

**Guidance on Cultural Resource Reviews for Exempt Practices
(March 2006)**

Fencing, Waterlines, and Practices Installed in Established Barnyards.

After careful consideration of the minimal impact that fencing, waterlines for livestock, and barnyard improvements have on cultural resources that may be present in the installation areas, we have noted the following points:

- Installation of fence posts has minimal disturbance to cultural sites.
- Installation of pasture waterlines for livestock that requires the mechanical excavation of a six-inch wide installation trench also has minimal disturbance to cultural sites.
- Barnyards established over ten years and in continual use have caused severe disturbance to any cultural remains that may be located in the barnyard.
- NRCS, in consultation with the State Historic Preservation Office, has determined that installation of fence posts, waterlines, and structural practices in 10-year established barnyards, do not constitute an adverse effect to any cultural resources that may be present in the area of potential effect.

Therefore, the following exemptions are in effect:

1. Fencing is not considered an undertaking for purposes of cultural resources review and fencing locations do not require a review by the cultural resources specialist (CRS) during the planning process.
2. Waterline installation for pasture renovation is not considered an undertaking for purposes of cultural resources review and waterline routes subjected to narrow trenching (six inches) do not require a review by the cultural resources specialist during the planning process.
 - a. Waterlines installed using a backhoe trench will require a cultural resources review.
 - b. Exemption does not extend to tiling or dry hydrant installation.
3. Barnyards in continual use for over 10 years do not need to be reviewed when planning for installation of runoff practices and waste control. Exemption does not apply to recently built farm complexes (less than 10 years) where minimal ground disturbance has occurred.
4. Installation of concrete pads, waste storage bins, and run-off management practices within the heavy use area are exempt from review for cultural resources purposes. Heavy use areas include fenced feeding corrals, areas subjected to mechanical manure removal, livestock walkways covered with gravel, and locations of initial farm and outbuilding construction.
5. Filter strips and diversions requiring land grading for run-off management outside the heavy use area are not exempt and must still be reviewed for cultural resources by the cultural resources specialist.

6. Because historically-significant farm landscapes may be adversely affected by new above-ground facilities, above ground waste storage units installed on farmsteads over 50 years old must be reviewed for their visual effect on the cultural appearance. Consult with the cultural resources specialist to see if the above ground storage facility would cause an adverse effect to the visual landscape.

Waterways

NRCS is exempt from reviewing simple waterways for cultural resources. FSA is not exempt for simple waterways at this time. For NRCS or SWCD funded waterways, any waterway requiring a structure at the outlet requires a cultural resource review. Outlet structures involve borrowing soil from an adjacent area, or excavating for a stable outlet.

Any CRP planning for waterways and other undertakings need to be reviewed for cultural resources and if any cultural sites are found to be present in the project area, FSA will take responsibility for contacting the landowner and consulting with the State Historic Preservation Office regarding their cultural resources responsibilities. THE CRS WILL INSTRUCT FIELD OFFICES WHEN TO INFORM FSA OF A CULTURAL RESOURCE.

Tree- and Shrub-Plantings

Through the State Level Agreement with the State Historic Preservation Office, NRCS may plant bare root seedlings or implement nut-plantings on cultural sites that are in forest-derived soils and do not include human burials. To assure that there are no burial mounds or cemeteries present in your tree-planting or shrub-planting project areas you need to conduct a cultural resource review of the location of the planting areas. The review applies to any program: CRP, CREP, WRP; riparian buffers or windbreaks.

A convenient way to do the cultural resource review is to send, or fax, to the CRS a list of planting locations (can be handwritten). Following is an example of the headings of your list:

Landowner	Township #	Range #	Section #	1/4 Section	Sites
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Fill in the landowner's name and locational information and allow a blank column at the end for the CRS to indicate if there are no sites, habitation sites, or burial sites present.

If a burial site is found in a bare root or acorn planting area, OR, if the tree or shrub planting changes to larger container or balled and burlapped (ARPM) stock, you need to do more. . . Those planting locations that had sites present will need to submit a complete review form with a topographic map, allowing the CRS to determine if the cultural sites coincide with the planting location. If they do coincide, the CRS will do a field investigation to flag the cultural site to plant around.