

FWS Cultural Resource Management Planning

I. What is required?

A number of laws, regulations, and Fish and Wildlife Service policies address cultural resource management planning requirements and objectives. These include:

National Historic Preservation Act of 1966, as amended

Section 2 - “It shall be the policy of the Federal Government . . . (a) to provide leadership in the preservation of the prehistoric and historic resources of the United States; (b) administer federally owned, administered, or controlled prehistoric and historic resources in a spirit of stewardship for the inspiration and benefit of present and future generations.”

Section 106 - “The head of any Federal agency having direct or indirect jurisdiction over a proposed Federal or federally assisted undertaking . . . shall take into account the effect of the undertaking on any district, site, building, structure, or object that is included in or eligible for inclusion in the National Register.”

Section 110(a)(2) - “Each Federal agency shall establish . . . a preservation program for the identification, evaluation, and nomination to the National Register of Historic Places, and protection of historic properties.”

Archaeological Resources Protection Act of 1979, as amended¹

Section 10 - “Each Federal land manager shall establish a program to increase public awareness of the significance of the archaeological resources located on public lands and Indian lands and the need to protect such resources.”

Section 14 - “The Secretaries of the Interior, Agriculture, and Defense . . . shall

- (a) develop plans for surveying lands under their control to determine the nature and extent of archaeological resources on those lands;
- (b) prepare a schedule for surveying lands that are likely to contain the most scientifically valuable archaeological resources;”

National Environmental Policy Act of 1969, as amended

Section 101(b) - “. . . it is the continuing responsibility of the Federal government to use all practicable means . . . to improve and coordinate Federal plans, functions, programs

¹ ARPA’s definition of public lands includes “lands which are owned and administered by the United States as part of the National Wildlife Refuge System.” (Section 3(3)(A))

and resources to the end that the Nation may: (4) preserve important historic, cultural, and natural aspects of our national heritage . . . “

Alaska National Interest Lands Conservation Act

Section 304(g)(2) - “Before developing a plan for each refuge, the Secretary shall identify and describe . . . (B) the special values of the refuge, as well as any other archeological, cultural, ecological, geological, historical, paleontological, scenic, or wilderness value of the refuge.”

Secretary of the Interior’s Standards and Guidelines for Archeology and Historic Preservation (September 29, 1983), addresses standards for preservation planning and professional qualifications for conducting CRM-related work.

Executive Order 13007, “Indian Sacred Sites,” requires Federal agencies to accommodate access to and ceremonial use of Indian sacred sites by Indian religious practitioners and avoid adversely affecting the physical integrity of such sacred sites, as permitted by law and not inconsistent with essential agency functions. Early consultation with appropriate Indian tribes during the planning process will be important to identify sacred sites and plan for access on Service lands and facilities.

Executive Order 11593, “Protection and Enhancement of the Cultural Environment,” requires Federal agencies to “initiate measures necessary to direct their policies, plans and programs in such a way that federally owned sites, structures, and objects of historical, architectural or archaeological significance are preserved, restored and maintained for the inspiration and benefit of the people.” Executive Order 11593 also directs Federal agencies to inventory all National Register sites and buildings under their jurisdiction.

The **Fish and Wildlife Service Manual** contains three chapters addressing various cultural resource management planning requirements. These are:

126 FW 1-3, “Museum Services,” addressing planning requirements for the management of FWS museum collections.

602 FW 1-3, “Refuge Planning,” addressing the completion of comprehensive management plans for national wildlife refuges. The chapter provides for completing background information, planning objectives, and step-down plans for cultural resources.

614 FW 4.1(B), “Cultural Resource Management Plans,” addressing national cultural resource standards for completing surveys, evaluating and protecting cultural resources, and planning for their management.

II. What are the components of cultural resource management planning?

A.. **Prepare a Cultural Resource Overview to document and characterize information on the prehistory and history of the refuge and immediate geographic area.**

1. Develop context statement(s) including a summary of the prehistory and history of the area; summary and analysis of important cultural resources issues; and analysis of existing sensitivity models.
2. Consult with and assess the quality of information maintained by FWS offices, State Historic Preservation Officers, National Park Service, other Federal and State agencies, universities, Indian tribes and Native Hawaiian organizations, and other parties. Potential sources include state site databases, the National Archaeological Database; and regional Geographic Information Systems. Review other primary and secondary sources of information such as FWS realty records, local histories, and oral histories to identify potential archaeological resources, historic properties, and sacred sites on refuge.
3. Assess existing threats to known cultural resources (vandalism, erosion or deterioration, undertakings, overuse, etc.)
4. Review and cross-reference to existing survey reports and plans from the refuge or adjacent lands. Determine applicability to the refuge.
5. Identify and assess gaps in existing information sources.
6. Prepare or revise refuge maps to depict location of known cultural resources and delineate areas that may be potentially significant in terms of unrecorded historic properties and archaeological resources. Develop supporting data such as site records, collections information, etc. The boundaries of known sacred sites may be noted on maps and associated documentation but is exempt from public disclosure under Section 304 of the National Historic Preservation Act and Section 9 of the Archaeological Resources Protection Act.
7. Summarize cultural resource research conducted on refuge or immediate vicinity and pose research questions relevant to the management of the refuge and prehistory or history of the geographical area. Research objectives should reflect the context statements discussed in item 1 above.
8. As appropriate, complete limited reconnaissance survey of the refuge to verify existence and condition of identified and possible sites and accuracy of documented information and develop sensitivity modeling for site distribution.

9. Prepare annotated bibliography

B. Integrate into refuge management planning process. Identify cultural resource management objectives and issues that need to be addressed in the comprehensive management plan.

1. Devise an inventory and evaluation strategy that fulfills requirements of Sections 106 and 110 of the National Historic Preservation Act and Section 14 of the Archaeological Resources Protection Act. If applicable, address how associated museum collections are to be managed.
2. Outline alternatives for protecting significant sites threatened by potential adverse effects or conflicts from planned undertakings and activities; natural erosion and damage; vandalism and illegal collecting; overuse or neglect; and emergency situations. Protection alternatives may include avoiding sites through redesign; restricting public access and interpretation; withholding confidential information; monitoring the physical integrity of sites; completing determinations of eligibility or nominations to the National Register of Historic Places; public awareness and interpretation; rehabilitation and maintenance of historic structures; and, monitoring planning objectives. If museum collections are covered by cultural resource planning objectives, address how materials will be managed to meet Department of the Interior environmental and security standards.
3. Address how consultation under various statutes and Executive Orders will be conducted with the Advisory Council on Historic Preservation, SHPOs, Indian tribes, Native Hawaiians, and other interested parties to identify, avoid adverse effects to, and protect sites and associated collections. Also, if alternative procedures to the Section 106 consultation process have been developed, discuss how they affect the overall planning process.
4. Identify research questions that may help explain or facilitate our understanding of ecological and cultural processes affecting the refuge and geographic area.

C. _____ Identify cultural resource management work objectives and priorities.

1. Identify specific objectives and steps needing action to meet cultural resource inventory, evaluation, and protection requirements.
2. Prepare a schedule for completing the work that sets priorities and establishes cost estimates.
3. Address how the implementation of the cultural resource management objectives will be monitored and updated to reflect current refuge planning needs. Also,

discuss the results of future cultural resource survey, evaluation, and protection work will be integrated into the refuge's cultural resource overview and plan.

- D. **Identify the need for step-down plans** for significant cultural resources or conflicts needing further analysis. Step-down plans should be used to address management actions affecting complex or significant cultural resources; projects requiring a long-term, substantial commitment of funding and support; or those generating substantial public interest in support of preserving the cultural resource. (See 602 FW 3 and 614 FW 4.1) Step-down plans may be used to address specific issues for various types of cultural resources on the refuge, including historic structures, museum property, archaeological resources, or historic landscapes.

Attachment 1

What are the basic principles associated with successful cultural resource management

planning?

Cultural resource management planning should:

- Articulate a clear statement of goals, policies, and objectives of the planning process to serve as a guide for examining alternatives and to assist in decision-making.
- Involve interested and affected parties, local communities, and other Federal and State governmental agencies throughout the process.
- Organize information in a format that is understandable and useable for decision-makers, planners, and public. CRM information must be integrated into the refuge's comprehensive management plan in a clear and concise format. Detailed or technical information on various cultural resource management-related disciplines should be reserved for the CRM overview, technical or research reports, or step-down cultural resource management plans.
- Provide an understanding of the issues that affect cultural resources on the unit, such as project impacts, erosion, neglect, over-use, vandalism, illegal collecting, etc. Plans should attempt to present information on important resource values (scientific, traditional, architectural, etc.) that are being lost or seriously threatened.
- Outline opportunities for managing cultural resources on the unit.. What problems need addressing and what are the potential benefits to the Fish and Wildlife Service?
- Demonstrate a commitment to implement necessary actions and monitor achievements as they relate to the refuge's comprehensive management plan's goals and objectives.

What are the purposes of Cultural Resource Plans?

Cultural resource planning should articulate the goals and policies affecting the field station, integrate information into the CMP process and address options for meeting CRM requirements. Objectives include: conducting appropriate levels and types of identification, evaluation, documentation, and treatment of cultural resources; compliance with legal and regulatory requirements; full integration into CMP decision-making process; setting realistic goals, work priorities, schedules, and standards for measuring accomplishments; involving other government agencies, tribes, local communities, and interested individuals in the planning process, including procedures for consultation with SHPO's and tribes.

Planning for the management of historic buildings, structures, or landscapes should address the following: will they be preserved? rehabilitated? restored? reconstructed? moved?

Refuge planning issues involving proposals for new construction or land alterations should

address the following: Can the project be designed to preserve the integrity and character of the historic landscape? If historic structures are to be used for administrative or public use purposes, modifications must be consistent with the Secretary's preservation standards, public safety requirements, and access requirements.

Who prepares CRM planning documents?

Because the types of cultural resources present on each refuge will vary, it is important to have CRM planning completed or supervised by an individual who meets the Secretary's standards. Preparation and implementation of the plan must be reviewed by other qualified and interested parties, such as SHPOs, the Advisory Council on Historic Preservation, Indian tribes or Native Hawaiian organizations, local historical commissions, etc. It is strongly recommended that qualified contractors or other cooperators be used to prepare a CRM overview and context statements, but that FWS historic preservation specialists prepare relevant CRM components of the CMP since these individuals are more attuned to the Service's mission and unit's purposes.

Scope of CRM Planning

The scope of CRM planning efforts may be refuge wide or limited to specific sites. It may address the full range of cultural resources (archaeological sites, historic structures and buildings, landscapes, museum collections, ethnographic studies, etc.) located on a refuge or a specific component. The scope of the planning effort will vary from refuge to refuge depending upon the nature, complexity, and number of cultural resources present or anticipated. It is also important for CRM planning to reflect the full range of applicable legal and regulatory authorities.

Planning Elements

The *Cultural Resource Overview* should include a statement of purpose; how information will be used; relevant information on prehistory and history of area; past, present, future land uses; inventory of known cultural resources with maps. The overview is used to develop Context Statements (refer to the Secretary's Preservation Planning Standards) that assess the state of knowledge about cultural resources, evaluate the comparative importance of cultural resources and associated management issues, and addresses what needs to be accomplished.

Cultural resource plans should include active and reactive elements to ensure that cultural resources are addressed by the field station. Elements of CRM planning include procedures for identifying and evaluating cultural resources; developing procedures to minimize damage to cultural resources from construction, erosion, and illegal collection or vandalism; procedures for promoting the beneficial uses of cultural resources such as through interpretation and educational programs, re-use, and study; a discussion of requirements, goals, and objectives; compilation of known information on cultural resources on or associated with the field station and an analysis of data gaps; processes for identifying and treating undetected cultural resources; emergency

provisions; procedures for monitoring CRM planning objectives; provisions for updating the overview and plan. When applicable, special procedures and objectives should be defined for treating particularly important or sensitive archaeological resources, historic buildings/structures, landscapes, museum collections and library materials, submerged sites, sacred sites, and burial sites/cemeteries. Also, the security and confidentiality of information should be addressed, including confidentiality of site information and location, fire suppression, environmental monitoring of collections, and other emergency management issues.

Public Involvement and Consultation.

Plans cannot be developed in a vacuum. They require involvement and input from others to help define objectives and strategies for meeting requirements. How will Federal, State, Tribal, local governments and the interested public be involved? How will consultation with SHPO's and tribes/Native Hawaiian organizations be handled to address issues affecting historic properties and sacred sites? Is the plan being used to implement a Programmatic Agreement negotiated with the Advisory Council on Historic Preservation and SHPO? What are the procedures for the resolution of disagreements that may arise during the preparation and implementation of the plan? How does CR planning integrate with Statewide historic preservation plans?