Appendix D

Programmatic Agreement Concerning the Management of Historic Properties on Fort Lewis and Yakima Training Center

PROGRAMMATIC AGREEMENT BETWEEN THE UNITED STATES ARMY GARRISON FORT LEWIS, AND THE WASHINGTON STATE HISTORIC PRESERVATION OFFICER CONCERNING THE MANAGEMENT OF HISTORIC PROPERTIES ON FORT LEWIS AND THE YAKIMA TRAINING CENTER UNDER SECTION 106 OF THE NATIONAL HISTORIC PRESERVATION ACT OF 1966 (AS AMENDED) 16 U.S.C. § 470

WHEREAS, the United States Army Garrison Fort Lewis (Fort Lewis), pursuant to Section 106 of the National Historic Preservation Act, as amended, (NHPA) and its implementing regulations at 36 CFR Part 800, and has determined that ongoing military operations and future actions analyzed in the Environmental Impact Statement for the Fort Lewis Army Growth and Force Structures Realignment, Fort Lewis and Yakima Training Center may have adverse effects on districts, sites, buildings, structures, landscapes, or objects listed in or eligible for listing in the National Register of Historic Places (historic properties) on Fort Lewis and its training installation, Yakima Training Center (YTC), and has so notified the Advisory Council on Historic Preservation (Council); and

WHEREAS, Fort Lewis has conducted historic property inventory studies on Fort Lewis and YTC and has determined that historic properties, and potential historic properties, exist on Fort Lewis and YTC; and

WHEREAS, Fort Lewis notified in advance the SHPO and the Council of its intent to use the National Environmental Policy Act (NEPA) process for Section 106 purposes pursuant to 36 CFR 800.8(c); and

WHEREAS, Fort Lewis, and the Washington State Historic Preservation Officer (SHPO) have agreed to develop and implement this Programmatic Agreement (PA) to satisfy the Army's Section 106 responsibilities regarding the consideration of historic properties on Fort Lewis and YTC pursuant to 36 CFR § 800.14(b)(3); and

WHEREAS, Fort Lewis has notified the Council of the undertaking and invited the Council to participate in consultation per 36 CFR 800.14(b)(3), and the Council has declined to participate in consultation and the development of this PA pursuant to 36 CFR 800.6(a)(iii); and

WHEREAS, Fort Lewis has consulted with and documented the comments and views of the Nisqually Indian Tribe, the Squaxin Island Tribe, the Puyallup Indian Tribe, the Yakama Indian Nation and the Wanapum People pursuant to 36 CFR § 800.14(f), and invited the tribes to concur with this PA; and

WHEREAS, Fort Lewis has consulted with and documented the comments and views of the public through the NEPA process pursuant to 36 CFR § 800.8(c)(1)(iv); and

WHEREAS, the consulting parties agree that the nature and location of future undertakings on Fort Lewis and YTC with the potential to affect historic properties cannot be fully determined prior to their approval, and that potential adverse effects to historic properties may be resolved through the routine application of specific treatment or management measures, and that the development of *Standard Operating Procedures* (SOPs) listed in Appendices 1 and 2 for the identification, evaluation, treatment, and management of historic properties is appropriate; and

WHEREAS, the consulting parties agree that certain categories of routine undertakings listed in Appendix 3, *Exempted Undertakings*, have potential effects that are foreseeable and likely to be minimal or not adverse, and that the exempted undertakings have been reviewed and approved by the consulting parties pursuant to 36 CFR § 800.8(c);

NOW, THEREFORE, the United States Army Garrison Fort Lewis shall ensure that the following stipulations are implemented and shall remain in effect until this PA expires or is terminated by Fort Lewis or the Washington SHPO pursuant to 36 CFR § 800.14(b)(3).

STIPULATIONS

I. **Implement Standard Operating Procedures.**

A. For all undertakings on Fort Lewis, Standard Operating Procedures 1 through 12 in Appendix 1 of this agreement shall be implemented, as appropriate.

B. For all undertakings on Yakima Training Center, appropriate Standard Operating Procedures 1 through 9 in Appendix 2 of this agreement shall be implemented, as appropriate.

All cultural resources technical work required to implement SOPs under Stipulation I (including but not limited to identification, evaluation, and treatment of historic properties) will be conducted under the supervision of individuals who meet the applicable professional qualifications standards established by the National Park Service in Appendix A of 36 CFR Part 61.

II. **Implement Mitigation Measures.** Fort Lewis will implement the mitigation measures A through H in **Table 1** to resolve adverse impacts to NRHP-eligible historic properties on Fort Lewis resulting from the Fort Lewis Army Growth and Force Structures Realignment undertaking described in the [Environmental Impact Statement]. All cultural resources technical work required to implement these mitigation measures will be conducted under the supervision of individuals who meet the applicable professional qualifications standards established by the National Park Service in Appendix A of 36 CFR Part 61.

Table 1. Fort Lewis Army Growth and Force Structures Realignment Mitigation Measures A through H.

Mitigation Measure		Description	Anticipated Level of Mitigation 2010-2015
A.	Site Impact Assessment	Assess the condition of at least 30 archaeological sites per year to determine accumulated GTA damage. Site Impact Assessment will identify those NRHP-eligible sites that are being impacted by GTA actions, and will prioritize those sites for increased protection (i.e., Siber-staking) or data recovery excavations.	Thirty (30) archaeological sites per year.
B.	Prehistoric Site Predictive Model	Build and refine a GIS-based predictive model that will indicate the probability that a particular land parcel contains prehistoric archaeological resources. The model will be used to avoid training and	Survey and evaluation to sample, test, and refine the Fort Lewis

Table 1. Fort Lewis Army Growth and Force Structures Realignment Mitigation Measures A through H.

		construction impacts to significant prehistoric sites, and to prioritize and focus future archaeological survey areas.	archaeological site predictive model.
C.	Archaeological Survey	Conduct archaeological surveys of proposed construction footprints and downrange areas that are impacted by increased off-road training and/or usage. Use predictive model results to determine the level of effort required in accordance with SOP 3.	One hundred (100) acres per year.
D.	Archaeological Site Evaluation (Phase II Testing for NRHP Eligibility)	Evaluate a sample of downrange archaeological sites for National Register of Historic Places eligibility before ongoing military training impacts results in the destruction of currently unevaluated sites. Protection measures will be put in place for sites determined to be eligible for the National Register; ineligible sites will be opened to unrestricted military training or construction.	Twelve (12) archaeological sites per year.
E.	Data Recovery (Salvage Excavations)	Site Impact Assessment will identify those National Register eligible sites that are being impacted by GTA, and will prioritize sites for data recovery excavations to salvage important scientific and historical information that would otherwise be lost to ongoing military training impacts.	One (1) archaeological site per year.
F.	Public Education and Outreach	Inventory, evaluation and data recovery projects will include one or more public education/outreach components (i.e. brochures, non-technical reports, web sites, public tours, public archaeology, multi-media CD-ROM, etc.). Education and outreach costs are included in the inventory, evaluation and data recovery projects.	At least one (1) public education/outreach component per project.
G.	Creative Mitigation: Web-based Documentation, Interpretive Signs and Self-Guided Tour	This creative mitigation project will develop documentation and educational material to preserve and share the history of the Garrison Historic District. The project will mitigate adverse impacts associated with the implementation of the Historic Downtown Area Development Plan (ADP) component of the Fort Lewis Master Plan. The primary product will be a content-rich website designed to educate and entertain a diverse public audience. The project will also develop wayside interpretive signs to be installed in the District, along with a self-guided tour map of the District.	One (1) content-rich website, eight (8) interpretive signs, one (1) self-guided Historic District Tour Map

Table 1. Fort Lewis Army Growth and Force Structures Realignment Mitigation Measures A through H.

H.	Adaptive Reuse Plans: Pendleton Avenue Corridor	This project will contract with a qualified historic architect to develop and evaluate adaptive reuse alternatives that will support the goals of the Installation's Master Plan and Installation Sustainability Program. The adaptive reuse plan will focus on the Pendleton Avenue corridor through the District. The plan will develop conceptual drawings to identify alternatives for reuse of historic gun sheds, stables and other buildings proposed for potential demolition in the Historic Downtown Area Development Plan (ADP). The project will also develop conceptual drawings for historically compatible street-lighting, benches, bus stops and other street furniture for a redeveloped Pendleton Avenue corridor. The plan will develop life-cycle cost comparisons to compare the cost of rehabilitation vs. new construction for typical buildings.	Conceptual drawings for a historically-compatible redeveloped Pendleton Avenue corridor, and adaptive reuse plans for approx. four (4) building types.

III. ADMINISTRATION

A. Dispute Resolution

Disputes over any of the procedures associated with this PA will be resolved pursuant to SOP 9 in Appendix 1.

B. Annual Report

In so much that such disclosure is not in violation of ARPA or AIRFA, Fort Lewis will prepare an annual report summarizing all activities carried out pursuant to this PA for comment to all signatories. Fort Lewis will distribute the annual report to the SHPO, Nisqually, Puyallup, Squaxin Island, Wanapum, and Yakama tribes in advance of an annual meeting to be held each year at Fort Lewis to review the previous year's actions and actions planned for the upcoming year.

The PA annual report will include at a minimum:

(1) An overview describing the implementation of the stipulations of this PA;

(2) A summary of all projects that proceeded in the previous year, including all undertakings completed without SHPO review;

(3) A list of projects proposed for the coming year;

(4) Recommendations for amending the PA or SOPs, if applicable; and

(5) A status report of any undertakings for which documentation is required but has yet to be completed.

C. Amendment

Six months after the execution of this PA and then annually thereafter, Fort Lewis will invite the signatories to this PA to review and determine whether revisions or amendments are needed. If so, the parties will consult to negotiate the new terms. Amendments to this PA will be filed with the Advisory Council on Historic Preservation.

D. Termination

(1) If the Army does not implement the Fort Lewis Army Growth and Force Structures Realignment, Fort Lewis and Yakima Training Center undertaking by July 2014, the terms of this PA shall be reconsidered and revised or replaced.

(2) The Army shall notify the signatory parties to this PA if it becomes likely that it cannot make available sufficient funds to implement this agreement. Non-availability of funds will result in a need for consultation for revisions or amendments.

(3) If a signatory to this PA determines that the agreement is not being properly implemented, the signatory may propose to the other signatories that the PA be terminated. The signatory proposing to terminate shall explain to all consulting parties the reasons for termination and afford a 30-day period to consult and seek alternatives to termination.

(4) If resolution is not reached by the end of the 30-day the PA will be terminated, in which case, Fort Lewis shall

A. Consult with the signatories to develop a new PA; or
B. Request the comments of the ACHP pursuant to 36 CFR 800.7(a)(1).

E. Counterparts. This agreement may be executed in one or more counterparts. Each counterpart shall be considered an original. All counterparts taken together shall be considered one and the same instrument. Facsimiles and photocopies are as valid as originals.

Counterpart Signatures

IV. EXECUTION

A. Signatories

FORT LEWIS

By: _____

Date:_____

WASHINGTON STATE HISTORIC PRESERVATION OFFICER

By: _____

Date:_____

B. Concurring Parties

NISQUALLY INDIAN TRIBE

By: _____

Date:_____

PUYALLUP TRIBE OF INDIANS

By: _____

Date:_____

Counterpart Signatures

SQUAXIN ISLAND TRIBE

By: _____

Date:_____

YAKAMA INDIAN NATION

By: _____

Date:_____

WANAPUM PEOPLE

By: _____

Date:_____

Counterpart Signatures

IV. EXECUTION

A. Signatories

FORT LEWIS

By: _____

Date:_____

Counterpart Signatures

IV. EXECUTION

A. Signatories

WASHINGTON STATE HISTORIC PRESERVATION OFFICER

By: _____

Date:_____

Counterpart Signatures

B. Concurring Parties

NISQUALLY INDIAN TRIBE

By: _____

Date:_____

Counterpart Signatures

B. Concurring Parties

PUYALLUP TRIBE OF INDIANS

By: _____

Date:_____

Counterpart Signatures

B. Concurring Parties

SQUAXIN ISLAND TRIBE

By: _____

Date:_____

Counterpart Signatures

B. Concurring Parties

YAKAMA INDIAN NATION

By: _____

Date:_____

Counterpart Signatures

B. Concurring Parties

WANAPUM PEOPLE

By: _____

Date:_____

Appendix 1: Standard Operating Procedures for Section 106 Compliance on Fort Lewis

Undertakings on Fort Lewis subject to compliance with Section 106 of the National Historic Preservation Act will be carried out in accordance with the following Standard Operating Procedures (SOP) pursuant to Stipulation I of this Programmatic Agreement (PA). It is the Garrison Commander's responsibility to ensure that all military and nonmilitary organizations on Fort Lewis and Yakima Training Center coordinate their actions under these Standard Operating Procedures with the Cultural Resources Manager for each installation to ensure compliance under DoDI 4715.16 and AR 200-1.[1] All cultural resources technical work required to implement these SOPs (including but not limited to identification, evaluation, and treatment of historic properties) will be conducted under the supervision of individuals who meet the applicable professional qualifications standards established by the National Park Service in Appendix A of 36 CFR 61.

List of Acronyms

ACHP	Advisory Council on Historic Preservation
AEC	U.S. Army Environmental Center
AIRFA	American Indian Religious Freedom Act
APE	Area of Potential Effects
ARPA	Archaeological Resources Protection Act
CRM	Cultural Resources Manager
DAHP	Department of Archaeology and Historic Preservation
EMS	Environmental Management System
HABS	Historic American Buildings Survey
HAER	Historic American Engineering Record
ICRIF	Installation Cultural Resource Inventory Form
NPS	National Park Service
NRHP	National Register of Historic Places
RHPC	Record of Historic Property Consideration
SHPO	State Historic Preservation Officer (Washington)
SOP	Standard Operating Procedure

[1] *Department of Defense Instruction, Number 4715.16, Cultural Resources Management*; *Army Regulation 200-1, Environmental Quality, Environmental Protection and Enhancement*.

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Attachment 1: Project Review Log

Attachment 2: Record of Historic Properties Consideration

SOP 1. Determining Section 106 Undertakings

1.1 Objective

The objective of this SOP is to define the procedures to be followed to determine if an action is an undertaking subject to Section 106 review and if so, if it is the type of action that has the potential to affect historic properties.

1.2 Policy

It is the responsibility of the Cultural Resources Manager (CRM) at each installation to determine if an action is an undertaking as defined at 36 CFR Part 800.16(y), and if the action has the potential to affect historic properties as defined at 36 CFR Part 800.3.

1.3 Procedures

1.3.1 Defining an Undertaking

For the purposes of this PA, an undertaking is defined as any project, activity, or program funded in whole or in part under the direct or indirect jurisdiction of the Army, including those carried out by or on behalf of the Army; those carried out in whole or in part with Army funding; and those requiring a license, permit, or approval by the Army. The CRM shall evaluate all actions to determine if they meet this definition.

Undertakings may take the form of projects, work orders, contractor actions, permits, leases, Army actions, military training and other activities as defined above. Undertakings may originate with the Directorate of Public Works, infrastructure maintenance contractors, military construction (MILCON), project proponents, and other entities. The majority of actions that have the potential to affect historic properties are generated through work orders, military construction (MILCON) requests, and training permits. Range Scheduling and Dig Permits also provide notice of potential undertakings.

The CRM will be notified of potential undertakings in the planning process. The Directorate of Public Works Environmental Management System includes procedures for systematic and orderly review of proposed projects to ensure that relevant, critical and applicable legal and other requirements are incorporated and documented before the project or proposal is awarded and/or executed. These procedures will be used to ensure the CRM is notified of potential undertakings:

EMS-235: “Identification and Incorporation of Legal and Other Requirements in Public Works Contracts and Work Specifications, and other Project Documentation”

PWE-153: “Standard Operating Procedure for Project or Proposal Review”

The CRM's initial review of a potential undertaking will result in one of three outcomes:

(1) If an action does not qualify as an undertaking, the determination will be recorded in the installation's “Project Review Log” (see Attachment 1) and no further action under this PA is required. The Project Review Log shall be included in the annual PA report.

(2) If an action qualifies as an undertaking, the CRM will determine if it is an Army-wide or installation-specific undertaking exempted from Section 106 review as identified in Appendix 3 of this PA, "*Exempted Undertakings*." This determination will be recorded in the Project Review Log and no further action under this PA is required. The Project Review Log shall be included in the in the annual PA report. An undertaking that requires a permit, lease, or license from another agency cannot qualify as an Exempted Undertaking.

(3) If an action qualifies as an undertaking and is not exempt from further review, the determination will be recorded in the Project Review Log, and the CRM will proceed to SOP 1.3.2 to determine whether the undertaking has the potential to affect historic properties.

1.3.2 Determining if an Undertaking Has the Potential to Affect Historic Properties

If the CRM determines that an action is an undertaking, the CRM will then determine if the undertaking has the potential to affect historic properties. Project proponents shall provide the CRM with a detailed description of the project or activity, site location, and a point of contact. The information will be reviewed with reference to the Fort Lewis cultural resources GIS database, archaeological site predictive model, historic maps, and other relevant historical information. The CRM's assessment of the undertaking will result in one of two outcomes:

> (1) The action is the type of undertaking with no potential to affect historic properties. This determination will be recorded in the Project Review Log (see Attachment 1) and no further action under this PA is required. The Project Review Log shall be included in the annual PA report.
>
> (2) The action is the type of undertaking that has the potential to affect historic properties. The CRM will proceed to SOP2 and ensure that all subsequent appropriate SOPs of this PA are implemented to identify and evaluate historic properties and resolve adverse effects. The CRM will document the determination in a “Record of Historic Properties Consideration” (RHPC, see Attachment 2).

SOP 2. Defining the Area of Potential Effects (APE)

2.1 Objective

The objective of this SOP is to determine the process by which an appropriate Area of Potential Effects (APE) for a Section 106 undertaking is identified pursuant to 36 CFR 800.16(d).

2.2 Policy

It is Fort Lewis’ policy to consider the direct and indirect effects an undertaking may have on historic properties, including visual and audible impacts as appropriate. Prior to evaluating the specific effects of an undertaking, Fort Lewis will identify an appropriate APE. The APE will be the area of study for identification of historic properties that may be affected by the undertaking.

2.3 Procedures

The APE is determined on a case-by-case basis by the CRM. Section 106 regulations identify the APE as:

> [t]he geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if any such historic properties exist. The area of potential effects is influenced by the scale and nature of an undertaking and may be different for different kinds of effects caused by the undertaking (36 CFR Part 800.16[d]).

The APE will encompass both direct and indirect effects. An APE may include viewsheds associated with historic districts or landscapes, individual historic properties, or properties of traditional religious and cultural importance. It may also include an area some distance from the undertaking within which auditory impacts may occur. The APE for buildings will consider whether the undertaking affects the interior, exterior, or both. Cumulative (indirect) effects may also influence the APE.

To determine the APE, the CRM will:

(1) Categorize the undertaking (e.g. repair and maintenance, ground-disturbing activities, etc.);

(2) Consider all types of potential direct and indirect effects, and document the geographic location and range for each type of effect;

(3) Consult with the Washington State Historic Preservation Officer (SHPO) to determine the APE if the project is likely to be considered controversial, or if the CRM determines the undertaking is likely to have an adverse effect;

(4) Determine whether the scope and/or nature of the undertaking might result in additional indirect or cumulative effects; and

(5) Document the APE on a project map, including areas of direct and indirect effects, and include the map in the RHPC.

Changes to the APE (e.g., elimination of alternatives, or a revised scope of work), will be documented on the RHPC. Changes to the APE may result in the need to consult with the SHPO if the change results in the project having an adverse effect.

Once the APE is defined and documented, the CRM will proceed to SOP 3: Identifying Historic Properties.

SOP 3. Identifying Potential Historic Properties

3.1 Objective

The objective of this SOP is to identify cultural resources in the APE that may be historic properties. A historic property is any prehistoric or historic district, site, building, structure, object, or traditional cultural property included in, or eligible for inclusion in, the National Register of Historic Places (NRHP). This SOP addresses methods for identifying potential

historic properties in the APE, which will then be evaluated pursuant to **SOP 4, NRHP Eligibility Evaluation**.

3.2 Policy

It is Fort Lewis' policy to identify historic properties and manage them to maintain the historic or cultural characteristics that make them eligible for inclusion in the NRHP.

3.3 Procedures

3.3.1 Preliminary Analysis

Prior to a historic properties identification study, the CRM or their designee will conduct a preliminary analysis to determine the nature and scope of investigations required, and the appropriate identification methods to be used. The CRM or their designee will review the project area and consult the Fort Lewis GIS archaeological sensitivity model to establish whether the APE has been previously surveyed and to determine what types of historic properties are likely to be found in the APE. Existing historic property inventories on file at Fort Lewis and the Washington DAHP will be consulted first, including archaeological site and isolate forms on file at Fort Lewis and the Washington DAHP; inventories of historic buildings, structures, districts and objects on file at Fort Lewis and the Washington DAHP; and Fort Lewis cultural resources GIS data.

Background research will be conducted at a level of effort appropriate to the project. Background research should include, but not necessarily be limited to, review of the following historic maps (as appropriate):

- Applicable General Land Office Maps
- 1841 Sketch of Prairie Land About Nisqually
- 1851 Map of Lands claimed by the Puget Sound Agricultural Association in Pierce County W. T.
- 1852 Plan of Pugets [sic] Sound Agricultural Company's Land Claim
- 1889 Plummer's Atlas of Pierce County
- 1897 Washington-Tacoma Quadrangle Topographic Map
- 1908 Pierce County Tax Assessor's Maps
- 1908 Revised Map of Maneuver and Mobilization District in the Vicinity of American Lake, Washington.
- 1910 Maneuver Map for Camp of Instruction - American Lake, Washington
- 1915 Kroll's Atlas of Pierce County, Washington
- 1916 Chehalis Quadrangle Topographic Map
- 1917 Camp Lewis and American Lake Maneuver Map
- 1917 Camp Lewis Army Post and Vicinity Map
- 1924 Metsker's Road Map of Pierce County, Washington and Vicinity

- 1924 and 1929 Metsker maps of Pierce and Thurston Counties
- 1930 Terrain Map-Washington-Fort Lewis and Vicinity
- 1936 Thurston County General Highway and Transportation Map
- 1937 Metsker's Atlas of Thurston County, Washington
- 1940 Special Map - Fort Lewis and Vicinity
- 1941 Plot Plan: Land Leased by U.S. Gov't. for Rainier Training Area
- 1944 Special Map - Fort Lewis and Vicinity
- 1944 Rainier Training Area
- 1944 Restricted - Northwest Sector No. 29-21
- 1944 Ft. Lewis Military Reservation and Vicinity: Training Areas
- 1948 Metsker map of Thurston County, Washington
- 1950 U.S. Army Corps of Engineers Fort Lewis: Sheet 1478 II SE
- 2006 Native American Place Names
- 2006 Nisqually Sites Tour Map

Additional sources may include the Nisqually Tribal Archives; Donation Land Claim and Homestead Act records; previously identified historic contexts for the region; and local histories. Information may also be available from local governments, other Native American organizations and tribal governments, universities, and public and private groups and institutions.

Based on this review, the CRM or their designee will assess the project as follows:

- If the APE has been investigated previously, assess the quality of any existing data. If the area has not been investigated, or if it has been investigated but data quality is poor or conducted with old methodologies that are no longer valid with current standards, further identification efforts will be required.
- If the APE has been demonstrably disturbed prior to the current proposed action no further identification efforts will be required.
- Determine the need for additional identification based on Planning Level Survey data, and /or predictive model results, and preliminary tribal consultation on potential properties of traditional religious and cultural significance. The CRM or their designee will determine whether the collected data provides a basis for decision-making without additional identification activities:
    - Documentation of a decision not to proceed with further identification activities shall be included in the RHPC and made part of the project file; and
    - The decision shall be documented in the PA annual report to the consulting parties; documentation shall include the basis for the decision.

If additional identification studies are required, the appropriate tasks may include background research, development of historic contexts, field investigation, tribal consultation, analysis, and report preparation.

3.3.2 Archaeological Site Identification

There are two types of archaeological surveys: the reconnaissance survey and the intensive survey. The reconnaissance survey is a cursory inspection aimed at developing a general overview of an area's resources. The primary reason for a reconnaissance survey is to support background research in preparation of an intensive survey. The objective of an intensive survey is to identify completely and precisely all properties in a specified area based on a specific research design. It involves background research and a thorough inspection and documentation of all historic properties in an area. It should provide an inventory and necessary information to evaluate properties for eligibility for inclusion in the NRHP.

The CRM will determine whether in-house or external survey would be appropriate to the scope and time frame of the undertaking, and whether historic context material will need to be developed concurrently for the NRHP evaluation phase. The CRM will also consider if the APE has been previously surveyed and if the survey data are adequate for the present undertaking.

Surveys should combine site inspections with background research. Background research may include literature reviews, archival research, interviews and consultation as appropriate. Documentary research should be thorough enough to provide for the evaluation of any resources identified. The use of interviews and oral histories is encouraged to provide additional information. Site inspections should minimally include a sketch site plan and digital photographs of setting and exterior elevation(s) for each resource identified.

All archaeological surveys will be supervised by a professional archaeologist who meets the Secretary of the Interior's Professional Qualification Standards. The installation CRM or their designee will provide survey areas to the field archaeologist, who will:

- Determine final survey area: Only areas with potential to contain archaeological sites in the project's APE will be surveyed. Areas that are already highly disturbed (e.g. improved areas, borrow pits, etc.) and areas inaccessible due to military training hazards or other Fort Lewis undertakings will be excluded. Areas that have been previously surveyed will also be excluded if existing data are determined by the CRM or their designee to be sufficient for the proposed project. The CRM will consult the Fort Lewis GIS layers for "Disturbed Areas," "Areas Inaccessible for Survey" and "Previously Surveyed Areas" to assist in this determination. These GIS layers will be updated annually for the PA report.
- Complete a research design: All archaeological surveys on Fort Lewis shall employ a predetermined research design that will specify methods, sampling strategies and level of effort appropriate to the nature of the undertaking and the expected historic properties. Research designs will be documented in advance of surveys and included in final reports along with justification for any deviations from the original research design.
- Conduct field investigations: The field archaeologist will be responsible for conducting surveys according to the standards and procedures outlined below.

3.3.2.1 Survey Strategy

The survey strategy employed shall be designed to identify both prehistoric and historic period archaeological sites. Heavy vegetation cover at Fort Lewis most often requires the use of labor-intensive subsurface testing methods to adequately prospect for both types of properties.

To identify prehistoric sites, the CRM or their designee will use the "Fort Lewis Predictive Model" to define the level-of-effort to be expended on subsurface testing based on the relative probability that a particular parcel of land contains archaeological resources. This dynamic GIS-based model identifies low, moderate, and high probability areas based on a variety of criteria developed in consultation with the Washington SHPO and will be adjusted over time as new information is incorporated. As a standard, the following sampling strategy shall apply:

- 0-10 percent of low probability areas
- 25-50 percent of medium probability areas
- 85-100 percent of high probability areas

Areas selected for survey will be intensively surveyed using shovel probes. Additional pedestrian reconnaissance may be employed to supplement the intensive survey at the discretion of the CRM or their designee.

To simultaneously identify historic sites, the CRM or their designee will also use the pre-field historic map research to identify areas likely to contain historic resources. These areas shall be intensely surveyed using both shovel probes and pedestrian reconnaissance. Such areas may overlap with prehistoric high probability areas, and, because 85-100 percent of the high probability areas will be subsurface tested, the high probability survey strategy will be considered adequate for both prehistoric and historic sites. However, in areas designated medium to low probability for prehistoric sites, the survey sampling strategy shall be expanded to encompass areas identified as likely containing historic resources.

The standard distance between surveyors shall be 25 meters regardless of the archaeological probability of the survey location. Any deviations from this distance shall be justified, require prior approval by the CRM or their designee, and be documented in the technical report. Obstacles that may obscure the discovery of historic properties (e.g., dense vegetation, recent alluvium, sedimentation) shall be noted and the approximate boundaries of the obstacle(s) or condition shall be indicated on a log for that Survey Area. Linear surveys shall cover a width determined appropriate by the CRM or their designee on each side of the linear undertaking being surveyed, not including previously disturbed graded or bulldozed areas.

Intensive survey shall be conducted using both surface reconnaissance and shovel probes depending on the amount of vegetation present and ground surface visible. Generally, surface reconnaissance shall be employed in areas with 50 percent or greater ground surface visibility, whereas shovel probes shall be used in areas with 50 percent or less ground surface visibility. Surface reconnaissance involves walking along transects spaced 25 meters apart and closely inspecting the ground surface for archaeological materials. The archaeologist records their observations on a log, and representative photographs are taken of the survey area. Shovel probes involve hand excavation at no greater than 25-meter intervals along transects spaced 25 meters apart. Shovel probes shall be no less than 30 centimeters in diameter, and all soils shall be passed through no larger than ¼-inch hardwire mesh screen. All shovel probe locations shall be recorded using GPS units with sub-meter accuracy. Appropriate field data forms will be used to collect all shovel probe information, including depth of soils, their color and texture, and the presence or absence of archaeological materials. Representative photographs may also be taken of individual probes. All shovel probes shall be backfilled.

3.3.3 Archaeological Site Documentation

Minimal data to be recorded include the general environmental setting; definition and location of site boundaries; description of the location, number, and kinds of features visible from the surface; nature of artifact assemblages; density and frequency of artifacts; and site integrity. The entire site boundary is also recorded, even if it exceeds the edge of the survey unit. Historic sites must have all relevant historic records searched as a way of adding documentary knowledge about the site. All archaeological sites must have a GPS differentially corrected, highly accurate location taken at the permanent datum. All site boundaries must be mapped with GPS. GPS files should be converted to ArcGIS shape file format for assimilation with the GIS dataset. When sites are identified on the surface, an appropriate amount of subsurface shovel probes must be employed to determine the depth of deposits. The amount of probes shall be sufficient to test areas likely to contain archaeological materials based on the surface site design. Shovel probe excavation shall follow the procedures outlined in Section 2.3.1.2.

3.3.3.1 Site Definition Criteria

Washington state law defines an archaeological site as:

> A geographic locality in Washington that contains archaeological objects. An archaeological object is defined as "an object that comprises the physical evidence of an indigenous and subsequent culture including material remains of past human life including monuments, symbols, tools, facilities, and technological by-products." For the purposes of determining whether a resource is an archaeological site or an archaeological isolated find, Washington state survey guidelines have determined that two or more archaeological objects within 30 meters distance constitutes an archaeological site; whereas a single item is classified as an archaeological isolate. Exceptions to this rule may include a single object that was obviously broken into several pieces, such as discrete pile of bottle glass of the same color.

The Fort Lewis CRM or their designee will allow the field supervisors to assign site status to other situations outside these criteria, provided a logical and reasonable argument is made in consultation with the CRM or their designee.

3.3.3.2 Forms

Archaeological sites and isolates are recorded using the Installation Cultural Resource Inventory Form (ICRIF), the Washington State Archaeological Site or Isolate Form, and NPS Form 10-900, the National Register of Historic Places form. An MS Access database is used for the completion of the ICRIF and state forms. All fields must be completed. NPS Form 10-900 is used only when a conclusive determination of National Register of Historic Places eligibility can be made. For ineligible resources, only Page 1 of NPS Form 10-900 is completed. For eligible resources, the entire form is completed.

3.3.3.3 Features

All features (e.g., hearths, depressions, middens, burned rock concentrations, fences, wells, privies, foundations, etc.) are recorded noting quantity of materials, size, shape, construction details, probable function, and any relationship to activity areas. Digital color photos are taken of each feature. When specified, profiles and plans views are drawn.

3.3.3.4 Artifacts

Generally, all prehistoric artifacts and all artifacts encountered during subsurface investigations shall be collected. Historic artifacts identified on the surface shall be collected within the context

of a specific research design for the project and/or in consultation with the archaeological program managers. Repetitive and non-diagnostic artifacts such as bricks, nails, unidentifiable metal fragments, and non-diagnostic glass and ceramic fragments need not be collected.

Military debris such as bullets, cartridges, and small missile fragments shall not be recorded unless it constitutes a particular historic event or is specified in a delivery order. Historic remains more than 50 years old shall be recorded, including wells, tanks, fences, machinery, and ground modifications from the historic period. Modern bottles, cans, and other trash will not be inventoried, but may be noted.

3.3.3.5 Site Maps

A sketch map shall be prepared that depicts, minimally, the relationship of the site to nearby physiographic features and identifying landmarks, the location of each visible feature, the shape and location of artifact sampling units, activity loci, the location of the site datum, site boundaries, the location of test units (including shovel probes, scrapes, and auger tests), and locations of collected artifacts. All maps must have a scale, north arrow, recorder name, date, and a legend/key. If remote sensing techniques are used (e.g., magnetometer, GPR, etc.) these areas must be delineated on the maps as well. The field number may be recorded on the field maps, however, trinomial and/or Fort Lewis site numbers shall be used on all final and published maps. The entire site boundary shall be recorded, even if it extends outside the survey area.

3.3.3.6 Site Depth

The investigator shall assess the depth of the site based on the results of all subsurface tests. In addition to shovel probes, hand excavated augers, limited mechanically excavated trenches, and hand excavated stream bank cuts may also be appropriate. If the professional judgment is that a site is a surface manifestation only, a clear statement citing evidence supporting that judgment shall be provided. If the investigator believes a site contains subsurface deposits, a clear statement with supporting evidence shall be provided. Auger tests, probes, and other techniques of extremely limited nature that have minimal impact on the integrity of the site may be performed to serve as a basis for making a professional assessment of depth and extent of cultural deposits. These tests are considered a routine element of survey procedures distinct from a formal testing project. The archaeological program managers must approve all testing strategies prior to the start of fieldwork.

3.3.3.7 Site Integrity

The investigator shall assess the present condition of each site, including: (1) identifying the kinds of post-depositional activities that have affected the site, (2) estimating the percentage of the total site affected by each kind of disturbance, and (3) indicating those portions of the site that remain intact. Investigators must identify all disturbance sources, manmade and natural. A thorough and accurate description of site integrity must be provided for each individual site investigated.

3.3.3.8 Chronometric Potential

For each prehistoric site, the investigator shall determine the potential for obtaining the following kinds of chronometric samples: (1) radiocarbon samples (how many, whether standard or AMS, and in what context); (2) dendrochronological samples (how many and from how many different features); (3) type seriation, such as diagnostic artifacts (list kind and frequency); and (4) other current techniques as appropriate.

3.3.3.9 Site/Project Location Maps

Each site and project shall be plotted on the appropriate USGS 7.5 minute quadrangle topographic map at no smaller than a 1:24,000 scale. The actual boundary of each site, rather than a central point, shall be depicted, as well as the survey areas, features (hearths, fences, tanks, and other structures), archaeological isolates, and modern features (such as roads and power lines) within the project area. The complete site boundary shall be mapped, even if it falls outside the project area boundary. The complete project area must be plotted as well. When appropriate or requested by the archaeological program managers, maps with background imagery should be provided. All location data should be collected with a high-accuracy (<= 1 m) differentially corrected GPS or other approved device. Each site boundary and site datum shall be recorded in the Fort Lewis GIS system.

3.3.3.10 Site Datum

A permanent datum will be established at each site that is identified. The datum will consist of a 24-inch length of rebar driven into the ground, fitted with a cap, and permanently labeled with the site number on an aluminum tag. A fiberglass witness post shall be driven adjacent to the datum. Datum locations shall be recorded with a high-accuracy (<= 1 m) differentially corrected GPS or other approved device.

3.3.4 Traditional Cultural Property Identification

Fort Lewis will consult with associated tribes concerning the identification and consideration of traditional cultural properties. Fort Lewis will respect confidentiality issues, and collect only the information necessary to consider potential adverse impacts in the planning process; this may or may not involve determining the NRHP eligibility of a traditional property. Traditional cultural properties may include natural settings and do not necessarily need to contain culturally modified places or features to be considered a traditional cultural property. Tribal consultation will determine the level of identification effort that is required.

A tribe may determine that sharing information about a traditional cultural property is inappropriate. The tribe may choose to delineate a boundary large enough so that future undertakings within the boundary will ensure appropriate consultation about potential impacts while avoiding precise identification and disclosure of the property.

3.3.5Historic Building, Structure, and District Identification

A professional with minimum qualifications as defined in Appendix A of 36 CFR Part 61 for historian, architectural historian, or historic architect will supervise building and structure surveys. Survey requirements will vary depending on the scope and character of the undertaking. In many cases existing inventories will be sufficient to identify historic buildings and structures in the APE. Building and structure surveys may be conducted as needed as part of ongoing planning level survey work as well as to provide information on resources in an APE that are not sufficiently documented. In accordance with DAHP guidelines, a Historic Property Inventory form will be prepared for each resource recorded during a survey.

3.3.6 Results

If the results of an identification survey indicate that no potential historic properties are present within the APE of a proposed project, the CRM will document the absence of resources in the RHPC and the project can proceed without further consideration.

If potential historic properties are identified in the APE, the CRM will document the finding in the RHPC and proceed to **SOP 4 NRHP Eligibility Evaluation** to determine if the resources meet eligibility criteria.

SOP 4. NRHP Eligibility Evaluation

4.1 Objective

The objective of this SOP is to evaluate the NRHP eligibility of potential historic properties identified in the APE. NRHP eligibility is the threshold that establishes subsequent management of a cultural resource. Properties determined eligible for the NRHP do not have to be formally nominated to the NRHP.

4.2 Policy

As part of the research process, Fort Lewis will periodically contact the Washington Department of Archaeology and Historic Preservation (DAHP), National Park Service, or U.S. Army Environmental Command (AEC), and other relevant sources to determine whether any nationwide historic contexts have been developed that might apply to historic properties on Fort Lewis. Similarly, the DAHP may have a statewide context against which the historic relevance of a resource can be weighed. Fort Lewis has been proactive in developing historic contexts for resources on its installation that are specific to the history of the region and to the Army. This effort to address gaps in the literature for current and future reference should continue.

Fort Lewis will evaluate the NRHP eligibility of cultural resources on Fort Lewis with reference to following documents or other current appropriate sources:

- *National Register Bulletin (NRB) #15 How to Apply the National Register Criteria for Evaluation* (Andrus 2002)*;*
- *NRB #36 Guidelines for Evaluating and Registering Archaeological Properties* (Little et al. 2000);
- *NRB #38 Guidelines for Evaluating and Documenting Traditional Cultural Properties* (Parker and King 1998);
- *Historic Context to Evaluate the Significance of Historic Archaeological Sites, Fort Lewis, Pierce and Thurston Counties, Washington* (Lewarch et al. 1999).

4.3 Procedures

4.3.1 Establish the Historic Context and Apply the National Register Criteria

- The CRM or their designee shall identify the theme(s), geographical limits, and chronological periods that provide a perspective from which to evaluate the cultural resource's significance. For historic archaeological sites, the historic contexts established by Lewarch et al. (1999) shall be used; and
- The CRM or their designee shall determine how the theme(s) within the context may be significant to the history of the local area, the state or the nation. A theme is considered significant if scholarly research indicates that it is important in American or regional history; and
- The CRM or their designee shall determine if the resource type is important in illustrating the historic context. Contexts may be represented by a single cultural resource type or by a variety of types; and
- The CRM or their designee shall determine how the resource illustrates the historic context through specific historic associations, architectural or engineering values, or information potential; and
- The CRM or their designee shall determine whether the resource possesses the physical features necessary to convey the aspects of prehistory or history with which it is associated.
- The CRM or their designee shall apply the NRHP criteria provided at 36 CFR 60.4, following the guidelines provided in NRB #15 or other current appropriate guidance. The criteria are as follows:

> **36 CFR 60.4 – National Register of Historic Places Eligibility Criteria** The quality of significance in American history, architecture, archeology, engineering, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and:
>
> A. that are associated with events that have made a significant contribution to the broad patterns of our history;
>
> B. that are associated with the lives of persons significant in our past;
>
> C. that embody the distinctive characteristics of a type, period, or method of construction or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
>
> D. that have yielded, or may be likely to yield, information important in prehistory or history.

4.3.1.1 Exceptions to NRHP Eligibility – Criteria Considerations

Some kinds of properties are excluded from NRHP eligibility. These include religious properties, properties that have been moved, birthplaces and graves, cemeteries, reconstructed properties, and properties less than fifty years old. However, these types of resources may be considered eligible if they meet the Criteria Considerations at (CFR 60.4).

Before applying the Criteria Considerations, the CRM or their designee shall determine if the historic property meets one or more of the four NRHP Criteria (36 CFR 60.4, Criteria A through D) and retains integrity:.

- If the historic property is a type cited in the Criteria Considerations, the CRM or their designee must determine if the historic property meets the special requirements stipulated for that type in the Criteria Considerations.
- If the historic property does not meet the requirements of the Criteria Considerations, the CRM or their designee shall determine that the historic property is not eligible for the NRHP and document that determination in the RHPC. No further consideration of effects on the property is required under this PA.

4.3.1.2 Criteria Consideration G: Significant Properties Less than 50 Years Old

Criteria Consideration G pertains to properties that have achieved significance within the past fifty years, and is the main Criteria Consideration that applies to historic properties on Fort Lewis. It is recognized that properties dating from the Cold War era (1946-1989) require evaluation under this consideration. The CRM or their designee will evaluate Cold War era properties less than 50 years old for their exceptional importance under Criteria A, B, C or D to identify those that may be eligible for inclusion in the NRHP.

4.3.2 Assess the Integrity of the Resource

In addition to significance, a historic property must possess integrity to be eligible for the NRHP. Integrity is the ability of the resource to convey its significance: to reveal to the viewer the reason for its inclusion in the NRHP. Integrity is a subjective quality, but must be judged based on how the cultural resource's physical features relate to its significance. Seven aspects are used to define integrity. Some, if not all, should be present for the resource to retain its historic integrity: location, design, setting, materials, workmanship, feeling, and association. The CRM or their designee shall assess integrity as follows:

- The CRM or their designee will define the essential physical features that must be present for a cultural resource to represent its significance. Although not all of the historic physical features need to be present, those that convey its historic identity are necessary, including those that define why and when the resource was significant. Under Criteria A and B, the resource must retain those features that made up its character or appearance during the period of its association with the important event, historical pattern, or person(s). Under Criterion C, the resource must retain most of the physical features that constitute that style or technique. Under Criterion D, integrity depends on the data requirements defined in the research design. The significant data contained in the historic resource must remain sufficiently intact to yield the expected important information under appropriate methodologies; and
- The CRM or their designee will determine whether the essential physical features are enough to convey significance; and
- The CRM or their designee will determine whether the cultural resource needs to be compared with similar properties (historic and non-historic). A comparison may help determine what physical features are essential to historic properties of that type; and

- The CRM or their designee will determine, based on the significance and essential physical features, which aspects of integrity are particularly vital to the cultural resource being evaluated and if they are present. For Criteria A and B, the presence of all seven aspects of integrity are the ideal, however integrity of design and workmanship may not be as important or relevant. Under Criterion C, a cultural resource must have integrity of design, workmanship, and materials. Location and setting are important for those whose design is a reflection of their immediate environment. For Criterion D resources, location, design, and materials are likely the most important aspects of integrity.

If the CRM or their designee determines that the resource retains integrity and meets the NRHP criteria, the resource shall be determined eligible for the NRHP and the CRM or their designee shall document the finding in the RHPC and provide the Washington SHPO a 30-day review period for concurrence with that finding. If the CRM or their designee determines that the resource does not retain integrity, the CRM or their designee will make a determination of non-eligibility. This determination will be documented in the RHPC and provided to the Washington SHPO for a 30-day review period. If the SHPO fails to respond within 30 days, concurrence will be assumed. For properties that are determined not eligible for inclusion in the NRHP, no further action is required under this PA. If agreement on a determination is not reached, Fort Lewis will obtain a determination of eligibility from the Secretary of the Interior pursuant to 36 CFR 63.

4.3.3 Methods for Evaluating Archaeological Resources

In many cases on Fort Lewis, observations made during survey and recording will not be sufficient to determine the nature and extent of subsurface deposits or assess site integrity. In these cases, a formal testing program will be needed. The following procedures outline the general standards and procedures for subsurface testing of archaeological sites.

Evaluations will be conducted in accord with a predetermined research design. In most cases, archaeological sites will be evaluated against National Register Criterion D; hence, research designs will specify testing methods designed to determine whether or not a particular site possesses data and integrity capable of answering research questions important in history or prehistory.

The Fort Lewis CRM or their designee may request formal limited subsurface tests, including systematic augering and/or shovel probes, 1-by-1-meter (m) test units, and mechanical excavations, to aid in the determination of NRHP eligibility of an archaeological resource.

Test units/locations, including auger and trowel tests, shall be plotted on field site maps and collected using GPS, EDM, or other appropriate digital formats. When subsurface tests are performed, all soil horizons and strata shall have written descriptions using standard scientific terms. Color descriptions shall be made in Munsell terminology. All excavated features shall be recorded using basic dimensions, orientation, and depth. Profile drawings and photographs (if possible) shall be made of at least one wall of each test pit and tested feature. Artifact descriptions, photography, and maps shall be as described under survey techniques. Upon completion of any test, units shall be restored as nearly as possible to conditions prior to excavation, except on specific instructions from the archaeological program manager.

4.3.3.1 Historic Period Archaeological Sites

Many historic archaeological sites on Fort Lewis have the same historic context, and testing programs should be designed to obtain comparable data sets so that sites can be appropriately compared. Historic sites on Fort Lewis will be evaluated against the research questions identified in Lewarch (et al. 1999) as well as other appropriate Fort Lewis research reports as identified by the CRM or their designee. Recent evaluation studies have determined that the best methods include the following:

- Using georeferenced and georectified historic maps (listed in Section 2.3) to identify the general locations of historic structures and then focusing excavation activities in these areas has proved highly successful. When examining the georeferenced and georectified historic maps, create buffers around historic structure locations to allow for accuracy issues inherent in historic maps and the georeferencing and georectifying process.
- On training areas and other locations of moderate surface disturbances, use a backhoe or trackhoe to mechanically strip the near surface (0-10 cm) in the historic structure buffer areas. On sites without disturbances, use a close interval (10-cm) shovel testing program in the buffer area. When appropriate, use geophysical methods or metal detection. In general, approximately 5 percent of the site area should be mechanically stripped, primarily in areas where historic structures were present.
- When features and/or concentrations of historic archaeological materials are identified that are suitable for sampling more intensively, use 1-by-1 meter test units to collect archaeological information. Excavate in 10-centimeter levels and screen all soils through ¼-inch mesh.
- Excavate a sufficient number of test units to obtain an adequate sample of historic archaeological materials (ideally, no less than 200 items per site). Generally, two to four test units within and adjacent to former historic structure locations or in historic dumps are sufficient.
- Focus on collection of domestic artifacts; architectural artifacts, such as brick, window glass, and nails, need only be sampled, but not fully collected.
- Military training at Fort Lewis since 1917 has included the demolition of historic structures and routine policing of historic debris to facilitate training efforts. Due to these historic demolition processes and military policing efforts, most historic archaeological sites on Fort Lewis are compromised and contain only modest artifact assemblages. When large intact dumps or extremely dense collections are encountered, use the same field methods; however, use nested screens in the lab to obtain a more comparable data set. In many cases, for example, a domestic assemblage obtained from ½-inch mesh will yield similar results to that obtained from ¼-inch mesh, but will contain significantly fewer items. Analyze a small sample of the artifacts retrieved from the ¼-inch mesh screen to determine whether the ½-inch mesh sample is biased toward any specific artifact classes. If so, use a stratified random sampling method to analyze a representative sample of the total ¼-inch screen collection.

4.3.3.2 Prehistoric Archaeological Sites

Few prehistoric sites have been identified on Fort Lewis. Most prehistoric sites identified to date are small, and likely represent seasonal procurement locations. For this reason, prehistoric sites should be sampled at a relatively close interval, and in some cases, it may be appropriate to use 1/8-inch mesh in the field. The following methods are generally appropriate for testing prehistoric sites on Fort Lewis:

(1) Conduct a shovel testing program at 10-meter intervals throughout the site area using ¼-inch screen.

(2) Create a field map showing artifact densities in probes, and isolate areas within the site with the highest artifact density. Conduct additional shovel probes at 5-meter intervals in the highest artifact density locations.

(3) Use 1-by-1-meter test units to further examine the areas of highest artifact density. Excavate in 10-cm levels and screen all soils through ¼-inch mesh.

(4) If artifact density and diversity appears low, consider screening ¼ of each test unit through 1/8-inch mesh.

(5) In some cases, geophysical methods should be used to sample for subsurface features. Magnetometry may be a particularly appropriate technique to identify thermally-altered features such as hearths or earth ovens.

(6) The geomorphological context of the particular site must be considered to evaluate the potential for buried deposits, and if appropriate, employ testing methods such as coring or mechanical trenching capable of detecting buried deposits.

4.3.4Methods for Evaluating Traditional Cultural Properties

As previously discussed, it may not be necessary or appropriate to specifically identify and evaluate a Traditional Cultural Property (TCP) for inclusion in the NRHP. However, when this is determined to be an appropriate measure, the following guidelines will be applied.

The identification, evaluation, and management of TCPs require tribal consultation and participation. A TCP is defined in National Register Bulletin (NRB) #38 as a historic property that is eligible for inclusion in the NRHP because of its association with cultural practices or beliefs of a living community that (a) are rooted in that community's history, and (b) are important in maintaining the continuing cultural identity of the community (Parker and King 1998). In addition to meeting these definitions, a TCP must also meet one or more of the four NRHP eligibility criteria and also retain integrity. The statement of significance describing why a TCP is eligible will be based on information provided by knowledgeable persons, literature reviews, and archival records. Integrity is best determined through consultation with knowledgeable persons.

4.3.5Methods for Evaluating Historic Buildings, Districts and Structures

All of the historic buildings and structures in the cantonment area that are greater than 50 years old to date have been inventoried and evaluated for NRHP eligibility. Fort Lewis will conduct project-specific inventories to identify buildings or structures that have reached the age of 50

years, develop appropriate historic contexts for evaluation, and evaluate the properties for NRHP eligibility according to the procedures set forth at 36 CFR 60.4, with reference to relevant ACHP, SHPO, and NPS guidance. Resources that are 50 years old or more will be recorded on DAHP Historic Property Inventory forms in accordance with DAHP guidelines appropriate to the level of inventory being conducted. Resources associated with the Cold War on Fort Lewis that are less than 50 years old at the time of inventory may be evaluated under Criteria Consideration G if they are of exceptional significance (see Section 4.13.1.2 above).

4.4 Results of NRHP Evaluation

If an evaluated resource meets one or more of the NRHP eligibility criteria and possesses sufficient integrity, the CRM or their designee shall forward the determination of eligibility along with supporting documentation to the Washington SHPO for a 30-day review period. If the SHPO concurs with the determination of eligibility, the resource will be considered a historic property. The CRM will record the determination in the RHPC and proceed to **SOP 5 Assessment of Adverse Effects**.

If an evaluated resource does not meet any of the NRHP eligibility criteria, or does, but does not retain sufficient integrity, the CRM or their designee shall forward the determination with supporting documentation to the Washington SHPO for a 30-day review period. If the SHPO agrees that the resource is not eligible, the CRM will document the finding in the RHPC.

The CRM will apply the NRHP eligibility criteria for resources identified in the APE pursuant to 36 CFR 800.4(c), and will make a determination of *No Historic Properties Affected* or *Historic Properties Affected* for the undertaking as follows:

(1) *No Historic Properties Affected* 36 CFR 800.4(d)(1)

If the CRM or their designee finds that none of the properties identified in the APE meet NRHP eligibility criteria, and the SHPO has concurred with the finding, a determination of "No Historic Properties Affected" will be documented for the action pursuant to 36 CFR 800.4(d)(1) and recorded on the RHPC and Project Review Log. No further action is required under this PA.

(2) *Historic Properties Affected* 36 CFR 800.4(d)(2)

If the CRM or their designee finds that one or more of the resources identified in the APE meet NRHP eligibility criteria, and the SHPO has concurred with the finding, a determination of "Historic Properties Affected" will be documented for the action pursuant to 36 CFR 800.4(d)(2) and recorded on the RHPC and Project Review Log. The CRM will then proceed to **SOP 5 Assessment of Adverse Effects**.

SOP 5. Assessment of Adverse Effects

5.1 Objective

The objective of this SOP is to outline the procedure for determining if project effects will be adverse. Adverse effects must be resolved in consultation with the SHPO and any affected tribes pursuant to 36 CFR 800.6.

5.2 Policy

It is Fort Lewis' policy to consider all types of direct, indirect, and cumulative adverse effects of a proposed undertaking on historic properties. An adverse effect is defined as an alteration to the characteristics of a historic property that qualify it for inclusion in the NRHP.

5.3 Procedures

The CRM or their designee will apply the criteria of adverse effect at 36 CFR Part 800.5(a)(1) to historic properties identified in the APE:

> An adverse effect is found when an undertaking may alter, directly or indirectly, any of the characteristics that qualify a historic property for inclusion in the National Register of Historic Places in a manner that would diminish the integrity of the property's location, design, setting, materials, workmanship, feeling, or association. Consideration shall be given to all qualifying characteristics of an historic property, including those that may have been identified subsequent to the original evaluation of the property's eligibility for the National Register of Historic Places. Adverse effects may include reasonably foreseeable effects caused by the undertaking that may occur later in time, be farther removed in distance or be cumulative.

Adverse effects on historic properties include, but are not limited to (36 CFR Part 800.5[a][2]):

> "(i) Physical destruction of or damage to all or part of the property;
>
> (ii) Alteration of a property, including restoration, rehabilitation, repair, maintenance, stabilization, hazardous material remediation and provision of handicapped access, that is not consistent with the Secretary's Standards for the Treatment of Historic Properties (36 CFR Part 68) and applicable guidelines;
>
> (iii) Removal of property from its historic location;
>
> (iv) Change of the character of the property's use or physical features within the property's setting that contribute to its historic significance;
>
> (v) Introduction of visual, atmospheric or audible elements that diminish the integrity of the property's significant historic features;
>
> (vi) Neglect of a property which causes its deterioration, except where such neglect and deterioration are recognized qualities of a property of religious and cultural significance to a Native tribe; and
>
> (vii) Transfer, lease, or sale of property out of Federal ownership or control without adequate and legally enforceable restrictions of conditions to ensure long-term preservation of the property's historic significance.

Application of the criteria of adverse effect will result in one of two findings:

(1) ***No Adverse Effect***

If the CRM or their designee determines that the undertaking will have no adverse effect to historic properties, the CRM will document the finding in the RHPC and the Project Review Log. No further action under this PA is required pursuant to 36 CFR 800.5(d)(1).

(2) ***Adverse Effect***

If the CRM or their designee determines that the undertaking will alter or diminish the characteristics that qualify the property for inclusion in the NRHP, a finding of adverse effect will be determined for the undertaking pursuant to 36 CFR 800.5(d)(2). The CRM will document the finding in the RHPC and Project Review Log, and proceed to **SOP 6, Resolution of Adverse Effects**.

5.4 Reporting

Identification and evaluation of historic properties for an undertaking will be documented in a report that will include, but not be limited to, the following categories of information:

- Management summary
- Project description
- Project area description
- Previous work/sites
- Documented historical narrative
- Methods
- Description and map of survey area(s)
- Architectural description of all properties greater than 50 years old in the APE using the DAHP Historic Property Inventory (HPI) Database form and associated standards
- Results of identification and NRHP eligibility evaluations
- Preliminary assessment of project effects
- Photos of all resources identified
- Recommendations for mitigation or further work if necessary.
- References cited

Maps will be digitized and submitted in a format compatible with the current Fort Lewis GIS. In cases of militarily sensitive properties, photos and maps may be subject to internal review and restrictions.

5.5 Emergency Actions

No requirement of this SOP shall delay immediate actions required in an emergency to protect health and human safety or avoid substantial loss of building fabric. As provided for by 36 CFR 800.12(b)(1), Fort Lewis will make reasonable and prudent efforts, in coordination with the CRM or their designee, to avoid or reduce adverse effects to historic properties during the implementation of immediate emergency actions, to be documented in writing after the fact. The resulting documentation will be submitted to signatories within 30 days of the declared date of the emergency as notification of actions taken, and also included in the PA annual report.

SOP 6. Resolution of Adverse Effects

6.1 Objective

This SOP outlines the options Fort Lewis will consider to resolve adverse effects to historic properties.

6.2 Policy

It is Fort Lewis' policy to avoid adverse effects to historic properties under its management to the extent possible while meeting mission needs. Fort Lewis will consider all options to avoid or minimize the adverse effect in consultation with the SHPO, affected tribes, and appropriate consulting parties. Resolution of adverse effects may require mitigation if avoidance is not feasible.

6.3 Procedures

6.3.1 Consultation to Avoid or Minimize Adverse Effects

The CRM will consult with the persons or organization responsible for implementing the undertaking to consider options for avoiding or minimizing adverse effects. Consultation will explore the options available for meeting the mission's needs while maintaining the qualities of the historic property that make it eligible for inclusion in the NRHP. Options to be considered will include:

(1) avoidance through project cancellation;

(2) avoidance through project relocation or redesign to avoid the historic property;

(3) minimization of the adverse effect through project redesign or relocation.

If Fort Lewis determines that the adverse effect will be successfully avoided through one of the above options, the CRM will document the outcome in the RHPC as a "Finding of No Adverse Effects" for the undertaking. The finding will be included in the PA annual report. No further action is required under this PA.

6.3.2 Consultation to Resolve Unavoidable Adverse Effects

If adverse effects cannot be avoided by exploring the options above, Fort Lewis will consult with the SHPO and affected tribe(s) to reach agreement in minimizing or mitigating the adverse effect. Fort Lewis will provide documentation pursuant to 36 CFR 800.11(e) of the proposed resolution of adverse effects to the SHPO and any consulting tribe(s) for a 30-day review period. If no objections are received within 30 days, Fort Lewis shall assume concurrence and proceed with the proposed resolution of adverse effects.

If the SHPO objects to the proposed resolution of adverse effects, and agreement cannot be reached through further consultation, Fort Lewis will forward all relevant documentation to the ACHP pursuant to 36 800.7(a)(1) for comment within 45 days. Any ACHP comment received within 45 days will be taken into account by Fort Lewis in accordance with 36 CFR 800.7(c)

SOP 7. Unanticipated Discovery of Archaeological Resources or Human Remains

7.1 Objective

The objectives of this SOP are to have procedures in place in the event of unanticipated discovery of archaeological materials or human remains. This can apply to both previously recorded and newly discovered sites in any part of Fort Lewis.

7.2 Policy

The willful destruction of archaeological materials is a violation of the Archaeological Resources Protection Act (ARPA) of 1979 (as amended) and may result in a felony prosecution.

7.3 Procedures

7.3.1 Unanticipated Discovery of Archaeological Materials

Historic and prehistoric archaeological sites can be found in most areas at Fort Lewis, including the cantonment and all training areas. Historic period sites can be divided into two types, military and nonmilitary, and are usually characterized by one or more of the following artifact types: glass, ceramics, metal, bricks, and wood. Prehistoric period sites usually contain lithic artifacts (e.g. projectile points, scrapers, worked tools, flakes, cores, etc.) and/or thermally-altered rock. In addition, beads and other exotic items may indicate the presence of a Native American burial, which may be encountered anywhere on Fort Lewis.

- In the event of unanticipated discovery of archaeological materials during a construction project or field training exercises, all actions affecting the materials must cease immediately.
- The CRM must be notified. The CRM will inspect the site where archaeological materials have been discovered. Documentation of the disturbance will be made, including notes and photographs.
- The CRM will consult with the Washington SHPO and the appropriate tribe(s) on a course of action if the CRM determines that the discovery may constitute an NRHP-eligible property. Notification will be completed within 48 hours of the discovery by fax and/or telephone. Within three (3) days, the CRM or their designee will follow up this initial consultation with a letter detailing the disturbance, the location, and any necessary actions. A state site form will be prepared for the site(s) discovered.
- The SHPO will have 48 hours to respond.
- In the event that mitigation of the damage to a site is necessary through data recovery excavations, a research design will be prepared by the CRM or their designee and submitted to the SHPO and appropriate tribes. The SHPO will have 10 days to respond. If there are no objections within the specified time, data recovery may proceed.

7.3.2 Unanticipated Discovery of Native American Human Remains

In the event the unanticipated discovery involves human remains that are or are suspected to be Native American, or funerary objects that are or may have been associated with the human remains, the will ensure that the requirements of NAGPRA are complied with, as applicable, by following the NAGPRA protocol in Section 10.5 (Appendix F) of the Fort Lewis Integrated Cultural Resource Management Plan (ICRMP).

SOP 8. Reporting Damage to Historic Properties

8.1 Objectives

The objectives of this SOP are (1) to ensure damage to historic properties is reported so corrective actions may be developed to avoid future unintentional damage and (2) to identify organizations and individuals responsible for intentional damage so appropriate measures can be followed. The willful destruction of archaeological materials is a violation of the ARPA (as amended) and may result in a felony prosecution.

Routine military training activities at Fort Lewis and the operation and maintenance of Fort Lewis facilities pose a risk of unintentional damage to properties that are or may be eligible for inclusion in the NRHP. Such damage may occur through the failure of the routine administrative controls provided in Fort Lewis' ICRMP or through the failure of trainers or other personnel to confine ground-disturbing activities to the areas that have been cleared.

8.2 Policy

Funds programmed for the implementation of this PA will not be diverted to repair or mitigate damage caused by failure to follow the provisions of the PA.

8.3 Procedures

8.3.1 Archaeological Sites

When a recorded archaeological site has been damaged, the CRM or their designee will review the site records, visit the site, and make an initial assessment of damage. An updated state site form will be prepared. The NRHP eligibility status of the site will be taken into consideration when assessing damage. The CRM or their designee will complete one of the following procedures:

(1) If the site is NRHP-eligible and the damage is not significant, the CRM or their designee will prepare a RHPC documenting the circumstances of the damage and its extent, record a finding of *No Historic Properties Affected*, and report the incident in the PA annual report.

(2) If the site is NRHP-eligible and the damage is severe, the CRM or their designee will prepare a RHPC documenting the circumstances of the damage and its extent, and recommending

whether it constitutes an adverse effect. The CRM will submit the finding to the SHPO within 30 days of the incident for comment.

(3) If the damaged site has not been previously evaluated for NRHP eligibility, the CRM will document the damage on the RHPC and develop a plan to evaluate the site within 10 days of the incident. The outcome of the evaluation (NRHP eligible or not, adverse effect or not) will determine which of the two procedures listed above will be followed.

8.3.2 Traditional Cultural Properties

When a property with traditional religious and cultural importance to Native Americans has been affected in a manner contradictory to Fort Lewis Policy or this PA, the CRM will review the incident and prepare a report for the Garrison Commander documenting the impact and recommending procedures (or modifications to existing procedures) that avoid future impacts. The following steps will be taken:

- The CRM, acting on behalf of the Garrison Commander, will consult with the appropriate tribes regarding the damage and how Fort Lewis proposes to address the damage and discuss any follow up actions to be taken.
- The CRM will document the incident for inclusion in the PA annual report, ensuring the confidentiality of sensitive information.
- The CRM will notify the SHPO of the incident through the PA annual report.

8.3.3 Historic Buildings, Structures, and Objects

When a historic building, structure, or object that is eligible for the NRHP has been impacted, the installation historic architect or their designee will visit the property and assess the damage. If the property is 45 or more years old and has not been previously evaluated the installation historic architect or their designee will make an initial determination of National Register eligibility and effect.

- Where damage is slight or does not affect features that contribute to the historic significance of the property, the installation historic architect will make a recommendation of *No Historic Properties Affected*, prepare a RHPC, and report the incident in the PA annual report.
- Where the damage is severe, such as when demolition or partial demolition took place, and the property is either NRHP eligible or is assessed by the installation historic architect as NRHP eligible before the damage, the installation historic architect will prepare a report documenting the circumstances of the damage, its extent, and effect. This report will be submitted with a transmittal letter signed by the Fort Lewis Garrison Commander to the Washington SHPO. Potential mitigation measures may be included in the letter for consideration.
- When new construction not reviewed under this PA, including modification to a reviewed undertaking, is discovered within a historic district or within the viewshed of a historic property for which the viewshed contributes to the significance of the property, the installation historic architect or their designee will visit the site and make an initial evaluation of the impact the construction may have on the district. If the construction is found to have no adverse effects on the property, the installation historic architect will make a recommendation of *No Adverse Effect to Historic Properties* and will prepare a RHPC and report the incident in the PA annual report.

- If the installation historic architect determines that the construction will have an adverse effect, they will prepare a RHPC documenting the extent of the effect. The RHPC will be submitted with a transmittal letter signed by the Fort Lewis Garrison Commander to the Washington SHPO for review within 30 days. Potential mitigation measures may be offered for consideration.

SOP 9. Dispute Resolution

9.1 Objective

This SOP provides Fort Lewis' policy on dispute resolution. It addresses both internal and external disputes.

9.2 Policy

It is Fort Lewis' policy to address all disputes with the objective of reaching mutual agreement on dispute resolutions through meaningful consultation with objecting parties.

9.3 Procedures

9.3.1 Internal Disputes

Should an implementing organization object to an action recommended by the CRM or their designee under this PA, the two parties will meet to discuss objections and consider potential ways to resolve the dispute in meeting both mission and legal requirements. If consultation fails to resolve the dispute, both parties will seek the opinion of the Staff Judge Advocate (SJA) on applicability of cultural resource laws and regulations or applicability of the PA for the disputed issue. Final dispute resolution, if necessary, will rest with the Fort Lewis Garrison Commander who will consider SJA's legal opinion in making a final decision.

9.3.2 External Disputes

Should the signatories object to any action carried out or proposed by Fort Lewis with respect to implementation of this PA, the objecting party will send its objection in writing to Fort Lewis' CRM. The CRM will consult with the objecting party to resolve the objection. If the dispute cannot be resolved through this consultation process or if other parties are affected by the dispute, Fort Lewis will consult with all signatories of this PA. Should another interested party that is not a signatory object to any action, Fort Lewis shall take the objection into account and document its consideration.

9.3.3 Determinations of National Register Eligibility

Fort Lewis shall make determinations of eligibility and shall seek concurrence from the SHPO. If the SHPO disagrees with a determination of eligibility, Fort Lewis will consult to reach agreement. If agreement cannot be reached, the CRM, on behalf of Fort Lewis, shall obtain a determination of eligibility from the Secretary of the Interior pursuant to 36 CFR 800.4(c)(2).

9.3.4 Determinations of Effect

If the objection concerns a determination of effect as addressed in the Annual Report, and if the parties cannot reach concurrence after consultation, the CRM or their designee will submit the determination of effect to the ACHP for final determination. The submittal package to the ACHP will also include all correspondence/consultation between the CRM or their designee and SHPO, THPO, and/or tribes addressing the finding of effect. The ACHP will respond to the request for a formal determination of effect within 15 days of receipt of submittal pursuant to 36 CFR 800.5(c)(3)(i). The ACHP may request an additional 15 days for response. Non-response by ACHP within 15 days of receipt of the submittal will constitute agreement with Fort Lewis' finding of effect. Participating parties may request amending appropriate SOPs to incorporate any changes required, based on the ACHP's comments.

9.3.5 Disputes other than Determinations of Eligibility or Effect

For disputes centered on other parts of implementing this PA, other than findings of eligibility or effect, and where agreement cannot be reached between Fort Lewis and objecting parties, Fort Lewis will forward all documentation relevant to the dispute along with its proposed resolution to the ACHP. The ACHP will exercise one of the following options within 45 days of receipt of all pertinent documentation:

- Advise Fort Lewis that the ACHP concurs in the proposed final decision, whereupon Fort Lewis will respond to the objection accordingly; or
- Provide Fort Lewis with recommendations, which Fort Lewis will take into account in reaching a final decision regarding its response to the objection; or
- Notify the Secretary of the Army that the ACHP will comment pursuant to 36 CFR Part 800(7) (c), and proceed to comment. The resulting comment will be taken into account by Fort Lewis according to 36 CFR Part 800(7)(c)(4) and Section 110(1) of the National Historic Preservation Act (NHPA).

Should the ACHP not exercise one of the above options within 45 days of receipt of all pertinent documentation, all parties shall assume the ACHP's agreement with Fort Lewis's proposed response to the objection.

Fort Lewis will take into account any ACHP recommendation or comment provided by this SOP with reference only to the subject of the objection; the installation's responsibility to implement other actions under this PA that are not the subject of the objection will remain unchanged. Any changes to the PA resulting from ACHP recommendations or comments will be highlighted in the PA annual report, with such changes made part of the PA. Parties of this PA will be notified immediately of dispute resolution outcomes.

SOP 10. Military Activities in Anticipation of Immediate Deployment, Mobilization or Armed Conflict

10.1 Objective

The objectives of this SOP are to ensure that the effects of military undertaking (in anticipation of deployment, mobilization, or armed conflict) on historic properties are considered and a reasonable effort is made to ensure that damage to historic properties is avoided.

10.2 Policy

Fort Lewis will proceed with undertakings required to support mobilization and training required in anticipation of immediate deployment, mobilization, or armed conflict without prior review of these activities by the SHPO or the ACHP. The Fort Lewis CRM with appropriate security clearance will conduct an internal review of any activities.

10.3 Procedures

10.3.1 Implementing Organization

The CRM will ensure the implementing organization is aware of the potential adverse effects of all courses of action on historic properties under consideration and recommend ways to avoid and reduce adverse effects.

The implementing organization will include the CRM or their designee in planning activities when an undertaking includes ground-disturbing activities, modifications to or demolition of buildings more than 45 years old, or the disposal of records connected with historic properties or unevaluated archaeological sites or buildings more than 45 years old.

The implementing organization will follow the CRM's or their designee's recommendations when practical.

- If the implementing organization cannot follow the CRM's or their designee's recommendation, it will provide the CRM or their designee with a summary report detailing the decision-making process and why avoiding adverse effects was not practical. The implementing organization will ensure that their next higher command is aware of the decision and include the report, along with recommendations for reducing adverse effects during future undertakings, in the after-action report.
- The CRM or their designee will include summary documentation of the undertaking(s) and their effects on historic properties in the annual report, provided no information is classified or would have the potential to affect classified actions.

SOP 11. Public Involvement and Dissemination of Information

11.1 Objective

In addition to consulting parties identified in Section 106 regulations 36 CFR 800.2(c), 36 CFR 800.2 (d)(1) requires Federal agencies to "seek and consider the views of the public in a manner that reflects the nature and complexity of the undertaking and its effects on historic properties, the likely interest of the public in the effects on historic properties, confidentiality concerns of private individuals and businesses, and the relationship of the Federal involvement to the undertaking."

Army regulations AR 200-1, AR 200-2, and AR 200-4 require that interested members of the public have access to the decision-making process and results of historic preservation undertaken at the public expense. This SOP outlines the minimum level of effort that Fort Lewis will take to ensure such access with regard to the implementation of this PA.

11.2 Policy

Fort Lewis will make research reports prepared under the stipulations of this PA available to the SHPO, associated Indian Tribes, and individuals who have expressed an interest in an undertaking. Reports and other compliance documents that include the exact location(s) of archaeological sites or other sensitive information that, in the opinion of the CRM, might endanger cultural resources on Fort Lewis will not be released to the public as provided for under 36 CFR 800.11(c). Interested individuals or organizations may contact the Fort Lewis Directorate of Public Works and request copies of reports.

11.3 Procedures

11.3.1 Dissemination of Research Reports

The CRM will send reports that have research value or are of public interest, as defined above, routinely to the SHPO and associated Indian Tribes. Brochures with notifications of the availability of technical reports, including a brief abstract of their contents, will be made available to others according to expressed area of interest.

11.3.2 Dissemination of Materials of Interest

When materials (in the opinion of the CRM) will have a wider range of interest, they may be published in scholarly journals, periodicals, books, or given as papers at learned and historical societies. All materials prepared by the CRM staff will be submitted through channels to the Fort Lewis Public Affairs Officer (PAO) to ensure compliance with Army Regulation 360-5. Release of materials prepared under contract will be approved as specified in the contract. The Fort Lewis CRM will ensure that a process that meets the standards of AR 360-5 is included in the scope of work for contracts approved by Fort Lewis.

11.3.3 Public Meetings

The CRM (and/or, at their discretion, other professional members of the cultural resources management staff) will in their official capacity attend meetings of local and state organizations concerned with cultural resources management issues at county and state historical and archaeological societies. The CRM may speak on the status of the Fort Lewis cultural resources management program. Informal presentations, including slide presentations, may be presented without prior approval of the PAO. The CRM will notify the PAO in advance of anticipated informal presentations and coordinate further if the PAO so requests. If a formal paper is given and copies are distributed, the text will be submitted to the PAO prior to the presentation to ensure the requirements of AR 360-5 are met. The CRM will inform the PAO and appropriate members of the command group of any potentially controversial issues raised during formal or informal presentations.

11.3.4 Popular Publications

The CRM and their staff will include the development of popular publications as companions to technical reports when project budgets allow. Fort Lewis will provide Portable Document Files (.pdf) of popular publications to individuals and organizations.

11.3.5 Internet and Multimedia

The CRM will explore the potential to develop web pages that can be used to disseminate historic preservation information to a broader audience.

SOP 12. Coordination of Section 106 Review with NEPA Environmental Assessment

12.1Objective

The objective of this SOP is to outline the procedures for coordinating the Section 106 review process with the NEPA environmental assessment process in cases where an EA or EIS document is being prepared for an installation action.

12.2 Policy

As provided for in Section 106 regulations 36 CFR 800.8, Fort Lewis may elect to use the NEPA environmental assessment process in lieu of the procedures set forth in this PA by notifying the SHPO and the ACHP in advance of publication of the draft EA or EIS document. The Army's NEPA procedures are published in the Code of Federal Regulations at 32 CFR Part 651.

12.3 Procedures

12.3.1 Notification and Documentation of Undertakings

Fort Lewis shall follow the notification and documentation process set forth in the Army's NEPA procedures at 32 CFR Part 651. The NEPA process will result in one of three documents:

(1) Record of Environmental Consideration (REC);

(2) Environmental Assessment (EA); or

(3) Environmental Impact Statement (EIS).

In addition to the resulting NEPA document, Fort Lewis will document Section 106 review in accordance with SOP 1 through SOP 6. Pursuant to 36 CFR 800.8(c)(2), Fort Lewis will submit the draft EA or EIS to the SHPO, affected tribes, and other consulting parties as appropriate for a 30-day review period prior to or at the time the EA or EIS document is made available for the 45-day public comment period. If the document is an EIS, Fort Lewis will also submit it to the Advisory Council on Historic Preservation (ACHP). Fort Lewis will review and consider all comments submitted from consulting parties and the public before finalizing an EA or EIS.

12.3.1.1 NEPA Assessments for which an EA or EIS is Not Prepared

In situations where an environmental assessment results in a finding of *No Historic Properties Affected* or *No Historic Properties Adversely Affected*, and only the REC document is prepared, the associated RHPC will be made available to the appropriate consulting parties for review upon request.

Attachment 1
Project Review Log

Attachment 1: Project Review Log

	A	B	C	D	E	F	G	H	I	J	K
1	**Project Review Log**										
2	**Project Proponent**	**Date Started**	**Date Completed**	**Project Name, Description, Location**	**NEPA/MILCON/IJO/ Other No.**	**SOP 1 "Determining Section 106 Undertakings"**	**SOP 5 "Assessment of Effects"**	**SHPO Consultation**	**Tribal Consultation**	**SHPO/Tribal Response**	**Notes**
3	Point of Contact: Project Proponent	Date Action Referred to Cultural Resources Office for Review	Date Review Completed	Brief Description of the Action and its Location	Any identifying tracking numbers such as the Military Construction (MILCON) Project Number	Record the outcome of SOP 1: 1. Not an Undertaking; 2. Qualifies as an "Exempted Undertaking"; 3. No Potential to Affect; 4. Record of Historic Properties Consideration (RHPC) Required	Record the outcome of SOP 5: 1. No Adverse Effect; 2. Adverse Effect	Note any consultation with SHPO: Determinations of Eligibility (SOP 4); Resolution of Adverse Effects (SOP 6); Unanticipated Discoveries (SOP 7); Damage to Historic Properties (SOP 8). Include SHPO Log No. as appropriate.	Note any consultation with Tribes: Identification and Evaluation of Traditional Cultural Properties (SOP 3, SOP 4); Resolution of Adverse Effects (SOP 6); Unanticipated Discoveries (SOP 7); Damage to Historic Properties (SOP 8)	Note any response to consultations	Any additional notes.
4											
5											
6											

Attachment 2
Record of Historic Properties Considered

RECORD OF HISTORIC PROPERTIES CONSIDERATION

1. CRM Number: _____
2. NEPA Number: _____
3. Work Order Number: _____
4. Archeological Number: _____

5. Project Name: _____

6. Proponent: _____

   6A. Proponent's initials: _____ 6B. Date: _____

7. Project Location: _____

8. Project Description: _____

9. Project Timeline: _____

10. Define Area of Potential Effect: _____

11. Does Project Affect a Historic Properties

    11a Is/are there property/properties listed in or eligible for listing in the National Register of Historic Places? ___ Yes ___ No ___ Undetermined

    11b Identification
    Preliminary Analysis-Identify resources referenced to determine if survey is required:

    Survey-document level of survey conducted to identify historic properties: _____

11c Evaluation

Identify historic context(s) used in evaluation of property(ies): _____

Criteria for Evaluation- address each Criterion as relates to property

Criterion A: _____

Criterion B: _____

Criterion C: _____

Criterion D: _____

Do Criteria Considerations apply to the property? ___ Yes ___ No

If yes, explain: _____

Does the property have historic integrity? ___ Yes ___ No

Explain: _____

11d Assessing Effects

___ No Historic Properties Affected. Explain: _____

___ No Historic Properties Adversely Affected. Explain:

___ Historic Property Adversely Affected. Explain: _____

If No Historic Properties Affected or No Historic Properties Adversely Affected, do not proceed. Sign form and submit to NEPA staff.

12. Treatment of Adverse Effects
    Provide mitigation measures to be met prior to undertaking moving forward: _____

Was form submitted to SHPO prior to Annual Report? ___ Yes ___ No
If yes, attached SHPO comments.
How were SHPO concerns addressed:_____

Proponent (only on findings of adverse effects): _____

Date: _____

Preparer: _____ Date: _____

HPO (or designee): _____ Date: _____

ATTACHMENTS:

Map showing APE

Other as appropriate (i.e. site reports)

Appendix 2: Standard Operating Procedures for Section 106 Compliance on Yakima Training Center

Undertakings on Yakima Training Center that are subject to compliance with Section 106 of the National Historic Preservation Act will be carried out in accordance with the following Standard Operating Procedures pursuant to Stipulation I.B. of this Programmatic Agreement (PA). It is the Garrison Commander's responsibility to ensure that all military and nonmilitary organizations on Yakima Training Center coordinate their actions under these Standard Operating Procedures with the Cultural Resources Manager to ensure compliance.

List of Acronyms

ACHP	Advisory Council on Historic Preservation
AEC	U.S. Army Environmental Center
AIRFA	American Indian Religious Freedom Act
APE	Area of Potential Effects
ARPA	Archaeological Resources Protection Act
CRM	Cultural Resources Manager
DAHP	Department of Archaeology and Historic Preservation
DES	Directorate of Emergency Services
DPTMS	Directorate of Plans, Training, Mobilization and Security
EMS	Environmental Management System
ENRD	Environment and Natural Resources Division
HABS	Historic American Buildings Survey
HAER	Historic American Engineering Record
ICRIF	Installation Cultural Resource Inventory Form
IMCOM	Installation Management Command
NPS	National Park Service
NRHP	National Register of Historic Places
RHPC	Record of Historic Property Consideration
SHPO	State Historic Preservation Officer (Washington)
SOP	Standard Operating Procedure
YTC	Yakima Training Center

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Attachment 1. Memorandum For Record

SOP 1. Internal Coordination for Cultural Resources Review

1.1 Purpose

This SOP outlines streamlined procedures for effective internal review of YTC projects and activities in accordance with the NHPA. This SOP integrates cultural resources review with other environmental review requirements, in particular the NEPA process.

Authorities

NHPA; NEPA; 36 CFR 800; DoD Instruction 4715; AR 200-4

When is Cultural Resources Review Required for a Proposed Project or Activity?

Cultural resources review is required for:

- Training or projects outside improved ranges and the cantonment area on YTC that involve excavation (mechanical or otherwise); examples include digging of foxholes, tank traps, trenches, latrines, firebreaks, or any other ground disturbance beyond maneuver;
- All projects within the YTC cantonment area that may impact facilities listed in Table 7, Section 3.2.2.4, of the YTC ICRMP; and
- All other projects requiring NEPA review.

Who Participates in the Review?

Participants in the internal review process are Directorate of Plans, Training, Mobilization and Security (DPTMS), Public Works, and Environment and Natural Resources Division (ENRD) staff to include the CRM.

1.2 Procedures

1.2.1 DPTMS Projects and Military Training

These procedures apply to military training and other DPTM projects outside cantonment areas and improved ranges:

1. DPTMS will determine whether the proposed training activity or project will involve excavation or any other ground disturbance beyond that associated with maneuver or other standard training procedures. If ground disturbance will result, then DPTMS will proceed to SOP 2.
2. If no ground disturbance will result, then the proposed activity may proceed without further review.
3. Once it is determined that ground disturbance may result, DPTMS will contact the CRM with details of the proposed activity. The CRM may be contacted at:

Cultural Resources Manager

Environment and Natural Resources Division

Yakima, WA 98901

(509) 577-3535

randy.korgel@us.army.mil

4. The CRM will determine whether the proposed activity qualifies as an undertaking per NHPA. If so, the CRM will initiate the Section 106 process (**SOP 2**)
5. Within two (2) working days of being contacted, the CRM will provide DPTMS with a Memorandum For Record (see **Attachment 1**) indicating whether any further review is required per Section 106. If further action is required, the memorandum will indicate a timeline for such action.

1.2.2 Public Works Projects and Work Orders

These procedures apply to Public Works projects or other activities requiring a work order that have potential to impact the cultural environment.

1. Public Works will consult the list of Cold War-era properties that have turned 50 years of age to determine whether the proposed project may impact properties requiring cultural resources review. Public Works will also determine whether the proposed project may involve ground disturbance outside the cantonment area and improved ranges. If Cold War-era properties requiring review may be affected or ground disturbance may result, then Public Works will staff details of the proposed project through the CRM.
2. The CRM will determine whether the proposed project qualifies as an undertaking per NHPA. If so, the CRM will proceed to **SOP 2** .
3. Within two (2) working days of being contacted, the CRM will provide Public Works with a Memorandum For Record indicating whether any further review is required per Section 106. If further action is required, the memorandum will indicate a timeline for such action.

1.2.3 Other Projects Reviewed under NEPA

These procedures apply to all other projects requiring NEPA review.

1. The ERND NEPA Coordinator will determine whether the proposed project may involve ground disturbance outside the cantonment area. If ground disturbance may result or historic properties may be affected, then the NEPA Coordinator will staff the details of the proposed project through the CRM.
2. The CRM will determine whether the proposed project qualifies as an undertaking per NHPA. If so, the CRM will initiate the Section 106 process (**SOP 2**).
3. Within two (2) working days of being contacted, the CRM will provide the ENRD NEPA Coordinator with a Memorandum For Record indicating whether any further review is required per Section 106. If further action is required, the memorandum will indicate a timeline for such action.

SOP 2. The Section 106 Review Process

2.1 Purpose

This SOP implements provisions of Section 106 of the NHPA and its implementing regulations 36 CFR 800 (revised January 11, 2001). Section 106 of the NHPA is a federal review process designed to ensure that historic properties are considered during the planning and execution of federal undertakings. This process will be initiated early in the planning stages of a project. The following steps will be implemented by YTC to ensure compliance.

Authorities

NHPA; 36 CFR 800; DoD Instruction 4715; AR 200-4

When Does Section 106 Apply to YTC Projects?

Section 106 applies when a YTC project qualifies as an undertaking, defined as ***any project, activity, or program funded by, subject to approval of, or conducted under the aegis of a federal agency***.

Who Participates in the Section 106 Process?

Participants in the process are YTC, the Washington SHPO, the Advisory Council, and Native American tribal organizations. The latter will be included as primary consultation partners if the undertaking being considered may affect Native American traditional cultural properties, sacred sites, burial sites, or any other cultural resources of potential cultural significance to a culturally affiliated tribe. Other participants may include local governments, local historic preservation groups, and other interested persons. The CRM is responsible for initiating the Section 106 process, when appropriate, on behalf of YTC as an outgrowth of internal review (see **SOP 1)**.

2.2 Procedures

Step 1: Identification of Historic Properties and Traditional Cultural Properties

The CRM will determine whether there are any National Register-eligible cultural resources, i.e. historic properties or traditional cultural properties, in the project's area of potential effect. Identification may be done by consulting existing inventories or may require additional investigation.

If no historic properties are identified, then the CRM will make a finding of *no historic properties affected*. If an historic property or TCP is identified, then the CRM must determine if there is potential for the undertaking to affect the historic property/TCP. If it is found that the undertaking will have no effect upon the historic property/TCP, then the CRM will make a finding of *no historic properties affected*. If it is found that the undertaking may affect the historic property/TCP, then the CRM will make a finding of *historic properties affected*.

Step 1 will therefore result in one of two findings:

- ***No Historic Properties Affected***: Upon a finding of *no historic properties affected*, the CRM will record the finding for inclusion in an annual report. This concludes the Section 106 process.
- ***Historic Properties Affected***: Upon a finding of *historic properties affected* the CRM will proceed to Step 2.

Step 2: Assessment of Adverse Effects

The CRM will inform the Washington SHPO and other consulting parties of the finding of *historic properties affected* and invite their view on the effects. The CRM will then apply the criteria of adverse effect to determine if the undertaking may adversely impact the historic property/TCP. Criteria of adverse effect are as follows (36 CFR §800.5(a)(1)):

> *An adverse effect is found when an undertaking may alter, directly or indirectly, any of the characteristics of a historic property that qualify the property for inclusion in the National Register in a manner that would diminish the integrity of the property's location, design, setting, materials, workmanship, feeling, or association. Consideration will be given to all qualifying characteristics of a historic property, including those that may have been identified subsequent to the original evaluation of the property's eligibility for the National Register. Adverse effects may include reasonably foreseeable effects caused by the undertaking that may occur later in time, be farther removed in distance, or be cumulative.*

Examples of adverse effects are provided in 36 CFR §800.5(a)(2).

Application of the criteria of adverse effect will result in one of two determinations:

1. ***No Adverse Effect***: This determination is made when there may be an effect, but the effect will not be harmful to those characteristics that qualify the property for inclusion in the National Register. The CRM will seek concurrence from the Washington SHPO and other consulting parties while submitting the following documentation (§800.11[e]):
    1. a description of the activity, specifying federal involvement, and its area of potential effects (including photographs, maps, drawings, as necessary);
    2. a description of steps taken to identify historic properties;
    3. a description of the affected historic property (including information on the characteristics that qualify the property for inclusion in the National Register);
    4. a description of the effects of the activity on the property;
    5. an explanation of why the criteria of adverse effect were found inapplicable; and
    6. copies or summaries of any view provided by consulting parties or the public.

If the Washington SHPO and other consulting parties do not respond or express concerns within thirty (30) days, then the undertaking may proceed. This concludes the Section 106 process.

If the Washington SHPO or other consulting parties disagree with determinations made by YTC within thirty (30) days, YTC may then either consult with the party(ies) to resolve the disagreement or request that the Advisory Council (see Section 2.3.5 of YTC ICRMP, *Advisory Council on Historic Preservation*) review the determination. YTC will provide the Advisory Council with copies of all documentation submitted to Washington SHPO and other consulting parties. The Advisory Council has a 15-day period to respond. The Advisory Council will determine if the Criteria of Adverse Effect have been properly applied by YTC and will either concur with or overrule the determination. If the Advisory Council does not respond within fifteen (15) days, then YTC may assume concurrence and proceed accordingly (36 CFR §800.5 [c][iii]). This concludes the Section 106 process.

2. ***Adverse Effect***: This determination is made when there may be an effect, and that effect could diminish the integrity of the characteristics that qualify the property for inclusion in the National Register. Upon a finding of *adverse effect* the CRM will continue to **Step 3**.

Step 3: Resolution/Mitigation of Adverse Effects

If a project is determined to result in an *adverse effect* to an historic property/TCP, the CRM will consult Washington SHPO and other consulting parties to resolve the effects. The CRM will provide the Washington SHPO and other consulting partners with the following materials:

1. a cover letter;
2. a description of the proposed undertaking and its area of potential effect (specifying federal involvement), including applicable figures or maps if any;
3. a description of alternatives considered and justification for the proposed undertaking;
4. a description of steps taken to identify historic properties in the area;
5. a description of the affected historic property(ies), including information on characteristics that qualify the property(ies) for inclusion in the National Register;
6. an explanation of the determined effects;
7. an explanation of why the criteria of adverse effect were found applicable, including any conditions for future mitigation; and
8. copies or summaries of any views provided by other consulting parties (36 CFR 800.11[e]).

The CRM will also notify the Advisory Council that consultation has begun (if the Advisory Council is not already involved). Notification will include documentation as above and a notification letter. If any party desires, the Advisory Council may enter the consultation process. Interested parties, such as local government officials, local historic preservation groups, or those with academic or professional interests, may also be invited to participate. Any party entering the process will receive a copy of materials submitted to the Washington SHPO.

Consultation usually results in agreement on procedures to avoid, reduce, or mitigate adverse effects. An agreement must take into account mission-related constraints, management limitations of the Army, and concerns of outside parties. If an undertaking cannot be modified to minimize adverse impacts, then mitigation measures will be agreed upon. Mitigation is usually made via documentation and data recovery and implemented through a MOA. In most cases, agreement is reached.

Step 4: Alternative 1: Successful Consultation Leading to a Memorandum of Agreement

The product of successful consultation is usually a Memorandum of Agreement (MOA) that stipulates measures to be taken to resolve adverse effects. Consultation can also result in a Programmatic Agreement (PA), typically used for adverse effects that are recurring or widespread.

The Commander, YTC will sign the final document and obtain the signature of the Washington SHPO and any other parties to the agreement. If the Advisory Council participated in the consultation, the agreement document will be forwarded to the Advisory Council for signature. If

the Advisory Council did not participate in the consultation process, YTC will forward the signed agreement document to the Advisory Council with the following additional documentation:

- an evaluation of all measures considered during consultation and
- a summary of the views of all consulting parties and the public. YTC will provide Installation Management Command (IMCOM), West Region with a copy of the final document signed by all participating parties. This concludes the Section 106 process.

Step 4, Alternative 2: Termination of Consultation If Agreement is Not Reached

If parties cannot agree on a MOA or PA, consultation may be terminated at any time following initiation of consultation. If the consultation is terminated, the Advisory Council must be notified and allowed to comment per 36 CFR 800.7. If YTC terminates the consultation, the CRM will notify all consulting parties, and the Commander, YTC will make a formal request to the Advisory Council for comments per 36 CFR 800.7(a)(1). After receiving the request, the Advisory Council has 45 days to issue comments. The Advisory Council may also conduct an on-site inspection of the property (ies) during this period. YTC will address the Advisory Council's comments and inform the Advisory Council of its decision. This concludes the Section 106 process.

SOP 3. Inadvertent Discovery of Archeological Resources or Burials

3.1 Purpose

This SOP outlines procedures to be followed in the event of the inadvertent discovery of archeological resources or burial sites during Army-sanctioned activities on YTC.

Authorities

ARPA; NAGPRA; NHPA; 36 CFR 800; DoD Instruction 4715; AR 200-4

Who is Responsible for an Inadvertent Discovery?

Implementation of this SOP is the responsibility of field troops, unit commanders, civilian personnel, recreational users holding permits or other authorization for use of YTC lands, DPTMS, and the CRM, who will contact other parties as appropriate.

3.2 Procedures

Step 1. Upon discovery of archeological materials or human remains, field troops, YTC personnel, or any other permitted users (*e.g.*, recreational users) of YTC lands will immediately cease any ground-disturbing operations and report the finding to the Range Control, who will report to the CRM pursuant to Step 2. In the case of ongoing operations (*e.g.*, military training, facilities maintenance operations), a buffer zone (100-meter) will be established around the find, outside which ground-disturbing operations may continue.

Step 2. Range Control will contact the CRM at:

Cultural Resources Manager

Environment and Natural Resources Division

Yakima, WA 98901

(509) 577-3535

randy.korgel@us.army.mil

Step 3. The CRM will inspect the area.

Contingency 1: Human Remains Present

If human remains are present, the CRM will determine whether they may be associated with a crime scene. If there may be a crime scene, the CRM will notify Directorate of Emergency Services (DES) Police and the Fort Lewis Criminal Investigation Division (CID). CID will assume custody of the area. If the remains are not associated with a crime scene, the CRM will immediately proceed to **SOP 4** *Native American Graves Protection and Repatriation Act Standard Operating Procedures (Interim)*.

Contingency 2: Cultural Materials Found

If cultural materials (*i.e.*, artifacts, features, etc.) are found without a burial, the preferred alternative will be to move ground-disturbing operations to another location and include the area in a future archeological investigation. If operations cannot be moved to avoid the site (or if operations are likely to occur in the area in the near future), the CRM will proceed to Step 4.

Contingency 3: Only Natural Formations

If the CRM is able to determine that the finding represents merely natural formations, the CRM will inform Range Control and prepare a written Memorandum For Record detailing the finding. Operations may proceed unimpeded.

Step 4 (Contingencies 1 and 2). The CRM will implement **SOP 2** in the case of an archeological site discovery, or **SOP 4** in the case of a burial discovery. Operations may proceed following completion of the appropriate review processes and pursuant to any resulting agreement documents.

SOP 4. Native American Graves Protection and Repatriation Act Compliance (Interim)

4.1 Purpose

This SOP outlines procedures to be followed in the event of the discovery of Native American human remains or items of cultural patrimony during YTC mission activities or archeological

investigations. It implements provisions of 43 CFR 10 on YTC. This SOP will apply until such time that a comprehensive agreement for NAGPRA compliance is finalized (see Section 4.4.4.3 of YTC ICRMP, *Preservation Plans*).

Authorities

NAGPRA; 43 CFR 10; RCW 69.60; DoD Instruction 4715; AR 200-4

Who is Responsible for NAGPRA Compliance?

The CRM is responsible for implementation of this SOP. Implementation also requires the cooperation of culturally-affiliated Tribes, and the Commander, YTC, with whom rests the ultimate responsibility for NAGPRA compliance on the installation.

4.2 Procedures

4.2.1 Contingency 1: Inadvertent Discovery

The procedures for Contingency 1 will be implemented in the following situations:

- following Steps 1, 2, and 3 of **SOP 3**,,once human remains, funerary objects, or objects of cultural patrimony have been discovered during activities on YTC; or
- during archeological investigations on YTC when Native American remains, funerary objects, or objects of cultural patrimony have been discovered.

Step 1: The CRM will make an initial determination of possible cultural affiliation. The remains will be examined *in situ* unless they have already eroded from their original location or have been removed from their original resting place by accident or as a result of looting. If the remains are clearly not Native American, the CRM will follow procedures outlined called for in Washington's RCW 69.60, *Abandoned and Historic Cemeteries and Historic Graves*. If the remains may be Native American, then the CRM will immediately notify the Commander, YTC of the finding.

Step 2: The CRM will prepare a preliminary report outlining the circumstances and nature of the discovery, results of initial examination, and a prospective plan of action for consultation and disposition of discovered objects. The report will be submitted to Commander, YTC within 48 hours of initial notification.

Step 3: Within 48 hours after receipt of the report from the CRM, the Commander, YTC will prepare a Memorandum of Notification for submission to the Tribes.

Step 4: Upon receipt of the Commander's notification the CRM will notify possible lineal descendants or culturally affiliated Tribes (see Section 4.1.3 of YTC ICRMP *Culturally Affiliated Indian Tribes*) of the discovery. Notification will be by telephone and by forwarding the Memorandum of Notification. Notification will include the report of the field evaluation.

Notices shall be sent to the tribal chairpersons, and a copy shall be furnished to the designated tribal NAGPRA coordinators.

Step 5: Consultation will proceed toward the development of a written plan of action in accordance with 43 CFR 10.5(e) among the appropriate Tribes and the Commander, YTC. NAGPRA agreements will be staffed through Command channels in accordance with AR 200-4.

Step 6: The activity that resulted in the inadvertent discovery of Native American human remains or cultural objects may resume after 30 days of the preparation of the Memorandum of Notification, pursuant to any resulting plan of action.

4.2.2 Contingency 2: Archeological or Other Investigations Likely to Result in the Discovery of Native American Burials

The procedures for Contingency 2 will be implemented when YTC proposes to undertake an archeological investigation or other activity that has a high probability to result in the discovery of Native American human remains.

Step 1: The CRM will consult the existing cultural resources inventory to determine whether any known burial sites (including burials reinterred following NAGPRA consultation) or other sites with surface features consistent with burials (see Section 3.2.3.4 of YTC ICRMP, *Areas of Concern*) are in the proposed investigation's area of potential effect. If known or suspected burials exist, the CRM will proceed to Step 2.

Step 2: The CRM will contact culturally-affiliated Tribes with details of the proposed investigation and will consult with the Tribes (allowing for a thirty (30)-day period for tribal response) to ensure that the scope of work for the investigation addresses the concerns of the Tribes.

Step3: In the event that a burial is discovered as part of the investigation, the CRM will implement the procedures outlined in Contingency 1.

SOP 5. Post-Action Monitoring

5.1 Purpose

This SOP outlines procedures for monitoring protected archeological sites and other protected cultural resources and documenting effects to sites or site protections on YTC.

Authorities

ARPA; NHPA; 36 CFR 800; NAGPRA; AIRFA; DoD Instruction 4715; AR 200-4

Who Participates in Site Monitoring?

Post-action monitoring is the responsibility of the CRM and the cultural resources staff. Documentation of cultural resource sites will be conducted by cultural resources personnel; however, non-cultural resources personnel may conduct inspections of Siber Stakes. After-action reports may be staffed through the Director, Public Works.

5.2 Procedures

Step 1: Following large-scale training exercises on YTC, protected sites in the area used for training will be field checked to ensure that damage hasn't occurred and to assess the effectiveness of site protections. Monitoring will include the following:

1. Siber Stakes will be visually inspected.
2. Downed or damaged stakes will be repaired or replaced.
3. Sites with damaged Siber Stakes will be inspected for impacts to protected sites.
4. If there are site impacts, documentation will be prepared as follows.
    - **a.** A sketch map will be drawn showing all impacts within the site boundary to include vehicle trails (noted by type of vehicle if possible), areas where dismounted activities took place, and all other impacts (*e.g.* graffiti, trash, latrines, *etc*.).
    - **b.** GPS readings will be taken of disturbance to site features.
    - **c.** If the impact may affect the qualities that make the site eligible for the National Register, then further documentation will be made as follows.
        - ***i)*** Digital photographs will be taken of all adverse effects.
        - ***ii)*** A revised sketch map will be prepared for the site.
        - ***iii)*** For impacts to cultural deposits, record will be made of the nature of sediments, immediate topography, and estimated potential depth of the deposit.
        - ***iv)*** For impacts to features or structures, record will be made of the type of feature and potential for buried deposits.

Step 2: A report will be prepared within 10 working days of completion of the monitoring by the CRM or the archeologist conducting the monitoring. The report will provide:

- the dates of monitoring and the personnel conducting the field inspection;
- a description of the military exercise that preceded monitoring;
- list of sites visited;
- note of repairs to Siber Stakes; and
- full documentation of adverse impacts to sites resulting from military training.

Step 3: If no damage is recorded, then the report will be kept on file with the CRM, and a Memorandum for Record will be prepared for the Director, Public Works summarizing the results. If damage has been documented, then the report will be staffed through the Director, Public Works. Site forms will be revised for any damaged sites and submitted to the Washington SHPO. The Section 106 process will be initiated to evaluate the site for NRHP eligibility if it has not been evaluated and determine adverse effects for any damaged sites pursuant to **SOP 2**. If damage has occurred to a burial, sacred site, or any other Native American resource, the CRM will consult with the appropriate culturally-affiliated Tribes.

SOP 6. Treatment of Cold War-Era Architectural Properties

6.1 Purpose

During 2008-2012, YTC will adhere to the following procedures for treatment of Cold War-era properties that have reached 50 years of age.

Authorities

NHPA; 36 CFR 800; DoD Instruction 4715; AR 200-4

Who is Responsible for Implementation of this SOP?

The CRM is responsible for NHPA compliance with regard to Cold War-era architectural properties. Public Works is responsible for maintenance and development of Real Property on YTC.

6.2 Procedures

Step 1: Annually, the CRM will provide Public Works with a list of Cold War properties that have reached 50 years of age and are subject to provisions of the NHPA (see Table 7 in Section 3.2.2.4 of YTC ICRMP, *Area of Concern: Cold War Architectural Properties*).

Step 2: Public Works will incorporate this information into its Real Property database and will inform the CRM in the event that projects, including maintenance, are planned for one or more of these “flagged” properties.

Step 3: The CRM will initiate Section 106 review pursuant to **SOP 2** for any YTC-sanctioned undertaking that may result in effects to the properties.

SOP 7. Cultural Resources Law Enforcement

7.1 Purpose

This SOP implements provisions of ARPA (implementing regulations 32 CFR 229) that protect archeological resources. Per ARPA, it is a federal offense to excavate, remove, damage, or otherwise deface archeological resources on federal or tribal lands. The sale, purchase, or transfer of archeological artifacts obtained through illegal activity is also an offense.

Authorities

ARPA; NHPA; 36 CFR 800; NAGPRA; DoD Instruction 4715; AR 200-4

Who is Responsible for Cultural Resources Law Enforcement?

Implementation of this SOP is the responsibility of the CRM and DES. If an ARPA violation is believed to have occurred, the Fort Lewis CID and Staff Judge Advocate will be notified.

7.2 Procedures

If an ARPA violation is believed to have occurred at YTC, security personnel of DES will initiate an investigation. The CRM will assist by conducting an on-site inspection of the archeological site that has been damaged or vandalized.

The CRM will:

1. prepare a detailed site plan documenting disturbance;
2. take photos of any disturbance;
3. collect and catalogue any evidence, such as bottles, cigarette butts, cans, *etc.*; and
4. collect molds of any footprints.

All recorded and collected materials will be secured by the CRM during the investigation.

If evidence identifying a suspect is obtained, the Fort Lewis CID will be notified and given the opportunity to review the evidence to determine further investigative action and possible prosecution. If prosecution is warranted, the Staff Judge Advocate will vigorously enforce the law through the Federal Magistrate.

If no evidence identifying a suspect is obtained, then all recorded and collected materials will be curated at the Wanapum Heritage Center in the event that a suspect is later identified.

SOP 8. Economic Analysis of Historic Properties

8.1 Purpose

This SOP outlines procedures for completion of an economic analysis on historic properties per AR 200-4. AR 200-4 requires that installation ICRMPs detail provisions for the conduct of an economic analysis on architectural historic properties, *i.e.* National Register-eligible architectural

properties, being considered for demolition. The analysis occurs in addition to Section 106 compliance procedures outlined in **SOP 2**. As of 2009, no National Register-eligible architectural properties have been identified on YTC.

Authorities

AR 200-4; Army Pamphlet 200-4

Who is Responsible for the Economic Analysis?

The CRM is responsible for implementation of this SOP. The organization responsible for demolition of the property also participates in the preparation of the economic analysis.

8.2 Procedures

The economic analysis should detail alternatives considered by YTC for disposition of the historic property(ies). Army Pamphlet 200-4, a supporting document to AR 200-4, elaborates on AR 200-4 in calling for the Army to consider factors such as maintenance costs, utility costs, and replacement costs in cost estimates. The economic analysis envisioned by AR 200-4 is not a decision document but rather a tool to assist the installation in making management decisions. Cost is only one factor involved in the decision process, and the installation is by no means required to adopt the management alternative of least cost.

The economic analysis should, at a minimum, provide the following information on each property proposed for demolition:

1. a property condition assessment;
2. a description of management alternatives considered;
3. cost estimates for each alternative; and
4. a statement of the Army's decision, i.e., preferred alternative, with regard to disposition of the property.

Alternatives considered should include demolition, no action, and options for adaptive re-use of the property.

The economic analysis subsequently may be used as a supporting document in the Section 106 consultation process.

SOP 9. Emergency Operations

9.1 Purpose

This SOP outlines procedures to be followed in the event of emergency operations by YTC. In the event of emergency operations, standard review procedures or protections per Section 106 of the NHPA, NAGPRA, or ARPA may not be practicable. Per 36 CFR 800.12(d), immediate rescue and salvage operations to preserve life or property are exempt from Section 106 of the NHPA. However, contingencies for emergencies are not so clearly outlined with regard to other cultural resources legislation.

YTC will make all reasonable efforts in responding to emergency situations to avoid significant cultural resources or to minimize adverse effects to significant cultural resources. This SOP applies to all emergency operations undertaken on YTC and to YTC-sanctioned emergency operations occurring off the installation.

Authorities

ARPA; NHPA; 36 CFR 800; NAGPRA; 43 CFR 10; DoD Instruction 4715; AR 200-4

Who is Responsible for Emergency Operations?

Implementation of this SOP is the responsibility of the CRM and the unit commander or other official in charge of emergency operations.

9.2 Procedures

Step 1: Upon notification of proposed emergency operations, the CRM will obtain information, as quickly as possible, on possible locations of likely or known cultural resources.

Step 2: The CRM will provide information on the location of possible or known cultural resources to the unit commander or official in charge of emergency operations. If it can be accomplished in a timely manner, the CRM will consult with the unit commander or appropriate official to discuss measures to avoid effects to potentially significant resources. The CRM will ensure that personnel involved in operations are aware of the discovery procedures outlined in **SOP 3**.

Step 3: If emergency operations cannot avoid significant cultural resources, then the CRM will conduct a visual examination of resource locations at the earliest opportunity to determine if there have been any impacts resulting from the operations.

Step 4: If the CRM determines that operations have impacted the resources, the CRM will consult with the Washington SHPO, Native American Tribes, or other agencies, per pertinent compliance procedures.

Attachment 1
Memorandum For Record

IMWE-YTC-ENRD d/m/yr

MEMORANDUM FOR:

SUBJECT:

1. Purpose

2. Action

3. Point of contact

Name
Title
Div/Dir

CF:

Appendix 3: Exempted Undertakings

Fort Lewis Cultural Resources Professionals who meet the Secretary of the Interior's *Professional Qualifications for Historic Preservation* will review the activities listed below without further SHPO review as provided for by 36 CFR 800.14(c). Projects that qualify under any of the following exemptions are understood to have potential effects that are foreseeable and likely to be minimal, meet the Secretary of the Interior's Standards for the Treatment of Historic Properties (Standards for Rehabilitation), and result in a finding of *No Adverse Effect* pursuant to 36 CFR 800.5(b). All reviews for actions that qualify under the following categories will be documented in the Project Review Log and included in the Annual Report. At the request of the consulting parties to the PA (Fort Lewis, ACHP, Washington SHPO, Tribes), the following list will be considered for modification to include or delete items upon concurrence by signatories to the PA (Fort Lewis and Washington SHPO).

A. General

1. Maintenance work on existing features such as roads, fire lanes, fences, mowed areas, active disposal areas, manmade ditches, and ponds when no new ground disturbance is proposed.

2. Outdoor recreational programs including hunting and fishing, in accordance with Fort Lewis and Army regulations, when there will be no ground-disturbance and no off-road vehicle travel

3. Military training activities that do not entail ground-disturbance or off-road vehicle maneuver.

4. Military stationing actions resulting in an annual net population gain of less than 1000 military personnel and/or 200 civilian personnel if existing space is used without alteration.

5. Replacement of existing landscape and plant materials within the main post with native and/or regional landscapes to conserve Fort Lewis natural resources, provided such design meets previously approved landscape design guidelines, is compatible with the building it surrounds, and does not adversely effect an NHRP-listed or eligible landscape (e.g., parade field).

6. Undertakings in areas previously disturbed to the same depth and extent, such as bladed parking lots, borrow pits, and now-demolished areas of the temporary WWI and WWII cantonments. The CRM will compare the area of potential effects (APE) for the undertaking with the Fort Lewis GIS "Disturbed Areas" layer (**Figure 1**), which is updated periodically and after each ground-disturbing undertaking is completed on the installation. Undertakings meeting this Exemption will be documented on the Project Review Log and included in the annual PA report.

7. Undertakings in previously surveyed areas where methods that meet current DAHP standards were used and no archaeological sites were identified. The CRM will compare the APE for the undertaking with the Fort Lewis GIS "Surveyed Areas" layer (**Figure 2**), which is updated periodically and after each survey is completed. Undertakings meeting this Exemption will be documented on the Project Review Log and included in the annual PA report.

8. Paving, repair, and in-kind replacement of streets, driveways, sidewalks, and curbing as they now exist.

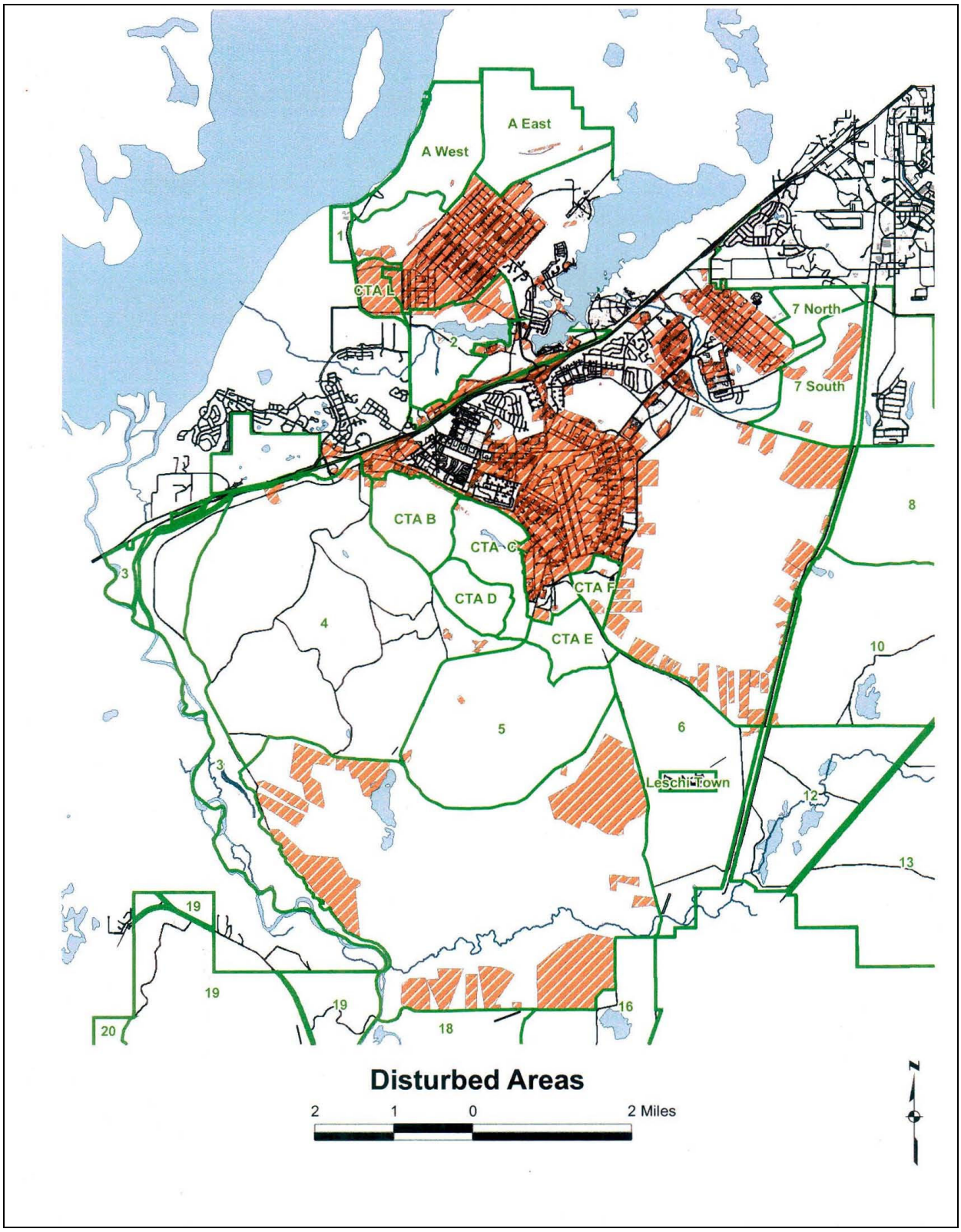

Figure 1. Example of Disturbed Areas layer of Fort Lewis GIS.

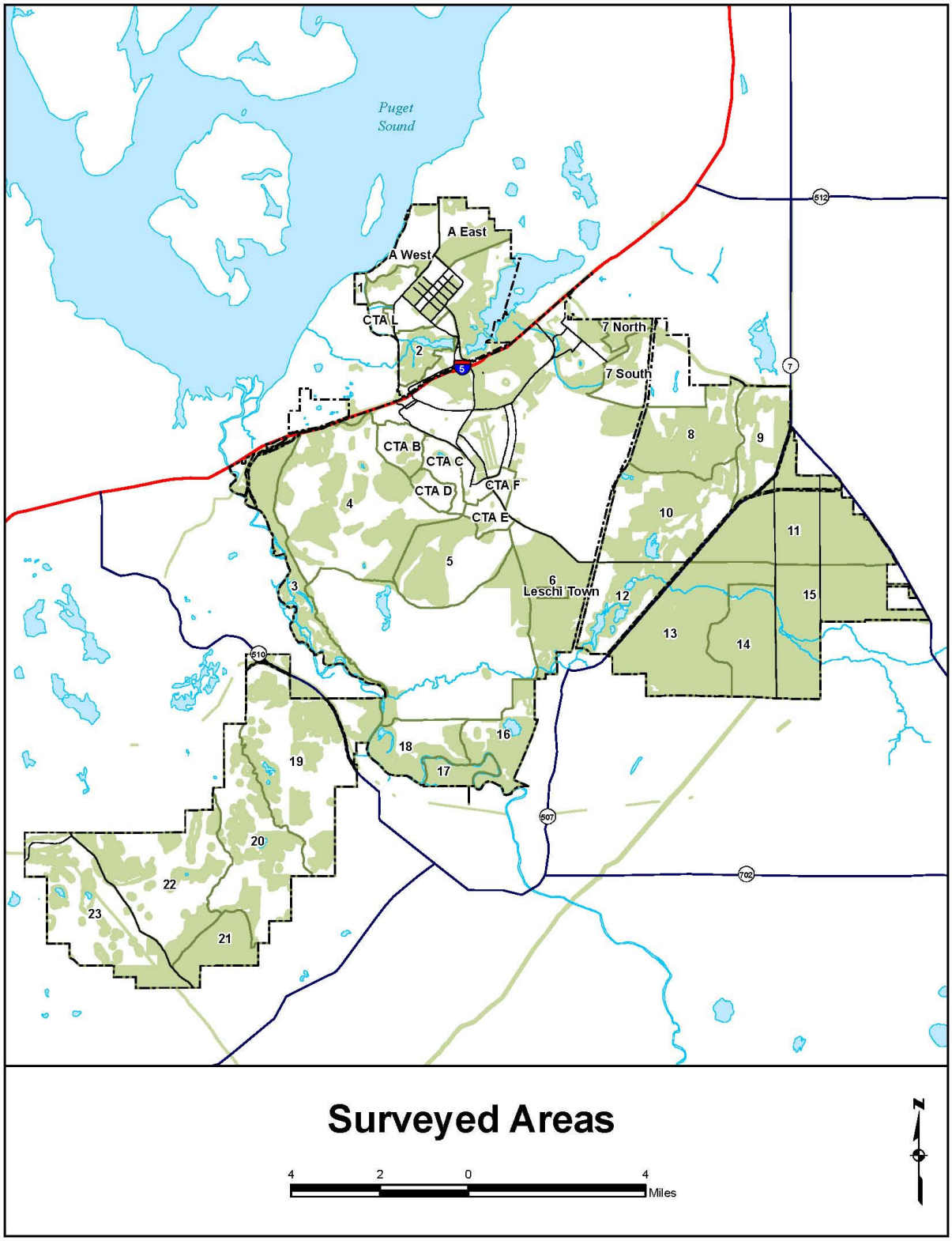

Figure 2. Example of Surveyed Areas layer of Fort Lewis GIS.

9. Repair and replacement of existing water, sewer, natural gas, and communications lines in their present configuration and alignments and at the same depth and extent as previous disturbance.

10. Installation of traffic signs are required by law outside of a historic district.

11. Installation of new and replacement of existing building signs in-kind.

12. Removal of animals, birds, insects, and their associated debris when no damage to historic materials will result.

13. The following natural resources management activities: planting and maintenance of trees and shrubs in areas previously disturbed by agricultural activities; improvement of existing stream crossings where the depth of the undertaking will not exceed the current disturbance and/or will not impact an intact soil layer with the potential to contain cultural materials.

14. Installation of facilities to provide access to historic properties by disabled persons provided the alterations are architecturally compatible with the facility, are freestanding and reversible, and do not damage nor require removal of historic materials.

15. Temporary buildings or structures that will not have a life longer then five years and are required under activities addressed in SOP 15: Military Activities in Anticipation of Immediate Deployment, Mobilization or Armed Conflict.

16. Disturbance in an area less than one square meter, such as placement of fence posts, excluding NRHP-eligible or potentially NRHP-eligible archaeological sites.

17. Installation of perimeter security fencing and gates provided the design is architecturally compatible and does not require removal of historical materials.

18. All "in-kind" replacements/repairs shall adhere to the *Secretary of Interior's Standards for the Treatment of Historic Properties.*

B. Historic Landscapes

1. Historic landscape maintenance activities and preservation treatments that are consistent with the *Fort Lewis Historic Preservation Maintenance Guide for Landscapes* (Fort Lewis 2001).

C. Roofs

1. Repair, replacement in-kind, or restoration of existing roofing materials provided the color selection is specifically reviewed by the Cultural Resource Manager. Where feasible, roof replacements will be returned to their original roofing materials, details, and configurations.

D. Exterior

1. Refinishing of surfaces with chemically compatible materials of historic or existing color provided surface preparation meets the Secretary of the Interior’s Standards.

2. Removal of deteriorated or damaged paint or coatings down to the next sound layer scraping or sanding. Abrasive methods, sandblasting, and water blasting are specifically prohibited.

3. Repair of existing materials and partial replacement in-kind of stucco, masonry, wood siding, trim, porch decking, porch rails, joists, columns, and stairs (including framing).

4. Repair of existing elements that are not visible or that are not character-defining features of architectural properties. The repairs will be limited to those requiring no structural modifications.

5. Installation of materials or equipment for the specific purpose of deterring bird habitat on building components provided such materials do not damage or detract from the architectural character of the building.

E. Doors

1. Repair of existing doors or replacement in-kind when each door is separately evaluated and determined to have deteriorated beyond repair.

2. Replacement of doors shall consist of replacing with a door of original design/configuration or a compatible door (where original or historic doors are missing or have been previously replaced with a non-historic door).

3. Installation of hardware to include dead bolts, door latches and locks, window latches, locks, hinges, and door peepholes, provided historic materials are not removed. New hardware shall be of a compatible design and made of the same material as remaining historic hardware.

F. Windows

1. Repair and painting of existing window frames and sashes provided no change results to the interior or exterior appearance of the window, and replacement in-kind of window sashes that have deteriorated beyond repair, provided each sash is separately evaluated.

2. Replacement and Adjustment of window counterweights including associated disassembly and reassembly.

3. Reglazing accidentally broken windows with clear or frosted (depending upon use) glass of the same thickness as the broken glass.

4. Repair or replacement of existing window screens and storm windows with compatible designs.

5. Installation of hardware to include window latches, locks, hinges, provided historic materials are not removed. New hardware shall be of a plain contemporary design and made of the same material finish as remaining historic hardware.

G. Interiors

1. Repair of existing public area historic cabinetwork and cabinet hardware.

2. Replacement of kitchen and bathroom appliances, fixtures, fittings, accessories, and cabinets that are less than 45 years old.

3. Replacement of existing non-historic flooring, carpets, and blinds, provided that when attachment to historic materials is required it is done in a reversible manner.

4. Repair and replacement in-kind of only those portions of historic flooring that are extensively deteriorated.

5. Removal of deteriorated or damaged paint or coatings down to the next sound layer by scraping or sanding. Mechanical methods, sandblasting, and water blasting are specifically prohibited.

6. Installation of fire, smoke, and security detectors provided all effects to historic materials are reversible.

7. Interior renovation when historic materials or structural configurations are not damaged, to include spaces being renovated that have been significantly impacted within the last 45 years and no longer

contribute to the significance of the building, provided the structural loading of the building will not be altered and character-defining features of the property will not be affected.

8. Purchase and installation of interior furniture/furnishings and Information Technology systems and equipment where those items will not alter or detract from those qualities that make the resource eligible for the National Register.

9. Repair of existing elements that are not visible or that are not character-defining features of architectural properties. The repairs will be limited to those requiring no structural modifications.

10. Refinishing in-kind, i.e., painting surfaces with the same, or original, materials, and same, or original, color.

11. Removal and replacement of non-historic asbestos flooring and mastic providing that removal does not damage historic flooring. For this exemption to apply, these asbestos abatement measures will not have direct or secondary impacts to significant historic building fabric.

H. Electrical/Plumbing/HVAC

1. Repair of existing electrical and plumbing fixtures and repair or replacement of existing wiring, lines, and pipes when it can be achieved without damaging other historic features or materials. Abandonment in-place will be considered in cases where the integrity of the property could be adversely affected by the removal of historic features or materials.

2. Repair or replacement of existing heating and cooling systems and duct work when they do not contribute to the historic significance of a building, and provided the new heating and cooling systems do not alter or damage a building's historic features or materials.

3. Repair and replacement of existing electrical, power, lighting and communications lines and poles in their present configuration, same depth and same extent as previous disturbance, and alignments or when they do not contribute to the historic significance of the building.

4. Repair of existing elements that are not visible or that are not character-defining features of architectural properties. The repairs will be limited to those requiring no structural modifications.

5. Improving or upgrading existing electrical and plumbing fixtures, existing wiring, lines and pipes when it can be achieved without damaging other historic features, materials or spaces.

I. Energy Conservation

1. Energy conservation measures that are not visible or do not alter or detract from those qualities that make the resource eligible for the National Register of Historic Places may include:

2. Modifications to heating, ventilation, and air conditioning control systems;

3. Insulation of roofs, crawl spaces, ceilings, attics, walls, floors, and around pipes and ducts (this exclusion does not include the installation of materials that induce, retain, or introduce moisture into a building);

4. Interior modification when the significance of the NRHP eligible building does not include the interior space based on the determination of eligibility;

5. Caulking and weather stripping, provided the color of the caulking and weather stripping is consistent with the appearance of the building; and

6. Replacement or modification of lighting systems when the modifications do not alter or detract from the significance of the resource.

J. Maintenance

1. All maintenance and repair work on elements that are not visible and do not contribute to the historic significance of the property and are consistent with the Secretary of Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings.

2. Maintenance, repair, and rehabilitation of non-historic structures within a listed or eligible historic district or within the view shed of historic properties provided no change in the overall size, massing, appearance or color of materials results.

3. Maintenance to buildings that are less than 50 years old provided they do not qualify under the criteria consideration for properties achieving significance within the past 50 years.

4. Maintenance and repair work that is consistent with the *Fort Lewis Historic Preservation Maintenance Guide for Buildings and Structures* (Fort Lewis 2001).

K. Mothballing/Layaway

1. Mothballing of historic properties provided the action is completed in consideration of the procedures established by the NPS in Preservation Brief 31: Mothballing Historic Buildings.

L. Deconstruction and Demolition

1. Demolition of World War II temporary buildings in accordance with the 1986 Army-wide Programmatic Agreement.

2. Deconstruction, demolition and all other undertakings occurring to buildings, structures, and landscapes that have been previously evaluated for NRHP eligibility and have been determined ineligible for inclusion in the NRHP with SHPO concurrence, and which will not negatively impact existing historic properties or result in ground disturbance.

3. Deconstruction, demolition, and all other undertakings that may occur to buildings and structures that are covered through other nationwide programmatic compliance actions (Nationwide PAs, Program Comments, Exemptions, or other Program Alternatives).

4. Ordnance disposal if for health and human safety reasons the Army cannot remove the ordnance from where it lays, or if it is disposed of in an existing burning ground (removal to a new location on the installation for disposal other than existing disposal sites is not exempted)

M. New Construction

1. New construction in areas where the APE of the construction project does not include historic properties and which do not require ground disturbance (such as storage buildings built on existing slabs or other non-ground-disturbing foundations, etc.)

N. Agriculture/Timber Management

1. Agriculture and grazing leases (excluding clearing and construction activities related to these leases that are expected to result in disturbance of the ground surface)

2. Timber management and harvesting in areas previously surveyed with negative results for archaeological properties pursuant to Exemption A7, or in areas mapped as “Low Probability” for the presence of archaeological properties in the DAHP Predictive Model, provided that any known archaeological sites or buildings/structures are avoided, including those that are of of undetermined NRHP eligibility status; Fort Lewis will utilize previous skid trails, landings and existing roads if practicable to avoid such resources. If a new skid trail, or loading/logistical staging area (landing) is required, Fort Lewis will ensure that the skid trail or landing is at least 50 feet from an historic

property or resource of undetermined status. This provision does not exempt known historic properties that are traditional cultural properties; when such properties exist in a timber management or timber harvest unit, Fort Lewis will consult with the SHPO and affected tribes (Nisqually, Puyallup and Squaxin Island Tribes).