



## Cultural Resources ... and your Conservation Project



### What Are Cultural Resources?

Cultural resources are the remains of past human activities that includes encampments and buildings, objects made by people (artifacts), features (fire pits), special use sites (stone quarries) and less tangible resources such as medicinal plant gathering, story telling, dance forms and ceremonial traditions.

The most common cultural resources that the Natural Resources Conservation Service (NRCS) deals with in Vermont are historic properties which may be precontact Native American sites or historic archeological sites. These sites often exist below the surface and must be considered when a ground disturbing conservation practice is planned. Cultural resources are non-renewable and irreplaceable. There is no way to “recreate” an archeological site 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 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 a better understanding of 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 actions. Nationally, NRCS has established procedures for training its field

personnel to recognize some cultural resources during conservation planning, and Vermont NRCS also has an archeologist on staff to help employees identify and protect important resources from earth-disturbing conservation activities.



### Cultural Resources Field Procedures

Vermont NRCS established procedures to identify, evaluate and avoid the destruction of important cultural resources. Any federally funded, assisted or permitted practice must follow these cultural resources protection procedures:

**Step 1:** NRCS planners decide if the proposed conservation practice is an earth-disturbing undertaking such as a waste storage facility, diversion, grassed waterway, underground outlet, streambank protection and wetland restoration to list a few undertakings.

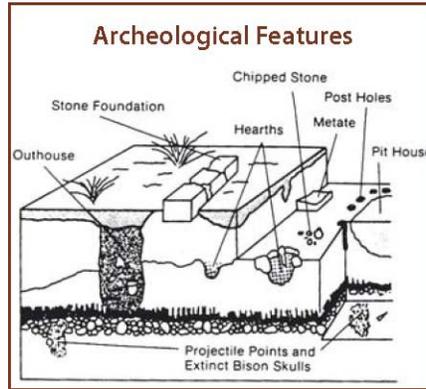
**Step 2:** Determine the extent of disturbance that will be needed to install the conservation practice.

**Step 3:** Examine the area for evidence of cultural resources on the surface (cellar holes, stone foundations, wells, dams, etc.). Submit the planned conservation practice 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-earth disturbing conservation practice. In most cases cultural resources can be easily avoided.

**Step 5:** If the cultural resource cannot be avoided the NRCS archeologist will evaluate the site's significance. The expense of an archeological investigation is typically the responsibility of the Vermont NRCS and not the landowner.

**Step 6:** If the cultural resource is not determined 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 a site that may consist of moving a historic building out of harm's way or excavating an archeological site to recover its 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 mitigation plan can be agreed upon then the NRCS will withdraw assistance on that particular practice and the landowner may proceed but at their own expense. If a landowner chooses to disturb a historic property they cannot receive federal assistance or funding, especially if the disturbance was done in anticipation of applying for federal assistance.

### Procedure for Discovery During Construction

If artifacts, building foundations, or human remains are exposed during construction the contractor must stop work immediately 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 above will be conducted. If an earthmoving activity disturbs human remains, the landowner is also required to contact the state police and coroner's office immediately.

**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 and artifacts found in association with graves. Human burials and their associated objects are the property of the state. Non-burial artifacts from archeological sites and historic buildings are the property of the landowner.

### Additional Information

If you would like more information about Cultural Resources contact:

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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/)