



## Cultural Resources ... and your Conservation Project



### What Are Cultural Resources?

Cultural resources are all the past activities and accomplishments of people. They include buildings, objects made or used by people (artifacts), features (fire pits) special use sites (stone quarries) and less tangible resources such as dance forms, stories, and ceremonial traditions.

The cultural resources that the Natural Resources Conservation Service (NRCS) deals with most often are known as historic properties. These may be pre-contact or historic archeological sites, buildings, structures, features, or objects. The most common type of historic property NRCS staff encounters is archeological sites. These sites often exist below the ground and must be protected when conservation practices are used that disturb the earth at the site. Cultural

resources are non-renewable and irreplaceable. There is no way to “create” a new archeological site or historic farm house once it has been destroyed.

#### Why Does NRCS Care About Cultural Resources?

##### For Resource Conservation:

NRCS considers cultural resources in its conservation planning for the same reason it protects natural resources—the soil, water, air, plants and animals— on your property. Keeping natural resources in balance helps provide the basis for a healthy and profitable farm environment; protecting and interpreting significant cultural resources provides the basis for understanding our human past. We are all stewards of the soil and water on our property, the organisms that inhabit it, and the heritage information that it contains.

##### Because It's the Law:

The federal government passed the National Historic Preservation Act (NHPA) in 1966. This Act established a policy for protecting important cultural resources. The NHPA requires Federal agencies to

consider cultural resources in its activities and determine if significant archeological sites will be adversely affected by those activities.

Nationally, NRCS has established procedures for training its field personnel to recognize some cultural resources during conservation planning. Vermont NRCS has an archeologist on staff to help staff identify and protect important resources from earth-disturbing conservation activities.

#### Cultural Resources Field Procedures

In Vermont, NRCS has established procedures to identify, evaluate and avoid the destruction of important cultural resources. Any practice that requires federal assistance, receives federal funding, or requires a permit must follow these cultural resources protection procedures:

**Step 1:** NRCS planners decide if the proposed conservation activity is an earth-disturbing undertaking. There are many ground disturbing conservation practices that are planned in Vermont, such

diversion, grassed waterway, underground outlet, streambank stabilization, waste storage facility and wetland restoration to list a few undertakings.

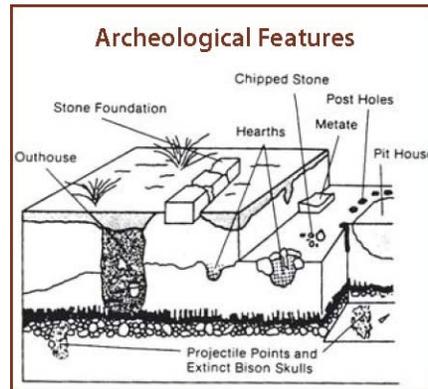
**Step 2:** Determine the extent of disturbance that will be needed to install the conservation practice (s).

**Step 3:** Look over the area for evidence of cultural resources on the surface (cellar holes, stone foundations, wells, dams). Submit the planned conservation practice(s) to the NRCS archeologist for a desk review to determine if a site investigation is needed.

**Step 4:** Avoid the cultural resource if one is present. This may involve moving the location of the practice or selecting a different, non-destructive conservation practice. Most projects with cultural resources present can be easily avoided.

**Step 5:** If the cultural resource cannot be avoided, the NRCS archeologist will evaluate the significance of the cultural resource. In the majority of cases the expense of a professional investigation is the responsibility of Vermont NRCS and not the landowner.

**Step 6:** If the cultural resource is determined not to be significant the landowner and NRCS may proceed with the conservation practice. However, if the resource is significant and cannot be avoided or an alternative practice cannot be agreed on, the cultural resource must be "mitigated."



Mitigation is an action that reduces the harmful effects on the site, and may consist of moving a historic building out of harm's way or documenting its architecture before destruction; excavation of an archeological site to recover important information; or constructing a protective barrier around or over the historic property.

There may be occasions when the landowner does not want to proceed with mitigation. If no alternative conservation plan can be implemented, NRCS will withdraw assistance on that particular conservation activity, and the landowner may proceed with the conservation practice but at their own expense.

### Procedure for Discovery During Construction

If artifacts, building foundations, or human remains are uncovered during implementation, the contractor must stop work and NRCS must be contacted. The NRCS conservationist and archeologist will take steps to protect the site until it can be evaluated for significance. Steps 5 and 6 described previously will

be conducted.

### Private Property Rights and the Vermont Burial Protection Law

Landowners with historic properties on their land have ownership of that historic property with the exception of human remains, grave markers (including burial mounds) and artifacts found in association with graves and human remains. Human burials and their associated objects are the property of the state.

Non-grave artifacts from archeological sites and historic buildings are the property of the landowner. A landowner may choose to disturb a historic property, but they cannot receive federal assistance or funding to do so. If an earthmoving activity disturbs human remains, the landowner is required to contact the state police and coroner's office immediately.

### Additional Information

If you need more information about Cultural Resources, contact:

**Jacob Clay, Archeologist**  
USDA-NRCS

[www.vt.nrcs.usda.gov/technical/](http://www.vt.nrcs.usda.gov/technical/)

617 Comstock Road, Suite 1  
Berlin, Vermont 05602-8498  
802 828-4493 ext. 104

[Jacob.clay@vt.usda.gov](mailto:Jacob.clay@vt.usda.gov)

You can also contact NRCS at your local USDA Service Center (listed in the telephone book under U.S. Department of Agriculture). Information is also available on the World Wide Web at:

[www.vt.nrcs.usda.gov/technical/](http://www.vt.nrcs.usda.gov/technical/)