

**WYOMING STATE PROTOCOL
APPENDIX C
GUIDANCE ON THE ASSESSMENT OF SETTING**

I. INTRODUCTION

This appendix provides guidance on when to assess visual effects of an undertaking on historic properties where setting is a contributing aspect of integrity. This appendix only covers the visual aspects of setting. Physical, atmospheric and auditory effects also need to be considered when assessing effects to setting.

All historic properties must be assessed for all 7 aspects of integrity. The integrity of a historic property relates directly to the qualities of the property's location, design, setting, materials, workmanship, feeling, and association. A property may be eligible for inclusion in the National Register of Historic Places (NRHP) if it meets one or more of the four eligibility criteria. The property must retain the essential physical features that enable it to convey its significance. These features are those that define both why a property is significant and when a property was significant. For guidance on the assessment of the setting when evaluating a property for eligibility, please refer to *National Park Service, National Register Bulletin 15, "How to Apply the National Register Criteria for Evaluation"* (1997). If an historic context has been developed and accepted by the SHPO for the property type being evaluated, also follow the guidelines and eligibility thresholds established for that property type.

The determination of whether setting is an important aspect of integrity for eligible A, B or C properties of religious and/or cultural significance to Tribes must involve consultation with the appropriate Tribes and THPOs.

The aspect of setting may not be important for all types of properties. For most sites eligible only under Criterion D, the property does not need to recall visually an event, person, process, or construction technique. It is only important that the significant data in the property remain sufficiently intact to yield the expected information if the appropriate study techniques are employed (*National Register Bulletin 15*). Therefore setting is not relevant to the significance of most properties eligible only under Criterion D. However, properties eligible under Criterion D may also be eligible under other criteria where setting is a contributing element, and if so, it will be necessary to determine visual effects on such historic properties.

The BLM and SHPO have developed a method to assess affects to a setting using the visual contrast rating (VCR) analysis. Instructions on the procedures and methodology will be provided to archaeological consultants by individual BLM Field Offices, as necessary.

II. ASSESSING AN UNDERTAKING'S EFFECTS ON SETTING

A. Determining if Effects To Setting Needs to be Assessed

1. Historic properties for which setting is a contributing aspect of integrity, in both the direct and indirect APE of an undertaking, will require assessing the affects to the setting when the undertaking will be visible from the historic property. The BLM cultural resource specialist or archaeological consultant with GIS capabilities will run a viewshed analysis as needed to determine whether a proposed undertaking will potentially be seen from the historic property.

If the viewshed analysis indicates that a proposed undertaking will not be seen from the historic property then no further work is required. If the viewshed analysis determines that a proposed undertaking has the potential to be seen from a historic property, then the BLM cultural resource specialist will inform the archaeological consultant on the additional steps to be required, such as a VCR analyses, visual simulations, and additional viewshed analyses as appropriate.

2. Setting assessment is not necessary under the following circumstances:

- a. historic properties eligible only under Criterion D where setting is not a contributing aspect of integrity;
- b. segments of linear historic properties between two definable points that no longer retain any physical trace or manifestation (no longer extant);
- c. noncontributing segments (with SHPO concurrence) of linear historic properties;
- d. linear historic properties or contributing segments of historic properties previously determined to lack integrity of setting;
- e. for irrigation canals when loss of the integrity to a setting is a no adverse effect;
- f. if the proposed undertaking is consistent with land use during the period of significance of the historic property;
- g. for temporary construction elements (i.e. those elements that will be in place less than one year).

B. Determining the Area for Assessment of Integrity of Setting

The purpose of a setting assessment is to determine what physical features of a proposed undertaking will be visible from a historic property for which setting is an important aspect of integrity. Visibility of undertakings will vary. The scale of visual analysis should be commensurate with the scale of the undertaking. In many cases, undertakings will not be seen beyond five miles. Some undertakings may be seen beyond five miles if they are unusually large or are skylined on the horizon, such as wind turbines, large transmission lines and communication towers. The indirect APE is the area of assessment.

C. Visual Contrast Rating System

BLM will utilize the Visual Contrast Rating (VCR) system (as defined in BLM Manual 8431) as a recommended method to determine the degree of contrast of a proposed undertaking on the setting of historic properties. The VCR is conducted from the historic property towards the proposed undertaking utilizing the following “contrast” ratings. The location of the historic property is the key observation point (KOP). For linear historic properties multiple KOPs may be needed. A basic VCR form is included on pages 5-6 of this appendix, but other visual assessment methods may be used in addition as appropriate, if approved by BLM in consultation with SHPO.

Contrast Ratings:

1. “No Contrast” occurs when the project elements will not be seen from the historic property and/or there is no change in the form, line, color and texture between the undertaking and the setting.
2. A “Weak Contrast” occurs when the proposed project elements, or portions of the elements, can be seen but will not dominate the setting or attract the attention of the casual observer

because the basic elements of form, line, color and texture found in the setting are repeated in the project's physical elements.

3. A "Moderate Contrast" occurs when the proposed project elements, or portions of the elements, begin to attract attention and begin to dominate the characteristic landscape.
4. A "Strong Contrast" occurs when the proposed project elements, or portions of the elements, demand attention, cannot be overlooked, and are dominant on the landscape.

D. Standard Treatment Measures/Best Management Practices (BMPs) to Reduce the Visual Contrast

BLM cultural resource specialists and management will utilize standard treatment measures/BMPs to reduce the visual effects of the proposed undertaking prior to making a determination of effect under Section 106. Every effort should be made to design the undertaking to reduce the contrast rating prior to assessing affect.

1. Standard treatment measures should be used as stipulations or conditions of approval in leases, permits, etc.
2. Standard treatment measures and BMPs for reducing the visual contrast include, but are not limited to:
 - a. Consolidating project facilities among oil and gas developers – this also facilitates cumulative analysis.
 - b. Develop coordinated road and pipeline systems.
 - c. Reduce the amount of surface development by consolidating facilities (e.g., develop bottom-hole wells using directional drilling from a single surface well location).
 - d. Use low profile facilities.
 - e. Design projects to blend with topographic forms and existing vegetation patterns by using location to maximize topography and vegetation to screen development.
 - f. Use environmental coloration or camouflage techniques to break up visual intrusion of facilities that cannot be completely hidden.
 - g. Use broken linear patterns for road developments to screen roads as much as possible. This can include feathering or blending of the edges of linear rights-of-way.
 - h. For livestock control, use electric fencing with low-visibility fiberglass posts and environmental colors (e.g., sage green).
 - i. Design linear undertakings to run parallel to KOPs rather than perpendicular.
 - j. Modify the orientation of undertakings to lessen a visual impact (e.g., several tanks lined up so that one obscures the visibility of the others).

E. Determination of Effect

After completing the appropriate level of setting assessment (see Section II above), effects will be determined after application of Standard Treatment Measures/BMPs by using the VCR ratings in the following manner:

1. **No Contrast** – If the proposed project elements will not be seen and/or there is no contrast (as defined above) between the undertaking and the setting. The agency determination should be **“No Historic Properties Affected.”**
2. **Weak Contrast** – If the proposed project elements, or portions of the elements, can be seen but will not dominate the setting or attract the attention of the casual observer because the basic elements of form, line, color and texture found in the setting are repeated in the project’s physical elements, then the proposed undertaking will result in a weak contrast rating. The agency determination should be **“No Adverse Effect”** if there are no additional auditory or atmospheric effects.
3. **Moderate or Strong Contrast** – If the proposed project elements tend to dominate the setting, the proposed undertaking will have a moderate or strong contrast rating. The agency determination should be **“Adverse Effect.”**

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

VISUAL CONTRAST RATING WORKSHEET

Date:
District:
Resource Area:
Activity (Program):

Section A. Project Information

1. Project Name: _____ 2. Key Observation Point: _____ 3. VRM Class:	4. Location: Township _____ Range _____ Section _____	5. Location Sketch:
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Section B. Characteristic Landscape Description

	1. LAND/WATER	2. VEGETATION	3. STRUCTURES
FORM			
LINE			
COLOR			
TEXTURE			

Section C. Proposed Activity Description

	1. LAND/WATER	2. VEGETATION	3. STRUCTURES
FORM			
LINE			
COLOR			
TEXTURE			

1. DEGREE OF CONTRAST		FEATURES											
		LAND / WATER BODY				VEGETATION				STRUCTURES			
		Strong	Moderate	Weak	None	Strong	Moderate	Weak	None	Strong	Moderate	Weak	None
ELEMENTS	Form	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Line	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Color	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Texture	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Section D. Contrast Rating

SHORT TERM

LONG TERM

2. Does project design meet visual resource management objectives?

Yes No

(Explain on reverse side)

3. Additional mitigating measures recommended?

Yes No

Evaluators' Name(s):

Date(s):

Section D. (Continued)

Comments from item 2:

Additional Mitigating Measures (See item 3)

