



ADMINISTRATIVE DIRECTIVE

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I. PURPOSE

Tucson has a rich, multi-cultural heritage. The community's legacy is shown through its historic buildings and neighborhoods as well as the wealth of archaeological resources which are less visible but continue to provide information about cultures of the past. In many cases, prehistoric and historical resources exist in the same area, making development particularly challenging. Protection and enhancement of Tucson's cultural heritage is critical to preserving the unique identity of the community while allowing for the provision and maintenance of modern urban services and infrastructure to support community development and growth.

The purpose of this directive is to publish City policies and procedures for the protection of archaeological and historic resources that may be associated with City projects or work activities of City staff.

II. POLICY

A. City staff and any consultants or contractors hired by the City shall comply with all applicable laws and regulations governing protection of historical and archaeological resources. A list of applicable laws and regulations in effect as of the date that this Administrative Directive was signed is attached. (See Attachment 1)

B. Departments shall ensure that no land leveling, grading or excavation occurs on City projects, and no designated historic structures or potentially historic structures are altered or demolished, without first receiving clearance for such activities in accordance with the provisions of this directive. Departments shall seek this clearance during the earliest stages of project planning, so that any potential impacts can be identified and resolved without causing project delays or unplanned increases in project budgets.

C. The City Manager's Office, through the Historic Program Administrator, shall have primary responsibility to coordinate, develop and administer all cultural resource protection programs of the City. The Real Estate Division of the Transportation Department, through its Negotiations Section, shall assist in the day-to-day operation and administration of such programs, and shall work in close cooperation with the City Manager's Office.

D. The City shall maintain one or more annual contracts for on-call archaeological services and historical preservation services. All archaeological and historic preservation work needed for City projects shall be performed by these contract firms under the City's annual contracts(s), unless an exception is authorized in advance by the City Manager's Office and Procurement Department.



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E. Project-related costs for any archaeological or historic investigations and mitigation work performed by the contract firms shall be paid from the department budget for the project.

III. PROCEDURES TO OBTAIN CLEARANCE FOR CITY PROJECTS INVOLVING EARTH MOVING OR ALTERATION OR DEMOLITION OF STRUCTURES

A. In order to assist in determining those projects which must comply with historic and archaeological standards and requirements, the Planning Department, the Historic Program Administrator, the Real Estate Division and the City's consultants will prepare and update maps, lists, and other tools to identify areas of significance from both an historic and archaeological perspective.

B. As soon as the general boundaries of a proposed project are identified in the capital planning process, departments shall contact the Historic Program Administrator to determine if there are cultural resources which may need to be considered in designing and implementing the project. If so, a recommendation will be made to the appropriate department with regard to the issues to be considered and a proposed course of action to define or address the issues.

When project funding has been approved, departments shall initiate a "Request for Cultural Resources Clearance" form (see Attachment 2), and shall attach maps and include information describing the project, as requested on the form. Four (4) copies of the completed Request Form with attachments shall be sent to the Real Estate Division. Real Estate staff shall keep one copy and distribute remaining copies to Real Estate Division files, the Historic Program Administrator, and the appropriate on-call firm.

The clearance review process may be initiated at very early stages in project design and development, as the first stage of the review process is a records check and field survey for known historic and/or prehistoric remains within the project area. The locations of previous archaeological and historical surveys within and adjacent to the project area will also be documented.

C. When work is proposed which would affect the exterior appearance of any City-owned building, including demolition, (whether operated by the City or leased to another agency) which is individually listed on the National Register of Historic Places, or is within a National Register or locally designated historic district, the following process will apply:

1. A description of the work to be performed will be prepared and submitted for review to the Historic Program Administrator.



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2. If the property is within a local historic preservation zone, the design review and demolition process included in Section 2.8.8. of the City of Tucson Land Use Code, and City of Tucson Demolition Procedures, will be followed. At a minimum this will entail consideration of the proposed work by the appropriate Historic Zone Advisory Board, consideration of the work by the Plans Review Committee of the Tucson Pima County Historical Commission, and approval by the Planning Director.

3. If the property is within only a National Register Historic District, is an individually listed property, or is an eligible property located within the Downtown Heritage Incentive District, the Plans Review Committee of the Tucson Pima County Historical Commission must review and comment on the proposed work or demolition, and it must be approved by the Historic Program Administrator.

D. Any site likely to contain potentially significant archaeological resources (as determined from the records search or field survey) shall be subject to an intensive archaeological survey of areas of potential land disturbance as soon as the City attains ownership or right of access to the site. Similarly, the potential significance of any historical resources existing on a proposed project site will also be assessed. The City's designated contractor(s) will record all archaeological and historical remains found in those areas, and evaluate their eligibility for inclusion in the National Register of Historic Places. The archaeological contractor will meet with project personnel to discuss potential project impacts and to consider avoidance alternatives, if appropriate.

Note: it is imperative that departments initiate the Request Form as soon as funding has been approved. If the clearance review produces evidence of historic or cultural resources, the department will then have time to consider alternatives. For example, it may be more cost effective early in a project to slightly realign the project rather than to perform the work required to mitigate the impacts on such resources.

E. The archaeological contractor may determine that testing (using backhoe trenches, etc.) is necessary to determine the probability of impacting archaeological resources. Should significant archaeological resources be identified (either through testing or during the actual course of construction), the archaeologist may propose an excavation or other data recovery phase to document and protect the identified resources.

Any such proposal for archaeological testing or data recovery shall document the need for such activities, specify the scope of work, and provide a cost and time schedule. The Historic Program Administrator shall obtain independent archaeological review of the proposal (by the Arizona State Museum, the State Historic Preservation Office (SHPO), or other outside consultant), to verify appropriateness of the scope of work and the



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contractor hours involved when either the complexity of the project or the proposed cost merits outside review.

F. To ensure the efficient and effective use of the City's contracted archaeological and historic preservation firms, the Real Estate Division shall coordinate the flow of work between City departments and the contract firms. When necessary, and with particular sensitivity to the needs of the City departments, the Historic Program Administrator, and/or Real Estate shall coordinate priorities for the work performed by the contracted firms. Departments that have any questions about a particular archaeological or historic preservation project shall contact the City's lead agency, whether the Real Estate Division or the Historic Program Administrator, not the contract firm. Most initial project reviews should be completed within 45 days of submittal of the Request for Cultural Resources Clearance to the Real Estate Division. However, if archaeological testing and/or major historic resource survey or building condition assessment activities are required for compliance, additional time will be necessary to obtain a clearance.

G. In regard to archaeological compliance:

The Historic Program Administrator shall: consult with Real Estate division staff on the scope of proposed archaeological mitigation projects; coordinate contacts with SHPO, and confer with SHPO as required by special projects or issues. For projects not requiring review by the State Historic Preservation Office, a committee of the Tucson Pima County Historical Commission will provide review and comment on such projects.

The Real Estate Division, through the Negotiation Section, shall: initiate and maintain contact with the City's archaeological contractor(s) for each survey and/or mitigation project; maintain day-to-day oversight over projects; prepare and disseminate all project-related correspondence; approve payments for work completed.

Representatives of the City shall conduct interim and final field inspections as appropriate, with assistance from the Tucson Pima County Historical Commission as appropriate.

H. In regard to historic preservation compliance:

The Historic Program Administrator shall: review and approve the proposed scope and methods for survey and recording projects, review and approve reports of work in progress and completed work; make recommendations for additional work, if needed; concur with Real Estate's recommendations for payment; coordinate contacts with SHPO; and confer with SHPO as necessary. For projects not requiring review by the State



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Historic Preservation Office, a committee of the Tucson Pima County Historical Commission will provide review and comment on such projects.

The Real Estate Division, through the Negotiations Section shall: Initiate and maintain contact with the City's historic preservation contractor(s) for each survey and/or recording project; maintain day-to-day oversight over projects; prepare and disseminate all project-related correspondence; recommend payments for work completed; maintain continuing project-related contact with SHPO.

Representatives of the City shall conduct interim and final field inspections as appropriate.

IV. INCLUSION OF SPECIAL CONDITIONS FOR PROJECTS TAKING PLACE IN HISTORIC DISTRICTS, OR WORK PROPOSED FOR HISTORIC BUILDINGS.

A. Procurement department and user departments will develop standard contract language when possible, or special conditions when necessary, to be inserted in bid documents and construction contracts when projects take place in historic districts or areas of special archaeological sensitivity. The elements to be covered include but are not limited to:

- Use of special backfill material when surrounding buildings are made of adobe.
- Use of equipment and construction methods that will produce the minimum vibration.
- Video or other documentation of building condition before and after construction takes place, either by City staff or through contracts.
- Use of seismic measuring equipment to determine the actual level of vibration caused by construction work.
- Language regarding handling of asbestos and other hazardous materials, when appropriate.
- Language that repairs to an existing structure shall be completed so as to cause no damage to other parts of the building.
- Adherence to City of Tucson "hot works" procedures to minimize threat of fires.
- Adherence to City of Tucson demolition procedures.

B. Neighborhood Notification - As soon as construction dates are firm, existing Historic Zone Advisory Board members, and officers of the affected neighborhood association shall be notified of the proposed work and the dates construction is anticipated to take place. Whenever possible, neighborhood notification should take place no later than two weeks prior to start of construction. A copy of any notifications(s) to be sent to neighborhood residents, organizations or boards shall be sent to the Historic Program



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Administrator, the Planning Department, and to the Chairman of the Tucson Pima County Historical Commission prior to being distributed.

Such notification shall be considered a project cost and shall be done either by the responsible department or as part of the construction contract for the project. Mailing lists and labels are available from Citizen and Neighborhood Services.

It is recommended that at least one public meeting be held, or an announcement be placed in the appropriate neighborhood newsletters, during project planning in order to identify potential issues such as scheduling of work, use of appropriate equipment, etc. which may impact project design and cost.

V. DISCOVERY OF CULTURAL RESOURCES DURING CONSTRUCTION

A. Departments shall stress the importance of protecting archaeological and historical resources to staff who are involved in excavation or construction inspection work. A training program will be developed for field inspection personnel, and will be incorporated into the new employee orientation program as well as being made available to those inspectors who are already employed.

B. If any archaeological resource is discovered during construction, the City shall stop work immediately and have the resources evaluated. Departments may contact the Real Estate Division or the Historic Program Administrator to obtain an emergency site review by one of the contracted firms.

VI. REVIEW OF PROJECTS RECEIVING STATE AND/OR FEDERAL FUNDS

A. Use of state and federal funds may require a review of proposed project activities for impact on cultural resources, and consultation with the SHPO and the Advisory Council on Historic Preservation. This review can be performed by the user department, the Historic Program Administrator, or an outside contractor, depending upon the complexity of the project and the resources impacted. However, the Historic Program Administrator will review and sign off on the final review process and correspondence and will be the point of contact with the State Historic Preservation Office and Advisory Council, unless alternate arrangements are made on specific projects.

As soon as notification of receipt of state or federal funds is received, the formal cultural resource clearance process should be initiated. It is recommended that the Historic Program Administrator be made aware of proposed projects during the planning stages so that impacts can be evaluated early in project design and development. If major



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impacts are identified early in the process, adjustments can often be made to location or other project elements that can avoid the often major expense of mitigation.

B. For user departments which regularly receive state or federal funds, a separate process will be developed that provides the most efficient means of reviewing and receiving clearance for projects and programs.

VII. GENERAL

A. City employees shall not remove archaeological or historical materials (including fragments) from, nor disturb such materials on, City property. Any violation of this direction shall require a written report to the City Manager, documenting the incident. The report shall include a description of the incident and an analysis of why the incident occurred, shall detail any disciplinary action taken, and shall describe measures developed to prevent such incidents from reoccurring in the future.

B. Leased City Property: The requirement to obtain archaeological and/or historical clearance before any excavation, remodeling, or demolition is performed shall also apply to City property that is leased to another party. The Real Estate Division shall ensure that lessees are made aware of this requirement, and that the City reserves the right to approve or disapprove of any alteration, demolition, land leveling, grading or excavation of property leased from the City. Construction work on leased property shall be reviewed by the City, and/or committee of the Tucson Pima County Historical Commission.

C. City Sale/Leaseback Projects - The outside organization shall coordinate with the Historic Program Administrator to determine if the organization will separately contract for archaeological and historic preservation services, or use the City's annual contract. Such work shall be reviewed by the City, and/or committee of the Tucson Pima County Historical Commission.

D. Projects Taking Place in Rights-of Way by Others: Projects that regularly take place in City rights-of-way by private companies, such as installation and replacement of electric and gas lines, telephone lines, fiber optic cables, television cable, etc. shall continue to receive permits from Engineering for such work. Excavation which occurs in the downtown (see Attachment 3 - map of archaeological sensitivity class zones) will require evidence that a professional archaeologist or ethnographic consultant will be present during excavation activities and will comply with all applicable laws and regulations including notification of the City Historic Program Administrator within 24 hours should any significant artifacts be located within City right-of-way. (A list of consultants can be obtained from the Engineering Permits and Codes Section or Real Estate Division located at 201 N. Stone. This list is not an official endorsement of any contractor by the City of Tucson or the State Historic Preservation Office). Any excavation



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performed in right-of-way which is adjacent to a local historic district, a National Register Historic District, or culturally sensitive area may also require that the procedure outlined above be followed.

VIII. APPENDIX

- Attachment 1 - Applicable Laws and Regulations
- Attachment 2 - Request for Cultural Resources Clearance (form)
- Attachment 3 - Map of Archaeological Sensitivity Class Zones

IX. RESPONSIBILITY FOR REVIEW

The Deputy City Manager shall review this directive annually, based upon date of publication.

AUTHORIZED:

City Manager

**Applicable
Law and Regulations**

1. National Historic Preservation Act
2. State Historic Preservation Act
3. Arizona Antiquities Act
4. State Laws – Human Burials – ARS 41-844 and ARS 41-865
5. City of Tucson Resolutions No. 12443 and 16548

Department of Transportation—Real Estate Division
Request for Cultural Resource Clearance

To: _____ Date of Request: _____
From: _____ Account Chargeable: _____
Requestor: _____ Dept/Div: _____
Contact Person: _____ Phone Ext.: _____

Job Title: _____
Drawing Attached: () Yes () No
Description of Service: _____

Please obtain the following: _____

Return completed request to the attention of: () Requestor
() Other, _____

(REQUESTOR PLEASE LEAVE BLANK)

Real Estate Admin. _____ Actual Completion Date _____ Job. No. _____

(MONITORING REQUIRED)

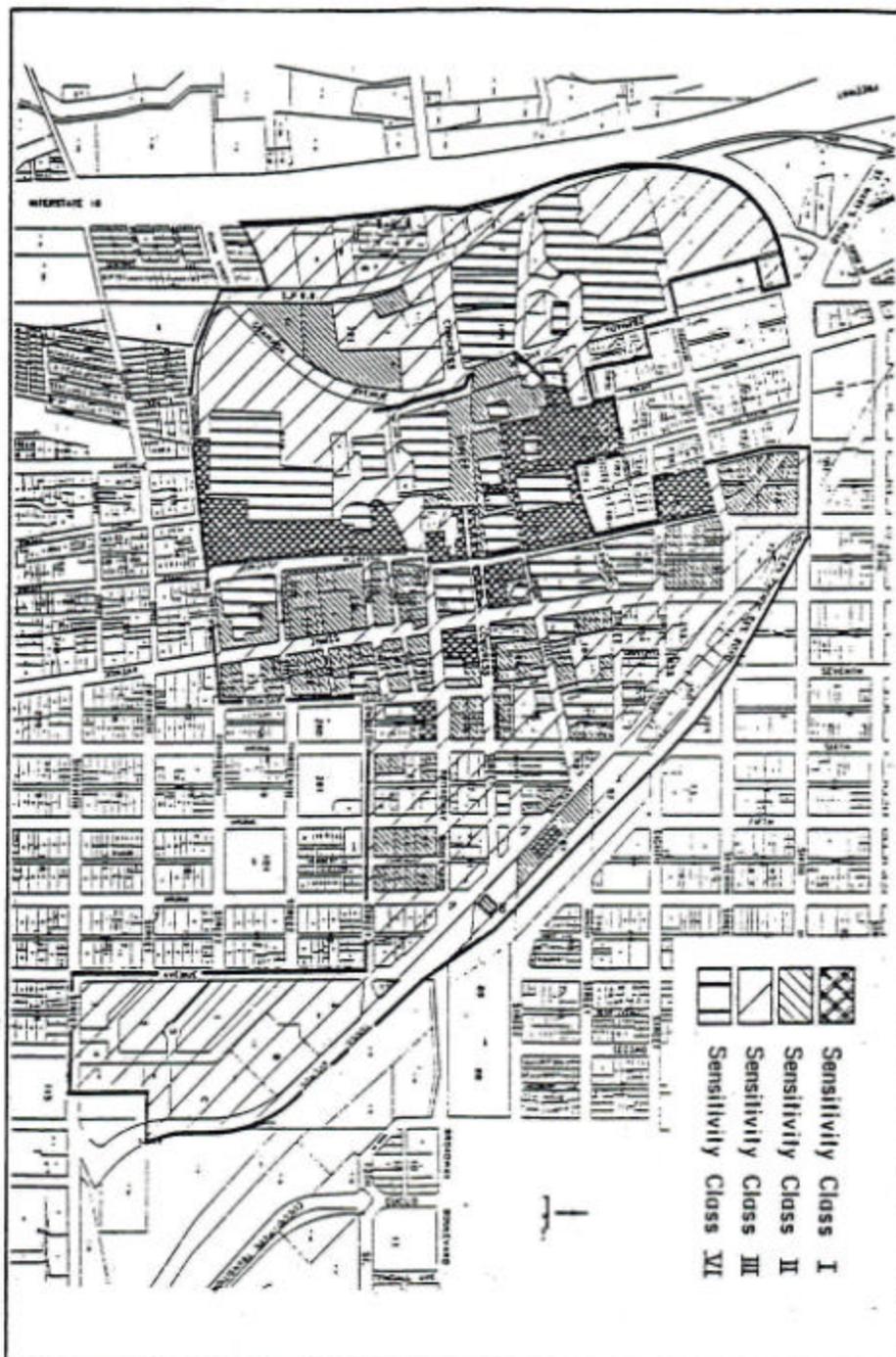
Additional Charges: _____ Final Report In: _____

Copy of final report to: _____ Date: _____

Additional Notes: _____

Attachment 3 - Map of Archaeological Sensitivity Class Zones

Figure 4. Archaeological sensitivity-class zones of the DHRD.



Summary of Sensitive Classes

Sensitivity Class	Likelihood of Encountering Significant Deposit	Description of Cultural/Environmental Setting
I	Very High for nearly any undertaking, approaching 100% for large-scale disturbances	Significant subsurface cultural resources have been documented archaeologically or are very likely to exist, based on archaeological and archival data are inconclusive.
II	Moderate to high, depending on nature and extent of proposed disturbance	Significant subsurface cultural resources may exist, and some of these deposits may be complex, but archaeological and archival data are inconclusive.
III	Low to moderate, depending on nature and extent of proposed disturbance	Archival and/or archaeological data indicate that the density and complexity of subsurface cultural deposits is relatively low, but isolated pockets of dense deposits may be encountered.
IV	At or near 0%, even for large-scale undertakings	Subsurface deposits are likely to have been obliterated, impacts have been completely mitigated, or significant resources are otherwise known to not exist.

A variety of sources were tapped for the information that was considered in creating the sensitivity zones. Sites recorded at Arizona State Museum were plotted on overlay maps, and the information on the types of remains these sites contain were evaluated before assigning sensitivity classes to the areas both within and immediately surrounding the sites. Published and unpublished articles, reports, papers, and manuscripts (all of which are listed in the Bibliography section of this report) were helpful in the evaluation of the potential of various areas of the district. Archaeologists and historians (listed in the acknowledgment section) who have worked within the DHID were also consulted. Finally, the various historical maps of Tucson that are housed at the Arizona Historical Society, the University of Arizona, and elsewhere were most useful in filling in gaps in areas for which no other information was available. These maps, which date as far back as 1862, were also used to document the history and development of the city from historic through modern times (see “Cultural Resources with the DHID,” above). Generally areas that were well developed early in Tucson’s history remain so today; thus, these areas are expected to contain the most complex subsurface remains (provided that the depth of modern development has not removed all traces of earlier occupation).