

**Forest Service Handbook
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**Forest Service Handbook 2309.12 – Heritage Program Management Handbook
Chapter 20 - Planning**

Amendment: 2309.12-2015-1

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Approved by: Leslie A. C. Weldon, Deputy Chief, NFS

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Responsible Staff:

Last Change:

Superseded Document(s):

Digest: Following is an explanation of the changes throughout the directive by section.

2309.12: Establishes new handbook “FSH 2309.12, Heritage Program Management Handbook.”

Zero code: Establishes codes, captions, and sets forth new direction for the management of the Heritage Program.

10: Establishes codes, captions, and sets forth direction for the coordination and consultation requirements for the Heritage Program.

20: Establishes codes, captions, and sets forth direction for the planning requirements for the Heritage Program.

30: Establishes codes, captions, and sets forth direction for the identification, evaluation, and allocation for management use requirements for the Heritage Program.

40: Establishes codes, captions, and sets forth direction for protection and stewardship requirements for the Heritage Program.

50: Establishes codes, captions, and sets forth direction for public education and outreach requirements for the Heritage Program.

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60: Establishes codes, captions, and sets forth direction for the management of heritage collections for the Heritage Program.

70: Establishes codes, captions, and sets forth direction for administering the permits, agreements, and contracts for the Heritage Program.

80: Establishes codes, captions, and sets forth direction on the uniform guidance and procedures for Heritage professionals to manage and report cultural resource information.

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This chapter provides uniform guidance for Heritage professionals performing Heritage Program and land use planning and analysis. Use this direction, in conjunction with FSM 2362, to:

1. Integrate Heritage Program goals and objectives in land use and program planning at all Forest Service organization levels, coordinating with other Federal, State, Tribal, and local agencies, and historic preservation organizations to include current issues and opportunities. (FSM 2362.1 and 2362.2)
2. Develop Heritage Program Plans to support long-term management of Priority Heritage Assets and to meet the Heritage Program Managed to Standard performance measure (FSM 2362.3 and 2362.4).

20.4 – Responsibility

Heritage professionals shall:

1. Develop Heritage Program Plans as defined in FSM 2362.3 to identify priorities and guide implementation of projects and activities, public awareness and education, and cultural resource protection and conservation.
2. Coordinate with other Forest Service resource programs to develop a program of work that meets the Heritage Program Managed to Standard performance measure.
3. Prepare Historic Property Plans for Priority Heritage Assets and historic properties to guide their long-term protection, management, and public use.
4. Coordinate and integrate short- and long-term historic preservation planning with other Federal and State agencies, Indian Tribes, and local historic preservation interests.
5. Participate in all scales of Agency land use and project planning using current cultural resource data and best available technologies.
6. Develop predictive models, site identification strategies, and inventory plans to assist in planning and in designing and implementing field surveys. See chapter 30 of this Handbook, section 32.12.

21 – Heritage Program Planning

Heritage Program Planning is the basis of program management and should reflect the three primary areas of Heritage Program responsibility as described in FSM 2360.6, include a written Heritage Program Plan as described in FSM 2362.3, and ultimately result in a Heritage Program Managed to Standard.

The following Exhibit displays elements of Heritage Program responsibility, a Heritage Program Plan, and the Heritage Program Managed to Standard performance measure to show how each supports and reflects the others.

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21 - Exhibit 01

Relationship of Heritage Program Responsibilities, Plans, & Performance Measure

<p>FSM 2360.6 – Heritage Program Responsibilities</p> <p>Protect historic properties.</p> <p><i>Stewardship:</i> the identification, formal recognition, protection, and management of historic properties on National Forest System lands</p> <p>Share their values with the American people.</p> <p><i>Public Service:</i> the development, enhancement, interpretation, and use of cultural resources for Agency and public benefit.</p> <p>Contribute relevant information and perspectives to natural resource management.</p> <p><i>Contribution to natural resource management:</i> the use of cultural resource data to help understand the evolution and condition of ecosystems.</p>	<p>FSM 2362.3 – Heritage Program Planning</p> <ol style="list-style-type: none"> 1. A synthesis of known cultural resources, traditionally known as a Cultural Resource Overview. 2. A synthesis of projected cultural resource numbers, types, and locations based on predictive modeling, site identification strategies, and known cultural resources. 3. Goals and objectives for managing cultural resources with projected annual accomplishments through preservation, research, education, interpretation, and tourism. 4. Annual monitoring targets to assess site conditions and to measure success of treatment or mitigation measures. 5. Protocols for responding to unanticipated discovery of cultural resources or human remains, as required by 36 CFR 800.13 and NAGPRA. 6. Protocols for responding to damage to or theft of cultural resources. 7. Direction for the protection of cultural resources vulnerable to catastrophic fires or other natural or human-caused damage or emergencies. 	<p>FSH 2309.12, Chapter Zero Code, Section 07.3 – Heritage Program Managed to Standard</p> <ol style="list-style-type: none"> 1. Heritage Program Plan is in place that includes the 7 items in FSM 2362.3. 2. Field Survey of National Forest System lands where cultural resources are most likely to occur is conducted on a scheduled basis. 3. Legacy cultural resources are evaluated for National Register eligibility. Legacy historic properties are nominated for special designations. 4. Condition assessments on Priority Heritage Assets (PHAs) are current and include allocation to management categories. 5. Cultural Resource stewardship activities are accomplished to protect and maintain PHAs. 6. Opportunities for study and/or public use are offered including scientific investigation, public dissemination of research results, adaptive reuse of historic properties, traditional use, interpretation, or other public outreach through Windows on the Past. 7. Volunteer hours are contributed to activities that enhance cultural resource stewardship and conservation and expand the capacity, visibility, and delivery of the Heritage Program.
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Integrate Heritage Program planning with historic preservation initiatives, plans, and policies of other Federal, State, Tribal, and local agencies, and historic preservation organizations.

Develop a National Heritage Program Plan that includes guidance for implementation of all three areas of Heritage Program responsibilities.

Include specific Heritage Program direction in other sections of the FSM.

Develop Regional Heritage Program Plans based on Regional priorities and issues.

Regions may develop programmatic agreements, policy, and direction as Regional supplements to FSM 2360.

Develop Forest/Grassland Heritage Program Plans that incorporate National and Regional goals and strategies, and that include individual program needs, issues, and opportunities.

21.1 – Heritage Program Plans

Heritage Program Plans describe the desired condition and objectives of the Heritage Program on the Forest Service unit. Heritage Program Plans contain information that can be used to inform Forest/Grassland land management plans, facility master plans, and other broad-scale land use assessments.

Heritage Program planning should be interdisciplinary, collaborative, visible, and continuous. At a minimum, a Heritage Program Plan should include the following information.

1. A synthesis of known cultural resources, traditionally known as a Cultural Resource Overview.
 - a. Archaeological, historical, and ethnographic background.
 - b. Cultural resource distribution, density, and diversity.
 - c. Physical condition of cultural resources.
 - d. Existing and foreseeable threats to cultural resources.
 - e. Traditional values ascribed to cultural resources.
 - f. Historic contexts represented by the cultural resources on the unit.

2. A synthesis of projected cultural resource numbers, types, and locations based on predictive modeling, site identification strategies, and known cultural resources.
3. Goals and objectives for managing cultural resources with projected annual accomplishments through preservation, research, education, interpretation, and tourism.
 - a. Management Category allocation.
 - b. Cultural resource uses and socioeconomic benefits.
 - c. National Register eligibility and other special designation status.
 - d. Public education, interpretation, and involvement potential.
 - e. Study, research, and professional contribution potential.
4. Annual monitoring targets to assess site conditions and to measure success of treatment or mitigation measures.
5. Protocols for responding to unanticipated discovery of cultural resources or human remains, as required by section 800.13 of Title 36, Code of Federal Regulations, Part 800 – Protection of Historic Properties and the Native American Graves Protection and Repatriation Act (NAGPRA) (25 U.S.C. 3001 et seq.).
6. Protocols for responding to damage to or theft of cultural resources.
7. Direction for the protection of cultural resources vulnerable to catastrophic fires or other natural or human-caused damage or emergencies (36 CFR 800.12).
8. A collections management plan.
9. Schedules and protocols for information management in Heritage NRM and GIS.

A Forest/Grassland Heritage Program Plan must be reviewed by the Regional Heritage Program Leader and approved by the Forest/Grassland Supervisor before it can be counted toward satisfying the Heritage Program Plan performance indicator of the Heritage Program Managed to Standard.

21.2 – Historic Property Plan

For related direction see FSM 2362.4.

Develop a Historic Property Plan (HPP) for Priority Heritage Assets (PHAs), individual historic properties, and classes of similar historic properties to guide their long-term management and protection. An HPP should tier to Heritage Program desired conditions, objectives, issues, and opportunities in the Forest or Grassland plan, Cultural Resource Overview, broad-scale National

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Forest Management Act of 1976 as amended (NFMA)(16 U.S.C. 1600-1614) analyses, or other heritage planning documents, as appropriate.

1. Incorporate views and concerns of other Forest Service Resource Specialists, the State Historic Preservation Officer (SHPO), Indian Tribes, local governments, and other interested parties, as appropriate.
2. Insure that maintenance standards, protection measures; and conservation proposals are appropriate, achievable, and consistent with management use allocation.
3. Omit legal descriptions and maps if there is sufficient reason to expect that public disclosure would lead to unauthorized activities.
4. Contain monitoring provisions to evaluate the effectiveness of treatments implemented and need for revision.

FSM 2362.4 defines minimal HPP content and format. In addition, an HPP may include provisions for site development, interpretation, disaster planning (such as for wildfire or hurricanes), business-financial operations, and other considerations.

An HPP content varies based on the scale and attributes of the individual or collection of properties. The existing condition, long-term management goals and objectives and desired future condition, and maintenance standards are critical. Include these in all HPPs. Develop other HPP components based on management need and priority.

Seek SHPO and other external review of an HPP when appropriate. A Line Officer shall approve all completed HPPs.

The Freedom of Information Act as amended (FOIA) (5 U.S.C. 552) and Title 36, Code of Federal Regulations, Part 296 – Protection of Archaeological Resources: Uniform Regulations, provide for confidentiality if disclosure of site information in the HPP could lead to its degradation or loss. Clearly identify information within the HPP that warrants confidentiality.

For a historic property managed by another program area (for example, historic rental cabins managed by the Recreation Program), ensure that the managing program incorporates the property's HPP (or its content) into the appropriate Facility Master Plan or similar management direction and guidance.

Update, revise, and expand HPPs as necessary to stay current with on-going activities and management issues related to the historic property(s). Ensure other programs incorporate changes in the Facility Master Plans or other management guidelines when the Heritage Program is not responsible for management of the historic property.

21.3 – Priority Heritage Assets and Heritage Program Planning

The Statement of Federal Financial Accounting Standards 29 (see FSM 2360.1) defines cultural resources as Heritage Assets. The Forest Service has further defined Priority Heritage Assets (PHAs) as those Heritage Assets of distinct public value that are or should be actively maintained and meet one or more of the following criteria:

1. The significance and management priority of the property is recognized through an official designation such as listing on the National Register of Historic Places or other designations. Example: Listing an important military wagon road as a National Historic Trail.
2. The significance and management priority of the property is recognized through prior investment in preservation, interpretation, and use. Example: Intensive investigation, stabilization, and interpretation of Gold Rush-era Chinese mining ruins.
3. The significance and management priority of the property is recognized in an agency-approved management plan, with a schedule for on-going maintenance, indicating that the agency intends to protect and use the property. Example: Development and implementation of a Historic Property Plan for an area containing extensive galleries of prehistoric rock art.
4. The property exhibits critical deferred maintenance needs and those needs have been documented. Critical deferred maintenance is defined as a potential health or safety risk or imminent threat of loss of significant resource values. Example: Woodland village cultural deposits slumping and eroding from a riverbank which require bank stabilization.

A multiple-use asset (MUA) is a historic property that is managed and maintained by another Forest Service resource program, such as a historic administrative facility that is still in use and maintained by Engineering. MUAs can also be PHAs; however, maintenance items for MUAs are captured in the work items area of the buildings and bridges modules of Infra/NRM. Like PHAs, the PHA/MUA must be linked to a condition assessment every 5 years.

Determine which historic properties and cultural resources meet the definition of a Priority Heritage Asset (PHA) based on archaeological, historical, architectural, or cultural values, and PHA criteria as part of Heritage Program planning.

Identify PHAs in the Heritage NRM database.

PHA designation is a continuous planning and evaluation process. Evaluate newly identified cultural resources for PHA designation. Evaluate previously identified cultural resources and/or PHAs whose condition changes due to natural events, public use, or Agency activities.

Monitoring and condition assessment of PHAs at least once every 5 years is necessary and is a Heritage NRM reporting requirement.

22 – Heritage Program Planning Integration into Forest Service Planning

For related direction see FSM 2362.2.

Participate as a member of Interdisciplinary Teams to provide Heritage Program and cultural resource information in:

1. Forest/Grassland planning (National Forest Management Act);
2. Broad-scale assessments or analyses;
3. Other resource program plans of work; and
4. Project planning (National Environmental Policy Act), as applicable.

Each planning scale has different cultural resource information and analysis requirements, as summarized in the following exhibit.

Cultural Resource Information Needs by Planning Scale

	Cultural Resource Overview	Desired Conditions	Compliance (NHPA, ARPA, NAGPRA)	Cultural Resource Description	Field Survey	Monitoring Plan
Forest-Grassland	A	A	A	A	C	A
Broad-Scale	C	A	A	A	C	C
Other Resource Programs	C	C	A	C	C	C
NEPA Project	C	C	A	A	A	C

A = always; C = contingent on intent, scope, and goals of planning effort.

Desired condition describes the intended condition of cultural resources.

22.1 – Forest/Grassland Planning under National Forest Management Act

Participate as an Interdisciplinary Team member in Forest/Grassland plan assessment, development, implementation, monitoring, revision, and amendment as set forth in the National Forest Management Act (NFMA) and its implementing regulations at Title 36, Code of Federal Regulations, Part 219 – Planning, Subpart A – National Forest System Land and Resource Management Planning.

Include the following information in Forest/Grassland land management plan documents:

1. A synthesis of known cultural resources and descriptions of historic properties and other categories of cultural resources in the planning area as part of the assessment (see FSH 1909.12, ch. 10, sec. 13.8 Cultural Resource Overview);
2. Desired conditions, objectives, standards, and guidelines related to cultural resources in the plan (see FSH 1909.12, ch. 20, sec. 23.23g);
3. Other plan content, as appropriate, for inclusion in a land management plan such as distinctive role and contribution, monitoring questions, indicators, and agreement, management approaches, partnerships, and other coordination opportunities (36 CFR 219.7(f) and FSH 1901.12, ch. 20, secs. 22.3 and 22.4); and
4. Description of the effects of the planning decision and any alternatives considered on cultural resources in any applicable environmental documentation.

Use existing cultural resource site data in Heritage NRM, GIS layers, legacy data, and predictive models to describe cultural resources in the planning area. A field survey is usually not part of Forest/Grassland planning under NFMA; however, if the plan includes land use decisions or recommendations, some level of field survey may be necessary.

Assist as requested in soliciting the views and perspectives of Indian Tribes, local communities, and historic preservation interests at the appropriate points in the NFMA planning process. See chapter 10 of this Handbook for guidance on coordination and consultation.

22.2 – Broad-scale Assessments

Landscape-Watershed analyses and other broad-scale or integrated resource assessments or studies are a component of ecosystem management. They describe interactions among ecosystems, resources, and humans within a specific geographic area and are often the basis for planning and implementing site-specific projects that require NEPA review.

Participate as an Interdisciplinary Team member in broad-scale, integrated resource assessment efforts.

Conduct reconnaissance and/or sample surveys as warranted to fill in data gaps and identify potential resource conflicts. An intensive survey is usually impractical and inappropriate at this scale.

In addition to the cultural resource information included in Forest/Grassland land management plans described above, include the following information in broad-scale, integrated resource land management analyses and studies:

1. Description of cultural resources known to exist on non-National Forest System lands such as in-holdings of land adjacent to the planning area or of the surrounding non-National Forest System lands if the Forest/Grassland tract is isolated from contiguous properties.
2. Prioritized needs and opportunities for cultural resource protection and stewardship. See chapter 50, section 54.1 for information on the use of the Heritage Opportunity Spectrum for Tourism to identify opportunities for public use, interpretation, and development of historic properties that are appropriate to specific planning areas.

Coordinate with SHPO, Indian Tribes, and other interested parties as appropriate only when at least one of the following situations is present:

1. Findings in the analysis/study trigger a proposed amendment to the Forest/Grassland plan.
2. The analysis/study includes a site-specific undertaking.

22.3 – Other Resource Program Planning

Coordinate with other Forest Service resource Program Managers to identify cultural resources issues and opportunities in their resource and program planning. For example, a facilities master plan developed by the Engineering Program should incorporate provisions for the protection, maintenance, and NHPA Section 106 compliance review of historic buildings and structures. Wilderness and Wild and Scenic Rivers comprehensive management plans typically require the input of Heritage professionals regarding all cultural resource within the planning area boundaries and their preservation values.

22.4 – Project Planning and Analysis under National Environmental Policy Act

The National Environmental Policy Act includes provisions for the consideration of the human environment, including the historic, cultural, and natural aspects of our national heritage (sec.1508.14 of Title 40, Code of Federal Regulations, Chapter V – Council on Environmental Quality, Part 1508 – Terminology and Index). Processes for environmental review under NEPA may be coordinated with NHPA Section 106 process when analyzing the effects of Federal actions.

Assist the Forest/Grassland Planning staff in all facets of NEPA project planning, analysis, and implementation, including:

1. Participate as a member of the project's NEPA Interdisciplinary Team.

2. Determine the need for NHPA Section 106 review of actions categorically excluded from NEPA and identify those that may be excluded from NHPA Section 106 review per 36 CFR 800.3 (a) (1).
3. Provide assistance to the Agency Official for consultation required by NHPA Section 106 with SHPO, Indian Tribes, Advisory Council, and other consulting parties. See chapter 13 of this Handbook.
4. Complete the NHPA Section 106 review process prior to a signed Record of Decision, Decision Notice/Finding of No Significant Impact, or Categorical Exclusion under NEPA, unless phased compliance procedures have been negotiated in a Memorandum Of Agreement under 36 CFR 800.4(b)(2) and are in place.
5. Implement cultural resource protection and mitigation measures.
6. Assist with analysis and response to public comments during NEPA document review, appeals, and litigation.
7. Schedule and implement project monitoring where protection measures and mitigation of adverse effects are required.

The Tribal Government Relations Program assists the Agency Official and planning staff with matters related to government to government relationships, treaty rights, religious freedom, and other issues (see FSM 2360.81). Assist as appropriate and at the request of Tribal Government Relations Program managers.

22.41 – Cultural Resource Information Needs

Provide at a minimum, the following cultural resource information during NEPA project planning:

1. Cultural overview of the project area (prehistoric, historic, ethnographic).
2. The Area of Potential Effect (APE) subject to NHPA Section 106 review. See 36 CFR 800.4(a).
3. Description of the cultural resource identification efforts and other Heritage Program activities within the APE (both previous and current for the project under consideration). Examples of Heritage Program activities include, but are not limited to ARPA investigations, past or current opportunities for Heritage stewardship projects, and potential Traditional Cultural Property (TCP) or NAGPRA issues.
4. Description of the cultural resources known to exist in the APE, including their National Register eligibility and management use potential (allocation to management category).

5. Description of the potential for undiscovered cultural resources to exist within the APE.
6. Effects analysis (adverse and beneficial) for each alternative developed, including direct, indirect, and cumulative effects to historic properties and unevaluated cultural resources. An effects analysis for cultural resources is required in an Environmental Analysis (EA) or Environmental Impact Statement (EIS) if there are any known cultural resources located within the APE even if they will be avoided during project activities in order to mitigate adverse effects.
7. Recommendations for resolution of adverse effects, including project design criteria and standard treatments as appropriate.
8. Monitoring requirements.

Provide cultural resource information in a report to the project Interdisciplinary Team (IDT) Leader. The report is the basis of the cultural resources section in the NEPA document unless alternate Forest/Grassland NEPA procedures are in place.

Cultural resource data, including NHPA Section 106 reports and cultural resource records, are considered part of the NEPA project record. Before filing cultural resource data in the NEPA project record, determine what material may be exempt from Freedom of Information Act (FOIA) disclosure and clearly mark this material as FOIA exempt. See chapter 86 of this Handbook.

If NEPA analysis is contracted with an environmental or cultural resource consulting firm:

1. Include all cultural resource information components described above in the contract Statement of Work.
2. As a Contracting Officer's Representative (COR) or a Contract Inspector, ensure the adequacy and accuracy of all NEPA cultural resource reports.
3. The Forest Service retains responsibility for NHPA Section 106 consultation with SHPO, Indian Tribes, and other consulting parties.

22.42 – Using the NEPA Process for NHPA Section 106 Purposes

The Agency Official may use the NEPA process to fulfill NHPA Section 106 and 36 CFR 800.3 through 800.6 requirements. This does not reduce or eliminate NHPA Section 106 review, but may provide flexibility in the planning and review process, especially for large projects with multiple alternatives.

Follow the substitution/integration procedures in 36 CFR 800.8 (c) and Council on Environmental Quality Executive Office of the President and Advisory Council on Historic Preservation guidelines in: NEPA and NHPA A Handbook for Integrating NEPA and Section

106 (March 2013). Consult and coordinate with the SHPOs, Tribes, the Advisory Council and other preservation interests, as appropriate, when NEPA is substituted for NHPA Section 106.

When substitution procedures are used, ensure that the legal, definitional, and procedural differences between the NEPA and NHPA Section 106 are understood by Heritage Professionals, NEPA planners, and Line Officers. For example, the term “significance” has different connotations under each law. An Undertaking which is categorically excluded (CE) from NEPA review is not automatically exempt from NHPA Section 106 review.

If the effects of an undertaking on historic properties will be adverse, identify measures in the Categorical Exclusion (Decision Memorandum), Environmental Assessment (Finding of No Significant Effect, FONSI) or Environmental Impact Statement (Record of Decision, ROD) to avoid, minimize, or mitigate such effects. NHPA Section 106 responsibilities are considered satisfied when binding commitment to such proposed measures is incorporated into the Agency decision documents or a Section 106 MOA.