

PROGRAMMATIC AGREEMENT AMONG  
THE U.S. ARMY CORPS OF ENGINEERS  
THE KANSAS STATE HISTORIC PRESERVATION OFFICER  
THE ADVISORY COUNCIL ON HISTORIC PRESERVATION  
REGARDING REMOVAL, REPLACEMENT, OR MAINTENANCE OF HISTORIC  
BRIDGES AND CULVERTS IN KANSAS

WHEREAS, the U.S. Army Corps of Engineers (USACE), Kansas City District, under the authorities of Section 404 of the Clean Water Act [33 U.S.C. §1344] and Section 10 of the Rivers and Harbors Act of 1899 [33 U.S.C. §403], regulates the removal, replacement and/or maintenance of bridges and culverts in or across Waters of the United States where such activity is determined to require Department of the Army (DA) authorization, including Nationwide Permits, Regional General Permits or Individual Permit; and

WHEREAS, the consideration and issuance of a DA permit is a federal action that makes projects that include the removal, replacement, rehabilitation and/or maintenance of a bridge or culvert undertakings subject to review by the USACE under Section 106 (54 U.S.C. § 306108) of the National Historic Preservation Act (NHPA) (54 U.S.C. § 300101 et seq.) and its implementing regulations, “Protection of Historic Properties” (36 C.F.R. Part 800) and under the USACE’s Appendix C (“Procedures for the Protection of Historic Properties”) of 33 C.F.R. 325 (“Processing of Department of the Army Permits”), USACE 2005 Interim Guidance for Implementing Appendix C with the Revised Advisory Council on Historic Preservation Regulations at 36 C.F.R. Part 800 and USACE 2007 Clarification of 2005 Revised Interim Guidance; and

WHEREAS, Section 106 requires federal agencies to take into account effects of projects they sponsor, authorize, or assist on historic properties, which are properties either listed on, or eligible for listing on, the National Register of Historic Places (National Register); and

WHEREAS, the USACE routinely receives and processes requests for DA authorizations for bridge and culvert projects which may result in adverse effects to historic properties; and

WHEREAS, the Section 106 implementing regulations at 36 C.F.R § 800.14(b) suggest that a federal agency may negotiate a Programmatic Agreement (PA) to govern the implementation of a particular program or the resolution of adverse effects from certain complex project situations or multiple undertakings when effects on historic properties are similar and repetitive or where other circumstances warrant a departure from the normal Section 106 process; and

WHEREAS, Executive Order 13274 states that the development and implementation of transportation infrastructure projects in an efficient and environmentally sound manner is essential to the well-being of the American people and a strong American economy, and agencies shall take appropriate actions, to the extent consistent with applicable law and available resources, to promote environmental stewardship in the Nation’s transportation system and expedite environmental reviews of high priority transportation projects while protecting and enhancing the environment; and

WHEREAS, the USACE, in consultation with the Kansas State Historic Preservation Officer (SHPO), the Advisory Council on Historic Preservation (ACHP), and through solicitation of comments from the general public, federal, state and local agencies, Indian Tribes, and interested stakeholders, has developed this PA to set forth a standardized and efficient process for carrying out consultation regarding the identification of adverse effects of such projects on historic properties and the development and documentation of the resolution of adverse effects for such projects; and

Whereas, the USACE initiated consultation with the Kansas SHPO in February 2016, to identify potential programmatic approach to Section 106 NHPA consultation and historic preservation for proposed adverse effects to historic bridges and culverts in the state of Kansas; and

WHEREAS, in accordance with 36 CFR § 800.14(b)(2) and 36 CFR § 800.6(a)(1), the USACE has notified the ACHP of its intention to develop this PA with specified documentation, and the ACHP has chosen to participate in the consultation; and

WHEREAS, the USACE invited the Kansas Association of Counties (KAC), Kansas Department of Transportation (KDOT), Federal Highway Administration, Historic Bridge Foundation (HBF), and Historic Bridge.org, North Skunk River Greenbelt Association (NSRGA) to be consulting parties on the development of this PA; and

WHEREAS, the USACE has invited the Historic Bridge Foundation, Kansas Association of Counties, Kansas Department of Transportation, Historic Bridge.Org to sign this PA as concurring parties; and

WHEREAS, the USACE solicited comments and interest from the following federally recognized tribes who may ascribe religious and cultural significance to properties that may be affected by projects covered by this PA: Caddo Nation, Iowa Tribe of Kansas and Nebraska, Kickapoo Tribe in Kansas, Kaw Nation, The Osage Nation, Pawnee Nation, Prairie Band Potawatomie Nation, Sac and Fox Nation of Missouri in Kansas and Nebraska, and the United Keetoowah Band of Cherokee Indians in Oklahoma; and

WHEREAS, none of the tribes invited to participate in the consultation to develop this PA have responded or expressed any concerns; and

WHEREAS, this PA does not apply on tribal land unless a federally recognized tribe agrees in writing to the applicability of this PA on its tribal land; and

WHEREAS, the USACE and SHPO, in consultation with consulting parties and interested stakeholders, have established “Consultation Levels” (APPENDIX I) to define a process to identify appropriate steps for avoiding, minimizing and mitigating adverse effects based on the thematic type of the structure, current listings of similar structures on the National Register, and the availability of similar exemplars eligible for listing on the National Register; and

WHEREAS, the USACE and SHPO agree the first step in Section 106 NHPA compliance under this PA will be to evaluate avoidance and minimization alternatives, and Stipulation II requires the applicant to provide information described in APPENDIX II (“Avoidance, Minimization and Mitigation Evaluation Information”); and

WHEREAS, the USACE has notified the public, Federal and State agencies, and local governments about this Agreement, has requested their comments, and has taken comments received into account; and

WHEREAS, the documentation of results of case specific consultation to resolve adverse effects to affected bridges and culverts is specified in Stipulation IV.

WHEREAS, the USACE, SHPO and ACHP have determined that this Agreement: 1) meets Section 106 NHPA compliance requirements; 2) provides the regulated public with a clear and consistent process for project planning and delivery; 3) provides a streamlined and efficient approach to historic preservation; and 4) ensures public involvement;

NOW, THEREFORE, the USACE, SHPO and ACHP agree that the USACE will carry out Section 106 review for projects covered by this PA in the State of Kansas in accordance with the following stipulations in order to take into account the effect of those undertakings on historic properties in compliance with the requirements of Section 106.

## STIPULATIONS

USACE shall ensure the following stipulations are carried out:

### I. Scope

- A. Scope: This PA will only apply to projects focused on the removal, replacement, rehabilitation, and/or maintenance of bridges or culverts that are located off the federal system (off-system structures include those that are not federally funded or assisted through the Federal Highway Administration) and which do not include roadway realignments and/or construction of additional traffic lanes beyond the footprint of the previously impacted construction limits of the original structure.

Projects covered by this PA do not include projects that require development, alteration, or other impacts to bridge or culvert approaches, staging areas, or access roads to accommodate the removal, rehabilitation, replacement, and/or maintenance of the bridge or culvert. Projects covered by this PA do not include those where the bridge or culvert subject to removal, rehabilitation, replacement, and/or maintenance may be a contributing element of, or in the viewshed of, an historic district.

A project otherwise within such a scope will fall outside the scope of the PA if, during the consultation process outlined below, the USACE, in consultation with SHPO, determines that the project may affect historic properties other than the relevant bridge or culvert structures.

### II. Process

- A. The USACE will identify historic properties that may be affected by the project and assess effects to them following the process under 36 C.F.R. 800.3 through 800.5, and the USACE's Appendix C of 33 C.F.R. 325, the "USACE 2005 Interim Guidance for Implementing Appendix C with the Revised Advisory Council on Historic Preservation Regulations at 36 C.F.R. Part 800" and the "USACE 2007 Clarification of 2005 Revised Interim Guidance."
- B. Where USACE determines a proposed project may result in Adverse Effects to historic bridge and culverts, the USACE will:
1. Publish a 30-day public notice of proposed adverse effects to be evaluated in accordance with this Agreement, soliciting comments from the public, Federal, state, local agencies and officials, Indian Tribes and other interested parties; and
  2. Require the Project Sponsor (permit applicant) to provide information outlined in Appendix II so that practicable avoidance and minimization measures that resolve adverse effects, can be fully considered. Considerations, at minimum, shall include:
    - a. abandonment in place;
    - b. rehabilitation of existing structure; and
    - c. adaptive reuse.

C. The USACE will then:

1. Provide the SHPO with the completed Section 106 NHPA Transmittal Package (APPENDIX IV):
  - a. Determination of eligibility and effects;
  - b. Identification of proposed “Consultation Level” (APPENDIX I);
  - c. “Avoidance/Minimization/Alternatives Information”(APPENDIX II);  
and
  - d. Request for SHPO concurrence; and
2. Follow the applicable “Consultation Level” under Appendix I of this PA to address adverse effects.

### **III. SHPO Responsibilities**

- A. SHPO shall query and review all available information concerning structures listed or eligible for listing on the National Register of the same thematic type.
- B. SHPO shall notify the USACE of the following determinations within 30 days:
  1. “Effects” concurrence.
  2. “Consultation Level” concurrence.
  3. Location, description and condition of existing National Register eligible and listed structures of the same thematic type that are known to exist within the county or geographic vicinity of the proposed adverse effects.
- C. If SHPO does not concur with the USACE proposed Consultation Level, the SHPO response shall include:
  1. A recommended Consultation Level.
  2. Location, description and condition of existing National Register eligible and listed structures of the same thematic type that are known to exist within county or geographic vicinity of the proposed adverse effects..
- D. That upon SHPO concurrence with USACE determinations, the USACE will notify the Project Sponsor of option to proceed under the terms and conditions of applicable DA permit and the approved PA Consultation Level.
- E. If consulting parties cannot reach agreement on effects or consultation levels, the ACHP will be consulted for resolution.

#### **IV. DEPARTMENT OF THE ARMY (DA) PERMIT DECISION**

- A. Upon completion of the consultation process outlined in this agreement and Appendices, the USACE shall document the results of project specific consultation in the Administrative Record.
- B. The USACE will incorporate “Special Conditions” within the DA permit to ensure that appropriate avoidance, minimization and/or mitigation measures are carried out in accordance with the project specific Section 106 compliance requirements.
- C. The terms and conditions set forth in the DA permit and Stipulated in this Agreement, will serve as the Section 106 compliance instrument, in lieu of the development of a project specific Memorandum of Agreement (MOA).

#### **V. PROJECT-SPECIFIC CONSULTATION**

- A. In the event that the USACE, in consultation with SHPO and other consulting parties, determines a project has unique characteristics or mitigation challenges that preclude it from proceeding under the terms and stipulations of the PA, the USACE will be responsible for carrying out Section 106 consultation on a project by project-level.

#### **VI. DISPUTE RESOLUTION**

Should any signatory to this PA object at any time to any actions proposed or the manner in which the terms of this PA are implemented, the USACE shall consult with such party to resolve the objection. If the USACE determines that such objection cannot be resolved, USACE will:

- A. Forward all documentation relevant to the dispute, including the USACE’s proposed resolution, to the ACHP and the other consulting parties. The ACHP shall provide USACE with its advice on the resolution of the objection within thirty (30) days of receiving adequate documentation. Other consulting parties may provide comments during the ACHP’s 30-day review period. Prior to reaching a final decision on the dispute, USACE shall prepare a written response that takes into account any timely advice or comments regarding the dispute from the ACHP, signatories, and consulting parties, and provide them with a copy of this written response. USACE will then proceed according to its final decision.
- B. If the ACHP does not provide its advice regarding the dispute within the thirty (30) day time period, USACE may make a final decision on the dispute and proceed accordingly. Prior to reaching such a final decision, USACE shall prepare a written response that takes into account any timely comments regarding the dispute from the signatories and consulting parties, and provide them and the ACHP with a copy of such written response.
- C. USACE’s responsibility to carry out all other actions subject to the terms of this PA that are not the subject of the dispute remain unchanged.
- D. At any time during implementation of the measures stipulated in this PA, should an objection to any such measure or its manner of implementation be raised by a member of

the public, the USACE shall take the objection into account and consult as needed with the objecting party, the SHPO, and the ACHP to resolve the objection.

## **VII. UNANTICIPATED DISCOVERIES**

If during the implementation of any undertaking subject to this PA, project activities encounter previously unidentified archaeological remains or other properties that might be eligible for inclusion on the National Register, or affect a known historic property in an unanticipated manner, within or immediately adjacent to the project permit area, the Project Sponsor will make every reasonable effort to avoid further impacts to the resources until an assessment can be made by an individual meeting the Secretary of the Interior's Professional Qualifications found in 36 CFR Part 61 Appendix A. The Project Sponsor will immediately notify the USACE, temporarily halt those activities impacting the potential or known historic property, and take steps to ensure that the area of the discovery is protected and secured. If the newly discovered property is determined to be eligible for inclusion on the National Register, the USACE will consult with the SHPO, Project Sponsor, and other consulting parties to develop a plan to avoid, minimize, or mitigate any adverse effects to those historic properties.

## **VIII. TREATMENT OF HUMAN REMAINS**

- A. The USACE shall coordinate its compliance with Section 106 with other applicable federal, state/tribal, and local laws and reviews as appropriate.
- B. Historic and prehistoric human remains from non-federal, non-tribal lands are subject to protection under the state's burial/unmarked grave/cemetery law(s). As such, if human remains are discovered during construction, work in that portion of the project shall stop immediately, and Project Sponsor will comply with the Kansas Unmarked Burial Sites Preservation Act (K.S.A. sec. 75-2741 – 75-2754 (2017)).

## **IX. DURATION**

This Agreement shall continue in force and effect for ten (10) years from the date all signatories have signed the Agreement. At any time a signatory may request to amend the agreement to extend the duration pursuant to Stipulation X.

## **X. AMENDMENT**

This PA may be amended when such an amendment is agreed to in writing by all signatories. The amendment will be effective on the date a copy signed by all of the signatories is filed with the ACHP.

## **XI. TERMINATION**

If any signatory to this PA determines that its terms will not or cannot be carried out, that party shall immediately consult with the other parties to attempt to develop an amendment per Stipulation X, above. If within thirty (30) days (or another time period agreed to by all signatories) an amendment cannot be reached, any signatory may terminate the PA upon written notification to the other signatories.

Once the PA is terminated, the USACE must either (a) execute a PA pursuant to 36 C.F.R. § 800.14(b)(2), or (b) comply with subpart B of 36 C.F.R. 800 for each of the individual undertakings covered by the agreement. The USACE shall notify the signatories and concurring parties as to the course of action it will pursue.

## **XII. EMERGENCIES**

Should an emergency situation occur which represents an imminent threat to public health or safety, or creates a hazardous condition, the USACE shall immediately notify the SHPO and the ACHP of the condition which has initiated the situation and the measures taken to respond to the emergency or hazardous condition. Should the SHPO or the ACHP desire to provide technical assistance to the USACE, they shall submit comments within seven (7) calendar days from notification, if the nature of the emergency or hazardous condition allows for such coordination.

## **XIII. STANDARDS**

- A. All work carried out pursuant to this Agreement shall meet the Secretary of the Interior's Standards for Archaeology and Historic Preservation (SOI's Standards; published in the Federal Register in 1983 (48 FR 44716, September 29), taking into account the suggested approaches to new construction in the SOI's Standards for Rehabilitation.
- B. Project Sponsor shall ensure that all actions prescribed by this PA that involve the identification, evaluation, analysis, recording, treatment, monitoring, or disposition for historic properties, and/or that involve reporting or documentation of such actions in the form of reports, forms, or other records, shall be carried out by or under the direct supervision of a person or persons who meets, at a minimum, the Secretary of the Interior's Historic Preservation Professional Qualifications Standards in the appropriate discipline as specified in the 1997 revised and updated proposed standards: 62 FR 33708 (June 20, 1997). The USACE and Project Sponsor shall ensure that consultants retained for services pursuant to the Agreement meet these standards.

## **XIV. COORDINATING WITH OTHER FEDERAL REVIEWS**

In the event that another federal agency not initially a party to or subject to this PA receives an application for funding/license/permit for an Undertaking covered by this agreement, that agency may fulfill its Section 106 responsibilities by stating in writing it concurs with the terms of this PA and notifying the USACE, SHPO, and the ACHP in writing that it intends to do so. Such agreement shall be evidenced by implementation of the terms of the PA as appropriate.

## **XV. ANTI-DEFICIENCY ACT**

The USACE's obligations under this PA are subject to the availability of appropriated funds, and the stipulations of this PA are subject to the provisions of the Anti-Deficiency Act. The USACE shall make reasonable and good faith efforts to secure the necessary funds to implement this PA in its entirety. If compliance with the Anti-Deficiency Act alters or impairs the USACE's ability to implement the stipulations of this agreement, the USACE shall consult in accordance with the amendment and termination procedures found at Stipulations X and XI of this agreement.

## **XVI. EXECUTION OF AGREEMENT IN COUNTERPARTS**

This Agreement may be executed in counterparts, with a separate page for each signatory. The USACE will ensure that each party is provided with a copy of the fully executed Agreement.

**Execution of this PA by the USACE, Kansas SHPO, and ACHP and implementation of its terms evidence that USACE has taken into account the effects of the undertakings subject to this PA on historic properties and afforded the ACHP an opportunity to comment.**

**SIGNATORIES**

**PROGRAMMATIC AGREEMENT AMONG  
THE U.S. ARMY CORPS OF ENGINEERS  
THE KANSAS STATE HISTORIC PRESERVATION OFFICER  
THE ADVISORY COUNCIL ON HISTORIC PRESERVATION  
REGARDING REMOVAL, REPLACEMENT, OR MAINTENANCE OF BRIDGES AND  
CULVERTS IN KANSAS**

U.S. ARMY CORPS OF ENGINEERS



23 October 2020

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Mark D. Frazier  
Chief, Regulatory Branch  
Kansas City District

Date

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CULVERTS IN KANSAS

KANSAS HISTORICAL SOCIETY

*Patricia Zellmer* DSHPO for  
Jennie Chinn  
State Historic Preservation Officer

*10-20-20*  
Date

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REGARDING REMOVAL, REPLACEMENT, OR MAINTENANCE OF BRIDGES AND  
CULVERTS IN KANSAS

ADVISORY COUNCIL ON HISTORIC PRESERVATION



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Aimee Jorjani  
Chairman

November 9, 2020

Date

PROGRAMMATIC AGREEMENT AMONG  
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THE ADVISORY COUNCIL ON HISTORIC PRESERVATION  
REGARDING REMOVAL, REPLACEMENT, OR MAINTENANCE OF BRIDGES AND  
CULVERTS IN KANSAS

**CONCURRING PARTY**

KANSAS DEPARTMENT OF TRANSPORTATION



October 12, 2020

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Julie L. Lorenz  
Secretary of Transportation

Date

## APPENDIX I

### CONSULTATION LEVELS:

#### **LEVEL 1: Historic Property Present - No effect or No Adverse Effect**

- A. USACE determined that a historic bridge or culvert *is present* within the Permit Area, but the undertaking will either have no effect or no adverse effect on historic properties, it will notify SHPO in writing.
- B. SHPO will review this determination and provide written comments to USACE within thirty days after receipt of USACE's findings and adequate documentation.
- C. If SHPO concurs with USACE's no effect determination, or fails to provide comments within thirty days, the undertaking may proceed as planned.
  1. Section 106 compliance fulfilled.
- D. If the SHPO objects to the USACE's findings, it will indicate the reasons for non-concurrence and USACE and SHPO shall consult further to identify project alternatives that may result in the undertaking having no effect on historic properties or shall apply the Criteria of Adverse Effect and continue the review of the project pursuant to the Consultation Levels of this agreement.

#### **LEVEL 2: Adverse effects - Existing structure successfully advertised for adaptive reuse/relocation.**

- A. USACE and SHPO have agreed that a historic bridge or culvert will be adversely affected and that no practicable avoidance or minimization measures will meet project purpose and need.
- B. The Project Sponsor will mitigate these adverse effects through adaptive reuse in accordance with the following:
  1. The Project Sponsor has successfully advertised the structure for adaptive reuse, for thirty days, resulting in an agreement with interested party.
  2. The Project Sponsor will submit the proposed adaptive reuse agreement to the USACE and SHPO for approval.
  3. The USACE will publish a thirty day public notice of proposed adverse effects, describing the proposed adaptive reuse mitigation agreement.
  4. The USACE and SHPO will determine if the proposed adaptive reuse agreement will successfully mitigate adverse effects.
  5. The Project Sponsor may not commence work until notified by the USACE of adaptive reuse approval and issuance or verification of DA permit.
- C. Section 106 compliance fulfilled.

**LEVEL 3: Adverse effects - County or geographic vicinity contains sufficient exemplars of thematic type listed on the National Register.**

- A. USACE and SHPO have agreed that a historic bridge or culvert will be adversely affected and that no practicable avoidance or minimization measures will meet project purpose and need.
- B. USACE, in consultation with SHPO, has determined that the County or geographic vicinity contains sufficient examples of the specific bridge or culvert type listed on the National Register.
- C. USACE and SHPO have determined that no practicable avoidance or minimization measures will meet project purpose and need.
- D. The Project Sponsor had completed a 30-day advertisement for adaptive reuse, where structurally feasible<sup>1</sup>, with no interest.
- E. The SHPO has determined the project may proceed as proposed provided the following mitigation is completed by the Project Sponsor:
- F. Recordation, in accordance with SHPO requirements (APPENDIX III), is carried out by the Project Sponsor.
  - 1. Project Sponsor files recordation materials with the SHPO in accordance with SHPO requirements.
  - 2. SHPO confirmation that recordation materials are acceptable and meet required standards.
- G. USACE will condition the DA permit to require the Project Sponsor to carry out the Section 106 NHPA compliance requirements; however, work shall not commence until SHPO confirmation that 106 responsibilities have been fulfilled.
- H. Section 106 compliance fulfilled.

**LEVEL 4: Adverse effects - County or geographic vicinity lacks exemplars of thematic type listed on the National Register.**

- A. USACE and SHPO have agreed that an existing historic bridge or culvert will be adversely affected and that no practicable avoidance or minimization measures will meet project purpose and need.
- B. The Project Sponsor had completed a 30 day advertisement for adaptive reuse, where structurally feasible, with no interest.
- C. The Project Sponsor will identify and propose a structure(s) of the same thematic type for nomination for listing on the Nation Register to mitigate adverse effects.
- D. USACE and SHPO will determine which, if any, submitted exemplars are of sufficient quality and condition for nomination.
  - 1. SHPO will notify the Project Sponsor of acceptable structure within thirty days and provide the necessary documents and guidance for nomination.
  - 2. If no acceptable structures can be identified, Section 106 NHPA compliance will be evaluated in accordance with Level 5.

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<sup>1</sup> Adaptive reuse and relocation may not be feasible for some structures and therefore, will not require advertisement.

- E. The Project Sponsor will provide SHPO with information sufficient for preparation of a National Register nomination.
- F. The Project Sponsor will complete recordation measures, if required, in accordance with SHPO requirements for the existing structure and submit documentation to the SHPO.
- G. The SHPO will notify all parties upon receipt and approval of appropriate nomination materials and recordation documentation.
- H. USACE will condition the DA permit to require the Project Sponsor to carry out the Section 106 NHPA compliance requirements; however, work shall not commence until SHPO confirmation that 106 responsibilities have been fulfilled.
- I. Section 106 compliance fulfilled.

**LEVEL 5: Adverse effects - County or geographic vicinity lacks National Register listed and eligible exemplars of thematic type for nomination.**

- A. USACE and SHPO have agreed that an existing historic bridge or culvert will be adversely affected and that no practicable avoidance or minimization measures will meet project purpose and need.
- B. The Project Sponsor had completed a thirty day advertisement for adaptive reuse, where structurally feasible, with no interest.
- C. The Project Sponsor will identify and propose an exemplar(s) of an alternate thematic type, if available, for nomination for listing on the National Register.
- D. USACE and SHPO will determine which, if any, submitted exemplars are of sufficient quality and condition for nomination.
  - 1. SHPO will notify the Project Sponsor of acceptable structure within thirty days and provide the necessary documents and guidance for nomination.
- E. The Project Sponsor will provide SHPO with information sufficient for preparation of a National Register nomination.
- F. The Project Sponsor will complete recordation measures, if required, in accordance with SHPO requirements for the existing structure and submit documentation to the SHPO.
- G. The SHPO will notify all parties upon receipt and approval of appropriate nomination materials and recordation documentation.
- H. USACE will condition the DA permit to require the Project Sponsor to carry out the Section 106 NHPA compliance requirements; however, work shall not commence until SHPO confirmation that 106 responsibilities have been fulfilled.
- I. Section 106 compliance fulfilled.

**APPENDIX II**

**Avoidance/Minimization/Mitigation Evaluation Information**

*The following information should be provided by the Project Sponsor to expedite the Section 106 NHPA compliance evaluation.*

Bridge Owner & Contact Information: \_\_\_\_\_

Consultant & Contact Information: \_\_\_\_\_

Project location (Waterway name, Section/Range/township): \_\_\_\_\_

\_\_\_\_\_

Description of structure to include measurements, age, construction type and any information related to historical significance: \_\_\_\_\_

\_\_\_\_\_

Photographs of structure to include:

- Upstream and downstream view
- Deck view
- Any substantial deficiencies
- Any completed modifications to original structure

Current condition of structure (Include copy of most recent bridge inspection report): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Describe deficiencies that cannot be corrected through making repairs of full rehabilitation (e.g., load limit, width, alignment, etc.): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Description of any modifications that have been done to original structure: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Cost of repairing deficient bridge elements: \$ \_\_\_\_\_

Cost of rehabilitating bridge in its current location for continued use: \$ \_\_\_\_\_

Cost of demolish and replacement of bridge: \$ \_\_\_\_\_

Cost estimate for roadway realignment:

Road realignment: \$ \_\_\_\_\_

New bridge: \$ \_\_\_\_\_

Rational/documentation that supports this analysis: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Load ratings:

Current load limit rating: \_\_\_\_\_

Estimated load limit rating after repair: \_\_\_\_\_

Required load limit rating to meet project needs: \_\_\_\_\_

Describe effect if desired load limit cannot be obtained: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ADT (Average Daily Traffic): \_\_\_\_\_

Detour distance if bridge was closed and left in place: \_\_\_\_\_  
\_\_\_\_\_

Describe the potential for adaptive reuse: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Are there other comparable bridges **currently listed** on the National Register under the owner's jurisdiction? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

List/describe any comparable bridges that are **eligible** to be listed in the National Register under the owner's jurisdiction? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

List/describe any additional bridges of a similar type that are anticipated to be replaced in the foreseeable future? \_\_\_\_\_  
\_\_\_\_\_

### APPENDIX III

#### **Kansas State Historical Society Bridge Recordation Treatment Measures**

A. Recordation. Photographic recordation shall be conducted in the format as stipulated below

1. Digital Photography Package: Prior to project implementation, the designated responsible party shall oversee the successful delivery of a digital photography package overseen by staff or contractors meeting the Professional Qualifications for Architectural History, History, Architecture, or Historic Architecture, as appropriate. The digital photography package will meet the standards cited in the NPS' *National Register of Historic Places Photographic Policy March 2010 or subsequent revisions* (<http://www.nps.gov/nr/publications/bulletins/photopolicy/index.htm>).
  - a. The digital photography package shall include a comprehensive collection of photographs showing both sides of the bridge, its underside, decking and truss system. These photographs shall be keyed to a site plan and indexed according to the date photographed, bridge number, bridge name, bridge address/legal location, direction, frame number, subject matter and photographer's name.
  - b. The digital photography package shall include printed color copies of the digital photographs (on appropriate paper, per *NPS Photographic Policy*), a CD/DVD of the digital photographs, and a completed Kansas Historic Resources Inventory (KHRI) entry.
  - c. The designated responsible party shall submit the digital photography package to the SHPO for review and approval. Once approved by the SHPO, the designated responsible party shall submit a copy of the approved documentation to the Kansas Historical Society for permanent retention.

B. Historic Background

1. Prior to project implementation, the designated responsible party shall prepare an historic background statement for the bridge. Such a statement should include the structure's date of construction, builder, context of manufacture, etc.
2. The designated responsible party shall submit the historic background statement to the SHPO for review and approval. Once approved by the SHPO, the designated responsible party shall submit a copy of the approved documentation to the Kansas Historical Society for permanent retention.

**APPENDIX IV**

**U. S. Army Corps of Engineers Section 106 Consultation Transmittal Information  
Statewide Programmatic Agreement  
Adverse Effects to Historic Bridges and Culverts in Kansas**

- 1. Project Sponsor (permit applicant):**
- 2. USACE Permit No.:**
- 3. Project Description:**
- 4. USACE Permit Area:**
- 5. Eligibility Determination / Eligibility Criteria: “Eligible for listing.” / .**
- 6. Effects Determination: PICK LIST**
- 7. Proposed Consultation Level: PICK LIST**
- 8. The USACE has made these determinations based upon our review of information provided by the applicant and known available resources. We invite the SHPO to concur.**
- 9. ATTACHMENTS:**
  - Location Map**
  - Design / Plan Sheets**
  - Site Photographs**
  - Avoidance / Minimization / Mitigation Form**
  - Other: *Describe***
- 10. CONTACT INFORMATION:**