

APPENDIX B – PROGRAMMATICALLY EXCLUDED ACTIVITIES

The signatories agree that the following types of undertakings can be excluded from further Section 106 review by the Iowa SHPO, regardless of whether historic properties are present on or near property involved in an undertaking. The DNR shall still conduct Tribal outreach prior to the initiation of an excluded undertaking, and will provide consultation to any Tribe which requests it. The DNR must complete an Excluded from Review form for all excluded undertakings; Tier II undertakings also require HPS approval. A completed Excluded from Review form and submission in the annual report to SHPO concludes the standard Section 106 review for an undertaking; no further action is required by any party, except in the event of an Unanticipated Discovery, which shall be handled in accordance with Section VII of the Agreement.

Tier 1

The following Tier 1 undertakings can be excluded from SHPO review, after review and analysis by an ERS or HPS. A full *Excluded from Review* form (Exhibit 1) is required to be filed with the project and reported to SHPO in the annual report.

- A. Connection Fee Only – An SRF loan that pays only for connection to a Rural Water Supply with no ground disturbance or impacted structures.
- B. Video Scoping of Existing Lines – An SRF loan that pays only for video scoping of existing lines with no ground disturbance or impacted structures.
- C. Emerging Contaminant Study – An SRF loan that pays only for the study of the presence and/or treatment of emerging contaminants in the water supply with no ground disturbance or impacted structures.
- D. Lead Service Line Inventory – An SRF loan that pays for the inventory of lead service lines with no ground disturbance or impacted structures.
- E. Lining Less Than 45 Years – An SRF project that consists of lining of water and/or sewer pipe less than 45 years of age and possible minor repairs, with no ground disturbance.
- F. Lining Greater Than 45 Years – An SRF project that consists of lining of water and/or sewer pipe older than 45 years of age that are not brick, stone, or wood, so long as the cured process doesn't degrade the piping material, and possible minor repairs, with no ground disturbance.
- G. Water Meter Replacements with No Historic Properties Present – An SRF project that consists of water meter replacements at existing water meter locations and no ground disturbance at buildings/structures that are less than 45 years old.
- H. Water Meter Replacements at Potential or Known Historic Properties – An SRF project that consists of only water meter replacements at existing water meter locations within basements or outside the structure with no new openings on the outside of the structure.
- I. Utility Upgrades and/or Updating Equipment Not Otherwise Identified In Tier 1 – An SRF project that consists of utility upgrades without ground disturbance where no existing structures are impacted.

APPENDIX B – PROGRAMMATICALLY EXCLUDED ACTIVITIES

Tier 2

The following Tier 2 undertakings can be excluded from SHPO review after review and analysis by an HPS. A full *Excluded from Review* form is required to be filed with the project and reported to SHPO in the annual report.

- J. Repairs Less Than 45 Years - An SRF project that consists of point and/or spot repairs of water and/or sewer pipe where the water and/or sewer pipe are less than 45 years of age, and all work can be completed before the pipes become 50 years of age as determined by the HPS through Stipulation II.N.6.
- K. Treatment Changes – An SRF project that consists of treatment changes at an existing water treatment plant or wastewater treatment plant with no impacts to existing buildings/structures or ground disturbance.
- L. Repairs on Pipe Greater Than 45 Years – An SRF project that consists of point and/or spot repairs of water and/or sewer pipe where the water and/or sewer pipe are greater than 45 years of age, as long as it is not made of brick, stone, or wood, and there is low potential for archaeological resources as determined by the HPS through Stipulation II.N.6.
- M. Hydrant - An SRF project that consists of hydrant replacement and repairs, that are not below brick pavers within NRHP-eligible or listed historic districts and there is low potential for significant archaeological resources as determined by the HPS through Stipulation II.N.6.
- N. Manholes – An SRF project that consists of manhole replacement and repairs, that are not below brick pavers within NRHP-eligible or listed historic districts and there is low potential for significant archaeological resources as determined by the HPS through Stipulation II.N.6.
- O. Utility Upgrades and/or Updating Equipment Not Otherwise Identified in Tier 2 – An SRF project that consists of utility upgrades without ground disturbance and no NRHP unevaluated, eligible, or listed properties are present are within the APE.
- P. Replacement Of Water/Sewer Service Lines And Main using Boring or Slit Trench – An SRF project that consists of new/replacement service lines and related appurtenances involving boring or slit trenches up to one (1) foot in width with connecting pits no bigger than 10 feet by 10 feet relating to connecting to utility lines, and no NRHP unevaluated, eligible, or listed properties are present within the APE and there is low potential for significant archaeological resources as determined by the HPS through Stipulation II.N.6.
- Q. Replacement of Water Service Lines with Pull Technique – An SRF project that consists of replacement of privately-owned water and/or sewer lines using the “pull” technique, replacing the service lines at the same depth as the originals with connecting pits no bigger than 10 feet by 10 feet relating to connecting to utility lines and there is low potential for archaeological resources as determined by the HPS through Stipulation II.N.6.
- R. In-place Replacement Of Water/Sewer Lines And Main – An SRF project that consists of in-place replacement of water and/or sewer mains less than 45 years old (i.e., polyvinyl,

APPENDIX B – PROGRAMMATICALLY EXCLUDED ACTIVITIES

fiber cement and other generic composite or plastic pipe; clay pipe less than 24 inches in diameter, post-WPA pre-cast concrete pipe and boxes), if no NRHP unevaluated, eligible, or listed properties are present within the APE; there is low potential for archaeological resources as determined by the HPS through Stipulation II.N.6.; work can be completed before water and/or sewer mains become 50 years old; and all earthmoving activities are confined to existing utility trenches or profoundly disturbed rights-of-way.

- S. Modifications to Existing Treatment Plants – An SRF project that consists of ground disturbances confined to the current disturbed footprint of an existing wastewater or water treatment plant in which no structures will be impacted; and no unevaluated, eligible, or listed NRHP properties are present; and there is low potential for archaeological resources as determined by the HPS through Stipulation II.N.6.
- T. Resurfacing – An SRF project that consists of resurfacing and/or rehabilitation of existing concrete sidewalks and curbs and concrete or asphalt roads, drives, or entries where there will be no change in the existing horizontal or vertical alignment if no unevaluated, eligible, or listed NRHP properties are present within the APE; and where any unevaluated, eligible, or listed NRHP properties, including sites and historic districts, are located more than 25 feet away from heavy equipment usage; and where all activities are contained to the roadway where the surface material is less than 45 years old. This exclusion does not apply to roads found eligible or listed on the NRHP that are contributing features to a NRHP eligible or listed historic district as determined by the HPS through Stipulation II.N.6.
- U. Road Conversion – An SRF project that consists of conversion of an existing gravel road to concrete or asphalt where there will be no change in the existing horizontal and vertical alignment if no unevaluated, eligible, or listed NRHP properties are present within the APE and where any unevaluated, eligible, or listed NRHP properties, including sites and historic districts, are located more than 25 feet away from heavy equipment usage, there is low potential for significant archaeological resources as determined by the HPS through Stipulation II.N.6., and all activities are confined to the existing roadway. This exclusion does not apply to roads found eligible or listed on the NRHP that are contributing features to a NRHP eligible or listed historic district.
- V. Test Boring/Test Wells – An SRF project that consists of test boring locations to determine soil suitability and/or test well locations, if no recorded archeological sites are within the direct APE or within 300 feet of the APE and there is low potential for significant archaeological resources as determined by the HPS through Stipulation II.N.6.
- W. Demolition – An SRF project that consists of demolition of buildings less than 45 years old and does not meet NRHP Criteria Consideration G when all activity is confined to the current footprint of the original construction; when ground surface conditions are stable enough to support the weight and movement of heavy equipment on profoundly disturbed bare ground or on temporary mats without sinking into the ground, rutting the ground surface, creating soil compaction, or resulting in any form of earthmoving at the demolition area; when work can be completed before the building(s) becomes 50 years of age; and if there are no known NRHP unevaluated, eligible, or listed properties, including sites and historic districts, within the APE and there is low potential for significant archaeological resources as determined by the HPS through Stipulation II.N.6.

APPENDIX B – PROGRAMMATICALLY EXCLUDED ACTIVITIES

- X. Disturbance of Brick Streets – An SRF project that consists of disturbance of unevaluated brick streets so long as the following conditions are met during the undertaking and are included in all contracts entered into by the Applicant: bricks shall be carefully removed, safely stored, cleaned, and placed back with any broken bricks replaced in kind as determined by the HPS; portions of brick streets that are disturbed shall have the cleaned bricks replaced in contextually appropriate configuration to project areas from which they were removed; and bricks that are damaged during removal shall be replaced in kind as determined by the HPS. This exclusion does not apply to roads found eligible for or listed on the NRHP or roads that are a contributing feature to a NRHP eligible or listed historic district.
- Y. Non-Specific Excluded Activities Below Ground in Previously Surveyed Areas - An SRF project involving below ground activities with an APE of vacant land that has low potential for significant archaeological resources as determined by the HPS through Stipulation II.N.6.; and where the APE was intensively surveyed using methods consistent with Association of Iowa Archaeologist Guidelines (1999 or after) to depths consistent with the current undertaking for the purposes of a previous Section 106 review and evaluated by a federal agency not to contain archaeological sites that are NRHP-listed, eligible, or unevaluated, and this survey was reviewed, concurred, and recommended for acceptance by the Iowa SHPO.
- Z. Directional Boring – An SRF project that consists of directional boring of utility lines with sending and receiving pits less than 10 feet by 10 feet (or connecting pits relating to directional boring for utility lines no bigger than 10 feet by 10 feet), if no NRHP unevaluated, eligible, or listed properties, including sites and historic districts, are within the APE and there is low potential for significant archaeological resources as determined by the HPS through Stipulation II.N.6., and all activities are confined to disturbed roadways or depths exceeding potential for archaeological resources.
- AA. Well Replacements Within Existing Well Field – An SRF project that consists of replacement of wells in existing well filed in existing locations, including well heads and casings, in existing well fields, and where the APE was intensively surveyed using methods consistent with Association of Iowa Archaeologist Guidelines (1999 or after) to depths consistent with the current undertaking for the purposes of a previous Section 106 review and evaluated by a federal agency not to contain archaeological sites that are NRHP-listed, eligible, or unevaluated, and this survey was reviewed, concurred, and recommended for acceptance by the Iowa SHPO.
- BB. Repair/Replacement of Sidewalk, Curbing, Driveways Parking Lots, Walkways – An SRF project that consists of in-kind replacement of concrete, asphalt, or brick sidewalks, curbing, driveways, parking lots, and/or walkways if unevaluated, eligible, or listed NRHP properties, including sites and historic districts, are within the APE provided that no vibrational impacts are expected and character defining features, including the front façade, are not affected and there is low potential for archaeological resources as determined by the HPS through Stipulation II.N.6.
- CC. Non-specific Excluded Activities Above Ground – If there is low potential for archaeological resources as determined by the HPS through Stipulation II.N.6. and either of the following conditions are met, it shall not be necessary for SHPO to review the

APPENDIX B – PROGRAMMATICALLY EXCLUDED ACTIVITIES

architectural portion of a project, regardless of activity. The HPS will document how the project meets the conditions on an *Excluded from Review form*.

- i. Condition 1: The project may impact a building/structure of any type that is less than 45 years old and that is not listed in or previously determined eligible for the NRHP and does not convey the level of exceptional significance to be considered eligible for the NRHP under Criteria Consideration G (individually or as a contributing component to a historic district). All work conducted as part of the Undertaking must be completed before the building(s) becomes 50 years old.
- ii. Condition 2: All relevant resources more than 45 years old have been surveyed by a professional historian or architectural historian within the last 5 years, determined not to contain historic properties or contributing to a NRHP potential or listed historic district, and the determination was accepted by the Iowa SHPO. Please note this does not include properties simply added to the Iowa Site Inventory within 5 years.

DD. Water Tower or Standpipe Removal – An SRF project that consists of removal and/or replacement of water tower or standpipe on the same parcel when that parcel is less than one (1) acre in size, if water tower to be demolished is less than 45 years old; where no adverse impact to the viewshed would occur if no NRHP listed, eligible, or unevaluated properties, including sites and historic districts, are within the APE. This work must be completed before the water tower becomes 50 years of age, and there is low potential for archaeological resources as determined by the HPS through Stipulation II.N.6.