

Appendix C: Cultural Resources Correspondence



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, WALLA WALLA DISTRICT
201 NORTH 3RD AVENUE
WALLA WALLA, WA 99362-1876

March 30, 2022

Planning, Programs, and Project
Management Division (1200A)

Mr. Samuel Penney
Chairman, Tribal Executive Committee
Nez Perce Tribe
PO Box 305
Lapwai, ID 83540-3851
shannonw@nezperce.org

Dear Honorable Chairman Penney:

Please find enclosed the *Section 106 Review for the Lewiston Water Intake*. The report has been prepared in accordance with 36 CFR Part 800, and contains the U.S. Army Corps of Engineers, Walla Walla District's (Corps) determination that the proposed water intake construction at Lewiston Idaho at the location described in the report will result in No Adverse Effects to historic properties.

Please review the enclosed determination of effect and advise whether you agree. If you have any questions, please contact me at Scott.M.Hall@usace.army.mil or 509-527-7274. In addition to 36CFR Part 800, the Corps also complies with Executive Order 13007 which protects sacred sites. If you believe that this project may affect the physical integrity or accessibility of any sacred sites, please contact the Corps Tribal Liaison Mr. Dean Holecek at Dean.Holecek@usace.army.mil or 509-527-7240. Copies of this letter have also been emailed to Mr. Pat Baird and Ms. Jenifer Chadez in the Cultural Resources Program.

Sincerely,

Scott M. Hall
Supervisory Archaeologist

Enclosure



IDAHO STATE
**HISTORICAL
SOCIETY**



Brad Little
Governor of Idaho

Janet Gallimore
Executive Director
State Historic
Preservation Officer

Administration:
2205 Old Penitentiary Rd.
Boise, Idaho 83712
208.334.2682
Fax: 208.334.2774

Idaho State Museum:
610 Julia Davis Dr.
Boise, Idaho 83702
208.334.2120

**Idaho State Archives
and State Records
Center:**
2205 Old Penitentiary Rd.
Boise, Idaho 83712
208.334.2620

**State Historic
Preservation Office:**
210 Main St.
Boise, Idaho 83702
208.334.3861

**Old Idaho Penitentiary
and Historic Sites:**
2445 Old Penitentiary Rd.
Boise, Idaho 83712
208.334.2844

HISTORY.IDAHO.GOV

6 May 2022

Scott M. Hall
Supervisory Archaeologist
US Army Corps of Engineers, Walla Walla District
201 North Third Avenue
Walla Walla, WA 99362-1876
Scott.M.Hall@usace.army.mil

**RE: Lewiston Water Intake, Nez Perce County, ID / SHPO Rev. No.
2022-486**

Dear M. Hall:

Thank you for consulting with our office on the above referenced project. We understand the scope of work includes construction of a new primary water intake on the Clearwater River for the City of Lewiston. Activities associated with the undertaking include construction of a new wet well shaft and pump house as well as connection to an existing transformer for power and boring a new water pipeline. The Area of Potential Effect (APE) includes 1.31 acres of the existing intake facility as well as a portion of the adjacent river bottom.

We appreciate your detailed response on 3 May 2022 to questions/concerns we had previously identified. Our responses are included below:

- We appreciate you reaching out to the National Park Service regarding the Lewis and Clark National Historic Trail and are happy to hear that they have no concerns about the proposed undertaking.
- We appreciate that you have reviewed your information to confirm that site 10NP145 is not within the APE. For many sites that were recorded prior to the widespread use of GPS, the information within our databases is incomplete and potentially inaccurate. For site 10NP145, the record search you performed should have shown that the site is either in the center of the Clearwater River or directly within the APE for the proposed undertaking, which is why we requested additional information about it. In situations like this where there are discrepancies between what our data shows and what is in your records, we simply request that reports include a statement to the effect of "While SHPO's data places the site within the APE, our documentation suggests..." so that we have

a better understanding of what you are seeing and documenting in the field.

- We apologize if our statement regarding recordation of the original pumphouse was unclear. We were not requesting that the structure is fully documented on an IHSI form, but rather were requesting that the Corps confirm whether you considered the building potentially eligible for listing on the National Register. Our architectural historian does not feel the structure is eligible, so if the Corps agrees, then no further consideration of the structure will be needed.

As a point of clarification, industry standard and ID SHPO guidance for built environment resources is that structures are assessed for potential eligibility after 45 years since many undertakings have a considerable time gap between when the cultural resource review is completed and when the undertaking is implemented. We have found that by considering structures for eligibility at 45 years we have avoided costly and time-consuming delays in the future on many projects.

- We appreciate receiving a copy of the Sappington 1996 report as we did not receive a copy at that time it was produced. We will incorporate it into our archives.

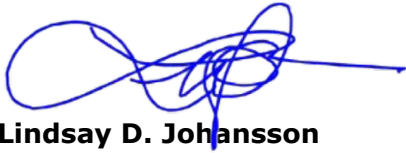
If the Corps agrees with our architectural historian that the pumphouse is *not eligible* for listing on the National Register, we *concur* with the Corps proposed finding of *no adverse effect* [36 CFR 800.5(d)(1)] for the Lewiston Water Intake undertaking. Our concurrence is conditional on a response by the Corps that you agree the eligibility for the pumphouse structure.

In reviewing this undertaking, we feel that many of the problems encountered would have been eliminated if our two offices had the same data available to review. It is our understanding that most of the survey data you are working with was received during a record search of Corps managed lands conducted in 2009. Since that time, we have digitized many additional site and survey records as well as had numerous new surveys submitted and sites identified. While the Corps should have all the new data from Corps managed lands, we're unsure if your 2009 record search included information on sites/surveys exterior to Corps managed lands (i.e., within the typical 1-mile "buffer" included in a record search). As these areas would be exterior to the Corps and you would not necessarily receive updated information, it may be useful to revisit the adequacy of using that record search without supplementary information.

In the event that cultural material is inadvertently encountered during implementation of this project, work shall be halted in the vicinity of the finds until they can be inspected and assessed by the appropriate consulting parties.

If you have any questions or the scope of work changes, please contact Christopher L. Shaver, Compliance Archaeologist, via phone or email at 208.488.7467 or chris.shaver@ishs.idaho.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Lindsay D. Johansson', with a large, stylized loop at the beginning and a horizontal line extending to the right.

Lindsay D. Johansson
State Archaeologist
Idaho State Historic Preservation Office

From: [Kephart, Ryan M](#)
To: [Johnson, Royce A CIV USARMY CENWW \(USA\)](#)
Cc: [Wiley, Daniel M.](#); [Meyer, Mitchell L](#)
Subject: [URL Verdict: Neutral][Non-DoD Source] Re: [EXTERNAL] Lewiston ID, Lewis and Clark NHT
Date: Tuesday, May 3, 2022 9:59:42 AM
Attachments: [image001.png](#)
[Outlook-5n4acocx.png](#)

Hello Roy,

Thank you for following up! I did get a chance to review the report and as far as I can tell this new project seems to take place within the footprint of the previous water plant, correct? If so, we do not have any further questions at this time.

Respectfully,
-R. M. K.

Ryan M. Kephart

Cultural Resources Program Manager

Lewis and Clark National Historic Trail

Phone: (402)-661-1942 | **Email:** ryan_kephart@nps.gov

Office: 601 Riverfront Drive Omaha, NE 68102

[Website](#) | [Annual Report](#) | [Facebook](#) | [Instagram](#) | [Travel and Tourism](#)



From: Johnson, Royce A CIV USARMY CENWW (USA) <Royce.Johnson@usace.army.mil>
Sent: Tuesday, May 3, 2022 11:23 AM
To: Kephart, Ryan M <Ryan_Kephart@nps.gov>
Cc: Wiley, Daniel M. <Dan_Wiley@nps.gov>; Meyer, Mitchell L <mitchell_meyer@nps.gov>
Subject: RE: [EXTERNAL] Lewiston ID, Lewis and Clark NHT

Good Morning,

I am just checking back to see if you have had a chance to review the report for the Lewiston Water Intake or if you have any further questions about the project.

Thank you,
Royce Johnson

From: Johnson, Royce A CIV USARMY CENWW (USA)
Sent: Thursday, April 21, 2022 8:41 AM
To: Kephart, Ryan M <Ryan_Kephart@nps.gov>
Cc: Wiley, Daniel M. <Dan_Wiley@nps.gov>; Meyer, Mitchell L <mitchell_meyer@nps.gov>

Subject: RE: [EXTERNAL] Lewiston ID, Lewis and Clark NHT

Ryan,

Thanks for your reply, I've attached a copy of the report here to this email. The timeline for work is going later this year. Lewiston is planning on building a new water intake within the same area as the old one. The report should be able to answer the rest of your questions but if there is anything further I can clarify for you let me know!

Thanks,
Royce

From: Kephart, Ryan M <Ryan_Kephart@nps.gov>

Sent: Thursday, April 21, 2022 7:56 AM

To: Johnson, Royce A CIV USARMY CENWW (USA) <Royce.Johnson@usace.army.mil>; Wiley, Daniel M. <Dan_Wiley@nps.gov>; Meyer, Mitchell L <mitchell_meyer@nps.gov>

Subject: [URL Verdict: Neutral][Non-DoD Source] Re: [EXTERNAL] Lewiston ID, Lewis and Clark NHT

Hello Mr. Johnson,

Thank you for reaching out! We are definitely interested in learning more about the project and would appreciate any information that you can give us. In particular if you have them we would appreciate:

- A Project Description
- A location map
- Metrics regarding the scale of potential effects
- A timeline of the project

If you have any questions for me please just let me know.

Respectfully,
-R. M. K.

Ryan M. Kephart

Cultural Resources Program Manager

Lewis and Clark National Historic Trail

Phone: (402)-661-1942 | **Email:** ryan_kephart@nps.gov

Office: 601 Riverfront Drive Omaha, NE 68102

[Website](#) | [Annual Report](#) | [Facebook](#) | [Instagram](#) | [Travel and Tourism](#)



From: Johnson, Royce A CIV USARMY CENWW (USA) <Royce.Johnson@usace.army.mil>
Sent: Tuesday, April 19, 2022 5:07 PM
To: Kephart, Ryan M <Ryan_Kephart@nps.gov>
Subject: [EXTERNAL] Lewiston ID, Lewis and Clark NHT

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Good Afternoon,

I am an archaeologist with the Army Corps of Engineers out of Walla Walla WA. I've got an undertaking in Lewiston Idaho with the APE that touches the boundary of the Lewis and Clark National Trail. They are building a new water intake right next to the old one in Lewiston. The Idaho SHPO gave me your contact information. Is this a project you would be an interested party and would like to be consulted with on this project? I can send the report over to you if you would like or feel free to give me a call if you would like to chat about it. My number is 509-527-7278.

Thank you,

Royce A. Johnson
Archaeologist
USACE - Walla Walla District
509-527-7278

From: [Johnson, Royce A CIV USARMY CENWW \(USA\)](#)
To: [Lindsay Johansson](#)
Cc: [Chris Shaver](#); [Hall, Scott M CIV USARMY CENWW \(USA\)](#)
Subject: RE: Lewiston Water Intake (2022-486) and Lucky Peak Nursery (2022-457)
Date: Tuesday, May 10, 2022 3:11:00 PM
Attachments: [image001.png](#)
[2 - Site Forms and Databases.zip](#)

Lindsay,

Thank you for your response. I have attached the updated site forms from the Lucky Peak Nursery undertaking that include the updated UTM's and access database.

Also, the Corps has determined that the Lewiston Pump House is not eligible for listing to the National Register under any of the criteria. And do we foresee anything that would ever make it eligible in the future. If there is further documentation you would like for this determination, please let me know what form you would like it to take and I can provide it.

Thank you,
Royce Johnson

From: Lindsay Johansson <Lindsay.Johansson@ishs.idaho.gov>
Sent: Friday, May 6, 2022 3:47 PM
To: Hall, Scott M CIV USARMY CENWW (USA) <Scott.M.Hall@usace.army.mil>
Cc: Johnson, Royce A CIV USARMY CENWW (USA) <Royce.Johnson@usace.army.mil>; Chris Shaver <Chris.Shaver@ishs.idaho.gov>
Subject: [Non-DoD Source] Lewiston Water Intake (2022-486) and Lucky Peak Nursery (2022-457)

Scott,

Attached are letters from our office for both the Lucky Peak Nursery Replanting and the Lewiston Water Intake undertakings. I appreciate you taking the time to talk through these undertakings with me on Wednesday and provide us with the Corps perspective on the projects.

We are providing concurrence on both undertakings, and are going to trust that the Corps will (1) submit updated site forms for the Lucky Peak Nursery undertaking that include UTM's and (2) send us a document concurring that the Lewiston Pump House is not eligible for listing to the National Register. There are at least two different Corps undertakings in the recent past where we have yet to receive updated documentation which is why we did not initially make this offer. Once we provide concurrence on an undertaking, there is little we can do to compel an agency to provide us with additional information so we are often very careful in instances such as this.

Although we are not requesting that the reports for these two undertakings are changed at this time, we did include additional information about some of the requests we made and the impetus behind our requests. We hope that the additional clarification can help ensure that these same disagreements/requests are avoided in the future. If there are still questions about why we made some of our requests for information, please let me know. We try our best to make the reasoning

behind our questions clear, but what seems to be a straightforward question to us is not always as straightforward to those outside our office, so we would be happy to walk through/discuss the reasoning behind any of our questions or our ID SHPO guidance at any point.

If you have any questions, please don't hesitate to reach out.

Thanks,
Lindsay

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IDAHO STATE
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Lindsay D. Johansson

State Archaeologist
Idaho State Historic Preservation Office

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