

Appendix C

Cultural Resources

Letter dated July 6, 2006 from ADOT&PF transmitting signed Memorandum of Agreement dated June 5, 2006.

Memorandum of Agreement among the Federal Aviation Administration, Bureau of Land Management, the Takotna Tribal Council and Alaska State Historic Preservation Officer Regarding the Takotna Airport Project. Project No. 54011. June 5, 2006.

Finding of Adverse Effect and Determinations of Eligibility for Takotna-Nixon Fork Winter Trail (IDT-268), Takotna Nixon-Fork Summer Trail (IDT-267), Takotna Airstrip (IDT-270) and Twitchell/Anderson Cabin (IDT-269). Letter from the Alaska State Historic Preservation Officer, January 20, 2006.

STATE OF ALASKA

DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES
CENTRAL REGION DESIGN & CONSTRUCTION
PRELIMINARY DESIGN AND ENVIRONMENTAL

FRANK H. MURKOWSKI, GOVERNOR

4111 Aviation Drive
P.O. Box 196900
Anchorage, Alaska 99519-6900
(907) 269-0542 Phone
(907) 243-6927 Fax

July 6, 2006

Subject: Takotna Airport
Memorandum of Agreement
Project No. 54916

Ms. Vera Lynn Goods
Chief
Takotna Village
P.O. Box TVC
Takotna, AK 99675

Dear Ms. Goods:

Enclosed for your file and future use is the signed MOA for the subject project. If you have any questions, please contact me at 269-0537.

Sincerely,


Dan Golden
Environmental Team Leader

cc: Laurie Mulcahy, Environmental Program Manager, Statewide Environmental

MEMORANDUM OF AGREEMENT
Among the
Federal Aviation Administration
Bureau of Land Management
and
Alaska State Historic Preservation Officer

Regarding the
TAKOTNA AIRPORT
Project No. 54011

WHEREAS, the Federal Aviation Administration (FAA) in cooperation with the Alaska Department of Transportation and Public Facilities (DOT&PF) proposes to construct a new airport in the village of Takotna (as shown in Figure 1); and

WHEREAS, the proposed work shall be funded with federal financial assistance made available through FAA and constitutes a federally assisted undertaking; and

WHEREAS, FAA has consulted with the Bureau of Land Management (BLM), the State Historic Preservation Officer (SHPO), and the Takotna Tribal Council pursuant to 36 CFR Part 800, regulations implementing Section 106 of the National Historic Preservation Act (16 U.S.C. 470[f]) and Section 110(f) of this Act, 16 U.S.C. 470h-2(f); and

WHEREAS, FAA has invited the Advisory Council on Historic Preservation (Advisory Council) to participate and they have chosen not to be a party to this agreement; and

WHEREAS, FAA, BLM, and SHPO have determined that the McGrath-Takotna Trail Spur (IDT-068), the Takotna-Nixon Fork Winter Trail (IDT-268), the Takotna-Nixon Fork Summer Trail (IDT-267), and the Twitchell/Anderson Cabin (IDT-269) are eligible for listing on the National Register of Historic Places and that this undertaking will have an adverse effect upon these properties; and

WHEREAS, BLM has identified the Takotna-Nixon Fork Winter Trail as the Big Rivers-Takotna (ARC) Trail, and the McGrath-Takotna Trail Spur in the 1986 *Interagency Comprehensive Management Plan for the Iditarod National Historic Trail*; and

WHEREAS, BLM has reserved 17(b) trail easement EIN 23, C3, D1, D9 for the Takotna-Nixon Fork Winter Trail, and 17(b) trail easement EIN 20: C1, C3, D9 for the McGrath-Takotna Trail Spur under the Alaska Native Claims Settlement Act (ANCSA); and

WHEREAS, the adverse effects caused by the new airport's runway crossing of the McGrath-Takotna Trail Spur (IDT-068), the Takotna-Nixon Fork Winter Trail (IDT-268), the Takotna-Nixon Fork Summer Trail (IDT-267), and the Twitchell/Anderson Cabin (IDT-269) will be mitigated by this MOA; and

WHEREAS, FAA, BLM, SHPO, and the Takotna Tribal Council have consulted pursuant to Section 106 of the Act and its implementing regulations, and have reviewed the undertaking to consider feasible and prudent alternatives to avoid or satisfactorily mitigate the adverse effect; and

WHEREAS, FAA has determined that no other airport alternative is deemed feasible and prudent.

NOW, THEREFORE, FAA, BLM, the Takotna Tribal Council, and SHPO agree that the undertakings shall be implemented in accordance with the following stipulations to mitigate impacts and satisfy FAA's Section 106 responsibilities.

STIPULATIONS

The FAA shall ensure that the following stipulations are implemented:

1. APPLICABILITY

This MOA applies only to the construction and relocation of the Takotna Airport.

2. MITIGATION

2.1 Trail Easement Relocation

Takotna-Nixon Fork Winter Trail (IDT-268). The Takotna-Nixon Fork Winter Trail is a BLM reserved 17(b) trail easement (EIN 23, C3, D1, D9).

McGrath-Takotna Trail Spur (IDT-068). The McGrath-Takotna Trail Spur is a BLM reserved 17(b) trail easement (EIN 20: C1, C3, D9).

The DOT&PF, subject to state and federal law (49CFR24) and reasonable agreement with affected landowners, shall accomplish the relocation of any necessary 17(b) easements and construction of new segments necessary to provide for continued public trail access. This includes the DOT&PF undertaking necessary negotiations to secure continuous, connecting easements from the landowner affected by the relocation. The DOT&PF shall ensure that any property acquired for trail relocation meets BLM environmental site assessment requirements. The design of any realigned trail segments shall be coordinated with BLM and documentation of the final design shall be provided to the MOA parties prior to project construction. Any realigned trail segments will be constructed as part of the Takotna Airport project.

2.2 Interpretive Sign and Documentation

The DOT&PF shall ensure that the McGrath-Takotna Trail Spur (IDT-068), the Takotna-Nixon Fork Winter Trail (IDT-268), and the Takotna-Nixon Fork Summer Trail (IDT-267) are

documented as noted below. The documentation, to be completed prior to December 31, 2008, shall include the following:

Interpretative Sign. The DOT&PF shall provide an interpretative sign for display at the Takotna Airport or other suitable location in the village as determined in consultation with the Takotna Tribal Council and the BLM. The sign, which will be developed in consultation with the Takotna Tribal Council, BLM, and SHPO, will be produced through the BLM Iditarod National Historic Trail Community Legacy Project, and will describe the history of the trail system in Takotna.

Photographs. The portion of the trails to be impacted by the airport construction and relocation shall be photographically recorded with black and white 35mm film. Photographs shall document the existing condition of the trails, including their immediate setting and noteworthy details. The photographic log shall include the following information: features photographed, the photographer's name, the date the photograph was taken, the location of the photographer, and the direction in which the photograph was taken.

AHRS Card. The DOT&PF shall prepare an Alaska Heritage Resource Survey (AHRS) card for each trail and provide it to SHPO.

2.3 Data Recovery

Pursuant to Section 110(b) of the National Historic Preservation Act, DOT&PF shall ensure that a data recovery plan will be developed in consultation with FAA, SHPO, BLM, and the Takotna Tribal Council for the recovery of archaeological data from the Twitchell/Anderson Cabin (IDT-269). The data recovery plan will be developed to be consistent with Secretary of the Interior's Standards and Guidelines for Archaeological Documentation (48 FR 44734-37).

A. The data recovery plan will:

1. provide research questions and how they will be addressed through the data recovery. Research questions should include gaining a better understanding of local cultural and historical sequences and change and what the research can tell us about the Twitchell/Anderson Cabin inhabitants and rural life;
2. identify the methods to be used in fieldwork and analysis; and
3. identify the methods to be used in data management, and dissemination of data, including a schedule.

B. The DOT&PF shall ensure that the data recovery plan is developed within 30 days of ratification of this MOA, and that the plan is submitted to FAA and distributed to all MOA parties. The SHPO, BLM, and the Takotna Tribal Council shall have 30 days to review and comment. Comments from SHPO, BLM, and the Takotna Tribal Council shall be considered in the approval of the final data recovery plan.

- C. The FAA and DOT&PF shall ensure that all data recovery is done by or under the supervision of a professional archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards for Archaeology (48 FR 44738).
- D. The DOT&PF shall ensure that the fieldwork portion of the data recovery plan is completed prior to and in coordination with those actions that could disturb the Twitchell/Anderson Cabin (IDT-269).

3. SUBMITTALS

3.1 Interpretive Sign and Documentation

- A. The DOT&PF, with oversight from FAA, shall ensure that the draft products of mitigation and interpretive documentation (i.e., interpretive signs, AHRS cards and archival documentation) are submitted to SHPO, the Takotna Tribal Council, and BLM for comment and verification of completion. These products will be completed by December 31, 2008.
- B. The SHPO, the Takotna Tribal Council, and BLM shall provide DOT&PF with review comments no later than 30 days after receipt of the documentation.
- C. The DOT&PF will address the comments and shall provide two sets of the final photographs and photograph log, to be archived at SHPO and the BLM Anchorage Field Office (Iditarod National Historic Trail case file) within 30 days.

3.2 Data Recovery Report

- A. Data Recovery Report: DOT&PF shall ensure that the draft data recovery report includes an inventory of all results from the data recovery and is submitted by December 31, 2008.
- B. The DOT&PF shall ensure that the draft data recovery report is submitted to FAA. The DOT&PF shall transmit the draft report to SHPO, the Takotna Tribal Council, and BLM, and shall provide thirty (30) days for review and comment. Comments on the draft report shall be directed to DOT&PF. The DOT&PF shall ensure that any comments received during the review period are addressed, and that a final report addressing all comments is filed with SHPO within one year after completion of all data recovery. Final reports shall also be provided to the Takotna Tribal Council and BLM.
- C. The DOT&PF shall ensure that all such reports are responsive to contemporary professional standards and the Secretary of the Interior's Standards and Guidelines for Archaeological Documentation (48 FR 44734-37).

4. PROFESSIONAL STANDARDS

All work pursuant to this MOA shall be developed by or under the supervision of a person or persons meeting the minimum professional qualifications for Archaeologist or Historian included

in "Secretary of the Interior's Historic Preservation Professional Qualification Standards" (Federal Register Vol. 62, No.119, pp. 33719).

5. CURATION

All artifacts, photographs, field notes, and related materials recovered shall be deposited in the University of Alaska Museum in Fairbanks unless otherwise specified or agreed to by the consulting parties. The Takotna Tribal Council shall retain ownership of the collection and will receive a catalogued inventory as a basis of a long-term curation and loan agreement between the Council and the University of Alaska Fairbanks Museum.

6. DURATION

This MOA shall become effective upon execution by parties to this agreement and shall remain in effect for 4 years. The ending date of the MOA may be extended if necessary.

7. OBJECTIONS

- 7.1 Should any signatory to this MOA object in writing to the other signatories regarding any action carried out or proposed with respect to the implementation of this MOA, consultation among the signatories shall be initiated to resolve the objections.
- 7.2 If the objection cannot be resolved through consultation or by amending the MOA as provided in Stipulation 8, the MOA shall be terminated as provided in Stipulation 9.
- 7.3 At any time during implementation of any stipulation in this MOA, should an objection to any such stipulation or its manner of implementation be raised by a member of the public, FAA shall take the objection into account and consult as needed with the objecting party and parties to this agreement to address the objection.

8. AMENDMENT

Any party to this agreement may request that this MOA be amended, whereupon they shall consult in accordance with 36 CFR § 800 to consider such amendment. No amendment shall take effect until it has been executed by the signatories to this MOA.

9. TERMINATION

Any party to this agreement may propose to terminate this MOA by providing 30-calendar days notice to the other signatories explaining the reasons for the proposed termination. The parties shall consult during this period to seek agreement on amendments or other actions that shall avoid termination.

10. ANTI-DEFICIENCY ACT

- 10.1** All requirements set forth in this MOA requiring the expenditure of FAA funds are expressly subject to the availability of appropriations and the requirements of the Anti-Deficiency Act (31 U.S.C. Section 1341). No obligation undertaken by DOT&PF and FAA under the terms of this MOA shall require or be interpreted to require a commitment to expend funds not obligated for a particular purpose.
- 10.2** In the event that any obligation under the MOA cannot be performed due to the unavailability of funds, FAA agrees to utilize its best efforts to renegotiate the provision, and may require that the parties initiate consultation to develop an amendment to this MOA when appropriate.
-

EXECUTION AND IMPLEMENTATION of this Memorandum of Agreement evidences that FAA and BLM have consulted with SHPO, and the Takotna Tribal Council on this undertaking and its effects on historic properties, mitigated the adverse effects of the undertaking on historic properties, and satisfied Section 106 and Section 110(f) responsibilities.

SIGNATORIES:

FEDERAL AVIATION ADMINISTRATION

By: Patricia A. Sullivan, Airports Division Date: June 14, 2006
(Name, Title) Environmental Program Manager

BUREAU OF LAND MANAGEMENT

By: Wm Z... ACTING FIELD MGR Date: 6/15/2006
(Name, Title)

ALASKA STATE HISTORIC PRESERVATION OFFICER

By: Judith S. Britton Date: 6/14/06
(Name, Title)

CONCUR:

TAKOTNA TRIBAL COUNCIL

By: Vera Lynn Meeds, 1st chief Date: June 23, 2006
(Name, Title)

ALASKA DEPARTMENT OF TRANSPORTATION & PUBLIC FACILITIES

By: John Rice, Chief, PD & E, Central Region Date: June 13, 2006
(Name, Title)

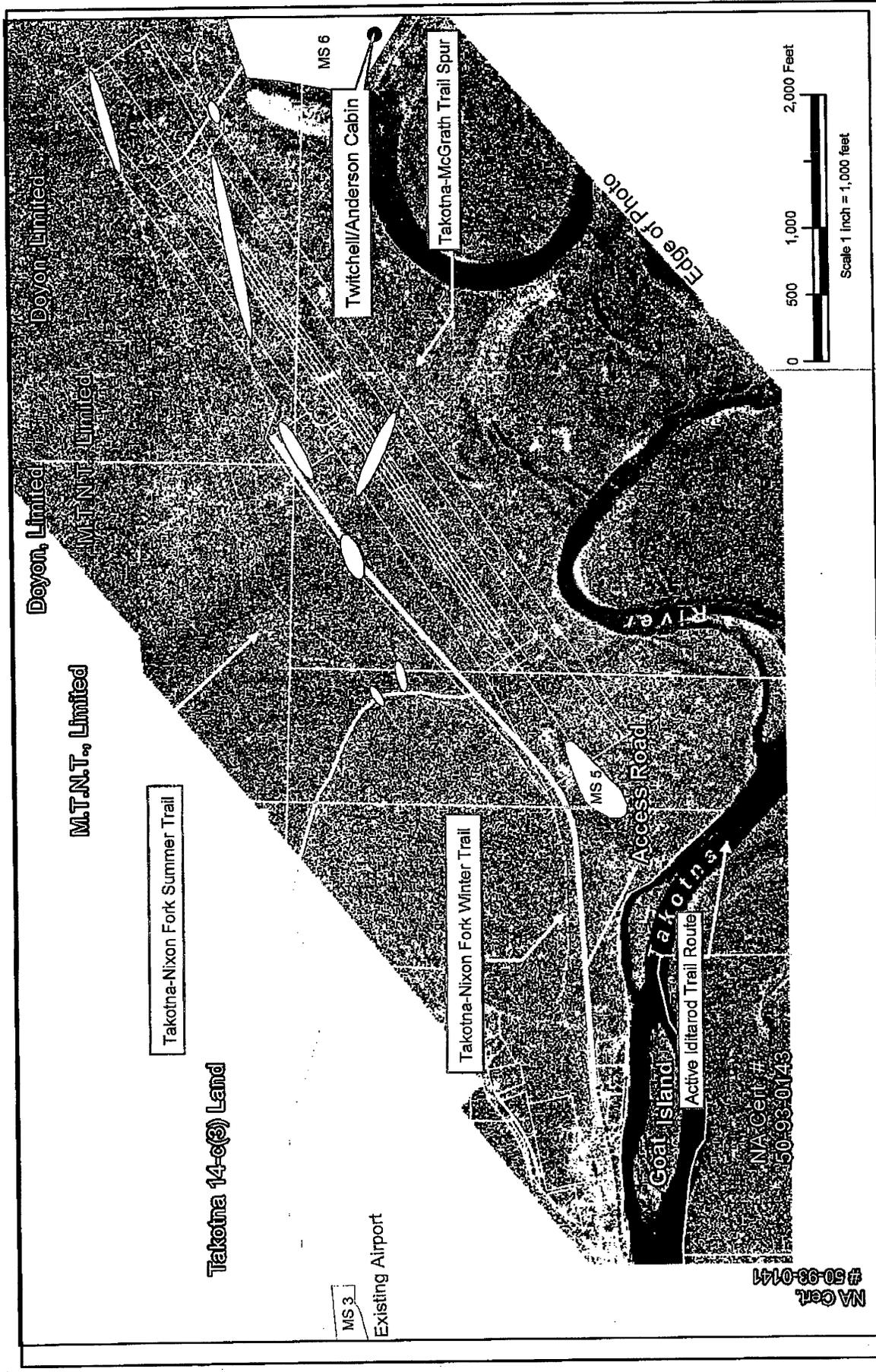


Figure 1

Takotna Airport Project No. 54011

Trail Segments and Twitchell/Anderson Cabin within Proposed Action (Alternative C)

Section Line/Corporation Property Boundary
 Native Allotment/Property Boundaries
 Takotna-Nixon Fork Summer Trail
 Takotna-Nixon Fork Winter Trail
 Takotna-McGrath Trail Spur
 Active Iditarod Trail Route

Legend

- Impacted Trail Segments
- Access Roads/Haul Routes
- Material Sites

NA Cert # 50-93-0143

MEMORANDUM OF AGREEMENT
Among the
Federal Aviation Administration
Bureau of Land Management
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Regarding the
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WHEREAS, FAA has invited the Advisory Council on Historic Preservation (Advisory Council) to participate and they have chosen not to be a party to this agreement; and

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- 10.2 In the event that any obligation under the MOA cannot be performed due to the unavailability of funds, FAA agrees to utilize its best efforts to renegotiate the provision, and may require that the parties initiate consultation to develop an amendment to this MOA when appropriate.

EXECUTION AND IMPLEMENTATION of this Memorandum of Agreement evidences that FAA and BLM have consulted with SHPO, and the Takotna Tribal Council on this undertaking and its effects on historic properties, mitigated the adverse effects of the undertaking on historic properties, and satisfied Section 106 and Section 110(f) responsibilities.

SIGNATORIES:

FEDERAL AVIATION ADMINISTRATION

By: *Patricia A. Sullivan* Date: *June 14, 2006*
(Name, Title) *Airports Division Environmental Program Manager*

BUREAU OF LAND MANAGEMENT

By: *Wm. J. [Signature]* Date: *6/15/2006*
(Name, Title) *ACTING SIEGAS MANAGER*

ALASKA STATE HISTORIC PRESERVATION OFFICER

By: *Judith E. [Signature]* Date: *6/14/06*
(Name, Title)

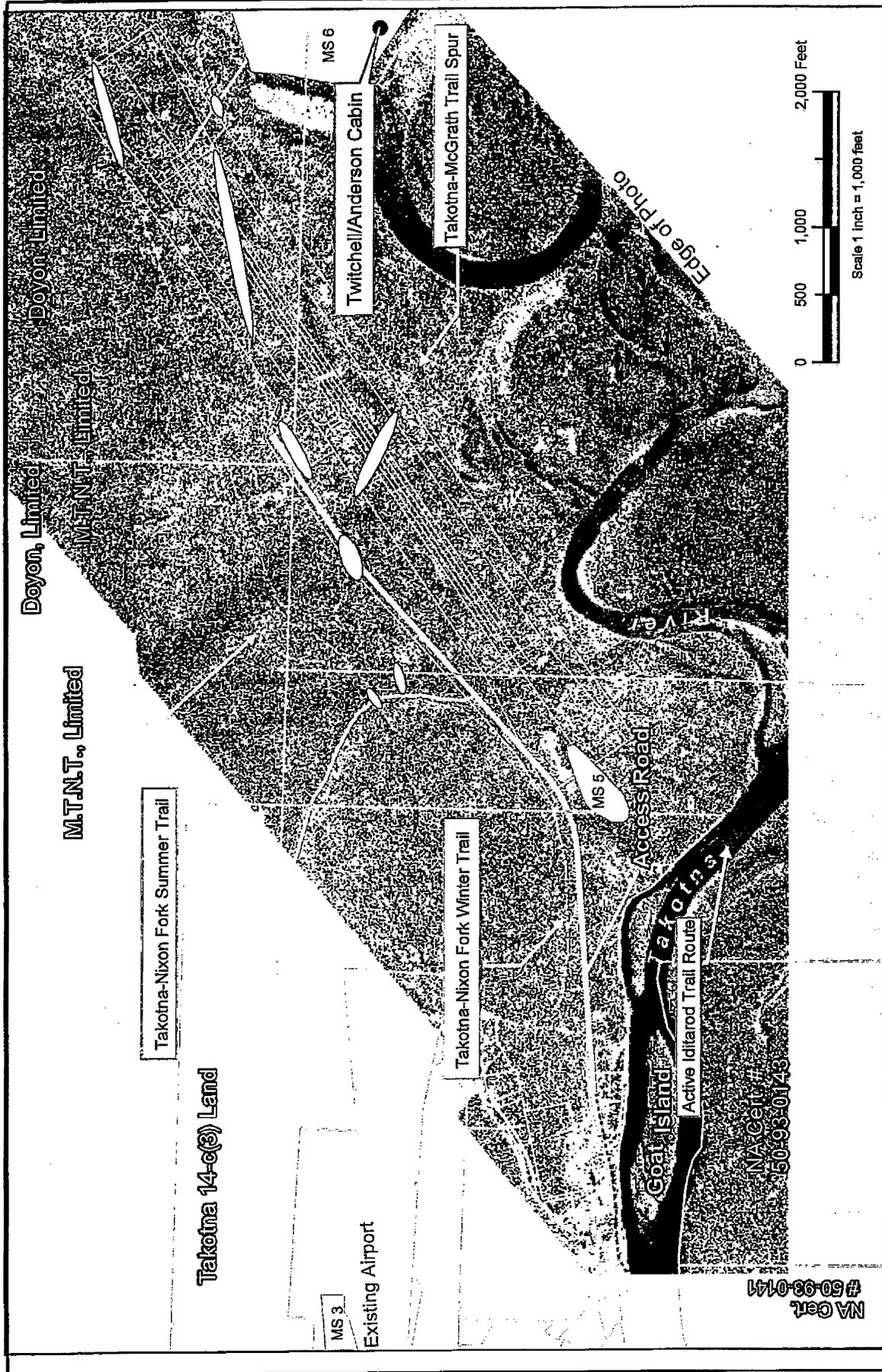
CONCUR:

TAKOTNA TRIBAL COUNCIL

By: *Vera Lynn Gads, 1st Chief* Date: *June 23, 2006*
(Name, Title)

ALASKA DEPARTMENT OF TRANSPORTATION & PUBLIC FACILITIES

By: *K. Kivi [Signature]* Date: *June 13, 2006*
(Name, Title) *Chief PD&E, Central Region*



Legend

- Impacted Trail Segments
- Access Roads/Haul Routes
- Material Sites

Section Line/Corporation Property Boundary
Native Allotment/Property Boundaries
 Takotna-Nixon Fork Summer Trail
 Takotna-Nixon Fork Winter Trail
 Takotna-McGrath Trail Spur
 Active Iditarod Trail Route

Takotna Airport Project No. 54011
Trail Segments and Twitchell/Anderson Cabin within Proposed Action (Alternative C)

Figure **1**

Scale 1 inch = 1,000 feet

0 500 1,000 2,000 Feet

NA Cert #50-93-0141

NA Cert #50-93-0143

STATE OF ALASKA

JAN 23 2006

FRANK H. MURKOWSKI, GOVERNOR

DEPARTMENT OF NATURAL RESOURCES

DIVISION OF PARKS AND OUTDOOR RECREATION OFFICE OF HISTORY AND ARCHAEOLOGY

550 W. 7TH AVENUE, SUITE 1310
ANCHORAGE, ALASKA 99501-3565
PHONE: (907) 269-8721
FAX: (907) 269-8908

January 20, 2006

File No.: 3130-1R FAA
3330-6 IDT-268
3330-6 IDT-267
3330-6 IDT-269
3330-6N IDT-270

Subject: Finding of Adverse Effect and Determinations of Eligibility for Takotna-Nixon Fork Winter Trail (IDT-268), Takotna-Nixon Fork Summer Trail (IDT-267), Takotna Airstrip (IDT-270) and Twitchell/Anderson Cabin (IDT-269)

Patti Sullivan
Environmental Specialist
Federal Aviation Administration
222 W. 7th Avenue
Anchorage, AK 99513

Dear Ms. Sullivan:

We received your letter containing your finding of adverse effect and determination of eligibility for Takotna-Nixon Fork Winter Trail (IDT-268), Takotna-Nixon Fork Trail (IDT-267), Takotna Airstrip (IDT-270) and Twitchell/Anderson Cabin (IDT-269) on January 13, 2006. We reviewed this proposed undertaking for potential impacts to historic and archaeological resources under Section 106 of the National Historic Preservation Act. First of all, we concur with your determinations of eligibility.

Takotna Airstrip (IDT-270) is not eligible for inclusion in the National Register of Historic Place (NRHP) due to the loss of integrity. The workmanship and design was significantly altered with the reduction in width and the increased length of the airstrip.

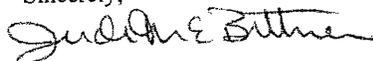
Twitchell/Anderson cabin (IDT-269) is eligible under Criterion D because it is likely to yield information pertaining to the lifestyles of Alaskans and people living near Takotna during the mid 20th century. The area of significance is social history. The period of significance of the cabin is 1920-1959.

Takotna-Nixon Fork Winter Trail (IDT-268) is eligible for the NRHP under Criterion A. The areas of significance for the trail are communication and transportation. The period of significance is 1908-1929.

Takotna-Nixon Fork Summer Trail (IDT-267) is also eligible for the NRHP under Criterion A for its significance associated with transportation and communication. The period of significance is 1924-1929.

Furthermore, we concur with your finding that the undertaking will be an adverse effect to historic properties. Please consult with our office to identify potential amendments to the existing Memorandum of Agreement to mitigate the adverse effects. Please contact Doug Gasek at 269-8726 if you have any further questions and to set up time to discuss any additional mitigation requirements.

Sincerely,



Judith E. Bittner
State Historic Preservation Officer

JEB:dfg