

**Advisory Council on
Historic Preservation**
1522 K Street N.W.
Washington, D.C. 20005

**Memorandum of Understanding
Between the
U.S. Department of Agriculture, Forest Service
and the
Advisory Council on Historic Preservation**

WHEREAS, the United States Department of Agriculture, Forest Service manages the National Forest System and among other things, is directed by Congress to develop land use plans for this system under the Renewable Resources Planning Act of 1974 (88 Stat. 476; 16 U.S.C. 1601-1610) as amended by the National Forests Management Act of 1976 (90 Stat. 2947); and

WHEREAS, the Advisory Council on Historic Preservation and the United States Forest Service have met and reviewed the land use planning process of the Forest Service and its relation to compliance with Section 106 of the National Historic Preservation Act (80 Stat. 915, 16 U.S.C. 470f) and Executive Order 11593, May 13, 1971, "Protection and Enhancement of the Cultural Environment," as implemented by the Council's "Procedures for the Protection of Historic and Cultural Properties," (36 C.F.R. Part 800) (hereafter "Procedures"); and

WHEREAS, in order to implement its responsibilities under the Resources Planning Act, the Forest Service prepares a number of plans in order to localize and refine national, regional, and agency-wide goals and policies for land under Forest Service jurisdiction and control and these plans include Area Guides, Forest Land Management Plans, Unit Plans, Resource Plans, and Project Plans; and

WHEREAS, Area Guides, Forest Land Management Plans, some Unit Plans and some Resource Plans, as defined in applicable Forest Service documents, do not directly authorize or result in activities that may have an effect on properties included in or eligible for inclusion in the National Register of Historic Places; and

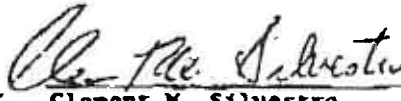
WHEREAS, some Unit Plans, Resource Plans and Project Plans, may authorize land disturbing activities that may have an effect on properties included in or eligible for inclusion in the National Register of Historic Places; now


THEREFORE, it is mutually understood that:

- (1) Area Guides and Forest Land Management Plans do not have an effect on properties included in or eligible for inclusion in the National Register of Historic Places as defined in Section 800.8 of the Council's Procedures.

Proposed Memorandum of Understanding
Between the U.S. Department of Agriculture, Forest Service
and the Advisory Council on Historic Preservation

- (2) Unit Plans and Resource Plans that do not directly authorize land disturbing activities do not have an effect on properties included in or eligible for inclusion in the National Register of Historic Places as defined in Section 800.8 of the Council's Procedures.
- (3) Unit Plans that directly authorize land disturbing activities which may have an effect on properties included in or eligible for inclusion in the National Register of Historic Places will be subject to review in accordance with the Council's Procedures.
- (4) Individual Project Plans and Resource Plans authorizing land disturbing activities will be subject to review in accordance with the Council's Procedures.
- (5) The Council, pursuant to its Procedures, may comment on any Area Guide, Forest Land Management Plan or Unit Plan that in its judgment may have an effect as defined in Section 800.8 on properties included in or eligible for inclusion in the National Register of Historic Places and the Forest Service agrees to provide the Council with copies of environmental statements prepared pursuant to the National Environmental Policy Act.
- (6) The Advisory Council and the Forest Service agree to consult on changes to the Forest Service Manual and directives to the field that will reflect this Memorandum of Understanding.
- (7) The Forest Service and the Council shall review the provisions of this Memorandum on an annual basis to determine whether modification or termination is appropriate. Should the current land use planning process of the Forest Service be revised or suspended, the Forest Service shall inform the Council and they shall mutually determine whether the provisions of this Memorandum shall continue to apply.

 (Date) February 25, 1977
Clement M. Silvestro
Chairman, Advisory Council on Historic
Preservation

 (Date) 5/19/77
John A. England
Chief, Forest Service
U.S. Department of Agriculture