



U.S. DEPARTMENT OF TRANSPORTATION  
FEDERAL HIGHWAY ADMINISTRATION  
REGION NINE  
CALIFORNIA DIVISION  
980 Ninth Street, Suite 400  
Sacramento, California 95814-2724

April 3, 1995

ARIZONA  
CALIFORNIA  
NEVADA  
HAWAII  
GUAM  
AMERICAN SAMOA  
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IN REPLY REFER TO

HPR-CA

File: 573

Mr. James W. van Loben Sels, Director  
CALTRANS, 1120 N Street  
Sacramento, California 95814

Attention: Federal Resources Branch, Room 3500  
for Mr. Howard Sarasohn

Dear Mr. van Loben Sels:

Enclosed is a fully executed copy of the Programmatic Agreement Regarding Seismic Retrofit of Bridge Structures in California. The effective date is March 21, 1995. It will not apply to any project for which there is, as of this date, a signed Categorical Exclusion, Seismic Retrofit Programmatic Categorical Exclusion, Finding of No Significant Impact, or Record of Decision nor to any project for which cultural resource studies and Section 106 consultations were documented as complete as of the date of this letter. It will apply to any reevaluations if the Area of Potential Effect needs to be expanded

Also enclosed is the "List of Illustrations Referenced in the Programmatic Agreement Regarding the Seismic Retrofit of Bridge Structures in California Appendix B: Undertakings Not Requiring Review by SHPO or Council" and eleven attached figures. Although the figures are not formally part of the Programmatic Agreement, they are an important tool for understanding one of the key components of the agreement. These figures are not otherwise readily available, so a copy of these Figures should be attached to all copies of the Programmatic Agreement.

We commend the Caltrans Cultural Studies Office staff for their cooperation and intensive effort in developing this important agreement. Implementation of the terms of this Programmatic Agreement will ensure that the California seismic retrofit program will be able to proceed with all possible procedural efficiency in fulfilling the Federal responsibilities under the Historic Preservation Act.

These efficiencies include steps in the Section 106 process for which qualified Caltrans staff shall assume responsibility for:

- o Determining the area of potential effects,
- o Determining if the undertaking does not require review according to Stipulation IV,
- o Determining National Register eligibility and findings of the undertakings effects pursuant to Stipulations V and VI.

Additional efficiencies include:

- o Concurrent reviews by the State Historic Preservation Officer (SHPO) and FHWA for eligibility and effect determinations,
- o 15 day and, in rare cases, 10 day SHPO and/or FHWA review times,
- o Under the circumstances described under Stipulation VI.B., the elimination of Advisory Council on Historic Preservation (ACHP) in the consultations for no adverse effect,
- o Elimination of the need for ACHP and FHWA to be signatories to mitigation agreements for which FHWA and Caltrans in consultation with other interested parties and the SHPO have agreed to the use of standard mitigation measures pursuant to Stipulation VII, and
- o Elimination of the need for the Council to be consulted, and the need for a MOA if human remains are known to be or likely to be involved and a burial agreement and treatment plan have been approved by FHWA and SHPO.

It will be Caltrans responsibility to ensure that standard mitigation measures are completed and applicable notifications have been made prior to Federal authorization of construction.

The Programmatic Agreement includes provisions for including other Federal agencies with Section 106 responsibilities in an associated permit activity. FHWA will assist in coordination to include other Federal agencies in the Programmatic Agreement. Early identification of what agencies may need to be included will be necessary to avoid or minimize project delays. Once any one Federal agency is identified as being involved on any of the seismic retrofit projects, it is recommended that the coordination to include that agency as a party to the Programmatic Agreement occur at an organizational level at that agency which will encompass the entire state not just one District, one Forest, one Army Base. Nor should any Federal agency be added to the Programmatic Agreement on a project by project basis. Experience has shown that the authority to sign Memorandums of Agreements or

Programmatic Agreements is at the Headquarters level for most military installations and other Federal agencies may have similar delegation of authority limitations.

The Programmatic Agreement sets forth specific file documentation and quarterly report requirements. A monitoring and reporting stipulation is included under which the SHPO and the ACHP may elect to review these records.

File Documentation. Both FHWA and Caltrans will maintain written documentation of decisions made pursuant to Stipulations IV, V.C,

Quarterly Reports. Pursuant to Stipulations IV, V.B, V.C., V.D., XV.B., Caltrans will be responsible for preparing and submitting detailed quarterly reports to the SHPO and FHWA documenting the individual actions taken under the terms of the Programmatic Agreement.

National Register Reevaluations. Pursuant to Stipulation VII.A. 4. Caltrans will consult with the SHPO regarding the properties altered, relocated or damaged to determine the properties' continued eligibility and will consult with the Keeper of the National Register as appropriate.

The Programmatic Agreement also addresses the roles and responsibilities of Caltrans and local agencies for local agency sponsored seismic retrofit projects. Local agencies will develop the required documentation and submit the documentation to Caltrans for review and transmittal to FHWA, SHPO, and the Council as required under the terms of the Programmatic Agreement. Caltrans is responsible for ensuring that all such documents are complete. The Programmatic Agreement applies only to those actions for which qualified Caltrans staff has made the determinations according to the terms of the agreement. Normal Section 106 procedures apply to all other Federal-aid projects.

We expect that all reasonable measures will be taken to ensure that seismic retrofit projects covered by this Programmatic Agreement are designed to avoid effects on National Register properties, and if avoidance is not possible, all possible planning to minimize effects on National Register properties is reflected in the project design. A Section 4(f) approval will be needed for all projects which involve use of historic properties. We expect that documentation of compliance with the terms of the Programmatic Agreement will, in most instances, satisfy one or more of the exemptions from use identified in 23 CFR 771.135 or the conditions of the Programmatic Section 4(f)s for Historic Bridges (8/22/83) or Minor Involvements with Historic Sites (8/19/87).

Also enclosed for your information is a copy of the ACHP's March 23, 1995 letter to Los Angeles Mayor Richard Riordan, in which the ACHP encourages the City to use the Programmatic Agreement to meet its objective of timely completion seismic retrofit of the Los

Angeles City bridges.

We look forward to successful implementation of the Programmatic Agreement and an accelerated completion of the seismic retrofit program.

If you have any questions, please contact Joan Bollman at 498-5026.

Sincerely,



Fred J. Hempel

Division Administrator

4 Enclosures:

1. ACHP 3/23/95 letter w/
2. Seismic Retrofit Programmatic Agreement (PA)
3. "List of Illustrations Referenced in the Programmatic Agreement..."
4. ACHP 3/23/95 Letter to LA Mayor Riordan, w/Atch Cy of Ltr fr Mayor

# Advisory Council On Historic Preservation

The Old Post Office Building  
1100 Pennsylvania Avenue, NW, #809  
Washington, DC 20004

Reply to: 730 Simms Street, #401  
Golden, Colorado 80401

March 23, 1995

Fred J. Hempel  
Division Administrator  
California Division  
Federal Highway Administration  
980 9th Street - Suite 400  
Sacramento, CA 95814-2724

REF: *Programmatic Agreement for the Seismic Retrofit of Bridge  
Structures in California*

Dear Mr. Hempel:

The enclosed Programmatic Agreement (PA) regarding the Federal Highway Administration's (FHWA) proposal to provide assistance to the California Department of Transportation (Caltrans) with funding for individual projects under the California Seismic Retrofit of Bridge Structures Program has been executed by the Council. The Council's execution of this Agreement evidences our comments as required by Section 106 of the National Historic Preservation Act and the Council's regulations. Please forward copies of the fully executed PA to the California State Historic Preservation Officer, Caltrans, and your Federal Preservation Officer.

The Council appreciates the cooperation of all parties in reaching a satisfactory resolution of this matter.

Sincerely,

  
Claudia Nissley  
Director, Western Office  
of Review

REC'D FHWA

MAR 27 1995

Enclosure

*Encl!*

**PROGRAMMATIC AGREEMENT  
REGARDING THE SEISMIC RETROFIT OF BRIDGE STRUCTURES  
IN CALIFORNIA**

**WHEREAS**, the Federal Highway Administration (FHWA) will provide Federal-Aid assistance to the California Department of Transportation (Caltrans) with funding for individual projects under the California Seismic Retrofit of Bridge Structures Program (Program) authorized by the California Streets and Highways Code, Division 1 of Chapter 1, Article 4.9 commencing with Section 180, and pursuant to Title 23 and the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA); and

**WHEREAS**, FHWA has determined that the implementation of this Program and its individual Federal-Aid projects (hereinafter referred to as undertakings) may have an effect upon properties included in or eligible for inclusion in the National Register of Historic Places (National Register) and has consulted with the Advisory Council on Historic Preservation (Council) and the California State Historic Preservation Officer (SHPO) pursuant to 36 CFR §800.13 of the regulations implementing Section 106 of the National Historic Preservation Act, 16 U.S.C. Section 470f; and Section 110(f) of the same Act (16 U.S.C. 470h-2(f)); and

**WHEREAS**, Caltrans has participated in the consultation and has been invited to execute this Programmatic Agreement (PA); and

**WHEREAS**, the signatories to this PA acknowledge that the implementation of this Program is in the public interest, health and safety and that the urgent nature of this Program necessitates the execution of this PA to expedite the process by which any effects of the Program and its undertakings on historic properties are taken into account; and

**WHEREAS**, the signatories to this PA acknowledge that the implementation of the Program will reduce the potential for damage or destruction to historic bridges and other historic properties during seismic events; and

**WHEREAS**, FHWA, SHPO, Council, and Caltrans anticipate that other federal agencies will issue permits or provide other assistance for undertakings covered by this PA, and FHWA, with the concurrence of SHPO and Council, may request that such agencies participate in the terms of the PA and coordinate their activities with FHWA to promote efficiency and fulfill the requirements of Section 106;

**NOW, THEREFORE**, FHWA, SHPO, and Council agree that the Program and its individual undertakings shall be implemented in accordance with the following stipulations to take into account the effect of the Program on historic properties and to satisfy each participating federal agency's Section 106 and Section 110 responsibilities for all individual undertakings of the Program.

## **STIPULATIONS**

FHWA shall ensure that the following Stipulations are carried out:

### **I. LEAD AGENCY AND OTHER PARTICIPATING AGENCIES**

**A. FHWA Responsibilities and Participation by Other Agencies:** FHWA, as Lead Agency, shall be responsible for coordinating the activities of all federal, state, and local agencies that may participate in undertakings for the seismic retrofit of a bridge pursuant to the Program. FHWA shall be responsible for resolving all disputes among the parties according to the terms of this PA. FHWA has directed that Caltrans develop the Area of Potential Effects, determine if undertakings do not require review according to Stipulation IV, and determine National Register eligibility and findings of the undertaking effects pursuant to Stipulations V and VI. Local agencies receiving funds from this Program for their undertakings will develop documentation, recommend determinations of National Register eligibility and findings of the undertaking effects, and submit all documents to Caltrans for review and transmittal to FHWA, SHPO, and Council. Caltrans shall ensure that all documents necessary for compliance with this PA, including those prepared by local agencies, are complete prior to forwarding the documentation to FHWA, and as appropriate, SHPO and Council.

**B. Inclusion of Other Federal Agencies in PA:** FHWA may request that other federal agencies become a party to this PA by the execution of an Addendum to the signature page; the addition of any such federal agency without further changes to this PA does not require an amendment of the PA. The execution of such an Addendum by that federal agency, SHPO, and Council and the participation of such agency in this PA evidence that the agency has accepted the provisions of this PA as the means to satisfy its requirements under Section 106 and its implementing regulations at 36 CFR Part 800 and Section 110 of the National Historic Preservation Act, has afforded Council a reasonable opportunity to comment on its actions related to the seismic retrofit program, and has taken into account the effects of its actions on historic properties. A sample Addendum form is attached as Appendix "A." FHWA will require Caltrans to coordinate with participating federal agencies in the development of documentation and in recommendations regarding determinations of National Register eligibility and undertaking effects. Caltrans will transmit these documents to other parties pursuant to the terms of this PA.

### **II. APPLICABILITY**

Activities covered by this PA include seismic retrofit work that is funded wholly or in part with monies from FHWA and that involves either the structural modification of an existing bridge structure or the replacement of a bridge structure by a newly constructed structure and any associated activities within the Area of Potential Effects of an undertaking.

### **III. AREA OF POTENTIAL EFFECTS (APE)**

The APE for each individual undertaking of the Program shall consist of the bridge itself, and as applicable, the construction area, construction easements, new right-of-way, haul

roads, utility relocations, and all associated staging areas. For each undertaking, Caltrans shall establish an APE which takes into account the undertaking's potential for direct and indirect effects. Caltrans shall consult with FHWA and SHPO to establish an APE if requested by any party to this PA.

#### **IV. UNDERTAKINGS NOT REQUIRING REVIEW BY SHPO OR COUNCIL**

If Caltrans determines that an undertaking covered by this PA avoids all effects to historic properties or unevaluated archeological properties, either through design or protection, or will affect only the types of properties described in Stipulation V.C, or will be limited exclusively to those activities included in Appendix "B," Caltrans shall notify FHWA which may approve the undertaking without further review by SHPO or Council. FHWA and Caltrans will document these determinations in writing and retain them in the files. Caltrans will include a record of such determinations in quarterly reports to FHWA and SHPO.

#### **V. IDENTIFICATION AND EVALUATION OF HISTORIC PROPERTIES**

**A. Identification Standards and Procedures:** Caltrans or the appropriate local agency shall review existing information for historic properties that may be affected by an undertaking and request information from interested persons in accordance with the *Secretary of the Interior's Standards and Guidelines for Preservation Planning, Identification, Evaluation and Registration* (48 FR 44716-28) (Guidelines) as set forth in the *Caltrans Environmental Handbook, Volume 2*, or Caltrans' publication entitled *Guidance for Consultants: Procedures for the Protection of Historic Properties, The Section 106 Process*, as appropriate. Neither Caltrans nor the appropriate local agency is required to conduct a field survey of the APE if it determines through a record and literature search that: **1)** the APE has previously been surveyed for historic properties in accordance with the Guidelines; **2)** all bridges, buildings, structures, sites, objects, or districts in the APE have previously been identified and evaluated in accordance with the Guidelines; **3)** a qualified professional, as set forth in Stipulation XIII, determines that previous disturbance within the APE would have destroyed the integrity of any archeological remains; and **4)** no new information was received from the public. Caltrans or the appropriate local agency shall document reasons for not surveying the APE, retain this documentation in files, and proceed according to the other provisions of this Stipulation. Caltrans or the appropriate local agency shall conduct a field survey in those areas that have not previously been surveyed if the APE is located in an area that is determined by a qualified professional, as set forth in Stipulation XIII, to have potential to contain historic properties, including archeological properties, and the undertaking has the potential to affect such properties. Caltrans or the appropriate local agency will record on approved California Department of Parks and Recreation (CDPR) forms any buildings, structures, sites, objects, or districts identified through these survey efforts. Caltrans shall provide copies of the Caltrans- and local-agency prepared survey reports and CDPR forms to FHWA. Caltrans shall submit copies of all survey reports, including Negative Archeological Survey Reports, and CDPR forms to the appropriate Information Center of the California Historical Resources Information System.

**B. Absence of Resources:** When a review of existing information and relevant field surveys cited in Stipulation V.A reveals that there are no buildings, structures, objects, sites, or districts within the APE other than the bridge itself, and that the bridge was previously determined not eligible for the National Register and will not reach 50 years of age during the implementation of the undertaking, either Caltrans or the appropriate local agency shall document this finding in writing and retain it in its files. Caltrans will forward copies of the findings in quarterly reports to FHWA and SHPO.

**C. Properties Exempted from Evaluation:** Neither Caltrans nor the appropriate local agency is required to determine if the following property types, identified through appropriate research or survey efforts, are eligible for inclusion in the National Register, provided that either Caltrans or the appropriate local agency records such properties according to Stipulation V.A. Caltrans will review this documentation as set forth in Stipulation I.A. Caltrans shall notify FHWA of these findings, and FHWA may approve the undertaking without further review by SHPO or Council. FHWA and Caltrans will document these determinations in writing and retain them in the files. Caltrans will include a record of such determinations in quarterly reports to FHWA and SHPO.

1. properties that are less than fifty (50) years of age and that will not reach this age during the implementation of the undertaking;
2. properties that have been programmatically determined to be not eligible for inclusion in the National Register according to the terms of the Agreement dated December 20, 1989 among FHWA, Caltrans, and SHPO regarding the Evaluation of Post-1945 Buildings, Moved Pre-1945 Buildings, and Altered Pre-1945 Buildings, or other programmatic approaches that have been approved by SHPO or are under development by SHPO, including the California Archaeological Resource Identification and Data Acquisition Program (CARIDAP);
3. archeological properties that will be protected by the placement of geo-textile fabric and temporary fill during the implementation of the undertaking according to specifications developed by Caltrans and reviewed and approved by FHWA and SHPO;
4. properties that will be avoided and protected by fencing or flagging, provided that these properties and any necessary surrounding buffer are identified on construction plans as an Environmentally Sensitive Area (ESA) and that a monitoring plan of the ESA during construction is developed and implemented as necessary. The ESA signals a protected area off limits to construction personnel, equipment, and activities.

**D. Previously Evaluated Properties:** Neither Caltrans nor the appropriate local agency is required to take additional steps to evaluate properties within the APE that were evaluated according to the National Register Criteria and that: **1)** were determined not eligible pursuant to 36 CFR §800.4 or by the Keeper of the National Register (Keeper); **2)** were determined eligible for the National Register pursuant to 36 CFR §800.4 or by the Keeper; or **3)** are listed in the National Register. The historic properties may have been determined to be contributing elements to a historic district or determined eligible through a thematic nomination or survey such as the California Bridge Survey. Caltrans or the

appropriate local agency may rely upon an earlier National Register determination unless Caltrans determines that the passage of time or changing perceptions of significance justify the reevaluation of any previously evaluated property. Bridges that were previously determined not eligible in the California Bridge Survey and that have reached fifty (50) years of age since 1987 shall require reevaluation. If Caltrans, or the appropriate local agency in consultation with Caltrans, determines that the earlier determination is still valid, Caltrans will document such finding in writing, retain the finding in its files, and include a record of the finding in the quarterly report to FHWA and SHPO. When either Caltrans or the appropriate local agency reevaluates any property and finds the earlier determination no longer valid, it shall reevaluate the property pursuant to Stipulation V.E, document its finding in writing, and retain such finding in its files. Caltrans will forward copies of the finding to FHWA and SHPO, as set forth in Stipulation V.E. SHPO, Council, or the Secretary of the Interior may request that FHWA and Caltrans reevaluate any property that may be affected by an undertaking covered by this PA or that FHWA obtain a determination from the Keeper, pursuant to applicable National Park Service regulations, 36 CFR Part 63.

**E. Evaluation and Determination of Eligibility:** Caltrans or the appropriate local agency will evaluate all properties identified pursuant to Stipulation V.A to determine their eligibility or non-eligibility for inclusion in the National Register of Historic Places (36 CFR §60.4), unless a property is exempt from evaluation under Stipulation V.C or has previously been determined eligible or not eligible under Stipulation V.D. Caltrans will forward its written determination of eligibility and the supporting documentation concurrently to FHWA and SHPO for review:

1. If SHPO does not object to the eligibility determination within fifteen (15) working days following receipt of adequate documentation, FHWA and Caltrans shall assume SHPO concurs with the determination. Any property determined to be eligible for the National Register through this process shall be considered a historic property for purposes of this PA. Failure of SHPO to respond within fifteen (15) working days does not preclude FHWA from authorizing Caltrans to proceed with a Finding of Effect when historic properties are present or to proceed with the undertaking when there are no historic properties within the APE.
2. If SHPO objects to the determination of eligibility within fifteen (15) working days of receipt of adequate documentation, FHWA and Caltrans shall consult further with SHPO to reach agreement. If agreement cannot be reached within fifteen (15) working days after receipt of the objection, or if Council at its discretion so requests, FHWA shall obtain a final determination of eligibility from the Keeper pursuant to the applicable National Park Service regulations, 36 CFR Part 63. The Keeper's decision shall be binding on the parties.

## **VI. REVIEW OF EFFECTS**

**A. Standards and Documentation:** FHWA will direct Caltrans or the appropriate local agency to take all reasonable measures to ensure that undertakings covered by this PA are designed to: **1)** avoid an effect to historic properties, **2)** qualify as an exception to the Criteria of Adverse Effect (36 CFR §800.9[c]), or **3)** not adversely affect historic

properties in the manner set forth in 36 CFR §800.9(b)(1) through (5). FHWA shall require Caltrans or the appropriate local agency to prepare the Finding of Effect documentation in accordance with 36 CFR §800.8 and the Caltrans *Environmental Handbook*, Volume 2, or Caltrans' publication entitled *Guidance for Consultants: Procedures for the Protection of Historic Properties, The Section 106 Process*. Any documentation prepared by a local agency will be submitted first to Caltrans. Caltrans will review all documentation to ensure compliance with the above referenced guidance.

**B. Review of No Effect and No Adverse Effect Determinations:** If Caltrans concludes that the undertaking will not adversely affect historic properties, Caltrans will take the following steps to complete the review required by this PA:

**1. No Effect:** If Caltrans determines that an undertaking is not subject to review under Stipulation IV or will not affect historic properties in the manner described in 36 CFR §800.9(a), Caltrans shall notify FHWA, which may approve the undertaking without further review by SHPO or Council. FHWA and Caltrans will document these determinations in writing and retain them in the files. Caltrans will include a record of such determinations in the quarterly reports to FHWA and SHPO.

**2. No Adverse Effect:** If Caltrans determines that an undertaking will not adversely affect historic properties because the undertaking qualifies as an exception to the Criteria of Adverse Effect as set forth in 36 CFR 800.9(c), or because the Criteria of Adverse Effect are not otherwise met, Caltrans will concurrently notify FHWA and SHPO of the determination and submit documentation directly to SHPO. Research and recordation conducted to meet 36 CFR 800.9(c)(1) shall be in accordance with guidance set forth in Appendix "C" for archeological properties and in Stipulation VII.A.1 for non-archeological properties. Unless SHPO objects in writing within fifteen (15) working days following receipt of Caltrans' determination and documentation, Caltrans may notify FHWA that no further review is required and request FHWA's approval of the undertaking.

**3. Objections to a No Adverse Effect Determination:** If SHPO objects to Caltrans' No Adverse Effect determination, Caltrans will notify FHWA and consult further with SHPO, FHWA, and other parties, if necessary, for a period not to exceed ten (10) working days to determine if there are feasible alternatives that may avoid adverse effects to the historic property. If the parties agree that it is feasible to modify the undertaking to avoid adverse effects, Caltrans shall ensure that the undertaking is modified appropriately and may request that FHWA approve the modified undertaking without further review. If FHWA or SHPO cannot agree that an adverse effect can be avoided, FHWA shall initiate consultation pursuant to Stipulation VI.C.

**C. Review of Adverse Effect Determinations:** If Caltrans determines that the undertaking will adversely affect a historic property or if an objection to a no adverse effect determination cannot be resolved pursuant to Stipulation VI.B.3, Caltrans will provide FHWA with all appropriate documentation relevant to the undertaking and the issue of Effect. Within fifteen (15) working days following the receipt of this documentation,

FHWA will determine whether to proceed with resolution of Adverse Effects in accordance with Stipulation VII and will notify Caltrans and SHPO of its decision.

1. If FHWA elects to use the process set forth in Stipulation VII.A and B., SHPO shall be afforded fifteen (15) working days after receipt to respond to FHWA's notification. If SHPO objects in writing within this time frame, FHWA will enter into the consultation process set out in 36 CFR Part 800.5(e) and so notify the Council. Failure of the SHPO to respond within the specified time frame shall not preclude FHWA from proceeding in accordance with Stipulation VII.A and B.
2. FHWA is required to enter into the consultation process set forth in 36 CFR Part 800.5(e) if the following apply: **1)** SHPO objects to the use of Stipulation VII.A and B; **2)** SHPO withdraws from consultation; **3)** the undertaking has known public opposition; **4)** the undertaking will adversely affect a historic property containing human remains and the provisions of Stipulations VII.B and VIII have not been completed; or **5)** the undertaking will adversely affect a National Historic Landmark.
3. If FHWA elects to enter into consultation as set forth in Stipulation VII.C or is required to as set forth in Stipulation VI.C.2, it will concurrently submit to SHPO and Council documentation supporting the Finding of Adverse Effect and enter the consultation process set out in 36 CFR §800.5(e).

## **VII. RESOLUTION OF ADVERSE EFFECTS**

**A. Standard Mitigation Measures:** Where permitted under the terms of this PA, FHWA and Caltrans, in consultation with the SHPO and other interested parties deemed appropriate by FHWA and SHPO, may implement the following Standard Mitigation Measures to take into account the adverse effects of an undertaking on historic properties. Consultation with the Council is not required prior to the implementation of the Standard Mitigation Measures. FHWA, SHPO, and Caltrans will consult to establish time frames for the completion of Standard Mitigation Measures for each undertaking. Caltrans will prepare for SHPO concurrence a written agreement reflecting the agreed-upon Standard Mitigation Measures for each undertaking; FHWA and Council will not be signatories to this agreement.

### **1. Recordation**

**a.** FHWA shall ensure that historic properties are recorded prior to their demolition or alteration according to a Recordation Plan developed in consultation with SHPO and Caltrans. At a minimum, this Plan will establish recordation methods and standards and designate the appropriate archives for the deposit of this material. FHWA and SHPO may mutually agree to waive the recordation requirement if the affected historic property will be retrofitted in substantial conformance to *The Secretary of the Interior's Standards for the Treatment of Historic Properties* (1992).

**b.** A recordation plan will not be required if Caltrans decides to record the property using the Historic American Buildings Survey (HABS) or Historic American Engineering Record (HAER) standards, and recordation consists of: **i)** large format archival photographs, including photocopies of original plans and drawings when available, prepared in accordance with *Photographic Specifications, Historic American Buildings Survey, Historic American Engineering Record* (National Park Service, June 1989); and **ii)** written historical documentation prepared in accordance with the standards set forth in *Historic American Buildings Survey: Guidelines for Preparing Written Historical and Descriptive Data* (National Park Service, October 1993) or *Historic American Engineering Record: Guidelines for Preparing Written Historical and Descriptive Data* (National Park Service, September 1993). Caltrans shall provide the original documentation to HABS/HAER and provide copies to SHPO, the California History Room of the California State Library, the Bancroft Library of the University of California, and the appropriate local historical society or local repository as determined by Caltrans.

**2. Marketing Plan:** If the proposed undertaking requires the demolition or replacement of a National Register eligible or listed truss bridge, building, structure, or object, Caltrans shall consult with SHPO, FHWA, and if appropriate, the property owner for a period not to exceed ten (10) working days to determine if that property can be relocated and a marketing plan implemented. If the parties determine that a marketing plan is feasible, Caltrans and SHPO will review the advertising schedule to ensure that notice is provided in appropriate publications and that the property is offered for no less than forty-five (45) working days after its initial advertisement. Caltrans, in consultation with SHPO and FHWA, shall evaluate all relocation and reuse offers prior to acceptance. If Caltrans receives no acceptable offer that will conform to the requirements for rehabilitation and maintenance as set forth in *The Secretary of the Interior's Standards for the Treatment of Historic Properties* (1992), Caltrans may transfer the property, or portions of it, without preservation covenants or restrictions, or may authorize its demolition following recordation and salvage, if appropriate. Caltrans shall document this determination in its files and provide FHWA and SHPO with written notification.

**3. Salvage:** If the property will be demolished, Caltrans will consult with FHWA and SHPO to determine if the property contains significant architectural features that could be reused, displayed, interpreted, or curated. If such features exist, FHWA, Caltrans, SHPO, and the property owner will develop measures to ensure that the selected features are removed in a manner that minimizes damage and are delivered to an appropriate party for curation and reuse.

**4. National Register Reevaluation:** Within ninety (90) working days after adverse alteration, relocation, or demolition of a property, Caltrans shall consult with SHPO regarding the property's continued eligibility and concurrently notify FHWA. For a property that has previously been listed or determined eligible for listing by the Keeper, FHWA shall ensure that the Keeper is notified and afforded

the opportunity to reevaluate the National Register status of altered or relocated properties, or in case of demolition, the opportunity to remove the property from the National Register of Historic Places or the list of eligible properties.

**B. Native American Consultation:** If human remains are known to be, or are likely to be, present in an archeological property that may be affected by an undertaking, Caltrans shall consult with the appropriate Native American group(s) and complete an agreement for the sensitive and dignified treatment and disposition of Native American human remains and associated items as set forth in Stipulation VIII, prior to performing any further work. Caltrans will provide written notification and copies of the agreement to FHWA and SHPO. Caltrans will also develop a plan for the treatment of the archeological property and shall submit the plan to FHWA and SHPO for review and approval. Consultation with Council is not required.

**C. Adverse Effect Consultations:** FHWA may, or where required by the terms of this PA, shall enter the consultation process set forth in 36 CFR §800.5(e) to resolve adverse effects.

## **VIII. NATIVE AMERICAN HUMAN REMAINS AND ITEMS SUBJECT TO REPATRIATION**

**A. Construction Monitoring:** Caltrans will ensure that a qualified professional, as set forth in Stipulation XIII, monitors construction in areas that are known to or may contain human remains. If human remains or items subject to repatriation are encountered either during archeological excavation or during construction, Caltrans shall consult with the appropriate Native American group(s) as set forth in parts B and C of this Stipulation.

**B. Treatment on Non-federal Lands:** California Public Resources Code sections 5097.98 and 5097.991 will be followed. Caltrans shall consult with the most likely descendants, as identified by the California Native American Heritage Commission, on an agreement for the sensitive and dignified treatment and disposition of Native American human remains and associated grave goods.

**C. Treatment on Federal or Tribal Lands:** Caltrans shall notify the federal agency or Indian Tribe managing those lands of any intent to excavate or of any discovery that is made and shall consult, at the federal agency's or Indian Tribe's discretion, with all appropriate parties including the lineal descendant(s) or Indian Tribe(s) likely to be culturally affiliated with the human remains or cultural items to be recovered. The appropriate parties, in accordance with Section 3 of the Native American Graves Protection and Repatriation Act (NAGPRA) (25 U.S.C. 3002), will negotiate and execute a written agreement for the sensitive and dignified treatment and disposition of Native American human remains, associated funerary objects, unassociated funerary objects, sacred objects, and items of cultural patrimony. For intentional excavations, Caltrans shall apply for a permit required under the Archaeological Resources Protection Act of 1979 (ARPA) (16 U.S.C. 470cc) and under Section 3(c) of NAGPRA, and shall abide by the terms of the ARPA permit.

## **IX. CURATION**

Caltrans shall ensure that human remains, associated grave goods, associated funerary objects, unassociated funerary objects, sacred objects, and items of cultural patrimony, as defined above, are treated in accordance with any agreements developed under Stipulation VIII. Caltrans shall ensure that all other cultural materials and records resulting from excavation on state lands are curated in accordance with California state curation guidelines as outlined in *The Guidelines for the Curation of Archeological Collections* (May 7, 1993) and on federal or tribal lands in accordance with 36 CFR Part 79.

## **X. DISCOVERIES AND UNANTICIPATED EFFECTS**

Caltrans will ensure, as appropriate, that a qualified professional, as set forth in Stipulation XIII, monitors construction near areas identified as ESAs and in areas that Caltrans' research has indicated may contain human remains or buried, unknown archeological deposits. Whether or not an archeological monitor is present, Caltrans will ensure that the following actions are taken in the event of a discovery of, or an unanticipated effect on, a historic property.

**A.** When an undertaking will affect a previously unidentified property that may be eligible for inclusion in the National Register or will affect a known historic property in an unanticipated manner, Caltrans shall require that construction activity is stopped in the vicinity of the property and that all reasonable measures are taken to avoid or minimize harm to the property until Caltrans concludes consultation with SHPO. At the earliest possible time, Caltrans shall notify FHWA, SHPO, and if federal or tribal lands are involved, the appropriate federal agency or Indian Tribe.

**B.** If the newly discovered property has not previously been included in or determined eligible for the National Register, Caltrans may assume that the property is eligible for purposes of this PA. Caltrans shall consult with SHPO, FHWA, and the federal agency or Indian Tribe, as appropriate, to develop actions that will take the effects of the undertaking into account. Caltrans will provide concurrently to FHWA, SHPO, and the federal agency or Indian Tribe, as appropriate, written recommendations reflecting this consultation. FHWA and SHPO shall review those recommendations within fifteen (15) working days. Caltrans will request, as appropriate, timely consultation from the federal agency or Indian Tribe. Failure of FHWA and SHPO to respond within this time frame shall not preclude Caltrans from implementing these recommendations.

## **XI. COMBINED DOCUMENTS**

FHWA and Caltrans may combine determination of eligibility and determination of effect documentation for transmittal to SHPO. Upon receipt of the combined documentation, SHPO shall have fifteen (15) working days to review and comment on the determination of eligibility and fifteen (15) working days to review and comment on the effect documentation, for a total of thirty (30) working days.

## **XII. PUBLIC INVOLVEMENT AND OBJECTIONS**

**A. Public Involvement:** FHWA will ensure that either Caltrans or the appropriate local agency provides the public with the opportunity to receive information and participate in the Section 106 review process through the public participation procedures set forth in the Caltrans *Project Development Procedures Manual*. FHWA may also identify public interest in an undertaking through the public participation program under the National Environmental Policy Act and its implementing regulations set out at 40 CFR Part 1506.6. FHWA shall consider any public comments received regarding undertakings covered by this PA.

**B. Public Objections:** If at any time during the implementation of the measures stipulated in this PA, a member of the public raises an objection to any measure within the PA or its manner of implementation, FHWA shall take the objection into account and consult with the objecting party, Caltrans, SHPO, and Council to resolve the objection. If the objection pertains to FHWA's decision to implement Standard Mitigation Measures pursuant to Stipulation VII.A above, FHWA shall terminate the abbreviated consultation process and initiate consultation with SHPO and Council pursuant to 36 CFR §800.5(e).

## **XIII. PROFESSIONAL QUALIFICATIONS**

All activities that will be carried out pursuant to this PA, including the reviews of local agency documents by Caltrans staff as set forth in Stipulation I.A, shall be carried out by or under the direct supervision of a person or persons meeting at a minimum the *Secretary of the Interior's Professional Qualifications Standards* (48 FR 44738-9) for the discipline in which expertise is required.

## **XIV. DISPUTE RESOLUTION**

Unless otherwise specified in this PA, should SHPO or Council object within time frames established in this PA to any plans or actions covered by this PA, FHWA will consult with the objecting party or parties and Caltrans to resolve the objection. If FHWA determines that the objection cannot be resolved, FHWA shall forward all documentation relevant to the dispute to Council. Within thirty (30) calendar days after receipt of all pertinent documentation, Council will either provide FHWA with recommendations, which FHWA will take into account in reaching a final decision regarding the dispute, or notify FHWA that it will comment pursuant to 36 CFR §800.6(b) and then proceed to comment. Any Council comment provided in response to such a request will be taken into account by FHWA in accordance with 36 CFR §800.6(c)(2) with reference to the subject of the dispute. Any recommendation or comment provided by Council will be interpreted to pertain only to the subject of the dispute and FHWA's responsibility to carry out all actions under this PA that are not subject to the dispute will remain unchanged.

## **XV. MONITORING AND REPORTING**

**A. Monitoring:** SHPO and Council may monitor any activities carried out pursuant to this PA, and Council will review such activities if requested. FHWA and Caltrans will cooperate with SHPO and Council in carrying out these monitoring and review responsibilities, and FHWA and Caltrans will maintain records for all undertakings reviewed under this PA that document compliance with its terms.

**B. Quarterly Reporting:** Caltrans will provide FHWA and SHPO with a quarterly report that lists all undertakings reviewed by Caltrans during the quarter, notes the status of the review, and includes documentation for undertakings that involve no historic properties as determined in Stipulation V.B through D, that are exempted from review under Stipulation IV, or that have been determined to have no effect on historic properties, as set forth in Stipulation VI.B.1. Caltrans will notify all parties to the PA, including any agency that has participated in this PA through the execution of an Addendum pursuant to Stipulation I.B, in its final quarterly report when its actions under the California Seismic Retrofit of Bridge Structures Program have been concluded.

## **XVI. AMENDMENTS**

Any party to this PA may request that it be amended whereupon the parties will consult in accordance with 36 CFR §800.13 to consider such amendments. Any resulting amendments or addenda shall be developed and executed in the same manner as this PA. No amendment shall take effect until it has been executed by FHWA, Council, SHPO, Caltrans, and any party or parties to this agreement that are affected by the terms of the amendment. Parties to this PA that are not affected by an amendment do not need to sign that amendment.

## **XVII. TERMINATION**

**A. Termination by FHWA, SHPO, or Council:** FHWA, SHPO, or Council may terminate this PA after thirty (30) calendar days' written notice to all of the parties, provided that the parties will consult during the period prior to termination to seek agreement on measures that would avoid termination. In the event of termination, FHWA will comply with 36 CFR §§800.4 through 800.6 with regard to individual actions that would otherwise be covered by this PA.

**B. Termination by Other Participating Parties:** No other participating federal, state, or local agency may terminate this PA. Any federal agency that has executed an Addendum to this PA pursuant to Stipulation I.B may elect to terminate its participation after thirty (30) calendar days' written notice of its intent, stating the reasons therefor, provided that FHWA, SHPO, Council, and any other appropriate party as determined by FHWA consult to seek agreement on measures that would avoid termination. Any federal agency that terminates its participation in this PA is required to comply with 36 CFR §§800.4 through 800.6 with regard to individual actions that would otherwise be covered by the PA.

**XVIII. FAILURE TO COMPLY WITH AGREEMENT**

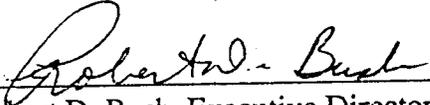
In the event that FHWA does not carry out the terms of this PA, FHWA will comply with 36 CFR §§800.4 through 800.6 with regard to individual undertakings covered by the PA.

**XIX. EFFECTIVE DATE**

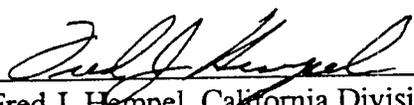
This PA shall take effect on the date it has been fully executed by FHWA, SHPO, Council, and Caltrans. Any Addenda to this PA shall take effect on the date they have been fully executed by the participating agency, SHPO, and Council. This PA shall remain in full force and effect until it has been terminated pursuant to Stipulation XVII or until Caltrans notifies the parties pursuant to Stipulation XV.B that all actions under the California Seismic Retrofit of Bridge Structures Program have been concluded.

**EXECUTION AND IMPLEMENTATION** of this Programmatic Agreement evidence that FHWA has afforded Council a reasonable opportunity to comment on the implementation of the undertakings under the California Seismic Retrofit of Bridge Structures Program and further evidence that FHWA has satisfied its Section 106 responsibilities for all individual undertakings of the Program.

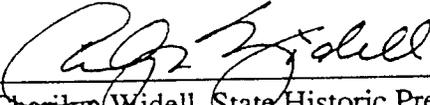
ADVISORY COUNCIL ON HISTORIC PRESERVATION

By:  Date: 3-21-95  
Robert D. Bush, Executive Director

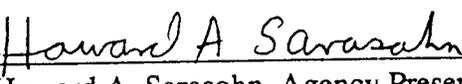
FEDERAL HIGHWAY ADMINISTRATION

By:  Date: 2/16/95  
Fred J. Hempel, California Division Administrator

CALIFORNIA STATE HISTORIC PRESERVATION OFFICER

By:  Date: 2/16/95  
Cheryl Widell, State Historic Preservation Officer

CALIFORNIA DEPARTMENT OF TRANSPORTATION

By:  Date: 2/15/95  
Howard A. Sarasohn, Agency Preservation Officer

## APPENDIX A

### ADDENDUM TO THE PROGRAMMATIC AGREEMENT REGARDING THE SEISMIC RETROFIT OF BRIDGE STRUCTURES IN CALIFORNIA

**WHEREAS**, the Federal Highway Administration (FHWA), the Advisory Council on Historic Preservation (Council), the California State Historic Preservation Officer (SHPO), and the California Department of Transportation (Caltrans) have executed a Programmatic Agreement (PA) that addresses FHWA's responsibilities under Section 106 of the National Historic Preservation Act, 16 U.S.C. 470f, and Section 110(f) of the same Act, 16 U.S.C. 470h-2(f), for its proposal to provide Federal-Aid assistance to Caltrans with funding for individual undertakings under the California Seismic Retrofit of Bridge Structures Program (Program) authorized by the Streets and Highways Code, Division 1 of Chapter 1, Article 4.9, commencing with Section 180, and pursuant to Title 23 and the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA); and

**WHEREAS**, FHWA, SHPO, Council, and Caltrans recognized that certain undertakings and activities of the Program may occur on lands owned or controlled by federal agencies that did not participate in the development of the PA, but may request to address their Section 106 responsibilities in coordination with FHWA through the procedures established by this PA; and

**WHEREAS**, \_\_\_\_\_ () has determined that the implementation of the Program may have an effect on properties under its direct or indirect jurisdiction that are included in or are eligible for inclusion in the National Register of Historic Places and has consulted with SHPO and Council pursuant to 36 CFR §800.13 of the regulations implementing Section 106, 36 CFR Part 800;

**NOW, THEREFORE**, \_\_\_\_\_, Council and SHPO agree that \_\_\_\_\_ shall participate in Program in accordance with the following Stipulations to satisfy \_\_\_\_\_'s Section 106 responsibilities for all individual undertakings of the Program.

#### STIPULATIONS

\_\_\_\_\_ will ensure that the following measures are carried out:

1. \_\_\_\_\_ acknowledges FHWA as the lead agency for all undertakings of the Program, and recognizes that FHWA is responsible for coordinating the activities of all federal, state, and local agencies that may participate in an undertaking.
2. \_\_\_\_\_ will assist FHWA to comply with the PA and will not take any actions that are inconsistent with its terms.
3. FHWA will require Caltrans to coordinate with \_\_\_\_\_ in the development of documentation and in preparing recommendations regarding determinations of National Register eligibility and undertaking effect. \_\_\_\_\_ will submit documents to Caltrans for transmittal to SHPO for those undertakings of the

Appendix A to Programmatic Agreement Regarding the Seismic Retrofit of Bridge Structures in California -- Sample Addendum Form

Program that may affect historic properties under \_\_\_\_\_'s ownership, control, or jurisdiction.

4. \_\_\_\_\_ will cooperate with FHWA by applying for any permits required under the Archeological Resources Protection Act (ARPA), 16 U.S.C. 470cc, for activities on lands owned by \_\_\_\_\_.

5. \_\_\_\_\_ shall notify FHWA of any objections by participating parties or members of the public to any actions required by this PA and acknowledges that FHWA will be responsible for resolving disputes according to Stipulations XII.B and XIV of the PA.

6. \_\_\_\_\_ may elect to terminate its participation in the PA after thirty (30) calendar days' written notice of its intent, stating the reasons therefor, provided that FHWA, SHPO, Council, and any other appropriate party as determined by FHWA consult to seek agreement on measures that would avoid termination. Termination by a participating federal agency does not terminate the PA, and any such agency is required to comply with 36 CFR §§800.4 through 800.6 with regard to individual actions that would otherwise be covered by the PA.

7. This Addendum shall become effective on the date it has been fully executed by \_\_\_\_\_, SHPO, and Council.

**EXECUTION AND IMPLEMENTATION** of this Addendum to the Programmatic Agreement regarding the California Seismic Retrofit of Bridge Structures Program evidence that \_\_\_\_\_ has satisfied its Section 106 responsibilities for all individual undertakings of the Program.

ADVISORY COUNCIL ON HISTORIC PRESERVATION

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Robert D. Bush, Executive Director

[NAME OF PARTICIPATING FEDERAL AGENCY]

By: \_\_\_\_\_ Date: \_\_\_\_\_  
[Name and Title of Person Signing Addendum]

CALIFORNIA STATE HISTORIC PRESERVATION OFFICER

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Cherilyn Widell, State Historic Preservation Officer

## **APPENDIX B**

### **UNDERTAKINGS NOT REQUIRING REVIEW BY SHPO OR COUNCIL**

Undertakings restricted to the following activities do not require review by the California State Historic Preservation Office (SHPO) or the Advisory Council on Historic Preservation (Council) when they are limited to only the bridge itself, whether or not the bridge is a historic property.

- 1) **SHEAR BLOCKS/CATCHER BLOCKS:** The addition of concrete extensions to existing abutments and bents to prevent the bridge superstructure from moving laterally (Shear Blocks), or to prevent the superstructure from slipping off the abutment in the case of longitudinal movement (Catcher Blocks). [Reference: National Highway Institute “Seismic Design of Highway Bridges -- Training Course.”, Figures 6.3-8, 6.3-9b.]
- 2) **CIDH PILINGS:** The addition of concrete pilings, cast in holes drilled through existing abutments in order to strengthen bridge footings. [Reference: Caltrans Plan Sheet “Abutment Longitudinal Anchorage Details, Bridge No. 53-1854, 07-LA-90, P.M. 2.67.”]
- 3) **FIBER WRAPPING:** The wrapping of existing columns in fiberglass, which is then painted to match existing concrete.
- 4) **BASE ISOLATION WITH NO GROUND DISTURBANCE:** The replacement of existing rocker bearings with an elastomeric shock-absorbing system (base isolators) at the bearing points between the superstructure and substructure of bridges. [Reference: National Highway Institute “Seismic Design of Highway Bridges -- Training Course.”, Figure 6.3-9]
- 5) **PRE-STRESSING BENT CAPS:** The addition of pre-stressing reinforcement to existing concrete bent caps.
- 6) **RESTRAINER SYSTEMS:** The addition of pipe seat extensions or cable restrainers to prevent lateral or longitudinal movement of the bridge superstructure off the substructure. [Reference: National Highway Institute “Seismic Design of Highway Bridges -- Training Course.”, Figures 6.3-9b, 6.3-30, 6.3-31, and Caltrans Plan Sheet “Part Plans ‘C’ and ‘D’, Exposition OH - Earthquake Upgrade, Bridge No. 53-704K, 07-LA-405, P.M. 29,85.”]
- 7) **STEEL JACKETING:** The placement of steel jackets around existing concrete columns, when the work conforms to the *Secretary of the Interior's Standards for Historic Preservation Projects*. [Reference: National Highway Institute “Seismic Design of Highway Bridges -- Training Course.”, Figure 6.3-27, Caltrans Plan Sheets “Earthquake Upgrading, Bent Retrofit Details No. 6, Bridge No. 33-303H, 04-ALA-24/680/980”, “Earthquake Retrofit Phase II, Southbound Connector Overcrossing, Bent Details, Bridge No. 35-219, 04-SM-280, P.M. 20.9”, and “Earthquake Upgrading, Confinement Plate Details No. 1, 04-ALA-24/580/980.”]

Appendix B to Programmatic Agreement Regarding the Seismic Retrofit of Bridge Structures in California

- 8) **COLUMN REPLACEMENT:** In-kind replacement of existing column elements of bridges, when the work conforms to the *Secretary of the Interior's Standards for Historic Preservation Projects*.
- 9) **STEEL BRACING:** The addition of steel cross-bracing between columns in multi-column bents.

**NOTE: Any undertaking that includes ground-disturbing activities, haul roads, utility locations, construction staging areas, or any activity other than what occurs on the bridge itself are NOT included in this Appendix and may require review by SHPO, and as appropriate, Council.**

## **APPENDIX C**

### **DATA RECOVERY PLAN REQUIREMENTS**

**Data Recovery Plans:** When a National Register listed or eligible archeological property meets the National Register criteria under Criterion D only, and when such value can be substantially preserved through the conduct of appropriate research, FHWA will ensure that a Data Recovery Plan (Plan) is developed in consultation with SHPO that identifies management and data needs; addresses the undertaking's effect and data recovery of archeological materials; and provides evidence of Native American consultation by the inclusion of a pre-excavation agreement identifying, among other concerns, agreement on the treatment of Native American remains and related items, in the event that such are recovered. FHWA shall ensure that the Plan shall be responsive to the *Secretary of the Interior's Standards and Guidelines for Evaluation* (48-FR-44723-25) and for *Archeological Documentation* (48 FR 44734-37), as set forth in the Caltrans *Environmental Handbook*, Volume 2, or the Caltrans publication entitled *Guidance for Consultants: Procedures for the Protection of Historic Properties: The Section 106 Process*. The Plan shall take into account Council's draft publication *Treatment of Archeological Properties* (Advisory Council on Historic Preservation [1980]), subject to any pertinent revisions Council may make in the publication prior to completion of the Plan.

The data recovery plan shall specify at minimum:

1. A thorough description and current assessment of the condition of any properties involved;
2. A description of the undertaking with its area of direct impact identified, and the relationship of this area of direct impacts to those properties;
3. An understanding of the Section 106 compliance situation and the management goals of the study, including but not limited to, defining the areal extent of the property; describing the depth, range and characteristics of cultural material and natural strata present; and listing all cultural deposits excavated to date, to determine whether the cultural deposits possess the integrity and the data to address questions important in prehistory or history, and to provide information necessary to establish what effect the undertaking may have on the properties;
4. Pertinent background information on the environment, paleoenvironment, ethnography, archaeology, history and, architecture, as appropriate, to demonstrate familiarity with the undertaking area and type of site under study, and to provide a context for the discussion of regional research topics;
5. The research topics relevant to the properties with an explanation of their importance to regional prehistory or history;
6. The expected data categories, how they relate to each topic, and the sample size necessary to provide adequate cultural material for analysis;

Appendix C to Programmatic Agreement Regarding the Seismic Retrofit of Bridge Structures in California

7. The methods to be used, with an explanation of their relevance to the research domains;
8. Consultation with the appropriate Native American group, and the agreement on actions to be taken in the event that human remains and associated items are found;
9. The disposition of recovered materials and records;
10. Procedures to ensure that any archaeological data recovery on federally owned lands complies with Section 3(c) of the Native American Graves Protection and Repatriation Act, 25 U.S.C. 3002 (NAGPRA), and is conducted under a permit issued under Section 4 of the Archeological Resources Protection Act, 16 U.S.C. 470cc (ARPA).

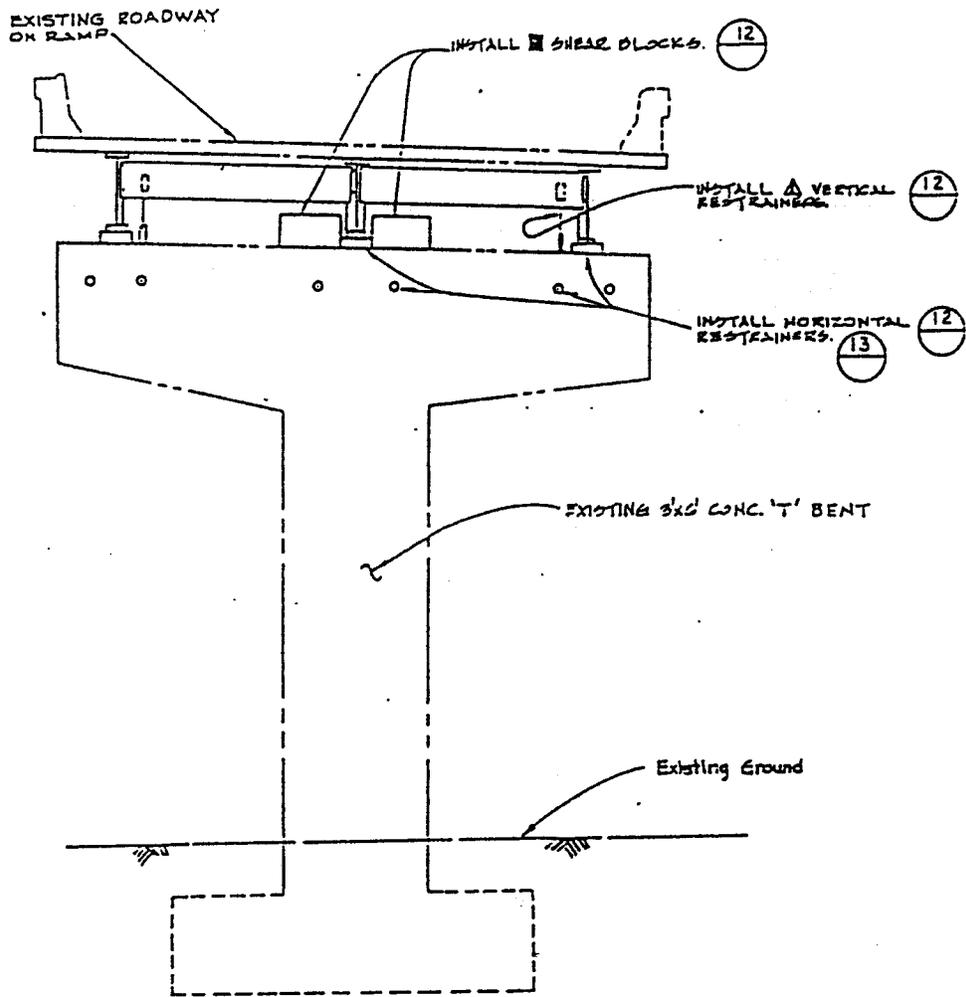
**LIST OF ILLUSTRATIONS REFERENCED IN THE  
PROGRAMMATIC AGREEMENT REGARDING THE SEISMIC RETROFIT OF  
BRIDGE STRUCTURES IN CALIFORNIA  
APPENDIX B:  
UNDERTAKINGS NOT REQUIRING REVIEW BY SHPO OR COUNCIL**

Users of the above-referenced Programmatic Agreement should refer to following attached illustrations to determine whether a particular undertaking covered by the Programmatic Agreement meets the criteria outlined in Appendix B to that document.

- Figure 1: National Highway Institute “Seismic Design of Highway Bridges -- Training Course.”, Figure 6.3-15b
- Figure 2: National Highway Institute “Seismic Design of Highway Bridges -- Training Course.”, Figures 6.3-13 and 6.3-14
- Figure 3: Caltrans Plan Sheet “Abutment Longitudinal Anchorage Details, Bridge No. 53-1854, 07-LA-90, P.M. 2.67.”
- Figure 4: National Highway Institute “Seismic Design of Highway Bridges -- Training Course.”, Figure 6.3-15
- Figure 5: National Highway Institute “Seismic Design of Highway Bridges -- Training Course.”, Figure 6.3-53
- Figure 6: National Highway Institute “Seismic Design of Highway Bridges -- Training Course.”, Figure 6.3-52
- Figure 7: Caltrans Plan Sheet “Part Plans ‘C’ and ‘D’, Exposition OH - Earthquake Upgrade, Bridge No. 53-704K, 07-LA-405, P.M. 29,85.”
- Figure 8: National Highway Institute “Seismic Design of Highway Bridges -- Training Course.”, Figure 6.3-49
- Figure 9: Caltrans Plan Sheet “Earthquake Upgrading, Bent Retrofit Details No. 6, Bridge No. 33-303H, 04-ALA-24/680/980”
- Figure 10: Caltrans Plan Sheet “Earthquake Retrofit Phase II, Southbound Connector Overcrossing, Bent Details, Bridge No. 35-219, 04-SM-280, P.M. 20.9”
- Figure 11: Caltrans Plan Sheet “Earthquake Upgrading, Confinement Plate Details No. 1, 04-ALA-24/580/980.”

6.3-15b

# TYPICAL SECTION RETROFIT



TYPICAL SECTION (CONC. BENT)

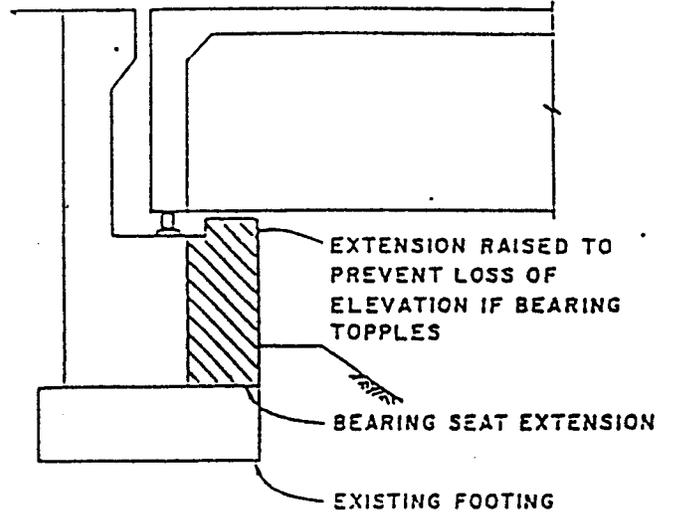
$$1/4" = 1'-0"$$

- Shear Blocks
- Vertical Restrainers
- Horizontal Restrainers

FIGURE 1

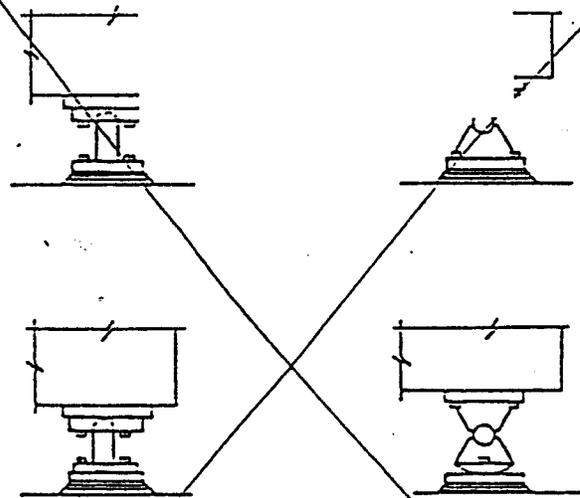
6.3-13

SEAT WIDTH IMPROVEMENT



6.3-14

FIGURE 2

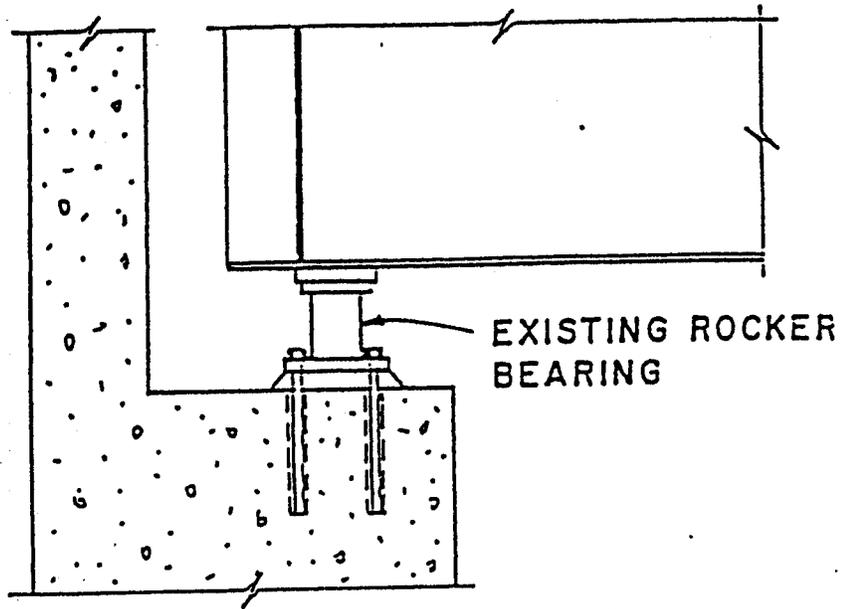


Seismically Vulnerable Bearings

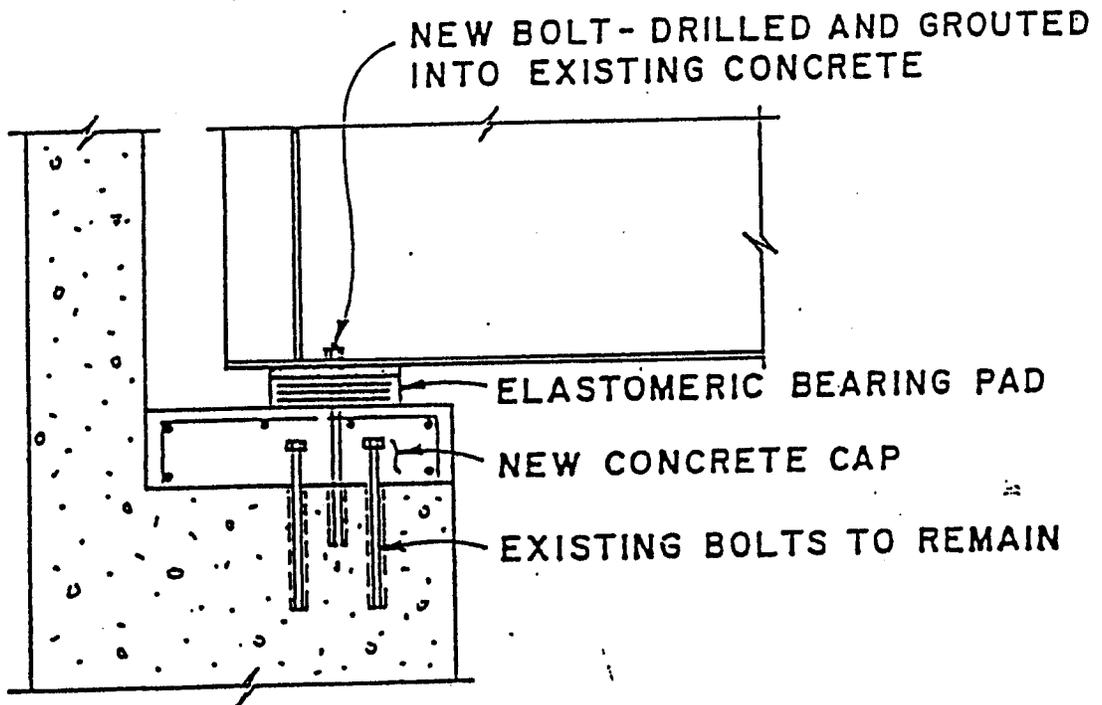


6.3-15

# REPLACEMENT OF ROCKER BEARINGS



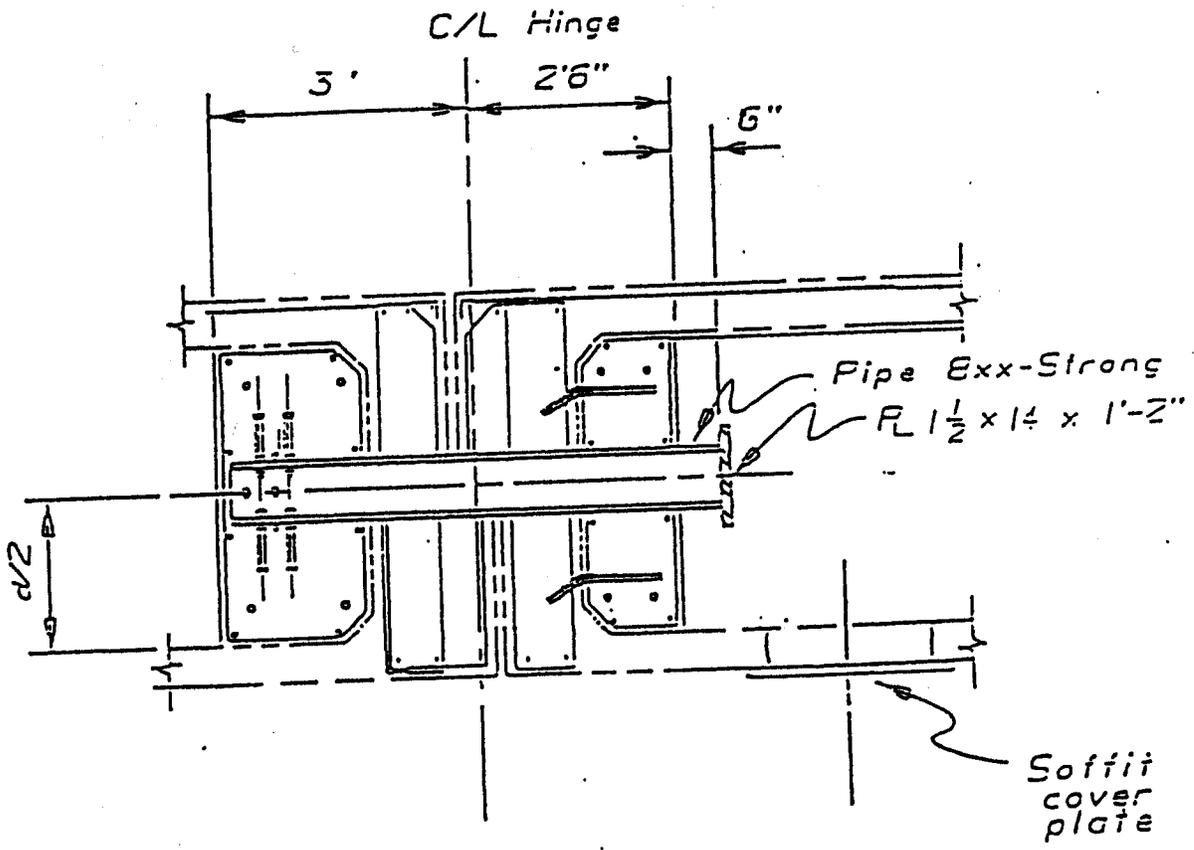
BEFORE



AFTER

FIGURE 4

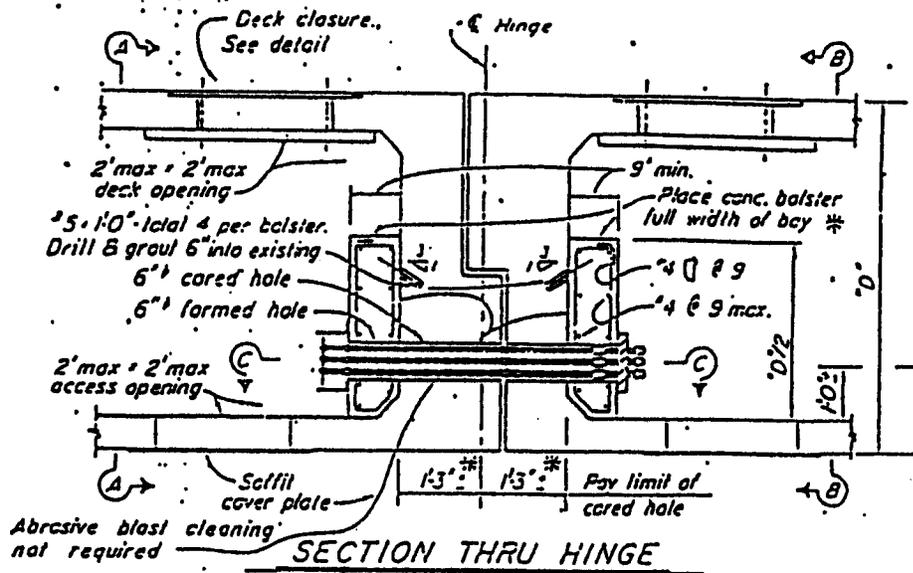
PIPE SEAT EXTENSION



Scale: 1/2" = 1'-0"

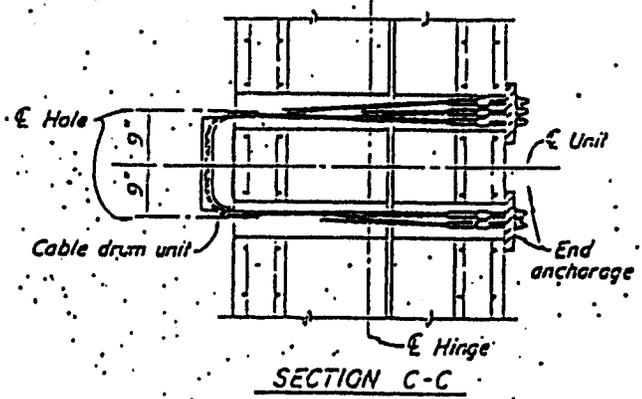
FIGURE 5

6.3-52 CABLE RESTRAINER UNIT - 5 CABLES

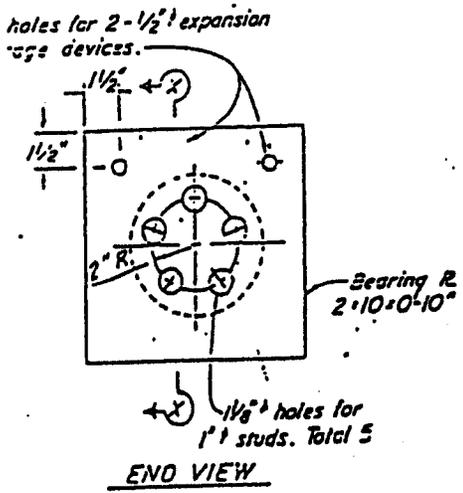


SECTION THRU HINGE

No scale



SECTION C-C



END VIEW

FIGURE 6

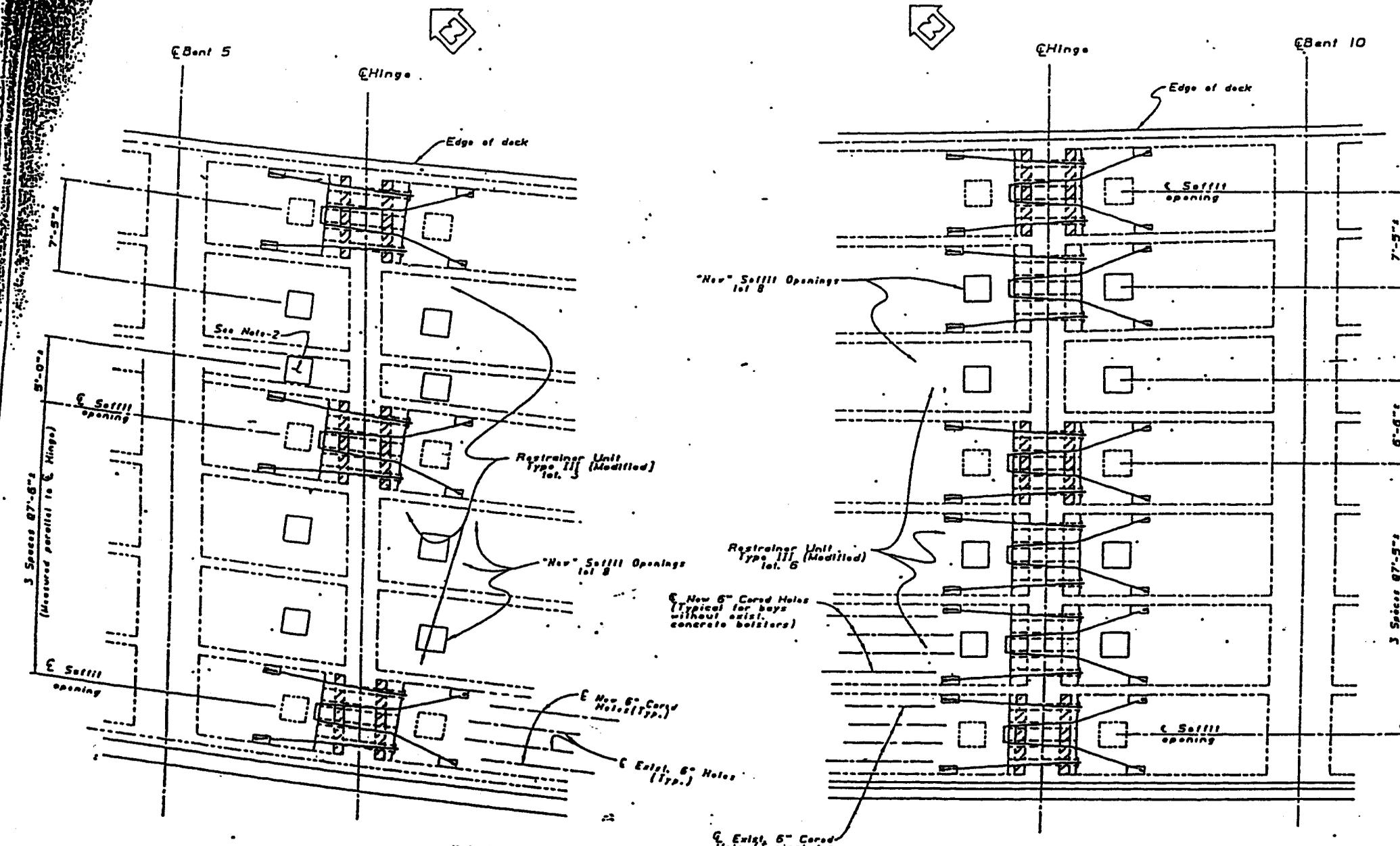


FIGURE 7

**PART PLAN "C"**  
Scale 1/4"=1'-0"

**PART PLAN "D"**  
Scale 1/4"=1'-0"

Note:  
 1. For details not shown, see Restrainer Unit Type III (Modified) sheet.  
 2. Width of opening limited to space between girders.

Note:  
 The Contractor shall verify all controlling field dimensions before ordering or fabricating any material.

- Notes**
1. Remove existing cable restrainers
  2. Salvage and reuse existing cable drum units and other usable hardware

- LEGEND**
- Indicates existing Concrete Bolster.
  - Indicates existing Access Opening, Soffit.
  - Indicates new Access Opening, Soffit.
  - Indicates Cable End Anchorage Bracket.

16

PHASE II RETROFIT - PROJECT NO. 2

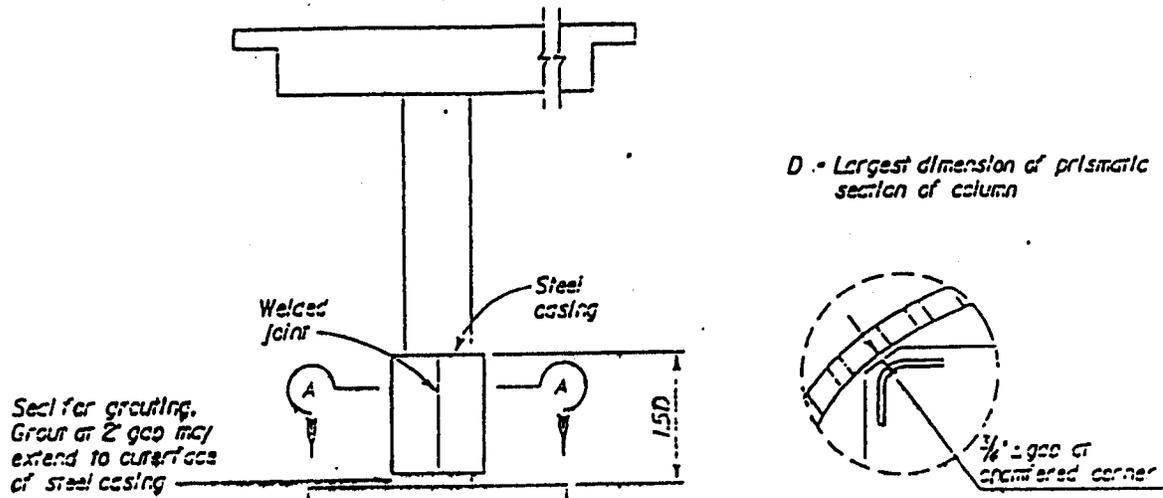
DESIGN	Richard Obryne	7/88	A.T. Duboff II	1/89
DETAILS	Shay Lee	1/89	A.T. Duboff II	1/89
QUANTITIES	Mark Varone	5/89	Shay Lee	5/89

STATE OF CALIFORNIA  
 DEPARTMENT OF TRANSPORTATION

DIVISION OF STRUCTURES  
 STRUCTURE DESIGN 4

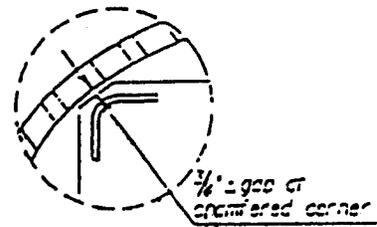
53-704K  
 29.85

EXPOSITION OH - EARTHQUAKE UPGRADE  
 PART PLANS "C" AND "D"



Note: Allow 2" gap between bridges scffit and casing if 1.5D casing is used at column top.

D = Largest dimension of prismatic section of column

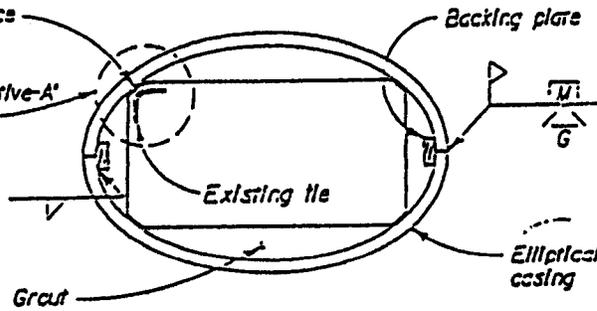


**ALTERNATIVE-A**

No Crippling

3/4" = gap between column tie and inner casing face

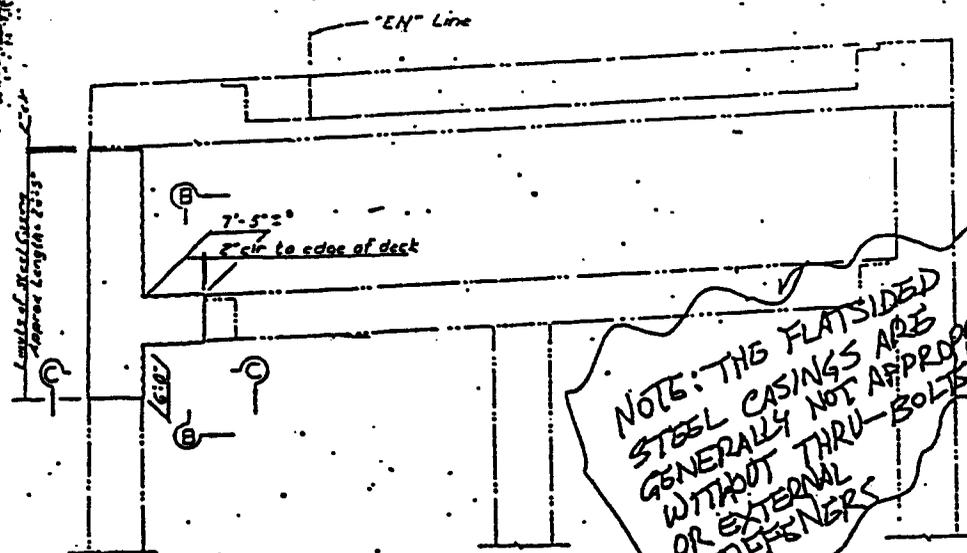
See 'Alternative-A' Detail



**SECTION A-A**

**RECTANGULAR COLUMN RETROFIT FOR MOMENT RESISTING CONNECTION**

FIGURE 8

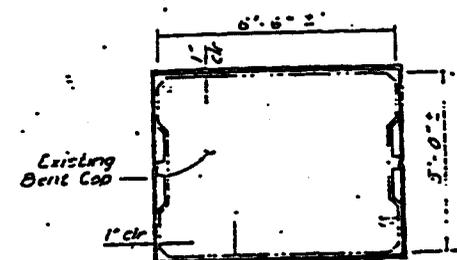


BR NO 33-302H  
BENT EN14 ELEVATION  
Scale: 3/8" = 1'-0"

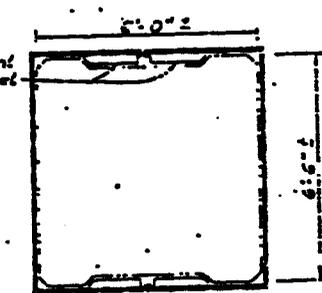
NOTE: THE FLAT SIDED STEEL CASINGS ARE GENERALLY NOT APPROPRIATE WITHOUT THRU-BOLTS OR EXTERNAL STIFFENERS

See 'Section B-B' and 'Section C-C', 'Bent Retrofit Details No 1' sheet.

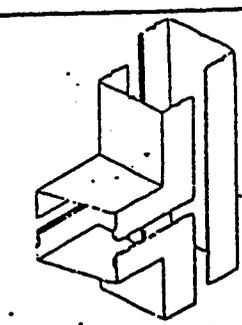
Notes:  
\*- Bent may be slewed. Measurement taken along E Bent. For details not shown, see 'Bent Retrofit Details No 1' sheet.



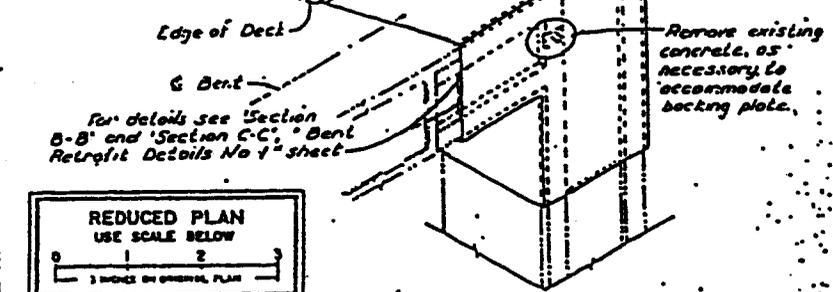
SECTION B - B  
Scale: 3/8" = 1'-0"



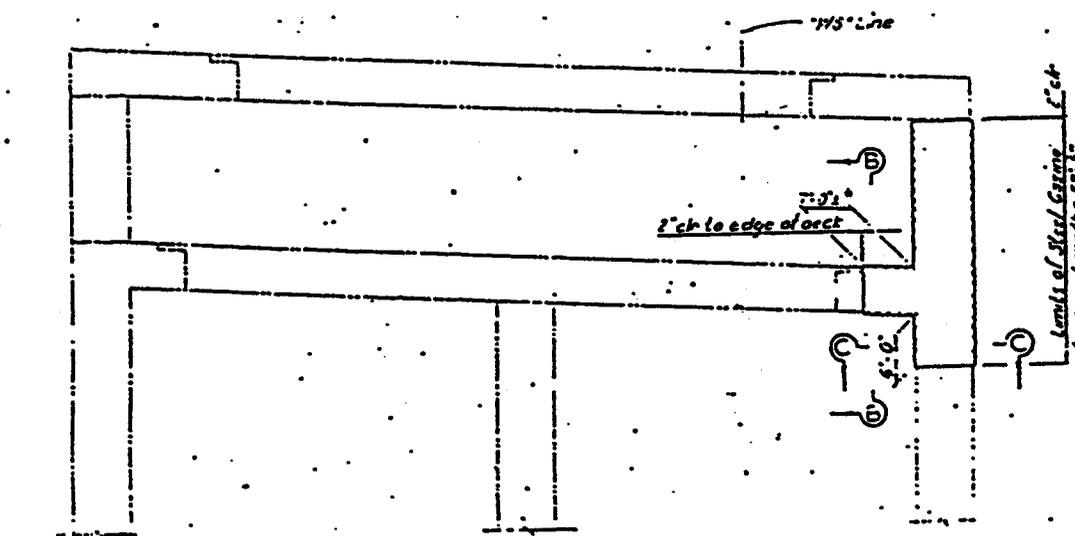
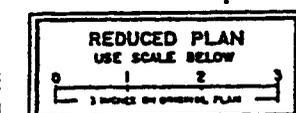
SECTION C - C  
Scale: 3/8" = 1'-0"



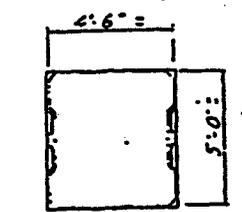
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No Scale



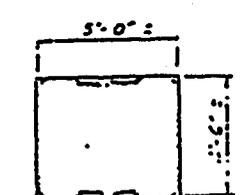
T CASING ISOMETRIC  
No Scale



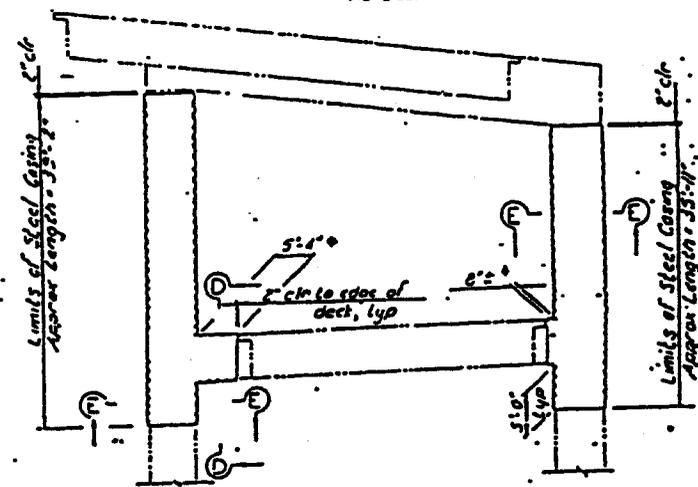
BR NO 33-303H  
BENT WS91 ELEVATION  
Scale: 3/8" = 1'-0"



SECTION D - D  
Scale: 3/8" = 1'-0"



SECTION E - E  
Scale: 3/8" = 1'-0"



BR NO 33-303H  
BENT WS99 ELEVATION  
Scale: 3/8" = 1'-0"

NOTE: THE CONTRACTOR SHALL VERIFY ALL CONTROLLING FIELD DIMENSIONS BEFORE ORDERING OR FABRICATING ANY MATERIAL.

ROUTE 24/580/980 INTERCHANGE  
EARTHQUAKE UPGRADING  
BENT RETROFIT DETAILS NO. 6

DESIGN	Charles Conner	Michael R. Feltner
DETAILS	Charles Conner	Michael R. Feltner
APPROVED	Charles Conner	Michael R. Feltner

State of CALIFORNIA  
DEPARTMENT OF TRANSPORTATION

DIVISION OF STRUCTURES  
STRUCTURE DESIGN 3

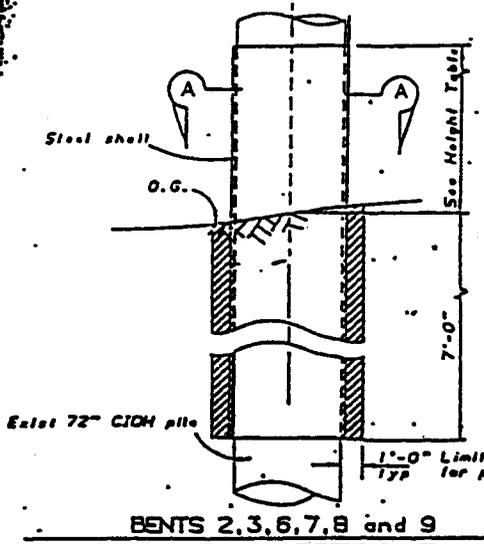
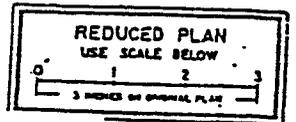
CU 04323  
CA 126111

DATE	12/04/5
REVISION	

11	32
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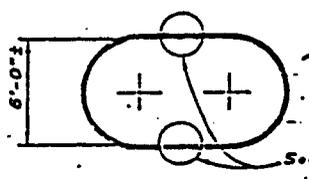
FIGURE 10

HEIGHT TABLE						
COLLUM	2	3	6	7	8	9
HEIGHT	12'-6"	20'-0"	10'-6"	4'-6"	12'-8"	15'-6"



BENTS 2, 3, 6, 7, 8 and 9

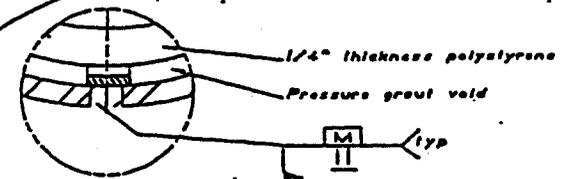
1/4" = 1'-0"



SECTION B-B

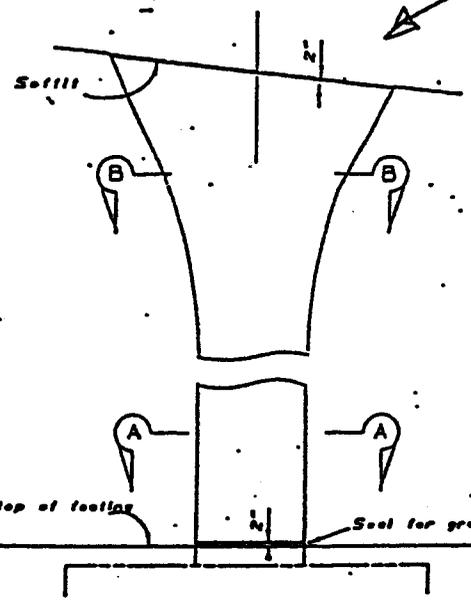
1/4" = 1'-0"

NOTE: THIS FLAT SIDED CASING IN THE FLARE REQUIRES THRU BOLTS OR EXTERNAL STIFFENERS IF PLASTIC HINGING IS EXPECTED.



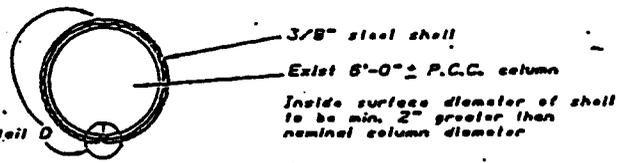
DETAIL D

Bents 2, 3, 6, 7, 8, 9



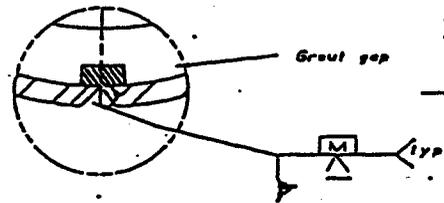
BENTS 4 and 5

1/4" = 1'-0"



SECTION A-A

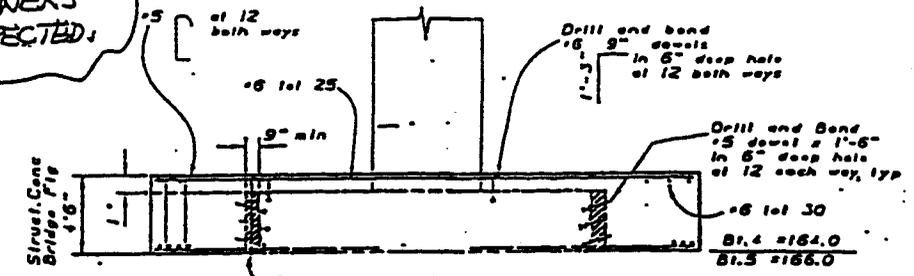
1/4" = 1'-0"



DETAIL D

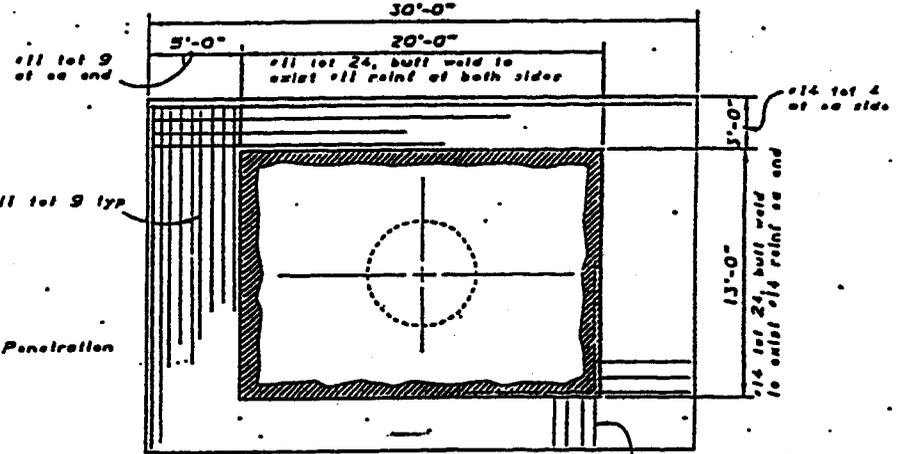
Bents 4 & 5

STEEL CASING DETAILS



BENTS 4 & 5 FOOTING ELEVATION

1/4" = 1'-0"



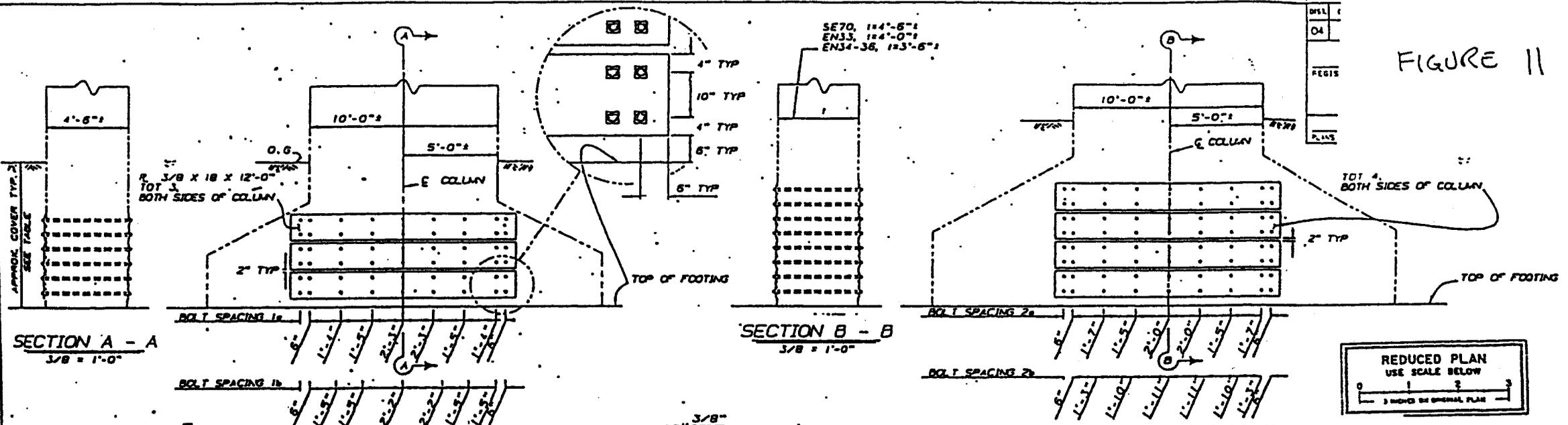
BENTS 4 & 5 FOOTING PLAN

No Scale

6

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION				DIVISION OF STRUCTURES STRUCTURE DESIGN 6				EARTHQUAKE RETROFIT PHASE II SOUTH-BOUND CONNECTOR OVERCROSSING BENT DETAILS			
DESIGNER P. J. Hendry 11/88	CHECKER [Blank]	DATE [Blank]	SCALE [Blank]	SHEET NO. 20.9	TOTAL SHEETS 20.9	DRAWN BY [Blank]	DATE [Blank]	PROJECT NO. 126121	CONTRACT NO. [Blank]	SHEET NO. 8	TOTAL SHEETS 22

FIGURE 11

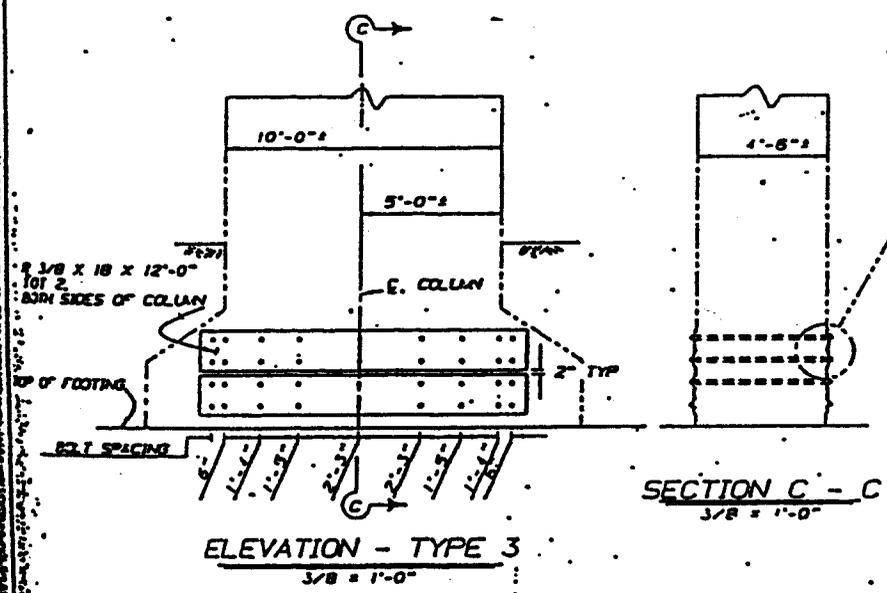


SECTION A - A  
3/8" = 1'-0"

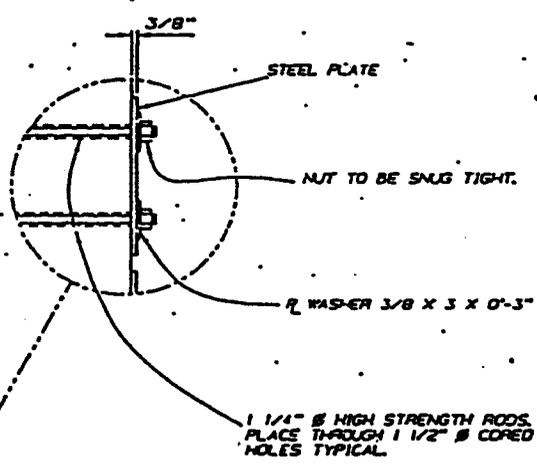
SECTION B - B  
3/8" = 1'-0"

ELEVATION - TYPE 1  
3/8" = 1'-0"

ELEVATION - TYPE 2  
3/8" = 1'-0"



ELEVATION - TYPE 3  
3/8" = 1'-0"



NOTES:  
 --- INDICATES CORED HOLE  
 REMOVE AND REPLACE EXISTING SIDEWALK AS REQUIRED FOR PLACEMENT OF CONFINEMENT PLATES.  
 --- REMOVE AND REPLACE EXISTING LOGS AS REQUIRED FOR PLACEMENT OF CONFINEMENT PLATES.  
 FOR PLATE TYPES 4 THRU 6 SEE CONFINEMENT PLATE DETAILS NO. 2 SHEET.  
 THE CONTRACTOR SHALL VERIFY ALL CONTROLLING FIELD MEASUREMENTS BEFORE ORDERING OR FABRICATING ANY MATERIAL.

BENT NO.	PLATE TYPE	BOLT SPACING	APPROX COVER	BENT NO.	PLATE TYPE	BOLT SPACING	APPROX COVER	BENT NO.	PLATE TYPE	BOLT SPACING	APPROX COVER
NEB4	1	1a	8'-0"	MSB0	3	---	7'-0"	SW 2	3	---	9'-0"
85	3	---	7'-0"	91	3	---	8'-0"	7	4	4b	12'-0"
86	3	---	8'-0"	92	3	---	7'-0"	8	3	---	12'-0"
87	3	---	8'-0"	93	3	---	8'-0"	9	3	---	8'-0"
88	3	---	8'-0"	94	3	---	9'-0"	10	3	---	8'-0"
ES 2	2	---	9'-0"	95	3	---	9'-0"	11	3	---	6'-0"
90	4	4b	12'-0"	96	3	---	7'-0"	12	3	---	7'-0"
MSB3	1	1a	11'-0"	97	3	---	10'-0"	13	3	---	7'-0"
84	1	1a	7'-0"	98	3	---	8'-0"	14	3	---	7'-0"
89	4	4b	11'-0"	ES 2	3	---	12'-0"	15	3	---	8'-0"
92	4	4a	14'-0"	J	J	---	10'-0"	16	3	---	8'-0"
93	1	1a	10'-0"	6	6	---	14'-0"	EN 4	3	---	11'-0"
94	4	4b	18'-0"	7	5	---	12'-0"	8	1	1a	10'-0"
95	1	1a	8'-0"	8	1	1a	10'-0"	9	1	1a	10'-0"
96	1	1a	7'-0"	9	3	---	9'-0"	12	1	1b	13'-0"
97	3	---	11'-0"	10	3	---	9'-0"	13	4	4a	12'-0"
98	3	---	13'-0"	11	3	---	10'-0"	18	4	4a	13'-0"
SE70	2	2a	10'-0"	12	1	1a	8'-0"	21	4	4a	17'-0"
79	3	---	15'-0"	MSB0	3	---	8'-0"	22	5	---	9'-0"
80	3	---	12'-0"	NR 2	3	---	8'-0"	23	1	1b	7'-0"
81	3	---	10'-0"	3	3	---	11'-0"	13	2	2b	10'-0"
82	3	---	11'-0"	4	3	---	11'-0"	14	2	2b	10'-0"
83	4	4b	13'-0"	5	3	---	8'-0"	15	2	2b	10'-0"
84	4	4a	13'-0"	6	4	4a	18'-0"	16	2	2b	11'-0"
85	4	4a	16'-0"	7	4	4a	16'-0"				
86	1	1a	12'-0"	8	4	4a	16'-0"				
87	1	1a	12'-0"	9	1	1a	10'-0"				
88	1	1a	12'-0"	10	1	1a	10'-0"				
89	1	1a	11'-0"	11	1	1a	9'-0"				
90	1	1a	11'-0"	12	1	1a	9'-0"				
91	1	1a	11'-0"								
C 3	1	1a	11'-0"								

14

ROUTE 24/580/980 INTERCHANGE

EARTHQUAKE UPGRADING  
 CONFINEMENT PLATE DETAILS NO. 1

DESIGN	Robert Sennell 5-89	Ed Ballard 5-89
DETAILS	Jenlo Chubana 5-89	Ed Ballard 5-89
APPROVED	Robert Sennell	Ed Ballard

STATE OF CALIFORNIA  
 DEPARTMENT OF TRANSPORTATION

DIVISION OF STRUCTURES  
 STRUCTURE DESIGN 3

DATE	13	32
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**PROGRAMMATIC AGREEMENT  
REGARDING THE SEISMIC RETROFIT OF BRIDGE STRUCTURES IN  
CALIFORNIA**

**INDEX TO WHERE THINGS ARE IN THE STIPULATIONS**

THE INFORMATION IN ITALICS REFERS TO THE PARTICULAR STIPULATION IN THE SEISMIC RETROFIT PA WHERE THESE TOPICS ARE MENTIONED

Absence of Resources in APE -- *Stipulation VB.1.* (also the Seismic Retrofit PA Short-form HPSR)

Abutment catcher blocks (see Activities Exempt from SHPO or Council review)

Activities Exempt from SHPO or Council review -- *Stipulation IV, Appendix B*

Abutment catcher blocks -- *Appendix B* (also the Seismic Retrofit PA Short-form HPSR)

CIDH pilings -- *Appendix B* (also the Seismic Retrofit PA Short-form HPSR)

Fiber wrapping -- *Appendix B* (also the Seismic Retrofit PA Short-form HPSR)

Base isolation with NO ground disturbance -- *Appendix B* (also the Seismic Retrofit PA Short-form HPSR)

Pre-stressing bent caps -- *Appendix B* (also the Seismic Retrofit PA Short-form HPSR)

Restrainer systems -- *Appendix B* (also the Seismic Retrofit PA Short-form HPSR)

Column replacement -- *Appendix B*; requires review by Chief, HASB -- *Seismic Retrofit PA Short-form HPSR*

Steel bracing -- *Appendix B* (also the Seismic Retrofit PA Short-form HPSR)

Steel Jacketing -- *Appendix B.* ; requires review by Chief, HASB -- *Seismic Retrofit PA Short-form HPSR*

Adverse Effects (see Effects)

Advisory Council on Historic Preservation (Council) not involved -- *Stipulation IV, VII.A and B Amendments to PA -- Stipulation XVI*

APE -- *Stipulation III*

Caltrans develops and approves APE -- *Stipulation I.A*

Archeological Site, previous disturbance -- *Stipulation V.A*

Base isolation with NO ground disturbance (see Activities Exempt from SHPO or Council review)

Bridge, 50 years old -- *Stipulation V.B. and D*

Bridge, historic -- *Stipulation V.B. and D*

Bridge, need to reevaluate bridge [Stipulation V.D.]

Bridge, not eligible (Category 5 bridge) -- *Stipulation V.B. and D*

## INDEX TO WHERE THINGS ARE IN THE SEISMIC RETROFIT PA

CIDH pilings (see Activities Exempt from SHPO or Council review)  
Column replacement (see Activities Exempt from SHPO or Council review)  
Combined Documents and 30 working day review by SHPO [Stipulation XI.]  
Consultation, Caltrans consults directly with SHPO and/or FHWA -- Stipulation III., V.E.2. and 3, VII.A., VII.A.1 through 4., X.A. and B  
Cultural Resources -- *Stipulation V.A*  
Curation -- *Stipulation IX*

Data Recovery Plan -- *Appendix C*  
Designed to Avoid -- *Stipulation IV, IV.A* (also the Seismic Retrofit PA Short-form HPSR)  
Dispute Resolution -- *Stipulation XIV*

Effects -- *Stipulation VI*  
    Adverse Effects -- *Stipulation VI.C*  
    Adverse Effects, resolution of -- *Stipulation VII*  
    Adverse Effects, use of Standard Mitigation Measures -- *Stipulation VII.A*  
    Documentation -- *Stipulation VI.A*  
    Native American Coordination -- *Stipulation VII.B*  
    No Effect, Caltrans notifies FHWA and documents determination to file -- *Stipulation VI.B.1*  
    No Adverse Effect, Caltrans notifies FHWA and SHPO, submits documentation to SHPO-- *Stipulation VI.B.2*  
    No Adverse Effect, SHPO Objection -- *Stipulation VI.B.3*

Evaluation -- *Stipulation V.E*  
    Caltrans send DOE documentation concurrently to SHPO and FHWA -- *Stipulation V.E*

Exempt Activities -- *Stipulation IV., Appendix B* (also the Seismic Retrofit PA Short-form HPSR)  
Exempt from Evaluation (see Resources Exempt from Evaluation)

Failure to Comply with terms of the PA -- *Stipulation XVIII*  
Federal Agencies, participation by other agencies -- *Stipulation I.B.*  
    Caltrans responsible for coordinating with other agencies -- *Stipulation I.B.*

Fiber wrapping (see Activities Exempt from SHPO or Council review)  
Fifteen (15) working day review by FHWA for Adverse Effect determinations -- *Stipulation VI.C*  
Fifteen (15) Working day review by SHPO -- *Stipulation V.E.1. and 2., VI.B. 2., VI.C.1., X.B*  
    Combined Documents, fifteen day review does not apply -- *Stipulation XI*  
    Determinations Of Eligibility -- *Stipulation V.E.1. and 2*  
    Newly discovered properties -- *Stipulation X.B*  
    No Adverse Effect determinations -- *Stipulation VI.B. 2*  
    SHPO objections to use of Standard Mitigation Measures -- *Stipulation VI.C.1*  
    SHPO objections to Native American Consultation process -- *Stipulation VI.C.1*

## INDEX TO WHERE THINGS ARE IN THE SEISMIC RETROFIT PA

- Fifty (50) year old resources -- *Stipulation V. D, V.C*
  - Fifty year old bridge -- *Stipulation V.B. and D*
  - Resources that are less than fifty years old and will not become fifty during implementation of the program -- *Stipulation V.C.1 and 2*
  - Post-45 MOU properties -- *Stipulation V.C.2*
- Filter fabric (see Geo-Textile fabric)
  
- Geo-Textile fabric (see Resources Exempt from Evaluation)
  
- Human Remains (See Native American Human Remains and Items Subject to Repatriation)
  - Project will adversely affect historic property containing human remains (see Section 106 consultation process required, PA not applicable)
  
- Information Search -- *Stipulation V.A*
  
- Late Discoveries -- *Stipulation X.B*
- Local Agency responsibilities -- *Stipulation I.A*
  - Caltrans required to review and transmit all local agency documents -- *Stipulation I.A*
  - Qualifications of specialists -- *Stipulation XIII*
  
- Marketing Plan as mitigation (see Standard Mitigation Measures)
- Monitoring by SHPO and Council -- *Stipulation XV*
- Monitoring during construction -- *Stipulation VIII.A*
  
- Native American Consultation -- *Stipulation VII.B*
- National Historic Landmark, project will adversely affect (see Section 106 consultation process required, PA not applicable)
- National Register Reevaluation as mitigation (see Standard Mitigation Measures)
- Native American Human Remains and Items Subject to Repatriation -- *Stipulation VIII*
  - Construction monitoring -- *Stipulation VIII.A*
  - Treatment on nonfederal lands -- *Stipulation VIII.B*
  - Treatment on federal lands -- *Stipulation VIII.C*
- No Adverse Effect -- *Stipulation VI.B.2*
- No Adverse SHPO Objection -- *Stipulation VI.B.3*
  
- Pre-stressing bent caps (see Activities Exempt from SHPO or Council review)
- Previously Evaluated properties -- *Stipulation V.D*
- Professional Qualifications -- *Stipulation XIII*
  - Requirement to use qualified professional for all activities -- *Stipulation XIII*
  - Local agency documents required review by qualified Caltrans staff -- *Stipulation I.A. and XIII*

## INDEX TO WHERE THINGS ARE IN THE SEISMIC RETROFIT PA

- Public Involvement -- *Stipulation V.A.4, XII.A*
  - Public Objections -- *Stipulation XII.B*
  - Public Objections to SMM -- *Stipulation XII.B*
  - Public opposition, project has known (see Section 106 consultation process required, PA not applicable)
  
- Quarterly reports -- *Stipulation IV., V.B, C and D., VI.B.1., XV.B*
  - Exempted activities listed in Appendix B -- *Stipulation IV*
  - Properties listed in Stipulation V.C. -- *Stipulation IV*
  - Absence of Resources -- *Stipulation V.B.1*
  - Properties Exempted from Evaluation -- *Stipulation IV, V.C*
  - Previously evaluated properties -- *Stipulation V.D*
  - No Effect determinations -- *Stipulation VI.B*
  
- Recordation as mitigation (see Standard Mitigation Measures)
- Recordation required -- *Stipulation V.A. and C*
  - Recordation standards and documentation -- *Stipulation V.A*
- Reporting to SHPO and Council -- *Stipulation XV*
- Resources Exempt from Evaluation -- *Stipulation V.C* (also the Seismic Retrofit PA Short-form HPSR)
  - CARIDAPs -- *Stipulation V.C.2*
  - Environmentally Sensitive Area (ESA) -- *Stipulation V.C.4*
    - Fencing around ESA -- *Stipulation V.C.4*
    - Flagging around ESA -- *Stipulation V.C.4*
  - Geo-Textile fabric -- *Stipulation V.C.3*
  - Less than fifty years old and will not become fifty during implementation of the program -- *Stipulation V.C.1*
  - Post-45 MOU properties -- *Stipulation V.C.2*
  - Programmatically determined not eligible for the National Register under SHPO-approved programmatic treatment. -- *Stipulation V.C.2*
  - Recordation still required -- *Stipulation V.C* Temporary fill -- *Stipulation V.C.3*
- Restrainer systems (see Activities Exempt from SHPO or Council review)
  
- Salvage as mitigation (see Standard Mitigation Measures)
- Section 106 consultation process required, PA not applicable -- *Stipulation VI.C.1 through 3, VII.C, and XII.B*
  - SHPO withdraws from consultation -- *Stipulation VI.C.2*
  - Project has known public opposition -- *Stipulation VI.C.2*
  - Project will adversely affect a historic property containing human remains -- *Stipulation VI.C.2*
  - Project will adversely affect a National Historic Landmark. -- *Stipulation VI.C.2*

## INDEX TO WHERE THINGS ARE IN THE SEISMIC RETROFIT PA

Standard Mitigation Measures -- Stipulation *VI.C.1, VII.A*

Recordation as mitigation -- *Stipulation VII.A.1*

Marketing Plan -- *Stipulation VII.A.2*

Salvage -- *Stipulation VII.A.3*

National Register Reevaluation as mitigation -- *Stipulation VII.A.4*

SHPO withdraws from consultation (see Section 106 consultation process required, PA not applicable)

Steel bracing (see Activities Exempt from SHPO or Council review)

Steel Jacketing (see Activities Exempt from SHPO or Council review)

Survey not required (special conditions apply) -- *Stipulation V.A*

Ten (10) day notification by Caltrans when SHPO objects to No Adverse Effect determination --  
*Stipulation VI.B.3*

Termination of PA -- *Stipulation XVII*

Temporary fill (see Resources Exempt from Evaluation)

Transmittal of documents, Caltrans responsibilities -- *Stipulation I.A and B*

Determinations Of Eligibility concurrently to FHWA and SHPO -- *Stipulation V.E*

No Adverse Effect documentation directly to SHPO -- *Stipulation VI.B.2*

Treatment Plan for archeological properties -- *Stipulations VII.B. and VIII*

Unanticipated Effects -- *Stipulation X.A*

## **CHECKLIST FOR THE BRIDGE SEISMIC RETROFIT PROGRAMMATIC AGREEMENT**

**THE CHECKLIST IS FOR REFERENCE ONLY AND DOES NOT CONSTITUTE A “MEMO TO FILE.”**

This checklist is designed to assist staff in following appropriate procedures for the Programmatic Agreement Regarding the Seismic Retrofit of Bridge Structures in California (Seismic Retrofit PA). Start with step 1, check the appropriate answer and follow the “Go to . . .” instructions. Relevant stipulations of the Seismic Retrofit PA to which the steps refer are *italicized* and appear in [brackets]. Applicable steps in the checklist guide the user to the Seismic Retrofit Short-Form Historic Property Survey Report (Short-form HPSR). The Short-form HPSR serves as the “Memo to File” in the instances outlined below. The checklist does not replace the Seismic Retrofit PA. If there are any discrepancies, follow the stipulations in the Seismic Retrofit PA.

Be aware that if any of the following conditions apply to the project, the provisions of the Seismic Retrofit PA cannot be used; Caltrans and FHWA must use the Section 106 consultation process outlined in 36 CFR 800: a) State Historic Preservation Officer (SHPO) objects to using Stipulation VII.A and B of the Seismic Retrofit PA (Standard Mitigations Measures and Native American consultation, respectively); b) SHPO withdrew from consultation; c) the project has known public opposition; d) the project will adversely affect a historic property containing human remains and the provisions of Stipulations VII.B and VIII (Native American consultation, Native American Human Remains and Items Subject to Repatriation) have not been completed; or e) the project will adversely affect a National Historic Landmark.

**Note: If local agencies choose to use the Seismic Retrofit PA, all documents prepared as a result of the PA must be submitted to the appropriate Caltrans district office for review by qualified Caltrans specialists who will also transmit the documents to FHWA and SHPO, as appropriate.**

The checklist begins on the next page.
--

## AREA OF POTENTIAL EFFECTS (APE) AND STATUS OF BRIDGE

1. Does the APE include only the bridge itself (i.e., no haul roads, construction areas, easements, utility relocations, staging areas, etc. other than on the bridge itself)?  
*[Stipulation III.]*  
 **YES.** APE map is not necessary. Go to Step 2.  
 **NO.** Prepare APE map for approval by appropriate Caltrans Environmental Branch Chief. Go to Step 2.
2. Has the bridge been listed or determined eligible for listing in the National Register of Historic Places?  
 **YES,** listed or determined eligible (California Bridge Survey Categories 1 and 2). Go to Step 3.  
 **NO.** Bridge has not been evaluated (Categories 3 and 4), or was determined not eligible (Category 5). Go to Step 7.
3. Has the District structures engineer reviewed and approved all the design features, including any safety features, as appropriate?  
 **YES.** Go to Step 4.  
 **NO.** Get approval from the structures engineer before proceeding to Step 4.

## ACTIVITIES

4. Does the work on the bridge involve only 1) abutment catcher blocks; 2) CIDH pilings; 3) fiber wrapping; 4) base isolation with **NO** ground disturbance; 5) pre-stressing bent caps; 6) restrainer systems; or 7) steel bracing? *[Stipulation IV., Appendix B]*  
 **YES.** Go to Step 5.  
 **NO.** Go to Step 7.
5. Does the work on the bridge involve steel jacketing or column replacement? *[Appendix B.]*  
 **YES.** Go to Step 6.  
 **NO,** and the APE does not extend beyond the bridge. Complete the Short-Form HPSR with appropriate attachments and have the FHWA Transportation Engineer sign it. The District retains the Short-form HPSR in its file and sends a signed copy to the Environmental Program Cultural Studies Office (EP-CSO) in Headquarters for inclusion in quarterly report. **SECTION 106 IS COMPLETE.**  
 **NO,** and the APE extends beyond the bridge. Go to Step 7.

6. Has the Chief (currently John Snyder) of the Historical and Architectural Specialty Branch in the EP-CSO reviewed and approved the steel jacking or column replacement design? [Appendix B.]

**YES**, and the APE does not extend beyond the bridge. Complete the Short-Form HPSR with appropriate attachments and have the FHWA Transportation Engineer sign it. The District retains the Short-form HPSR in its file and sends a signed copy to EP-CSO for inclusion in quarterly report. **SECTION 106 IS COMPLETE.**

**YES**, and the APE extends beyond the bridge. Go to Step 7.

**NO**. Send the proposed design to the Chief of the Historical and Architectural Specialty Branch for review and approval before proceeding to next step on checklist.

## CULTURAL RESOURCES AND INFORMATION SEARCH

Seeking information from the public about cultural resources is a routine part of the identification process. Should members of the public provide new information about evaluated or unevaluated resources within the APE, the District must consider this information, along with the results of the records and literature search, when deciding whether a survey or re-evaluation is necessary. If the District decides not to survey or re-evaluate previously evaluated properties identified by the public, the reasons for this decision must be documented in the project file. [Stipulation V.A.]

7. Does the APE extend beyond the bridge itself?

**YES**. Go to Step 8.

**NO**. Go to Step 10.

8. Did the records and literature search indicate that all bridges, buildings, structures, sites, objects, or districts in the APE have previously been identified and evaluated in accordance with the *Secretary of the Interior's Standards and Guidelines for Preservation Planning, Identification, Evaluation and Registration* and reevaluation is not warranted? [Stipulation V.A.]

**YES**. A survey is not required. Go to Step 10.

**NO**. Go to Step 9.

9. Other than the bridge to be retrofitted/replaced, are archeological resources the only resources present in the APE, and has a qualified archeologist determined that previous disturbance within the APE would have destroyed the integrity of any archeological remains? [Stipulation V.A.]

**YES**. No survey is required. Go to Step 10.

**NO**. A survey is required. Go to Step 10.

10. Reevaluating the bridge to be retrofitted/replaced depends on whether it will attain fifty years of age between 1987 and the duration of the Seismic Retrofit program. [Stipulation V.D.]

\_\_\_\_\_ Bridge (regardless of age) was previously listed or determined eligible. If no other resources are present in the APE, or the only resources present were previously determined ineligible and reevaluation is not warranted, go to Step 16. If other resources are present in the APE, go to Step 11.

\_\_\_\_\_ Bridge became fifty years old before 1987 and was previously determined not eligible. If other resources are present, go to Step 11. If no other resources are present in the APE, including resources previously determined ineligible and reevaluation is not warranted, complete the Short-Form HPSR with appropriate attachments and have the FHWA Transportation Engineer sign it. The District retains the Short-form HPSR in its file and sends a signed copy to EP-CSO for inclusion in quarterly report. [Stipulation V.B.] **SECTION 106 IS COMPLETE.**

\_\_\_\_\_ Bridge became fifty years old after 1987 or was not previously evaluated. *Even if the bridge was previously determined not eligible, it needs to be reevaluated.* If other resources are present in the APE, go to Step 11. If no other resources are present in the APE, including previously determined ineligible resources for which reevaluation is not warranted, go to Step 15. [Stipulation V.D.]

## PROFESSIONAL QUALIFICATIONS

The Seismic Retrofit PA requires that qualified Caltrans staff perform or directly supervise all cultural resource activities under the terms of the PA (including recordation, evaluation and effects determinations), and conduct all reviews of local agency documents. The Seismic Retrofit PA further requires that staff meet the minimum qualifications for the discipline in which expertise is required, as described in the Secretary of the Interior’s Professional Qualification Standards (48 FR 44738-9). If there are questions regarding a staff member’s qualifications, consult the *EH*, or contact the appropriate branch chief in the Cultural Studies Office of the Environmental Program [Stipulation XIII.].

11. Have qualified specialists been assigned to perform the appropriate cultural resources activities and reviews? (Check as many as apply.)

\_\_\_\_\_ **YES.** Go to Step 12.

\_\_\_\_\_ Qualified archeologist will perform, supervise and/or review all activities and documents pertaining to archeological sites.

\_\_\_\_\_ Qualified historical archeologist will perform, supervise and/or review all activities and documents pertaining to historical archeological sites.

\_\_\_\_\_ Qualified historian or architectural historian will perform, supervise and/or review all activities and documents pertaining to historical and/or architectural resources.

- \_\_\_ NO. A specialist qualified in the appropriate discipline needs to be involved. If none are available in the district, contact the appropriate Cultural Studies Branch in the Environmental Program before proceeding to Step 12.

## RECORDATION

12. Do all the resources within the APE qualify under one or more of the following categories: *[Stipulation V.C.]*

- \_\_\_ a) less than fifty years of age and will not reach this age during implementation of the program;
- \_\_\_ b) programmatically determined not eligible for the National Register under the Post-45 MOU;
- \_\_\_ c) programmatically determined not eligible for the National Register under a CARIDAP;
- \_\_\_ d) programmatically determined not eligible for the National Register under another SHPO-approved programmatic treatment.

- \_\_\_ **YES. Record all resources on DPR forms**, in accordance with the *Environmental Handbook*, volume 2 (*EH*) or *Guidance for Consultants (Guidance)*, and submit copies of the reports, including Negative ASRs and completed DPR forms to the appropriate Information Center of the California Historical Resources Information System. Complete the Short-Form HPSR with appropriate attachments and have the FHWA Transportation Engineer sign it. The District retains the Short-form HPSR in its file and sends a signed copy to EP-CSO for inclusion in quarterly report. *[Stipulation V.A. and C.]*

**SECTION 106 IS COMPLETE.**

- \_\_\_ **NO. Record all resources on DPR forms**, in accordance with the *EH* or *Guidance for Consultants*, and submit copies of the reports to the appropriate Information Center. Go to Step 13. *[Stipulation V.A.]*
- \_\_\_ **NO.** Resources were previously evaluated as eligible to the National Register. Go to Step 13.

## EXEMPTION FROM EVALUATION

13. Can the resource be protected by fencing or flagging it as an Environmentally Sensitive Area (ESA) as provided for in Stipulation V.C.4 of the Seismic Retrofit PA?

- \_\_\_ **YES.** If no other resources are present within the APE, complete the Short-Form HPSR with appropriate attachments and have the FHWA Transportation Engineer sign it. The District retains the Short-form HPSR in its file and sends a signed copy to EP-CSO for inclusion in quarterly report. **SECTION 106 IS COMPLETE.**

- \_\_\_ **YES.** If other resources are present within the APE that cannot be protected using an ESA, go to Step 14.

\_\_\_ NO. Go to Step 14.

14. Is the resource an archeological site that can be protected by geo-textile fabric and temporary fill as provided in Stipulation V.C.3 of the Seismic Retrofit PA? [Stipulation V.C.3.]

\_\_\_ YES. If no other resources are present within the APE that require evaluation, complete the Short-Form HPSR with appropriate attachments and have the FHWA Transportation Engineer sign it. The District retains the Short-form HPSR in its file and sends a signed copy to EP-CSO for inclusion in quarterly report. **SECTION 106 IS COMPLETE.**

\_\_\_ YES. If other resources are present, go to Step 15.

\_\_\_ NO. Go to Step 15.

## EVALUATION

All resources that do not qualify under the categories listed in Steps 12, 13 or 14 above **must be evaluated** in accordance with the *EH* or the *Guidance*. Complete the appropriate cultural studies reports and submit the HPSR concurrently to FHWA and SHPO for review [Stipulation V.E.]. Determination of eligibility documents can be combined with determination of effect documents for transmittal to SHPO. Upon receiving the combined documents, SHPO has 15 working days to review and comment on the determination of eligibility and 15 working days to review and comment on the effect document, for a total of 30 working days. [Stipulation XI.]

15. Did SHPO object to the determination of eligibility within 15 working days of their receipt of the documentation? [Stipulation V.E.1.]

\_\_\_ YES. FHWA and Caltrans must consult with SHPO to reach agreement within 15 working days after receipt of SHPO’s written objection.

\_\_\_ If agreement is reached and historic properties are present, go to Step 16.

\_\_\_ If agreement cannot be reached within this 15 working days of consultation, FHWA must obtain a final determination of eligibility from the Keeper in accordance with the standard Section 106 procedure for disagreements on eligibility [36 CFR 800.4(c)(4)] before proceeding to Step 16. See the *EH*, volume 2.

\_\_\_ If agreement can be reached and no historic properties are present, complete the Section 106 process by retaining SHPO’s written concurrence in the project file; request FHWA to authorize proceeding with project. [Stipulation V.E.2.] **SECTION 106 IS COMPLETE.**

\_\_\_ NO. If historic properties are present in the APE, go to Step 16.

\_\_\_ NO. If no historic properties are present, complete the Section 106 process by retaining SHPO’s written concurrence in the project file; request FHWA to authorize proceeding with project. [Stipulation V.E.1.] **SECTION 106 IS COMPLETE.**

16. Has the District structures engineer reviewed and approved all the design features, including any safety features, as appropriate?

\_\_\_ YES, and the only project activities within the APE are those described in Steps 4 and 5, and Steps 4 through 6 have been completed. Complete the Short-Form HPSR with appropriate attachments and have the FHWA Transportation Engineer sign it. The District retains the Short-form HPSR in its file and sends a signed copy to EP-CSO for inclusion in quarterly report. **SECTION 106 IS COMPLETE.**

\_\_\_ YES, and there are other project activities in the APE. Go to Step 17.

\_\_\_ NO. Get approval from the structures engineer before proceeding to the next step.

## EFFECTS

Prepare appropriate effect documentation relevant to the project and how it might affect historic properties. The procedures for transmitting effect notification and/or documentation to FHWA and SHPO depends on the type of effect involved (no effect, no adverse effect, or adverse effect) and are explained in the following steps. Determination of eligibility documents can be combined with determination of effect documents for transmittal to SHPO. Upon receiving the combined documents, SHPO has 15 working days to review and comment on the determination of eligibility and 15 working days to review and comment on the effect document, for a total of 30 working days. [Stipulation XI.]

17. Could there be effects to historic properties?

\_\_\_ YES. Go to Step 18.

\_\_\_ NO. Complete “No Effect” documentation, retain in files, and request FHWA to authorize proceeding with project. The district sends a copy of the “No Effect” determination to EP-CSO for inclusion in the quarterly report. [Stipulation VI.A.1.]

**SECTION 106 IS COMPLETE.**

18. Could the historic properties in the APE be protected by designing the project to avoid effects? [Stipulation IV.]

\_\_\_ YES. Complete the Short-Form HPSR with appropriate attachments and have the FHWA Transportation Engineer sign it. The District retains the Short-form HPSR in its file and sends a signed copy to EP-CSO for inclusion in quarterly report. **SECTION 106 IS COMPLETE.**

\_\_\_ NO. Go to Step 19.

19. Are the effects to historic properties considered to be “no adverse effects”?
- \_\_\_\_\_ **YES.** Prepare “No Adverse Effect” documentation, submit directly to SHPO and concurrently notify FHWA of the determination. Go to Step 20. [*Stipulation VI.B.2.*]
- \_\_\_\_\_ **NO.** Effects are adverse; go to Step 21.
20. Did SHPO object in writing to the “No Adverse Effect” determination within 15 working days of their receipt of the documentation? [*Stipulation VI.B.3.*]
- \_\_\_\_\_ **YES.** Within 10 working days of receiving SHPO’s written objection, Caltrans must notify FHWA and must consult with FHWA, SHPO and other parties (if necessary) to determine whether feasible alternatives exist.
- \_\_\_\_\_ If the parties agree that the project can be modified to avoid adverse effects, Caltrans will ensure that the project is appropriately modified and request FHWA to approve the modified project without further review, completing the Section 106 process. **SECTION 106 IS COMPLETE.**
- \_\_\_\_\_ If the parties cannot agree within 10 working days, FHWA will initiate consultation as described in Stipulation VI.C of the Seismic Retrofit PA. Go to Step 21.
- \_\_\_\_\_ **NO.** Caltrans will notify FHWA that no further review is required and request FHWA to authorize proceeding with project. **SECTION 106 IS COMPLETE.**

## STANDARD MITIGATION MEASURES

21. Can the Standard Mitigation Measures, as described in Stipulation VII.A of the Seismic Retrofit PA, be used in the project? [*Stipulation VII.*]
- \_\_\_\_\_ **YES.** Prepare draft Standard Mitigation Measures Agreement for the non-archeological properties and submit the agreement along with the Finding of Effect documentation to FHWA for review. If there are also archeological properties in the APE that would be adversely affected, go to Step 22. If there are no known archeological properties in the APE, go to Step 25.
- \_\_\_\_\_ **NO,** and there are no adversely affected archeological properties. Caltrans and FHWA must use the Section 106 consultation process outlined in 36 CFR 800.5. Prepare “Adverse Effect” documentation as outlined in the normal Section 106 process. Consult the *EH*. [*Stipulation VI.C.*]. Go to Step 29.
- \_\_\_\_\_ **NO,** and there are adversely affected archeological properties, go to Step 22.

## ARCHEOLOGICAL PROPERTIES

22. Is the adverse effect to an archeological property solely because the property is likely to contain human remains?
- \_\_\_\_\_ **YES.** Go to Step 23.
- \_\_\_\_\_ **No.** Caltrans and FHWA must use the Section 106 consultation process outlined in 36 CFR 800.5. Prepare “Adverse Effect” documentation as outlined in the normal Section 106 process. Consult the *EH*. [Stipulation VI.C]. Go to Step 29.
23. Is proposed excavation on:
- \_\_\_\_\_ **NON-FEDERAL OR NON-TRIBAL LANDS.** Consult to develop an agreement with the Most Likely Descendants identified by the California Native American Heritage Commission for the sensitive and dignified treatment and disposition of Native American human remains and associated grave goods [Stipulation VIII.B]. Develop a plan for treating the archeological property [Stipulation VII.B]. Develop a curation agreement in accordance with *The Guidelines for the Curation of Archeological Collections* (May 7, 1993) for all records and cultural materials not repatriated per the above-described agreement [Stipulation VIII.B]. Go to Step 24.
- \_\_\_\_\_ **FEDERAL OR TRIBAL LANDS.** Apply for an ARPA permit. Consult with appropriate parties as outlined in Stipulation VIII.C on an agreement for the sensitive and dignified treatment and disposition of Native American human remains, associated funerary objects, unassociated funerary objects, sacred objects, and items of cultural patrimony and develop the plan for treating the property [Stipulation VII.B]. Develop a curation agreement in accordance with 36 CFR 79 for all records and cultural materials not repatriated per the agreement described immediately above in this step [Stipulation VIII.C]. Go to Step 24.
24. Have all the appropriate consulting parties approved the treatment of the archeological property and the agreement on human remains, associated objects, and other cultural items? [Stipulations VII.B. and VIII.]
- \_\_\_\_\_ **YES.** Submit the proposed treatment plan and agreement, along with the finding of effects documentation to FHWA for review. Consultation with Council is not required. [Stipulation VII.B.] Go to Step 25.
- \_\_\_\_\_ **No.** Caltrans and FHWA must use the Section 106 consultation process outlined in 36 CFR 800.5. Prepare “Adverse Effect” documentation as outlined in the normal Section 106 process. Consult the *EH*. [Stipulation VI.C.2.]. Go to Step 29.

## ADVERSE EFFECTS

Submit appropriate effect documentation relevant to the project and the kind of adverse effect to FHWA. In order to reduce transmittal and review times, FHWA has requested that Caltrans include the Standard Mitigation Measures (SMM) Agreement (as appropriate), and the Agreements with Native Americans and Archeological Treatment Plans with the finding of effects documentation. Within 15 working days of receiving the documentation, FHWA will determine how to proceed and will notify Caltrans and SHPO of its decision. [Stipulation VI.C.]

25. Could there be adverse effects to a National Historic Landmark?

\_\_\_\_\_ **YES.** Caltrans and FHWA must use the Section 106 consultation process outlined in 36 CFR 800.5. Prepare “Adverse Effect” documentation as outlined in the normal Section 106 process [Stipulation VI.C.2.]. Consult the *EH*. Go to Step 29.

\_\_\_\_\_ **NO.** Go to Step 26.

26. Did FHWA decide to use Standard Mitigation Measures?

\_\_\_\_\_ **YES.** FHWA will forward the SMM Agreement to SHPO along with its notification to Caltrans and SHPO that these measures will be used. Go to Step 27.

\_\_\_\_\_ **NO.** Caltrans and FHWA must use the Section 106 consultation process outlined in 36 CFR 800.5. Prepare “Adverse Effect” documentation as outlined in the normal Section 106 process. Consult the *EH*. Go to Step 29. [Stipulation VI.C.1.]

27. Did SHPO object in writing to FHWA’s decision to use Standard Mitigation Measures, to the Archeological Treatment Plan, or to the Native American Consultation process within 15 working days of receiving FHWA’s notification? [Stipulation VI.C.1.]

\_\_\_\_\_ **YES.** Caltrans and FHWA must use the Section 106 consultation process outlined in 36 CFR 800.5. Prepare “Adverse Effect” documentation as outlined in the normal Section 106 process. Consult the *EH*. Go to Step 29. [Stipulation VI.C.1 and 2.]

\_\_\_\_\_ **NO.** If FHWA has notified Caltrans that Standard Mitigation Measures can be used, FHWA, Caltrans and SHPO will consult to establish time frames for completing the Standard Mitigation Measures. Caltrans will finalize a written agreement outlining the agreed-upon measures and submit it directly to SHPO for concurrence. Consult Stipulation VII.A of the Seismic Retrofit PA. Consultation with the Advisory Council on Historic Preservation (Council) is not required; FHWA and the Council do not sign this agreement. Go to Step 28.

**CONDITIONS UNDER WHICH THE SEISMIC RETROFIT PA DOES NOT APPLY**

28. Do either of the following conditions apply? [Stipulation VI.C.2.]
- SHPO withdrew from consultation;
  - The project overall has known public opposition;
  - YES.** The streamlined provisions of the Seismic Retrofit PA cannot be used; Caltrans and FHWA must use the Section 106 consultation process outlined in 36 CFR 800.5. [Stipulation VI.C.2. and VII.C.]. Go to Step 29.
  - NO.** Go to Step 29.

**PUBLIC INVOLVEMENT**

29. Was the public provided an opportunity to receive information and participate in the Section 106 process as outlined in the *Project Development Procedures Manual* or as identified by FHWA as described in 40 CFR Part 1506.6? [Stipulation XII.A.]
- YES.** Go to Step 30.
  - NO.** Consult the *Project Development Procedures Manual* and initiate public participation procedures before proceeding with the project. Contact the appropriate Section 106 Coordinator in the Cultural Studies Office for further guidance, as appropriate.
30. Did any member of the public object to any of the procedures or how Caltrans carried out any of the measures outlined in the Seismic Retrofit PA? [Stipulation XII.B.]
- YES.** Contact FHWA to initiate the consultation process with the objecting party, Caltrans, SHPO and Council as described in Stipulation XII.B of the Seismic Retrofit PA. Go to Step 31.
  - NO.** Go to Step 32.
31. Did the objection pertain to implementing the Standard Mitigation Measures? [Stipulation XII.B.]
- YES.** Contact the FHWA Transportation Engineer to terminate the abbreviated consultation process and initiate the normal Section 106 consultation process with SHPO and Council, pursuant to 36 CFR 800.5(e). Go to Step 32.
  - NO.** Contact the FHWA Transportation Engineer to initiate the consultation process with the objecting party, Caltrans, SHPO and Council as described in Stipulation XII.B of the Seismic Retrofit PA. Go to Step 32.

## CONSTRUCTION

32. Will construction occur in areas near ESAs or in areas that research indicates may have human remains or might contain buried, unknown archeological deposits? [Stipulation VIII.A.].
- \_\_\_\_\_ **YES.** Assign a qualified professional archeologist to monitor construction in these areas, as described in Step 11, before proceeding to Step 33.
- \_\_\_\_\_ **NO.** Go to Step 33.
33. Has a previously unidentified property been discovered or is there an unanticipated effect to a known historic property? [Stipulation X.].
- \_\_\_\_\_ **YES.** **Stop construction activity immediately** in the area of concern and use the most appropriate measures to avoid the property or minimize harm to it. Notify FHWA, and SHPO as soon as possible to initiate consultation and follow the late discovery procedures in the *EH*, Volume 2, Sections 2-3.7 (2-4.4 in the July 1995 update) and 7-9.1. If excavating a prehistoric archeological site is involved, go back to Step 23.
- \_\_\_\_\_ **NO.** Proceed with project. **SECTION 106 IS COMPLETE.**

# SEISMIC RETROFIT PROGRAMMATIC AGREEMENT SHORT FORM HPSR

California Department of Transportation

## 1. HIGHWAY PROJECT DESCRIPTION AND LOCATION

District	County	Route	Post Mile	Bridge Number	Charge Unit	Expenditure Authorization

Description

## 2. AREA OF POTENTIAL EFFECTS

Description

## 3. SOURCES CONSULTED

- |   | Month/Year |
|---|------------|
| <input type="checkbox"/> National Register of Historic Places, updated to:                    | _____      |
| <input type="checkbox"/> OHP Database of Determinations of Eligibility:                       | _____      |
| <input type="checkbox"/> California Register of Historical Resources, updated to:             | _____      |
| <input type="checkbox"/> California Historical Landmarks (1990), updated to:                  | _____      |
| <input type="checkbox"/> California Points of Historical Interest (1992), updated to:         | _____      |
| <input type="checkbox"/> California Inventory of Historic Resources (1976)                    | _____      |
| <input type="checkbox"/> California Bridge Inventory (1984-1986)                              | _____      |
| <input type="checkbox"/> Archaeological Site Records <i>[Include name(s) of Institutions]</i> | _____      |
| <br>  |            |
| <input type="checkbox"/> Local Historical Society <i>(List names and dates contacted)</i>     | _____      |
|   | _____      |
|   | _____      |
| Other: <i>(List names and date)</i>   | _____      |

## 4. LIST OF ATTACHED DOCUMENTATION

- |   |  |
|---|--|
| <input type="checkbox"/> APE Map<br><input type="checkbox"/> Archaeological Survey Report (ASR)<br><input type="checkbox"/> Historic Study Report (HSR)<br><input type="checkbox"/> Historic Architectural Survey Report (HASR) <i>for recordation purposes only</i><br><input type="checkbox"/> Historic Resource Evaluation Report (HRER) <i>for recordation purposes only</i><br><input type="checkbox"/> Native American Input<br><input type="checkbox"/> Other <i>(Specify)</i> | <input type="checkbox"/> California Bridge Inventory print-out sheet<br><input type="checkbox"/> Negative Archaeological Survey Report (ASR)<br><input type="checkbox"/> Post-1945 MOU Short-form HASR |
|---|--|

(Continued on page 2)



## **SEISMIC RETROFIT PROGRAMMATIC AGREEMENT SHORT FORM HPSR INSTRUCTIONS**

The Seismic Retrofit Programmatic Agreement (SRPA) allows FHWA and Caltrans to reduce or eliminate some of the reviews conducted by the State Historic Preservation Officer and the Advisory Council on Historic Preservation. It also allows for consolidating certain kinds of findings into quarterly reports. In some cases evaluating cultural resources may not be required. However, FHWA and Caltrans are responsible for documenting all cultural resources encountered within the APE for any Seismic Retrofit Program undertaking.

The Short Form HPSR will be used for projects (undertakings) not requiring review by SHPO or ACHP, as outlined in Stipulation IV. of the SRPA. Instructions for its use follow.

- 1. HIGHWAY PROJECT DESCRIPTION AND LOCATION --** Describe the project concisely. Refer to appropriate exhibits for the project's location.
- 2. AREA OF POTENTIAL EFFECTS --** Briefly describe the APE. Consult SRPA Stipulation III. for guidance. No APE map needs to be attached if the undertaking is limited to the bridge itself. For undertakings that extend beyond the physical limits of the bridge, attach an APE map.
- 3. SOURCES CONSULTED --** Check all appropriate boxes, including month and day of the most recent update used. Attach correspondence and indicate response from those contacted, if appropriate. Until the Office of Historic Preservation issues final guidelines for the California Register of Historical Resources, the only California Register listed properties are those listed and determined eligible for the National Register and California Historical Landmarks from #770 on. Be sure that the National Register, OHP Database and California Historical Landmark categories are checked, then mark N/A for the California Register. If final guidelines are issued for the California Register and the Office of Historic Preservation makes the California Register listing available during the life of the SRPA, mark the California Register category with the appropriate month and year.
- 4. LIST OF ATTACHED DOCUMENTATION --** Check all appropriate boxes and attach reports and correspondence. At a minimum, the applicable California Bridge Inventory print-out sheet must be attached. Attach the APE map as appropriate (see step 2 above). Other reports and correspondence to attach will depend on the nature of the proposed work and the types of resources within the APE. Consult SRPA Stipulation V. for identification, recordation and evaluation instructions and to determine the type(s) of reports to attach to the Short Form HPSR.
- 5. CALTRANS APPROVALS --** The appropriate District Heritage Coordinator signs here upon completing Sections 1 through 4 of the Short-form HPSR and after ensuring that all relevant documentation has been attached. The appropriate District Environmental Branch Chief then signs the form, indicating and that the APE is adequate and Sections 1 through 4 of the Short-form HPSR are complete.

6. **FHWA DETERMINATION** -- The FHWA Transportation Engineer checks the appropriate box(es) as explained below.

**BOX A "Undertakings not requiring SHPO or ACHP review\*" --** If the project is RESTRICTED to the following work on the bridge itself (whether or not the bridge is a historic property), check Box A.

- |                            |   |
|----------------------------|---|
| 1) Abutment catcher blocks | 2) CIDH pilings                               |
| 3) Fiber wrapping          | 4) Base isolation, with no ground disturbance |
| 5) Pre-stressing bent caps | 6) Restrainer systems                         |
| 7) Steel bracing           | 8) Steel Jacketing**                          |
| 9) Column Replacement**    |   |

\*If the project also includes ground disturbing activities, haul roads, utility locations, construction staging areas or any activity other than what occurs on the bridge itself, DO NOT CHECK Box A by itself. Determine whether Boxes B, C or D may also be applicable; if so check the appropriate box(es). If Boxes B, C or D do not apply, this form cannot be used and the additional activities may require review by SHPO, and as appropriate, the Council. Consult the SRPA Stipulation IV. and Appendix B for instructions on how to proceed.

\*\*This work requires approval by Chief of the Architectural & Historical Studies Branch of the Environmental Program to ensure that the work conforms to the *Secretary of the Interior's Standards for Historic Preservation Projects*. Allow enough time for transmittal and approval prior to completing this form. Attach a copy of the approval memo.

**BOX B "Designed to avoid historic properties" --** If the project has been designed to avoid ALL effects to historic properties, or historic and potentially historic properties can be protected by establishing an Environmentally Sensitive Area (ESA), check Box B and explain how the design or ESA achieves avoidance or protection.

Consult SRPA Stipulation V.C.3. and 4. for guidance.

**BOX C "No cultural resources present" --** Other than the bridge itself, if no cultural resources are located within the APE (i.e. there are no archaeological sites and no buildings, structures, objects or districts other than the bridge to be retrofitted), check Box C and attach documentation that demonstrates the negative findings.

The bridge must be previously determined not eligible for the National Register of Historic Places (NR) in the California Bridge Inventory AND will not reach 50 years of age during the implementation of this undertaking. If the bridge was previously determined not eligible for the NR but will reach 50 years of age during implementation of the undertaking and Box A does not apply, DO NOT use this form. Consult the SRPA Stipulation V. D. and E. for instructions on how to proceed.

**BOX D "Cultural resources present but are not historic properties"** -- Other than the bridge itself<sup>†</sup>, if the only other cultural resources present within the APE are the following types of properties, check Box D and the appropriate property type(s).

- 1) Any cultural resource that is less than fifty years old (such as a ditch, canal, previously unevaluated bridge, etc., recordation by appropriate qualified cultural resource professional is required);
- 2) Any building that can be treated in accordance with the Memorandum of Understanding between FHWA, Caltrans, and the SHPO Regarding Evaluation of Post-1945 Buildings, Moved Pre-1945, and Altered Pre-1945 Buildings (Post-1945 MOU), by a qualified Caltrans staff architectural historian/historian;
- 3) Any resource covered by the California Archeological Resource Identification and Data Acquisition Program (CARIDAP), approved by the Office of Historic Preservation (OHP);
- 4) Any resource covered by a Programmatic Treatment, approved by SHPO or under development by SHPO. Specify the type of agreement including the agreement's title and date.
- 5) Any resource covered by CARIDAP: Sparse Lithic Scatters (Office of Historic Preservation 1988);
- 6) Any resource meeting the criteria in USFS's publication Surface Flaked Stone Scatters in North-Central Sierra Nevada Forest CARIDAP (Biosystems 1994); or
- 7) Any resource meeting the criteria in USFS's publication Isolated Bedrock Milling Sites in North-Central Sierra Nevada Forests CARIDAP (Biosystems 1994).

Attach a copy of the relevant page of the Bridge Inventory and the appropriate completed study documents (e.g. CARIDAP report, HSR, HRER, HASR, Post-1945 MOU Short-Form HASR). Consult SRPA Stipulation V.C. for guidance.

<sup>†</sup>If the bridge to be retrofitted/replaced was determined not eligible for the National Register of Historic Places in the California Bridge Inventory, but will reach 50 years of age during the implementation of this undertaking and Box A does not apply, DO NOT use this form. Consult the SRPA Stipulation V. D. and E. for instructions on how to proceed.

7. **FHWA TRANSPORTATION ENGINEER APPROVAL** -- After appropriate Caltrans staff have signed Section 5, indicating completion and approval of the APE and Short-form HPSR (Sections 1 through 4), the FHWA Transportation Engineer ensures that all sections of the Short-form HPSR are complete, checks the "Short-form HPSR is complete; undertaking is approved" box, signs and dates the form.

When the FHWA Transportation Engineer signs the form and the form is included in the project files, Section 106 is complete.