



# PIMA COUNTY, ARIZONA BOARD OF SUPERVISORS POLICY

<b><u>Subject:</u></b> <b>Protection of Cultural Resources</b>	<b>Policy Number</b>	<b>Page</b>
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**Purpose:** The purpose of this Policy is to establish guidelines regarding the protection and documentation of archaeological, historical, and other cultural resources that are on land owned by Pima County or that may be affected by County projects or ground disturbing activities by other entities on County-owned land.

**Background:** Pima County is a rich mosaic of historic places, cultural diversity, living traditions, and regional character, which define our collective cultural heritage and community identity. Cultural resources are finite and non-renewable, and include ancestral Native American, Spanish colonial, Mexican, and American archaeological and historic sites, traditional cultural places, historic buildings, districts, objects, and landscapes.

Pima County is committed to the protection, conservation, and preservation of cultural resources to benefit its citizens of today and to preserve this rich heritage for its citizens of tomorrow. For many years, Pima County has actively worked to protect cultural resources impacted by County projects as formalized by Resolution 1983-104, which acknowledges *"the need of adequate documentation and professional preservation of the city-county's historical and archaeological sites as required by law."*

Pima County recognizes that construction and development may negatively impact these irreplaceable cultural resources. This impact diminishes the cultural heritage of Pima County and affects the quality of life in Pima County and in our community.

**Policy:** It is Pima County's policy to conserve and protect cultural resources, and to mitigate any negative effects that Pima County's operations and land-use planning decisions may have on cultural resources.

**Goals:** The County's goals are to:

- Preserve and protect cultural resources in Pima County.
- Whenever possible, avoid adverse impacts from County projects on cultural resources. If impacts cannot be avoided, minimize and mitigate the effects of construction and development on Pima County's cultural resources.
- Ensure the County's compliance with all county and state historic preservation laws and regulations, and when required, all federal laws and regulations.
- Consistently apply procedures for the identification, evaluation, and assessment of cultural resource impacts, and procedures for mitigation of those impacts, to enable all County departments to achieve the County's cultural resources preservation goals and objectives.



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## **Definitions:**

1. **Cultural Resources:** Archaeological and historic sites and buildings, districts, structures, or objects having historical, architectural, archaeological, cultural, or scientific importance.
2. **Archaeological Site:** Sites, districts and objects representing the material remains of past human life or activities that are preserved in their original setting and important to understanding prehistory or history.
3. **Historic Site:** Sites, districts, structures, objects, or other evidences of human activities that represent facets of the history of the nation, state, or locality
4. **Traditional Cultural Places:** Places associated with the cultural practices or beliefs of a living community, that are: (a) rooted in that community's history, and, (b) important in maintaining the continuing cultural identity of the community.
5. **Historic Preservation:** The process of applying measures necessary to sustain the existing form, integrity, workmanship and materials of an historic property through the preservation and protection of archaeological and historic sites and buildings, districts, structures, objects and areas of historic significance and interest.

## **Requirements for Cultural Resource Protections:**

1. **For County Projects:**
  - 1.1 All County departments and units of Pima County Government will comply with applicable federal, state and local laws, regulations, rules, standards, procedures, and guidelines governing the protection of cultural resources.
  - 1.2 Departments will consider cultural resources during the earliest stages of project planning, so that any potential impacts can be identified and resolved without causing project delays or unplanned increases in project budgets.
  - 1.3 No land disturbance, grading or excavation will occur on County projects, and no designated historic structures or potentially historic structures will be altered or demolished, without first receiving cultural resources clearance for such activities in accordance with the provisions of this policy.
  - 1.4 All cultural resources services required by County departments for their projects will be managed by the Pima County Office of Cultural Resources and Historic Preservation (OCRHP).
  - 1.5 OCRHP will work with County departments to determine and coordinate project needs regarding cultural resources records checks, field inventory, eligibility to the National Register of Historic Places, impact assessments, and treatments, or mitigation, as appropriate. OCRHP will consult with the State Historic Preservation Office and other agencies as necessary, to obtain approvals and concurrence for cultural resources project implementation on behalf of County departments.



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- 1.6 The County will maintain qualified consultant lists and one or more professional services contracts with consultants who hold Arizona Antiquities Act Permits, issued by the Arizona State Museum, or registered architects, specializing in historic preservation. All cultural resources services required by County departments for their projects will be performed by these consultants, or through a qualifications-based competitive procurement for professional services, unless an exception is authorized in advance by OCRHP and the Procurement Department.
- 1.7 Project-related costs for any cultural resources inventory, evaluation, assessment, and treatment or mitigation work performed by OCRHP and the consulting firms will be funded as part of the cost of the County project.
2. **For County-Owned Cultural Resources:**
  - 2.1. Cultural resources owned by Pima County in open space preserves will be inventoried, as funds permit, recorded with the Arizona State Museum, and managed for preservation purposes. The Arizona Site Stewards program will be engaged to assist in monitoring these cultural resources.
  - 2.2 Historic buildings and structures owned by Pima County will be preserved, maintained, and utilized. Treatments may include preservation, restoration, rehabilitation and adaptive use.
  - 2.3 County employees, volunteers, contractors, and subcontractors will not remove archaeological or historical materials and artifacts (including fragments) from, nor disturb such materials on, County property. Any violation of this direction shall require a written report to the County Administrator, documenting the incident. The report shall include a description of the incident and an analysis of why the incident occurred, shall detail any disciplinary action taken, and shall describe measures developed to prevent such incidents from recurring in the future.
- 3 **For Third-Party Projects on County Property:** Projects to be carried on County-owned property by third parties such as (but not necessarily limited to) recreational facility operators, ground lease tenants, and park project donors, that are subject to review and approval by the County, will be submitted to OCRHP for cultural resource impact review, and mitigation if necessary, as part of the review and compliance process.
- 4 **For County Property being Sold:** County property containing cultural resources will not be sold or otherwise conveyed to a third party unless resource protection and preservation is made a condition of sale and the property is conveyed subject to restrictive covenants, enforceable by the County, that require such protection and preservation. Should impacts to cultural resources be unavoidable, the third party will be responsible for the costs of mitigation.



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- Projects in County Rights-of Way by Others: The Development Services Right of Way Permits Office will require cultural resource review and compliance, including mitigation if necessary, prior to issuance of a right-of-way permit for construction within a Pima County roadway.

**ADMINISTRATIVE PROCEDURE:** The County Administrator is directed to develop an Administrative Procedure establishing a cultural resources review and compliance process to carry out the intent of this Policy.

**RESPONSIBLE DEPARTMENT:** The Pima County Office of Cultural Resources and Historic Preservation will be responsible for the implementation of this policy in cooperation with all other County departments.

Effective Date::

12/2/08