



## FDM 26-10-1 Professional Reporting

February 18, 2020

This section involves the preparation of reports by qualified professionals contracted by or on behalf of the department, and aids in the completion of these reports. Upon completion of the report(s) the qualified professional will provide appropriate number of copies to the department contact.

*Note: The department will be responsible for forwarding copies to appropriate parties. Copies are not to be released by the professional, unless agreed upon in advance. The following documentation should be included:*

1. Wisconsin Public Lands Field Archaeology Permit(s)
2. ARPA Permit for Federal or Indian Lands
3. Tribal Permits for Indian Lands
4. Architecture/History Survey Form (AHSF) ([DT1446](#))
5. Archaeological Survey Field Report Form (ASFR) ([DT1978](#)) or more detailed Technical Report on Identification Survey
6. Archaeological Literature and Records Review ([DT1459](#))
7. Archaeological Site Inventory Form (ASI)
8. Bibliography of Archaeological Reports Form (BAR)
9. Burial Sites Report Form
10. Technical Report on Historic Property Evaluation
11. Determination of Eligibility (DOE for history; NRHP for archaeology)
12. Tribal Historic Preservation Review Worksheet

This procedure outlines what is included in each of the above reports, who prepares each type of reports, and how many copies to submit. The region submits reports to the Bureau of Technical Services (BTS) for transmittal to the State/Tribal Historic Preservation Office (SHPO/THPO) under the signature of the WisDOT Historic Preservation Officer (HPO). Each submittal must be accompanied by two copies of the Section 106 Review Form (see below) with the following exhibits: county or city map and project plans or aerial photographs showing extent of project and any attachments such as APE, Archival Review, etc.

### 1.1 Wisconsin Public Lands Field Archaeology Permit(s)

All archaeological fieldwork on public land (excepting federal land and Tribal lands) requires this permit, which is issued by the Wisconsin Historical Society under Wisconsin Statute § 44.47. The archaeological consultant is responsible for obtaining this permit. As of February 6, 2008, a signed curation agreement must be on file with the Wisconsin Historical Society in order to receive a permit. The curating institution shall be able to provide “professional, systematic and accountable curatorial services on a long-term scale.” This permit is submitted to the project manager as an attachment to the ASFR form or more detailed technical report.

(<https://www.wisconsinhistory.org/Records/Article/CS4123>)

### 1.2 ARPA Permit for Federal or Indian Lands

Under the Archaeological Resources Protection Act (ARPA), a permit is required to excavate or remove archaeological resources from federal lands or Tribal lands. The qualified professional (usually the archaeologist) is required to obtain this permit from the appropriate federal agency with land management oversight (such as Bureau of Indian Affairs [BIA] or U.S. Department of Agriculture [USDA]) and in cooperation with the Tribe.

(<http://www.nps.gov/archeology/npsGuide/permits/docs/04PermitAppFinal.pdf>)

### 1.3 Tribal Permits for Indian Lands

A permit may be required under tribal government ordinance or policy to conduct archaeological field investigation on Tribal lands. The qualified professional (usually the archaeologist) is required to consult with the appropriate tribal government entity regarding the need for a tribally issued permit.

### 1.4 Architecture/History Survey Form (AHSF) (DT1446)

The historian uses this form to document the efforts to identify historic buildings and structures. The form includes the following information:

- previously identified sites and surveys within the Area of Potential Effects (APE)

- explanation of why surveyed properties are in the APE
- description of area surveyed and researched
- description of physical setting of any identified properties
- survey results and recommendations for further work
- list of sources consulted
- attachments to the form include: inventory cards, negatives, disk and maps

An original and two copies of this form should be submitted to BTS. Each copy must include photocopies of the inventory cards.

The project manager must submit results of the survey of historic buildings and structures at the same time as the results of the archaeological survey and Tribal review - refer to Tribal Historic Preservation Review Worksheet. BTS cannot forward the A/HSF to the appropriate<sup>1</sup> SHPO/THPO without the results of the archaeological survey and Tribal review, if available. If requested, BTS will review the A/HSF prior to this formal submittal.

## **1.5 Archaeological Survey Field Report Form (ASFR) (DT1978) or more detailed Technical Report on Identification Survey**

### **1.5.1 Archaeological Survey Field Report Form (ASFR) (DT1978)**

The WisDOT has an agreement with the SHPO that the ASFR, a standardized reporting form, may be used when a survey has been conducted and no evidence of archaeological sites was discovered, or only isolated finds were encountered. The qualified archaeologist completes the ASFR form. The ASFR includes:

- description and location of the project
- results of the archaeological literature and records review
- field methods and techniques used
- description of the area surveyed
- description of any findings not considered to represent an archaeological site (and, if appropriate, a statement that no evidence of previously recorded sites was encountered)
- attachments as listed on form
- overlay map indicating location of project activities, areas previously investigated archaeologically, area surveyed under this current report, locations of sites previously recorded or discovered during the survey, and project APE

Three copies of the ASFR should be submitted to BTS. The project manager must submit results of the archaeological survey with the results of the historic buildings and structures survey and the result of Tribal review, if available. BTS cannot forward the ASFR to the SHPO/THPO without the results of the historical survey and Tribal review. If requested, BTS will review the ASFR prior to this formal submittal.

### **1.5.2 More Detailed Technical Report on Identification Survey**

If potential historic properties are discovered, the qualified professional must prepare a more detailed technical report than is offered by an ASFR. The technical report must follow the Secretary of the Interior's Standards & Guidelines for Archeology and Historic Preservation.

([http://www.nps.gov/history/local-law/arch\\_stnds\\_0.htm](http://www.nps.gov/history/local-law/arch_stnds_0.htm)).

This report is usually completed upon completion of the Identification Survey if the cultural resources identified are not considered to be significant (potentially eligible for the National Register of Historic Places), or if they were avoided through project redesign. Three copies of the report should be submitted to BTS. (Note: WisDOT BTS is moving toward the expectation of digital/electronic submissions in addition to paper copies.)

This technical report at a minimum includes the following information:

- description and location of the project
- results of the literature search
- results of oral histories, if available
- field methods and techniques used
- description of the area surveyed
- description of all cultural resources identified (and, if appropriate, a statement that no evidence of previously recorded sites was encountered)

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<sup>1</sup> Refer to Confidentiality, FDM 26-1 Attachment 1.1 (Glossary).

- statement of project effect
- recommendations
- attachments as listed on form
- overlay map indicating location of project activities, areas previously investigated archaeologically, area surveyed under this current report, locations of sites previously recorded or discovered during the survey, and the project APE

Qualified professionals (usually ethnographers; see 26-30-1) evaluating and documenting Traditional Cultural Properties must follow the provisions contained in the National Register Bulletin (formerly NR Bulletin 38) Guidelines for Evaluating and Documenting Traditional Cultural Properties.

(<https://www.ncptt.nps.gov/articles/c2a/guidelines-for-traditional-cultural-properties/>)

Qualified archaeological professionals must follow, in addition to the Secretary of the Interior's Guidelines, the Wisconsin Archaeological Survey's Guidelines for Public Archaeology in Wisconsin.

(<http://www.uwm.edu/Org/WASWASurvey/WASpubs.html>)

The project manager must submit results of the identification survey with the results of the historic buildings and structures survey and Tribal review, if one was required. BTS cannot forward the technical report to the appropriate<sup>2</sup> SHPO/THPO without the results of the historical survey and Tribal review, if available. If requested, BTS will review the technical report prior to this formal submittal.

### **1.6 Archaeological Literature and Records Review (DT 1459)**

This form is completed by the archaeological consultant to document previously recorded sites within or adjacent to the project area, and is submitted to the project manager as an attachment to the ASFR or more detailed technical report. Sources may include (but are not limited to) the Archaeological Sites Inventory (ASI)/Wisconsin Historic Preservation Database (WHPD), 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.

### **1.7 Archaeological Site Inventory Form (ASI) [Word or PDF; short form Word or PDF]**

This form is completed by the archaeological consultant for each previously unrecorded archaeological site, and is submitted to the project manager as an attachment to the technical report. It provides summary and location information so that the site can be adequately included in the state's database<sup>3</sup>. ASI Update forms may also be completed for previously recorded sites where refined information is available [update Word or PDF]

(<https://www.wisconsinhistory.org/Records/Article/CS4121>)

### **1.8 Bibliography of Archaeological Reports Form (BAR) [Word, PDF]**

This form is completed by the archaeological consultant and submitted to the project manager as an attachment to the ASFR or technical report. It includes, among other items, bibliographic information, survey methods and coverage, and an abstract.

(<https://www.wisconsinhistory.org/Records/Article/CS4121>)

#### **1.8.1 Burial Sites Report Form**

This Wisconsin Historical Society form is used by the qualified professional to report the location and other pertinent information for previously unreported burial sites.

(<https://www.wisconsinhistory.org/Records/Article/CS15239>)

#### **1.8.2 Technical Report on Historic Property Evaluation**

When historic properties are evaluated, the qualified professional must prepare a technical report following the Secretary of the Interior's Standards & Guidelines for Archeology and Historic Preservation

([http://www.nps.gov/history/local-law/arch\\_stnds\\_0.htm](http://www.nps.gov/history/local-law/arch_stnds_0.htm)). The technical report includes but is not limited to the following information:

- description and location of the project
- results of the archival review and cultural context
- description of identification efforts
- field methods and techniques used

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<sup>2</sup> Refer to Confidentiality, FDM 26-1 Attachment 1.1 (Glossary).

<sup>3</sup> Same as above.

- results of the field investigations
- results of the analysis
- statement of significance and DOE forms if there are eligible properties:
  - for historic buildings and structures, use Wisconsin Historical Society DOE form (<https://www.wisconsinhistory.org/Records/Article/CS4118>)
  - for archaeological sites, use Wisconsin version of NPS Form 10-900 (<http://www.wisconsinhistory.org/hp/forms/nr-form.doc>)
- statement on project effect
- recommendations
- attachments

Qualified professionals (usually ethnographers, see [FDM 26-30-1](#)) evaluating and documenting Traditional Cultural Properties must follow the provisions contained in the National Register Bulletin (formerly NR Bulletin 38) Guidelines for Evaluating and Documenting Traditional Cultural Properties.

(<https://www.ncptt.nps.gov/articles/c2a/guidelines-for-traditional-cultural-properties/>)

Qualified archaeological professionals must follow, in addition to the Secretary of the Interior's Guidelines, the Wisconsin Archaeological Survey's Guidelines for Public Archaeology in Wisconsin.

(<http://www.uwm.edu/Org/WAS/WASurvey/WASpubs.html>)

The technical report should also contain the results of the initial identification survey so that all documentation on historic properties for the project is contained in one report. Three copies of the technical report should be submitted to BTS<sup>4</sup>. (Note: WisDOT BTS is moving toward the expectation of digital/electronic submissions in addition to paper copies.)

### 1.8.3 Determination of Eligibility (DOE)

A DOE is prepared to report on historic properties that have been evaluated for eligibility to the National Register. Historians use the Wisconsin Historical Society DOE form

(<http://www.wisconsinhistory.org/hp/forms/doe.doc>) for documenting historic buildings and structures, while archaeologists use the Wisconsin version of NPS Form 10-900 (<http://www.wisconsinhistory.org/hp/forms/nr-form.doc>) for documenting archaeological sites.

For more detailed information regarding history (structures/architecture) DOE requirements refer to the survey manual at: <https://www.wisconsinhistory.org/Records/Article/CS4120>. For more information concerning DOEs for archaeological sites, please see the National Register Bulletin (formerly NR Bulletin 36) How to Complete the National Register Registration Form. (<https://www.nps.gov/subjects/nationalregister/upload/NRB36-Complete.pdf>)

A DOE includes but is not limited to the following information:

- description of the historic and present appearance of the property
- statement of the significance of the property, justifying applicable NRHP criteria and area and period of significance
- boundary description and justification
- photographs (when required)

An original and three copies of the DOE should be submitted to BTS<sup>5</sup>. The project manager must submit all DOEs prepared for the project simultaneously.

### 1.9 Tribal Historic Preservation Review Worksheet [Contact BTS for Worksheet]

This worksheet is sent to federally recognized Tribes of Wisconsin, according to their designated areas of interest, in the following cases:

- projects requiring EIS documentation
- projects requiring EA documentation
- projects on Tribal lands regardless of documentation type (Note: This worksheet is sent to the appropriate THPO or Designated Tribal Representative.)

This worksheet records results from THPOs (or Designated Tribal Representatives) in identifying historic properties within a project area, assisting with evaluation, or providing recommendations regarding treatment of

<sup>4</sup> Refer to Confidentiality, FDM 26-1 Attachment 1.1 (Glossary).

<sup>5</sup> Same as above.

historic properties. If the Tribe wishes to participate, the THPO(s) or Designated Tribal Representative(s) is responsible for providing the worksheet, with appropriate supplementary documentation, to the project manager<sup>6</sup>. (Refer to [FDM 26-20](#) regarding compensable services)

The worksheet and documentation will include the following:

- Project description
- Investigation results
- Determination of eligibility findings, if applicable
- Statement of significance for historic properties (for example, Traditional Cultural Properties), if applicable
- Recommendations, if applicable

Refer to **Tribal Worksheet Form** ([Attachment 1.1](#))

## **LIST OF ATTACHMENTS**

[Attachment 1.1](#) Tribal Historic Preservation Review Worksheet

### **FDM 26-10-5 Project Manager (PM)/Project Sponsor Reporting**

February 18, 2020

Section 106 involves the preparation of a number of reports that are cited in this chapter:

1. Section 106 Review Form ([DT1635](#))
2. Results of Consultation (Tribes and Interested Parties)
3. Material Excavation Sites, Archaeological Survey Information Transmittal ([DT1919](#))
4. Cemetery/Burial Documentation Checklist ([DT1614](#))
5. Finding of No Adverse Effect (FNAE)
6. Finding of Adverse Effect (FAE) [also known as Documentation for Consultation (D FOR C)]
7. Documentation of Completed Commitments for Cultural Resources

This procedure outlines what is included in each of the above reports, who prepares each type of report, and how many copies to submit. The region submits reports to the Bureau of Technical Services (BTS) for transmittal to the State/Tribal Historic Preservation Office (SHPO/THPO) under the signature of the WisDOT Historic Preservation Officer (HPO). Each submittal must be accompanied by two copies of the Section 106 Review Form (see below) with the following exhibits: county or city map and project plans or aerial photographs showing extent of project and any attachments such as APE, Archival Review, etc.

#### **5.1 Section 106 Review Form (DT1635)**

The Section 106 Review Form ([DT1635](#)) is designed to guide the project manager in two important activities:

1. Managing completion of the Section 106 Review process, and
2. Providing information to the Cultural Resource specialist, the WisDOT HPO, the SHPO, and other consulting parties.

The project manager must determine how to fulfill their oversight role. S/he signs the DT 1635, and verifies the accuracy and also the clarity and usefulness of the project information. How s/he wishes to accomplish this, however, is a local decision. [DT1635](#) guides the Project Manager in

1. Determining the need for a Cultural Resource specialist(s), and
2. Once a Cultural Resource specialist is retained, in coordinating with that specialist to confirm the project's APE, determine the level of research effort and the identification methods, and appropriate contact or "check-in" points.

Sections I and II of [DT1635](#) provide information that establishes the basic description of the undertaking. Clear communication here is essential for efficient completion of the subsequent steps in the Section 106 Process.

Part III of the form may be filled out in cooperation with the Cultural Resource specialist(s). Part III is a good "check-in point" to assure that everyone knows what the expectations or the roles and responsibilities are.

Part IV is also a joint effort and the project manager will benefit by discussion with the Cultural Resource specialist. Each project will present different issues for discussion.

Parts V, VI and VII are to be filled out by the Cultural Resource specialist. If historic properties (or potentially eligible properties) are located, it is better not to simply rely on the boxes being checked. The project manager is

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<sup>6</sup> Same as above



encouraged to require the specialist to contact her/him and discuss the findings.

Section VIII should only be used where adverse effects can be avoided by:

1. incorporating design modification(s) into the project plans or
2. specifying specific actions to be incorporated in the Special Provisions.

Section IX records the decision regarding potential to effect historic properties. For most WisDOT administered projects, the Section 106 Process will be fulfilled at this step with one of the first two boxes checked: "No historic properties (historical or archaeological) in the APE" or "No historic properties (historical or archaeological) affected" and with the SHPO signature on the form. For other projects, there are historic properties and there may be an effect, but that effect is not harmful to the historic significance of the property. In this circumstance documentation for a Determination of No Adverse Effect can be provided along with the Section 106 Review form. Again, a SHPO signature signifying concurrence ends the Section 106 Process.

## 5.2 Results of Consultation (Tribes and Interested Parties)

Consultation with Indian Tribes and other interested parties is carried out throughout the Section 106 Process. Section 106 expects consultation to be conducted in good faith when taking into consideration project impacts to historic properties.

The project record must contain documentation on consultation efforts used in reaching a project decision. Documentation can take the form of meeting minutes, telephone logs, e-mails, letters, or any other type of correspondence or communication.

Below are some examples of results from coordination or consultation:

(Note: These examples should not be considered a complete list.)

- Determination of the APE
- Determination of methods for identifying historic properties
- Discussion of concerns regarding properties of religious or cultural significance to Tribes
- Results of confidentiality<sup>7</sup> concern raised by Tribes

Consultation carried out pursuant to results of identification, evaluation, and determining adverse or no adverse effects including mitigation, and any or all MOAs, PAs, and MOUs should be documented using this format. However, depending on which phase of Section 106 consultation is being carried out, additional issues and consideration may need to be added.

Results of consultation, if requested, shall be submitted to all consulting parties and to BTS and FHWA. This documentation should be compiled annually for all WisDOT undertakings to ensure that adequate consultation is being carried out on a programmatic level.

## 5.3 Material Excavation Sites, Archaeological Survey Information Transmittal Form (DT1919)

Refer to Construction and Materials Manual (CMM) Chapter 1 Section 58 on how to complete this form. It is used in preparation for a review of the state inventories of archaeological, architectural and historical resources for proposed material locations to be used by the contractor. The contractor shall complete the department form [DT1919](#). The completed form is sent to BTS for review prior to use of the proposed material excavation site.

## 5.4 Cemetery/Burial Site Documentation Checklist (DT1614)

This checklist provides guidance on required documentation for cemeteries or other types of burial sites that is needed for submittal to the SHPO. This information is used to determine if the burial site extends into the project's area of potential effect which includes the existing right-of-way. When burial sites extend into project's area of potential effect, the Director of the Wisconsin Historical Society must be petitioned for authorization to proceed (Wisconsin Statute § 157.7) See [FDM 26-25](#).

## 5.5 Finding of No Adverse Effect (FNAE)

Documentation shall be consistent with 36 CFR 800.11(e). If potentially eligible historic properties will not be adversely affected, the qualified professional completes the FNAE. The FNAE must contain the following information at a minimum:

- description of the project including photographs, maps, and drawings, as appropriate
- description of historic properties and potentially eligible properties that may be affected by the project
- description of the efforts used to identify historic properties
- statement of how and why the criteria of adverse effect were found inapplicable

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<sup>7</sup> Refer to Confidentiality, FDM 26-1 Attachment 1.1 (Glossary).

- summary of consultation with Indian Tribes and interested parties
- signed Section 106 Review Form ([DT1635](#))
- justification of the determination that the historic property/potentially eligible property will not be adversely affected
- exhibits depicting an historic property/potentially eligible property and its relationship to the project
- Name, address, and phone number of any interested parties

Three originals and one copy of the FNAE should be submitted to BTS for approval by the WisDOT HPO and transmittal to the SHPO/THPO<sup>8</sup>. The FNAE must address historic properties (historical and archaeological) associated with the project.

#### **5.6 Finding of Adverse Effect (FAE) [also known as Documentation for Consultation (D FOR C)]**

Responsibility for completing the FAE will be assigned at the consultation meeting. If potentially eligible historic properties will be adversely affected, the qualified professional (archaeologist, historian, tribal expert, others) completes the Finding of Adverse Effect (FAE). Documentation shall be consistent with 36 CFR 800.11(e). The FAE must contain the following information:

- description of the project including photographs, maps, and drawings, as appropriate
- description of historic properties and potentially eligible properties that may be affected by the project
- description of the efforts used to identify historic properties
- statement of how and why the criteria of adverse effect were found applicable
- mitigation measures for historic properties (may include a Data Recovery Plan for archaeological resources)
- summary of consultation with Indian Tribes and interested parties

Three originals and one copy of the FAE should be submitted to BTS for approval by the WisDOT HPO and transmittal to the SHPO/THPO. The FAE must address both historical and archaeological issues associated with the project. This documentation must be forwarded to ACHP and Indian Tribes and other consulting parties<sup>9</sup>.

#### **5.7 Documentation of Completed Commitments for Cultural Resources**

This section provides guidance on required documentation for completed or fulfilled commitments as stipulated on the Screening List, Section 106 Review Form, Data Recovery Plan, or agreement document such as MOA or MOU (26-5-9-D). This evidence of completion is needed for submittal to the SHPO/THPO and consulting parties. The qualified professionals contracted by or on behalf of the department, shall aid in the completion of this documentation. The project manager forwards the documentation to BTS Cultural Resources. BTS will be responsible for forwarding the documentation to appropriate parties. It may include, but is not limited to, the following information:

- identify the commitment(s)
- description of efforts in fulfilling the commitment(s), including date(s) of completion
- photographs, maps, and/or drawings illustrating actions taken to fulfill the commitment(s), as appropriate
- photographs of any products, such as an exhibit, manufactured to fulfill a commitment

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<sup>8</sup> Same as above

<sup>9</sup> Refer to Confidentiality, FDM 26-1 Attachment 1.1 (Glossary).