



**US Army Corps
of Engineers®**

Seattle District

**DRAFT PROGRAMMATIC AGREEMENT AMONG THE U.S. ARMY CORPS OF ENGINEERS,
SEATTLE DISTRICT; THE WASHINGTON STATE HISTORIC PRESERVATION OFFICER;
AND THE ADVISORY COUNCIL ON HISTORIC PRESERVATION FOR THE LEVEE
REHABILITATION AND INSPECTION PROGRAM UNDER PUBLIC LAW 84-99**

U.S. Army Corps of Engineers	Public Notice Date: January 7, 2022
Planning, Environmental and Cultural Resources Branch	Expiration Date: March 11, 2022
4735 East Marginal Way South Bldg 1202 Seattle, WA 98134	Reference: PMP-21-07
	Name: PL 84-99 Programmatic Agreement

Interested parties are hereby notified that the U.S. Army Corps of Engineers, Seattle District (Corps) has prepared, pursuant to the National Historic Preservation Act (NHPA), a Draft Programmatic Agreement (PA) for the Public Law (PL) 84-99 Levee Rehabilitation and Inspection Program in Washington State. The PA is intended to streamline the Section 106 process for PL 84-99 undertakings. The purpose of this notice is to solicit comments from interested persons, groups, and agencies on the Corps' proposed action under NHPA.

COMMENT SUBMISSION

Submit comments to this office, Attn: Planning, Environmental, and Cultural Resources Branch, 4735 East Marginal Way South Bldg 1202, Seattle, WA, 98134, no later than 30 days after the posting of this notice to ensure consideration.

In addition to sending comments via mail to the above address, comments may be e-mailed to Jennifer.k.bertolani@usace.army.mil. This Notice and the Draft PA can be found online at the link below.

Project Name: Programmatic Agreement Among the U.S. Army Corps of Engineers, Seattle District; the Washington State Historic Preservation Officer; and the Advisory Council on Historic Preservation for the Levee Rehabilitation and Inspection Program Under Public Law 84-99
<http://www.nws.usace.army.mil/Missions/Environmental/Environmental-Documents/>

Posting Date: January 7, 2022 End of Comment Period: March 11, 2022

52
53 **WHEREAS**, the USACE has invited the, Confederated Tribes and Bands of the Yakama Nation,
54 Confederated Tribes of the Chehalis Reservation, Confederated Tribes of the Colville Reservation,
55 Confederated Tribes of the Colville Reservation, Cowlitz Indian Tribe, Hoh Indian Tribe, Jamestown
56 S'Klallam Tribe of Washington, Kalispel Indian Community of the Kalispel Reservation, Lower Elwha
57 Tribal Community , Lummi Tribe of the Lummi Reservation, Makah Indian Tribe of the Makah Indian
58 Reservation, Muckleshoot Indian Tribe of the Muckleshoot Reservation, Nisqually Indian Tribe of the
59 Nisqually Reservation, Nooksack Indian Tribe of Washington, Port Gamble Indian Community of the
60 Port Gamble Reservation, Puyallup Tribe of the Puyallup Reservation, Quileute Tribe of the Quileute
61 Reservation, Quinault Tribe of the Quinault Reservation, Samish Indian Tribe, Sauk-Suiattle Indian Tribe
62 of Washington, Shoalwater Bay Tribe of the Shoalwater Bay Indian Reservation, Skokomish Indian Tribe
63 of the Skokomish Indian Reservation, Snoqualmie Tribe, Spokane Tribe of the Spokane Reservation,
64 Squaxin Island Tribe of the Squaxin Island Reservation, Stillaguamish Tribe of Indians of Washington,
65 Suquamish Indian Tribe of the Port Madison Reservation, Swinomish Indian Tribal Community, Tulalip
66 Tribes of the Tulalip Reservation, Upper Skagit Indian Tribe of Washington and the Skagit River
67 Cooperative (collectively the Tribes), City of Aberdeen, City of Ellensburg, City of Hoquiam, King
68 County Historic Preservation Program, Pierce County, Snohomish County, City of Spokane, City of
69 Yakima; and historic societies Chehalis Historical Society, Chelan Historical Society, Clallam Historical
70 Society, Grant County Historical Society, Grant County Historical Museum, Kittitas County Historical
71 Museum, Lewis County Historical Museum, Snohomish County Historical Society, Tacoma Historical
72 Museum, Tukwila Historical Museum, Whatcom County Historical Museum to be Consulting Parties,
73 participate in the development of this PA, and to sign their concurrence with this PA; and

74
75 **WHEREAS**, the following Tribes, Local and Certified Governments have participated in the
76 development of the PA and include the Confederated Tribes of the Colville Reservation, Cowlitz Indian
77 Tribe, Hoh Indian Tribe, Quinault Tribe of the Quinault Reservation, Samish Indian Nation, Squaxin
78 Island Tribe of the Squaxin Island Reservation, Stillaguamish Tribe of Indians of Washington, Swinomish
79 Indian Tribal Community, City of Aberdeen, City of Ellensburg, and the City of Yakima; and

80
81 **WHEREAS**, for the review of specific Undertakings under this PA, USACE may invite other agencies,
82 organizations, and individuals to participate as Consulting Parties; and

83
84 **WHEREAS**, the terms of this PA shall not apply to Undertakings on or affecting Tribal lands without prior
85 execution of the PA by the affected Tribe(s); and

86
87 **WHEREAS**, the USACE has provided the public with an opportunity to comment on this PA via the
88 USACE public website; and

89
90 **NOW, THEREFORE**, the USACE, SHPO, and ACHP agree that future undertakings affecting historic
91 properties shall be administered in accordance with the following stipulations in order to take into account
92 the effects of undertakings by the PL 84-99 Program.

93
94 **STIPULATIONS**

95
96 To the extent of its legal authority, and in coordination with other Signatories, the USACE shall ensure that
97 the following measures are implemented and shall not authorize an individual PL 84-99 undertaking until
98 Section 106 review is completed pursuant to this PA:

99 **I. APPLICABILITY OF THIS PA**

- 100 A. This PA applies to undertakings in the USACE Seattle District’s AOR resulting from authority
 101 under the PL 84-99 Program within Washington State. Potential effects to historic properties by
 102 the PL 84-99 Program are covered by this PA. This includes historic properties on public as well
 103 as private lands where the USACE provides federal funding and support.
- 104 B. Repair and rehabilitation projects that constitute undertakings within the PL 84-99 Program
 105 include, but are not limited to: riprap armoring placement, culvert replacement, installation of toe
 106 drains, replacement of launchable toes, replacement of displaced levee fill, mitigation plantings,
 107 placing sandbag/supersack/hesco walls, sandbag ring dikes, earth fill capping, placement of
 108 visqueen on levee slope to prevent overtopping erosion, and jetty rock repair or construction for
 109 coastal rehabilitation (see Appendix B(a) and (b) for definitions of each repair and rehabilitation
 110 activity and other key terms); and
- 111 C. The USACE shall determine an area of potential effects (APE) on an individual case by case
 112 basis for each PL 84-99 repair or rehabilitation project. The APE shall include the following, if
 113 applicable: the vertical and horizontal depth of disturbance, staging, access, and environmental
 114 mitigation areas, and audio and visual intrusions. The scope for PL 84-99 repair and rehabilitation
 115 projects is limited to the lands and real property required for the repair and rehabilitation projects
 116 and those adjacent areas that are directly or indirectly affected.
- 117 D. The USACE shall maintain professional cultural resources staffing consistent with United States
 118 Office of Personnel Management (OPM) guidance and Section 112 of the National Historic
 119 Preservation Act. The USACE shall ensure that cultural resources management recommendations
 120 under the PA are performed by the USACE Cultural Resources Specialist (CRS) at a GS-9 or
 121 higher who meet the Secretary of the Interior’s (SOI) Professional Qualification Standards or the
 122 OPM qualifications for cultural resources professionals in the following series: Archaeologist
 123 GS-0193 series, Anthropologist GS-0190 series, or Historian GS-0170 series. Staff at or below
 124 the GS-7 level are considered to be performing duties in a developmental or technician capacity.
 125 The USACE CRS shall oversee and review any work conducted by GS-7 or lower graded staff
 126 when the USACE implements any portion of the PA. All Contractors completing cultural
 127 resources work for the USACE shall meet the SOI Professional Qualification Standards.

128 **II. IDENTIFICATION, EVALUATION, AND RESOLUTION OF ADVERSE**
 129 **EFFECT**

130 For every applicable undertaking reviewed under this PA, the USACE shall make a reasonable and good
 131 faith effort to identify historic properties that may be affected by an undertaking, as described in 36 CFR
 132 § 800.4 (b)(1). The USACE shall utilize an expedited process to meet their Section 106 responsibilities.
 133 The USACE CRS shall complete the following step-by-step procedures to identify, evaluate, and resolve
 134 adverse effects when completing a Section 106 review under the PL 84-99 Program. Field identification
 135 and evaluation will be limited to the APE for which the USACE has legal access. If budget allows and
 136 information is available to evaluate linear resources extending outside of the APE, the USACE CRS shall
 137 make a determination of eligibility for the entire resource.

138 A. *Establish the Undertaking* (36 CFR § 800.3)

- 139 i. When a project is received, the USACE CRS shall determine if the project is an undertaking
 140 as defined at 36 CFR § 800.16(y).
- 141 1. If the project is an undertaking, the USACE CRS shall proceed to Stipulation II.B.
 142 2. If the USACE CRS determines the project is not an undertaking, then USACE has
 143 fulfilled its Section 106 responsibility and may proceed with the activity.

144 B. *Identification of Historic Properties* (36 CFR § 800.4)

- 145 i. The USACE CRS shall determine the undertaking's APE per Stipulation I.C.
- 146 ii. The USACE CRS shall determine if the undertaking meets an excluded activity as specified
147 in Appendix C, Repair and Rehabilitation Activities Excluded from Further Review.
- 148 1. If the undertaking is excluded from further review, the USACE CRS shall prepare a
149 memorandum for record (MFR). The MFR shall describe at a minimum: project
150 description, specific action excluded from further review, identify any
151 avoidance/protective measures taken, results of literature review, map illustrating
152 location and total work area of the activity, and reviewer and date reviewed. The USACE
153 CRS shall file the MFR with the district office and report on the use of Appendix C in the
154 annual report as provided in Appendix D(a). Once filed, the USACE has satisfied its
155 Section 106 responsibility and may proceed with the undertaking.
- 156 iii. If the undertaking is not an activity excluded from further review, the USACE CRS shall
157 review existing information on historic properties and determine if a field inventory is
158 needed. The USACE CRS shall:
- 159 1. Seek information from Indian Tribes likely to have knowledge of or concerns with
160 historic properties, particularly historic properties of ceremonial, spiritual, religious, or
161 cultural significance to Indian Tribes, located within the APE; and
- 162 2. Determine if the APE or portion of the APE was previously inventoried.
- 163 a. If the APE was previously inventoried in the last 10-years and the methodology
164 meets the level of effort required for the USACE CRS to complete their Section 106
165 review of the undertaking, the USACE CRS may elect to adopt the previous
166 inventory and proceed to Stipulation II.C, with the following provisions:
- 167 i. Built environment structures or other above ground resources which were not
168 50 years old at the time of the previous survey, but which are now 50 years or
169 older would be assessed for eligibility.
- 170 ii. If previously recorded cultural resources, determined eligible or ineligible for
171 listing on the National Register exist within the APE, the USACE CRS shall
172 review records to determine if new information is available that would alter
173 the previous determination. If new information is identified, the USACE shall
174 apply the National Register criteria, in accordance with 36 CFR § 800.4
175 (c)(1).
- 176 b. Where field inventory is required or deemed appropriate, the USACE CRS shall
177 conduct project-specific surveys or other historic property identification efforts in
178 accordance with appropriate professional standards, including the Secretary of
179 Interior's Standards and Guidelines for Federal Agency Historic Preservation
180 Programs Pursuant to the National Historic Preservation Act (48 FR 44716) and
181 specific guidance provided in Appendix E, USACE Survey Methodology and
182 Standards. Before proceeding to Stipulation II.C, the CRS shall:
- 183 i. Document archaeological resources, Traditional Cultural Properties (TCP),
184 or Historic Properties of Religious and Cultural Significance to Indian Tribes
185 (HPRCSITs) in accordance with the SHPO standards and the standards
186 outlined in Appendix E, and document findings in a short report in
187 accordance with the outline provided in Appendix F; unless the affected
188 Tribe raises concerns about confidentiality, the USACE shall adhere to 36
189 CFR § 800.11(c).

- 190 a. The USACE CRS shall upload the short report via WISAARD for the
191 SHPO to review or submit directly to the THPO if the undertaking is on
192 reservation lands for a 30-calendar day review period. The USACE
193 shall take into consideration comments made and incorporate changes in
194 the final document. If the USACE does not receive comments within
195 the 30-day review period, the USACE may proceed to Stipulation II.C.
- 196 ii. Complete Historic Property Inventory (HPI) forms for each PL 84-99 flood
197 risk management project that is older than 50 years or will turn 50 years old
198 by the time of an undertaking's implementation. HPI forms shall be
199 submitted through WISAARD, if applicable, for review and concurrence by
200 the SHPO/THPO and recorded in the Annual Report in accordance with
201 Stipulation IV.A and Appendix D(a) and D(b).
- 202 3. If no cultural resources are identified within the project APE during identification efforts,
203 the USACE CRS shall document this information in the Annual Report as provided in
204 Appendix D(b). Once documented, the USACE has satisfied its Section 106
205 responsibility and may proceed with the undertaking.

206 *C. Evaluate Historic Significance (36 CFR § 800.4(c))*

- 207 i. All cultural resources discovered or recorded within the APE during an inventory shall be
208 evaluated for inclusion in the National Register unless avoided by the undertakings proposed
209 work. The USACE CRS shall evaluate eligibility in accordance with the National Park
210 Service's Guidelines How to Apply the National Register Criteria for Evaluation and the
211 National Register Bulletin 15, 36 CFR § 60.4 before proceeding to Stipulation II.D.
- 212 1. If the USACE CRS cannot make a determination of eligibility due to limited information
213 or the scope of the project does not allow a review of the entire flood risk management
214 project, the CRS shall treat the cultural resource as eligible for listing on the National
215 Register.
- 216 2. The USACE CRS shall document and submit their determination to the applicable
217 SHPO/THPO and applicable consulting parties for review. The SHPO/THPO and
218 consulting parties shall have 15-calendar days to review and provide comment on the
219 determination.
- 220 a. If the SHPO/THPO concurs with the USACE determination of eligibility the USACE
221 CRS shall continue to Stipulation II.D.
- 222 b. If the SHPO/THPO does not concur with the determination and/or seeks further
223 information, the USACE CRS shall continue consultation on eligibility to achieve
224 concurrence.
- 225 i. In cases of disputes on eligibility where the USACE and the SHPO/THPO do
226 not concur on the eligibility of a cultural resource, the USACE CRS shall
227 request a formal determination of eligibility from the Secretary pursuant to 36
228 CFR 63.

229 *D. Results of Identification and Evaluation (36 CFR § 800.4(d))*

- 230 i. *No historic properties affected:* If the USACE determines that no historic properties are
231 present or that historic properties are present but that the proposed undertaking shall have no
232 effect on the historic property as defined in 36 CFR § 800.4(d)(1); then the USACE CRS
233 shall document and report its determination and findings in the Annual Report (Appendix
234 D(b)). Once documented, the USACE has satisfied its Section 106 responsibility and may
235 proceed with the undertaking.

236 ii. *Historic properties affected:* In the event historic properties are present and will be affected
237 by the proposed undertaking, the USACE CRS shall proceed to Stipulation II.E.

238 E. *Assessment of Adverse Effect (36 CFR § 800.5)*

239 i. The USACE CRS shall apply the criteria of adverse effect in consultation with the
240 appropriate SHPO/THPO and applicable consulting parties as provided at 36 CFR §
241 800.5(a)(1).

242 1. *No adverse effect.* If the USACE determines that the proposed undertaking will result in
243 no adverse effect to historic properties, USACE shall document and report its
244 determination and findings in the Annual Report Appendix D(b). Once documented, the
245 USACE has satisfied its Section 106 responsibility and may proceed with the
246 undertaking.

247 2. *Adverse effect.* If the USACE determines a project will have an adverse effect to historic
248 properties, as defined at 36 CFR § 800.5(1), the CRS shall consult with the appropriate
249 SHPO/THPO and applicable consulting parties to resolve for an adverse effect in
250 accordance with 36 CFR § 800.6 and Stipulation II.F. The USACE shall document and
251 report its determination and findings in the Annual Report Appendix D(b).

252 F. *Resolution of Adverse Effects (36 CFR § 800.6)*

253 i. To resolve for adverse effects the USACE CRS shall consult with the SHPO/THPO and other
254 consulting parties, to seek ways to avoid, minimize or mitigate the adverse effect. The
255 USACE CRS shall:

256 1. Submit a consultation letter to the appropriate SHPO/THPO and applicable consulting
257 parties that provides a description of the APE, undertaking, identification results, the
258 USACE's determination of adverse effect, proposed mitigation ideas (as provided in
259 Stipulation III) and seeks comment on the appropriate mitigation to resolve for the
260 adverse effect.

261 a. SHPO/THPO and consulting parties have 15 days to provide comment.

262 2. The USACE CRS shall prepare a mitigation plan form (Appendix G) based on the
263 responses received during consultation with the SHPO/THPO(s) and consulting parties.
264 A mitigation form shall be developed to resolve for adverse effects to historic properties
265 and will not require the execution of a memorandum of agreement (MOA) or Project-
266 Specific PA. The mitigation form will contain descriptions of background information,
267 the historic property, NRHP eligibility, adverse effect, proposed treatment, and how the
268 proposed treatment will address the adverse effect.

269 a. The USACE CRS shall distribute the draft mitigation form to the SHPO/THPO and
270 consulting parties for review. SHPO/THPO and consulting parties have 30 days to
271 provide comments on the form.

272 b. The USACE CRS shall incorporate comments received during consultation and shall
273 provide a revised mitigation form to the SHPO/THPO and consulting parties for
274 review. This process may continue until concurrence is received by the SHPO/THPO
275 and consulting parties.

276 i. If the SHPO/THPO and consulting parties concur with the proposed
277 mitigation, then all parties shall sign the mitigation form. Once signed, the
278 USACE has satisfied its Section 106 responsibility and may proceed with the
279 undertaking.

- 280 ii. If the SHPO/THPO and consulting parties do NOT concur with the proposed
281 mitigation, then the USACE CRS shall seek comment from the ACHP. The
282 ACHP shall provide USACE comment on the proposed mitigation within 30-
283 calendar days of receiving adequate documentation.
- 284 a. The USACE CRS shall prepare a written response that takes into account
285 any timely advice or comments regarding mitigation from the ACHP,
286 SHPO/THPO and consulting parties, and provide them with a copy of this
287 written response. The USACE shall then proceed according to its final
288 decision.
- 289 b. If the ACHP does not provide its advice regarding the dispute within the
290 30-day time period, the USACE may make a final decision on the dispute
291 and proceed accordingly. Prior to reaching such a final decision, USACE
292 shall prepare a written response that takes into account any timely
293 comments regarding the dispute from the SHPO/THPO and consulting
294 parties and provide them and the ACHP with a copy of such written
295 response.

296 G. *Emergency Flood Events* (36 CFR § 800.12)

- 297 i. Emergency flood events declared under the PL 84-99 Program to preserve life or property are
298 exempt from the provisions of section 106 under 36 CFR § 800.12(d).
- 299 ii. Within 24 hours of the USACE declaring an emergency flood event the USACE CRS shall:
- 300 1. Notify the SHPO, THPOs, and appropriate Tribal cultural resources staff daily for the
301 duration of a flood event and provide at a minimum the following information: Location
302 of flood event, proposed flood fighting actions (if any), contact details for further
303 information and seek information from affected Tribes on the presence of known historic
304 properties within the flood event repair footprint.

305 **III. MITIGATION**

- 306 A. The USACE shall consult with the SHPO/THPO and appropriate consulting parties to identify an
307 appropriate mitigation measure to resolve for adverse effects to historic properties. A list of
308 proposed mitigation measures is provided below; however, this list is meant to assist the
309 consultation process and is in no way exhaustive. Proposed mitigation measures include but are
310 not limited to:
- 311 i. Historic Context Statements
- 312 1. Historic Contexts Statements are documents that identifies the areas of significance or
313 themes of a historic property and explain how it relates to local, state, or national history.
314 The context statement may focus on an individual property, a traditional cultural
315 landscape, the built-environment, a historic district, a set of related properties or other
316 related properties associated with the undertaking. If a historic context statement is
317 chosen as a mitigation measure the USACE shall consult with the SHPO/THPO, Tribes,
318 and other consulting parties, as appropriate, to identify the topic; audience; framework of
319 a historic context statement; and format for the final deliverable.
- 320 ii. Oral History
- 321 1. The oral history may focus on the development of diking districts, levee history and
322 construction, the PL 84-99 program, the historic use of land, and how it changed over
323 time with the development of levees. If oral history is chosen as a mitigation measure the
324 USACE shall consult with the SHPO/THPO, Tribes, and other consulting parties, as

325 appropriate to identify the topic, audience, framework of the oral history mitigation, and
326 format for the final deliverable.

327 iii. Georeferencing of Historical Maps and Aerial Photographs

328 1. Historical maps and aerial photographs could be georeferenced into a digital format for
329 use in a geographic information system (GIS). Georeferenced materials may focus on
330 areas associated with levee development or changes to rivers and river systems with the
331 construction of levees. If georeferencing is chosen as a mitigation measure the USACE
332 shall consult with the SHPO/THPO, Tribes, and other consulting parties, as appropriate,
333 to identify the historical maps and/or aerial photographs for scanning and geo-referencing
334 and what the final package would look like including draft, final format, metadata, and
335 type of file format (i.e. .TIFF).

336 iv. Historic Property Inventory

337 1. Historic property inventory may be directed toward the resurvey of previously designated
338 historic properties, per 36 CFR § 800.4(l), which have undergone change or lack
339 sufficient documentation, or the survey of new historic properties and/or districts that
340 lack formal designation. The proposed mitigation measure shall describe the boundaries
341 of the survey area and the data collection method in keeping with the Washington SHPO
342 guidance for conducting history property inventories. If historic property inventory (-ies)
343 is chosen as a mitigation measure the USACE shall consult with the SHPO/THPO,
344 Tribes, and other consulting parties, as appropriate.

345
346 v. Educational or Public Interpretation

347 1. Create historical markers, signs, displays, educational pamphlets, websites, workshops,
348 videos, articles, reports, story maps, and other similar mechanisms to educate the public
349 on historic properties within the local community, state, or region. If educational or
350 public interpretation is chosen as a mitigation measure the USACE shall consult with the
351 SHPO/THPO, Tribes, and other consulting parties, as appropriate to, identify the topic,
352 audience, framework of the interpretation, and format for the final deliverable.

353 vi. Ethnographic Overview/Study

354 1. The ethnographic overview/study may focus on a single topic or may provide a general
355 overview of information. If ethnographic overview/study is chosen as a mitigation
356 measure, the USACE shall consult with the SHPO/THPO, Tribes, and other consulting
357 parties, as appropriate to identify the topic, audience, framework of the ethnographic
358 statement/study including oral history component.

359 **IV. REPORTING**

360 A. Annual Report: By 1 April, the USACE shall send consulting parties copies of the Annual Report
361 summarizing actions excluded from further review, the status of mitigation forms completed, as
362 well as any amendments to this PA, appendix modifications, or disputes within the previous fiscal
363 year (FY) (1 October – 31 September).

364 i. The Annual Report will be provided in table format as provided in Appendix D(a) and D(b)
365 with appropriate attachments.

366 B. Annual Meeting: The USACE shall hold an annual meeting to share information, monitor
367 progress of mitigation measures, and discuss common issues. All signatories and consulting
368 parties will be invited to the annual meeting. The annual meeting shall be held every year by the

369 USACE Seattle District any time between April and September, in a format made available to in-
370 person and virtual attendees following the effective date of this PA.

371 **V. THRESHOLDS FOR ACHP NOTIFICATION**

- 372 A. The USACE shall invite the ACHP to participate in the consultation process when:
- 373 i. Undertakings that the USACE determines are highly controversial;
- 374 ii. Undertakings that will have an adverse effect to historic properties when the USACE and
375 SHPO/THPO are unable to reach concurrence on a proposed mitigation;
- 376 iii. The ACHP reserves the right to participate on its own initiative or at the request of the
377 SHPO/THPO or consulting party. In this event, the ACHP will notify the USACE in
378 accordance with 36 CFR § 800. 2(b).

379 **VI. DISPUTE RESOLUTION**

- 380 A. Should any signatory or concurring party to this PA object at any time to any actions proposed or
381 the manner in which the terms of this PA are implemented, the USACE shall consult with such
382 party to resolve the objection. If the USACE determines that such objection cannot be resolved,
383 the USACE shall:
- 384 i. Forward all documentation relevant to the dispute, including the USACE's proposed
385 resolution, to the ACHP. The ACHP shall provide the USACE with its advice on the
386 resolution of the objection within thirty (30) calendar days of receiving adequate
387 documentation. Prior to reaching a final decision on the dispute, the USACE shall prepare a
388 written response that takes into account any timely advice or comments regarding the dispute
389 from the ACHP, signatories, and concurring parties and provide them with a copy of this
390 written response. The USACE shall then proceed according to its final decision.
- 391 ii. If the ACHP does not provide its advice regarding the dispute within the thirty (30) calendar
392 days, the USACE may make a final decision on the dispute and proceed accordingly. Prior to
393 reaching such a final decision, the USACE shall prepare a written response that takes into
394 account any timely comments regarding the dispute from the signatories and concurring
395 parties to the PA, and provide them and the ACHP with a copy of such written response.
- 396 B. The USACE's responsibility to carry out all other actions subject to the terms of this PA that are
397 not the subject of the dispute remain unchanged.

398 **VII. AMENDMENTS**

- 399 A. This PA may be amended when such an amendment is agreed to in writing by all signatories. All
400 proposed amendments will be sent to all consulting parties to review for thirty (30) calendar days.
401 If needed, the signatories may meet to discuss the proposed amendment and any comments
402 received. The amendment will be effective on the date a copy signed by all signatories is filed
403 with the ACHP.
- 404 B. If the USACE determines an amendment to an Appendix is needed, or if another signatory or
405 concurring party requests an amendment to an Appendix, the USACE shall notify all signatories
406 of the intent to modify the Appendix. If the USACE determines the amendment is necessary, they
407 will provide a draft of the updated Appendix to all signatories and concurring parties. If no
408 objections are received within thirty (30) calendar days of the proposed amendment, the USACE
409 shall date the amended Appendix and provide a copy to all signatories and concurring parties.
410 The signatories and concurring parties may meet to discuss the proposed amendment and any
411 comments received or discuss why the USACE selected not to amend the appendices. The

412 amendment shall go into effect on the date the USACE sends the amendment to all signatories
413 and it is filed with the ACHP.

414 C. A Tribe who is a sponsor of a flood risk management project may request in writing, to be a
415 signatory to this PA at any time. The Tribe will submit their request to the USACE who in turn,
416 will notify all signatories and consulting parties. If no objections are received within fifteen (15)
417 calendar days of the proposed amendment, the Tribe shall sign onto this PA as a signatory party.

418 **VIII. TERMINATION**

419 A. Any signatory to this PA may initiate termination by providing written notice to the other
420 Consulting Parties of their intent. After notification by the initiating party, the Consulting Parties
421 shall have 30 days (or another length of time agreed to by all signatories) to consult to seek
422 agreement on amendments or any other actions that would address the issues and avoid
423 termination. If such consultation fails, the PA will terminate at the end of the 30-day period,
424 unless all Signatories agree to a longer period.

425 B. In the event of termination, USACE shall comply with 36 CFR § 800 regarding individual
426 undertakings covered by this PA or with regard to ongoing actions under this PA.

427 **IX. DURATION**

428 A. Unless terminated in accordance with Stipulation VIII, this PA shall remain in effect for a period
429 of 5 years after the date it takes effect. Ninety days prior to the conclusion of the five-year period,
430 the USACE shall notify all parties in writing. If there are no objections from signatories, the
431 terms of the PA will automatically extend for another five years. The 5th year annual meeting will
432 be held no less than ninety days prior to the expiration date. The 5th year annual meeting will be
433 used to review the PA, discuss any objections in extending the PA and proposed amendments. If
434 any party objects to extending the PA, or proposes amendments, the USACE shall consult with
435 the parties to consider amendments or other actions to avoid termination. If agreement cannot be
436 reached by the termination date then this PA will remain in effect until agreement is reached or
437 the PA is terminated in accordance with Stipulation VIII.

438 **X. GENERAL PROVISIONS**

439 A. This PA shall become effective on the date that it has been signed by the USACE, the SHPO, and
440 the ACHP. USACE shall ensure that each consulting party is provided a copy of the fully
441 executed PA.

442 B. For any undertaking involving a National Historic Landmark this PA does not apply and the
443 USACE shall follow 36 CFR 800.10.

444 C. Anti-Deficiency Act: The USACE's obligations under this PA are subject to the availability of
445 appropriated funds, and the stipulations of this PA are subject to the provisions of the
446 AntiDeficiency Act. The USACE shall make reasonable and good faith efforts to secure the
447 necessary funds to implement this PA in its entirety. If compliance with the Anti-Deficiency Act
448 alters or impairs the USACE's ability to implement the stipulations of this PA, the USACE shall
449 consult in accordance with the amendment procedures found at Stipulation VII and termination
450 procedures found at Stipulation VIII.

451 D. Execution of this PA by the USACE, the SHPO, and the ACHP, and implementation of
452 its terms is evidence that the USACE has taken into account the effects of the USACE
453 Public Law 84-99 Program upon historic properties in Washington State and afforded the
454 ACHP an opportunity to comment.

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**PROGRAMMATIC AGREEMENT
BETWEEN
THE U.S. ARMY CORPS OF ENGINEERS, SEATTLE DISTRICT
AND
WASHINGTON STATE HISTORIC PRESERVATION OFFICER
AND
ADVISORY COUNCIL ON HISTORIC PRESERVATION
FOR
THE LEVEE REHABILITATION AND INSPECTION PROGRAM AND EMERGENCY
REPAIRS FOR LEVEES AND REPAIRS LOCATED IN WASHINGTON STATE**

SIGNATORIES:

U.S. Army Corps of Engineers, Seattle District

Colonel Alexander L. Bullock
District Commander

Date

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474 **PROGRAMMATIC AGREEMENT**
475 **BETWEEN**
476 **THE U.S. ARMY CORPS OF ENGINEERS, SEATTLE DISTRICT**
477 **AND**
478 **WASHINGTON STATE HISTORIC PRESERVATION OFFICER**
479 **AND**
480 **ADVISORY COUNCIL ON HISTORIC PRESERVATION**
481 **FOR**
482 **THE LEVEE REHABILITATION AND INSPECTION PROGRAM AND EMERGENCY**
483 **REPAIRS FOR LEVEES AND REPAIRS LOCATED IN WASHINGTON STATE**
484

485 **SIGNATORIES:**

486
487 **Washington State Historic Preservation Officer**

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Allyson Brooks, Ph.D.
State Historic Preservation Officer

Date

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494 **PROGRAMMATIC AGREEMENT**
495 **BETWEEN**
496 **THE U.S. ARMY CORPS OF ENGINEERS, SEATTLE DISTRICT**
497 **AND**
498 **WASHINGTON STATE HISTORIC PRESERVATION OFFICER**
499 **AND**
500 **ADVISORY COUNCIL ON HISTORIC PRESERVATION**
501 **FOR**
502 **THE LEVEE REHABILITATION AND INSPECTION PROGRAM AND EMERGENCY**
503 **REPAIRS FOR LEVEES AND REPAIRS LOCATED IN WASHINGTON STATE**
504

505 **SIGNATORIES:**

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507 **Advisory Council on Historic Preservation**
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Jordan E. Tannenbaum
Vice Chairman

Date

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515 **PROGRAMMATIC AGREEMENT**
516 **BETWEEN**
517 **THE U.S. ARMY CORPS OF ENGINEERS, SEATTLE DISTRICT**
518 **AND**
519 **WASHINGTON STATE HISTORIC PRESERVATION OFFICER**
520 **AND**
521 **ADVISORY COUNCIL ON HISTORIC PRESERVATION**
522 **FOR**
523 **THE LEVEE REHABILITATION AND INSPECTION PROGRAM AND EMERGENCY**
524 **REPAIRS FOR LEVEES AND REPAIRS LOCATED IN WASHINGTON STATE**

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526 **SIGNATORIES:**
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Name/Title	Date
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APPENDIX A

Flood Risk Management Projects and Sponsors

*Located on Tribal Trust or Reservation Lands

** Spelling per Levee National Database

LEVEE SYSTEM NAME	LEVEE SEGMENT NAME	SYSTEM TYPE	COUNTY	LEVEE SPONSOR	River
Cashmere Segment 1	Cashmere Seg 1	Levee System	Chelan	City of Cashmere	Wenatchee River
Cashmere Segment 2	Cashmere Seg 2	Levee System	Chelan	City of Cashmere	Wenatchee River
Cashmere Segment 3 Treatment Plant	Cashmere Seg 3 Sewage Treatment Plant	Levee System	Chelan	City of Cashmere	Wenatchee River
Elwha Authorized	Elwha*	Levee System	Clallam	Lower Klallam Elwha Tribe	Elwha River
Elwha Treatment Plant	Elwha Treatment Plant	Levee System	Clallam	City of Port Angeles	Elwha River
Dungeness Authorized	Dungeness River	Levee System	Clallam	Clallam County	Dungeness River
Palmer	Palmer	Levee System	Clallam	Clallam County	Dungeness River
Dungeness Meadows	Dungeness Meadows	Levee System	Clallam	Dungeness Meadows Homeowner	Dungeness River
Wilson Creek	WilsonCreek_BNSFRailroad_NPS	Levee System	Grant	None	Wilson Creek
Wilson Creek	Wilson Creek	Levee System	Grant	Town of Wilson Creek,	Wilson Creek
Hoquiam	Hoquiam	Levee System	Grays Harbor	City of Hoquiam,	Hoquiam River
Aberdeen Authorized	Aberdeen_CharleyCreekRoad_NPS	Levee System	Grays Harbor	None	Chehalis River
Aberdeen Authorized	Aberdeen	Levee System	Grays Harbor	City of Aberdeen	Chehalis River
n/a	Quinalt*	Coastal Revetment	Grays Harbor	Quinalt Nation	Olympic Peninsula
Cedar Authorized Right Bank	Cedar Authorized Right Bank	Levee System	King	City of Renton	Cedar River
Cedar Authorized Left Bank	Cedar Authorized Left Bank	Levee System	King	City of Renton	Cedar River
Tukwila Authorized	Tukwila	Levee System	King	City of Tukwila	Green River
Aldair	Aldair	Levee System	King	King County	Snoqualmie River
Alquist	Alquist	Levee System	King	King County	Cedar River
Arcadia	Arcadia	Levee System	King	King County	Cedar River
Bendigo / Prairie / Reif Road - Left Bank	Bendigo Left Lower	Levee System	King	King County	South Fork Snoqualmie River



LEVEE SYSTEM NAME	LEVEE SEGMENT NAME	SYSTEM TYPE	COUNTY	LEVEE SPONSOR	River
Bendigo / Prairie / Reif Road - Left Bank	Bendigo Left Upper	Levee System	King	King County	South Fork Snoqualmie River
Bendigo / Prairie / Si View - Right Bank	Bendigo Right Lower	Levee System	King	King County	South Fork Snoqualmie River
Bendigo / Prairie / Si View - Right Bank	Bendigo Right Upper	Levee System	King	King County	South Fork Snoqualmie River
Lower Green Right Bank	Boeing	Levee System	King	King County	Green River
Brassfield	Brassfield	Levee System	King	King County	Cedar River
Buck's Curve	Buck's Curve	Levee System	King	King County	Cedar River
Byer's Curve	Byer's Curve	Levee System	King	King County	Cedar River
Cavanaugh	Cavanaugh	Levee System	King	King County	Cedar River
Cook-Jefferies	Cook-Jefferies	Levee System	King	King County	Cedar River
Lower Green Right Bank	Desimone-Briscoe School	Levee System	King	King County	Green River
Lower Dorre-Don / Dorre-Don	Dorre-Don	Levee System	King	King County	Cedar River
Reddington / Galli's / Dykstra	Dykstra	Levee System	King	King County	Green River
Edenholm	Edenholm	Levee System	King	King County	Cedar River
Elliot Bridge	Elliot Bridge	Levee System	King	King County	Cedar River
Elliot Park	Elliot Park	Levee System	King	King County	Cedar River
Fenster	Fenster	Levee System	King	King County	Green River
Tolt Right Bank	Frew	Levee System	King	King County	Tolt River
Reddington / Galli's / Dykstra	Galli's	Levee System	King	King County	Green River
Getchman	Getchman	Levee System	King	King County	Cedar River
Tolt Left Bank	Girl Scout Camp	Levee System	King	King County	Tolt River
Hammakami	Hammakami	Levee System	King	King County	Green River
Herzman	Herzman	Levee System	King	King County	Cedar River
Tolt Right Bank	Holberg	Levee System	King	King County	Tolt River
Holstien Extension	Holstein Extension	Levee System	King	King County	South Fork Snoqualmie River
Horseshoe Bend Authorized	Horseshoe Bend	Levee System	King	King County	Green River
Imhoff	Imhoff	Levee System	King	King County	Green River
Jan's Curve	Jan's Curve	Levee System	King	King County	Cedar River
Lower Green Right Bank	Kent Shops-Narita	Levee System	King	King County	Green River



LEVEE SYSTEM NAME	LEVEE SEGMENT NAME	SYSTEM TYPE	COUNTY	LEVEE SPONSOR	River
Loans	Loans	Levee System	King	King County	Green River
Lower Bain Road	Lower Bain Road	Levee System	King	King County	Cedar River
Lower Dorre-Don / Dorre-Don	Lower Dorre-Don	Levee System	King	King County	Cedar River
Lower Green Right Bank	Lower Russell Road Holiday Kennel	Levee System	King	King County	Green River
Mason Thorson Ells	Mason Thorson Ells	Levee System	King	King County	Middle Fork Snoqualmie
Mason Thorson Extension	Mason Thorson Extension	Levee System	King	King County	Middle Fork Snoqualmie
McConkey	McConkey	Levee System	King	King County	South Fork Snoqualmie River
McElhoe Pearson	McElhoe Pearson	Levee System	King	King County	Snoqualmie River
Lower Green Right Bank	Meyer's Golf	Levee System	King	King County	Green River
Monk	Monk	Levee System	King	King County	Green River
Muellen	Muellen	Levee System	King	King County	Green River
Neeley	Neeley	Levee System	King	King County	Green River
Orchard Grove	Orchard Grove	Levee System	King	King County	Cedar River
Orting Hill	Orting Hill	Levee System	King	King County	Cedar River
Pleasant Hill	Pleasant Hill	Levee System	King	King County	Snoqualmie River
Potter	Potter	Levee System	King	King County	Green River
Bendigo / Prairie / Reif Road - Left Bank	Prairie Acres LB	Levee System	King	King County	South Fork Snoqualmie River
Bendigo / Prairie / Si View - Right Bank	Prairie Acres RB	Levee System	King	King County	South Fork Snoqualmie River
Raging River Left Bank	Raging River Bridge to Bridge Left Bank	Levee System	King	King County	Raging River
Raging River Right Bank	Raging River Bridge to Bridge Right Bank	Levee System	King	King County	Raging River
Raging River Left Bank	Raging River Bridge to Mouth Left Bank	Levee System	King	King County	Raging River
Raging River Right Bank	Raging River Bridge to Mouth Right Bank	Levee System	King	King County	Raging River
Rainbow Bend	Rainbow Bend	Levee System	King	King County	Cedar River
Reddington / Galli's / Dykstra	Reddington	Levee System	King	King County	Green River
Bendigo / Prairie / Reif Road - Left Bank	Reif Road	Levee System	King	King County	South Fork Snoqualmie River
Tolt Left Bank	Remlinger	Levee System	King	King County	Tolt River
Ricardi	Ricardi	Levee System	King	King County	Cedar River
River Bend	River Bend	Levee System	King	King County	South Fork Snoqualmie River



LEVEE SYSTEM NAME	LEVEE SEGMENT NAME	SYSTEM TYPE	COUNTY	LEVEE SPONSOR	River
Scott Indian	Scott Indian	Levee System	King	King County	Cedar River
Bendigo / Praire / Si View - Right Bank	Si View	Levee System	King	King County	South Fork Snoqualmie River
Bendigo / Praire / Si View - Right Bank	Si View Park	Levee System	King	King County	South Fork Snoqualmie River
Lower Green Right Bank	Signature Point	Levee System	King	King County	Green River
Stanly Carlin	Stanly Carlin	Levee System	King	King County	South Fork Snoqualmie River
Stossel Bridge Left Bank	Stossel Bridge LB	Levee System	King	King County	Snoqualmie River
Stossel Bridge Right Bank	Stossel Bridge RB	Levee System	King	King County	Snoqualmie River
Tolt Right Bank	Tolt Bridge to Mouth	Levee System	King	King County	Tolt River
Tolt Left Bank	Tolt Hwy to Bridge	Levee System	King	King County	Tolt River
Tolt Left Bank	Tolt Hwy to Mouth	Levee System	King	King County	Tolt River
Turley	Turley	Levee System	King	King County	Green River
Lower Green Right Bank	Upper Russell Road Somes -Dolan	Levee System	King	King County	Green River
Upstream Cedar Falls	Upstream Cedar Falls	Levee System	King	King County	South Fork Snoqualmie River
WPA	WPA	Levee System	King	King County	Cedar River
Reddington / Galli's / Dykstra	Reddington_Trail_NPS	Levee System	King	None	Green River
Lower Green Right Bank	Signature Pointe_WVValleyHighway_NPS	Levee System	King	None	Green River
Potelco	Potelco	Levee System	King, Pierce	Pierce County	White River
Park	Park	Levee System	Kittitas	City of Ellensburg	Yakima River
Reecer Creek	Reecer Creek	Levee System	Kittitas	City of Ellensburg	Yakima River
Charter Road	Charter Road	Levee System	Kittitas	Kittitas County	Yakima River
Klocke / City Well	City Well	Levee System	Kittitas	Kittitas County	Yakima River
Fireman Park	Fireman Park	Levee System	Kittitas	Kittitas County	Yakima River
Jeffries	Jeffries	Levee System	Kittitas	Kittitas County	Yakima River
Jensen	Jensen	Levee System	Kittitas	Kittitas County	Yakima River
Klocke / City Well	Klocke	Levee System	Kittitas	Kittitas County, Kittitas County	Yakima River
Reecer	Reecer	Levee System	Kittitas	Kittitas County	Yakima River
Schaake	Schaake	Levee System	Kittitas	Kittitas County	Yakima River
Teanaway	Teanaway	Levee System	Kittitas	Kittitas County	Teanaway River



LEVEE SYSTEM NAME	LEVEE SEGMENT NAME	SYSTEM TYPE	COUNTY	LEVEE SPONSOR	River
Town Ditch	Town Ditch	Levee System	Kittitas	Kittitas County	Yakima River
Klocke / City Well	City Well_SR10_NPS	Levee System	Kittitas	None	Yakima River
Park	Park_I-90_NPS	Levee System	Kittitas	None	Yakima River
Reecer Creek	Reecer Creek_DolarwayRoad_NPS	Levee System	Kittitas	None	Yakima River
Reecer Creek	Reecer Creek_I-90_NPS	Levee System	Kittitas	None	Yakima River
Reecer	Reecer_UmptanumRoad_NPS	Levee System	Kittitas	None	Yakima River
Town Ditch	Town Ditch_Intake_NPS	Levee System	Kittitas	None	Yakima River
Town Ditch	Town Ditch_SR10_NPS	Levee System	Kittitas	None	Yakima River
Chehalis-Centralia Airport	Chehalis-Centralia Airport Levee	Levee System	Lewis	Chehalis-Centralia Airport	Chehalis River
Skookumchuck	Skookumchuck	Levee System	Lewis	City of Centralia	Skookumchuck River
Elbe	Elbe	Levee System	Lewis	Lewis County	Nisqually River
Salzer Creek	Salzer Creek	Levee System	Lewis	Lewis County	Salzer Creek
Long Road Authorized	Long Road	Levee System	Lewis	Long Road Diking District	Chehalis River
Chehalis-Centralia Airport	Chehalis-Centralia Airport_Road_NPS	Levee System	Lewis	None	Chehalis River
Long Road Authorized	Long Road_I-5_NPS	Levee System	Lewis	None	Chehalis River
Long Road Authorized	Long Road_Railroad_NPS	Levee System	Lewis	None	Chehalis River
Salzer Creek	Salzer Creek_BNSFRailroad_NPS	Levee System	Lewis	None	Salzer Creek
Salzer Creek	Salzer Creek_NationalAve_NPS	Levee System	Lewis	None	Salzer Creek
Nisqually Park	Nisqually Park	Levee System	Lewis, Pierce	Pierce County	Nisqually River
-	Shoalwater Berm*	Coastal Revetment	Pacific	Shoalwater Bay Tribe	
Omak Authorized Left Bank	Omak Left Bank*	Levee System	Okanogan	City of Omak	Okanogan River
Jasmine	Jasmine	Levee System	Okanogan	City of Omak	Okanogan River
Omak Authorized Right Bank	Omak Right Bank	Levee System	Okanogan	City of Omak	Okanogan River
Oroville Authorized	Oroville	Levee System	Okanogan	City of Oroville	Similkameen River
Mazama	Mazama	Levee System	Okanogan	Okanogan County	Methow River
Okanogan Segment 1 Oak Street North	Oak Street North	Levee System	Okanogan	Okanogan County	Okanogan River
Twisp	Twisp	Levee System	Okanogan	Okanogan County	Methow River
Riverside Right Bank	Riverside Segment 1	Levee System	Okanogan	Riverside Diking District	Okanogan River
Riverside Right Bank	Riverside Segment 2	Levee System	Okanogan	Riverside Diking District	Okanogan River



LEVEE SYSTEM NAME	LEVEE SEGMENT NAME	SYSTEM TYPE	COUNTY	LEVEE SPONSOR	River
Riverside Left Bank	Riverside Segment 3	Levee System	Okanogan	Riverside Diking District	Okanogan River
Riverside Left Bank	Riverside Segment 4	Levee System	Okanogan	Riverside Diking District	Okanogan River
Elmway	Elmway	Levee System	Okanogan	Town of Okanogan	Okanogan River
Okanogan Segment 2	Okanogan Segment 2	Levee System	Okanogan	Town of Okanogan	Okanogan River
Okanogan Segment 3 Treatment Plant	Okanogan Sewage Treatment	Levee System	Okanogan	Town of Okanogan	Okanogan River
Horseshoe Trailer Park	Horseshoe Trailer Park	Levee System	Okanogan	Town of Twisp	Twisp River
Twisp City Park	Twisp City Park	Levee System	Okanogan	Town of Twisp	Twisp River
Puyallup Authorized RB / North Levee Road	North Levee Road*	Levee System	Pierce	Pierce County	Puyallup River
River Road - Puyallup	River Road (Puyallup)*	Levee System	Pierce	Pierce County	Puyallup River
Puyallup Authorized LB	Puyallup Authorized Project, Left Bank*	Levee System	Pierce	USACE	Puyallup River
Puyallup Authorized RB / North Levee Road	Puyallup Authorized Project, Right Bank*	Levee System	Pierce	USACE	Puyallup River
Alward Segment No. 1	Alward Segment No. 1	Levee System	Pierce	Pierce County	Carbon River
Alward Segment No. 2	Alward Segment No. 2	Levee System	Pierce	Pierce County	Carbon River
Bower-Parker	Bower-Parker	Levee System	Pierce	Pierce County	Puyallup River
Bowman Hilton / Sportsman	Bowman-Hilton	Levee System	Pierce	Pierce County	Puyallup River
Bridge Street / Orting Treatment / Riddell	Bridge Street	Levee System	Pierce	Pierce County	Carbon River
High Cedars / Calistoga / Jones	Calistoga	Levee System	Pierce	Pierce County	Puyallup River
Ford	Ford	Levee System	Pierce	Pierce County	Puyallup River
Greenwater	Greenwater	Levee System	Pierce	Pierce County	White River
Guy West	Guy West	Levee System	Pierce	Pierce County	Carbon River
High Cedars / Calistoga / Jones	High Cedars	Levee System	Pierce	Pierce County	Puyallup River
High Cedars / Calistoga / Jones	Jones	Levee System	Pierce	Pierce County	Puyallup River
Leach Road / Soldiers Home	Leach Road	Levee System	Pierce	Pierce County	Puyallup River
Lindsay	Lindsay	Levee System	Pierce	Pierce County	Carbon River
McAbee	McAbee	Levee System	Pierce	Pierce County	Puyallup River
McMillin	McMillin	Levee System	Pierce	Pierce County	Puyallup River
Neadham Road	Neadham Road	Levee System	Pierce	Pierce County	Puyallup River
Old Cannery	Old Cannery	Levee System	Pierce	Pierce County	Puyallup River



LEVEE SYSTEM NAME	LEVEE SEGMENT NAME	SYSTEM TYPE	COUNTY	LEVEE SPONSOR	River
Bridge Street / Orting Treatment / Riddell	Orting Treatment Plant	Levee System	Pierce	Pierce County	Carbon River
Bridge Street / Orting Treatment / Riddell	Riddell	Levee System	Pierce	Pierce County	Carbon River
River Grove	River Grove	Levee System	Pierce	Pierce County	Puyallup River
Riverside	Riverside	Levee System	Pierce	Pierce County	Puyallup River
Leach Road / Soldiers Home	Soldiers Home	Levee System	Pierce	Pierce County	Puyallup River
Bowman Hilton / Sportsman	Sportsman	Levee System	Pierce	Pierce County	Puyallup River
Water Ski	Water Ski	Levee System	Pierce	Pierce County	Carbon River
Skagit County Dike District No. 9 / 1 / 12	Skagit County Dike District No. 1*	Levee System	Skagit	Skagit County Dike District No. 1	Skagit River
Skagit County Dike District No. 9 / 1 / 12	Skagit County Dike District No. 12*	Levee System	Skagit	Skagit County Dike District No. 12	Skagit River
Skagit County Dike District No. 9 / 1 / 12	Skagit County Dike District No. 9*	Levee System	Skagit	Skagit County Dike District No. 9	Skagit River
Lyman	Lyman	Levee System	Skagit	City of Lyman	Skagit River
Skagit County Dike District No. 3 - Fisher LB / Tom Moore / Snohomish	SCDD3 Tom Moore Slough_Railroad_NPS	Levee System	Skagit	None	Skagit River
Skagit County Dike District No. 17	Skagit County Dike District No. 17	Levee System	Skagit	Skagit County Dike District No. 17	Skagit River
Skagit County Dike District No. 22	Skagit County Dike District No. 22	Levee System	Skagit	Skagit County Dike District No. 22	Skagit River
Skagit County Dike District No. 3 - Fisher LB / Tom Moore / Snohomish	Skagit County Dike District No. 3 - Fisher Slough LB	Levee System	Skagit	Skagit County Dike District No. 3	South Skagit River
Skagit County Dike District No. 3 - Main / Hill Ditch / Fisher RB	Skagit County Dike District No. 3 - Fisher Slough RB	Levee System	Skagit	Skagit County Dike District No. 3	South Skagit River
Skagit County Dike District No. 3 - Main / Hill Ditch / Fisher RB	Skagit County Dike District No. 3 - Hill Ditch	Levee System	Skagit	Skagit County Dike District No. 3	South Skagit River
Skagit County Dike District No. 3 - Main / Hill Ditch / Fisher RB	Skagit County Dike District No. 3 - Main	Levee System	Skagit	Skagit County Dike District No. 3	Skagit River
Cockreham Island	Cockreham Island	Levee System	Skagit	Skagit County	Skagit River
Big Indian Slough	Big Indian Slough	Levee System	Skagit		Big Indian Slough
Big Indian Slough	Big Indian Slough DrainageDistrict19 NPS	Levee System	Skagit		Big Indian Slough



LEVEE SYSTEM NAME	LEVEE SEGMENT NAME	SYSTEM TYPE	COUNTY	LEVEE SPONSOR	River
Skagit County Dike District No. 3 - Fisher LB / Tom Moore / Snohomish	Skagit County Dike District No. 3 - Tom Moore Slough	Levee System	Skagit, Snohomish	Skagit County Dike District No. 3	South Fork Skagit River
Skagit County Dike District No. 3 - Fisher LB / Tom Moore / Snohomish	Tom Moore Slough (Snohomish)	Levee System	Skagit, Snohomish	Snohomish County	South Fork Skagit River
Stanwood Sewage Treatment Plant	Stanwood Sewage Treatment Plant	Levee System	Snohomish	City of Stanwood	Stillaguamish River
French Slough Flood Control District	Lord Hill (French Slough)	Levee System	Snohomish	French Slough Flood Control District	Snohomish River-French Slough
French Slough Flood Control District	Pilchuck (French Slough)	Levee System	Snohomish	French Slough Flood Control District	Snohomish River-French Slough
Marshland Flood Control District	Marshland	Levee System	Snohomish	Marsh Flood Control District	Snohomish River
Marshland Flood Control District	Marshland_Railroad_NPS	Levee System	Snohomish	None	Snohomish River
Startup Authorized Primary	Startup, Primary_Railroad_NPS	Levee System	Snohomish	None	Skykomish River
Union Slough - Diking District No. 5	Union Slough_Highway529_NPS	Levee System	Snohomish	None	Snohomish River-Union Slough
Ebey Slough Upper	Ebey Slough, Upper	Levee System	Snohomish	Snohomish County	Snohomish River-Ebey Slough
Oso	Oso	Levee System	Snohomish	Snohomish County	Stillaguamish River
Startup Authorized Primary	Startup, Primary Levee	Levee System	Snohomish	Snohomish County	Skykomish River
Startup Authorized Training	Startup, Training Levee	Levee System	Snohomish	Snohomish County	Skykomish River
Ebey Island - Diking Improvement District No. 1	Ebey Island D.I.D. No. 1	Levee System	Snohomish	Snohomish D.I.D. No. 1	Snohomish River/Ebey Slough
Snohomish Drainage Improvement District No. 13	Snohomish D.I.D. No. 13	Levee System	Snohomish	Snohomish D.I.D. No. 13	Snohomish River-Ebey Slough
Union Slough - Diking District No. 5	Union Slough (D.I.D. No. 5)	Levee System	Snohomish	Snohomish D.I.D. No. 5	Snohomish River/Union Slough
Ebey Slough Middle / Lundvall - Diking District No. 2	Ebey Slough, Middle (DD No. 2)	Levee System	Snohomish	Snohomish Diking District No. 2	Snohomish River/Ebey Slough
Ebey Slough Middle / Lundvall - Diking District No. 2	Lundvall (DD No. 2)	Levee System	Snohomish	Snohomish Diking District No. 2	Snohomish River/Ebey Slough
Ebey Slough Lower - Diking District No. 4	Ebey Slough, Lower (DD No. 4)	Levee System	Snohomish	Snohomish Diking District No. 4	Snohomish River/Ebey Slough
Church Creek Left Bank	Church Creek LB	Levee System	Snohomish	Stillaguamish Flood Control District	Church Creek
Church Creek Right Bank	Church Creek RB	Levee System	Snohomish	Stillaguamish Flood Control District	Church Creek
Florence / Hat / Thomle / Sea / South Pass	Florence	Levee System	Snohomish	Stillaguamish Flood Control District	Stillaguamish River



LEVEE SYSTEM NAME	LEVEE SEGMENT NAME	SYSTEM TYPE	COUNTY	LEVEE SPONSOR	River
Florence / Hat / Thomle / Sea / South Pass	Hat Slough	Levee System	Snohomish	Stillaguamish Flood Control District	Stillaguamish River/Hat Slough
Hat Slough Left Bank	Hat Slough LB	Levee System	Snohomish	Stillaguamish Flood Control District	Stillaguamish River/Hat Slough
Hat Slough Upper / Miller Left Bank	Hat, Upper	Levee System	Snohomish	Stillaguamish Flood Control District	Stillaguamish River/Hat Slough
Hat Slough Upper / Miller Left Bank	Miller LB	Levee System	Snohomish	Stillaguamish Flood Control District	Stillaguamish River
Miller RB / Norman / Stillaguamish Seg 10	Miller RB	Levee System	Snohomish	Stillaguamish Flood Control District	Stillaguamish River
Miller RB / Norman / Stillaguamish Seg 10	Norman Road	Levee System	Snohomish	Stillaguamish Flood Control District	Stillaguamish River
South Pass	South Pass	Levee System	Snohomish	Stillaguamish Flood Control District	Stillaguamish River
Florence / Hat / Thomle / Sea / South Pass	South Pass Side	Levee System	Snohomish	Stillaguamish Flood Control District	Stillaguamish River
Miller RB / Norman / Stillaguamish Seg 10	Stillaguamish Segment No. 10	Levee System	Snohomish	Stillaguamish Flood Control District	Stillaguamish River
Florence / Hat / Thomle / Sea / South Pass	Thomle Road	Levee System	Snohomish	Stillaguamish Flood Control District	Stillaguamish River
Qwuloolt Authorized	Qwuloolt Authorized	Levee System	Snohomish		Ebey Slough
Hangman Creek	Hangman Creek	Levee System	Spokane	City of Spokane	Hangman Creek
Rock Creek - Rockford	Rock Creek	Levee System	Spokane	Town of Rockford	Coeur d'Alene River
Nisqually Segment 3	NisquallySeg3_Road_NPS	Levee System	Thurston	None	Nisqually River
Nisqually Segment 3	Nisqually Segment 3	Levee System	Thurston	Thurston County	Nisqually River
Red River	Red River_SeaLevee_NPS*	Levee System	Whatcom	None	Nooksack River
Ferndale / WTP / Sigardson / Rayhorst / Rainbow Slough	Rainbow Slough*	Levee System	Whatcom	Whatcom County	Nooksack River
Red River	Red River*	Levee System	Whatcom	Whatcom County	Nooksack River
Deming / Sande-Williams / Lee	Deming*	Levee System	Whatcom	Whatcom County	Nooksack River
Everson	Everson	Levee System	Whatcom	City of Everson	Nooksack River
Ferndale / WTP / Sigardson / Rayhorst / Rainbow Slough	Ferndale	Levee System	Whatcom	City of Ferndale	Nooksack River
Blysmas / Polinder / Hannegan / Abbott	Abbott_Levee_NPS	Levee System	Whatcom	None	Nooksack River
Blysmas / Polinder / Hannegan / Abbott	Hannegan_Levee_NPS	Levee System	Whatcom	None	Nooksack River
Bamboo Willie	Bamboo Willie	Levee System	Whatcom	Whatcom County DD No. 2	Nooksack River



LEVEE SYSTEM NAME	LEVEE SEGMENT NAME	SYSTEM TYPE	COUNTY	LEVEE SPONSOR	River
Blysmas / Polinder / Hannegan / Abbott	Abbott	Levee System	Whatcom	Whatcom County	Nooksack River
Appel - Whatcom County Dike District 3	Appel	Levee System	Whatcom	Whatcom County	Nooksack River
Lynden / River Road / Bertrand Creek LB	Bertrand Creek LB	Levee System	Whatcom	Whatcom County	Nooksack River
Bertrand Creek Right Bank	Bertrand Creek RB	Levee System	Whatcom	Whatcom County	Nooksack River
Blysmas / Polinder / Hannegan / Abbott	Bylisma	Levee System	Whatcom	Whatcom County	Nooksack River
Dean Foods	Dean Foods	Levee System	Whatcom	Whatcom County	Nooksack River
Deboer	Deboer	Levee System	Whatcom	Whatcom County	Nooksack River
Appel - Whatcom County Dike District 3	Devries	Levee System	Whatcom	Whatcom County	Nooksack River
Ferndale / WTP / Sigardson / Rayhorst / Rainbow Slough	Ferndale Water Treatment Plant	Levee System	Whatcom	Whatcom County	Nooksack River
Glacier Creek	Glacier Creek	Levee System	Whatcom	Whatcom County	Glacier Creek
Glacier Springs	Glacier Springs	Levee System	Whatcom	Whatcom County	Canyon Creek
Hampton Lower / Hampton Upper / Timon Road / Notter Road	Hampton, Lower	Levee System	Whatcom	Whatcom County	Nooksack River
Hampton Lower / Hampton Upper / Timon Road / Notter Road	Hampton, Upper	Levee System	Whatcom	Whatcom County	Nooksack River
Blysmas / Polinder / Hannegan / Abbott	Hannegan	Levee System	Whatcom	Whatcom County	Nooksack River
Hawley	Hawley	Levee System	Whatcom	Whatcom County	Nooksack River
Hovander Park	Hovander Park	Levee System	Whatcom	Whatcom County	Nooksack River
Kaam Creek	Kaam Creek	Levee System	Whatcom	Whatcom County	Kaam Creek
Deming / Sande-Williams / Lee	Lee	Levee System	Whatcom	Whatcom County	Nooksack River
Lynden / River Road / Bertrand Creek LB	Lynden Levee	Levee System	Whatcom	Whatcom County	Nooksack River
Mount Baker Rim	Mt. Baker Rim	Levee System	Whatcom	Whatcom County	Nooksack
Appel - Whatcom County Dike District 3	Neevel	Levee System	Whatcom	Whatcom County	Nooksack River
Hampton Lower / Hampton Upper / Timon Road / Notter Road	Notter Road	Levee System	Whatcom	Whatcom County	Nooksack River
Blysmas / Polinder / Hannegan / Abbott	Polinder	Levee System	Whatcom	Whatcom County	Nooksack River
Ferndale / WTP / Sigardson / Rayhorst / Rainbow Slough	Rayhorst	Levee System	Whatcom	Whatcom County	Nooksack River



LEVEE SYSTEM NAME	LEVEE SEGMENT NAME	SYSTEM TYPE	COUNTY	LEVEE SPONSOR	River
Appel - Whatcom County Dike District 3	Ritter Road	Levee System	Whatcom	Whatcom County	Nooksack River
Lynden / River Road / Bertrand Creek LB	River Road (Nooksack)	Levee System	Whatcom	Whatcom County	Nooksack River
Deming / Sande-Williams / Lee	Sande-Williams	Levee System	Whatcom	Whatcom County	Nooksack River
Ferndale / WTP / Sigardson / Rayhorst / Rainbow Slough	Sigardson	Levee System	Whatcom	Whatcom County	Nooksack River
Appel - Whatcom County Dike District 3	Strickland	Levee System	Whatcom	Whatcom County	Nooksack River
Swift Creek Left Bank	Swift Creek LB	Levee System	Whatcom	Whatcom County	Swift Creek
Swift Creek Right Bank	Swift Creek RB	Levee System	Whatcom	Whatcom County	Swift Creek
Hampton Lower / Hampton Upper / Timon Road / Notter Road	Timon Road	Levee System	Whatcom	Whatcom County	Nooksack River
Twin View	Twin View	Levee System	Whatcom	Whatcom County	Nooksack River
Appel - Whatcom County Dike District 3	Vanderpol	Levee System	Whatcom	Whatcom County	Nooksack
Donald Wrecking Yakima Seg 4	Donald Wrecking Yard*	Levee System	Yakima	Yakima County	Yakima River
Parker Yakima Seg 6	Parker*	Levee System	Yakima	Yakima County	Yakima River
Annie Moses Yakima Seg 5	Annie Moses*	Levee System	Yakima	Yakama Nation	Yakima River
Yakima Tribe Seg 2a**	Yakima Tribe (Toppenish) *	Levee System	Yakima	Yakama Nation	Yakima River
Yakima Tribe Seg 2b**	Yakima Tribe Seg 2b*	Levee System	Yakima	Yakama Nation	Yakima River
Zillah	Zillah*	Levee System	Yakima	Yakama Nation	Yakima River
Cowiche Creek	Cowiche Creek	Levee System	Yakima	City of Yakima	Cowiche Creek
Yakima Wastewater Treatment Plant Seg 8	Yakima Wastewater Treatment Plant	Levee System	Yakima	City of Yakima	Yakima River
Ramblers Park Naches Seg 1	Ramblers Park_PowerhouseRoad_NPS	Levee System	Yakima	None	Naches River
South Naches Seg 9	South Naches_Irrigation_NPS	Levee System	Yakima	None	Naches River
Town of Naches RB Seg 8	Town of Naches_RB_Road_NPS	Levee System	Yakima	None	Naches River
Yakima Authorized Right Bank	Yakima_RB_County Tie-In_NPS	Levee System	Yakima	None	Yakima River
Yakima Authorized Right Bank	Yakima_RB_I-82_NPS	Levee System	Yakima	None	Yakima River
Yakima Authorized Right Bank	Yakima_RB_Railroad_NPS	Levee System	Yakima	None	Yakima River
Yakima Wastewater Treatment Plant Seg 8	Yakima WWTP_SR24_NPS	Levee System	Yakima	None	Yakima River
Donald Bridge Yakima Seg 3	Donald Bridge LB	Levee System	Yakima	Yakima County	Yakima River



LEVEE SYSTEM NAME	LEVEE SEGMENT NAME	SYSTEM TYPE	COUNTY	LEVEE SPONSOR	River
Eschbach Park Naches Seg 4	Eschbach Park Naches Seg 4	Levee System	Yakima	Yakima County	Naches River
Eschback Park Naches Seg 5	Eschback Park Naches Seg 5	Levee System	Yakima	Yakima County	Naches River
Incinerator Naches Seg 10	Incinerator Naches Seg 10	Levee System	Yakima	Yakima County	Naches River
Marsh Road Yakima Seg 9	Marsh Road	Levee System	Yakima	Yakima County	Yakima River
McCormick Naches Seg 2	McCormick Naches Seg 2	Levee System	Yakima	Yakima County	Naches River
Moxee Bridge Yakima Seg 7	Moxee Bridge	Levee System	Yakima	Yakima County	Yakima River
Nile Road Naches Seg 13	Nile Road Naches Seg 13	Levee System	Yakima	Yakima County	Naches River
Old River Road Naches Seg 12	Old River Road Naches Seg 12	Levee System	Yakima	Yakima County	Naches River
Ramblers Park Naches Seg 1	Ramblers Park Naches Seg 1	Levee System	Yakima	Yakima County	Naches River
Rock Creek Naches Seg 11	Rock Creek Naches Seg 11	Levee System	Yakima	Yakima County	Naches River
South Naches Seg 9	South Naches Seg 9	Levee System	Yakima	Yakima County	Naches River
Town of Naches LB Seg 7	Town of Naches LB Seg 7	Levee System	Yakima	Yakima County	Naches River
Town of Naches RB Seg 8	Town of Naches RB Seg 8	Levee System	Yakima	Yakima County	Naches River
Town of Naches RB Seg 8b	Town of Naches RB Seg 8b	Levee System	Yakima	Yakima County	Naches River
Water Treatment Plant Naches Seg 6	Water Treatment Plant Naches Seg 6	Levee System	Yakima	Yakima County	Naches River
Yakima Authorized Left Bank	Yakima Authorized, Left Bank	Levee System	Yakima	Yakima County	Yakima River
Yakima Authorized Right Bank	Yakima Authorized, Right Bank	Levee System	Yakima	Yakima County	Yakima River

APPENDIX B(a)

Definitions of Repair and Rehabilitation Activities

Specific Activity	Description	Action Response
Riprap Armoring Placement	Replacing riprap that has been dislodged off the face of the levee during flood/high water event	Repair-in-Kind
Replace Displaced Levee Fill	Levee fill material (inside of the levee) that has been displaced during flood. This normally occurs when the riprap has been moved.	Repair-in-Kind
Culvert Replacement	Replacement of a culvert that that are part of the levee system, running through the levee. Lynden Levee and Omak levee are examples.	Repair-in-Kind
Install Toe Drain	Drain system installed at landside of levee to collect seepage from levee embankment or in foundation soil at levee toe	Repair-in-Kind
Complete Levee Rebuild (levee breach)	Will occur if a segment of a levee is either completely or partially breached during a flood/high water event.	Repair-in-Kind
Mitigation Plantings	Willow lifts in levee prism installed during a repair project.	Repair-in-Kind
Levee R/S Slope Layback and/or Section Transition	Most slope laybacks are to improve the factor of safety for slope stability. However, a slope layback can also be an environmental lift and has been used to mitigate repair impacts. Occurs on riverward slope.	Limited Extension of Footprint (<15ft)
Seepage Berm / Seepage Blanket Placement	Constructed on the landward side of the levee using impervious soils to reinforce the existing top stratum and reduce under-seepage	Limited Extension of Footprint (<15ft)
Installation of Relief Wells (not common for Seattle District)	Installed on the landward toe of the levee or right behind the levee prism. Relief wells are water wells that intercept water flowing beneath the levee and provide an outlet for seepage. Used to prevent seepage from displacing soil from levee foundation.	Limited Extension of Footprint (<15ft)
Installation of Buried Riprap Toe	Buried Riprap at toe of levee on riverward side of the levee. This toe is intended to stay in place during a flood/high water event	Limited Extension of Footprint (<15ft)
Installation of Launchable Riprap Toe	Buried riprap at toe of levee on riverward side. During a flood the toe will "launch" into the river leaving a scour hole for riprap placed above the toe to fall into, preventing further scouring.	Limited Extension of Footprint (<15ft)
Install Driven / Vibrated Wood or Steel Piles to Support Levee Foundation	Installed either on landward or riverward slopes of the levee and driven in vertically. Examples: Meadowhurst levee in Idaho and Desimone levee on the Green River.	Limited Extension of Footprint (<15ft)
Off-Site Mitigation Plantings	Vegetation plantings location outside of the levee repair area. The mitigation location is as close to the levee repair as possible and type of mitigation (i.e. number of plantings) is determined in consultation with sponsors/services.	Limited Extension of Footprint (<15ft)
Large Woody Debris with Anchoring	Installing logs and anchoring them to the riverbank. Used to help form shady spot in river and used to help slow the flow of the river.	Limited Extension of Footprint (<15ft)
Levee Setback (including foundation repair)	Instead of repairing the old levee, moving the levee to a different location	Significant Change in Footprint
Seepage Berm Placement	Placed on the landside slope or toe of an existing levee or just landward of the levee prism	Significant Change in Footprint
Beach Nourishment	Adding sand to beach where sand has eroded away.	Coastal
Jetty Rock Repair	Repairing/Adding rock to Jetty	Coastal
Jetty Rock Construction	Adjusting the alignment of an existing jetty or repairing jetty to its pre-flood condition	Coastal

Sandbag / Supersack / Hesco Wall Placement	Sandbag/Supersack/Hesco Wall Placement-Sandbags can be used to prevent overtopping of levees, direct a river current, used as weight on backslope of saturated levees, etc. A supersack is a giant sandbag and a Hesco wall is a steel wire crate lined with plastic canvas and filled with dirt or other material. Used to help augment a levee to prevent overtopping. All three are used during flood flights to protect levees from further damage	Flood Fighting
Sandbag Ring Dike	Sandbag Ring Dike for Seepage Boil- a seepage boil is caused by water seepage through levee. Sandbags are placed 2 to 3 feet radius around boil	Flood Fighting
Earth Fill Capping (Import Fill)	Earth Fill Capping Placing fill to cap a levee. Permitted borrow areas are used however, there is occasion during flood fight events where displaced levee material is used to rebuild the levee prism.	Flood Fighting
Earth Fill Capping (Local Borrow)	Placing fill to cap a levee. Permitted borrow areas are used however, there is occasion during flood fight events where displaced levee material is used to rebuild the levee prism.	Flood Fighting
Placement of Visqueen	Placement of Visqueen on Levee Slope to Prevent Overtopping Erosion	Flood Fighting

APPENDIX B(b)

Definitions of Key Terms

Cultural Resources: the term “cultural resources” is a term commonly used to refer to a wide range of cultural property/resource types including but not limited to archaeological sites, buildings, structures, trails, roads, levees, jetties and objects regardless of age or ethnic affiliation. The term may also be used to describe landscape features or geographic areas important to certain ethnics or Tribal groups. The term however, is not one that is defined in statute or regulation. Cultural resources can also include “historic properties” as defined in the National Historic Preservation Act (16 U.S.C. § 470w-5) and archaeological resources as defined in the Archaeological Resources Protection Act (16 U.S.C. § 470bb-1)

Cultural Resource Specialists- A professional cultural resource specialist or CRS is defined as personnel meeting or exceeding the U.S. Office of Personnel Management qualifications for professional archaeologists and historians and classified in the appropriate OPM series (e.g. Series 193 for archaeologist and Series 170 for historians) at grade, GS-9 or higher. Specialists at the or below the GS-7 level are considered to be performing duties in a trainee/developmental capacity. Reports prepared by GS-7 or lower graded specialists will be reviewed by a professional GS-9 or higher CRS prior to submission to SHPO.

Elements of Flood Risk Management Projects- includes Rip rap, culverts, relief wells, structures (pump houses, gates, fences, etc). An element can be considered to either be a direct or indirect component that makes up the flood risk management project

Federally Authorized Levee: typically designed and built by the USACE in cooperation with a local sponsor then turned over to a local sponsor to operate and maintain

Jetty- breakwater constructed to protect a harbor or a stretch of the coast

Levee-an earthen embankment, flood wall, or structure along a watercourse whose purpose is flood risk reduction or water conveyance

Non-federal levee: designed, built, and managed by a non-federal entity

PL 84-99 Built Environment- This term is used to refer to both a levee, jetty, or other structure under the PL 84-99 Program.

Previously Disturbed Soil- Areas that have been previously and completely disturbed by mechanical means to the extent and depth where the probability of finding intact cultural resources is negligible. Previously disturbed areas have both vertical and horizontal limits.

APPENDIX C

Repair and Rehabilitation Activities Excluded from Further Review

The following list of activities is intended for use by the U.S. Army Corps of Engineers, Seattle District (USACE) cultural resource specialists (CRS) when activities associated with the undertaking are proposed under the PL 84-99 Program. USACE CRS shall review specific repair and rehabilitation activities implemented under this PA and determine whether they fall within one of the excluded activities defined below.

To make the determination whether a specific activity meets one of the excluded actions listed below the CRS shall review available materials, such as published and archival records, prior reports, and/or maps and photographs. If consultations or investigations have not occurred in the past to determine if TCPs or HPRCSITs might be present, the USACE will coordinate with affected Tribes.

Documentation of an action excluded from further review will include at a minimum: project description, results of the literature review, any avoidance/protective measures taken, map of the location and total project area of the activity and indicate the reviewer and date reviewed. Excluded activities include:

1. Rodent and pest control within demonstrated previously disturbed areas.
2. Application of soil sterilant, herbicides, and insecticides within demonstrated previously disturbed areas.
3. Terrestrial and aquatic weed removal (i.e. knot weed) from within the flood risk management project prism.
4. Mowing and brushing within demonstrated previously disturbed areas, and general maintenance of existing landscaping along roads, trails, levees, canals, laterals, ditches, and flood risk management projects.
5. Road maintenance within demonstrated previously disturbed areas, including regrading or repaving of existing roads and existing parking areas.
6. Maintenance within demonstrated previously disturbed areas of existing trails, walks, paths, and sidewalks.
7. Replacement of pipelines, cables, or utility conduit entirely within demonstrated previously disturbed areas where equipment access is also within previously disturbed areas. The USACE must be able to demonstrate that the proposed work is entirely within previously disturbed areas with construction plans, as-built plans, or onsite observations.
8. Replacement or restoration of existing rip rap, or placement of additional rip rap on top of existing rip rap, when using a similar type¹ of materials and maintaining original design criteria.
9. Excavation within the demonstrated confines of fill material or previously disturbed areas where there are no known historic properties present or where the work will not affect contributing elements to the historic property. The USACE must be able to demonstrate that the proposed work is entirely within fill material or previously disturbed areas with construction plans, as-built plans, photographic evidence, or onsite observations. Excavation below previous ground disturbance may continue if all Holocene and Pleistocene sediments have been removed (e.g., new ground disturbance is within bedrock) and excavation will not extend into any area which contains Holocene and Pleistocene sediments.
10. Repair and/or replacement of roadway culverts or utilities (above and/or underground) that are less than 50 years of age or where the work will not affect contributing elements to a historic property within demonstrated previously disturbed areas where equipment access is also within previously disturbed areas. The USACE must be able to demonstrate that the proposed work is entirely within

¹ A change in rip rap classification of one class (i.e. Class I to Class II).

previously disturbed areas with construction plans, as-built plans, or onsite observations. Culverts built after 1945 will not be surveyed and evaluated per the ACHP “Program Comment for Common Post-1945 Concrete and Steel Bridges” provided the culverts fall within the scope of the Program Comment, i.e., are of the following types: 1) reinforced concrete boxes; 2) concrete box culverts; 3) concrete pipe culverts; or 4) steel pipe culverts.

11. Repairs to, and in-kind replacement of, elements of flood risk management projects and within demonstrated previously disturbed areas where equipment access is also within previously disturbed areas and no known historic properties exist. The USACE must be able to demonstrate that the proposed work is entirely within previously disturbed areas with construction plans, as-built plans, or onsite observations.
12. Removal of modern materials, trash scatters that are less than 50 years old, or hazardous material that is older than 50 years old, including abandoned motor vehicles, within the prism of the flood risk management project provided removal methods do not involve ground disturbance of native soils.
13. Continued use of existing borrow sources where no lateral expansion of the previously excavated area of the borrow pit will occur.
14. Maintenance or replacement of existing fence lines and gates that do not require disturbance beyond replacement of posts, gates, or fence materials.
15. Use of existing access roads and staging areas that are located on previously used/disturbed locations.
16. Onsite mitigation plantings that occur within the existing prism of the flood risk management project.
17. Offsite mitigation locations that have been previously surveyed, or within previously disturbed soil and no known historic properties exist.
18. Placement of soils where no ground disturbance will occur and where the placement will not affect the character defining features of a historic property (ex. beach nourishment or seepage berm).
19. Repairs made during flood fighting events including but not limited to, temporary placement of sandbags, supersacks and/or hesco walls, earth fill capping, levee slope layback, and placement of visqueen on levee slopes to prevent overtopping erosion.

APPENDIX E

USACE Survey Methodology & Standards

Pedestrian Survey

1. Conduct a systematic visual survey of the ground surface for cultural materials. USACE CRS shall walk the center line of the flood risk management project and determine if spacing and size of the project allows additional transects.
2. The survey will include all proposed staging areas located either on the flood risk management project or adjacent to. If possible and safe to do so the USACE CRS shall inspect the damaged area of the flood risk management project; however, due to safety and timing of pedestrian survey (i.e. winter or during high flow) it may not be possible.
3. The USACE CRS shall take overview photographs of the repair area and flood risk management project.
4. The USACE CRS shall take field notes that include date and time survey was conducted, weather, condition of flood risk management project, vegetation that may inhibit survey, and any archaeological resources and historic properties observed during the survey.
5. If the off-site mitigation location is on a sand bar or other unstable landform no survey will be conducted.
6. Subsurface testing is not allowed within the flood risk management project prisms due to engineering safety standards.

Subsurface Testing

1. If determined appropriate, the USACE CRS shall conduct subsurface testing.
2. Subsurface testing shall consist of shovel probes that go to the depth of 50 cm. Shovel probe transect intervals shall be between 15 to 30 meters depending on if the APE is located in a high probability area or not.
3. Shovel test probes shall be no larger than 50 cm in diameter and shall be dug in arbitrary 10cm levels. All soils are screened through a ¼-inch hardware mesh at a minimum.
4. The USACE CRS shall take overview photographs of the APE, representative photographs of shovel probes and any archaeological resources that are identified.
5. The USACE CRS shall take field notes that include date and time survey was conducted, weather, condition of APE, vegetation that may inhibit survey, and any archaeological resources and historic properties that are identified during the survey.
6. A GPS point shall be taken of each shovel probe location.

APPENDIX F
Report Template Outline

- 1 Introduction [Required]
- 2 Description of the Proposed Undertaking [Required]
- 3 Description of Project Area [Required]
- 4 Environmental Setting [Required but scaled to size of project-Brief 1 to 2 paragraphs]
 - 4.1 Geology, Geomorphology and Soils [Brief 1 to 2 paragraphs]
 - 4.2 Vegetation and Fauna [Brief 1 to 2 paragraphs]
- 5 Cultural and Historical Context [Required but scaled to size of project]
 - 5.1 Native American Place Names [to be included if there are documented Native American place names in or near vicinity of project area. In addition, Tribes may provide information during Tribal consultation]
 - 5.2 History of Levee Construction along the [Name] River [to be included if known]
 - 5.3 Historic Map Review [Put in table format if more than one map] [to be included if there are historic maps]
- 6 Previous Investigations/Literature Review -Results from WISAARD Search [Required]
 - 6.1 Archaeological Sites
 - 6.2 Cultural Resource Reports [Put in table format if more than 3 reports]
- 7 Field Methods and Survey Results [Required]
- 8 Conclusion and Recommendations [Required]
- 9 References [Required]
- 10 APPENDICES
 - 10.1 Unanticipated Discovery Plan

Appendix G

PL 84-99 Program Mitigation Plan Form

This form documents the actions USACE shall take to resolve for adverse effects to historic properties by the PL 84-99 Program (Stipulation II.F).

1. General

Smithsonian Number:	
Name of Associated PL 84-99 Project:	
Legal Description (Section, Township, Range, County, State):	
Treatment Type (provide a brief description of proposed treatment):	
Date for Implementation of Treatment:	
Narrative Description of the Historic Property:	

2. National Register Criteria (36 CFR 60.4) (Describe the documentation supporting the determination that the property(ies) are eligible for inclusion on the National Register or have been listed on the National Register)

Check all that apply:	
Criteria A	<input type="checkbox"/>
Criteria B	<input type="checkbox"/>
Criteria C	<input type="checkbox"/>
Criteria D	<input type="checkbox"/>
Narrative Description:	

3. Description of the Adverse Effects (Describe the adverse effects to the historic property(ies) relevant to this treatment)

4. Details of the Proposed Treatment (Describe the proposed treatment and attach any maps or plans, as applicable)

5. How Will the Proposed Treatment Address Adverse Effects (Describe how the proposed treatment will address the adverse effects caused by the PL 84-99 Program)

6. References Cited