

**Cultural Resource Guidance**  
**Federal Emergency Management Agency**  
**Material Sources**

All counties or gravel operators who expect to apply for disaster money please note that for any funds tied to a Federal agency the county operator or other applicant needs to assist in documenting review of the material sources by the Federal Emergency Management Agency (FEMA) and the Montana State Historic Preservation Office (SHPO) under the National Historic Preservation Act (NHPA). SHPO assistance in FEMA approval is documented in a SHPO response letter to counties and/or the operator who request a "file search." All counties and operators should be able to show that file search documentation for every material source location in order to receive federal funding from FEMA through the Disaster Emergency Services (DES).

For new open cut sand and gravel pits proposed after a declaration of emergency by FEMA, SHPO recommends that the county or operator request a SHPO file search. See SHPO form and charges (<http://mhs.mt.gov/shpo/forms.asp>) and SHPO will make either of two recommendations for DES/FEMA consideration:

- 1) If SHPO recommends a low probability of Historic Properties, then no further SHPO consultation is suggested unless new discoveries of cultural resources result, in which case the mining work will stop until SHPO and FEMA are consulted under the unanticipated discovery clause of the NHPA ( 36 CFR 800.12).
- 2) a. If SHPO recommends a professional archaeological survey is warranted and it is not carried out by the operator FEMA may deny the emergency funding or require further cultural work before FEMA/DES approval.  
b. If SHPO recommends a cultural survey and it results in professional acceptable negative findings documented in a professional report submitted to SHPO, SHPO review and acceptance of the report will be finalized and notice given to the operator.  
c. If SHPO recommends a professional archaeological survey and cultural resources are located and documented in a professional report, the need for further identification, evaluation or avoidance will be considered by FEMA's cultural specialists in consultation with SHPO.

All future FEMA disaster funding for sand and gravel material will be approved by FEMA/DES only after the operator conducts a SHPO file search and submits the results of the files search and any recommended cultural survey with SHPO comments to FEMA.

Existing open cut pits that have not had a file search conducted by the Montana SHPO also need documentation of a file search so that they may obtain the letter required by FEMA. DEQ permit or applications do not supply necessary review documentation but may be useful to SHPO as documentation of previous site operations.

State Historic Preservation Office  
Montana Historical Society  
1410 8<sup>th</sup> Avenue  
Helena MT 59620

225 North Roberts Street  
P.O. Box 201201  
Helena, MT 59620-1201  
(406) 444-2694  
(406) 444-2696 FAX  
montanahistoricalsociety.org