

Laura Dean

From: ArcheolAP.Project
Sent: Wednesday, July 05, 2006 3:56 PM
To: Laura Dean
Subject: FW: Comments concerning the Revised Human Remains Policy

From: Hagel, Todd - Bismarck, ND [mailto:Todd.Hagel@nd.usda.gov]
Sent: Wed 6/28/2006 2:02 PM
To: ArcheolAP.Project
Cc: Sarah Bridges; Lauer, Debbie - Bismarck, ND
Subject: Comments concerning the Revised Human Remains Policy

Attached please find comments regarding Draft "Policy Statement Regarding Treatment of Burial Sites, Human Remains and Funerary Objects" .

Todd Hagel
Acting State Resource Conservationist
Natural Resources Conservation Service
Bismarck, ND
PH: 701-530-2004
Fax: 701-530-2110

7/6/2006

**Comments Concerning the Revised Human Remains Policy
of the Advisory Council On Historic Preservation:**

It is clear that the revised policy draft pertains to all Federal agencies. However, it is equally clear that the draft policy pertains to Federal **land management** agencies. As a Federal agency that has no land management responsibility or authority in North Dakota, it is only incumbent upon NRCS in North Dakota to clarify this status as a Federal agency to consulting and interested parties during the section 106 consultation process.

To summarize, NRCS in ND needs only to clarify the fact that NRCS in ND manages no public land. Therefore, we have no authority to comply with the policy or the Native American Graves Protection and Repatriation Act (NAGPRA). Therefore, we should advise any consulting party of this fact. Since we already have done this repeatedly, and intend to continue to do this, the policy revision will have no impact on how NRCS in ND accomplishes its mission.

/s/ Dan Flemmer
State Cultural Resource Specialist