

NRCS - CULTURAL RESOURCES REVIEW PROCEDURES FOR FIELD OFFICES:

1. Determine whether the proposed project is an Undertaking and requires a review or if it is Exempt from review. Use the *Conservation Practice Index for Cultural Resources Review* and *CSP Practice index* located in: MN NRCS FOTG Section 2, Cultural Resources Information Folder.
 - a. If the proposed project is “Exempt”, as identified on the *MN Practice Standards for Cultural Resources Review* dated September 2014, then no review by the State Historic Preservation Office is required. Document your findings thoroughly.
 - b. If the proposed project is an “Undertaking,” then complete the following documentation via SharePoint or regular mail:
 - ***ONLY*** the **most current version** of the “Cultural Resources Review Request” form, MN-CPA-048 should be used. This version can be found in Section II of the Field Office Tech Guide under the Cultural Resources Information Folder. Do not use any other versions of the 048, those will be returned to the field office without processing.
 - Complete the MN-CPA-048 by following the **“Instructions for Completing the Section 106 Review for Cultural Resources Form (MN-CPA-048)”**, found in Section II of the FOTG in the Cultural Resources Information Folder.
 - c. Review of MN-CPA-048 and uploading form to the Cultural Resources SharePoint Site.
 - When completed, the MN-CPA-048 and all attachments will be sent to the designated reviewer at the Area Office for a second level review. If deficiencies are observed corrections will be made and the MN-CPA-048 will be re-submitted to the reviewer for signature. After review and approval the MN-CPA-048s will be uploaded to the MN NRCS State Office using the Cultural Resources SharePoint Folder.
 - If the Cultural Resources SharePoint Folder then standard mail may be used and the form may be mailed to the MN NRCS POC.
 - Uploading Instructions: The MN-CPA-048 form along with all maps and supporting documentation will be uploaded into the respective county’s folder on the Cultural Resources Section of ECS/190-Ecological Sciences (ECS)/Cultural Resources SharePoint Site. The following standardized naming convention will be used. Name the file by the producer’s Last Name space First name or initial space County. (For example Doe John Ramsey or Doe J Ramsey). Do not put any other wording in the file name. If a producer has multiple requests, a unique modifier such as a number, letter, practice or watershed, etc will be used. All documents must be uploaded as a pdf and in one single file. Files uploaded as multiple one page files will not be accepted and the field office will be asked to re-upload the MN-CPA-048 as one file, do not create sub-folders in the county files.
2. The NRCS Cultural Resources Review Coordinator (CRRC) manages the Cultural Review Requests once they are downloaded or delivered at the State Office. The CRRC will review the uploaded Document for quality prior to delivery to SHPO. Once reviewed the request will be forwarded to SHPO for consultation.

MN NRCS POC:

Ginger Kopp
Cultural Resources Request Coordinator
USDA-NRCS
375 Jackson St., St. Paul, MN 55101
(651) 602-7909 ph
(651) 602-7914 fax
email: ginger.kopp@mn.usda.gov

3. The NRCS Cultural Resources Specialist (CRS) and SHPO reviews the MN-CPA-048 and:
 - a) Determines that a survey is not required and the CRS or CRRC sends a “No Survey” letter to the FO documenting the review and allowing construction to proceed as planned, or:
 - b) CRS or CRRC Notifies the NRCS Field Office if a field visit or survey is needed and a survey will be coordinated.
4. After scheduling a field visit or survey, the CRS or Contracted Archeologist will conduct the field work. Field Office Personnel are welcome to assist the CRS or Contracted Archeologist with the field survey.

If cultural resources are not found, the CRS or Contracted Archeologist writes a letter report and submits it to the FO for the project file. Construction can proceed as planned.

If cultural resources are found, the CRS or Contracted Archeologist will develop a plan, if necessary, to evaluate the significance of the resource and determine whether or not the resource is eligible for listing on the National Register of Historic Places (NRHP). This could involve additional trips to the project and more in depth field work including the excavation of additional shovel tests and/or 1 x 1 meter test units. If the resource is considered not significant or not eligible for listing on the NRHP, the CRS submits this decision to the SHPO for review and concurrence. Once concurrence is received that there will be No Adverse Effect to the resource (in 30 days or less), the project can proceed as planned.

If significant cultural resources are found, the CRS, DC, and/or Engineers determine whether the site/property can be avoided. If the site can be avoided the CRS submits a report to SHPO and recommends that the project proceed as planned given the established avoidance plan. SHPO has

ADDITIONAL IMPORTANT INFORMATION

NRCS employees are encouraged to manage the cultural resources workload throughout the year. Federal Regulation requires all agencies to begin the Section 106 historic preservation review early in project planning. According to the Advisory Council on Historic Preservation (36 CFR 800.1[c]).

The agency official shall ensure that the Section 106 process is initiated early in the undertaking's planning, so that a broad range of alternatives may be considered during the planning process for the undertaking.

Similarly, NRCS's national policy requires the identification and protection of cultural resources early in the conservation planning process (GM, Title 420, Part 401.20; National Environmental Compliance Handbook, Title 190, Part 610.25.C).

In an effort to manage the field office program workload, many of the cultural resources reviews are

completed after ranking applications. This is understandable, but the Cultural Resources Specialist also needs adequate review time and State/Tribal Historic Preservation Officers must be allowed the full 30-day comment period granted by regulation (36 CFR 800.3). Therefore, conservation planners should, to the extent possible, complete cultural resources reviews prior to ranking applications, particularly for those applications likely to be funded. If field office employees believe a project will require a site visit or study by the Cultural Resources Specialist, please start the review process as early as possible.

If a previously unknown resource is discovered post-review or during construction, contact the Cultural Review Request Coordinator immediately to determine the next action (651-602-7909).

NOTE: **If human remains are discovered** during any phase of field work or construction, cease all activities and notify the NRCS Cultural Review Request Coordinator (651-602-7909) who will then notify the Office of the State Archaeologist in accordance with the Private Cemeteries Act (Minnesota Stat. Ann. 307.08) and in accordance with the Native American Graves Protection and Repatriation Act of 1990 (NAGPRA). If the NRCS Cultural Review Request Coordinator cannot be reached, contact the Office of the State Archaeologist directly at 651-725-2411.

Tribal Consultation

Field Offices must submit the MN-CPA-048 or Tribal Specific Cultural Resources Review Request forms to Tribal Historic Preservation Officers when working within reservation boundaries and they **must also send a copy of the Review Request form submitted to these tribal officers and any other pertinent correspondence to the Cultural Resources Review Coordinator in St. Paul (this can be emailed and does not need to be posted to the Cultural Resources SharePoint Site). For 1854 Ceded Territory tribal lands, the Cultural Resources Review Request is submitted to both the SHPO and the THPO and therefore should be posted to the Cultural Resources SharePoint Site.**

Below is a list of Minnesota Tribal Historic Preservation Officers (THPOs) or Tribes with Cultural Resources Review Officers and corresponding NRCS county Field Offices that should submit Cultural Resources Review Request forms to these THPOs/tribal contacts and the NRCS-Cultural Resources Review Contact. If there is no THPO (as in the case of Fond Du Lac and Grand Portage) the DC can send the MN-CPA-048 to the respective tribal staff and copy the Cultural Resources Review Coordinator. Copies of NRCS Tribal Protocols can be accessed from the MN-NRCS web page (Technical Resources – Cultural Resources link).

Mille Lacs Band of Ojibwe Indians

Natalie Weyaus, THPO

Elise Aune, Review and Compliance

Officer 43408 Oodema Dr.

Onamia, MN 56359

320-532-4181

Mille Lacs, Aitkin, Pine Counties

White Earth Band of Minnesota Chippewa

Tom McCauley, THPO

P.O. Box 148

White Earth, MN 56591 218-983-3263

Becker, Mahnomon, Clearwater Counties

Bois Forte Band of Chippewa Indians

Rosemary Berens, THPO
5344 Lakeshore Dr., P.O. Box 16
Nett Lake, MN 55772
218-757-3261

rozeberens@yahoo.com

Koochiching, St. Louis Counties

Fond Du Lac Band of Lake Superior Chippewa

Reggie Defoe
Director, Resource Management
1720 Big Lake Road
Cloquet, MN 55720
218-878-8000

reggiedefoe@FDLRez.com

Carlton, St. Louis Counties

Grand Portage Band of Lake Superior Chippewa

Environmental Department
Attn: Curtis Gagnon or Vicki Raske
P.O. Box 428
Grand Portage, MN 55605
218-475-0111

Cook, Lake, St. Louis, and Carlton Counties

Red Lake Band of Minnesota Chippewa

Les Peterson
Red Lake Engineering
P.O. Box 274
Red Lake, MN 56671

Primarily Beltrami, Clearwater, Lake of the Woods, (very small sections in Koochiching, Marshall, Pennington, Polk, and Roseau Counties)