

CF OPERATING PROCEDURE
NO. 70-11

STATE OF FLORIDA
DEPARTMENT OF
CHILDREN AND FAMILIES
TALLAHASSEE, October 1, 2008

Facilities Acquisition and Management

ARCHAEOLOGICAL AND HISTORIC RESOURCES

1. Purpose. This operating procedure establishes uniform procedures to identify, locate, acquire, protect, operate, interpret and preserve archaeological and historic resources to foster an appreciation of Florida history and culture.
2. Scope. This operating procedure applies to all Department entities and all real property (land and buildings) owned or leased.
3. Background. Archaeological and historic sites have essential characteristics which must be recognized. Such sites are finite and non-renewable resources. They are unique because they represent tangible remains of conditions and events which occurred at a specific time and place. Sites are fragile because significance derives not only from artifacts, but also from their spatial arrangement or context. While sites reflect uniquely localized events, they are also time capsules of past biotic communities, climate and other elements of environment. Historic structures contain a wealth of cultural data that requires sensitive maintenance, restoration or rehabilitation. The Division of Historical Resources of the Department of State is the primary preservation authority.
4. References.
 - a. Section 253.034(4), Florida Statutes (F.S.).
 - b. Section 267.061(1)b, (2) and (3), F.S.
 - c. Chapter 872, F.S.
5. Definitions.
 - a. "Historic property" or "historic resource" means any prehistoric or historic district, site, building, object, or other real or personal property of historical, architectural or archaeological value. These properties or resources may include, but are not limited to, monuments, memorials, Indian habitations, ceremonial sites, abandoned settlements, engineering works, treasure trove, artifacts, or other objects with intrinsic historical or archaeological value, or any part thereof, relating to the history, government and culture of the state.
 - b. "Preservation" or "historic preservation" means the identification, evaluation, recordation, documentation, analysis, recovery, interpretation, curation, acquisition, protection, management, rehabilitation, restoration, stabilization, maintenance, or reconstruction of historic properties.
 - c. "National Register of Historic Places" means the list of historic properties significant in American history, architecture, archaeology, engineering and culture, maintained by the Secretary of the Interior, as established by the National Historic Preservation Act of 1966, as amended.

This operating procedure supersedes CFOP 70-11 dated June 1, 1998.

OPR: ASGDC

DISTRIBUTION: X: OSES; OSLs; ASGO; Region Directors; Region/Circuit Mental Health Treatment Facilities.

6. Land Management Plans. Chapter 253, Florida Statutes (“State Lands”) directs the Department to prepare “single-use” or “multiple-use” land management plans for all state-owned lands and state-owned sovereignty submerged lands. All management plans, whether for single-use or multiple-use properties, will specifically describe how the Department plans to identify, locate, protect, preserve, or otherwise use archaeological and historic sites. Plans were to be submitted originally by the Department no later than July 1, 1989, and at least every 5 years thereafter, to the Division of State Lands. For parcels over 160 acres, the Division of State Lands submits the plans to each member of the Land Management Advisory Committee, which has 60 days to review the plans, prepare recommendations and submit the plans to the Board of Trustees of the Internal Improvement Trust Fund (Trusted) for approval.

7. Archaeological and Historical Site Procedures.

a. Circuits/Regions and institutions will keep the office of design and construction current about property used, boundaries and site conditions.

b. The office of design and construction will contact the Division of Historical Resources and send United States Geological Survey 7.5 minute series quadrangle maps outlining the boundaries of various Department properties.

c. The Division of Historical Resources will identify site locations on those maps and provide descriptions for known archaeological and historical sites and areas of high archaeological and historic site location probability.

d. The Division of Historical Resources will provide archaeological field recording forms and historic structure field recording forms to the office of design and construction.

e. The office of design and construction, working in conjunction with the circuits/regions and institutions, will update information on recorded sites.

f. The office of design and construction will supply the Division of Historical Resources with new information as it becomes available on previously unrecorded sites that circuits/regions or institutions locate. This information will include:

(1) Historic Sites.

(a) Type of structure (dwelling, church, factory, etc.).

(b) Known or estimated age or construction date for each structure and addition.

(c) Location of building [identify location on a map of the property and building placement (detached, row, etc.)].

(d) General characteristics (include photographs if possible); overall shape of plan (rectangle, “L” “T” “H” “U”, etc.); number of stories; number of vertical divisions or bays; construction materials (brick, frame, stone, etc.); wall finish (kind of bond, coursing, shingle, etc.); roof shape.

(e) Specific features including location, number and appearance of:

1. Important decorative elements;

2. Interior features contributing to the character of the building;

3. Number, type and location of outbuildings as well as date(s) of construction;
4. Notation if property has been moved; and,
5. Notation of known alterations to building.

(2) Archaeological Sites.

- (a) Site location (written narrative and mapped location).
- (b) Cultural affiliation and period.
- (c) Site type (midden, burial mound, artifact scatter, building rubble, etc.).
- (d) Threats to site (deterioration, vandalism, etc.).
- (e) Site size (acreage, square meters, etc.).
- (f) Artifacts observed on ground surface (pottery, bone, glass, etc.).
- (g) Description of surrounding environment.

g. 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 office of design and construction early in the project planning.

h. Ground disturbing activities may proceed elsewhere but circuits/regions and institutions should stop disturbance in the immediate vicinity of artifact finds and notify the Division of Historical Resources if previously unknown archaeological or historic remains are uncovered. The provisions of Chapter 872, F.S., will be followed when human remains are encountered.

i. Excavation and collection of archaeological and historic sites on state lands without a permit from the Division of Historical Resources is a violation of state law and will be reported to a law enforcement officer. The use of metal detectors will be prohibited on state lands except when authorized in a 1A-32, Florida Administrative Code (F.A.C.) research permit from the Division of Historical Resources.

j. Interpretation and visitation which will increase public understanding and enjoyment of archaeological and historic sites without site destruction or vandalism is strongly encouraged.

k. Development of interpretive programs including trails, signage, kiosks and exhibits is encouraged and should be coordinated with the Division of Historical Resources.

l. Artifacts found or collected on state lands are by law the property of the Division of Historical Resources. The office of design and construction will contact the Division of Historical Resources 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.

8. Historic Property Responsibilities.

a. The Department, having direct or indirect jurisdiction over a proposed state or state-assisted undertaking, will 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. The Department will afford the Division of Historical Resources a reasonable opportunity to comment about such an undertaking.

b. The office of design and construction will initiate measures in consultation with the Division of Historical Resources to assure that where, as a result of state action or assistance carried out by the Department, a historic property is to be demolished or substantially altered, timely steps are taken to determine that no feasible and prudent alternative to the proposed demolition or alteration exists. Where no such alternative is determined to exist, timely steps will be 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.

c. In consultation with the Division of Historical Resources, the office of design and construction will establish a program to locate, inventory and evaluate all historic properties under the Department's ownership or control that appear to qualify for the National Register of Historic Places. The office of design and construction will exercise caution to assure that any such historic property is not inadvertently transferred, sold, demolished, substantially altered, or allowed to deteriorate significantly.

d. The office of design and construction will assume responsibility for the preservation of historic resources which are owned or controlled by the Department. Prior to acquiring, constructing, or leasing buildings for the purpose of carrying out agency responsibilities, the Department will use, to the maximum extent feasible, historic properties available to the agency. The Department will undertake any preservation actions necessary consistent with preservation of such properties, the mission of the agency and professional standards.

e. Consistent with the Department's mission and authority, programs and projects will be carried out in a manner which is generally sensitive to the preservation of historic properties and gives consideration to programs and projects which will further the purposes of this operating procedure.

f. Section 267.12 authorizes the Division of Historical Resources 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.

g. In the case of known significant sites, which may be affected by proposed project activities, the Department generally will be expected to alter proposed management or development plans, as necessary, or else make special provisions to minimize or mitigate damage to such sites.

h. If in the course of management activities, or as a result of development or the permitting of dredging activities, it is determined that valuable historic or archaeological sites will be damaged or destroyed, the Division of Historical Resources reserves the right, pursuant to 267.061(1)(b), F.S., to require salvage measures to mitigate the destructive impact of such activities. Such salvage measures would be accomplished before the Division of Historical Resources would grant permission for destruction of the affected site areas; and, the funding needed to implement salvage measures is the responsibility of the Department planning the site activity.

i. 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.

j. The cooperation of circuits/regions and institutions in reporting sites to the office of design and construction that their field personnel may discover is encouraged. The Division of Historical Resources will help inform field personnel about the characteristics and appearance of sites. Upon request, the Division of Historical Resources will also provide to the office of design and construction archaeological and historical summaries of the known and potentially occurring resources, so that information may be incorporated into circuit/region and institution management plans and public awareness programs.

k. Any discovery of instances of looting or unauthorized destruction of sites will be reported to the office of design and construction who will alert the agent for the Trustees and the Division of Historical Resources so that appropriate action may be initiated. 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 of Historical Resources will make arrest 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 sheriff's officers are urged to assist in efforts to stop and/or prevent site looting and destruction.

9. Architectural Preservation Responsibilities.

a. Every reasonable effort will be made to provide a compatible use for a property that requires minimal alteration of the building, structure, or site and its environment, or to use a property for its originally intended purpose.

b. The distinguishing original qualities or character of a building, structure or site and its environment will not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible, and should not be undertaken without advance consultation with the office of design and construction and the Division of Historical Resources.

c. All buildings, structures and sites will be recognized as products of their own time. Alterations which have no historical basis and which seek to create an earlier appearance will be discouraged.

d. Changes which may have taken place in the course of time are evidence of the history and development of a building, structure, or site and its environment. These changes may have acquired significance in their own right and this significance will be recognized and respected.

e. Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, or site will be treated with sensitivity.

f. Deteriorated architectural features will be repaired rather than replaced, whenever possible. In the event replacement is necessary, the new material should be compatible with the remaining structure in terms of composition, design, color, texture and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplication of features, substantiated by historical, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.

g. The surface cleaning of structures will be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building material will not be used.

h. Every reasonable effort will be made to protect and preserve archaeological resources, both prehistoric and historic, affected by, or adjacent to, any project.

i. Contemporary design for alterations and additions to existing properties is permissible when such alterations and additions do not destroy significant historical, architectural or other cultural material, and when such design is compatible with the size, scale, color, material and character of the property or environment.

j. Whenever possible, new additions or alterations to structures will be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the original structure would be unimpaired.

BY DIRECTION OF THE SECRETARY:

(Signed original copy on file)

MELISSA P. JAACKS
Assistant Secretary for
Administration

SUMMARY OF REVISED, DELETED, OR ADDED MATERIAL

This operating procedure has been updated to reflect current requirements and the Department's current organizational structure.