MEMORANDUM OF AGREEMENT
Lease Construction - MAL92600
U.S. Probation & Corps of Engineers Building
201 St. Michael Street, Mobile, Alabama

WHEREAS, the General Services Administration (GSA), has determined that the lease construction of the U.S. Probation and Corps of Engineers Building (Probation Building) at 201 St. Michael Street, Mobile, Alabama, will have an effect upon historic properties eligible for listing in the National Register of Historic Places and has consulted with the Alabama State Historic Preservation Officer (SHPO) and the Advisory Council on Historic Preservation (Council) pursuant to 36 CFR Part 800, regulations implementing Section 106 of the National Historic Preservation Act (16 U.S.C. 470f); and

NOW, THEREFORE, GSA, the Alabama SHPO, and the Council agree that the undertaking shall be implemented in accordance with the following stipulations in order to take into account the effect of the undertaking on historic properties.

Stipulations

GSA will ensure that the following measures are carried out:

I. DOCUMENTATION

GSA shall gather as much documentation as possible on the building at 208-212 St. Francis Street and 211 St. Michael Street, Mobile, Alabama. Documentation should include photographs, blueprints or drawings, building specifications, or other available documentation. A copy of this documentation will be made available to the Alabama SHPO.

II. DESIGN REVIEW

GSA shall provide architectural design documents and other appropriate representations for the Probation Building to the Alabama SHPO at the following stages of project design: preliminary design development and construction document phase or on a modified review schedule agreed upon by GSA and the Alabama SHPO. The project design for new construction is compatible with the historic and architectural qualities of the Lower Dauphin Street Historic District in terms of scale, massing, color and materials, and is responsive to the recommended approaches to new construction set forth in the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings (U.S. Department of the Interior, National park Service, 1993).

III. ARCHAEOLOGICAL DATA RECOVERY

GSA shall ensure that the data recovery plan entitled "St. Michael Street Site Data Recovery Plan" dated June 9, 1993 (i.e. Attachment "A") is implemented prior to construction of the Probation Building.

IV. DISPUTE RESOLUTION AMONG CONSULTING PARTIES

Should the Alabama SHPO object within 30 days to any plans provided for review pursuant to this agreement, GSA shall consult with the objecting party to resolve the objection. If GSA determines that the objection cannot be resolved, GSA shall request further comments of the Council pursuant to 36 CFR Part 800.6(b). Any Council comment provided in response to such a request will be taken into account by GSA in accordance with 36 CFR Part 800.6(c)(2) with reference only to the subject of the dispute; GSA's responsibility to carry out all actions under this agreement that are not the subjects of the dispute will remain unchanged.

Execution of this Memorandum of Agreement and implementation of its terms evidence that GSA has afforded the Council an opportunity to comment on the undertaking and its effects on historic properties, and that GSA has taken into account the effects of the undertaking on historic properties.

ADVISORY COUNCIL ON HISTORIC PRESERVATION

By: _____ Date: 6/23/93

GENERAL SERVICES ADMINISTRATION

By: _____ Date: 6/17/93

Mr. Paul L. Allison, Acting Regional Administrator

ALABAMA STATE HISTORIC PRESERVATION OFFICER

By: _____ Date: 6/18/93

Mr. F. Lawerence Oaks, State Historic Preservation Officer

IV. DATA RECOVERY PLAN

The eligible archeological components identified at the St. Michael Street site exist across the project area and hence cannot feasibly be avoided by the proposed construction efforts. Therefore, an archeological data recovery study will be necessary to recover the significant research values contained by this site prior to the loss of these resources to construction. This section presents recommendations for the structure of the data recovery phase which have been developed in consultation with the AHC/SHPO and GSA.

Data recovery will seek to recover information which can address the research design developed for this project and submitted as part of New South Associates' technical proposal. Three basic themes were presented in this research design: comparisons of Mobile's material culture during the different national periods of the city's history, understanding of the development of Mobile and the organization of the St. Michael Street block, and examination of the social and economic status of the study property's occupants. These research themes, as initially presented, are repeated below:

> First, although Mobile possesses a multinational history, virtually no archeological work has been conducted within the city examining the imprint of this historic development. Documentary resources for the French, Spanish, and English are weak, leaving archeological research as best suited to address these segments of Mobile's past. If intact, discrete, deposits from various national occupations are present in the project area, than these should have research value. Research attributes which they could address include material culture and trade, varying patterns of subsistence, differences in architectural adaptation, etc.
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> Second, the development and spatial organization of early Mobile is poorly understood. There are few detailed maps for the early period of Mobile's history, specifically for the French and English occupations. The organization of blocks and lots, the placement of streets, and the locations of households and associated structures and/or features within early Mobile is virtually unknown. The preservation of features from specific occupation horizons would provide information on the settlement structure and organization of early Mobile, which would have research value. Comparisons of the settlement plan of various occupation horizons, if possible, would enhance this research potential.
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> Third, the social history of the occupants of this area over time is uncertain. The project area went from being peripheral to becoming an integral element of Mobile, and this transition presumably would have also brought about changes in the occupational history of the study site. While the history of early occupants of the project area

can probably not be gained from documentary sources, archeological investigations should be capable of producing socio-economic profiles of these occupants, which would yield important data concerning the history of Mobile. Hence the archeological understanding of the occupants of the project area is also considered to have research potential.

Data recovery of the St. Michael Street site has the potential to contribute information regarding all of these research themes. The presence of numerous intact cultural features provides the site with a strong research element and hence featureexcavation should be the main goal of the data recovery phase. The distribution of features, as reported above, has already yielded data on the settlement structure of this block, and further analysis of this distribution, in combination with additional historical research, will allow the settlement and development aspects of the site to be analysed. It appears that some of the features identified so far date to the eighteenth century, and reflect either the Spanish or English occupation of the region. Therefore, excavation of these eighteenth century features and the recovery of the artifacts contained within them should allow us to address the nature of changing patterns in material culture from the various national periods in Mobile's history.

The last element in this research design, the study of socio-economics through material remains, as well as the reconstruction of subsistence behaviors, can be addressed through the excavation of nineteenth-century pit and privy features. The work conducted at the site to date has already identified 61 pit features and 4 privies/potential privies, and excavation of a sample of these known features should be more than sufficient to address the consideration of site socio-economics and subsistence. Hence, we do not recommend any further block exposure, and suggest that the data recovery efforts should be focused on the examination of a sample of the features already identified.

Given the nature of the features already identified, the following features are recommended for excavation. Block 1, located in the center of the block, revealed the greatest density of nineteenth-century features, including such large features as privies, and it is recommended that this block be the focus of the nineteenth-century component of the research design. In Block 1, it is recommended that Features 1 (a nineteenth-century privy), 2 (a privy or large pit feature), 107 (a nineteenth-century pit feature), 108 (an undated pit feature intruded by Features 107 and 109), 109 (a nineteenth-century pit feature), 111 (a trench feature), 115 (a large, irregular nineteenth-century pit feature), 119 (an undated pit feature intruded by Feature 128), 126 (a nineteenth-century pit), 128 (a post intrusive into Feature 119), 129 (a post intrusive into Feature 130), 130 (a nineteenth-century pit feature), 133 (a pit feature intruded by Feature 129), 140 (a privy or privy builder's pit), 141 (an eighteenth-century well or privy intruded by Features 134, 142, and 143), 142 (a post intrusive into Feature 141), 143 (a post intrusive into Feature 141), 144 (a rectangular pit intrusive into Feature 145), and 145 (a privy). Feature 134, which intrudes into Feature 141, is not recommended for excavation, since this feature represents at large twentieth-century feature

which it is felt can be safely segregated from the Feature 141 deposits. A total of 19 features are thus recommended for excavation in Block 1: 4 possible privies, 10 pits, 1 trench, and 4 posts. At an excavation rate of 5 persondays per privy/well/large feature (including Feature 111, the trench), 1 personday per pit feature, and .125 persondays per post feature, the total time required for this phase of excavation is 35.5 persondays.

In Block 2, where both eighteenth and nineteenth century components were identified, possibly reflecting settlement prior to the imposition of a formal urban grid structure, the following features are recommended for excavation. Features 4 (a trench or burial-like feature), 22 (a pit [?] feature intrusive into Feature 23), 23 (a large pit feature intruded by Features 22, 24, 25, 26, 27, and 28), 24 (a pit feature intrusive into Feature 23), 25 (an irregular feature intrusive into Feature 23), 26 (a post intrusive into Feature 23), 27 (a post hole intrusive into Feature 23), 28 (a post intrusive into Feature 23), 31 (an eighteenth century pit feature), 35 (a pit feature intrusive into Feature 31), 36 (a pit feature intrusive into Feature 31), 38 (a nineteenth-century pit feature), 39 (an eighteenth-century pit feature), 41 (a very large nineteenth-century pit feature), 42 (another very large nineteenth-century pit feature), and 43 (a pit feature). This sample includes 11 pit features, 1 trench, and 4 posts, for a total of 16 features to excavate. Given the time requirements outlined above, and considering Features 4, 41 and 42 as large features, this excavation will require 24.5 persondays to complete.

Block 5 examined areas along St. Michael Street which represent former street frontages. While this block produced a number of features, many of these are architectural in nature. Pit features exposed in this area are more amorphous than those identified elsewhere on the site, suggesting they too could reflect architectural activities (ie. builder's pits) or non-cultural sub-floor behavior (such as dog wallows). Only two pits are recommended for excavation in this block: Features 87 and 89, both of which are well-defined pit features. This excavation component will require two persondays to complete.

Blocks 4 and 6 sampled St. Francis Street mid-lot and street frontage areas respectively. Both blocks produced relatively low densities of features which were primarily architectural in nature. These blocks do not appear to have the potential to address the project's research design with as great effect as the work proposed for Blocks 1, 2, and 5, and therefore no features are recommended for excavation in these blocks. Allowing seven persondays for start-up, the total time required to complete the field phase of this data recovery will be 71 persondays, or approximately 10 days for a seven person crew.

Features will first be half sectioned and drawn in profile and plan. All fill will be screened through 1/4 inch mesh from the excavated half. The remaining half will also be removed, and a 10 liter soil sample will be reserved from each for flotation. Detailed plan and profile drawings and 35 mm black-and-white and color photographs will also be made of each feature. All artifacts will be bagged by feature provenience and subprovenience (ie. section and strata, if observed).

It should be noted that the ultimate objective of the project is to obtain as much information as possible given the time allotted. The listing of features for excavation above presents our current impression of those features best suited to providing the types of information sought by the data recovery study. If some of these features prove less productive than originally estimated, they may be abandoned and other features substituted in their stead. If some features prove more productive, greater attention and effort will be focused on them. Ultimately, as many features as can be excavated will be examined in the two week project window.

At the completion of the field phase, all artifacts recovered from the project will be transported to New South Associates' Stone Mountain, Georgia office and laboratory for processing. All artifacts will washed and cataloged. All materials will be analysed using a computer database system developed by New South Associates using the *4th Dimension* software package. This system employs South's (1977) artifact patterning scheme and divides historic artifacts into functional groups (such as Kitchen, Architecture, etc.) and then classifies these items by raw material. Artifacts are next coded by type (such as pearlware) and subtype (such as transfer printed pearlware). This database program allows artifacts to be presented in tabular form, to be calculated for artifact patterning, and has a number of dating formulas built in, including the mean ceramic date formula, pipestem dating, window glass dating, and *Terminus Post Quem* (date after which) dating based on the beginning date of manufacture for numerous artifacts.

The analysis will focus on the identification and interpretation of the materials recovered from the data recovery. This will include dating of these materials, minimum vessel count analysis, the calculation of socio-economic status indices, and the comparison of these collections with comparable southern urban assemblages. Faunal and ethnobotanical analysis will also be conducted to provide subsistence data for the components under study.

At the completion of the lab analysis phase all materials will be prepared for curation. Such preparation includes the labelling of all exhibit quality artifacts and a 10 percent sample of all artifacts, the preparation of a detailed artifact inventory, and the boxing and labelling of curation containers including the preparation of a finding guide. All field notes, photographs, drawings, and other documentation will be included with the curation package. The ultimate curatorial repository which will receive these collections will be chosen in consultation with the GSA and the Alabama SHPO, however, it is anticipated that these materials will be curated at the University of Alabama at the Division of Archeological Research in Moundville. Funds to cover the estimated cost of curation are included in our proposed budget. If the curation costs are greater than estimated, additional funding will be required.

Fourteen days following the completion of the data recovery studies, a management summary report will be produced which describes the results of the study. A draft final report, providing a detailed discussion of the findings and

significance of all archeological studies conducted at the St. Michael Street site will be produced within 12 months from completion of fieldwork. Following review of this report by GSA and AHC/SHPO, and receipt of review comments, this report shall be revised and 30 copies of the final report shall be submitted to GSA. In addition, New South Associates will prepare information for incorporation into a display of the project's results in the proposed US Probation and COE Building, including camera-ready brochure discussing the project's results.