



TABLE OF CONTENTS

Chapter 26: Cultural Resource Preservation

Section 26-1 General

- 26-1-1 Introduction
 - 1.1 Originator
 - 1.2 Objective
 - 1.3 Background
 - 1.4 Participants
 - 1.5 Section 106 Duties & Requirements
 - 1.6 Overall Process
- Attachment 1.1 Glossary

Section 26-5 Section 106 Process

- 26-5-1 Establishing an Undertaking
 - 1.1 Federal Involvement/Funds
 - 1.2 Screening List
 - 1.3 Section 106 Review Form
 - 1.4 Determine Whether Any Other Applicable Laws Apply
 - 1.5 Complete Environmental Document
- Attachment 1.1 Establishing an Undertaking
- Attachment 1.2 Identify and Notify Appropriate Consulting Parties
- Attachment 1.3 Consultation for Determination of Area of Potential Effects (APE)
- Attachment 1.4 Identification
- Attachment 1.5 Evaluation and Results
- Attachment 1.6 Adverse Effects
- Attachment 1.7 Resolution of Adverse Effects
- Attachment 1.8 Implementation
- 26-5-2 Identify Participants, 36 CFR 800.3(c)1
 - 2.1 Projects Located on Federal Lands
 - 2.2 Projects Located on Tribal Lands
 - 2.3 Projects Located on State, Public, or Private Lands
 - 2.4 Notification Requesting Comment and inviting to Consult
- 26-5-3 Consultation for Determination of Area of Potential Effects
- 26-5-4 Identification
- 26-5-5 Evaluation and Results
 - 5.1 Evaluation Completed by Qualified Professional(s)
 - 5.2 Review of Evaluation Results
- 26-5-6 Results of Identification and Evaluation
- 26-5-7 Assessment of Adverse Effects
 - 7.1 Apply Criteria of Adverse Effect
 - 7.2 A Finding of No Adverse Effect (FNAE)
 - 7.3 Prepare and Submit Finding of No Adverse Effect to BTS
 - 7.4 FNAE Notification, Consultation, and Approval
 - 7.5 SHPO/THPO/Consulting party(ies) Objects
 - 7.6 Complete Section 106 Portion of Environmental Document
- 26-5-8 Resolution of Adverse Effects
 - 8.1 BTS Notifies Consulting Parties
 - 8.2 Consultation to Develop and Evaluate Measures to Avoid, Minimize, or Mitigate Adverse Effects to Historic Properties
 - 8.3 Prepare Finding of Adverse Effect (FAE) [also known as Documentation for Consultation (D FOR C)] and Memorandum of Agreement
 - 8.4 Documentation Accepted
 - 8.5 Complete Environmental Document
- 26-5-9 Implementation
 - 9.1 Review Environmental Commitment Sheet
 - 9.2 Implement Commitments
 - 9.3 Post-Review Discoveries
 - 9.4 Submit Evidence of Completion to BTS
 - 9.5 BTS Notifies FHWA/SHPO/THPO

Section 26-10 Reporting

- 26-10-1 Professional Reporting
 - 1.1 Wisconsin Public Lands Field Archaeology Permit(s)
 - 1.2 ARPA Permit for Federal or Indian Lands
 - 1.3 Tribal Permits for Indian Lands
 - 1.4 Architecture/History Survey Form (A/HSF) (DT1446)
 - 1.5 Archaeological Survey Field Report Form (ASFR) (DT1978) or more detailed Technical Report on Identification Survey
 - 1.6 Archaeological Literature and Records Review (DT 1459)
 - 1.7 Archaeological Site Inventory Form (ASI) [Word or PDF; short form Word or PDF]
 - 1.8 Bibliography of Archaeological Reports Form (BAR) [Word 97, PDF]
 - 1.9 Tribal Historic Preservation Review Worksheet [Contact BTS for Worksheet]
 - Attachment 1.1 Tribal Historic Preservation Review Worksheet
- 26-10-5 Project Manager (PM)/Project Sponsor Reporting
 - 5.1 Section 106 Review Form (DT1635)
 - 5.2 Results of Consultation (Tribes and Interested Parties)
 - 5.3 Material Excavation Sites, Archaeological Survey Information Transmittal Form (DT1919)
 - 5.4 Cemetery/Burial Site Documentation Checklist (DT1614)
 - 5.5 Finding of No Adverse Effect (FNAE)
 - 5.6 Finding of Adverse Effect (FAE) [also known as Documentation for Consultation (D FOR C)]
 - 5.7 Documentation of Completed Commitments for Cultural Resources

Section 26-20 Compensation Regarding Historic Preservation

- 26-20-1 Compensation Regarding Historic Preservation

Section 26-25 Burial Sites & Burial Related Discoveries

- 26-25-1 General
 - 1.1 Objective
 - 1.2 Documentation
 - 1.3 Process
 - Attachment 1.1 Uncataloged Burial Request (Example)
 - Attachment 1.2 Cataloged Burial Request (Example)
 - Attachment 1.3 Standard Contract (Example)

Section 26-30 Qualifications

- 26-30-1 Introduction
- 26-30-5 History/Architecture
 - 5.1 Required Education and Training
 - 5.2 Required Experience
 - 5.3 Desirable Education/Training
 - 5.4 Desirable Experience/Knowledge
 - 5.5 Other Skills
 - 5.6 Job Titles
- 26-30-10 Anthropology/Archaeology
 - 10.1 Required Education and Training
 - 10.2 Required Experience
 - 10.3 Desirable Education/Training
 - 10.4 Desirable Experience/Knowledge
- 26-30-15 Tribal Experts
 - 15.1 The Roles of Indian Tribes in the Section 106 Process
 - 15.2 Tribal Selection of Tribal Experts with Proper Qualifications
 - 15.3 Tribal Expert Services May Include but Are Not Limited to the Following
 - 15.4 Ethnographers

Section 26-35 Other Applicable Laws

- 26-35-1 General
- 26-35-5 Federal Laws, Executive Orders, and Regulations
 - 5.1 Related to Historic Properties and Historic Preservation
 - 5.2 Additional Orders Related to Consultation
- 26-35-10 State Statutes and Executive Orders
 - 10.1 Burial Sites Preservation Law
 - 10.2 Historic Preservation Program
 - 10.3 Executive Order 39

26-35-15 Tribal Laws

26-35-20 Treaty Rights

20.1 WisDOT Tribal Partnership Agreement, 2005