

Chapter 1: General Information

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Chapter 1: General Information

1.1 Introduction

The California Department of Transportation (Caltrans) must comply with federal and state environmental laws and regulations designed to protect cultural resources significant in American archaeology, architecture, history, culture, and engineering throughout all phases of project planning and development, construction, permitting, and maintenance.

1.1.1 Use of the Standard Environmental Reference, Volume 2: Cultural Resources

This volume provides guidance to identify and evaluate cultural resources, process cultural resource documents, and implement all cultural resource-related construction, maintenance, and encroachment activities.

“Cultural resources” means any tangible or observable evidence of past human activity, regardless of significance, found in direct association with a geographic location, including tangible properties possessing intangible traditional cultural values, such as artifacts, archaeological sites, buildings, bridges and other structures.

This volume addresses general issues related to cultural resource management, such as complying with federal and state environmental laws, the procedures that should be followed when dealing with effects to cultural resources, developing appropriate mitigation, and addressing emergency situations or unanticipated effects. Project-specific issues not covered in SERv2 may require consultation with Headquarters or other District staff and require management approval. Districts are encouraged to refer unusual or potentially precedent-setting situations to the appropriate branch chief in the Cultural Studies Office (CSO) of the Division of Environmental Analysis in Headquarters.

Volume II of the Standard Environmental Reference (SERv2) should be used with other project planning and development guides and references including Volume 1 of the SER, especially [Chapter 28](#), and the Project Development Procedures Manual.

1.1.2 Purpose

This guidance:

- Presents Caltrans policies and procedures regarding cultural resources;
- Details procedures and activities required by law, regulation, and Executive Order pertaining to cultural resources;
- Sets forth cultural resource management roles and responsibilities; and
- Sets forth guidelines to promote consistency, uniformity, and effective handling of cultural resources in the conduct of Caltrans' activities.

Definitions of key terms can be found in Exhibit 1.3. Common acronyms and abbreviations are identified in Exhibit 1.4.

1.1.3 Transportation and Historic Preservation

Caltrans is required to comply with federal and state historic preservation laws and regulations. What follows is a summary of the evolution of historic preservation laws and Caltrans' involvement in managing cultural resources under its jurisdiction.

When Caltrans was created in 1973, succeeding the Division of Highways, its enabling legislation set forth key concepts and principles for Caltrans. The legislation emphasizes consideration of the environment, and requires that "environmental impacts of transportation should be taken into consideration." The Director's Environmental Policy (1992) states "Caltrans protects and enhances the environment..." and "evaluates the environmental benefits and consequences of its activities and implements practices that minimize environmental impacts."

The majority of Caltrans projects uses federal funds or requires federal licenses or permits and is therefore subject to federal environmental laws and regulations. Caltrans projects are also subject to the requirements of state environmental law. Caltrans' environmental process is designed to meet both NEPA and CEQA requirements. When projects have no federal involvement, only state environmental laws and regulations apply. The evaluation and treatment standards are similar for both federal and state-only projects.

1.2 Historic Preservation Laws and Regulations

1.2.1 Federal Historic Preservation Laws and Regulations

[National Environmental Policy Act \[42 USC 4321 et seq.\]](#). Signed into law on January 1, 1970, NEPA sets forth a national policy for the protection of the environment and requires federal agencies to assess the environmental effects of their proposed actions prior to making decisions. Consideration of historic and cultural resources is included under NEPA.

[National Historic Preservation Act \[54 USC 300101 et seq.\]](#). Enacted in 1966, the NHPA, as amended, sets forth national policy for the protection of historic properties. The NHPA established state historic preservation programs administered by a State Historic Preservation Officer (SHPO), tribal historic preservation programs administered by a Tribal Historic Preservation Officer (THPO), and the Advisory Council on Historic Preservation (Council).

- Section 106 of the NHPA, “Protection of Historic Properties,” requires federal agencies to take into account the effect of federal undertakings on historic properties owned by federal agencies or affected by federally funded or federally approved undertakings and afford the Council a reasonable opportunity to comment with regard to such undertaking. The [regulations](#) implementing Section 106 are published at 36 CFR 800-800.16.

[National Register of Historic Places \[54 USC 302101-302108\]](#). Established under the NHPA and overseen by the National Park Service (NPS), the NRHP is the official list of the country’s historic buildings, districts, sites, structures and objects worthy of preservation. Federal agencies use the procedures established by the [NRHP Regulations](#) published at 36 CFR 60 to identify and evaluate cultural resources, and to determine their eligibility for inclusion in the NRHP, in accordance with 36 CFR 800.

[Section 4\(f\) of the Department of Transportation Act of 1966 \[49 USC 303 and 23 USC 138\]](#). Section 4(f) prohibits federal transportation agencies from using lands from publicly owned parks, recreation areas (including recreational trails), wildlife and waterfowl refuges, or public and private historic properties unless there is no prudent or feasible alternative to that use and the action includes all possible public planning to minimize harm to the property resulting from such a use. Section 4(f) has since been recodified but is still referred

to as Section 4(f). The [Section 4\(f\) Regulations](#) are found at 23 CFR 774. FHWA guidelines for Section 4(f) compliance can be found in the [Environmental Review Toolkit](#).

[Historic Sites Act \[54 USC 320101-320106\]](#). This 1935 act established a national policy to preserve for public use historic sites, buildings, and objects of national significance for the inspiration and benefit of the people of the United States. This act authorized the Historic American Building Survey (HABS), the Historic American Engineering Record (HAER), the National Survey of Historic Sites, the establishment of National Historic Sites, and the designation of National Historic Landmarks.

[American Indian Religious Freedom Act \[42 USC 1996, 1996a\]](#). This 1978 act, as amended, guarantees the rights of American Indians to express and practice traditional religions, and directs federal agencies to protect and preserve these rights.

[Archaeological Resources Protection Act \[16 USC 470aa-mm\]](#). This 1979 act requires permits in order to excavate or remove any archaeological resources on public lands and Indian lands in order to protect archaeological resources. Rules and regulations concerning this act are printed under [43 CFR Part 7](#).

[Native American Graves Protection and Repatriation Act \(NAGPRA\) \[25 USC 3001-3013\]](#). Enacted in 1990, NAGPRA, as amended, requires federal agencies and entities (museums) receiving federal funds to inventory and repatriate ancestral (human) remains and associated funerary objects, as well as items of unassociated funerary objects, sacred objects, and objects of cultural patrimony. The agencies and museums must offer to return ancestral remains and cultural items to the Federally Recognized Tribes who are the lineal descendants or most closely culturally affiliated tribe. The law also protects Native American graves and other cultural items located within archeological sites on federal and tribal land. The NAGPRA regulations are found at [43 CFR 10](#).

[Executive Order 11593 Protection and Enhancement of the Cultural Environment \(May 13, 1971\)](#). This EO outlines federal procedures for protecting cultural resources under federal ownership and provides direction on the process by which eligible properties are nominated to the NRHP. Inventory and nomination requirements of this EO do not directly apply to FHWA, as FHWA does not own property, under Section 1(3), FHWA is required to contribute to the preservation and enhancement of non-federally owned sites, structures, and objects of historical, architectural, or archaeological significance. This order strengthened Section

106 by extending the requirements of the law to protect eligible and potentially NRHP-eligible properties.

[Executive Order 13007](#) **Indian Sacred Sites (May 24, 1996)**. Designed to protect and preserve Indian religious practices, this EO directs each federal agency that manages federal lands to “(1) accommodate access to and ceremonial use of Indian sacred sites by Indian religious practitioners and (2) avoid adversely affecting the physical integrity of such sacred sites.”

1.2.2 State Historic Preservation Laws and Regulations

[California Environmental Quality Act](#) [PRC 21000 et seq.]. Enacted in 1970, CEQA, is the foundation of environmental law and policy in California. It encourages the protection of all aspects of the environment, including historical resources, by requiring state and local agencies to take into consideration the environmental effects of their actions. CEQA establishes that “it is the policy of the state...to take all action necessary to provide the people of the state with...historic environmental qualities.”

The [CEQA Guidelines](#) found in Title 14 of the California Code of Regulations (CCR) Section 1500 et seq. are the implementing regulations for CEQA. Of particular importance for cultural resources are Section 15064.5 (determining the significance of impacts to archaeological and historical resources), Section 15126 (mitigation measures to minimize significant effects to historical resources), and Section 15331 (categorical exemption of a project involving historical resource when the work involves repairs, maintenance, alterations, rehabilitation, etc. of historical resources when the Secretary of the Interior’s Standards for the Treatment of Historic Properties are used).

[PRC 5024](#) and [PRC 5024.5](#) **State-owned Historical Resources**. Public Resources Code (PRC) 5024 requires each state agency to prepare inventories of state-owned historical resources under its jurisdiction, to formulate policies to preserve and maintain, when prudent and feasible, all state-owned historical resources under its jurisdiction, and to provide notice and summary documentation to the SHPO regarding any project having the potential to affect historical resources listed in or potentially eligible for inclusion in the NRHP or registered as or eligible for registration as a California Historical Landmark (CHL). Under [PRC 5024.5](#), state agencies are required to provide notice to, and consult with, the SHPO before altering, transferring, relocating, or demolishing state-owned historical buildings and

structures that are listed in or potentially eligible for inclusion in the NRHP or registered as or eligible for registration as a CHL.

California Register of Historical Resources [PRC 5024.1]. Established in 1992, the CRHR is a listing of resources considered to be historical resources in the state. The CRHR implementing regulations, which set forth the criteria for eligibility as well as guidelines for integrity and resources that have special considerations, are published in Title 14 CCR, 4850 et seq.

PRC 5027 Transfer of State-owned National Register Property. This section of the code requires statutory approval by the Legislature prior to the demolition, destruction or significant alteration (except for restoration to preserve or enhance its historical values) of any state-owned building or structure that is listed in the NRHP and is transferred from state ownership to another public agency. This law does not apply to archaeological sites, landscapes or other non-structural property types.

PRC 5028 Emergency Projects. This section of the code, enacted in 1989, states that no historical resource that is damaged due to natural disaster and that is listed in the NRHP or the CRHR or on a local public register can be demolished or destroyed unless it is an imminent threat to public safety or may damage an adjacent property and unless the SHPO determines that it may be demolished.

PRC 5097.5 Disturbance of Archeological Sites. This section of the code makes it a misdemeanor for anyone to knowingly disturb any archaeological, paleontological, or historical feature situated on public lands, except with the express permission of the public agency having jurisdiction over the lands.

PRC 5097.9 Native American Religious Freedom. This section of the code prohibits public agencies from interfering with the free expression or exercise of Native American religion or causing severe or irreparable damage to any Native American sanctified cemetery, place of worship, religious or ceremonial site, or sacred shrine located on public property. The only exception occurs when it can be clearly and convincingly demonstrated that the public interest and necessity require such action. PRC 5097.91 also establishes the Native American Heritage Commission (NAHC), which can mediate disputes relating to treatment of human remains and designate "most likely descendants" of encountered human remains.

California Government Code Sections [6254\(r\)](#) and [6254.10](#). These sections exempt archaeological site records and records of Native American graves, cemeteries and sacred places maintained by the NAHC from public disclosure requirements.

[California Native American Graves Protection and Repatriation Act](#) [Health and Safety Code (H&SC) 8010 et seq]. This act, signed into law in 2001 and amended in 2020 through [Assembly Bill No. 275](#), requires that entities in receipt of state funds repatriate Native American ancestral (human) remains and associated funerary objects, as well as unassociated funerary objects, sacred objects, and objects of cultural patrimony to California Native American Tribes.

[Assembly Bill No. 52](#). Signed into law in 2014, AB52 creates a new category of environmental resources that must be considered under CEQA, “tribal cultural resources,” and imposes new requirements for consultation regarding projects that may affect a tribal cultural resource, includes a broad definition of what may be considered to be a tribal cultural resource, and includes a list of recommended mitigation measures.

Executive Order [W-26-92](#) (April 8, 1992). This EO requires state executive branch agencies to take specific measures to preserve significant state-owned properties, to appoint agency preservation officers, to administer historic properties under their control, regardless of ownership, in a spirit of stewardship, and to report annually to the SHPO on these activities. The Caltrans Preservation Officer is the Division of Environmental Analysis (DEA) Chief.

Executive Order [B-10-11](#) (September 19, 2011). In this EO, the State of California recognizes the inherent right of Native American tribes to exercise sovereign authority over their members and territory and is committed to strengthening and sustaining effective government-to-government relationships between the State and Tribes by identifying areas of mutual concern and working to develop partnerships and consensus. The EO states that, "it is the policy of the administration that every state agency and department subject to executive control shall encourage communication and consultation with California Indian Tribes. The EO also directs that, “Agencies and Departments shall permit elected officials and other representatives of tribal governments to provide meaningful input into the development of legislation, regulations, rules, and policies on matters that may affect tribal communities."

Executive Order [N-15-19](#) (June 18, 2019). This EO reaffirms and incorporates by reference the principles outlined in EO B-10-11 and issues a formal apology on behalf of the citizens of California to all California Native Americans. The EO also establishes a Truth and Healing Council to formally examine and document the historical relationship between the State and California Native Americans to acknowledge and account for historical wrongs committed by the State.

1.2.3 Agreements and Understandings

Caltrans fulfills its responsibilities under Section 106 of the NHPA through the 2024 *Programmatic Agreement Among the Federal Highway Administration, the Advisory Council on Historic Preservation, the California State Historic Preservation Officer, the United States Army Corps of Engineers' Sacramento District, San Francisco District, and Los Angeles District, 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 (106 PA). The 106 PA is Caltrans' alternative process for compliance with Section 106 for applicable Federal-Aid Highway projects. A copy of the 106 PA is included as Exhibit 1.1 of SERv2.

There is also the 2024 *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* (5024 MOU). The 5024 MOU is Caltrans' alternative process for compliance with PRC 5024, PRC 5024.5 and EO W-26-92. A copy of the 5024 MOU is included as Exhibit 1.2 of SERv2.

1.2.4 Caltrans Cultural Resources Policies

The Director's Environmental Policy (1992)

The Director's Policy states that Caltrans evaluates the environmental benefits and consequences of its activities and implements practices that minimize environmental impacts. The policy intent is to identify, resolve, and include environmental issues when planning transportation projects. It outlines the responsibilities of Caltrans executives and employees for promoting environmental awareness and carrying out Caltrans policy in the course of their duties.

1.3 Cultural Resources Organization and Functions

Caltrans' environmental policies were crafted to encourage coordination among the responsible units. The following section describes the organization and functions of the units responsible for cultural resources management within Caltrans and identifies the roles and responsibilities of cultural resources staff.

The responsibility for managing cultural resources under Caltrans jurisdiction is placed with the Environmental Branches at the District level and CSO in the Division of Environmental Analysis (DEA) in Headquarters. This section of the handbook defines roles and responsibilities of cultural resources personnel and describes the appropriate personnel classifications and qualifications.

1.3.1 District Roles and Responsibilities

The District (or Region where applicable) Environmental Branches independently administer and perform all cultural resources functions for the District, with assistance or review by Headquarters on request.

1.3.1.1 District Responsibilities

Districts have the ultimate responsibility for the quality and timeliness of all cultural resources studies, regardless of who prepared the studies.

1.3.1.2 District Roles

This section defines positions in the District Environmental Branches, which deal specifically with the management of cultural resources.

District Environmental Branch Chief

The District Environmental Branch Chief (DEBC) oversees and directs the cultural resources compliance process in the Districts.

District Heritage Resources Coordinator

The primary role of the Heritage Resource Coordinator (HRC) is to collect the District's data for the 106 PA and 5024 MOU annual reports and provide it to CSO on request. The HRC may have other duties, as assigned by the DEBC.

District Native American Coordinator

As the primary point of contact in the District for the engagement and participation of Native American tribes in the cultural resources compliance process, the District Native American Coordinator (DNAC) helps build and maintain tribal relations in the District and serves as a liaison between the District Environmental Branch and local Native American tribes. The DNAC provides specialized technical assistance on Native American consultation to the District's staff, consultants, and contractors. The DNAC also coordinates with the District Native American Liaisons (DNALs) in the Transportation Planning and Civil Rights programs to ensure that tribal heritage preservation considerations are addressed during the early transportation planning and development processes.

District Repatriation Point of Contact

The role of the District Repatriation Point of Contact (POC) is to lead the District's repatriation efforts in compliance with NAGPRA and CalNAGPRA for Caltrans-controlled archaeological collections. POCs initiate consultation with California Native American Tribes and engage them in consultation regarding the identification of cultural items and the repatriation of ancestral remains and cultural items through either the NAGPRA and/or CalNAGPRA processes. They work directly with the Statewide Collections Coordinator and may coordinate with repositories housing Caltrans-controlled archaeological collections.

District Data Steward

The District Data Steward (DS) is the liaison between the Caltrans Cultural Resources Data (CCRD) Branch and district cultural resource staff and is responsible for overseeing district use of the CCRD. The DS assists district staff with instruction, technical assistance, and guidance for use of the CCRD, supports proper stewardship of data in their district and ensures that district staff understand the importance of confidentiality and accuracy of the data in the CCRD. The DS contacts the CCRD Branch to request new accounts and assists district staff with installing the necessary software.

District Cultural Resources Specialists

When appropriate, Districts hire qualified professional archaeologists, historical archaeologists, or architectural historians to conduct surveys and evaluations and prepare reports that will be used to comply with appropriate federal and state historic preservation

laws and regulations. Professional qualifications are described below in Section 1.3.3, Cultural Resources Staff Qualifications, and in Appendix 1 of the 106 PA and the 5024 MOU.

1.3.2 Headquarters Roles and Responsibilities

The DEA Chief serves as the Caltrans Preservation Officer and Section 106 Agency Official. The CSO Chief is delegated day-to-day responsibilities for effective compliance with cultural resource laws and regulations. CSO develops cultural resources policy and procedures, monitors implementation of the 106 PA 5024 MOU, and provides assistance to the Districts on request. The office is divided into six specialty areas, each overseen by a senior cultural specialist:

- Section 106 Coordination
- Public Resources Code 5024 Coordination
- Native American Cultural Studies (NACS)
- Training and Contracts
- Caltrans Cultural Resource Database (CCRD) Management
- Archaeological Collections Coordination

1.3.2.1 Headquarters Responsibilities

CSO's main responsibility is to ensure that Caltrans' statewide Project Delivery Program complies with Section 106, PRC 5024, NAGPRA and CaNAGPRA, and various other federal and state cultural resources legislation, regulations, and directives.

CSO's functions include:

- As assigned by FHWA, undertake all FHWA responsibilities for Section 106 compliance; conduct consultations, coordinate with SHPO, Council and other federal agencies, and approve actions delegated to CSO by the 106 PA.
- Conduct consultations, coordinate with SHPO and approve actions as delegated to CSO by the 5024 MOU.
- Maintain SERv2 and develop other guidance to ensure consistency and compliance with federal and state requirements for cultural resources.
- Conduct annual training in use of the 106 PA and 5024 MOU required for District cultural resources staff to be certified as PQS.
- Develop other training courses and workshops.

- Upon district request, provide peer review of cultural resources study reports.
- Inform the DEA Chief of all unusual situations, especially emergencies involving possible effects on cultural resources.
- With District input, compile the Annual Reports documenting actions taken under the 106 PA and the 5024 MOU for the fiscal year.
- Conduct joint activities, such as strategy meetings, with the Districts.
- Evaluate District cultural resources programs and activities upon request.
- Certify District and CSO cultural resources staff as PQS.
- Review Environmental Documents as required for Headquarters quality assurance/quality control.
- Review and analyze pertinent historic preservation legislation.
- Maintain and manage the CCRD database.

1.3.2.2 Headquarters Roles

CSO has on staff cultural resources professionals with expertise in anthropology, pre- and post-contact archaeology, architectural history, history, Section 106, PRC 5024, Native American cultural studies, NAGPRA and CalNAGPRA. These specialists provide service to the Districts and other Headquarters units on request and as required by the 106 PA and 5024 MOU. Specific functions are defined below.

Caltrans Preservation Officer

The DEA Chief at Headquarters in Sacramento is the Caltrans Preservation Officer (CPO). As required by the Governor's Executive Order W-26-92, the CPO is responsible for consulting with the SHPO, and, as appropriate, the State Historical Building Safety Board in the development of a management plan that institutes feasible and prudent policies to preserve and maintain its significant heritage resources. These responsibilities have been delegated to the CSO Chief.

Section 106 Coordination

Under the direction of the Section 106 Coordinator, the Section 106 Branch reviews and/or approves technical and compliance documents for adherence to Section 106 and the 106 PA, assists the Districts on Section 106 procedural questions and interpreting application of the 106 PA, coordinates peer reviews of Section 106 compliance documents, and acts as a liaison between the Districts and the SHPO's office. In coordination with other CSO staff, the

Section 106 Branch also provides annual training in use of the 106 PA as well as training and workshops related to Section 106 compliance. The Section 106 Coordinator organizes the quarterly statewide teleconferences to discuss the 106 PA and other cultural resources matters and can provide current examples of Memoranda of Agreement. Section 106 Branch staff may accompany District staff on field visits on request; assist with project scoping activities; and aid in developing mitigation measures. The Branch maintains access to the Caltrans statewide historic bridge inventory. In addition, the Branch prepares the 106 PA Annual Report with input from Districts.

Public Resources Code 5024 Coordination

Under the direction of the PRC 5024 Coordinator, CSO reviews and/or approves various PRC 5024 findings as delegated under the 5024 MOU, assists the Districts on PRC 5024 procedural questions and interpreting application of the 5024 MOU, coordinates peer reviews of PRC 5024 compliance documents, acts as a liaison between the Districts and the SHPO's office for 5024 MOU activities, and provides annual training in use of the 5024 MOU. The PRC 5024 Coordinator serves as Caltrans' representative to the State Historical Building Safety Board on issues related to the California Historical Building Code. The 5024 Coordinator maintains SERv2 and issues other guidance in the "Cultural Call" internal quarterly bulletin. The Coordinator can provide examples of protective covenants for transfer of historical resources out of Caltrans ownership. Additionally, the 5024 Coordinator prepares the 5024 MOU Annual Report with input from Districts.

Native American Cultural Studies (NACS)

Under the oversight of the NACS Chief, CSO provides guidance, advice, training, and support to the Districts in working with Native American individuals, groups, and tribes on identifying and addressing cultural and environmental concerns. The NACS Chief also works with Native Americans directly, either to establish working relationships with DEA, or as requested by districts, to facilitate project delivery. The NACS Chief Serves as the Statewide Native American Coordinator and as DEA's representative on the Caltrans Native American Advisory Committee as well as DEA's liaison with other Caltrans units and Native American Liaisons to assist in developing an integrated and consistent approach to Native American relations and is the liaison with the NAHC, SHPO, Council, U.S. Bureau of Indian Affairs, and other state and federal agencies regarding Native American spiritual and cultural resource concerns. The NACS Chief monitors and evaluates pertinent state and federal legislation and

regulations, disseminates that information to the districts, and seeks to ensure that Caltrans is in compliance with such laws.

Contracts and Training

Under the oversight of the Contracts and Training (CAT) Coordinator, CSO provides general advice and guidance on issues related to the management and preservation of archaeological resources with special emphasis contract management and construction contract specifications. The CAT Coordinator acts as the designated “owner” of construction contract specification standards for cultural resources and reviews of Non-Standard Special Provisions (NSSPs), and coordinates with the Environmental Management Office (EMO) in the design and delivery of training for cultural staff statewide. The CAT Coordinator is also involved in strategic planning, identifying research priorities and funding, organizing statewide task groups on critical cultural issues, and the planning of functional workshops.

Caltrans Cultural Resource Database (CCRD) Management

Under the oversight of the CCRD Manager, CSO maintains the CCRD by developing statewide policy, training staff, and developing quality control processes for the CCRD. The primary responsibility is to assist Caltrans District Cultural Data Stewards (DS) in implementation of their responsibilities by assisting DS and other district staff with technical questions on hardware, data entry and GIS. The CCRD Manager interacts directly with state and federal partners to ensure compatibility between the CCRD and the various other cultural resource databases (e.g., CHRIS). The CCRD Manager also coordinates with the STEVE Project Manager and manages the CSO internal and external websites.

Statewide Collections Coordinator

Under the direction of the Statewide Collections Coordinator, CSO is responsibility for ensuring that the Caltrans District Repatriation POCs have the tools and guidance needed to maintain District archaeological collections records and move repatriation forward with California Native American Tribes in compliance with NAGPRA and CalNAGPRA. This is accomplished through the development and maintenance of the CCRD Collections Module in close conjunction with the CCRD Manager, management of the [Caltrans CalNAGPRA-NAGPRA website](#), drafting of guidance and template documents, responding to technical questions, and meeting with Districts and tribes. The Statewide Collection Coordinator acts as a statewide single point of contact with the NAHC and the National NAGPRA Program, as

well as with universities, museums, and other institutions housing Caltrans-controlled archaeological collections. The Statewide Collection Coordinator works closely with these entities to ensure that the department has accurate and complete information regarding the collections and that all applicable laws are followed. The Statewide Collections Coordinator is supported by the Associate Statewide Collections Coordinator.

1.3.3 Cultural Resources Specialists Roles

The following cultural resources specialists provide professional and technical expertise in the identification, survey, evaluation, and mitigation of effects on cultural resources. CSO and the Districts have professional staff in the specialized fields listed below. The level of expertise required to conduct specific types of tasks under the 106 PA and the PRC 5024 MOU are outlined in Exhibit 1.6.

Pre-contact Archaeology

Caltrans archaeologists in this discipline conduct and participate in archaeological surveys and excavations and manage the work of consultants in accordance with their level of qualification. They prepare archaeological documents, review archaeological reports, and evaluate archaeological properties to determine potential eligibility for inclusion in the NRHP and/or for nomination as California Historical Landmarks (CHLs), or to determine whether archaeological resources are significant historical resources for the purposes of CEQA. Staff archaeologists also prepare scopes of work for contracts and administer and monitor archaeological studies performed by consultants, and are typically the point of contact for tribal consultation under Section 106. Additional responsibilities include reviewing other cultural resources specialist-prepared reports to ensure that pre-contact archaeological sites are adequately treated. In addition and upon request, archaeologists in this discipline assist in the preparation of Findings of Effect and Memoranda of Agreement. Staff archaeologists also prepare scopes of work for contracts and administer and monitor archaeological studies performed by consultants, and are typically the point of contact for tribal consultation under Section 106.

Post-contact Archaeology

Caltrans archaeologists in this discipline conduct and participate in post-contact archaeological surveys and excavations and manage the work of consultants in accordance with their level of qualification. Archaeologists prepare historical archaeological documents,

review historical archaeological reports, and evaluate archaeological properties to determine potential eligibility for inclusion in the NRHP and/or for nomination as CHLs or to determine whether archaeological resources are significant historical resources for the purposes of CEQA. They prepare Historical Resource Evaluation Reports (HRERs) for historical archaeological resources. When cultural resources contain both post-contact archaeological components and built resources, archaeologists in the appropriate discipline work in partnership with architectural historians in background research, site evaluation, and documentation. They also provide advice on any required historical archaeological studies, investigations, and excavations. Additional responsibilities include reviewing other cultural resources specialist-prepared reports to ensure that historical archaeological sites are adequately treated. In addition and upon request, historical archaeologists assist in the preparation of Findings of Effect and Memoranda of Agreement. Staff archaeologists also prepare scopes of work for contracts and administer and monitor post-contact archaeological studies performed by consultants.

Architectural History and History

Caltrans architectural historians and historians identify and evaluate built environment cultural resources (buildings, bridges, structures, objects, districts, and sites of events) to determine potential eligibility for inclusion in the NRHP and/or for nomination as CHLs and to determine whether these resources are significant historical resources for the purposes of CEQA. They prepare HRERs for built environment resources. When cultural resources include post-contact archaeological sites, architectural historians work in partnership with archaeologists in the appropriate discipline to conduct background research and site evaluation, and prepare documentation. They also review other cultural resources specialist-prepared reports to ensure that local architectural history, architecturally important resources, and regional history or historic sites are adequately treated. In addition and upon request, architectural historians assist in the preparation of Findings of Effect and Memoranda of Agreement.

Under state law Caltrans has stewardship responsibilities towards the historical resources it owns that may involve the maintenance, repair or rehabilitation of Caltrans-owned historical buildings and structures.

1.3.4 Cultural Resources Staff Professional Qualifications

1.3.4.1 Civil Service Classifications

Caltrans environmental personnel are classified under the State Personnel Board classification system within the Environmental Planner series. This series provides for generalist and specialist classes. The civil service classifications for specialists in cultural resources at the entry or associate level are Environmental Planner (Archaeology), which includes both pre- and post-contact archaeologists, and Environmental Planner (Architectural History), which includes both architectural historians and historians. All specialists must meet minimum professional qualification standards for whatever duties they are assigned. Generalists, as well as specialists, often coordinate and manage cultural resources document preparation and processing.

1.3.4.2 State Standards

The California State Personnel Board established state standards for the archaeology, architectural history, and generalist classes of the Environmental Planner series. People employed by Caltrans must meet the minimum requirements set by these specifications in order to perform duties in the fields of archaeology, architectural history, history, and related cultural resources functions. Caltrans must ensure that cultural resources specialists meet the appropriate minimum requirements when hiring and promoting cultural resources staff.

1.3.4.3 Federal Standards

The [Secretary of the Interior's Professional Qualification Standards](#) (1983) established professional qualifications standards for cultural resources specialists involved in historic preservation activities at all levels of government. Cultural resources professionals who perform work under the 106 PA or the 5024 MOU must meet the requirements of Professionally Qualified Staff (PQS) as described in 106 PA/5024 MOU Appendix 1 (see Section 1.3.5 below).

1.3.5 Caltrans Professional Standards and Professionally Qualified Staff

Caltrans staff who perform activities under the 106 PA and the 5024 MOU, and those who conduct studies, peer review or activities in compliance with state cultural resource laws

and regulations must be certified as PQS by meeting the qualifications in the appropriate discipline(s) outlined in Appendix 1 of the 106 PA and 5024 MOU. The CSO Chief is responsible for PQS certifications.

Caltrans staff who perform primarily archaeological functions are subject to a third set of qualification criteria. These criteria designate working titles, not civil service classifications. They are based on the federal criteria and on guidelines set forth by the Register of Professional Archaeologists (RPA) and are codified in the 106 PA and 5024 MOU as distinct PQS levels. Specifically, staff may be qualified as a Crew Member, Lead Archaeological Surveyor, Prehistoric or Historical Archaeological Co-Principal Investigator, or Prehistoric or Historical Archaeological Principal Investigator depending on education and experience. These standards were developed to ensure that Caltrans' archaeological work is considered credible by review agencies, peer groups, and other outside groups that have knowledge and experience in dealing with archaeological resources.

1.3.6 Certification Process for Caltrans Professionally Qualified Staff

Training in the use of the 106 PA and 5024 MOU is offered annually by CSO and must be completed prior to applying for certification. Application forms and instructions are available on the CSO Intranet web site. Complete the application for the appropriate certification level. Both applicant and supervisor sign the application. Mail or email the completed application to the CSO Chief for review and approval. Upon review, the CSO Chief will send a certification memo to applicant and supervisor either approving the certification or explaining why the certification was not approved.

1.3.7 Cultural Resources Consultant Professional Qualifications

Consultants cannot be certified as PQS under the 106 PA or 5024 MOU. However, all consultants performing work under the 106 PA, 5024 MOU or other state-only Caltrans projects either must: meet the PQS standards as outlined in 106 PA/5024 MOU Appendix 1 or their work must be overseen by a consultant who meets the PQS requirements in the applicable discipline(s). Documentation that the consultants or oversight consultants meet the PQS requirements must be made available to Caltrans, as Caltrans PQS approve all documents produced under the 106 PA or 5024 MOU.