

**EXHIBIT 1. POTENTIAL TO CAUSE EFFECTS ON CULTURAL RESOURCES
(Updated 9/2012)**

NATIONAL EXEMPTIONS

This SLA acknowledges the appropriateness of, and implements STIPULATION 3. NATIONAL EXEMPTIONS as found in the Programmatic Agreement (EXHIBIT 2).

SOUTH DAKOTA PRACTICES EXEMPTED FROM CASE-BY-CASE REVIEW

Based upon conditions specific to South Dakota, NRCS and SHPO have reviewed NRCS Conservation Activities and Practices and concurred on which undertakings are exempt from case-by-case review because they are a type of activity with foreseeable effects that are minimal or not adverse to cultural resources (not subject to SHPO review), and those which have the potential to cause effects on cultural resources (subject to SHPO review). The following table indicates the potential of each conservation activity or conservation practice (CP) to cause effects on cultural resources. The categories are as follows:

- A. Conservation activities or practices which are exempt from case-by-case SHPO review because they are a type of activity with foreseeable effects that are minimal or not adverse to cultural resources are marked “N” below in the “Class” column.
- B. Projects that must be reviewed by SHPO are marked “U” below in the “Class” column.
- C. Projects that a NRCS CRS must consider visual, atmospheric, and/or audible effects to architectural resources are listed as “Yes” under the last column.

Conservation Activities	Code	Class	Potential for Visual Effect
Conservation Planning		N	No
Easement Requiring No Structure Maintenance		N	No
Easement Requiring Structural Removal		U	Yes
Highly Erodible Land Determinations		N	No
Sodbusting Determinations (No direct technical assistance provided)		N	No
Sodbusting Determinations – Previously Cultivated Land		N	No
Sodbusting Determinations – Unbroken Land (Direct technical assistance provided)**		U**	No
Wetland Determinations		N	No
Conservation Practices	Code	Class	Potential for Visual Effect
Access Control	472	N	No
Access Road	560	U	Yes
Air Filtration and Scrubbing	371	N	No
Air Filtration and Scrubbing – with New Ground Disturbance or Modification to a Structure Greater than 50 Years Old	371	U	Yes
Anaerobic Digester	366	U	Yes
Animal Mortality Facility	316	U	Yes

Conservation Practices	Code	Class	Potential for Visual Effect
Animal Trails and Walkways	575	U	No
Brush Management -Chemical	314	N	No
Brush Management –Mechanical*	314	U	No
Channel Bed Stabilization	584	U	Yes
Clearing and Snagging	326	U	No
Composting Facility	317	U	Yes
Conservation Cover	327	N	No
Conservation Cover with New Ground Breaking	327	U	No
Conservation Crop Rotation	328	N	No
Conservation Crop Rotation with New Ground Breaking (See guidance on sodbusting when appropriate**)	328	U	No
Constructed Wetland	656	U	Yes
Contour Buffer Strips	332	N	No
Contour Farming	330	N	No
Cover Crop	340	N	No
Critical Area Planting	342	N	No
Critical Area Planting with New Ground Breaking/Borrow	342	U	No
Cross Wind Ridges	588	N	No
Cross Wind Trap Strips	589C	N	No
Dam	402	U	Yes
Dam, Diversion	348	U	Yes
Deep Tillage	324	U	No
Dike	356	U	Yes
Diversion	362	U	Yes
Drainage Water Management	554	N	No
Early Successional Habitat Development/Management	647	N	No
Fabricated Windbreak (Heavy Use Area Protection)	561	U	Yes
Farmstead Energy Improvement	374	N	No
Fence	382	N	No
Field Border	386	N	No
Filter Strip	393	N	No
Firebreak-Cropped Area	394	N	No
Firebreak-Non Cropped Area	394	U	No
Forage and Biomass Planting	512	N	No
Forage and Biomass Planting with New Ground Breaking	512	U	No
Forage Harvest Management	511	N	No
Forest Stand Improvement – Chemical or when hand-cut and hand-stacked	666	N	No
Forest Stand Improvement – When rubber-tire or track vehicles are used for cutting or removal of trees/brush	666	U	No
Fuel Break – No Ground Disturbance	383	N	No
Fuel Break – When rubber-tire or track vehicles are used for cutting or removal of trees/brush	383	U	No

Conservation Practices	Code	Class	Potential for Visual Effect
Grade Stabilization Structure	410	U	Yes
Grassed Waterway	412	U	No
Grazing Land Mechanical Treatment	548	U	No
Heavy Use Area Protection	561	U	Yes
Hedgerow Planting	422	U	No
Herbaceous Weed Control	315	N	No
Herbaceous Wind Barriers	603	N	No
Integrated Pest Management	595	N	No
Irrigation Canal or Lateral	320	U	Yes
Irrigation Ditch Lining	428	U	No
Irrigation Field Ditch	388	U	No
Irrigation Land Leveling	464	U	No
Irrigation Pipeline	430	U	No
Irrigation Reservoir	436	U	Yes
Irrigation System, Microirrigation	441	U	No
Irrigation System, Sprinkler	442	U	No
Irrigation System, Sprinkler (Nozzle Change and/or Flow Meter ONLY)	442	N	No
Irrigation System, Surface and Subsurface	443	U	No
Irrigation System, Tailwater Recovery	447	U	No
Irrigation Water Management	449	N	No
Lined Waterway or Outlet	468	U	Yes
Livestock Pipeline	516	U	No
Livestock Pipeline (Temporary practice laid upon the surface with no ground disturbance)	516	N	No
Mulching	484	N	No
Nutrient Management	590	N	No
Obstruction Removal	500	U	Yes
Open Channel	582	U	No
Pond	378	U	Yes
Pond (Restoration with ground disturbances confined to previously disturbed areas)	378	N	No
Pond Sealing or Lining-Bentonite Sealant	521C	N	No
Pond Sealing or Lining-Compacted Clay Treatment	521D	N	No
Pond Sealing or Lining-Flexible Membrane	521A	N	No
Pond Sealing or Lining-Soil Dispersant Treatment	521B	N	No
Prescribed Burning Non Cropped	338	U	Yes
Prescribed Burning Previously Cropped	338	N	No
Prescribed Grazing	528A	N	No
Pumping Plant	533	U	No
Range Planting-Cropped	550	N	No
Range Planting-Non Cropped	550	U	No
Residue and Tillage Management Mulch Till	345	N	No

Conservation Practices	Code	Class	Potential for Visual Effect
Residue and Tillage Management No-Till/ Strip Till/Direct Seed	329	N	No
Residue and Tillage Management Ridge Till	346	N	No
Residue Management, Seasonal	344	N	No
Restoration and Management of Rare or Declining Habitats	643	N	No
Riparian Forest Buffer	391	U	No
Riparian Herbaceous Cover	390	N	No
Riparian Herbaceous Cover with New Ground Breaking/Borrow	390	U	No
Road/Trail/Landing Closure and Treatment	654	U	No
Roofs and Covers	367	N	No
Salinity and Sodic Soil Management	610	N	No
Seasonal High Tunnel System for Crops (Interim)	798	U	Yes
Solid/Liquid Waste Separation Facility	632	U	Yes
Spoil Spreading	572	U	No
Spring Development	574	U	No
Stormwater Runoff Control	570	N	No
Stream Crossing	578	U	No
Streambank and Shoreline Protection	580	U	Yes
Stripcropping	585	N	No
Structure for Water Control	587	U	Yes
Subsurface Drain	606	U	No
Surface Drainage, Field Ditch	607	U	No
Surface Drainage, Main or Lateral	608	U	No
Terrace	600	U	No
Tree/Shrub Establishment	612	U	No
Tree/Shrub Pruning	660	N	No
Tree/Shrub Site Preparation	490	U	No
Underground Outlet	620	U	No
Upland Wildlife Habitat Management with New Ground Breaking	645	U	No
Upland Wildlife Habitat Management	645	N	No
Vegetated Treatment Area	635	U	No
Waste Facility Closure	360	U	No
Waste Recycling	633	N	No
Waste Storage Facility	313	U	Yes
Waste Transfer	634	U	No
Waste Treatment	629	U	Yes
Waste Treatment Lagoon	359	U	Yes
Water and Sediment Control Basin	638	U	No
Water Well	642	U	No
Water Well Decommissioning	351	U	No
Water Well Decommissioning (Well less than 50 years old)	351	N	No
Watering Facility	614	U	No

Conservation Practices	Code	Class	Potential for Visual Effect
Watering Facility (Tank replacement with ground disturbances confined to previously disturbed areas)	614	N	No
Waterspreading	640	U	No
Wetland Creation	658	U	No
Wetland Enhancement	659	U	No
Wetland Restoration-All Other than Grass Seeding	657	U	No
Wetland Restoration-Grass Seeding	657	N	No
Wetland Wildlife Habitat Management	644	N	No
Windbreak/Shelterbelt Establishment	380	U	No
Windbreak/Shelterbelt Renovation	650	U	No
Woody Residue Treatment	384	U	No
Woody Residue Treatment - Ground disturbances confined to previously disturbed areas	384	N	No
Areas not requiring a cultural resources field inspection	Code	Class	
Existing feedlots (areas obviously subject to substantial previous ground disturbances) with no significant change of use proposed	313	N	

*See Standard Treatment Brush Management – Mechanical (9/2009)

** See SD Policy on Environmental Compliance on Sod Busting (Food Security Act)

Conservation Stewardship Enhancements	Code	Class	Potential for Visual Effect
Injecting or Incorporating Manure	AIR01	N	No
Nitrogen Stabilizers for Air Emissions Control	AIR02	N	No
Replace burning, removals and other crop residues with non-burning alternatives	AIR03	N	No
Use drift reducing nozzles, low pressures, lower boom height, and adjuvants to reduce pesticide drift	AIR04	N	No
Replacing oil- and wood-fired heaters in orchards and vineyards	AIR06	N	No
GPS, targeted spray application (SmartSprayer), or other chemical application electronic control technology	AIR07	N	No
Nitrification Inhibitors or Urease Inhibitors	AIR08	N	No
Drainage Water Management for Seasonal Wildlife Habitat	ANM01	N	No
Defer Crop Production on Temporary and Seasonal Wetlands	ANM02	N	No
Incorporate Native Grasses and/or Legumes into 15% or more of Herbage Dry Matter Productivity	ANM03	N	No
Incorporate Native Grasses and/or Legumes into 15% or more of Herbage Dry Matter Productivity with New Ground Breaking	ANM03	U	No
Extend Existing Filter Strips for Water Quality Protection and Wildlife Habitat	ANM04	N	No
Extending Riparian Forest Buffers for Water Quality Protection and Wildlife Habitat	ANM05	N	No
Extending Riparian Forest Buffers for Water Quality Protection and Wildlife Habitat with Tree or Shrub Plantings or New Ground Breaking	ANM05	U	No
Extending Existing Riparian Herbaceous Cover for Water Quality Protection and Wildlife Habitat	ANM06	N	No
Extending Existing Riparian Herbaceous Cover for Water Quality Protection and Wildlife Habitat- with New Ground Breaking	ANM06	U	No
Extending Existing Field Borders for Water Quality Protection and Wildlife Habitat	ANM07	N	No
Extending Existing Field Borders for Water Quality Protection and Wildlife Habitat with New Ground Breaking or Shrub Planting	ANM07	U	No

Conservation Stewardship Enhancements	Code	Class	Potential for Visual Effect
Improve Plant Diversity and Structure of Non Cropped Areas for wildlife food and habitat	ANM08	N	No
Improve Plant Diversity and Structure of Non Cropped Areas for wildlife food and habitat with Tree or Shrub Plantings or New Ground Breaking	ANM08	U	No
Grazing Management to Improve Wildlife Habitat	ANM09	N	No
Harvest hay in a manner that allows wildlife to flush and escape	ANM10	N	No
Patch burning to enhance wildlife habitat	ANM11	U	No
Shallow Water Habitat	ANM12	N	No
Shallow Water Habitat – New Construction	ANM12	U	No
Non forested Riparian Zone Enhancement for Fish and Wildlife	ANM13	N	No
Non forested Riparian Zone Enhancement for Fish and Wildlife with Tree or Shrub Plantings or New Ground Breaking	ANM13	U	No
Riparian Forest Buffer Terrestrial and Aquatic Wildlife Habitat	ANM14	N	No
Forest Stand Improvement for Habitat and Soil Quality	ANM15	N	No
Monitoring Nutritional Status of Livestock using the NUTBAL PRO System	ANM17	N	No
Retrofit Watering Facility for Wildlife Escape	ANM18	N	No
Wildlife Corridors	ANM19	N	No
Wildlife Corridors with Tree or Shrub Plantings or New Ground Breaking	ANM19	U	No
Silvopasture for Wildlife Habitat	ANM20	N	No
Silvopasture for Wildlife Habitat with Tree or Shrub Plantings	ANM20	U	No
Prairie Restoration for Grazing and Wildlife Habitat	ANM21	N	No
Prairie Restoration for Grazing and Wildlife Habitat with New Ground Breaking	ANM21	U	No
Restoration and Management of Rare or Declining Habitats	ANM22	N	No
Multi Species Native Perennials for Biomass Wildlife Habitat	ANM23	N	No
Multi Species Native Perennials for Biomass Wildlife Habitat with New Ground Breaking	ANM23	U	No
Upland Forest Wildlife Structures - No Ground Disturbance	ANM24	N	No
Upland Forest Wildlife Structures – New Ground Disturbance or when rubber-tire or track vehicles are used	ANM24	U	No
Stockpiling of Forages to Extend the Grazing Season	ANM25	N	No
Managing Calving to Coincide with Forage Availability	ANM26	N	No
Wildlife Friendly Fencing	ANM27	N	No
Aquatic Organism Passage Barrier Removal all Work Confined to Previously Disturbed Areas	ANM28	N	No
Aquatic Organism Passage Barrier Removal, New Ground Disturbance or Impacting Structures Greater than 50 Years Old	ANM28	U	No
On-Farm Forage Based Grazing System	ANM29	N	No
Ultra High Density Grazing System to Improve Soil Quality	ANM30	N	No
Drainage Water Management	ANM31	N	No
Extend Existing Filter Strips or Riparian Herbaceous Cover for Water Quality Protection and Wildlife Habitat	ANM32	N	No
Extend Existing Filter Strips or Riparian Herbaceous Cover for Water Quality Protection and Wildlife Habitat – with New Ground Breaking	ANM32	U	No
Riparian Buffer, Terrestrial and Aquatic Wildlife Habitat	ANM33	N	No
Leaving Standing Grain Crops Un-Harvested to Benefit Wildlife	ANM34	N	No

Conservation Stewardship Enhancements	Code	Class	Potential for Visual Effect
Enhance wildlife habitat on expired grass/legume covered CRP acres or acres with similar perennial vegetated cover managed as hayland	ANM35	N	No
Enhance wildlife habitat on expired tree covered CRP acres or acres with similar woody cover managed as forestland – chemical or when hand-cut and hand-stacked	ANM36	N	No
Enhance wildlife habitat on expired tree covered CRP acres or acres with similar woody cover managed as forestland – when rubber tire or track vehicles are used for cutting or removal of trees or brush or when prescribed burning is used	ANM36	U	No
Prescriptive grazing management system for grazed lands (includes expired CRP grass/legume or tree covered acres converted to grazed lands)	ANM37	N	No
Retrofit watering facility for wildlife escape and to enhance access for bats and bird species	ANM38	N	No
Resource-Conserving Crop Rotation	CCR99	N	No
Fuel Use Reduction for Field Operations	ENR01	N	No
Pumping Plant Powered by Renewable Energy	ENR03	N	No
Pumping Plant Powered by Renewable Energy with New Ground Disturbance	ENR03	U	No
Locally Grown and Marketed Farm Products	ENR05	N	No
Upgrade of Old Diesel Powered Pumping Plants with a Cleaner Power Source	ENR06	N	No
On-Farm Energy Audit	ENR07	N	No
Using Nitrogen Provided by Legumes, Animal Manure and Compost to Supply 100% of the Nitrogen Needs	ENR08	N	No
Variable Frequency Drive Electric Motors	ENR09	N	No
Using Nitrogen Provided by Legumes, Animal Manure and Compost to Supply 90 to 100% of the Nitrogen Needs	ENR10	N	No
Improving Energy Feedstock Production Using Alley Cropping Systems with Short Rotation Woody Crops	ENR11	U	No
Use of Legume Cover Crops as a Nitrogen Source	ENR12	N	No
On-Farm Pilot Projects	FPP02	U	No
On-Farm Research and Demonstrations	FRD01	U	No
Establish Pollinator Habitat	PLT01	N	No
Monitor Key Grazing Areas to Improve Grazing Management	PLT02	N	No
Forest Stand Improvement Pre-treating Vegetation and Fuels	PLT03	N	No
Forest Stand Improvement Pre-treating Vegetation and Fuels when Heavy Equipment is used to remove trees (slash) from site	PLT03	U	No
Forest Improvement Prescribed Burning	PLT04	U	No
Multi Story Cropping Sustainable Management of Nontimber Forest Plants	PLT05	N	No
Multi Story Cropping Sustainable Management of Nontimber Forest Plants – When rubber-tire or track vehicles are used for cutting or removal of trees/brush	PLT05	U	No
Renovation of a Windbreak, Shelterbelt, or Hedgerow for Wildlife Habitat	PLT06	N	No
Renovation of a Windbreak, Shelterbelt, or Hedgerow for Wildlife Habitat with Root Removal and/or New Planting	PLT06	U	No
Hardwood Crop Tree Release	PLT07	N	No
Habitat Development for Beneficial Insects for Pest Management	PLT08	N	No
Intensive Management of Rotational Grazing	PLT10	N	No
Conifer Crop Tree Release - Chemical or when hand-cut and hand-stacked	PLT11	N	No
Conifer Crop Tree Release - When rubber-tire or track vehicles are used for cutting or removal of trees/brush	PLT11	U	No

Conservation Stewardship Enhancements	Code	Class	Potential for Visual Effect
Patch Harvesting to Improve Degraded Hardwood Stands - Chemical or when hand-cut and hand-stacked	PLT12	N	No
Patch Harvesting to Improve Degraded Hardwood Stands - When rubber-tire or track vehicles are used for cutting or removal of trees/brush	PLT12	U	No
Forest Stand Improvement for Wildlife Reduction – No Ground Disturbance	PLT13	N	No
Forest Stand Improvement for Wildlife Reduction – New Ground Disturbance	PLT13	U	No
Alley Cropping Establishment for Wildlife and Beneficial Insect Habitat	PLT14	U	No
Establish Pollinator and/or Beneficial Insect Habitat	PLT15	N	No
Intensive Rotational Grazing	PLT16	N	No
Creating Forest Openings to Improve Hardwood Stands– Chemical or when hand-cut and hand-piled	PLT17	N	No
Creating Forest Openings to Improve Hardwood Stands – When rubber-tire or track vehicles are used for cutting or removal of trees/brush	PLT17	U	No
Increasing On-Farm Food Production with Edible Woody Buffer Landscapes	PLT18	U	No
Herbicide resistant weed management	PLT19	N	No
High residue cover crop or mixtures of high residue cover crops for weed suppression and soil health	PLT20	N	No
Forest stand improvement pre-treating vegetation and fuels preceding a prescribed fire	PLT21	N	No
Forest stand improvement pre-treating vegetation and fuels preceding a prescribed fire when Heavy Equipment is used to remove trees (slash) from sites	PLT21	U	No
Continuous No-Till with High Residue	SOE01	N	No
Protection of Cultural Resource	SOE02	U	No
Continuous No-Till Organic System	SOE03	N	No
Continuous No-Till	SOE04	N	No
Intensive No-Till (Organic or Non-Organic System)	SOE05	N	No
Controlled Traffic System	SQL01	N	No
Continuous Cover Crops	SQL02	N	No
Drainage Water Management for Nutrient Pathogen or Pesticide Reduction	SQL03	N	No
Use of Cover Crop Mixes	SQL04	N	No
Use of Deep Rooted Crops to Break up Soil Compaction	SQL05	N	No
Conversion of Cropped land to Grass-based Agriculture for Biomass or Forage Production and Wildlife Habitat	SQL06	N	No
Forest Stand Improvement for Soil Quality - No ground disturbance	SQL07	N	No
Forest Stand Improvement for Soil Quality - New Ground Disturbance or when rubber-tire or track vehicles are used	SQL07	U	No
Intercropping to Improve Soil Quality and Increase Biodiversity	SQL08	N	No
Conversion of Cropped Land to Grass-based Agriculture	SQL09	N	No
Crop management system where crop land acres were recently converted from CRP grass/legume cover or similar perennial vegetation	SQL10	N	No
Cover cropping in orchards, vineyards and other woody perennial horticultural crops	SQL11	N	No
Intensive cover cropping in annual crops	SQL12	N	No
Biological Suppression and Other Non-chemical Techniques to Manage Brush, Weeds and Invasive Species	WQL01	N	No
Biological Suppression and Other Non-chemical Techniques to Manage Brush, Weeds and Invasive Species with Root Removal	WQL01	U	No
Rotation of Supplement and Feeding Areas	WQL03	N	No

Conservation Stewardship Enhancements	Code	Class	Potential for Visual Effect
Plant Tissue Tests and Analysis to Improve Nitrogen Management	WQL04	N	No
Apply Nutrients No More Than 30 Days Prior to Planned Planting Date	WQL05	N	No
Apply Controlled Release Nitrogen Fertilizer	WQL06	N	No
Split Nitrogen Applications 50% After the Crops/Pasture Emerge/Green up	WQL07	N	No
Split Applications of Nitrogen Based on a PSNT (Pre-Sidedress Nitrogen Test) or other Crop-Based Indicators	WQL08	N	No
Apply Phosphorus Fertilizer Below the Soil Surface	WQL09	N	No
Plant a cover crop that will scavenge residual nitrogen	WQL10	N	No
Precision Application Technology to Apply Nutrients	WQL11	N	No
Managing Livestock Access to Water Bodies/Courses	WQL12	U	No
High Level Integrated Pest Management to Reduce Pesticide Environmental Risk	WQL13	N	No
Land Application of Treated Manure	WQL14	N	No
Reduce the Concentration of Nutrients on Farm by Limiting the Amount of Feed and Fertilizer Brought on Livestock Farms	WQL15	N	No
Use of Legume Cover Crops as a Nitrogen Source	WQL16	N	No
Use of Non Chemical Methods to kill cover crops	WQL17	N	No
Non Chemical Integrated Pest Management for Livestock	WQL18	N	No
Transition to Organic Grazing Systems	WQL19	N	No
Transition to Organic Cropping Systems	WQL20	N	No
High Level Integrated Pest Management to reduce pesticide environmental risk for Organic Farming	WQL21	N	No
On Farm Composting of Farm Organic Waste	WQL22	N	No
Protection of Sensitive Areas on Winter Grazing Land	WQL23	U	Yes
Apply Enhanced Efficiency Fertilizer Products	WQL24	N	No
Split Applications of Nitrogen Fertilizer based on a PSNT	WQL25	N	No
Reduce the concentration of nutrients imported on farm	WQL26	N	No
Drainage water management for nutrient, pathogen, or pesticide reduction	WQL27	N	No
Irrigation System Automation	WQT01	N	No
Mulching for Moisture Conservation	WQT02	N	No
Irrigation Pumping Plant Evaluation	WQT03	N	No
Regional Weather Networks for Irrigation Scheduling	WQT04	N	No
Remote Monitoring and Notification of Irrigation Pumping Plant Operation	WQT05	N	No
Conversion to Non-Irrigated Crop Production	WQT06	N	No
Regional Weather Networks for Irrigation Scheduling	WQT07	N	No
Decrease irrigation water quantity or conversion to non-irrigated crop production	WQT08	N	No

Natural Resource Conservation Service

By:  Date: 10-2-2012
 State Conservationist

State Historic Preservation Office

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