

Document title

# Archaeological and Cultural Resources

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[GLOSSARY](#)

## **1.0 BACKGROUND**

The legal power to protect historic buildings, structures, sites, and districts rests primarily with local governments. The State Historic Preservation Office (SHPO) helps federal and state agencies and applicants:

- Identify historic properties listed in, or eligible for, the National Register;
- Evaluate the impacts of the proposed projects on them; and
- Avoid or minimize negative impacts.

The following guidelines are designed to protect the environment, historical sites, historical landmarks, and artifacts or archaeological sites during land-disturbing activities performed, assisted, permitted, or licensed by a federal agency; as well as applicable state funded, permitted, or assisted projects.

These activities include, but are not limited to:

- The construction or expansion of:
  - ✓ Buildings
  - ✓ Facilities
  - ✓ Substations
  - ✓ Power plants
  - ✓ Parking lots
  - ✓ Roads
  - ✓ Overhead or underground utility lines (electric, gas, etc.)
- Clearing Rights-of-Way

Archaeological or cultural resources include:

- Cemeteries, burial sites, funereal monuments, or other sites with human remains;
- Historic buildings, structures, or building remains;
- Ancient sites containing cultural artifacts such as:
  - ✓ Pottery,
  - ✓ Tools, weaponry, and other implements,

- ✓ Ritual artifacts, and
- ✓ Discarded materials (i.e. Indian mounds with shells and animal bones);
- Sites of historical significance to the community, state, or nation, such as battlegrounds, encampments, villages, etc.; and
- Traditional cultural properties.

A cultural resource assessment (CRA) will be required if the project or work activity is expected to impact cultural (e.g. archaeological, historical, or architectural) resources listed, or eligible for listing, on the "[Natural Register of Historical Places](#)" (NRHP).

If a project or work activity inadvertently uncovers a grave, archaeological site, or other historical artifacts, all activities in the site area should be halted.

- The group performing the land-disturbing activities should contact the appropriate [Environmental Support Organization \(ESO\)](#).
- A cultural resource assessment will be performed, and your Environmental Support Organization will consult with the State Historic Preservation Office, as necessary, to determine the appropriate steps to be taken prior to resuming site activities.

If land-disturbing activities are restricted to areas of the site previously disturbed during construction, a cultural resource assessment is not required.

## **2.0 PROGRAM REQUIREMENTS**

### **2.1 Company**

Employees and contractors have the responsibility to determine whether land-disturbing activities will impact archaeological and/or cultural resources.

Employees and contractors should contact their Environmental Support Organization during the planning process of land-disturbing activities which have the potential to impact cultural or archaeological resources.

- Your Environmental Support Organization will consult with the appropriate State Historic Preservation Office (SHPO), as necessary, to determine appropriate actions to take.
- Any land-disturbing activities that impact cultural resources require a cultural resource assessment.

Land-disturbing activities in areas of known cultural or archaeological resources should be avoided if possible and minimized at all times.

Employees and contractors should contact their appropriate Environmental Support Organization (ESO) if archaeological or cultural resources are inadvertently encountered during land-disturbing activities.

All work should be halted while the ESO permitting specialists consult with the appropriate State Historic Preservation Office to determine appropriate actions to take.

## **2.2 Federal**

Section 106 of the National Historic Preservation Act of 1966 requires that historic properties are considered when federal agencies are involved in any aspect of permitting an activity. Federal agencies will consult with the SHPO and/or Tribal Preservation Office and give the Advisory Council on Historic Preservation and the public an opportunity to comment before projects are implemented.

## **2.3 Florida**

The Florida Historical Resources Act (Chapter 267, Florida Statutes (F.S.)) requires that the Florida Division of Historical Resources provide environmental review of State and federal actions affecting historic and archaeological properties in Florida.

Other State legislation addressing the preservation of the state's historical resources includes:

- The Emergency Archaeological Properties Acquisition Act of 1988 (Chapter 253.027, F.S.);
- Offenses Concerning Dead Bodies and Graves (Chapter 872, F.S.).

## **2.4 North Carolina**

The Archaeological Resources Protection Act, Chapter 70, Articles 1-3, General Statutes (G.S.) requires that the SHPO, working in conjunction with local historic preservation commissions, provides environmental review of State and federal actions affecting historic and archaeological properties in North Carolina.

Other pertinent legislation includes:

- Cemetery protection, G.S. 14, G.S. 65; and
- Protection and Enhancement of the Historical and Cultural Heritage of North Carolina, Executive Order XVI.

## **2.5 South Carolina**

Sections of The South Carolina Code of Laws require that the SHPO provides environmental review of State and federal actions affecting historic and archaeological properties in South Carolina.

Pertinent legislation includes:

- Title 16, Chapter 17 and Title 27, Chapter 43, pertaining to abandoned cemeteries and burials;
- Title 54, Chapter 7 Article 5-610 et seq., The South Carolina Underwater Antiquities Act of 1991;
- Title 48, Chapter 39, The Coastal Zone Management Act of 1976; and
- The South Carolina Department of Health and Environmental Control's regulations regarding Hazardous Waste Management Facilities, SC Code of Regulations 61-104.

### **3.0 PERMITS & CERTIFICATIONS**

#### **3.1 Company**

N/A

#### **3.2 Federal**

The National Register of Historic Places is the Nation's official list of cultural resources worthy of preservation. Properties listed in the Register include districts, sites, buildings, structures, and objects that are significant in American history, architecture, archaeology, engineering, and culture. The National Register is administered by the National Park Service, which is part of the U.S. Department of the Interior.

National Register properties are distinguished by having been documented and evaluated according to uniform standards.

#### **3.3 Florida**

Work in culturally important areas requires review by the state historical preservation office. A cultural resources assessment may be required.

Typically authorization to proceed is granted in the form of a letter from the SHPO.

- If important sites are present, any restrictions or guidelines on how to proceed would be outlined in the letter.

Individuals that survey, dig, remove, and/or catalog artifacts are typically required to be licensed, and their activities are regulated.

### **3.4 North Carolina**

Work in culturally important areas requires review by the state historical preservation office. A cultural resources assessment may be required.

Typically authorization to proceed is granted in the form of a letter from the SHPO.

- If important sites are present, any restrictions or guidelines on how to proceed would be outlined in the letter.

Individuals that survey, dig, remove, and/or catalog artifacts are typically required to be licensed, and their activities are regulated.

### **3.5 South Carolina**

Work in culturally important areas requires review by the state historical preservation office. A cultural resources assessment may be required.

Typically authorization to proceed is granted in the form of a letter from the SHPO.

- If important sites are present, any restrictions or guidelines on how to proceed would be outlined in the letter.

Individuals that survey, dig, remove, and/or catalog artifacts are typically required to follow the [South Carolina Standards and Guidelines for Archaeological Investigations](#), with additional requirements for investigations that fall under the Underwater Antiquities Act.

## **4.0 TRAINING REQUIREMENTS**

### **4.1 Company**

N/A

### **4.2 Federal**

N/A

### **4.3 Florida**

N/A

### **4.4 North Carolina**

N/A

### **4.5 South Carolina**

N/A

## **5.0 RECORD KEEPING REQUIREMENTS**

### **5.1 Company**

Copies of cultural resource assessments shall be kept on file during ownership of the property and made available on request.

### **5.2 Federal**

N/A

### **5.3 Florida**

N/A

### **5.4 North Carolina**

N/A

### **5.5 South Carolina**

N/A

## **6.0 SELF-ASSESSMENTS**

N/A

## **7.0 REFERENCES**

### **7.1 Company**

[Agency links](#)

[EVC-SUBS-00030 Environmental Organizations: Roles and Responsibilities](#)

### **7.2 Federal**

Legislation: [U.S. Code, Title 16, Chapter 1A, Subchapter II, National Historic Preservation \(National Historic Preservation Act of 1966\)](#)

Regulation: [Code of Federal Regulations Title 36 Part 800: Protection of Historic Properties](#)



### **7.3 Florida**

Legislation: [Florida Statute Title XVIII, Chapter 267: Historical Resources \(Florida Historical Resources Act\)](#)  
[Florida Statute Title XVIII, Chapter 253.027: Emergency Archaeological Properties Acquisition Act of 1988](#)  
[Florida Statute Title XLVI, Chapter 872: Offenses Concerning Dead Bodies and Graves](#)

### **7.4 North Carolina**

Legislation: [North Carolina General Statutes Chapter 14, Article 22-147: Removing, altering or defacing landmarks](#)  
[North Carolina General Statutes Chapter 14, Article 22-148: Defacing or desecrating grave sites](#)  
[North Carolina General Statutes Chapter 14, Article 22-149: Desecrating, plowing over or covering up graves](#)  
[North Carolina General Statutes Chapter 65: Cemeteries](#)  
[North Carolina General Statutes Chapter 70, Article 1: Indian Antiquities](#)  
[North Carolina General Statutes Chapter 70, Article 2: Archaeological Resources Protection Act](#)  
[North Carolina General Statutes Chapter 70, Article 3: Unmarked Human Burial and Human Skeletal Remains Protection Act](#)  
[Protection and Enhancement of the Historical and Cultural Heritage of North Carolina, Executive Order XVI](#)

### **7.5 South Carolina**

Legislation: [South Carolina Code of Laws Title 16 Chapter 17, Article 1-600 et seq.: Destruction or desecration of human remains or repositories](#)  
[South Carolina Code of Laws Title 27, Chapter 43: Removal of abandoned cemeteries](#)  
[South Carolina Code of Laws Title 48, Chapter 20-10 et seq.: The South Carolina Mining Act of 1990](#)  
[South Carolina Code of Laws Title 54, Chapter 7, Article 5-610 et seq.: The South Carolina Underwater Antiquities Act of 1991](#)  
[South Carolina Code of Laws Title 48, Chapter 39: The Coastal Zone Management Act of 1976](#)  
[South Carolina Code of Laws Title 60, Chapter 12: Protection of State Owned or Leased Historic Properties](#)

Regulation: [South Carolina Code of Regulations 61-104: Hazardous Waste Management Location Standards](#)