

# Exhibit 2.6: Historic Property Survey Report Format and Content Guide

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# **Exhibit 2.6: Historic Property Survey Report Format and Content Guide**

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## **Introduction**

The Historic Property Survey Report (HPSR) is the summary document Caltrans uses as its consultation and decision-making document for federal undertakings. Under the 106 PA<sup>1</sup>, it documents delineation of the Area of Potential Effects (APE), completion of the identification phase, and completion of the evaluation phase. It may also be used to document effect finding for the undertaking, when known.

The results of the identification and effort are summarized in the HPSR, with reference to the appropriate technical study for further details. If the effect finding is known, it is likewise summarized in the HPSR with reference to a Finding of Effect (FOE) or other supporting documentation, as applicable. See Exhibit 2.16 for information on what information to include in the HPSR summaries.

Technical studies supporting identification and evaluation efforts and finding of effect are attached to the HPSR, as applicable. Without the appropriate sections completed and study reports attached, the HPSR is considered incomplete. The Headquarters Cultural Studies Office (CSO) or State Historic Preservation Officer's (SHPO) review period starts when complete documentation is received from the District.

## **HPSR Narrative and Form Templates**

Caltrans has both an HPSR narrative template and an HPSR form template and an HPSR form template. The narrative HPSR is most often used for large or complex 106 PA projects and undertakings where the 106 PA is not applicable.

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<sup>1</sup> First Amended Programmatic Agreement Among the Federal Highway Administration, the Advisory Council on Historic Preservation, the California State Historic Preservation Officer, and the California Department of Transportation Regarding Compliance with Section 106 of the National Historic Preservation Act as it Pertains to the Administration of the Federal-Aid Highway Program in California, effective January 1, 2014.

The HPSR form is typically used for simple, straightforward projects such that are not large in scope and do not contain a large number of evaluated resources.

The templates appear to be very long because they contain the full range of applicable options with the appropriate language for each finding. Sections 3 through 8 contain the most frequently used statements and conclusions. One or more statement in these sections may apply, depending on the project. *Delete any statements that do not apply.*

Delete the instructions and irrelevant statements in the HPSR, whether in form or narrative format.

If a section is not applicable, the heading will remain and the “Not Applicable” box is checked, or the narrative statement is retained.

## **General HPSR Format**

Both the narrative HPSR and the HPSR form templates are available on-line at the Division of Environmental Analysis Standard Environmental Reference website.

Whichever format is used, include the following information as necessary:

### **Title Page (Narrative HPSR Only)**

The title page contains the following information:

- Brief descriptive title with name and general location of project (e.g., “Minor Widening on State Route 53 between Fern Creek and Matador Road”).
- County, route, and postmile or local street or road name.
- EA and/or E-FIS<sup>2</sup> project number, or for a Local Assistance project, use the Federal-Aid number.
- Project contract number (if prepared by consultants).
- Name, title, and signature of the Caltrans Professionally Qualified Staff (PQS) or consultant PQS-equivalent who prepared the report. Also state the preparer’s PQS or PQS-equivalent level and address or location.

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<sup>2</sup> Enterprise Resource Planning Financial Infrastructure. This is a 10-digit number, followed by a phase number of one or more digits.

- Name, title and signature of the PQS who reviewed the report for approval, along with the reviewer’s location/address and PQS level (if different than preparer).
- Name, title, location and, signature of the Caltrans Environmental Branch Chief (DEBC) for whom the report was prepared. The DEBC’s signature on the title page indicates approval and acceptance of the document.
- Month/year HPSR was prepared (appears at bottom of page).

At the bottom of the title page, include the following NEPA Assignment MOU language, as applicable: “The environmental review, consultation, and any other actions required by applicable Federal environmental laws for this project are being, or have been, carried out by Caltrans pursuant to 23 U.S.C. 327 and the Memorandum of Understanding dated May 27, 2022 and executed by FHWA and Caltrans.” *(Delete this section if project is being processed as a Categorical Exclusion under 23 USC 326. Confirm with project generalist if unsure.)*

If the HPSR form is used, a title page is not necessary. The signatures appear at the end of the form.

### **Summary of Findings (Narrative HPSR Only)**

State the purpose of the document (e.g., to request SHPO concurrence on Caltrans’ determination(s) of eligible or not-eligible for evaluated properties) and briefly summarize the results of cultural resource studies.

If there are Caltrans-owned historical resources within the APE, state that the consultation is also being undertaken pursuant to the Public Resources Code 5024 Memorandum of Understanding<sup>3</sup> (5024 MOU). If any Caltrans-owned building(s) or structure(s) were determined to be eligible, request that SHPO add them to the Master List of Historical Resources (Master List), pursuant to California Public Resources Code (PRC) 5024(d). *Do not reference the 5024 MOU if there are no Caltrans-owned resources within the APE.*

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<sup>3</sup> 2015 Memorandum of Understanding between the California Department of Transportation and the California State Historic Preservation Officer Regarding Compliance with Public Resources Code Section 5024 and Governor’s Executive Order W-26-92, addended 2019.

If the HPSR form is used, the summary of findings is not necessary because the findings are summarized on the form in Sections 5 or 6, as appropriate.

### **Project Description and Location**

- Describe the project concisely, including information on the actual physical impacts such as the horizontal and vertical extent of any ground disturbance.
- Refer to the full project description, as well as the location and vicinity maps, in the applicable attached technical study.
- See Exhibits section below for more information about location and vicinity maps.

### **Area of Potential Effects**

- Include a description of the APE stating how and why the boundaries were established. Include both vertical and horizontal boundaries.
- Identify the Caltrans PQS and the Project Manager or District Local Assistance Engineer (DLAE) who approved the APE, and dates of approval.
- Attach appropriate mapping, including a signed APE map, or refer to the technical study that includes the map (see Exhibits section below).

### **Consulting Parties and Public Participation**

Summarize coordination efforts and public comments received to date. If the project is simple, limit these to contacts (including form letter notifications) with local historical societies, Indian tribes, tribal representatives, agencies, or other interested parties. Attach a consultation log if necessary, or refer to the technical study that includes a consultation log. Provide the contact name and date and the nature and date of any responses. For projects involving ND/FONSIs or EIR/EISs, public involvement may include map displays or public hearings. Describe NEPA public involvement events that are anticipated as well as those that have occurred. Explain comments received and responses. Coordination efforts should include, but are not limited to:

- Local Government (Head of local government, Preservation Office / Planning Department)
- Native American Heritage Commission
- Native American Tribes, Groups and Individuals
- Local Historical Society / Historic Preservation Group (also if applicable, city archives, etc.)
- Public Information Meetings (list locations, dates and attach copies of notices)

## Summary of Identification Efforts

Include inventories, facilities, and persons consulted. At a minimum, the following should be consulted:

- Caltrans Cultural Resources Database (CCRD). As the CCRD is for internal Caltrans staff use only, consultants must coordinate with the appropriate Caltrans PQS to ensure it has been consulted.
- Caltrans Historic Bridge Inventory
- National Register of Historic Places and updates
- California Register of Historical Resources and updates
- California Inventory of Historic Resources
- California Historical Landmarks and updates
- California Points of Historical Interest and updates
- The appropriate Information Center of the California Historical Resources Information System.
- Local government landmark and register listings

Note any other sources (human or archival) used, such as county assessor's records, historical society or museum archives, oral histories taken from property owners or interested parties, etc. Briefly describe the results of the research.

## Properties Identified

State whether there are any cultural resources within the APE. List any cultural resources identified within the APE and provide pertinent information for each of them. Refer to the appropriate attached supporting documentation as warranted. Identify as such any resources that are Caltrans-owned.

For the Narrative HPSR, include concise background and contextual information about the project area to support the determination of eligible or not eligible for the evaluated resources.

Include the following statements/information as appropriate:

- No cultural resources are present within the APE.
- Properties are exempt from evaluation per Section 106 PA Attachment 4 and an appropriately qualified Caltrans PQS staff or consultant meeting the qualifications in Section 106 PA Attachment 1 at the applicable PQS level has made that determination.

- Properties were previously evaluated as not eligible for inclusion in the NRHP with SHPO concurrence, and those determinations are still valid. *Attach SHPO or Keeper correspondence.*
  - Bridges are listed as Category 5 in the Caltrans Historic Highway Bridge Inventory. *Refer to the attached page from the inventory.*
- Properties were evaluated as not eligible for inclusion in the NRHP. Request SHPO concurrence with the determination. *Refer to applicable attached supporting documentation.*
- Archaeological sites are considered eligible for purposes of the project only, in accordance with Section 106 PA Stipulation VII.C.3 because they will be protected through the establishment of ESAs.
- Properties are considered eligible for purposes of the project only in accordance with Section 106 PA Stipulation VIII.C.4, because evaluation was not possible. *Note: requires CSO approval prior to completion of the HPSR. Include the date of CSO approval. Refer to attached written confirmation if applicable.*
- Historic properties were previously listed or determined eligible for inclusion in the NRHP and those determinations are still valid. *Include the date of listing or determination, applicable criteria, level and period of significance, and a copy of the SHPO/Keeper's concurrence. If Caltrans-owned, state whether property is or is not on the Master List.*
- Properties were evaluated as eligible for inclusion in the NRHP. Request SHPO concurrence with the determination. *Include the date of listing or determination, applicable criteria, level and period of significance. Refer to relevant attached supporting documentation.*

Provide the site trinomial (e.g., CA-TRI-433) for each identified archaeological site. As some Information Centers have a backlog in assigning trinomials, using a primary number is acceptable for those counties. However, every effort should be made to acquire a trinomial for evaluated archaeological sites.

To facilitate SHPO's ability to maintain the Office of Historic Preservation (OHP) determinations of eligibility database, the identifying information for each evaluated property should follow a specific format that includes the property name (if applicable), address/location information, and the name of the community (or vicinity) where the

property is located. Also provide the APE Map Reference number assigned to the property, and the OHP historical resource status code, if available. See the OHP's [Historical Resources Status Codes](#).

For example:

The following properties are eligible for inclusion in NRHP and are historical resources under CEQA:

Name	Address/Location	Community	OHP Status Code	Map Ref. #
Residence	451 Main St.	Anywhere, CA	2	(MR #1)
Ortega Feed Store	10097 Highway 4	Anywhere (vic.), CA	2	(MR #5)

None of the following properties are eligible for inclusion in the NRHP, nor are they historical resources under CEQA:

Name	Address/Location	Community	OHP Status Code	Map Ref. #
Able's Prune Packing Plant	35 E. Canterbury St.	Someplace, CA	6	(MR #1)
Melville Apts.	8012 S. Oceanview Dr.	Someplace, CA	6	(MR #5)
Little River RR Viaduct	Next to SR 43, KP 10.7	El Nido, CA	6	(MR #18)

Do not list properties that qualified for treatment under 106 PA Attachment 4, with the exception of any Caltrans-owned property types 3-7, which are listed by name and address only. (See Exhibit 4.4: Minimal Recordation for Certain Exempted State-Owned Resources). Include the appropriate statement as follows:

[Name of Caltrans architectural historian or qualified consultant architectural historian], who meets the Professionally Qualified Staff Standards in Section 106 PA Attachment 1 as an Architectural Historian or above, has reviewed the project APE and confirmed that the only/only other properties present within the APE meet the criteria for Section 106 PA Attachment 4 (Properties Exempt from Evaluation).

[Name of Caltrans archaeologist or qualified consultant archaeologist], who meets the Professionally Qualified Staff Standards in Section 106 PA Attachment 1 as a Co-Principal Investigator or above, has reviewed the project APE and confirmed that the only/only other properties present within the APE meet the criteria for Section 106 PA Attachment 4 (Properties Exempt from Evaluation).



## Findings for the Undertaking

The HPSR may be used to document the finding of effect for the undertaking, referring to attached supporting documentation as appropriate, or it may indicate that Caltrans will be continuing consultation regarding the effect finding.

If using a narrative HPSR, provide a brief description of the effects and reference the appropriate attachment for more detailed information. Describe the specific effects to each property as relevant, but make one effect finding for the undertaking as a whole.

If using the HPSR form, summarize the finding by checking the appropriate box as described below and referencing to the appropriate attachment for more detailed information.

There may be only one finding for the undertaking as a whole. The possible findings are:

## Finding of No Historic Properties Affected

Under 106 PA Stipulation IX.A, if Caltrans finds that either no historic properties are present or that historic properties are present but the undertaking will not have an effect on them, the District documents the finding and keeps a copy on file, and notifies any consulting parties of the finding. If the HPSR is being sent to SHPO for consultation on determinations of eligibility, the District may use the HPSR to concurrently notify SHPO of the effect finding.

Check the box indicating the appropriate statement as follows:

- Caltrans, pursuant to Section 106 PA Stipulation IX.A has determined a **Finding of No Historic Properties Affected** is appropriate for this undertaking because there are no historic properties within the APE.
- Caltrans, pursuant to Section 106 PA Stipulation IX.A has determined a **Finding of No Historic Properties Affected** is appropriate for this undertaking because the following historic properties will not be affected. *[identify any properties determined eligible as a result of the current study and/or any previously listed/eligible historic properties within the APE, and explain why they would not be affected. The documentation must clearly explain why there is no effect to historic properties.]*

## Effects Undetermined

If effects are not yet determined, check the box indicating that Caltrans will be continuing consultation with CSO and/or the SHPO on the assessment of effects as follows:

- Caltrans, pursuant to Section 106 PA Stipulation IX.B has determined that there are historic properties within the APE that may be affected by the undertaking. **Effects are still undetermined**, so in accordance with Section 106 PA Stipulation X, Caltrans will continue consultation with CSO and/or SHPO in the future on the assessment of effects.

### **Finding of No Adverse Effect with Standard Conditions (FNAE-SC)**

Pursuant to 106 PA Stipulation X.B.1.a/b and Attachment 5, Districts are required to send findings of No Adverse Effect with Standard Conditions to CSO for approval. CSO has 15 days from receipt to object to the finding. CSO’s concurrence in the District’s effect finding is contingent upon SHPO’s concurrence in the District’s determination of eligibility, if applicable. See Exhibit 2.8 for information on preparing a finding of No Adverse Effect report.

For a “Finding of No Adverse Effect with Standard Conditions- Environmentally Sensitive Area” (FNAE-SC-ESA), briefly describe the ESA in the HPSR and reference the attached FOE and ESA Action Plan. Include all restrictions on activities within the ESA and describe how the restrictions will be enforced (e.g., fencing, monitoring construction, etc.). Include the name and PQS level of the Caltrans PQS who reviewed the ESA Action Plan. If using the HPSR form, summarize the finding below the appropriately checked box and refer the reader to the appropriate attachment for more detailed information. See Exhibit 2.11 for information on preparing an ESA Action Plan.

For a “Finding of No Adverse Effect with Standard Conditions-Secretary of the Interior’s Standards” (FNAE-SC-SOIS), in the HPSR, briefly describe how the project complies with the applicable SOIS and refer to the attached FOE and SOIS Action Plan. Include the name and PQS level of the Caltrans PQS who reviewed the work for compliance with the SOIS. If using the HPSR form, summarize the finding below the appropriately checked box and refer the reader to the appropriate attachment for more detailed information. See Exhibit 2.12 for information on preparing an SOIS Action Plan. For information specific to historic bridges and tunnels, see Exhibit 7.4: Historic Bridges and Tunnels - No Adverse Effects with Standard Conditions.

Check the box indicating that the finding for the undertaking is No Adverse Effect with Standard Conditions, as follows:

- Caltrans, pursuant to Section 106 PA Stipulation X.B.1.a/b and Attachment 5 and as applicable PRC 5024 MOU Stipulation X.B.1.a/b and Attachment 5, has determined a **Finding of No Adverse Effect with Standard Conditions**-[select one or both: *ESA and/or SOIS*], is appropriate for this undertaking, and is hereby notifying CSO of this finding. [Name], who meets the PQS Standards in Section 106 PA Attachment 1 and as applicable PRC 5024 MOU Attachment 1 as a(n) [*Indicate applicable PQS level*], has reviewed the attached documentation and determined that it is adequate. (*Include ESA and/or SOIS Action Plan as attachment.*)

Concurrent with sending the HPSR and supporting documentation to CSO, the District must provide notification of the finding to any consulting parties that have expressed views regarding potential effect to historic properties, pursuant to 106 PA Stipulation X.B(1).

### **Finding of No Adverse Effect (FNAE)**

Pursuant to 106 PA Stipulation X.B.2.a, Districts are required to send findings of No Adverse Effect with supporting documentation to CSO for review. If CSO agrees with the finding, CSO consults the SHPO pursuant to 36 CFR 800.5(c) and requests SHPO's concurrence with the finding of effect. See Exhibit 2.8 for information on preparing a finding of No Adverse Effect report.

In the HPSR, briefly describe the adverse effects to each historic property. Describe any conditions being imposed to avoid adverse effects and reference the supporting documentation for full details. Include any other relevant information to support the proposed finding. If using the HPSR form, summarize the finding below the appropriately checked box and refer the reader to the appropriate attachment for more detailed information.

Check the box indicating that the finding for the undertaking is No Adverse Effect, as follows:

- Caltrans, pursuant to Section 106 PA Stipulation X.B.2, has determined a Finding of No Adverse Effect is appropriate for this undertaking, and requests SHPO's concurrence in this determination. [*Include FOE as attachment*].

Concurrent with sending the finding to CSO, the District provides notification of the finding to any consulting parties that have expressed views regarding potential effect to historic properties, pursuant to Section 106 PA Stipulation X.B.2.a.

### **Finding of Adverse Effect**

Pursuant to 106 PA Stipulation X.C, Districts are required to send most findings of Adverse Effect to CSO. If CSO agrees with the finding, CSO consults the SHPO and requests SHPO's concurrence in this finding. See Exhibit 2.9 for information on preparing a finding of Adverse Effect report.

When the only adverse effects are to an archaeological site eligible under NRHP Criterion D only, in accordance with 106 PA Stipulation X.C.2, the District may submit the finding to CSO and the SHPO concurrently.

In the HPSR, briefly describe the adverse effects to each evaluated property and why the effect is not adverse. Describe any conditions being imposed to minimize adverse effects, or avoid adverse effects to properties in the APE that are not subject to adverse effects. Refer to the supporting documentation for full details. Include any other relevant information to support the proposed finding. If using the HPSR form, summarize the finding below the appropriately checked box and refer the reader to the appropriate attachment for more detailed information.

Check the box indicating that the finding for the undertaking is Adverse Effect, as follows:

- Caltrans, pursuant to Section 106 PA Stipulation X.C Stipulation X.C, has determined a **Finding of Adverse Effect** is appropriate for this undertaking, and requests SHPO's concurrence in this determination.

## **Tribal Lands, THPO Consultation or When FHWA Is Not Lead Agency**

The 106 PA does not apply to undertakings that occur on or affect tribal lands, for undertakings that involve consultation with a Tribal Historic Preservation Officer (THPO), or when FHWA is not the lead agency for the federal undertaking.<sup>4</sup>

For undertakings where the 106 PA is not applicable, use the narrative HPSR format. The consultation language cites the appropriate sections of 36 CFR 800 rather than the 106 PA stipulations. See Exhibit 2.2 for concordance between the 106 PA and 36 CFR 800. Follow the guidance elsewhere in this exhibit, as applicable.

For properties that would be treated as exempt from evaluation under the 106 PA, state that the only/only other cultural resources present within the APE are properties that have no potential for historic significance under the NRHP eligibility criteria, nor are they historical resources for the purposes of CEQA, and note the reason (e.g., they are archaeological property types that do not warrant recordation; they are minor, ubiquitous or fragmentary infrastructure elements that are not over 50 years old and are not properties that may contribute to the significance of larger historic properties, etc.)

Effect findings other than a Finding of No Historic Properties Affected are not documented in the HPSR for non-106 PA projects but are included as a separate Finding of Effect. As “standard conditions” are a provision of the 106 PA, a Finding of No Adverse Effect with Standard Conditions is not applicable for non-106 PA projects, though implementing an ESA and use of the SOIS may be proposed as (non-standard) conditions to reach a finding of No Adverse Effect in accordance with 36 CFR 800.5(b).

### **HPSR Findings for Non-106 PA Projects**

Under the regular Section 106 process, the District sends a copy of the HPSR to CSO. CSO transmits the HPSR to SHPO/THPO.

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<sup>4</sup> Note for 106 PA projects when FHWA is the lead agency that involve other federal agencies (issuing permits or otherwise providing assistance), the other agencies are not obligated to use the 106 PA to fulfill their Section 106 responsibilities. See Chapter 2 Section 2.3.3 and Stipulation I of the 106 PA.

Include as applicable the following statements:

- As assigned by FHWA and pursuant to 36 CFR 800.4(a) and (b), Caltrans has determined that the APE and the scope and level of the identification efforts are adequate for this undertaking, and requests SHPO/THPO's concurrence.
- There are no cultural resources within the APE.
- \_\_\_\_\_ [*Name and indicate whether person is a Caltrans or consultant architectural historian or archaeologist*], who meets the Professionally Qualified Staff Standards as \_\_\_\_\_ (*Indicate applicable PQS level*), has reviewed the project APE and confirmed that the only/only other properties present within the APE clearly lack significance either due to loss of integrity or the absence of historical associations or research values that would qualify the property as eligible for inclusion in the National Register of Historic Places or would make it a historical resource for purposes of CEQA, because they are: [*Include only the applicable reason(s).*]
  - Archaeological property types or resources that do not warrant recordation
  - Minor, ubiquitous, or fragmentary infrastructure elements that are not over 50 years old and are not properties that may contribute to the significance of larger historic properties such as districts or cultural landscapes
  - Buildings, structures, objects, districts, and sites less than 30 years old
  - Buildings, structures, objects, districts, and sites so altered as to appear less than 30 years old
  - Buildings, structures, objects, districts, and sites 30 to 50 years old and do not warrant recordation or evaluation, as determined by a qualified Architectural Historian or Principal Architectural Historian
  - Buildings, structures, and objects moved within the past 50 years and do not warrant recordation or evaluation, as determined by a qualified Architectural Historian or Principal Architectural Historian
  - Buildings, structures, and objects moved 50 or more years ago and do not warrant recordation or evaluation, as determined by a qualified Architectural Historian or Principal Architectural Historian
  - Altered buildings, structures (including roads, highways and associated features other than bridges, railroads and other than buildings or bridges), objects, districts, and sites that appear to be more than 30 years old ago, do not warrant recordation or evaluation, as determined by a qualified Architectural Historian or

Principal Architectural Historian, are not listed in a local survey of historical properties, and the conclusion of not historically significant is not controversial

- Properties present within the project APE previously were determined not eligible for inclusion in the National Register of Historic Places in consultation with the SHPO/THPO, or were formally determined not eligible by the Keeper of the National Register are present within the project APE and the prior determinations are still valid. Copy of SHPO/THPO/Keeper correspondence is attached.
- As assigned by FHWA and pursuant to 36 CFR 800.4(c), Caltrans has determined that within the project APE there are properties evaluated as a result of the project that are not eligible for inclusion in the National Register of Historic Places, and requests SHPO/THPO's concurrence in this determination.
- As assigned by FHWA and pursuant to 36 CFR 800.4(c), Caltrans has determined that within the project APE there are properties evaluated as a result of the project that are eligible for inclusion in the National Register of Historic Places, and requests SHPO/THPO's concurrence in this determination.
- Properties previously determined eligible for the National Register of Historic Places in consultation with the SHPO/THPO, or formally determined eligible by the Keeper of the National Register of Historic Places are present within the project APE, and the prior determinations remain valid.
- As assigned by FHWA and pursuant to 36 CFR 800.4(d)(1), Caltrans has determined a Finding of No Historic Properties Affected is appropriate for this undertaking, and is hereby notifying the SHPO/THPO of this finding.

## Concurrent State Compliance

For federal undertakings that also involve Caltrans-owned resources, the HPSR may be used to document compliance with both Section 106 and PRC 5024. See Findings for Caltrans-Owned Properties section below. The HPSR may also serve as simultaneous documentation for Caltrans' considerations under CEQA when applicable. See the CEQA Considerations section below. For state-only projects, the Historical Resources Compliance Report is used to document PRC 5024 compliance and considerations under CEQA; see Exhibit 2.7.

## Findings for Caltrans-Owned Properties

When there are Caltrans-owned cultural resources in the APE of a federal undertaking, Caltrans must also comply with PRC 5024. Pursuant to 5024 MOU Stipulation III, the Section 106 documentation may serve as concurrent compliance with PRC 5024. Therefore the HPSR is used to document PRC 5024 compliance for a federal undertaking that involves Caltrans-owned properties. The HPSR would reference both the Section 106 regulatory authority (106 PA or 36 CFR 800, as applicable) and the 5024 MOU in Section 1; it does not need to cite individual 5024 MOU stipulations throughout the document.

The letter transmitting the HPSR to SHPO also references the PRC 5024 MOU. See Copy the PRC 5024 Branch Chief in CSO when a Section 106 project also involves PRC 5024 compliance. See Exhibit 2.18 for information on writing transmittal letters.

## CEQA Considerations

In order to minimize redundancy for Caltrans and to document compliance, CEQA considerations regarding cultural resources may be included in Section 7 of the HPSR. Consultation with SHPO is not required under CEQA.

Check the box indicating the appropriate statement as follows:

- Not applicable; Caltrans is not the lead agency under CEQA
- Caltrans PQS has determined there are No Historical Resources present, as outlined in CEQA Guidelines 15064.5(a)
- Caltrans PQS has determined that there are resources in the project area that are not significant resources under CEQA; see Section 5
- Caltrans PQS has determined that there are resources that do NOT meet NRHP criteria, but ARE historical resources for the purposes of CEQA. (*List the resources and how they were determined a CEQA resource*)
- Caltrans PQS has determined that there are resources in the project area that are historical resources for the purposes of CEQA; see Section 5

Considerations of substantial adverse change are not included in the HPSR, but would be included in the Finding of Adverse Effect document to ensure concurrent compliance. See Chapter 2 Section 2.7 and Exhibit 2.9.



## Exhibits

Include the following exhibits as applicable.

### **Location Map, Project Vicinity Map and APE Map**

Include, at minimum, a map showing project location and vicinity, and a project APE map illustrating the proposed project, upon which the APE limits have been delineated. All project maps must be in color. If the maps are included in an attachment, they do not need to be included in the HPSR separately; simply reference the appropriate attachment.

When cultural resources are present, the project APE map must be of sufficient scale (200' scale is preferred) and have enough project detail to demonstrate the relationship of historic properties to the proposed project, especially if the HPSR serves to document a Finding of No Historic Properties Affected. Clearly show the APE, the location of all properties discussed in the HPSR, the boundaries of any eligible or listed historic properties, and the boundaries of any ESAs used. Include a scale and north arrow.

If there are historic properties, the APE map should be drawn to encompass the boundaries of any National Register listed or eligible properties (including previously determined eligible and newly evaluated as eligible properties). It is permissible to indicate an Area of Direct Impact (ADI), but the ADI must be entirely within the APE. It is permissible to remove duplicate sets of maps, but clearly indicate which maps are where in the supporting attached documentation.

### **Photographs and Other Exhibits**

Include other appropriate exhibits. Good clear exhibits and graphics such as photo simulations of existing conditions and proposed conditions are invaluable to demonstrate the arguments and decisions discussed made in the text. SHPO's copy of the HPSR should contain either original photographs or scanned images that are clear when printed out.

### **Attachments**

Include, as appropriate:

- Caltrans Historic Bridge Inventory Sheet(s)
- CSO Approval of Assumption of Eligibility
- Historical Resources Evaluation Report (HRER)
- Archaeological Survey Report (ASR)

- Extended Phase One Report (XPI)
- Archaeological Evaluation Report (AER, PII)
- Finding of Effect (FOE)
- Environmentally Sensitive Area (ESA) Action Plan
- Secretary of the Interior’s Standards for the Treatment of Historic Properties (SOIS) Action Plan
- Agreement Document (PA, MOA)
- Other (specify), e.g. phone logs documenting consultation; relevant correspondence from historical societies, Native American groups, local governments, other special interest groups, Native American Heritage Commission, or the SHPO not already included with an attached technical study.

## **HPSR Preparation and Caltrans Approval**

Under the 106 PA, Caltrans PQS or a qualified consultant prepares the HPSR. HPSRs need at least three reviews:

- Peer review of the draft HPSR by PQS at the appropriate level for the contents of the HPSR
- Review of the final HPSR for EBC approval by PQS at the appropriate level
- Review and approval of the final HPSR by the EBC

The HPSR’s primary function is to document the Section 106 process through the identification and evaluation phase, including whether there are historic properties that would be affected by the undertaking [36 CFR 800.4(d) and 106 PA Stipulation IX.B], as well as FNAE-SCs as delegated to CSO. Because of these different functions, depending on what stage of the Section 106 process is being documented, the Caltrans PQS certification level needed to conduct the peer review and review for approval will change. Exhibit 2.14: Required Copies and Required Reviews of Cultural Resources Documents Table C contains a chart with the various HPSRs findings and who is certified to conduct peer review and review for approval. Caltrans PQS at the level appropriate to the type of cultural resources in the APE must peer review and review for approval all attached documentation supporting Section 106 findings (e.g., ASRs, AERs, HRERs, etc.).

After the draft HPSR has been peer reviewed and any necessary revisions are made, the Caltrans PQS or consultant who prepares the HPSR signs, dates the final HPSR and includes

his or her discipline, PQS level (as applicable) and District/Headquarters or affiliation. The Caltrans PQS reviewing the HPSR for approval likewise signs, dates, and includes his/her PQS discipline, level and District. If the Caltrans PQS document preparer is certified at the appropriate level to conduct reviews for approval (at a minimum Lead Archaeological Surveyor or Architectural Historian level or above), his or her signature on the final document also signifies review for EBC approval. The EBC signs and dates the HPSR to signify approval.

## **NEPA Assignment**

Under the authority of 23 USC 326 and 23 USC 327, FHWA assigned all FHWA responsibilities for compliance under the National Environmental Policy Act (NEPA), including FHWA's Section 106 responsibilities. The Section 106 PA further clarifies roles and responsibilities under NEPA Assignment. For more information on NEPA assignment, please refer to Chapter 38 of the Caltrans SER.