

# TOPICS



## New Archaeological Requirements in Cass County, Minnesota

Westwood TOPICS March 2007

Is Cass County, Minnesota at the forefront of a new movement by preemptively addressing archaeological concerns? What is required? Can project delays be prevented by being proactive? How does this relate to projects outside of Cass County?

Across the State, Environmental Assessments (EAWs) and Shoreland Ordinances have required the identification of known cultural resources (including archaeological sites and historic buildings) within a project area. Now Cass County has taken this one step further.

Effective November 2006, the County adopted numerous revisions to their Subdivision and Platting Ordinance. Among the changes is a requirement to determine the existence of archaeological remains in project areas. If artifacts are present, they must be identified and assessed prior to plat approval.



Why the change? A source in the Cass County Planning Department stated that it was a result of lawsuits involving a number of unaddressed environmental concerns from the State Historic Preservation Office and former State Archaeologist (see Walker, MN's, The Pilot Independent website story, May 25, 2005). At high cost, the County was ordered by a federal judge to complete environmental and archaeological studies for a proposed development. The new requirements will place the responsibility of archaeological investigations on the developer. While other counties have had similar issues in the past, few have addressed the problems by passing ordinances.

One of the biggest changes in Cass County is a requirement for a Reconnaissance, or Phase I Survey. The survey results in an archaeological report, which is used to determine if cultural sites exist in a particular area (in this case, your project area). The work includes background research and field testing, which can be labor intensive and time consuming. To ensure the survey fits into your project schedule, it is important to involve interested parties who can help identify possible "red flags" and their alternatives early on.

It appears that Cass County may be at the forefront of a new movement to preserve Minnesota's history while protecting new projects from unexpected delays. Whether other counties respond with similar regulations is yet to be seen. In the meantime, proactive cultural resource management is still the best option for preventing delays due to archaeological issues on a project.

**Solutions**  
for **your** **Success**  
LAND • ENERGY

For more information, please contact  
**Steven Blondo**  
Westwood Cultural Resource Specialist  
steven.blondo@westwoodps.com  
952.697.5709

