

Reclamation Manual

Policy

Subject: Cultural Resources Management

Purpose: Cultural resources management—the identification, evaluation, and management of cultural resources (archeological, historic, architectural, and traditional cultural properties)—is a Government-wide requirement. This Policy Statement and associated Directives and Standards will ensure that Reclamation maintains a program that reflects the spirit and intent of the legislative mandates.

Authority: The major laws, regulations, and guidance shaping Reclamation's responsibility for cultural resources are: the National Historic Preservation Act, the Archeological and Historic Preservation Act, the Archeological Resources Protection Act, the Native American Graves Protection and Repatriation Act, 36 CFR Part 800 (Protection of Historic Properties), 36 CFR Part 60 (National Register of Historic Places), 36 CFR Part 79 (Curation of Federally Owned and Administered Archeological Collections), Archeology and Historic Preservation: Secretary of the Interior's Standards and Guidelines, and The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings.

Contact: Land, Recreation, and Cultural Resources Office, D-5300

1. Cultural Resources Management Policy.

- A. It is Reclamation policy to administer cultural resources in a spirit of stewardship for the inspiration and benefit of present and future generations. Reclamation will carry out this policy through compliance with the laws, regulations, and guidance that constitute the Federal cultural resources management program.
- B. In brief, the Federal cultural resources management program requires that Reclamation identify, evaluate, and manage cultural resources (archeological, historic, architectural, and traditional cultural properties) under its control and jurisdiction. To the fullest extent possible, Reclamation's policy is to preserve cultural resources, eligible for or listed on the National Register of Historic Places, *in situ* and attempt to avoid adverse effects to these resources. In addition, Reclamation will preserve and protect its museum property.
- C. In accordance with Section 106 of the National Historic Preservation Act, Reclamation must consider the direct and indirect effect of its undertakings on cultural resources. These undertakings cover a broad range of activities and extend into areas where Reclamation's responsibilities for considering cultural resources may not be immediately apparent. Undertakings include issuance of permits, licenses, loans, and rights-of-ways; operation and maintenance activities; and transfer or sale of lands under Reclamation jurisdiction. In addition, Reclamation

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undertakings may affect cultural resources on lands not under Reclamation control or jurisdiction. In these cases, Reclamation retains the responsibility to comply with Federal laws, regulations, and guidance. In circumstances where cultural resources compliance has been completed for an undertaking, unanticipated discovery of cultural resources may trigger additional new requirements.

- D. Reclamation will engage in planning for all of its undertakings that include consultation with other public agencies, Native American groups, and the public. Reclamation will integrate cultural resources concerns into program and project planning in a timely fashion in order to protect significant cultural resources and to avoid unnecessary delays, conflicts, and costs for its undertakings.
- E. Reclamation's cultural resources program extends beyond compliance activities related to agency undertakings. Cultural resources management is a multifaceted program that also encompasses responsibilities for: (1) identification, evaluation, and management of cultural resources under Reclamation jurisdiction or control; (2) the curation of artifacts and museum property; (3) Native American concerns about human remains and associated cultural items; (4) the issuance of permits for cultural resources work on Reclamation lands; and (5) public education and outreach.
- F. Regional Directors have been delegated the responsibility for compliance with cultural resources laws, regulations, and guidance. This responsibility includes: (1) seeking funding to address compliance with these laws, regulations, and guidance; and (2) maintaining qualified regional cultural resources professionals who have experience in compliance with the Federal cultural resources management laws, regulations, and guidance. The cultural resources professionals will be responsible for ensuring program accomplishment insofar as management assigns resources and budget.
- G. In accordance with Section 110 of the National Historic Preservation Act, Reclamation staffing includes the position of Federal Preservation Officer. The Federal Preservation Officer will be a qualified cultural resources professional.
- H. The "Directives and Standards for Cultural Resources Management" contain a more complete list of laws, regulations, and guidance. The Directives and Standards provide further guidance on the major areas of Reclamation's responsibilities, program procedures, cultural resources compliance procedures, coordination with other agencies and entities, administration, and records and reports.