

## **Stipulation II. Professional Qualifications Standards**

*Basic take away – All historic preservation work needs to have direct, in-field supervision by SOI qualified individuals for the resource being considered moving forward.*

- All cultural work moving forward shall be carried out by or under the direct supervision of a person or persons who meets the Secretary of the Interior's Professional Qualifications Standards (SOI) (published in 48 FR 44738-44739) for the resource being considered.
- All field work must be completed under the direct, in field supervision of an SOI qualified professional for the resource being considered.

To implement this, please include the following statement in all reports submitted to MoDOT prior to SHPO:

*“The work described in this report was carried out by or under the direct supervision of a person or persons who meets the Secretary of the Interior’s Professional Qualifications Standards (SOI).”*

## **Stipulation VI. Project Review**

*Basic take away –Categories Excluded have been removed from the body of the PA and added to Appendices; activities listed under Categories Excluded have changed.*

*Projects that have undergone review under the previous PA will retain their clearance unless the project changes. Any project changes require a new assessment under the current PA.*

- Categories Excluded from further review have been moved to Appendices A, B, and C
- Appendix A – consists of projects which are not reviewed by MoDOT HP staff and are excluded from further Section 106 review
  - Mowing, pothole filling, removal of roadway objects, etc
- Appendix B – consists of projects that have limited potential to cause effects and are excluded from further Section 106 review.
  - Require no consultation with SHPO, Tribes or the public
  - Tracking and justification of use of Appendix B tracked in RES and RER systems.
  - Cannot be used if in a historic district, or has a historic property in the APE
  - Cannot be used if within 100 meters of known mound, cairn, or burial
- Appendix C – consists of projects consists of projects that have limited potential to cause effects and are excluded from further Section 106 review. Requires no further consultation with SHPO or the public
  - **Does require consultation with Tribes**
    - Tribal consultation will consist of a modified notification form – *Appendix C Notification Form.*

- Requires a 30-day window for Tribal Review prior to clearing the project in the RES/RER.
- Project will be able to move forward after the 30-day window
  - **Reminder!** – Tribes can comment on any project at any time. Depending on the request, MoDOT may remove project clearance to address tribal concerns, up till construction of the project.
- Tracking and justification of use of Appendix C tracked in RES and RER systems.
- Cannot be used if in a historic district, or has a historic property in the APE
- Cannot be used if within 100 meters of known mound, cairn, or burial

**Stipulation VIII – Treatment of Human Remains**

*Basic take away – Buffer surrounding encountered remains has increased. Timeline for notification has decreased.*

- All work must stop within 100 meters or 330 feet of the found remains.
- MoDOT and FHWA have 24 hours to notify Tribes of the discovery.

**Stipulation IX – Post- Review Discoveries**

*Basic take away - Buffer surrounding encountered remains has increased. Timeline for notification has decreased.*

- All work must stop within 100 meters or 330 feet of the found remains.
- MoDOT and FHWA have 24 hours to notify Tribes of the discovery.

**Stipulation XI – Reporting**

*Basic take away – new meeting and report requirements*

- Annual Review Meetings with all Signatories
- Annual Report - description of number and types of activities excluded from further Section 106 review