

Exhibit 2.12: Secretary of the Interior’s Standards for the Treatment of Historic Properties Action Plan Format and Content Guide

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Introduction

Within the context of avoiding adverse effects to historic properties, use of the Secretary of the Interior’s Standards for the Treatment of Historic Properties (SOIS)¹, may be used as a condition to avoid adverse effects to historic built-environment properties. When an undertaking’s activities are limited to stabilization, maintenance, repairs, rehabilitation, or alteration of the historic property, Caltrans may use the SOIS to make a finding of No Adverse Effect with Standard Conditions in accordance with Stipulation X.B.1.b and Attachment 5 of the 106 PA² or the 5024 MOU³. When appropriate, the SOIS may also be imposed as a non-standard condition to reach a finding of No Adverse Effect under 106 PA/5024 MOU Stipulation X.B.2 or to minimize an adverse effect. An SOIS Action Plan is required whenever use of the SOIS is proposed to ensure that provisions for protection are carried out.

See Chapter 2 Sections 2.3.9.2, 2.7.6 and 2.8.6.1, Chapter 6 Section 6.10.3.1 for additional information on the SOIS; Exhibit 2.8 for guidelines on preparing a Finding of No Adverse Effect report, and Exhibit 6.4 for the appropriate SOIS to use for projects that involve historic bridges and tunnels.

An SOIS Action Plan that describes the historic properties to be protected, documents the required treatments that meets the SOIS, identifies responsible

¹ The Secretary of the Interior’s Standards offer four distinct approaches to the treatment of historic properties—preservation, rehabilitation, restoration, and reconstruction—with accompanying Guidelines for each. See the [National Park Service website](#) for list of standards and guidelines.

² First Amended Programmatic Agreement Among the Federal Highway Administration, the Advisory Council on Historic Preservation, the California State Historic Preservation Officer, and the California Department of Transportation Regarding Compliance with Section 106 of the National Historic Preservation Act as it Pertains to the Administration of the Federal-Aid Highway Program in California, effective January 1, 2014.

³ 2015 Memorandum of Understanding between the California Department of Transportation and the California State Historic Preservation Officer Regarding Compliance with Public Resources Code Section 5024 and Governor’s Executive Order W-26-92, addended 2019.

parties and their appropriate tasks, and outlines an anticipated schedule and process is prepared under the following circumstances:

- 1) To support a finding of No Adverse Effect with Standard Conditions-SOIS in accordance with Stipulation X.B.1.b and Attachment 5 of the 106 PA or the 5024 MOU when an undertaking's activities are limited to stabilization, maintenance, repairs, rehabilitation, or alteration of the historic property.
- 2) As a non-standard condition to make a finding of No Adverse Effect in accordance with Stipulation X.B.2 of the 106 PA or the 5024 MOU for construction projects that are not limited to stabilization, maintenance, repairs, rehabilitation, or alteration of the historic property.
- 3) As a measure to minimize an adverse effect, as provided in a Memorandum of Agreement (MOA) for Section 106 undertakings or as a mitigation measure for PRC 5024 projects.
- 4) To support a determination of No Substantial Adverse Change to historical resources under CEQA, demonstrating that impacts to historical resources have been mitigated below the level of significance.
- 5) For long term protection of historic properties during maintenance or other activities.

SOIS Action Plan Format

- Title page
- Summary of Action Plan
- Project Description
- Description of Historic Properties
- Effects and Conditions Imposed
- Monitors
- Responsible Parties
- Attachments

Title Page

- Brief descriptive title with type of study (SOIS Action Plan) and the name and general location of project (e.g., "Curve Correction on Route 989 between Forestview Drive and Limekiln Road").
- County, route and postmile or local street or road name.

- EA/E-FIS⁴ project number and phase (For Local Assistance projects, use the Federal-Aid project number).
- Project contract number (if prepared by consultants).
- Name, title, and signature of the Caltrans Professionally Qualified Staff (PQS) or consultant PQS-equivalent who prepares the report. Also state the preparer's PQS or PQS-equivalent level and address or location. If the report has multiple authors, all should be listed by name, but only the senior author's name, title, location, and signature are needed.
- Name, title and signature of the PQS who reviewed the report for approval, along with the reviewer's location/address and PQS level (if different than preparer).
- Name, title, location and signature of the Caltrans District Environmental Branch Chief (DEBC) for whom the document was prepared. The DEBC's signature on the title page indicates approval and acceptance of the document.

Summary of Action Plan

This section contains the information necessary for all parties to understand the intent, methods and applications of the SOIS. It includes:

- A concise description (abstract) of the proposed project.
- List of historic properties for which the SOIS(s) are to be used.
- Methods of establishing the SOIS.
- Measures required during each stage of the project (pre-construction, during construction, post construction).
- Responsible parties for each measure.
- Anticipated dates and duration for required measures.

Project Description

- General scope of the proposed work, specifying project components relevant to the application of the SOIS.
- Description of the regulatory context for which the plan was prepared (e.g., 106 PA Attachment 5, 5024 MOU Attachment 5, MOA, etc.).

⁴ Enterprise Resource Planning Financial Infrastructure, a 10-digit number, followed by a phase number of one or more digits.

Description of Historic Properties

Describe each affected historic property, including

- Eligibility status: date of National Register listing; date of Keeper determination of National Register eligibility; date of SHPO concurrence with the determination of eligibility, stating that it was a consensus determination; statement that an eligibility consensus determination with SHPO is pending; or date of CSO approval for assumption of eligibility under Stipulation VIII.C.4 of the 106 PA or 5024 MOU.
- National Register criteria under which the property is listed or eligible, including a brief reason why and the level(s) and period(s) of significance.
- For Caltrans-owned resources, the California Historical Landmark (CHL) criteria under which the property is registered or eligible for registration as a CHL.
- Brief National Register boundary description.
- Description of the historic property's character-defining features (CDFs).
- Photographs of the historic property, including general contextual view(s) and views depicting CDFs that would be affected by the proposed project work.

For complex projects or large properties, it may be helpful to rank the CDFs to determine which features are most important to preserve or whether proposed rehabilitation, preservation, maintenance and other activities are consistent with the SOIS. See Exhibit 6.1 for more information.

Effect and Conditions Proposed

Discuss in detail the extent of any direct or indirect effects on each historic property, the applicable SOIS, and how use of the SOIS avoids an adverse effect. The details should be sufficient enough to allow a reviewer not familiar with the project or the project area to understand.

This discussion may be in narrative format or table format. Include:

- Issue or work item
- Affected CDFs and their ranking (e.g., most significant, significant, less significant), if applicable.
- Proposed treatment
- How the proposed treatment meets the SOIS

- Results of consultation with the State Historical Building Safety Board (SHBSB) regarding the application of the California Historical Building Code for code-related issues, as required under [California Health and Safety Code Section 18961](#). If not applicable because there are no code-related issues, include a statement to that effect.

Treatments that are consistent with the SOIS must be included in the RE Pending File and clearly marked on project plans and in contract specifications (PS&E).

When special measures are required, use appropriate Standard Special Provisions (SSPs), or Non-Standard Special Provisions (NSSPs) to ensure contractor compliance. Examples of specific contractual language that may be needed can be found in other guidance such as National Parks Service (NPS) Preservation Brief 9: Repair of Historic Wooden Windows, NPS Preservation Brief 31: Mothballing, NPS Preservation Brief 32: Accessibility, or NPS Preservation Brief 41: Seismic Retrofit. Questions regarding SSPs and NSSPs should be directed to the Chief of the Special Projects Archaeology Branch (SPA) in Headquarters Cultural Studies Office (CSO).

Monitors

Only Caltrans PQS Principal Architectural Historians, Caltrans staff under the direction of a Caltrans PQS Principal Architectural Historian, or consultants who meet the PQS qualifications for Principal Architectural Historian may serve as built-environment monitors. When monitoring is required, a general rationale for the monitoring – as well as specific location, intervals, and duration – must be clearly stated. Provide reference to the attached project plans and specifications.

Responsible Parties

Identify appropriate Caltrans staff, agency staff, consultants or others who are the responsible parties, as well as which aspects of the plan for which they are responsible. A clear chain of command should be established, with specific tasks and contact information identified for each responsible party (e.g., Caltrans PQS Principal Architectural Historian, Environmental Construction Liaison, and Resident Engineer). Identify the parties by Position/Title to ensure continuity of accountability in the event of personnel change on a project. All parties must be aware of and acknowledge their responsibilities. This information should also be provided in table format as an attachment to the SOIS Action Plan (See sample SOIS Action Plan Responsible Parties Table below).

Attachments

Include the following:

- Project Vicinity and Location maps (unless already provided in an HPSR or HRCR or other notification documentation).
- Project Area of Potential Effects (APE) or Project Area Limits (PAL) map (detail location(s) of the historic property, including the National Register boundaries, in relation to the project and depict project effects on the property).
- Plans and specifications, with verification that they have been reviewed by or under the direct supervision of a Caltrans PQS Principal Architectural Historian.
- Photographs, renderings, or other useful graphics (e.g., construction drawings, photo simulations).
- Correspondence with the SHBSB, SHPO, Native Americans, and any other consulting parties, or the public, as applicable.
- SOIS Action Plan Responsible Parties Table (See sample SOIS Action Plan Responsible Parties Table below).

Peer Review and Approval

Only Caltrans PQS certified at the Principal Architectural Historian level may peer review SOIS Action Plans or review them for approval. After the PQS Principal Architectural Historian has peer-reviewed the draft SOIS Action Plan and any necessary revisions have been made, the preparer signs and dates the final plan, which should include the preparer's discipline, PQS level (as applicable) and District/Headquarters or affiliation. The Caltrans PQS who reviews the SOIS Action Plan for approval also signs and dates it. The DEBC signs and dates the SOIS Action Plan to signify final approval.

Transmittal

If the SOIS Action Plan has been prepared in support of a finding of No Adverse Effect with Standard Conditions-SOIS pursuant to the Stipulation X.B.1.b of the 106 PA or the 5024 MOU, the plan is included in the documentation⁵ submitted to CSO

⁵ Documentation may be a Historic Property Survey Report (HPSR), Supplemental HPSR, Historic Resources Compliance Report (HRCR), Supplemental HRCR, or a separate finding of effect document.

for approval and in the documented notification of the finding sent concurrently to any consulting parties.

If the SOIS Action Plan has been prepared in support of a finding of No Adverse Effect pursuant to Stipulation X.B.2 of the Section 106 PA or the 5024 MOU, the plan will be attached to the Finding of Effect document.

Sample SOIS Action Plan Responsible Parties Table:

STAGE	RESPONSIBLE PARTIES	TASK
Pre-construction	Environmental Planner*, Caltrans PQS Architectural Historian*, Environmental Construction-Liaison*, Resident Engineer	Environmental Planner, Caltrans PQS Architectural Historian and the Environmental Construction Liaison will ensure that the SOIS requirements are clearly described in the plans, specifications and estimates (PS&E) and the RE's Pending File.
	Caltrans PQS Architectural Historian*, Environmental Construction-Liaison*, Resident Engineer*	Responsible parties will review PS&E package to ensure that the SOIS plan is included.
	Caltrans PQS Architectural Historian*, Environmental Construction-Liaison*, Resident Engineer	Caltrans Architectural Historian will ensure that the SOIS Action Plan is included in Environmental Commitment Record (ECR) and the Resident Engineer (RE) Pending File.
	Caltrans PQS Architectural Historian*, Environmental Construction-Liaison*, Resident Engineer	Responsible parties will ensure that the SOIS Action Plan requirements are discussed at the pre-construction meeting. The importance of compliance with the SOIS will be discussed with construction personnel and it will be stressed that the requirements of the SOIS will be monitored by an Architectural Historian. Additionally, personnel will be informed of historic preservation laws and regulations that protect historic properties from inadvertent destruction. The protocols to be adhered to in case of an unanticipated effect or a post-review discovery will be discussed as part of the pre-construction meeting. Contact information of responsible parties will be shared with relevant supervisory personnel.
	Caltrans PQS Architectural Historian*, Resident Engineer*	Caltrans Architectural Historian will document the existing condition of the historic property prior to commencement of construction utilizing digital photography and field notes.
	Caltrans PQS Architectural Historian, Environmental Branch Chief, Environmental Construction-Liaison, Resident Engineer*, Contractor	The RE will notify Caltrans Architectural Historian at least three weeks in advance of construction to ensure that an Architectural Historian will be available for field review and monitoring of SOIS implementation.
	Caltrans PQS Architectural Historian*, Environmental Construction-Liaison*, Resident Engineer*, Contractor*	All responsible parties perform field review of the SOIS location at least one calendar week prior to construction activities.

During Construction	Caltrans PQS Architectural Historian*, Environmental Branch Chief*, Resident Engineer*	The Caltrans Architectural Historian shall monitor construction and maintain contact with the RE on SOIS compliance.
	Caltrans PQS Architectural Historian*, Environmental Planner, Resident Engineer*	The Environmental Planner and Caltrans Architectural Historian will review and comment on any proposed project changes to ensure changes are consistent with the SOIS, and reevaluate/revalidate studies as necessary.
	Caltrans PQS Architectural Historian*, Environmental Construction-Liaison*, Resident Engineer	If the SOIS are violated, the RE must stop work in the vicinity. The Environmental Construction Liaison will notify the Caltrans Architectural Historian of the violation. The Architectural Historian will notify CSO and SHPO of the violation within 48 hours and consult immediately to determine how the violation will be addressed.
	Caltrans PQS Architectural Historian*, Environmental Construction-Liaison*, Resident Engineer	If an unanticipated effect or post review discovery is identified during construction, the RE must stop work in the vicinity of the discovery or unanticipated effect. The Environmental Construction Liaison will notify the Caltrans Architectural Historian. The Architectural Historian will notify CSO and SHPO of the unanticipated discovery within 48 hours.
Post Construction	Caltrans PQS Architectural Historian*, Environmental Branch Chief, Resident Engineer	The Caltrans Architectural Historian will prepare a technical memorandum that includes the following: 1) record of existing conditions of the historic property prior to commencement of construction; 2) summarize the monitoring logs; 3) and document the project area following completion of construction. The final technical memorandum will be filed with the Environmental Branch Chief and RE.

* denotes primary responsibility

Responsible Parties Contact Information Table, as of XX-XX-20XX.

Title	Contact	Email	Phone Number
Caltrans PQS Architectural Historian	Iona Bevel	iona.bevel@dot.ca.gov	(213) 555-4131
CT Environmental Branch Chief	Javier Gutierrez	javier.gutierrez@dot.ca.gov	(213) 555-4615
Construction Liaison	Tim Peters	tim.peters@dot.ca.gov	(213) 555-9646
Resident Engineer	Carla Carleton	carla.carleton@dot.ca.gov	(213) 555-6751
Contractor	TBD		
County Contact	Susan Lamb	S.Lamb@County.gov	(213) 859-8823