

ADC50 – Committee on Historic and Archaeological Preservation

Volume 1, Issue 2

October 2005

Inside this issue:

Tribal Issues in Historical and Archaeological Preservation in Transportation	1
Exemption Regarding Historic Preservation Review Processes for Effects to the Interstate Highway System	2, 3
Evaluating Cultural Resource Significance Implementation Tools	3
OHIO DOT Completes Third Historic Bridge Update	3
The Stillwater Bridge—a 2005	4, 5

**Don't miss the 2005 TRB Annual Meeting in Washington, DC
January 22-26, 2006**

TRIBAL ISSUES IN HISTORICAL AND ARCHAEOLOGICAL PRESERVATION IN TRANSPORTATION JOINT SUBCOMMITTEE ADC50(1)

By Stephanie Stoermer is an Archaeologist/Sr. Env. Protection Specialist with the California Division of the Federal Highway Administration

The Tribal Issues in Historical and Archaeological Preservation in Transportation Joint Subcommittee [ADC50(1)] was created in the 1990s as a subcommittee of ADC50 (Archaeological and Historical Preservation in Transportation) in order to acknowledge the complex, often unique, cultural resource issues that are of key importance to tribes.

As befits a joint subcommittee that is now sponsored by both ADC50 and ABE80 (Native American Issues in Transportation), the ADC50(1) subcommittee's mission is twofold. First, the ADC50(1) strives to identify and promote research on tribal cultural resource management in transportation and second, the ADC50(1) seeks to improve communication between tribes, the federal government, states, and the public regarding these issues.

The ADC50(1) subcommittee's goals for 2005-2007 include promoting research that identifies best practices in conducting cultural resource management issues of importance to tribes and others; to encourage communication and coordination between the ADC50 and ABE80 committees; to hold at least one formal joint subcommittee meeting annually; and to annually sponsor or co-sponsor at least one paper or panel session.

The Joint Subcommittee has recently sponsored or cosponsored sessions on context sensitive design, curation, and tribal consultation, to name a few.

For more information about the ADC50(1), please contact Reid J. Nelson, Chair, at reidjnelson@navajo.org

EXEMPTION REGARDING HISTORIC PRESERVATION REVIEW PROCESS FOR EFFECTS TO THE INTERSTATE HIGHWAY SYSTEM

By Mary Ann Naber, Federal Preservation Officer, Federal Highway Administration

The recently passed SAFETEA-LU re-authorization legislation includes a provision (Section 6007) that exempts the bulk of the Interstate Highway System from consideration as a historic property under Section 4(f) of the Department of Transportation Act. This section is intended to work in tandem with the Historic Preservation Exemption under Section 106 of the National Historic Preservation Act adopted last spring by the Advisory Council on Historic Preservation (ACHP). This pair of exemptions effectively excludes the vast majority of the 46,700 mile Dwight D. Eisenhower System of Interstate and Defense Highways (Interstate System) from review as an historic property under both Sections 106 and 4(f). It is important to note that these exemptions do not excuse interstate highway projects from taking into account the effects of actions on other historic properties.

The Interstate System is a unique resource due to its vast scale and vital role in commercial and personal mobility. As the system approached its fiftieth anniversary, transportation and historic preservation officials recognized its significance and realized that it could potentially be considered eligible for inclusion in the National Register of Historic Places (National Register) and therefore subject to Section 106 and Section 4 (f). Without the exemption, Federal Agencies were potentially liable for assessing impacts to myriad sections of the Interstate System even for basic maintenance and improvements. With the exemption in place, all Federal agencies are effectively released from considering the vast majority of the Interstate System as a historic property under Section 106 requirements and U.S. DOT agencies are effectively released from the same consideration under Section 4(f). Only distinct elements of the system, which meet the National Register criteria for national or exceptional significance, will continue to be treated as historic properties under both authorities. Undue compliance burdens have been eliminated while ensuring the Interstate System will continue construction, expansion, and upgrades in order to best serve the public.

Under the Exemptions, certain elements of the Interstate System, such as bridges, tunnels, and rest stops, are excluded from their provisions when designated by FHWA. The Section 106 exemption sets forth the criteria by which FHWA shall identify these elements in consultation with stakeholders in each state, while the 4 (f) exemption adopts the same criteria by reference. FHWA, at the headquarters level, working with stakeholders at the state and local level will designate the excluded components prior to the 50th Anniversary of the Interstate System in June, 2006. Centralized application of the criteria, in keeping with National Register guidance, will ensure consistency in the interpretation of exclusion criteria. The final list of elements will continue to be subject to the requirements of Sections 106 and 4(f).

Interstate elements that will continue to be considered under Section 106 and Section 4(f) are:

- § Are at least 50 years old and meet the NR criteria for national significance;
- § Are less than 50 years old and meet the NR criteria for exceptional significance;
- § Are listed the National Register or have been determined eligible by the Keeper; or
- § Were constructed prior to 1956, were incorporated into the Interstate, and meet the NR criteria for state or local significance.

FHWA HQ will be overseeing a contract to conduct facilitated meetings within each state to identify elements of the Interstate that should be excluded from the respective exemptions. The discussions will involve the FHWA Division Offices, State Departments of Transportation, and State Historic Preservation Officers

EXEMPTION REGARDING HISTORIC PRESERVATION REVIEW PROCESS FOR EFFECTS TO THE INTERSTATE HIGHWAY SYSTEM (Continued):

(SHPO). Once draft lists are compiled for each state, the public will be given the opportunity to suggest additional sites for consideration to be included on the final list. In the meantime, Federal Agencies should assume that the Interstate System is exempt from consideration as a historic property except for those elements likely to meet the criteria for exclusion.

EVALUATING CULTURAL RESOURCE SIGNIFICANCE: IMPLEMENTATION TOOLS

Submitted by Terry Klein, SRI Foundation



TRB's National Cooperative Highway Research Program (NCHRP) Report 542: Evaluating Cultural Resource Significance: Implementation Tools examines information technology (IT) tools that are designed to improve and streamline the National Register evaluation of cultural resources. The report highlights IT prototype tools that include a searchable database of historic contexts and a collection of National Register evaluation documents. The second prototype provides an explicit, but flexible tool designed to improve the National Register eligibility determinations. Visit the TRB website for more information: <http://www.trb.org>

OHIO DOT COMPLETES THIRD HISTORIC BRIDGE UPDATE

The Ohio Department of Transportation recently published their 3rd Historic Bridge Update, for bridges constructed 1951-1960. In that they also completed a historic context for the interstate system in Ohio which is available on their website (http://www.dot.state.oh.us/oes/hist_bridges.htm). The Historic Transportation Context for Ohio's Highway Bridges, 1951-60, was developed as part of the 2002-04 ODOT Historic Bridge Inventory Update. The purpose of the project was to update Ohio's ongoing historic bridge inventory for bridges built from 1951 to 1960 by identifying which of those bridges of non-excluded types or those with Interstate highway associations meet the National Register criteria for evaluation. As such, this context builds upon the important scholarship and work that ODOT, the Ohio SHPO, FHWA, and others have sponsored and conducted on the state's historic bridges for more than 20 years. This context was one of two contexts prepared for the update project; the other context dealt with the bridge-building technology of the 1950s. The historic transportation context addresses the role and significance of federal and state policy in advancing road and bridge construction in the post-World War II era. Of particular interest and focus was the development of Ohio's comprehensive Interstate highway system including the role of standardized bridge types and designs in the system. how Ohio's Interstate highway system originated, how it was designed and built over four decades beginning in the early 1950s, and how it has continued to evolve and change to the present day. The context identifies Ohio's comprehensive Interstate highways as a technological system that was highly standardized and has continued to constantly change.

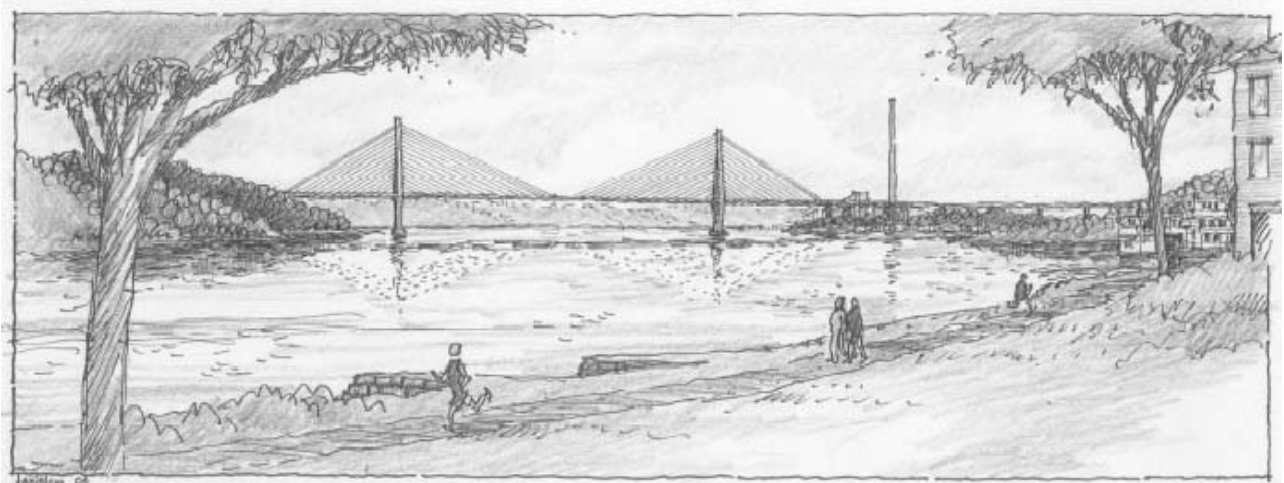
THE STILLWATER BRIDGE—A 2005 UPDATE

By Bob Newbery, Wisconsin DOT

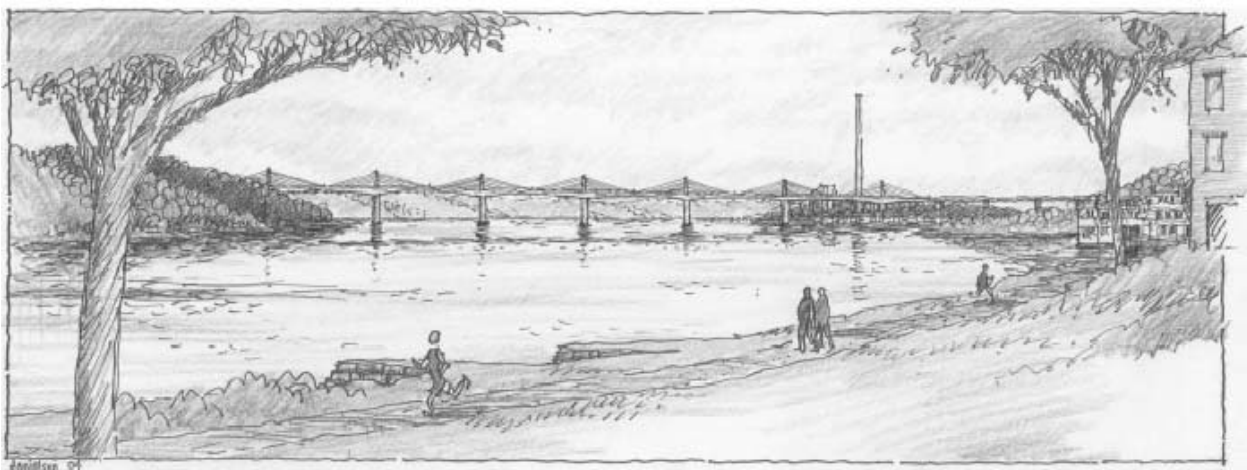
Often a highway project runs into more than one environmental concern, and sometimes these different environmental concerns must compete for attention. The St. Croix River Crossing (aka, the Stillwater Bridge Project) has been called the poster child of these Sibling Rivalries. The NPS, and its various allies who favored preserving the “outstandingly remarkable values” of the Wild and Scenic St. Croix River, insisted that adding a new bridge required the removal of a similar amount of existing infrastructure. Over this Wild and Scenic River, the only candidate for removal with that much substance was the Stillwater Lift Bridge, a property eligible for (and now listed in) the National Register of Historic Places. The Advisory Council on Historic Preservation, the State Historic Preservation Officers of both Minnesota and Wisconsin, and their allies, demurred from such a draconian and, in their eyes, misguided solution. In addition to their own mission, laws, and regulations, the Council cited the same Wild and Scenic River Law as the NPS, finding in it reference to cultural as well as natural, scenic, and geographic resources. Preservationists insisted that a fair look be given to preserving the existing bridge. Within the broad outlines of that conflict and the supporting pillars of transit, land use, and Secondary and Cumulative Impacts, lay a thicket of details and sub-issues. There is many a cautionary tale wrapped up in that thicket of details. That the project appears to be climbing out of this thicket, a decade after a Final EIS was signed, a ROD was approved, and real estate acquired, is a credit to the perseverance, patience, and willingness to compromise on the part of all involved.



In October of 2004, nearly one and one-half years after beginning the Stakeholder Resolution Process, a consensus, still conditional, was reached and a preferred alternative selected. Stakeholders agreed that the best compromise involved building a modified cable-stayed bridge, called an extradosed design.



Thus, the issue of an unobtrusive design versus a signature or statement bridge has been resolved with a compromise design. Instead of two very high and massive towers...



...the extradosed bridge features 5-6 smaller towers, more in keeping with the scale of the surrounding landscape. The existing Lift Bridge would be owned and maintained by MnDOT and serve as a critical link on a loop bike and pedestrian trail in the Lower St. Croix Scenic Riverway.

The sticking point in so many previous attempts, the issue of the long term disposition of the Lift Bridge was resolved with Mn/DOT agreeing to continue to own the Lift Bridge off the State Highway System, open for cyclists and pedestrians. This concession by MnDOT removed future ownership, maintenance, and liability issues from the list of hurdles. Little sister at last had her seat at the Big Peoples table. Approximately 3 million dollars would be used to operate and maintain the Lift Bridge as a non-motorized crossing under the terms of a Bridge Management Plan.

The weight enhanced female has not sung yet, however. 'Details' of the mitigation plan are still being discussed (a year after in the context of appropriate delineation of (and determination of responsibility for) project effects. WisDOT, MNDOT, and FHWA are concerned about precedent and short and long term costs.

**ADC50 - Committee on Historic
and Archaeological Preservation**

c/o Mary Alfson
CHRS Inc.
403 E. Walnut St.
North Wales, PA 19454

Phone: 267-652-7123
Fax: 215-699-8901
Email: malfson@chrsinc.com

Mailing Address Line 1
Mailing Address Line 2
Mailing Address Line 3
Mailing Address Line 4
Mailing Address Line 5

**Don't miss the Annual
Meeting in Washington D.C.
from January 22-26**



Visit us online at: <http://www.itre.ncsu.edu/ADC50/index>.