



STATEMENT OF WORK: CULTURAL RESOURCES ARCHIVAL RESEARCH AND IDENTIFICATION SURVEYS FOR NRCS UNDERTAKINGS IN THE STATE OF DELAWARE

Part I: General Information

It is the mission of the Natural Resources Conservation Service (NRCS) to provide leadership in a partnership effort to help people conserve, maintain, and improve our nation's natural resources and environment. The NRCS accomplishes this mission by providing technical and financial support through a number of federal programs.

A. Introduction/Background

Delaware NRCS (DE NRCS) is soliciting proposals from Contractors for the completion of Cultural Resources Archival Research and Identification Surveys for NRCS undertakings in Delaware. On average, 50 undertakings which require Archival Research and 10 site visits that may lead to Identification Survey Reviews are completed per FY. For these undertakings, DE NRCS is providing technical and financial assistance to private agricultural producers to complete ground disturbing conservation practices that improve water quality, reduce erosion and sedimentation, improve livestock management, and other resource concerns. Because the undertakings will receive Federal funding from DE NRCS through the U.S. Department of Agriculture's Farm Bill, they are considered undertakings that are subject to review for potential impacts to historic properties under Section 106 of the National Historic Preservation Act (NHPA). Identification of cultural resources within the area of potential effects (APE) for each undertaking is therefore necessary before treatment can occur.

B. Scope

Contractors will complete an Archival Research or background research as a stand-alone survey to develop the necessary data to help determine if an Identification Survey is warranted. An initial on-site assessment may also be required to determine the need for a full Identification Survey.

Contractors will complete a cultural resources Identification Survey (on-site) on any APE that is determined to possibly contain a site that may be impacted, in an effort to identify historic and prehistoric properties that may be adversely affected as a result of the undertakings. For each undertaking, the APE will be used to define the cultural resources inventory area.

The project APEs will be provided to the contract in the form of digitized maps and electronically submitted written description of the project as described in Section C below.

As outlined in Section III, the contractor will prepare reports for Archival Research and Identification Surveys that meet Federal and state standards and guidelines, as applicable. All cultural resources identified within each APE as a result of the Identification Survey shall be documented according to professional standards. Contractors will be required to complete and submit to DE NRCS all appropriate archaeological site documentation for each undertaking, as well as separate cultural resources reports that detail the results of each Identification Survey.



Each report shall also be completed to professional standards and follow Delaware State Historic Preservation Office (DE SHPO) guidance to help surveyors meet currently accepted professional standards for research, fieldwork, and reporting, see *Archaeological Survey in Delaware* (2015). Contractors will also be required to submit all electronic data (e.g., GIS shapefiles, digital images, etc.) collected during each Identification Survey.

C. Applicable Documents

Procedures for complying with the aforementioned mandates are outlined in the following references:

- Section 106 of the National Historic Preservation Act (NHPA), as amended
- 36 CFR 800; Protection of Historic Properties
- Archaeology and Historic Preservation: Secretary of Interior's Standards and Guidelines
- Archaeological Resources Protection Act (43 CFR Part 7)
- NRCS National Cultural Resources Procedures Handbook
- NRCS General Manual 420, Part 401
- NRCS National Environmental Compliance Handbook Archaeological Survey in Delaware (DE SHPO, 2015)
<https://history.delaware.gov/pdfs/Archaeological%20Survey%20in%20Delaware%202015.pdf>
- TITLE 7, Conservation, Archaeological and Geological Resources, Chapter 54. Unmarked Human Burials and Human Skeletal Remains
(<http://delcode.delaware.gov/title7/c054/index.shtml>).

Information on Section 106 of the NHPA, 36 CFR 800 and the Secretary of Interior's Standards and Guidelines is available from the following National Park Service website: <http://www.cr.nps.gov/linklaws.htm>. The NRCS documents may be obtained from the National Cultural Resources website: <http://www.nrcs.usda.gov/technical/cultural.html>.

Part II: Work Requirements

Contractors shall gather sufficient information to enable DE NRCS to remain in compliance with Federal and state cultural resources laws for the completion of these undertakings. Contractors shall warrant that the provided cultural resources services will comply with all applicable Federal, state, and local laws and requirements, and shall be consistent with NRCS cultural resources program goals and objectives. All work must be performed in accordance with the "Secretary of Interior's Standards and Guidelines for Archaeology and Historic Preservation." DE NRCS retains the responsibility for all decision-making and consultation required of Federal agencies related to compliance with cultural resources protection laws and regulations.

Contractors must meet the Secretary of Interior's professional standards as specified in Section 306131(a)(1)(A) of the NHPA and in the implementing regulations for Section 106 of the NHPA at 36 CFR 800.2(a)(1) and 36 CFR 800.2(a)(3). Contractors shall be used in accordance with 36 CFR 800.2(a)(3) ("Use of Contractors"). The Contractor shall furnish all labor, equipment, supervision, materials and incidentals necessary to perform archaeological and historical surveying, recording, mapping, evaluations, and reporting. The Contractor shall furnish a qualified Principal Investigator in accordance with 36CFR61.5. As all of the undertakings also involve private lands, the Contractor shall ensure that all landowner permissions for conducting the cultural resources survey have been obtained prior to initiating fieldwork.



Part III. Technical Requirements

A. Archival Research – Records Review Requirements (Phase 1A)

Archival research or background research is undertaken prior to any field survey. The archival research is often carried out as part of an identification survey but will be undertaken as a stand-alone survey to develop the necessary data to decide if an identification survey is warranted.

DE NRCS will provide Geographic Information System (GIS) shapefiles that will denote the area for each undertaking, the Delaware Undertaking Review Sheet, and photos of the APE. Upon receipt of the data, the Contractor shall complete a records review in order to identify previously-recorded cultural resources and to determine the nature of previous archaeological research in the vicinity of each APE. The literature review will primarily focus on records maintained at the Delaware State Historic Preservation Office (SHPO), but will also include Delaware's Cultural and Historical Resource Information System (CHRIS) online database (<https://chris-users.delaware.gov/#/>), the 1868 Beers Atlas, aerial imagery, and other sources such as historical maps, tax records, folk life documentation, oral histories, previous studies, and local landowners.

Archival Research reports shall contain enough information for DE NRCS to make an informed decision and/or finding and an outside party can understand the basis for that decision or finding. For the purposes of this Statement of Work, the literature review will typically be limited to cultural resources identified within no less than 1000 feet of each APE boundary (the limit may be amended, depending on the nature of the undertaking).

B. Field Investigation or Identification Survey Requirements (Phase 1B)

Prior to a cultural resources Identification Survey for an undertaking, the Contractor will coordinate with NRCS. An initial on-site assessment may also be required to determine the need for a full Identification Survey. An Identification Survey is needed when the Archival Research determines that cultural resources may be impacted by the project but a determination cannot be made by only reviewing records and the initial on-site inspection does not rule out the potential for sites to be present. If an Identification Survey is needed, contact DE NRCS.

The Identification Survey will determine presence or absence of a site, extent/size of the site, and if the site can be avoided. Contractors will be responsible for completing an Identification Survey of the APE using acceptable professional standards. Survey methods should be determined based on the nature of the anticipated sites as defined in the Archival Research. If pedestrian surface survey is used, the ground must have at least 75% bare soil visibility. Transects may be GPS-oriented, compass-oriented, contour-oriented, or meander, depending on the terrain and the dimensions of the cultural resources inventory area. Transects should be no more than 15m (50 feet) apart and some subsurface testing must be conducted to determine soil profile and proof or lack of proof of soil disturbance and depth. If the contractor determines that either less or more intensive methods are needed to determine presence/absence of a site, consult with DE NRCS before proceeding.

The Identification Survey will have one of two results: 1) no cultural resources found, or 2) the identification and recordation of cultural resources observable on the surface if pedestrian survey, or from screened test pits, if subsurface testing is used. DE NRCS will decide what further cultural resources evaluation will be conducted if the project cannot be moved to avoid the site.

All field crews shall be directly supervised in the field by a qualified crew leader. Changes in survey strategy due to environmental conditions shall be discussed with DE NRCS. Significant changes to the



survey strategy shall be approved by DE NRCS prior to making the change. Recommendations as to areas requiring further examination outside of the APE, if any, can be made by the contractor but will require approval by DE NRCS before any such work can begin.

The contractor is responsible for immediately reporting discovery of any unmarked human burials or human skeletal remains. The contractor will secure the area of the discovery and assist DE NRCS in complying with state law (<http://delcode.delaware.gov/title7/c054/index.shtml>).

C. Cultural Resources Documentation Requirements

Documentation for all cultural resources will adequately record the geographic location, physical characteristics, and scientific, historic, archaeological, architectural, traditional, educational, conservation, and interpretive values using the Delaware SHPO forms found at: <https://history.delaware.gov/preservation/surveys.shtml>.

Whether artifacts found during an Identification survey constitute an archaeological site or not, refer to the DE SHPO publication. "Archaeology Survey in Delaware" found at: <https://history.delaware.gov/pdfs/Archaeological%20Survey%20in%20Delaware%202015.pdf>

Archaeological Sites

The contractor will make a preliminary recommendation as to the potential eligibility of all discovered sites and document the sites as follows:

Archaeological site documentation must include a detailed sketch map with a legend. Sketch mapping will include all site concentrations, diagnostic artifacts, tools, structures, or features. Each sketch map will include a legend and legal location. A site datum must be established, mapped using GPS, and depicted on the site sketch map. Mapping by a transit, total station, tape and compass, or GPS is allowed. The provenience of all surface diagnostic artifacts and tools must be indicated on the site sketch maps. All diagnostic artifacts shall be drawn and/or photographed as appropriate. Artifacts shall be deemed "diagnostic", either chronologically or functionally (e.g., projectile points, ceramics, scrapers, drills, and ground stone). All temporal information provided by the artifacts shall be recorded on the site form.

A minimum of two photographs, displaying different aspects, shall be taken of each site recorded. An overall site photo is required, and pertinent diagnostic artifacts should be photographed. All petroglyphs/pictographs, stone circles, foundations, and unusual features shall be photographed.

Historical archaeological sites are considered to be cultural resources that are likely or possibly 50 years old, even if this age cannot be conclusively proven. Historical archaeological sites shall be recorded, described and mapped in terms of the artifacts and features present (i.e., number and types of tin cans, bottles, wood and metal debris, structures, road or trail remnants, or other artifacts or features). Historic features, e.g., foundations, shall also be recorded as sites.

The Contractor shall review and edit all site documentation for each undertaking prior to submittal to DE NRCS to ensure that all required forms are properly completed and all information is legible. Special attention shall be paid to the accuracy of location data (road numbers, distances, directions, UTM.)

D. Reporting and Deliverables Requirements

Upon completion of fieldwork for each undertaking, the Contractor shall provide a brief status report to DE NRCS that details the results of each identification survey. The status report will note the amount of acres/feet that were surveyed for cultural resources, the methodology used, the number of sites that were



identified, and any difficulties that were encountered during fieldwork. In addition, the status report will make note of unanticipated cost accruals that may result in the expenditure of funds above and beyond the initial cost estimate.

The Contractor shall produce separate reports that details the results of the cultural resources investigation for each undertaking. The format and content of each report must be technically clean and of professional quality. Each report must be sufficient to satisfy current Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation and report guidelines stipulated in Archaeological Surveys in Delaware. Each summary report shall contain sufficient information to permit DE NRCS to make an informed determination of project effects, and information must be presented in such a manner as to allow an outside party to understand the basis for the decision or finding.

• Required Archeological Report Components:

- A statement of purpose and full project description, including anticipated direct and indirect impacts, project location, total acreage, map reference, legal description, general environmental description, and applicable historic contexts. Names and duties of personnel conducting the inventory and dates of the field work shall also be included.
- A summary of previous archaeological research in the general area.
- A thorough description of the field methods used.
- The results of the survey with a description of each cultural resource site located in the project area, including previously recorded sites.
- An assessment of the overall conditions of each site at the time of recordation.
- Clear, specific, and consistent management or mitigation recommendations (i.e., avoidance/redesign, fencing, monitoring, evaluation survey testing, data recovery, and/or cancellation of all or part of the project) for cultural resources identified as a result of the inventory.
- A summary discussion of conclusions and recommendations.
- A list of references and bibliographic entries.
- Project maps at the appropriate scale to show the area inventoried, site locations, isolated find locations, etc.
- When sites are identified, all site documentation, including but not limited to site sketch maps, site photos, and artifact illustrations, as described in Section III.C. above, as well as Delaware Cultural Resource Survey forms, submitted online through CHRIS
- Any other information indicated in state report guidelines (Archaeological Surveys in Delaware),

For each undertaking, the Contractor shall submit a draft report, including all specified documentation, to DE NRCS for review and comment. Upon receiving and incorporating DE NRCS's comments on the draft report, the Contractor shall generate final reports and archaeological site documentation. Final copies of each report shall be submitted to DE NRCS in duplicate in the following quantities:

- Final Archeological Inventory Summary Report:
 - DE NRCS: 1 copy



- Agricultural Producer: 1 copy
- Digital Data
 - For each Identification Survey, the Contractor shall provide DE NRCS with two digital storage devices, each containing electronic copies of the report, archaeological site forms, project photographs, and GIS data (i.e., cultural resources inventory area, archaeological site boundaries, datum points, diagnostic artifacts, features, etc.) collected during the inventory. Contact the NRCS COR if additional information is needed.
 - Project photographs should be labeled to correspond with labels on the accompanying photo log to allow for easy identification.
- Artifacts: With the exception of human bones and objects associated with human burials, all artifacts found on private land are the property of the landowner. If the Contractor has taken artifacts off-site for inventory and analysis, the Contractor is responsible for returning the artifacts to the owner. In coordination with the Curator of Archaeology, DE NRCS may inquire if the landowner would be willing to donate the artifacts to the Division of Historical and Cultural Affairs; if so, the Contractor will prepare the collection for curation in accordance with the Division's standards.

Confidentiality

Information generated from the cultural resources inventories completed on behalf of DE NRCS is classified as CONFIDENTIAL. Its distribution and use is restricted. No one is allowed to publish or disclose any part of this information without the permission of the DE NRCS.