

Appendix I: Cultural, Traditional, and Paleontological Resource Use Categories

Cultural Resource Use Categories

A. Scientific Use. This category applies to any cultural property determined available for consideration as the subject of scientific or historical study at the present time, using currently available research techniques. Study includes methods that would result in the property's physical alteration or destruction. This category applies almost entirely to prehistoric and historic archaeological properties, where the method of use is generally archaeological excavation, controlled surface collection, and/or controlled recordation (data recovery). Recommendations to allocate individual properties to this use must be based on documentation of the kinds of data the property is thought to contain and the data's importance for pursuing specified research topics. Properties in this category need not be conserved in the face of a research or data recovery (mitigation) proposal that would make adequate and appropriate use of the property's research importance.

Management Direction

Compliance Directives

1. Data recovery rather than avoidance is the preferred option. Data recovery must be accomplished prior to impacts from conflicting uses or natural or human caused deterioration, or is undertaken to ameliorate impacts that have already occurred.

Resource Management Directives

1. Resources in this category are available for testing and excavation by qualified researchers operating under valid permits with acceptable research designs. Preference will be given to research proposals emphasizing priorities established in this plan. Resources in this category may be discharged from use or assigned to another category other than Conservation for Future Use once the resource has no further scientific use.

B. Conservation for Future Use. This category is reserved for any unusual cultural property, which, because of scarcity, a research potential that surpasses the current state of the art, singular historic importance, cultural importance, architectural interest, or comparable reasons, is not currently available for consideration as the subject of scientific or historical study that would result in its physical alteration. Cultural resources in this category must be determined eligible for, or listed on, the National Register of Historic Places. A cultural property included in this category is deemed worthy of segregation from all other land or resource uses, including cultural resource uses, that would threaten the maintenance of its present condition or setting, as pertinent, and will remain in this use category until specified provisions are met in the future.

Management Direction

Compliance Directives

1. Avoidance is the preferred mitigation measure. Discretionary activities will be denied within boundaries of these resources. The land on which these sites are situated is not available for disposal.
 - a. If avoidance is impossible, then data recovery or other acceptable measures will be allowed after going through the required consultation processes. Since the majority of the plan area is for National Conservation Area and Wilderness, we anticipate that avoidance will be possible in the vast majority of cases with uncontrolled erosion being the most likely cause of data recovery efforts. For many of the sites in this category, the setting will be an important factor of the site's importance and integrity. In these cases, Visual Resource Management (VRM) prescriptions will be implemented to lessen effects, generally by conformance to VRM Class II standards. Other management efforts will also be taken to lessen noise and impacts to atmospheric elements.
 - b. In some instances, such as arbor glyphs (Basque aspen art) threatened by fire or death and decay of the tree, removal of objects or features for curation and display in a museum, visitors' center, or other qualified repository will be acceptable.

Resource Management Directives

1. Sites in this category have the highest priority for protection and preservation and will not be available for other current uses, including research or interpretation.
 - a. A resource listed in the Conservation for Future Use category may be placed in another use management category if: (1) BLM identifies the specific criteria underlying this classification (for example, outstanding research potential), (2) the specific reasons for prohibitions or limitations are identified, and (3) BLM identifies or accepts methodological, technological or other criteria that if met or implemented justify alterations to the integrity of the resource and placement in another use category.
2. Protective actions may be taken to ensure preservation of those qualities providing the basis for classification. These actions, such as fencing, installation of erosion control structures, road closures, etc., must not impinge on the values and integrity of the site. Resources in this use category will be monitored at least semi-annually to assess potential threats.

C. Traditional Use. This category is to be applied to any cultural resource known to be perceived by a specified social and/or cultural group as important in maintaining the cultural identity, heritage, or well-being of the group. Cultural properties assigned to this category are to be managed in ways that recognize the importance ascribed to them and seek to accommodate their continuing traditional use.

Management Direction

Compliance Directives

1. Avoidance is the preferred treatment.

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2. If avoidance is impossible, then data recovery and/or other acceptable measures will be implemented after consultation with the involved group(s) but before implementation of the proposed activity.

Resource Management Directives

1. Resources in this category are available for use by representative members of Native American tribal groups or other groups for limited collection of materials, non-destructive group uses, or other traditional uses.
 - a. Management should accommodate continued site access to the extent and manner possible.
 - b. Sites should be monitor annually to ensure that site use is not adversely affecting the site. Monitoring should include representatives of the involved group in assessing site condition.
 - c. Sites may be protected by fencing, road closures, etc., provided there has been consultation with the group(s) using the resource.

D. Public use. This category may be applied to any cultural property found to be appropriate for use as an interpretive exhibit in place, or for related educational and recreational uses by members of the general public. The category may also be applied to buildings suitable for continued use or adaptive use, for example, as staff housing or administrative facilities at a visitor contact or interpretive site, or as shelter along a hiking trail.

Management Direction

Compliance Management

1. Interpretation through development of on site facilities and/or published materials made available to the public is the identified treatment. Interpretation will be based on appropriate archaeological excavation and analysis, historic research, ethnographic research, or any combination of data gathering. Interpretation and development of information will reflect consultation with the SHPO.

Resource Management Directives

1. These sites are available for educational and recreational use by the general public. Testing, data recovery, historic research, oral histories, ethnographic research, and other treatment may be necessary to gather sufficient information for suitable educational and interpretive uses, to prevent damage from proposed recreational or educational uses, or both. Interpretation and development of information will reflect consultation with SHPO.
2. Existing public roads will be retained in their current use to provide for continued public access.
3. Signage may be part of the interpretive efforts when consistent with standards of size and appearance within the planning area.
4. Fences, erosion control devices, and other protective structures may be constructed to prevent or limit site damage.

E. Experimental Use. This category may be applied to a cultural property judged well-suited for controlled experimental study, to be conducted by BLM or others concerned with the techniques of managing cultural properties, which would result in the property's alteration, possibly including loss of integrity and destruction of physical elements. Committing cultural properties or the data they contain to loss must be justified in terms of specific information that would be gained and how it would aid in the management of other cultural properties. Experimental study should aim toward understanding the kinds and rates of natural or human-caused deterioration, testing the effectiveness of protection measures, or developing new research or interpretation methods and similar kinds of practical management information. It should not be applied to cultural properties

with strong research potential, traditional cultural importance, or good public use potential, if it would significantly diminish those uses.

Management Direction

Compliance Directives

1. These sites are reserved for studies concerning the effects of erosion, fire, or other site formational processes on cultural resources. The preferred Sec. 106 treatment for sites placed in the Experimental Use that are actively engaged in an Experimental Use Study will be avoidance so that the study can continue. If avoidance is impossible, then the site may be placed in the Discharged from Management category, or may undergo data recovery or other treatment depending on National Register eligibility and other factors. SHPO will be consulted concerning treatment of eligible properties.

Resource Management Directives

1. Experimental use studies should be implemented to collect information on the effects of erosion, fire, or other site formational processes. If the BLM determines that the useful experimental life of the site is exhausted, then it can be placed into Discharged from Use or other appropriate category. If BLM determines there will be an adverse effect to an Experimental Use category site that is listed on or eligible for the National Register, SHPO will be consulted regarding continued placement of the site in this category.

F. Discharged from Management. This category is assigned to cultural properties that have no remaining identifiable use. Most often these are prehistoric and historic archaeological properties, such as small surface scatters of artifacts or debris, whose limited research potential is effectively exhausted during documentation. Also, more complex archaeological properties that have had their salient information collected and preserved through mitigation or research may be discharged from management, as should cultural properties destroyed by any natural event or human activity. Properties discharged from management remain in the inventory, but they are removed from further management attention and do not constrain other land uses. Particular classes of unrecorded cultural properties may be named and described in advance as dischargeable upon documentation, but specific cultural properties must be inspected in the field and recorded before they may be discharged from management.

Management Direction

Compliance Directives

1. SHPO concurrence is required before any eligible or unevaluated property is placed in this use category.
2. Appropriate consultation is required before any site that is of cultural or religious significance to a tribe or other group is placed in this category.

Resource Management Directives

1. Same as compliance.

G. Traditional/Scientific Use. This category is assigned to cultural properties that require an emphasis on traditional use, as defined in C above, as their primary use and on scientific use, as defined in A above, as their secondary use. Where conflicts exist in use, the directives associated with the primary use prevail.

Management Direction

Compliance Directives

1. In consultation with affected tribes or other groups, develop appropriate mitigation actions.
 - a. Do not approve any land use impacting sites in this category until the consultation process is complete and any necessary treatment plans are developed and implemented.

Resource Management Directives

1. These sites will be available for use by traditional users for limited collection of materials or non-destructive group uses. Management should accommodate continued site access to the extent and manner possible.
2. Research, that does not conflict with traditional use, or that may enhance traditional use, may be allowed after consultation with affected tribes or other groups.

H. Public/Scientific Use. This category is assigned to cultural properties that are most valuable for Public use, as defined in D above, and that may be used available for scientific use, as defined in A above, that enhances the properties public use

Management Direction

Compliance Directives

1. Interpretive and educational actions, including but not limited to on site interpretation, signage or publications, is the preferred treatment action.
2. Data recovery, or other treatments, that do not diminish the Public Use Value of the resource, may be authorized.
 - a. As much as practical, data recovery, or other treatment actions, will involve volunteers and be open to the public in ways that do not interfere with treatment activities.

Resource Management Directives

1. These sites will be available for educational and recreational use by the general public. Testing, data recovery, and other treatment may be necessary to gather sufficient information for suitable educational and interpretive uses, or to treat damage from recreational uses.

I. Conservation/Scientific Use. This category is assigned to cultural properties that are primarily valuable for conservation use, as defined in B above, and that may be used for scientific purposes, as defined in A above, that do not conflict with conservation use. Where conflicts exist in use, the directives associated with the primary use (Conservation) prevail. The land on which these sites are situated is not available for disposal.

Management Direction

Compliance Directives

1. Avoidance is the primary treatment action. Discretionary actions will be denied within the boundaries of the resource.
2. Where avoidance is not possible, data recovery, or other treatment is required.

Resource Management Directives

1. Sites in this category will be managed to avoid degradation from land uses and from natural processes. This can include implementation of actions such as fencing, construction of erosion control devices, road closures, etc.
2. Sites may be assigned to other uses after consultation with the SHPO to develop appropriate research or interpretation plans.

I. Conservation/Public Use. This category is assigned to cultural properties that are primarily valuable for conservation use, as defined in B above, and that may be used for public purposes, as defined in D above, that do not conflict with conservation use.

Management Direction

Compliance Directives

1. Avoidance is the primary treatment action.
2. Data recovery, or other treatment that does not conflict with conservation, may be allowed.

Resource Management Directives

1. Sites in this category will be managed to avoid degradation from land uses and from natural processes.

Sites may be used for interpretation or other public uses after consultation with the SHPO to ensure that adverse effects from these activities are avoided. Treatment of effects may include data recovery.

Properties of Cultural and Religious Importance

Use categorizations would be established during the planning process with appropriate Native American groups. Use categories applicable to properties of traditional religious and cultural importance are limited to traditional use, conservation use, and traditional/scientific use using definitions established above and may be modified as a result of the Native American consultation process. In addition, the category of scientific use, as defined in the cultural resource section above, might apply to human burials recovered prior to enactment of NAGPRA and determined by BLM as unaffiliated. The category of discharged from management could also be employed, provided the original basis for the property's importance was deemed absent or destroyed, based on appropriate consultation. The category of "conservation for future use" would exclude traditional uses in order to allow the property (e.g., a resource area) to re-establish those qualities that form the basis for the traditional use. Use of this category would have to reflect consultation and must identify conditions under which traditional use would eventually resume.

A. Traditional Use. This category is to be applied to any properties of traditional religious and cultural importance known to be perceived by a specified social and/or cultural group as important in maintaining the cultural identity, heritage, or well being of the group. Properties assigned to this category are to be managed in ways that recognize the importance ascribed to them and seek to accommodate their continuing traditional use.

Management Direction

Compliance Directives

1. Avoidance is the preferred treatment.
2. If avoidance is impossible, then data recovery and/or other acceptable measures will be implemented after consultation with the involved group(s) but before implementation of the proposed activity.

Resource Management Directives

1. Resources in this category are available for use by representative members of Native American tribal groups or other groups for limited collection of materials, non-destructive group uses, or other traditional uses.
 - a. Management should accommodate continued site access to the extent and manner possible.
 - b. Sites should be monitor annually to ensure that site use is not adversely affecting the site. Monitoring should include representatives of the involved group in assessing site condition.
 - c. Sites may be protected by fencing, road closures, etc., provided there has been consultation with the group(s) using the resource.
2. Ethnographic studies will be initiated when funding is available to identify these types of properties and to ensure that they receive the desired level of management.

B. Traditional/Scientific Use. This category is assigned to properties of traditional religious and cultural importance that require an emphasis on traditional use, as defined in C above, as their primary use and on scientific use, as defined in the cultural resource categories, as their secondary use. Where conflicts exist in use, the directives associated with the primary use prevail.

Management Direction

Compliance Directives

1. In consultation with affected tribes or other groups, develop appropriate mitigation actions.
 - a. Do not approve any land use impacting sites in this category until the consultation process is complete and any necessary treatment plans are developed and implemented.

Resource Management Directives

1. These sites will be available for use by traditional users for limited collection of materials or non-destructive group uses. Management should accommodate continued site access to the extent and manner possible.
2. Ethnographic studies will be initiated when funding is available to identify these types of properties and to ensure that they receive the desired level of management. Additional research that does not conflict with traditional use, or that may enhance traditional use, may be allowed after consultation with affected tribes or other groups.

C. Conservation for Future Use. This category is reserved for any unusual property of traditional religious and cultural importance, which, because of scarcity, singular cultural importance, or comparable reasons, is not currently available for consideration as the subject of scientific or historical study or traditional use that would result in its physical alteration. Properties of traditional religious and cultural importance in this category must be determined eligible for, or listed on, the National Register of Historic Places. A property included in this category is deemed worthy of segregation from all other land or resource uses, including cultural resource uses, that would threaten the maintenance of its present condition or setting, as pertinent, and will remain in this use category until specified provisions are met in the future.

Management Direction

Compliance Directives

1. Avoidance is the preferred mitigation measure. Discretionary activities will be denied within boundaries of these resources. The land on which these sites are situated is not available for disposal.
 - a. If avoidance is impossible, then data recovery or other acceptable measures will be allowed after going through the required consultation processes. Since the majority of the plan area is for National Conservation Area and Wilderness, we anticipate that avoidance will be possible in the vast majority of cases with uncontrolled erosion being the most likely cause of data recovery efforts. For many of the sites in this category, the setting will be an important factor of the site's importance and integrity. In these cases, Visual Resource Management (VRM) prescriptions will be implemented to lessen effects, generally by conformance to VRM Class II standards. Other management efforts will also be taken to lessen noise and impacts to atmospheric elements.

Resource Management Directives

1. Properties in this category have the highest priority for protection and preservation and will not be available for other current uses, including research or interpretation.

a. A resource listed in the Conservation for Future Use category may be placed in another use management category if: (1) BLM identifies the specific criteria underlying this classification, (2) the specific reasons for prohibitions or limitations are identified, and (3) BLM identifies or accepts methodological, technological or other criteria that if met or implemented justify alterations to the integrity of the resource and placement in another use category.

2. Protective actions may be taken to ensure preservation of those qualities providing the basis for classification. These actions, such as fencing, installation of erosion control structures, road closures, etc., must not impinge on the values and integrity of the site. Resources in this use category will be monitored at least semi-annually to assess potential threats.

Specific information about properties of traditional religious and cultural importance within the study area is very limited, reflecting a general lack of formal consultation and data collection. Such consultation should occur in the future to gather important data. Until that is done, existing cultural resources overviews and other reports (e.g., Bengston 2002) prepared by anthropologists and archaeologists are used. Property type categories are generalized from information gathered from Northern Paiute informants in the past and in the present. The discussion reflects a combination of very little specific knowledge but a broad awareness of the kinds of places, sites, resources and issues identified nearby and, in some cases, even within the study area.

One known resource of concern may be within the study area (Bengston 2002:Figure D5). However, properties of traditional religious and cultural importance may exist in the study area and may fit into one of the categories listed below or in others, yet to be identified.

Paleontological Use Categories

For purposes of management under terms of the NCA plan, a set of use categories similar to those applied to cultural resources is in effect.

A. Scientific Use. This category applies to any paleontological locality with known or potential vertebrate fossils or noteworthy occurrences of invertebrate or plant fossils available for consideration as the subject of scientific study at the present time, using currently available research techniques. Study includes methods that would result in the physical alteration or destruction of some, or all, of the locality. Recommendations to allocate individual localities to this use must be based on documentation of the kinds of scientific research potential the locality is known or thought to contain and the data's importance for pursuing specified research topics. Localities in this category need not be conserved in the face of a research or mitigation proposal that would make adequate and appropriate use of the locality's research importance.

Management Direction

Compliance Directives

1. Mitigation rather than avoidance is the preferred option. Mitigation must be accomplished prior to impacts from conflicting uses or natural or human caused deterioration, or is undertaken to ameliorate impacts that have already occurred. Mitigation may be accomplished by means of collection of data and fossil material, obtaining representative samples of fossils, avoidance, or no action. Qualified persons holding a BLM-issued permit reflecting an accepted research design accomplish mitigation. Appropriate curation of specimens and records is required.

2. Monitoring during project development will be conducted at a level of intensity appropriate for the apparent sensitivity of the geologic unit or area being affected, based on results of analysis of existing data and/or field inventory.

Resource Management Directives

1. Resources in this category are available for testing and excavation by qualified researchers operating under valid permits with accepted research designs. Preference will be given to research proposals emphasizing priorities established in this plan. Resources in this category may be discharged from use once the locality has no further scientific use, or a resource in this category may be assigned to the Conservation for Future Use if determined appropriate based on results of scientific research.

B. Conservation for Future Use. This category is reserved for any unusual fossil locality, which because of scarcity, a research potential that surpasses the current state of the art, singular importance, scientific importance or comparable reasons, is not currently available for consideration as the subject of scientific study that would result in its physical alteration. A fossil locality included in this category is deemed worthy of segregation from all land or resource uses that would threaten the maintenance of its present condition, and will remain in this use category until specified provisions are met in the future.

Management Direction

Compliance Directives

1. Avoidance is the preferred mitigation measure. Discretionary activities will be denied within boundaries of these localities. The land on which these sites are situated is not available for disposal.
 - a. If avoidance is impossible, then mitigation will be allowed, per that described for mitigation under compliance for resources assigned to Scientific Use. Since the majority of the plan area is for National Conservation Area and Wilderness, we anticipate that avoidance will be possible in the vast majority of cases with uncontrolled erosion being the most likely cause of mitigation efforts.

Resource Management Directives

1. Sites in this category have the highest priority for protection and preservation and will not be available for other current uses, including research or interpretation.
 - b. A resource listed in the Conservation for Future Use category may be placed in another use management category if: (1) BLM identifies the specific criteria underlying this classification (for example, outstanding research potential), (2) the specific reasons for prohibitions or limitations are identified, and (3) BLM identifies or accepts methodological, technological or other criteria that if met or implemented justify alterations to the integrity of the resource and placement in another use category.
2. Protective actions, such as fencing, installation of erosion control structures, road closures, etc., may be taken to ensure preservation of those qualities providing the basis for classification. Resources in this use category will be monitored at least semi-annually to assess potential threats.

C. Discharged from Management. This category is assigned to fossil localities having either (1) no further scientific use or (2) are established through appropriate means of inventory and evaluation by qualified persons as having no potential for important vertebrate fossils or noteworthy occurrences of invertebrate or plant fossils. Properties discharged from management remain in the inventory, but they are removed from further management attention and do not constrain other land uses

Management Direction

Compliance Directives

1. With certain exceptions, appropriate formal analysis is required to place a fossil locality in this category. Common invertebrate fossils and locations of petrified wood are placed in this category, subject to certain exceptions that may be established to preserve unusual, rare or noteworthy examples. For paleontological localities, Discharged from Use means that management of these resources will be the same as for other rocks and minerals in the planning area.

Resource Management Directives

1. Common plant and invertebrate fossils and petrified wood are placed in this category, subject to certain exceptions that may be established to preserve unusual, rare or noteworthy examples. For Paleontological resources, Discharged from Use means that management of these resources will be the same as for other rocks and minerals in the planning area

D. Conservation/Scientific Use. This category is assigned to paleontological properties that are primarily valuable for conservation use, as defined in B above, and that may be used for scientific purposes, as defined in A above, that do not conflict with conservation use. Where conflicts exist in use, the directives associated with the primary use (Conservation) prevail.

Management Direction

Compliance Directives

1. Avoidance is the primary treatment action. Discretionary actions will be denied within the boundaries of the resource.
2. Where avoidance is not possible, data recovery, or other treatment is required.

Resource Management Directives

1. Sites in this category will be managed to avoid degradation from land uses and from natural processes. This can include implementation of actions such as fencing, construction of erosion control devices, road closures, etc.
2. Sites may be assigned to other uses after development of appropriate research or interpretation plans.

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