



Montana Recovery Support Function #6 – Natural and Cultural Resources

Primary Agency:

Montana Department of Natural Resources and
Conservation



January 2025

Maintained by Department of Military Affairs
Disaster and Emergency Services Division

*This Annex is considered operational and serves as a guide for rendering assistance whenever the **Montana Disaster Recovery Framework (MDRF)** is activated. It supersedes all previous editions.*

Record of Changes

All changes to this Annex are to be dated on the master copy kept by the Montana Disaster & Emergency Services (DES).

Date Posted	Change	Recommending Agency/Individual

Table of Contents

Record of Changes	1
Section I: Agencies	2
Section II: Purpose & Scope	2
Purpose:	2
Scope:	2
Section III: Assumptions & Relationships	3
Assumptions:	3
Relationships:	3
Section IV: Core Capability	5
Section V: Operational Capabilities	7

Section I: Agencies

State Coordinating Agency:

Montana Disaster & Emergency Services

State Primary Agency:

Department of Natural Resources and Conservation

State Supporting Agencies:

Department of Administration

Department of Agriculture

Department of Commerce

Department of Environmental Quality

Department of Fish, Wildlife, and Parks

Department of Military Affairs

Department of Labor and Industry

Montana Arts Council

Montana Historical Society

Section II: Purpose & Scope

Purpose:

Recovery Support Function (RSF) 6 – Natural and Cultural Resources facilitates the integration of capabilities of the State to support the protection of natural and cultural resources and historic properties through appropriate response and recovery actions to preserve, conserve, rehabilitate, and restore them consistent with post-disaster community priorities and in compliance with appropriate environmental and cultural resources laws.

Scope:

The Natural and Cultural Resources Recovery Support Function coordinates departments and agencies working together to provide information and assistance to communities seeking to preserve, protect, conserve, rehabilitate, recover and restore natural and cultural resources during recovery. Relevant agencies and partners are those with expertise and programs including, but not limited to, specific natural and cultural resource issue identification, assessment and management (e.g., fish and wildlife, historic and traditional cultural properties, hydrology); natural and cultural resource planning; environmental planning and historic preservation compliance under federal and state laws; and community sustainability.

RSF 6 is designed to provide guidance to state departments in aiding local and Tribal partners in addressing natural and cultural resources impacted from disasters. The following are potential activities included within the scope of RSF 6 are (this list is comprehensive but not all-inclusive):

- Assisting in the identification of natural and cultural resources through the State and federal inventories.
- Providing historical and environmental specialists to ensure compliance early in recovery. Specific expertise in National Environmental Policy Act (NEPA), Section 106 of the National Historic Preservation Act (NHPA), and Section 304 of the Endangered Species Act (ESA), could be provided.
- Support the rapid and accurate damage assessment of properties, cultural facilities, and other sites of Tribal cultural traditional significance in the disaster impact area.

- Support the rapid and accurate damage assessment of records and collections including artifacts, public artworks, and natural history items of significance in the disaster impact area.
- Provide a plan for state agency support of organizations, Tribal governments and local artistic, cultural, and historic resource owners with information and technical assistance about how to mitigate, preserve, stabilize, or protect resources and where funding might be found.
- Support local communities in addressing environmental restoration concerns to develop long-term restoration plans and strategies addressing topics such as contamination and post-disaster pollution, hazardous and non-hazardous debris management and habitat and ecosystem restoration. Help identify and develop hazard mitigation priorities to increase community resilience, such as, reseeding, floodplain restoration, or land acquisition.
- Integrate environmental staff knowledgeable in natural resources and environmental regulatory requirements early in the disaster recovery planning process.
- Assist communities in working through federal, state, local and Tribal permitting and environmental policy issues that may inhibit the restoration of natural resources and work among RSF partners to address regulatory concerns.
- Support the impacted community through subject matter expertise and staff knowledgeable in assistance programs and funding options..

Section III: Assumptions & Relationships

Assumptions:

The following assumptions guide RSF 6 activities:

- Assistance or resources provided by primary, or support agencies are intended to supplement and does not supplant local resources. Local officials will coordinate with their local agency representatives prior to seeking assistance through the mechanisms of this RSF.
- The county emergency management agencies will coordinate initial contact with impacted local governments.
- Considerations related to the management and protection of natural and cultural resources, community sustainability, and compliance with environmental planning and historic preservation requirements may be incorporated into long-term recovery efforts.
- Staff may not be familiar with state and federal environmental regulations, including the National Environmental Policy Act (NEPA) and how the Federal Emergency Management Agency region implements these requirements. Therefore, early coordination with NEPA experts will occur as appropriate.
- NEPA and Endangered Species Act (ESA) compliance can occur on parallel tracks, but ESA consultation must be executed prior to completion of the NEPA process. It essential to identify early on any ESA issues that may result from recovery-related actions and to coordinate with the appropriate federal agencies. ESA issues will vary greatly among regions and states.
- Specialists who understand NEPA compliance for cultural/historical resources do not necessarily know the Secretary of the Interior Standards (e.g., for rehabilitation), nor do they always know about preservation programs and funding sources. This is because NEPA is focused on environmental compliance. Bringing in specialists with specific preservation expertise will help ensure preservation standards are met.
- Collections of cultural and historic significance may be damaged in disasters. These holdings—including irreplaceable books, documents, photographs, audio-visual records, art, and

artifacts—may represent a community's heritage and provide a focus for tourism. Their preservation is critical to both economic recovery and community resilience.

- Museum, library, and other cultural institution collections are often dependent on grants and other funding and are not always well prepared for disaster (i.e., although they should, they do not always, have emergency plans in place).

Relationships:

This document does not relieve tasked agencies of the responsibility for planning. The following section outlines the relationships between state agencies and local, Tribal, private, and non-governmental organization partners in supporting RSF 6 natural and cultural resources activities:

Local & Tribal Governments

After a disaster, local and Tribal elected leadership has the authority to appoint individuals to lead the recovery efforts or approve/disapprove leadership nominations to a recovery organizational body. Elected leaders may also have the responsible for approving and adopting a post-disaster recovery plan and setting the tone for the community's overall recovery. Elected officials advocate for their communities and can draft and support initiatives to aid their community's recovery. Elected officials can speed up the recovery timeline by swiftly making emergency or disaster declarations, when necessary. Other actions may include enacting housing-specific or utility moratoria, waiving permits or permit fees, temporarily permitting non-traditional housing options in locations which would, under normal circumstances be prohibited.

Local and Tribal emergency or disaster proclamations or declarations are usually prepared by the local or Tribal emergency manager and implemented by the executive head of the political subdivision or Tribal government. The exact process will depend upon specific local and Tribal requirements. Local and Tribal emergency or disaster proclamations or declarations are an important step in the recovery process. The proclamation/declaration often triggers specific local, state and/or federal assistance programs and procedures.

In addition to local and Tribal emergency management, the local and Tribal government plays an important role of leading the overall community recovery process. Local and Tribal elected officials often take on a leadership role after a disaster in directing, overseeing, and/or supporting the community recovery planning efforts. Additionally, local, and Tribal government functions including planning, public works, parks and recreation, education departments, etc. all play an integral part in supporting the collaborative and deliberate community recovery and revitalization planning efforts following a disaster.

Private Sector/Non-Governmental Organizations

The private sector plays a critical role in supporting disaster recovery efforts because the private sector owns or operates a large proportion of the resources that would be needed for rapid restoration of the infrastructure. Developing relationships with private sector stakeholders and establishing public-private partnerships is important for all levels of government. Businesses and jobs can be saved, and a viable recovery can be accomplished when private sector needs are coordinated. Public-private partnerships can support government needs by providing technical assistance, donations, subject matter expertise and non-traditional financial resources.

Logistics relies heavily on the private sector to procure items in support of recovery efforts. The private sector contributes substantially by providing much-needed donations or providing goods and services through contractual arrangement or government purchases to assist in recovery. The private sector also

supports recovery activities through advisory and supportive roles. They may participate in policy groups when requested and provide other unique technological support when requested. The private sector may be represented in state and local recovery organizations.

Private sector associations and trade groups can help provide recovery leadership with information on the resources and of their membership and coordinate connections to key stakeholders. Examples of private-sector associations include business associations, professional associations, and local, state, and national chambers of commerce.

Nongovernmental, volunteer-based, and other community organizations provide essential resources to state and local jurisdictions to assist in the recovery phase of disaster operations. Working with the impacted jurisdiction, they identify disaster recovery related capabilities needed to meet organizational roles and responsibilities. They may provide trained support staff to the SEOC, JFO or the requesting jurisdiction to assist in disaster recovery operations. Assistance may include providing personnel, organizational support of long-term recovery groups, financial assistance and management, disaster case management and recovery trainings and agency/department recovery program delivery.

State Government

State departments and agencies are responsible, within their statutory authorities, for providing assistance to local and Tribal jurisdictions when local capabilities are overwhelmed by a disaster. The State Emergency Coordination Center (SECC) serves as the principal point for state, local, Tribal, and federal resources in the coordination of emergency assistance to affected jurisdiction(s).

The SECC will coordinate with the primary agency and support agencies in the use of state resources to support RSF 6 natural and cultural resources activities. State resources will supplement, not supplant, local resources. When mobilized to assist local and Tribal jurisdictions, the primary agency and support agencies will develop work priorities in cooperation with local and Tribal governments and in coordination with the SECC. If the Governor has declared an emergency, resources may be requested through the Emergency Management Assistance Compact (EMAC), the nation's state-to-state mutual aid system that is processed through the SECC.

Section IV: Core Capability and Target Outcomes

The following table list the core capability key activities that the coordinating, primary, and supporting agencies collectively support. Though not listed in the table, all RSF's, support the core capabilities of planning, operational coordination, and public information and warning.

<u>CORE CAPABILITY</u>	Key Activities – The SECC coordinates with the primary agency and supporting agencies to coordinate resources in support and response for the following key activities during actual or potential incidents:
	Pre-Disaster - Identifies relevant federal and state programs and incentives that have a role in supporting the preservation, protection, conservation, rehabilitation, recovery and restoration of natural and cultural resources during recovery. - Identifies and prioritizes gaps and inconsistencies within and between relevant federal and state regulations, policies, program requirements and processes affecting natural and cultural resources

	that are used in disaster recovery, either separately or in combination with one another, and makes recommendations to the National Disaster Recovery Planning (NDRP) Division at FEMA Headquarters and specific Federal agencies. • Works with private nonprofits and other nongovernmental organizations (NGOs) to leverage opportunities to encourage local, State and Tribal governments and institutions to develop emergency management plans that integrate natural and cultural resource issues. • Promotes the principles of sustainable and disaster resistant communities through the protection of natural resources such as coastal barriers and zones, floodplains, wetlands and other natural resources critical to risk reduction. • Assesses appropriate hazard mitigation strategies for the protection of cultural resources. Post Disaster • When activated by the SECC, the primary and supporting departments and agencies deploy in support of the Natural and Cultural Resources RSF mission. • Works to leverage state resources and available programs to meet local community recovery needs. • Identifies opportunities to leverage natural and cultural resource protection with hazard mitigation strategies. • Addresses government policy and agency program issues, gaps and inconsistencies related to natural and cultural resource issues. • Coordinates cross-jurisdictional or multistate and/or regional natural and cultural resource issues to ensure consistency of state support where needed. • Encourages responsible agencies at all levels of government and their important private sector partners to support the local community's recovery plan and priorities by developing a Natural and Cultural Resources action plan that identifies how the agencies leverage resources and capabilities to meet the community's needs. • Synchronizes the Natural and Cultural Resources action plan with other RSFs, as appropriate to support the broader vision of state support to disaster recovery. • Helps local and Tribal governments to leverage opportunities inherent in recovery to mitigate impacts to environmental or cultural resources. • Promotes a systematic, interdisciplinary approach to understand the interdependencies and complex relationships of the natural and cultural environments. • Maintains robust and accessible communications throughout the recovery process between the state government and all other partners to ensure ongoing dialogue and information sharing..
--	---

Target Outcomes
The Infrastructure Systems RSF provides the coordinating structures, framework and guidance to ensure: • Considerations related to the management and protection of natural and cultural resources and historic properties (NCH) resources, community sustainability and compliance with environmental planning and historic preservation requirements are integrated into recovery. • Local and Tribal governments are ready to address post-disaster natural and cultural resource recovery needs. • Programs to support disaster recovery, coordination of technical assistance and capabilities and data sharing are coordinated. • Natural and cultural assessments and studies needed post-disaster, including proposed solutions to environmental and historic preservation policy and process impediments, are developed.

Section V: Operational Capabilities

The following table lists the capabilities that both the primary agency and supporting agencies may provide to support recovery activities for RSF 6 – Natural and Cultural Resources:

<u>PRIMARY AGENCY</u>	Operational Capabilities – Montana Department of Commerce serves as the primary agency. The operational capability for the primary agency includes:
Department of Natural Resources and Conservation	Board of Oil and Gas Conservation • Administers the Montana oil and gas conservation laws; promotes conservation and prevents waste in the recovery of resources; and regulates oil and gas exploration and production. • Issues permits for various oil and gas activities including drilling permits, well work, and UIC Class II injection wells. Conservation and Resource Development Division • Assists conservation districts in meeting legal requirements through legal and operational support, financial assistance, and professional development. • Administers the Irrigation Development Grant which funds irrigation efficiencies through water conservation, expand or sustain irrigated acreage, increase production of high-value crops, improve management of irrigation systems, and/or improve inter-basin cooperation among all water users. • Administers the Private Water Development Loans which fund irrigation system improvements (for example, conversion from flood to sprinkler irrigation). Forestry Division • Issue burning permits in forested areas for slash burning, land-clearing, debris burning, or an open fire. • Issue Best Management Practices to Tribal owners and operators looking to cut timber, do road construction or

	reconstruction, site preparation, reforestation, or management of logging slash. • Enter into “hazard reduction agreements” with persons conducting work such as timber cutting or timber stand improvements on private lands or right-of-way clearing on private forest lands. • Establish standards for persons conducting forest practices in streamside management zones - within and to varying widths on either side of a stream, lake, or other water body. • Administers the Hazardous Fuel Reduction Grant which funds reducing hazardous fuels on private lands in order to protect communities adjacent to National Forest System Lands where prescribed fire activities are planned. • In partnership with the USDA Forest Service, delivers the Landscape Scale Restoration Grant Program which funds implementation of watershed level, forest-based projects and activities which address the three State and Private Forestry national themes: conserve and manage working forests, protect forests from threats, enhance public benefits from private forests. Rangeland Improvement Loans • The Rangeland Improvement Loan Program (RILP) provides low-interest loans to Montana’s farmers and ranchers for eligible projects such as mechanical restoration, reseeding, and anything that is considered a range improvement. • The Renewable Resource Loan Programs provides loans to governmental entities, including irrigation districts, for projects that provide for or improve the conservation, management, development, or preservation of Montana’s renewable resources. Reclamation and Development Grants (RDG) - Project and Planning • Funds reclamation projects that repair, reclaim, and mitigate environmental damage to public resources from non-renewable resource extraction and crucial state need projects that prevent or eliminate severe and unacceptable damage to natural resources or capture extraordinary public benefit that would otherwise be lost. Renewable Resource Grants • Funds the conservation, management, development, and preservation of Montana's renewable resources. The RRG Project Grant Program has funded numerous public facility projects including drinking water, wastewater and solid waste development and improvement projects have received funding through this program. Other renewable resource projects that have been funded include irrigation
--	--

	rehabilitation, dam repair, soil and water conservation and forest enhancement. • Administers grants that are available for emergency projects that pose an immediate threat to the beneficial management of a renewable resource and, if delayed, will cause substantial damage or legal liability. • Administers the renewable resource grants to private entities which are available for any water-related project that meets the purpose of the Renewable Resource Grant and Loan Program. The grant promotes the conservation, development, and beneficial use of Montana's water resources to secure maximum economic and social prosperity for its citizens. • Administers the Watershed Management Grant (WMG) Program which provides financial support for the development and implementation of locally led watershed related planning and capacity building activities that conserve, develop, improve or preserve state natural resources. Trust Land Management Division • Issues Land Use Licenses which is an agreement that allows a said activity to occur on the bed of navigable lake or stream for a prescribed rental and a term of ten year or less, plus any protective stipulations to regulate such activity. • Issues easements (e.g., bridges and utilities) on State Land which entitles the holder of the easement to a specified use or enjoyment. • Administers the development and operation of hydropower facilities on state-owned water projects. Water Resources Division • Provide assistance identifying flood caused damages. • Issues and expedites Beneficial Water Use Permit for anyone planning on new or expanded development for a beneficial use of water from surface or groundwater after June 30, 1973 • Implements floodplain management regulations to reduce vulnerability to future flood risk through technical assistance, outreach, and training; approval of ordinances and ordinance amendments; and assisting with some flood study data and mapping. • Licenses water well drillers and contractors and enforces water well construction standards. • Provide a resource list for licensed well drillers and monitoring well drillers. • Modify construction well standards to expedite or protect water well construction.
--	---

	• Issues permits for dams in Montana with storage capacity greater than 50-acre fee that are located on non-federal property with a high-hazard classification. • Administers the operation, maintenance, management, and rehabilitation of state-owned water projects including 22 dams, approximately 250 miles of irrigation canals, and one hydropower facility. • Assists in the operation and maintenance of nine (9) dams owned by the Montana Department of Fish, Wildlife and Parks. • Provide support in assessing damages to affected levees, dikes, canals, or dams. • Conduct inspections and providing expertise with repair and rehabilitation of levees, dikes, canals, or dams. • Provide assistance with construction oversight for levee, dike, canal, or dam repairs. • Provide assistance identifying water right owners and water use facilities or structures. • Coordinate with water users to redirect water allocations. • Provide assistance with hydrologic analysis: i.e., water availability, erosion potential, materials migration, sediment movement, channel capacity flows, and flow and volume measurements. • Provide assistance identifying hazardous material migrations with respect to surface and ground water. Water, Wastewater and Solid Waste Action Coordinating Team (W2ASACT) • Provides a tool to help people navigate the funding options and resources available between multiple government agencies and other organizations to facilitate a successful project for all stakeholders involved.
--	--

<u>SUPPORTING ORGANIZATIONS</u>	Operational Capabilities – The operational capability for the supporting agencies includes:
Department of Administration	Architecture and Engineering Division • Coordinates with Building Officials to expedite building inspections. • Assist with or coordinate building damage assessment at the local, Tribal, or state level. • Coordinates with DOJ State Fire Marshall’s Office and Fire Prevention to support expedited building inspections. General Services Division • Assist with or coordinate building damage assessment at the county or state level.

	• Provide technical assistance for contracting and procurement support to state agencies. Risk Management and Tort Defense Division • Provide insurance consultation on state owned assets that have been damaged.
Department of Agriculture	Agriculture Sciences Division • Provides license and inspection of anhydrous ammonia facilities if they are a commercial fertilizer facility. • Provide laboratory analysis of chemicals/pesticides and other analytical services through the Bozeman lab. • Provide pesticide and groundwater specialists to assist with relevant issues.
Department of Commerce	Board of Investment <i>InterCap Loan Program</i> • Low-interest loans to Montana local government, state agencies, and universities for a variety of purposes (i.e., construction, repair, expansion, equipment, vehicles, interim financing). Community MT Division • Serves as facilitate or enable planning efforts to identify local government redevelopment or disaster recovery priorities and needs. • Provide technical assistance in a local government redevelopment process. • Can move new federal or state disaster money to local governments for a rebuilding program in the case of an extraordinary state or community disaster and with 'special' Presidential/Gubernatorial declarations and 'special' congressional/legislative authorizations. • Administers the Montana Historic Preservation Grant which is designed to support public or private entities with the preservation of historic sites, historical societies, or history museums through grant funding. The MHPG Program provides the opportunity to stimulate economic development, community revitalization, and statewide tourism through increased investment, job creation or retention, business expansion, and local tax base growth. • Developed the Montana's Resilience Framework which provides a step-by-step process for communities to identify, assess, and adapt to social, economic, and ecological disruptions. Montana Heritage Preservation and Development Commission • Preserves and manages historic resources in Virginia City, Nevada City and Reeder's Alley
Department of Environmental Quality	General Capabilities of Agency

	• Administers most of Montana's environmental cleanup, monitoring, pollution prevention, and energy conservation laws and regulations. Air, Energy, and Mining Division Mining Bureau • Issues operating permits for opencut (coal or uranium) sites and gravel pits. • Issues operating and exploration permits for surface and underground hard-rock mines. • Ensures for the reclamation of land affected by surface and underground mining activity and regulation of coal mine development. • Manages reclamation plans and bonds and bond release applications. Engineering Bureau • Provides engineering personnel to assist in damage assessment, structural inspections of drinking water, wastewater, and/or solid waste facility, design estimation, in determining the operating status of drinking water and wastewater systems, and construction for repair, reconstruction, and restoration of eligible facilities. • Provides engineering, technical, and/or compliance assistance in support of temporary protection and repair of drinking water, wastewater, and/or solid waste facilities. • Provides engineering, technical, and/or compliance assistance for environmental assessments and to address flooding. Enforcement Program • Supports the Duty Officer program, a rotating 24-7 on-call person to communicate and respond to emergent risks to human health and the environment. • Receives and administers complaints, determining if a violation of DEQ regulations has occurred and providing compliance assistance to correct the violation in a timely manner. Refer complaints related to DEQ permitted activity to the appropriate regulatory program. Refers those complaints with other jurisdiction to appropriate city, county, state, or federal agencies. • Supports drinking water, wastewater, and/or solid waste facility risk and vulnerability assessments in response to actionable intelligence and other information. • Supports prioritizing recommendations for the stabilization and re-establishment of the associated critical drinking water, wastewater, and/or solid waste facilities. • Assists in investigation and intelligence analysis for hazardous materials incidents involving contaminated
--	---

	drinking water and wastewater systems, pursuant to existing statutory authorities. • Program provides expertise on environmental effects of oil discharges or releases of hazardous materials, and environmental pollution control techniques. • Houses the majority of DEQ's Incident Management Team and On-Scene Coordinators.
Department of Fish, Wildlife, and Parks	All Divisions • Provide assessments regarding the conditions and utilization of waterways. Field Services Division • Coordinate handling wildlife depredation or nuisance issues. Fisheries Division • Receives notice from State agencies in Montana before initiating any construction project that will affect any Montana stream or its banks or tributaries. • Conducts environmental review to identify, consider, and disclose any potential impacts of proposed work on or near a waterway in Montana. • Provide funding to eligible recipients to restore rivers, streams, and lakes to improve and restore Montana's wild fish habitats. Parks Division • Provide heavy equipment resources to assist in maintaining the operability of transportation systems. • Regulates state parks to protect park resources. • Regulates conservation easements which may prohibit or limit construction, excavation, and surface uses. • Regulates habitat preservation.
Department of Labor and Industry	Business Standards Division • Issue and expedite building permits and performs inspections to ensure compliance with Building Codes (building, plumbing, electrical, and mechanical). • Issue and expedite permits for building, mechanical, plumbing, and electrical as listed in the Department rules. • Provide regulatory and professional licensing waivers and exemptions following a disaster.
Department of Military Affairs	Army and Air National Guard Divisions <i>With approval from the Governor:</i> • Provide personnel and equipment to transport supplies and equipment. Disaster and Emergency Services Division • Coordinates with the Federal Emergency Management Agency (FEMA) to provide assistance in the wake of disaster. • Assists with reimbursement of repairs to damaged eligible facilities, including roads, bridges, water control facilities,

	buildings, equipment, utilities, parks, and recreational facilities. Assists with reimbursement of emergency functions such as debris removal and emergency protective actions.
Montana Arts Council	Craft Emergency Relief Fund Administers funding for the Cultural and Aesthetic Projects that boosts cultural vitality statewide. These investments include history, archaeology, folklore, historic preservation, and renovation of cultural facilities.
Montana Historical Society	State Historical Preservation Office - Provide research assistance on information about Montana and regional history. - Conducts and maintains a statewide survey to identify and document cultural resources. - Evaluates cultural resources for significance in consultation with property owners. - Assist state agencies in their responsibility to identify and protect historic properties and archaeological sites that may be affected by their projects. - Must be contacted in the event of a discovery of human skeletal remains, a burial site, or burial material. - Issues antiquities permit to those proposing to excavate, remove, or restore a heritage property or paleontological remains on state-owned land for scientific, educational, or mitigation purposes. - The 2021 Programmatic Agreement among FEMA, Montana SHPO, and Montana DES outline each party's roles and responsibilities under the National Historic Preservation Act.