

Assessing the Eligibility of Archaeological Sites for Nomination to the National Register of Historic Places

Each site examined during a Phase I or Phase II investigation must include a recommendation of its eligibility for nomination to the National Register of Historic Places. That recommendation should:

- 1) Address each of the National Register criteria. In addition, the Criteria Considerations A-G, as appropriate, should be addressed (see National Register Bulletin:37);
- 2) Provide a clear rationale for the recommendation, based upon the NPS criteria and supplemented by the Division's factors (see below). If recommending a site as eligible, the discussion should explicitly identify what aspects of the site contribute to that determination, and identify (in general) the information that the site could yield. If recommending a site as not eligible, the discussion should clearly indicate which qualities of the site support this determination.

Disturbance by agricultural and silvicultural activities is not, in and of itself, a sufficient criterion for recommending a site as not eligible (see Little et al. 2007:27). The NPS guidelines also note that integrity should not be employed as an initial screening of a site's significance.

A site may be eligible under Criterion A if it is associated with a specific historic event that is important at a local, state, or national event (such as a battlefield). A site may be eligible under Criterion B if it is associated with a specific person who is significant under a given historic context (a historically important Euro-American, African-American, American Indian, or other community individual for example). A site may be eligible under Criterion C if it has distinctive characteristics of a type, period, or method of construction, represents the work of a master, or represents a significant and distinguishable entity with multiple components, each of which individually may not be eligible but together they represent an important context. Examples could include a mound or mound group, a group of ephemeral prehistoric sites that represent the range of activities around a village, or a plantation that represents a use of technology or land important in local cultural and commercial contexts. Districts are often developed in the context of Criterion C to encompass a range of sites or activities.

Eligibility of sites under Criterion D is based upon assessments of five factors (Little et al. 2000:29):

- a) the site's data sets or categories of archaeological, historical, or ecological information. Elaboration of these categories is presented below.
- b) the historic contexts appropriate for evaluating the site. The Comprehensive Archaeological Plan provides historic contexts for the state.
- c) the research questions the data sets can address. These are further elaborated below.
- d) the integrity of the site's data sets and their appropriateness for addressing the research questions, and;
- e) the important information that a site has yielded or can yield.

Within the context of the five NPS criteria, the Division considers eight factors in assessing the eligibility of an archaeological site. An eligibility assessment should consider those factors that are relevant to that site. The eight factors include, but are not necessarily limited to:

- 1) Age - some time periods are very poorly represented and documented in the state and thus any site from the period may be significant. For example, a single-component Paleoindian site has yet to be identified in Louisiana, and a site of this age would be significant even if it were contained entirely within a plow zone or other disturbed context.
- 2) Environmental Setting - sites which occur in atypical or unusual locations on the landscape likely represent a unique or different element of the settlement pattern. These sites have the potential to

provide important information on landscape use and social organization not found at typical sites of that time period. Similarly, a historic home site that is occupied by a social or ethnic group distinct from the surrounding neighborhood may illustrate important patterns of immigration, assimilation, cultural adaptation and/or separation.

3) Historic Setting - these sites include those that can be tied to important individuals, communities, organizations, or industries within a given community or time period. It can also represent sites that reflect important periods of material and social transition; examples might include the shift from slave to tenant relationships, the efforts of Tribes to manage the impact of Europeans and European goods and practices, and the transition from a hunting-gathering subsistence to one incorporating horticulture and/or agriculture into the subsistence base. The Comprehensive Archaeological Plan provides a set of context statements that can be referenced; however, simply citing a line from the Plan does not constitute a sufficient discussion.

4) Integrity of Deposits - this is the traditional criterion for eligibility and requires a site to have at least some undisturbed deposits, typically sheet middens, pit features, or structural remains. One or more components representing a specific occupation, time period, or activity that can be horizontally and/or stratigraphically defined should be present. This criterion also includes the presence of any earthworks or other preserved landscape modification associated with a specific occupation, individual or time period. Prehistorically, any site with a mound or earthwork exhibits undisturbed deposits and represents a location that may represent a special place in the past. Similarly, gardens, street/sidewalk constructions, and terraforming for military, commercial or industrial use can represent important historic period activities.

5) Archaeological Richness - this criterion addresses the degree of preservation and abundance of the possible material classes. Sites which have good faunal and floral preservation, for example, have a greater opportunity to provide information and thus may be more significant than sites that lack these material classes.

6) Research Potential - this criterion provides an opportunity for an archaeologist to develop a robust argument that a particular site can provide information important to understanding the past. Different theoretical frameworks can require different data sets and provide opportunities to examine sites from very different perspectives. Research potential is not limited to the issues discussed in the Comprehensive Archaeological Plan; each site is unique and may have a potential to address other important questions.

7) Cultural or Religious Significance to Tribes, Descendent Groups, or Communities - any site with an American Indian component may be of importance to a Tribe for reasons separate from its archaeological characteristics. Similarly, a historic Euro-american site may be important to a descendent group or traditional community for non-archaeological reasons. Non-archaeological sites representing a Traditional Cultural Property are also considered within this criterion. While the archaeological contractor may not have this information, consideration of a site's eligibility should keep this factor in mind.

8) Human Remains – The presence of human remains at a site engenders several state laws that will play a large role in determining future actions at a site. However, the presence of human remains also addresses the Archaeological Richness and Research Potential criteria and their presence represents an important opportunity to address research questions that cannot be answered via other data sets.

Assessing the Eligibility of Standing Structures for nomination to the National Register of Historic Places

During Phase 1 survey, each project area (including direct and indirect APE) must be evaluated for the presence of National Register Eligible Districts, Buildings, Structures, and Objects.

For **districts, buildings, structures, and objects** to qualify for the National Register they must meet one of the National Register Criteria for Evaluation by:

- **Being associated with an important historic context** *and*
- **Retaining historic integrity of those features necessary to convey its significance.**

Evaluation should take place using the following process:

1. **Categorize** the Property
2. Determine **Historic Context**
3. Determine **Significance**
4. **Special Considerations** (See NPS Bulletin 15_Section VII)
5. Evaluate **Integrity**

1. First the property must fit within at least one of the following **Categories:**

- Building
- Structure
- Object
- Site
- District

2. The property must then be evaluated for **Historic Context:**

Historic contexts are those 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. In order to decide whether a property is significant within its historic context, the following five things must be determined:

- The facet of prehistory or history of the local area, state, or the nation that the property represents;
- Whether that facet of prehistory or history is significant;
- Whether it is a type of property that has relevance and importance in illustrating the historic context;
- How the property illustrates that history; and finally,
- Whether the property possesses the physical features necessary to convey the aspect of prehistory or history which it is associated.

A specific property can be significant within one or more historic contexts, and, if possible, all of these should be identified. Contexts can be Local, Statewide, or National. (See NRB 15-Section V)

3. **Significance** must be determined within the historic context, and by using the National Register Criteria for Evaluation.

When evaluated within its historic context, a property must be shown to be significant for *one or more of the four Criteria for Evaluation - A, B, C, or D*. The Criteria describe how properties are significant for their association with important events or persons, for their importance in design or construction, or for their information potential. (See NRB 15-Section VI)

A. Event

A property can be associated with either (or both) of two types of events:

- A specific event marking an important moment in American prehistory or history and
- A pattern of events or a historic trend that made a significant contribution to the development of a community, a State, or the nation.

The property you are evaluating must be documented, through accepted means of historical or archeological research (including oral history), to have existed at the time of the event or pattern of events *and* to have been associated with those events. A property is *not* eligible if its associations are speculative. Mere association with historic events or trends is not enough, in and of itself, to qualify under Criterion A: the property's specific association must be considered important as well.

B. Person

Criterion B applies to properties associated with individuals whose specific contributions to history can be identified and documented. Persons "significant in our past" refers to individuals whose activities are demonstrably important within a local, State, or national historic context. The criterion is generally restricted to those properties that illustrate (rather than commemorate) a person's important achievements. Several steps are involved in determining whether a property is significant for its associative values under Criterion B. First, determine the importance of the individual. Second, ascertain the length and nature of his/her association with the property under study and identify the other properties associated with the individual.

C: Design/Construction

This criterion applies to properties significant for their physical design or construction, including such areas as architecture, landscape architecture, engineering, and art. To be eligible under Criterion C, a property must meet *at least one* of the following requirements:

- Embody distinctive characteristics of a type, period, or method of construction.
- Represent the work of a master.
- Possess high artistic value.
- Represent a significant and distinguishable entity whose components may lack individual distinction.

D: Information

Certain important research questions about human history can only be answered by the actual physical material of cultural resources. Criterion D encompasses the properties that have the potential to answer, in whole or in part, those types of research questions. The most common type of property nominated under this Criterion is the archeological site (or a district comprised of archeological sites). Buildings, objects, and structures (or districts comprised of these property types), however, can also be eligible for their information potential. Criterion D has two requirements, which must *both* be met for a property to qualify:

- The property must have, or have had, information to contribute to our understanding of human history or prehistory, and

- The information must be considered important.
4. There are **Criteria Considerations** for religious properties, moved buildings or structures, cemeteries, reconstructed buildings, commemorative sites, and properties less than 50 years old. (See NRB 15_Section VII)
 5. Finally, a property must be evaluated for **Integrity** which is its ability of a property to convey its significance.

To be listed in the National Register of Historic Places, a property must not only be shown to be significant under the National Register criteria, but it also must have integrity. The evaluation of integrity is sometimes a subjective judgment, but it must always be grounded in an understanding of a property's physical features and how they relate to its significance. Historic properties either retain integrity (this is, convey their significance) or they do not. Within the concept of integrity, the National Register criteria recognizes seven aspects or qualities that, in various combinations, define integrity. To retain historic integrity a property will always possess several, and usually most, of the aspects.

LOCATION

Location is the place where the historic property was constructed or the place where the historic event occurred.

DESIGN

Design is the combination of elements that create the form, plan, space, structure, and style of a property.

SETTING

Setting is the physical environment of a historic property.

MATERIALS

Materials are the physical elements that were combined or deposited during a particular period of time and in a particular pattern or configuration to form a historic property.

WORKMANSHIP

Workmanship is the physical evidence of the crafts of a particular culture or people during any given period in history or prehistory.

FEELING

Feeling is a property's expression of the aesthetic or historic sense of a particular period of time.

ASSOCIATION

Association is the direct link between an important historic event or person and a historic property.