for the Cultural Resource Survey that will ensure identification of all historic properties (above and below-ground) that may be affected by the project. Limits for Phase I survey should be large enough to accommodate all feasible alternatives or minor design changes without requiring additional cultural resource investigations.

Following Department procedures, the Regional CRC requests a Cultural Resource Survey by submitting a Form A with supporting materials to EAB, to be added to the statewide Cultural Resource Evaluation Program (CREP). The scope of work will be established by project information, impacts and plans provided by the CRC. Archaeological and/or architectural survey, as needed, will be conducted in accordance with the current New York State Education Department / Cultural Resources Survey Program, Work Scope Specifications for Cultural Resource Investigations on NYSDOT Projects.