

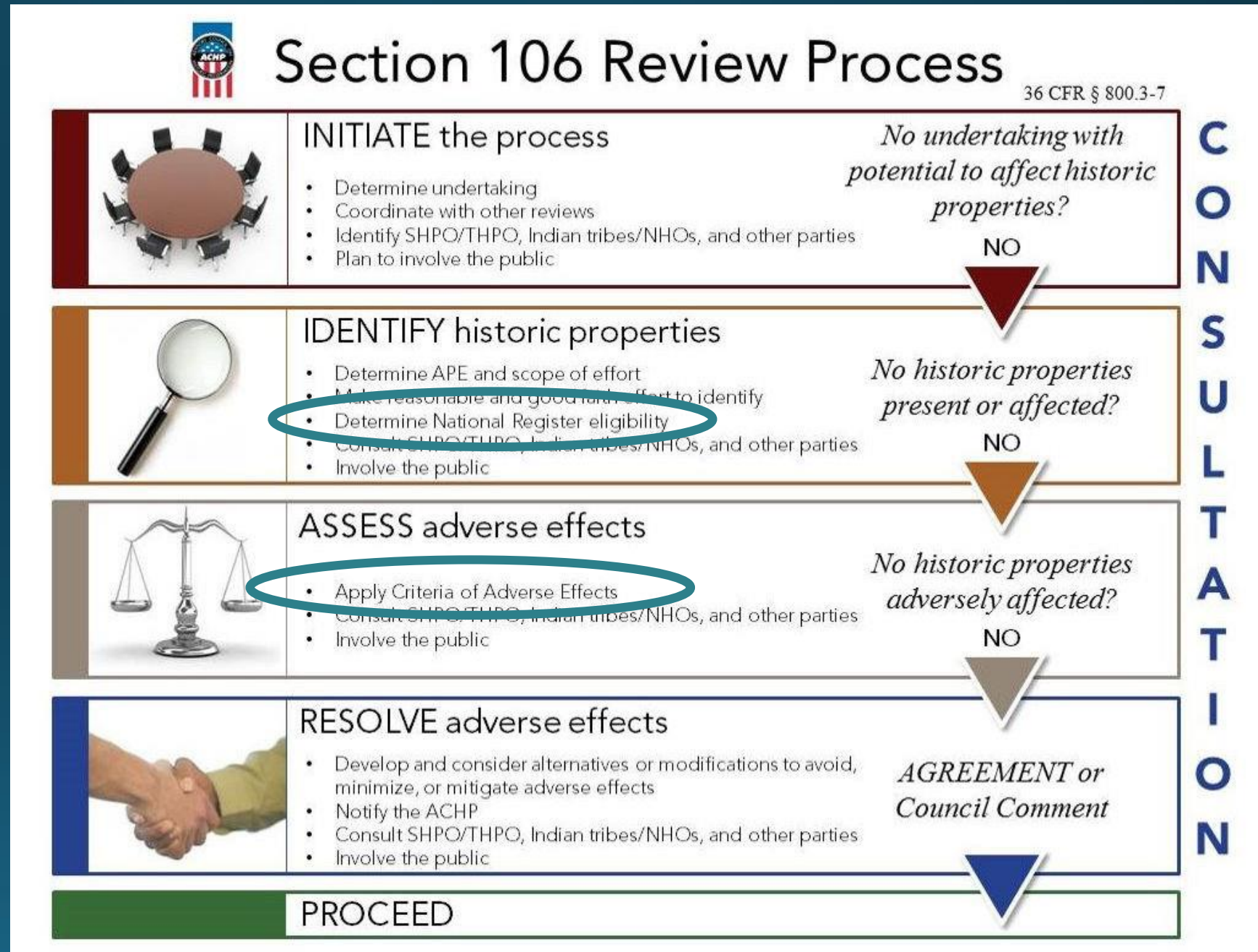
Eligibility and Effect

Applying the NRHP criteria and assessing effects

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SHPOLOOZA 2022

Why Eligibility and Effects are Important

- Understanding how a property is eligible directly informs potential effects
- An adverse effect is found when an undertaking may alter, directly or indirectly, any of the characteristics of a historic property that qualify it for inclusion in the National Register 36CFR800.5 (a) (1).



Eligibility and Effect

DOE

Eligible

Not Eligible

Listed

Unevaluated

36CFR800.4(c)

In consultation with the SHPO/THPO and any Indian tribe or that attaches religious and cultural significance to identified properties

FOE

No Effect

No Adverse Effect

Adverse Effect

apply the National Register criteria (36CFR63) to properties identified within the area of potential effects...

Effects

- No Effect
 - No properties
 - Properties exist but are not eligible individually or as a district under any of the four NR criteria.
 - Requires updated evaluation if:
 - “The passage of time, changing perceptions of significance, or incomplete prior evaluations” (e.g., previous evaluation did not consider all four criteria)
- No Adverse Effect
 - Individually or as part of a district eligible properties exist, and NRHP qualifying characteristics are not directly or indirectly affected (requires an understanding based on all four criteria).
- Adverse Effect
 - Individually or as part of a district eligible properties exist, and NRHP qualifying characteristics are directly or indirectly affected (requires an understanding based on all four criteria).

Documentation Standards (36CFR800.11)

The agency official shall ensure that a determination, finding, or agreement under the procedures in this subpart is supported by sufficient documentation to enable any reviewing parties to understand its basis.

If the Council, or the SHPO/THPO when the Council is not involved, determines the applicable documentation standards are not met, the Council or the SHPO/THPO, as appropriate, shall notify the agency official and specify the information needed to meet the standard.

Documentation Standards (36CFR800.11)

SUPPORTING CLAIMS WITH EVIDENCE
a free mini-lesson

Evidence

Claim

Our class is the greatest!

Everyone worked hard to finish their reading.

We offer to help others when they might be stuck.

We didn't help our teacher clean the room at the end of the day.

We didn't listen carefully to directions.

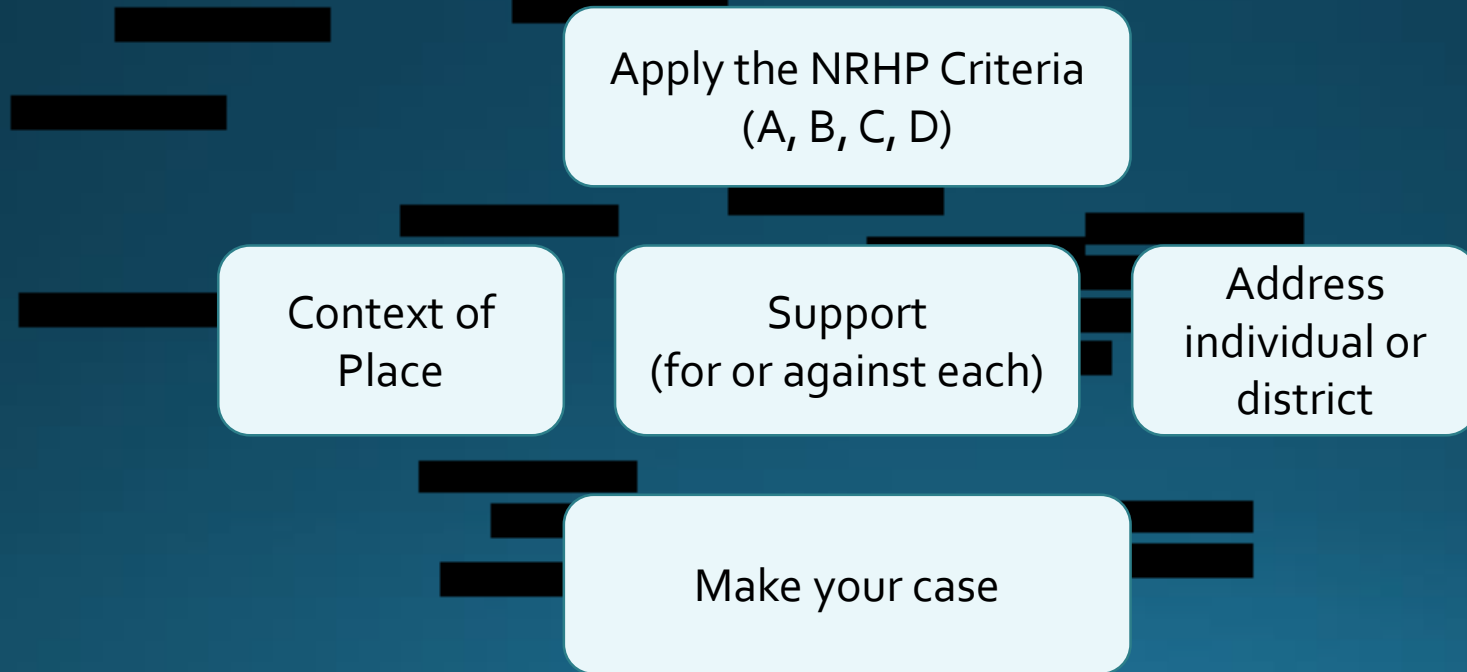
The Curriculum Corner

A young girl with pigtails, wearing a light blue shirt, is pointing her right hand towards the top right of the chalkboard.

What does SHPO need for Concurrency



What does SHPO need to concur with a determination/recommendation on eligibility?



Bulletin 16A is a Good Guide

- Guidelines for Describing Archaeological Sites (and Districts)
 - **Environmental setting** of the property today and, if different, its environmental setting during the periods of occupation or use.
 - **Period of time** when the property is known or projected to have been occupied or used. Include comparisons with similar sites and districts that have assisted in identification.
 - **Identify the persons, ethnic groups, or cultures** who, through their activities, created the property. Include comparisons with similar sites and districts that have assisted in identification

Bulletin 16A Makes a Great Guide

- **Physical characteristics** of the site
- **Likely appearance of the site during the periods of occupation or use.**
Include comparisons with similar sites and districts that have assisted in description.
- **Current and past impacts** on or immediately around the property, such as modern development, vandalism, road construction, agriculture, soil erosion, or flooding.
- **Previous investigations** of the property (cumulative assessment).

NRHP Criteria

A) That are associated with events that have made a significant contribution to the broad patterns of our history; or

B) That are associated with the lives of persons significant in our past; or

C) That embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or

D) That have yielded, or may be likely to yield, information important in prehistory or history.

New Mexico Footprints (21 KYA)



White Sands National Park Facebook

Are the footprints eligible to the NRHP?

Why?



White Sands National Park Facebook

National Historic Landmark (NHL) Bighorn Medicine Wheel (Wyoming)



Wyoming State Historical Society Image

Bighorn Medicine Wheel (NHL)

The Bighorn Medicine Wheel is a prehistoric archaeological site located in the Bighorn National Monument, Montana. It is a circular stone structure, approximately 100 feet in diameter, with a central stone pile and a surrounding ring of stones. The wheel is surrounded by a low stone wall and a dirt path. The site is located in a high-altitude, mountainous area with sparse vegetation. The Bighorn Medicine Wheel is a National Historic Landmark and is part of the Bighorn National Monument. It is a prehistoric archaeological site that is believed to be a ceremonial or religious structure. The wheel is surrounded by a low stone wall and a dirt path. The site is located in a high-altitude, mountainous area with sparse vegetation. The Bighorn Medicine Wheel is a National Historic Landmark and is part of the Bighorn National Monument. It is a prehistoric archaeological site that is believed to be a ceremonial or religious structure.



Wyoming State Historical Society Image

Bighorn Medicine Wheel (NHL)

The NHL, 4,080 acres in size, includes a high concentration of integral natural formations and vistas that are perceived as cultural features, traditional use areas, and associated archaeological sites that include one of the largest stone medicine wheels in North America.



Wyoming State Historical Society Image

Bighorn Medicine Wheel (NHL)

A cell tower installation is proposed 300 meters away from the Medicine Wheel

- It is not within an archaeological site
- If you dig a few negative shovel probes at the cell tower location, would that make it a finding of No Effect?



Wyoming State Historical Society Image

Do we all agree with the NHL status?

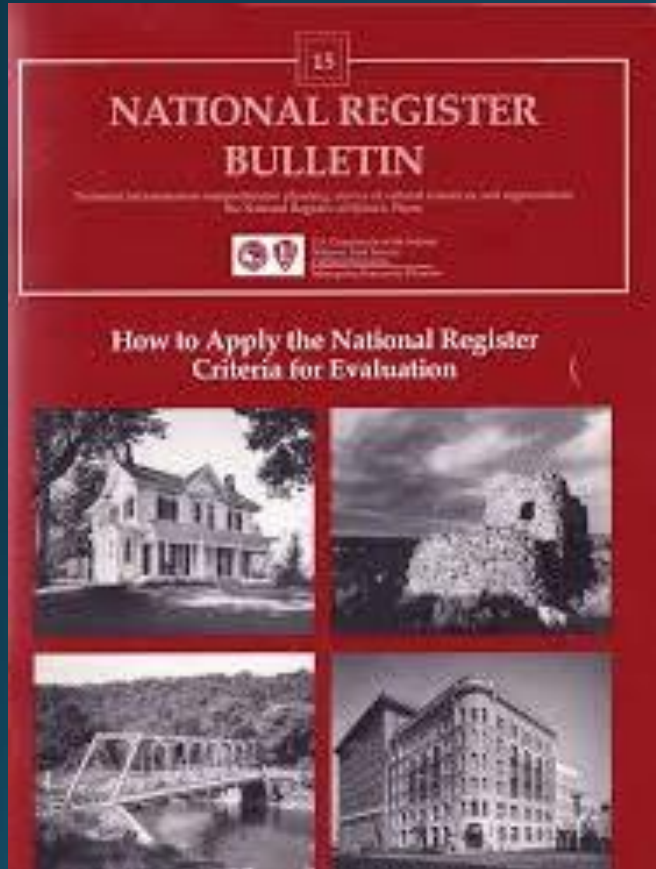
Context is Critical

Patterns and trends are often manifested in several archaeological sites across a landscape. As such, it is important to “see the forest for the trees” and consider both intra and inter-site connections.



The Classroom Company by Jason Welker

Bulletin 15

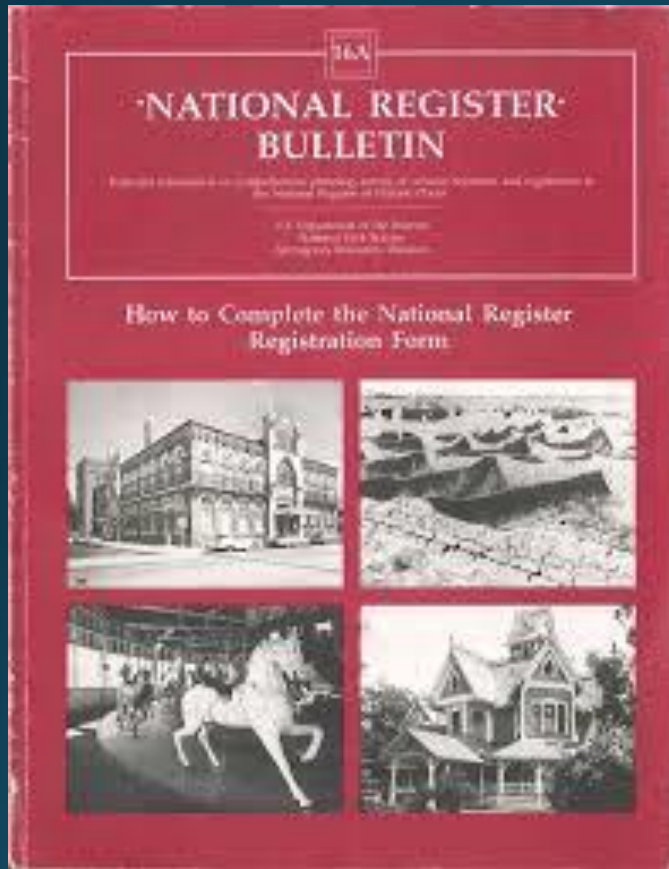


Context

"...patterns or trends in history by which a specific occurrence, property, or site is understood and its meaning (and ultimately its significance) within history or prehistory is made clear."

*Its core premise is that resources, properties, or happenings in history **do not occur in a vacuum** but rather are part of larger trends or patterns.*
(National Register Bulletin 15)

Bulletin 16A



Context:

Because historic contexts are organized by theme, place, and time, they link historic properties to important historic trends. In this way they provide a framework for determining the significance of a property and its eligibility for National Register listing. (National Register Bulletin 16A)

Eligibility



National Park Service

First Flag Unfurling Site

Form 10-306
(Oct. 1972)

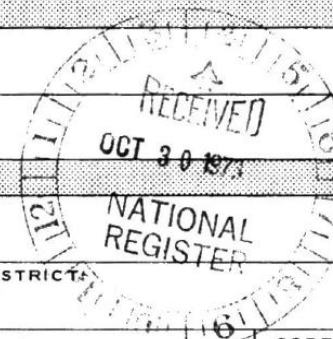
UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

NATIONAL REGISTER OF HISTORIC PLACES INVENTORY - NOMINATION FORM FOR FEDERAL PROPERTIES

(Type all entries - complete applicable sections)

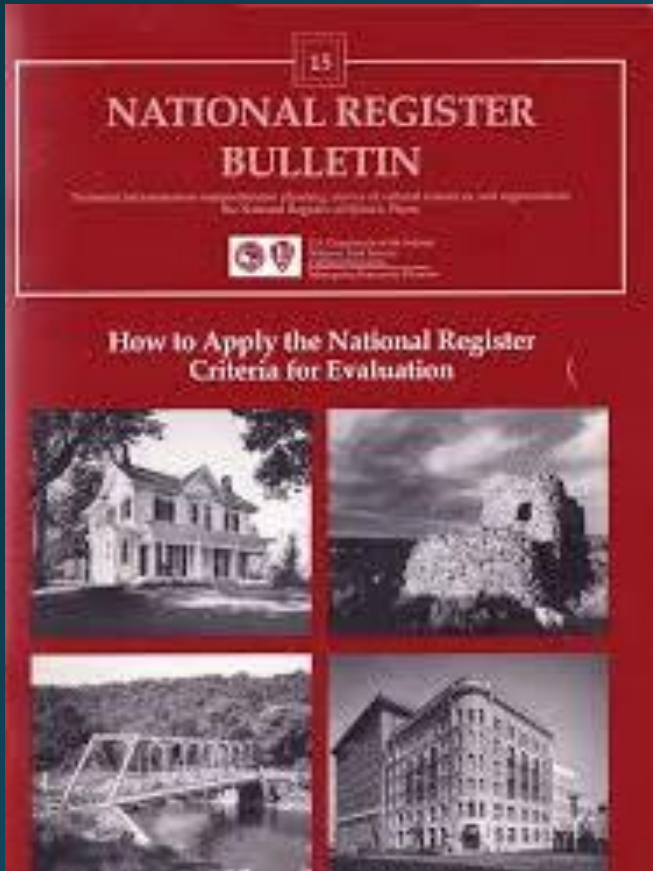
STATE:	IDAHO
COUNTY:	LEMHI
FOR NPS USE ONLY	
ENTRY DATE	AUG 22 1975

1. NAME			
COMMON: Lewis and Clark Trail			
AND/OR HISTORIC: First Flag Unfurling Site,			
2. LOCATION			
STREET AND NUMBER: 5 mi. N of Tendoy in Bitterroot Mountains			
CITY OR TOWN: Tendoy vicinity		CONGRESSIONAL DISTRICT: 2	
STATE: Idaho	CODE 16	COUNTY: Lemhi	CODE 059



12. CERTIFICATION OF NOMINATION		NATIONAL REGISTER VERIFICATION	
State Liaison Officer recommendation: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> None Merle W. Wells State Liaison Officer Signature		I hereby certify that this property is included in the National Register. A. R. Monteen Director, Office of Archeology and Historic Preservation	
In compliance with Executive Order 11593, I hereby nominate this property to the National Register, certifying that the State Liaison Officer has been allowed 90 days in which to present the nomination to the State Review Board and to evaluate its significance. The recommended level of significance is <input checked="" type="checkbox"/> National <input type="checkbox"/> State <input type="checkbox"/> Local		Date: 8/22/75	
George L. Purcell Federal Representative Signature SEP 12 1973 Date W. H. Wheel Deputy Assistant Secretary		ATTEST: W. H. Minnery Keeper of the National Register AUG 20 1975 Date	

Bulletin 15



Site: A site is the **location** of a significant event, a **prehistoric or historic occupation or activity**, or a building or structure, whether standing, ruined, or vanished, **where the location itself** possesses historic, cultural, or archaeological value regardless of the value of any existing structure.

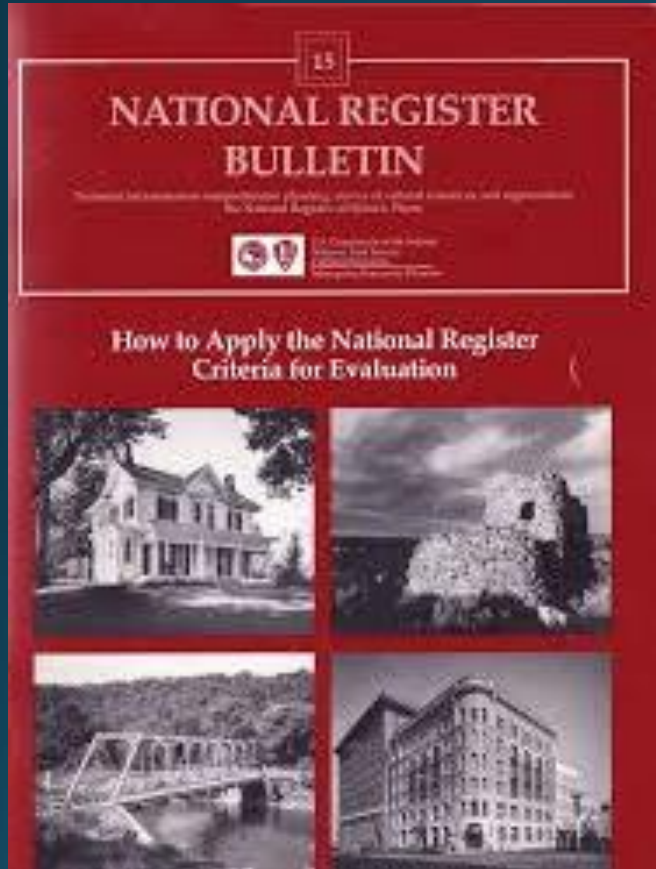
A site need not be marked by physical remains if it is the location of a prehistoric or historic **event or pattern of events** and if no buildings, structures, or objects marked it at the time of the events.

Isolates and Eligibility



Photo courtesy of Archaeological Investigations Northwest, Inc.

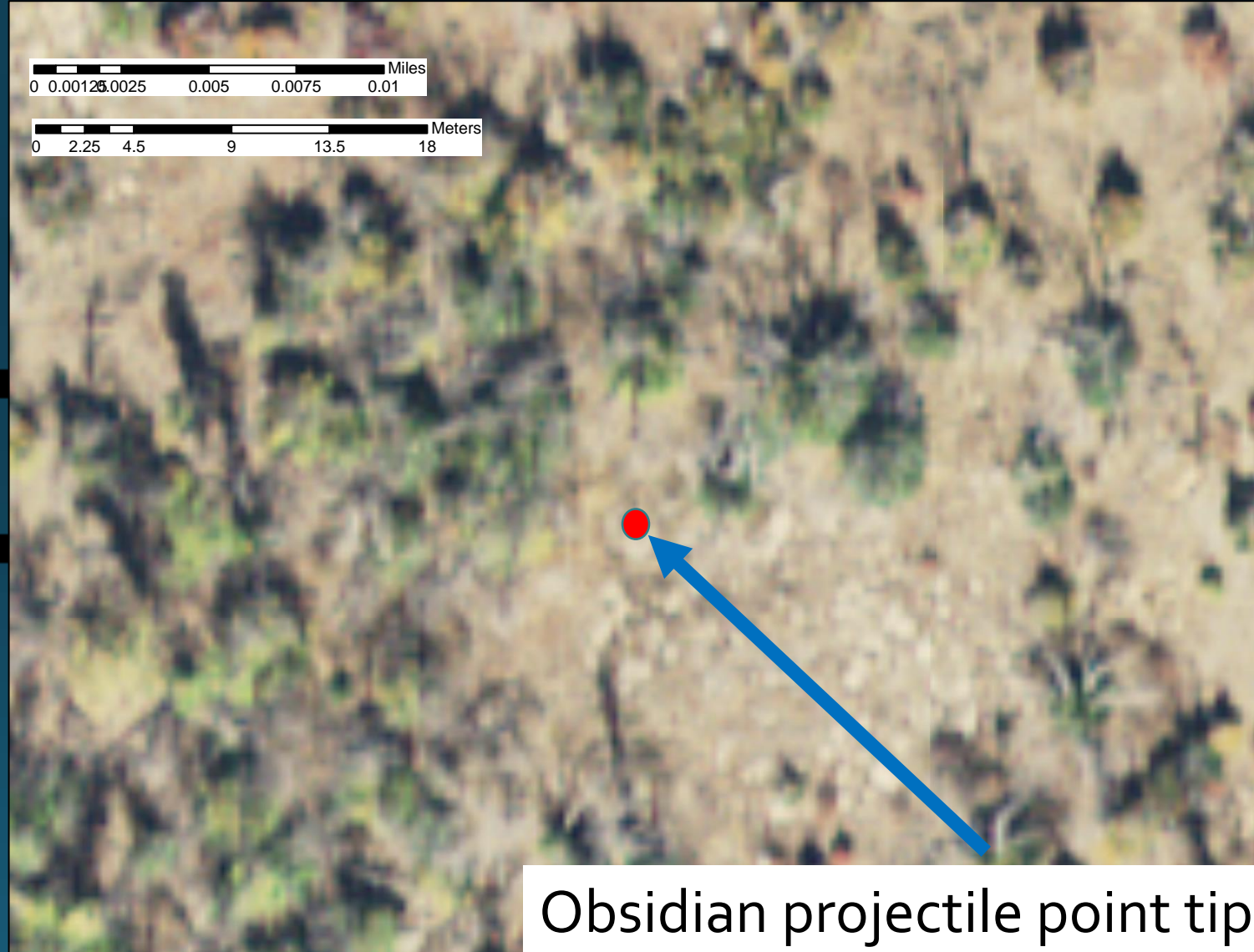
Bulletin 15



Context

Its core premise is that resources, properties, or happenings in history do not occur in a vacuum but rather are part of larger trends or patterns. (National Register Bulletin 15)

The Vacuum

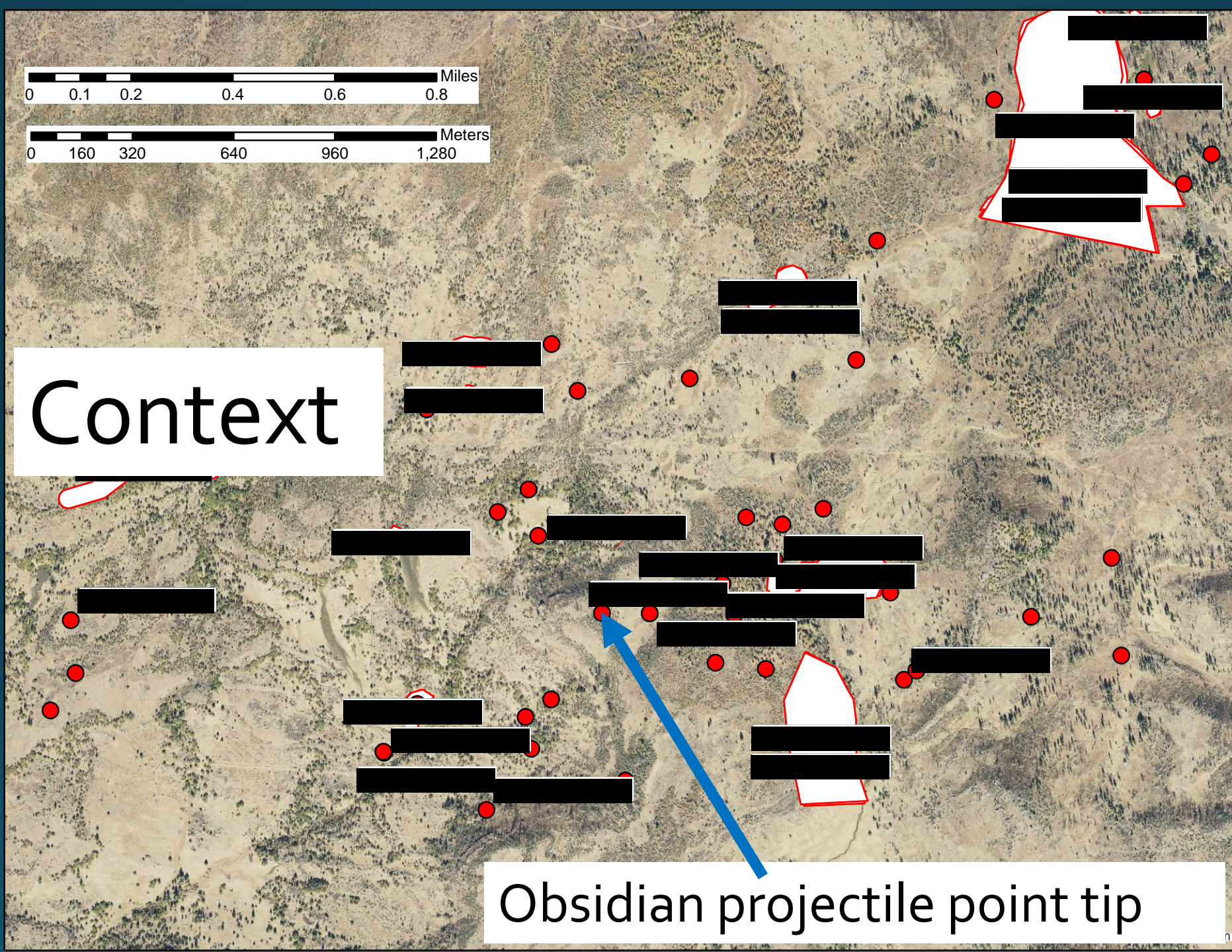


0 0.1 0.2 0.4 0.6 0.8 Miles

0 160 320 640 960 1,280 Meters

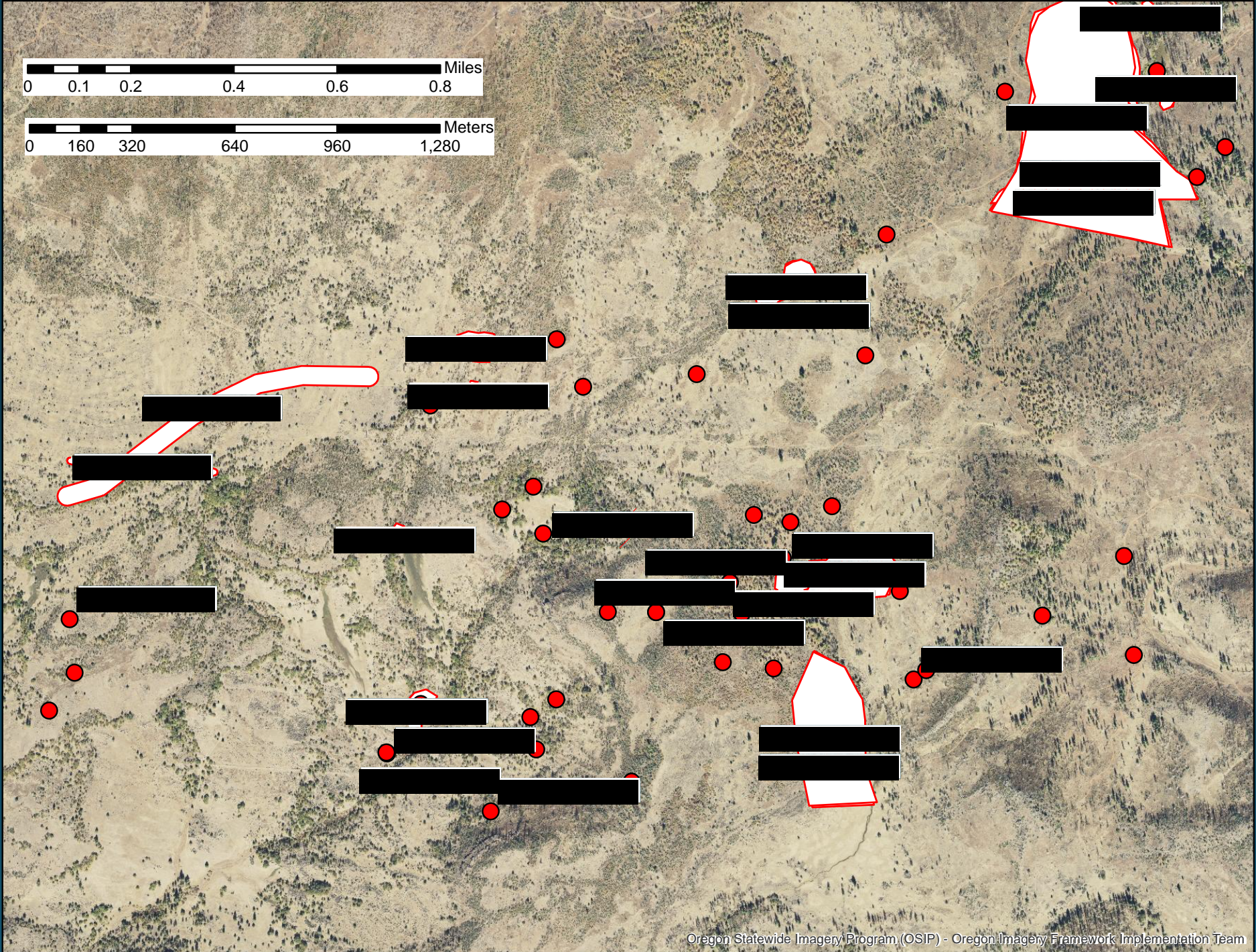
Context

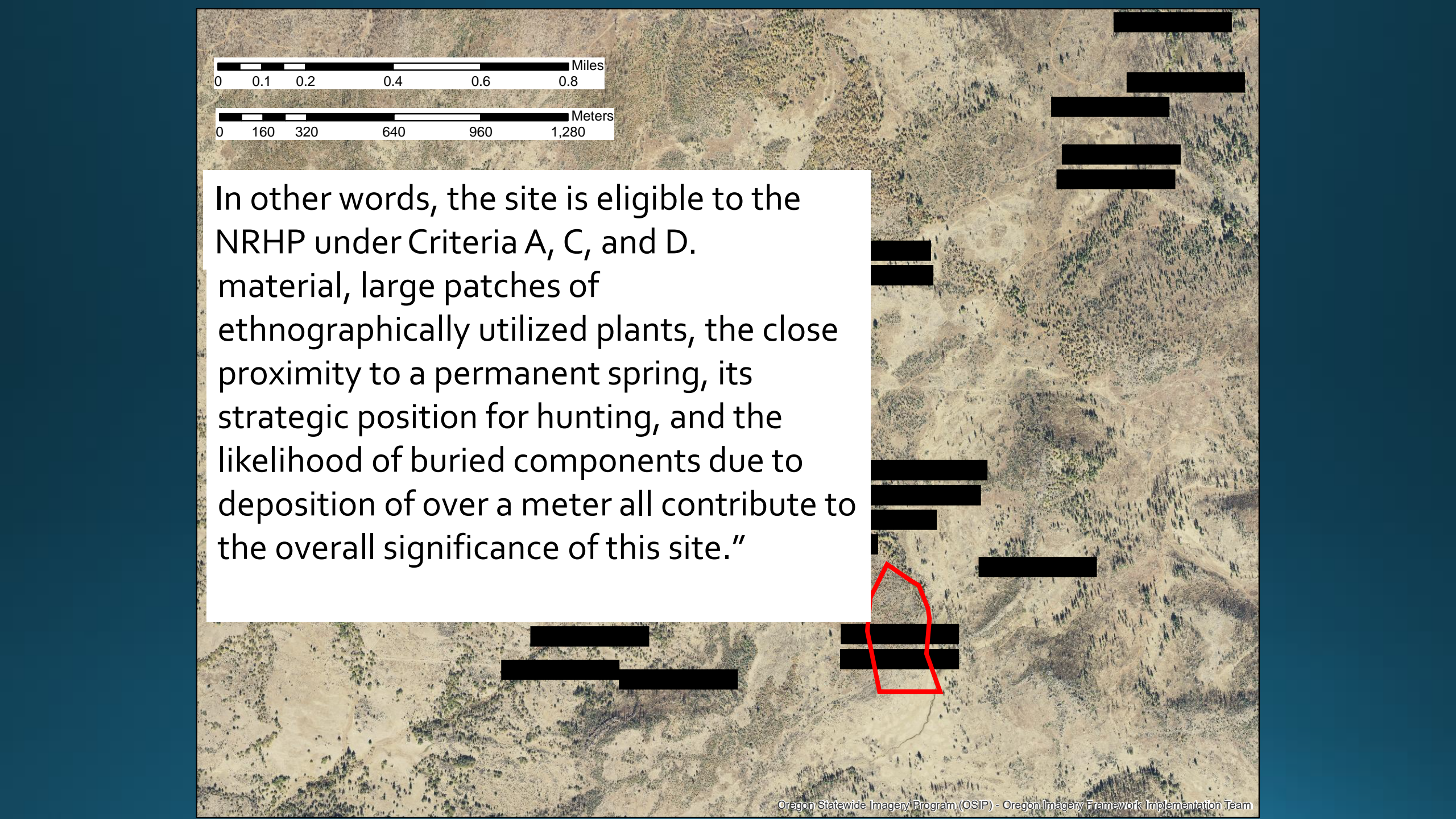
Obsidian projectile point tip



0 0.1 0.2 0.4 0.6 0.8 Miles

0 160 320 640 960 1,280 Meters





0 0.1 0.2 0.4 0.6 0.8 Miles

0 160 320 640 960 1,280 Meters

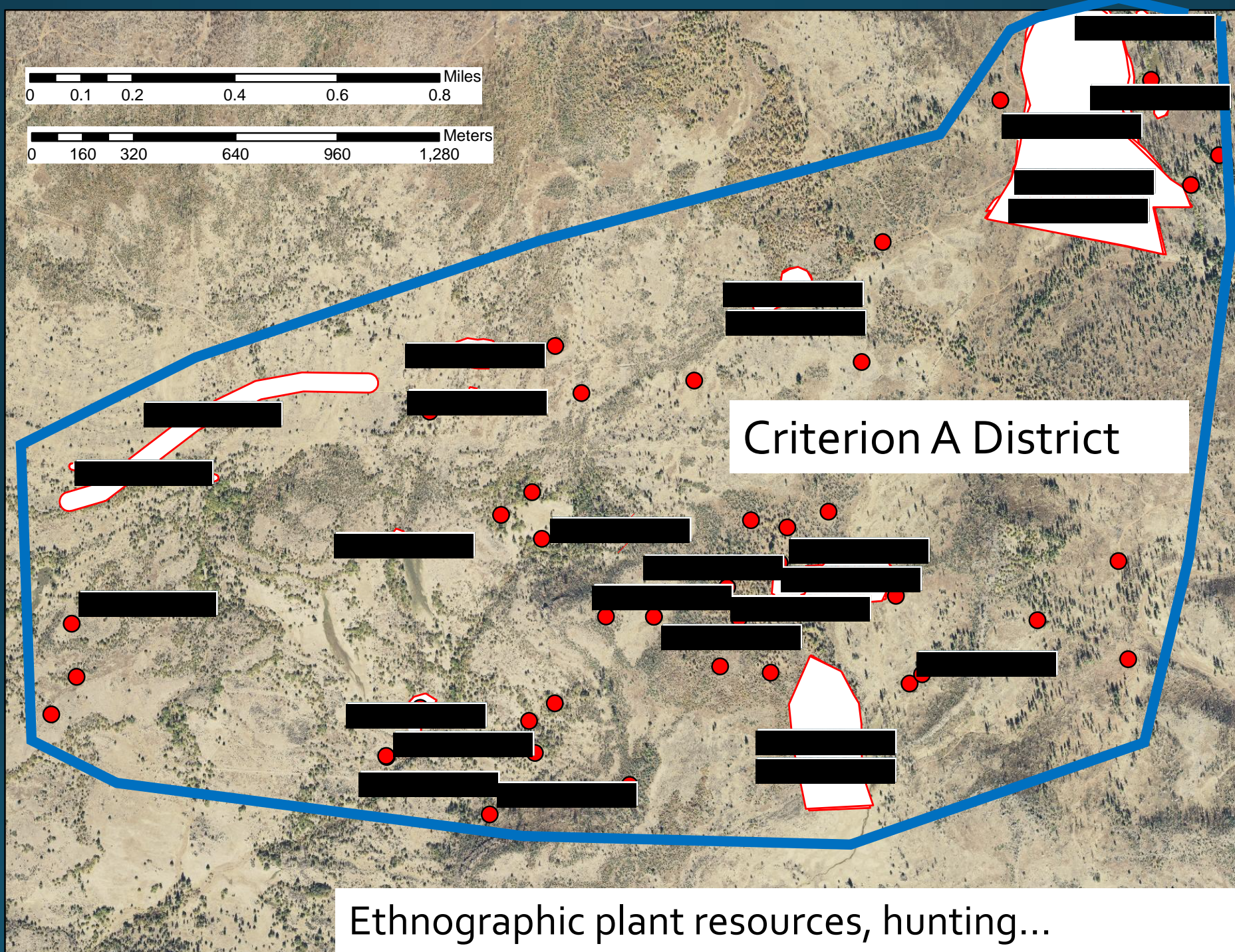
In other words, the site is eligible to the NRHP under Criteria A, C, and D. material, large patches of ethnographically utilized plants, the close proximity to a permanent spring, its strategic position for hunting, and the likelihood of buried components due to deposition of over a meter all contribute to the overall significance of this site."

0 0.1 0.2 0.4 0.6 0.8 Miles

0 160 320 640 960 1,280 Meters

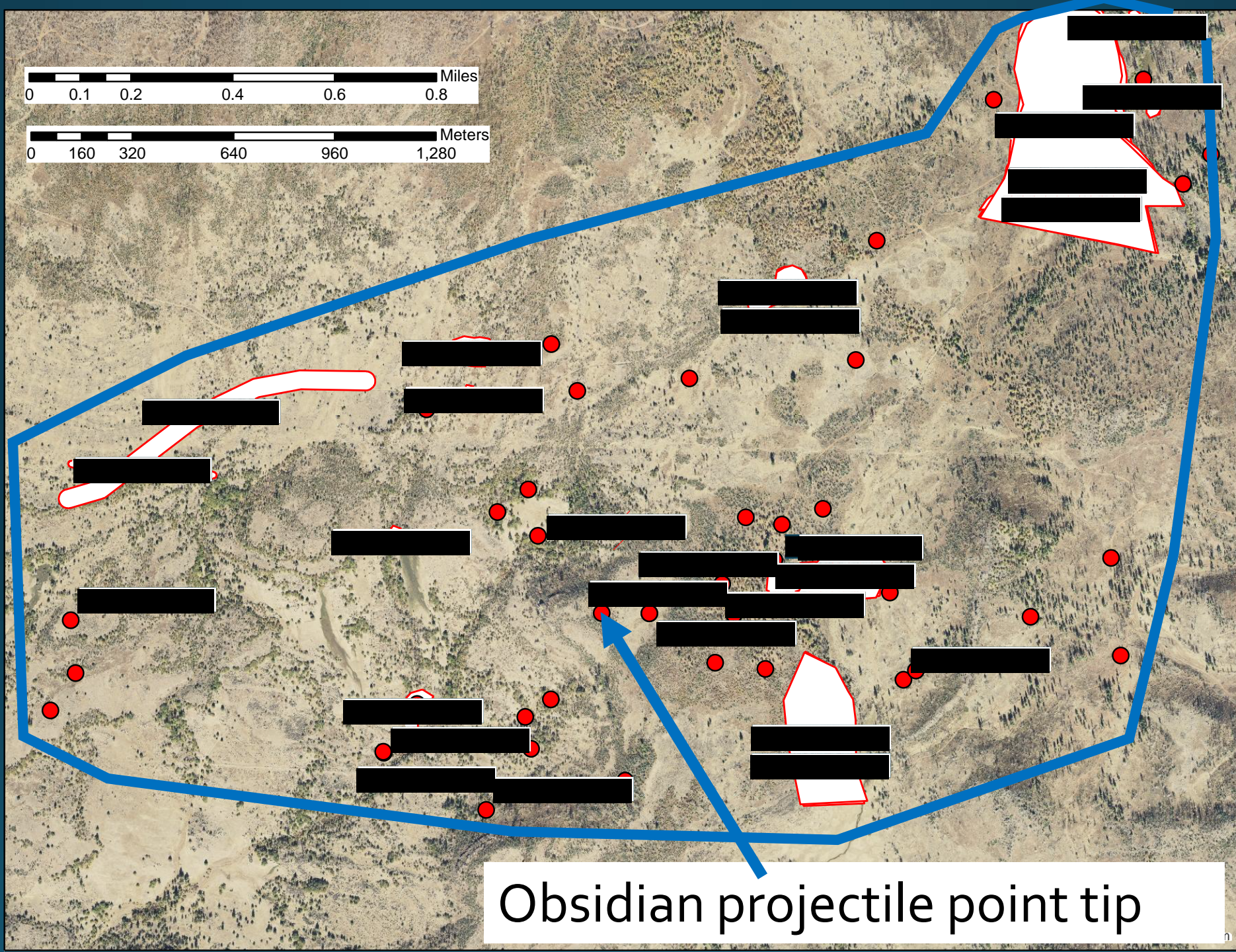
Criterion A District

Ethnographic plant resources, hunting...



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0 160 320 640 960 1,280 Meters



Obsidian projectile point tip

0 0.1 0.2 0.4 0.6 0.8 Miles

0 160 320 640 960 1,280 Meters

Death by a
thousand cuts

Assessing eligibility and effects involves critical thinking

