



U.S. Army Corps of Engineers
Omaha District

NO SURFACE OCCUPANCY

No surface occupancy or use is allowed within and for a distance of 300 feet from the boundaries of cultural properties and archaeological/historic districts determined to be eligible or potentially eligible to the National Register of Historic Places (NRHP) or American Indian Traditional Use Area. This includes cultural properties designated for conservation use, scientific use, traditional use, public use and experimental use.

On the lands described below:

For the purpose of:

To protect significant cultural properties and archaeological districts and their settings, to avoid disturbance or inadvertent impacts to these resources and in accordance with the National Historic Preservation Act (16 U.S.C. 470) and the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001 et seq.).

Any changes to this stipulation will be made in accordance with the land use plan and/or the regulatory provisions for such changes.

Exception: An exception to this stipulation may be granted by USACE, if the Lessee submits a plan that demonstrates that adverse impacts to cultural properties eligible for the NRHP can be mitigated through data recovery and/or extensive recordation or other acceptable means. Where impacts to cultural resources cannot be mitigated to the satisfaction of USACE, surface occupancy in that area must be prohibited.

Modification: The boundaries of the stipulated area can be modified by USACE if it is determined that portions of the designated site or district can be occupied without adversely affecting the cultural resource values for which the site or area was designated eligible or potentially eligible or American Indian Traditional Use Area.

Waiver: NONE