

MEMORANDUM OF AGREEMENT  
CONCERNING THE  
WASHITA BATTLEFIELD NATIONAL HISTORIC SITE

WHEREAS the U.S. Department of the Interior, National Park Service (NPS) has acquired a portion of the Washita Battlefield, Roger Mills County, Oklahoma, a National Historic Landmark, for development as the Washita Battlefield National Historic Site pursuant to Section 608 of Public Law 104-333 (November 12, 1996),

WHEREAS, two residential buildings and related outbuildings, all constructed between ca.1950 and 1980 and not eligible for the National Register of Historic Places, are situated on the NPS property and are owned by the Oklahoma Historical Society (Society),

WHEREAS, in accordance with the agreement between NPS and the Society executed on July 11, 1997, the Society will remove these buildings and restore the integrity of the site,

WHEREAS, the Executive Director of the Society and the Oklahoma State Historic Preservation Officer are one in the same person,

WHEREAS, NPS has determined that the process of removing the nonhistoric buildings, their foundations, and related debris has the potential to have an adverse effect on historic resources and has consulted with the Oklahoma State Historic Preservation Officer (SHPO), the Advisory Council on Historic Preservation (Council), the Oklahoma Historical Society, and the Oklahoma Archeological Survey pursuant to 36 CFR Part 800, regulations implementing Section 106 of the National Historic Preservation Act (16 U.S.C. 4700); [and Section 110(f) of the same Act (16 U.S.C. 470h-2(f))], and

WHEREAS, the Cheyenne and Arapaho Tribes of Oklahoma have participated in the consultation and have been invited to concur in this Memorandum of Agreement;

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

## STIPULATIONS

The NPS shall ensure that project work is carried out in accordance with the following stipulations:

1. The area in which work is to occur will be identified with flags or other devices to ensure that previously undisturbed areas are not impacted.
2. No work will be permitted when weather conditions or soil conditions exist that could increase disturbance of the site.
3. Representatives of NPS, the Society, and the Cheyenne and Arapaho Tribes of Oklahoma, or their designees, shall be present to monitor the removal of foundation materials and other material below the surface of the ground.
4. In the event that artifacts are discovered during the project, all work shall immediately cease and a discovery plan shall be developed and implemented by the National Park Service in consultation with the SHPO; or some other mutually agreeable course of action shall be taken by the on-site monitors.

Execution of this Memorandum of Agreement and implementation of its terms evidence that the NPS has afforded the Council an opportunity to comment on the removal of two nonhistoric residences and related outbuildings from the Washita Battlefield National Historic Site and its effects on historic properties, and that the NPS has taken into account the effects of this undertaking on historic properties.

ADVISORY COUNCIL ON HISTORIC PRESERVATION

BY: \_\_\_\_\_

*John M. Swales*

Title \_\_\_\_\_

*EXECUTIVE DIRECTOR*

\_\_\_\_\_  
(Date)

*9/10/87*

U.S. DEPARTMENT OF THE INTERIOR, NATIONAL PARK SERVICE

BY: *Nail C. Meyer* 8/29/97  
Title: Washita Team Leader (Date)

OKLAHOMA STATE HISTORIC PRESERVATION OFFICE AND THE OKLAHOMA HISTORICAL SOCIETY

BY: *Blake Wadd* 19 Aug 97  
Title: SHPO (Date)

OKLAHOMA ARCHEOLOGICAL SURVEY

BY: *Walt L. Bruns* August 19, 1997  
Title: State Archeologist (Date)

CONCUR:

CHEYENNE AND ARAPAHO TRIBES OF OKLAHOMA

BY: *Chad S...* 8-28-97  
Title: Chairman (Date)