

SECTION 2: DHR SOURCES AND CRM PROCEDURES

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FLORIDA DEPARTMENT OF STATE WEBSITES

All DHR web pages can be reached via:

<http://www.flheritage.com/>

People and Programs	http://www.flheritage.com/contact/people.cfm
Archaeology	http://www.flheritage.com/archaeology/
Archaeology Month	http://www.flheritage.com/archaeology/education/archmonth/
Main Street	http://www.flheritage.com/preservation/architecture/mainstreet/
National Register	http://www.flheritage.com/preservation/registration/nr/
Historic Preservation	http://www.flheritage.com/preservation/
Underwater Archaeology Preserves	http://www.flheritage.com/archaeology/underwater/preserves/
Florida History Fair	http://www.flheritage.com/museum/programs/historyfair/
Cultural Resource Protection	http://www.flheritage.com/archaeology/education/culturalmgmt/
Florida Master Site Files	http://www.flheritage.com/preservation/sitefile/
Florida Folklife	http://www.flheritage.com/preservation/folklife/
Review and Compliance	http://www.flheritage.com/preservation/compliance/review/
Grants	http://www.flheritage.com/grants/
FL Facts and History	http://www.flheritage.com/facts/
Museum	http://www.flheritage.com/museum/
Florida Kids Page	http://www.flheritage.com/kids/
CRM Protection Laws and Regulations	http://www.flheritage.com/preservation/compliance/laws/
Cultural Resource Protection for Private Landowners	http://www.flheritage.com/archaeology/education/culturalmgmt/easements/index.cfm

For more information Call (850) 245-6444

HISTORIC RESOURCES CHECKLIST

A. Background Information

Name of Management Unit: _____ County _____

Yes No

1. Is there correspondence from the Florida Department of State, Division of Historical Resources (DHR) advising the land manager that there are no recorded sites or historic structures identified for the property, and that no unrecorded sites or structures are expected to be present on the property?

IF THE ANSWER TO QUESTION ONE IS YES, THEN NO FURTHER CULTURAL RESOURCES REVIEW IS NECESSARY, UNLESS THE MANAGING AGENCY KNOWS OF UNRECORDED SITES OR PROPERTIES. (Attach a copy of DHR's letter). If the answer is NO, proceed with the following review.

Yes No

2. Does the manager maintain a cultural resources notebook containing copies of site forms, survey reports, site visit reports, monitoring reports, correspondence from the Division of Historical Resources, and other relevant information?
3. Does the manager have copies of Chapters 267 and 872, *Florida Statutes*, and Rules 1A-32 and 1A-44, *Florida Administrative Code*, on file or in the notebook?
4. Does the manager maintain cultural resource maps showing the locations of all recorded archaeological sites and historic structures and areas which have been surveyed for cultural resources within the management tract?
5. Are all the known sites and structures recorded on Florida Site File forms with accompanying map locations?
6. If artifacts have been collected (during monitoring activities or by other means) are they stored in plastic bags marked with collection date, site of origin and other pertinent information, and has DHR been notified?
7. Have site visits been completed in a timely manner and current site conditions and observations recorded in the cultural resources notebook?
8. Does the manager maintain a record of site vandalism, unauthorized artifact collection and site excavation, including the names and other identification for individuals given warnings or arrested?
9. Has an archaeological survey been performed of the management tract?
10. Do the property brochures, signage and other forms of public information notify visitors that archaeological sites should not be disturbed and that artifacts should not be collected?
11. Has the manager or other staff attended the *Cooperative Approach to Archaeological Resource Management* workshop sponsored by the Florida Division of Historical Resources (DHR) and the Florida Department of Environmental Protection, Division of Recreation and Parks?
12. Is there a direct support organization or other support for cultural resource management assistance?
13. If historic buildings are present, have condition assessments been conducted on them?
14. If any maintenance or upgrading of historic buildings has occurred, has DHR's Compliance Review program been consulted?

B. Field Evaluation of Archaeological Sites

1. Do any of the sites show evidence of:

Yes No

Natural erosion

If Yes, identify by site numbers

Vehicular damage

Horse or pedestrian damage

Looting activities

Construction activities

Animal damage

Other damage

2. Comments on any YES answers (for each site), identify what measures have been taken to correct the problem:

_____ (continue on back)

3. If none yet taken, (for each site) what corrective measures are proposed and what is the schedule to accomplish these mitigative measures?

_____ (continue on back)

4. List the sites accessible to the public:

_____ (continue on back)

5. What cultural resource interpretive measures are in place, such as park brochures, a guidebook, site brochure, trailside exhibit, visitors center exhibit? (Attach copy or describe)

_____ (continue on back)

6. What interpretive measures, if any, are proposed?

_____ (continue on back)

7. If there are known archaeological sites on the property, but no interpretive measures, why are there none?

_____ (continue on back)

C. Field Evaluation for Each Historic Structure (Buildings, bridges, monuments, etc. over 50 years old)

1. Structure's Florida Master Site File Number and Common Name:

2. Structure's location/address:

3. Condition assessment:

Yes No

Is the structure being properly maintained?

Is the structure being used in a way that would preserve its historic character?

Are the structure's architecture, historic use, or associated historic events being interpreted to the public?

Are past and proposed changes to the structure consistent with maintaining its historic character?

Is the structure adequately protected from damage as a result of tree roots or overhanging limbs, erosion, insects, weathering, or other deteriorating effects?

Is the structure free of hazardous material?

4. Please explain any NO answers:

5. Other Comments:

D. Name of Property Manager and names of other staff providing information in this cultural resource assessment:

Manager Name: _____

Unit Name: _____

Phone: _____

FAX: _____

email: _____

E. Individual Preparing Assessment _____

Name: _____

Address: _____

City, State, Zip Code _____

Phone: _____

FAX: _____

email: _____

**MANAGEMENT PROCEDURES FOR
ARCHAEOLOGICAL AND HISTORICAL SITES AND PROPERTIES
ON STATE - OWNED OR CONTROLLED LANDS**
(revised August, 1995)

A. GENERAL DISCUSSION

Archaeological and historic sites are defined collectively in 267.021(3), F.S., as "historic properties" or "historic resources". They have several essential characteristics which must be recognized in a management program.

First of all, they are a finite and non-renewable resource. Once destroyed, presently existing resources, including buildings, other structures, shipwreck remains, archaeological sites and other objects of antiquity, cannot be renewed or revived. Today, sites in the State of Florida are being destroyed by all kinds of land development, inappropriate land management practices, erosion, looting, and to a minor extent even by well-intentioned professional scientific research (e.g., archaeological excavation). Measures must be taken to ensure that some of these resources will be preserved for future study and appreciation.

Secondly, sites are unique because individually they represent the tangible remains of events which occurred at a specific time and place.

Thirdly, while sites uniquely reflect localized events, these events and the origin of particular sites are related to conditions and events in other times and places. Sites can be understood properly only in relation to their natural surroundings and the activities of inhabitants of other sites. Managers must be aware of this "systemic" character of historic and archaeological sites. Also, it should be recognized that archaeological sites are time capsules for more than cultural history; they preserve traces of past biotic communities, climate, and other elements of the environment that may be of interest to other scientific disciplines.

Finally, the significance of sites, particularly archaeological ones, derives not only from the individual artifacts within them, but equally from the spatial arrangement of those artifacts in both horizontal and vertical planes. When archaeologists excavate, they recover, not merely objects, but also a record of the positions of these objects in relation to one another and their containing matrix (e.g., soil strata). Much information is sacrificed if the so-called "context" of archaeological objects is destroyed or not recovered, and this is what archaeologists are most concerned about when a site is threatened with destruction or damage. The artifacts themselves can be recovered even after a site is heavily disturbed, but the context - the vertical and horizontal relationships - cannot. Historic structures also contain a wealth of cultural (socio-economic) data which can be lost if historically sensitive maintenance, restoration or rehabilitation procedures are not implemented, or if they are demolished or extensively altered without appropriate documentation. Lastly, it should not be forgotten that historic structures often have associated potentially significant historic archaeological features which must be considered in land management decisions.

B. STATUTORY AUTHORITY

Chapter 253, Florida Statutes ("State Lands") directs the preparation of "single-use" or "multiple-use" land management plans for all state-owned lands and state-owned sovereignty submerged lands. In this document, 253.034(4), F.S., specifically requires that "all management plans, whether for single-use or multiple-use properties, shall specifically describe how the managing agency plans to identify, locate, protect and preserve, or otherwise use fragile non-renewable resources, such as archaeological and historic sites, as well as other fragile resources..."

Chapter 267, Florida Statutes is the primary historic preservation authority of the state. The importance of protecting and interpreting archaeological and historic sites is recognized in 267.061(1)(a), F.S.:

The rich and unique heritage of historic properties in this state, representing more than 10,000 years of human presence, is an important legacy to be valued and conserved for present and future generations. The destruction of these nonrenewable historic resources will engender a significant loss to the state's quality of life, economy, and cultural environment. It is therefore declared to be state policy to:

1. Provide leadership in the preservation of the state's historic resources; [and]
2. Administer state-owned or state-controlled historic resources in a spirit of stewardship and trusteeship;...

Responsibilities of the Division of Historical Resources in the Department of State pursuant to 267.061(3), F.S., include the following:

1. Cooperate with federal and state agencies, local governments, and private organizations and individuals to direct and conduct a comprehensive statewide survey of historic resources and to maintain an inventory of such responses.
2. Develop a comprehensive statewide historic preservation plan.
3. Identify and nominate eligible properties to the *National Register of Historic Places* and otherwise administer applications for listing properties in the National Register of Historic Places.
4. Cooperate with federal and state agencies, local governments, and organizations and individuals to ensure that historic resources are taken into consideration at all levels of planning and development.
5. Advise and assist, as appropriate, federal and state agencies and local governments in carrying out their historic preservation responsibilities and programs.
6. Carry out on behalf of the state the programs of the National Historic Preservation Act of 1966, as amended, and to establish, maintain, and administer a state historic preservation program meeting the requirements of an approved program and fulfilling the responsibilities of state historic preservation programs as provided in subsection 101(b) of that act.
7. Take such other actions necessary or appropriate to locate, acquire, protect, preserve, operate, interpret, and promote the location, acquisition, protection, preservation, operation, and interpretation of historic resources to foster an appreciation of Florida history and culture. Prior to the acquisition, preservation, interpretation, or operation of a historic property by a state agency, the Division shall be provided a reasonable opportunity to review and comment on the proposed undertaking and shall determine that there exists historic authenticity and a feasible means of providing for the preservation, interpretation and operation of such property.
8. Establish professional standards for the preservation, exclusive of acquisition, of historic resources in state ownership or control.
9. Establish guidelines for state agency responsibilities under subsection (2).

Responsibilities of other state agencies of the executive branch, pursuant to 267.061(2), F.S., include:

1. Each state agency of the executive branch having direct or indirect jurisdiction over a proposed state or state-assisted undertaking shall, in accordance with state policy and prior to the approval of expenditure of any state funds on the undertaking, consider the effect of the undertaking on any historic property that is included in, or eligible for inclusion in, the *National Register of Historic Places*. Each such agency shall afford the division a reasonable opportunity to comment with regard to such an undertaking.
2. Each state agency of the executive branch shall initiate measures in consultation with the division to assure that where, as a result of state action or assistance carried out by such agency, a historic property is to be demolished or substantially altered in a way which adversely affects the character, form, integrity, or other qualities which contribute to [the] historical, architectural, or archaeological value of the property, timely steps are taken to determine that no feasible and prudent alternative to the proposed demolition or alteration exists, and, where no such alternative is determined to exist, to assure that timely steps are taken either to avoid or mitigate the adverse effects, or to undertake an appropriate archaeological salvage excavation or other recovery action to document the property as it existed prior to demolition or alteration.
3. In consultation with the division [of Historical Resources], each state agency of the executive branch shall establish a program to locate, inventory, and evaluate all historic properties under the agency's ownership or control that appear to qualify for the National Register. Each such agency shall exercise caution to assure that any such historic property is not inadvertently transferred, sold, demolished, substantially altered, or allowed to deteriorate significantly.
4. Each state agency of the executive branch shall assume responsibility for the preservation of historic resources which are owned or controlled by such agency. Prior to acquiring, constructing, or leasing buildings for the purpose of carrying out agency responsibilities, the agency shall use, to the maximum extent feasible, historic properties available to the agency. Each agency shall undertake, consistent with preservation of such properties, the mission of the agency, and the professional standards established pursuant to paragraph (3)(k), any preservation actions necessary to carry out the intent of this paragraph.
5. Each state agency of the executive branch, in seeking to acquire additional space through new construction or lease, shall give preference to the acquisition or use of historic properties when such acquisition or use is determined to be feasible and prudent compared with available alternatives. The acquisition or use of historic properties is considered feasible and prudent if the cost of purchase or lease, the cost of rehabilitation, remodeling, or altering the building to meet compliance standards and the agency's needs, and the projected costs of maintaining the building and providing utilities and other services is less than or equal to the same costs for available alternatives. The agency shall request the division to assist in determining if the acquisition or use of a historic property is feasible and prudent. Within 60 days after making a determination that additional space is needed, the agency shall request the division to assist in identifying buildings within the appropriate geographic area that are historic properties suitable for acquisition or lease by the agency, whether or not such properties are in need of repair, alteration, or addition.
6. Consistent with the agency's mission and authority, all state agencies of the executive branch shall carry out agency programs and projects, including those under which any state assistance is provided, in a manner which is generally sensitive to the preservation of historic properties and shall give consideration to programs and projects which will further the purposes of this section.

Section 267.12 authorizes the Division to establish procedures for the granting of research permits for archaeological and historic site survey or excavation on state-owned or controlled lands, while Section 267.13 establishes penalties for the conduct of such work without first obtaining written permission from the Division of Historical Resources. The Rules of the Department of State, Division of Historical Resources, for research permits for archaeological sites of significance are contained in Chapter 1A-32,F.A.C.

Another Florida Statute affecting land management decisions is Chapter 872, F.S. Section 872.02, F.S., pertains to marked grave sites, regardless of age. Many state-owned properties contain old family and other cemeteries with tombstones, crypts, etc. Section 872.05, F.S., pertains to unmarked human burial sites, including prehistoric and historic Indian burial sites. Unauthorized disturbance of both marked and unmarked human burial sites is a felony.

C. MANAGEMENT POLICY

The choice of a management policy for archaeological and historic sites within state-owned or controlled lands obviously depends upon a detailed evaluation of the characteristics and conditions of the individual sites and groups of sites within those tracts. This includes an interpretation of the significance (or potential significance) of these sites, in terms of social and political factors, as well as environmental factors. Furthermore, for historic structures architectural significance must be considered, as well as any associated historic landscapes.

Sites on privately owned lands are especially vulnerable to destruction, since often times the economic incentives for preservation are low compared to other uses of the land areas involved. Hence, sites in public ownership have a magnified importance, since they are the ones with the best chance of survival over the long run. This is particularly true of sites which are state-owned or controlled, where the basis of management is to provide for land uses that are minimally destructive of resource values.

It should be noted that while many archaeological and historical sites are already recorded within state-owned or controlled-lands, the majority of the uplands areas and nearly all of the inundated areas have not been surveyed to locate and assess the significance of such resources. The known sites are, thus, only an incomplete sample of the actual resources - i.e., the number, density, distribution, age, character and condition of archaeological and historic sites - on these tracts. Unfortunately, the lack of specific knowledge of the actual resources prevents formulation of any sort of detailed management or use plan involving decisions about the relative historic value of individual sites. For this reason, a generalized policy of conservation is recommended until the resources have been better addressed.

The generalized management policy recommended by the Division of Historical Resources includes the following:

1. State land managers shall coordinate all planned activities involving known archaeological or historic sites or potential site areas closely with the Division of Historical Resources in order to prevent any kind of disturbance to significant archaeological or historic sites that may exist on the tract. Under 267.061(1)(b), F.S., the Division of Historical Resources is vested with title to archaeological and historic resources abandoned on state lands and is responsible for administration and protection of such resources. The Division will cooperate with the land manager in the management of these resources. Furthermore, provisions of 267.061(2) and 267.13, F.S., combined with those in 267.061(3) and 253.034(4), F.S., require that other managing (or permitting) agencies coordinate their plans with the Division of Historical Resources at a sufficiently early stage to preclude inadvertent damage or destruction to known or potentially occurring, presently unknown archaeological and historic sites. The provisions pertaining to human burial sites must also be followed by state land managers when such remains are known or suspected to be present (see 872.02 and 872.05, F.S., and 1A-44, F.A.C.)
2. Since the actual resources are so poorly known, the potential impact of the managing agency's activities on historic archaeological sites may not be immediately apparent. Special field survey for such sites may be required to identify the potential endangerment as a result of particular management or permitting activities. The Division may perform surveys, as its resources permit, to aid the planning of other state agencies in their management activities, but outside archaeological consultants may have to be retained by the managing agency. This would be

especially necessary in the cases of activities contemplating ground disturbance over large areas and unexpected occurrences. It should be noted, however, that in most instances Division staff's knowledge of known and expected site distribution is such that actual field surveys may not be necessary, and the project may be reviewed by submitting a project location map (preferably a 7.5 minute U.S.G.S. Quadrangle map or portion thereof) and project descriptive data, including detailed construction plans. To avoid delays, Division staff should be contacted to discuss specific project documentation review needs.

3. In the case of known significant sites, which may be affected by proposed project activities, the managing agency will generally be expected to alter proposed management or development plans, as necessary, or else make special provisions to minimize or mitigate damage to such sites.
4. If in the course of management activities, or as a result of development or the permitting of dredge activities (see 403.918(2)(6)a, F.S.), it is determined that valuable historic or archaeological sites will be damaged or destroyed, the Division reserves the right, pursuant to 267.061(1)(b), F.S., to require salvage measures to mitigate the destructive impact of such activities to such sites. Such salvage measures would be accomplished before the Division would grant permission for destruction of the affected site areas. The funding needed to implement salvage measures would be the responsibility of the managing agency planning the site destructive activity. Mitigation of historic structures at a minimum involves the preparation of measured drawings and documentary photographs. Mitigation of archaeological resources involves the excavation, analysis and reporting of the project findings and must be planned to occur sufficiently in advance to avoid project construction delays. If these services are to be contracted by the state agency, the selected consultant will need to obtain an Archaeological Research Permit from the Division of Historical Resources, Bureau of Archaeological Research (see 267.12, F.S. and Rules 1A-32 and 1A-46 F.A.C.).
5. For the near future, excavation of non-endangered (i.e., sites not being lost to erosion or development) archaeological sites is discouraged. There are many endangered sites in Florida (on both private and public lands) in need of excavation because of the threat of development or other factors. Those within state-owned or controlled lands should be left undisturbed for the present - with particular attention devoted to preventing site looting by "treasure hunters". On the other hand, the archaeological and historic survey of these tracts is encouraged in order to build an inventory of the resources present, and to assess their scientific research potential and historic or architectural significance.
6. The cooperation of land managers in reporting sites to the Division that their field personnel may discover is encouraged. The Division will help inform field personnel from other resource managing agencies about the characteristics and appearance of sites. The Division has initiated a cultural resource management training program to help accomplish this. Upon request the Division will also provide to other agencies archaeological and historical summaries of the known and potentially occurring resources so that information may be incorporated into management plans and public awareness programs (See Management Implementation).
7. Any discovery of instances of looting or unauthorized destruction of sites must be reported to the agent for the Board of Trustees of the Internal Improvement Trust Fund and the Division so that appropriate action may be initiated. When human burial sites are involved, the provisions of 872.02 and 872.05, F. S. and Rule 1A-44, F.A.C., as applicable, must also be followed. Any state agent with law enforcement authority observing individuals or groups clearly and incontrovertibly vandalizing, looting or destroying archaeological or historic sites within state-owned or controlled lands without demonstrable permission from the Division will make arrests and detain those individuals or groups under the provisions of 267.13, 901.15, and 901.21, F.S., and related statutory authority pertaining to such illegal activities on state-owned or controlled lands. County Sheriffs' officers are urged to assist in efforts to stop and/or prevent site looting and destruction.

In addition to the above management policy for archaeological and historic sites on state-owned land, special attention shall be given to those properties listed in the *National Register of Historic Places* and other significant buildings. The Division recommends that the *Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings* (Revised 1990) be followed for such sites.

The following general standards apply to all treatments undertaken on historically significant properties.

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
2. The historic character of a property shall be retained and preserved. The removal of historic materials or alterations of features and spaces that characterize a property shall be avoided.
3. Each property shall be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.
6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
8. Significant archaeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
9. New additions, exterior alterations, or related new construction shall not destroy materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired. (see *Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings* [Revised 1990]).

Division of Historical Resources staff are available for technical assistance for any of the above listed topics. It is encouraged that such assistance be sought as early as possible in the project planning.

D. MANAGEMENT IMPLEMENTATION

As noted earlier, 253.034(4), F.S., states that "all management plans, whether for single-use or multiple-use properties, shall specifically describe how the managing agency plans to identify, locate,

protect and preserve, or otherwise use fragile non-renewable resources, such as archaeological and historic sites..." The following guidelines should help to fulfill that requirement.

1. All land managing agencies should contact the Division and send U.S.G.S. 7.5 minute quadrangle maps outlining the boundaries of their various properties.
2. The Division will in turn identify site locations on those maps and provide descriptions for known archaeological and historical sites to the managing agency.
3. Further, the Division may also identify on the maps areas of high archaeological and historic site location probability within the subject tract. These are only probability zones, and sites may be found outside of these areas. Therefore, actual ground inspections of project areas may still be necessary.
4. The Division will send archaeological field recording forms and historic structure field recording forms to representatives of the agency to facilitate the recording of information on such resources.
5. Land managers will update information on recorded sites and properties.
6. Land managers will supply the Division with new information as it becomes available on previously unrecorded sites that their staff locate. The following details the kind of information the Division wishes to obtain for any new sites or structures which the land managers may report:

A. Historic Sites

- (1) Type of structure (dwelling, church, factory, etc.).
- (2) Known or estimated age or construction date for each structure and addition.
- (3) Location of building (identify location on a map of the property, and building placement, i.e., detached, row, etc.).
- (4) General Characteristics: (include photographs if possible) overall shape of plan (rectangle, "L" "T" "H" "U", etc.); number of stories; number of vertical divisions of bays; construction materials (brick, frame, stone, etc.); wall finish (kind of bond, coursing, shingle, etc.); roof shape.
- (5) Specific features including location, number and appearance of:
 - (a) Important decorative elements;
 - (b) Interior features contributing to the character of the building;
 - (c) Number, type, and location of outbuildings, as well as date(s) of construction;
 - (d) Notation if property has been moved;
 - (e) Notation of known alterations to building.

B. Archaeological Sites

- (1) Site location (written narrative and mapped location).
- (2) Cultural affiliation and period.
- (3) Site type (midden, burial mound, artifact scatter, building rubble, etc.)
- (4) Threats to site (deterioration, vandalism, etc.).
- (5) Site size (acreage, square meters, etc.).

(6) Artifacts observed on ground surface (pottery, bone, glass, etc.).

(7) Description of surrounding environment.

7. No land disturbing activities should be undertaken in areas of known archaeological or historic sites or areas of high site probability without prior review by the Division early in the project planning.
8. Ground disturbing activities may proceed elsewhere but land managers should stop disturbance in the immediate vicinity of artifact finds and notify the Division if previously unknown archaeological or historic remains are uncovered. The provisions of Chapter 872, F.S., must be followed when human remains are encountered.
9. Excavation and collection of archaeological and historic sites on state lands without a permit from the Division is a violation of state law and shall be reported to a law enforcement officer. The use of metal detectors to search for historic artifacts shall be prohibited on state lands except when authorized in a 1A-32, F.A.C., research permit from the Division.
10. Interpretation and visitation which will increase public understanding and enjoyment of archaeological and historic sites without site destruction or vandalism is strongly encouraged.
11. Development of interpretive programs including trails, signage, kiosks, and exhibits is encouraged and should be coordinated with the Division.
12. Artifacts found or collected on state lands are by law the property of the Division. Land managers shall contact the Division whenever such material is found so that arrangements may be made for recording and conservation. This material, if taken to Tallahassee, can be returned for public display on a long term loan.

E. ADMINISTERING AGENCY

Questions relating to the treatment of archaeological and historic resources on state lands may be directed to:

Compliance Review Section
Bureau of Historic Preservation
Division of Historical Resources
R.A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399-0250

Contact Person:
Susan M. Harp
Historic Preservation Planner
Telephone (850) 245-6333
Suncom 205-6333
FAX (850) 245-6437

GUIDANCE CONCERNING UNMARKED BURIALS

Section 872.05 Florida Statutes, specifies procedures to follow upon discovery of unmarked human remains and associated artifacts. A key element of the section is the issue of determination of whether the remains appear to have been interred less than 75 years or more than 75 years. Those less than 75 years remain under the jurisdiction of the Medical Examiner, while the State Archaeologist may assume jurisdiction for those over 75 years.

To assist the Medical Examiner and law enforcement officials in determining when unmarked human remains have been interred for more than 75 years, we offer the following suggestions.

- 1) If the human remains are found eroding out of or have otherwise been exposed in a Native American shell midden site, observe the material over the human remains. If there is a continuous shell lens sealing the remains, then they are definitely over 75 years. If however, there is a break in the shell layers, that is evidence that a burial pit was dug through the layer then refilled. The question is then when was the pit dug, and the remains may or may not be older than 75 years.
- 2) If the skeletal material is directly associated with prehistoric or pre-1920 artifacts, and appears to have been so associated since the time of interment, then the presumption is that the remains have been interred more than 75 years.
- 3) If there are multiple interments, the overall burial setting must be considered. Interments that do not fit the pattern may be intrusive and may be less than 75 years old.
- 4) Bone mineralization is not considered to be a reliable indicator of age, since skeletal remains thousand of years old are often not mineralized, and skeletal remains interred less than 50 years have sometimes been mineralized.
- 5) Dental attrition is an indicator, while tooth loss from poor hygiene is not an indicator. Attrition is a result of diet plus tooth use (e.g., teeth as tools). Attrition is more extreme in prehistoric populations than in virtually any modern group.
- 6) In general, wooden boxes/caskets with square or cut nails are older than 75 years, while those with wire (round shaft) nails are less than 75 years old.
- 7) In general, shoulder expanded caskets are older than 75 years, while rectangular shaped boxes are nearly always less than 75 years old.
- 8) If the grave appears to be in a formal burial context and lacks a grave marker, it probably dates more than 75 years, since wooden markers commonly in use would have deteriorated in less than 75 years.
- 9) In general, handmade sandy brick and tabby indicate a burial site more than 75 years old. Older grave plots often exhibit old mortar and wrought iron fencing.
- 10) Trees and shrubbery that appear to be close to 50-75 years old and which are growing out of the grave pit, generally indicate an interment in excess of 75 years.

- 11) If upper incisors of several individuals are shovel-shaped, then the remains are probably those of Native Americans and, with rare exceptions, will have been interred for more than 75 years. Consult standard forensic texts for other nonmetric indicators of Amerind genetic origin.
- 12) If the bones have a greasy or organic texture or stain, however slight, they have probably been interred less than 75 years. A simple test is to burn a piece. If it smokes, it isn't old. Likewise, except for peat bog settings, if there is any organic tissue or hair remaining, the interment is less than 75 years old.
- 13) Dental filing (not filling) is a culture trait which went out of style around the turn of the century. Thus, individuals with filed teeth will generally be found in burials over 75 years old.
- 14) Ceramic pipe stems may leave restricted incisor occlusal grooves, and are indicators of burials over 75 years old. Other restricted and specialized attrition such as interproximal grooves on molar teeth are known only from prehistoric populations. Molnar and other standard dental anthropological texts have many examples of specialized dental patterns almost entirely restricted to prehistoric populations.
- 15) The presence of cloth or leather, except in peat bog contexts or in contact with copper, generally indicates that the interment is less than 75 years old.
- 16) The presence of plastics and rubber products like buttons or other clothing parts indicates that a burial is less than 75 years old.
- 17) While older artifacts, such as coins, jewelry, or pocket watches, may be keep-sakes buried with individuals, the presence of wrist watches, recently dated coins, modern jewelry, and the like indicates that an interment is less than 75 years old.

WHEN IN DOUBT, PROCEED WITH CARE AND DO NOT REMOVE ANY MORE OF AN INDIVIDUAL'S REMAINS THEN IS ABSOLUTELY NECESSARY TO DETERMINE WHETHER THE INTERMENT IS OLDER THAN 75 YEARS. ARCHAEOLOGISTS ARE ALWAYS READY TO ASSIST IN SUCH DETERMINATIONS. IF THERE IS A QUESTION OF AGE, PLEASE CALL THE STATE ARCHAEOLOGIST AT 850-245-6444. CEASE ALL SITE DISTURBING ACTIVITY UPON DETERMINING THAT HUMAN REMAINS ARE OVER 75 YEARS OLD. CALL THE STATE ARCHAEOLOGIST.

Archaeological Research Considerations Concerning Unmarked Historic Cemeteries and Grave Sites in Florida

B. Calvin Jones, Archaeologist
Bureau of Archaeological Research
Florida Division of Historical Resources
February 9, 1994

During the past two decades the Bureau of Archaeological Research (BAR) has conducted a number of research projects relating to the discovery and identity of unmarked historic cemetery and gravesites in Florida. Most of this work has been done since 1987, due to increased protection provided for these sites in amendments to Chapter 872, Florida Statutes. The author has conducted a number of such projects for the BAR.

This report is provided as a working document for citizens concerned about archaeological procedures or methods required in unmarked historic cemetery and gravesite investigations. It focuses primarily on 19th and early 20th century cemeteries since these sites are coming under increasing pressure from development. Property owners and developers are often unaware of them or, perhaps being unaware of the provisions of Chapter 872, F.S., choose to ignore them since they may be abandoned and unmaintained.

Many historic cemeteries and gravesites contain few, if any extent grave markers. The markers often were made of wood and have since deteriorated, or were of stone or concrete. The removal of more durable ones may have occurred for various reasons. Marked sites are covered by 872.0, F.S., whereas (presently) unmarked human burial sites, both prehistoric and historic, come under the protection of 872.0, F.S. Although no less important, prehistoric burial sites are not dealt with in this report.

The author believes that all reasonable attempts should be made to locate and record historic human burial sites by deed, so this action may result in encumbrances to properties on which they occur. This will help insure their protection through owner awareness as properties are transferred. To the author's knowledge, this protective measure is not currently being done. Whereas Florida Statute 872 provides protection for all cemeteries, it is silent with respect to identification and recording requirements.

Unmarked Historic Cemeteries in Florida:

Every county in Florida presently contains a legacy of unmarked and unrecorded cemeteries. Except for traditional American Indian graves, which were often placed in burial mounds prior to 1500 A.D., most of these sites were established during the 1800s. However, unmarked cemeteries and graves presently exist for virtually all early Florida cultures including those of the Spanish and British periods, as well as those for the early 20th century. These sites contain the remains of the people who helped form our state and economy.

Most unmarked historic cemeteries, particularly those prior to the 20th century, were not dedicated by deed and thus have often been lost except from local and family memory, or the state, regardless of racial or ethnic origin. Different racial sections often comprised a cemetery. Whites and blacks were often buried in separate sections of the same cemetery. At the 1830s Fort Brooke site in Tampa the graves of Seminole Indians were also contained in a separate section near white and black areas.

It seems that primarily only church and town cemeteries that continued in use for a long time were recorded by deed. Cemeteries associated with state and county penal institutions and asylums, railroad construction, lumbering, turpentine, plantation, other agricultural businesses, and ship quarantine, for example, usually were not recorded. A location on public property was often chosen by the state or county institution for a place of burial and individual burials were unmarked or often had perishable markers. The burial location was often later abandoned and forgotten. Sometimes, the company, grove owner or plantation owner, or some good soul just allowed community members or workers to use an assigned place as a burial site and no one saw the need to formally set these sites aside, since everyone at the time knew they were graveyards. These communities just assumed that their cemeteries would continue in perpetuity, not realizing that settlements would be moved or abandoned—that property ownership would change, or the like.

The fact that abandoned sites occur has not, except for vandals, been a major problem in Florida until recent years, since such locations have generally not been threatened. But, with the present rapid growth and urban expansion increasing the value and demand for land, such sites are being increasingly lost by either being covered over or destroyed.

Awareness of an unmarked 19th or early 20th century cemetery or gravesite's existence is primarily a matter of some historical knowledge. However, a site's exact location and content or size is often dependent on the results of archaeological field work, since detailed historical data pertaining to a cemetery's extent and makeup does not usually exist and locally reported data pertaining to these aspects may be in error.

Unmarked Graves

Many of the recorded and unrecorded 19th and early 20th century cemeteries in Florida contain unmarked graves. This is specifically true for black graveyards, since few blacks, and many whites, during these times, could afford proper stones. Good stone markers, which cost proportionally more than they do today, were often shipped in from the Northeast. Often used flimsy wooded markers lasted only a few years. Afterwards, grave identities were lost except to family members. The subsequent removal shells, stones, jars, plates, bricks, flower holders, and the like, often placed in memorial on a grave, or used for its delineation, has frequently removed any trace of a grave's presence. Removal of these artifacts and materials has often occurred by well-intentioned people who collect such items to sell or keep as curios. Soil depressions from the collapse of wooden caskets are most often the best evidence of grave locations, although these have often been filled and/or occur within areas where differentiations from natural depressions are difficult.

Only in rare instances were individual gravesites identified on a cemetery plat or map during the 19th century. Undertakers and funeral directors seem to have rarely recorded the exact locations of interments.

Only in recent years with the regulation of the burial industry, formalized platting of graveyards, and numbering of grave plots have the identities of interments been recorded. The lack of recording grave locations has frequently resulted in the intrusion of newer graves into extant graves, even within recorded cemeteries, particularly in public provided areas for the indigent.

The identification of unmarked grave locations is thus primarily dependent on archaeological field work that leads to their discovery. Identifications of individuals within gravesites are primarily

dependent on genealogical and historical data, but physical anthropological data can be of some value if there is skeletal preservation.

Recommended Archaeological Research for the Identity of Unmarked Cemeteries and Gravesites:

The type and amount of archaeological investigation needed for the identification of cemeteries and individual grave sites are dependent on how much is known about each, i.e. the known historical data, the degree of modification which may have occurred at individual grave plots, and the level of data desired about each. The identity of an unmarked cemetery may only require a careful surface inspection for the discovery of grave depressions and associated artifacts. Old bricks, stones, crockery, glass bottles, shells, and ornamental trees are often found at historic gravesites (Jones 1990; 1993a). Site investigation, however, generally requires some subsurface excavation, since accumulated soils often bury artifacts.

Determining the boundaries a cemetery usually requires some subsurface excavation or “ground truthing” of the area, since burials are known to occur outside (former) fenced areas. For instance, the graves of a white plantation owner’s family often occur within a fenced and formally marked area, while the now unmarked grave plots of family servants may occur just outside the formal area.

Determining the distribution of grave locations to establish the boundaries of a cemetery can be accomplished with a combination of subsurface testing and use of ground penetrating radar (Jones 1993a). Ground penetrating radar, which records the location of subsurface anomalies such as burial pits, generally cost about \$400.00 per day in 1993. However, subsurface evaluation or “truthing” of each anomaly has to be done to verify each grave, since tree stump holes, large tree roots, and other subsurface disturbances often mimic grave pit signatures (Jones 1993b).

Where feasible (i.e., when trees and extant markers are not in the way of heavy equipment usage) and when preservation of a suspected burial area is in contention in advance of planned ground disturbing activities, unmarked burial areas may be most effectively discovered by scraping the soil to depths of from 6 inches to 2 feet below ground surfaces (Jones 1991; 1993c). Front-end loaders of the size necessary to accommodate the available space to be investigated are most effective. The smaller the space, the smaller the loader size. Tight or narrow space areas can be done with a backhoe or by hand trenching (Jones 1990; 1993d). Gradalls (ditch scraping equipment) can also be used in open or hard-to-get-to areas. All equipment has to have a flattened edged cutting blade.

The purpose is to carefully cut the ground horizontally to expose burial pits, without reaching depths that may damage a casket and its contents. Usually, this is from about 6 inches to 1 foot. Deep sandy soils generally require slightly deeper cutting to expose mottled soils, which indicate the presence of a grave. Large areas having no impediments to equipment usage can be most feasibly investigated by use of a road maintainer or grader to expose extensive subsurface areas (Jones 1993b). Nineteenth century burials generally range from 3.5 to 5.5 feet in depth below ground surface.

The positive identification of a 19th century deceased person can rarely be made by archaeological and physical anthropological research alone. The exhumation and physical analysis of skeletal remains can provide the age, sex, and race of a person, if the remains are well preserved. However, most pre-20th century skeletal remains are poorly preserved. A hand drilled small core boring placed into the grave can reveal the preservation condition of a deceased and associated casket—which is usually of wood (Jones 1991).

Costs of Archaeological Research:

The Bureau of Archaeological Research conducts projects to locate and identify cemeteries and graves as an agency of last resort, since it does not have the staff nor funding to provide this service to the public. A number of private consultants also conduct such research where it is needed. Average costs for an archaeologist vary from about \$200-400.00 per day plus expenses. The cost of a physical anthropologist is about the same. If ground penetrating radar is used, the services of a geologist or geophysicist will also be necessary, as mentioned above.

Other laws related to Cemeteries and Human Graves in Florida That Should Be Considered Prior to Conducting Archaeological Research:

For legal disinterment and reinterment of a human burial see F.S., Chapters 382 (particularly sections .061 and .14) and 470.00. For cemetery laws (under the Department of Banking and Finance) see the Florida Cemetery Act, F.S., Chapter 497 (particularly section .071 pertaining to abandoned cemeteries; immunity; actions). For rights of ingress and egress of relatives of a deceased person to a cemetery, see F.S., Chapter 704.08.

References:

Jones, B. Calvin

1990 Survey of Robinson Point Cemetery Site (8SR764) on Blackwater Bay, Santa Rosa County, Florida. Manuscript on File in the Florida Bureau of Archaeological Research, Tallahassee.

1991 Final Subsurface Assessment of the West Edge of the Richardson Cemetery Wakulla County, Florida. Manuscript on File in the Florida Bureau of Archaeological Research, Tallahassee.

1993a Artifactual Evidence of 19th and Early 20th Century Unmarked Graves and cemeteries in Florida. Manuscript on File in the Florida Bureau of Archaeological Research, Tallahassee.

1993b March 1993 Search for Phoebe Frazier Grave site and Slave Cemetery on Mid-Florida Mining Industries Property in Marion County, Florida. Manuscript on File in the Florida Bureau of Archaeological Research, Tallahassee.

1993c 1993 Ground Penetrating Radar Assessment and Archaeological Survey of Old City Cemetery Along Macomb Street in Tallahassee, Florida. Manuscript on File in the Florida Bureau of Archaeological Research, Tallahassee.

1993d August 1993 Assessment of the Rushing Cemetery in Santa Rosa County, Florida. Manuscript on File in the Florida Bureau of Archaeological Research, Tallahassee.

NATIONAL REGISTER OF HISTORIC PLACES PROGRAM DESCRIPTION

Florida Department of State
Glenda E. Hood, Secretary of State

The National Register of Historic Places is an official listing of historically significant sites and properties throughout the country. It is maintained by the National Park Service, U.S. Department of the Interior. It includes districts, sites, buildings, structures, and objects that have been identified and documented as being significant in American history, architecture, archaeology, engineering or culture. These sites and properties reflect the prehistoric occupation and historical development of our nation, state, and local communities.

Listing in the National Register does not, in itself, impose any obligation on the property owner, or restrict the owner's basic right to use and dispose of the property as he or she sees fit. It does, however, encourage the preservation of significant historic resources in three ways:

1. by providing official recognition of the historic significance of the property and encouraging consideration of its historic value in future development planning,
2. by imposing limited protection from activities involving funding, licensing, or assistance by Federal agencies that could result in damage or loss of its historic values, and
3. by making the property eligible for Federal financial incentives for historic preservation

Redevelopment of a listed property which involves Federal funding, licensing, or assistance will be subject to review by the State Historic Preservation officer and the Advisory Council on Historic Preservation to assure that adequate and appropriate consideration is given to the preservation of the historic qualities for which it was originally listed. This review requirement will also apply to any Federally funded, licensed, or assisted activities undertaken by others that could have an adverse effect on the property.

Federal financial incentives for historic preservation include eligibility for direct matching grants and investment tax credits for the rehabilitation of income producing properties.

For further information on the National Register program, please contact us at the address or phone number below:

**Bureau of Historic Preservation
R.A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399-0250
Telephone (850) 245-6333 or 1-800-847-7278
FAX (850) 245-6437**

NATIONAL REGISTER OF HISTORIC PLACES CRITERIA FOR LISTING

Florida Department of State
Glenda E. Hood, Secretary of State

The *National Register of Historic Places* is an official listing of sites and properties throughout the United States that reflect the prehistoric occupation and historical development of our nation, states, and local communities. It is maintained by the Keeper of the National Register, National Park Service, U.S. Department of the Interior.

The following criteria are used by the State Historic Preservation Officer and the Keeper of the National Register in evaluating properties for eligibility for listing in the *National Register*.

Criteria for Evaluation:

- 1) Districts, sites, buildings, structures, and objects may be considered to have significance in American history, architecture, archaeology, engineering, and/or culture if they possess integrity of location, design, setting, materials, workmanship, feeling, and association, and:
 - a) are associated with events that have made a significant contribution to the broad patterns of our history; and/or
 - b) are associated with the lives of persons significant in our past; and/or
 - c) embody the distinctive characteristics of 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; and/or
 - d) have yielded, or may be likely to yield, information important in prehistory or history.

Criteria Consideration:

- 2) Ordinarily cemeteries, birthplaces, or graves of historical figures; properties owned by religious institutions or used for religious purposes; structures that have been moved from their original locations; reconstructed historic buildings; properties primarily commemorative in nature; and properties that have achieved significance within the past 50 years shall not be considered eligible for the *National Register*. However, such properties will qualify if they are integral parts of districts that do meet the criteria or if they fall within the following categories:
 - a) a religious property deriving its primary significance from architectural or artistic distinction or historical importance; or
 - b) a building or structure removed from its original location but which is significant primarily for architectural value, or which is the surviving structure most importantly associated with a historic person or event; or
 - c) a birthplace or grave of an historical figure of outstanding importance if there is no appropriate site or building directly associated with his productive life; or

d) a cemetery which derives its primary significance from graves of persons of transcendent importance, from age, distinctive design features, or association with historic events; or

e) a reconstructed building, when it is accurately executed in a suitable environment and presented in a dignified manner as part of a restoration master plan, and no other building or structure with the same association has survived; or a property primarily commemorative in intent, if design, age, tradition, or symbolic value has invested it with its own exceptional significance; or

g) a property achieving significance within the past 50 years, if it is of exceptional importance.

For further information on the *National Register* criteria for listing, please contact us at the address or phone number below:

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NATIONAL REGISTER OF HISTORIC PLACES NOMINATION PROCEDURE

Florida Department of State
Glenda E. Hood, Secretary of State

The National Register of Historic Places is an official listing of sites and properties throughout the country that reflect the prehistoric occupation and historical development of our nation, states, and local communities. It is maintained by the Keeper of the National Register, National Park Service, U.S. Department of the Interior.

The nomination of historic resources in Florida for listing in the National Register is a function of the State Historic Preservation Officer, Florida Division of Historical Resources. Anyone interested in having a particular property listed may submit a nomination proposal to the State Historic Preservation Office. The nomination proposal must meet National Register standards. It is the responsibility of the person submitting the proposal to provide the necessary information and materials. The staff of the Division is available for consultation on preparation of proposals.

Upon receipt of a nomination proposal, the following procedures will be carried out.

1. The nomination proposal and all accompanying documentation will be evaluated by the professional staff of the Bureau of Historic Preservation. If possible, a staff member will visit the site as a part of the evaluation process.
2. The owner(s) of the property and the chief local elected officials will be notified in writing that the property is being proposed for nomination and given the opportunity to comment on the property.
3. The proposal will be submitted for consideration and recommendation by the Florida National Register Review Board which is charged with reviewing all nomination proposals to the National Register of Historic Places from the State of Florida.
4. Upon the favorable recommendation of the Review Board, a formal nomination will be prepared for the submission by the State Historic Preservation Officer to the Keeper of the National Register in Washington, D.C. Special procedures also exist for processing proposals when the Board and the State Historic Preservation Officer do not agree on the eligibility of the property for listing.
5. The Keeper of the National Register and his staff undertake the final review and make the final decision whether or not to list the property. If the owner of a private property objects to the nomination, the property will not be listed, but the site may be submitted to the Keeper of the National Register for a formal determination of eligibility for listing.
6. The owner is then notified in writing as to the final decision.

For further information about the National Register nomination process, please contact us at the address or phone number below:

**Bureau of Historic Preservation
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NATIONAL REGISTER OF HISTORIC PLACES NOMINATION PROCEDURE

Florida Department of State
Glenda E. Hood, Secretary of State

The National Register of Historic Places is an official listing of properties throughout the country that reflect the prehistoric occupation and historic development of our nation, states, and local communities. The Register is maintained by the National Park Service under the Secretary of the Interior. It is used primarily as a planning tool in making decisions concerning the development of our communities to ensure, as much as possible, the preservation of buildings, sites, structures, and objects that are significant aspects of our cultural and historic heritage. Sometimes there are misunderstandings as to what listing in the National Register will mean for a property owner. The following is an outline of what it will do and what it will not do.

WILL DO

- The National Register **provides recognition** that the property is deemed by the federal and state governments to be significant in our history at the national, state, and/or local levels. Most properties are significant because of their local significance.
- The National Register **identifies** the properties that local, state, and federal planners should carefully consider when developing projects. Projects involving federal funding, permitting, licensing, or assistance and that may result in damage or loss of the historic values of a property that is listed in the National Register or is eligible for listing are reviewed by the State Historic Preservation Office and the federal Advisory Council on Historic Preservation. A similar review takes place under state law for state or state-assisted undertakings. A typical example of projects that are given such review is road construction or improvement. For more information, call the Compliance Review Section of the Florida Bureau of Historic Preservation at (850) 245-6333.
- Listing may make a property eligible for a **Federal Income Tax Credit**. If a registered property that is income producing undergoes a substantial rehabilitation carried out according to the Secretary of the Interior's Standards for Rehabilitation, the owner may apply for a 20% income tax credit. The credit amounts to 20% of the cost of the rehabilitation. For more information, contact the Architectural Preservation Services Section of the Florida Bureau of Historic Preservation at (850) 245-6333.
- In 1992, the Florida Legislature passed legislation that allows counties or cities to grant **ad valorem tax relief** for owners of properties that are listed or eligible for listing in the National Register or in a local district. When a property is improved its value is increased and the assessment is raised accordingly. The ad valorem tax legislation provides that the increase in assessed value of the improved property will be exempted for up to 10 years from taxation for those portions of the tax bill affected by local option county or municipal exemption ordinances. This provision is available for both income and non-income producing properties. Contact your local property appraiser to see if this provision is available.
- Listing may make a property exempt from certain **Federal Emergency Management Act (FEMA)** requirements and eligible for some **American Disabilities Act (ADA)** and **building**

safety code adjustments. For more information, call the Architectural Preservation Services Section of the Bureau of Historic Preservation at (850) 245-6333.

- Listing or being determined eligible for listing is not required for receiving **state preservation grants**. The competition for the grants is intense, however, and this official recognition adds weight to the argument that a property is significant and should be awarded a grant. For more information, call the Grants and Education Section of the Bureau of Historic Preservation at (850) 245-6333.

WILL NOT DO

- Listing in the National Register or being determined eligible for listing does not automatically preserve a building, and does not keep a property from being modified or even destroyed.
- Unless an undertaking is state or federally funded, or regulated by local ordinance, private property owners may deal with their property in any way they see fit. Architects in the Bureau of Historic Preservation are available to provide advice concerning the best ways to approach rehabilitation needs while maintaining the historic character of a property. For more information, call the Architectural Preservation Services Section at (850) 245-6333.
- Private owners are not required to open their listed property to the public for visitation.
- The federal and state governments will not attach restrictive covenants to a property or seek to acquire it because of its listing in the National Register.

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**Department of Environmental
Division of Recreation and Parks**

EMERGENCY PROCEDURES FOR POTENTIALLY HAZARDOUS ORDNANCE

Park Name	Approximate Location of Ordinance	Date
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Check each procedure below upon completion, and send the completed form to the Bureau of Natural and Cultural Resources (BNCR) along with a copy of a completed Crisis and Miscellaneous Incidents Report.

- _____ 1. Stop all activity that would disturb or expose the ordnance any more than has already occurred.
- _____ 2. Evacuate the area a minimum of at least 50 feet or farther at the park staff's discretion.
- _____ 3. Secure the circumference of the area with flagging tape, rope or string. If it is not possible for a staff member to make sure that no one, including park staff, cross the boundary, attach "DANGER" signs to the rope.
- _____ 4. Call the U.S. Army Explosive Ordnance Detachment (EOD) office with jurisdiction over your park. See list EOD offices and map of Florida showing EOD district boundaries. Give your name, telephone number, park location and a description about the condition, size, quantity, and location of the ordnance (do not disturb it further to get more information) to the EOD contact person.
- _____ 5. Follow instructions provided by EOD. If you are in doubt about how you should proceed request, guidance from EOD on how to deal with the situation. The EOD is responsible for and assumes authority and control of hazardous military artifacts.
- _____ 6. Call the office of the State Archaeologist in the Bureau of Archaeological Research (BAR) at (850) 245-6301 during the earliest regular office hours. Tell whomever answers that you are following the emergency procedures for discovery of potentially hazardous ordnance. Staff has emergency procedures posted at their desks.
- _____ 7. Contact your District Office and inform them of your discovery and that you have notified the EOD and the State Archaeologist's office. Next contact the BNCR at (850)488-5090 and advise them of your discovery and adherence to these procedures.
- _____ 8. If appropriate, the EOD will schedule a trip to deactivate and or recover and remove any live ordnance. Advise the District Office on the status of ordnance recovery as appropriate. Notify the District, BAR, and BNCR of the final outcome and if the emergency condition no longer exists.
- _____ 9. Keep a record of the event in your files so that current and future staff will be aware of the potential for similar discoveries in the area. Complete a Crisis and Miscellaneous Incidents Report and route copies through designated channels.

*Note: Under State Law, ownership of the ordnance, like all archaeological remains or artifacts on state-owned land rests with the Division of Historical Resources (DHR). DHR will coordinate to receive deactivated military ordnance from the EOD. DHR may then loan artifacts to the park if requested and if the artifacts are consistent with the park's scope of collections statements.