

Contract # \_\_\_\_\_

# EXHIBIT 2

## Hawaii State Level Agreement – Cultural Resources

### No Undertakings – No Potential for Effect on Historic Properties

**NOTE:** Data on this form is considered CONFIDENTIAL AND SENSITIVE and is NOT for public disclosure. File separately from Client folder. Unauthorized use may result in penalties or sanctions. DATA ON THIS FORM IS EXEMPT FROM FREEDOM OF INFORMATION ACT.

**Prepared for:**

Client Name: \_\_\_\_\_  Owner  Operator  
Business Name: \_\_\_\_\_ Program: \_\_\_\_\_

**Project site location:**

Island: \_\_\_\_\_ TMK: \_\_\_\_\_  
District: \_\_\_\_\_ Ahupua`a: \_\_\_\_\_

**PURPOSE OF WORKSHEET**

The purpose of this worksheet is to document conservation practice(s) within the project site that are not considered “Undertakings.”

**DOCUMENTATION**

The project site includes the area where to the proposed practice(s) will be implemented (Area of Potential Effect – APE), plus any surrounding area, which could potentially be affected by such implementation.

**A.** If the proposed conservation practices are primarily management related or non-intrusive, benign practices that will not require ground excavation or subsurface disturbance, and do not have the potential to have an effect on historic properties, they are determined to **not** be undertakings. Field offices within the State of Hawaii shall refer to the list of practices shown in Appendix C of the State Level Agreement. Practices shown in Appendix B may also be placed in this category if their installation is considered to be non-intrusive.

**B.** If the proposed conservation practices will require ground excavation or subsurface disturbance and have the potential to have an effect on historic properties, they are determined to be **undertakings. STOP**. Do not use this Exhibit. See **Exhibit 1** for instructions on how to proceed.

A determination of “No Undertakings - No Historic Properties Affected” can be made only if **ALL** of the proposed conservation practices listed on the following table are non-intrusive practices. These practices are primarily management-related or benign practices that will not require ground excavation or subsurface disturbance.

**Planned Non-Intrusive Practices**

Code & Practice Name	Acres	Code & Practice Name	Acres

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Section 106 Compliance will not be required and the planning and implementation of the proposed conservation practice may proceed with NRCS assistance.

Inform the client of the procedures for discovery during installation and private property rights: If potential historic properties (burials, buildings, artifacts, archeological remains, etc.) are found during practice installation, all work must stop and the client must contact NRCS, SHPO and the County Police Dept. immediately. Landowners have ownership of historic properties found on their land, with the exception of human remains, grave markers, and associated artifacts; which are the property of the State of Hawaii.

According to the National Programmatic Agreement and the State Level Agreement, the proposed practices ARE NOT UNDERTAKINGS and do not have the potential to have an effect upon historic properties. Therefore, there will be No Effect on Historic Properties.

Field Planner: \_\_\_\_\_ Date: \_\_\_\_\_

I have discussed with said planner the proposed practices and concur that the proposed practices are not undertakings and do not have the potential to have an effect upon historic properties.

District Conservationist/Certified Planner: \_\_\_\_\_

USDA NRCS Office: \_\_\_\_\_ Date: \_\_\_\_\_

I have read the above and discussed with said planner and District Conservationist and agree that these are the proposed non-intrusive conservation practices I plan to install. If at anytime, plans change and new conservation practices are considered, I will so inform the planner and the DC.

Client: \_\_\_\_\_ Date: \_\_\_\_\_

**3. Mail or FAX the following to the CRS for PRS entry. (X when completed.)**

A copy of this Worksheet.

A copy of the project site map identifying the project site boundaries by overlaying the tax map over the topographic map.

4.  File the originals in a separate location from the client's case file.