

MEMORANDUM OF AGREEMENT

WHEREAS, the Federal Highway Administration (FHWA) has determined that construction of a new bridge along US 283 at South Canadian River in Roger Mills and Ellis Counties, Oklahoma, will have an effect upon the existing "Packsaddle Bridge" near this location, a property eligible for inclusion in the National Register of Historic Places and has requested the comments of the Advisory Council on Historic Preservation (Council) pursuant to Section 106 of the National Historic Preservation Act (16 U.S.C. 470) and its implementing regulations, "Protection of Historic and Cultural Properties" (36 CFR Part 800),

NOW, THEREFORE, FHWA, the Oklahoma State Historic Preservation Officer (SHPO), and the Council agree that the undertaking shall be implemented in accordance with the attached stipulations in order to take into account the effect of the undertaking on historic properties.

STIPULATIONS

1. FHWA shall request the National Park Service, Historic American Engineering Record (HAER), to determine what documentation shall be required for properties specified in this Memorandum of Agreement. FHWA shall ensure that unless otherwise agreed to by the National Park Service, all documentation is completed and accepted by HAER prior to the demolition, alteration, substantial deterioration, or transfer, and that copies of this documentation are made available to the SHPO and appropriate local archives designated by the SHPO.
2. FHWA shall ensure that an expanded written narrative adapted from the existing National Register Nomination placing the structure in historical and engineering perspective on a state level, shall be developed. Copies of the final document will be presented to the SHPO and to appropriate local archives designated by the SHPO.
3. FHWA shall ensure that an archeological survey of the project's area of environmental impact is conducted, taking into account the professional standards identified in the Council's current Manual of Mitigation Measures and in

consultation with the SHPO. If the survey results in the discovery of properties that in the opinion of the SHPO may be eligible for the National Register because they potentially could produce information important to the study of history or prehistory, FHWA shall ensure that such properties are treated in accordance with the stipulation regarding archeological data recovery contained in this Memorandum. If the survey results in the discovery of properties which the SHPO believes may be eligible for the National Register for other reasons, FHWA shall request further comments of the Council pursuant to 36 CFR Section 800.6(b).

4. FHWA shall ensure that, based on the principles in Part I of the Council's handbook Treatment of Archeological Properties, a plan is developed in consultation with the SHPO specifying: (1) which properties or portions of properties shall be subjected to data recovery; (2) which may be destroyed without such attention; and (3) what research questions shall be addressed by the data recovery effort and in what manner. FHWA shall ensure that the plan is responsive to the guidelines in Part III of the handbook. FHWA shall submit the plan to the SHPO and the Council for 15-day review. Unless the SHPO or the Council objects within 15 days after receipt of the plan, FHWA shall ensure that the plan is implemented.
5. FHWA shall ensure that all final archeological reports resulting from actions pursuant to this Memorandum of Agreement are provided to all signatories and to the National Park Service for possible submission to the National Technical Information Service (NTIS). FHWA shall ensure that all such reports are responsive to the contemporary professional standards identified in the Council's current Manual of Mitigation Measures and the Department of Interior's "Format Standards for Final Reports of Data Recovery Programs." Precise locational data may be provided only in a separate appendix if it appears that its release could jeopardize archeological sites.
6. FHWA shall ensure that all final reports of activities carried out pursuant to this Memorandum of Agreement are provided to the SHPO and, upon request, to other interested parties.
7. Should the SHPO or Council object within 30 days to any plans or specifications provided pursuant to this Memorandum of Agreement, FHWA shall consult with the objecting party to resolve the objection. If FHWA determines that the objection cannot be resolved, FHWA shall request the further comments of the Council pursuant to 36 CFR Section 800.6(b).

Execution of this Memorandum of Agreement evidences that FHWA has afforded the Council a reasonable opportunity to comment on the undertaking and its effects on historic properties and FHWA has taken into account the effects of its undertaking on historic properties.

for Frank N. Cunningham 8/13/84
Division Administrator, (date)
Federal Highway Administration

CE Metcalf 8-6-84
Oklahoma State Historic (date)
Preservation Officer

Robert Daney Sept 6, 1984
Executive Director (date)
Advisory Council on Historic Preservation

Alexander Aldrich 9/13/84
Chairman (date)
Advisory Council on Historic Preservation