

MEMORANDUM OF AGREEMENT

Between
Bureau of Reclamation
Pacific Northwest Region
Columbia-Cascades Area Office
Bend Field office
and
Talent Irrigation District
and
Jackson County
and
The Oregon State Historic Preservation Officer

Regarding the Rehabilitation of Howard Prairie Dam
Rogue River Basin Project
Jackson County, Oregon

WHEREAS, the Bend Field Office, Bureau of Reclamation (Reclamation) determined that modification of the Howard Prairie Dam, under Reclamation's *Safety of Dams Program*, to reduce the risk of an internal erosion-related failure in event of a major seismic episode, will result in an adverse effect to the facility. The facility is eligible for the National Register of Historic Places as a contributing structure of the Rogue River Basin Linear Historic District, and Reclamation has consulted with the Oregon State Historic Preservation Officer (Oregon SHPO) pursuant to 36 CFR Part 800, regulations implementing Section 106 of the National Historic Preservation Act (16 U.S.C. Section 470f);

WHEREAS, in accordance with 36 CFR Section 800.6(a)(1), Reclamation notified the Advisory Council on Historic Preservation (Council) of its adverse effect determination with specified documentation and the Council has chosen not to participate in the consultation pursuant to 36 CFR Section 800.6(a)(1)(iii);

WHEREAS, the Howard Prairie Dam is managed by the Talent Irrigation District (TID);

WHEREAS, the developed recreation facilities that surround Howard Prairie Reservoir are managed by Jackson County (JC), under contract with Reclamation.

NOW, THEREFORE, Reclamation, TID, JC, and the Oregon SHPO agree that the undertaking will be implemented in accordance with the following stipulations in order to take into account the effect of the undertaking on historic properties.

STIPULATIONS

Reclamation will ensure that the following stipulations are carried out:

- I. DOCUMENTATION.** The Howard Prairie Damtender's complex will be formally evaluated, resulting in an official determination of eligibility for listing in the National Register of Historic Places. If determined eligible, the Howard Prairie Damtender's complex will be thoroughly documented to Oregon State Level Documentation Standards, as specified in the *Oregon SHPO Documentation Standards, and Oregon SHPO Digital Photo Checklist*, both appended to this document as Appendix A (Oregon State Historic Preservation Office).

The completed documentation package will consist of digital images on a disk, and three copies each of the historical report with drawings/plans and digital 4" x 6" color archival photographs. Copies of any archival materials – architectural drawings, maps – will be included only if approved by Reclamation's Physical Security Specialist. One copy of the complete documentation will be submitted to the Oregon SHPO and one copy each will be submitted to the Oregon Historical Society; the Allied Arts and Architecture Library at the University of Oregon; the Southern Oregon Historical Society, in Medford; the Talent Historical Society; and one copy without printed photos (but including digital photos, burned to an "Archival Gold" compact disc) will be submitted to be archived at the Oregon SHPO. Additional copies will be archived at the Bureau of Reclamation's Bend Field Office and Columbia-Cascades Area Office.

- II. PUBLIC INTERPRETATION.** Reclamation will ensure that a permanent interpretative display (such as a kiosk or interpretive panels) which will document and convey the significance of the Howard Prairie dam and reservoir in text and images, will be designed and constructed, to be no less than 2 ft. by 3 ft. total cumulative dimensions; it will discuss the need for and development of irrigation water for Jackson County agriculture, and the development of recreational opportunities (congressionally authorized uses of the dam and reservoir) at the reservoir for the general public. The interpretative display will be installed at Howard Prairie Resort, a developed recreation facility managed by JC. Reclamation will afford the signing parties to this document the opportunity to review and comment on a draft of the interpretive display prior to completion and installation. JC will install the signage in a location conducive to public display, security, and in compliance with the Americans with Disability Act.

- III. ARCHAEOLOGICAL MONITORING AND REPORT.** In accordance with the comment letter from Dennis Griffin, State Archaeologist, dated Dec. 6, 2016 (Appendix B), archeological monitoring will be conducted in staging areas with ground-disturbing activities in order to ensure that sediments which are disturbed/exposed are not culture-bearing (i.e., artifact rich). An archaeologist present to monitor initial ground-disturbing activities will insure that if a buried archaeological site is present, work can stop quickly before the site is adversely affected. A monitoring report will be submitted to SHPO upon completion of ground-disturbing activities associated with the project.

- IV. PROFESSIONAL QUALIFICATIONS.** Reclamation will ensure that the work described in Stipulation I, above, will be carried out by cultural resource professional(s) meeting the National Park Service Professional Qualifications standards as defined in 36 CFR Part 61 Appendix A for historian and/or architectural historian.

- V. DURATION.** The measures outlined in Stipulations I and II above shall be completed within four years from the date of the execution of this MOA, defined as the date of the latest signature. Prior to such time, Reclamation may consult with the other signatories to reconsider the terms of the MOA and amend in accordance with Stipulation IX below.

VI. POST-REVIEW DISCOVERIES. If previously unidentified potential historic properties are discovered, or unanticipated effects on historic properties found, Reclamation will stop work immediately and will inspect the discovery, in accordance with the attached *Inadvertent Discovery Plan* (Appendix C). Upon verification that the materials are cultural or historic, steps will be taken to evaluate the significance of, and protect the find if deemed significant. The office of the Oregon SHPO, and any potentially affected party (ies) will be contacted. Work will not resume until a remedy has been agreed upon amongst the consulting parties. If human remains are encountered, the provisions of the Native American Graves Protection and Repatriation Act, and/or the Indian Graves and Protected Objects (ORS97.740-97.760), as applicable, will be followed.

VII. MONITORING AND REPORTING. Each year following the execution of this MOA until it expires or is terminated, Reclamation shall provide all parties to this MOA a summary report detailing work undertaken pursuant to its terms. Such report shall include any scheduling changes proposed, any problems encountered, and any disputes and objections received in Reclamation's efforts to carry out the terms of this MOA. Failure to provide such summary report may be considered non-compliance with the terms of this MOA pursuant to Stipulation IX, below.

VIII. DISPUTE RESOLUTION. Should any party to this MOA object at any time to any actions proposed or the manner in which the terms of this MOA are implemented, Reclamation shall consult with the objecting party (ies) to resolve the objection. If Reclamation determines, within 30 days, that such objection(s) cannot be resolved, Reclamation will:

A. Forward all documentation relevant to the dispute in accordance with 36 CFR Section 800.2(b)(2). Upon receipt of adequate documentation, the Council shall review and advise Reclamation on the resolution of the objection within 30 days. Any comment provided by the Council, and all comments from the parties to the MOA, will be taken into account by Reclamation in reaching a final decision regarding the dispute.

B. If the Council does not provide comments regarding the dispute within 30 days after receipt of adequate documentation, Reclamation will render a decision regarding the dispute within 30 days following the Council's review period. In reaching its decision, Reclamation will take into account all comments regarding the dispute received from the parties to the MOA.

C. Reclamation's responsibility to carry out all other actions subject to the terms of this MOA that are not the subject of the dispute remain unchanged. Reclamation will notify all parties of its decision in writing before implementing that portion of the Undertaking subject to dispute under this stipulation. Reclamation's decision will be final.

IX. AMENDMENTS AND NON-COMPLIANCE. If any signatory to this MOA, including any invited signatory, determines that its terms will not or cannot be carried out or that an amendment to its terms must be made, that party shall immediately consult with the other parties to develop an amendment to this MOA pursuant to 36 CFR § 800.6(c)(7) and 800.6(c)(8). The amendment will be effective on the date a copy signed by all of the original signatories is filed with the Council. If the signatories cannot agree to appropriate terms to amend the MOA, any signatory may terminate the MOA in accordance with Stipulation X, below.

- X. TERMINATION.** If an MOA is not amended following the consultation set out in Stipulation IX, it may be terminated by any signatory or invited signatory. Within 30 days following termination, Reclamation shall notify the signatories if it will initiate consultation to execute an MOA with the signatories under 36 CFR § 800.6(c)(1) or request the comments of the Council under 36 CFR § 800.7(a) and proceed accordingly.

Execution of this MOA by Reclamation, TID, JC, and Oregon SHPO, the submission of documentation and filing of this MOA with the Council pursuant to 36 CFR § 800.6(b)(1)(iv) prior to Reclamation's approval of this undertaking, and implementation of its terms is evidence that Reclamation has taken into account the effects of this undertaking on historic properties and afforded the Council an opportunity to comment.

- XI. PRINCIPAL CONTACTS.** The principal contacts for this MOA are:

For Reclamation:

Chris Horting-Jones
Archeologist
1375 SE Wilson Ave. #100
Bend, OR 97701
Phone (541) 389-6541
Fax (541)-389-6394
Email: chortingjones@usbr.gov

For TID:

Jim Pendleton
District Manager
Talent Irrigation District
104 W. Valley View Road
Talent, OR 97540
Phone (541) 535-1529
Fax (541) 535-4108
Email: tid@talentid.org

For JC:

Danny Jordan
County Administrator
Jackson County Courthouse
10 South Oakdale Ave. Room 214
Medford, OR 97501
Phone (541) 774-6003
Fax (541) 774-6705
Email: jordandl@jacksoncounty.org

For Oregon SHPO:

Jessica Gabriel
Historian
State Historic Preservation Office
Oregon Parks and Recreation Department

725 Summer St. NE, Suite C
Salem, OR 97301-1266
Phone (503) 986-0677
Fax (503) 986-0793
Email: Jessica.Gabriel@oregon.gov

XII. GENERAL PROVISIONS.

A. Non-Fund Obligor Document. This MOA is neither a fiscal nor a funds obligor document. Any endeavor or transfer of anything of value involving reimbursement or contribution of funds from Reclamation to the Parties will be handled in accordance with applicable laws, regulations, and procedures including those for Government procurement and printing. Such endeavors will be outlined in separate agreements that shall be made in writing by representatives of the Parties and shall be independently authorized by appropriate statutory authority. This MOA does not provide such authority. This MOA does not establish authority for noncompetitive award to the parties of any contract or other agreement.

B. No Binding Rights or Obligations. Except as set forth in 54 U.S.C. 306108 and 36 C.F.R. Part 800, nothing in this MOA is intended to create any right or benefit, substantive or procedural, enforceable at law by a party against the United States, its agencies its officers, or any other person. Nothing in this MOA shall be deemed to increase the liability of the United States beyond that currently provided in the Federal Tort Claims Act (28 U.S.C. 2671 et seq.).

C. No Sharing of Benefits. No member of or delegate to Congress, or resident Commissioner, shall be admitted to any share or part of the MOA or to any benefit that may arise out of it.

D. Freedom of Information Act. Any information furnished to Reclamation, under this MOA, is subject to the Freedom of Information Act (5 U.S.C. 552).

E. Participation in Similar Activities. This MOA in no way restricts the Parties from participating in similar activities with other public or private agencies, organizations, and individuals.


F. Endorsement. Any of Parties' contributions made under this MOA do not by direct reference or implication convey endorsement of Parties' products or activities.

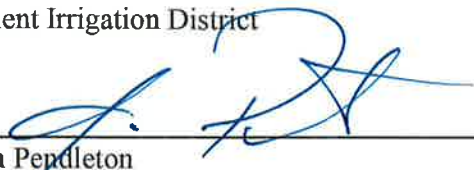
G. Compliance with Federal Laws. All parties to this MOA agree to comply with all Federal statutes relating to nondiscrimination, including but not limited to: Title VII of the Civil Rights Act of 1964, as amended, which prohibits discrimination on the basis of race, color, religion, sex, or national origin; Title IX of the Education amendments of 1972, as amended, which prohibits discrimination on the basis of sex; the Rehabilitation Act of 1973, as amended, and the Americans with Disabilities Act of 1990, as amended, which prohibit discrimination on the basis of disability; the Age Discrimination in Employment Act of 1967, as amended, which prohibits discrimination based on age against those who are at least 40 years of age; and the Equal Pay Act of 1963.

XIII. SIGNATORIES:

IN WITNESS WHEREOF, the parties hereto have executed this MOA as of the last date written below.

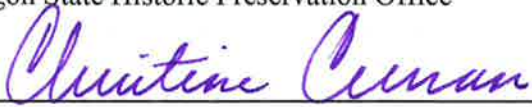
U. S. Department of Interior, Bureau of Reclamation
Pacific Northwest Region, Columbia-Cascades Area Office


Date 4/26/17
Dawn Wiedmeier
Area Manager

Talent Irrigation District

Date 4-17-2017
Jim Pendleton
District Manager

Jackson County

Date 4/5/17
Danny Jordan
County Administrator

Oregon State Historic Preservation Office

Date 5.15.17
Christine Curran
Deputy State Historic Preservation Officer

APPENDIX A

Oregon SHPO Documentation Standards

Mitigation for Adverse Effects under Section 106 of the National Historic Preservation Act or ORS 358.653

In cases where an action by a local, state or federal agency will adversely affect a listed or potentially-eligible National Register property, documentation may be required as part of the mitigation for the undertaking. Documentation is not necessarily adequate in all cases. Agencies should contact the Oregon State Historic Preservation Office (SHPO) before planning or completing any mitigation measures, including documentation.

State Level Documentation

The following items are required for all state level documentation.
See below for true HABS /HAER documentation.

1. Architectural description of the building
Description should not be less than 500 words and use appropriate architectural terms.
2. Building history
History of not less than 500 words discussing at least when the building was constructed and by whom, the building or structure's use over time, and any important persons or events associated with the resource. Contact the Oregon SHPO for research suggestions.
3. Bibliography
Include a bibliography of all resources used in the preparation of the document, including sources for appended archival materials described in item 8
4. United States Geological Survey (USGS) Map with the location of the property marked.
A portion of the entire map may be printed for free from a website such as topoquest.com and marked by hand.
5. Scale site plan of the subject building or structure and adjacent buildings and structures on the same tax lot
Drawing may be done by hand as long as it reasonably to scale. Include the name of the person completing the map, date the map was completed, map scale, and north arrow on the map. The name and/or use of each building, structure, object, and adjacent streets on the map should be labeled.
6. Scale Floor plans for each floor of the subject building or structure.
Drawing may be done by hand as long as it reasonable to scale. Include the name of the person completing the map, date the map was completed, map scale, and north arrow on the map. The name and/or use or each space should be labeled.
7. Photographs of the building or structure interior and exterior.
Photos may be taken as 35mm black-and-white 4x6 images or as color digital images. Digital and print images and prints must meet all aspects of the Oregon SHPO Digital Photo Checklist available at the SHPO website: http://www.oregonheritage.org/OPRD/HCD/NATREG/nrhp_documents.shtml .
8. Archival materials
If available, include original architectural drawings or maps, brochures, photos, newspaper clippings, or other archival items of interest relating to the history of the building or structure.

Provide two complete sets of documentation to the Oregon SHPO, including photos, for deposit at the Oregon Historical Society and the Allied Arts and Architecture Library at the University of Oregon. Send a third set without photos to be archived at the SHPO office. Photos should be printed on proof sheets. A fourth full set may be required in cases where there is a local repository that is interested in receiving the materials.

Historic American Building Survey (HABS) and Historic American Engineering Record (HAER) Documentation.

In cases where HABS / HAER documentation is required, the provided materials must meet all standards set by the National Heritage Documentation Programs Office, including archiving at the Library of Congress. The level of documentation is negotiated on a case-by-case basis between the agency managing the project and the Oregon SHPO. Documentation standards may be found at <http://www.nps.gov/ndol/> .

National Register Digital Photo Checklist

Oregon State Historic Preservation Office, revised January 2010

Photographs for National Register of Historic Places nominations must meet specific requirements for image and printing quality. The "National Register Digital Photo Checklist" is based on the instructions provided in National Register Bulletin 16a, "How to Complete the National Registration Form," and the current National Register Photographic Policy. State Historic Preservation Office staff will check digital images and prints to ensure that these requirements are met. Digital images and prints that do not meet the requirements will be returned to the preparer for correction. In instances where these instructions differ from guidance provided by older National Register publications, please follow the directions below. Unfortunately, staff cannot offer guidance on camera or software operation. If using 35mm photography please follow the instructions in step 5 for printing photos and provide a copy of the negatives to our office.

| 1. Adjust your camera settings | |
|------------------------------------|--|
| <input type="checkbox"/> Completed | <p>Set your camera to take .tif or .raw images The National Register prefers that images be taken as original-capture .tif files or as .raw files and then converted to .tif. If you are taking images as .raw files a photo enhancement program, such as Adobe Photoshop, is needed to read the file and convert it to .tif format. Refer to your camera's user manual to determine if it can take .tif or .raw images and how to set this function.</p> <p>Most consumer-grade, point-and-shoot digital cameras take images as .jpeg, .jpg, or proprietary image files and do not have the ability to take .tif or .raw images. Jpeg or .jpg images can be used if they are converted to .tif images using a photo enhancement program. See step 3 below.</p> |
| <input type="checkbox"/> Completed | <p>Adjust image size to at least 6 megapixels and 3000 x 2000 pixels in size at 300 dpi Generally, to adjust the size (pixels) of an image the file size of the picture (number of megapixels) will need to be increased. Cameras capable of taking 6 megapixel (MP) images and above with images set at least 3000 x 2000 pixels in size at 300 dpi are preferred. See your user manual to set this function.</p> <p>Images that are at least 2 MP in size and measure 1200 x 1600 pixels at 300 dpi are acceptable, but not recommended.</p> |
| <input type="checkbox"/> Completed | <p>Take images in RGB color All digital images must be taken in RGB color. This is the default setting for most cameras.</p> |
| 2. Take your photographs | |
| <input type="checkbox"/> Completed | <p>Take complete photo coverage of the resource For single buildings, one image of each outside wall, at least one photo of each outbuilding, and one image of each principal room (living room, kitchen, dining room, etc.) are needed. Large spaces may require two photos. It is not necessary to supply a photo for each bedroom; instead, choose a representative bedroom. Take "detail" photos of notable features such as decorative facades or fireplaces as needed. Do not exceed 15 photos for a single building. Please contact the office for guidance on photographing historic districts or properties with multiple buildings, such as agricultural properties.</p> |
| 3. Convert and name digital images | |
| <input type="checkbox"/> Completed | <p>Convert .raw, .jpg, .jpeg, or proprietary images files to .tif files A photo enhancement program, such as Adobe Photoshop, will be needed. This step is not necessary if the image is already in .tif format. Do not crop, color enhance, lighten, darken, or otherwise change images as part of this process. Poor-quality images that do not meet the image size specified in step 1 must be re-taken.</p> |
| <input type="checkbox"/> Completed | <p>Label the images All image files must be named in the following format:</p> <ul style="list-style-type: none"> • Example for individual properties: OR_MultnomahCounty_AnneSmithHouse_0001 • Example for district labels: OR_MultnomahCounty_SmithCommercialHistoricDistrict_0001 • Example MPS: OR_MultnomahCounty_AnneSmithHouse_SmithMPS_0001 <p>The naming convention, underscores, full county name, and leading zeros are required.</p> |
| <input type="checkbox"/> Completed | <p>Create a photograph log Each National Register nomination must include a photograph log with the image number, file name, and subject description noted. Please see an example at the end of this document.</p> |

| 6. Label the printed images | |
|---|---|
| <input type="checkbox"/> Completed | Label each photo Using a soft-lead pencil or archival pen, label the back of the photos using the following convention: •Photograph 1 of 15: Anne Smith House, Multnomah County, OR. Do not press so hard that the lettering can be seen from the image side of the photograph. |
| 7. Key all photos to a site plan (Historic Districts Only) | |
| <input type="checkbox"/> Completed | Mark photo locations on a map. Using a computer program or by hand, put the number of each photo on the district map. It is not necessary to write out the full photo name or description. The direction the photographer is facing should be indicated with an arrow. In addition to the photo location map(s) please submit a clean copy, (no photo locations) of the district map. |

SAMPLE NATIONAL REGISTER PHOTOGRAPH CONTINUATION SHEET

The following information should be entered into the National Register form in the same order and using the same format as below. Templates for National Register forms available at the SHPO website at http://www.oregonheritage.org/OPRD/HCD/NATREG/nrhp_forms.shtml

Name of Property: Anne Smith House
City or Vicinity: Portland
County: Multnomah County
State: OR
Name of Photographer: Bob Homeowner
Date of Photographs: November 2009
Location of Original Digital Files: 1495 Historic Lane, Portland, OR 97486

Photo #1 (OR_MultnomahCounty_AnneSmithHouse_0001)
 South façade (left) and east elevation (right), camera facing northwest.

Photo #2 (OR_MultnomahCounty_AnneSmithHouse_0002)
 South façade (left) and west elevation (right), camera facing northeast.

Photo #3 (OR_MultnomahCounty_AnneSmithHouse_0003)
 Living room, camera facing east.

Photo #4 (OR_MultnomahCounty_AnneSmithHouse_0004)
 Hall (right) and master bedroom (left), camera facing north.

**Continue as needed. Do not exceed 15 photographs for a single building, unless directed by SHPO staff.*

APPENDIX B



Oregon

Rock Innoway Governor

Parks and Recreation Department

State Historic Preservation Office

725 Summer St. NE, Ste. C

Salem, OR 97301-1266

Phone (503) 986-0890

Fax (503) 986-0795

www.oregonheritage.org



December 6, 2016

Ms. Chris Horting-Jones
Bureau of Reclamation/Bend Field Office
1375 SE Wilson Ave. #100
Bend, OR 97701

RE: SHPO Case No. 16-0871
BOR #16-16-HP, Howard Prairie Dam Safety of Dams Modification
Replacing bridge supports, drainage
38S 4E 32, Jackson County

Dear Ms. Horting-Jones:

Our office recently received a corrected project area map that shows the current Area of Potential Effect (APE). Given this demarcated area (all near the existing Howard Dam), I offer the following comments in regards to potential to affect archaeological properties. The lands nearest Howard Dam were earlier surveyed in 2007 by Janet Joyer (SHPO report# 24932). No subsurface probing of these lands occurred at the time and visibility varied greatly throughout the survey due to the largely forested environment. Water level of the lake at the time of the survey is not known so artifacts could be present in this area that may be affected by the staging areas to be located in the vicinity of the dam. Our office believes that future ground disturbing activities in these areas should occur while an archaeological monitor is present in order to be sure that sediments that are disturbed/exposed are not culture-bearing (i.e., artifact rich). The shoreline of this lake has numerous known archaeological sites with little data regarding site boundaries and extent. The presence of an archaeologist to monitor during initial ground disturbing activities would insure that if a buried archaeological sites is present, work can stop quickly before the site is adversely effected. Aside from the need for a monitor to be present in the proposed project area during initial ground disturbing activities, we concur that a good faith effort has been implemented and the project will likely have no effect on any significant archaeological objects or sites. Based on the information provided, additional archaeological research is not anticipated for this project. A copy of the monitoring report detailing the results of the project implementation would be appreciated once completed. In the unlikely event an archaeological object or site (i.e., historic or prehistoric) is encountered during project implementation, all ground disturbance at the location should cease immediately until a professional archaeologist can be contacted to evaluate the discovery. Under federal and state law archaeological sites, objects and human remains are protected on both public and private land in Oregon. If you have not already done so, be sure to consult with all appropriate Indian tribes regarding your proposed project. If you have any questions regarding any future discovery or this letter, feel free to contact me at your convenience. This letter refers to archaeological resources only. Comments pursuant to a review for above-ground historic resources will be sent separately.

Sincerely,

Dennis Griffin, Ph.D., RPA
State Archaeologist
(503) 986-0674
dennis.griffin@oregon.gov

APPENDIX C

RECLAMATION

Managing Water in the West

Inadvertent Discovery Plan for Unanticipated Cultural Resources

Howard Prairie Dam – Safety of Dam Modifications



**U.S. Department of the Interior
Bureau of Reclamation
Pacific Northwest Region
Bend Field Office**



Inadvertent Discovery Plan for Cultural Resources **Bureau of Reclamation's Howard Prairie Dam Safety of Dam Modifications**

INTRODUCTION

The proposed action is intended to mitigate seismic risks at Howard Prairie Dam, by correcting unsafe conditions and to prevent possible loss of life, property, water storage, and other project purposes due to potential failure modes associated with seismic event, a flood event, or "sunny-day" failure risk. Seismic risk is by far the greatest risk of dam failure. Howard Prairie Dam is unfortunately located in an area which has high seismic loading.

The modification will involve excavation and replacement of the existing liquefiable foundation materials with compacted fill within a portion of the downstream foundation, creating a foundation shear key. A stability berm would also be constructed on the downstream side of the dam. The density of the compacted fill would be much greater than the existing foundation materials and would eliminate the possibility of liquefaction within the treatment area. The foundation shear key would also include filter and drain zones and a drain pipe to provide a filtered exit for seepage through the foundation.

Prior to initiating the downstream excavation within the foundation, a dewatering system around the perimeter of the excavation will be installed. Dewatering of the foundation will reduce the groundwater levels and the moisture content of the soils prior to excavation, thereby reducing the likelihood of undrained loading conditions on the excavation slopes. After dewatering, excavation will commence to remove the majority of the liquefiable foundation materials downstream of the dam. Filter sand and drain gravel material would be placed against the excavation faces. Since the foundation materials beneath the downstream slope of the dam would not be removed or treated, the berm is needed to further stabilize the embankment against downstream deformations. This berm will result in a downstream slope profile appreciably different from its original construction. Equipment and materials storage will be located

The proposed upgrades are scheduled to begin in autumn 2017 and last through 2018.

All project areas are located on federal lands under the jurisdiction of Reclamation, and have been surveyed for cultural resources in accordance with the National Historic Preservation Act. The *area of potential effect (APE)* is considered to be approximately 20 acres.

Because the Howard Prairie reservoir area is considered to have a high potential for intact prehistoric and historic cultural resources, this Inadvertent Discovery Plan (IDP) has been prepared to provide instruction in the event that cultural materials are uncovered by Reclamation personnel or contractors working for Reclamation on lands under the jurisdiction of Reclamation. To that end, any contractor or Reclamation crew that is working on the Howard Prairie Dam Safety of Dam project *must have a copy of this IDP on hand.*

PROTOCOL FOR COORDINATION IN THE EVENT OF INADVERTENT DISCOVERY

For purposes of this document, **Project Manager** refers to the individual who oversees project implementation. **Reclamation Contact** refers to the individual employed by Reclamation who is

overseeing recreational improvement projects and regularly communicates with the **Project Manager**.

The Inadvertent Discovery Plan (IDP) *must* be followed if cultural materials, including human remains, are encountered during project work.

WHEN TO STOP WORK

Construction work may uncover previously unidentified Native American or Euro-American artifacts. This may occur for a variety of reasons, but may be associated with deeply buried cultural material, access restrictions during project development, or if the area contains impervious surfaces throughout most of the project area which would have prevented standard archaeological site discovery methods.

Work must stop when the following types of cultural resource materials are encountered:

• Human Remains

If human remains are encountered, **do not disturb them in any way. Do not call 911.** Do not speak with the media. Secure the location. Do not take Photos. The location should be secured and work will not resume in the area of discovery until all parties involved agree upon a course of action.

• Native American artifacts (may include but are not limited to):

Flaked stone tools (arrowheads, knives scrapers etc.);

Waste flakes that resulted from the construction of flaked stone tools;

Ground stone tools such as mortars and pestles;

Structural remains - wooden beams, post holes, fish weirs.

Layers (strata) of discolored earth resulting from fire hearths - may be black, red or mottled brown and often contain discolored cracked rocks or dark soil with broken shell;

• Euro-American artifacts may include (but are not limited to):

Glass (from bottles, vessels, windows etc.);

Ceramic (from dinnerware, vessels etc.);

Metal (nails, drink/food cans, tobacco tins, industrial parts etc.);

Building materials (bricks, shingles etc.);

Building remains (foundations, architectural components etc.);

Old Wooden Posts, pilings, or planks (these may be encountered above or below water);

Remains of ships or sea-going vessels, marine hardware etc.;

Old farm equipment may indicate historic resources in the area;

Even what looks to be old garbage could very well be an important archaeological resource;

When in doubt, call it in!

STEPS TO TAKE AFTER THE FIND

All work will stop immediately in the vicinity of the find. A 30-meter buffer should be placed around the discovery with work being able to proceed outside of this buffered area unless additional cultural materials are encountered.

The area will be secured and protected.

The *Project Manager* will be notified. The *Project Manager* will immediately notify the *Reclamation contact* and *Reclamation archaeologist*. If potential human remains are encountered, the Commission on Indian Services (CIS), and appropriate Tribes will also be notified. Reclamation's archaeologist will contact the CIS for assistance in determining the appropriate tribe(s) to be contacted and will also provide contact information.

| Contact Agency | Contact Name | Phone number |
|-------------------------------------|--|---|
| Project Manager | To be determined after construction contract award | |
| Reclamation Contact | To be determined after construction contract award | |
| Reclamation Archaeologist | Chris Horting-Jones | 541-389-6541 ext 236 541-410-9895 cell |
| SHPO | Dennis Griffin | 503-986-0674 |
| | John Pouley | 503-986-0675 |
| | Matt Diederich | 503-986-0577 |
| Commission on Indian Services (CIS) | Karen Quigley | 503- 986-1067 |
| Appropriate Tribes | As designated by CIS | |

No work may resume until Reclamation's archaeologist is able to assess the discovery and has contacted/notified the SHPO, appropriate agency officials, and appropriate tribes.

A professional archaeologist may be needed to assess the discovery and they, working in tandem with Reclamation's archeologist, will consult with SHPO and appropriate Tribal Governments to determine an appropriate course of action.

Archaeological excavations may be required. This is handled on a case-by-case basis by Reclamation's archaeologist in consultation with SHPO and appropriate Tribes.

PROCEEDING WITH CONSTRUCTION

Construction can proceed only after the proper archaeological evaluations have occurred and environmental clearances are obtained. This requires close coordination with Federal Agency, SHPO and the Tribes.

After an inadvertent discovery, some areas may be specified for close monitoring or 'no work zones.' Any such areas will be identified by the professional archaeologist or Reclamation's archaeologist to the *Project Manager*, and appropriate contractor personnel.

In coordination with the SHPO, the *Project Manager* will verify these identified areas and ensure that the areas are clearly demarcated in the field, as needed.