

**PROGRAMMATIC AGREEMENT
AMONG
THE NATIONAL PARK SERVICE, THE MINNESOTA STATE HISTORIC
PRESERVATION OFFICER, THE MINNESOTA DEPARTMENT OF NATURAL
RESOURCES, AND THE ADVISORY COUNCIL ON HISTORIC PRESERVATION
REGARDING THE REHABILITATION AND ADAPTIVE REUSE OF HISTORIC
BUILDINGS AND NEW CONSTRUCTION AT THE
FORT SNELLING UPPER POST COMPLEX**

WHEREAS, by deed dated August 17, 1971, the United States of America (United States) deeded the 141-acre Fort Snelling Upper Post Complex (Complex) to the State of Minnesota (Minnesota) under the Federal Lands to Parks Program and retained certain administrative responsibility and authority for the Complex; and

WHEREAS the Complex consists of four separate areas known as the “Golf Course,” the “Polo Grounds,” “Officer’s Row,” and “Area J.” These four areas are legally described in Appendix A attached hereto and made a part hereof and shown in the map that appears as Appendix B attached hereto and made a part hereof. The property is described in more detail in Section 8 of the attached Program of Preservation and Utilization (PPU); and

WHEREAS, the Minnesota Department of Natural Resources (DNR) serves as the administrator of the Complex on behalf of Minnesota; and

WHEREAS, the DNR has requested moving the Complex from the Federal Lands to Park Program into the Historic Surplus Property Program because the latter allows for a greater variety of uses; and

WHEREAS, the conversion of the 141-acre Complex to Historic Surplus Property Program (“historic monument” status) facilitates the leasing of buildings within the Complex, the rehabilitation and adaptive reuse of the buildings and for limited new construction on the Complex; and

WHEREAS, the DNR, in consultation with the National Park Service (NPS), prepared a Program of Preservation and Utilization (PPU) to ensure that undertakings at the Complex, under the Historic Surplus Property Program, comply with the *Secretary of the Interior’s Standards*, and the DNR has sought public comment on the PPU, as provided in 36 C.F.R. pt. 800, and addressed public comment on a Draft of the PPU;

WHEREAS, the NPS will approve the PPU pursuant to 40 U.S.C. § 484(k)(3), once this Programmatic Agreement (PA) has been approved by the signatory parties, and

WHEREAS, the PPU provides that the Complex shall be used and maintained for historic monument purposes and provides for the treatment, use, preservation and maintenance of historic properties on the Complex; and

WHEREAS, the Complex is part of the Fort Snelling National Historic Landmark District and the Fort Snelling National Register of Historic Places Historic District; and

WHEREAS, the NPS has determined that the rehabilitation and adaptive reuse of buildings in the Complex and any new construction on the Complex grounds, whether additions to existing buildings or standalone structures, are undertakings within the meaning of 36 C.F.R. pt. 800.16(y) (Undertakings); and

WHEREAS, the NPS has further determined that the rehabilitation and adaptive reuse of the buildings or new construction on the Complex grounds have the potential to cause effects on historic properties and, therefore, require review under Sections 106 and 110f of the National Historic Preservation Act (16 U.S.C. § 470f, et. seq.) and the regulations found in 36 C.F.R. pt. 800; and

WHEREAS, pursuant to 36 C.F.R. pt. 800.14(b), NPS initiated a consultation to negotiate this PA to implement Sections 106 and 110f of the National Historic Preservation Act with respect to the Complex; and

WHEREAS, pursuant to 36 C.F.R. pt. 800.14(b)(2), NPS has consulted with the Minnesota State Historic Preservation Office (SHPO), American Indian Tribes, local government units and members of the public in preparing this PA; and

WHEREAS, DNR participated in the consultation and is a signatory to this PA; and

WHEREAS, pursuant to 36 C.F.R. pt. 800.6(a)(1), NPS notified the Advisory Council on Historic Preservation (Council) that this PA would be prepared and the Council reviewed and agreed to sign this PA;

NOW, THEREFORE, NPS, DNR, SHPO, and the Council agree that Undertakings within the scope of this PA will be administered in accordance with the following Stipulations to satisfy the responsibilities of NPS under Section 106 and Section 110f of the National Historic Preservation Act for all aspects of those Undertakings.

STIPULATIONS

I. APPLICABILITY OF THE PA.

This PA applies to the change from the Federal Lands to Parks Program to the Historic Surplus Property Program for the Fort Snelling Upper Post and to future undertakings proposed for the Upper Post under the Program of Preservation and Utilization attached to the deed.

II. AREA OF POTENTIAL EFFECTS.

The Area of Potential Effect (APE), as defined in 36 C.F.R. pt. 800.16(d), for the Undertakings covered by this PA shall be the Fort Snelling Historic District and other areas outside the district adjacent to the Fort Snelling Historic District where historic properties could be affected.

III. REVIEW OF UNDERTAKINGS.

A. The DNR will require that all undertakings recognize, protect and restore the historic character of the Fort Snelling Upper Post Complex (Complex).

1. All proposed treatments to the land and historic structures must meet the Secretary of the Interior's Standards for the Treatment of Historic Properties (Secretary's Standards) and draw from the related preservation documents where applicable.

2. The related preservation documents include: the "Fort Snelling Upper Post Open Space and Landscape Development Guidelines" (Summer 2008), the "Fort Snelling West District – Historical Context Study and Development Guidelines" (April 2010), the Fort Snelling Light Rail Transit and Upper Post Master Plan" (February 2011), the "Fort Snelling State Park Area J and Officer's Row Development Design Guidelines" (Winter 2003) and applicable portions of the Design Guidelines for Minneapolis Park and Recreation Board Development at Fort Snelling (April 1999). These guideline documents were developed in consultation with the SHPO and with various teams of professionals trained and experienced in the restoration, rehabilitation and reuse of historically significant structures and landscapes. Each document is available digitally from the DNR or NPS upon request and can be found on the Mississippi National River and Recreation Area web site at www.nps.gov/miss/management.

B. Review Process. Any Undertaking, whether undertaken by the DNR or by an entity with which the DNR is executing a new lease agreement or has an existing a lease agreement, must conform to the following review process.

1. The DNR shall evaluate all proposed Undertakings to determine their effect on historic resources. Guided by 36 C.F.R. pt. 800 and the following procedures, the DNR shall determine the appropriate level of consultation:

a. Streamlined Review. To determine whether the Undertaking has a low potential to cause effects and therefore does not require consultation, the DNR shall reference Appendix C, Streamlined Review Process.

b. Undertakings Requiring Consultation. The DNR shall consult with the NPS and SHPO for Undertakings not included in Appendix C and submit the following documentation:

i. Records of existing architectural conditions and proposed alterations. Existing conditions may be shown by original construction drawings that include subsequent modifications, by current record drawings, or by newly prepared measured drawings. Existing decorative elements may be documented by detailed photographs. Interior elements, such as decorative plaster work, wainscots, and major spaces, should be documented.

ii. Plans for the repair, rehabilitation, restoration, and maintenance of the historic area should be set forth in graphic and narrative form. The impact of incorporation of modern utilities or other modifications should be indicated. Describe work on the site, including parking, underground utility lines, landscaping, etc. List the increments and time schedules for phased work. It must be clear that the applicant has fully recognized areas of historic significance and will plan proposed work to minimize the impact on these significant areas.

c. No Adverse Effect Determinations. The NPS and SHPO will have 30 days to review documentation submitted by the DNR or the entity proposing the project. If after consultation, the signatory parties concur that the proposed project will have No Adverse Effect, the DNR may proceed with the project as planned.

d. Adverse Effect Determinations. If after consultation, the signatory parties determine that the proposed project has the potential to cause adverse effects, the DNR shall consider ways to avoid, minimize, or mitigate those adverse effects as guided by 3 C.F.R. pt. 800.

e. Archeological surveys. Where ground disturbing activities are proposed for areas not previously disturbed or for areas that have not been previously surveyed, the DNR shall conduct or see that an archeological survey is conducted. DNR shall consult with the NPS and SHPO to evaluate any cultural elements identified in surveys, to determine if they contribute to the historic district and/or are individually eligible to the National Register. If archeological properties are discovered during implementation of Undertakings, such properties will be addressed in Stipulation VIII, below. If archeological sites of American Indian origin or relationship are expected or encountered, the NPS will initiate consultation with the potentially interested tribes.

IV. CONSTRUCTION MONITORING.

A. If construction monitoring identifies any conflicting condition, or if changes to approved project construction documents are proposed (*i.e.*, change orders), the DNR will review the proposed changes. If the DNR denies the proposed changes, or if the DNR approves the proposed changes and the approved changes do not relate to issues of scale, configuration, massing, height, bulk, siting, orientation, exterior cladding, fenestration, circulation, or landscaping, no further consultation will be required. If the DNR does not deny the proposed changes, and the changes do relate to the issues listed in the preceding sentence, the DNR, in consultation with the NPS and SHPO will determine whether the proposed changes conform to the fullest reasonable extent to the Secretary's Standards and the related Fort Snelling guidelines. Such consultation shall not exceed 7 calendar days. If the parties agree that the proposed changes conform to the fullest reasonable extent to the Secretary's Standards and related Fort Snelling guidelines or agree that the proposed changes do not conform but will not cause adverse effects to historic properties, the construction may proceed as modified hereunder in scope of manner.

B. If the parties do not reach an agreement pursuant to paragraph IV. A. above, the NPS will render a decision regarding the disagreement within 14 calendar days following closure of the 7-day consultation period. The NPS will notify the other parties of its decision in writing within this time frame. In reaching its decision, the NPS will take all comments of parties into account. Thereafter, the DNR may authorize construction in accordance with the terms of the NPS decision.

V. DISCOVERIES AND UNFORESEEN EFFECTS.

A. The DNR will notify the NPS and SHPO as soon as practicable if it appears that an Undertaking is causing or could cause effects on a previously unidentified property that may be eligible for inclusion in the National Register of Historic Places (NRHP) or cause effects on a known historic property in an unanticipated manner. The DNR shall stop construction in the vicinity of the discovery and take all reasonable measures to avoid or minimize harm to the property until the DNR concludes consultation with the NPS and SHPO. The DNR may assume that the property is NRHP eligible for purposes of this PA. The DNR will consult with the NPS and SHPO to develop actions that will take the effects of the Undertaking on the property into account. The DNR will notify the NPS and SHPO of any time constraints, and the DNR, the NPS and SHPO will mutually agree upon time frames for this consultation, which in no event shall exceed 14 calendar days. The DNR will provide the NPS and SHPO with written recommendations reflecting the consultation. If the NPS and SHPO do not object to the DNR's recommendations within the agreed upon time frame for response to recommendations, the DNR will modify the scope of work for the Undertaking as necessary to implement the recommendations and may proceed with the Undertaking as modified hereunder.

B. The DNR may assume that failure by the NPS and SHPO to respond within the agreed upon time frame constitutes concurrence with the DNR's recommendations.

C. If the NPS and SHPO object to the DNR's recommendations within the agreed upon time frame, the parties shall consult for no more than 5 calendar days to resolve the objection. If the objection is resolved, the DNR will modify the scope of work for the Undertaking as necessary to implement the resolution reached by the parties and may proceed with the Undertaking as modified hereunder. If the objection is not resolved within the 5-day consultation time frame stipulated herein, the NPS will render a decision regarding the objection and notify the other parties in writing of its decision within 14 calendar days following closure of the consultation time frame. In reaching its decision, the NPS will take all comments from the other parties into account. Thereafter, the DNR may proceed with the Undertaking in accordance with the terms of the NPS decision.

VI. DISPUTE RESOLUTION.

A. Any signatory to this PA may object at any time, to the manner in which the terms of this PA are being implemented, or to any document prepared in accordance with the terms of this PA. Where stipulated in this PA, objections shall be governed by specified time frames.

B. The non-objecting signatory parties will consult with the objecting party for no more than 14 calendar days following the receipt of notice of the objection to resolve the objection. If at the end of this time frame, the objection cannot be resolved, the NPS will request

recommendations/comments from the Council pursuant to 36 C.F.R. 800.2(b) (2) and/or 36 C.F.R. 800.7(c).

C. Any Council comment provided in response to the NPS's request will be taken into account by the DNR in accordance with 36 C.F.R. 800.7(c)(4) with reference only to the subject of the dispute. The DNR's responsibility to carry out all actions under this PA that are not subject to the dispute will remain unchanged. The DNR may implement the action in dispute under this Stipulation after receiving and taking into account, pursuant to 36 C.F.R. pt. 800.7(c)(4), any Council comment issued in accordance with this Stipulation.

D. If the NPS fails to comment within the time frame specified in this Stipulation, the DNR may implement the action in dispute under this Stipulation in accordance with its proposed response to the objection.

VII. PROFESSIONAL QUALIFICATIONS STANDARDS.

The DNR shall ensure that all historic preservation activities prescribed by this PA are carried out by or under the direct supervision of a person or persons meeting at a minimum the "Secretary of the Interior's Professional Qualification Standards" (48 Fed. Reg. 44738-39) in the relevant disciplines. To accomplish this, the DNR will designate a Cultural Resources Specialist to review proposals or projects submitted to the DNR for the Upper Post at Fort Snelling.

VIII. MONITORING, AMENDMENTS AND TERMINATION

A. The DNR shall convene a meeting of the signatory parties to this PA every five years from the date of the PA to review implementation of the terms of this PA and determine whether revisions or amendments are needed. Amendments shall be executed in accordance with 36 C.F.R. pt. 800.13. If any signatory believes that this PA should be amended, that signatory shall immediately consult with the other signatories for no more than 21 days to consider amendments to this PA. The signatories may agree to a longer consultation period. This PA may be amended only upon the written concurrence of all signatories. Amendments shall be executed in accordance with 36 C.F.R. pt. 800.6(c).

B. Any party to this PA may terminate it by providing at least 90 days notice to the other parties, provided that the parties shall consult during the period prior to termination to seek agreement or amendments or other actions that would avoid termination.

C. In the event of termination, the NPS shall proceed in accordance with 36 C.F.R. 800, with regard to individual Undertakings covered by this PA.

NATIONAL PARK SERVICE

Date

ADVISORY COUNCIL ON HISTORIC PRESERVATION

_____Date_____

MINNESOTA STATE HISTORIC PRESERVATION OFFICER

_____Date_____

MINNESOTA DEPARTMENT OF NATURAL RESOURCES

_____Date_____

**Appendix A:
Legal Description of Fort Snelling Upper Post Complex**

Consisting of Consisting of four separate areas, known respectively as the Golf Course,” the “Polo Grounds,” “Officer’s Row,” and “Area J”, situated in Sections Twenty (20) and Twenty-nine (29), Township Twenty-eight (28) North, Range Twenty-three (23) West of the Fourth Principal Meridian, Hennepin County, State of Minnesota, and more particularly described as follows:

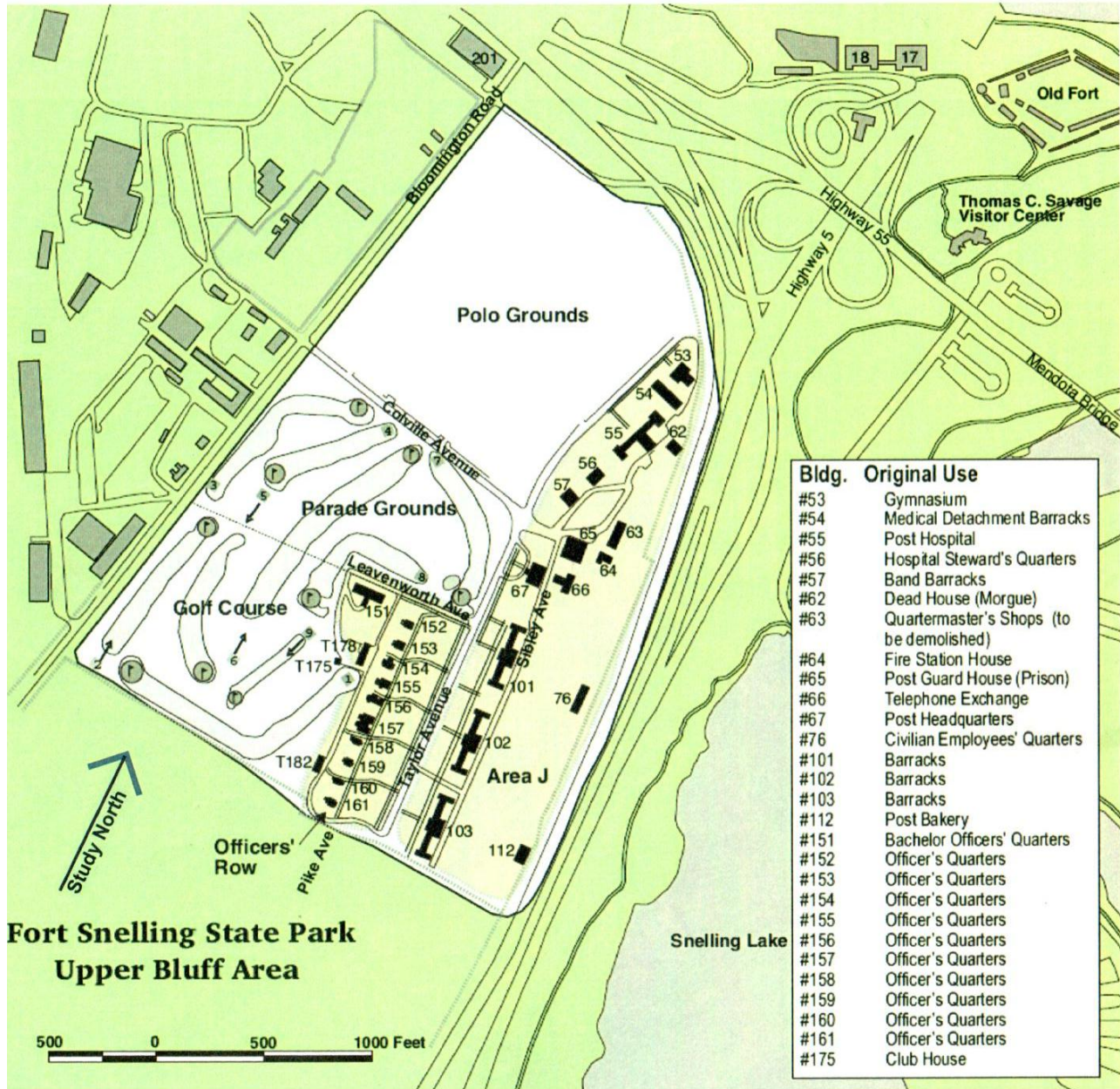
Commencing at a concrete monument with an aluminum disk marking the southwest corner of Section Twenty (20); thence S 0°16’33” E along the west line of Section Twenty-nine (29) 771.38 feet; thence S 60°34’28” E 2326.03 feet; thence S 46°14’26” E 166.37 feet; thence N 37°44’49” E 229.13 feet to an iron pipe; thence S 60°34’28” E 30.08 feet to the point of beginning;

Thence S 60°34’28” E 2375 feet, more or less, to a point in the west right-of-way boundary of State Highway Number 5;

Thence in a northeasterly and northwesterly direction along said boundary to its point of intersection with the west boundary of the right-of-way of Bloomington Road;

Thence S 37°44’49” E 3197 feet, more or less, along the said west boundary of Bloomington Road to the point of beginning, containing 141 acres, more or less, and being a portion of the Veterans Administration Hospital Reservation, Fort Snelling, Minnesota.

Appendix B:
Map of Fort Snelling Upper Post Complex



**APPENDIX C:
Streamlined Review of Undertakings
Fort Snelling Upper Post
Hennepin County, Minnesota**

A. Background

1. The National Park Service (NPS) has signed a Programmatic Agreement with the Advisory Council on Historic Preservation and the National Conference of State Historic Preservation Officers for Compliance with Section 106 of the National Historic Preservation Act that establishes a streamlined for the review for NPS projects. This PA for the Fort Snelling Upper Post adopts many elements of the NPS national PA, with the explicit understanding that the NPS does not own the Upper Post. For the purposes of the PPU, the “Streamlined Process” for the Upper Post is defined below.

2. Per Stipulation VII of this PA, “The DNR shall ensure that all historic preservation activities prescribed by this PA are carried out by or under the direct supervision of a person or persons meeting at a minimum the "Secretary of the Interior's Professional Qualification Standards" (48 Fed. Reg. 44738-39) in the relevant disciplines.” To accomplish this, the DNR will designate a Cultural Resources Specialist to review proposals or projects submitted to the DNR for the Fort Snelling Upper Post.

3. Where the DNR Cultural Resources Specialist determines the following criteria are met for a proposed undertaking, no further consultation is required unless otherwise specifically requested by the SHPO, Federally recognized Indian Tribe(s) or the NPS.

a. The proposed undertaking is an activity eligible for streamlined review defined under Article C below.

b. The DNR Cultural Resources Specialist has reviewed the project and certified that the effects of the proposed undertaking on historic properties on or eligible for the National Register will not be adverse based on criteria in 36 CFR 800.5, including consideration of direct, indirect, and cumulative effects. The Effect Finding must be “No Historic Properties Affected” or “No Adverse Effect.”

B. Streamlined Review Process

In implementing the Streamlined Review Process, the DNR Cultural Resources Specialist will go through the following steps:

1. Evaluate whether the Proposed Undertaking is Eligible for Streamlined Review: The DNR Cultural Resources Specialist will determine whether the proposed undertaking is an activity that falls under those listed as an undertaking eligible for streamlined review in Article C below. If not, compliance for the undertaking must be accomplished through the Standard Review Process detailed in Article III of the PA.

2. Document Streamlined Review Process: If the undertaking falls under those listed and described in Article C below the DNR Cultural Resources Specialist will document the determination as follows:

- a. The Streamlined Review process will be documented and the documentation will be permanently retained by the DNR for review by consulting parties and to facilitate the preparation of the Annual Report.
- b. Annual Report: An annual report of all undertakings reviewed using the Streamlined Review process will be prepared by the DNR Cultural Resources Specialist for transmittal to the SHPO and NPS.

3. If the DNR Cultural Resources Specialist is not sure whether an action falls under those listed and described in Article C below, he or she will consult with the NPS.

C. Undertakings Eligible for Streamlined Review

1. Preservation Maintenance and Repair of Historic Properties: The Streamlined Review Process is intended to be used for:

- Mitigation of wear and deterioration of a historic property to protect its condition without altering its historic character;
- Repairing when its condition warrants with the least degree of intervention including limited replacement in-kind;
- Replacing an entire feature in-kind when the level of deterioration or damage of materials precludes repair; and
- Stabilization to protect damaged materials or features from additional damage.

Use of the Streamlined Review Process is limited to actions for retaining and preserving, protecting and maintaining, and repairing and replacing in-kind, as necessary, materials and features, consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties (Standards) and the accompanying guidelines.

Emergency stabilization, including limited replacement of irreparably damaged features or materials and temporary measures that prevent further loss of historic material or that correct unsafe conditions until permanent repairs can be accomplished, may use the Streamlined Review Process. For archeological sites and cultural landscapes, the Streamlined Review Process may also be used for work to moderate, prevent, or arrest erosion.

If the project activities include ground disturbance, the DNR will comply with Section III.B.1.e. of this PA.

The Streamlined Review Process may be used for routine repairs necessary to continue use of a historic property, but it is not intended to apply to situations where there is a change in use or where a series of individual projects cumulatively results in the complete rehabilitation or restoration of a historic property. If an approved treatment plan exists for a given historic property (such as a historic structure report, cultural landscape report, or preservation maintenance plan), the proposed undertaking needs to be in accordance with that plan. This streamlined activity includes the following undertakings, as well as

others that are comparable in scope, scale, and impact:

- a. Removal of non-historic debris from an abandoned building.
- b. Cleaning and stabilizing of historic structures, features, fences, stone walls, plaques, and cannons using treatment methods that do not alter or cause damage to historic materials.
- c. Repainting in the same color as existing, or in similar colors or historic colors based upon an approved historic structure report, cultural landscape report, or a historic paint color analysis.
- d. Removal of non-historic, exotic species according to Integrated Pest Management principles when the species threatens cultural landscapes, archeological sites, or historic or prehistoric structures.
- e. Energy improvements limited to insulation in the attic or basement, and installation of weather stripping and caulking.
- f. In-kind repair and replacement of deteriorated pavement, including, but not limited to, asphalt, concrete, masonry unit pavers, brick, and stone on historic roads, paths, trails, parking areas, pullouts, etc.
- g. Repair or limited in-kind replacement of rotting floorboards, roof material, or siding. Limited in-kind replacement refers to the replacement of only those elements of the feature that are too deteriorated to enable repair, consistent with the Standards.
- h. In-kind replacement of existing gutters, broken or missing glass panes, retaining walls, and fences.

2. Rehabilitation and/or Minor Relocation of Existing Trails, Walks, Paths, and Sidewalks: The Streamlined Review Process may be used for undertakings proposed on existing non-historic trails, walks, paths, and/or sidewalks that are located within previously disturbed areas and do not exceed the depth of the previous disturbance. The Streamlined Review Process may also be used for undertakings proposed on existing historic trails, walks, paths, and/or sidewalks, provided that the proposed undertaking is conducted in accordance with an approved treatment plan (such as a historic structure report, cultural landscape report, or preservation maintenance plan).

If the project activities include ground disturbance, the DNR will comply with Section III.B.1.e. of this PA.

This streamlined activity includes the following undertakings, as well as others that are comparable in scope, scale, and impact:

- a. In-kind regrading, graveling, repaving, or other maintenance treatments of all existing trails, walks and paths within existing disturbed alignments.
- b. Minor realignment of trails, walks, and paths where the ground is previously disturbed as determined by a qualified archeologist.
- c. Changing the material or color of existing surfaces using materials that are recommended in an approved treatment plan or in keeping with the cultural landscape.
- d. Construction of water bars following the recommendations of an approved treatment plan or in keeping with the cultural landscape.

3. Repair/Resurfacing/Removal of Existing, Roads, Trails, and Parking Areas: The Streamlined Review Process may be used as follows:

- a. Existing roads, trails, parking areas, and associated features that have been determined not eligible for the National Register in consultation with the SHPO/THPO, may be repaired or resurfaced in-kind or in similar materials as long as the extent of the project, including staging areas, is contained within the existing surfaced areas. The repair or resurfacing cannot exceed the area of the existing road surface and cannot exceed the depth of existing disturbance.
- b. Existing roads, trails, parking areas, and associated features, that have been determined eligible for the National Register in consultation with the SHPO/THPO, may be repaired or resurfaced in-kind. The project, including staging areas, cannot exceed the area of the existing surface and cannot exceed the depth of existing disturbance.
- c. Existing surfaced areas may be expanded or new surfaces constructed if the extent of new surfacing can be demonstrated to occur on land that has been disturbed by prior excavation or construction and has been shown not to contain buried historic properties. New or expanded surface may not be an addition to, or continuation of, existing surfaces that are listed in or eligible for the National Register and all project activities, including staging areas, must be located in non-historic areas to be eligible for streamlined review.
- d. Existing surfaced areas may be removed if the surfaced area is not a historic property, it is not located within a historic property and all project activities, including staging areas, will occur on land that has been disturbed by prior excavation or construction and has been shown not to contain buried historic properties.

4. Health and Safety Activities: The Streamlined Review Process may be used for health and safety activities that do not require the removal of original historic elements or alteration of the visual character of the property or area.

If the project activities include ground disturbance, the DNR will comply with Section III.B.1.e. of this PA.

This streamlined activity includes the following undertakings, as well as others that are comparable in scope, scale, and impact:

- a. Sampling/testing historic fabric to determine hazardous content, e.g. lead paint, asbestos, radon.
- b. Limited activities to mitigate health and safety problems that can be handled without removal of historic fabric, surface treatments, or features that are character-defining elements, or features within previously disturbed areas or areas inventoried and found not to contain historic properties.
- c. Testing of soil and removal of soil adjacent to buried tanks, provided the project does not exceed the area of existing disturbance and does not exceed the depth of existing disturbance, as determined by a qualified archeologist.
- d. Removal of oil or septic tanks within previously disturbed areas or areas inventoried and found not to contain historic properties.
- e. Removal of HAZMAT materials within previously disturbed areas or areas inventoried and found not to contain historic properties.

- f. Safety activities related to black powder regulations.
- g. Replacement of septic tanks and systems in previously disturbed areas, or areas inventoried and found not to contain historic properties.
- h. Common pesticide treatments.
- i. Removal of both natural and anthropogenic surface debris following strong winds, tornados or similar major weather events, provided removal methods do not include ground disturbance or otherwise cause damage to historic properties.

5. Routine Grounds Maintenance: The Streamlined Review Process may be used for routine grounds maintenance activities. If an approved treatment plan exists for a given historic property (such as a historic structure report, cultural landscape report, or preservation maintenance plan), the proposed undertaking needs to be in accordance with that plan.

If the project activities include ground disturbance, the DNR will comply with Section III.B.1.e. of this PA.

This streamlined activity includes the following undertakings, as well as others that are comparable in scope, scale, and impact:

- a. Grass replanting in same locations with approved species.
- b. Woodland and woodlot management (including tree trimming, hazard tree removal, thinning, routine removal of exotic species that are not a significant component of a cultural landscape, stump grinding).
- c. Maintaining existing vegetation on earthworks, trimming trees adjacent to roadways and other historic roads and trails.
- d. Routine maintenance of gardens and vegetation within cultural landscapes with no changes in layout or design.
- e. Trimming of major specimen trees needed for tree health or to address critical health/safety conditions.
- f. Routine roadside and trail maintenance and cleanup with no ground disturbance.
- g. Planting of non-invasive plant species in non-historic areas.
- h. Removal of dead and downed vegetation using equipment and methods that do not introduce ground disturbance.
- i. Replacement of dead, downed, overgrown, or hazard trees, shrubs, or other vegetation with specimens of the same species.
- j. Replacement of invasive or exotic landscape plantings with similar noninvasive plants.
- k. Routine lawn mowing, leaf removal, watering, and fertilizing.

6. Installation of Environmental Monitoring Units: The Streamlined Review Process may be used for the placement of small-scale, temporary or permanent monitoring units, such as weather stations, termite bait

stations, water quality, air quality, or wildlife stations, in previously disturbed areas, as determined by a qualified archeologist, or areas inventoried and found not to contain historic properties. Borings must be limited to pipes less than 2 inches in diameter and surface samples to less than 12 inches in size and minimal in number.

7. Maintenance or Replacement of Non-Historic Utility Lines, Transmission Lines, and Fences: If the project activities include ground disturbance, the DNR will comply with Section III.B.1.e. of this PA.

This streamlined activity includes the following undertakings, as well as others that are comparable in scope, scale, and impact:

- a. Maintenance or replacement of buried linear infrastructure in previously disturbed areas. The area of previous disturbance must be documented by a qualified archeologist and must coincide with the route of the infrastructure in its entirety.
- b. Replacement of non-historic materials, provided the undertaking will not impact adjacent or nearby historic properties and is not located in a historic property, or visible from an above-ground historic property.
- c. Maintenance or replacement of infrastructure, such as old water distribution systems, that has been determined to be not eligible for the National Register, in consultation with the SHPO/THPO.
- d. Maintenance of above-ground infrastructure.
- e. Replacement of above-ground infrastructure provided the undertaking is not located in a historic property or visible from an above-ground historic property.
- f. Enhancement of a wireless telecommunications facility, including the updating of mechanical equipment, provided the activities do not involve excavation nor any increase to the size of the existing facility.

8. Erection of Signs, Wayside Exhibits, and Memorial Plaques: If an approved treatment plan exists for a given historic property (such as a historic structure report, cultural landscape report, or preservation maintenance plan), the proposed undertaking needs to be in accordance with that plan. If the project activities include ground disturbance, the DNR will comply with Section III.B.1.e. of this PA.

This streamlined activity includes the following undertakings, as well as others that are comparable in scope, scale, and impact:

- a. Replacement of existing signage in the same location with similar style, scale and materials.
- b. New signs that meet NPS standards, e.g. at entrance to the park or related to the park's interpretive mission, provided the sign is not physically attached to a historic building, structure, or object (including trees) and the sign is to be located in previously disturbed areas or areas inventoried and found not to contain historic properties.
- c. Replacement of interpretive messages on existing signs, wayside exhibits, or memorial plaques.
- d. Small developments such as paved pads, benches, and other features for universal access to signs, wayside exhibits, and memorial plaques in previously disturbed areas or areas inventoried and found not to contain historic properties.

- e. Temporary signage for closures, repairs, detours, safety, hazards, etc. in previously disturbed areas or areas inventoried and found not to contain historic properties.
- f. Memorial plaques placed within established zones that allow for such placement.

9. Culvert Replacement: The Streamlined Review Process may be used when culvert replacement will occur within existing cut and fill profiles, and:

- a. The existing culvert and/or associated road, rail bed, or cultural landscape has been determined not eligible for the National Register, either individually or as a contributing element to a historic district or cultural landscape, in consultation with the SHPO/THPO; or
- b. The existing culvert is less than 50 years old.

10. Meeting Accessibility Standards in Historic Structures and Cultural Landscapes: The Streamlined Review Process may only be used for the following undertakings intended to meet accessibility standards:

- a. Reconstruction or repair of existing wheel chair ramps and sloped walkways provided the undertaking does not exceed the width or depth of the area of previous disturbance.
- b. Upgrading restroom interiors in historic structures within existing room floor area to achieve accessibility, unless the historic features and/or fabric of the restroom contribute to the historic significance of the structure.

11. Mechanical, Electrical and Plumbing Systems: The Streamlined Review Process may be used as follows for activities related to mechanical, electrical, and plumbing systems. Such systems may include HVAC systems, fire detection and suppression systems, surveillance systems, and other required system upgrades to keep park lands and properties functional and protected.

- a. Park areas, landscapes, buildings, and structures that have been determined not eligible for the National Register in consultation with the SHPO/THPO, may undergo installation of new systems or repair/upgrading of existing systems in accordance with the Streamlined Review Process.
- b. Properties that have been determined eligible for the National Register in consultation with the SHPO/THPO may undergo limited upgrading of mechanical, electrical, and plumbing systems. However, the Streamlined Review Process may not be used for the installation of new systems or complete replacement of these systems. If proposed activities include the removal of original historic elements or alter the visual character or the property's character-defining materials, features, and spaces, then the Streamlined Review Process may not be used.
- c. If the project activities include ground disturbance, the DNR will comply with Section III.B.1.e. of this PA.

Adding to List of Undertakings Eligible for Streamlined Review

Any proposed additions or revisions to the list of undertakings eligible for streamlined review must be developed through consultation with the Signatory Parties to the Upper Post PA.