

Fairfax County Park Authority Cultural Resource Management Plan

Revised 2018



Prepared by:
Archaeology and Collections Branch
and
Heritage Conservation Branch,
Resource Management Division



ACKNOWLEDGEMENTS

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EXECUTIVE SUMMARY

A *Cultural Resource Management Plan* (CRM Plan) was developed for the Fairfax County Park Authority (FCPA) as part of its continuing effort to promote the culture of resource stewardship in the county and to continue in its mission to protect cultural resources for present and future generations. The first CRM Plan was approved by the Park Authority Board on April 26, 2006. The original Plan was divided into eleven (11) Element Chapters, each of which represented an important topic in Cultural Resource Management. The Element Chapters were: Cultural Resource Planning; Archaeology; Civil War Sites; Archaeological Artifacts and Collections; Historic Buildings, Structures, Objects, and Traditional Cultural Properties; Fairfax County Historic Overlay Districts; Listings; Cemeteries; Cultural Landscapes; Human Impact on Cultural Resources; and Stewardship Education. Each Element Chapter included issues and strategies to address these issues. Staff have been working since 2006 to implement the CRM Plan.

In 2008, Museum Collections Management and Historic Preservation were transferred administratively to the Cultural Resource Management and Protection Branch. Historic Preservation concerns were addressed in the 2006 CRM Plan, however Museum Collections was not included. In 2012, the CRM Plan was updated to address these issues in preparation for FCPA's American Alliance of Museums (AAM) Reaccreditation.

In 2018, the CRM Plan was revamped to provide a more streamlined approach to archaeology and historic preservation. In 2016, with the hiring of a new Heritage Conservation Branch Manager, Cultural Resources was subdivided into two cooperative branches. The Heritage Conservation Branch is responsible for policies and regulations regarding historic buildings, structures, the Resident Curator Program and curatorial museum collections management for FCPA. The Archaeology and Collections Branch is responsible for archaeology on parkland and countywide, including archaeological resources, cultural resource policies and regulations, cemeteries, and archaeological collections. The Heritage Conservation Branch and the Archaeological and Collections Branch will work collaboratively on cultural landscapes, ruins, listing on the County Inventory and Virginia and National Registers, and other instances where multiple resources are involved. The current CRM Plan, which follows the format set forth by the Natural Resource Management Plan, provides guidance for the identification, evaluation, protection, interpretation, and treatment of cultural resources in Fairfax County.

The 2018 CRM Plan follows the Park Authority Policies 203 (Cultural Resources), 204 (Countywide Archaeology), 205 (Historic Preservation), and 206 (Museum and Archaeological Collections), as well as other local, state, and federal standards and regulations. The Plan is designed to implement the four recommendations set forth for cultural resources in the FCPA's 2017 Great Parks, Great Communities Parks and Recreation System Master Plan.

An Implementation Plan will be developed that will define needs for each action with the recognition that regular revision may be necessary to accommodate changes in policy, as well as the availability of staffing and funding. Annual Work Plans will present manageable goals to be accomplished for each year.

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INTRODUCTION

PURPOSE AND VISION

The purpose of this Cultural Resource Management Plan (CRM Plan) is to coordinate agency-wide efforts to achieve the cultural resource preservation mission of the Fairfax County Park Authority (FCPA) and implement agency Policies 203 (Cultural Resources), 204 (Countywide Archaeology) 205 (Historic Preservation) and 206 (Museum and Archaeological Collections). Furthermore, the CRM Plan can assist in supporting and furthering cultural resource management goals as outlined in Policies 102 (Park Planning), 103 (Park Development) and 208 (Sustainable Management) (*Policy Manual*, 2013).

The Cultural Resource Management goal in the Fairfax County Park Authority Great Parks, Great Communities Parks and Recreation System Master Plan is to ensure protection, conservation, preservation and interpretation of cultural resources, and recommendations may include the following:

- Establishing a suitable facility to preserve, expand, conserve and exhibit countywide collections
- Actively protecting, managing, and conserving the county's cultural and historic resources
- Expanding stewardship education, interpretation, community engagement and the use of technology
- Continuing to assess, implement and improve the Resident Curator Program

Several other local, state, and federal policies, laws, and guidelines guide cultural resource management on FCPA properties. These include the Policy Plan Component of the Comprehensive Plan for Fairfax County (Fairfax County 2013), the Heritage Resource Management Plan (Chittenden *et al* 1988), Archaeological Survey Requirements (Fairfax County Zoning Ordinance, Section 7-210), Guidelines for Conducting Historic Resources Survey in Virginia (DHR 2011), and the National Historic Preservation Act (54 U.S.C. § 300101 *et seq.*).

Both the Fairfax County Park Authority Mission Statement and the Fairfax County Park Authority Vision emphasize the importance of cultural resources in the enhancement of the quality of life in the County. Fairfax County Park Authority serves as the county's largest landowner with more than 23,000 acres encompassing over 400 parks. Countywide responsibility for archaeological and museum resources and preserving Fairfax County's rich cultural heritage rests with the FCPA. FCPA landholdings contain a wealth of cultural resources spanning human habitation in this part of Northern Virginia. These resources include archaeological sites left by Native American hunters between 8000 and 15,000 years ago, Native American hunter gatherer societies between 3200 and 8000 years ago and Native American agricultural societies between 3200 and 400 years ago. The archaeological record of Fairfax County documents the arrival of European colonists, enslaved Africans and the development of a colonial society that produced several of our nation's founding fathers.

PLAN STRUCTURE

This CRM Plan revision focuses on three themes. Each of these themes correlates directly to FCPA cultural resource management policies, specifically Policies 203, 204, 205, 206, and 208. Within each theme, the CRM Plan proposes a series of actions. These actions are those tasks that staff and partners must undertake to satisfy the broad policy supported by the respective themes.

The CRM Plan is being revamped to provide a more streamlined approach to archaeology and historic preservation. In 2016, with the hiring of a new Heritage Conservation Branch Manager, Cultural Resources was subdivided into two cooperative branches. The Heritage Conservation Branch (HCB) is responsible for policies and regulations regarding historic buildings, structures, the Resident Curator Program and

curatorial museum collections management for FCPA. The Archaeology and Collections Branch (ACB) is responsible for archaeology on parkland and countywide including archaeological resources, cultural resource policies and regulations, cemeteries, and archaeological collections. The HCB and the ACB will work collaboratively on cultural landscapes, ruins, listing on the County Inventory and Virginia and National Registers, and other instances where multiple resources are involved. The current CRM Plan, which follows the format set forth by the Natural Resource Management Plan, provides guidance for the identification, evaluation, interpretation, and treatment of cultural resources in Fairfax County.

Although the Archaeology and Collections Branch and the Heritage Conservation Branch of the Resource Management Division have the lead roles implementing the CRM Plan, all divisions, sites, and staff are responsible for implementation and for ensuring that FCPA policies and practices support cultural resource protection. Staff will report on accomplishments and plans to the Park Authority Board annually and also through quarterly stewardship updates.

There is broad recognition of the Park Authority's obligation and responsibility to protect and manage the cultural resources under its care. This commitment is prioritized in the provisions of the Great Parks, Great Communities Parks and Recreation System Master Plan, demonstrated by Park Authority cultural resource policies, and achieved through the implementation of the CRM Plan.

Implementation of the CRM Plan requires a commitment of significant resources, both in staff and funding. An Implementation Plan will be developed that will define needs for each action with the recognition that regular revision may be necessary to accommodate changes in policy, as well as the availability of staffing and funding. Annual Work Plans will present manageable goals to be accomplished for each year.

Management Theme: Inventory and Planning

Understanding what we have

Effective management and protection of **all** cultural resources, whether they are historic structures, archaeological sites, museum objects, or archaeological artifacts begins with an understanding of the broad scope of cultural resources for which the Park Authority has responsibility. The following actions address how the Park Authority collects cultural resource data in order to drive decision making in both park and countywide planning and what is required for accreditation.

1. Conduct inventories of historic structures, archaeological sites, and collections objects

- a. Phase I archaeological investigations will be conducted in advance of park acquisition, planning projects, and management activities to identify and protect archaeological resources. Properties countywide with archaeological potential, identified during development plan review, as part of federal projects, or those identified as the result of Zoning Ordinance, Sections 7-201 and 7-210, will be subject to archaeological inventory. Sites will be recorded with the Commonwealth of Virginia, as well as within an archaeological sites geodatabase built within the Fairfax County GIS infrastructure.
- b. All [historic structures existing on parkland](#) will be inventoried, evaluated and mapped in a historic resource geodatabase built within the Fairfax County GIS infrastructure. FCPA historic resources will be assessed periodically to ensure we are acting as good stewards of our properties.
- c. All archaeological and collections objects will be subject to biennial complete inventories as well as annual “spot” inventories. Collections data will be entered and maintained within the Re:Discovery database.

2. Evaluate cultural resources

- a. FCPA will evaluate archaeological resources on parkland and countywide and architectural resources on parkland according to both National Register of Historic Places (NRHP) and public significance criteria. Although the overriding goal is to evaluate the significance of all cultural resources, it may be necessary to prioritize evaluations based upon threats to specific resources as part of proposed development, based on the potential research value of a resource or other factors.
- b. Current conditions of architectural, archaeological, and collections objects shall be assessed in order to prioritize management of these resources.

3. Planning

- a. Continue to review countywide development plans for potential impacts to archaeological resources. When within FCPA authority, ACB will require archaeological investigations prior to development. When not within FCPA authority (by-right development), recommend archaeological investigation prior to development. Review associated reports and make recommendations for future work, if necessary.
- b. Work with the Fairfax County Architectural Review Board (ARB) on projects within Historic Overlay Districts. Oversee archaeological projects done in compliance with Sections 7-201 and 7-210 of the Zoning Ordinance Amendment.

- c. Participate in state and federal consultation teams for projects that might impact cultural resources in Fairfax County, both on parkland and countywide. When possible, secure proffers for projects with the potential to impact cultural resources not protected by local, state, or federal policies or laws.
- d. Participate in FCPA Master Planning.
 - i. Designate Resource Protection Zones and develop park maps defining areas where land disturbance shall be limited and access regulated based upon the sensitivity of the resources.
 - ii. Ensure that cultural resource protection is integrated into all aspects of Park Planning including: land acquisition, planning, development, management, maintenance, community engagement, and interpretation.

4. Create site-specific or resource specific planning documents

- a. HCB will prioritize projects and provide Historic Structure Reports and Treatment Plans for FCPA historic resources that will:
 - i. Include historic information and architectural history details for each property.
 - ii. Guide the FCPA and/or Resident Curators in the rehabilitation and adaptive reuse of FCPA historic properties through treatment plans and recommendations
 - iii. Provide for future interpretation and proper stewardship.
 - iv. Oversee budgeting for projects on historic properties.
- b. ACB will provide archaeological reports that will:
 - i. Include historic background and environmental data.
 - ii. Offer guidance as to whether further archaeological work is warranted.
 - iii. Provide full inventories of all artifacts collected, entered into the ACB's artifact database, as well as Re:Discovery.
 - iv. Provide context for interpretation of archaeological sites.
 - v. Oversee budgeting and planning.
- c. Both branches will:
 - i. Contribute to Cultural Landscape studies.
 - ii. Identify and evaluate ruins.
 - iii. Review, evaluate, and/or nominate properties to the Fairfax County Inventory of Historic Sites, Virginia Landmarks' Register, and National Register of Historic Places.
- d. Both branches will create collection's planning documents that
 - i. Provide a prioritized list of collection's care projects to be completed.
 - ii. Offer guidance on future areas of need in acquisition, deaccession, conservation, and operations.
 - iii. Assist in the planning of exhibits at Park Authority Sites, in the case at the government center, and in other venues, as appropriate.

Management Theme: Management and Protection

Cultural resources are non-renewable

Once cultural resources have been identified, it is incumbent on the FCPA to effectively manage and protect these resources through a variety of means at their disposal including research, preservation strategies, information technology, ongoing care using qualified staff, and mitigation of threats. The following actions address how the Park Authority manages its cultural and fiscal resources, with the understanding that cultural resources are non-renewable.

1. Address deferred maintenance and care of resources

- a. Deferred maintenance is a major concern with FCPA's historic resources. Many of the structures are vacant and reflect years of deferred maintenance. Although resources are limited, the Heritage Conservation Branch (HCB) must continually explore and implement creative solutions to protect and conserve these historic treasures of Fairfax County.
- b. ACB and HCB Museum collection's staff shall continue to rehouse objects, perform collection's care activities to maintain the integrity of collection's objects, and deaccession those objects that do not conform to the collections management policy following the appropriate AAM, federal, and state standards for collections.

2. Address threats to resources

- a. Archaeological and historic resources face numerous natural and man-made threats. These include but are not limited to: park development, encroachment, neglect, and environmental conditions.
 - i. Continued participation in agency and County planning teams, including thorough review and site visitation, which are necessary components in assessing the potential threat from development on archaeological and historic resources and in relaying to park planners and agency leadership the steps necessary to comply with park policy and, if applicable, state and federal policies and laws.
 - ii. Enforcement of encroachment or other illegal uses of parkland must be addressed. Encroachment onto parkland constitutes a potential threat to cultural resources. Activities such as relic hunting, vandalism, creating unauthorized trails, and using trails for unauthorized activities (motorized vehicles such as 4-wheelers and motorbikes) have the potential to damage or destroy cultural resources. These activities must be discouraged through public awareness and education.
- b. Natural forces, in particular flooding and erosion, threaten numerous previously recorded archaeological and historic sites. Likewise, these forces also threaten areas with moderate to high potential for previously unrecorded archaeological resources. Staff will:
 - i. Identify potential threats to known resources, as well as to those locations with moderate to high archaeological potential.
 - ii. Assess the severity of the threat to resources, prioritize those resources which are of the greatest concern, and develop plans to mitigate the threat to those resources.
 - iii. Work in coordination and consultation with the Natural Resource Branch as well as other entities within the county such as DPWES and consultants, to try to mitigate or eliminate natural threats whenever possible.

3. Collections Management and Storage

The existing archaeological and museum collections spaces are currently operating at approximately 125 percent capacity and are not aligned with the standards set forth by the American Alliance of Museums (AAM).

- a. A new combined collection's facility is being planned, as budgeted in the 2016 bond.
- b. Current archaeological and museum collections spaces will be improved to the extent to which they can be in order to meet AAM standards.
- c. Archaeology and Museum collections will only accept and retain items and collections meeting current Scope of Collections, as defined in Policy 206.
- d. Staff will identify, assess, and if warranted, deaccession collections not meeting curation standards. If appropriate, deaccessioned materials can be integrated into the archaeological type collection, educational collection, and/or made available to sites for display and/or programming.

4. Resident Curator Program

The Resident Curator Program (RCP) is administered by HCB and is designed to preserve FCPA's historic properties by offering long-term leases to qualified tenants who agree to rehabilitate and maintain these historic resources. Curators will agree to conform with guidelines in the Secretary of the Interior's Standards for the Treatment of Historic Properties.

Enabling legislation:

In January 2011, the General Assembly amended Va. Code Ann. § 15.2-2306 authorizing localities to develop resident curator programs. The Code enables localities to create, by ordinance, "a resident curator program such that private entities through lease or other contract may be engaged to manage, preserve, maintain, or operate, including the option to reside in, any such historic area, property, lands, or estate owned or leased by the locality." The Board of Supervisors adopted the Resident Curator Program Ordinance in 2014, establishing a Resident Curator Program in Fairfax County. There are two minimum qualifications for a property to be considered for the Resident Curator Program. First, it must be publicly owned; and second, it must be listed on the Fairfax County Inventory of Historic Sites.

5. Documentation and Data Recovery

- a. Should there be a proposed action where impacts to a significant resource cannot be avoided, measures should be developed to mitigate the adverse effects of the undertaking. When mitigation measures are employed, it normally indicates destruction of all or part of a significant resource. Accordingly, it is the least preferable alternative. However, if there is no prudent and feasible alternative, then mitigation plans will be developed and approved by the FCPA for sites of local, public significance and by VDHR and ACB or HCB for NRHP eligible or listed resources. The *Guidelines for Conducting Historic Resources Survey in Virginia* (VDHR 2011) will serve as the baseline for methodological standards.
 - i. Mitigation measures may consist of:
 - 1) Data recovery excavation of archaeological sites.

- 2) Documentation of architectural sites or landscape features in accordance with Historic American Buildings Survey (HABS), Historic American Engineering Record (HAER) or Historic American Landscapes Survey (HALS).
- 3) Other alternative or “creative” mitigation, as agreed to by ACB, HCB, and/or VDHR, as appropriate.

6. Tririga (Park Authority Maintenance Management System)

- a. The Park Authority utilizes the Tririga software program to track general maintenance and total cost of ownership (TCO) for all structures. HCB manager or designee receives prior notification of maintenance work requests involving historic buildings and must approve the request before it is assigned to the Park Operations Division to complete.
- b. The ACB manager or designee will be notified of maintenance work requests involving ground disturbance and must approve work requests before they are assigned to the Park Operations Division to complete.
- c. With continual data of maintenance work requests and recorded property inspections, budgets and TCO can feasibly be determined for each historic structure the Park Authority maintains.

7. Maintain Professional/Technical Staff

Both federal law (36 CFR 800, Appendix A) and state guidance (VDHR 2011) define minimum educational qualifications and experience levels for cultural resource management professionals. AAM addresses qualifications for museum professionals. In order to carry out the provisions set forth in the CRM Plan, the FCPA will maintain adequate professional staff with required qualifications.

Management Theme: Stewardship Education

History matters

Education of the value of the county's cultural resources is a vital part of not only the Park Authority mission, but also in creating good stewards of our shared past. As such, the following actions provide guidance for providing stewardship education to a variety of stakeholder groups. Participation on project and agency teams provides the dual benefit of instructing team members in the importance of cultural resource interests and inspires new advocates to advance cultural resource stewardship.

1. Partnerships

- a. Cultivate mutually beneficial partnerships with local, state, and federal agencies, boards, and organizations; advocational and Friends' groups; and educational institutions.
- b. Maintain and support volunteer and internship programs within each branch.
- c. Engage with landowners and developers to secure proffers and/or access for the conduct of cultural resource investigations of threatened sites not protected under local, state, and/or federal policies and laws.

2. Outreach and Education

- a. Provide educational opportunities at multiple grade levels through programming at sites as well as summer camps.
 - i. Coordinate with Fairfax County schools to provide age-appropriate talks and programming for students in partial fulfillment of the Virginia Standards of Learning (SOLs).
- b. Coordinate with Fairfax County High Schools to establish internships and/or applied history programs.
- c. Engage local and regional institutions of higher learning for internship opportunities that will promote the FCPA countywide heritage conservation efforts and for the conduct of potential field school sites.
 - i. Particular consideration should be given to threatened sites not protected under local, state, and/or federal policies and laws.

3. Training

- a. Conduct regular training to ensure understanding of current application of appropriate local, state, and federal policies and laws in the review process for all affected FCPA staff.
- b. Train technical staff in current best practices and emerging technologies being tested and employed in cultural resource investigations.
- c. Provide interpretive training to equip staff with the tools necessary to better engage a broad range of professional individuals, organizations, and institutions.

4. Public Outreach Tools

- a. Provide content for FCPA website and social media outlets, and various blogs.

- i. Provide Historic Structure Reports, Archaeological Reports (with site location data redacted), and artifact or object collections information in a publicly accessible format, such as pdfs on the RMD website or accessible databases.
 - ii. Provide interpretation such as web maps, 3-D visualizations, and other interpretive tools on the RMD website.
- b. Offer technical expertise at public hearings and meetings as well as through public comment solicitations.
- c. Provide opportunities for the public to tour properties and sites in unstaffed parks through open houses, special tours, and other events.

Appendix I Glossary

Accessioning. The formal process used to accept and record an item as a collections object.

Archaeology. Archaeology is the scientific study of material remains of human cultural from the past recovered through excavation.

Archaeological Site. A location where evidence of past human occupation remains below the ground.

Artifact. Objects made or used by people

Buffer. Graduated mix of land uses, building heights or intensities designed to mitigate potential conflicts between different types or intensities of land uses; may also provide for a transition between uses. A landscaped buffer may be an area of open, undeveloped land and may include a combination of fences, walls, berms, open space and/or landscape plantings. A buffer is not necessarily coincident with transitional screening.

Building. A building is a structure created to shelter any form of human activity, such as a house, barn, church, hotel, or similar structure. Building may refer to a historically related complex such as a courthouse and jail or a house and barn.

“By-right” Development. By-Right development means that the developer does not have to go through the rezoning, special exception, or special permit process because the property is already zoned for the proposed use. Because there is no rezoning involved, by-right development is subject solely to the requirements of applicable local codes and ordinances (i.e. the Zoning Ordinance, Public Facilities Manual, etc.). There are no public hearings required on a by-right development proposal and there is no opportunity to negotiate conditions or proffers. Use that is permitted in a given zoning district without the need for any additional review or approval.

Cultural Landscape. A geographic area (including both cultural and natural resources and the wildlife or domestic animals therein), associated with a historic event, activity, or person or exhibiting other cultural or aesthetic values. There are four general types of cultural landscapes, not mutually exclusive: historic sites, historic designed landscapes, historic vernacular landscapes, and ethnographic landscapes.

Cultural Landscape Report. A report that documents a cultural landscape identifies a period of significance for that landscape and recommends treatment for preservation of the landscape.

Cultural Resource. Cultural Resources are physical elements associated with past human occupation. These include archaeological sites; historic buildings, structures, objects or districts; traditional cultural properties; cemeteries; and cultural landscapes.

Deaccessioning. The formal process of permanently removing accessioned objects and materials from the Historic Artifact Collection

Diagnostics. Artifacts that are recognized and understood as to manufacturing technique and in a style that allows for identification and their placement in a typology for which time ranges have been established

Feature. Something made or used by man that is so large or complex that it cannot be conveniently be brought back to the lab for study, for example a brick-lined cellar.

Fire Cracked Rock. Rock that is cracked by heating with fire. This can be the result of stone being used to line a hearth or campfire or stone used in 'stone boiling' for cooking food. Rocks (cobbles) were placed in a fire. When they were sufficiently heated, they were transferred in to a container of liquid which caused it to heat. The rapid expansion and contraction of the stones caused them to fracture and they were disposed and became part of the archaeological record.

Heritage Conservation. Managing change and planning conservation based on the inherited culture and cultural artifacts of a place, structure or object. Accomplished through assessment, interpretation, conservation and documentation.

Historic District. (See National Register Historic District)

Historic Overlay District. Historic Overlay Districts are entities established by the Fairfax County Board of Supervisors that include historic properties and acreage around them. The purpose of the Historic Overlay District is to protect the historic resources contained therein.

Historic American Buildings Survey (HABS). Mitigation documentation for historic buildings which includes measured drawings, archival photographs, and written documentation.

Historic American Engineering Record (HAER). Mitigation documentation for historic structures which includes measured drawings, archival photographs, and written documentation.

Historic American Landscape Study (HALS). Mitigation documentation for historic landscapes which includes measured drawings, archival photographs, and written documentation.

Historic Property. A historic site is a property significant for its association with a historic event, activity or person.

Historic Structures Report (HSR). A historic structures report consists of documentation for a building, structure or group of buildings and structures of recognized significance for the purpose of recording and analyzing the property's initial construction and significant alterations through time through historical, physical and pictorial evidence; documentation of the performance and condition of the buildings architectural components and overall structural stability; identification and appropriate course of treatment; and documentation of the alterations made through that treatment.

Integrity. The authenticity of a property's historic identity, evinced by the survival of physical characteristics that existed during the property's historic or prehistoric period. The seven qualities of integrity as defined by the National Register Program are location, setting, feeling, association, design, workmanship, and materials.

National Register Historic District. A district is a geographically definable area, urban or rural, possessing a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united by past events or aesthetically by plan or physical development. A district may also comprise individual elements separated geographically but linked by association or history.

National Register of Historic Places. The National Register of Historic Places, established in 1966 and managed by the National Park Service, is the official list of structures, sites, objects, and districts that embody the historical and cultural foundations of the nation.

Object. An object is a material thing of functional, aesthetic, cultural, historical or scientific value that may be, by nature or design, movable yet related to a specific setting or environment

Park Comprehensive Plan. Constructs the framework for the Park Authority's governance, including the Park Classification System. The Park Comprehensive Plan also defines Stewardship and the direction for implementing the Park Comprehensive Plan by identifying strategies that are planning and development, based on the countywide needs assessed in the Park Comprehensive plan.

Phase I. Archaeological survey, the goal of which is to determine the presence or absence or archaeological resources. Phase I archaeological survey may include shovel testing at regular intervals; examination of plowed fields or erosional zones; or the excavation of backhoe trenches in deeply buried contexts to remove fill that overlays the ground surface from the past.

Phase II. Archaeological testing, comprised of the excavation of square or rectangular test units and shovel tests to determine site integrity (is the site intact or disturbed); site boundaries; cultural affiliation (what period does it date to and who might have lived there) and an evaluation of the site's eligibility for inclusion in the National Register of Historic Places.

Phase III. Archaeological Data Recovery Excavations to document a site. This level of study includes a research design that spells out what is proposed for the site.

Preservation. Preservation focuses on the maintenance and repair of existing historic materials and retention of the property's form as it has evolved over time. (Protection and stabilization are included in this treatment.) This treatment option places a high premium on the retention of all historic fabric through conservation, maintenance and repair. It reflects a building's continuum over time, through successive occupancies, and the respectful changes and alterations that are made. This treatment option is the first choice, where possible.

Proffer. A written condition, which, when offered voluntarily by a property owner and accepted by the Board of Supervisors in a rezoning action, becomes a legally binding condition which is in addition to the zoning district regulations applicable to a specific property. Proffers are submitted and signed by an owner prior to the Board of Supervisors public hearing on a rezoning application and run with the land. Once accepted by the Board, proffers may be modified only by a proffered condition amendment (PCA) application or other zoning action of the Board and the hearing process required for a rezoning application applies. See Sect. 15.2-2303 (formerly 15.1-491) of the Code of Virginia.

Provenance. Provenance is the ownership history of a museum object.

Provenience. Provenience is the horizontal and vertical location where an archaeological artifact is found on a site.

Public Significance. Public Significance is the evaluation of county resources, especially those that don't meet the criteria for National Register eligibility, from the viewpoint of public values. For example, a remnant of a Civil War earthwork that has been subjected to relic-hunter activity retains little archaeological integrity and would probably not meet National Register criteria. The local community, however, may care very strongly for its "own piece of history".

Rehabilitation. Acknowledges the need to alter or add to a historic property to meet continuing or changing uses while retaining the property's historic character. This treatment option for historic

structures emphasizes the retention and repair of historic materials, but more latitude is provided for replacement because it is assumed the property is more deteriorated prior to work than a property where preservation is the selected treatment option. (Preservation and Rehabilitation standards both focus attention on the preservation of those materials, features, finishes, spaces, and spatial relationships that, together, give a property its historic character.) This treatment option is the second choice, where possible.

Reconstruction. Recreates vanished or non-surviving portions of a property for interpretive purposes. This treatment option establishes limited opportunities to re-create a non-surviving site, landscape, building, structure, or object in all new materials. This treatment option is the fourth choice.

Resource Management Area (RMA). That component of the Chesapeake Bay Preservation Area comprised of lands that, if improperly used or developed, have a potential for causing significant water quality degradation or for diminishing the functional value of the Resource Protection Area. See Fairfax County Code, Ch. 118, Chesapeake Bay Preservation Ordinance.

Resource Protection Area (RPA). That component of the Chesapeake Bay Preservation Area comprised of lands at or near the shoreline or water's edge that have an intrinsic water quality value due to the ecological and biological processes they perform or are sensitive to impacts which may result in significant degradation of the quality of state waters. In their natural condition, these lands provide for the removal, reduction or assimilation of sediments from runoff entering the Bay and its tributaries, and minimize the adverse effects of human activities on state waters and aquatic resources. New development is generally discouraged in an RPA. See Fairfax County Code, Ch. 118, Chesapeake Bay Preservation Ordinance.

Restoration. Restoration depicts a property at a particular time in its history, while removing evidence of other periods. This treatment option focuses on the retention of materials from the most significant time in a property's history, while permitting the removal of materials from other periods. This treatment option is the third choice, where possible.

Significance. For historic properties, significance usually can be equated with National Register eligibility. The meaning or value is ascribed to a cultural resource based upon the National Register criteria for evaluation. It normally stems from a combination of association and integrity.

Site. A site is the location of a significant event, a prehistoric or historic occupation or activity, or a building or structure, whether standing, ruined, or vanished, where the location itself maintains historical or archeological value regardless of the value of any existing structure.

Site Plan. A detailed engineering plan, to scale, depicting the development of a parcel of land and containing all information required by Article 17 of the Zoning Ordinance. Generally, submission of a site plan to Department of Public Works and Environmental Services for review and approval is required for all residential, commercial and industrial development except for development of single family detached dwellings. The site plan is required to assure that development complies with the Zoning Ordinance.

Special Exception (SE)/Special Permit (SP). Uses, which by their nature, can have an undue impact upon or can be incompatible with other land uses and therefore need a site specific review. After review, such uses may be allowed to locate within given designated zoning districts if appropriate and only under special controls, limitations, and regulations. A special exception is subject to public hearings by the

Planning Commission and Board of Supervisors with approval by the Board of Supervisors; a special permit requires a public hearing and approval by the Board of Zoning Appeals. Unlike proffers which are voluntary, the Board of Supervisors or BZA may impose reasonable conditions to assure, for example, compatibility and safety. See Article 8, Special Permits and Article 9, Special Exceptions, of the Zoning Ordinance.

Stewardship. Stewardship is the careful, responsible and sustainable management of the natural and cultural resources entrusted to the Park Authority by the citizens of Fairfax County for present and future generations.

Strategic Plan. Strategic Plans provide direction for implementing the Park Comprehensive Plan by identifying strategies which are well defined in scope and achievable within successive five year time frames. The strategic planning element focuses attention on the external and internal environments within which the Park Authority will operate during the identified time period, including the political, economic, social and technological forces and trends which may be expected to influence the agency's decisions and ability to achieve stated objectives. Within this context and time frame, Strategic Plans identify priorities for land acquisition, resource management and park site planning and development, based on the countywide needs assessed in the Park Comprehensive Plan. Action Agendas for the Stewardship and Recreation Services Programs identify additional priorities for operations, maintenance and public programming. These priorities are then translated into the adopted Capital Improvement Program and phased through annual budget and staffing plans.

Structure. A structure is a work made up of interdependent and interrelated parts in a definite pattern of organization. Constructed by man, it is often an engineering project large in scale.

Survey. A study to inventory what cultural resources are present in an area.

Traditional Cultural Property. A traditional cultural property can be defined generally as one that is eligible for inclusion in the National Register of Historic Places because of its association with cultural practices or beliefs of a living community that (a) are rooted in that community's history, and (b) are important in maintaining the continuing cultural identity of the community.

Treatment. Treatment is work carried out to achieve a particular historic preservation goal. For an archaeological site, treatment may be preservation in place or data recovery excavation. For a building, it may be preservation or Historic American Buildings Survey/Historic American Engineering Record documentation.

Appendix 2. Policies and Regulatory Background

County Policies and Regulations

Park Authority Mission Statement

To set aside public spaces for and assist citizens in the protection and enhancement of environmental values, diversity of natural habitats and cultural heritage to guarantee that these resources will be available to both present and future generations. To create and sustain quality facilities and services which offer citizens opportunities for recreation, improvement of their physical and mental well-being, and enhancement of their quality of life.

Park Authority Policies Related to Cultural Resource Management

The Park Authority Policy Manual provides guidance to both the Park Authority Board and staff in the decision making process. The following is a brief presentation of the objectives and policies applicable to cultural resources.

Policy 101 Parkland acquisition opportunities take many forms including dedication, donation, fee simple purchase, lease agreements, partnerships, easements, and use of eminent domain powers. When acquiring land, the Fairfax County Park Authority shall take into account the uniqueness and value of natural and cultural resources to be protected through acquisitions. Acreage of Resource Based Parks shall not be applied in meeting requirements for recreational facilities.

Policy 102 sets for the park planning and development process for individual parks. General Management Plans define the park's purpose, classification, and management framework. The site's cultural and natural assets and physical constraints are incorporated into the management zones. Conceptual Development plans provide for the location and conceptual design of development within the management zones. Project Implementation Plans define the specific development details, identify the phasing and contain cost estimates. The policy notes the desirability of reviewing park master plans at least every ten years. As well the Policy lists Resource Management Plans (of which this is one) and Annual Workplans.

Policy 103.1 requires park development criteria and standards be established in the Park Classification System. Development is to be predicated on responsible stewardship and perpetuation of all cultural and natural resources.

Objective 200 Ensure the long-term protection, preservation, and sustainability of natural, cultural, and park resources in accordance with adopted park standards and adherence with natural and heritage resource management guidelines and Countywide Policy Plan obligations

Policy 203. Cultural Resources

Objective: Ensure the long-term protection, preservation and sustainability of natural, cultural and park resources in accordance with adopted park standards and adherence with natural and heritage resource management guidelines and Countywide Policy Plan obligations.

Purpose: Consistent with the Fairfax County Park Authority's cultural resource stewardship mission, the Park Authority shall preserve and protect cultural resources on parkland in accordance with guidelines outlined in the Park Comprehensive Plan (2011), Objective 3.

Policy Statement: In order to carry out its role as the primary steward of Fairfax County's cultural resources, it shall be the policy of the Park Authority to identify, evaluate, preserve, and interpret cultural resources located on parkland, as well as countywide archaeology (as discussed in Policy 204), according to federal, state and local laws and regulations, Park Authority policy and regulations, the Cultural Resource Management Plan, and approved park plans. Cultural resource management will be conducted using current professional standards and guidelines and best practices.

When undertaking any project that results in ground-disturbing activity, the Park Authority shall consider the effects on potentially significant archaeological resources. Such resources shall be documented and, if feasible, protected. If there is no prudent and feasible alternative to disturbing these resources, mitigation measures shall be developed and implemented.

References:

1. Secretary of the Interior's Standards for the Treatment of Historic Properties.
<http://www.nps.gov/tps/standards.htm>
2. Secretary of the Interior's Standards for the Treatment of Historic Properties and Guidelines for the Treatment of Cultural Landscapes <https://www.nps.gov/TPS/standards/four-treatments/landscape-guidelines/index.htm>
3. Virginia Department of Historic Resources Guidelines for Conducting Historic Resources Survey in Virginia https://www.dhr.virginia.gov/pdf_files/SurveyManual_2017.pdf
4. Park Comprehensive Plan <http://www.fairfaxcounty.gov/dpz/comprehensiveplan/policyplan/>
5. Cultural Resource Management Plan
<https://www.fairfaxcounty.gov/parks/sites/parks/files/Assets/documents/naturalcultural/CRMPFinal.pdf>

Policy 204. Countywide Archaeology

Date Approved: 6/26/2013

Objective: Ensure the long-term protection, preservation and sustainability of natural, cultural and park resources in accordance with adopted park standards and adherence with natural and heritage resource management guidelines and Countywide Policy Plan obligations.

Purpose: Consistent with the Park Authority's long standing cultural resource stewardship mission, in accordance with guidelines outlined in the Fairfax County Heritage Resource Management Plan (Fairfax County Board of Supervisors, 1988), and the Park Authority's Cultural Resource Management Plan, and in recognition of the need to provide a broader cultural context for cultural resources, it is Park Authority policy to:

Policy Statement:

1. Serve as the countywide representative to ensure compliance with all federal, state and local laws and ordinances which are meant to identify, evaluate, document and/or preserve cultural resources as part of the development review process both on parkland and countywide.
2. Protect, conserve, and where feasible, recover threatened archaeological resources not otherwise protected by federal, state, regional or county laws, guidelines or ordinances through an active partnership with volunteers, friends' groups, and avocational and professional archaeologists.
3. Serve as the central repository for all archaeological collections recovered for Fairfax County, including the artifacts themselves, supporting documentation, and all reports. These collections include materials generated by county staff, university programs, and other professional archaeologists, including those from federal and state agencies and archaeological consultants.
4. Develop and implement a range of public outreach activities to educate county citizens and visitors about the history and archaeology of the county as part of the larger stewardship education initiative.

References:

1. Virginia Department of Historic Resources Guidelines for Conducting Historic Resources Survey in Virginia https://www.dhr.virginia.gov/pdf_files/SurveyManual_2017.pdf
2. VDHR Collections Management Standards https://www.dhr.virginia.gov/pdf_files/Collections%20Mgmt%20Standards%2016june2011.pdf

Policy 205. Historic Preservation

Date Approved: 6/26/2013

Objective: Ensure the long-term protection, preservation and sustainability of natural, cultural and park resources in accordance with adopted park standards and adherence with natural and heritage resource management guidelines and Countywide Policy Plan obligations.

Purpose: The Park Authority is steward of historic resources on parkland as is set forth by its mission.

Policy Statement:

As such, the Park Authority:

1. Shall conduct historic preservation studies in accordance with federal, state and local standards, guidelines and policies and the Cultural Resource Management Plan.
2. Shall perform treatment of historic properties following the Secretary of the Interior's Standards for the Treatment of Historic Properties.

These principles apply to all historic landscapes, buildings, sites, structures, objects and districts.

The Secretary of the Interior's Standards for the Treatment of Historic Properties states:

There are Standards for four distinct, but interrelated, approaches to the treatment of historic properties--preservation, rehabilitation, restoration, and reconstruction.

a) Preservation focuses on the maintenance and repair of existing historic materials and retention of the property's form as it has evolved over time. (Protection and stabilization are included in this treatment.)

b) Rehabilitation acknowledges the need to alter or add to a historic property to meet continuing or changing uses while retaining the property's historic character.

c) Restoration depicts a property at a particular time in its history, while removing evidence of other periods.

d) Reconstruction recreates vanished or non-surviving portions of a property for interpretive purposes.

References:

1. Secretary of the Interior's Standards for the Treatment of Historic Properties
<http://www.nps.gov/tps/standards.htm>
2. Secretary of the Interior's Standards for the Treatment of Historic Properties and with Guidelines for the Treatment of Cultural Landscapes <https://www.nps.gov/TPS/standards/four-treatments/landscape-guidelines/index.htm>
3. VDHR Guidelines for Conducting Historic Resources Survey in Virginia
https://www.dhr.virginia.gov/pdf_files/SurveyManual_2017.pdf
4. Cultural Resource Management Plan
<https://www.fairfaxcounty.gov/parks/sites/parks/files/Assets/documents/naturalcultural/CRMPFinal.pdf>

Policy 206 Title: Museum and Archaeological Collections

Date Approved: 3/9/2016

Objective: Ensure the long-term protection, preservation and sustainability of natural, cultural and park resources in accordance with adopted park standards and adherence with natural and heritage resource management guidelines and Countywide Policy Plan obligations.

Purpose: In support of our cultural resource stewardship mission, the Fairfax County Park Authority shall collect, preserve, exhibit, interpret and, where appropriate, make available for research, museum objects, archaeologically derived artifacts, and other material culture.

Policy Statement:

1. The Park Authority shall ensure that collections under its stewardship are protected, secure, unencumbered, cared for, accounted for, and documented, and shall plan for their future needs and growth.
2. Acquisition, loan, deaccessioning and disposal activities shall be conducted in a manner that respects the protection and preservation of cultural resources and discourages and prevents illicit trade in such materials. Collections-related activities shall promote the public's understanding and appreciation for our past over financial gain.
3. The Park Authority shall subscribe to the American Association of Museums (AAM) "Code of Ethics for Museums" as it applies to museum collections, the Museum Collections Policy, and all collections management procedures.
4. The Park Authority shall maintain detailed guidelines and procedures for the management and care of the museum collections and archaeological collections in respective conformity to the professional standards established by the AAM and Virginia Department of Historic Resources (VDHR) State Collections Management Standards, and shall revise those guidelines and procedures as needed to comply with current professional standards and guidelines. These are defined in Appendix 15: Guidelines for Living Collections Management: Museums and Archaeological Collections.

References:

1. VDHR Collections Management Standards
https://www.dhr.virginia.gov/pdf_files/Collections%20Mgmt%20Standards%2016june2011.pdf
2. Cultural Resource Management Plan
<https://www.fairfaxcounty.gov/parks/sites/parks/files/Assets/documents/naturalcultural/CRMPFinal.pdf>

Objective 300 insures the long term protection, preservation and sustainability of park resources.

Policy 301 states that the Park Authority shall protect lands and facilities that it owns as a public trust and shall resist any effort to encroach upon or destroy and park, historical site, natural area or recreational facility. It requires the agency to enlist the aid or the citizenry in support of this policy.

Policy 303 indicates that the citing of telecommunications facilities on parklands is only permitted when there are no prudent alternative sites. Proposed sites should not adversely impact any cultural or natural resources. The policy requires that the revenue from telecommunication facilities be used solely at the park site where the facility is located during the initial license term.

Policy 304 regarding regional stormwater management facilities requires the Park Authority to limit the placement of such facilities on parkland unless there is no feasible and prudent alternative, and unless the facilities will not adversely affect significant cultural and natural resources.

Policy 305 on sustainable management practices states that park lands shall be protected from vandalism, dumping of debris, and unauthorized uses including encroachments, and removal of artifacts, minerals or damaging of cultural features.

Objective 3: Protect and preserve significant cultural resources on parklands.

Policy a: Determine the significance and appropriate preservation options for cultural resources that are proposed for inclusion in the integrated park system in accordance with the criteria for the U.S. Department of Interior National Register of Historic Places and the Fairfax County Criteria for Public Significance (See Objective 2, Policies a. and b. in the Heritage Resources section.)

Policy b: Protect significant cultural resources, including archaeological sites, historic properties, buildings, structures, districts, landscapes, cemeteries and artifacts from degradation or damage and destruction.

Policy c: Consider alternatives, in addition to fee-simple acquisition of cultural resources, such as the establishment of protective easements, to ensure preservation, stabilization, restoration and appropriate site planning and development.

Policy d: Coordinate preservation of significant cultural resources with County, municipal, regional, state and federal agencies to ensure effective and consistent management and protection of these resources.

Appendix 1: Park Classification System

D. RESOURCE-BASED PARKS

Purpose

This classification includes parks that primarily preserve, protect, and interpret natural and/or cultural resources.

Location and Access

The location for Resource-based Parks is determined by the location of the specific resources. Size and access can take many forms depending on the setting and type of resources. Access to stream valleys is primarily by trails; however trailheads with parking should be strategically located along trail routes. Management plans should give consideration to the resource and allow public use only as it is compatible with resource protection.

Character and Extent of Development

Resource-based Parks are selected for inclusion in the park system because of their exemplary natural and/or cultural features and are acquired, identified and preserved for stewardship and protection. Protection and stewardship of unique natural and cultural resources provide a variety of public benefits. These parks provide educational and interpretative opportunities relative to environmental and cultural resources. These lands may offer opportunities to restore degraded areas and to protect, increase and restore biodiversity of species that may inhabit these areas. In addition, passive recreation opportunities and facilities are also appropriate at these parks. Development which does not adversely affect resources and which enhances awareness of the resource values is appropriate. Development of public

sites should include opportunities for public education and enjoyment. Interpretive (educational) facilities and structures may include visitor centers, nature centers, orientation kiosks, nature watching stations, demonstration areas, preserved buildings and gardens, hiking, biking and equestrian trails as designated. To the extent that they do not adversely impact the resources themselves, support amenities may also be developed such as picnicking areas, restrooms, signs, benches and parking. Trails and trail connections are a significant feature at these parks, especially along stream valleys and often serve as Countywide trail connections.

Stream valleys are a predominant physiographic feature of Fairfax County and comprise the core of the County's Environmental Quality Corridor (EQC) system. Parks located in and along the stream valleys encompass those segments of EQCs planned for public parkland and comprise the core elements of a greenway network that links areas notable for significant natural and cultural resources with residential and employment areas throughout the County. They may vary in size and character from steeply sloped corridors with cascading streams to broad floodplains; all are treated as sensitive environmental areas. Trails within stream valleys should be located to be sensitive to environmental conditions. In addition to trails, seating areas, small picnic and open play areas, landscaping and interpretive structures may also be developed, if they do not adversely impact the EQC or ecological functions.

The user experience at Resource-based Parks will be varied. These parks support nature, horticulture and history programs as well as more casual interests such as gardening, nature watching and appreciation of local, regional, state and national history. Settings for quiet contemplation are appropriate in these parks. Visitors may frequent these parks on a regular or occasional basis.

The Area Plans element of the Comprehensive Plan delineates the park classifications of all park sites in the County. The specific types of facilities and support amenities, such as parking, lighting and restrooms, to be developed at each Resource-Based Park is determined by the managing agency with public participation through its Park Planning and Development process.

<http://www.fairfaxcounty.gov/dpz/comprehensiveplan/policyplan/>

7-200 HISTORIC OVERLAY DISTRICTS

7-201 Purpose and Intent

Historic Overlay Districts are created for the purpose of promoting the general welfare, education, economic prosperity, and recreational pleasure of the public, through the identification, preservation, and enhancement of those buildings, structures, neighborhoods, landscapes, places, and areas that have special historical, cultural, architectural, or archaeological significance as provided by Sect. 15.2-2306 of the Code of Virginia, as amended and which have been officially designated by the Board of Supervisors.

Regulations within such districts are intended to protect against destruction of or encroachment upon such areas, structures, and premises; to encourage uses which will lead to their continuance, conservation and improvement in accordance with the following purposes:

1. To preserve and improve the quality of life for residents of the County by protecting and preserving familiar visual elements in the district.
2. To promote tourism by protecting heritage resources attractive to visitors to the County and thereby supporting local business and industry.

3. To promote the upkeep and rehabilitation of significant older structures and encourage appropriate land use planning and development that will enhance both the economic viability and historic character of the district.
4. To educate residents of the County about the heritage resources within the district and to foster a sense of pride in this heritage.
5. To foster local heritage resource identification and preservation efforts and to encourage the nomination by their owners of qualified properties for listing on the National Register of Historic Places and the Virginia Landmarks Register.
6. To prevent, within the district, the encroachment of new buildings or structures, and additions or attachments, which are architecturally incongruous with the visual and historic character of the district.
7. To ensure that new development within the district is appropriate and that new structures are well designed.

7-210 Archaeological Survey Requirements

To further the purpose and intent of the Historic Overlay Districts and to aid in the identification and protection of historic and/or archaeological resources located within or in the vicinity of any Historic Overlay District, the following shall be required:

1. The Fairfax County Park Authority shall be consulted concerning the probability of a rezoning, development plan, special exception, special permit or variance application property to yield significant archaeological resources when such property involves 2500 square feet or more of land disturbing activity and is located wholly or partially within or contiguous to a Historic Overlay District.
2. At the time of consultation with the Fairfax County Park Authority, the following information shall be submitted on the Archaeological Survey Data Form provided by the County:
 - A. Tax map, parcel number, street address and Magisterial District of the site.
 - B. One (1) copy of the current Fairfax County Zoning Section Sheet(s) at a scale of one inch equals five hundred feet (1" = 500'), covering the area within at least a 500 foot radius of the proposed use, showing the existing zoning classification for all land appearing on the map. If more than one (1) Zoning Section Sheet is required to cover the area, such sheets shall be attached so as to create an intelligible map. The boundaries of the subject site shall be outlined in red thereon.
 - C. Description of the proposal to include type of application and proposed use, and a graphic drawn to scale showing the dimensions of all existing buildings and the distances of buildings from property lines.
3. The Fairfax County Park Authority shall respond to the applicant in writing within fifteen (15) business days from the date of receipt of the required information set forth in Par. 2 above as to the probability for the property to yield no, low, or medium to high archaeological resources and whether a Phase I Archaeological Survey shall be performed and a report of the survey results submitted to the County for review as part of the submission requirements for a rezoning, development plan, special exception,

special permit or variance application. If required, the Phase I Archaeological Survey results shall include the information contained in Par. 6 below.

4. If the Fairfax County Park Authority determines that the application property has no potential to yield significant archaeological resources, then the applicant shall submit the Archaeological Survey Data Form with comments from the Fairfax County Park Authority in conjunction with the submission of the rezoning, development plan, special exception, special permit or variance application.

5. If the Fairfax County Park Authority determines that the application property has a low probability or a medium to high probability to yield significant archaeological resources, then the following shall be required:

A. A Phase I Archaeological Survey shall be conducted by a qualified archaeological consultant meeting the Professional Qualification Standards established by the Secretary of the Interior and shall include the following:

(1) For suspected military sites, a walkover survey with shovel testing and/or remote sensing and ground truthing.

(2) For suspected cemetery sites, remote sensing and ground truthing

(3) For all other sites, a walkover survey with shovel testing.

(4) When shovel testing is conducted on property with low probability to yield significant archaeological resources, the shovel testing shall be performed every fifty (50) feet. When shovel testing is conducted on property with medium to high probability to yield archaeological resources, the shovel testing shall be performed every twenty (20) feet.

The applicant shall notify the Fairfax County Park Authority at least five (5) working days prior to the time the field work is to be done.

B. A report of the survey results from Par. A above shall be provided to the Fairfax County Park Authority prior to any rezoning, development plan, special exception, special permit or variance application acceptance. The report of the survey results shall include the information contained in Par. 6 below along with the Archaeological Survey Data Form with comments from the Fairfax County Park Authority.

6. Two (2) copies of the survey results for the Phase I Archaeological Survey shall be provided to the Fairfax County Park Authority in a report which shall include:

A. Name and location of the project to include tax map number, street address and Magisterial District.

B. Name, address, phone number, organizational affiliation and professional qualifications of the person preparing the report.

C. One (1) copy of a topographic map at a scale of one inch equals five hundred feet (1" = 500'), covering the area within at least a 500 foot radius of the proposed use. The boundaries of the subject site shall be outlined in red thereon.

D. Project description to include the proposed use, the existing and proposed structures and parking, identification of the existing structures that are to remain, the limits of clearing and grading and vehicular access into the site.

E. A concise history of the area surrounding the property to provide a historic context and a more specific history of the property. This history shall include historic photographs, if available, and historic maps with the project area outlined.

F. Description of any previous archaeological studies that have been conducted in the vicinity of the project to include any such studies contained in the Fairfax County Park Authority files.

G. A listing of all books, maps, manuscripts, websites, personal communication and other resources cited in the study, including the title, author, date, place of publication and publisher.

H. A site map illustrating the project boundaries and the boundaries of where all archaeological survey work was performed, location of all shovel tests where artifacts were found (positive shovel tests), location of all shovel tests where artifacts were not found (negative shovel tests) and the area where the archaeological survey work was conducted in either square feet or in acres.

I. Profile drawings of selected representative shovel test pits. One (1) profile shall be required for each change of stratigraphy.

J. A written description of the survey findings shall include:

- (1) The date of site work;
- (2) Staff involved in the site work, including professional certifications and college degrees;
- (3) Methodology used in the archaeological survey work;
- (4) The number of archaeological sites that were recorded according to the resource type (Native American, Civil War, etc.) with trinomial site numbers obtained from the Virginia Department of Historic Resources;
- (5) List of artifacts recovered;
- (6) If there were any areas of the application property that were not tested, an explanation as to why those areas were not tested; and
- (7) Identification of areas with the potential to contain intact archaeological resources.

K. Recommendations for additional archaeological work or recommendations that no further work is required shall be made and such recommendations shall be supported by archaeological evidence.

L. An Executive Summary statement which includes information from Paragraphs 6J(1), 6J(2), 6J(4) and 6J(6) above, and the recommendations from Par. 6K above.

7. When determined by the Fairfax County Park Authority that the report meets the submission requirements, the Fairfax County Park Authority shall indicate such on the Archaeological Survey Data Form and such Form shall be submitted by the applicant in conjunction with the rezoning, development plan, special exception, special permit or variance application.

State Regulations and Guidelines

Guidelines for Conducting Cultural Resource Surveys in Virginia.

https://www.dhr.virginia.gov/pdf_files/SurveyManual_2017.pdf

The Virginia Antiquities Act (Code of Virginia, Section 10.1-2300 et seq.)

<https://vacode.org/2016/10.1/III/23/>

§ 10.1-2300- As used in this chapter, unless the context requires a different meaning:

“Field investigation” means the study of the traces of human culture at any site by means of surveying, sampling, excavating, or removing surface or subsurface material, or going on a site with that intent.

“Object of antiquity” means any relic, artifact, remain, including human skeletal remains, specimen, or other archaeological article that may be found on, in or below the surface of the earth which has historic, scientific, archaeological or educational value.

“Person” means any natural individual, partnership, association, corporation or other legal entity.

“Site” means a geographical area on dry land that contains any evidence of human activity which is or may be the source of important historic, scientific, archaeological or educational data or objects.

“State archaeological site” means an area designated by the Department in which it is reasonable to expect to find objects of antiquity.

“State archaeological zone” means an interrelated grouping of state archaeological sites.

“State archaeologist” means the individual designated pursuant to § [10.1-2301](#).

“State-controlled land” means any land owned by the Commonwealth or under the primary administrative jurisdiction of any state agency. State agency shall not mean any county, city or town, or any board or authority organized under state law to perform local or regional functions. Such land includes but is not limited to state parks, state wildlife areas, state recreation areas, highway rights-of-way and state-owned easements.

(1977, c. 424, § 10-150.3; 1984, c. 750; 1988, c. 891, § 10.1-900; 1989, c. 656; 2005, c. 457.)

§ 10.1-2301. Duties of Director.

The Director shall:

1. Coordinate all archaeological research on state-controlled land and in state archaeological sites and zones;

2. Coordinate a survey of significant archaeological sites located on state-controlled land, and upon request, survey and officially recognize significant archaeological sites on privately owned property;
3. Identify, evaluate, preserve and protect sites and objects of antiquity which have historic, scientific, archaeological or educational value and are located on state-controlled land or on state archaeological sites or zones;
4. Protect archaeological sites and objects located on state-controlled land or on state archaeological sites or zones from neglect, desecration, damage and destruction;
5. Ensure that archaeological sites and objects located on state-controlled land or on state archaeological sites or zones are identified, evaluated and properly explored so that adequate records may be made;
6. Encourage private owners of designated state archaeological sites to cooperate with the Commonwealth to preserve the site; and
7. Encourage a statewide archaeological education program to inform the general public of the importance of its irreplaceable archaeological heritage.

(1977, c. 424, §§ 10-150.2, 10-150.8; 1984, c. 750; 1988, c. 891, § 10.1-901; 1989, c. 656.)

§ 10.1-2302. Permit required to conduct field investigations; ownership of objects of antiquity; penalty.

A. It shall be unlawful for any person to conduct any type of field investigation, exploration or recovery operation involving the removal, destruction or disturbance of any object of antiquity on state-controlled land, or on a state archaeological site or zone without first receiving a permit from the Director.

B. The Director may issue a permit to conduct field investigations if the Director finds that it is in the best interest of the Commonwealth, and the applicant is a historic, scientific, or educational institution, professional archaeologist or amateur, who is qualified and recognized in the area of field investigations or archaeology.

C. The permit shall require that all objects of antiquity that are recovered from state-controlled land shall be the exclusive property of the Commonwealth. Title to some or all objects of antiquity which are discovered or removed from a state archaeological site not located on state controlled land may be retained by the owner of such land. All objects of antiquity that are discovered or recovered on or from state-controlled land shall be retained by the Commonwealth, unless they are released to the applicant by the Director.

D. All field investigations, explorations, or recovery operations undertaken pursuant to a permit issued under this section shall be carried out under the general supervision of the Director and in a manner to ensure that the maximum amount of historic, scientific, archaeological and educational information may be recovered and preserved in addition to the physical recovery of objects.

E. If the field investigation described in the application is likely to interfere with the activity of any state agency, no permit shall be issued unless the applicant has secured the written approval of such agency.

F. Any person who violates the provisions of this section shall be guilty of a Class 1 misdemeanor.

(1977, c. 424, § 10-150.5; 1984, c. 750; 1988, c. 891, § 10.1-903; 1989, c. 656.)

§ 10.1-2303. Control of archaeological sites; authority of Director to contract.

A. The Commonwealth of Virginia reserves to itself, through the Director, the exclusive right and privilege of field investigation on sites that are on state-controlled land. The Director shall first obtain all permits of other state agencies required by law. The Director is authorized to permit others to conduct such investigations.

B. All objects of antiquity derived from or found on state-controlled land shall remain the property of the Commonwealth.

(1977, c. 424, §§ 10-150.4, 10-150.6; 1984, c. 750; 1988, c. 891, § 10.1-904; 1989, c. 656.)

§ 10.1-2304. Designating archaeological sites and zones.

The Director may designate state archaeological sites and state archaeological zones on private property or on property owned by any county, city or town, or board or authority organized to perform local or regional functions in the Commonwealth provided that the Director secures the express prior written consent of the owner of the property involved. No state archaeological site or zone located on private property may be established within the boundaries of any county, city or town which has established a local archaeological commission or similar entity designated to preserve, protect and identify local sites and objects of antiquity without the consent of the local governing body. Field investigations may not be conducted on a designated site without a permit issued by the Director pursuant to § 10.1-2302.

(1977, c. 424, § 10-150.7; 1984, c. 750; 1988, c. 891, § 10.1-905; 1989, c. 656.)

§ 10.1-2305. Permit required for the archaeological excavation of human remains.

A. It shall be unlawful for any person to conduct any type of archaeological field investigation involving the removal of human skeletal remains or associated artifacts from any unmarked human burial regardless of age of an archaeological site and regardless of ownership without first receiving a permit from the Director.

B. Where unmarked burials are not part of a legally chartered cemetery, archaeological excavation of such burials pursuant to a permit from the Director shall be exempt from the requirements of §§ 57-38.1 and 57-39. However, such exemption shall not apply in the case of human burials within formally chartered cemeteries that have been abandoned.

C. The Department shall be considered an interested party in court proceedings considering the abandonment of legally constituted cemeteries or family graveyards with historic significance. A permit from the Director is required if archaeological investigations are undertaken as a part of a court-approved removal of a cemetery.

D. The Board shall promulgate regulations implementing this section that provide for appropriate public notice prior to issuance of a permit, provide for appropriate treatment of excavated remains, the scientific quality of the research conducted on the remains, and the appropriate disposition of the remains upon completion of the research. The Department may carry out such excavations and research without a permit, provided that it has complied with the substantive requirements of the regulations promulgated pursuant to this section.

E. Any interested party may appeal the Director's decision to issue a permit or to act directly to excavate human remains to the local circuit court. Such appeal must be filed within fourteen days of the Director's decision.

(1989, c. 656.)

§ 10.1-2306. Violations; penalty.

It shall be unlawful to intentionally deface, damage, destroy, displace, disturb or remove any object of antiquity on any designated state archaeological site or state-controlled land.

Any person who violates this section shall be guilty of a Class 1 misdemeanor.

(1977, c. 424, § 10-150.10; 1988, c. 891, § 10.1-906; 1989, c. 656.) Add the following Virginia statutes concerning human burials:

§ 18.2-126. Violation of sepulture; defilement of a dead human body; penalties.

A. If a person unlawfully disinters or displaces a dead human body, or any part of a dead human body which has been deposited in any vault, grave or other burial place, he is guilty of a Class 4 felony.

B. If a person willfully and intentionally physically defiles a dead human body he is guilty of a Class 6 felony. For the purposes of this section, the term "defile" shall not include any autopsy or the recovery of organs or tissues for transplantation, or any other lawful purpose.

(Code 1950, § 18.1-243; 1960, c. 358; 1975, cc. 14, 15; 1995, c. 306.)

§ 10.1-2211. Disbursement of funds appropriated for caring for Confederate cemeteries and graves.

A. At the direction of the Director, the Comptroller of the Commonwealth is instructed and empowered to draw annual warrants upon the State Treasurer from any sums that may be provided in the general appropriation act, in favor of the treasurers of the Confederate memorial associations and chapters of the United Daughters of the Confederacy set forth in subsection B of this section. Such sums shall be expended by the associations and organizations for the routine maintenance of their respective Confederate cemeteries and graves and for the graves of Confederate soldiers and sailors not otherwise cared for in other cemeteries, and in erecting and caring for markers, memorials, and monuments to the memory of such soldiers and sailors. All such associations and organizations, through their proper officers, are required after July 1 of each year to submit to the Director a certified statement that the funds appropriated to the association or organization in the preceding fiscal year were or will be expended for the routine maintenance of cemeteries specified in this section and the graves of Confederate soldiers and sailors and in erecting and caring for markers, memorials and monuments to the

memory of such soldiers and sailors. An association or organization failing to comply with any of the requirements of this section shall be prohibited from receiving moneys allocated under this section for all subsequent fiscal years until the association or organization fully complies with the requirements.

B. Allocation of appropriations made pursuant to this section shall be based on the number of graves, monuments and markers as set forth opposite the association's or organization's name, or as documented by each association or organization multiplied by the rate of \$5 or the average actual cost of routine maintenance, whichever is greater, for each grave, monument or marker in the care of a Confederate memorial association or chapter of the United Daughters of the Confederacy. For the purposes of this section the "average actual cost of care" shall be determined by the Department in a biennial survey of at least four properly maintained cemeteries, each located in a different geographical region of the Commonwealth.

For Frequently Asked Questions about Cemetery Preservation

http://www.dhr.virginia.gov/homepage_general/faq_cem_presv.htm

Federal Regulations, Guidelines and Policies.

These laws, guidelines, and policies are very lengthy. A link to full documentation may be found at the URL provided.

National Historic Preservation Act of 1966 (as amended through 2000)

<http://www.achp.gov/NHPA.pdf>

Protection of Historic Properties (36CFR Part 800)

<http://www.achp.gov/regs-rev04.pdf>

The Secretary of the Interior's Professional Qualification Standards (48 FR 44716)

http://www.cr.nps.gov/local-law/Prof_Qual_83.htm

The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitation, Restoring and Reconstructing Historic Buildings

<https://www.nps.gov/tps/standards/treatment-guidelines-2017.pdf>

The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for the Treatment of Cultural Landscapes

<https://www.nps.gov/TPS/standards/four-treatments/landscape-guidelines/index.htm>

Transportation Act -Section 4(f)

http://www.cr.nps.gov/local-law/FHPL_DOTAct.pdf

National Environmental Policy Act of 1969 (Portions, as Amended)

http://www.cr.nps.gov/local-law/FHPL_NtlEnvirnPolcy.pdf

36 CFR Title 36 Part 60—National Register of Historic Places Federal Program Regulations

<https://www.nps.gov/nr/regulations.htm>

Archaeological Resource Protection Act (ARPA) as per Section 470ee

http://www.nps.gov/history/local-law/FHPL_ArchRsrcsProt.pdf

National Register Bulletin 41, Guidelines for Evaluating and Registering Cemeteries and Burial Places

<http://www.cr.nps.gov/nr/publications/bulletins/nrb41/>

National Trust for Historic Preservation Guidelines

<https://www.nps.gov/tps/standards/four-treatments.htm>