

**STATE-BASED PROTOTYPE PROGRAMMATIC AGREEMENT
BETWEEN THE US DEPARTMENT OF AGRICULTURE,
NATURAL RESOURCES CONSERVATION SERVICE CALIFORNIA STATE OFFICE,
AND THE CALIFORNIA STATE HISTORIC PRESERVATION OFFICER,
REGARDING CONSERVATION ASSISTANCE**

WHEREAS, the United States Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) administers numerous voluntary assistance programs, special initiatives, and grant and emergency response programs for soil, water, and related resource conservation activities available to eligible private producers, States, commonwealths, Federally Recognized Tribal governments, other government entities, and other applicants for conservation assistance, pursuant to the Agricultural Act of 2014 (2014 Farm Bill, Public Law 113-79); Soil Conservation and Domestic Allotment Act of 1935 (Public Law 74-46, 16 U.S.C. 590 a-f, as amended); the Flood Control Act of 1944 (Public Law 78-534, as amended); the Watershed Protection and Flood Prevention Act (Public Law 83-566, as amended, 16 U.S.C. 1001-1012); the Agricultural and Food Act of 1981 (Public Law 97-98, 95 Stat. 1213); the Agricultural Credit Act (Public Law 95-334, Title IV, Section 403); Food, Agriculture, Conservation and Trade Act of 1990 (Public Law 101-624); the Flood Control Act of 1936 (Public Law 74-738); the Food Security Act of 1985 (Public Law 99-198, as amended); the Federal Agricultural Improvement and Reform Act of 1996 (Public Law 104-127); and executive and secretarial orders, implementing regulations and related authorities; and

WHEREAS, NRCS, through its conservation assistance programs and initiatives, provides assistance for activities with the potential to affect historic properties eligible for or listed in the National Register of Historic Places (NRHP), including National Historic Landmarks (NHLs) and therefore constitute undertakings subject to review under Section 106 of the National Historic Preservation Act (NHPA), 54 U.S.C. 306108, and its implementing regulations, 36 CFR Part 800, including the provisions of these regulations addressing NHLs at 36 CFR § 800.10; and

WHEREAS, NRCS has determined that the requirement to take into account the effects to historic properties of its undertakings may be more effectively and efficiently fulfilled through the use of a Prototype Programmatic Agreement (Prototype Agreement); and

WHEREAS, the NRCS California State Office has consulted with the California State Historic Preservation Officer (SHPO) and followed the instructions in the ACHP letter that accompanied the Template Prototype Programmatic Agreement (Template PPA), dated November 21, 2014; and

WHEREAS, NRCS also is responsible for fulfilling the requirements of the National Environmental Policy Act (NEPA), including the use of categorical exclusions, and coordinating

NEPA and Section 106 reviews, as appropriate; and

WHEREAS, NRCS developed the Template PPA in consultation with the National Conference of State Historic Preservation Officers (NCSHPO) and its members, interested Indian tribes, Native Hawaiian organizations, interested historic preservation organizations (such as the National Trust for Historic Preservation), and the Advisory Council on Historic Preservation (ACHP); and

WHEREAS, in accordance with 36 CFR Part 800 § 14(b)(4), the ACHP has designated this agreement as a Prototype Agreement, which allows for the development and execution of subsequent prototype agreements by individual NRCS State office(s) (State-based Prototype Agreements) to evidence compliance with Section 106; and

WHEREAS, this State-based PPA conforms to the NRCS PPA as designated by the ACHP on November 21, 2014, and therefore, does not require the participation or signature of the ACHP when the NRCS State Office and the SHPO agree to the terms of the State-based PPA; and

WHEREAS, this PPA replaces the 2002 nationwide “Programmatic Agreement among the United States Department of Agriculture Natural Resources Conservation Service, the Advisory Council on Historic Preservation, and the National Conference of State Historic Preservation Officers relative to Conservation Assistance,” as amended in 2011 and 2012, which expired on November 20, 2014; and

WHEREAS, the NRCS State Conservationist is the responsible federal agency official within the state for all provisions of Section 106, including consultation with the SHPO and government-to-government consultation with Indian tribes to negotiate the State-based PPA; and

WHEREAS, this State-based PPA does not apply to undertakings occurring on or affecting historic properties on Tribal lands, as defined by 54 U.S.C. 300319 of the NHPA, without prior agreement and execution of a State-based PPA with the concerned Indian tribe; and

WHEREAS, the NRCS has consulted with the Indian tribe(s) listed in Appendix G and has invited the Indian tribe(s) to enter into this State-based Prototype Agreement as a concurring parties; and

WHEREAS, this Prototype Agreement does not modify the NRCS’ responsibilities to consult with Indian tribes on all undertakings that might affect historic properties and properties of religious and cultural significance to them, regardless of where the undertaking is located, without prior agreement by the concerned Indian tribe, and recognizes that historic properties of religious and cultural significance to an Indian tribe may be located on ancestral homelands or on officially ceded lands near or far from current settlements; and

WHEREAS, when the NRCS California State Office conducts individual Section 106 reviews

for undertakings under this State-based PPA, it shall identify and invite other agencies, organizations, and individuals to participate as consulting parties;

NOW, THEREFORE, the NRCS California State Office and the California SHPO agree that undertakings in California shall be implemented in accordance with the following stipulations in order to take into account the effects of the undertakings on historic properties, and further agree that these stipulations shall govern this State-based PPA and all of its parts until it expires or is terminated.

STIPULATIONS

The NRCS California shall ensure that the following stipulations are met and carried out:

I. Applicability.

- a. Once executed by the NRCS California State Office and the California SHPO, this State-based PPA sets forth the process for all NRCS undertakings subject to Section 106 review in the state of California.
- b. Execution of this State-based PPA supersedes any existing State Level Agreement with the California SHPO and/or consultation protocols with any federally recognized tribes and California Indian tribes or consulting parties, as appropriate executed under the previous NRCS nationwide Programmatic Agreement, but does not replace any existing project-specific Section 106 agreements (Memoranda of Agreement or Programmatic Agreements).
- c. This State-based PPA applies only when there is a Federal Preservation Officer (FPO) in the NRCS National Headquarters (NHQ) who meets the Secretary of the Interior's Professional Qualification Standards (48 FR 44716).
- d. This State-based PPA applies only where there is staffing or access to staffing (through contracted services or agreements with other agencies or federally recognized tribes and California Indian tribes or consulting parties, as appropriate) who meet the Secretary of Interior's Professional Qualification Standards in the California NRCS State Office appropriate to the historic properties potentially affected.
- e. This State-based PPA shall not apply to undertakings that occur on or affect Tribal lands as defined in 36 CFR § 800.16(x). The NRCS California shall follow the procedures in 36 CFR Part 800 unless the federally recognized tribe or California Indian tribe, as appropriate, elects to become a party to this State-based PPA.

- f. The definitions found in 36 CFR §§ 800.16(a) through (y) shall apply to this State-based PPA.

II. Roles and Professional Qualifications.

- a. The NRCS California State Conservationist is responsible for oversight of staff performance under this State-based PPA.
- b. The NRCS California shall ensure that all NRCS staff or individuals carrying out historic preservation compliance work on its behalf, the NRCS State senior historic preservation professional staff member (NRCS California State Archaeologist) and NRCS California Cultural Resources Specialists (CRS) under the supervision of the NRCS California State Archaeologist, are appropriately qualified to conduct the technical and regulatory work on, and to coordinate the technical and regulatory reviews of resources and historic properties, as applicable to the resources and historic properties being addressed (site, district building, structure, or object significant to federally recognized tribes or California Indian tribes and other concerned communities and consulting parties, as appropriate). Thus, these staff and consultants must meet appropriate Secretary of the Interior's Professional Qualification Standards and have the knowledge to identify, evaluate the historic significance of, assess the potential effects of an undertaking on, and develop pertinent mitigation for the resources within an undertaking's area of potential effects (APE).
- c. The NRCS California State Conservationist is responsible for consultation with the California SHPO and government-to-government consultation with federally recognized tribes, their Tribal Historic Preservation Officers (THPOs), and California Indian tribes and consulting parties, as appropriate o develop consultation protocols. These responsibilities may not be delegated to any other NRCS staff, nor carried out on behalf of NRCS by another federal agency.
- d. The NRCS California State Archaeologist and CRSs, and/or professional consultants, under the supervision of the NRCS California State Archaeologist and/or CRSs, shall provide technical information and assistance to the NRCS California State Conservationist for use in Section 106 findings and determinations, after appropriate consultations with the California SHPO, federally recognized tribes and/or their THPOs, California Indian tribes and consulting parties, as appropriate, and discussions with the landowner/producer to whom assistance is provided. The NRCS California State Archaeologist and CRSs shall monitor and oversee the work and reporting of all NRCS field office personnel and professional service consultants. The NRCS California State Archaeologist shall assist the NRCS California State Conservationist in determining whether an undertaking has the potential to affect historic properties pursuant to 36 CFR § 800.3(a), triggering Section 106 review under this State-based PPA.
- e. NRCS California Cultural Resources Technicians (CRT) are field office staff who assist

with implementing this State-based PPA and shall have completed the NRCS Cultural Resources Training online, classroom, and field training modules (Modules 1 through 9, see Appendix D). These staff are qualified to work under the supervision of the NRCS California State Archaeologist and CRSs to complete historic preservation compliance (Section 106) field records and pedestrian surveys for NRCS' client files and for use in producing initial historic property identification records as set forth and outlined in the NRCS' operational guidance, the National Cultural Resources Procedures Handbook, Title 190, Part 601.

- f. The NRCS California State Archaeologist and CRSs shall oversee the development of scopes of work for investigations of an undertaking's APE pursuant to 36 CFR Part 800 § 4. The NRCS California State Archaeologist and CRSs may use professional service contractors, consultants, or partners to prepare Section 106 compliance studies, and shall ensure such contractors, consultants, or partners also meet the Secretary of Interior's Professional Qualifications Standards in the relevant discipline.
- g. NRCS remains responsible for all consultation with the California SHPO, federally recognized tribes and their THPOs, California Indian tribes and consulting parties, as appropriate, and all determinations of NRHP eligibility and effect. NRCS may not delegate consultation for findings and determinations to professional services consultants or producers/applicants for conservation assistance.
- h. Pursuant to 36 CFR 800.3(c)(4), If the SHPO/THPO fails to respond within 30 days of receipt of a request for review of a finding or determination, the agency official may either proceed to the next step in the process based on the finding or determination or consult with the Council in lieu of the SHPO/THPO.
- i. The ACHP shall provide technical guidance, participate in dispute resolution, and monitor the effectiveness of this agreement.

III. Training of NRCS California Personnel.

- a. NRCS shall require the NRCS California State Archaeologist and CRSs conducting and overseeing cultural resource work to take the NRCS Cultural Resources Training Modules 1 through 8 and the ACHP's Section 106 Essentials course, or a course with similar content, if approved by the NRCS FPO. Training must be completed within the first calendar year after execution of this State-based PPA. These NRCS personnel shall review and update training completion with their supervisors and include their training in their annual Individual Development Plans.
- b. CRTs approved to assist in implementing this State-based PPA will have completed, at a minimum, the NRCS Cultural Resources Training online, classroom, and field training modules (Modules 1 through 9) provided by the NRCS California State Archaeologist or

the CRSs.

1. These requirements and certification process are in compliance with NRCS General Manual (Part 401) and the NRCS National Cultural Resources Procedures Handbook.
 2. Modules 1 through 9, as well as the process and criteria for CRT certification, decertification, and refresher training, are described in Appendix D.
- c. The NRCS California may invite California SHPO and California Indian tribe staff to participate in the classroom and/or field portions of the NRCS Cultural Resources Training certification.
 - d. The NRCS California shall encourage all personnel engaged in cultural resources and historic preservation work to take additional appropriate specialized training as provided by the California SHPO, federally recognized tribes, and California Indian tribes, as appropriate, the ACHP, National Park Service, National Preservation Institute or other federal or state agencies, as feasible.

IV. Lead Federal Agency.

- a. For any undertaking for which the NRCS California is the lead federal agency for Section 106 purposes pursuant to 36 CFR § 8002(a)(2), NRCS California shall follow the terms of this State-based PPA. The NRCS California shall notify the California SHPO, federally recognized tribes, and California Indian tribes, as appropriate (via email or letter) of the Agency's status as lead federal agency in the undertaking and the involvement of other federal agencies.
- b. For any undertaking for which the NRCS California is not the lead federal agency for Section 106 purposes, including those undertakings for which the NRCS provides technical assistance to other USDA or federal agencies, the terms of this State-based PPA shall not apply. If the lead federal agency agrees, the NRCS California may follow the approved alternative procedures in place for that agency.

V. Review Procedures.

- a. In consultation with the California SHPO, NRCS California has identified categories of undertakings in Appendix A of this State-based PPA that have little to no potential to affect historic properties. Upon the determination by the NRCS California State Archaeologist or a CRS that a proposed undertaking is included in Appendix A, the NRCS is not required to consult further with the California SHPO.

1. Per Stipulation X and Appendix A, an accounting of undertakings that have not required further consultation will be summarized in the annual State-based PPA reports.
 2. The undertakings in Appendix A may be modified through consultation with all signatories, tribes, and interested parties, and finalized through written agreement between the NRCS California State Conservationist and the California SHPO. The NRCS State office will maintain the master copy of Appendix A and will provide an updated copy to the consulting parties to this PPA along with an explanation for the approved modification. All modifications to Appendix A will be filed with the FPO and ACHP.
- b. Undertakings that are not included in Appendix A shall require further review, in accordance with Stipulations V.b-e, prior to the approval and implementation of the undertaking.
1. NRCS may provide its proposed APE, identification of historic properties and/or scope of identification efforts, and assessment of effects in a single transmittal to the California SHPO as provided for at 36 CFR § 800.3(g).
 2. The NRCS California Section 106 review process, as described in this stipulation and Appendix B and C, is represented by the flowchart in Appendix E.
 3. All documentation of the review will meet the documentation standards of 36 CFR Part 800 § 11 and the following California-specific requirements.
 - i) All Section 106 review reporting will be completed by the NRCS California State Archaeologist or a CRS using the Section 106 Review Report template in Appendix F. to fulfil the recommendations described in the *California Office of Historic Preservation Archaeological Resource Management Reports (ARMR): Recommended Contents and Format* (February 1990).
 - ii) Identified cultural resources will be recorded using the California Department of Parks and Recreation 523 forms series (DPR 523 Forms).
 - iii) All Section 106 Review Reports and DPR 523 Forms will be provided to the California Historical Resources Information System (CHRIS) for formal archiving in perpetuity.
- c. Historic Property Identification
1. The NRCS California State Archaeologist or a CRS will review all undertakings not exempt under Appendix A, establish the Area of Potential Effects (APE), and determine the scope and level of identification effort appropriate to the degree of federal involvement, in accordance with 36 CFR § 800.4(b)(1).
 2. Consultation for these non-exempt undertakings will be initiated by the NRCS

California State Archaeologist or a CRS, with federally recognized tribes and California Indian tribes and other consulting parties, as appropriate to the specific undertaking.

3. Based on a review of the proposed undertaking, background research including a records search of the CHRIS, and consultation with the landowner/producer, federally recognized tribes, and California Indian tribes and other consulting parties, as appropriate, the NRCS California State Archaeologist or a CRS will decide whether a field survey is required to identify historic properties.
- d. National Register of Historic Properties Evaluation
1. The NRCS California State Archaeologist and/or a CRS may assume a cultural resource is NRHP eligible for the purposes of a specific undertaking if effects to the cultural resource will be avoided.
 2. If an assumption of eligibility is not appropriate, or a property has not been previously evaluated, then the NRCS California State Archaeologist or a CRS shall evaluate the historic significance of any such property in accordance with 36 CFR § 800.4(c)(1). As appropriate to the character of a particular historic property, the evaluation will include consultation with federally recognized tribes, and California Indian tribes or other consulting parties, as appropriate. The determination of eligibility will be submitted to the California SHPO for concurrence if required given the provisions of Appendix B. The California SHPO shall have 30 calendar days from receipt of the documentation to respond. If no response is received within 30 calendar days, the NRCS may proceed to the next step of the review process.
 3. Disagreements regarding determinations of eligibility to the NRHP shall be resolved through the provisions in 36 CFR § 800.4(c)(2).
- e. Findings of Effect
1. The NRCS shall attempt to avoid adverse effects to historic properties whenever possible; where historic properties are located in the APE, NRCS shall describe how it proposes to modify, buffer, or move the undertaking to avoid adverse effects to historic properties.
 2. Where the NRCS proposes a finding of No Historic Properties Affected or No Adverse Effect, the NRCS California shall follow the procedures detailed in Appendix B and Appendix C of this State-based PPA, which have been established in consultation with the California SHPO via this agreement.
 3. When the NRCS California has determined that a proposed undertaking will adversely affect historic properties, the NRCS California shall develop measures to minimize or mitigate the adverse effects, and follow the process in 36 CFR Part 800 § 6, including consultation with the SHPO and other consulting parties and notification to the ACHP, to develop a Memorandum of Agreement to resolve the adverse effects.

VI. Emergency and Disaster Management Procedures (Response to Emergencies)

- a. NRCS shall notify the SHPO and any federally recognized tribes, and California Indian tribes, as appropriate identified as having cultural and/or ancestral ties to the emergency location immediately or within 48 hours of the emergency determination, following the NRCS' Emergency Watershed Program (EWP) final rule (see Section 216, P.L. 81-516 Final Rule, 7 CFR Part 624 (April 2005).
- b. The NRCS State office shall prepare procedures for exigency (following the rules for NRCS' (EWP) regarding immediate threat to life and property requiring, response within 5 days) in consultation with the SHPO/California Indian tribe(s).
- c. If the NRCS State office has not developed specific procedures for responding to exigencies, the NRCS shall follow the recently approved guidelines for Unified Federal Review issued by the Department of Homeland Security, Federal Emergency Management Service (DHS, FEMA), the Council on Environmental Quality (CEQ), and the ACHP in July 2014, or the procedures in 36 CFR Part 800 § 12(b).

VII. Post-review Discoveries of Cultural Resources or Historic Properties and Unanticipated Effects to Historic Properties.

- a. Where construction has not yet begun and a cultural resource is discovered after Section 106 review is complete, the NRCS shall consult to develop avoidance or minimization strategies in consultation with the California SHPO, and to resolve any adverse effects in accordance with 36 CFR Part 800 § 6.
- b. The NRCS shall ensure that every contract for assistance includes provisions for halting work/construction in the area when historic properties are discovered or unanticipated effects to historic properties are found after implementation, installation, or construction has begun. When such a discovery occurs, the producer who is receiving financial assistance or their contractor shall immediately notify the NRCS California State Conservationist's Office, the NRCS California State Archaeologist, supervisory NRCS personnel for the area, and the landowner/producer.
 1. A NRCS CRS shall inspect the discovery within 24 hours, if weather permits, and in consultation with the local NRCS official (field office supervisor or District or Area Conservationist), concerned federally recognized tribes and California Indian tribes, as appropriate, the California SHPO, the NRCS State engineering or program supervisor, as appropriate), the landowner/producer (whomever NRCS is assisting), the CRS shall establish a protective buffer zone surrounding the discovery. This action may require inspection by tribal cultural resources experts in addition to the CRS.

2. All NRCS contact with media shall occur only under the direction of the NRCS Public Affairs Officer, as appropriate, and the NRCS California State Conservationist.
 3. Security shall be established to protect the resources/historic properties, workers, and private property. Local law enforcement authorities will be notified in accordance with applicable State law and NRCS policy in order to protect the resources. Construction and/or work may resume outside the buffer only when the NRCS California State Conservationist determines it is appropriate and safe for the resources and workers.
 4. The NRCS California State Archaeologist shall notify the California SHPO, federally recognized tribes, the ACHP, and California Indian Tribes and other consulting parties as appropriate, no later than 48 hours after the discovery and describe NRCS' assessment of the National Register eligibility of the property, as feasible and proposed actions to resolve any adverse effects to historic properties. The eligibility determination may require the assessment and advice of concerned federally recognized tribes, California Indian tribes, the California SHPO, other consulting parties, as appropriate, and technical experts (such as historic landscape architects) not employed by NRCS.
 5. The California SHPO and ACHP shall respond within 48 hours from receipt of the notification with any comments on the discovery and proposed actions.
 6. NRCS shall take any comments provided into account and carry out appropriate actions to resolve any adverse effects.
 7. NRCS shall provide a report to the SHPO/California Indian tribe and the ACHP of the actions when they are completed.
- c. If human remains are discovered, NRCS California shall follow all applicable federal, state and tribal burial laws and ordinances, including the Native American Graves Protection and Repatriation Act, and implementing regulations, when on federal or tribal lands, and related human rights and health statutes, where appropriate. If human remains are discovered on non-federal lands, the NRCS will advise the landowner/producer to follow California Health and Safety Code section 7050.5 and Public Resources Code section 5097.98.

VIII. Dispute resolution.

- a. Should any consulting party to this State-based PPA object to any actions proposed or the manner in which the terms of the agreement are implemented, the NRCS California State Conservationist and NRCS California State Archaeologist shall notify the SHPO of the objection and engage with such party to resolve the objection. The NRCS California State Conservationist and NRCS California State Archaeologist shall notify the SHPO of the objection and evidence taking the SHPOs comment into consideration. If the NRCS California State Conservationist determines that such objection cannot be resolved, he or

she will:

1. Forward all documentation relevant to the dispute, including the NRCS California State Conservationist's proposed resolution, to the NRCS FPO, Senior Policy Official (SPO Deputy Chief for Science and Technology) and the ACHP. The ACHP shall provide the FPO, and NRCS California State Conservationist with its advice on the resolution of the objection within thirty (30) days of receipt of adequate documentation. Prior to reaching a final decision on the dispute, the NRCS shall prepare a written response that takes into account any timely advice or comments regarding the dispute from the ACHP and any signatory or consulting parties and provide them with a copy of this written response. NRCS will then proceed according to its final decision.
 2. If the ACHP does not provide its advice regarding the dispute within the thirty (30) day time period, the NRCS may make a final decision on the dispute and proceed. Prior to reaching a final decision, the NRCS California shall prepare a written response that takes into account any timely comments regarding the dispute from the signatories and consulting parties and provide them and the ACHP with a copy of the written response.
- b. The NRCS California's responsibility to carry out all other actions subject to the terms of this State-based PPA that are not the subject of the dispute remains unchanged.
 - c. Any consulting party to the State-based PPA may request the ACHP provide its advisory opinion regarding the substance of any finding, determination, or decision regarding compliance with its terms.
 - d. At any time during the implementation of this State-based PPA, a member of the public may submit an objection pertaining to the terms of this agreement to any signatory, in writing. Upon receiving such an objection, the NRCS California State Conservationist shall notify the NRCS SPO and FPO, and the California SHPO/California Indian tribe, and consult with all consulting parties to resolve the objection for a thirty (30) day time period. The NRCS California State Conservationist shall notify the SPO, FPO, and California SHPO/California Indian tribe of the outcome of this process.

IX. Public Involvement

The NRCS California State Conservationist will ensure the public is involved in the development of this State-based PPA and participates in Section 106 review as set forth above in Stipulation V (reference to other parties).

X. Annual reporting and monitoring of the Administration of the PPA.

- a. Every year following the execution of this agreement, commencing the last business day of January until it expires or is terminated, the NRCS California State Conservationist shall

provide all consulting parties to this agreement and the FPO a summary report detailing historic preservation work undertaken pursuant to its terms, including: a summary of undertakings falling under Appendix A reporting conditions as well as undertakings that required further review and/or monitoring (see Appendix J); a summary of the nature and content of any consultation meetings held with the California SHPO or federally recognized tribes, California Indian tribes and consulting parties, as appropriate; and an assessment of the overall effectiveness of this State-based PPA in programmatically taking into account the effects of NRCS California undertakings on historic properties. The annual PPA report shall include any scheduling changes proposed, any challenges encountered in carrying out the terms of this State-based PPA, and any disputes or objections received by NRCS California in their efforts to carry out the terms of this State-based PPA.

1. The NRCS FPO shall use the state report to provide, through the NRCS SPO, an annual report to the ACHP.
 2. The NRCS California State Conservationist shall use the report to prepare for meetings with the California SHPO or federally recognized tribes, or California Indian tribes or consulting parties, as appropriate, each year.
- b. The NRCS California State Conservationist will participate in an annual review with the NRCS West Regional Conservationist regarding the effectiveness of the State-based PPA and submit a written (email) report following this review to the SPO (Deputy Chief for Science and Technology).
 - c. The NRCS California State Conservationist and the California SHPO, as well as all other signatories, invited signatories, and concurring parties, shall meet annually to discuss the content of the annual report and the effectiveness of this State-based PPA unless the Signatories agree that a meeting is not necessary.
 - d. If requested, the NRCS California State Conservationist or the NRCS California State Archaeologist shall meet to discuss the content of the annual report with federally recognized tribes or California Indian tribes or other consulting parties, as appropriate, to this PPA.
 - e. The NRCS California State Conservationist and/or California SHPO may request that the ACHP participate in any annual meeting or agreement to review the PPA.

XI. Compliance with applicable State law and Tribal law (when on Tribal lands).

- a. The NRCS California shall comply with relevant and applicable state laws, including permit requirements on state lands and with relevant and applicable tribal law when on tribal lands.

XII. Duration of State-based PPA.

- a. This State-based PPA will be in effect for ten (10) years from the date of execution, unless amended or terminated pursuant to Stipulation XIII below, and pending the review described in Stipulation XIII.b.
- b. Five (5) years from the date of execution, a comprehensive review will be conducted of the implementation and effectiveness of this State-based PPA by the NRCS California State Conservationist and the California SHPO, as well as all other signatories, invited signatories, and concurring parties. The fifth annual meeting, as described in Stipulation X, will be the basis for this discussion. If there are no objections, or all concerns can be addressed through the dispute resolution process described in Stipulation VIII or the amendment process described in Stipulation XIII, this State-based PPA will continue another five (5) years fulfilling the ten (10) year duration.
- c. The duration of this State-based PPA may be extended beyond ten (10) years through the amendment process described in Stipulation XIII.

XIII. Amendment and termination.

- a. Amendments to this State-based PPA may be proposed by any signatory or invited signatory at any time. The proposed amendment will be provided to all signatories and invited signatories in writing for review and consultation.
- b. This State-based PPA may be amended if agreed to in writing by all signatories and invited signatories. The amendment will be effective on the date a copy, signed by all signatories and invited signatories, is filed with the NRCS FPO, California SHPO, and the ACHP.
- c. If any signatory or invited signatory to this State-based PPA, or the ACHP, determines that its provisions will not or cannot be carried out, that party shall immediately consult with the other parties to attempt to develop an amendment per Stipulation XIII. If within 30 calendar days, or other time period agreed to by the signatories and the invited signatories, an amendment cannot be agreed upon, any signatory or invited signatory or the ACHP may terminate the agreement upon written notification to the other signatories.
- d. If this State-based PPA is terminated or expires without being extended via the amendment process described above, and prior to continuing review of any undertaking at the time of termination, the NRCS California shall comply with 36 CFR Part § 800 for all individual undertakings in California.
- e. The NRCS California will consider requests from other USDA agencies to become a signatory to the State-based PPA following formal written requests and appropriate discussion with and approval by the NRCS FPO and California SHPO, and joint USDA-NRCS State Office consultation with the California SHPO, ACHP, NCSHPO, federally

recognized tribes and their THPOs, and California Indian tribes and other consulting parties, as appropriate. Such inclusion of another USDA agency will require amendment to this State-based PPA.

XIV. Effective Date of this State-based PPA

This State-based PPA shall take effect upon signature, by the NRCS California State Conservationist and the California SHPO.

Execution of this State-based PPA by the NRCS California and the California SHPO and implementation of its terms is evidence that NRCS California has taken into account the effects of its undertakings on historic properties in California and afforded the ACHP a reasonable opportunity to comment.

SIGNATORY PARTIES

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BETWEEN THE US DEPARTMENT OF AGRICULTURE,
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AND THE CALIFORNIA STATE HISTORIC PRESERVATION OFFICER,
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CARLOS SUAREZ Digitally signed by CARLOS SUAREZ OLIVA
OLIVA Date: 2023.04.27 14:29:19 -07'00'

By: _____

Carlos Suarez
State Conservationist, California Natural Resources Conservation Service

Date: _____

By: /s/ Julianne Polanco

Julianne Polanco
State Historic Preservation Officer, California Office of Historic Preservation

Date: 2023/05/02

INVITED SIGNATORY PARTIES

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REGARDING CONSERVATION ASSISTANCE**

By: _____

[NAME]

[TITLE]

Date: _____

CONCURRING PARTIES

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REGARDING CONSERVATION ASSISTANCE**

By: _____

Heidi M. Ramsey

NRCS California Area 1 Assistant State Conservationist for Field Operations

Date: _____

By: _____

Allen Curry

NRCS California Area 2 Assistant State Conservationist for Field Operations

Date: _____

By: _____

Johnnie Siliznoff

NRCS California Area 3 Assistant State Conservationist for Field Operations

Date: _____

By: _____

Curtis Tarver

NRCS California Area 4 Assistant State Conservationist for Field Operations

Date: _____

APPENDIX A

NRCS CALIFORNIA UNDERTAKINGS REQUIRING NO FURTHER SECTION 106 REVIEW

Pursuant to Stipulation V.a of the NRCS California State-based PPA, NRCS California, in consultation with the SHPO, federally recognized tribes, and California Indian tribes, as appropriate, has determined that the following undertakings have limited potential to affect historic properties. Once the NRCS California State Archaeologist or a CRS has made the requisite determinations set out below for Category I and Category II undertakings, the NRCS is not required to consult further with the California SHPO under Section 106 for those undertakings. An accounting of undertakings exempted from review per this appendix will be summarized in the annual PPA reports, per Stipulation XII of the NRCS California State-based PPA.

No undertakings in Category I or Category II shall take place on or in known archaeological deposits, whether intact or previously disturbed, on or in areas reasonably thought to contain such deposits, or in any area to which a tribe has ascribed tribal cultural values.

Category I: The NRCS California State Archaeologist or a CRS shall determine whether a proposed undertaking is a Category I undertaking, and whether any such Category I undertaking also meets the conditions whereby the undertaking is exempt from further Section 106 review. Table 1 below lists the NRCS practices that are Category I undertakings and the further requisite conditions that qualify a Category I undertaking as exempt from further Section 106 review.

Category II: When the NRCS California State Archaeologist or a CRS determines that a proposed undertaking is not a Category I undertaking, the NRCS California State Archaeologist or a CRS will determine whether any of the following Category II conditions apply. If so, the proposed undertaking shall qualify as exempt from further review. If not, the NRCS California State Archaeologist or a CRS will initiate the Section 106 review process per Stipulation V.b of the State-based PPA, unless that undertaking meets any of the following conditions:

1. Replacement in Kind of Infrastructure

Undertakings that involve the replacement in kind of surface or subsurface agricultural, ranching, or other production-related features will be considered to have minimal or no effects to historic properties when there is *no new ground disturbance* and the infrastructure being replaced is less than fifty (50) years old. The following conditions apply to this category of undertaking:

- “In kind” is defined as infrastructure similar in appearance, similar in size, and of a similar purpose or function as the infrastructure being replaced.
- “No new ground disturbance” is defined as ground disturbance demonstrably and precisely within the footprint of the original construction.

2. Undertakings with No New Ground Disturbance

Undertakings where it can be documented and determined that the vertical and horizontal footprint of the activity will not exceed the vertical depth or horizontal extent of existing disturbance caused by previous agricultural production or other cultural landscape modifications will be considered to have minimal or no effects to historic properties. The following conditions shall apply to this category:

- The undertaking shall not take place in known archaeological sites, whether intact or previously disturbed, on or in areas reasonably thought to contain such deposits, or in any area to which a California Indian tribe has ascribed tribal cultural values.
- The applicability of this category will be determined through field observation and documentation, and a review and analysis of land use history with the landowner/producer.

3. Undertakings on Current or Former Cropland

Undertakings that take place on existing or former cropland, defined as cultivated, tilled, disked, or deep-ripped agricultural fields or orchards, and where the proposed undertaking shall not exceed the horizontal or vertical extent of documented previous disturbance will be considered to have minimal or no effects to historic properties. The following conditions shall apply to this category:

- The undertaking must not take place in known archaeological sites, whether intact or previously disturbed, on or in areas reasonably thought to contain such deposits, or in any area to which a tribe has ascribed tribal cultural values.
- The applicability of this category will be determined through field observation and documentation, and a review and analysis of documented land use history with the landowner/producer.

Table 1. Category I Undertakings (as defined above)

Code	Practice	Definition	Conditions
315	Herbaceous Weed Treatment	The removal or control of herbaceous weeds including invasive, noxious or prohibited plants.	Exempt when implemented within areas of active cropland OR in documented areas of previous disturbance AND would not exceed the documented depth of previous disturbance AND will not negatively affect native plants that could be potential tribal gathering areas.
325	High Tunnel System	An enclosed polyethylene, polycarbonate, plastic, or fabric covered structure that is used to cover and protect crops from sun, wind, excessive rainfall, or cold, to extend the growing season in an environmentally safe manner.	Exempt when implemented within areas of active cropland OR in documented areas of previous disturbance AND would not exceed the documented depth of previous disturbance.
327	Conservation Cover	Establishing and maintaining permanent vegetative cover	Exempt when implemented within areas of active cropland OR in documented areas of previous disturbance AND would not exceed the documented depth of previous disturbance.
328	Conservation Crop Rotation	A planned sequence of crops grown on the same ground over a period of time (i.e., the rotation cycle).	Exempt when implemented within areas of active cropland OR in documented areas of previous disturbance AND would not exceed the documented depth of previous disturbance.
329	Residue and Tillage Management, No-Till	Limiting soil disturbance to manage the amount, orientation and distribution of crop and plant residue on the soil surface year around.	Exempt when implemented within areas of active cropland OR in documented areas of previous disturbance AND would not exceed the documented depth of previous disturbance.
334	Controlled Traffic Farming	Controlled traffic farming (CTF) is confining all high load wheel/track traffic from farm equipment to specific unimproved lanes (traffic pattern) in crop fields year after year.	None

Code	Practice	Definition	Conditions
340	Cover Crop	Grasses, legumes, and forbs planted for seasonal vegetative cover.	Exempt when implemented within areas of active cropland OR in documented areas of previous disturbance AND would not exceed the documented depth of previous disturbance.
355	Groundwater Testing	Testing the physical, biological, and chemical quality of groundwater from a water well or spring.	None
367	Roofs and Covers	A rigid, semirigid, or flexible manufactured membrane, composite material, or roof structure placed over a waste management facility, agrichemical handling facility, or an on-farm secondary containment facility.	Exempt when any structure is less than 50 years old AND installation would not exceed the documented depth of previous disturbance AND would not result in new ground disturbance.
371	Air Filtration and Scrubbing	A device or system for reducing emissions of air contaminants from a structure via interception and/or collection.	Exempt when implemented within areas of active cropland/rangeland OR in documented areas of previous disturbance AND would not exceed the documented depth of previous disturbance.
372	Combustion System Improvement	Installing, replacing, or retrofitting agricultural combustion systems and/or related components or devices for air quality and energy efficiency improvement.	Exempt when implemented within areas of active cropland/rangeland OR in documented areas of previous disturbance AND would not exceed the documented depth of previous disturbance.
373	Dust Control on Unpaved Roads and Surfaces	Controlling direct particulate matter emissions produced by vehicle and machinery traffic or wind action from unpaved roads and other surfaces by applying a palliative on the surface.	Exempt when the palliative would be contained within the road prism or is not toxic to adjacent plant or animal life.
375	Dust Control from Animal Activity on Open Lot Surfaces	Reducing or preventing the emissions of particulate matter arising from animal activity on open lot surfaces at animal feeding operations.	None

Code	Practice	Definition	Conditions
376	Field Operations Emissions Reduction	Adjusting field operations and technologies to reduce particulate matter (PM) emissions from field operations.	Exempt when new practices would not exceed the documented depth of previous disturbance AND would not result in new ground disturbance.
382	Fence	A constructed barrier to animals or people.	Exempt when no clearing of vegetation or obstruction removal would be required OR in documented areas of previous disturbance.
422	Hedgerow Planting	Establishment of dense vegetation in a linear design to achieve a natural resource conservation purpose.	Exempt when implemented within areas of active cropland OR in documented areas of previous disturbance AND would not exceed the documented depth of previous disturbance.
430	Irrigation Pipeline	A pipeline and appurtenances installed to convey water for storage or application, as part of an irrigation water system.	Exempt when implemented within areas of active cropland OR in documented areas of previous disturbance AND would not exceed the documented depth of previous disturbance.
441	Irrigation System, Microirrigation	An irrigation system for frequent application of small quantities of water on or below the soil surface, as drops, tiny streams, or miniature spray through emitters or applicators placed along a water delivery line.	Exempt when implemented within areas of active cropland OR in documented areas of previous disturbance AND would not exceed the documented depth of previous disturbance.
442	Sprinkler System	A distribution system that applies water by means of nozzles operated under pressure.	Exempt when implemented within areas of active cropland OR in documented areas of previous disturbance AND would not exceed the documented depth of previous disturbance.
449	Irrigation Water Management	The process of determining and controlling the volume, frequency, and application rate of irrigation water.	None

Code	Practice	Definition	Conditions
472	Access Control	Excluding animals, people or vehicles from an area through the installation or replacements of gates connected to existing fencing.	None
484	Mulching	Applying plant residues or other suitable materials to the land surface.	None
516	Livestock Pipeline	A pipeline and appurtenances installed to convey water for livestock or wildlife.	Exempt when implemented within areas of active cropland OR in documented areas of previous disturbance AND would not exceed the documented depth of previous disturbance.
528	Prescribed Grazing	Managing the harvest of vegetation with grazing and/or browsing animals with the intent to achieve specific ecological, economic, and management objectives.	None
561	Heavy Use Protection	Heavy use area protection is used to stabilize a ground surface that is frequently and intensively used by people, animals, or vehicles.	Exempt when implementation does not require ground disturbance.
576	Livestock Shelter Structure	A permanent or portable structure with less than four walls and/or a roof to provide for improved utilization of pastureland and rangeland and to shelter livestock from negative environmental factors. This structure is not to be construed to be a building.	Exempt when implemented within areas of active cropland OR in documented areas of previous disturbance AND does not exceed the documented depth of previous disturbance.
587	Structure for Water Control	An existing structure in a water management system that conveys water, controls the direction or rate of flow, maintains a desired water surface elevation, or measures water.	Exempt when improvements are to a waterway that is less than 50 years old AND does not exceed the documented lateral extent or depth of previous disturbance.

Code	Practice	Definition	Conditions
590	Nutrient Management	Managing the amount, source, placement, form and timing of the application of plant nutrients and soil amendments.	Exempt in areas of active cropland or rangeland when the source of any plant nutrients or soil amendments is an extant third-party commercial source and the “placement” or application strategy would preclude toxic effects to adjacent plant or animal life.
591	Amendments for the Treatment of Agricultural Waste	The use of chemical or biological additives to change the properties of manure, process wastewater, contaminated storm water runoff and other wastes.	Exempt in areas of active cropland or rangeland when the application strategy for chemical or biological additives would preclude toxic effects to adjacent plant or animal life.
592	Feed Management	Testing the quantity of available nutrients fed to livestock and poultry for their intended purpose.	None
595	Integrated Pest Management	A site-specific combination of pest prevention, pest avoidance, pest monitoring, and pest suppression strategies.	Exempt in areas of active cropland or rangeland when any of the full suite of pest management actions would preclude toxic effects to adjacent plant or animal life.
614	Watering Facility	A watering facility is a means of providing drinking water to livestock or wildlife.	Exempt when implemented within areas of active cropland OR in documented areas of previous disturbance AND would not exceed the documented depth of previous disturbance.
629	Waste Treatment	The use of unique or innovative mechanical, chemical or biological technologies that change the characteristics of manure and agricultural waste.	Exempt when implemented within areas of active cropland OR in documented areas of previous disturbance AND would not exceed the documented depth of previous disturbance AND where the application of chemical or biological technologies would preclude toxic effects to adjacent plant or animal life.
644	Wetland Wildlife Habitat Management	Retaining, developing, or managing habitat for wetland wildlife.	Exempt when limited to management with no new construction, no new ground disturbance, or no application of chemical agents.

Code	Practice	Definition	Conditions
645	Upland Wildlife Habitat Management	Creating, restoring, maintaining or enhancing areas for food, cover, and water for upland wildlife and species which use upland habitat for a portion of their life cycle.	Exempt when limited to management with no new construction, no new ground disturbance, or no application of chemical agents.
646	Shallow Water Development and Management	Managing shallow water on agricultural lands and moist soil areas for wildlife habitat.	Exempt when limited to management with no new construction, no new ground disturbance, no application of chemical agents.
647	Early Successional Habitat Development/Management	Manage early plant succession to benefit desired wildlife or natural communities.	Exempt when limited to management with no new construction, no new ground disturbance, or no application of chemical agents.
649	Structures for Wildlife	A structure installed to replace or modify a missing or deficient wildlife habitat component.	Exempt when implemented within areas of active cropland OR in documented areas of previous disturbance AND would not exceed the documented depth of previous disturbance.
808	Soil Carbon Amendment	Increase soil carbon and improve the physical, chemical, and biological properties of the soil.	Exempt when implemented within areas of active cropland OR in documented areas of previous disturbance AND would not exceed the documented depth of previous disturbance.

APPENDIX B**PROCEDURES FOR FINDINGS OF NO HISTORIC PROPERTIES AFFECTED AND NO ADVERSE EFFECT**

When, pursuant to Stipulation V.e.2 of the NRCS California State-based PPA, the NRCS California State Archaeologist or a CRS as described in Stipulation II.b finds that a proposed undertaking will, consistent with 36 CFR § 800.4(d)(1), not affect historic properties, or, consistent with 36 CFR § 800.5(b), not adversely affect historic properties, the following procedures shall be used.

1. No Historic Properties Affected: Where no historic properties are present, either because no historic properties were identified within the APE or because cultural resources identified within the APE have been determined, in accordance with Stipulation V.d.2, to be not eligible for inclusion in the NRHP, the NRCS California State Archaeologist or a CRS shall determine and document a finding of No Historic Properties Affected for the undertaking. Reporting will be on file with NRCS California, and a summary account of these findings shall be provided to the California SHPO in the annual State-based PPA report.
2. No Adverse Effect: The NRCS shall attempt to avoid adverse effects to historic properties whenever possible; when historic properties are identified in the APE and may be affected by an undertaking, the NRCS California State Archaeologist or a CRS shall work with the NRCS field office planner and the landowner/producer to modify the undertaking to avoid or minimize adverse effects to historic properties.
 - a) No Adverse Effect: The NRCS California State Archaeologist or a CRS shall apply the Criteria of Adverse Effect set forth in 36 CFR 800 § 5(a). If the assessment of effects demonstrates that the implementation of the proposed undertaking would not adversely affect any of the historic properties in the APE, then the California NRCS shall proceed with 36 CFR 800 §§ 5(b) and (c).
 - b) No Adverse Effect with Standard Avoidance Measures (SAMs): The NRCS California State Archaeologist or a CRS shall apply the Criteria of Adverse Effect set forth in 36 CFR 800 § 5(a). If the assessment of effects demonstrates that adverse effects to historic properties within the APE can be avoided through the application of SAMs, as detailed in Appendix C, the NRCS California State Archaeologist or a CRS shall determine that a finding of No Adverse Effect with SAMs is appropriate for the undertaking. Reporting shall be on file with the NRCS California, and a summary account of these findings shall be provided to the California SHPO in the annual State-based PPA reports.
 - c) No Adverse Effect with Conditions: The NRCS California State Archaeologist or a CRS shall apply the Criteria of Adverse Effect set forth in 36 CFR 800 § 5(a). If the assessment of effects demonstrates that adverse effects to historic properties within

the APE can be avoided through avoidance measures not included as a SAM under Appendix C or through the development of other measures, the NRCS California State Archaeologist or a CRS shall determine that a finding of No Adverse Effect with Conditions is appropriate for the undertaking. The NRCS California shall comply with 36 CFR 800 §§ 5(b) and (c).

APPENDIX C

FINDING OF NO ADVERSE EFFECT WITH STANDARD AVOIDANCE MEASURES (SAM)

Per Stipulation V.e.2 and Appendix B of the NRCS California State-based PPA, and in consultation with the California SHPO, NRCS California has established the following standard avoidance measures (SAMs) that can be used independently or in combination to condition a finding of No Adverse Effect to historic properties. The use of SAMs shall be predicated upon the implementation protocol below, the purpose of which is to ensure and evidence the effectiveness of these measures over time.

In adherence to the NRCS General Manuals and the NRCS Working Lands Conservation Programs Manual, all SAMS avoidance measures will be included in the Implementation Requirements or analogous documents of the NRCS contract, agreement, or conservation plan. Landowners/producers receiving NRCS funds will be made aware of their obligations detailed in the Implementation Requirements or analogous documents, which they sign. Landowners/producers are held accountable for adhering to the Implementation Requirements, and failure to do so may result in a termination of the agreement and/or a rescindment of funds. NRCS California retains the ultimate responsibility to ensure that all chosen SAMs are implemented, and that the landowner/producer will follow the process for addressing unanticipated effects to historic properties per Stipulation VII.

Through the tribal consultation initiated per Stipulation V.c.2, the NRCS California State Archaeologist or a CRS shall consult with federally recognized tribes and California Indian tribes, as appropriate, on the appropriateness of these standard avoidance measures to protect specific historic properties identified by a federally recognized tribe or a California Indian tribe as being important to their community. If on site monitoring, beyond the routine spot checks described below, by a qualified archaeologist and/or tribal representative is determined necessary to avoid adverse effect to historic properties, the undertaking will no longer meet the definition of a finding of No Adverse Effect with SAM per Appendix B Stipulation 2.b.

Over the course of the administration of this PA, one or more consulting parties may desire to develop and add new avoidance measures to this appendix. If a new avoidance measure is proposed, the Signatories, Invited Signatories, and Concurring Parties will follow the amendment process per Stipulation XIII.

I. Avoidance Measures

A. AVOIDANCE AREAS

An appropriately sized buffer that takes into account the lateral extents, the vertical dimensions, and the character of any historic properties in the undertaking's APE shall be established in the field by the NRCS California State Archaeologist or a CRS, in consultation with the NRCS Planner and landowner/producer, to separate the spatial extent of any identified historic properties from the potential damage that the implementation of the undertaking may cause. The three-dimensional extent of a historic property and the buffer area around it shall together make up the avoidance area,

which shall be physically flagged or otherwise conspicuously marked. No machinery or construction crew personnel shall traverse this area, and no work associated with this undertaking shall be conducted within the avoidance area. The NRCS CRS shall provide the NRCS Planner and landowner/producer clear information about these avoidance areas. The NRCS Planner and landowner/producer shall also communicate this information to the contractor.

B. *HAND TREATMENT AREAS*

An appropriately sized buffer that takes into account the lateral extents and the character of any historic properties in the undertaking's APE shall be established in the field by the NRCS California State Archaeologist or a CRS, in consultation with the NRCS Planner and landowner/producer, to delineate the spatial extent of identified historic properties. The bounded historic properties and the buffer area around each shall together make up the hand treatment area, which shall be physically flagged or otherwise conspicuously marked. Only handwork shall be allowed in the hand treatment area to ensure that there is no new ground disturbance. This means that work shall only be conducted in a hand treatment area when the ground is dry and that no equipment other than hand tools utilized by personnel on foot shall be allowed. Trees shall not be felled or dragged through this area, and all cut understory vegetation shall be loped and scattered or hand-carried outside of the hand treatment area for disposal. The NRCS California State Archaeologist or a CRS shall provide the NRCS Planner and landowner/producer clear direction about these hand treatment areas. The NRCS Planner and landowner/producer shall also communicate this direction to the contractor.

II. Avoidance Measures Implementation

The following implementation protocols are in compliance with the NRCS planning and contracting requirements in Title 180 General Manual Part 409, "Conservation Planning Policy" [180-GM-409]; Title 440 Working Lands Conservation Programs Manual Part 530 [440-CPM-530]; Title 450 General Manual Part 405, "Compliance with Laws and Regulations;" Title 450 General Manual Part 407, "Documentation, Certification, and Spot Checking" [450-GM-407]; and Title 190 National Environmental Compliance Handbook Part 610 [190-NECH-610].

- A. In addition to including avoidance measures in the landowner/producer contract Implementation Requirements, the NRCS Planner, the NRCS California State Archaeologist, or a CRS shall verbally communicate directly to the landowner/producer the importance of avoiding adverse effects to any historic properties identified within an undertaking's APE. The landowner/producer must also verify that adverse effects can and will be avoided pursuant to the SAM measures outlined in the Implementation Requirements. The NRCS California State Archaeologist or a CRS shall provide the NRCS Planner and landowner/producer clear information about the location of the historic property. The NRCS Planner and landowner/producer shall also communicate this information to the contractor.
- B. Additionally, if deemed appropriate by the NRCS California State Archaeologist or a CRS, before the start of construction, dependent upon the scale and complexity of a proposed undertaking, a pre-construction briefing will be provided to the landowner/producer, crew foreperson, and construction crew regarding the importance and legal requirements of avoiding adverse effects to historic properties, the details of the specific avoidance measures that condition the contract, the locations of any historic properties within the APE, and the NRCS post-review discovery procedures outlined in Stipulation VIII of the NRCS California State-

based PPA.

- C. At regular intervals determined by the NRCS California State Archaeologist or a CRS, the NRCS California State Archaeologist or a CRS, or a CRT under the supervision of either, shall conduct a spot check to inspect the integrity of the conspicuous marking of any Avoidance Areas or Hand Treatment Areas in an undertaking's APE and shall ensure that work activities in and around any such areas conform with the specifications of the associated conditions.
- E. Should a spot check discover a previously unknown cultural resource during the implementation of an undertaking, that NRCS personnel shall facilitate the implementation of the discovery protocol set out in Stipulation VIII.
- E. Once the implementation of an undertaking is complete, as determined by NRCS California, the NRCS California State Archaeologist, a CRS, or a CRT, under the supervision of either, shall make a final inspection of any Avoidance Areas and any Hand Treatment Areas as a part of the certification of completed work to observe the integrity of the conspicuous marking of any such areas and to observe whether the labor practices in and around any such areas appear to have conformed with the specifications of the associated conditions. At the conclusion of the inspection, all marking materials shall be removed unless requested otherwise by the landowner/producer or another consulting party.
- F. NRCS California shall ensure that each spot check is documented. This documentation shall include periodic photographs of the condition of any Avoidance Areas or Hand Treatment Areas and photographs of any such areas after the implementation of an undertaking is complete. Such documentation will be included in the client file and retained on file at NRCS California.
- G. NRCS California shall ensure that each spot check and monitoring occasion shall be documented by the NRCS reviewing official. This documentation shall include periodic photographs of the condition of any Avoidance Areas or Hand Treatment Areas and photographs of any such areas after the implementation of an undertaking is complete. A monitoring report shall be prepared for each undertaking where monitoring has been necessary and a spreadsheet with information about all such monitoring reports shall be included in the annual PPA report where undertakings have been complete for at least six months. Information about monitoring reports for undertakings completed less than six months before the submission of an annual PPA report may be submitted with the subsequent annual PPA report. Such documentation will be included in the client file and retained on file at NRCS California.

APPENDIX D

CULTURAL RESOURCES TECHNICIAN CERTIFICATION PROCESS

In accordance with Stipulation II.e, NRCS California Cultural Resources Technicians (CRT) are NRCS Planners who assist with implementing this State-based PPA and shall have completed the NRCS Cultural Resources Training online, classroom, and field training modules (Modules 1 through 9). Modules 7 through 9 are offered locally to ensure that students are exposed to tribal sensitivities and cultural resources specific to their Field Office location. Modules 7 and 8 are designed by the NRCS California State Archaeologist, with input from the CRS staff, and are regularly updated to ensure that current and pertinent information is being taught.

The NRCS California State Archaeologist has the sole authority to grant CRT status to NRCS Planners who have completed Modules 1 through 9 as described in this Appendix. CRTs are qualified to work under the supervision of the NRCS California State Archaeologist and CRSs to complete Section 106 compliant field records and pedestrian surveys for NRCS' client files and for use in producing initial historic property identification records. The NRCS California CRT training and certification process stipulated below is subject to revision by the NRCS California as provided for in Stipulation XIII. of this State-based PPA.

I. CRT Certification for NRCS Planners Part One: Cultural Resources Training Modules 1-8

1. All NRCS Planners are required to complete NRCS Cultural Resources training Modules 1 through 8 defined in the NRCS National Cultural Resources Handbook:
 - i. Modules 1-6 are online courses, provided nationally through the USDA's Learning Management System for the delivery of NRCS training programs (www.aglearn.usda.gov), that give an overview of the federal cultural resource regulatory compliance process and requirements.
 - ii. Module 7 is a classroom training that provides state-specific regulatory compliance instruction, as well as sensitivity training on the importance of local tribal concerns and cultural resources (if possible, provided by a tribal partner), and a hands-on look at the types of cultural resources anticipated regionally.
 - iii. Module 8 is a small group (2-5 CRT Students to 1 CRS) field training that provides direction on, and the opportunity to practice, field survey methods (see Appendix I) and the identification of cultural resources.
2. After successful completion of Modules 1 through 8, a NRCS Planner is prepared to obtain CRT certification by completing Module 9.

II. CRT Certification for NRCS Planners Part Two: Cultural Resources Training Module 9

1. Module 9 is an in-depth, one-on-one training with a CRS that takes the CRT student through the field survey and reporting process to ensure that they fully understand all

steps and requirements of the Section 106 review.

- i. It is only available to federal employees, and thus not applicable for consultants or partners.
- ii. Taking Module 9 requires approval of the NRCS Planner's supervisor and the State Archaeologist.
2. To complete Module 9 and obtain CRT certification, the NRCS Planner contacts the Field Office's assigned CRS to schedule a supervised field survey. The supervising CRS will confirm with the NRCS California Training Administrator that the NRCS Planner has successfully completed Modules 1 through 8.
3. The supervising CRS will work with the NRCS Planner to select an appropriate NRCS conservation plan that will require a field survey in the Section 106 review process from the list of agreements at the NRCS Planner's Field Office.
4. The NRCS Planner will conduct the field survey with the supervising CRS, demonstrating the knowledge and skills they acquired from their cultural resources training (Modules 1-8).
5. The NRCS Planner will prepare and submit a CRT Survey Report to the CRS for review and approval. The report will include a description of field conditions within the APE, the survey methods, findings, a photo log of the area surveyed, and a survey map.
6. If a cultural resource was identified during a CRT certification survey, the supervising CRS will complete the formal recording of the resource on the appropriate DPR 523 form per Stipulation V.b.2.ii of this State-based agreement.
 - i. CRTs are authorized to identify cultural resources but do not complete DPR 523 forms.
 - ii. CRTs may assist the CRS and the landowner/producer in revising the conservation plan to avoid impacts to the resource.
7. If the supervising CRS determines that the NRCS Planner's survey work and reporting are acceptable, the CRS will submit a recommendation for CRT certification to the NRCS California State Archaeologist.
8. The NRCS California State Archaeologist will review the recommendation and upon concurrence will issue a certificate to the NRCS Planner authorizing CRT status for a period of three years. NRCS Planners are then authorized to independently conduct cultural resources identification work as directed and under the supervision of a CRS.
9. NRCS Planners with CRT status will receive ongoing, informal training by the CRS staff at every opportunity during reviews of projects at the NRCS Planner's Field Office.

III. Maintaining CRT Certification

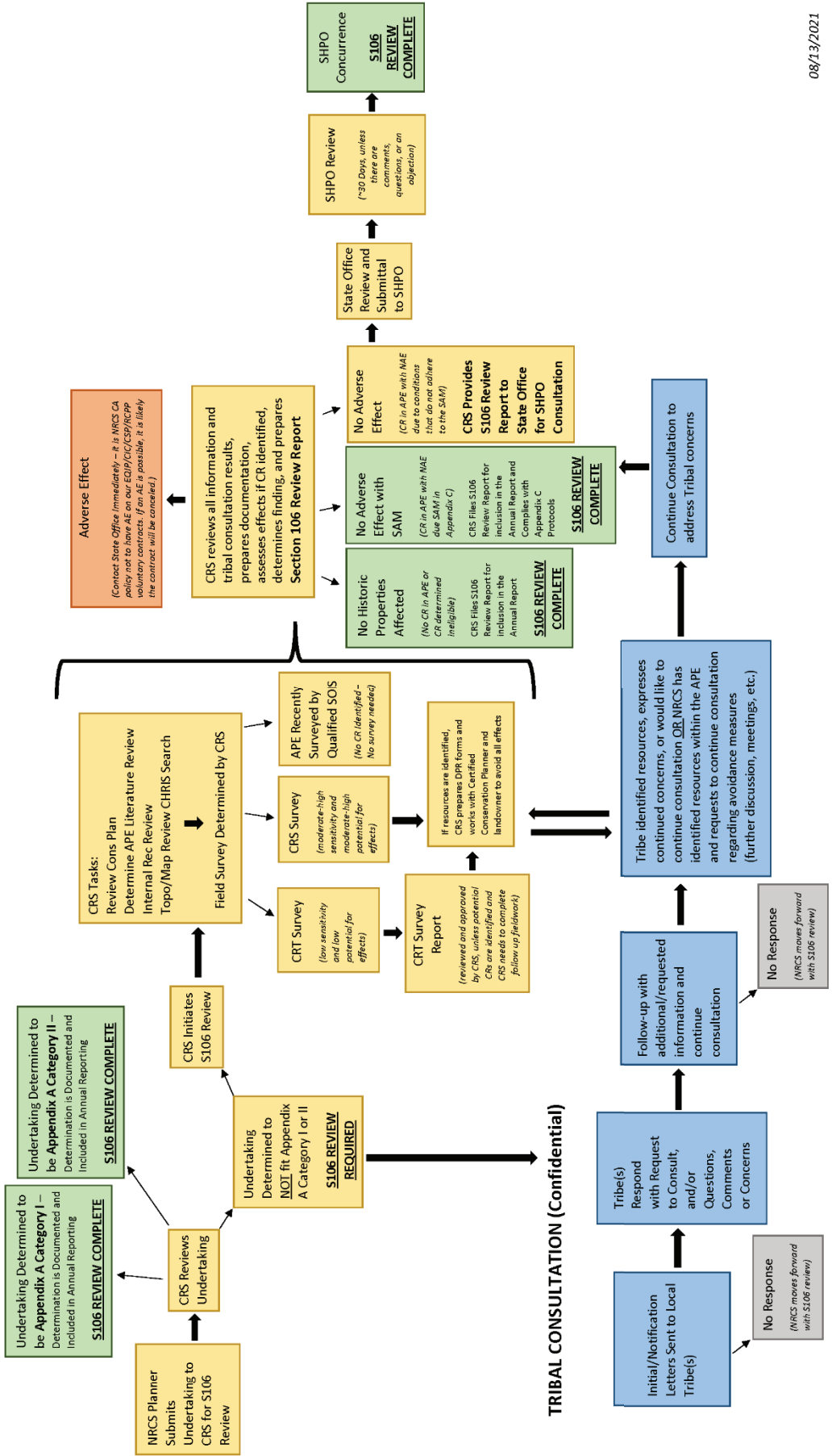
1. To maintain CRT certification, NRCS Planners will be required to complete a one-day classroom refresher training module and a field survey under the direction of a

CRS every three years.

2. The NRCS State Archaeologist will maintain a database of CRTs and will notify a NRCS Planner at least 6 months prior to the end of their three-year certification period that a refresher training module is due.
3. Failure to complete the refresher training module may lead to suspension of a NRCS Planner's CRT certification by the NRCS California State Archaeologist until the refresher training is completed.
4. If the quality of a CRT's work products is not acceptable, the CRS will work with the NRCS Planner to provide additional training or may require that the NRCS Planner attend their refresher training ahead of schedule. If the quality issue persists, the CRS will notify the NRCS California State Archaeologist who will contact the NRCS Planner and their direct supervisor about additional or corrective training.
5. If CRT work product quality issues are not satisfactorily resolved, the NRCS California State Archaeologist will suspend or revoke a NRCS Planner's CRT certification through email notification to the NRCS Planner and NRCS Planner's direct supervisor.
6. Reinstatement of a NRCS Planner's CRT certification will require the satisfactory completion of the one-day classroom refresher training module and a field survey with a CRS, or alternate training as directed by the NRCS California State Archaeologist.
7. NRCS Planners who obtained CRT authorization prior to the execution of this State-based PPA will retain their CRT status until required to complete the CRT refresher training module.

APPENDIX E
SECTION 106 REVIEW PROCESS FLOWCHART

APPENDIX E - NRCS CALIFORNIA S106 STATE-BASED PPA REVIEW PROCESS



08/13/2021

APPENDIX F
NRCS CALIFORNIA SECTION 106 REVIEW REPORTING FORM



United States Department of Agriculture

NATURAL RESOURCES CONSERVATION SERVICE

Section 106 Review Report

This report documents findings of effect consistent with 36 CFR § 800.11 for all NRCS conservation assistance undertakings pursuant to the current NRCS CA Prototype Programmatic Agreement.

SECTION A – UNDERTAKING INFORMATION	
AGREEMENT NUMBER	
COUNTY	
AREA / FIELD OFFICE	
LOCATION LEGAL DESCRIPTION	[QUAD/TOWNSHIP/RANGE/SECTION]
NRCS CONSERVATION PRACTICES TO BE INSTALLED	[PRACTICE CODES AND TITLE]
BRIEF PROJECT DESCRIPTION	
CURRENT AND HISTORICAL LAND USE	

SECTION B (1) – AREA OF POTENTIAL EFFECTS (APE)	
APE DEFINITION	<p>The APE for this undertaking is based on the following conservation practices that have the potential to affect historic properties pursuant to 36 CFR §800.16(y) through ground disturbance and/or historical building/structure modifications:</p> <p>[LIST PRACTICE AND ACRES]</p>
TOTAL APE ACRES	[TOTAL ACRES]

SECTION B (2) – ENVIRONMENTAL/HISTORICAL/CULTURAL SETTING	
REFERENCES	<p>Environmental setting and historical/cultural context for the undertaking is documented in (<i>see PPA, Appendix H for NRCS California Area Coverage</i>):</p> <ul style="list-style-type: none"> <input type="checkbox"/> NRCS CA Module 8 - Area 1 <input type="checkbox"/> NRCS CA Module 8 - Area 2 <input type="checkbox"/> NRCS CA Module 8 - Area 3 <input type="checkbox"/> NRCS CA Module 8 - Area 4

	Additional information: [AS NEEDED]	
CHRIS RESULTS WITHIN 0.25 MI OF APE	Resources P-XX-XXXXX <input type="checkbox"/> Site is in APE	Reports [REPORT # / CITATION]
HISTORICAL MAP REVIEW	<input type="checkbox"/> USGS historical topographic map date: XXXX <input type="checkbox"/> GLO Map	
LANDOWNER KNOWLEDGE OF CULTURAL RESOURCES		
OTHER SOURCES CONSULTED		

SECTION C – NATIVE AMERICAN CONSULTATION	
CONSULTATION INITIATED	Date Click or tap to enter a date.
LIST OF TRIBES CONSULTED	[LIST TRIBES] [HOW RECEIVED TRIBAL KNOWLEDGE WAS INCORPORATED INTO PROPOSED DETERMINATION]

SECTION D (1) – HISTORIC PROPERTIES IDENTIFICATION - METHODS	
RESOURCE EXPECTATIONS	
DATE(S) OF FIELD VISIT/SURVEY	Date(s)
FIELD PROCEDURES	<input type="checkbox"/> Reconnaissance <input type="checkbox"/> Cursory <input type="checkbox"/> Intensive
NRCS PERSONNEL	[LIST SURVEY PERSONNEL] <input type="checkbox"/> Fieldwork was completed by a CRT under the direction of reviewing CRS: [NAME OF CRS].
FIELD CONDITIONS, METHODS	[NARRATIVE OF CONDITIONS, VISIBILITY, TRANSECTS, OBSTRUCTIONS, ETC]
APE ACRES SURVEYED	

RESULTS	<input type="checkbox"/> Negative <input type="checkbox"/> Positive [PROVIDE P-NUMBERS/TEMPORARY FIELD NUMBERS AND DESCRIPTIONS]
SECTION D (2) – HISTORIC PROPERTIES IDENTIFICATION - RESULTS	
NRHP EVALUATION	<input type="checkbox"/> N/A (negative survey) <input type="checkbox"/> Cultural resources identified in the APE do not appear to meet NRHP eligibility criteria – 36 CFR § 800.4(d)(1) [STATEMENT RE HOW NRHP CRITERIA ARE NOT MET] <input type="checkbox"/> Cultural resources identified in the APE will be treated as Historic Properties for the purpose of applying the criteria of adverse effect and avoided by the project. – 36 CFR § 800.4(d)(2) [STATEMENT RE WHICH NRHP CRITERIA ARE APPLICABLE] <input type="checkbox"/> Cultural resources identified in the APE are determined to be Historic Properties, applying the criteria of adverse effect. – 36 CFR § 800.4(d)(2) [STATEMENT RE WHICH NRHP CRITERIA ARE APPLICABLE and/or REFERENCE TO PRIOR ASSESSMENT WHERE DETERMINATION WAS MADE]

SECTION E - FINDING OF EFFECT	
Based on the information gathered and documented above, the NRCS California has determined that the following finding of effect is appropriate for this undertaking:	
<input type="checkbox"/> NO HISTORIC PROPERTIES AFFECTED <input type="checkbox"/> No historic properties present in the APE (negative survey) <input type="checkbox"/> Cultural resources identified in the APE do not appear to meet NRHP eligibility criteria – 36 CFR § 800.4(d)(1) [STATEMENT RE HOW NRHP CRITERIA ARE NOT MET] <input type="checkbox"/> Historic properties are present in the APE but the undertaking will have no effect upon them – 36 CFR § 800.4(d)(1) [STATEMENT RE HOW UNDERTAKING WILL HAVE NO EFFECT]	
<input type="checkbox"/> NO ADVERSE EFFECT TO HISTORIC PROPERTIES <input type="checkbox"/> Criteria of adverse effect applied and not met – 36 CFR §800.5(b)	

[STATEMENT AS TO WHY CRITERIA NOT MET]	
<input type="checkbox"/> NRCS CA SAM measures or other conditions will be implemented (NRCS CA Programmatic Agreement, Appendix C)	
[CITE SAM MEASURES]	
REVIEWED BY	[NAME OF REVIEWING CRS]
	[Digital signature]

Attachments

- APE Map
- Conservation Plan map
- Survey Map
- Photo log
- DPR 523 Forms (*Confidential - Redacted from Field Office Case File*)
- Other

APPENDIX G**LIST OF TRIBES INVITED TO CONSULT ON THE STATE-BASED PPA**

Agua Caliente Band of Cahuilla Indians
Alturas Rancheria of Pit River Indians
Amah Mutsun Tribal Band
Amah Mutsun Tribal Band of Mission San Juan Bautista
Augustine Band of Mission Indians
Barbareno/Ventureno Band of Mission Indians
Barona Band of Mission Indians
Bear River Band of the Rohnerville Rancheria
Berry Creek Rancheria of Maidu Indians
Big Lagoon Rancheria
Big Pine Paiute Tribe of the Owens Valley
Big Sandy Rancheria of Western Mono Indians
Big Valley Band of Pomo Indians
Bishop Paiute Tribe
Blue Lake Rancheria Tribe of Indians
Bridgeport Indian Colony
Buena Vista Rancheria of Me-Wuk Indians
Cabazon Band of Mission Indians
Cachil DeHe Band of Wintun Indians of the Colusa Indian Community
Cahto Indian Tribe of the Laytonville Rancheria
Cahuilla Band of Indians
Calaveras Band of Mi-Wuk Indians
California Valley Miwok Tribe
Campo Band of Mission Indians
Cedarville Rancheria of Northern Paiute
Chemehuevi Reservation
Cher-Ae Heights Indian Community
Chicken Ranch Rancheria of Me-Wuk Indians
Chumash Council of Bakersfield
Cloverdale Rancheria of Pomo Indians
Coastal Band of the Chumash Nation
Coastanoan Ohlone Rumsen-Mutsun Tribe
Cocopah Indian Reservation
Cold Springs Rancheria of Mono Indians
Colfax-Todds Valley Consolidated Tribe
Colorado River Indian Tribes
Coquille Indian Tribe

Cortina Rancheria - Kletsel Dehe Band of Wintun Indians
Costanoan Rumsen Carmel Tribe
Coyote Valley Band of Pomo Indians
Death Valley Timbi-Sha Shoshone Tribe
Dry Creek Rancheria of Pomo Indians
Dumna Wo-Wah Tribal Government
Dunlap Band of Mono Indians
Elem Indian Colony of Pomo Indians
Elk Valley Rancheria
Esselen Tribe of Monterey County
Estom Yumeka Maidu Tribe of the Enterprise Rancheria
Ewiiapaayp Band of Kumeyaay Indians
Federated Indians of Graton Rancheria
Fernandeno Tataviam Band of Mission Indians
Fort Bidwell Indian Community of Paiute
Fort Independence Community of Paiute Indians
Fort McDermitt Paiute and Shoshone Tribes of the Fort McDermitt Indian Reservation
Fort McDowell Yavapai Nation
Fort Mojave Indian Tribe of Arizona, California, and Nevada
Gabrieleno Band of Mission Indians -Kizh Nation
Gabrieleno/Tongva San Gabriel Band of Mission Indians
Gabrielino /Tongva Nation
Gabrielino Tongva Indians of California Tribal Council
Gabrielino-Tongva Tribe
Greenville Rancheria of Maidu Indians
Grindstone Rancheria of Wintun-Wailaki
Guidiville Band of Pomo Indians
Habematolel Pomo of Upper Lake
Honey Lake Maidu
Hoopa Valley Tribe
Hopland Band of Pomo Indians
Iipay Nation of Santa Ysabel
Inaja-Cosmit Band of Indians
Indian Canyon Mutsun Band of Costanoan
Ione Band of Miwok Indians
Jackson Rancheria Band of Miwuk Indians
Jamul Indian Village
Juaneno Band of Mission Indians
Juaneno Band of Mission Indians Acjachemen Nation - Belardes
Juaneno Band of Mission Indians Acjachemen Nation - Romero
Kaibab Band of Paiute Indians of the Kaibab Indian Reservation

Kakoon Ta Ruk Band of Ohlone-Costanoan Indians of the Big Sur Rancheria
Karuk Tribe
Kashia Band of Pomo Indians of the Stewarts Point Rancheria
Kern Valley Indian Community
Kings River Choinumni Farm Tribe
Kitanemuk & Yowlumne Tejon Indians
Klamath Tribe
Koi Nation of Northern California
KonKow Valley Band of Maidu
Kwaaymii Laguna Band of Mission Indians
La Jolla Band of Luiseno Indians
La Posta Band of Mission Indians
Las Vegas Tribe of Paiute Indians of the Las Vegas Indian Colony
Lone Pine Paiute-Shoshone Reservation
Los Coyotes Band of Cahuilla and Cupeno Indians
Lytton Rancheria
Manchester Band of Pomo Indians of the Manchester Rancheria
Manzanita Band of Kumeyaay Nation
Mechoopda Indian Tribe of Chico Rancheria, California
Mesa Grande Band of Diegueno Mission Indians
Middletown Rancheria
Mishewal-Wappo Tribe of Alexander Valley
Moapa Band of Paiute Indians of the Moapa River Indian Reservation
Modoc Tribe of Oklahoma
Mono Lake Indian Community
Mooretown Rancheria
Morongo Band of Mission Indians
Muwekma Ohlone Indian Tribe of the SF Bay Area
Nashville Enterprise Miwok- Maidu-Nishinam Tribe
Nor-Rel-Muk Wintu Nation
North Fork Mono Tribe
North Valley Yokuts Tribe
Northern Chumash Tribal Council
Northfork Rancheria of Mono Indians
Noyo River Indian Community
Ohlone/Coastanoan-Esselen Nation
Paiute Indian Tribe of Utah
Paiute-Shoshone Tribe of the Fallon Reservation and Colony
Pakan 'yani Maidu of Strawberry Valley Rancheria
Pala Band of Luiseno Indians
Paskenta Band of Nomlaki Indians

Pauma Band of Mission Indians
Pechanga Band of Luiseno Mission Indians
Picayune Rancheria of Chukchansi Indians
Pinoleville Pomo Nation
Pit River Tribe
Pit River Tribe of California - Madesi Band
Potter Valley Tribe
Pyramid Lake Paiute Tribe of the Pyramid Lake Reservation
Quartz Valley Indian Community of the Quartz Valley Reservation
Quechan Tribe of the Fort Yuma Indian Reservation
Ramona Band of Cahuilla Indians
Redding Rancheria
Redwood Valley Rancheria of Pomo
Reno-Sparks Indian Colony of Nevada
Resighini Rancheria
Rincon Band of Luiseno Indians
Robinson Rancheria of Pomo Indians
Round Valley Indian Tribes of the Round Valley Reservation
Salinan Tribe of Monterey, San Luis Obispo Counties
San Fernando Band of Mission Indians
San Luis Obispo County Chumash Council
San Luis Rey Band of Mission Indians
San Manual Band of Mission Indians
San Pasqual Band of Diegueno Mission Indians
Santa Rosa Band of Cahuilla Indians
Santa Rosa Rancheria Tachi Yokut Tribe
Santa Ynez Band of Chumash Mission Indians
Scotts Valley Band of Pomo Indians of California
Serrano Nation of Mission Indians
Shasta Indian Nation
Shasta Nation
Sherwood Valley Rancheria of Pomo
Shingle Springs Band of Miwok Indians
Soboba Band of Luiseno Indians
Southern Sierra Miwuk Nation
Susanville Indian Rancheria
Sycuan Band of the Kumeyaay Nation
Table Mountain Rancheria
Tejon Indian Tribe
Te-Moak Tribe of Western Shoshone Indians of Nevada
The Confederated Villages of Lisjan

The Ohlone Indian Tribe
Tolowa Dee-ni' Nation
Torres Martinez Desert Cahuilla Indians
Traditional Choinumni Tribe
Tsi Akim Maidu
Tsnungwe Council
Tubatulabals of Kern Valley
Tule River Indian Tribe
Tuolumne Band of Me-Wuk Indians
Twenty-Nine Palms Band of Mission Indians
United Auburn Indian Community of the Auburn Rancheria
Utu Utu Gwaitu Paiute Tribe of the Benton Paiute Reservation
Viejas Band of Kumeyaay Indians
Walker River Reservation
Washoe Tribe of Nevada and California
Wilton Rancheria
Winnemem Wintu Tribe
Wintu Tribe of Northern California
Wiyot Tribe
Wuksache Indian Tribe / Eshom Valley Band
Xolon-Salinan Tribe
yak tityu tityu yak tilhini -Northern Chumash Tribe
Yavapai-Apache Nation of the Camp Verde Indian Reservation
Yerington Paiute Tribe of Yerington Colony and Campbell Ranch of Nevada
Yocha Dehe Wintun Nation
Yurok Tribe

APPENDIX H
NRCS CALIFORNIA SERVICE AREAS AND OFFICE LOCATIONS

Natural Resources Conservation Service Service Areas and Office Locations



APPENDIX I
NRCS CALIFORNIA CULTURAL RESOURCES SURVEY:
STRATEGY AND LEVEL OF EFFORT

In keeping with NRCS Field Inspection requirements as described in the agency's National Cultural Resources Procedures Handbook [Title 190 Part 601.60(U)], and consistent with 36 CFR 800.4(b)(1), NRCS California conducts cultural resource surveys in the following contexts. Cultural resources surveys shall be conducted by a CRS, or, when determined appropriate by a CRS under the terms of this PPA, an NRCS Cultural Resources Technician (CRT) as defined in Stipulation II.e. When conducted by a CRT, survey will be completed under the supervision of a CRS.

The goal of a cultural resources survey in support of the NRCS's compliance with this PPA is to identify cultural resources within an APE that meet NRHP eligibility criteria: sites, districts buildings, structures and objects, such as historic landscapes; prehistoric or historic archaeological sites; historic buildings or structures; or resources that have significant cultural or religious importance to Native Americans, such as traditional cultural properties. When encountered, cultural resources will be recorded using the appropriate OHP DPR 523 form, and an initial assessment of NRHP eligibility will be determined pursuant to Stipulation V of this PPA. Resources often will be treated as eligible in lieu of a formal NRHP eligibility determination to assess the potential effects of an undertaking and/or avoid adverse effects.

Survey methods and techniques employed to identify cultural resources in an APE will vary based upon an assortment of factors. These include, but are not limited to, the physical characteristics of the property within which the APE is situated, especially the topographic character, landform composition, surface hydrology, and other environmental parameters. Additionally, other information gathered prior to the survey effort such as the results of a CHRIS records search, consultation with federally recognized tribes and California Indian tribes and consulting parties, as appropriate, partner comments or requests, landowner/producer interviews, or other pre-field research, will be considered in designing a survey strategy appropriate to the scope of the undertaking and the types and distribution of anticipated cultural resources.

NRCS will utilize three nonexclusive levels of cultural resources survey effort based on the professional judgement of the CRS who is conducting the survey or directing the survey of a CRT: intensive, general, and reconnaissance. A single approach may not be appropriate for an entire APE. Therefore, a survey strategy can vary based on numerous criteria: e.g., specific types of NRCS conservation practices, known or expected site locations, terrain, etc. The rationale behind the selected survey strategy will be articulated in the documentation provided for Section 106 review of the undertaking and in accordance with the reporting form in Appendix F of this PPA.

Survey Methods:

- *Intensive* - This is an appropriate sampling strategy to utilize in an APE with a high

probability of identifying an archaeological site, when relocating a known site, and/or when delineating a site boundary. The survey intensity will be determined by the CRS in the field as conditions warrant, considering factors such as site type/configuration, APE, topography, and other environmental parameters. Transect intervals will be more dense than *General* and *Reconnaissance* level efforts, as well as added emphasis to obtain sufficient surface exposure to assess artifact densities will be required. Intent will focus on framing possible mitigation measures for project implementation if required. Always conducted or led in the field by a CRS.

- *General* - This is an appropriate strategy in an APE with a moderate to high probability of identifying an archaeological site, or where information gathered by NRCS staff during planning and/or features on historical maps suggest that archeological or historical sites may be present in the APE. The survey intensity will be determined by the CRS in the field, as conditions warrant, considering the physical characteristics of the property within which the APE is situated, especially the topographic character, landform composition, surface hydrology, and other environmental parameters. Transect intervals will be closer than that expected for a *Reconnaissance* level of effort within areas of highest concern. If a site(s) is(are) encountered, survey methods will shift to *Intensive* survey methods in the immediate vicinity of the location. Always conducted or led in the field by a CRS.
- *Reconnaissance* - This is an appropriate strategy in an APE with low to moderate probability of containing archaeological sites or historic buildings/structures, such as an agricultural field or pasture, or where landforms have a slope greater than 30 degrees, dense vegetation, or similar conditions. Transect intervals will vary based on field conditions encountered, with some locations not covered by pedestrian survey. May be conducted by a CRS or CRT under the direction of a CRS, depending on the probability level and/or specific locations of concern within the APE. If a possible site(s) is(are) encountered by a CRT during the field investigation, the results will be elevated to a CRS for final determination. The attending CRS will then determine required next steps, which could necessitate a supplementary assessment by the CRS utilizing *General* or *Intensive* survey methods.

APPENDIX J
NRCS CALIFORNIA MONITORING REPORT TEMPLATE

Contract Number	County	Date(s) Conducted	Justification/Requestor(s)