



MEMORANDUM

TO: District Engineers
Division/Office Directors

DATE: April 8, 2005

FROM: Dianna F. Noble, P.E.

A handwritten signature in black ink, appearing to read "Dianna", is written over the printed name.

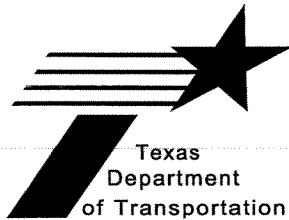
SUBJECT: Revised Emergency Discovery Guidelines

The purpose of this memo is to inform the Districts that the Emergency Discovery Guidelines have been revised slightly to accommodate the current citation in the section of the Texas Standard Specifications 2004 book. Other minor changes were made to clarify that the discovery should be protected both from construction and vandalism/theft impacts.

I would appreciate it if you would share this memo with the staffs of your area and maintenance offices. Please feel free to contact me or Nancy Kenmotsu at (512) 416-2626 if you have any questions or need additional information.

Attachment

cc: Administration
District Construction Engineers
District Environmental Coordinators
District DEQCs,



ENVIRONMENTAL AFFAIRS DIVISION
Cultural Resource Management
Emergency Discovery Guidelines
2005

In the event of the discovery of archeological remains (broken historic pottery, stone tools, bone, etc.) encountered after the award of construction for transportation activities, Specification 7.19 of the *Standard Specifications for Construction and Maintenance of Highways, Streets, and Bridges* requires that construction cease in the area of the remains until steps to investigate and evaluate the find have been completed. Below are outlined the recommended steps to take when such remains are identified:

1. The TxDOT district Construction Engineer or TxDOT's contractor shall notify the district Environmental Coordinator who will inform Cultural Resource Management section (CRM) in the Environmental Affairs Division (512 416-2631 or 512 416-2617). If necessary, fencing or other device may be used to ensure construction avoidance and protection from vandalism or theft.
2. CRM shall investigate the find within one full business day of notification, unless otherwise specified.
3. Upon receipt of notification, CRM shall notify the Division of Archeology, Texas Historical Commission (THC) and, for federal projects, the Federal Highway Administration by telecommunication of the potential find and invite them to accompany CRM staff to the site.
4. CRM's visit to the site will be coordinated with the district Environmental Coordinator, our district point of contact.
5. CRM will evaluate the need, or not, for further investigations based on their inspection of the find. CRM and district will jointly decide if on-site security is needed for the discovery. The district Environmental Coordinator shall be responsible for notification of the appropriate TxDOT personnel (e.g., Area Engineer, project manager, inspector, etc.). District personnel shall, in turn, be responsible for notification of appropriate construction personnel (contractor, subcontractor, utilities, etc.), and appropriate local government officials including local historic preservation offices, if any, about these decisions.
6. If CRM determines that an unrecorded archeological site is present, they shall complete a State of Texas site form while at the site.
7. If CRM determines that the site does not warrant further investigations, they will fax a letter to the THC with this recommendation and request THC concurrence with those recommendations. The letter will be sent within one full business day after return to headquarters. A copy of the letter shall be faxed to the district Environmental Coordinator. The THC shall have one full business day to respond, unless otherwise specified. During that day, CRM will be available to answer THC questions. No response from the THC within that period will be deemed to represent concurrence. If THC concurs, a copy of the THC letter shall be faxed to the district Environmental Coordinator who shall inform the Area Engineer that work may proceed in the area of the find.
8. If CRM determines that the site warrants further investigation, the Environmental Coordinator will be notified by Group-Wise and by telephone. A plan for those investigations shall be developed within two full business days after return to headquarters, unless otherwise specified. The plan shall be reviewed by the district Environmental Coordinator during those two days. Upon completion of the plan, it must be reviewed and approved by the THC within one full business day. During that day, CRM will be available to answer THC questions. If the THC does not concur with the plan, CRM will re-negotiate the plan with the THC, or follow the stipulations of the Programmatic Agreement, as appropriate. If approved, the plan shall be implemented by the CRM or a qualified archeological contractor in accordance with the schedule contained in the plan upon approval of the plan by THC. Upon completion of the scope in the plan, the district Environmental Coordinator will be notified by CRM that construction may proceed in the area of the find.