

CHAPTER 6
Cultural
Resources

CHAPTER 6 CULTURAL RESOURCES

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CULTURAL RESOURCES



Figure 6-1: Indian burial mounds are a cultural resource that can be found in many Wisconsin forested areas. Although not as large as some, this mound is easily spotted because the understory has been removed. Other mounds may not be as easily detected when forest operations are conducted. All burial mounds and other cemetery areas are protected against unauthorized disturbance.

Forest Management for the Protection of Cultural Resources

This chapter of the guidelines was developed to provide landowners, loggers and resource managers with an increased awareness of cultural resources and recommendations on how to protect them during forest management activities. Those involved in managing forestlands need to understand that:

- Cultural resources are scarce and nonrenewable.
- Good forestland management is compatible with the protection of cultural resources.

There is a growing recognition that cultural resources have value and should be wisely managed. Cultural resources represent parts of an inheritance shared by all people. This heritage is of fundamental value to modern-day societies. Cultural resources often possess spiritual, scientific and other values that are weighed differently by different cultures. Today the management of cultural resources is a necessary component of land stewardship. Additionally, such resources may be protected by federal, state and local laws.

What Cultural Resources Are

Cultural resources include historic structures, archaeological sites, cemeteries, and traditional-use areas, among others. Together, they represent roughly 13,000 years of human occupation in Wisconsin – from the end of the last ice age to the present day. Prehistoric cultural resources reflect the activities of Indian people prior to initial French contact in 1634. Since the first written records of Wisconsin began at that time, 1634 marks the beginning of the historic period. To be considered historic, a cultural resource usually has to be at least 50 years old or older. Types of cultural resources include, but are not limited to:

- **Historic Structures**

- Houses, barns and outbuildings
- Lime kilns
- Bridges and railroad trestles
- Schools and churches
- Stores and office buildings
- Mills and factories

- **Cemeteries**

- Platted cemeteries
- Family cemeteries and individual graves
- Burial mounds

- **Archaeological Sites**

- Campsites and villages
- Caves and rock shelters
- Quarries and flintknapping workshops
- Large animal kill and butchering stations
- Ridged fields and other types of garden beds
- Enclosures and earthworks
- Fish weirs
- Rock art sites
- Ruins of trading posts and homesteads
- Shipwrecks

- **Traditional-use Areas**

- Sugar bushes
- Medicine gathering areas
- Sacred springs
- Ceremonial sites

Economics of Cultural Resource Management

Economically, cultural resource management (CRM) will not usually pay for itself, but some forest landowners will discover that reserved and protected cultural resources can be financial assets – and may require certain accommodations through forest certification programs.

- Cultural resource conservations often contribute to soil, water and wildlife habitat conservation measures.
- The return on investment in the preservation, rehabilitation and adaptive reuse of above-ground cultural resources is often reflected in increased resale values, and may be used as an effective tool for developing a sense of corporate or community identity that encourages new investment.
- A growing number of federal and state laws provide financial incentives for preserving and protecting cultural resources. For example, through conservation easements, landowners may qualify for a federal income tax deduction or property tax credits. Further tax credits are available for National Register-listed properties and burial areas.



Figure 6-2: This millstone was found near the site of a grist mill that burned to the ground in the early 20th-century.



Figure 6-3: On this 1,000-year-old Indian village site, intact archaeological deposits lie only six to 10 inches below the ground surface, and harm can easily be done by very shallow ground disturbance.

Potential Impacts

In general, cultural resources are fragile. Many archaeological deposits lie within a few inches of the ground surface. Hence, even very shallow ground disturbance can destroy the context of artifacts or features such as the dirt floors of ancient houses. Threats range from natural forces (e.g., erosion, flooding, weathering, and fire) to human action (e.g., logging, agriculture, mining, land development, and vandalism). Potentially damaging effects to cultural resources resulting from forestland management activities include:

- Soil disturbance and/or compaction
- A change in the vegetation that is part of a traditional-use area
- Damage to above-ground features

Cultural Resource Management and the Law

The legal basis for cultural resource management (CRM) is rooted in federal and state legislation concerned with natural resource conservation and environmental protection going back to the early 1900s. The National Historic Preservation Act (NHPA) of 1966, as amended, is the centerpiece of the national historic preservation program. It established the National Register of Historic Places and provides for State and Tribal Historic Preservation officers to implement the national preservation program. Section 106 of NHPA requires that federal agencies consider the effects of their activities on cultural resources. Federal law applies whenever activity takes place on federal land, will use federal funds, or will require a federal permit.

The Wisconsin Field Archeology Act requires state agencies to contact the Wisconsin Historical Society (WHS) if the agency's actions may impact an archaeological site or historic structure listed in the WHS cultural resource inventory. State law applies whenever the activity is on state-owned land, will use state funds, or requires a state permit. Harvests that occur without any state involvement are exempt from this review unless new logging roads are to be constructed. Keep in mind that **State law affords special protection to burial sites, regardless of age or land ownership (including private lands)**. All human burials are afforded the same legal protection as platted cemeteries.

The level of protection on a site can vary depending on whether there is federal or state involvement (e.g., funding, licensing, permitting, or if a parcel was purchased in whole or part with funds provided by state or federal funding).



Figure 6-4: Few abandoned buildings from the 19th-century are as intact as this old log house. It is more likely that rotted wood and a cellar depression remain where a building once stood.

Cultural Resource Inventories

The Wisconsin Historical Society maintains an inventory of archaeological and burial sites as well as historic structures reported to their office. However, since most of the state has never been formally surveyed, unreported cultural resources likely outnumber those listed in their inventories. Archaeological sites are more apt to be inventoried if they have been plowed, exposing artifacts on the field surface, or if they have above-ground features such as burial mounds or piles of logging camp refuse. Access to archaeological and burial site inventories may be restricted to protect sites from looting, discourage trespass, and show respect for sites that some regard as sacred. The statewide inventory of known historic structures is openly available through the Wisconsin Historical Society's website at: www.wisconsinhistory.org.

Assessing Cultural Resources

If a forest management parcel has not been previously surveyed for cultural resources, individuals may conduct their own informal assessment of the area's potential for having cultural resources. One might begin by checking existing maps, air photos and printed historical information, and then assess the landscape. The following have high potential for cultural resources:

- Current shorelines or terraces adjacent to lakes, rivers or streams, and shorelines of ancient lakes and old river channels
- Junctions of waterbodies, including river junctions, and lake inlets and outlets
- Peninsulas or points of land along a shoreline, including islands
- Good places to camp, including areas where people camp now
- Areas adjacent to fish spawning beds, good fishing spots and wild rice beds
- Transportation routes (e.g., old trails, roads or portages)

Field Identification of Cultural Resources

During a walk-over inspection of the management area, in preparation for a timber sale, forest managers and landowners may discover unrecorded cultural resources. Some things to look for are:

- High spots offering a panoramic view
- Unusual natural features
- Surface artifacts (check bare spots, tree tip-ups and cut banks)
- Surface features
 - Cellar and well holes
 - Cement or asphalt slabs
 - Fieldstone foundations
 - Miscellaneous building materials (bricks, roofing materials, plaster, and stucco)
 - Metal well pipes
 - Earthen berms and trenches
 - Shallow depressions (such as graves or ricing pits)
- Milled lumber (such as boards suitable for burial crosses, spirit houses or building construction)
- Domestic or nonnative plants (including lilac bushes, fruit trees, forget-me-nots, daylilies, etc.)
- Old roads, trails and portages (especially where two come together)
- Trash dumps containing antique items or jumbo-sized tin cans
- Standing structures and buildings

Assessing Management Alternatives

- **Protection by law.** If the pre-field review indicates that the project area contains a site protected by law (such as a burial site), further action will be determined by statute or regulations.

- **Identification as a high-sensitivity site.** If cultural resources are known to exist or if the pre-field review and walk-over inspection indicate their presence, the site has high sensitivity. In this case, it is recommended that the forest manager avoid the sensitive area or bring in a cultural resource management professional to conduct a survey.
- **Identification as a low-sensitivity site.** If no cultural resources have been recorded and the pre-field review and walk-over inspection yielded no indications of important cultural resources, the site would have low sensitivity. Proceed with the management activity.

When Accidental Discovery Occurs

Unrecorded cultural resources may be discovered during operations. Guidelines for proceeding depend on the nature of the discovery.

- In the case of human burials, if such discovery occurs, temporary suspension of operations in the vicinity of the discovery is required. **If a human burial site is accidentally discovered, contact the Burial Sites Preservation Office at the Wisconsin Historical Society (800-342-7834 or 608-264-6493).**
- For other types of cultural resources, such as archaeological artifacts, temporary suspension is not required, but is recommended. Suspending operations in the immediate vicinity of the cultural resource will provide time to contact a cultural resource professional, or develop plans to apply appropriate guidelines to avoid or mitigate potential effects.
- Documentation of cultural resources discovered during forest management activities is not required. However, landowners and operators are encouraged to make a written record of their discoveries, and share that information with the Office of the State Archaeologist at the Wisconsin Historical Society.



WISCONSIN DEPARTMENT OF NATURAL RESOURCES NOTICE OF FINAL GUIDANCE & CERTIFICATION

Pursuant to ch. 227, Wis. Stats., the Wisconsin Department of Natural Resources has finalized and hereby certifies the following guidance document.

DOCUMENT ID

FA-20-0005

DOCUMENT TITLE

Wisconsin Forest Management Guidelines

PROGRAM/BUREAU

Forest Economics and Ecology, Applied Forestry Bureau

STATUTORY AUTHORITY OR LEGAL CITATION

S. 823.075, Wis. Stats. & NR 1.25, Wis. Admin. Code

DATE SENT TO LEGISLATIVE REFERENCE BUREAU (FOR PUBLIC COMMENTS)

2/10/2020

DATE FINALIZED

4/6/2020

DNR CERTIFICATION

I have reviewed this guidance document or proposed guidance document and I certify that it complies with sections 227.10 and 227.11 of the Wisconsin Statutes. I further certify that the guidance document or proposed guidance document contains no standard, requirement, or threshold that is not explicitly required or explicitly permitted by a statute or a rule that has been lawfully promulgated. I further certify that the guidance document or proposed guidance document contains no standard, requirement, or threshold that is more restrictive than a standard, requirement, or threshold contained in the Wisconsin Statutes.

March 27, 2020

Signature

Date