

**PROGRAMMATIC AGREEMENT  
AMONG  
THE FEDERAL EMERGENCY MANAGEMENT AGENCY,  
THE OREGON STATE HISTORIC PRESERVATION OFFICER,  
THE PORT OF TILLAMOOK BAY,  
THE OREGON EMERGENCY MANAGEMENT, AND  
THE ADVISORY COUNCIL ON HISTORIC PRESERVATION  
FOR THE REDEVELOPMENT OF THE PORT OF TILLAMOOK BAY**

**WHEREAS**, the Federal Emergency Management Agency (FEMA) of the Department of Homeland Security, pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. §5121 et seq. (Stafford Act), and FEMA's implementing regulations contained in Title 44 Code of Federal Regulations (CFR) Part 206 for the Public Assistance Program; may provide funding assistance to the Port of Tillamook Bay (POTB), Tillamook County, Oregon, through Oregon Emergency Management (OEM) which administers the Program; and

**WHEREAS**, the POTB has applied to OEM for funding assistance through FEMA's Public Assistance Program to develop and implement a number of capital improvement projects (including repairs to existing buildings and infrastructure, rehabilitation of structures, property acquisition, demolition, and new construction) designed to improve and expand POTB facilities, and these projects are considered alternate projects for FEMA funding stemming from damages that occurred to the POTB railroad under FEMA-1733-DR-OR, a federal disaster declared by the President on December 8, 2007, for severe storms, floods and slides that occurred in Oregon; and

**WHEREAS**, FEMA has determined that the implementation of these projects will result in undertakings that may affect historic properties listed in or eligible for listing in the National Register of Historic Places (NRHP) and FEMA has consulted with the Oregon State Historic Preservation Officer (SHPO), pursuant to the regulations, 36 CFR Part 800, implementing Sections 106 and 110(f) of the National Historic Preservation Act (NHPA), 16 U.S.C. 470; and

**WHEREAS**, since the effects of the undertakings cannot be fully determined at this time, a Programmatic Agreement (PA), as allowed under 36 CFR § 800.14(b)(ii), will be executed; and

**WHEREAS**, FEMA has delegated limited authority to the POTB pursuant to 36 CFR § 800.2(c)(4) to assume some consultation responsibilities for undertakings on its behalf, as outlined in this PA; and

**WHEREAS**, FEMA, in consultation with the SHPO, has determined the Area of Potential Effects (APE) for undertakings in the POTB industrial and transportation facility (complex) located approximately two miles south of the City of Tillamook on the site of the former Naval Air Station (NAS) Tillamook includes the area inside the former

perimeter fence of the NAS Tillamook, bounded by Highway 101 to the West, Long Prairie Road to the North, Brickyard Road to the East, and South Prairie Loop Road to the South, in Township 2 South, Range 9 West, Sections 4, 5, 8 and 9 (see map in Appendix A); and

**WHEREAS**, FEMA has completed a Section 106 Reconnaissance Level Survey (RLS) for the POTB complex that recorded 63 properties within the APE, of which 29 have been determined eligible for listing on the NRHP, including: 1) Hangar B (the current Air Museum) already listed on the NRHP for its engineering and military significance, 2) the Headquarters Building as a significant resource, and 3) 27 structures as contributing resources to a historic district, and the SHPO has concurred with the Determinations of Eligibility for both a district and individual properties; and

**WHEREAS**, the eligible historic district is approximately 400 acres, or about ¼ of the entire-complex, and the boundary includes all structures related to the period of significance for the NAS Tillamook from 1942 to 1948; and

**WHEREAS**, to date the POTB has identified 25 FEMA-funded priority undertakings that will be reviewed per this PA once their individual project design is finalized, and there may be future projects in the APE that have not been fully defined or for which FEMA funding determinations have not yet been made; and

**WHEREAS**, FEMA, though the POTB, has engaged the public in the development of the undertakings and has provided adequate opportunities for public involvement consistent with 36 CFR § 800.2(d); and

**WHEREAS**, FEMA has determined that the implementation of these undertakings have the potential to affect historic properties that may have religious or cultural significance to the federally recognized Confederated Tribes of the Grand Ronde Community of Oregon and the Confederated Tribes of Siletz Indians (CTSI); and

**WHEREAS**, FEMA invited the Advisory Council on Historic Preservation (ACHP) to participate in this consultation process, and the ACHP agreed to participate in consultation by letter dated October 22, 2010, pursuant to 36 CFR § 800.6(a)(1)(C)(iii); and

**WHEREAS**, the SHPO, OEM, Confederated Tribes of Grand Ronde Community of Oregon, the CTSI, and POTB have been invited to execute this PA; and the ACHP, SHPO, and FEMA have agreed to participate as signatories, OEM and the POTB have agreed to participate as invited signatories, and the CTSI has agreed to participate as a concurring party;

**NOW, THEREFORE**, FEMA, ACHP, OEM, SHPO, POTB, and CTSI agree that the undertakings addressed by this PA will be implemented in accordance with the following stipulations to satisfy FEMA's Section 106 responsibilities and to take into account the effects of the undertakings on historic properties. FEMA shall not fund any application

for assistance until the review of individual undertakings is completed pursuant to this agreement.

## STIPULATIONS

FEMA shall ensure that the following measures are carried out:

### I. Applicability of PA

- A. This PA applies to undertakings funded by FEMA in support of the POTB conducted within the APE. The procedures established by this PA will be completed prior to any alteration by the POTB of elements subject to review, except as identified in Stipulation IV addressing programmatic allowances.
- B. All time designations will be in calendar days, based on the postmark of mailed documents. If a party cannot provide comments on a proposed action within the agreed upon timeframe, they must notify pertinent signatories of the delay and negotiate a reasonable time for completion, not to exceed 30 days. If any party fails to comment within the prescribed timeline, it will be assumed that party does not object to the proposed action.
- C. All requests for individual project reviews must meet SHPO submission standards. If incomplete information is sent for project review (i.e., inadequate photos, site plans, elevation drawings, or footprints that don't match the plans), the time clock regarding submissions will be re-set once complete information is sent.

### II. Secretary of Interior's Standards

- A. Professional Qualifications. This PA shall be implemented by, or under the direct supervision of, a person or persons, whether POTB or FEMA staff or contractors, meeting the *Secretary of Interior's Standards for Professional Qualifications Standards* (36 CFR Part 61, Appendix A) in the appropriate disciplines, in making National Register eligibility and affect determinations, and in overseeing compliance with this PA.
- B. Historic Preservation Standards. All undertakings affecting historic properties prescribed in this PA shall conform to applicable standards and guidelines established by the *Secretary of Interior's Standards for the Treatment of Historic Properties* and the SHPO.
- C. Curation Standards. The POTB, FEMA and OEM shall ensure that, to the extent permitted by applicable federal law, any materials and records generated and materials collected (if any) as a result of activities prescribed in this PA are curated in accordance with 36 CFR Part 79. The Oregon

State Museum of Natural and Cultural History (OSMNCH) at the University of Oregon in Eugene is designated as the primary state institution that cares for both prehistoric and historic archaeological artifacts (ORS 390.235[2]). Other public, private, or appropriate tribal museums in Oregon that meet Federal guidelines for curation of archaeological collections (36 CFR Part 79) may serve as long-term curatorial facilities, but such alternative facilities must be approved in advance, in writing, by the OSMNCH (see ORS 390.235[2]).

- D. Copies of all field notes and the artifact catalog need to be sent to the OSMNCH within 6 months of completion of fieldwork by the POTB or FEMA. Any repository that is providing curatorial services for a collection subject to the federal regulations must possess the capability to provide adequate long-term curatorial services, as set forth in 36 CFR Part 79, to safeguard and preserve the associated records and any material remains deposited in the repository. If a repository's officials find that they are no longer able to provide long-term curation, they have the responsibility to consult with the federal agency responsible for the project regarding an acceptable repository for the existing collections.

### **III. Tribal Consultation**

Except for those activities that are included in Appendix B, Programmatic Allowances, FEMA shall conduct tribal consultation for POTB undertakings affecting historic properties for which a tribe attaches religious and cultural significance, unless otherwise approved in writing by the tribes. Such consultation will be in addition to and on the same basis as consultation with the SHPO, consistent with 36 CFR § 800.2(c)(2) and in recognition of tribal sovereignty. FEMA shall ensure that its consultation with other consulting parties shall not include the dissemination of information, when advised of data sensitivity by a tribe, that might risk harm to a property of religious or cultural significance to tribes, or that might impede the use of such a site by the tribes in accordance with Section 304 of the NHPA and other applicable laws.

### **IV. Programmatic Allowances**

The POTB shall determine if proposed undertakings completely conform to one or more of the allowances listed in Appendix B of this PA. The allowances will not be applied to Hangar B, listed on the National Register on March 29, 1989, or the Headquarters Building, -determined to be individually eligible as significant for the National Register on September 10, 2010, as part of the proposed historic district. These two historic properties will require SHPO review of all proposed activities except for ordinary maintenance or strict replacement in-kind where features are deteriorated beyond repair. Such undertakings that meet the allowance criteria will not require further Section 106 review because by their nature they have little or no potential to cause adverse effects to historic properties. The POTB will provide its determination in a letter to FEMA. Unless FEMA objects within 21 days of receipt, it shall document the determination in its

project files and approve funding to proceed without SHPO review. If FEMA objects with the determination it shall consult further with the POTB or review shall be completed per Stipulation V.

#### **V. Standard Review**

- A. The POTB shall assess the effects of each future undertaking funded by FEMA on historic properties within the APE in accordance with 36 CFR Part 800.5 and in consultation with the SHPO, unless the proposed action conforms to the allowances as described in Stipulation IV. The POTB shall notify FEMA of their findings and provide supporting documentation for FEMA approval prior to finalization of the findings. FEMA will notify the POTB of its approval or provide additional comments in writing. The POTB shall document the Finding of Effect for each undertaking, applying the criteria of adverse effects on historic properties that would result from the implementation.
- B. Following FEMA approval with a letter, the POTB shall notify the SHPO, OEM, and the tribes of its 'no historic properties affected' or 'no adverse affect' determination and provide supporting documentation, with a copy sent to FEMA. If a tribe identifies a property of religious or cultural significance associated with the undertaking, the tribe will notify FEMA and consultation will proceed pursuant to Stipulation III. The SHPO shall provide the POTB, OEM, the tribes, and FEMA its written concurrence to this finding within 30 days after receipt. FEMA shall document this finding in its project files and may then approve funding to proceed. If the SHPO or a tribe object to the finding within 30 days, the POTB, FEMA will consult with objecting parties to resolve issues regarding determinations of effect received in writing. If FEMA cannot resolve the objection, FEMA will follow the procedures in Stipulation IX(e).
- C. To minimize causing an adverse effect to historic properties, the POTB will involve the SHPO at the earliest point of design when a potential adverse effect is identified in view of modifying the design, if possible, to meet the *Secretary of Interior Standards for the Treatment of Historic Properties*.
- D. If the POTB and FEMA determine that an effect will be adverse, the POTB and FEMA, in consultation with consulting parties as appropriate, will evaluate alternatives to avoid the adverse effect. If adverse effects cannot be avoided, FEMA and the POTB shall follow the procedures described in Stipulation VI.

#### **VI. Resolution of Adverse Effects**

- A. Where adverse effects cannot be avoided, FEMA will determine if the adverse effects can be addressed through a Treatment Plan described below

or through execution of a Memorandum of Agreement (MOA) per 36 CFR § 800.6(c). FEMA will provide an adverse effect determination to the SHPO for concurrence, and to the tribes for comment as appropriate. The SHPO will respond with its concurrence or comment within 30 days. If a Treatment Plan can be negotiated among FEMA, the POTB and the SHPO, then the Treatment Plan shall be signed by all parties and submitted to the ACHP for acknowledgment. If a Treatment Plan cannot be negotiated, an MOA must be executed. FEMA will then provide an adverse effect notification to the ACHP per 36 CFR § 800.6(a)(1), including an invitation to consult to resolve the adverse effect.

## B. Treatment Plans

The POTB shall develop a Treatment Plan to resolve the adverse effects on the historic property, in consultation with FEMA, the SHPO, and tribes, as appropriate. FEMA funding of the costs related to implementing the Treatment Plan will be determined by the FEMA Public Assistance Program.

1. Treatment Plans shall identify appropriate measures for resolving the adverse effects of the undertaking, taking into account the range and types of historic properties that would be affected and the kind of effect, giving careful consideration to the extent of information that can be effectively gathered, mitigation options to be employed, the research methodologies necessary, and providing information that supports the level of investigation and describes how the activities address historic preservation concerns and goals, and commensurate with the type and intensity of adverse effect. The following are treatment measures that could be included in a Treatment Plan:
  - a. State level documentation per SHPO requirements.
  - b. Preparation of historic architectural, engineering, and landscape documentation per Historic American Buildings Survey (HABS) or Historic American Engineering Record (HAER) requirements for the Heritage Documentation Programs administered by the National Park Service.
  - c. Identification of avoidance and minimization measures for effects to character-defining features during implementation.
  - d. Preparation of a historic preservation plan based on the historic district as a whole, utilizing Secretary of Interior qualifying improvements to other structures as compensation to offset adverse effect(s) and resulting in the same or enhanced level of integrity for the historic district.
  - e. Preparation of education or interpretive materials including exhibit panels.

- f. Completion of a National Register nomination for the NAS Tillamook historic district.
  - g. More complete rehabilitation or restoration of other extant contributing resources.
2. Development, review, and approval of all Treatment Plans shall follow the following procedure:
- a. During formulation of treatment measures the POTB shall informally consult with SHPO for initial input.
  - b. The Treatment Plan will provide an explanation of the adverse effect(s), including any conditions or future actions to avoid or minimize adverse effects, selected treatment measures from the above listing, and implementation timeframes.
  - c. The POTB shall provide FEMA a draft Treatment Plan for review. Following review, approved drafts of all Treatment Plans shall be distributed by FEMA by mail to the SHPO, OEM, and tribes as appropriate; for a 30 day review and comment period.
  - d. All comments on Treatment Plans shall be considered by FEMA, which shall attempt to resolve any conflicting comments through continued consultations or, if necessary, through dispute resolution provisions as described in Stipulation IX.E.
  - e. The SHPO and OEM will provide FEMA with written concurrence with the Treatment Plan within 30 days of receipt. FEMA shall approve Treatment Plans unless an objection to a plan is received in writing (via email or letter) within the 30 day review period, and proceed with funding the undertaking.
  - f. The POTB has primary responsibility for implementation of Treatment Plans as a condition of project approval, and FEMA and OEM will provide oversight of these actions.
  - g. Treatment plans must be completed by the end date for the PA, including extensions of the document. If they go beyond that date, they must be formalized into an MOA.
3. Any approved treatment measures unrelated to construction of the undertaking will be completed before construction activities are authorized to begin in the area of the historic property that is being adversely affected, unless the Treatment Plan identifies construction activities that may be performed prior to treatment because such construction would not contribute to the adverse effect that requires

resolution. Construction may begin in an area once any on-site work contained in an approved Treatment Plan is completed.

#### 4. Memorandum of Agreement

When it is determined an MOA for a proposed undertaking is required because treatment measures will not adequately resolve adverse effects, FEMA will notify the ACHP of its adverse effects determination, and then, in consultation with the SHPO and other consulting parties, will develop an MOA in accordance with 36 CFR § 800.6(c) to outline measures to treat adverse effects to historic properties. All adverse effects will be treated as a single undertaking for the purposes of Section 106 review and will be addressed as a single project (seems redundant) once the effects are determined. FEMA may consider reasonable alternate treatment measures that serve an equivalent or greater public benefit than standard measures or archaeological data recovery, while promoting the preservation of historic properties. FEMA will attempt to identify all such feasible measures in consultation with the SHPO, and other consulting parties.

### **VII. Public Involvement and Objections**

- A. The POTB will continue to involve the public and solicit their input on projects through the monthly Board of Commissioners meetings and the Tillamook County Commission meetings, which will be advertised through notification to the local media and postings at the POTB office, Tillamook County Courthouse, Tillamook Library, and on the POTB's website and Facebook page.
- B. At any time during implementation of the measures stipulated in this PA, should a member of the public object in writing to FEMA regarding the implementation of this PA or a historic preservation issue, FEMA shall notify the SHPO, OEM, POTB, CTSI and the ACHP of the objection, and consult with the objecting party to resolve the objection. The POTB is not required to cease work on activities unrelated to the objection while the objection is being reviewed and resolved.
- C. If FEMA determines that the objection cannot be resolved within a reasonable timeframe, FEMA will seek guidance from the ACHP to resolve the objection. FEMA will forward all documentation relevant to the dispute, including FEMA's proposed resolution to the objection, and request the recommendations of the ACHP.
- D. The ACHP may advise FEMA that it concurs with FEMA's resolution of the objection, or provide FEMA with recommendations, which FEMA shall take into account in reaching a final decision regarding the dispute. If the ACHP does not respond to FEMA's request within 14 days, FEMA may

assume that the ACHP does not object to its proposed resolution to the objection and proceed accordingly.

### **VIII. Inadvertent Discoveries**

Because of the extent of existing ground disturbance within the APE, it is unlikely that archaeological remains will be discovered during construction activities. However, if historic properties or unanticipated effects on historic properties are nevertheless discovered during construction of any undertaking, an Inadvertent Discovery Plan (Appendix C) shall be followed. The plan includes immediate procedures to follow, including the halting of all work in the vicinity of the discovery; notification requirements, including having a professional archaeologist assess the site; provisions to protect the site; procedures to resolve any potential adverse effects; and reporting and documentation requirements.

### **IX. Administrative Stipulations**

#### **A. Reporting**

FEMA will provide a list of allowance activities to the SHPO, the ACHP, and the tribes every 6 months following implementation of this PA. The list will include a project title, description, and statement of what allowance(s) applied.

#### **B. Change to Approved Scope of Work**

1. OEM shall require the POTB to notify it immediately when there are proposed changes to an approved scope of work for an undertaking related to a historic property, including Treatment Plans. When notified by the POTB or OEM of any proposed substantive change to the approved scope of work for an undertaking related to a historic property, FEMA may authorize proceeding with the change if it meets an allowance or if, for a standing structure, the change can be modified to conform to the Standards.
2. If FEMA determines that the change does not meet an allowance, or if FEMA and SHPO determine that the change cannot be modified to conform to the Standards, FEMA shall initiate adverse effect consultation pursuant to Stipulation VI, including consultation with affected tribes.

#### **C. Anticipatory Actions**

Pursuant to Section 110(k) of the NHPA, FEMA shall not grant assistance to POTB, who with the intent to avoid the requirements of this agreement or Section 106 of the NHPA, has intentionally and adversely affected a historic

property to which assistance would relate or having legal power to prevent it. However, in some unforeseen cases, after consultation with the SHPO, ACHP, and affected Tribes, FEMA may determine that circumstances justify granting assistance despite the action taken and shall complete consultation for the undertaking pursuant to Stipulation VI.

D. Duration

This PA shall be in effect for five years, unless otherwise terminated in accordance with Stipulation IX.G below, or amended by the signatories in accordance with Stipulation IX.F below.

E. Dispute Resolution

1. Should any signatory to this PA object within 30 days to any action proposed or any document provided for review pursuant to this PA, FEMA shall consult with the objecting signatory to resolve the objection unless otherwise specified in this document. If FEMA determines that the objection cannot be resolved through consultation with SHPO and the other signatories, FEMA shall forward all documentation relevant to the dispute to the ACHP.
2. Within 14 days after receipt of all pertinent documentation, the ACHP shall either provide FEMA with a recommendation, which FEMA shall take into account in reaching a final decision regarding the dispute, or notify FEMA that it will comment in accordance with 36 CFR Part 800.7(c). Any ACHP comment provided in response to such a request will be taken into account by FEMA in accordance with 36 CFR Part 800.7(c)(4) with reference to the subject of the dispute. Any recommendation or comment provided by the ACHP will be understood to pertain only to the subject of the dispute. FEMA's responsibility to carry out actions under this PA that are not subject to dispute will remain unchanged.

F. Amendment

If the POTB, FEMA, OEM, SHPO or the ACHP believes that the terms of this PA cannot be carried out, or that an amendment to its terms are required, that party will immediately consult with the other parties to develop the amendment. The consulting parties will approve or reject the proposed amendment within 30 days of receipt. Execution and implementation of an amendment to the PA shall take effect only upon written concurrence by all signatory parties. FEMA will ensure that each party is provided with a fully executed copy of the amendment. Additions to the allowances in Appendix B will not require an amendment but can be

appended following approval by SHPO and the tribes, with a notification letter to all parties.

G. Termination

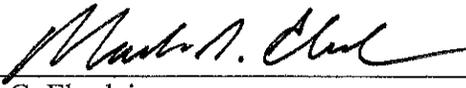
1. The POTB, FEMA, OEM, the SHPO, the ACHP, or the CTSI may terminate this PA by providing 30 days written notice to the other signatories. The signatories shall consult during the 30 day period prior to termination to seek agreement on amendments or other actions that would avoid termination. Should such consultation result in an agreement on an alternative to termination, the signatory parties shall proceed in accordance with that agreement. Should a signatory party propose termination of this PA, they will notify the other parties in writing. If any of the signatories individually terminate their participation in the PA, then the PA is terminated in its entirety.
2. In the event of termination, FEMA shall ensure that until and unless a new Agreement is executed for the undertakings covered by this PA, such undertakings shall be reviewed individually in accordance with 36 CFR Part 800.

H. Execution and Implementation of the PA

1. This PA shall take effect following execution by all signatory parties. This PA may be executed in counterparts, with a separate page for each signatory. FEMA will ensure that each party is provided with a fully executed copy. Additional amendments to this PA shall take effect on the dates they are fully executed.
2. FEMA is ultimately responsible for all eligibility determinations and the outcomes of all projects included in the undertaking. Execution and implementation of this PA evidences that FEMA has satisfied their NHPA Section 106 responsibilities for this undertaking, and afforded the ACHP a reasonable opportunity to comment.

**SIGNATORY:**

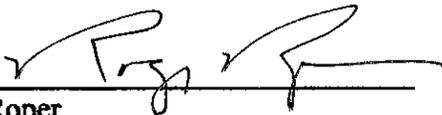
**FEDERAL EMERGENCY MANAGEMENT AGENCY REGION X**

By:   
Mark G. Eberlein  
Regional Environmental Officer

Date: Jan 14, 2011

**SIGNATORY:**

**OREGON STATE HISTORIC PRESERVATION OFFICE**

By:   
Roger Roper  
Deputy State Historic Preservation Officer

Date: 1.3.11

**SIGNATORY:**

**ADVISORY COUNCIL ON HISTORIC PRESERVATION**

By:   
John Fowler  
Executive Director

Date: 2/7/11

INVITED SIGNATORY:

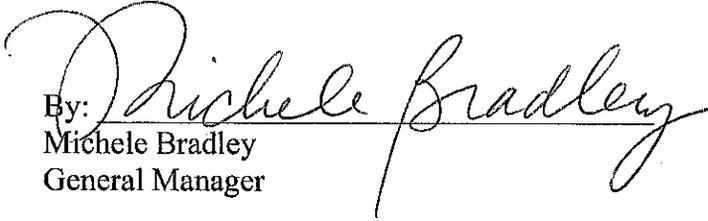
OREGON OFFICE OF EMERGENCY MANAGEMENT

By: J. M. Caldwell  
General Mike Caldwell  
Interim Director

Date: 5 Jan 2011

**INVITED SIGNATORY:**

**PORT OF TILLAMOOK BAY**

By:   
Michele Bradley  
General Manager

Date: 12/28/2010

CONCURRING PARTY:

THE CONFEDERATED TRIBES OF SILETZ INDIANS

By:   
Delores Pigsley, Tribal Chairman

Date: 1/4/11

**APPENDIX A**

**HISTORIC DISTRICT DOCUMENTATION**

**Port of Tillamook Bay Industrial and Transportation Facility**



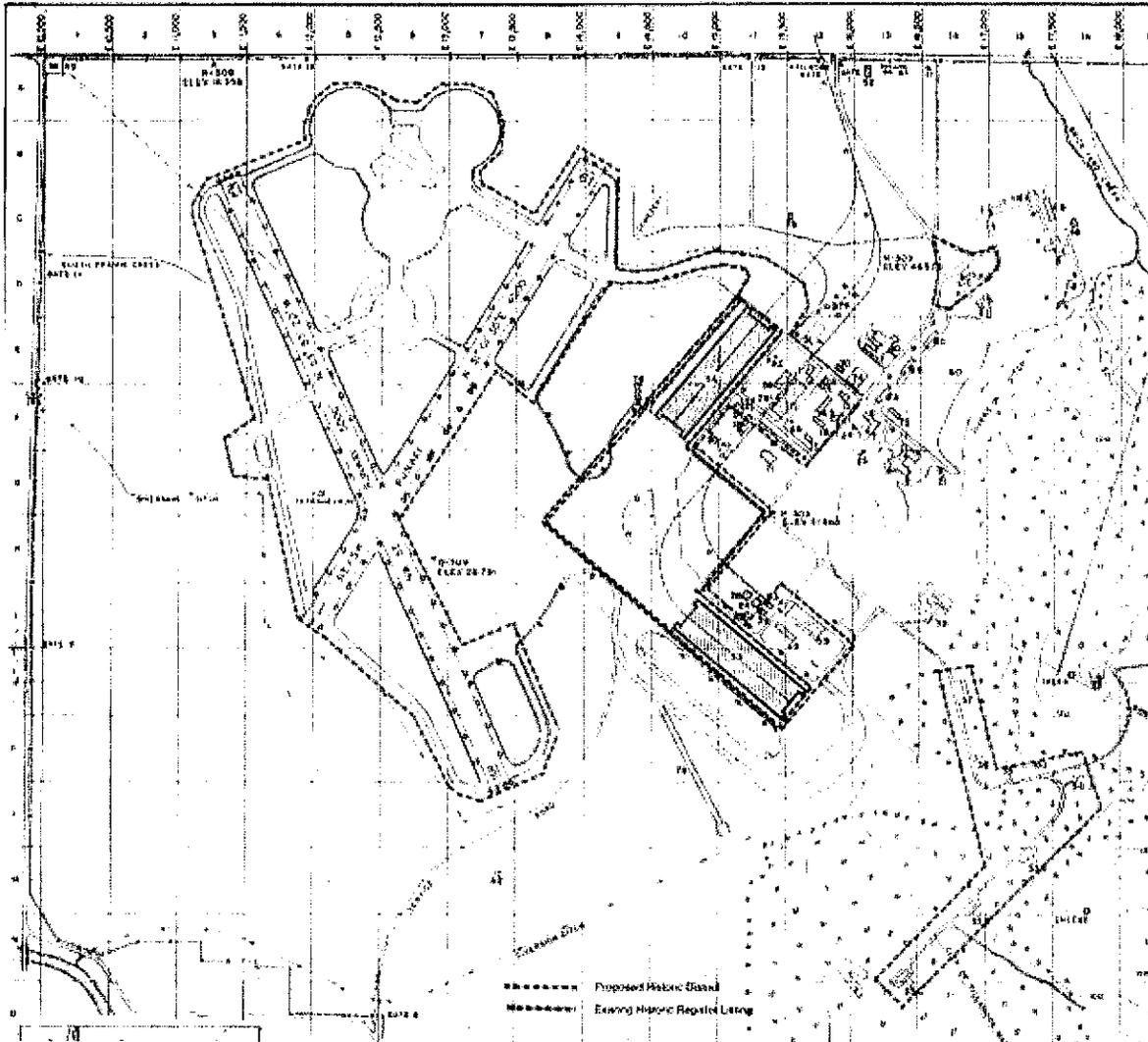
This map was prepared by the Geological Survey of the United States Department of the Interior, and is published as a part of the Geologic Quadrangle Series. It is based on the original maps of the Tillamook County, Oregon, prepared by the U.S. Geological Survey in 1891, and on the maps of the Tillamook Bay area, prepared by the U.S. Geological Survey in 1908. The map is published as a part of the Geologic Quadrangle Series, and is available for sale from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20540.

**PHYSICAL MAP**  
Physical features shown on this map include: topography, drainage, and the location of the facility. The map is published as a part of the Geologic Quadrangle Series, and is available for sale from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20540.



TRIAMOND, OREGON  
GEOLOGICAL SURVEY  
1910

### Area of Potential Effects (APE) Port of Tillamook Bay Industrial and Transportation Facility



**Proposed Historic District**

*Note: Hangar A and 42.35 of the original 56.81 acres that were listed on the National Register (NR) were de-listed on February 18, 1994, after a fire destroyed Hangar A. Hangar A's remaining bents and portal pylons were found insufficient to meet NR criteria for integrity. Listing now includes the footprint of Hangar B, along with a margin of 50-100 feet on three sides plus a portion of the staging area at the westerly end.*

**Cover Sheet**  
for  
Reconnaissance Level Surveys

Submit this Cover Sheet to the Oregon SHPO along with all survey materials (see checklist below).

Survey Project Name	Port of Tillamook Bay	Survey Start Date	3/8/2010
	City Tillamook County Tillamook	Survey End Date	5/12/2010
Survey Type	Section 105 RLS	Year Completed	2010
Survey Sponsor	FEMA Region X: 130 228th St., Bolinell, WA 98021	Date Submitted to SHPO	5/13/2010
Surveyor Name	John Callan, AIA: 612-817-7776: johncallanaia1@me.com		

# Elig. properties 29 # Ineligible properties 34 Acreage Surveyed 1800 (approx)

**Survey Boundaries** The area surveyed lies inside the former perimeter fence of the NAS Tillamook and is generally rectangular. It is bounded by Highway 101 to the West, Long Prairie Road to the North, Brickyard Road to the East, and South Prairie Loop Road to the South. It is situated within the Tillamook U.S. Geological Survey (USGS) topographic quadrangle map, Township 2 South, Range 9 West, Sections 4, 5, 8, and 9, and is located approximately two miles south of the city of Tillamook. The proposed Historic District is approximately 400 acres, or about 1/4 of the entire 1,600-acre property.

**Survey Summary/Comments** This architectural survey canvassed 1,600 acres and included 63 buildings, structures and sites. The original use by the NAS Tillamook was comprised of 32 defense, eight industrial, five government, four transportation, three commercial, three agricultural, three residential, two recreation and culture, one education, one utilitarian and one funerary (a cemetery). The proposed Historic District is approximately 400 acres, or about 1/4 of the entire 1,600-acre property, and the boundary includes all structures related to the period of significance for the NAS Tillamook from 1942 to 1949. There are numerous structures that generally postdate the period of significance by 40 years or more and are industrial rather than military in character. Few of these if any have the potential to become historic in their own right. The sharp contrast between the industrial and military structures aids in distinguishing the historic buildings from non-historic. These structures are generally located adjacent to or away from the historic buildings, rather than becoming infill. Initial survey results indicate that a Historic District may be possible. In lieu of a Historic District nomination, the Administration building may be individually listed, or groupings of related properties may be listed under a single Multiple Property Submission document.

*To Be Completed by SHPO Staff*

**SHPO Evaluation of Survey Project**

- Approved
- Conditionally Approved
- Returned for Corrections

**SHPO Comment on NR Eligibility Evaluations**

- Concur
- Do Not Concur
- Returned for Additional Data

**SHPO Comment on Effect Determinations**

- Concur
- Do Not Concur
- Returned for Additional Data

**Checklist of Required Items:**

- 1.  Completed "Cover Sheet" (in data base and hard-copy)
- 2.  Research Design (highly recommended prior to field work)
- 3.  Survey data submitted in electronic format
- 4.  Properly labeled photos (digital photos incl. with data)
- 5.  Properly marked survey map
- 6.  Copy of USGS Map Showing Location of Surveyed Area
- 7.  Final Report

**Optional Items**

- Completed Survey Forms (Field Forms)
- Expanded Final Report, including outline of relevant historic contexts

*See NR file*

SHPO Staff Signature

Date

Comments:

**SHPO concurrence on Reconnaissance Level Survey Eligibility Findings**

**APPENDIX B**  
**ALLOWANCES**

## APPENDIX B

### PROGRAMMATIC ALLOWANCES

The following rehabilitation, repair or construction activities do not require review by the Oregon State Historic Preservation Officer (SHPO) pursuant to Stipulation IV of the PA. The allowances do not apply to Hangar B or the Headquarters Building, as each will require SHPO review of all proposed activities for these buildings except for ordinary maintenance or strict replacement in-kind where features are deteriorated beyond repair. This list may be revised without amending this PA by a letter concurred with by the Port of Tillamook Bay (POTB), Federal Emergency Management Agency (FEMA), Oregon Emergency Management (OEM), SHPO and all consulting parties. In general, the in-kind repair of the architectural features and physical components of historic properties do not require review by SHPO when those repairs are documented by the POTB as meeting *The Secretary of the Interior's Standards for the Treatment of Historic Properties* (latest edition). "In-kind" shall mean that the material shall match all physical and visual aspects, including form, color, dimension, and workmanship. Similar materials cannot be used without SHPO concurrence.

In general, projects/activities that are documented by FEMA as being performed in areas that have been archaeologically surveyed with no recorded eligible archaeological site(s) and that are located in previously disturbed soils based on archaeological investigations that the SHPO has concurred with, do not require further review by SHPO or tribes. When referenced in the allowances, "previously disturbed soils" will refer to soils that are unlikely to possess intact and distinct soil horizons and have the reduced likelihood of possessing archaeological artifacts, features, or other culturally significant properties within their original depositional contexts.

The following allowances describe specific repair or construction activities in greater detail in order to further clarify the circumstances in which review by the SHPO or tribes is not required.

- I. **GROUND-DISTURBING ACTIVITIES AND SITE WORK** when all work substantially conforms to the original footprint or when extensive grading, filling and landscape modification has previously occurred at the site and an archaeological survey of the site has determined (with SHPO concurrence) that no historic properties will be affected. Projects in areas that have not been surveyed cannot proceed without SHPO concurrence prior to project implementation.
  - A. Ground-disturbing activities related to the repair, replacement, removal, reinforcing, installation, or pouring of footings, foundations, retaining walls, other slope stabilization systems and utilities in existing utility rights-of-way (including sewer, water, drains, fire hydrants, electric service or distribution, gas, communications, leaching systems, cesspools, and septic tanks).
  - B. Site grading to eliminate soil in contact with untreated wood and to direct surface water drainage away from affected building.
  - C. Demolition, elevation or reconstruction of buildings or structures.
  - D. Substantially in-kind repair, replacement, or upgrade of culvert systems within streams or drainage ways, including any increase in capacity.

- E. Repair or replacement of driveways, parking areas, sidewalks, paths, trails, and walkways, provided modifications to surface textures or widths of pathways are made with minimal effect on significant landscape features and the materials and features convey the landscape's historical significance.
- F. Repair or replacement of fencing and other freestanding exterior walls.
- G. In-kind repair or replacement of utilitarian structures (e.g., pump houses, storage buildings, truck scales), including exposed pipelines. Structures such as bridges, water towers, and service and antenna towers shall not be considered utilitarian structures.
- H. Installation of scaffolding, temporary barriers (e.g., chain link fences), polyethylene sheeting, or tarps, provided such work will not result in additional damage, irreversible alterations, or significant loss of historic fabric.
- I. In-kind repair, replacement, or installation of recreational and landscaping elements and their related support features in public use areas (e.g., paving, planters, irrigation systems, lighting elements, signs, flag poles, ramps, steps, campgrounds, amphitheaters, fire pits, utility hook-ups, above ground swimming pools, playing field surfaces, batting cages, and swing sets), provided a Secretary of Interior-qualified historic preservation specialist can document that the proposed replacement and/or installation will not adversely affect viewsheds associated with National Register-eligible or listed buildings, structures and the historic district. This allowance also permits associated minor mitigation measures, such as increases in equipment diameters and additions of safety anchors.
- J. Installation of new concrete sidewalks provided they parallel roads, where applicable, and buildings and parking areas are set back from the sidewalk at a uniform distance and are connected with a short walk.
- K. Installation of landscaping that is minimal and consists mostly of ornamental grass lawns that separate buildings from roads and from each other.
- L. Construction debris collection, including removal of uprooted trees, from public rights-of-way and other non-archaeologically sensitive public areas and the transport and disposal of such waste to existing licensed or permitted waste facilities. The allowance does not include the establishment or expansion of debris staging or disposal areas unless those areas are existing hard-topped or graveled surfaces (e.g., parking lots, roads), or are areas where extensive grading, filling and landscape modification has previously occurred.
- M. Sediment removal from man-made drainage facilities, including retention/detention basins, ponds, and ditches. The sediment may be used to repair eroded banks or disposed of at an existing licensed or permitted spoil site.
- N. Dewatering of flooded developed areas provided dewatering activities, equipment and discharge locations meet local, state and federal compliance requirements for discharge and any alterations to existing landscapes is temporary.

- O. Removal of woody debris such as sticks, small limbs, and branches from cemeteries and historic properties provided that heavy equipment and other machinery are not operated on or staged on sensitive landscapes and the historic integrity of sites is not jeopardized.
- P. Repair, re-pavement and widening of existing roads and intersections within existing rights-of-way.

**II. BUILDINGS** that require repairs, rehabilitation, or replacement that have been determined by SHPO from the Section 106 Reconnaissance Level Survey to be eligible (either individual or contributing) for listing in a historic district on the National Register of Historic Places, when all work is consistent with *Secretary of Interior Standards for the Treatment of Historic Properties*, latest edition. The Standards are to be applied to specific repair and rehabilitation projects in a reasonable manner, taking into consideration economic and technical feasibility. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved. Where the severity of deterioration requires the replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials.

**A. Interior Work: Floors, Walls, Stairs, and Ceilings**

1. In-kind repair, replacement, restoration, preservation, protection, maintaining of materials, or features on interior work on floors, walls, stairs, posts, columns, and ceilings, or partial replacement of trim. The allowance applies to repair of interior finishes, including plaster and wallboard, provided the repair is restricted to damaged areas and does not affect adjacent materials. Removal of damaged or deteriorated paints and finishes shall be done to the next sound layer using the gentlest method possible, then repainting or refinishing it using compatible paint or other coating systems. Lead-based paints shall be encapsulated with a compatible lead-free paint. The allowance does not apply to decorative finishes, including, murals, glazed paint, gold leaf, or ornamental plaster. Repairs or replacements shall be made in accordance with *Preservation Brief #21: Repairing Historic Flat Plaster-Walls and Ceilings*.
2. Repair of the interior structural systems by augmenting or upgrading missing or extensively deteriorated individual parts or features (e.g., floor framing paired with a new member, interior posts, sections of loadbearing walls) as required for structural stability, provided the repairs are in-kind and convey the same form, design, and overall visual appearance as the historic features; and, at a minimum, be equal to its loadbearing capabilities.
3. Interior cleaning on non-porous surfaces using a weak solution of household bleach and water, mold remediation, or mold removal. The allowance applies to interior finishes, including plaster and wallboard, provided the repair is restricted to damaged areas, does not affect adjacent materials, and character defining features are retained.
4. Installation of grab bars and other such minor interior modifications required for compliance with the Americans with Disabilities Act (ADA), provided that the installation does not damage decorative finishes and/or other character defining features.
5. Non-destructive or concealed testing for hazardous materials (e.g., lead paint, asbestos) or for assessment of hidden damages.

6. Replacement of damaged vinyl floor tile or asbestos floor tile with contemporary floor tile of the same dimension and thickness, and similar texture or pattern.
7. Removal of identified asbestos-containing from the interior, including flooring, ceilings, and insulation.
8. Accommodating service functions such as bathrooms, mechanical equipment, and office machines required by the building's new use in secondary spaces such as first floor service areas or on upper floors. Modifications should not be visible from the primary face on the exterior of the building.
9. Installation or removable of partitions in secondary spaces when the new use requires the subdivision provided that changes do not destroy the sense of the building's original space, layout, and function.
10. Creating an atrium or a light well to provide natural light when required for the new use in a manner that preserves character-defining interior spaces, features, and finishes as well as the structural system. Modifications should not be visible from the primary face on the exterior of the building.
11. Modifications to entry ways, exits, bathrooms, and bathroom access so that it meets compliance with current accessibility code requirements, including the American with Disabilities Act (ADA) of 1990. Modifications to be designed to not result in the loss of character-defining spaces, features, and finishes, and to have the lowest level of impact. Modifications must comply with the treatment approaches outlined in *Preservation Brief #32: Making Historic Properties Accessible* (National Park Service). Otherwise, modifications must be approved by the SHPO before the work commences.

#### **B. Utilities, Mechanical, and Electrical Systems**

1. Minor utility system work, including interior mechanical (e.g., HVAC), lighting systems, electrical, or plumbing work, which is limited to upgrading, or in-kind replacement. Historic fixtures, ceiling fans, switchplates, radiators, grilles, plumbing features, etc., where exposed to view, shall be repaired in-kind for the allowance to apply. The allowance shall not apply to installation of exposed new ductwork.
2. Repairing mechanical systems by augmenting or upgrading system parts, or designing and installing new mechanical or electrical systems, when required for the new use. Ducts, pipes, wiring, and cables shall be installed in closets, service rooms, wall cavities, and ceilings, whenever possible, provided it can be done in a manner that does not require the removal of historic building material. Exterior mounted equipment should be on the rear of the façade. Construction activities shall consider the weight and design of new mechanical equipment. The number of cutouts or holes in structural members will be minimized, so that it causes the least alteration possible to the building's floor plan and the least damage to the character-defining features and historic building material. Visible features of early mechanical systems that are important in defining the overall historic character of the building shall be identified, retained, and preserved. This may include radiators, vents, fans, grilles, plumbing fixtures, switchplates, and lights.

3. Relocation of exterior plumbing features to inside buildings during siding replacements.
4. Replacement or installation of sensitively designed interior fire detection, fire suppression such as sprinkler systems, exhaust, or security alarm systems that result in retention of historic features and finishes. The allowance does not apply to surface mounted wiring, conduits, piping, etc., unless previously existing.
5. Removal of old unused boilers and mechanical systems.
6. Improvements to drainage, including site grading, to redirect water from the base of buildings.

### **C. Windows and Doors**

1. In-kind repair of damaged or deteriorated windows, shutters, storm shutters, and doors including all fittings, fixtures, and other elements. Original doors, windows, and serviceable hardware will be retained and repaired first, and only replaced in-kind where necessary.
2. In-kind repair of window frames and sashes by patching, splicing, consolidating or otherwise reinforcing those parts that are either extensively deteriorated or are missing when there are surviving prototypes such as architraves, hoodmolds, sash, sills, and interior or exterior shutters and blinds.
3. In-kind replacement of window panes with clear plate, laminated or triple insulating glazing. This allowance does not apply to the replacement of existing archaic or decorative glass. Historic windows or glazing may be treated with clear window films.
4. Where original doors and windows have already been replaced and future work calls for their modification or replacement, new materials will match as closely as possible the materials and dimensions of historic doors and windows found elsewhere in the historic district. Exterior fittings, fixtures, and other elements related to their historic function will be retained when possible.
5. Replacing or installing weatherstripping and storm windows, and making windows weathertight by caulking to improve thermal efficiency.
6. Protecting and maintaining the wood and architectural metals which comprise the window frame, sash, muntins, and surrounds through appropriate surface treatments such as cleaning, rust removal, limited paint removal, and re-application of protective coating systems.

### **D. Exterior Walls, Cornices, Porches, Foundations, Ramps, and Loading Docks**

1. Cleaning, repair or repainting of surfaces, provided that destructive surface cleaning and preparation treatments are not used such as water blasting, sandblasting, power sanding and chemical cleaning. The surface cleaning of structures shall be undertaken using the gentlest means possible. Surface treatments must comply with the treatment approaches outlined in

*Preservation Brief #6: Dangers of Abrasive Cleaning to Historic Buildings* (National Park Service, 1979). Otherwise, surface treatments must be approved by the SHPO before the work commences.

2. In-kind repair of non-concrete or non-masonry walls, porches, foundations, columns, cornices, siding, balustrades, stairs, dormers, ramps, loading docks, brackets, trim, and their ancillary components after identifying the least degree of intervention that is necessary to repair them such as patching, piecing-in, splicing, consolidating, or otherwise reinforcing or upgrading them according to recognized preservation methods. Materials must convey the same form, design, and overall visual appearance as the historic feature; and, at a minimum, be equal to its loadbearing capabilities.
3. In-kind repair of concrete and masonry walls, loading docks, columns, parapets, chimneys, foundation base skirts, cornices or their ancillary components after identifying the least degree of intervention that is necessary to repair them such as patching, piecing-in, or consolidating the concrete or masonry using recognized preservation methods. In-kind mortar will match the strength, composition, color, rake, joint width, and tooling of historic mortar. Surface treatments must comply with the treatment approaches outlined in *Preservation Brief #2: Re-pointing Mortar Joints in Historic Masonry Buildings*; *Preservation Brief #5: Preservation of Historic Concrete*; *Preservation Brief #42: The Maintenance, Repair and Replacement of Historic Cast Stone*; and *Preservation Brief #16: The Use of Substitute Materials on Historic Building Exteriors*.
4. In-kind repair or replacement of signs or awnings.
5. Installation of temporary stabilization bracing or shoring, provided such work does not result in additional damage, significant loss of historic fabric, or irreversible alterations to this or adjacent areas. Temporary is defined as being removed by the expiration of the PA.
6. Anchoring of walls to floor systems, provided the anchors are embedded and concealed from exterior view, and disturbed historic fabric is restored in-kind.
7. Bracing and reinforcing of walls, chimneys and fireplaces, provided the bracing and reinforcing are concealed from exterior view.
8. Strengthening and reinforcing of foundations and addition of foundation bolts, provided that visible new work is in-kind, and if required, mortar is repaired or replaced as previously described.
9. Repairs to and in-kind replacement of elements of curtain wall assemblies or exterior cladding that is hung on the building structure, usually from floor to floor, and when the color, size reflectivity, materials, and visual patterns are unaltered.
10. Upgrades and additions to existing loading docks and associated ramps and lifts to accommodate increased access requirements required by the new use, provided all new work is compatible with the historic character of the setting in terms of size, scale design, material, color, and texture; is as unobtrusive as possible to assure the preservation of the historic relationship between the building or buildings and the landscape; and meets Occupational Safety and Health Administration (OSHA) and ADA standards. Includes installation of

loading dock access stairs, ramp edge protection, proper handrail extensions, illumination, and landing size. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired. ADA modifications must comply with the treatment approaches outlined in *Preservation Brief #32: Making Historic Properties Accessible* (National Park Service). Otherwise, modifications must be approved by the SHPO before the work commences.

11. Protecting and maintaining a building or building site by providing proper drainage to assure that water does not erode foundation walls; drain toward the building; nor damage or erode the landscape. All new work shall be compatible with the historic character of the setting and as unobtrusive as possible to assure the preservation of the historic relationship between the building or buildings and the landscape and viewsheds associated with National Register-eligible or listed buildings, structures and historic district. Ground disturbing activities that do not comply with allowances under (I.) will require SHPO review of all proposed activities.
12. Minimizing the disturbance of terrain around buildings or elsewhere to reduce the possibility of destroying or damaging important landscape features and ensuring that structural members are free from insect infestation, vegetation growing too close to foundation walls, improper grading, fungal rot, and poor interior ventilation that result in condensation. This does not include utilizing destructive probing techniques that will damage or destroy structural material.

#### **E. Roofing**

1. In-kind repair, replacement or strengthening of roofing, rafters, fascia, soffits, gutters, rafters or downspouts. This includes any framing, sheathing or connections that are identified as needing replacement or repair and shall provide adequate anchorage for roofing material to guard against wind damage and moisture penetration.
2. Installation of gutters and downspouts on buildings that do not currently have them, provided all installations match the character defining features of existing gutters and downspouts of adjacent buildings, including being compatible in size, scale, material and color. Additions shall be inconspicuous from the public right-of-way and shall not damage or obscure character-defining features.
3. Relocation of gutter downspouts identified as flowing into below grade drainage systems or currently posing pedestrian safety concerns (e.g., spilling directly onto the top of concrete sidewalks and posing a concern during the winter months due to ice forming). Relocation shall not damage or obscure character-defining features.
4. Replacement of three-tab asphalt shingles with dimensioned architectural shingles similar in appearance to the original styles, colors, and patterns; replacement of cement asbestos shingles with asphalt-based shingles or other roofing of similar appearance to the original; replacement of corrugated asbestos panels with corrugated metal panels or other roofing of similar appearance to the original; and replacement of untreated wood shingles or shakes with similar items of fire resistant wood. Materials used will convey the visual appearance of

the surviving parts of the roof; be physically and chemically compatible; shall be inconspicuous from the public right-of-way; and shall not damage or obscure character-defining features.

5. Repairs to a flat roof, including changes in roofing materials using similar color schemes, sloped insulation, and flashing, where the repairs are not highly visible from the ground level. Where highly visible to airport users, similar color schemes will be used to retain the overall historic character of the building. Substitute materials used will convey the visual appearance of the surviving parts of the roof; be physically and chemically compatible; shall be inconspicuous from the public right-of-way; and shall not damage or obscure character-defining features.
6. Replacement of metal roofs with in-kind materials. If the roofing material to be replaced is character defining, the replacement must be in-kind, not just a form of metal roofing.
7. Installing mechanical and service equipment on the roof, such as air conditioning, transformers, or solar collectors when required for the new use so that they are inconspicuous from the public right-of-way and do not damage or obscure character-defining features.

#### **F. Weatherproofing and Insulation**

1. Caulking and weather-stripping to complement the color of adjacent surfaces or sealant materials.
2. In-kind replacement or installation of insulation systems, provided that existing interior plaster, woodwork, or exterior siding is not altered due to the installation. The allowance does not apply to urea formaldehyde foam insulation or any other thermal insulation containing water, when installed within wall cavities. It does not apply to exterior insulation finishing systems (EIFS) that do not include an adequate vapor and moisture drainage system, or work in enclosed spaces that are not finished.

#### **G. Seismic and Windload Upgrades**

1. The installation of the following upgrades, provided that such upgrades are not visible on the exterior or within character-defining historic interiors: attic bracing, cross bracing on pier and post foundations; metal fasteners; collar ties; gussets; tie downs; strapping and anchoring of mechanical, electrical, and plumbing equipment; concealed anchoring of furniture; installation of plywood diaphragms beneath first floor joists, above top floor ceiling rafters, and on roofs; and automatic gas shut off valves.
2. Replacement, repair or installation of lightning rods.

**III. BUILDINGS OR STRUCTURES** determined to be not eligible for listing on the National Register of Historic Places due to being either non-contributing or out of period and the SHPO has concurred with this eligibility determination, provided a Secretary of Interior-qualified historic preservation specialist can document that the proposed action will not affect viewsheds associated with National Register-eligible or listed buildings, structures and the historic district.

- A. Demolition.
- B. Elevation.
- C. Repairs, rehabilitation, improvements or retrofits.

**III. ROADS AND ROADWAYS** when all work is conducted within existing right-of-ways with previously disturbed soils or in areas that have been archaeologically surveyed with no recorded eligible archaeological site(s).

- A. Repair of roads to original geometric design standards and conditions using in-kind materials, number and width of lanes, shoulders, medians, curvature, grades, clearances, side slopes, and ditches, provided uniform spacing is provided between the elements.
- B. Repair of road composition finish materials, including the reshaping and compacting of roadbed soil and the repair of pavements.
- C. Addition of lanes within medians, addition of turn lanes, and repair and re-design of intersections provided the improved area does not extend outside of the existing right-of-way and the original circulation patterns are maintained.
- D. Paving of currently unpaved roads, provided the edges feather out to the existing roadway, the alignment and prism of the road is maintained, and features such as curbs are not added.
- E. Repair or replacement of traffic control devices such as traffic signs and signals, delineators, pavement markings, and traffic surveillance systems.
- E. In-kind repair and installation of road lighting systems, including period lighting fixture styles, provided a Secretary of Interior-qualified historic preservation specialist can document that the proposed installation will not adversely affect viewsheds associated with National Register-eligible or listed buildings, structures and the historic district.
- F. In-kind repair or installation of road appurtenances such as berms, guard rails, ditches, fences, sidewalks, and impact-attenuation devices, provided they are regularly placed with uniform spacing between the elements and respect the established setbacks from the roads, buildings, and structures as shown in the original NAS Tillamook site plan.

**IV. BRIDGES**

- A. In-kind repairs of abutments, wing walls, piers, decks, and fenders, where no new construction is proposed.
- B. Repair or replacement of non-historic bridges where repair work, including staging areas, do not exceed previously disturbed areas that the SHPO has concurred with. A Secretary of Interior-qualified historic preservation specialist must document that the proposed replacement will not adversely affect viewsheds associated with National Register-eligible or listed buildings, structures and the historic district before the replacement is allowed to proceed.

## V. UTILITIES

- A. Replacement, realignment or the relocation of utility poles between the edge of existing sidewalks and the road, or within existing road or utility rights-of-way and corridors. Minor mitigation measures (e.g., increase in pole diameter size) shall be covered by this allowance.
- B. Installation of new electrical power poles and drop service to buildings when new poles will be located within existing road or utility rights-of-way and corridors.
- C. Repair, replacement, small scale realignment, or hardening of utilities under existing improved roads, roadways or existing utility right-of-ways and corridors. The hardening of utilities may include the addition of new guy-wires and anchors, provided they are not attached to buildings that are eligible as contributing to the historic district; installation of new utility poles; and the elevation of existing utility equipment.
- D. Installation and elevation of generators; heating, ventilation and air conditioning (HVAC) systems; and similar equipment as long as the installation or elevation does not result in a significant loss of historic fabric and does not diminish character-defining elements of National Register-eligible or listed buildings, structures and or the historic district. In addition, this allowance can only be applied if a Secretary of Interior-qualified historic preservation specialist can document that the installation or elevation of such equipment will not affect viewsheds associated with National Register-eligible or listed buildings, structures and the historic district.
- E. Repair or replacement of damaged equipment, such as generators, switch boards, pumping equipment, etc.
- F. Pursuant to FEMA's participation in a *Program Comment for Streamlining Section 106 Review for Wireless Communication Facilities Construction and Modification Subject to Review Under the Federal Communications Commission's (FCC) Nationwide Programmatic Agreement and/or the Nationwide Programmatic Agreement for the Collocation of Wireless Antennas*, issued by the ACHP (October 2009) allowing FEMA to adopt the results of the FCC's historic preservation compliance review, conducted in accordance with Section 106 of the NHPA, co-location of communication equipment on existing telecommunication towers which are not mounted on historic structures and does not necessitate a substantial increase in the height or width of the tower or expansion of on-the-ground facilities that would include excavation outside the current tower site.

## VI. AIRPORT

- A. Repair of existing runways, taxiways, roadways, aprons and other hard surface facilities to original geometric design standards and conditions using in-kind materials.
- B. In-kind repair of safety components, including beacons, on airport property.
- C. In-kind repair of existing beacons or other navigation aids not on airport property.
- F. Repair or replacement of existing fixed base operator facilities on airport property necessary for airport operations, provided a Secretary of Interior-qualified historic preservation

specialist can document that the replacement will not affect viewsheds associated with National Register-eligible or listed buildings, structures and historic district.

- G. Construction of new buildings or structures in the vicinity of the airstrip that will be located such that they are either within or clearly outside the original paving of the runways, taxiways and blimp pads so that the boundaries of the original Naval Air Station Tillamook runway are clearly discernible. A Secretary of Interior-qualified historic preservation specialist must document that the replacement will not affect viewsheds associated with National Register-eligible or listed buildings, structures and the historic district.

## **VII. RAILROAD**

- A. In-kind repair or replacement of damaged railroad track materials (e.g., rails, cross ties, spikes, plates and clips), earth and ballast roadbeds and embankments, railroad crossings, passenger loading areas, and transportation safety components and systems.

## **VIII. NEW CONSTRUCTION**

- A. Ground disturbing activities at new construction sites when all work: substantially conforms to the original footprint of previous structures; when extensive grading, filling and landscape modification has previously occurred at the site; or an archaeological survey of the site has determined (with SHPO concurrence) that no historic properties will be affected.

**APPENDIX C**

**POTB Inadvertent Discovery Plan**



## INADVERTENT DISCOVERY PLAN

The following Inadvertent Discovery Plan is to be implemented by the POTB, and followed by any contractor or subcontractor working for or on behalf of the POTB, as policy to expeditiously address inadvertent discoveries during ground disturbing activities conducted at the POTB industrial and transportation facilities located in Tillamook, Oregon.

In accordance with Oregon Revised Statutes 358.905, if previously unidentified archaeological materials or sites are discovered during ground disturbing activities, the following shall occur:

- i. The project in the immediate vicinity of the inadvertent discovery will stop immediately.
- ii. POTB staff shall be immediately notified by telephone at 503-842-2413, Ext. 0 of the inadvertent discovery; and POTB staff shall, in turn, immediately notify a professional archaeologist of the inadvertent discovery.
- iii. A buffer zone of thirty (30) meters shall be established around the site, unless otherwise advised by the archaeologist; and the POTB shall take all reasonable measures to protect the site.
- iv. The POTB will notify the following of the inadvertent discovery by telephone, facsimile and/or email within 48 hours of the discovery, or at the soonest possible time: The State Historic Preservation Officer (SHPO; telephone or facsimile only); the Advisory Council on Historic Preservation (ACHP), the Confederated Tribes of Siletz Indians (CTSI), and any additional tribe that might attach religious and cultural significance to the affected property.
- v. If human remains are discovered, the POTB must cease all activity which may cause further disturbance to the remains. The POTB will immediately notify the Oregon State Police, the SHPO, the Commission on Indian Services, the appropriate Indian Tribe(s) and the Tillamook County Sheriff to ensure that the

human remains are cared for immediately, that relevant parties agree upon a course of action, and that project activities can recommence while causing no harm to the discovered burial area. (See attached Inadvertent Discovery Checklist for specific names and numbers.) The human remains and associated objects should not be disturbed, manipulated, or transported from the original location until a plan is developed with all consulting parties.

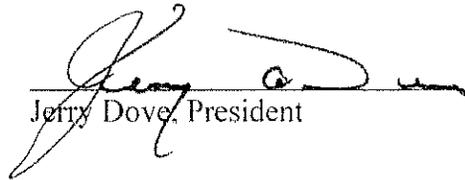
- vi. If ground disturbing activities are necessary to determine significance, site boundaries, and/or National Register eligibility, an expedited archaeological permit must be applied for by the consulting archaeologist and received from the SHPO prior to commencing with any ground disturbance.
- vii. Expedited review to prevent an undue threat to the site shall be undertaken in accordance with state law. The SHPO, ACHP, CTSI, and any other tribe identified, will attempt to respond within forty-eight (48) hours of notification (excluding Saturdays, Sundays, and any legal or tribal holidays). The POTB shall not proceed with any ground disturbing activities until concurrence is received from the SHPO, and any other consulting agencies identified as needing review by Oregon state law. If an appropriate Indian tribe objects (in writing) to an expedited review, an expedited review will not proceed and review will proceed in accordance with state and federal laws. The POTB will take into account recommendations for the discovered resources and carry out appropriate actions.
- viii. The consulting archaeologist shall make a preliminary assessment of National Register eligibility of the discovered resource(s) and propose actions to resolve any potential adverse effects at the soonest possible time. The findings will be sent to all consulting parties identified in (iv), and (v) if human remains are discovered.
- ix. All inadvertent discoveries must be documented, as appropriate, regarding state historic preservation laws. This may include archaeological site forms submitted to the SHPO, cultural resource evaluation reports, findings of effect, and testing and mitigation reports. All data recovery plans should be coordinated through the Oregon SHPO. If found eligible for the National Register, the site should be avoided, if possible. If not, it will need to be mitigated to minimize impacts.
- x. Depending on the project, the nature of discovery and the statutory jurisdiction, the SHPO may ask the POTB to retain a consulting archaeologist to assist in the development of a Treatment Plan. The appropriate jurisdictional agency may need to get involved in discussions to resolve the matter in accordance with their respective authorities.
- xi. The POTB may conclude this procedure and notify consulting parties, as appropriate, if the disturbance of the historic property or property of traditional religious and cultural importance is minimal so as to have no effect on the historic property and the excavation or disturbance can be relocated to avoid the property, as determined in consultation with the SHPO, ACHP, and appropriate tribes. Concurrence from the SHPO and appropriate tribes is required prior to commencement of any further ground disturbing activities.

- xii. Documentation of all reports and associated compliance should be kept in the POTB project files.

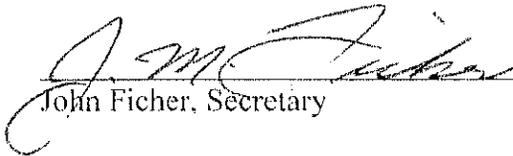
The intent of an Inadvertent Discovery Plan is to have a process in place to expeditiously deal with such discoveries. Management of archeological sites should be conducted in a spirit of stewardship for future generations, with full recognition of their non-renewable nature and their potential multiple uses and public values.

ADOPTED by the Port of Tillamook Bay Board of Commissioners this 10<sup>th</sup> day of December, 2010.

**PORT OF TILLAMOOK BAY**

  
\_\_\_\_\_  
Jerry Dove, President

**ATTEST:**

  
\_\_\_\_\_  
John Fischer, Secretary

**Port of Tillamook Bay  
INADVERTENT DISCOVERY CHECKLIST**

The following checklist assists in the documentation of any archaeological materials or sites unexpectedly discovered during ground disturbing activities:

**[ ] Inadvertent discovery identified**

Name: \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_

Notes:

**[ ] Work stopped**

Name: \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_

Notes:

**[ ] Harm avoided or minimized**

Name: \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_

Describe method:

**[ ] Field evaluation conducted by professional archaeologist within 48 hours, or as soon as possible:**

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Professional qualifications:

Methods of documentation:

Notes:

**[ ] Notifications within 48 hours of discovery to:**

**[ ] State Historic Preservation Office (SHPO)**

Contacts: Dennis Griffin, State Archaeologist, Office (503) 986-0674, Fax (503) 986-0793, [dennis.griffin@state.or.us](mailto:dennis.griffin@state.or.us).

Susan White, Assistant State Archaeologist, Office (503) 986-0675, Fax (503) 986-0793, [susan.white@state.or.us](mailto:susan.white@state.or.us).

Name: \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_

Notified by: \_\_\_\_\_

Notes: \_\_\_\_\_

**[ ] Advisory Council on Historic Preservation (ACHP)**

Contact: ACHP, 1100 Pennsylvania Avenue NW, Suite 803, Washington, DC 20004. Main No. (202) 606-8503; email: [achp@achp.gov](mailto:achp@achp.gov). (NOTE: This telephone number will transfer you to the person you need to talk to who is available at the time.)

Name: \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_

Notified by: \_\_\_\_\_

Notes: \_\_\_\_\_

**[ ] Federally recognized tribes**

**Confederated Tribes of Siletz Indians**

Contacts: Robert Kentta, Cultural Resources Director, Office 541-444-8244; Cell 541-351-0148; email: [rkentta@ctsi.nsn.us](mailto:rkentta@ctsi.nsn.us).

Name: \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_

Notified by: \_\_\_\_\_

Notes: \_\_\_\_\_

**Confederated Tribes of the Grand Ronde Community of Oregon**

Contact: Eirik Thorsgard, Cultural Protection Coordinator, Office (503) 879-1630;  
Cell (971) 241-2696; email: [eirik.thorsgard@grandronde.org](mailto:eirik.thorsgard@grandronde.org).

Name: \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_

Notified by: \_\_\_\_\_

Notes: \_\_\_\_\_

**[ ] Found human remains**

\_\_\_\_\_ Yes \_\_\_\_\_ No

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Notes: \_\_\_\_\_

**[ ] Notifications at time of discovery to:**

**[ ] Oregon State Police**

Contact: Sergeant Chris Allori, Office (503) 731-4717, Fax (503) 731-3029,  
[chris.alori@state.or.us](mailto:chris.alori@state.or.us).

Name: \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_

Notified by: \_\_\_\_\_

Notes: \_\_\_\_\_

**[ ] Oregon Commission on Indian Services, Salem, OR**

Contact: Karen Quigley, Executive Director, Office (503) 986-1067, Fax (503) 986-  
1071, [karen.m.quigley@state.or.us](mailto:karen.m.quigley@state.or.us).

Name: \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_

Notified by: \_\_\_\_\_

Notes: \_\_\_\_\_

**Tillamook County Sheriff (503) 842-2561**

Name:

Date:

Time:

Notified by:

Notes:

**Made determination of National Register eligibility:**

\_\_\_\_ Eligible

\_\_\_\_ Not eligible

Name:

Date:

Professional qualifications:

Notes:

**SHPO concurrence:** \_\_\_\_ Agrees \_\_\_\_ Disagrees

Name:

Date:

Notes:

**Decided upon treatment**

Description:

Performed by:

Date:

**Documentation filed**

Name:

Date:

Type of Documentation:

Location of files: