United States Department of Agriculture

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January 7, 2009

GENERAL MANUAL
Title 420 – Part 401.21
Amendment NM19

SUBJECT: SSC - CULTURAL RESOURCE CLEARANCES FOR INTERSTATE STREAM COMMISSION (ISC) ACEQUIA PROJECTS

Purpose. To advise all employees of an official NM supplement to the General Manual.

Effective Date. January 7, 2009

Filing Instructions. A complete log of all New Mexico supplements to the General Manual is located at: http://www.nm.nrcs.usda.gov/intranet/manuals/manuals.html

The following subpart has been amended: GM 420 Part 401.21 Considering Cultural Resources in NRCS Programs and Activities.

Attached is the New Mexico state supplement which outlines the cultural resource clearance policy for acequia work in New Mexico. The supplement outlines the agency responsibilities for conducting cultural resource surveys for NRCS work on acequias in New Mexico.

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State Conservationist

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Attachment
Distribution: GM

PART 401 – Cultural Resources (Archeological and Historic Properties)

Subpart C – Policy

NM 401.21 Considering Cultural Resources in NRCS Programs and Activities

D. CULTURAL RESOURCE CLEARANCES FOR INTERSTATE STREAM COMMISSION (ISC) ACEQUIA PROJECTS

Acequia and ditch associations often come to NRCS for assistance in solving engineering problems associated with the continued use of the ditch/acequia. Design solutions to engineering problems with acequias/ditches can include replacement of headgates and/or diversions, concrete lining, piping, etc. There are three main ways these types of acequia projects are funded and implemented. Acequia projects may be funded through the Corps of Engineers (COE), through the Interstate Stream Commission (ISC), or through NRCS with EQIP funding. For projects that are funded through the COE, the COE has responsibility for the cultural resource clearances and consultation. For projects funded with EQIP, NRCS has responsibility for cultural resource clearance and consultation. For projects funded through ISC the NRCS does not provide cultural resource clearances and/or State Historic Preservation Office (SHPO) consultation on those acequia projects.

NRCS will continue to follow the normal acequia planning process in the design of acequia projects for ISC. However, the NRCS CPA 52 Environmental Evaluation Section J Special Environmental Concerns for cultural resources will document that cultural resource clearances and/or consultation have not been completed for the specific project.

When the final designs are completed and provided to the acequia group the design cover letter will clearly state that cultural resource clearances have not been completed for the project and it is the responsibility of the acequia group and or/the ISC to assure that all cultural resource clearances and consultations are completed according to all applicable state laws. In addition a statement on the design will note that "Cultural Resource Clearances and/or SHPO Consultation Have Not Been completed by NRCS." A copy of the NRCS CPA 52 documenting this will also be attached to the cover letter. A copy of the project letter and NRCS CPA 52 will also be sent to the ISC.