

Part 610 – National Environmental Compliance Handbook

Subpart H – Exhibits

610.105 Cultural Resources Evaluation Procedure Guide Sheet

CULTURAL RESOURCES EVALUATION PROCEDURE GUIDE SHEET

Note: This guide sheet provides general guidance to field planners and managers. States may need to tailor this evaluation procedure guide sheet to reflect State-level agreements (SLAs) with SHPOs or Tribal consultation protocols or operating procedures pertinent to your State or other State-specific protocols that reflect the terms of the current national programmatic agreement between NRCS, the Advisory Council on Historic Preservation, and the National Conference of SHPOs. For additional information regarding compliance with section 106 of the NHPA and NRCS cultural resource policy, refer to the Title 420, General Manual (GM), Part 401, Cultural Resources; for current operating procedures see Title 190, National Cultural Resource Procedures Handbook (NCRPH), Part 601.

Note regarding consultations: When dealing with undertakings with the potential to affect cultural resources or historic properties, it is important to follow NRCS policy and the regulations that implement section 106 and to complete consultation with mandatory (SHPOs, THPOs, federally recognized Tribes, and native Hawaiians) and identified consulting parties during the course of planning. This consultation is not documented on this guide sheet but would occur with Steps 2, 3, 4, and 6 and these must be conducted in accordance with NRCS State office operating procedures to ensure appropriate oversight by cultural resources specialists who meet the Secretary of Interior's qualification standards.

STEP 1

Is the proposed action or alternative funded in whole or part or under the control of NRCS? **To make this determination, answer the following:**

- Is technical assistance carried out by or on behalf of NRCS? Yes No Unknown
- Is it carried out with NRCS financial assistance? Yes No Unknown
- Does it require Federal approval with NRCS as the lead Federal agency (permit, license, approval, etc.)? Yes No Unknown
- Is it a joint project with another Federal, State, or local entity, with NRCS functioning as lead Federal agency? Yes No Unknown

If all of your responses are "No," document this decision on the NRCS-CPA-52 and proceed with planning.

If any responses are "Yes," go to Step 2.

If "Unknown," consult with your State cultural resources coordinator or specialist (CRC or CRS) to determine if this is an action or undertaking that requires review and then complete Step 1.

STEP 2

Is the proposed actions or alternatives identified as an "undertaking" (as defined in 190-NCRPH and 420-GM) with the potential to cause effects to cultural resources/historic properties?

If "No," document this finding on the NRCS-CPA-52 and proceed with planning.

If "Yes," go to Step 3.

STEP 3

Has the undertaking's area of potential effect (APE) been determined? **Note:** Include all areas to be altered or affected, directly or indirectly: access and haul roads, equipment lots, borrow areas, surface grading areas, locations for disposition of sediment, streambank stabilization areas, building removal and relocation sites, disposition of removed concrete, as well as the area of the actual conservation practice. Consultation is essential during determination of the APE so that all historic properties (buildings, structures, sites, landscapes, objects, and properties of cultural or religious importance to American Indian Tribal governments and native Hawaiians) are included.

If "No," or "Unknown," consult with your state specific protocols or the CRC or CRS to determine the APE.

If "Yes," go to Step 4.

STEP 4

Have the appropriate records (National, State, and local registers and lists) been checked or interviews conducted to determine whether any known cultural or historic resources are within or in close proximity to the proposed APE or project area? **Note:** This record checking does not substitute for mandatory consultation with SHPO, THPO, Tribes, and other identified consulting parties.

- National Register of Historic Places? Yes No Unknown
- State Register of Historic Places? Yes No Unknown
- The SHPO's statewide inventory or data base? Yes No Unknown
- Local or county historical society or commission lists? Yes No Unknown
- Client knowledge of existing artifacts, historic structures, or cultural features? Yes No Unknown

If any responses are "No" or "Unknown," work with your CRC or CRS to be sure these files are checked (sometimes the SHPO will let only the CRS or CRC review the files). Follow all other operating procedures as required by NRCS policy and procedures, SLA, and Tribal consultation protocols or operating procedures, as appropriate.

If all responses are "Yes," and NRCS providing technical assistance only, then use any known information, notify the landowner of any potential effects, and provide recommendations for consideration. **Document this on the NRCS-CPA-52 and proceed with planning.** If NRCS is providing more than technical assistance **go to Step 5.**

STEP 5

Did Step 4 reveal the existence of any known or potential cultural resources in the APE, or were any cultural resource indicators observed during the field inspection of the APE? **Note:** Field inspections or cultural resource survey will need to be conducted by qualified personnel in your State. Check with you State cultural resource specialist to determine qualification criteria.

If "No," document this finding on the NRCS-CPA-52 and proceed with planning.

If "Yes," contact the CRC or CRS. Do **not** proceed with finalizing project design or project implementation until the final CRS response is received. **Go to Step 6.**

STEP 6

Can the proposed actions or alternatives be modified to avoid effects on the known cultural resources?

If "No," go to Step 7.

If "Yes," modify the planned actions or activities and proceed according to CRS guidance and document this on the NRCS-CPA-52 and continue with planning.

STEP 7

Has consultation with appropriate and interested parties been completed and documented? **Note:** The field planner completing the NRCS-CPA-52 generally does not do the consultation unless he or she is the CRS or CRC. Refer to the appropriate specialist for the documentation information.

If "No" refer to State CRC or CRS for further consultation and recommendations to the State Conservationist.

If "Yes," and all necessary historic preservation activities of identification, evaluation, and treatment have been completed, **document any consultation and proceed with planning.**