

## **Appendix 2: Memorandum of Agreement: National Park Service and Advisory Council on Historic Preservation for Ipsut Creek Patrol Cabin (detached)**

This detachment is available on the park's website located at <http://www.nps.gov/mora> and on the Planning, Environment and Public Comment (PEPC) website located at <http://parkplanning.nps.gov/mora>.



STATE OF WASHINGTON  
**DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION**

1063 S. Capitol Way, Suite 106 • Olympia, Washington 98501  
Mailing address: PO Box 48343 • Olympia, Washington 98504-8343  
(360) 586-3065 • Fax Number (360) 586-3067 • Website: [www.dahp.wa.gov](http://www.dahp.wa.gov)

A44

cc: Historic Arch.

✓ Ellen Gage

✓ MSRA Completed

August 6, 2007

AUG - 7 2007

Mr. David V. Uberuaga  
Superintendent  
Mount Rainier National Park  
Tahoma Woods, Star Route  
Ashford, Washington 98304-9751

In future correspondence please refer to:

Log: 080607-06-NPS  
Property: MRNP, Ipsut Creek Cabin  
Re: Relocate: MOA

Dear Mr. Uberuaga:

Thank you for contacting the Washington State Department of Archaeology and Historic Preservation (DAHP). The above referenced project and MOA have been reviewed on behalf of the State Historic Preservation Officer under provisions of Section 106 of the National Historic Preservation Act of 1966 (as amended) and 36 CFR Part 800. My review is based upon documentation contained in your communication.

I concur that the current project as proposed will have an "ADVERSE EFFECT" on the property, which is currently located in the Mount Rainier National Park National Historic Landmark District.

The Memorandum of Agreement (MOA) has been signed by the Deputy SHPO. We appreciate the need for expedited review for this project so that the property is not subject to further endangerment. Please provide a copy of the fully executed MOA for our files.

\* Please note that DAHP requires that all historic property inventory and archaeological site forms be provided to our office electronically. If you have not registered for a copy of the database, please log onto our website at [www.dahp.wa.gov](http://www.dahp.wa.gov) and go to the Survey/Inventory page for more information and a registration form. Also note that DAHP has developed a set of cultural resource reporting guidelines, which you can obtain from our website.

Thank you for the opportunity to review and comment. Should you have any questions, please contact me.

Sincerely,

Stephen A. Mathison  
Historical Architect  
(360) 586-3079  
[Stephen.Mathison@dahp.wa.gov](mailto:Stephen.Mathison@dahp.wa.gov)



**DEPARTMENT OF ARCHAEOLOGY & HISTORIC PRESERVATION**

Protect the Past, Shape the Future

MEMORANDUM OF AGREEMENT  
SUBMITTED TO THE ADVISORY COUNCIL ON HISTORIC PRESERVATION  
PURSUANT TO 36 CFR 800.6(a)

WHEREAS, the National Park Service at Mount Rainier National Park (NPS/MORA) has determined that relocating the Ipsut Creek Cabin will have an effect upon property listed on the National Register of Historic Places, and has consulted with the Washington 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); and

Whereas, the definitions given in Appendix 1 are applicable throughout this Memorandum of Agreement;

NOW, THEREFORE, NPS/MORA and the Washington SHPO 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

NPS/MORA will ensure that the following measures are carried out:

- 1) To prevent the loss of the Ipsut Creek Cabin to river flooding and erosion, the cabin will be cleaned, disassembled, labeled and transported to a safe temporary storage location before November 2007. Field notes and sketches will be prepared identifying the locations of the labeled building components sufficient to ensure that the cabin can accurately be reassembled at a new location in the future.
- 2) A new site will be selected by an interdisciplinary team including a historical architect and a cultural landscape architect to determine an appropriate new location that is similar in character to the existing site and is determined to be at less risk of flooding. The selection of the new site location will be determined through the NEPA environmental analysis process which will consider alternatives for the future of the Carbon River Road that is currently washed out in several locations including at Ipsut Creek. The alternative locations will be selected in consultation with the WA SHPO.
- 3) Through the NEPA / Section 106 process, the public will be afforded the opportunity to comment on the alternatives for relocating the cabin.
- 4) The cabin will be photographed and sketched to record construction details. The documentation will include:
  - a) Black and white photographs taken of interior and exterior views of the cabin and overall contextual photos of the impacted site as well as any site or structural details as appropriate.
  - b) A photographic index identifying each photograph by name, property, date and

orientation of view.

- c) Field notes sufficient to produce measured drawings and to reconstruct the cabin.
- d) An area map of the Ipsut Creek Cabin pre-move location including the current landscaping details, with approximate scale and directional arrows.
- e) A site map for the post-move location including the relationship to the pre-move location and landscape details.
- f) The historic building inventory card which includes a summary of the historical significance of the cabin.
- g) Documentation will be prepared using archival supplies and processes.

NPS shall provide SHPO an opportunity to review the existing conditions documentation prior to disassembling the cabin and the new location documentation prior to reassembly prepared by NPS as mitigation for Ipsut Creek Cabin. If SHPO does not provide the NPS with comments within 30 days of receipt of the documentation, the NPS will assume the SHPO is satisfied with the adequacy of the documentation and will proceed with the undertaking. NPS shall insure that all original materials associated with this documentation are deposited in the archives of Mount Rainier National Park and that archival copies of the documentation are deposited with the SHPO.

- 3) NPS shall ensure that any burial sites, human remains, funerary objects, sacred objects, or objects of cultural patrimony encountered during the disassembling and reassembling process are treated in a manner consistent with applicable federal law, including, but not limited to, the Native American Graves Protection and Repatriation Act of 1990.
- 4) NPS shall ensure that all historical, architectural, and/or archeological work conducted pursuant to this Agreement is carried out by or under the direct supervision of a person or persons meeting at a minimum the appropriate qualifications set forth in the Department of the Interior's "Professional Qualifications." (48 CFR 44738-46739)
- 5) Failure to carry out the terms of this agreement requires that NPS again request the Council's comments in accordance with 36 CFR 800. If NPS does not carry out the terms of this agreement, it will not take or sanction any action or make any irreversible commitment that would result in adverse effect to the historic property or would foreclose the Council's consideration of modifications or alternatives to the undertaking.
- 6) Should the SHPO or the Council object within thirty (30) days of notification to any actions proposed to be carried out under this agreement, the NPS shall consult with the objecting party to resolve the objection. If the NPS determines that the objection

cannot be resolved, the NPS shall request the further comments of the Council, pursuant to 36 CFR 800.6(b). Any Council comment provided in response to such a request will be taken into account by the NPS in accordance with 36 CFR 800.6(c)(2), with reference only to the subject of the dispute; the NPS's responsibility to carry out all actions under this agreement that are not the subjects of the dispute will remain unchanged.

- 7) At any time during the implementation of the measures stipulated in this agreement, should any objection to any such measure or its manner of implementation be raised by a member of the public, the NPS shall take the objection into account and consult as needed with the objecting party, the SHPO, or the Council to resolve the objection.
- 8) Any party to this agreement may request that it be amended. The process of amending the agreement shall be the same as that exercised in creating the original Agreement.
- 9) Any party to this Agreement may terminate it by providing thirty (30) days notice to the other parties, provided that the parties will consult during the period prior to termination to seek agreements on amendments or other actions that would avoid termination. In the event of termination, the NPS will comply with 36 CFR 800.4 through 800.6 with regard to the action covered by this Agreement.

Execution of this Memorandum of Agreement by NPS/MORA and the Washington SHPO, its subsequent acceptance by the Council, and implementation of its terms, evidence that NPS/MORA has afforded the Council an opportunity to comment on the Relocation of the Ipsut Creek Cabin and its effects on historic properties, and NPS/MORA has taken into account the effect of the undertaking on historic properties.

NATIONAL PARK SERVICE, MOUNT RAINIER NATIONAL PARK

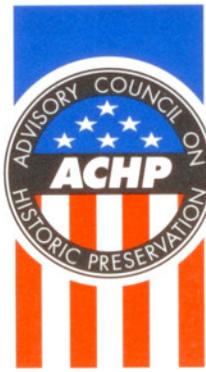
By: David Villberg Date: 7/31/07

FOR WASHINGTON STATE HISTORIC PRESERVATION OFFICER

By: Gregory Duffek DSHPO Date: 8/2/07

ACCEPTED for the Advisory Council on Historic Preservation

By: \_\_\_\_\_ Date: \_\_\_\_\_



Preserving America's Heritage

30001 8/27  
Dept. Suppl 9/5  
Files A44

cc: Historic Arch. E. Gage  
NHPA Compliance

August 8, 2007

Mr. David V. Uberuaga *MSA 3*  
Superintendent  
National Park Service  
Mount Rainier National Park  
55210 238<sup>th</sup> Avenue East  
Ashford, WA 98304-9751

AUG 14 2007

**Ref: Proposed Ipsut Creek Cabin Relocation Project  
Mount Rainier National Park, Washington**

Dear Mr. Uberuaga:

The Advisory Council on Historic Preservation (ACHP) recently received your documentation on the adverse effects of the referenced undertaking on properties listed on and eligible for listing in the National Register of Historic Places. Based upon the information you provided, we have concluded that Appendix A, *Criteria for Council Involvement in Reviewing Individual Section 106 Cases*, of our regulations, "Protection of Historic Properties" (36 CFR Part 800), does not apply to this undertaking. Accordingly, we do not believe that our participation in the consultation to resolve adverse effects is needed. However, if we receive a request for participation from the State Historic Preservation Officer (SHPO), Tribal Historic Preservation Officer, affected Indian tribe, a consulting party, or other party, we may reconsider this decision. Additionally, should circumstances change, and you determine that our participation is needed to conclude the consultation process, please notify us.

Pursuant to 36 CFR §800.6(b)(1)(iv), you will need to file the final Memorandum of Agreement (MOA), developed in consultation with the Washington SHPO and any other consulting parties, and related documentation with the ACHP at the conclusion of the consultation process. The filing of the MOA and supporting documentation with the ACHP is required in order to complete the requirements of Section 106 of the National Historic Preservation Act.

Thank you for providing us with the opportunity to review this undertaking. If you have any questions, please contact Kelly Yasaitis Fanizzo at 202-606-8583, or via e-mail at [kfanizzo@achp.gov](mailto:kfanizzo@achp.gov).

Sincerely,

*Raymond V. Wallace*

Raymond V. Wallace  
Historic Preservation Technician  
Federal Property Management Section  
Office of Federal Agency Programs

ADVISORY COUNCIL ON HISTORIC PRESERVATION

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Action  
x  
Sent note to Ellen