

Natural Resources Conservation Service, USDA

§ 656.2

furnish information and technical assistance as needed and requested to the extent NRCS resources permit.

gram are contained in §631.10 of this chapter.

Subpart D—Emergency Watershed Protection

PART 655 [RESERVED]

§ 654.40 Responsibility for operation and maintenance.

PART 656—PROCEDURES FOR THE PROTECTION OF ARCHEOLOGICAL AND HISTORICAL PROPERTIES ENCOUNTERED IN NRCS-ASSISTED PROGRAMS

(a) *Non-Federal lands.* The need for an O&M agreement will be determined by the State Conservationist. Where an O&M agreement is necessary, the sponsor(s) will provide the O&M and adopt standards for Federal grant property (34 CFR part 256). Where no O&M agreement is necessary, other arrangements will be made for complying with Federal property management.

Sec.
656.1 Purpose.
656.2 Archeological and historical laws and Executive orders applicable to NRCS-assisted programs.
656.3 Policy.
656.4-656.9 [Reserved]

(b) *Federal lands.* The Federal agency administering the Federal land is responsible for operating and maintaining emergency measures installed on Federal land.

AUTHORITY: Pub. L. 86-523, 74 Stat. 220, as amended (16 U.S.C. 469 *et seq.*); Pub. L. 89-665, 80 Stat. 915, as amended (16 U.S.C. 470 *et seq.*); 7 CFR 2.62.

SOURCE: 42 FR 36804, July 18, 1977, unless otherwise noted.

§ 654.41 Performance of operation and maintenance.

§ 656.1 Purpose.

(a) *Arrangement.* O&M is a prerequisite for approval of Federal emergency assistance when:

This part prescribes Natural Resources Conservation Service (NRCS) policy, procedures, and guidelines for the implementation of archeological and historical laws and appropriate executive orders for administering NRCS programs.

(1) The emergency measure needs to be operated and maintained in order to serve its intended purpose, or

§ 656.2 Archeological and historical laws and Executive orders applicable to NRCS-assisted programs.

(2) The emergency measure needs to be operated and maintained to insure that it will not become hazardous.

(a) *The Act of June 27, 1960,* relating to the preservation of historical and archeological data, Pub. L. 86-523, 74 Stat. 220, as amended May 24, 1974; Pub. L. 93-291, 88 Stat. 174 (16 U.S.C. 469 *et seq.*), provides for the preservation of historical and archeological materials or data, including relics and specimens, that might otherwise be lost or destroyed as a result of any Federal or federally-assisted or licensed project, activity, or program.

(b) *Time of operation and maintenance.* The sponsor(s)' obligations for O&M begin when the measure is installed and extend for the duration of the time required for the emergency measure to serve the purpose for which it is installed.

(c) *Performance.* Operation and maintenance is to be performed in a manner that will protect the environment and otherwise comply with NRCS, State, and local requirements. The method of performing O&M is at the option of the sponsor(s).

(b) *The National Historic Preservation Act,* Pub. L. 89-665, 80 Stat. 915, as amended, (16 U.S.C. 470 *et seq.*), authorizes the Secretary of the Interior to maintain and expand a National Register of Historic Places (NRHP), including historic districts, sites, buildings, structures, and objects that are significant in American history, architecture, archeology, and culture. This law also

Subpart E—Great Plains Conservation Program

§ 654.50 Responsibility for operation and maintenance.

Responsibility for practices under the Great Plains Conservation Pro-