

**MEMORANDUM OF AGREEMENT
SUBMITTED TO THE ADVISORY COUNCIL ON HISTORIC PRESERVATION
PURSUANT TO CFR 800.6(A)**

WHEREAS, the Bureau of Indian Affairs (BIA) has determined that the Ponca Tribal Roads Project AAO-PA-97-051 will have an adverse impact to the existing stone arch bridge on road EW-26 in Kay County, Oklahoma, a property determine eligible for inclusion in the National Register of Historic Places, and has consulted with the Oklahoma State Historic Preservation Officer (SHPO) pursuant to 36 CFR Part 800, regulations implementing Section 106 of the National Historic Preservation Act (16 U.S.C. 470f);

NOW, THEREFORE, BIA and the Oklahoma SHPO agree that the undertaking shall be implemented in accordance with the following stipulation in order to take into account the effect of the undertaking on historic properties.

**STIPULATIONS
EW-26 STONE ARCH BRIDGE
STRUCTURE 36E0255N3310003**

BIA will ensure that the following measures are carried out:

1. Prior to removal from its present location on the county road system, the Bureau of Indian Affairs will document the bridge at the equivalent of Level II documentation as specified by the Historic American Engineering Record (HAER). This will include the following:
 - a. Archival quality photographs of the bridge documenting its present appearance and major structural or decorative details.
 - b. Photographic reproduction of selected original construction plans and historic photographs, if they exist.
 - c. Preparation of a brief written technical description of the bridge and historical summary.

All documentation will be edited, catalogued, and packaged in a manner acceptable to the Oklahoma SHPO. The Oklahoma SHPO will be the repository for the documentation. Once the documentation has been accepted by the Oklahoma SHPO, removal and replacement of the historic bridge may proceed.

Execution of this Memorandum of Agreement and implementation of its terms evidence that BIA has afforded the Council an opportunity to comment on the replacement of the EW-26 Stone Arch Bridge in Kay County and its effects on historic properties, and that BIA has taken into account the effects of the undertaking on historic properties.

Bureau of Indian Affairs

BY: Don Dornier DATE: 7/23/97

Oklahoma State Historic Preservation Officer

BY: Boke Wade DATE: 8/4/97

Kay County Commissioners

BY: _____ DATE: _____

ACCEPTED for the Advisory Council on Historic Preservation

BY: _____ DATE: _____