



U.S. Department
of Transportation
**Federal Aviation
Administration**

Western-Pacific Region
Airports Division

San Francisco Airports District Office
1000 Marina Boulevard, Suite 220
Brisbane, CA 94005

August 24, 2018

Ms. Julianne Polanco
California State Historic Preservation Officer
State of California, Office of Historic Preservation
1725 23rd Street, Suite 100
Sacramento, CA 95816

Subject: Proposed Airport Perimeter Fence, Tulelake Municipal Airport (O81), Modoc County, California - Cultural Resources Inventory and Effects Assessment; and Next Steps in the National Historic Preservation Act, Section 106, Consultation Process; and Request for Concurrence

Dear Ms. Polanco:

This letter continues consultation between the Federal Aviation Administration (FAA) and you as the California State Historic Preservation Officer (SHPO) under the National Historic Preservation Act (NHPA), Section 106, for the proposed perimeter fence project (undertaking) to enhance safety at the Tulelake Municipal Airport (Airport), Newell, Modoc County, California. This letter includes:

- A further discussion regarding identification of historic properties on or eligible for the National Register of Historic Places (NRHP) within the Area of Potential Effect (APE).
- The Tulelake Municipal Airport, Modoc County, California, Wildlife Hazard Site Visits Report (Attachment 1).
- A chronology of this NHPA, Section 106, consultation (Attachment 2) including involvement of additional consulting parties.
- The Cultural Resources Inventory and Effects Assessment for the Airport Perimeter Fence Project prepared by the cultural resources consultant for Modoc County (Attachment 3).
- The FAA's assessment of adverse effects of the fence project on historic properties.
- Draft Memorandum of Agreement (MOA) between the FAA and the SHPO regarding the Tulelake Municipal Airport Perimeter Fence Project (Attachment 4).
- Transmittal letter regarding Cultural Resources Inventory and Effects Assessment to the additional consulting parties (Attachment 5).
- Transmittal letter regarding Cultural Resources Inventory and Effects Assessment to Federally Recognized Tribes (Attachment 6).
- Notification to the Advisory Council on Historic Preservation (ACHP) of an adverse effect determination and invitation to participate in the consultation. (Attachment 7).
- Identifies next steps in the NHPA, Section 106 consultation process.

Background

The Airport is located on property conveyed to the City of Tulelake by the United States government in 1951 in accordance with Section 16 of the Federal Airport Act of 1946, for use for airport purposes. The City of Tulelake has subsequently leased the Airport to the County of Modoc, which acts as the airport sponsor and is responsible for oversight of its operations. The current long-term lease between the City of Tulelake and the County of Modoc extends through September 2044. The County of Modoc is the proponent for the proposed Airport fence project.

The Airport is located on a portion of the former Tule Lake Segregation Center (TLSC), one of ten War Relocation Centers where Japanese-American United States citizens and legal residents were incarcerated during World War II in accordance with Executive Order 9066. The United States government subsequently apologized for that action in the Civil Liberties Act of 1988.

Purpose of the Proposed Project

The proposed Airport perimeter fence project is to construct approximately 16,000 linear feet of an 8-foot woven-wire (cyclone) fence without barbed wire to enclose the Airport. The purpose of the proposed fence is enhance safety by minimizing the potential for aircraft-wildlife collisions (primarily by deer, coyotes, and dogs), and minimize the potential for people, both pedestrians and in vehicles, to inadvertently encroach on the Airport's runway. The *Tulelake Municipal Airport, Wildlife Hazard Site Visit Reports* (Attachment 1) describes the wildlife-aircraft strike hazard concerns in more detail.

Chronology of the National Historic Preservation Act, Section 106, Consultation for the Proposed Airport Perimeter Fence, Tulelake Municipal Airport, Modoc County

A detailed chronology of actions to date regarding this Section 106 consultation is attached (Attachment 2).

Historic Properties On or Eligible for Listing on the NRHP Within the APE

The SHPO has previously concurred with the FAA's determination of the Direct and Indirect Areas of Potential Effect (APE) (Figure 3 of Attachment 3). The FAA and the SHPO also agreed that an approximately 2,640-foot remnant of the original TLSC security fence on Airport property is individually eligible for listing on the NRHP under Criterion A (Events). The FAA and the SHPO agreed that the TLSC National Historic Landmark (a portion of the World War II Valor in the Pacific National Monument – Tule Lake Unit) that is located approximately 0.25 miles southwest of the Airport property boundary is listed on the NRHP. The FAA and the SHPO also agreed that the entire Indirect APE is eligible for listing on the NRHP as an eligible TLSC Historic District under NRHP Criterion A (Events).

The cultural resources consultant surveyed the Direct APE on March 28, 2017 for any historic properties that would be physically affected by the proposed fence project as part of the *Cultural Resources Inventory and Effects Assessment for the Airport Perimeter Fence Project, Tulelake Municipal Airport, Modoc County, California* (Attachment 3). No individually-eligible historic properties or contributing resources to the NRHP-eligible historic district are within the Direct APE for the fence project. There are three resources just beyond the Direct APE on Airport property that contribute to the eligibility of the NRHP-eligible historic district but are not individually eligible for the NRHP. These are the Block 71 and Block 73 concrete latrine slabs, and the remnants of the concrete TLSC guard tower footings, described on pages 27 to 30 of Attachment 3.

As described on page 9 of the Attachment 3, there are numerous other buildings, structures, and objects in the Indirect APE, many of which are remnants of the TLSC. The National Park Service completed a draft evaluation of these buildings, structures and objects in its 2004 *Draft Tule Lake Historic Resources Inventory*. Only a fraction of the buildings, structures and objects evaluated in the 2004 Inventory were located on Airport property. Even assuming that these are contributing elements to the potential TLSC Historic District, none of these additional buildings, structures, or objects are located sufficiently close to the Airport fence project to be affected by the undertaking either directly or indirectly.

The FAA's consideration of NRHP eligibility within the direct and indirect APE included traditional cultural properties (TCPs) and was informed by the July 11, 2013 *Tule Lake Segregation Center Statement of National Register Eligibility under Criteria A and B as a Traditional Cultural Property*, submitted by the Tule Lake Committee. The FAA reviewed the detailed information and perspectives presented in the document and concluded that the property does not qualify as a TCP. The FAA recognizes the significance of the historic events associated with the TLSC and considers the Indirect APE within the former TLSC boundary eligible for the NRHP as a Historic District under Criterion A with a period of significance of 1942-1946. However, the FAA does not agree with the conclusions in the TCP statement submitted by the Tule Lake Committee that the visits and biennial pilgrimages that began well after closure of the TLSC constitute an independent basis for National Register eligibility or meet the characteristics of a TCP described in National Register Bulletin "*Guidelines for Evaluating and Documenting Traditional Cultural Properties*."

The FAA considers the work undertaken to date, combining field surveys and review of existing documentation, to be a reasonable and good faith effort to carry out appropriate identification efforts for historic properties relative to the Airport fence project in accordance with 36 CFR section 800.4 (b) (1). For purposes of Section 106, the FAA will consider any extant remnants of the TLSC located within the Indirect APE to be potential contributing elements to the NRHP-eligible TLSC Historic District. We request your concurrence with this approach.

Determination of Effects of the Proposed Project on Historic Properties On or Eligible for the NRHP.

The proposed alignment of the Airport fence is shown on Figures 1, 2, and 3 of Attachment 3 as the Direct APE. The proposed alignment of the Airport fence avoids physical impacts to all identified sites of former TLSC facilities. The potential indirect effects of the proposed Airport fence project on historic properties are described in detail in Attachment 3 and summarized below.

Original TLSC Security Fence

The remnant of the original TLSC cyclone security fence within the Indirect APE will not be physically altered by the undertaking. The new fence would be located so that it would not obstruct the view of the original TLSC security fence from publicly accessible roads. However, installation of the new perimeter fence would introduce a new visual element in the vicinity of the remnant TLSC security fence. This is considered an adverse visual effect on the remnant TLSC fence because it would introduce a visual element that would diminish the integrity of the property's feeling and association with the TLSC 1942 – 1946 time period in the vicinity of the remnant TLSC fence. Potential mitigation methods to resolve this adverse effect are discussed under *Potential Protective Measures*.

TLSC National Historic Landmark

As the TLSC NHL is located approximately 0.25 mile southwest of the southern extent of the Airport perimeter fence there will be no physical effect from the undertaking on the TLSC NHL. Due to the distance and existing visual obstructions between the TLSC NHL and the Airport, including the existing cyclone fence that already encloses the TLSC NHL, the undertaking will not result in an adverse visual change to the TLSC NHL.

NRHP-eligible TLSC Historic District

Construction of the proposed fence will not physically affect any of the three identified contributing elements to the NRHP-eligible TLSC Historic District located outside of, but adjacent to, the Direct APE. These contributing elements are the guard tower footings and the Block 71 and Block 73 concrete latrine slabs.

Other than in the immediate vicinity of the remnant of the original TLSC security fence as described above, implementation of the undertaking would not change the character of any physical features within the NRHP-eligible historic district that contribute to its historic significance, nor would it introduce any visual, atmospheric or audible elements that would diminish the overall integrity of the setting, feeling or association of the district. The airport portion of the former TLSC was enclosed by a woven wire security fence during its period of historical significance from 1942 – 1946. Therefore, installation of the proposed airport perimeter fence in areas where either 4-strand barbed wire livestock fence, or no fence, currently exists, does not introduce a new visual feature that would adversely affect the setting, feeling or association of the NRHP-eligible TLSC Historic District with respect to its historical significance from 1942 – 1946.

Change in public access to the existing Airport

The FAA recognizes that completing the Airport fence project would change the uncontrolled public access to the Airport that exists today. The Fixed-Based Operator and other airport tenants would access the airport through access gates, which would otherwise be locked to prevent uncontrolled access to the airport operations area including the runway. Modoc County and the Fixed-Based Operator would be contacted for access to the airport. However, a change in public access to the Airport does not affect the characteristics that contribute to the eligibility of the NRHP-eligible TLSC Historic District because the change in access does not diminish the characteristics of contributing resources which qualify the district for listing under NRHP Criterion A.

According to the April 13, 2005 *Tule Lake Segregation Center National Historic Landmark* nomination and the July 11, 2013, Tule Lake Committee, *Tule Lake Segregation Center, Traditional Cultural Property Significance Statement*, the first documented organized visit to the TLSC considered a pilgrimage was organized in 1969 by a Japanese-American student group from the University of California at Davis. In 1974, the Tule Lake Committee began regularly organizing pilgrimages to the site intended “to bring together a Japanese American Diaspora honoring the memory and meaning of Tule Lake.” This indicates that the use of the former TLSC as a place for Japanese Americans to gather and revisit the difficult memories it evokes in a highly organized manner dates to at least 23 years after closure of the TLSC. As noted above, the FAA considered the argument for the eligibility of the TLSC as a TCP and concluded that the biennial visits organized by the Tule Lake Committee - termed pilgrimages by the Committee –

or visits by other visitors to this NRHP-eligible Historic District, had not established an additional basis of eligibility for the NRHP as a TCP.

Nonetheless, the FAA anticipates that Modoc County would partner with the National Park Service and other organizations to provide access to the members of the public interested in visiting the Airport due to its historic connections with the former use of the site as part of the TLSC. The National Park Service currently provides limited access to the nearby TLSC NHL portion of the Valor in the Pacific National Monument – Tule Lake Unit, with one Saturday tour per week between Memorial Day and Labor Day. The National Park Service provides other tours of the TLSC NHL by appointment and subject to limitations of National Park Service staffing.

Protective Measures

Modoc County and the FAA have considered various measures to minimize the potential of the undertaking to adversely affect historic properties. The undertaking avoids any physical impact to the remnant security fence which has been determined NRHP-eligible. The undertaking also avoids physical impact to the other three TLSC features near the proposed fence– the Block 71 and Block 73 concrete latrine slabs, and the remnants of the concrete TLSC guard tower footings, which contribute to the NRHP-eligible historic district. The undertaking also avoids crossing through the specific former locations of individual TLSC barracks before their removal in 1946. These avoidance measures have minimized physical impacts of the undertaking on historic properties.

However, the proposed undertaking will result in an adverse visual effect on the remnant of the original TLSC security fence. To resolve the adverse effect of the proposed undertaking on the viewshed of the remnant TLSC security fence, located within the Indirect APE, adjacent but outside the Direct APE, the cultural resources consultant proposed the following two mitigation measures. If the mitigation measures below, or other mitigation measures to resolve the adverse effect, are agreed to by the SHPO, the FAA, and Modoc County, and, if they participate, the ACHP, the measures would be incorporated into a Memorandum of Agreement (MOA) in accordance with 36 C.F.R. section 800.6 *Resolution of Adverse Effects* and will be detailed in the Environmental Assessment for the proposed undertaking. A Draft MOA to resolve the adverse effect is included as Attachment 4. Additional parties may be identified as either signatories or concurring parties to the proposed MOA.

- Mitigation Measure 1: An additional low 1-to-2 foot high fence will be installed between the remnant of the original TLSC security fence segments and the existing roads to discourage inadvertent damage to the remnant fence by the public. This low fence will deter the public from physically disturbing the remnant fence without introducing a large further visual disturbance of the feeling and association of the original security fence with the TLSC.
- Mitigation Measure 2: To further resolve the adverse effect of the undertaking on the surviving 2,640-foot-segment of the original TLSC security fence, as a condition of project approval the FAA will require Modoc County install an interpretive display regarding the TLSC in the vicinity of the existing remnant of the TLSC security fence to be accessible from a publicly accessible road.

The FAA and Modoc County recognize that the mitigation measures proposed above introduce additional visual elements to the location that are not essential to the purpose of the undertaking to exclude deer, coyotes, and dogs from the Airport, and to control pedestrian and vehicle access to the Airport. Therefore, FAA requests your comments regarding the proposed mitigation to resolve the adverse effect. This letter will be transmitted to the other consulting parties requesting their comments regarding the proposed mitigation to resolve the adverse effect.

In addition to the mitigation measures described above to resolve the adverse effect of the proposed airport fence on the existing remnant of the original TLSC security fence, during construction of the fence project, Modoc County will implement a Cultural Resources Monitoring Program as described in detail in Attachments 3 and 4. This monitoring would include:

- Construction monitoring of initial ground-disturbing activity within the Direct APE by a qualified archaeologist who meets the Secretary of Interior's Standards for archaeologists (36 CFR part 61).
- The federally recognized tribes associated with the project area, the Klamath Tribes and the Modoc Tribe of Oklahoma, will be informed of the construction schedule and given the opportunity for a Native American monitor to be present during ground-disturbing activity being monitored by the archaeological monitor.
- Procedures as described in the Attachment 3 Cultural Resources Report page 38, and the Attachment 4 MOA, will be put in place to address inadvertent discoveries of cultural resources.
- Construction crew archeological awareness training will occur prior to construction as described in the Attachment 3 Cultural Resources Report page 38, and the Attachment 4 MOA.
- In the event of the discovery of human remains, the procedures described in the Attachment 3 Cultural Resources Report page 38, and the Attachment 4 MOA will be followed.

Involvement of Additional Consulting Parties and the General Public

Federally recognized tribes and other consulting parties have been regularly involved in the NHPA Section 106 consultation for this undertaking as described in the Chronology (Attachment 2) in accordance with 36 C.F.R. sections 800.2 (c) (2), 800.2 (c) (3), and 800.2 (c) (5). During 2016, Modoc County and the FAA held a series of environmental conflict resolution meetings including the City of Tulelake, Siskiyou County, federally recognized tribes, historic preservation groups, and other consulting parties facilitated by the United States Institute for Environmental Conflict Resolution (USIECR) with assistance from the United States Department of Interior Office of Collaborative Action and Dispute Resolution.

In these meetings the USIECR acted as a neutral, third-party facilitator to assist the participants in reaching a consensus regarding the proposed airport fence project. This effort was unsuccessful. As documented in Attachments 5 and 6, the additional consulting parties and federally recognized tribes who participated in the conflict resolution meetings are concurrently receiving the Cultural Resources Inventory and Effects Assessment for the Airport Perimeter Fence Project (Attachment 3 - Redacted or Unredacted as appropriate) provided to you in this letter. The FAA will consider their comments and provide those comments to you as we work with you to finalize a MOA to resolve the adverse effects of the undertaking. Modoc County will be circulating for public review and comment a Draft Environmental Assessment of the airport fence project prepared in accordance with the National Environmental Policy Act.

Evaluation of Airport Relocation as an Alternative to Implementing the Proposed Airport Fence Project

Some historic preservation groups that participated in the environmental conflict resolution meetings for this project advocated relocating the Airport as an alternative to constructing this airport fence project, and subsequently adding the existing Airport to the World War II Valor in the Pacific National Monument – Tule Lake Unit. The construction cost for the proposed perimeter fence project is approximately \$206,000 to \$256,000 (approximately \$13.00 to \$16.00 per linear foot of fence for approximately 16,000 linear feet of 8-foot tall woven, wire fence). Selecting a new airport location, completing federal and local environmental impact analyses, procuring property to construct an airport, and constructing an entire new airport, would take a number of years and, based on past FAA experience, be a multimillion dollar undertaking. As the purpose of the proposed fence is to enhance safety of the existing airport, waiting many years to relocate aviation activity to an unspecified future airport is not a reasonable alternative to address the purpose and need for this project.

Removing the existing airport and converting the property to a historical site is also not a reasonable alternative. Moving the existing airport is outside the authority of the airport sponsor, Modoc County. Pursuant to the Federal Airport Act of 1946, the Federal land patent conveying the airport property from the Federal Government to the City of Tulelake restricted the property's use to airport purposes. Based on the recorded land patent, if the property is not used for airport purposes, it would revert to Federal Government.

Next Steps

The FAA requests your concurrence within 30 days of receipt of this letter that our identification of properties on or eligible for the NRHP within the Direct and Indirect APE is sufficient to proceed with this consultation. We additionally request your concurrence with the FAA's determinations of no effect, no adverse effect, and adverse effect on the various historic properties evaluated in this NHRP, Section 106, consultation. We also request you provide within 30 days of receipt of this letter any comments you may have on the attached Draft MOA which identifies protective measures to resolve the adverse effect of the undertaking.

We are concurrently distributing this letter to the additional consulting parties and federally recognized tribes that have previously participated in this consultation. We are requesting their comments within 30 days of receipt of the letter regarding our determination of no effect, no adverse effect, and adverse effect of the proposed undertaking on the historic properties identified in this letter and Attachments, and the adequacy of the proposed mitigation measures identified in the attached draft MOA to resolve the adverse visual effect. We will advise you of any comments we receive.

In accordance with 36 CFR section 800.6 (a) (1) (Attachment 7), we are inviting the Advisory Council on Historic Preservation (ACHP) to participate in this NHPA, Section 106, consultation and development of a MOA to address the adverse effect of the undertaking.

If you have questions regarding this letter, please call Ms. Laurie Suttmeier, Assistant Manager, San Francisco Airports District Office (SFO ADO), at (650) 827-7602, or Mr. Douglas Pomeroy, Environmental Protection Specialist, SFO ADO, at 650-827-7612, as my temporary assignment as Acting Manager of the SFO ADO will end at the end of August.

Sincerely,

Original signed by

Patrick W. Magnotta
Acting Manager, San Francisco Airports District Office

Compact Disks including all attachments

Attachment 1:

The Tulelake Municipal Airport, Modoc County, California, Wildlife Hazard Site Visits Report.

Attachment 2:

Tulelake Municipal Airport, Perimeter Fence Project, National Historic Preservation Act, Section 106, Consultation Chronology

Attachment 3:

The Redacted and Unredacted Cultural Resources Inventory and Effects Assessment for the Airport Perimeter Fence Project prepared by the cultural resources consultant for Modoc County.

Attachment 4

Draft Memorandum of Agreement (MOA) between the FAA and the SHPO regarding the Tulelake Municipal Airport Perimeter Fence Project

Attachment 5:

Transmittal letters regarding Cultural Resources Inventory and Effects Assessment to the additional consulting parties.

Attachment 6

Transmittal letter regarding Cultural Resources Inventory and Effects Assessment to Federally Recognized Tribes

Attachment 7

Notification to the Advisory Council on Historic Preservation of an adverse effect determination and invitation to participate in the consultation.

Cc: Mitch Crosby, Modoc County Road Commissioner w/attachments

Attachment 1

Wildlife Hazards Site Visits Report

WALLACE ENVIRONMENTAL CONSULTING, INC.

P.O. Box 266
Courtland, CA 95615
(916) 775-2380

jim@wallaceenvironmental.com

October 13, 2016

Mr. Mitch Crosby
Roads Commissioner
County of Modoc
202 W. 4th Street
Alturas, CA 96101

Subject: Tulelake Municipal Airport, Modoc County, California, Wildlife Hazard Site Visits Report

Wallace Environmental Consulting and CSCON have completed the wildlife hazard site visits (WHSV) at the Tulelake Municipal Airport near the community of Newell in northwestern Modoc County, California. These WHSVs occurred during the periods July 15th through the 17th and October 24th through the 26th, 2015; and March 24th through the 26th, 2016. The WHSVs identified wildlife hazards from birds and mammals and recommends that a fence be constructed around the airport to keep deer, coyotes, and dogs off of the active airfield. The WHSV does not recommend any specific fence specifications or an exact location, as there are multiple alternative configurations that could serve the purpose of separating deer, coyotes, and dogs from the aircraft operations area.

Since the airport is located between two national wildlife refuges and is virtually surrounded by irrigated agricultural lands all which attract birds, a wide variety of bird species forage and cross the airport. The irrigation ditches and canals which border the airport on three sides attract water fowl and flocking birds. Without installing sophisticated bird mitigation measures or implementing on-airport management techniques, there is little to be done to reduce the potential bird strike hazard. If you have any questions, or need further clarification, please contact us.

Regards,
Jim Wallace
Wallace Environmental Consulting, Inc.



4141 Ramsey Circle
Carson City, Nevada 89706-0550

October 10, 2016

Jim Wallace
Wallace Environmental Consulting, Inc.
P.O. Box 266
Courtland, CA 95615

RE: Tulelake Municipal Airport, Modoc County, California, Wildlife Hazard Site Visits Report

CSCON is pleased to present its findings of the wildlife hazard site visit (WHSV) for the Tulelake Municipal Airport, Modoc County, California.

The Federal Aviation Administration (FAA) lacks congressional authority to issue operating licenses or to inspect General Aviation (GA) airports. The FAA only inspects and issues operating certificates to airports which obtain operating certificates to have scheduled commercial air passenger service with aircraft of 10 seats or more or unscheduled commercial air passenger service of 31 seats or more under Title 14 of the Code of Federal Regulations Part 139 *Certification of Airports* (14 CFR 139). However, GA airports that have accepted Airport Improvement Program (AIP) monies or other federal grants-in-aid (obligated airports) are bound by the Airport Grant Assurances, particularly Assurance 19 *Operation and Maintenance*; Assurance 20, *Hazard Removal and Mitigation*; and Assurance 21, *Compatible Land Use*. These three Assurances have a direct bearing on addressing hazardous wildlife problems at a GA airport.

Obligated GA airports are also bound by the requirements of FAA Advisory Circular 150/5200-33 *Hazardous Wildlife Attractants on or near Airports*¹. Also, while no wildlife strikes have been reported to the FAA Wildlife Strike Database, the Tulelake Municipal Airport is in a rural area and is mostly unfenced. Carter Schleicher Consulting (CSCON) staff conducted three site visits, three days each, to identify wildlife on and near the airport that might be hazardous to aircraft operations. These Wildlife Hazard Site Visits occurred during the periods July 15th through the 17th and October 24th through the 26th, 2015; and March 24th through the 26th, 2016.”

Airport Setting

Tulelake Municipal Airport is located on 358 acres one half mile east of the unincorporated community of Newell, Modoc County, California within the Klamath Basin approximately 20 miles south of Klamath Falls, Oregon and 60 miles northwest of Alturas, the Modoc County seat, in northeastern California. The airport is surrounded by agricultural lands with scattered residences (Figure 1). Modoc County consists of small rural population centers that are isolated due to mountainous terrain and limited road systems. The airport serves the northwestern portion of Modoc County, northeastern Siskiyou County and the Klamath Basin in Southern Oregon. The Tulelake Municipal Airport is used by agriculture, business, recreation, medical and emergency aircraft.

¹ Transportation Research Board. Airport Cooperative Research Program Report 32, Guidebook for Addressing Aircraft/Wildlife Hazards at General Aviation Airports, 2010, pages 4-5.

The majority of Modoc County is mountainous and forested, with areas of large shallow lakes and meadows. Over 65% of the county’s total land area is in federal or state ownership. Timber management, watershed management, agriculture, ranching and recreation dominate land uses in the county. In the vicinity of the airport, land development is concentrated near Newell along State Highway 139.

The City of Tulelake, leases the airport to Modoc County. The average elevation of the airport is 4,044 feet. It has one active asphalt paved runway: 11-29 is 3,577 feet long and 44 feet wide.

Table 1. 2014 Airport Operational Statistics*

Aircraft Type	No. of Aircraft	% of Operations	Aircraft Operations: avg. 36/day
Aircraft based on field	8	72	Local general aviation
Single engine planes	8	24	Transient general aviation
		4	Air taxi

Source: <http://www.airnav.com/airport/O81>

*FAA information effective May 26, 2016

Aeronautical services are available locally through Macy’s Flying Service the Fixed-Base Operator (FBO) whose services include fuel (100LL, Jet A), tiedowns, and minor airframe and powerplant services.

Methodology

CSCON staff conducted serpentine, pedestrian transects throughout the airport property. In addition, it conducted windshield level surveys in the area around the airport out to 5 miles.

Wildlife On or Near Tulelake Airport

On July 15, 2015, CSCON staff interviewed Nick Macy of Macy’s Flying Services (FBO). The FBO employees have seen the following species on the airport: coyote, domestic dog, badger, ground squirrel, jackrabbit and deer. They have chased deer from the aircraft hangars. In the past, airport staff has seen cattle intrude onto the airport from the east during the winter and from the south during the summer. In 2016, a coyote group was denning in the south end of the airport.

Vegetated portions of the airport which provide habitat include the east half of the airport, north and south of the runway and west of the taxi way south of the hangars.

Table 2 identifies the species and numbers of wildlife on or near the airport which were observed during field surveys.

Table 2 Wildlife On or Near the Tulelake Airport

Trip/Date	7/15-7/17 2015	10/23-10/25 2015	3/24-3/26 2016	Total
<i>Bird Species</i>				
Double crested cormorant			8	8
Western grebe	2			2
Great blue heron	3	4	7	14
Snowy egret	2			2
Black-crowned night heron	2			2
White faced ibis	17			17
Canada goose	5		15	20
White-fronted goose			787	787
Mallard	5	2	7	14
Lesser scaup			19	19
Bufflehead			5	5
Ducks, unidentified			23	23
Common merganser			177	177
Ferruginous hawk		1		1
Swainson's hawk	4			4
Red-tailed hawk	7	8	27	42
Northern harrier		13	29	42
Turkey vulture	6		7	13
Prairie falcon			1	1
American kestrel	3	6	2	11
Great horned owl		3		3
Barn owl		1		1
California quail	11	27		38
Black-bellied plover	1			1
Gull	2		48	50
Rock pigeon		7	35	42
Eurasian collared-dove	8	7	12	27
Mourning dove	9			9
Horned lark			34	34
Cliff swallow	35			35
Barn swallow	5			5
Raven		17		17
American robin	25	10		35
Western meadowlark	17	167	38	222
Starlings		153	34	187
Song sparrow	134	231		365
Savannah sparrow	179	247	6	432
Blackbirds			230	230
Mixed flock of gulls and blackbirds			235	235
Total				3172

Trip/Date	7/15-7/17 2015	10/23-10/25 2015	3/24-3/26 2016	Total
<i>Mammal Species</i>				
Coyote	a	a, b	a, b	
domestic dog	2	2	13	17
domestic cat	2	1	1	4
Mule deer	1, a	a	a, c	1
California ground squirrel	4, a	a	9/ many, a	13
Black-tailed jackrabbit	7	3, a	9,a	19
Total				54
a: scat throughout the airport property with various aging classes, black (fresh) to light gray (older)				
b: coyote dig of rodent hole				
c: deer tracks				
<i>Reptile Species</i>				
Common garter snake			1	1

There are no specific bird movement patterns on or near the airport. Birds move throughout the Lower Klamath Basin to meet their food, water and cover requirements.

The waterfowl and shorebirds congregated in irrigation canals and ditches to the north, east and south of the airport with the major concentrations in a large irrigation canal (Figure 2) east of the airport, north of the pumping station. White fronted geese occurred in the agriculture fields north of the airport.

Blackbirds and starlings tended to perch on the utility lines around the perimeter of the airport. Congregations of both species were also on the utility lines at the silos that are west of the northwest corner of the airport. North of the airport Blackbirds and gulls were parts of the mixed species flock in agricultural fields.

Raptors perched on the utility poles around the perimeter of the airport also took advantage of the thermal air currents to hunt. Turkey vultures tended to perch on the airport fence in the southeast and soared while hunting over the airport at different altitudes. Marsh hawks tended to perch on the south fence line and hunt the vegetated southern portion of the property and the adjacent fallow field to the south.

Pigeons and doves tended to congregate near human habitation. The majority of these sightings were in the Newell subdivision to the west and adjacent to the airport. Other sightings were in the agricultural storage sheds west of the airport. One pair of doves was attempting to establish a nest in the aircraft hangars.

Swallows hunted insects over the irrigation canals and ditches.

Ravens tended to fly southwest/northeast over the airport; no specific origins or destinations were determined. A few ravens scavenged at the Modoc County solid waste transfer station on the southwest corner of the airport. Refuse was maintained in secured containers.

Sparrows, quail and horned larks tended to move between the vegetation inside and outside of the east and south fence lines.

Domestic cats and dogs moved between the Newell subdivision and the airport.

Coyote scat was dispersed throughout the airport and along the east perimeter road. Diggings were found in the vegetated area of the east half of the airport property.

Two southwest-northeast trending deer trails are found in the south half of the airport. Deer scat was found throughout the airport. Deer tracks were found in the aircraft hangar area and during the first site visit, CSCON chased a buck from an aircraft hangar.

Ground squirrels and jackrabbits were noted throughout the airport.

Hazardous Wildlife Attractants On or Near the Airport

The FAA Advisory Circular 150/5200-33B identifies hazardous wildlife attractants on or near airports to include:

- Waste disposal operations
- Water management facilities
- Wetlands
- Dredge spoil containment areas
- Agricultural activities
- Golf courses, landscaping and other land use considerations

Wildlife attractants on or near Tulelake Airport include waste disposal operations, wetlands, agricultural activities and landscaping.

The Modoc County solid waste transfer station is located in the southwestern corner of the airport. The refuse and recycling materials are contained in secure bins. The larger recyclables, such as refrigerators, are not contained. Wildlife was scarce during all visits. A few ravens were attempting to find scraps to forage. The large recyclables provide cover for ground squirrels.

Wetlands occur on the Clear Lake and the Tulelake National Wildlife Refuges (Figure 1). The Clear Lake National Wildlife Refuge is approximately seven miles east of the airport. The Tule Lake National Wildlife Refuge is within one mile west of the airport. The refuges control thousands of acres. Thousands of birds are attracted to the refuge and the region. Bird watching is a major economic draw to the region.

Agricultural activities occur throughout the region. Fields, irrigation canals and ditches are adjacent to the airport to the north, east and south. Agriculture fields provide foraging and resting areas for birds. Crops include alfalfa, onion, garlic and hay fields. Depending on the type of crop, irrigation practices may provide temporary “wetlands” for a number of species, including ibis, egrets and herons. The trees at the ranch homes (Figure 2), northeast and east of the airport provide nesting and perching for raptors. The irrigation canals and ditches provide foraging and resting areas for waterfowl and shore birds.

Landscaping west of the airport in Newell includes trees and shrubs which provides foraging and nesting habitat. The vegetated areas on the airport provide foraging areas for the smaller birds such as the sparrows, horn larks and quail. It also provides habitat for the ground squirrels, jackrabbits and mice. These are all prey species for the raptors.

Wildlife Hazards to Operations

In AC 150/5200-33B, the FAA has ranked 25 species groups as to relative hazard to aircraft. Table 3 provides the ranking of these groups.

Table 3. Ranking of 25 Species Groups as to Relative Hazard* to Aircraft**
 (Based on three criteria (damage, major damage, and effect-on-flight), a composite ranking based on all three rankings, and a relative hazard score. Data were derived from the FAA National Wildlife Strike Database, January 1990–April 2003.)

Ranking By Criteria					
Species group	Damag	Major	Effect on	Composite	Relative
Deer	1	1	1	1	100
Vultures	2	2	2	2	64
Geese	3	3	6	3	55
Cormorants/pelicans	4	5	3	4	54
Cranes	7	6	4	5	47
Eagles	6	9	7	6	41
Ducks	5	8	10	7	39
Osprey	8	4	8	8	39
Turkey/pheasants	9	7	11	9	33
Hérons	11	14	9	10	27
Hawks(buteos)	10	12	12	11	25
Gulls	12	11	13	12	24
Rock pigeon	13	10	14	13	23
Owls	14	13	20	14	23
H. larks/s. bunting	18	15	15	15	17
Crows/ravens	15	16	16	16	16
Coyote	16	19	5	17	14
Mourning dove	17	17	17	18	14
Shorebirds	19	21	18	19	10
Blackbirds/starling	20	22	10	20	10
American kestrel	21	18	21	21	9
Meadowlarks	22	20	22	22	7
Swallows	24	23	24	23	4
Sparrows	25	24	23	24	4
Nighthawks	23	25	25	25	1

*1=most hazardous

**Data were derived from the FAA National Wildlife Strike Database, 1990-April 2003

Numerous species on this list occur on and near the airport. These include: deer, vultures, geese, cormorants, ducks, herons, hawks, gulls, rock pigeons, owls, horned larks, ravens, coyote, mourning dove, blackbirds/starlings, American kestrel, meadowlarks, swallows and sparrows.

The greatest wildlife hazard to aircraft is during takeoff and landing. This includes the time spent on the runway during these activities.

On an airport there are three wildlife activities that can create the greatest hazards: large solitary birds that could enter the flight path during takeoff and landing. These would be birds include vultures, geese, ducks and raptors. These birds have such a body mass that could cause damage

to the aircraft. As noted in Table 3, these birds are ranked high (hazardous) in the nationwide composite score.

The second circumstance is the disturbance of flocks of birds by the aircraft as the flock flies into the flight path. On the airport, flocks of black birds, starlings, white fronted geese and a mixed flock of gulls and blackbirds were observed. The hazard to aircraft is created by the cumulative mass of the flock. As shown on Table 3, a strike of an individual black bird or starling is not rated as a very high hazard. However, the cumulated mass of a flock could cause sufficient damage to the aircraft.

The first 500 feet of altitude from the ground is the danger zone for individual bird strikes or flocks.

The third circumstance is aircraft runway encounters with medium and large mammals. The mammals that could be encountered Tule Lake Airport are deer, coyote and domestic dog. As shown on Table 3, nationwide deer encounters are considered the most hazardous. In addition to aircraft damage, deer can cause an aborted takeoff, an engine shutdown or a precautionary landing.

Recommended Actions to Reduce Wildlife Hazards

There are three main wildlife hazards associated with aircraft operations at the Tulelake Municipal Airport:

Solitary, large mass bird: these species move through the aircraft flight paths fairly quickly, pilots need to be observant for these birds in flight. If vultures are congregating on the ground, airport staff should inspect the area and remove any carcasses.

Flocking birds: flocks observed were off the airport and on private land. There are no recommended aversion techniques that the airport may use on private lands. Pilots need to communicate potential flock hazards with each other during operations of the FBO.

The existing airport fence is a combination of chain-link, four-strand barbed wire, and long reaches of non-existent fence. A deer fence would eliminate the continuous intrusion of deer and coyotes on the airport and decrease the potential risk for a hazardous strike from these species. The current condition and types of fencing or lack of fencing, allows intrusion of large mammal species onto the airport creating a hazard to aircraft.

Furthermore, a detailed wildlife hazard assessment is not justified. It is clear that a fence is needed to exclude deer, and dogs, and a more detailed evaluation of bird species seasonal occurrences would not provide substantially better data for deterrent techniques for birds. Therefore, collecting data for a 12-month Wildlife Hazard Assessment is unlikely to yield significant additional information that would modify current recommendations. Effectively restricting deer, coyote, and dog access to the airport will require fence installation. The presence of large wildlife refuges in the vicinity of the airport results in substantial bird populations occurring in the vicinity of the airport, although minimizing the attractiveness of the habitat on the airport would be of value in minimizing the potential for wildlife-aircraft strikes in the immediate vicinity of the airport.

Carter Schleicher, C.W.B.[®]

FIGURE 1
TULELAKE MUNICIPAL AIRPORT
WILDLIFE HAZARD SITE VISITS
OCTOBER 2016
CSCON, Carson City, NV

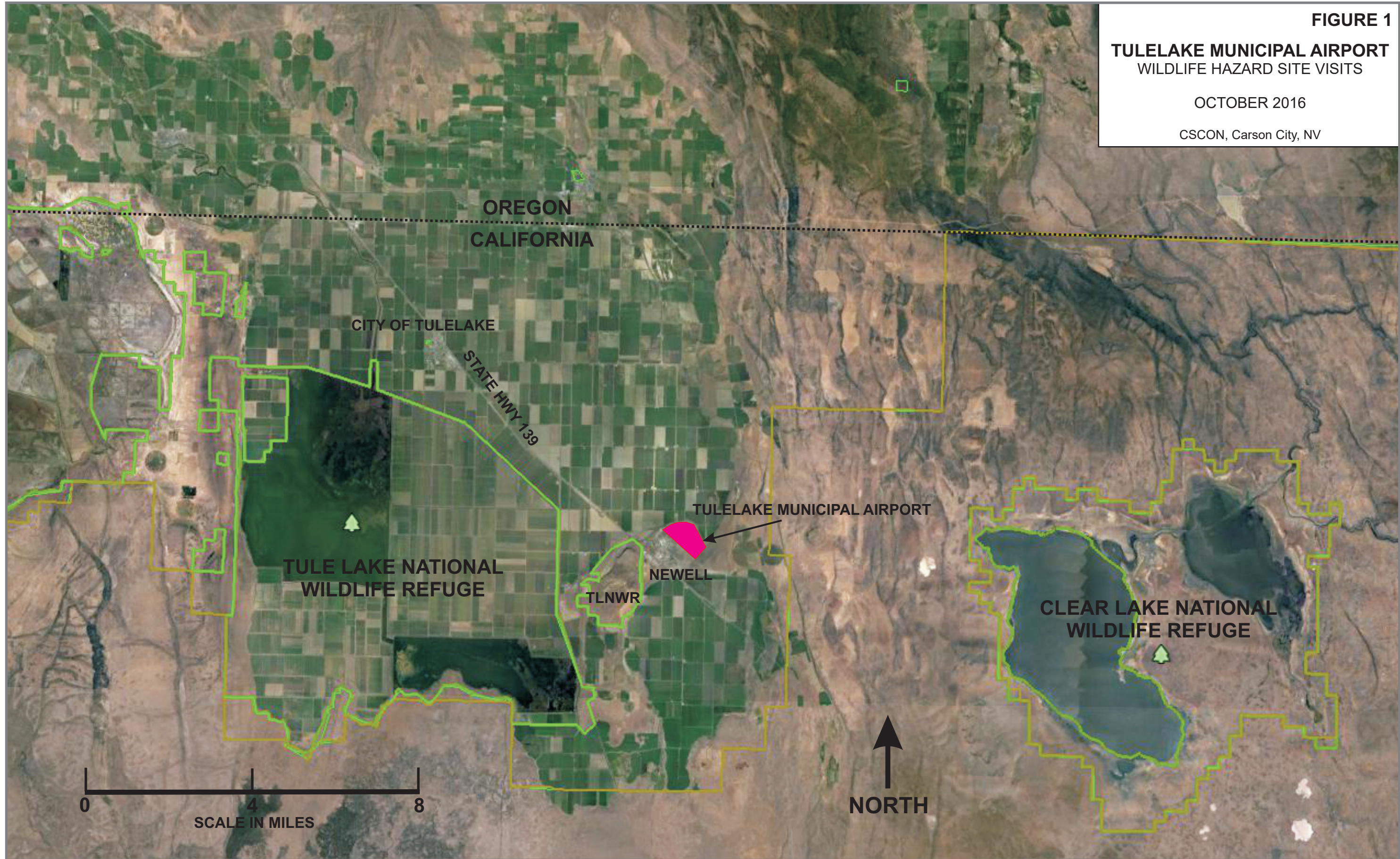





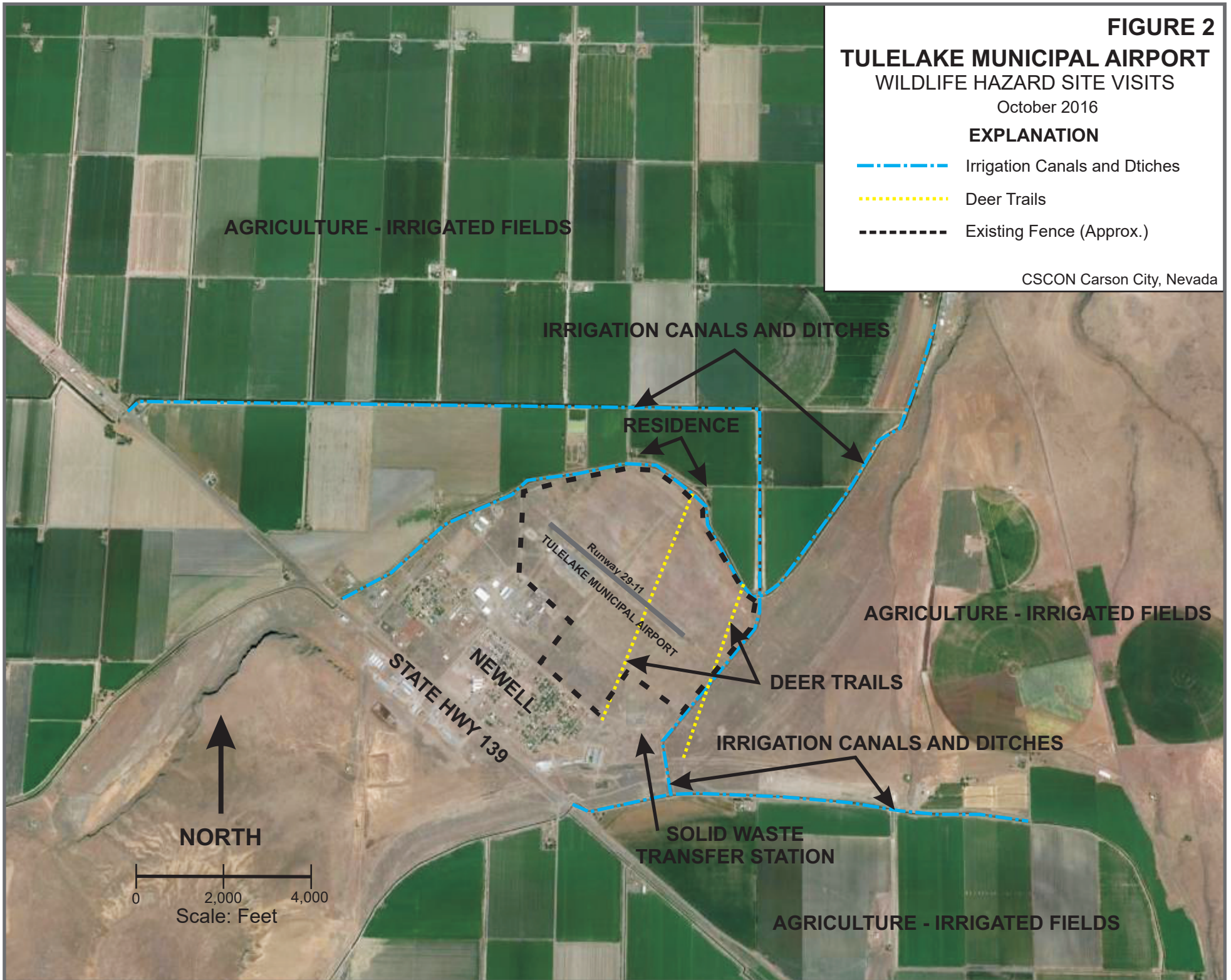
FIGURE 2
TULELAKE MUNICIPAL AIRPORT
WILDLIFE HAZARD SITE VISITS

October 2016

EXPLANATION

-  Irrigation Canals and Ditches
-  Deer Trails
-  Existing Fence (Approx.)

CSCON Carson City, Nevada



Attachment 2

Tulelake Municipal Airport Fence Project Chronology

Attachment 2.

Tulelake Municipal Airport, Perimeter Fence Project
National Historic Preservation Act, Section 106, Consultation Chronology

Calendar Year 2012

On January 12, 2012, the FAA issued letters to the Klamath Tribes and the Modoc Tribe of Oklahoma to request the tribes provide any comments regarding whether the proposed airport fence project might uniquely affect their Tribe. The FAA received no response to these letters although the Tribes subsequently did participate in meetings regarding this project that occurred later.

On May 2, 2012, the FAA and Modoc County issued an *Invitation to Interested Parties* letter to identify potential additional consulting parties as defined by 36 Code of Federal Regulations (C.F.R.) section 800.2 (c) (5) that might have a demonstrated interest in the proposed fence project and might participate as consulting parties due to the nature of their relation to the undertaking or affected properties, or their concern for the undertaking's effects on historic properties. This initial letter requested comments regarding whether any portions of the Airport property were eligible for listing on the NRHP, whether the proposed fence project would affect historic properties on or eligible for the NRHP, and requested comments regarding any ways to avoid or minimize potential effects of perimeter fence on historic resources.

The May 2, 2012, letter was primarily distributed to organizations and individuals that were already known to be interested in the history of the TLSC as the letter requested comments regarding whether any portions of the Airport property were eligible for listing on the NRHP, whether the proposed fence project would affect historic properties on or eligible for the NRHP, and requested comments regarding any ways to avoid or minimize potential effects of perimeter fence on historic resources. The letter also recognized that members of the public are interested in occasional visits to the Airport because of its former use as part of the TLSC and indicated that Modoc County and the FAA intended to provide such access in a manner consistent with aviation safety. As discussed later in this chronology, subsequent public and interested party communications added additional recipients with a broader range of interests.

The May 2, 2012 letter stated the proposed airport perimeter fence project was for an 8-foot cyclone fence without barbed wire. The purpose of the proposed fence is enhance safety by minimizing the potential for aircraft-wildlife collisions (primarily by deer), and minimize the potential for pedestrians and vehicles to inadvertently encroach on the Airport's runway.

Most comments received in response to the May 2, 2012 letter stated that the Airport was a historic property because of its former use as part of the TLSC, opposed construction of the perimeter fence, but did not propose any mitigation measure or alternative route for the airport fence to minimize the effects of the fence on historic properties. These comment letters were provided to SHPO as part of the Federal Aviation Administration (FAA) initial Section 106 submittal of March 20, 2013

Calendar Year 2013

By letter of March 20, 2013, the FAA, San Francisco Airports District Office, initiated the Section 106 consultation with the California State Historic Preservation Officer (SHPO)

regarding a proposed airport perimeter fence at the Tulelake Municipal Airport. That letter focused on identifying a Direct and Indirect APE for the proposed project, and identifying historic properties on or eligible for the NRHP within the Direct and Indirect APE that could be affected by the proposed project.

The SHPO response letter of June 26, 2016 stated the SHPO had no objection to the FAA's delineation of the APE and concurred with our determination that a remnant of the original TLSC security fence was individually eligible for the NRHP. That SHPO letter also suggested that the entire Airport property could be found eligible for the NRHP under National Register Criterion A (Association with historic events) as part of a larger historic property that also includes the TLSC National Historic Landmark (a part of the World War II Valor In the Pacific National Monument – Tule Lake Unit), which is located approximately 0.25 miles southwest of the Airport property boundary.

In the FAA December 6, 2013 letter to the SHPO, the FAA concurred with SHPO suggestion that the entire Airport property is eligible under NRHP Criterion A (Events) as part of a larger historic district that includes the TLSC National Historic Landmark, and the entire Direct and Indirect APE. In addition, the FAA found that portions of the Indirect APE as eligible for the NRHP under NRHP Criterion C (Design/Construction) as some areas within the Indirect APE still retain their original design and construction features.

The FAA also evaluated a document submitted on July 11, 2013 to the FAA and the SHPO by the Tule Lake Committee titled *Tule Lake Segregation Center Statement of National Register Eligibility under Criteria A and B as a Traditional Cultural Property*. The FAA evaluated the traditional cultural property statement and concluded that the Tule Lake Committee did not clearly establish that a traditional cultural property with a distinct basis for NRHP eligibility under Criterion A (Events) or Criterion B (Persons) was present. The FAA requested SHPO concurrence regarding the extent of historic properties on or eligible for the NRHP within the APE.

Calendar year 2014

By e-mail of January 10, 2014 the SHPO requested the FAA identify which properties within the Indirect APE for the fence project the FAA determined were eligible for listing on the NRHP under NHRP Criterion C (Design/Construction). By letter of January 30, 2018, the FAA responded that within the Indirect APE boundary, but outside of the TLSC National Historic Landmark and National Monument boundary, the FAA considers all properties listed in the National Park Service's *Draft Tule Lake Historic Resources Inventory, 2004, Table 4.1, Contributing Resources within the Proposed Tule Lake National Register Historic District*, as properties eligible for inclusion in the NRHP under NRHP Criterion C (Design/Construction).

By letter of May 21, 2014, the former SHPO responded that she could not concur that the historic resources identified in Table 4.1 were eligible for listing on the NRHP because the list might be incomplete, or that these resources might be eligible for listing under additional NRHP criteria as well. The SHPO letter stated "What is clear is that the Airport is located within a larger historic property whose contributors have yet to be fully determined."

Based on the responses of the interested parties and the SHPO, FAA and Modoc County recognized that additional funding would be required for Modoc County retain consultants to

complete the documentation required for the Section 106 consultation, and the National Environmental Policy Act (NEPA) Environmental Assessment (EA).

Calendar Year 2015

Modoc County received an additional Airport Improvement Program grant to proceed with preparing documentation for the Section 106 consultation and the EA. As part of the funding of this work, Modoc County and the FAA concluded that a collaborative approach to resolving the concerns of historic preservation groups regarding the effects of proposed airport perimeter fence on historic properties might be successful. Modoc County retained the United States Institute for Environmental Conflict Resolution (USIECR) to act as a neutral facilitator for a series of meetings with a range of interested parties regarding the proposed airport fence at Tulelake Municipal Airport. An initial coordination meeting for the conflict resolution effort was held October 22, 2015.

Calendar Year 2016

During 2016, Modoc County and the FAA held a series of meeting facilitated by the USIECR with assistance from the United States Department of Interior Office of Collaborative Action and Dispute Resolution in an attempt to resolve the environmental conflicts associated with the construction of the perimeter fence at the Airport. These meetings occurred on February 24, April 21, May 25, July 27, and November 16, 2016. Tristan Tozer of the SHPO participated in all meetings and the SHPO participated in some of the meetings.

In addition to the FAA, Modoc County and the SHPO, other participating groups included: California Department of Transportation-Aeronautics Division, City of Tulelake, Congressman Doug LaMalfa staff representative, Japanese-American Citizens League, Klamath Basin Crisis, National Parks Conservation Association, National Park Service-World War II Valor in the Pacific National Monument: Tule Lake Unit, National Park Service Western Region Office National Historic Landmarks Program Manager, Siskiyou County, Tule Lake Committee, Tulelake Growers Association, Tulelake Irrigation District, Tulelake Municipal Airport Fixed Base Operator Macy's Flying Service, and United States Forest Service. Two federally recognized tribes, the Klamath Tribes and the Modoc Tribe of Oklahoma, also participated.

Calendar Year 2017

During 2017, Modoc County and the FAA held two identical telephone and on-line final wrap-up meetings for the environmental conflict resolution effort associated with the construction of the perimeter fence at the Airport. While all participants in the environmental conflict resolution effort agreed that aviation safety was important, no consensus emerged regarding the airport fence project. Most participants in the environmental conflict resolution effort wanted the Airport to remain in its current location, and wanted a fence constructed on the perimeter of the airport property to enhance safety. Some historic preservation groups advocated for the existing Airport to be relocated to an unspecified different location to enhance safety, and for the existing airport to be converted to a historic site related to the Airport's former use as part of the TLSC.

After the conclusion of the environmental conflict resolution effort, Modoc County and its consultant team proceeded with preparing the *Cultural Resources Inventory and Effects Assessment for the Airport Perimeter Fence Project, Tulelake Municipal Airport, Modoc County,*

California. This document was provided to the FAA on June 27, 2018. Modoc County also issued a public notice requesting public comments between August 24, 2017 and October 10, 2017 on the scope of the Environmental Assessment for the Airport perimeter fence.

Calendar Year 2018

Modoc County continues preparation of the Draft Environmental Assessment and preparation for public review of that document. Modoc County transmitted the complete Cultural Resources Inventory and Effects Assessment for the Airport Perimeter Fence Project, Tulelake Municipal Airport, Modoc County, California to the FAA on June 27, 2018. The FAA is continuing with the NHPA Section 106, with submittal of the cultural resources inventory and effects determination to the SHPO, additional consulting parties, federally recognized tribes and the Advisory Council on Historic Preservation to obtain any comments and continue the NHPA, Section 106, consultation. The effects determination identified an adverse effect of the proposed project, and the FAA and Modoc County propose to enter into a Memorandum of Agreement with the California SHPO to resolve the adverse effect. The Advisory Council on Historic Preservation is being invited to participate in the NHPA, Section 106, consultation.

Attachment 3

Redacted Report

Cultural Resources Inventory and Effects Assessment For the Airport Perimeter
Fence Project, Tulelake Municipal Airport, Modoc County, California

Redacted Report

CULTURAL RESOURCES INVENTORY AND EFFECTS ASSESSMENT FOR THE AIRPORT PERIMETER FENCE PROJECT, TULELAKE MUNICIPAL AIRPORT, MODOC COUNTY, CALIFORNIA

Prepared For:

County of Modoc
Office of the Road Commissioner
202 West 4th Street
Alturas, CA 96101

and

Federal Aviation Administration
San Francisco Airports District Office
1000 Marina Boulevard, Ste. 220
Brisbane, CA 94005

Prepared By:

Nancy E. Sikes, Ph.D., RPA
Cindy J. Arrington, M.S., RPA
Dylan Stapleton, M.A.
Phil Hanes, M.A.



NATURAL
INVESTIGATIONS
COMPANY

3104 O Street, #221
Sacramento, CA 95816

USGS 7.5-Minute Quadrangle: Newell 1993

Positive Cultural Resources Survey; CA-MOD-138/H (P-25-000138); Tule Lake Segregation
Center National Historic Landmark; Tule Lake Segregation Center National Historic District;
Modoc County

October 6, 2017

Archaeological and traditional property locations are considered confidential and
should not be disclosed to the general public or unauthorized persons.

This document contains sensitive information regarding the nature and location of
archaeological sites. Public access to information regarding the location, character, or ownership
of a cultural or heritage resource is restricted by law per Section 304 of the National Historic Preservation
Act; Section 9(a) of the Archaeological Resources Protection Act; Executive Order 13007; and is exempt
from the California Public Records Act under Government Code Section 6254.10.

ABSTRACT

Purpose and Scope: Natural Investigations Company, Inc. was retained by the County of Modoc to provide cultural resources services for the Tulelake Municipal Airport Perimeter Fence Project in northwestern Modoc County, California. The perimeter fence is proposed by the County, the operator of the Airport under a long-term lease from the City of Tulelake. The fence would enhance overall Airport safety with construction of approximately 16,000 linear feet of 8-foot tall fencing near the perimeter of the Airport property.

The services performed by Natural Investigations include a literature review, review of ongoing consultation efforts with Native American tribes and the State Historic Preservation Officer (SHPO), an intensive-level pedestrian survey of the Direct Area of Potential Effects (Direct APE), and a project effects assessment with this report that considers resources within or adjacent to the 13.9-acre Direct APE and within an Indirect APE. The Airport is located entirely within the former boundaries once part of the Tule Lake Segregation Center (TLSC). The Indirect APE is defined as all areas within the original boundaries of the TLSC east of State Route 139 that are not included in the Direct APE. This study was completed in compliance with the California Environmental Quality Act and with Section 106 of the National Historic Preservation Act. The Federal Aviation Administration (FAA) is the Federal Lead Agency for the undertaking; the County is the State Lead Agency for the project.

Dates of Investigation: A previous cultural resources inventory for the perimeter fence project was completed by Sean Jensen of the Genesis Society in 2010; that study encompassed the entire Airport property [REDACTED]. A literature search for that study was completed by Jensen on March 12, 2009 at the Northeast Information Center. A Sacred Lands File search was completed by the Native American Heritage Commission on August 4, 2009. The Commission stated their search failed to indicate the presence of Native American cultural resources in the immediate vicinity of the project. Consultation by the FAA regarding the undertaking is ongoing with federally recognized tribes. Natural Investigations conducted an intensive-level pedestrian survey within the Direct APE on March 28, 2017.

Investigation Constraints: Ground visibility within the Direct APE during the 2017 survey ranged from poor to moderate, depending on the density and height of the vegetation cover. The Direct APE has been disturbed by historic and modern activities during the past 100 years, including reclamation of Tule Lake, small-scale agriculture, construction and operation of the TLSC (1942–1946), demolition in 1946 of the TLSC components on Airport property, and grading and construction of the Airport runway and associated infrastructure (1951–1988).

Findings of the Investigation: Prior to 2010, one cultural survey had been completed within or partially within the APE, while six studies had been completed in the vicinity of the Airport, and one prehistoric site had been previously recorded within Airport property (CA-MOD-138, P-25-000138). The site record was updated by Jensen and others in 2009 to include two historic components: the scattered remnants of the portion of the TLSC (1942–1946) on Airport property; and the Tulelake Airport itself (ca. 1951–1959). Jensen conducted subsurface testing within Airport property in 2009 to assess the distribution and integrity of the prehistoric component of CA-MOD-138/H, and the presence/absence of underground features associated with the TLSC and historic Airport components of CA-MOD-138/H.

Natural Investigations updated the site record for CA-MOD-138/H to document four TLSC features located on Airport property adjacent to but outside the Direct APE: a 2,640-foot segment of the original TLSC security fence erected ca. 1943; concrete footings from a ca. 1943 TLSC guard tower; and concrete latrine slabs constructed in 1942 for TLSC Blocks 71 and 73 barracks area. No prehistoric or ethnohistoric material was found within or adjacent to the Direct APE. [REDACTED]

Although extensively disturbed, within a former paleolake, and having a depth of disturbance of only 3 feet for the new fence installation, due to [REDACTED] the sensitivity for discovery of buried cultural resources during project implementation is considered moderate to high.

The Indirect APE includes: the designated TLSC National Historic Landmark (NHL) (part of the World War II Valor in the Pacific National Monument–Tule Lake Unit); and a TLSC National Historic District (Historic District), the contributors to which have not been fully determined, and which extends beyond the Airport property boundaries and includes the TLSC NHL and the entire Indirect APE for the perimeter fence undertaking, as agreed during Section 106 consultation between the FAA and the SHPO in 2013.

The undertaking will have the following effects on historic properties identified within or adjacent to the Direct APE or within the Indirect APE:

- *No Effect* on two resources within the Direct APE determined not eligible for listing on the National Register of Historic Places (NRHP) or California Register of Historical Resources (CRHR): the prehistoric component of CA-MOD-138/H and the Tulelake Municipal Airport component of CA-MOD-138/H;
- *No Adverse Effect* on three recorded TLSC features adjacent to, but outside, the Direct APE and considered by the FAA as being contributing elements to the larger NRHP-eligible Historic District under Criterion A/1: TLSC guard tower footings and Block 71 and Block 73 latrine slabs;
- *No Adverse Effect* on the designated TLSC NHL, which is located in the Indirect APE approximately 0.25 mile from the Direct APE and is also listed on the NRHP and CRHR under Criterion A/1;
- *No Adverse Effect* on the TLSC National Historic District, which is eligible for NRHP and CRHR listing under Criterion A/1 and encompasses the Airport property, Direct APE, and entire Indirect APE, including the TLSC NHL; and
- *Adverse Effect* on the surviving 2,640-foot segment of the original TLSC security fence located adjacent to but outside the Direct APE, and determined eligible for NRHP and CRHR listing under Criterion A/1, with SHPO concurrence in 2013. Although the TLSC fence segment will be avoided by design and will not be physically altered by the proposed undertaking, construction of a new perimeter fence [REDACTED] will introduce a new visual element.

Potential Protective Measures: Mitigation Measures to resolve the adverse effect on the viewshed of the original TLSC security fence segment would minimize, as feasible, any vandalism or damage to the remnant TLSC fence by erecting a low additional fence that would also minimize further visual disturbance; install an interpretive display in the vicinity of the existing TLSC fence and visible from a public road; and incorporation of the measures as part of a Memorandum of Agreement (MOA) per 36 CFR 800.6. Additionally, a Cultural Resources Monitoring Program would include construction monitoring of all ground-disturbing activity as required by the County within the Direct APE; treatment of unanticipated discoveries, including human remains; and a worker cultural awareness training session conducted by a qualified archaeologist prior to initiation of ground-disturbing activities.

Disposition of Data: This report will be filed with Modoc County; the FAA; the County of Modoc; the Northeast Information Center at California State University, Chico; and Natural Investigations Company, Sacramento, California. All field notes and other documentation related to the study are on file at the Sacramento office of Natural Investigations.

TABLE OF CONTENTS

Abstract	ii
Introduction	1
Project Description	1
Direct and Indirect Area of Potential Effects (APE).....	4
Regulatory Setting.....	4
Federal Regulations	4
State Regulations	6
Report Preparation.....	7
Project History: Sources Consulted	8
Previous Project Report (Jensen 2010).....	8
Other Sources	9
Section 106 Consultation Letters between the FAA and SHPO	9
Review of 2004 NPS Historic Resources Inventory (Burton and Farrell 2004)	9
Review of Miscellaneous Correspondence provided by the FAA	10
Native American Consultation	10
Sacred Lands File Search.....	10
Tribal Consultation	10
Environmental Setting	11
Geology, Hydrology, and Soils	11
Climate and Flora/Fauna	11
Current Land Uses.....	12
Cultural Setting	12
Prehistoric Overview	12
Paleo-Archaic (11,500–7,000 B.P.).....	12
Early Archaic (7,000 – 4,500 B.P.).....	13
Middle Archaic (4,500–2,500 B.P.).....	13
Late Archaic (2,500–200 B.P.).....	14
Ethnography	14
Historic Overview	16
Regional History	16
Tule Lake Segregation Center (TLSC).....	18
Tulelake Municipal Airport History.....	21
Summary of Previously Recorded Site CA-MOD-138/H	21
Prehistoric Component of CA-MOD-138/H.....	21
TLSC Component of CA-MOD-138/H	22
Tulelake Airport Component of CA-MOD-138/H	22
Field Survey Methods	23
Field Survey Results	24
Summary	24
Description of Surveyed Area	24
Miscellaneous Historic-Era Material	25
Update to TLSC Component of CA-MOD-138/H.....	26
TLSC Security Fence Segment	26
TLSC Guard Tower Footings.....	27
TLSC Concrete Latrine Slabs	28
Findings and Effects Assessment	30
Resources Not Eligible for NRHP or CRHR Listing.....	31
Prehistoric Component of CA-MOD-138/H	31
Tulelake Airport Component of CA-MOD-138/H.....	31
Properties Eligible for NRHP and CRHR Listing.....	31

TLSC Security Fence.....	31
TLSC National Historic Landmark	32
TLSC National Historic District	33
Determination Of Effects	33
Regulatory Requirements	33
Determination of Effects	34
Prehistoric Component of CA-MOD-138/H	35
Tulelake Airport Component of CA-MOD-138/H	35
TLSC Security Fence	35
TLSC National Historic Landmark	36
TLSC National Historic District	36
Sensitivity for Discovery of Buried Resources	36
Potential Protective Measures	37
Mitigation Measures to Resolve Adverse Effects	37
Cultural Resources Monitoring Program.....	38
References Cited	39

LIST OF TABLES

Table 1. Definitions for Direct APE, Indirect APE, and “Adjacent” to Direct APE	5
Table 2. Miscellaneous Historic-Era Material found within Direct APE	26
Table 3. Cultural Resources Identified within Direct APE or Indirect APE.....	30
Table 4. Project Impacts and Effects to Cultural Resources within Direct and Indirect APE.....	35

LIST OF FIGURES

Figure 1. Project Location Map	2
Figure 2. Direct APE Map	3
Figure 3. Direct and Indirect APE Map	5

LIST OF PHOTOGRAPHS

Photograph 1. Overview of existing livestock fence along Direct APE (view to north).....	24
Photograph 2. Overview of vegetation cover near southern portion of Direct APE (view to east).....	25
Photograph 3. Overview of TLSC security fence outside Direct APE (view to northwest)	27
Photograph 4. TLSC Guard Tower Footings (view to northwest).....	28
Photograph 5. Block 73 latrine slab [REDACTED] (view to southwest).....	29
Photograph 6. Block 71 partial latrine slab [REDACTED] (view to southwest)	29

LIST OF APPENDICES

APPENDIX A: Sacred Lands File Search
APPENDIX B: Resource Record (DPR Forms)

INTRODUCTION

Natural Investigations Company, Inc. (Natural Investigations) was retained by the County of Modoc to provide cultural resources services for the Tulelake Municipal Airport Perimeter Fence Project in northwestern Modoc County, California. The perimeter fence is proposed by the County, the operator of the Airport under a long-term lease from the City of Tulelake. The fence would enhance overall Airport safety with construction of approximately 16,000 linear feet of 8-foot tall fencing near the perimeter of the Airport property.

The County is the State Lead Agency for the project and is responsible for compliance with the California Environmental Quality Act (CEQA). Additionally, the County is preparing a National Environmental Policy Act (NEPA) Environmental Assessment (EA) for the project for approval by the Federal Aviation Administration (FAA), the Federal Lead Agency for the undertaking. The County has received an Airport Improvement Program grant from the FAA.

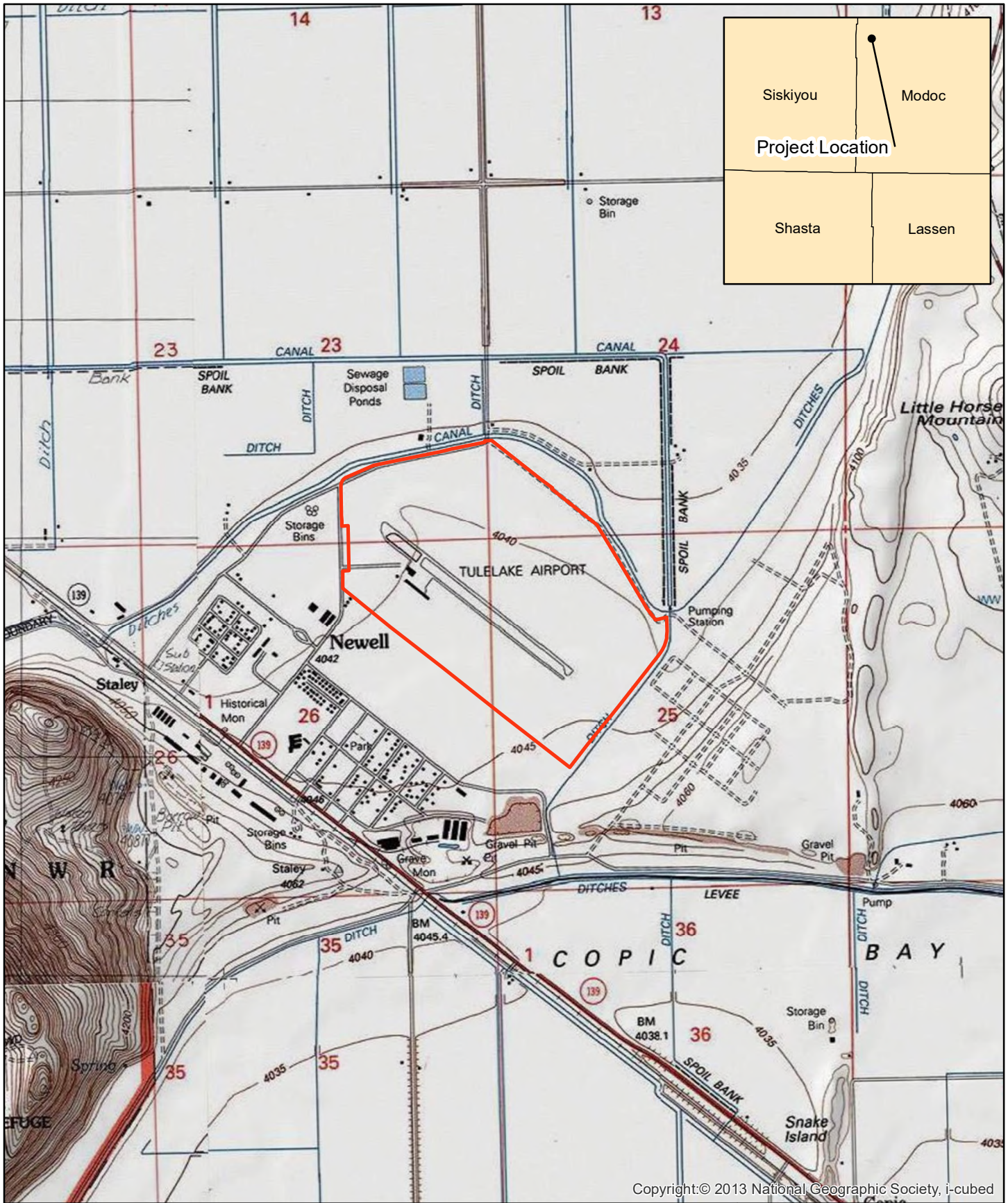
The cultural resources services by Natural Investigations include a literature review, review of ongoing Native American consultation efforts, an intensive-level pedestrian survey of the Direct Area of Potential Effects (Direct APE), and a project effects assessment with this report. The Airport is located entirely within the former boundaries once part of the Tule Lake Segregation Center (TLSC). The literature review specifically included examination of a cultural report prepared for the project in 2010 (Jensen 2010); review of the *Draft Tule Lake 2004 Historic Resources Inventory* prepared by the National Park Service (NPS) in 2004 (Burton and Farrell 2004); and consideration of prior consultation between the FAA and the State Historic Preservation Officer (SHPO) regarding the undertaking, beginning in 2013. This report was prepared in compliance with Section 106 of the National Historic Preservation Act (NHPA) and CEQA, and in support of the EA being prepared by the County.

PROJECT DESCRIPTION

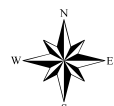
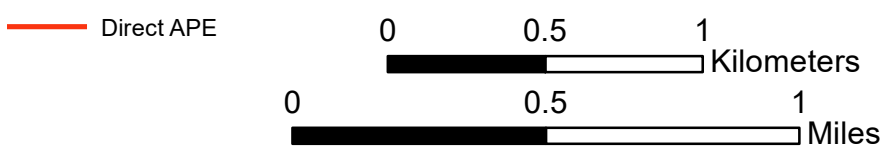
The proposed Airport Perimeter Fence Project would enhance overall Airport safety by reducing the opportunity for unauthorized entry of people, vehicles, and wildlife (deer, coyotes, and dogs) into the aircraft operations area of the Airport. Portions of the Airport are currently enclosed by a combination of cyclone fence and 4-strand barbed wire fence while other areas have no fencing. The existing fencing does not restrict the general public from inadvertently walking or driving onto the airport operations area, including the runway. A wildlife hazard evaluation of the Airport found that mule deer are regularly crossing the runway, increasing the risk of a collision between an aircraft and a deer.

The proposed project includes construction of approximately 16,000 linear feet of 8-foot tall fencing near the perimeter of the Airport property (Figures 1 and 2). Chain-link fencing (woven wire) is the most common exclusionary fence type used at airports. An 8-foot tall, chain link fence is the preferred design for the proposed perimeter fence. Alternate fence designs and heights (8–10 feet) will be described in the EA for this project. The County is cognizant of the cultural importance of the Tule Lake region, its connection to Presidential Executive Order 9066, and of sensitivities associated with constructing a fence on the site of the TLSC. Therefore, the proposed fence will be constructed without barb wire outriggers that would otherwise mimic the original TLSC fence, but will be high enough to exclude deer and other mammals.

All work for the project will take place within Airport property. Access for the project will be via Airport Road, the main access to the facility off County Road 176.



Copyright © 2013 National Geographic Society, i-cubed



1:24,000

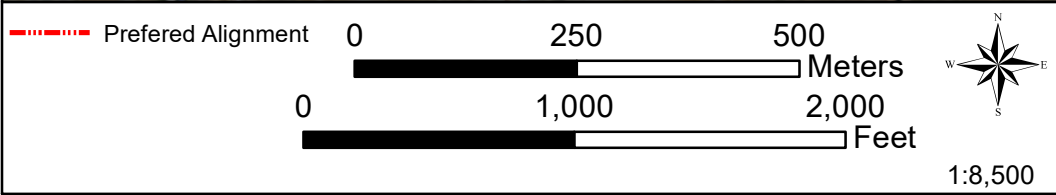
Tullake Airport
Figure 1 - Project Location



NATURAL
INVESTIGATIONS
COMPANY



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



Tulelake Airport
Figure 2 - Direct APE

NATURAL
 INVESTIGATIONS
 COMPANY

DIRECT AND INDIRECT AREA OF POTENTIAL EFFECTS (APE)

Per Section 106 correspondence dated June 26, 2013, the State Historic Preservation Officer (SHPO) agreed with FAA's delineation of the Direct APE and of an Indirect APE for the proposed undertaking (Rowland-Nawi 2013). The Direct APE is the route of the proposed fence line around the perimeter of the Airport and areas up to 20 feet on either side of the proposed fence line, with a maximum depth for the vertical APE at 3 feet. All physical effects of the proposed project would occur within the Direct APE. The 13.9-acre Direct APE is located in Sections 23, 24, 25, and 26 of Township 47 North, Range 5 East, as depicted on the 1993 Newell USGS 7.5-minute topographic map (Mount Diablo Base and Meridian) (Figure 1).

The vertical APE for the undertaking is 3 feet (1 meter), which is the anticipated maximum depth of ground-disturbing activities to install the fence.

The Airport is sited on land that was once part of the TLSC (see *Historic Overview* section, below). The Indirect APE for the undertaking is defined as all areas within the original boundaries of the TLSC east of State Route 139 that are not included in the Direct APE and considers possible visual effects. The Indirect APE includes the TLSC National Historic Landmark (NHL), which is listed on the National Register of Historic Places (NRHP) and is part of the World War II Valor in the Pacific National Monument–Tule Lake Unit (Figure 3).

Table 1 outlines the definitions used in this report, and as defined by the FAA, for the Direct APE, Indirect APE, and “adjacent” to but outside the Direct APE.

REGULATORY SETTING

Federal Regulations

The current study was completed under the provisions of Section 106 of the National Historic Preservation Act (NHPA) of 1966 (as amended) (36 Code of Federal Regulations [CFR] 800). Cultural resources are considered during federal undertakings chiefly under Section 106 of the NHPA through one of its implementing regulations, 36 CFR 800 (Protection of Historic Properties), as well as the National Environmental Policy Act (NEPA). Properties of traditional religious and cultural importance to Native Americans are considered under Section 101(d)(6)(A) of NHPA.

Section 106 of the NHPA (16 United States Code [USC] 470f) requires federal agencies to take into account the effects of their undertakings on any district, site, building, structure, or object that is included in or eligible for inclusion in the National Register of Historic Places (NRHP) and to afford the Advisory Council on Historic Preservation (ACHP) a reasonable opportunity to comment on such undertakings (36 CFR 800.1). Under Section 106, the significance of any adversely affected cultural resource is assessed and mitigation measures are proposed to reduce any impacts to an acceptable level. Significant cultural resources are those resources that are listed in, or are eligible for listing on the NRHP per the criteria listed at 36 CFR 60.4 (Advisory Council on Historic Preservation 2000) below.

The quality of *significance* in American history, architecture, archaeology, engineering and culture is present in districts, sites, buildings, structures, and objects that possess *integrity* of location, design, setting, materials, workmanship, feeling and association and that:

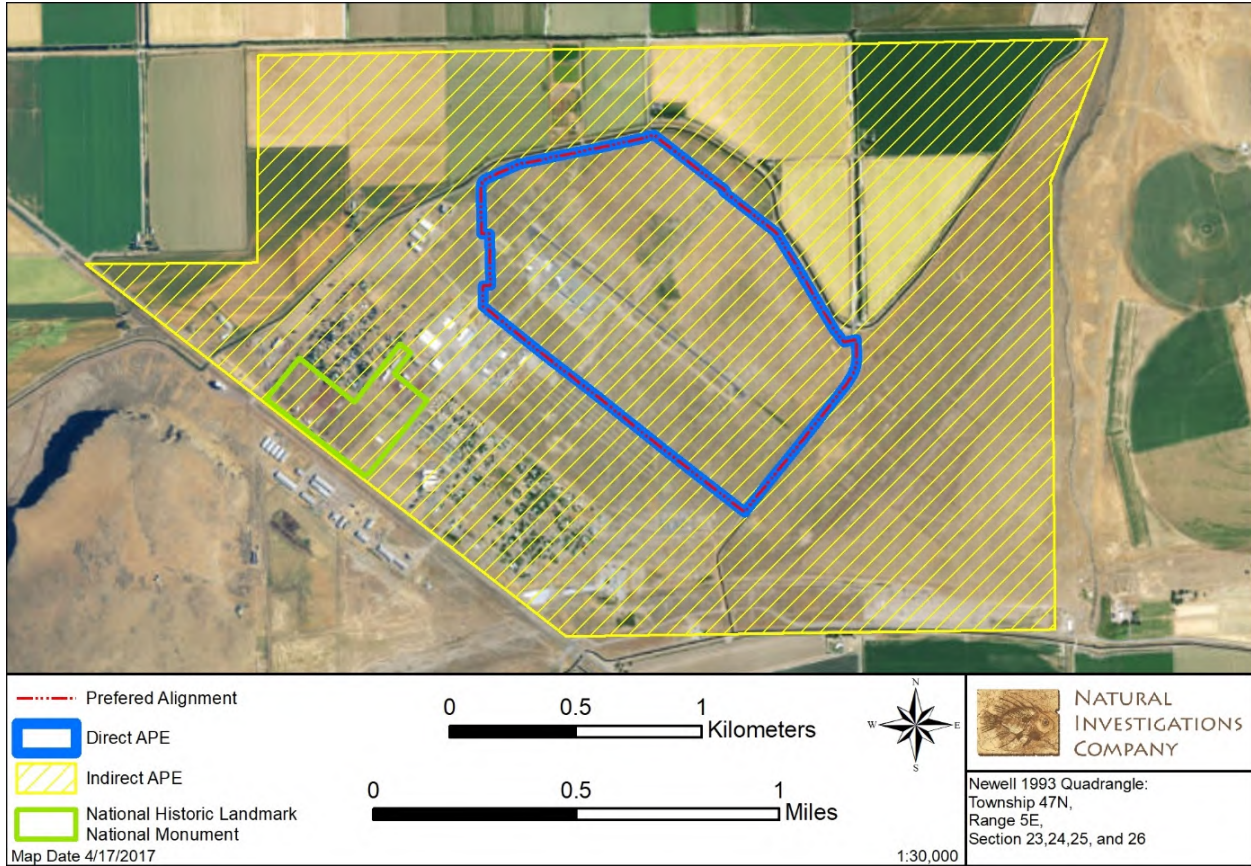


Figure 3. Direct and Indirect APE Map

Table 1. Definitions for Direct APE, Indirect APE, and “Adjacent” to Direct APE	
Terminology	Definition
Direct APE	New fence line and 20 feet on either side of new fence line.
Indirect APE	All areas east of State Route 139 that are not included in the Direct APE. This area includes the TLSC NHL (which is part of the World War II Valor in the Pacific National Monument–Tule Lake Unit). The FAA has concluded the entire Indirect APE is eligible for listing on the NRHP as a Tule Lake Segregation Center National Historic District that has contributing and non-contributing resources.
Historic resources “adjacent” to but outside Direct APE	<p>As detailed in this report, the following are adjacent to but outside the Direct APE:</p> <ul style="list-style-type: none"> • An approximately 2,640-foot segment of the TLSC original security fence on Airport property [REDACTED] is considered "adjacent" to the Direct APE. • TLSC Block 71 and Block 73 concrete latrine slabs [REDACTED] are considered "adjacent" to the Direct APE. • Remnants of TLSC concrete guard tower footings [REDACTED] are considered "adjacent" to the Direct APE.

- A. Are associated with events that have made a significant contribution to the broad patterns of our history; or
- B. Are associated with the lives of persons significant in our past; or
- C. Embody the distinctive characteristics of a type, period, or method of installation, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- D. Have yielded, or may be likely to yield, information important in prehistory or history.

Impacts to significant cultural resources that affect the characteristics of any resource that qualify it for the NRHP are considered a significant effect on the environment. Impacts to significant cultural resources from the proposed Project are thus considered significant if the Project physically destroys or damages all or part of a resource, changes the character of the use of the resource or physical feature within the setting of the resource which contribute to its significance, or introduces visual, atmospheric, or audible elements that diminish the integrity of significant features of the resource.

State Regulations

The current study was also completed under the provisions of CEQA. Section 21083.2 of the statute and Section 15064.5 of the CEQA Guidelines provide instructions for a lead agency to consider the effects of Projects on historical resources and cultural resources. A *historical resource* is a resource listed in, or determined to be eligible for listing in, the California Register of Historical Resources (CRHR) (Public Resources Code [PRC] Section 21084.1), a resource included in a local register of historical resources (PRC Section 15064.5[a][2]), or any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant (PRC Section 15064.5[a][3]).

PRC Section 5024.1 requires evaluation of historical resources to determine their eligibility for listing in the CRHR. The purpose of the register is to maintain listings of the State's historical resources and to indicate which properties are to be protected from substantial adverse change. The criteria for listing resources in the CRHR were expressly developed to be in accordance with previously established federal criteria for listing in the NRHP.

According to PRC Section 5024.1(c)(1–4), as well as Section 15064.5(a)(3)(A–D) of the revised CEQA guidelines, a resource is considered historically significant if it meets at least one of the following criteria:

- 1. It is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
- 2. It is associated with the lives of persons important in our past;
- 3. It embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
- 4. It has yielded, or may be likely to yield, information important in prehistory or history.

In order to be listed in the CRHR, historical resources must meet at least one of the significance criteria. Resources that do not meet any of these criteria are viewed as not significant. In addition to meeting at least one of the significance criteria, historical resources must possess the quality of *integrity* (location, design, setting, materials, workmanship, feeling, and association). Historic resources must retain enough of their historic character or appearance to be recognizable as historical resources and to convey the reasons for their significance.

Impacts to significant cultural resources from a proposed project are considered significant if the Project physically destroys or damages all or part of a resource, changes the character of the use of the resource or physical feature within the setting of the resource that contribute to its significance, or introduces visual, atmospheric, or audible elements that diminish the integrity of significant features of the resource.

Under CEQA, if an archaeological site is not a historical resource but meets the definition of a *unique archaeological resource* as defined in PRC Section 21083.2, then it should be treated in accordance with the provisions of that section. PRC Section 21083.2(g) defines a unique archeological resource to mean an archaeological artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria:

- (1) Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information.
- (2) Has a special and particular quality such as being the oldest of its type or the best example available of its type
- (3) Is directly associated with a scientifically recognized important prehistoric or historic event or person.

Should a site qualify as a unique archaeological resource, it is protected under CEQA. If it can be demonstrated that a project will cause damage to a unique archaeological resource, the lead agency may require reasonable efforts be made to permit any or all of these resources to be preserved in place or left in an undisturbed state. To the extent that they cannot be left undisturbed, mitigation measures are required (PRC Sections 21083.2[a], [b], and [c]). If the agency determines the site does not qualify, then the site merits no further consideration.

A “historical resource” as defined in PRC Section 21084.1, a “unique archaeological resource” as defined in PRC Section 21083.2(g), or a “nonunique archaeological resource” as defined in PRC Section 21083.2(h) may also be a *tribal cultural resource* (TCR). As defined under PRC Section 21074, TCRs are “sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American Tribe” that are either: (1) included or determined to be eligible for inclusion in the CRHR; included in a local register of historical resources as defined in PRC Section 5020.1(k); or (2) determined by the lead agency to be significant pursuant to the criteria for inclusion in the CRHR set forth in PRC Section 5024.1(c), if supported by substantial evidence and taking into account the significance of the resource to a California Native American tribe. TCRs were established by Assembly Bill 52 (AB 52), effective July 1, 2015, as a new category of resource under CEQA.

REPORT PREPARATION

Nancy E. Sikes, Ph.D. was the Principal Investigator for this cultural resources project and co-authored this report with Cindy Arrington, M.S., Dylan Stapleton, M.A., and Phil Hanes, M.A. Dr. Sikes and Ms. Arrington each have more than 20 years of archaeological experience in California and exceed all requirements of the *Secretary of Interior’s Qualifications Standards* (36 CFR Part 61; National Park Service 1983). Mr. Stapleton and Mr. Hanes, who performed the pedestrian survey, each have over 10 years of experience in California archaeology.

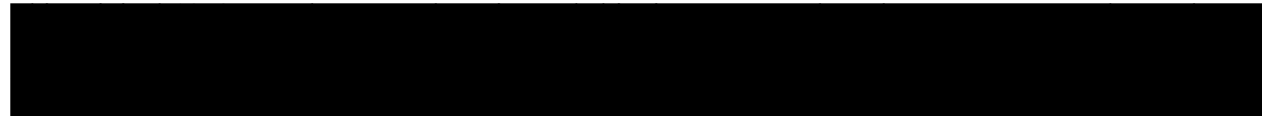
The format of this report follows the *Archaeological Resource Management Reports: Recommended Contents and Format* by the Office of Historic Preservation (1990).

PROJECT HISTORY: SOURCES CONSULTED

PREVIOUS PROJECT REPORT (JENSEN 2010)

In January 2010, Sean Jensen of the Genesis Society completed a cultural resource inventory, eligibility determination, and effects assessment in compliance with Section 106 of the NHPA and CEQA for the perimeter fence project (Jensen 2010). The APE for the inventory for that investigation was defined as all of the Airport property, a total of 358 acres.

A cultural resources literature search that covered the 358-acre APE and the area near the APE was completed by Jensen on March 12, 2009 at the Northeast Information Center (NEIC), California State University, Chico. The records maintained by the NEIC indicated approximately 80% of the Airport property had been previously surveyed by two efforts conducted in 2002 and 2007. Five additional surveys had been conducted between 1978 and 2007 in the Airport vicinity or on adjacent lands. The search at the NEIC also indicated one prehistoric site had been previously documented within Airport property, a prehistoric archaeological site (CA-MOD-138, P-25-000138) that was initially recorded in 1953 by Squier.



The literature review completed by Jensen (2010) indicated there are a number of administrative and other structures related to World War II use of the area that remained intact south of and fully outside the Airport boundary. These are incorporated into the boundaries of the following, all of which are outside Airport property: TLSC NHL; California Historical Landmark (CHL) No. 850-2 “Tule Lake Relocation Center”; and the Tule Lake/Newell Maintenance Station Historic District.

Jensen’s report includes a Sacred Lands File search request, response from the Native American Heritage Commission (NAHC), and related communication with the NAHC contact list. By letter dated August 4, 2009, the NAHC states the search failed to indicate the presence of Native American cultural resources in the immediate vicinity of the project. Efforts by Jensen to elicit information concerning prehistoric sites or traditional use areas within the project area from the individuals and groups provided on the contact list from the NAHC are summarized below under *Sacred Lands File Search*.

In 2009, Jensen completed an intensive-level pedestrian survey of the 358-acre APE (Jensen 2010). Based on the survey, Jensen updated the site record for CA-MOD-138 to include historic constituents located on Airport property that had not been previously recorded (Jensen et al. 2009). The update thus created a multicomponent site, CA-MOD-138/H, with the initial prehistoric component plus two separate historic components: the scattered remnants of the portion of the TLSC (1942–1946) located within Airport property; and the Tulelake Airport itself (ca. 1951–1959). NEIC staff had recommended to Jensen that the most appropriate approach to record the historic components was record accommodate them as a multicomponent site (Jensen 2010:7). Jensen’s inventory also reported on the results of subsurface testing conducted within Airport property to assess the horizontal and vertical distribution and integrity of the prehistoric component of site CA-MOD-138/H.

Detailed descriptions of the three separate components of CA-MOD-138/H are provided below, in the section entitled *Summary of Previously Recorded Site CA-MOD-138/H*. The descriptions include the result of the subsurface testing and Jensen’s eligibility determinations for each component.

OTHER SOURCES

Section 106 Consultation Letters between the FAA and SHPO

The FAA initiated NHPA Section 106 consultation with the SHPO by letter dated March 20, 2013 (Hunt 2013a). In that letter the FAA addressed the project background and information, identification of a Direct and Indirect APE, historic properties eligible for NRHP listing within the Direct and Indirect APE, initial communication with interested parties, and coordination with Native American tribes.

The FAA's letter of March 20, 2013, informed the SHPO of the FAA's determination that an approximately 2,640-foot long segment of the original TLSC security fence erected ca. 1943 is eligible for NRHP listing under Criterion A (Hunt 2013a). Located on Airport property, the existing segment is in its original location and essentially intact, and retains sufficient integrity, feeling, and association with the TLSC. The surviving fence segment was not specifically addressed in the cultural resources report prepared by Jensen (2010) for the project. By letter dated June 26, 2013, the SHPO concurred with the FAA's NRHP eligibility determination for the original security fence segment (Rowland-Nawi 2013). As also noted below, the fence is adjacent to but outside the Direct APE and would not be physically altered by the proposed undertaking.

By letter dated March 20, 2013, the FAA also informed the SHPO that the cultural resources report by Jensen (2010) "concluded that there were no prehistoric sites on or eligible for NRHP within the boundary of the Airport" (Hunt 2013a).

By letter dated December 6, 2013, the FAA agreed with the SHPO that the Airport property is eligible for listing on the NRHP under Criterion A as part of a larger Tule Lake Segregation Center National Historic District (Historic District) that extends beyond the Airport property boundaries and includes the TLSC NHL and the entire Indirect APE for the perimeter fence undertaking (Hunt 2013b). The FAA has confirmed that it still agrees with that determination. As indicated by the SHPO and agreed by the FAA, the contributors to a larger Historic District have not been fully determined. Documentation by the FAA regarding resources outside the Direct APE that are not already contributors to the TLSC NHL is outside the scope of the proposed undertaking.

The FAA has also confirmed that it still agrees with the agency's December 6, 2013 determination (Hunt 2013b) informing the SHPO that there is not a basis for concluding that a traditional cultural property eligible for the NRHP is present within a NRHP-eligible TLSC National Historic District.

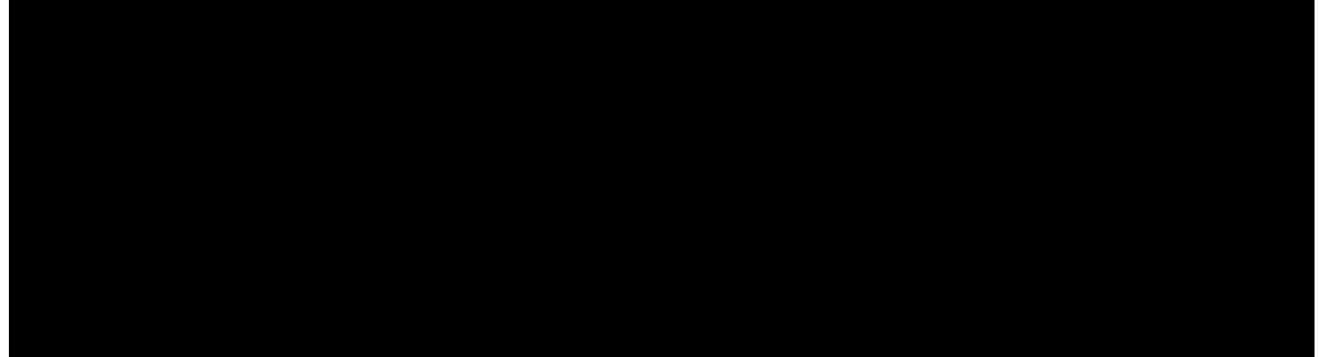
Review of 2004 NPS Historic Resources Inventory (Burton and Farrell 2004)

As part of the effort to identify historic properties or resources within or adjacent to the Direct APE that may contribute to the NRHP eligibility of the TLSC component of CA-MOD-138/H or of a larger Historic District, the literature review for the current cultural resources inventory included examination of the *Draft Tule Lake 2004 Historic Resources Inventory* prepared by the NPS in 2004 (Burton and Farrell 2004). As part of this endeavor, Natural Investigations requested the FAA obtain location information from the NPS Western Archeological and Conservation Center (WACC) in Tucson, Arizona, for the resources listed in Table 4.1 of the 2004 inventory. The FAA was regrettably informed in June 2017 by the WACC and Jeffrey Burton that no geospatial data was collected or exists for the 2004 inventory.

Lacking geospatial data, Natural Investigations staff then analyzed the individual NPS Tule Lake Historic Inventory forms provided as an appendix to the *Draft Tule Lake 2004 Historic Resources Inventory* (Burton and Farrell 2004: Appendix D) to establish whether any of items might have been found during our March 28, 2017 survey within the Direct APE for the undertaking. These forms provide only a brief description, photograph, and general location of 501 buildings, structures, and objects recorded for the NPS inventory over a four-day period in 2004. Only a fraction of the items appear to have been located on Airport property,

and the inventory includes Airport buildings and structures. As detailed under the section on *Findings*, four resources listed in the NPS 2004 inventory were identified during the survey by Natural Investigations as being adjacent to, but outside of, the Direct APE [REDACTED]

Review of Miscellaneous Correspondence provided by the FAA



NATIVE AMERICAN CONSULTATION

Sacred Lands File Search

Sean Jensen contacted the Native American Heritage Commission (NAHC) in 2009 requesting a search of their Sacred Lands File for traditional cultural resources within or near the Airport property (Jensen 2010:8 and attachment). The reply from the NAHC, dated August 4, 2009, states that the failed to indicate the presence of Native American cultural resources in the immediate vicinity of the project.

By letter dated August 7, 2009, Jensen contacted each of the Native American groups and individuals provided by the NAHC, requesting any information regarding concerning prehistoric sites or traditional use areas within the project area. In accordance with the report, no responses were received from the following as of the date of Jensen's report (January 2010):

- Alturas Rancheria of Pit River Indians: Philip Del Rosa (Chairperson), Vi Riley (Cultural Resources Coordinator), or Tribal Administrator/Environmental Coordinator.
- Pit River Tribe of California: Ida Riggins (Chairperson), Alexis Barry (Tribal Administrator), or Michelle Berditshevsky (Environmental Coordinator).
- Klamath Tribe (no names provided by NAHC).
- Modoc Tribe of Oklahoma: John Ballard (Environmental Director).
- Ajumawi Band Cultural Resources Representatives: Uriel Chacon and Selena Vargas.

The correspondence with the NAHC and the letter addressed to the representatives on the contact list by Sean Jensen attached to the initial cultural resources report for the project (Jensen 2010) is provided for ease of reference as Appendix A.

Tribal Consultation

By letters dated January 12, 2012, the FAA contacted the Klamath Tribes of Oregon and the Modoc Tribe of Oklahoma, the federally recognized tribes associated with the project area, to initiate government-to-government consultation on this undertaking. [REDACTED]

[REDACTED] The two tribes have also participated in a series of stakeholder meetings held in [REDACTED]

2016 and organized by the County and FAA to discuss the proposed undertaking [REDACTED]

Continued consultation by the FAA regarding the undertaking is ongoing with the two federally recognized tribes on a government-to-government basis in accordance with Section 106 of the NHPA.

ENVIRONMENTAL SETTING

GEOLOGY, HYDROLOGY, AND SOILS

The project is located on the Modoc Plateau, a broad volcanic plain that covers most of the northeast corner of California (Norris and Webb 1990). The volcanic uplands that characterize the region are comprised predominantly of Miocene- and Pliocene-age basalts, and include Lava Beds National Monument, Medicine Lake Highlands, and the southern Warner Mountains (Gay and Aune 1958). The region also includes multiple sources of obsidian toolstone that was used and valued by indigenous peoples (Meyer 2013: Figure 45). To the west are the Southern Cascade Mountains; to the east is the Basin and Range geomorphic province. The lower elevations consist of large depositional basins, including Tule, Lower Klamath, and Goose lakes along the Oregon border. Once a major paleolake basin, Lower Klamath and Tule Lake together held Pleistocene Lake Modoc (Dicken 1980).

Tule Lake is situated northeast of the Medicine Lake Highlands, the easternmost promontory of the Cascade Range. The Tule Lake Basin is surrounded by Sheepy Ridge to the west, Bryant and Stukel Mountain to the north, the Clear Lake Hills to the east, and the Medicine Lake Highlands to the south. The Peninsula, an 800-foot-high bluff located southwest of the Airport and the TLSC NHL, is composed of volcanic tuff, which extruded into Pleistocene Tule Lake. The topography within the APE is flat, with an elevation averaging 4,040 feet (1,231 meters) above mean sea level.

Historically, approximately 185,000 acres of shallow lakes and freshwater marshes dominated the Klamath/Tule Lake Basin (Hamusek 2007:15). The wetlands supported abundant populations of aquatic species and attracted peak fall concentrations of waterfowl. Subsequent to conversion of the lakes and marshes of the Lower Klamath and Tule Lake areas to agricultural lands, a process initiated by the U.S. Bureau of Reclamation (BOR) in 1905, it is estimated that less than one-quarter of the historic wetlands remain. Fed by the Lost River, the surface runoff drainage pattern of historic Tule Lake, now controlled by a series of canals and ditches, was completely altered as one consequence of the BOR's extensive Klamath Project. Within a few miles of the Airport are large remnants of Tule Lake, now a National Wildlife Refuge. The Airport property and surrounding area, which are flat and treeless, as well as the sandy loam soils on the valley floor that have abundant remains of freshwater mollusks, reflect this lacustrine origin.

Soils within the Direct APE are the very deep, excessively drained Fordney series that formed in alluvium or lacustrine deposits derived from volcanic rocks and ash (California Soil Resource Lab 2017; Soil Survey Staff 2017). These loamy, fine sand soils have a dark grayish brown surface horizon (0–8 inches), which has been typically disturbed by plowing (Ap). The Ap horizon overlies the grayish brown loamy sand of a deep C horizon (8–60 inches). These soils are mainly suited for irrigated crops and livestock grazing.

CLIMATE AND FLORA/FAUNA

The climate of the project vicinity is described as Mediterranean Montane, a higher elevation variant of the Mediterranean climate, and is characterized by warm, dry summers and cold, wet winters. Annual precipitation in this region averages 11 inches for rain and 21 inches of snow. Winter temperatures average between 40 and 50 degrees Fahrenheit, while summer temperature range from 75 to 85 degrees Fahrenheit.

Historically, the Klamath/Tule Lake Basin and Clear Lake watersheds have been affected by prolonged droughts, the most extended of which occurred during the 15-year period from 1922 to 1937 (Hamusek 2007:15).

Historically, the project vicinity was characterized by the shallow lakes and freshwater marshes of the Klamath/Tule Lake Basin. The remnant of this freshwater marsh community, which now remains in areas that have not been impacted by agricultural activities, is typically dominated by tule, bulrushes, cattail, spike-rushes, and sedges. An extensive array of aquatic and semi-aquatic herbs is also associated with the marsh-grass community. Edible plants, which were staples in the aboriginal diet, included camas root and various water lilies. Perennial grasses commonly found throughout the project vicinity include wheatgrass, wild rye, bluegrass, fescue, needlegrass, squirreltail, and Indian ricegrass. A variety of mammals were supported by this rich habitat, including mule deer, elk, pronghorn, bison, jackrabbit, cottontail rabbit, ground squirrel, beaver, badger, and coyote. The freshwater wetlands also provided forage for a variety of migratory waterfowl and native fish. Based on the ethnographic descriptions of the Modoc who historically occupied this region, their hunting-gathering economy was supported by a variety of large and small mammals, edible plant species, fish, and waterfowl (Barrett 1910; Kroeber 1925; Powers 1877[1976]).

CURRENT LAND USES

The Airport is located on 358 acres 0.5 mile east of the unincorporated community of Newell in Modoc County, within the Klamath Basin approximately 20 miles south of Klamath Falls, Oregon and 60 miles northwest of Alturas, the Modoc County seat. The Airport is surrounded by agricultural lands with scattered residences. The County consists of small rural population centers that are isolated due to mountainous terrain and limited road systems. The Airport serves the northwestern portion of Modoc County, northeastern Siskiyou County and the Klamath Basin in southern Oregon. The Airport is used by agriculture, business, recreational, medicinal and emergency aircraft.

In the vicinity of the Airport, land development is concentrated near Newell along State Route 139. Land uses in the County are dominated by timber management, watershed management, agriculture, ranching, and recreation, with over 65% of the County's total land area in federal or state ownership. Emerging increases in the County's recreation and tourism industries include dependence on aviation facilities and their related services.

CULTURAL SETTING

PREHISTORIC OVERVIEW

A recent summary by Jackson et al. (2005) of the prehistory of this part of northeastern California is based on a compilation of previous research (e.g., Aikens and Jenkins 1994; Aikens and Witherspoon 1986; Bedwell 1970; Grayson 1972; Musil 1999; and Sampson 1985). The resultant chronological sequence for this area, described below, is: Paleo-Archaic (11,500–7,000 B.P. [before present]), Early Archaic (7,000–4,500 B.P.), Middle Archaic (4,500–2,500 B.P.), and Late Archaic (2,500–200 B.P.).

Paleo-Archaic (11,500–7,000 B.P.)

During the Paleo-Archaic period, the earliest cultures in the region have been attributed to the Fluted Point Tradition (FPT) and the Western Pluvial Lakes Tradition (WPLT) (Bedwell 1970). This initial occupation of northern California and southern Oregon during the Terminal Pleistocene/Early Holocene transition occurred during a gradual warming and drying trend when the large pluvial lakes that characterized this region were in recession. In California and the Great Basin, FPT sites are often found in association with former strandlines of ancient pluvial lakes and marshlands, and sometimes in association with streams, springs, ponds, river terraces, or high mountain passes.

FTP sites are characterized by bifacially flaked and long, fluted stone points. As the finds in California are mainly isolated surface occurrences, FTP assemblages have not been firmly dated. Sites in northeastern California that have yielded artifacts attributed to the FPT include Mammoth Springs and Boles Creek in Modoc County, Eagle Lake in Lassen County, Samwell Cave and Hat Creek in Shasta County, and Schonchin Butte, Bartle Ranch and Butte Valley in Siskiyou County (Jenkins 1998). Similar assemblages to the east that have Clovis points have been dated between 11,500–10,900 B.P. during the terminal Pleistocene (Haynes 1991). Other artifact types identified at Clovis type-sites include retouched bone, small triangular points, large lanceolate points, retouched flakes, crescents, and hammerstones.

Archaeological sites with FPT components suggest that these highly nomadic peoples were practicing a broad-spectrum subsistence strategy that exploited a wide range of habitats and resources (Willig and Aikens 1988). The presence of exotic raw materials in tool assemblages and the technological organization inferred from lithic assemblages indicate people practiced a high degree of residential mobility.

The WPLT is a widespread tradition characterized by large stemmed and shouldered projectile points (Western Stemmed series), crescents, large lanceolate points, and core tools that appears to have been roughly coeval with the FPT in the Far West and California. Bedwell (1970) estimated WPLT occupations dated to approximately 11,000–8,000 B.P. and were associated with now extinct pluvial lakes, representing an economy narrowly focused on resources found within and near the shorelines of lakes, marshes, and wetlands. This lacustrine resource focus has been challenged by Willig (1988) who pointed out that many WPLT sites have been documented in rock shelters, as well as along rivers, upland springs, and high mountain passes. This distribution thus argues for a more broadly based subsistence strategy. Based on an analysis of a number of assemblages, Willig also estimated a timeframe for the WPLT as 10,550–7,500 B.P.

Early Archaic (7,000 – 4,500 B.P.)

A mid-Holocene climate shift and the cataclysmic eruption of Mt. Mazama around 6,845 B.P. coincide with the beginning of the Archaic period in the greater project region. Generally referred to as the Altithermal (Antevs 1948), a warming and drying trend, which also had relatively rapid climate fluctuations, typified the West during the mid-Holocene. This period that also experienced a decrease in effective moisture that resulted in the desiccation of pluvial lakes and wetlands and a change in plant communities from conifers to sagebrush and grasses in the lower elevation basins (Mehring 1985, 1986).

The introduction of notched projectile points during the Early Archaic was a significant technological development in northeastern California (Musil 1988). In addition, a greater number of handstones (manos) in archaeological sites attributed to this period suggests people were exploiting hard seeds and grains with greater intensity. Combined with a greater reliance on local toolstone sources, this change in adaptive strategy suggests people were less nomadic than the preceding period, with foraging efforts more dependent on the seasonal availability of local plant and animal resources. Reliance on root crops, such as camas, also developed during this period, with an additional emphasis on waterfowl in the Klamath Basin (Grayson 1972). By 5,000 B.P. (Sampson 1985) and perhaps as early as 6,000 B.P. (Aikens and Minor 1978; Cressman 1956), settlement patterns included establishment of permanent winter villages along productive lakeshores or streams with the use of outlying temporary, logistical camps during the warmer months. This same settlement pattern was later observed by ethnographers for the Klamath and Modoc.

Middle Archaic (4,500–2,500 B.P.)

The beginning Middle Archaic around 4,500 B.P. coincides with the waning of the Altithermal and an increase in effective moisture and expansion of lacustrine and wetland ecosystems. The occurrence of lowland sites with domestic structures and storage pits are indicators of a more sedentary existence and of population growth. The abundant lacustrine and riverine resources of the Klamath Basin, such as waterfowl

and fish, were exploited to a greater extent during this period. Archaeological assemblages with netting, traps, and abundant faunal remains have been recovered from sites, such as Nightfire Island. There is also evidence that roots, such as camas, epos, and lomatium, were gathered and stored. During the warmer months, large game such as deer and elk were hunted in the surrounding uplands.

The large leaf-shaped and side-notched points characterized as part of the Early Archaic toolkit continued in use through the Middle Archaic until sometime after 2,500 B.P. The projectile point assemblage from sites such as Nightfire Island are dominated by Elko series points. Although flaked stone technology did not change during this period, there was a shift to the use of more exotic obsidian for the manufacture of stone tools. The distance of the obsidian sources and an increase in the number of sources used indicates trade networks were becoming well established during this period.

Early Archaic archaeological assemblages included a variety of finely manufactured cooking and processing tools, plus items used for personal ornamentation (Aikens and Jenkins 1994). Together, these indicate there was a relatively stable domestic economy and a growth in population numbers. Net weights, fishhooks, atlatl weights, awls, wedges, and stone working implements are among the items typical of the regional toolkits. Ground stone implements were used to process roots, seeds, and nuts, although no significant change occurred in ground stone technology during the Middle Archaic.

Late Archaic (2,500–200 B.P.)

The Late Archaic is best characterized as a continuation of the trends seen during the Middle Archaic, with the addition of technological alterations and the occurrence of a significant migration event. The widespread appearance of house pits and storage pits indicate populations continued to increase. In the Klamath Basin and on the Southern Columbia Plateau, there was an appreciable increase in the exploitation of salmon and root crops (Ames et al. 1998).

The replacement of the atlatl and dart with the bow and arrow, as evidenced by the appearance of small projectile points, such as the Gunther Barbed, Desert Side-notched, and Rosegate series, was a significant technological shift that occurred during the Late Archaic. By 1,500 B.P., regional trade networks were well established, with exchange of obsidian artifacts as well as shell beads (*Olivella* and *Haliotis*) from the Pacific Coast (Mack 1991).

Northeast of the project area, an increase in the number and size of house pits at Chewaucan Marsh indicate the number of partially sedentary populations were increasing subsequent to 1,500 B.P. (Oetting 1989). The occupants of the marsh, who may have been ancestral Klamath, inhabited villages near the riverine and lacustrine resources during the winter months. During the warmer months, they occupied logistical and task specific camps, a pattern that persisted until approximately 300–120 B.P.

ETHNOGRAPHY

The project is located in lands historically occupied by the Modoc, and specifically within the territory of the *Gumbatwas*, one of three geographic divisions (Kroeber 1925:318; Murray 1959:8; Ray 1963:202-203). The root of the name *Gumbatwas* (people of the west) was the word for west, with the point of reference being Tule Lake. Their territory included the area west of a line following the ridge between Lower Klamath Lake and Lost River Valley, to the northwestern corner of Tule Lake, then through the lake to its southeastern corner, then southeastward to the southern tribal boundary. To the northwest, the Klamath Indians occupied the Upper Klamath Lake area, which included Klamath Marsh and the Sprague and Williamson rivers

Most of available cultural information was obtained by ethnographers prior to 1910 from Modoc elders and from the accounts of early settlers. The following is based on the ethnographic descriptions by Barrett (1910), Kroeber (1925), Powers (1877[1976]), Ray (1963), Spier (1930), and Stem (1964).

The fundamental economy of the Modoc was comprised of subsistence fishing, hunting, and collecting plant foods in a region where abundant natural resources varied seasonally. They followed seasonal rounds, returning to permanent winter villages each year. The principal plant dietary staples were epos root, available from meadow/sagebrush environments, wokus root and seeds, available from lacustrine environments, and camas, collected in wet lowland meadows (Baumhoff 1978:19-20). Their subsistence practices were based primarily on lacustrine resources—fish, waterfowl, and aquatic plants—in addition to the roots and grasses of the sagebrush shrub/open grasslands adjacent to the marshes. They also hunted a variety of large and small game. Lacustrine environments were favored during the winter months; resources in the shrub grassland, juniper woodlands, and meadow/marshlands were exploited during the warmer months.

Permanent winter villages were located in the Tule Lake/Lower Klamath Lake basins, along the upper reaches of Lost River, and near Clear Lake. These pithouse settlements were located in the vicinity of numerous resources, such as waterfowl, game, and fish. At the beginning of spring, the Modoc left the villages to exploit the first spring runs of suckers along the rivers and lakes, where they stayed for several weeks, catching and drying tons of fish. A fishing station near present-day Olene on the lower reaches of Lost River in southern Oregon was a particularly productive location. As other seasonal food resources became available, the Modoc dispersed to temporary camps to exploit a variety of plant foods, such as desert parsley, epos, camas, wokus, berries, seeds, and nuts, which were collected, processed and stored for winter consumption. Large game, such as antelope, deer, and elk, were hunted from temporary camps and from hunting blinds, particularly during late summer and fall. Many other large and small game animals were hunted throughout the year, while mountain sheep were hunted only in late summer (Ray 1963). Fish runs in August and September provided additional opportunities to increase stores of dried fish. Berries and a wide variety of seeds were gathered from higher elevations in the late summer and fall. As winter resumed, the Modoc returned to their villages with their caches of dried fish, meat, and plant foods. Earth lodges were rebuilt and firewood was gathered in preparation for a long cold winter (Gates 1983:120). In the winter, the Modoc sustained themselves primarily on their stored caches of foodstuffs, although there was limited hunting of deer and small game, and of fishing through holes in the ice and during the December trout run in nearby streams.

Several different types of shelters were constructed by the Modoc depending to their activities and location (Ray 1963; Spier 1930). The winter earth lodges in the villages were circular-shaped, semi-subterranean pits that were as large as 35 feet in diameter, 2 to 4 feet deep, and covered by conical roofs made of tule mats and earth supported by log beams and rafters. Each lodge typically housed several families. Smaller summer huts were constructed with a simple frame of small branches and saplings covered with tule mats. Additional structures included dome-shaped cookhouses, winter and summer sweat lodges, mourners' sweat lodges, and women's menstrual huts.

A wide variety of natural materials, which were obtained both locally and through trade, were used to fashion various tools and implements. Flaked stone tools were made primarily of local obsidian, although some basalt and cryptocrystalline silicates were also utilized. Ethnographic and archaeological evidence indicate the Modoc initiated a trade network focused on Glass Mountain obsidian, which is located in central-western Siskiyou County, and that prior to Modoc intrusion several other Native American groups, including the Achumawi and Wintu, had directly exploited this high quality obsidian source (Hardesty and Fox 1974:49-51).

Modoc lifeways were drastically changed only a few short years after the arrival of non-native emigrants. As the natural vegetation and availability of seasonal resources were altered, traditional means of subsistence were no longer viable. The misappropriation of their lands and the depredations to which the Euro-American settlers subjected indigenous peoples led to conflicts between the two groups. These conflicts eventually escalated in the Rogue River Indian Wars of 1851-1856, which involved the Klamath, Modoc, Shasta, Takelma, and several other neighboring groups (Gates 1983:132).

The Treaty of 1864 led to the removal of the Klamath and Modoc to the Klamath Reservation located northeast of Upper Klamath Lake. Disillusionment by the Modoc with reservation life was ultimately expressed in the infamous Modoc War of 1872-1873 (Murray 1959; Powers 1877[1976]; Riddle 1914; Stern 1966). As a result of this war, most of the remaining Modoc population was sent to a reservation in Oklahoma Territory. These conflicts and population movements combined to dramatically and rapidly restructure the Modoc Nation shortly after Euro-American contact.

HISTORIC OVERVIEW

Regional History

Early Exploration and Settlement

The boundary between Oregon and northern California, along the 42nd parallel, follows the natural border formed by the Siskiyou Mountains (Hoover et al. 1990:452). Modoc County was created in 1874 from the eastern portion of Siskiyou County.

The first Euro-Americans to enter the region were Hudson Bay Company trappers in 1825. In December 1826, Peter Skene Ogden, a Hudson Bay Company trapper, reached Modoc territory and described the area around Tule Lake as having a seasonal abundance of waterfowl and numerous lakes (Gates 1983:152). Known locally as *Mowatoc*, Ogden named Tule Lake “New Year Lake” after his January 1, 1826/1827 campsite. During the 15 years following Ogden's entrance into the area, several other trappers and emigrants made their way through Modoc County, including John Work, Joseph Chiles and Pierson Reading, Alexander McLeod, and Ewing Young (Cook 1946:9; Davis 1974:23-30; Friedman 1976:28-29; Laird 1971:2; Maloney 1943:205-208; Pease 1965:51-52; Wheeler-Voegelin 1974:19-44). Upon his arrival on May 1, 1846, Captain John C. Fremont named the lake “Rhett Lake” after U.S. Representative Robert Barnwell Rhett.

In 1846, the Applegate-Scott expedition arrived at Tule Lake while looking for a route to connect the Willamette Valley with the Oregon Trail. Their expedition blazed a new route for future wagon trains, using a natural stone bridge to ford the Lost River, later part of the Applegate Trail. The trail provided the first regular crossing of the Klamath River near the mouth of Spencer Creek for emigrants journeying from the Missouri River. From Lower Klamath Lake, the Applegate Trail continued northwest where it entered the Rouge River Valley near Ashland, Oregon, and where some turned south toward Yreka (Arnold 1995:2).

Following the discovery of gold in California in 1849, traffic over the Applegate Trail dramatically increased. This increase led to a rise in the tension between local Native American groups and the emigrants. In 1850, the Modocs attacked an emigrant train on the northeastern shores of Tule Lake, resulting in 80 fatalities. Locals then referred to this location as Bloody Point, resulting in the Modocs gaining a reputation as being fierce but also being blamed for all subsequent raids in the region.

Modoc Indian War

As a consequence of the increasing raids on wagon trains using the Applegate Trail, Ben Wright and a company of volunteer miners established a long-term camp and began patrolling the area around Bloody Point. In 1852, they targeted a Modoc village on Lost River. Wright walked into the village with a pistol

concealed underneath his serape, shot the headman, and then his men, who had been hidden from view, opened fire. Only five of more than 40 Modocs escaped the massacre. This unprovoked violence by Wright set the stage for the Modoc War and for a revenge ambush in 1856 that resulted in Wright's death (Murray 1959).

After a meeting with the local Native American Groups at Council Grove, north of Upper Klamath Lake, in exchange for ceding more than 20 million acres of land in south-central Oregon and north-central California, the Treaty of 1864 promised the congregation of Modocs, Klamath and Northern Paiutes a two-million-acre reservation and government subsidies until they were able to become self-sufficient (Murray 1959). When the supplies arrived several years later, the federal Indian agent did not fairly or entirely distribute them. Dissatisfied with life on the Klamath Reservation, *Keintpoos* (later known as Captain Jack) and his group of Modoc followers returned to the Lost River area. Near Stone Bridge and the northern end of Tule Lake, they reestablished their village and resumed many of their traditional lifeways.

The situation was exacerbated by agricultural settlement in the Upper Klamath Basin. Between 1866 and 1869, Jesse Applegate and Jesse Carr acquired a large portion of land and virtually all of the water resources from Willow Creek to and including the eastern and northern shores of Tule Lake. Applegate and Carr had also begun a campaign to permanently remove the Modoc from the region.

In December 1869, Captain Jack was persuaded to move his band back to the Klamath Reservation. By early 1870, however, the Klamath had begun subjecting Captain Jack's people to a series of humiliating experiences (Silva and Silva 2005:33). The Modoc were constantly ridiculed by the Klamath for succumbing to White authority, denied use of some reservation land, and charged for cutting wood. All attempts by Captain Jack to appeal to Captain O. C. Knapp at Fort Klamath were unsuccessful, and on April 26, 1870, Captain Jack and 371 Modocs left the reservation and headed south to Lost River.

Between 1870 and 1872, Captain Jack appealed to Elijah Steele (Northern California Indian Agent) and A. M. Roseborough (Shasta County District Judge) for assistance in obtaining enough land for a Modoc Reservation in their own territory. There was no answer to his appeals. On November 29, 1872, a cavalry patrol from Fort Klamath, led by Captain James Jackson and Troop B, 1st Cavalry, confronted the Modocs at Captain Jack's village on the Lost River. Terse discussions between the two groups resulted in the firing of two shots that started the Modoc War (Murray 1959).

Briefly, Captain Jack's band fled by boat across Tule Lake to the natural fortress of the south shore lava beds and a second band, mostly warriors, traveled on horseback around the eastern shore of the lake, killing at least 14 settlers, before arriving at Captain Jack's Stronghold. Over the next several months, hundreds of regular Army troops, civilian volunteer corps from California and Oregon, and Klamath and Warm Springs Indian Scouts converged at Gillem's Camp to lay siege to the lava bed stronghold. Captain Jack and 53 warriors managed to hold off 1,000 U.S. soldiers for seven months. See Murray (1959), Riddle (1914) and Thompson (1971) for more detailed descriptions of the conflicts.

Half starved, encumbered by women and children, and divided by conflict over leadership, the Modocs were finally captured in small bands. The western band surrendered at Fairchild's Ranch on Hot Creek on May 20, 1873. Captain Jack and the eastern band were pursued east of Clear Lake up the Lost River into Langell Valley, Oregon, where he was captured on June 1, 1873. In the seven months of war, there were 68 whites and Warm Spring Scouts killed during the conflict, while the Modocs lost more than 20 people, including four of their leaders who were hung as war criminals for the murder of General Canby and Dr. Thomas. Most of the Modoc who survived were sent to a reservation in Oklahoma Territory, where many died in exile (Mark 2017; Murray 1959).

Development of Agriculture, Irrigation, and Reclamation

Following the Modoc War and the removal of indigenous populations, Euro-American agriculturalists began reclaiming the marshlands in the Klamath Basin and Tule Lake region for use as fields and pastures. Also known as "swamp grabbers," the settlers dug ditches to reclaim the land and also imported cattle (Most 2014a). In 1876, Jesse Carr constructed a 1.5-mile ditch to convey water from Willow Creek to Lost River. The following year, he began construction of rock walls to enclose vast holdings that included most of the land between Tule Lake and Clear Lake. In the 1880s, Dan and Clint Van Brimmer constructed a canal from White Lake to water to their holdings south and west of Lost River. Incrementally drained by individuals or irrigation companies, thousands of acres of marginal farmland were put into production by the end of the nineteenth century.

At the beginning of the twentieth century, the nationalization of waterways to provide irrigation, flood control, water storage, and power addressed the problem of supporting the growing population in the western states. One of the first projects of the newly established BOR focused on the marshy, lake-rich land of the Upper Klamath Basin and the Lost River drainage system. Following passage of the Newlands Reclamation Act of 1902, in order to reclaim land for agriculture, the BOR began constructing a system of dams, canals, and ditches.

The largest reclamation project in the United States at the time, the Klamath Project encompassed more than 210,000 acres of farmland and 30,000 acres of refuges. Around Tule Lake, the BOR drained the marsh lands and constructed irrigation facilities necessary for future farms, including M, N, P, Q, and R Canals (Stene 1994:7). Between 1907 and 1919, the hydrology of the region was vastly altered, reducing Tule Lake from 98,600 to 68,000 acres (Oregon Historical Society 2002 cited in Hensher et al. 2007:34). The Airport property became part of this newly reclaimed land.

After World War I, veteran homestead lotteries were established to reward the returning soldiers and sailors with the reclaimed land in the Klamath Basin. There were five different homestead drawings between the years 1922 and 1937. A public lottery in 1917 attracted 175 applications for 42 tracts of land and in February 1929, the Klamath Project announced the availability of an additional 28 homestead units. The nearly three-to-one applicant ratio for the lottery indicated the Tule Lake Basin was gaining popularity for having good farmland. The lottery was cancelled during World War II, but was resumed for a short period after 1946 (Most 2014b).

Of the four towns in the Tule Lake Basin—two in California and two in Oregon—Merrill, Oregon is the oldest, established in the late 1800s, transected by the Lost River, and incorporated in 1903. By the late 1920s, the Southern Pacific Railroad crossed the basin, connecting Alturas, California with Klamath Falls, Oregon. Immediately north of the California/Oregon border, Malin was incorporated in 1922. By 1931, the Western Pacific Railroad had completed a connection through the basin from its transcontinental line in the Feather River Canyon north to the Great Northern Railroad in Klamath Falls (Turner 2002). The first public auction of lands in what would become the City of Tulelake, California, was held in 1931. Over 120 parcels were sold that day and additional auctions followed between 1932 and 1948. The city, which is in Siskiyou County, on State Route 139, and along the Southern Pacific line, was incorporated in 1937. Newell is last community settled in the basin, created to serve the veteran homesteaders and with lots for the town offered for sale by the BOR in 1951. The townsite was originally part of the TLSC.

Tule Lake Segregation Center (TLSC)

Unless otherwise indicated, the following account is taken directly from the "Historical Background" section of the *General Management Plan and Environmental Assessment For the Tule Lake Unit of WWII Valor in the Pacific National Monument* prepared by the National Park Service (NPS 2016:4-17).

On February 19, 1942 President Franklin D. Roosevelt issued Executive Order 9066 in response to Japan's attack on Pearl Harbor on December 7, 1941 and the declaration of war against Japan by the United States Congress on December 8th. In conjunction with Public Law 503, this order allowed the government to remove civilians from designated military areas. The resulting exclusion zones included Alaska, the western halves of Washington and Oregon, all of California, and the southern half of Arizona. More than 110,000 Nikkei¹ were forced from their homes and communities in the exclusion areas. Initially they were transported and imprisoned in temporary detention centers managed by the army. These detention centers were euphemistically called "assembly centers" and were located at fairgrounds and other existing facilities along the West Coast. Nikkei were then moved to more permanent concentration camps in California, Idaho, Utah, Arizona, Wyoming, Colorado, and Arkansas operated by the WRA, a new federal agency created to imprison Japanese Americans. Most Nikkei would spend the duration of the war under difficult and overcrowded conditions (NPS 2016:4).

The Tule Lake War Relocation Center was one of the ten camps operated by the WRA from May 27, 1942 to March 20, 1946 (NPS 2016:4). Like all WRA sites, Tule Lake was selected for its isolation, its proximity to a rail line, its federal ownership (by BOR), and its agricultural potential. Although tens of thousands of acres of the Tule Lake Basin had been drained under the Reclamation Act, only a small portion of this acreage was in cultivation at the outbreak of World War II. It was assumed that incarcerated individuals would provide the labor needed to increase agricultural production on reclamation lands (Burton and Farrell 2005).

Construction of the Tule Lake WRA camp began on April 15, 1942. Eventually, Tule Lake would become the largest of the ten WRA centers, with a peak population of 18,789 (NPS 2016:4). Within the 908-acre developed area of the camp, there were more than 1,700 structures divided into wards and blocks. Nikkei were housed in more than 1,000 barracks served by latrines, mess halls, and other communal buildings. The 6,110-acre camp also contained a post office, high school, hospital, cemetery, factories, railroad sidings, two sewage treatment plants, hog and chicken farms, water wells, and thousands of acres of irrigated farmland. WRA facilities included 144 administration and support buildings. The camp was surrounded by a barbed wire fence and six guard towers (Burton and Farrell 2005).

In 1943 the U.S. government developed a "loyalty questionnaire" that was administered to each incarcerated person over the age of 17, whether born in the United States or Japan. The questions included were ambiguous, and incarcerated in all WRA camps were given a strict deadline for response. Questions 27 and 28 were especially problematic in this regard. Question 27 of the questionnaire addressed a person's willingness to serve in the U.S. armed forces. Question 28 asked for a disavowal of allegiance to the Japanese emperor or other foreign governments. Faced with difficult choices and unknown consequences, each individual's responses to the questionnaire were tempered by a variety of personal and cultural values and factors, as well as outside pressures from family and peers (NPS 2016:8).

Those who refused to answer the questionnaire, gave qualified answers, or answered "no" to the questions were officially labeled "disloyal" by the government. However many who were branded "disloyal" were protesting the injustice of their forced confinement and the denial of their civil liberties. In part due to WRA mishandling of the questionnaire at Tule Lake, more than 40% of respondents refused to give unqualified "yes" responses to questions 27 and 28. This was the highest percentage of so-called "disloyals" of all the

¹ Nikkei refers to all people of Japanese ancestry who emigrated from Japan and their descendants, including Japanese Americans and legal residents of Japanese ancestry. These groups have also been historically differentiated by the terms Issei (first-generation), Nisei (second-generation), Sansei (third-generation), and Yonsei (fourth-generation).

camps. As a result, Tule Lake was selected for conversion to a maximum-security “segregation center,” which began on July 15, 1943 (NPS 2016:8, 13).

Respondents from the other nine camps similarly labeled “disloyal” were transferred to the TLSC. Those labeled “disloyal” made up two-thirds of the camp’s population. Tule Lake incarcerated identified as “loyal” were given the choice to move to other WRA camps, but many chose to stay instead of enduring yet another move. The “loyals” then composed one-third of the segregation center population. The mix of “loyals” and “disloyals” at the center contributed to tensions and conflicts (NPS 2016:13).

After conversion to the segregation center, several changes occurred in the physical layout of the camp. These included the construction of a new and larger military police compound, an increase in the number of guard towers from six to 28, and the installation of a high-security stockade that included a jail. The prison-like atmosphere of the camp and lack of freedom were underscored by the presence of nearly a thousand armed guards, several tanks, and multiple security fences (NPS 2016:13).

The farmworkers incarcerated at Tule Lake went on strike in the fall of 1943, protesting poor working and living conditions and unfair treatment. The strike was catalyzed by a farm truck that overturned, killing one man and injuring several others. Authorities brought in Nikkei from other WRA camps as strikebreakers to harvest the crops. Tensions within the segregation center, including the strike, culminated in late 1943 with the declaration of martial law. Between November 14, 1943 and January 15, 1944, repressive actions were implemented by the army and the WRA, including a curfew, barrack-to-barrack searches, and the suspension of many daily activities, including work and social activities. The declaration of martial law resulted in a time of increased suffering for the entire population. This period led to widespread hostility toward the army and the WRA and caused many families to wonder what future they had in a country that showed so little regard for them (NPS 2016:13).

Tule Lake’s atmosphere of anxiety, anger, confusion, and distrust helped set the stage for the largest mass renunciation of American citizenship in U.S. history. Passage of the Denaturalization Act of 1944 (Public Law 78-405) on July 1 allowed Americans to voluntarily give up their U.S. citizenship during times of war, and enabled the Department of Justice to treat them as “enemy aliens.” At Tule Lake, 5,461 Japanese Americans renounced their U.S. citizenship. In contrast, only 128 Japanese Americans from the other nine WRA camps renounced. While some renunciants would voluntarily leave for Japan, most would seek hearings to avoid deportation as they learned the full implications of renunciation. It was not until 1968 that American citizenship was restored to 4,978 stateless Japanese Americans who had participated in a lawsuit filed in 1945, which challenged the legality of the renunciations (NPS 2016:13-16).

Tule Lake was the last WRA camp to close, remaining in operation until March 20, 1946, seven months after the end of World War II (NPS 2016:16). The administration of the center was returned to BOR on May 5, 1946, and the subsequent dismantling of the segregation center occurred quickly. Some of the barrack buildings were given or sold to new homesteaders in the Tule Lake Basin, with preference given to those who were World War II veterans. The remaining buildings were removed in 1946.

In 1948, the Division of Highways (present-day California Department of Transportation [Caltrans]) received a patent to use the former WRA motor pool and stockade areas for a maintenance station facility. The WRA motor pool area was constructed between the staff housing and the military police compound, and included two offices, two automotive repair shops, a gas station, a latrine, a wash rack, two grease racks, a storage shed, a vehicle shed, and a warehouse. In the early 1950s, plots of land within the camp boundary were auctioned by the BOR to establish the town of Newell, located in what had been the center’s administration area. Around 1963, H. A. and Anna Fletcher bought the Military Police Compound and turned it into the “Flying Goose Lodges” subdivision (Burton and Farrell 2005:33-34).

In 1974, Japanese American survivors and their descendants organized a group of approximately 200 people to participate in the first pilgrimage to Tule Lake (NPS 2016:16). In 1972, the Tule Lake site was designated a CHL (No. 850-2). In 1988, the Civil Liberties Act (Public Law 100-383) was passed in which the U.S. government formally apologized to each individual incarcerated during World War II, based on the determination that the mass incarceration of Japanese Americans during the war was the result of “race prejudice, war hysteria and a failure of political leadership.” The TLSC was designated a NHL in 2006. The Tule Lake Unit of World War II Valor was recognized as a National Monument in 2008.

Tulelake Municipal Airport History

The Airport is sited on land east of State Route 139 that was once part of the TLSC. Most remnants of the facility on Airport property were removed in 1946, immediately after the TLSC closed. In 1951, the federal government conveyed the property that became the Tulelake Municipal Airport to the City of Tulelake for use for airport purposes. Modoc County is the operator of Airport, under a long-term lease from the City of Tulelake since 1974. The City of Tulelake is located in Siskiyou County, 5 five miles northwest of the Airport.

The Airport is a public use, general aviation airport located on 358-acres of land in Modoc County and serves northwestern Modoc County and northeastern Siskiyou County in California and the Klamath Basin in southern Oregon. The Airport has a single runway (Runway 12-30; 3,577 feet in length); a partial-parallel taxiway; paved aircraft parking apron; and aircraft hangars. The Airport is classified as a basic airport in the U.S. Department of Transportation, FAA National Plan of Integrated Airport Systems (NPIAS).

Visitors have come to the Airport for many years to see remnants of the former TLSC. A private, non-profit organization, the Tule Lake Committee, has organized biennial pilgrimage events that include a visit to the Airport. Both the County and the FAA anticipate that the County will be able to partner with the NPS and other groups to develop an ongoing program to provide access for tours to sites of former TLSC facilities on the Airport property while still meeting FAA requirements.

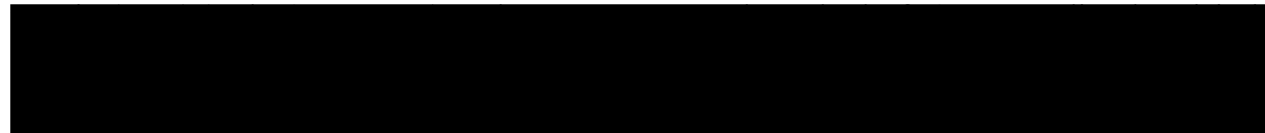
SUMMARY OF PREVIOUSLY RECORDED SITE CA-MOD-138/H

The recorded boundaries of multicomponent site CA-MOD-138/H encompass the Direct APE, as well as Airport property [REDACTED]. The site was initially recorded in 1953 as a “large campsite,” the location of which near the TLSC was uncertain (Squier 1953). The site record was updated in 2009 to encompass [REDACTED] Airport property, and to include three components, the prehistoric component and two separate historic components: the scattered remnants of the portion of the TLSC (1942–1946) located within Airport property; and the Tulelake Airport (ca. 1951–1959) (Jensen 2010; Jensen et al. 2009).

PREHISTORIC COMPONENT OF CA-MOD-138/H

The description in the original 1953 site record as a “large campsite,” the location of which was uncertain, was based on information supplied to Squier by Mr. Roscoe Barkhurst of Merrill, Oregon, and his collection of material from near the TLSC and from [REDACTED] the nearest former shoreline of Tule Lake. The “Barkhurst Collection” included a variety of stone artifacts (chert crescent, boatstones, grooved sinkers, anchor, possible adze, drilled pendant) (Squier 1953).

Based on the survey and site testing within [REDACTED] Airport property in 2009, the prehistoric component of CA-MOD-138/H is described by Jensen (2010:19) as a “low density and diffuse lithic scatter, with subsurface lithics accompanied by historic items, confirming extensive impacts to both surface and subsurface soils associated with WW II construction of the Tule Lake Segregation Center, its subsequent demolition, and, finally, by heavy equipment use in constructing the present airport runway and other features in the area.” [REDACTED]



Jensen concluded the prehistoric component of CA-MOD-138/H, which would have been occupied along the margins of Tule Lake prior to its draining shortly after 1905, does not represent an area of primary habitation. The component does not contain intact, buried archaeological deposits or features (Jensen 2010:14-15; Jensen et al. 2009). The prehistoric component of the site is considered by Jensen to lack integrity as historic/contemporary items are mixed with subsurface lithics as a consequence of construction of the TLSC, its demolition after the end of World War II, and subsequent construction of the Airport above the original lakebed. As detailed in the inventory report, Jensen recommended the prehistoric component of the site as being ineligible for NRHP listing under each of the four significance criteria (A–D) (Jensen 2010:18-19).

TLSC COMPONENT OF CA-MOD-138/H

The Tule Lake War Relocation Center opened in May 1942 as one of the ten relocation centers where Japanese Americans were interned during World War II. Designated a segregation center for “disloyals” in the summer of 1943, the Center was expanded and security was upgraded. By the spring of 1944, over 18,000 people were incarcerated at the remote TLSC. Historically comprising 7,400 acres, the TLSC was closed in March 1946 (Jensen 2010; Jensen et al. 2009).

Approximately 1,000 of the total of 1,036 documented barracks associated with the TLSC between 1942 and 1946 were formerly located within Airport property (Jensen 2010:9-11, 16; Jensen et al. 2009). The dormitory-style buildings and an adjacent latrine area and laundry facility (a steel barrel for heating water and washing clothes) were constructed between 1942 and 1943. Following the end of World War II, some of the abandoned buildings were sold to local ranchers but the majority were burned and destroyed. During construction of the Airport circa 1951, heavy equipment was used to re-contour the ground surface, and circa 1958 to 1960 the runway, aprons and approaches were graded and paved.

The site record update for CA-MOD-138/H indicates the sequence of demolition and construction activities conducted after the TLSC was closed in 1946 destroyed the built environment and the associated underground features that were associated with the portion of the TLSC that had been located on Airport property. Only historic debris was found during the cultural resources survey completed in 2009. The debris is described as “concrete demolition pieces and piles, steel pipe fragments, occasional fragmentary artifacts including fasteners (nails), bottle glass, window pane glass, and some additional similar fragmentary components, which material is not concentrated but is widely scattered throughout the [airport property] (Jensen et al. 2009).

The site record update concludes that those qualities and attributes of the Center which defined its unique character at the time of initial construction and use, or that would provide a sense of the Center’s historic importance have been completely destroyed within the Airport boundary (Jensen et al. 2009). In the inventory report Jensen recommended the TLSC component of CA-MOD-138/H on Airport property as being ineligible for NRHP listing since the built environment and underground features that were associated with the Center have been completely destroyed and the remaining historic debris no longer retains the ability to convey its significance and lacks integrity (Jensen 2010:19-21).

TULELAKE AIRPORT COMPONENT OF CA-MOD-138/H

The site record update for CA-MOD-138/H indicates that in or shortly before 1951, private funding was used to grade a narrow, short runway for crop dusting use by local ranchers and farmers (Jensen et al. 2009).

The present Airport boundary incorporates a larger area than the original runway, and was formalized subsequent to initial use of the dirt runway via FAA licensing. As stated in the site record, the Airport boundary also “coincides closely with the core habitation area” for the TLSC. Most remnants of the TLSC on Airport property were removed in 1946, immediately after the TLSC closed. The Airport property was conveyed to the City of Tulelake, which is located in Siskiyou County, by the federal government in 1951. The Airport has been operated under a long-term lease by Modoc County since 1974.

The runway was completed by 1951, a maintenance/office building was constructed between 1953 and 1955, and a small shed/storage building and a long, narrow hanger were built between 1953 and 1988 adjacent to the south side of the runway. The runway and two of the buildings have been modified, upgraded and improved; the shed/storage building is no longer extant; and six structures have been constructed since 1988. The runway, aprons and approaches were paved circa. 1958–1960. No belowground features (e.g., cisterns or privy pits) or refuse disposal areas were identified in association with the historic buildings.

As stated in the site record update (Jensen et al. 2009), the integrity of original feeling and association that characterized the Airport at the time of initial construction and use through the 1950s has been eliminated by construction of the contemporary structures post-1988. The modification, upgrading, and improvement to the original two buildings and the runway has also resulted in the loss of integrity of design and workmanship. As detailed in the survey report, Jensen recommended the Airport component of site CA-MOD-138/H as being ineligible for NRHP listing under each of the four significance criteria (A–D) (Jensen 2010:21-23).

FIELD SURVEY METHODS

An intensive-level pedestrian survey within the Direct APE was conducted by Natural Investigations archaeologists, Dylan Stapleton and Phil Hanes on March 28, 2017. Survey transects were conducted at 3-meter (10-foot) spacing from either side of the proposed fence alignment.

All visible ground surface within the Direct APE was examined for cultural material (e.g., flaked stone tools, tool-making debris, stone milling tools, or fire-affected rock), soil discoloration that might indicate the presence of a cultural midden, soil depressions and features indicative of the former presence of structures or buildings (e.g., postholes, foundations), or historic-era debris (e.g., metal, glass, ceramics). Ground disturbances (e.g., animal burrows, ditches, dirt roads, etc.) were visually inspected. A digital camera was used to take photographs, a Munsell® Soil Color Chart used to record soil color, and a handheld BE-3300GSP global positioning system (GPS) unit with sub-meter accuracy used to record locational data. Information was collected to update the TLSC component of previously recorded site CA-MOD-138/H on California Department of Parks and Recreation (DPR) series 523 forms [REDACTED]

FIELD SURVEY RESULTS

SUMMARY

Historic features of multicomponent archaeological site CA-MOD-138/H were located during the survey and the site record updated, as follows:

- An approximately 2,640-foot segment of the original TLSC security fence erected ca. 1943, located on Airport property adjacent to but outside the Direct APE for the Preferred Fence Alignment, previously inventoried by the NPS [REDACTED] (Burton and Farrell 2004: Appendix D) was recorded individually on a DPR update to CA-MOD-138/H; and
- Three TLSC features located on Airport property adjacent to but outside the Direct APE, previously inventoried by the NPS [REDACTED] (Burton and Farrell 2004: Appendix D) were recorded together on a DPR update to CA-MOD-138/H.

In addition, a variety of historic-era material found scattered along the Direct APE was not formally recorded since the miscellaneous material is similar to that described in 2009 on the existing DPR forms for CA-MOD-138/H (Jensen et al. 2009).

DESCRIPTION OF SURVEYED AREA

An existing barbed wire fence is present along the proposed fence alignment around the Airport perimeter, with a break at Airport Road, the main Airport access off County Road 176. The livestock fence is supported by wooden posts (4x4s) and has five strands of barbed wire. Some of the posts are leaning and the barbed wire is loose or no longer fastened to the posts in some sections (Photograph 1).



Photograph 1. Overview of existing livestock fence along Direct APE (view to north)

A portion of County Road 176, which is 20 feet wide and asphalt paved, is encompassed in the western extent of the Direct APE (see Figure 1). The segment of the alignment southeast of County Road 176 follows the existing livestock fence and an approximately 22-foot wide cleared, dirt firebreak inside the fence line. Turning north, the Direct APE continues to follow the existing livestock fence, turns northwest

adjacent to but outside the original TLSC security fence, and then jogs outward where it includes an approximately 1,200-foot segment of a 12-foot wide dirt road, before turning westward along County Road 113. The Direct APE includes an approximately 550-foot segment of County Road 113, a paved 20-foot wide roadway, before turning south along County Road 176. The extreme northeast corner of the Direct APE (east of the TLSC fence) has been disturbed by off-road vehicle (OHV) use connected to an OHV track sandwiched between the existing fence line and a dirt road edging a drainage ditch. Regular use of the track makes it readily visible on aerial photographs dating to at least a decade ago.

The Airport's paved, operational runway, buildings, and hangars are located north of and outside the Direct APE. Only the main Airport access (Airport Road) is crossed by the Direct APE.

The Airport property is mainly an open, flat, treeless, grassy meadow, with vegetation along the Direct APE consisting of open grassland and shrubs. Ground visibility within the Direct APE ranged from poor (1–5%) to moderate (50–75%), depending on the density and height of the vegetation cover (Photograph 2).



Photograph 2. Overview of vegetation cover near southern portion of Direct APE (view to east)

Soils along the Direct APE, visible in rodent burrows, are a gray-brown (10YR 5.2 moist) loamy sand, with 0–5% subangular to rounded pebble inclusions. This is consistent with the Fordney soil series that formed in alluvium or lacustrine deposits derived from volcanic rocks and ash. In the areas with low grass cover and rodent burrows, numerous, tiny freshwater snail and clam shells (0.5–1 mm) with occasional larger fragments of clam shell (5–8 cm) were observed. These mollusks are representative of Tule Lake, the extensive, shallow Pleistocene lake that was drained for farmland beginning shortly after 1905.

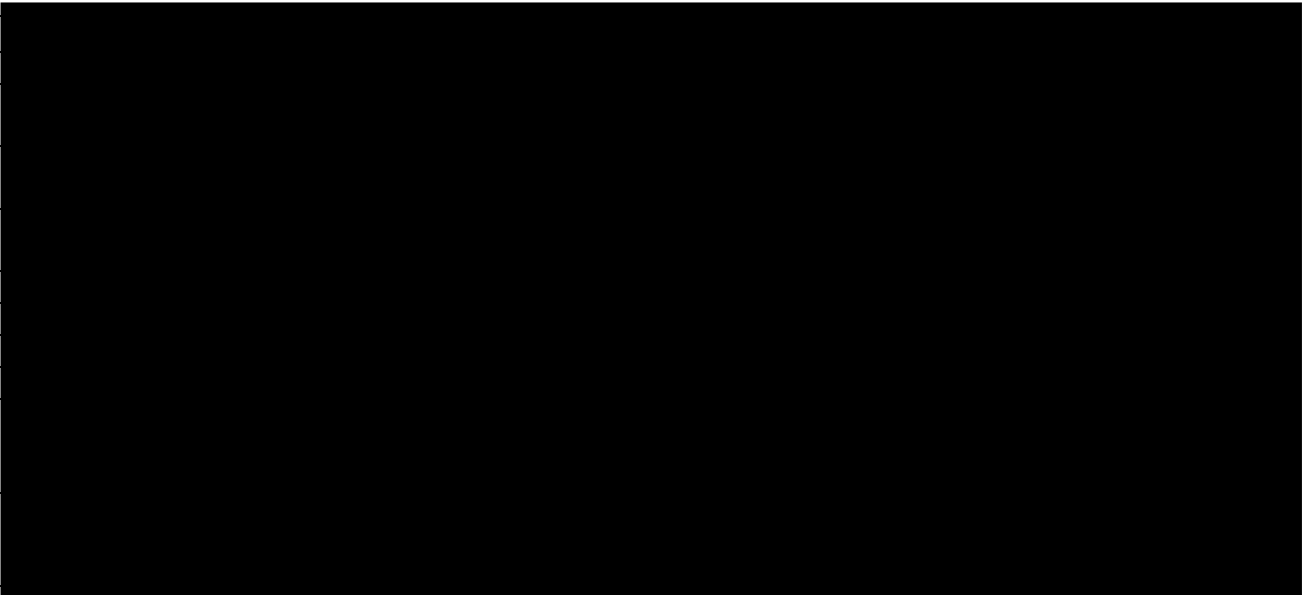
A few pieces of naturally occurring unmodified obsidian and basalt were observed scattered throughout the Direct APE. Due to the vegetation cover, the material was seen mostly in the animal burrow spoils piles. No pieces of flaked stone or formal stone tools were identified.

MISCELLANEOUS HISTORIC-ERA MATERIAL

A variety of historic-era material was found scattered along the Direct APE [REDACTED] the assorted debris ranged from concrete blocks and footing pieces, wood plank fragments, bottle glass, crushed sanitary can fragments and friction lids, and 5-gallon metal barrels to window glass and non-

diagnostic and amorphous metal objects, such as buckets and building hardware. There are also modern trash items, such as cardboard, beer bottles, and aluminum cans, mixed with some of the historic debris. The site record for CA-MOD-138/H was not updated to reflect the miscellaneous historic-era material [REDACTED] observed during the survey within the Direct APE, as the material is encompassed within the description on the existing DPR update prepared by Jensen and others in 2009.

This miscellaneous historic-era material is not considered by the FAA to be a contributing element to the larger NRHP-eligible Historic District. The material is also not considered individually eligible for NRHP or CRHR listing.



UPDATE TO TLSC COMPONENT OF CA-MOD-138/H

TLSC Security Fence Segment

A standing 2,640-foot segment of the original TLSC security fence erected ca. 1943 during World War II is present along the [REDACTED] edge of Airport property, adjacent to but outside the Direct APE for the undertaking (Photograph3). The fence is a standard chain link with 2-inch diameter steel posts set 10 feet apart, set in concrete, and capped by 45-degree angled aluminum caps containing three strands of barbed wire set 6 inches apart, and facing toward the former TLSC interior. The surviving fence segment is a 7-foot high chain link fence (5-foot high chain link fence with outriggers above to make a total height of 7-foot) set in concrete, with a three-strand barbed wire outrigger facing toward the TLSC interior. Portions of the fence segment are missing either the barbed wire, chain link, or aluminum caps, and some of the aluminum caps have been rearranged and now face away from the TLSC interior. The total height of the fence with barbed wire is 7 feet, comprising 170 feet of the total length of existing fence line. The height of the chain link fence without the barbed wire and aluminum top is 6 feet. There is a single strand of solid wire running lengthwise along the entire fence line in between the top of the chain link and the bottom of the aluminum fence caps. The chain link is attached to the steel posts by four aluminum wire clips spaced 0.5 inches apart. The section missing the chain link (70 feet) has four strands of barbed wire connecting to each metal fence post and the three strands of barbed wire at the top.



Photograph 3. Overview of TLSC security fence outside Direct APE (view to northwest)

[REDACTED] The surviving segment is now in relatively poor condition. In addition to missing either the barbed wire, chain link, or aluminum caps, and having some of the aluminum caps repositioned, the metal fencing and posts have been subject to weathering during the past 75 years and are rusted. Additionally, the recorded segment is only a fraction of the original security fence that marked the perimeter of the TLSC. Located adjacent to but outside the Direct APE (within 25 feet of the new proposed Airport perimeter fence), the segment of original TLSC security fence will be avoided by design and will not be physically altered by the proposed undertaking.

As noted above, by letter dated March 20, 2013, the FAA informed the SHPO of its determination that the approximately 2,640-foot long segment of the original TLSC security fence erected ca. 1943 is individually eligible for NRHP listing under Criterion A (Hunt 2013a). Located on Airport property, the existing segment is in its original location and essentially intact, and retains sufficient integrity, feeling, and association with the TLSC. By letter dated June 26, 2013, the SHPO concurred with the FAA's NRHP eligibility determination for the original security fence segment (Rowland-Nawi 2013).

TLSC Guard Tower Footings

Three large, displaced, guard tower footings constructed ca. 1943 are located adjacent to [REDACTED] but outside the Direct APE for the undertaking (Photograph 4). As the guard towers were erected outside the barbed wire fence that surrounded the TLSC, the concrete footings are outside the standing segment of the security fence. According to 1942 and 1943 schematics for the guard towers, the pyramidal shaped footings originally measured 5-feet wide at the base and 3-feet wide at the top, with a height of 4-feet (Burton and Farrell 2005). Rebar was used for structural integrity of the footings;

structural iron beams/supports in the center of the footings were used to connect with the tower lattice sitting atop the footings.



Photograph 4. TLSC Guard Tower Footings (view to northwest)

[REDACTED]. While weathering has slightly modified their precise dimensions, the three footings remain in good condition [REDACTED]. Located adjacent to but outside the Direct APE [REDACTED], the concrete footings will be avoided by design and will not be physically altered by the proposed undertaking.

As discussed below under the section on *Findings and Effects Assessment*, the guard tower footings are considered by the FAA as being contributing elements to the larger NRHP-eligible Historic District. The feature is not considered individually eligible for NRHP or CRHR listing.

[REDACTED]

TLSC Concrete Latrine Slabs

Two large, rectangular, concrete latrine slabs from Blocks 71 and 73 of the TLSC barracks area are located [REDACTED] along the western edge of the present-day Airport property boundary (Photograph 5). Adjacent to but outside the Direct APE for the undertaking, [REDACTED]

[REDACTED]



Photograph 5. Block 73 latrine slab [REDACTED] (view to southwest)

Constructed in 1942, the size and layout of the Block 71 and Block 73 slabs indicate each was a combined men's and women's latrine and shower building (NPS 2016:124). The Block 73 concrete slab measures approximately 100 feet by 20 feet (Photograph 5). The southern end of the Block 71 latrine slab is cut by County Road 176, and measures approximately 65 feet by 20 feet (Photograph 6). Both slabs exhibit metal post holes, vertical I-bolts in the concrete, drainage holes and pipes, wood planks, and large pieces of porcelain toilet bowls.



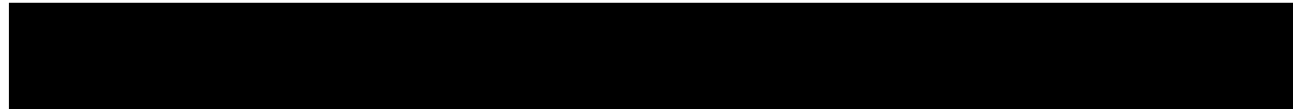
Photograph 6. Block 71 partial latrine slab [REDACTED] (view to southwest)

[REDACTED]. In the recent *Tule Lake Unit General Management Plan and Environmental Assessment for the Tule Lake Unit WWII Valor in the Pacific National Monument*

(NPS 2016), there are [REDACTED] three photographs and references to the Block 73 latrine slab, and to a tour of the slab during the Tule Lake Pilgrimage in 2014.

While the southern end of the Block 71 slab has been cut by County Road 176, the partial latrine slab remains in fair condition [REDACTED]. The Block 73 latrine slab remains in good condition [REDACTED]. Located adjacent to but outside the Direct APE [REDACTED], the Block 71 and Block 73 latrine slabs will be avoided by design and will not be physically altered by the proposed undertaking.

As discussed below under the section on *Findings and Effects Assessment*, the Block 71 and Block 73 latrine slabs are considered by the FAA as being contributing elements to the larger NRHP-eligible Historic District. The features are not considered individually eligible for NRHP or CRHR listing.



FINDINGS AND EFFECTS ASSESSMENT

This section presents a summary of each of the cultural resources identified within the Direct APE, adjacent to the Direct APE, or within the Indirect APE (Table 3). Resources referred to as being “adjacent” to the Direct APE are those historic properties identified within the Indirect APE that are within [REDACTED] but outside, the Direct APE for the undertaking. The discussion also provides the current NRHP and CRHR eligibility determinations for each of the resources, and an assessment of the potential of the proposed fence project for affecting the documented historic properties.

Name	Brief description	Work History	Proximity to APE	NRHP & CRHR Eligibility Determinations
Prehistoric component of CA-MOD-138/H	Low density lithic scatter, disturbed; no intact, buried deposits or features.	Surveys, subsurface testing, site records: Squier 1953; Jensen et al. 2009; Jensen 2010; Sikes & Arrington 2017.	Within Direct APE	Not eligible.
Tulelake Municipal Airport component of CA-MOD-138/H	Structures associated with Airport development ca. 1951-1959 modified multiple times; lacks integrity.	Survey, record: Jensen et al. 2009; Jensen 2010.	Within Direct APE	Not eligible.
TLSC original security fence segment	[REDACTED] TLSC component of CA-MOD-138/H; constructed ca. 1943.	Surveys, site records: Burton & Farrell 2004; Sikes & Arrington 2017; Stapleton & Sikes 2017; this report.	Adjacent to Direct APE	Eligible under Criterion A/1, SHPO concurred 6/26/13.
TLSC guard tower footings, Block 71 and Block 73 latrine slabs	[REDACTED] TLSC component of CA-MOD-138/H; constructed 1942-1943.	Surveys, site records: Burton & Farrell 2004; Sikes & Hanes 2017; this report.	Adjacent to Direct APE	Contributing elements to TLSC Historic District under Criterion A/1; not individually eligible.

Table 3. Cultural Resources Identified within Direct APE or Indirect APE

Name	Brief description	Work History	Proximity to APE	NRHP & CRHR Eligibility Determinations
TLSC National Historic Landmark	NHL designated in 2006; period of significance 1942-1946; 0.25 mile southwest of Direct APE.	Nomination: Burton & Farrell 2005.	Within Indirect APE	Listed in 2006 under Criterion A/1.
TLSC National Historic District	Historic District includes Airport property, extends beyond Airport boundary, and includes TLSC NHL.	Correspondence between FAA and SHPO; Hunt 2013b; Rowland-Nawi 2013.	Includes Direct & Indirect APE	Eligible under Criterion A/1; contributors not fully determined.

RESOURCES NOT ELIGIBLE FOR NRHP OR CRHR LISTING

Prehistoric Component of CA-MOD-138/H

The cultural resources survey and subsurface testing conducted in 2009 concluded the prehistoric archeological component of CA-MOD-138/H within Airport property is not eligible for NRHP listing (Jensen 2010; Jensen et al. 2009). The low density lithic scatter was found to be extensively disturbed with no intact, buried prehistoric archaeological deposits or features, and lacking sufficient integrity to be eligible for NRHP.

The current inventory by Natural Investigations found no additional information that would change this assessment. Additionally, the FAA has confirmed that it still agrees with this NRHP-eligibility determination for the prehistoric component of CA-MOD-138/H. Based on the same considerations and subsurface testing results advanced by Jensen (2010; also see Jensen et al. 2009), the prehistoric component would also not be eligible for listing on the CRHR.

Tulelake Airport Component of CA-MOD-138/H

The cultural resources inventory conducted in 2009 concluded the Tulelake Municipal Airport component of CA-MOD-138/H is not eligible for NRHP listing (Jensen 2010; Jensen et al. 2009). An airstrip was initially constructed for crop dusting use, with three small structures built between 1953 and 1988, two of which have been modified and the third no longer in existence. Additional contemporary structures were built and modifications and improvements made after 1988. None of these structures are eligible for the NRHP listing, and no belowground features or refuse disposal areas were identified in association with the Airport buildings.

The current inventory by Natural Investigations found no additional information that would change this assessment for the Airport component of CA-MOD-138/H. Additionally, the FAA has confirmed that it still agrees with this NRHP-eligibility determination. Based on the same considerations advanced by Jensen (2010; also see Jensen et al. 2009), the Airport component would also not be eligible for listing on the CRHR.

PROPERTIES ELIGIBLE FOR NRHP AND CRHR LISTING

TLSC Security Fence

An approximately 2,640-foot long segment of the original TLSC security fence erected ca. 1943 is individually eligible for NRHP listing under Criterion A. The fence segment was initially inventoried by

the NPS in 2004 and identified by the FAA in 2013. Located on Airport property, the existing segment is in its original location and essentially intact, and retains sufficient integrity, feeling, and association with the TLSC. By letter dated June 26, 2013, the SHPO concurred with the FAA's NRHP eligibility determination (Rowland-Nawi 2013). Based on the same considerations described by the FAA, the original TLSC security fence segment on Airport property would also be eligible for listing on the CRHR under Criterion 1.

The standing TLSC security fence segment is adjacent to but outside the Direct APE for the proposed fence project. Proposed construction of the perimeter fence would replace existing fencing on portions of the Airport property including some four-strand barbed wire livestock fence and some chain-link fence. The chain-link fence to be replaced does not include any portions (standing or otherwise) of the remnants of the TLSC security fence.

The surviving TLSC fence segment continues to remain in stark contrast to the relative openness of the high desert valley and continues to evoke the feeling of the regimentation and confinement of life associated with the TLSC. The barbed wire outrigger atop the chain link fence, although now in relatively poor condition, still faces toward the TLSC interior. The open grassland on the Airport property extends southwestward a quarter-mile between the fence and the runway, with another half-mile of open grassland between the runway and areas outside of Airport property including the residences in Newell and the former TLSC warehouses in the former TLSC industrial area, now privately owned and used for agricultural purposes. To the east beyond County Road 113 is open, former TLSC land managed by the Bureau of Land Management and more private agricultural fields below Horse Mountain. A firebreak parallels the interior side of the fence, and a dirt road and an irrigation canal parallel the exterior side. Between County Road 113 and the surviving fence segment there is a well-used, off-road vehicle (OHV) track that is visible on aerial photographs taken during the last two decades.

Although the segment of original TLSC security fence will be avoided by design and will not be physically altered by the proposed undertaking, construction of a new perimeter fence will introduce a new visual element. As most of the new perimeter fence will be erected adjacent to the original TLSC fence segment, the new fence would diminish the integrity of the property's significant features relative to the feeling associated with the historic features.

TLSC National Historic Landmark

The TLSC NHL (a portion of the World War II Valor in the Pacific National Monument – Tule Lake Unit) was designated in 2006 and also listed on the NRHP in 2006 on basis of Criterion A, with a period of significance from 1942 to 1946 (Burton and Farrell 2005). This historic property is also automatically listed on the CRHR under Criterion 1. The TLSC NHL is located in the Indirect APE for the undertaking, approximately 0.25 mile southwest of the southern extent of the Direct APE. The NHL, which is also part of the larger Historic District, will thus not be directly affected by the proposed undertaking.

As the project proposes to replace existing fencing, the undertaking will not introduce visual elements that would diminish the overall integrity of this historic property. At present, the view from the NHL of the existing barbed wire and chain-line fencing on portions of Airport property is obscured by existing fencing around the NHL, residential buildings and treed landscaping in the Flying Goose Lodges subdivision (former Military Policy Compound), Caltrans buildings, and large agricultural warehouses along County Road 176. The 358-acre Airport property is mainly an open, flat, treeless, grassland, with the facility's buildings and hangars located north of the NHL and south of the western third of a single bi-directional runway. A perimeter fence, regardless of height, design, or alignment would be weakly visible from within

the boundaries of the NHL and through the existing NHL fence.² A new perimeter fence would not dominate the landscape and would not represent a strong visual intrusion on the overall viewshed from the NHL or on the viewshed within a larger Historic District. The visual quality across the openness of the high desert valley landscape would not be reduced. Additionally, the proposed undertaking would not introduce any atmospheric or audible elements that would diminish the overall integrity of the NHL or the larger Historic District.

TLSC National Historic District

The FAA and SHPO agreed in 2013 that the Airport property is eligible for listing on the NRHP under Criterion A as part of a larger TLSC National Historic District (Historic District) that extends beyond the Airport property boundaries and includes the TLSC NHL and the entire Indirect APE for the perimeter fence undertaking. The FAA has confirmed that it still agrees with that determination. As noted, the contributors to a larger Historic District have not been fully determined. Based on the same considerations described by the FAA and SHPO, any contributors to a larger Historic District, including the Airport property, would also be eligible for listing on the CRHR under Criterion 1.

As the Airport property as a whole is eligible for listing on the NRHP as part of a larger Historic District, this determination would include the TLSC component of CA-MOD-138/H. Identified features of the TLSC, the guard tower footings and the Block 71 and Block 73 concrete latrine slabs, are considered contributing elements to the larger NRHP-eligible Historic District. The three features are not considered individually eligible for NRHP or CRHR listing. As these three TLSC features are adjacent to, but outside, the Direct APE [REDACTED] they will not be physically altered by the proposed undertaking. Additionally, as the proposed perimeter fence will not be located between public roads, the undertaking will not introduce any new visual elements that would affect these contributing elements.

Further, as the project proposes to replace existing fencing, the undertaking will not introduce visual elements that would diminish the overall integrity of a larger Historic District. A new perimeter fence would not dominate the landscape and would not represent a strong visual intrusion on the overall viewshed from viewshed within a larger Historic District. The visual quality across the openness of the high desert valley landscape would not be reduced. Additionally, the proposed undertaking would not introduce any atmospheric or audible elements that would diminish the overall integrity of the larger Historic District.

DETERMINATION OF EFFECTS

REGULATORY REQUIREMENTS

As mandated by NHPA Section 106, federal agencies must take into account the effects of their undertakings on historic properties and seek ways to avoid, minimize, or mitigate adverse effects on such properties [36 CFR 800.1(a)]. Likewise, CEQA regulations state that “a Project that may cause a substantial adverse change in the significance of a historical resource is a Project that may have a significant effect on the environment” (PRC Section 21084.1). “Substantial adverse change” means “demolition, destruction, relocation, or alteration such that the significance of an historical resource would be impaired” [PRC Section 5020.1(q)].

If a cultural resource is determined eligible for listing in the NRHP or CRHR, the provisions of Section 106 and CEQA require the lead agency to determine whether or not the proposed undertaking will have an

² Solid fencing material, which may obstruct the viewshed, is not among the design alternatives under consideration for the perimeter fence.

effect, pursuant to 36 CFR 800.4(d)(1-2), upon that historic property or will result in a “substantial adverse change” to the historical resource as defined under PRC Section 21084.1.

According to federal regulations, “*Effect* means alteration to the characteristics of a historic property qualifying it for inclusion in or eligibility for the National Register” (36 CFR 800.16[i]). The criteria of adverse effect listed at 36 CFR 800.5(a)(1) are:

“an adverse effect is found when an undertaking may alter, directly or indirectly, any of the characteristics of a historic property that qualify the property for inclusion in the National Register in a manner that would diminish the integrity of the property’s location, design, setting, materials, workmanship, feeling, or association. Consideration shall be given to all qualifying characteristics of a historic property, including those that may have been identified subsequent to the original evaluation of the property’s eligibility for the National Register. Adverse effects may include reasonably foreseeable effects caused by the undertaking that may occur later in time, be farther removed in distance or be cumulative.”

According to CEQA regulations, “a project that may cause a substantial adverse change in the significance of a historical resource is a project that may have a significant effect on the environment” (PRC Section 21084.1). “Substantial adverse change” means “demolition, destruction, relocation, or alteration such that the significance of an historical resource would be impaired” (PRC Section 5020.1(q)).

DETERMINATION OF EFFECTS

Based on the results of this survey and assessment, the proposed perimeter fence project has the potential to cause an adverse effect on four known historic properties/historical resources either adjacent to the Direct APE or within the Indirect APE (Table 4). As shown in Table 4, these include the TLSC original security fence segment; TLSC guard tower footings, Block 71 and Block 73 latrine slabs; the TLSC NHL; and the TLSC National Historic District. As further detailed below, the proposed undertaking will have the following effect on these four historic properties/historical resources:

- *Adverse Effect* on one historic property/historical resource, the TLSC original security fence segment, determined eligible for NRHP and CRHR listing under Criterion A/1;
- *No Adverse Effect* on three historic properties/historical resources: TLSC guard tower footings, Block 71 and Block 73 latrine slabs, which are contributing elements to the Historic District; the TLSC NHL, which is listed on the NRHP and CRHR under Criterion A/1; and the TLSC National Historic District, which is eligible for NRHP and CRHR listing under Criterion A/1.

The undertaking will have *No Effect* on two resources within the Direct APE, the prehistoric component of CA-MOD-138/H and Tulelake Municipal Airport component of CA-MOD-138/H, which are not eligible for listing on the NRHP or CRHR and thus do not qualify as historic properties or historical resources.

Table 4. Project Impacts and Effects to Cultural Resources within Direct and Indirect APE				
Name	NRHP & CRHR Status	Proximity to APE	Project Impact	Project Effect
Prehistoric component of CA-MOD-138/H	Not eligible.	Within Direct APE	Construct Airport perimeter fence.	No Effect.
Tulelake Municipal Airport component of CA-MOD-138/H	Not eligible.	Within Direct APE	Construct Airport perimeter fence.	No Effect.
TLSC original security fence segment	Eligible under Criterion A/1, SHPO concurred 6/26/13.	Adjacent to Direct APE	Construct Airport perimeter fence within [REDACTED] feet.	No Direct Adverse Effect; Indirect Adverse Effect.
TLSC guard tower footings, Block 71 and Block 73 latrine slabs.	Contributing elements to TLSC Historic District under Criterion A/1; not individually eligible.	Adjacent to Direct APE	Construct Airport perimeter fence within [REDACTED] feet.	No Adverse Effect.
TLSC NHL	Listed under Criterion A/1 in 2006.	Within Indirect APE	Construct Airport perimeter fence within 0.25 mile.	No Adverse Effect.
TLSC National Historic District	Eligible under Criterion A/1; contributors not fully determined.	Includes Direct & Indirect APE	Construct Airport perimeter fence.	No Adverse Effect.

Prehistoric Component of CA-MOD-138/H

The prehistoric component of site CA-MOD-138/H identified within the Direct APE was determined ineligible for listing on the NRHP and CRHR. Implementation of the proposed fence project will thus have no effect and no adverse change on the prehistoric component of CA-MOD-138/H.

Tulelake Airport Component of CA-MOD-138/H

The Tulelake Municipal Airport component of site CA-MOD-138/H identified within the Direct APE was determined ineligible for listing on the NRHP and CRHR. Implementation of the proposed fence project will thus have no effect and no adverse change on the Airport component of CA-MOD-138/H.

TLSC Security Fence

The segment of the original TLSC fence identified adjacent to but outside the Direct APE was determined by FAA to be individually eligible for NRHP listing under Criterion A, with SHPO concurrence in 2013. This historic property is also eligible for listing as a historical resource on the CRHR under Criterion 1. Although the proposed perimeter fence project will have no direct adverse effect on the remnant TLSC fence segment, construction of a new perimeter fence would introduce a new visual element in close proximity, diminishing the feeling associated with the original TLSC fence.

As defined under Section 106 [36 CFR 800.5(a)(1)], the project will have an adverse effect on the viewshed of this historic property within the Indirect APE. The project will indirectly alter the characteristics of this historic property that qualify the property for inclusion on the NRHP in a manner that would diminish the integrity of the property’s feeling and association. The undertaking will introduce visual elements that diminish the integrity of the property’s significant historic features.

As defined under CCR Section 15064.5(b) of CEQA Title 14, the project will cause a substantial adverse change in the significance of this historical resource. The project will alter the resource such that it or its immediate surroundings impair the significance of the resource. The physical characteristics of the resource that convey its historical significance and that justify its inclusion in, or eligibility for, inclusion on the CRHR will be materially altered by the planned project.

TLSC National Historic Landmark

Designated a NHL in 2006, the TLSC NHL was also listed on the NRHP in 2006 under Criterion A. This historic property was also automatically listed on the CRHR. The TLSC NHL is located in the Indirect APE for the undertaking, approximately 0.25 mile southwest of the southern extent of the Direct APE.

Implementation of the proposed fence project will not directly or indirectly affect the NHL. Replacement of the existing fence by the undertaking will not introduce any visual, atmospheric, or audible elements that would diminish the overall integrity of the NHL. Implementation of the proposed fence project will thus have no adverse effect and no substantial adverse change on the NHL.

TLSC National Historic District

The TLSC National Historic District (Historic District) that includes the Airport property and extends beyond the Airport property boundaries encompassing the entire Indirect APE for the perimeter fence undertaking, including the TLSC NHL, is considered by the SHPO, and FAA agrees, as being eligible for listing in the NRHP under Criterion A. This historic property would also automatically be eligible for CRHR listing under Criterion 1.

Implementation of the proposed fence project will not directly affect the Historic District or the three TLSC features on Airport property that are considered contributing elements and not individually eligible for NRHP listing (the guard tower footings and the Block 71 and Block 73 concrete latrine slabs), nor will replacement of the existing fence by the undertaking introduce any visual, atmospheric, or audible elements that would diminish the overall integrity of the larger Historic District or its contributing elements. Implementation of the proposed fence project will thus have no adverse effect and no substantial adverse change on the Historic District or its contributing elements.

SENSITIVITY FOR DISCOVERY OF BURIED RESOURCES

As discussed in recent geoarchaeological studies (e.g., Meyer 2013:117-121; Meyer and Rosenthal 2008:162), the discovery of buried archaeological sites depends on site-specific variables, such as distance to watercourses, micro-topographic variation (e.g., the presence of buried stream channels, former sloughs, springs, or natural levees), the stability of landscape features, and the geomorphic context of known buried archaeological deposits. Places that were once covered by Pleistocene lakes present a unique challenge to assessing archaeological sensitivity, and depends largely on reconstructing the size of the paleolakes, including their high and low stands, in relation to the earliest known human occupation of a region.

Recent geoarchaeological research indicates the potential for discovery of buried early archaeological sites in the Tule Lake Basin, which underlies the Direct APE for the proposed project, when compared to the size of the paleolake, is mainly low to very low (16.6%) (Meyer 2013: Table 49). Pleistocene Lake Modoc averaged 408 square miles in size, with a pre-1905 low-stand of 158 square miles. Average elevation of the paleolake was 4,100 feet above mean sea level (amsl), with a high-stand of 4,240 feet amsl and a pre-1905 low stand of 4,084 feet amsl (Dicken 1980; Meyer 2013: Table 45). The maximum lake depth was 210 feet. When the level of the paleolake receded, only some 68 square miles around the expansive shoreline were exposed and accessible for potential human habitation. The former shoreline levels are visible as much as 23 feet above the present-day basin floor along the eastern side of Sheepy Ridge and the western side of

Prisoners Rock (Cleghorn 1959; Silva and Silva 2005). The subsurface testing conducted in 2009 in the [REDACTED] Airport property indicated the former Tule Lake lakebed is present [REDACTED] below the surface (Jensen 2010; Jensen et al. 2009).

During the historic period, the area encompassed by Airport property and the Direct APE for the proposed project was extensively disturbed by historic-era and recent activities conducted after Tule Lake was drained by the BOR shortly after 1905 as part of the Klamath Project. The various disturbance activities include small-scale agriculture, construction and operation of the TLSC (1942–1946), demolition in 1946 of the TLSC components on Airport property, and subsequent grading and construction of the Airport runway and associated infrastructure (1951–1988).

While it is likely the shoreline around Tule Lake was occupied at least seasonally during the prehistoric and ethnohistoric periods, the subsurface testing conducted in 2009 found only scant prehistoric material [REDACTED] in the series of STPs excavated in [REDACTED] Airport property (Jensen 2010; Jensen et al. 2009). [REDACTED] The few prehistoric lithics were also mixed with historic/modern material attributed to the numerous earth-disturbing activities conducted over the last 100 years. The subsurface testing results indicated the Airport property was not a primary habitation area during the prehistoric period. Although the presence of wagon tracks along the shoreline of Tule Lake as it existed prior to regulation of the water levels by the Klamath Project is one indicator of historic-era occupation near the Airport property (Hensher 2007:17), no belowground features or refuse disposal areas that would have been associated with historic Airport buildings or earlier occupation were identified during the subsurface testing on Airport property for the proposed perimeter fence project (Jensen 2010; Jensen et al. 2009).

Based on these site-specific variables—presence of a paleolake, prior extensive disturbance, lack of evidence for prehistoric habitation, lack of evidence for historic-era archaeological features, and the relatively shallow depth projected for the work (3 feet; 1 meter)—the overall potential for discovery of archaeological deposits, including buried archaeological deposits, materials, or features, by implementation of this project is considered low. However, due to the documentation on Airport property of [REDACTED] [REDACTED] the sensitivity for the discovery of buried cultural resources within the Direct APE is considered moderate to high.

POTENTIAL PROTECTIVE MEASURES

Mitigation Measures to Resolve Adverse Effects

To resolve the adverse effects of the proposed undertaking on the viewshed of one historic property/historical resource, the TLSC original security fence segment located within the Indirect APE, adjacent to but outside the Direct APE, the following two Mitigation Measures are proposed. If the measures are agreed to by the participants in the Section 106 process, minimally the SHPO, FAA, and County, the measures will be incorporated into a Memorandum of Agreement (MOA) to be developed in accordance with 36 CFR 800.6 (“Resolution of Adverse Effects”) and will also be detailed in the EA.

- Mitigation Measure 1: The surviving 2,640-foot segment of the original TLSC security fence on Airport property will be protected from inadvertent damage by visitors or wildlife (deer and coyotes), and from opportunities for vandalism, by erection of a low (1 to 2-foot-high) additional fence that will be designed to minimize, as feasible, any vandalism and damage to the remnant TLSC fence while minimizing further visual disturbance of the feeling and association of this historic property with the TLSC.

- Mitigation Measure 2: To further resolve the adverse effect of the undertaking on the surviving 2,640-foot segment of the original TLSC security fence on Airport property, consideration will be made toward installing an interpretive display regarding the TLSC in the vicinity of the existing TLSC fence, and for the display to be visible from a public road.

Cultural Resources Monitoring Program

Archaeological and Native American Monitoring: Construction monitoring of ground-disturbing activity within the Direct APE by a qualified archaeologist who meets the Secretary of the Interior's Standards for archaeologists (36 CFR Part 61) is required by the County of Modoc. The federally recognized tribes associated with the project area, the Klamath Tribes of Oregon and the Modoc Tribe of Oklahoma, will be informed of the construction schedule and given the opportunity for a Native American monitor to be present during all ground-disturbing activity being monitored by the archaeological monitor.

Inadvertent Discoveries: Should cultural resources be encountered during ground disturbing activities for the project, the archaeological monitor shall have the authority to halt work within 50 feet of the discovery while it is evaluated for significance. Construction activities could continue in other areas. If the discovery proves to be significant and if avoidance is infeasible, additional work in accordance with accepted professional practice, such as data recovery excavation, may be warranted and would be discussed in consultation with the County of Modoc, the FAA, or any other relevant regulatory agency, as appropriate.

Awareness Training Session: Prior to initiation of ground-disturbing activities, a qualified archaeologist will conduct a short awareness training session for all construction workers and supervisory personnel. The course would explain the importance of, and legal basis for, the protection of significant archaeological resources. Each worker would also learn the proper procedures to follow in the event cultural resources or human remains/burials are uncovered during construction activities, including work curtailment or redirection and to immediately contact their supervisor and the archaeological monitor.

Discovery of Human Remains: Although unlikely, the discovery of human remains is always a possibility. Procedures of conduct following the discovery of human remains on non-federal lands in California have been mandated by Health and Safety Code §7050.5, PRC §5097.98 and the California Code of Regulations (CCR) §15064.5(e) (CEQA). According to the provisions in CEQA, should human remains be encountered, all work in the immediate vicinity of the burial must cease, and any necessary steps to ensure the integrity of the immediate area must be taken. The Modoc County Coroner will be immediately notified. If the Coroner determines the remains are of Native American origin, the Coroner has 24 hours to notify the NAHC, which will determine and notify a Most Likely Descendent (MLD). Further actions will be determined, in part, by the desires of the MLD. The MLD has 48 hours to make recommendations regarding the disposition of the remains following notification from the NAHC of the discovery. If the MLD does not make recommendations within 48 hours, the owner shall, with appropriate dignity, reinter the remains in an area of the property secure from further disturbance. Alternatively, if the owner does not accept the MLD's recommendations, the owner or the descendent may request mediation by the NAHC.

REFERENCES CITED

- Aikens, C.M., and D. Jenkins
 1994 Environment, Climate, Subsistence, and Settlement: 11,000 Years of Change in the Fort Rock Basin, Oregon. In *Archaeological Researches in the Northern Great Basin: Fort Rock Archaeology Since Cressman*, edited by C. M. Aikens and D.L. Jenkins. University of Oregon Anthropological Papers 50, Eugene, Oregon.
- Aikens, C.M., and R. Minor
 1978 *Obsidian Hydration Dates for Klamath Prehistory*. Tebiwa: Miscellaneous Papers of the Idaho State University Museum of Natural History 11, Pocatello, Idaho.
- Aikens, C.M., and Y.R. Witherspoon
 1986 Great Basin Numic Prehistory: Linguistics, Archaeology, and Environment. In *Anthropology of the Desert West: Essays in Honor of Jesse D. Jennings*, edited by C. Condie and D. Fowler. University of Utah Anthropological Papers 110, Salt Lake City, Utah.
- Ames, K.M., D. E. Dumond, J.R. Galm, and R. Minor
 1998 Prehistory of the Southern Plateau. In *Plateau*, edited by D.E. Walker, Jr. Handbook of North American Indians, Vol 12, W. C. Sturtevant, general editor. Smithsonian Institution, Washington, D.C.
- Antevs, Ernest
 1948 Climatic Change and Pre-White Man. In *The Great Basin with Emphasis on Glacial and Postglacial Times*, pp. 168-191. University of Utah Bulletin 38(2), Salt Lake City, Utah.
- Arnold, K.
 1995 *The Lonesome Route*. Ms. on file, Bureau of Land Management, Redding Field Office, Redding.
- Barrett, S.A.
 1910 *The Material Culture of the Klamath Lake and Modoc Indians of Northeastern California and Southern Oregon*. University of California Publications in American Archaeology and Ethnology 5(4). Berkeley.
- Baumhoff, M.A.
 1978 Environmental Background. In *California*, edited by R. F. Heizer, pp. 16-64. Handbook of North American Indians, Vol. 8, W. C. Sturtevant, general editor. Smithsonian Institution, Washington, D.C.
- Bedwell, S.F.
 1970 Prehistory and Environment of the Pluvial Fort Rock Lake Area of South Central Oregon. Unpublished Ph.D. dissertation, Department of Anthropology, University of Oregon, Eugene.
- Burton, Jeffery F., and Mary M. Farrell
 2004 *Draft Tule Lake Historic Resources Inventory*. Prepared by the National Park Service, Western Archaeological and Conservation Center, Tucson, Arizona.
 2005 *Tule Lake Segregation Center National Historic Landmark Nomination*. Prepared by the National Park Service, Western Archaeological and Conservation Center, Tucson, Arizona.
- California Soil Resource Lab
 2017 SoilWeb: An Online Soil Survey Browser. University of California, Davis Soil Resource Laboratory. Available online at <http://casoilresource.lawr.ucdavis.edu/drupal/node/902>, accessed August 24, 2017.
-

-
- Cleghorn, John C.
1969 *Historic Water Levels of Tule Lake, California-Oregon and Their Relation to the Petroglyphs*. Klamath County Museum, Klamath Falls, Oregon.
- Cook, F.
1946 *History of Modoc County. California Traveler*, Volcano, California.
- Cressman, L.S.
1956 *Klamath Prehistory: The Prehistory of the Culture of the Klamath Lake Area. Transactions of the American Philosophical Society* 46: 375-513.
- Davis, W.N., Jr.
1974 *Sagebrush Comer: The Opening of California's Northeast. In American Indian Ethnohistory: California and Basin-Plateau Indians, California Indians V*, Garland Publishing Inc., New York.
- Dicken, Samuel N.
1980 *Pluvial Lake Modoc, Klamath County, Oregon, and Modoc and Siskiyou Counties, California. Oregon Geology* 42(11):179-187. Oregon Department of Geology and Mineral Industries.
- Friedman, J.P.
1976 *Archaeological Overview for the Mt. Dome and Timbered Crater Regions, North-Central California*. On file, U.S. Department of the Interior, Bureau of Land Management, Redding.
- Gates, G.
1983 *Cultural Resource Overview, Modoc National Forest*. On file, Modoc National Forest Headquarters, Alturas, California.
- Gay, T. E., and Aune, Q. A.
1958 *Geologic map of California: Alturas sheet. Map Scale: 1:250,000*. California Division of Mines and Geology
- Grayson, D.
1972 *The Avian and Mammalian Remains from Nightfire Island*. Ph.D. dissertation. Department of Anthropology, University of California, Riverside.
1976 *The Nightfire Island Avifauna and the Altithermal. In Holocene Environmental Change in the Great Basin*, edited by R. Elston, pp. 74-102. Nevada Archaeological Survey Report No. 6. Reno.
- Hamusek, Blossom
2007 *Background/Site Context. In Archaeological Survey and Evaluation Report for Property Transfer and Hazardous Waste Testing at Newell Maintenance Station, State Route 139, Newell, Modoc County, California*, by Casandra Hensher, Elizabeth Bennett, Blossom Hamusek, and Russell Adamson, pp. 15-36, Chapter 5. Report on file, State of California Department of Transportation (Caltrans) and Northeast Information Center, California State University, Chico.
- Hardesty, Donald L., and S. Fox
1974 *Archaeological Investigations in Northern California*. Nevada Archaeological Survey Research Paper No. 4. Reno.
- Hensher, Casandra, Elizabeth Bennett, Blossom Hamusek, and Russell Adamson
2007 *Archaeological Survey and Evaluation Report for Property Transfer and Hazardous Waste Testing at Newell Maintenance Station, State Route 139, Newell, Modoc County, California*.
-

- Report on file, State of California Department of Transportation (Caltrans) and Northeast Information Center, California State University, Chico.
- Hoover, Mildred B., Hero E. Rensch, Ethel G. Rensch, and William N. Abeloe
2002 *Historic Spots in California*. 5th ed., revised by Douglas E. Kyle. Stanford University Press, Stanford, California.
- Hunt, Robin K.
2013a Letter re Initiation of National Historic Preservation Act, Section 106, Consultation for Construction of a Proposed Airport Perimeter Fence, Tulelake Municipal Airport, Modoc County, CA. Addressed to Dr. Rowland-Nawi, California Historic Preservation Officer, Office of Historic Preservation, Sacramento, CA. March 20, 2013.
2013b Letter re National Historic Preservation Act, Section 106, Consultation for the Proposed Airport Perimeter Fence, Tulelake Municipal Airport, Modoc County, CA. Addressed to Dr. Rowland-Nawi, California Historic Preservation Officer, Office of Historic Preservation, Sacramento, CA. December 6, 2013.
- Jackson, R., J. Bums, and D. Edwards
2005 *Extended Phase I/II Archaeological Investigations at CA-SIS-3965/H, Lost River Bridge Replacement Project, 02-SIS-161, State Route 161, Siskiyou County, California*. Pacific Legacy, Inc., Submitted to California Department of Transportation, District 2, Redding, California.
- Jenkins, R.
1988 A Fluted Point From Siskiyou County, California. Paper presented at 1998 State of Jefferson Meetings, Mt. Shasta, California.
- Jensen, Sean M.
2010 *Cultural Resources Report for the Tulelake Municipal Airport, Modoc County, California*. Prepared by Genesis Society, Paradise, CA for Federal Aviation Administration, San Francisco Airports District Office, Brisbane, CA.
- Jensen, Sean M., Robb McCann, and Ed Buie
2009 Primary Record Update for CA-MOD-138/H. On file, Northeast Information Center, California State University, Chico.
- Kroeber, Alfred J.
1925 *Handbook of the Indians of California*. Bulletin 78, Bureau of American Ethnology, Smithsonian Institution. Government Printing Office, Washington, D.C. Reprinted 1976 by Dover Publications, Inc., New York.
- Laird, I.W.
1971 *The Modoc Country*. Lawton and Alfred Kennedy, Alturas, California.
- Maloney, A. B. (editor)
1943 Fur Brigades to the Bonaventura. John Work's Expedition of 1832-183 for the Hudson's Bay Company. *California Historical Society Quarterly* 22(3):193-222.
- Mack, J.M.
1991 *Klamath River Canyon Prehistory and Ethnology*. Submitted to the Bureau of Land Management, Portland.
- Mark, Stephen R.
2017 *The Modoc War*. The Oregon Encyclopedia. Available at https://oregonencyclopedia.org/articles/modoc_war/, accessed August 28, 2017.

Mehring, P.J., Jr.

- 1985 Late-Quaternary Pollen Records From the Interior Pacific Northwest and Northern Great Basin of the United States. In *Pollen Records of Late- Quaternary North American Sediments*, edited by V.A. Bryant, Jr. and R.G. Holloway. American Association of Stratigraphic Palynologists Foundation, Dallas, Texas.
- 1986 Prehistoric Environments. In *Great Basin*, edited by W.L. d'Azevedo. Handbook of North American Indians, Vol. 11, W. C. Sturtevant, general editor. Smithsonian Institution, Washington, D.C.

Meyer, Jack

- 2013 *A Geoarchaeological Overview and Assessment of Northeast California: Cultural Resources Inventory of Caltrans District 2 Rural Conventional Highways: Lassen, Modoc, Plumas, Shasta, Siskiyou, Tehama, and Trinity Counties*. Report prepared by Far Western Anthropological Research Group, Davis, California, for California Department of Transportation, District 2, Redding, CA.

Meyer, Jack, and Jeffrey S. Rosenthal

- 2008 *A Geoarchaeological Overview and Assessment of Caltrans District 3: Cultural Resources Inventory of Caltrans District 3 Rural Conventional Highways*. Report prepared by Far Western Anthropological Research Group, Davis, California, for California Department of Transportation, District 3, Marysville, CA.

Most, Stephen

- 2014a Cattlemen and Indians. *The Oregon History Project*. Available at <https://oregonhistoryproject.org/articles/cattlemen-and-indians/>, accessed August 28, 2017.
- 2014b The Veterans Lottery and the CCC. *The Oregon History Project*. Available at <https://oregonhistoryproject.org/articles/the-veterans-lottery-and-the-ccc/>, accessed August 28, 2017.

Murray, K. A.

- 1959 *The Modocs and Their War*. University of Oklahoma Press, Norman, Oklahoma.

Musil, R.R.

- 1988 Functional Efficiency and Technological Change: a Hafting Tradition Model for Prehistoric North America. In *Early Human Occupation in Far Western North America: The Clovis Interface*, edited by J.A. Willig, C.M. Aikens, and J. Fagan. Nevada State Museum Anthropological Papers 21, Carson City, Nevada.
- 1999 *The Archaeology of Quartz Valley: Human Occupation in the Uplands of South-Central Oregon*. Oregon State Museum of Anthropology Report No. 99-5, Eugene, Oregon.

National Park Service (NPS)

- 1983 *Archaeology and Historic Preservation; Secretary of the Interior's Standards and Guidelines: Professional Qualifications Standards*. Available online, http://www.cr.nps.gov/local-law/arch_stnds_9.htm
- 2016 *General Management Plan and Environmental Assessment For the Tule Lake Unit of WWII Valor in the Pacific National Monument*. Prepared by National Park Service, Pacific West Region-Seattle Office, Seattle, WA.

Norris, Robert M., and Robert W. Webb

- 1990 *Geology of California*. 2nd Edition. John Wiley and Sons, Inc., New York.

Oetting, A.C.

- 1989 *Villages and Wetlands Adaptations in the Northern Great Basin: Chronology and Land Use in the Lake Abert Chewaucan Marsh Basin, Lake County, Oregon*. University of Oregon Anthropological Papers 41, Eugene.

Office of Historic Preservation

- 1990 *Archaeological Resource Management Reports (ARMR): Recommended Contents and Format*. Department of Parks and Recreation, Office of Historic Preservation, Sacramento, California.

Oregon Historical Society

- 2002 *The Oregon History Project*. Electronic document collection available at <https://oregonhistoryproject.org/>.

Pease, R. W.

- 1965 *Modoc County: A Geographic Time Continuum on the California Volcanic Tableland*. University of California Press, Berkeley.

Powers, Stephen A.

- 1877[1976] *Tribes of California*. United States Department of the Interior, Geographical and Geological Survey of the Rocky Mountain Region, Contributions to North American Ethnology III. Washington, D.C. Reprinted, University of California Press, Berkeley.

Ray, V. F.

- 1963 *Primitive Pragmatists: The Modoc Indians of California*. University of Washington Press, Seattle.

Riddle, J. C.

- 1914 *The Indian History of the Modoc War*. San Francisco, California.

Rowland-Nawi, Carol

- 2013 Letter re Proposed Construction of Airport Perimeter Fence, Tulelake Municipal Airport, Modoc County, CA. Addressed to Robin K. Hunt, Manager, Airport District Office, Federal Aviation Administration, Brisbane, CA. From the State Historic Preservation Officer. June 26, 2013.

Sampson, C.G.

- 1985 *Nightfire Island: Later Holocene Lakemarsh Adaptation on the Western Edge of the Great Basin*. University of Oregon Anthropological Papers 33. Eugene.

Sikes, Nancy E., and Cindy Arrington

- 2017 *Technical Memo: Cultural Resource Survey of Proposed Alternatives for the Tulelake Municipal Airport Perimeter Fence Project, Modoc County, CA*. Prepared by Natural Investigations Company, Inc., Citrus Heights, CA. for Wallace Environmental Consulting, Inc., Courtland, CA.

Sikes, Nancy, and Phil Hanes

- 2017 Update for CA-MOD-138/H. Update to TLSC component.

Silva, R., and O. Silva

- 2005 Tule Lake Edition. *The Siskiyou County Historical Society Yearbook* 2(4). Yreka, California.

Soil Survey Staff

- 2017 *Official Soil Series Descriptions*. Natural Resources Conservation Service, United States Department of Agriculture. Available online at <http://soils.usda.gov/technical/classification/osd/index.html>, accessed August 24, 2017.

Spier, Leslie

- 1930 *Klamath Ethnography*. University of California Publications in American Archaeology and Ethnology, Vol. 30. Berkeley .

Stene, Eric. A.

- 1994 *Klamath Project*. Available at <https://www.usbr.gov/projects/pdf.php?id=129>, accessed August 28, 2017.

Squier

- 1953 Archaeological Site Survey Record for CA-MOD-138/H. On file, Northeast Information Center, California State University, Chico.

Stapleton, Dylan, and Nancy Sikes

- 2017 Update for CA-MOD-138/H. Update to TLSC component.

Stem, T.

- 1964 Review of "Primitive Pragmatists: The Modoc Indians of Northern California" by V. F. Ray (1963). *American Anthropologist* 66:676.

Thompson, E. N.

- 1971 *Modoc War: Its Military History and Topography*. Argus Books, Sacramento.

Turner, Stan

- 2002 *The Years of Harvest: A History of the Tule Lake Basin* (3rd Edition). Spencer Creek Press, Eugene, Oregon.

Wheeler-Voegelin, E.

- 1942 Culture Element Distributions, XX: Northeast California. *University of California Anthropological Records* 7(2):47-252. Berkeley.

Willig, Judith A.

- 1988 Early Human Occupation and Lakeside Settlement Pattern in the Dietz Sub-basin of Alkali Lake, Oregon. In *Early Human Occupation in Far Western North America: The Clovis-Archaic Interface*, edited by Judith Willig et al. Nevada State Museum Anthropological Papers No. 21, Carson City, NV.

Willig, Judith A. and C. Melvin Aikens

- 1988 The Clovis-Archaic Interface in Far Western North America. In *Early Human Occupation in Far Western North America: The Clovis-Archaic Interface*, edited by Judith Willig et al. Nevada State Museum Anthropological Papers No. 21, Carson City, NV.

**APPENDIX A:
Sacred Lands File Search (2009)**

GENESIS SOCIETY

a Corporation Sole

7053 MOLOKAI DRIVE
PARADISE, CALIFORNIA 95969
(530) 680-6170 VOX
(530) 876-8650 FAX
seanjensen@comcast.net

August 3, 2009

Native American Heritage Commission

Attn.: Ms. Debbie Treadway
915 Capitol Mall, Room 364
Sacramento, California 95814

Subject: Tule lake Airport Improvement Project, Modoc County, California.

Dear Debbie:

We have been requested to conduct the archaeological survey, for the above-cited project, and are requesting any information you may have concerning archaeological sites or traditional use areas for this area. Any information you might supply will be used to supplement the archaeological and historical study being prepared for this project.

Project Name: Tule Lake Airport Improvement Project, c. 257-acres
County: Modoc
Map: USGS Newell, 7.5'
Location: Portion of Sections 23, 24, 25 & 26 of T47N, R5E

Thanks in advance for your assistance.

Regards,



Sean Michael Jensen, Administrator

STATE OF CALIFORNIA

Arnold Schwarzenegger, Governor

**NATIVE AMERICAN HERITAGE
COMMISSION**

915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-4082
Fax (916) 657-5390



August 4, 2009

Sean Michael Jensen
Genesis Society
7053 Molokai Drive
Paradise, CA 95969

Sent by Fax: 530-876-8650
Number of Pages: 3

Re Proposed: Tule Lake Airport Improvement Project, Modoc County.

Dear Mr. Jensen:

A record search of the sacred lands file has failed to indicate the presence of Native American cultural resources in the immediate project area. The absence of specific site information in the sacred lands file does not indicate the absence of cultural resources in any project area. Other sources of cultural resources should also be contacted for information regarding known and recorded sites.

Enclosed is a list of Native Americans individuals/organizations who may have knowledge of cultural resources in the project area. The Commission makes no recommendation or preference of a single individual, or group over another. This list should provide a starting place in locating areas of potential adverse impact within the proposed project area. I suggest you contact all of those indicated, if they cannot supply information, they might recommend others with specific knowledge. If a response has not been received within two weeks of notification, the Commission requests that you follow-up with a telephone call to ensure that the project information has been received.

If you receive notification of change of addresses and phone numbers from any of these individuals or groups, please notify me. With your assistance we are able to assure that our lists contain current information. If you have any questions or need additional information, please contact me at (916) 653-4040.

Sincerely,

A handwritten signature in black ink that reads "Katy Sanchez".

Katy Sanchez
Program Analyst

Native American Contact
Modoc County
August 4, 2009

Alturas Rancheria of Pit River Indians
 Philip Del Rosa, Chairperson
 P.O. Box 340 Pit River
 Alturas, CA 96101 Achomawi -
 tiwamarcus@aol.com
 (530) 233-5571
 (530) 233-4165 Fax

Alturas Rancheria of Pit River Indians
 Tribal Administrator/Environmental Coord
 P.O. Box 340 Pit River
 Alturas, CA 96101 Achomawi -
 tiwamarcus@aol.com
 (530) 233-5571
 (530) 233-4165 Fax

Pit River Tribe of California
 Ida Riggins, Chairperson
 37118 Main Street Pit River
 Burney, CA 96013 Achomawi -
 Wintun
 (530) 335-5421
 (530) 335-3140 Fax

Alturas Rancheria of Pit River Indians
 Vi Riley, Cultural Resources Coordinator
 P.O. Box 340 Pit River
 Alturas, CA 96101 Achomawi -
 tiwamarcus@aol.com
 (530) 233-5571
 (530) 233-4165 Fax

Klamath Tribe
 PO Box 436 Klamath
 Chiloquin, OR 97624 Modoc
 taylor.david@klamathtribes.
 (541) 783-2219
 541-783-2029

Pit River Tribe of California
 Alexis Barry, Tribal Administrator
 37118 Main Street Pit River
 Burney, CA 96013 Achomawi -
 Wintun
 (530) 335-5421
 (530) 335-3140 Fax

Modoc Tribe of Oklahoma
 John Ballard, Environmental Director
 515 G Street Southeast Modoc
 Miami, OK 74354
 modoc-oeg@cableone.net
 (918) 542-1190
 (918) 542-5415 FAX

Pit River Tribe of California
 Michelle Berditshevsky, Environmental Coordinator
 37118 Main Street Pit River
 Burney, CA 96013 Achomawi -
 Wintun
 (530) 335-5062

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed Tule Lake Airport Improvement Project; Modoc County.

Native American Contact
Modoc County
August 4, 2009

Ajumawi Band Cultural Resources Representative
Uriel Chacon
36966 Oak St. Pit River
Burney , CA 96013

Ajumawi Band Cultural Resources Representative
Selena Vargas
36966 Oak St. Pit River
Burney , CA 96013

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed Tule Lake Airport Improvement Project; Modoc County.

GENESIS SOCIETY

a Corporation Sole

7053 MOLOKAI DRIVE
PARADISE, CALIFORNIA 95969
(530) 680-6170 VOX
(530) 876-8650 FAX
seanjensen@comcast.net

August 7, 2009

Native American Individuals, Groups and Tribes

Subject: Tule Lake Airport Improvement Project, Modoc County, California.

Dear Interested Native Americans:

Enclosed is a USGS topo-based map showing the location for a proposed airport improvement project involving approximately 257-acres in Modoc County, California.

We have been requested to conduct the archaeological survey, and are requesting any information you may have concerning archaeological sites or traditional use areas for this area. Any information you might supply will be used to supplement the archaeological and historical study being prepared for this project.

Project Name: Tule Lake Airport Improvement Project, c. 257-acres
County: Modoc
Map: USGS Newell, 7.5'
Location: Portion of Sections 23, 24, 25 & 26 of T47N, R5E

Thanks for your help. Please call with any questions.

Regards,



Sean Michael Jensen, Administrator

**APPENDIX B:
Resource Record (DPR Forms)**

THESE RESOURCE RECORDS
ARE
CONFIDENTIAL
AND
HAVE BEEN REMOVED

Attachment 4

Draft Memorandum of Agreement

Between

Federal Aviation Administration and the California State Historic Preservation
Officer Regarding the Tulelake Municipal Airport Perimeter Fence Project
Modoc County, California

DRAFT MEMORANDUM OF AGREEMENT
BETWEEN THE
FEDERAL AVIATION ADMINISTRATION AND THE
CALIFORNIA STATE HISTORIC PRESERVATION OFFICER,
REGARDING THE
TULELAKE MUNICIPAL AIRPORT PERIMETER FENCE PROJECT,
MODOC COUNTY, CALIFORNIA

WHEREAS, the Federal Aviation Administration (FAA) is considering providing funding to the County of Modoc (County) for the Tulelake Municipal Airport Perimeter Fence Project (Undertaking) located adjacent to the unincorporated community of Newell in Modoc County, in accordance with the FAA Airport Improvement Program that provides grants for the planning and development of public-use airports that are included in the National Plan of Integrated Airport Systems (NPIAS) pursuant to Section 155 of the FAA Modernization and Reform Act (FMRA) of 2012, Public Law 112-95; and,

WHEREAS, the Tulelake Municipal Airport (Airport) is owned by the City of Tulelake, Siskiyou County California, was conveyed from the United States government to the City of Tulelake on December 21, 1951, and recorded by the U.S. Bureau of Land Management, for airport purposes, (INSERT UPDATE IF AIRPORT OWNERSHIP CHANGES) and has been operated by Modoc County, California, since February 1, 1960 under a long-term lease with the City of Tulelake, as amended on October 1, 1974, and March 8, 2016; and

WHEREAS, the Undertaking consists of construction of approximately 16,000 linear feet of 8-foot tall, chain-link fencing near the perimeter of the Airport property, with two double gates and at least one personnel gate for ingress and egress, in order to enhance aviation safety, reduce the opportunity for unauthorized entry of people, vehicles, and wildlife into the aircraft operations area of the Airport, and minimize the potential for aircraft-wildlife strikes (deer, coyotes, and dogs); and

WHEREAS, the property that became the Airport was once a portion of the Tule Lake Segregation Center (TLSC), which was one of ten War Relocation Centers where Japanese Americans were incarcerated during World War II, and most buildings and structures associated with the TLSC on the 358-acre Airport property were removed soon after the TLSC closed on March 20, 1946; and

WHEREAS, the County is cognizant of the cultural importance of the Tule Lake region, its connection to Presidential Executive Order 9066, and of sensitivities associated with constructing a fence on the site of the TLSC. The proposed fence will therefore be

constructed without barbed wire outriggers that would otherwise mimic the original TLSC fence, but will be high enough to exclude unauthorized entry of people and vehicles, and to exclude deer, coyotes, and dogs; and

WHEREAS, FAA has defined the Undertaking's Direct Area of Potential Effects (Direct APE) and an Indirect APE for potential historic, architectural, archaeological, or cultural resources that may be directly affected by ground disturbance activities or indirectly affected by potential visual effects. The Direct APE is the route of the proposed fence line around the perimeter of the Airport and areas up to 20 feet on either side of the proposed fence line, with a maximum depth for the vertical APE at 3 feet. All physical effects of the Undertaking would occur within the Direct APE. The Indirect APE for the Undertaking is defined as all areas within the original boundaries of the TLSC east of State Route 139 that are not included in the Direct APE and considers possible visual effects. The Indirect APE includes the Airport property outside the Direct APE and the TLSC National Historic Landmark (NHL), which is listed on the National Register of Historic Places (NRHP) under Criterion A and is part of the World War II Valor in the Pacific National Monument–Tule Lake Unit. The Airport property is also part of a larger TLSC National Historic District, the contributors of which have not been fully determined, but include the Direct APE, the TLSC NHL, and entire Indirect APE, and is eligible for listing on the NRHP under Criterion A; and

WHEREAS, the FAA has determined that the project would constitute an Undertaking under Section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended (16 USC § 470f) and under its implementing regulations at 36 CFR § 800.16(y); and,

WHEREAS, FAA is the lead federal agency for the Undertaking, and the County, a grant applicant, as required by FAA, is an invited signatory to this MOA; and,

WHEREAS, FAA has consulted with the California Historic Preservation Officer (SHPO) pursuant to 36 CFR Part 800, the regulations implementing Section 106 of the National Historic Preservation Act (16 USC § 470f) on eligibility and effects for properties within the Direct and Indirect APE; and, regarding the Undertaking's potential to affect historic properties, has decided to prepare an MOA pursuant to 36 CFR §§ 800.4 (b) (2) and 800.6(c); and,

WHEREAS, FAA, in consultation with SHPO, has determined that, pursuant to 36 CFR § 800.3, a surviving, standing, 2,640-foot segment of the original TLSC security fence erected circa 1943 and located adjacent to but northeast of and outside the Direct APE is eligible for inclusion in the NRHP under Criterion A; and pursuant to 36 CFR § 800.5(a), FAA, in consultation with SHPO has determined that the Undertaking will have an Indirect Adverse Effect on a historic property, the TLSC original security fence segment, and mitigation measures are included in this MOA to minimize the indirect visual effects on the historic property within the Indirect APE; and,

WHEREAS, FAA, in consultation with SHPO, pursuant to 36 CFR § 800.5(a), has determined that the Undertaking would have No Adverse Effect on the TLSC NHL or TLSC National Historic District, which are on or eligible for listing on the NRHP, or on three (3) contributing elements to the TLSC National Historic District, which are not individually eligible for NRHP listing (TLSC guard tower footings, Block 71 latrine slab, and Block 73 latrine slab recorded as components of site CA-MOD-138/H); and,

WHEREAS, FAA, in consultation with SHPO, pursuant to 36 CFR § 800.5(a), has determined that the Undertaking would have No Adverse Effect on undocumented archaeological resources within the Direct APE provided the measures in this MOA are implemented; and,

WHEREAS, FAA has notified the Advisory Council on Historic Preservation (ACHP) of its adverse effect determination in accordance with 36 CFR § 800.6(a)(1), with the required documentation; and,

WHEREAS, the FAA has consulted with two Federally recognized Indian tribes (as defined in 36 CFR § 800.16(m)), the Klamath Tribes and the Modoc Tribe of Oklahoma, regarding the Undertaking; and,

WHEREAS, the County and the FAA, have consulted with national, state or local government agencies or offices, citizens groups, historical organizations, public service providers, commercial enterprises, and individuals interested in historic preservation in Modoc County about the Undertaking and its effects on historic properties; and,

WHEREAS, this MOA was developed with appropriate public involvement (pursuant to 36 CFR §§ 800.2(d) and 800.6(a)) and the public was provided the opportunity to comment on the Undertaking and will hereafter be provided with further opportunities to comment on the Undertaking as stipulated further in this MOA; and,

WHEREAS, the FAA and the SHPO are signatories pursuant to 36 CFR § 800.6(c)(1) and the County is an invited signatory pursuant to 36 CFR § 800.6(c)(2); and,

NOW, THEREFORE, the Signatory Parties (FAA and California SHPO) and the Invited Signatory (County) (collectively, the “Signatory Parties” hereafter) agree that, upon FAA’s decision to proceed with the Undertaking, FAA shall ensure that the Undertaking is implemented in accordance with the following stipulations in order to take into account the effects of this Undertaking on historic properties; and further agree that these stipulations shall govern the Undertaking and all of its parts until this MOA expires or is terminated.

STIPULATIONS

FAA will ensure that the terms of this MOA are carried out and will require, as a condition of any approval of Federal funding for the Undertaking, adherence by the County to the stipulations set forth herein.

I. ARCHAEOLOGICAL HISTORIC PROPERTY

This MOA accordingly sets forth the following protective measures to be implemented to minimize the Indirect Adverse Effect of the Undertaking to the surviving TLSC security fence segment on Airport property within the Indirect APE.

A. Treatment to Resolve Adverse Effect

1. Install Protective Fence

The indirect adverse effects of this Undertaking on the surviving 2,640-foot segment of the original TLSC security fence on Airport property will be resolved by FAA by requiring the County to implement and complete erection of a low (1-foot-high to 2-foot-high) additional fence that will be designed to protect and minimize, as feasible, for inadvertent damage by visitors to the remnant TLSC fence while minimizing further visual disturbance of the feeling and association of this historic property with the TLSC.

2. Install Interpretive Display

The indirect adverse effects of this Undertaking on the surviving 2,640-foot segment of the original TLSC security fence on Airport property will be further resolved by FAA by requiring the County to implement and complete installation of an interpretive display regarding the TLSC in the vicinity of the existing TLSC fence, and for the display to be accessible from a publicly accessible road.

II. UNDOCUMENTED ARCHAEOLOGICAL RESOURCES

This MOA accordingly sets forth the following measures to be implemented to reduce potential construction impacts within the Direct APE to undocumented archaeological resources, including human remains.

A. Consultation with Native American Individuals, Tribes and Organizations and Treatment of Cultural Remains and Artifacts

1. The parties to this MOA agree that any Native American burials and related items discovered during the implementation of the MOA and the Undertaking will be treated in accordance with the requirements of § 7050.5(b) of the California Health and Safety Code. If, pursuant to § 7050.5(c) of the California Health and Safety

Code, the county coroner/medical examiner determines that the human remains are or may be of Native American origin, then the discovery shall be treated in accordance with the provisions of §§ 5097.98 (a) - (d) of the California Public Resources Code.

2. The County, and the FAA, will ensure that the expressed wishes of Native American individuals, tribes, and organizations are taken into consideration when decisions are made regarding the disposition of other Native American archaeological materials and records relating to Native American tribes.

B. Confidentiality

The signatories to this MOA acknowledge that archaeological historic properties covered by this MOA are subject to the provisions of § 304 of the NHPA of 1996 and § 6254.10 of the California Government Code (Public Records Act), relating to the disclosure of archeological site information and having so acknowledged, will ensure that all actions and documentation prescribed by this MOA are consistent with § 304 of the NHPA.

C. Native American Archaeological Materials Monitoring

Construction monitoring of ground-disturbing activity within the Direct APE by a qualified archaeologist who meets the Secretary of the Interior's Standards for archaeologists (36 CFR Part 61) is required by the County of Modoc. The federally recognized tribes associated with the project area, the Klamath Tribes and the Modoc Tribe of Oklahoma, will be informed of the construction schedule and given the opportunity for a Native American monitor to be present during all ground-disturbing activity being monitored by the archaeological monitor.

D. Worker Training

Prior to initiation of ground-disturbing activities, a qualified archaeologist will conduct a short cultural awareness training session for all construction workers and supervisory personnel. The course would explain the importance of, and legal basis for, the protection of significant archaeological resources. Each worker would also learn the proper procedures to follow in the event cultural resources or human remains/burials are uncovered during construction activities, including work curtailment or redirection and to immediately contact their supervisor and the archaeological monitor.

E. Unanticipated Discoveries

If FAA and the County determine, after any future construction of the Undertaking has commenced, that project activities will affect a previously unidentified property that may be eligible for the NRHP, or affect a known historic property in an unanticipated manner, FAA and the County will address the discovery or unanticipated effect in accordance with

36 CFR § 800.13(b)(3). The County must notify the FAA and SHPO within forty-eight (48) hours of the discovery. FAA at its discretion may hereunder, and pursuant to 36 CFR § 800.13(c), assume any unanticipated discovered property to be eligible for inclusion in the NRHP.

For properties determined eligible or assumed to be eligible for inclusion in the NRHP, the County will notify the FAA and SHPO of those actions that it proposes to avoid, minimize, or mitigate adverse effects. Consulting parties will have forty-eight (48) hours to provide their views on the proposed actions. FAA will ensure that the timely filed recommendations of consulting parties are taken into account prior to granting approval of the measures that the County will implement to resolve any adverse effects. The County will carry out the approved measures prior to resuming construction activities in the location of the discovery.

III. ADMINISTRATIVE PROVISIONS

A. Standards

1. Definitions

The definitions set forth at 36 CFR § 800.16 are applicable throughout this MOA.

2. Professional Qualifications

The County shall ensure that all historic preservation and archaeological work performed by the County under the direct supervision of a person or persons who meet(s) or exceed(s) the pertinent qualifications in the Secretary of the Interior's *Professional Qualification Standards* (48 CFR §§ 44738-44739) in those areas in which the qualifications are applicable for the specific work performed.

3. Documentation Standards

Written documentation of activities prescribed by Stipulations I and II of this MOA shall conform to *Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation* as amended and annotated (48 CFR §§ 44716-44740) as well as to applicable standards and guidelines established by the SHPO.

4. Curation Standards

The County shall ensure that, to the extent permitted under §§ 5097.98 and 5097.991 of the California Public Resources Code, the materials and records resulting from the activities prescribed by this MOA are curated in accordance with 36 CFR Part 79. FAA will ensure that, to the extent permitted by applicable law and regulation, the views of the Most Likely Descendant(s) are taken into consideration when decisions are made about the disposition of other tribal archaeological materials and records.

B. Dispute Resolution

Should any Signatory Party to this MOA object at any time to any actions proposed or the manner in which the terms of this MOA are implemented, FAA shall consult with the objecting Signatory Party to resolve the objection. If FAA determines that such objection cannot be resolved through consultation, FAA will:

1. Forward all documentation relevant to the dispute, including the FAA's proposed resolution, to the ACHP. The ACHP shall provide FAA with its advice on the resolution of the objection within thirty (30) days of after receipt of all pertinent documentation. Prior to reaching a final decision on the dispute, FAA shall prepare a written response that takes into account any timely advice or comments regarding the dispute from the ACHP and Signatory Parties, and provide them with a copy of this written response. FAA will then proceed according to its final decision.
2. Make a final decision on the dispute and proceed accordingly if the ACHP does not provide its advice regarding the dispute within the thirty (30) day time period. Prior to reaching such a final decision, FAA shall prepare a written response that takes into account any timely comments regarding the dispute from the Signatory Parties to the MOA, and provide them and the ACHP with a copy of such written response.
3. Continue to carry out all other actions subject to the terms of this MOA that are not the subject of the dispute remain unchanged.

C. Amendments

Any Signatory Party may propose that this MOA be amended, whereby the Signatory Parties will consult for no more than 30 days to consider such amendment. FAA may extend this consultation period. The amendment process shall comply with 36 CFR §§ 800.6(c)(1) and 800.6(c)(7). This MOA may be amended only upon the written agreement of the Signatory Parties. If it is not amended, this MOA may be terminated by any of the Signatory Parties in accordance with Section D of Stipulation III, below.

D. Termination

If any Signatory Party to this MOA determines that its terms will not or cannot be carried out, that Signatory Party shall immediately consult with the other Signatory Parties to attempt to develop an amendment per Section C of Stipulation III, above. If within thirty (30) days (or another time period agreed to by all Signatory Parties) agreement on an amendment cannot be reached, any Signatory Party may terminate the MOA upon written notification to the other Signatory Parties.

Once the MOA is terminated, and prior to work continuing on the Undertaking, FAA must either (a) execute a MOA pursuant to 36 CFR § 800.6 and 800.14(b)(3); or (b) request, take into account, and respond to the comments of the ACHP under 36 CFR § 800.7. FAA shall notify the Signatory Parties as to the course of action it will pursue

E. Duration of the MOA

1. Unless terminated pursuant to Section D of Stipulation III above, or unless superseded by an amended MOA, this MOA will be in effect following execution by all Signatory Parties until FAA, in consultation with the other MOA parties, determines that all of its stipulations have been satisfactorily fulfilled. This MOA will terminate and have no further force or effect on the day that FAA notifies the other MOA parties in writing of its determination that all stipulations of this MOA have been satisfactorily fulfilled.
2. The terms of this MOA shall be satisfactorily fulfilled within five (5) years following the date of execution by the Signatory Parties. If FAA determines that this requirement cannot be met, the MOA parties will consult to reconsider its terms. Reconsideration may include the continuation of the MOA as originally executed, amendment of the MOA, or termination. In the event of termination, FAA will comply with Section D of Stipulation III, above, if it determines that the Undertaking will proceed notwithstanding termination of this MOA.
3. If the Undertaking has not been implemented within ten (10) years following execution of this MOA by the Signatory Parties, this MOA shall automatically terminate and have no further force or effect. In such event, FAA shall notify the other MOA parties in writing and, if it chooses to continue with the Undertaking, shall reinitiate review of the Undertaking in accordance with 36 CFR Part 800.

F. Effective Date

The effective date of this Agreement shall be the date of the last signature of the Signatory Parties.

G. Execution

Execution of this MOA by FAA, SHPO, and the County, its transmittal by FAA to the ACHP in accordance with 36 CFR § 800.6(b)(1)(iv), and subsequent implementation of its terms, shall evidence, pursuant to 36 CFR § 800.6(c), that this MOA is an agreement with the ACHP for purposes of Section 110(1) of the NHPA, and shall further evidence that FAA has taken into account the effects of the Undertaking on historic properties and has afforded the ACHP an opportunity to comment on the Undertaking and its effects on historic properties.

SIGNATORIES:

Federal Aviation Administration

By _____ Date _____
[name, title, location]

California State Office of Historic Preservation

By _____ Date _____
Julianne Polanco, State Historic Preservation Officer

Advisory Council on Historic Preservation (If ACHP chooses to participate)

By _____ Date _____
ACHP representative.

INVITED SIGNATORY PARTY:

County of Modoc

By _____ Date _____
Patricia Cullins, Chair, Board of Supervisors

INVITED CONCURRING PARTIES (Additional concurring parties may be identified):

National Park Service

By _____ Date _____
[name, title]

Klamath Tribes

By _____ Date _____
[name, title]

Modoc Tribe of Oklahoma

By _____ Date _____
[name, title]

City of Tulelake

By _____ Date _____
[name, title]

Attachment 5

Transmittal Letter regarding Cultural Resources Inventory and Effects Assessment
For the Airport Perimeter Fence Project, Tulelake Municipal Airport, Modoc
County, California

for

Additional Consulting Parties



U.S. Department
of Transportation
**Federal Aviation
Administration**

Western-Pacific Region
Airports Division

San Francisco Airports District Office
1000 Marina Boulevard, Suite 220
Brisbane, CA 94005

August 24, 2018

Mr. Phillip Miller
California Department of Transportation
Division of Aeronautics
P.O. Box 942874
Sacramento, CA 94274

Subject: Proposed Airport Perimeter Fence, Tulelake Municipal Airport (O81), Modoc County, California – Notification to National Historic Preservation Act, Section, Section 106, Consulting Party of Adverse Effect Determination on Historic Property and Opportunity to Comment on Effects Determination and Draft Memorandum of Agreement to Resolve Adverse Effect.

Dear Mr. Miller:

You previously participated on behalf of the California Department of Transportation in the County of Modoc and Federal Aviation Administration environmental conflict resolution effort regarding the proposed airport fence project at the Tulelake Municipal Airport (Airport), Newell, Modoc County, in northeastern California. Your organization was identified as an additional consulting party for the National Historic Preservation Act, Section 106, consultation.

The County of Modoc, California, is proposing to construct an 8-foot high woven-wire (cyclone) perimeter fence with no barbed wire (undertaking) at the Airport. The Airport is located on a portion of the former Tule Lake Segregation Center (TLSC), one of ten War Relocation Centers where Japanese-American United States citizens and legal residents were incarcerated during World War II in accordance with Executive Order 9066. The United States government subsequently apologized for that action in the Civil Liberties Act of 1988.

Almost all TLSC structures on the future Airport site were removed in 1946, prior to the establishment of the Airport in 1951. However, the Federal Aviation Administration (FAA) has concluded that the undertaking will result in an indirect adverse visual effect on a remnant of the original TLSC security fence on Airport property that is eligible for inclusion on the National Register of Historic Places. The effects of the undertaking are described in detail in our concurrent letter to the California State Historic Preservation Officer (SHPO), which is included as Attachment 1.

Although the FAA has concluded that the undertaking will result in an adverse effect on a remnant of the TLSC on Airport property, this should not be confused with an adverse effect on the TLSC National Historic Landmark. The TLSC National Historic Landmark, which is part of the World War II Valor in the Pacific National Monument – Tule Lake Unit administered by the National Park Service, is located approximately 0.25 miles southwest of the Airport property. The FAA has concluded the Airport fence project will not result in an adverse effect on the TLSC National Historic Landmark.

As part of the National Historic Preservation Act, Section 106, consultation process the FAA is inviting the consulting parties to comment on the materials in Attachment 1 including the determination of adverse effects, and the proposed resolution of adverse effects described in the attached Draft Memorandum of Agreement. Please provide any comments you have on Attachment 1 within 30 days of receipt of this letter.

Your comments will be considered by the FAA and Modoc County, and also included in the National Environmental Policy Act, Draft Environmental Assessment (EA), for the airport fence project, when that document is released for public review. All consulting party and public comments will then be considered as the FAA evaluates any potential environmental impacts of the proposed fence project under the National Environmental Policy Act, and considers how to resolve the adverse effect of the fence project on the historic property under the National Historic Preservation Act, Section 106.

If you have questions regarding this letter, please call Ms. Laurie Suttmeier, Assistant Manager, San Francisco Airports District Office (SFO ADO) at (650) 827-7602, or Mr. Douglas Pomeroy, Environmental Protection Specialist at the SFO ADO, at 650-827-7612, as my temporary assignment as Acting Manager of the SFO ADO will end at the end of August.

Sincerely,

Original signed by

Patrick W. Magnotta
Acting Manager, San Francisco Airports District Office

Attachment 1:
Compact Disk containing Letter to California State Historic Preservation Officer dated August 24, 2018.



U.S. Department
of Transportation
**Federal Aviation
Administration**

Western-Pacific Region
Airports Division

San Francisco Airports District Office
1000 Marina Boulevard, Suite 220
Brisbane, CA 94005

August 24, 2018

The Honorable Henry A. Ebinger
Mayor
City of Tulelake
P.O. Box 847
Tulelake, CA 96134

Subject: Proposed Airport Perimeter Fence, Tulelake Municipal Airport (O81), Modoc County, California – Notification to National Historic Preservation Act, Section, Section 106, Consulting Party of Adverse Effect Determination on Historic Property and Opportunity to Comment on Effects Determination and Draft Memorandum of Agreement to Resolve Adverse Effect.

Dear Mayor Ebinger:

You previously participated on behalf of the City of Tulelake in the County of Modoc and Federal Aviation Administration environmental conflict resolution effort regarding the proposed airport fence project at the Tulelake Municipal Airport (Airport), Newell, Modoc County, in northeastern California. The City of Tulelake was identified as an additional consulting party for the National Historic Preservation Act, Section 106, consultation.

The County of Modoc, California, is proposing to construct an 8-foot high woven-wire (cyclone) perimeter fence with no barbed wire (undertaking) at the Airport. The Airport is located on a portion of the former Tule Lake Segregation Center (TLSC), one of ten War Relocation Centers where Japanese-American United States citizens and legal residents were incarcerated during World War II in accordance with Executive Order 9066. The United States government subsequently apologized for that action in the Civil Liberties Act of 1988.

Almost all TLSC structures on the future Airport site were removed in 1946, prior to the establishment of the Airport in 1951. However, the Federal Aviation Administration (FAA) has concluded that the undertaking will result in an indirect adverse visual effect on a remnant of the original TLSC security fence on Airport property that is eligible for inclusion on the National Register of Historic Places. The effects of the undertaking are described in detail in our concurrent letter to the California State Historic Preservation Officer (SHPO), which is included as Attachment 1.

Although the FAA has concluded that the undertaking will result in an adverse effect on a remnant of the TLSC on Airport property, this should not be confused with an adverse effect on the TLSC National Historic Landmark. The TLSC National Historic Landmark, which is part of the World War II Valor in the Pacific National Monument – Tule Lake Unit administered by the National Park Service, is located approximately 0.25 miles southwest of the Airport property. The FAA has concluded the Airport fence project will not result in an adverse effect on the TLSC National Historic Landmark.

As part of the National Historic Preservation Act, Section 106, consultation process the FAA is inviting the consulting parties to comment on the materials in Attachment 1 including the determination of adverse effects, and the proposed resolution of adverse effects described in the attached Draft Memorandum of Agreement. Please provide any comments you have on Attachment 1 within 30 days of receipt of this letter.

Your comments will be considered by the FAA and Modoc County, and also included in the National Environmental Policy Act, Draft Environmental Assessment (EA), for the airport fence project, when that document is released for public review. All consulting party and public comments will then be considered as the FAA evaluates any potential environmental impacts of the proposed fence project under the National Environmental Policy Act, and considers how to resolve the adverse effect of the fence project on the historic property under the National Historic Preservation Act, Section 106.

If you have questions regarding this letter, please call Ms. Laurie Suttmeier, Assistant Manager, San Francisco Airports District Office (SFO ADO) at (650) 827-7602, or Mr. Douglas Pomeroy, Environmental Protection Specialist at the SFO ADO, at 650-827-7612, as my temporary assignment as Acting Manager of the SFO ADO will end at the end of August.

Sincerely,

Original signed by

Patrick W. Magnotta
Acting Manager, San Francisco Airports District Office

Attachment 1:
Compact Disk containing Letter to California State Historic Preservation Officer dated August 24, 2018.



U.S. Department
of Transportation
**Federal Aviation
Administration**

Western-Pacific Region
Airports Division

San Francisco Airports District Office
1000 Marina Boulevard, Suite 220
Brisbane, CA 94005

August 24, 2018

Mr. Chris Christofferson
District Ranger
Doublehead Ranger District
U.S. Forest Service
49870 State Highway 139
Tulelake, CA 96134

Subject: Proposed Airport Perimeter Fence, Tulelake Municipal Airport (O81), Modoc County, California – Notification to National Historic Preservation Act, Section, Section 106, Consulting Party of Adverse Effect Determination on Historic Property and Opportunity to Comment on Effects Determination and Draft Memorandum of Agreement to Resolve Adverse Effect.

Dear Mr. Christofferson:

You previously participated on behalf of the U.S. Forest Service in the County of Modoc and Federal Aviation Administration environmental conflict resolution effort regarding the proposed airport fence project at the Tulelake Municipal Airport (Airport), Newell, Modoc County, in northeastern California. The U.S. Forest Service was identified as an additional possible consulting party for the National Historic Preservation Act, Section 106, consultation.

The County of Modoc, California, is proposing to construct an 8-foot high woven-wire (cyclone) perimeter fence with no barbed wire (undertaking) at the Airport. The Airport is located on a portion of the former Tule Lake Segregation Center (TLSC), one of ten War Relocation Centers where Japanese-American United States citizens and legal residents were incarcerated during World War II in accordance with Executive Order 9066. The United States government subsequently apologized for that action in the Civil Liberties Act of 1988.

Almost all TLSC structures on the future Airport site were removed in 1946, prior to the establishment of the Airport in 1951. However, the Federal Aviation Administration (FAA) has concluded that the undertaking will result in an indirect adverse visual effect on a remnant of the original TLSC security fence on Airport property that is eligible for inclusion on the National Register of Historic Places. The effects of the undertaking are described in detail in our concurrent letter to the California State Historic Preservation Officer (SHPO), which is included as Attachment 1.

Although the FAA has concluded that the undertaking will result in an adverse effect on a remnant of the TLSC on Airport property, this should not be confused with an adverse effect on the TLSC National Historic Landmark. The TLSC National Historic Landmark, which is part of the World War II Valor in the Pacific National Monument – Tule Lake Unit administered by the National Park Service, is located approximately 0.25 miles southwest of the Airport property.

The FAA has concluded the Airport fence project will not result in an adverse effect on the TLSC National Historic Landmark.

As part of the National Historic Preservation Act, Section 106, consultation process the FAA is inviting the consulting parties to comment on the materials in Attachment 1 including the determination of adverse effects, and the proposed resolution of adverse effects described in the attached Draft Memorandum of Agreement. Please provide any comments you have on Attachment 1 within 30 days of receipt of this letter.

Your comments will be considered by the FAA and Modoc County, and also included in the National Environmental Policy Act, Draft Environmental Assessment (EA), for the airport fence project, when that document is released for public review. All consulting party and public comments will then be considered as the FAA evaluates any potential environmental impacts of the proposed fence project under the National Environmental Policy Act, and considers how to resolve the adverse effect of the fence project on the historic property under the National Historic Preservation Act, Section 106.

If you have questions regarding this letter, please call Ms. Laurie Suttmeier, Assistant Manager, San Francisco Airports District Office (SFO ADO) at (650) 827-7602, or Mr. Douglas Pomeroy, Environmental Protection Specialist at the SFO ADO, at 650-827-7612, as my temporary assignment as Acting Manager of the SFO ADO will end at the end of August.

Sincerely,

Original signed by

Patrick W. Magnotta
Acting Manager, San Francisco Airports District Office

Attachment 1:
Compact Disk containing Letter to California State Historic Preservation Officer dated August 24, 2018.



U.S. Department
of Transportation
**Federal Aviation
Administration**

Western-Pacific Region
Airports Division

San Francisco Airports District Office
1000 Marina Boulevard, Suite 220
Brisbane, CA 94005

August 24, 2018

Ms. Patty Wada
Northern California/Western Nevada/Pacific Regional Director
Japanese-American Citizens League
1765 Sutter Street
San Francisco, CA 94115

Subject: Proposed Airport Perimeter Fence, Tullake Municipal Airport (O81), Modoc County, California – Notification to National Historic Preservation Act, Section, Section 106, Consulting Party of Adverse Effect Determination on Historic Property and Opportunity to Comment on Effects Determination and Draft Memorandum of Agreement to Resolve Adverse Effect.

Dear Ms. Wada:

The former Executive Director of the Japanese-American Citizens League (JACL), Ms. Priscilla Ouchida, participated in the County of Modoc and Federal Aviation Administration environmental conflict resolution effort regarding the proposed airport fence project at the Tullake Municipal Airport (Airport), Newell, Modoc County, in northeastern California. The JACL was identified as an additional consulting party for the National Historic Preservation Act, Section 106, consultation.

The County of Modoc, California, is proposing to construct an 8-foot high woven-wire (cyclone) perimeter fence with no barbed wire (undertaking) at the Airport. The Airport is located on a portion of the former Tule Lake Segregation Center (TLSC), one of ten War Relocation Centers where Japanese-American United States citizens and legal residents were incarcerated during World War II in accordance with Executive Order 9066. The United States government subsequently apologized for that action in the Civil Liberties Act of 1988.

Almost all TLSC structures on the future Airport site were removed in 1946, prior to the establishment of the Airport in 1951. However, the Federal Aviation Administration (FAA) has concluded that the undertaking will result in an indirect adverse visual effect on a remnant of the original TLSC security fence on Airport property that is eligible for inclusion on the National Register of Historic Places. The effects of the undertaking are described in detail in our concurrent letter to the California State Historic Preservation Officer (SHPO), which is included as Attachment 1.

Although the FAA has concluded that the undertaking will result in an adverse effect on a remnant of the TLSC on Airport property, this should not be confused with an adverse effect on the TLSC National Historic Landmark. The TLSC National Historic Landmark, which is part of the World War II Valor in the Pacific National Monument – Tule Lake Unit administered by the National Park Service, is located approximately 0.25 miles southwest of the Airport property.

The FAA has concluded the Airport fence project will not result in an adverse effect on the TLSC National Historic Landmark.

As part of the National Historic Preservation Act, Section 106, consultation process the FAA is inviting the consulting parties to comment on the materials in Attachment 1 including the determination of adverse effects, and the proposed resolution of adverse effects described in the attached Draft Memorandum of Agreement. Please provide any comments you have on Attachment 1 within 30 days of receipt of this letter.

Your comments will be considered by the FAA and Modoc County, and also included in the National Environmental Policy Act, Draft Environmental Assessment (EA), for the airport fence project, when that document is released for public review. All consulting party and public comments will then be considered as the FAA evaluates any potential environmental impacts of the proposed fence project under the National Environmental Policy Act, and considers how to resolve the adverse effect of the fence project on the historic property under the National Historic Preservation Act, Section 106.

If you have questions regarding this letter, please call Ms. Laurie Suttmeier, Assistant Manager, San Francisco Airports District Office (SFO ADO) at (650) 827-7602, or Mr. Douglas Pomeroy, Environmental Protection Specialist at the SFO ADO, at 650-827-7612, as my temporary assignment as Acting Manager of the SFO ADO will end at the end of August.

Sincerely,

Original signed by

Patrick W. Magnotta
Acting Manager, San Francisco Airports District Office

Attachment 1:
Compact Disk containing Letter to California State Historic Preservation Officer dated August 24, 2018.



U.S. Department
of Transportation
**Federal Aviation
Administration**

Western-Pacific Region
Airports Division

San Francisco Airports District Office
1000 Marina Boulevard, Suite 220
Brisbane, CA 94005

August 24, 2018

Ms. Jacqui Krizo
Klamath Basin Crisis
P.O. Box 314
Tulelake, CA 96134

Subject: Proposed Airport Perimeter Fence, Tulelake Municipal Airport (O81), Modoc County, California – Notification to National Historic Preservation Act, Section, Section 106, Consulting Party of Adverse Effect Determination on Historic Property and Opportunity to Comment on Effects Determination and Draft Memorandum of Agreement to Resolve Adverse Effect.

Dear Ms. Krizo:

You previously participated in the County of Modoc and Federal Aviation Administration environmental conflict resolution effort of behalf of Klamath Basin Crisis regarding the proposed airport fence project at the Tulelake Municipal Airport (Airport), Newell, Modoc County, in northeastern California. Your organization was identified as an additional consulting party for the National Historic Preservation Act, Section 106, consultation.

The County of Modoc, California, is proposing to construct an 8-foot high woven-wire (cyclone) perimeter fence with no barbed wire (undertaking) at the Airport. The Airport is located on a portion of the former Tule Lake Segregation Center (TLSC), one of ten War Relocation Centers where Japanese-American United States citizens and legal residents were incarcerated during World War II in accordance with Executive Order 9066. The United States government subsequently apologized for that action in the Civil Liberties Act of 1988.

Almost all TLSC structures on the future Airport site were removed in 1946, prior to the establishment of the Airport in 1951. However, the Federal Aviation Administration (FAA) has concluded that the undertaking will result in an indirect adverse visual effect on a remnant of the original TLSC security fence on Airport property that is eligible for inclusion on the National Register of Historic Places. The effects of the undertaking are described in detail in our concurrent letter to the California State Historic Preservation Officer (SHPO), which is included as Attachment 1.

Although the FAA has concluded that the undertaking will result in an adverse effect on a remnant of the TLSC on Airport property, this should not be confused with an adverse effect on the TLSC National Historic Landmark. The TLSC National Historic Landmark, which is part of the World War II Valor in the Pacific National Monument – Tule Lake Unit administered by the National Park Service, is located approximately 0.25 miles southwest of the Airport property. The FAA has concluded the Airport fence project will not result in an adverse effect on the TLSC National Historic Landmark.

As part of the National Historic Preservation Act, Section 106, consultation process the FAA is inviting the consulting parties to comment on the materials in Attachment 1 including the determination of adverse effects, and the proposed resolution of adverse effects described in the attached Draft Memorandum of Agreement. Please provide any comments you have on Attachment 1 within 30 days of receipt of this letter.

Your comments will be considered by the FAA and Modoc County, and also included in the National Environmental Policy Act, Draft Environmental Assessment (EA), for the airport fence project, when that document is released for public review. All consulting party and public comments will then be considered as the FAA evaluates any potential environmental impacts of the proposed fence project under the National Environmental Policy Act, and considers how to resolve the adverse effect of the fence project on the historic property under the National Historic Preservation Act, Section 106.

If you have questions regarding this letter, please call Ms. Laurie Suttmeier, Assistant Manager, San Francisco Airports District Office (SFO ADO) at (650) 827-7602, or Mr. Douglas Pomeroy, Environmental Protection Specialist at the SFO ADO, at 650-827-7612, as my temporary assignment as Acting Manager of the SFO ADO will end at the end of August.

Sincerely,

Original signed by

Patrick W. Magnotta
Acting Manager, San Francisco Airports District Office

Attachment 1:
Compact Disk containing Letter to California State Historic Preservation Officer dated August 24, 2018.



U.S. Department
of Transportation
**Federal Aviation
Administration**

Western-Pacific Region
Airports Division

San Francisco Airports District Office
1000 Marina Boulevard, Suite 220
Brisbane, CA 94005

August 24, 2018

Mr. Nick Macy
Macy's Flying Service
P.O. Box 277
Tulelake, CA 96134

Subject: Proposed Airport Perimeter Fence, Tulelake Municipal Airport (O81), Modoc County, California – Notification to National Historic Preservation Act, Section, Section 106, Consulting Party of Adverse Effect Determination on Historic Property and Opportunity to Comment on Effects Determination and Draft Memorandum of Agreement to Resolve Adverse Effect.

Dear Mr. Macy:

You previously participated in the County of Modoc and Federal Aviation Administration environmental conflict resolution effort regarding the proposed airport fence project at the Tulelake Municipal Airport (Airport), Newell, Modoc County, in northeastern California. You were identified as an additional consulting party for the National Historic Preservation Act, Section 106, consultation.

The County of Modoc, California, is proposing to construct an 8-foot high woven-wire (cyclone) perimeter fence with no barbed wire (undertaking) at the Airport. The Airport is located on a portion of the former Tule Lake Segregation Center (TLSC), one of ten War Relocation Centers where Japanese-American United States citizens and legal residents were incarcerated during World War II in accordance with Executive Order 9066. The United States government subsequently apologized for that action in the Civil Liberties Act of 1988.

Almost all TLSC structures on the future Airport site were removed in 1946, prior to the establishment of the Airport in 1951. However, the Federal Aviation Administration (FAA) has concluded that the undertaking will result in an indirect adverse visual effect on a remnant of the original TLSC security fence on Airport property that is eligible for inclusion on the National Register of Historic Places. The effects of the undertaking are described in detail in our concurrent letter to the California State Historic Preservation Officer (SHPO), which is included as Attachment 1.

Although the FAA has concluded that the undertaking will result in an adverse effect on a remnant of the TLSC on Airport property, this should not be confused with an adverse effect on the TLSC National Historic Landmark. The TLSC National Historic Landmark, which is part of the World War II Valor in the Pacific National Monument – Tule Lake Unit administered by the National Park Service, is located approximately 0.25 miles southwest of the Airport property. The FAA has concluded the Airport fence project will not result in an adverse effect on the TLSC National Historic Landmark.

As part of the National Historic Preservation Act, Section 106, consultation process the FAA is inviting the consulting parties to comment on the materials in Attachment 1 including the determination of adverse effects, and the proposed resolution of adverse effects described in the attached Draft Memorandum of Agreement. Please provide any comments you have on Attachment 1 within 30 days of receipt of this letter.

Your comments will be considered by the FAA and Modoc County, and also included in the National Environmental Policy Act, Draft Environmental Assessment (EA), for the airport fence project, when that document is released for public review. All consulting party and public comments will then be considered as the FAA evaluates any potential environmental impacts of the proposed fence project under the National Environmental Policy Act, and considers how to resolve the adverse effect of the fence project on the historic property under the National Historic Preservation Act, Section 106.

If you have questions regarding this letter, please call Ms. Laurie Suttmeier, Assistant Manager, San Francisco Airports District Office (SFO ADO) at (650) 827-7602, or Mr. Douglas Pomeroy, Environmental Protection Specialist at the SFO ADO, at 650-827-7612, as my temporary assignment as Acting Manager of the SFO ADO will end at the end of August.

Sincerely,

Original signed by

Patrick W. Magnotta
Acting Manager, San Francisco Airports District Office

Attachment 1:
Compact Disk containing Letter to California State Historic Preservation Officer dated August 24, 2018.



U.S. Department
of Transportation
**Federal Aviation
Administration**

Western-Pacific Region
Airports Division

San Francisco Airports District Office
1000 Marina Boulevard, Suite 220
Brisbane, CA 94005

August 24, 2018

Mr. Ron Sundergill
Senior Regional Director
National Parks Conservation Association
350 Frank Ogawa Plaza #1100
Oakland, CA 94612

Subject: Proposed Airport Perimeter Fence, Tullake Municipal Airport (O81), Modoc County, California – Notification to National Historic Preservation Act, Section, Section 106, Consulting Party of Adverse Effect Determination on Historic Property and Opportunity to Comment on Effects Determination and Draft Memorandum of Agreement to Resolve Adverse Effect.

Dear Mr. Sundergill:

You previously participated on behalf of the National Parks Conservation Association in the County of Modoc and Federal Aviation Administration environmental conflict resolution effort regarding the proposed airport fence project at the Tullake Municipal Airport (Airport), Newell, Modoc County, in northeastern California. The National Parks Conservation Association was identified as an additional consulting party for the National Historic Preservation Act, Section 106, consultation.

The County of Modoc, California, is proposing to construct an 8-foot high woven-wire (cyclone) perimeter fence with no barbed wire (undertaking) at the Airport. The Airport is located on a portion of the former Tule Lake Segregation Center (TLSC), one of ten War Relocation Centers where Japanese-American United States citizens and legal residents were incarcerated during World War II in accordance with Executive Order 9066. The United States government subsequently apologized for that action in the Civil Liberties Act of 1988.

Almost all TLSC structures on the future Airport site were removed in 1946, prior to the establishment of the Airport in 1951. However, the Federal Aviation Administration (FAA) has concluded that the undertaking will result in an indirect adverse visual effect on a remnant of the original TLSC security fence on Airport property that is eligible for inclusion on the National Register of Historic Places. The effects of the undertaking are described in detail in our concurrent letter to the California State Historic Preservation Officer (SHPO), which is included as Attachment 1.

Although the FAA has concluded that the undertaking will result in an adverse effect on a remnant of the TLSC on Airport property, this should not be confused with an adverse effect on the TLSC National Historic Landmark. The TLSC National Historic Landmark, which is part of the World War II Valor in the Pacific National Monument – Tule Lake Unit administered by the National Park Service, is located approximately 0.25 miles southwest of the Airport property.

The FAA has concluded the Airport fence project will not result in an adverse effect on the TLSC National Historic Landmark.

As part of the National Historic Preservation Act, Section 106, consultation process the FAA is inviting the consulting parties to comment on the materials in Attachment 1 including the determination of adverse effects, and the proposed resolution of adverse effects described in the attached Draft Memorandum of Agreement. Please provide any comments you have on Attachment 1 within 30 days of receipt of this letter.

Your comments will be considered by the FAA and Modoc County, and also included in the National Environmental Policy Act, Draft Environmental Assessment (EA), for the airport fence project, when that document is released for public review. All consulting party and public comments will then be considered as the FAA evaluates any potential environmental impacts of the proposed fence project under the National Environmental Policy Act, and considers how to resolve the adverse effect of the fence project on the historic property under the National Historic Preservation Act, Section 106.

If you have questions regarding this letter, please call Ms. Laurie Suttmeier, Assistant Manager, San Francisco Airports District Office (SFO ADO) at (650) 827-7602, or Mr. Douglas Pomeroy, Environmental Protection Specialist at the SFO ADO, at 650-827-7612, as my temporary assignment as Acting Manager of the SFO ADO will end at the end of August.

Sincerely,

Original signed by

Patrick W. Magnotta
Acting Manager, San Francisco Airports District Office

Attachment 1:
Compact Disk containing Letter to California State Historic Preservation Officer dated August 24, 2018.



U.S. Department
of Transportation
**Federal Aviation
Administration**

Western-Pacific Region
Airports Division

San Francisco Airports District Office
1000 Marina Boulevard, Suite 220
Brisbane, CA 94005

August 24, 2018

Ms. Elaine Jackson-Retondo
National Historic Landmarks Program Manager
Pacific West Regional Office
National Park Service
333 Bush Street – Suite 500
San Francisco, CA 94014

Subject: Proposed Airport Perimeter Fence, Tulelake Municipal Airport (O81), Modoc County, California – Notification to National Historic Preservation Act, Section, Section 106, Consulting Party of Adverse Effect Determination on Historic Property and Opportunity to Comment on Effects Determination and Draft Memorandum of Agreement to Resolve Adverse Effect.

Dear Ms. Jackson-Retondo:

You previously participated on behalf of the National Park Service as the Pacific West Region, National Historic Landmarks Program Manager, in the County of Modoc and Federal Aviation Administration environmental conflict resolution effort regarding the proposed airport fence project at the Tulelake Municipal Airport (Airport), Newell, Modoc County, in northeastern California. Your organization was identified as an additional consulting party for the National Historic Preservation Act, Section 106, consultation.

The County of Modoc, California, is proposing to construct an 8-foot high woven-wire (cyclone) perimeter fence with no barbed wire (undertaking) at the Airport. The Airport is located on a portion of the former Tule Lake Segregation Center (TLSC), one of ten War Relocation Centers where Japanese-American United States citizens and legal residents were incarcerated during World War II in accordance with Executive Order 9066. The United States government subsequently apologized for that action in the Civil Liberties Act of 1988.

Almost all TLSC structures on the future Airport site were removed in 1946, prior to the establishment of the Airport in 1951. However, the Federal Aviation Administration (FAA) has concluded that the undertaking will result in an indirect adverse visual effect on a remnant of the original TLSC security fence on Airport property that is eligible for inclusion on the National Register of Historic Places. The effects of the undertaking are described in detail in our concurrent letter to the California State Historic Preservation Officer (SHPO), which is included as Attachment 1.

Although the FAA has concluded that the undertaking will result in an adverse effect on a remnant of the TLSC on Airport property, this should not be confused with an adverse effect on the TLSC National Historic Landmark. The TLSC National Historic Landmark, which is part of the World War II Valor in the Pacific National Monument – Tule Lake Unit administered by the National Park Service, is located approximately 0.25 miles southwest of the Airport property.

The FAA has concluded the Airport fence project will not result in an adverse effect on the TLSC National Historic Landmark.

As part of the National Historic Preservation Act, Section 106, consultation process the FAA is inviting the consulting parties to comment on the materials in Attachment 1 including the determination of adverse effects, and the proposed resolution of adverse effects described in the attached Draft Memorandum of Agreement. Please provide any comments you have on Attachment 1 within 30 days of receipt of this letter.

Your comments will be considered by the FAA and Modoc County, and also included in the National Environmental Policy Act, Draft Environmental Assessment (EA), for the airport fence project, when that document is released for public review. All consulting party and public comments will then be considered as the FAA evaluates any potential environmental impacts of the proposed fence project under the National Environmental Policy Act, and considers how to resolve the adverse effect of the fence project on the historic property under the National Historic Preservation Act, Section 106.

If you have questions regarding this letter, please call Ms. Laurie Suttmeier, Assistant Manager, San Francisco Airports District Office (SFO ADO) at (650) 827-7602, or Mr. Douglas Pomeroy, Environmental Protection Specialist at the SFO ADO, at 650-827-7612, as my temporary assignment as Acting Manager of the SFO ADO will end at the end of August.

Sincerely,

Original signed by

Patrick W. Magnotta
Acting Manager, San Francisco Airports District Office

Attachment 1:
Compact Disk containing Letter to California State Historic Preservation Officer dated August 24, 2018.



U.S. Department
of Transportation
**Federal Aviation
Administration**

Western-Pacific Region
Airports Division

San Francisco Airports District Office
1000 Marina Boulevard, Suite 220
Brisbane, CA 94005

August 24, 2018

Mr. Larry Whalon
Superintendent
World War II Valor in the Pacific National Monument – Tule Lake Unit
P.O. Box 1240
Tulelake, CA 96134

Subject: Proposed Airport Perimeter Fence, Tulelake Municipal Airport (O81), Modoc County, California – Notification to National Historic Preservation Act, Section, Section 106, Consulting Party of Adverse Effect Determination on Historic Property and Opportunity to Comment on Effects Determination and Draft Memorandum of Agreement to Resolve Adverse Effect.

Dear Mr. Whalon:

You previously participated on behalf of the National Park Service, Valor In the Pacific National Monument – Tule Lake Unit, in the County of Modoc and Federal Aviation Administration environmental conflict resolution effort regarding the proposed airport fence project at the Tulelake Municipal Airport (Airport), Newell, Modoc County, in northeastern California. Your organization was identified as an additional consulting party for the National Historic Preservation Act, Section 106, consultation.

The County of Modoc, California, is proposing to construct an 8-foot high woven-wire (cyclone) perimeter fence with no barbed wire (undertaking) at the Airport. The Airport is located on a portion of the former Tule Lake Segregation Center (TLSC), one of ten War Relocation Centers where Japanese-American United States citizens and legal residents were incarcerated during World War II in accordance with Executive Order 9066. The United States government subsequently apologized for that action in the Civil Liberties Act of 1988.

Almost all TLSC structures on the future Airport site were removed in 1946, prior to the establishment of the Airport in 1951. However, the Federal Aviation Administration (FAA) has concluded that the undertaking will result in an indirect adverse visual effect on a remnant of the original TLSC security fence on Airport property that is eligible for inclusion on the National Register of Historic Places. The effects of the undertaking are described in detail in our concurrent letter to the California State Historic Preservation Officer (SHPO), which is included as Attachment 1.

Although the FAA has concluded that the undertaking will result in an adverse effect on a remnant of the TLSC on Airport property, this should not be confused with an adverse effect on the TLSC National Historic Landmark. The TLSC National Historic Landmark, which is part of the World War II Valor in the Pacific National Monument – Tule Lake Unit administered by the National Park Service, is located approximately 0.25 miles southwest of the Airport property.

The FAA has concluded the Airport fence project will not result in an adverse effect on the TLSC National Historic Landmark.

As part of the National Historic Preservation Act, Section 106, consultation process the FAA is inviting the consulting parties to comment on the materials in Attachment 1 including the determination of adverse effects, and the proposed resolution of adverse effects described in the attached Draft Memorandum of Agreement. Please provide any comments you have on Attachment 1 within 30 days of receipt of this letter.

Your comments will be considered by the FAA and Modoc County, and also included in the National Environmental Policy Act, Draft Environmental Assessment (EA), for the airport fence project, when that document is released for public review. All consulting party and public comments will then be considered as the FAA evaluates any potential environmental impacts of the proposed fence project under the National Environmental Policy Act, and considers how to resolve the adverse effect of the fence project on the historic property under the National Historic Preservation Act, Section 106.

If you have questions regarding this letter, please call Ms. Laurie Suttmeier, Assistant Manager, San Francisco Airports District Office (SFO ADO) at (650) 827-7602, or Mr. Douglas Pomeroy, Environmental Protection Specialist at the SFO ADO, at 650-827-7612, as my temporary assignment as Acting Manager of the SFO ADO will end at the end of August.

Sincerely,

Original signed by

Patrick W. Magnotta
Acting Manager, San Francisco Airports District Office

Attachment 1:
Compact Disk containing Letter to California State Historic Preservation Officer dated August 24, 2018.



U.S. Department
of Transportation
**Federal Aviation
Administration**

Western-Pacific Region
Airports Division

San Francisco Airports District Office
1000 Marina Boulevard, Suite 220
Brisbane, CA 94005

August 24, 2018

Mr. Brandon Criss
Siskiyou County Supervisor – District 1
P.O. Box 750
Yreka, CA 96097

Subject: Proposed Airport Perimeter Fence, Tulelake Municipal Airport (O81), Modoc County, California – Notification to National Historic Preservation Act, Section, Section 106, Consulting Party of Adverse Effect Determination on Historic Property and Opportunity to Comment on Effects Determination and Draft Memorandum of Agreement to Resolve Adverse Effect.

Dear Mr. Criss :

You participated for the County of Siskiyou in the County of Modoc and Federal Aviation Administration environmental conflict resolution effort regarding the proposed airport fence project at the Tulelake Municipal Airport (Airport), Newell, Modoc County, in northeastern California. Siskiyou County was identified as an additional consulting party for the National Historic Preservation Act, Section 106, consultation.

The County of Modoc, California, is proposing to construct an 8-foot high woven-wire (cyclone) perimeter fence with no barbed wire (undertaking) at the Airport. The Airport is located on a portion of the former Tule Lake Segregation Center (TLSC), one of ten War Relocation Centers where Japanese-American United States citizens and legal residents were incarcerated during World War II in accordance with Executive Order 9066. The United States government subsequently apologized for that action in the Civil Liberties Act of 1988.

Almost all TLSC structures on the future Airport site were removed in 1946, prior to the establishment of the Airport in 1951. However, the Federal Aviation Administration (FAA) has concluded that the undertaking will result in an indirect adverse visual effect on a remnant of the original TLSC security fence on Airport property that is eligible for inclusion on the National Register of Historic Places. The effects of the undertaking are described in detail in our concurrent letter to the California State Historic Preservation Officer (SHPO), which is included as Attachment 1.

Although the FAA has concluded that the undertaking will result in an adverse effect on a remnant of the TLSC on Airport property, this should not be confused with an adverse effect on the TLSC National Historic Landmark. The TLSC National Historic Landmark, which is part of the World War II Valor in the Pacific National Monument – Tule Lake Unit administered by the National Park Service, is located approximately 0.25 miles southwest of the Airport property. The FAA has concluded the Airport fence project will not result in an adverse effect on the TLSC National Historic Landmark.

As part of the National Historic Preservation Act, Section 106, consultation process the FAA is inviting the consulting parties to comment on the materials in Attachment 1 including the determination of adverse effects, and the proposed resolution of adverse effects described in the attached Draft Memorandum of Agreement. Please provide any comments you have on Attachment 1 within 30 days of receipt of this letter.

Your comments will be considered by the FAA and Modoc County, and also included in the National Environmental Policy Act, Draft Environmental Assessment (EA), for the airport fence project, when that document is released for public review. All consulting party and public comments will then be considered as the FAA evaluates any potential environmental impacts of the proposed fence project under the National Environmental Policy Act, and considers how to resolve the adverse effect of the fence project on the historic property under the National Historic Preservation Act, Section 106.

If you have questions regarding this letter, please call Ms. Laurie Suttmeier, Assistant Manager, San Francisco Airports District Office (SFO ADO) at (650) 827-7602, or Mr. Douglas Pomeroy, Environmental Protection Specialist at the SFO ADO, at 650-827-7612, as my temporary assignment as Acting Manager of the SFO ADO will end at the end of August.

Sincerely,

Original signed by

Patrick W. Magnotta
Acting Manager, San Francisco Airports District Office

Attachment 1:
Compact Disk containing Letter to California State Historic Preservation Officer dated August 24, 2018.



U.S. Department
of Transportation
**Federal Aviation
Administration**

Western-Pacific Region
Airports Division

San Francisco Airports District Office
1000 Marina Boulevard, Suite 220
Brisbane, CA 94005

August 24, 2018

Mr. Hiroshi Shimizu
President
Tule Lake Committee
P.O. Box 170141
San Francisco, CA 94117

Subject: Proposed Airport Perimeter Fence, Tulelake Municipal Airport (O81), Modoc County, California – Notification to National Historic Preservation Act, Section, Section 106, Consulting Party of Adverse Effect Determination on Historic Property and Opportunity to Comment on Effects Determination and Draft Memorandum of Agreement to Resolve Adverse Effect.

Dear Mr. Shimizu:

Representatives of the Tule Lake Committee previously participated in the County of Modoc and Federal Aviation Administration environmental conflict resolution effort regarding the proposed airport fence project at the Tulelake Municipal Airport (Airport), Newell, Modoc County, in northeastern California. The Tule Lake Committee was identified as an additional consulting party for the National Historic Preservation Act, Section 106, consultation, and has provided comments during the consultation.

The County of Modoc, California, is proposing to construct an 8-foot high woven-wire (cyclone) perimeter fence with no barbed wire (undertaking) at the Airport. The Airport is located on a portion of the former Tule Lake Segregation Center (TLSC), one of ten War Relocation Centers where Japanese-American United States citizens and legal residents were incarcerated during World War II in accordance with Executive Order 9066. The United States government subsequently apologized for that action in the Civil Liberties Act of 1988.

Almost all TLSC structures on the future Airport site were removed in 1946, prior to the establishment of the Airport in 1951. However, the Federal Aviation Administration (FAA) has concluded that the undertaking will result in an indirect adverse visual effect on a remnant of the original TLSC security fence on Airport property that is eligible for inclusion on the National Register of Historic Places. The effects of the undertaking are described in detail in our concurrent letter to the California State Historic Preservation Officer (SHPO), which is included as Attachment 1.

Although the FAA has concluded that the undertaking will result in an adverse effect on a remnant of the TLSC on Airport property, this should not be confused with an adverse effect on the TLSC National Historic Landmark. The TLSC National Historic Landmark, which is part of the World War II Valor in the Pacific National Monument – Tule Lake Unit administered by the National Park Service, is located approximately 0.25 miles southwest of the Airport property.

The FAA has concluded the Airport fence project will not result in an adverse effect on the TLSC National Historic Landmark.

As part of the National Historic Preservation Act, Section 106, consultation process the FAA is inviting the consulting parties to comment on the materials in Attachment 1 including the determination of adverse effects, and the proposed resolution of adverse effects described in the attached Draft Memorandum of Agreement. Please provide any comments you have on Attachment 1 within 30 days of receipt of this letter.

Your comments will be considered by the FAA and Modoc County, and also included in the National Environmental Policy Act, Draft Environmental Assessment (EA), for the airport fence project, when that document is released for public review. All consulting party and public comments will then be considered as the FAA evaluates any potential environmental impacts of the proposed fence project under the National Environmental Policy Act, and considers how to resolve the adverse effect of the fence project on the historic property under the National Historic Preservation Act, Section 106.

If you have questions regarding this letter, please call Ms. Laurie Suttmeier, Assistant Manager, San Francisco Airports District Office (SFO ADO) at (650) 827-7602, or Mr. Douglas Pomeroy, Environmental Protection Specialist at the SFO ADO, at 650-827-7612, as my temporary assignment as Acting Manager of the SFO ADO will end at the end of August.

Sincerely,

Original signed by

Patrick W. Magnotta
Acting Manager, San Francisco Airports District Office

Attachment 1:
Compact Disk containing Letter to California State Historic Preservation Officer dated August 24, 2018.

Copy to:
Ms. Barbara Takei, Chief Financial Officer, Tule Lake Committee, Sacramento, CA
w/Attachment 1

Ms. Satsuki Ina, Member, Tule Lake Committee, Oakland, CA
w/Attachment 1



U.S. Department
of Transportation
**Federal Aviation
Administration**

Western-Pacific Region
Airports Division

San Francisco Airports District Office
1000 Marina Boulevard, Suite 220
Brisbane, CA 94005

August 24, 2018

Mr. John Crawford
Tulelake Growers Association
356 Main Street
Tulelake, CA 96134

Subject: Proposed Airport Perimeter Fence, Tulelake Municipal Airport (O81), Modoc County, California – Notification to National Historic Preservation Act, Section, Section 106, Consulting Party of Adverse Effect Determination on Historic Property and Opportunity to Comment on Effects Determination and Draft Memorandum of Agreement to Resolve Adverse Effect.

Dear Mr. Crawford:

The Tulelake Growers Association previously participated in the County of Modoc and Federal Aviation Administration environmental conflict resolution effort regarding the proposed airport fence project at the Tulelake Municipal Airport (Airport), Newell, Modoc County, in northeastern California. The Association was identified as an additional consulting party for the National Historic Preservation Act, Section 106, consultation.

The County of Modoc, California, is proposing to construct an 8-foot high woven-wire (cyclone) perimeter fence with no barbed wire (undertaking) at the Airport. The Airport is located on a portion of the former Tule Lake Segregation Center (TLSC), one of ten War Relocation Centers where Japanese-American United States citizens and legal residents were incarcerated during World War II in accordance with Executive Order 9066. The United States government subsequently apologized for that action in the Civil Liberties Act of 1988.

Almost all TLSC structures on the future Airport site were removed in 1946, prior to the establishment of the Airport in 1951. However, the Federal Aviation Administration (FAA) has concluded that the undertaking will result in an indirect adverse visual effect on a remnant of the original TLSC security fence on Airport property that is eligible for inclusion on the National Register of Historic Places. The effects of the undertaking are described in detail in our concurrent letter to the California State Historic Preservation Officer (SHPO), which is included as Attachment 1.

Although the FAA has concluded that the undertaking will result in an adverse effect on a remnant of the TLSC on Airport property, this should not be confused with an adverse effect on the TLSC National Historic Landmark. The TLSC National Historic Landmark, which is part of the World War II Valor in the Pacific National Monument – Tule Lake Unit administered by the National Park Service, is located approximately 0.25 miles southwest of the Airport property. The FAA has concluded the Airport fence project will not result in an adverse effect on the TLSC National Historic Landmark.

As part of the National Historic Preservation Act, Section 106, consultation process the FAA is inviting the consulting parties to comment on the materials in Attachment 1 including the determination of adverse effects, and the proposed resolution of adverse effects described in the attached Draft Memorandum of Agreement. Please provide any comments you have on Attachment 1 within 30 days of receipt of this letter.

Your comments will be considered by the FAA and Modoc County, and also included in the National Environmental Policy Act, Draft Environmental Assessment (EA), for the airport fence project, when that document is released for public review. All consulting party and public comments will then be considered as the FAA evaluates any potential environmental impacts of the proposed fence project under the National Environmental Policy Act, and considers how to resolve the adverse effect of the fence project on the historic property under the National Historic Preservation Act, Section 106.

If you have questions regarding this letter, please call Ms. Laurie Suttmeier, Assistant Manager, San Francisco Airports District Office (SFO ADO) at (650) 827-7602, or Mr. Douglas Pomeroy, Environmental Protection Specialist at the SFO ADO, at 650-827-7612, as my temporary assignment as Acting Manager of the SFO ADO will end at the end of August.

Sincerely,

Original signed by

Patrick W. Magnotta
Acting Manager, San Francisco Airports District Office

Attachment 1:
Compact Disk containing Letter to California State Historic Preservation Officer dated August 24, 2018.

Bcc: Chron 612 project file



U.S. Department
of Transportation
**Federal Aviation
Administration**

Western-Pacific Region
Airports Division

San Francisco Airports District Office
1000 Marina Boulevard, Suite 220
Brisbane, CA 94005

August 24, 2018

Mr. Earl Danosky
Advisor – Tulelake Irrigation District
P.O. Box 699
Tulelake, CA 96134

Subject: Proposed Airport Perimeter Fence, Tulelake Municipal Airport (O81), Modoc County, California – Notification to National Historic Preservation Act, Section, Section 106, Consulting Party of Adverse Effect Determination on Historic Property and Opportunity to Comment on Effects Determination and Draft Memorandum of Agreement to Resolve Adverse Effect.

Dear Mr. Danosky:

The Tulelake Irrigation District previously participated in the County of Modoc and Federal Aviation Administration environmental conflict resolution effort regarding the proposed airport fence project at the Tulelake Municipal Airport (Airport), Newell, Modoc County, in northeastern California. The District was identified as an additional consulting party for the National Historic Preservation Act, Section 106, consultation.

The County of Modoc, California, is proposing to construct an 8-foot high woven-wire (cyclone) perimeter fence with no barbed wire (undertaking) at the Airport. The Airport is located on a portion of the former Tule Lake Segregation Center (TLSC), one of ten War Relocation Centers where Japanese-American United States citizens and legal residents were incarcerated during World War II in accordance with Executive Order 9066. The United States government subsequently apologized for that action in the Civil Liberties Act of 1988.

Almost all TLSC structures on the future Airport site were removed in 1946, prior to the establishment of the Airport in 1951. However, the Federal Aviation Administration (FAA) has concluded that the undertaking will result in an indirect adverse visual effect on a remnant of the original TLSC security fence on Airport property that is eligible for inclusion on the National Register of Historic Places. The effects of the undertaking are described in detail in our concurrent letter to the California State Historic Preservation Officer (SHPO), which is included as Attachment 1.

Although the FAA has concluded that the undertaking will result in an adverse effect on a remnant of the TLSC on Airport property, this should not be confused with an adverse effect on the TLSC National Historic Landmark. The TLSC National Historic Landmark, which is part of the World War II Valor in the Pacific National Monument – Tule Lake Unit administered by the National Park Service, is located approximately 0.25 miles southwest of the Airport property. The FAA has concluded the Airport fence project will not result in an adverse effect on the TLSC National Historic Landmark.

As part of the National Historic Preservation Act, Section 106, consultation process the FAA is inviting the consulting parties to comment on the materials in Attachment 1 including the determination of adverse effects, and the proposed resolution of adverse effects described in the attached Draft Memorandum of Agreement. Please provide any comments you have on Attachment 1 within 30 days of receipt of this letter.

Your comments will be considered by the FAA and Modoc County, and also included in the National Environmental Policy Act, Draft Environmental Assessment (EA), for the airport fence project, when that document is released for public review. All consulting party and public comments will then be considered as the FAA evaluates any potential environmental impacts of the proposed fence project under the National Environmental Policy Act, and considers how to resolve the adverse effect of the fence project on the historic property under the National Historic Preservation Act, Section 106.

If you have questions regarding this letter, please call Ms. Laurie Suttmeier, Assistant Manager, San Francisco Airports District Office (SFO ADO) at (650) 827-7602, or Mr. Douglas Pomeroy, Environmental Protection Specialist at the SFO ADO, at 650-827-7612, as my temporary assignment as Acting Manager of the SFO ADO will end at the end of August.

Sincerely,

Original signed by

Patrick W. Magnotta
Acting Manager, San Francisco Airports District Office

Attachment 1:
Compact Disk containing Letter to California State Historic Preservation Officer dated August 24, 2018.

Attachment 6

Transmittal Letter regarding Cultural Resources Inventory and Effects Assessment
For the Airport Perimeter Fence Project, Tulelake Municipal Airport, Modoc
County, California

for

Federally Recognized Tribes



U.S. Department
of Transportation
**Federal Aviation
Administration**

Western-Pacific Region
Airports Division

San Francisco Airports District Office
1000 Marina Boulevard, Suite 220
Brisbane, CA 94005

August 24, 2018

Mr. Perry Chocktoot
Cultural Resources Heritage Director
Klamath Tribes
P. O. Box 436
Chiloquin, Oregon 97624

Subject: Proposed Airport Perimeter Fence, Tulelake Municipal Airport (O81), Modoc County, California – Notification to National Historic Preservation Act, Section, Section 106, Consulting Party of Adverse Effect Determination on Historic Property and Opportunity to Comment on Effects Determination and Draft Memorandum of Agreement to Resolve Adverse Effect, and Opportunity to Request Government-to-Government Consultation.

Dear Mr. Chocktoot:

You previously participated for the Klamath Tribes in the County of Modoc and Federal Aviation Administration (FAA) environmental conflict resolution effort regarding the proposed airport fence project at the Tulelake Municipal Airport (Airport), Newell, Modoc County, in northeastern California. The Klamath Tribes were identified as an additional consulting party for the National Historic Preservation Act (NHPA), Section 106, consultation. The Klamath Tribes were also previously offered the opportunity for government-to-government consultation on this proposed project.

The County of Modoc, California, is proposing to construct an 8-foot high woven-wire (cyclone) perimeter fence with no barbed wire (undertaking) at the Airport. The Airport is located on a portion of the former Tule Lake Segregation Center (TLSC), one of ten War Relocation Centers where Japanese-American United States citizens and legal residents were incarcerated during World War II in accordance with Executive Order 9066. The United States government subsequently apologized for that action in the Civil Liberties Act of 1988.

Almost all TLSC structures on the future Airport site were removed in 1946, prior to the establishment of the Airport in 1951. However, the FAA has concluded that the undertaking will result in an indirect adverse visual effect on a remnant of the original TLSC security fence on Airport property that is eligible for inclusion on the National Register of Historic Places. The effects of the undertaking are described in detail in our concurrent letter to the California State Historic Preservation Officer (SHPO), which is included as Attachment 1.

Although the FAA has concluded that the undertaking will result in an adverse effect on a remnant of the TLSC on Airport property, this should not be confused with an adverse effect on the TLSC National Historic Landmark. The TLSC National Historic Landmark, which is part of the World War II Valor in the Pacific National Monument – Tule Lake Unit administered by the National Park Service, is located approximately 0.25 miles southwest of the Airport property.

The FAA has concluded the Airport fence project will not result in an adverse effect on the TLSC National Historic Landmark.

As part of the NHPA, Section 106, consultation process the FAA is inviting the consulting parties to comment on the materials in Attachment 1 including the determination of adverse effects, and the proposed resolution of adverse effects described in the attached Draft Memorandum of Agreement. Please provide any comments you have on Attachment 1 within 30 days of receipt of this letter.

Your comments will be considered by the FAA and Modoc County as the FAA evaluates any potential environmental impacts of the proposed fence project under the National Environmental Policy Act, and considers how to resolve the adverse effect of the fence project on the historic property under the National Historic Preservation Act, Section 106. Unless you prefer your comments remain part of a confidential government-to-government communication, the FAA would plan to include any written comments you provide on Attachment 1 in the National Environmental Policy Act, Draft Environmental Assessment, for the airport fence project. If you prefer a verbal government-to-government consultation with our designated senior official, Western-Pacific Region Airports Division Director Mr. McClardy, in place of providing comments, we request you advise us within 15 days of receipt of this letter so that we can make arrangements for such a consultation.

If you have questions regarding this letter, please call Ms. Laurie Suttmeier, Assistant Manager, San Francisco Airports District Office (SFO ADO) at (650) 827-7602, or Mr. Douglas Pomeroy, Environmental Protection Specialist at the SFO ADO, at 650-827-7612, as my temporary assignment as Acting Manager of the SFO ADO will end at the end of August.

Sincerely,

Original signed by

Patrick W. Magnotta
Acting Manager, San Francisco Airports District Office

Attachment 1:
Compact Disk containing Letter to California State Historic Preservation Officer dated August 24, 2018.



U.S. Department
of Transportation
**Federal Aviation
Administration**

Western-Pacific Region
Airports Division

San Francisco Airports District Office
1000 Marina Boulevard, Suite 220
Brisbane, CA 94005

August 24, 2018

Mr. Blake Follis
Tribal Attorney General
Modoc Tribe of Oklahoma
22 North Eight Tribes Trail
Miami, Oklahoma 74354

Subject: Proposed Airport Perimeter Fence, Tulelake Municipal Airport (O81), Modoc County, California – Notification of Adverse Effect Determination on Historic Property, Opportunity to Comment on Effects Determination and Draft Memorandum of Agreement to Resolve Adverse Effect

Dear Mr. Follis:

You previously participated for the Modoc Tribe of Oklahoma in the County of Modoc and Federal Aviation Administration (FAA) environmental conflict resolution effort regarding the proposed airport fence project at the Tulelake Municipal Airport (Airport), Newell, Modoc County, in northeastern California. The Modoc Tribe of Oklahoma was identified as an additional consulting party for the National Historic Preservation Act (NHPA), Section 106, consultation. Our FAA Western-Pacific Region Airports Division Director Mr. Mark McClardy and San Francisco Airports District Office (SFO ADO) Environmental Protection Specialist Mr. Douglas Pomeroy previously participated in a government-to-government consultation on this project with Modoc Tribe of Oklahoma representatives Chief Bill Follis, Tribal Attorney Troy LittleAxe, and yourself in October 2016.

The County of Modoc, California, is proposing to construct an 8-foot high woven-wire (cyclone) perimeter fence with no barbed wire (undertaking) at the Airport. The Airport is located on a portion of the former Tule Lake Segregation Center (TLSC), one of ten War Relocation Centers where Japanese-American United States citizens and legal residents were incarcerated during World War II in accordance with Executive Order 9066. The United States government subsequently apologized for that action in the Civil Liberties Act of 1988.

Almost all TLSC structures on the future Airport site were removed in 1946, prior to the establishment of the Airport in 1951. However, the FAA has concluded that the undertaking will result in an indirect adverse visual effect on a remnant of the original TLSC security fence on Airport property that is eligible for inclusion on the National Register of Historic Places. The effects of the undertaking are described in detail in our concurrent letter to the California State Historic Preservation Officer (SHPO), which is included as Attachment 1.

Although the FAA has concluded that the undertaking will result in an adverse effect on a remnant of the TLSC on Airport property, this should not be confused with an adverse effect on the TLSC National Historic Landmark. The TLSC National Historic Landmark, which is part of the World War II Valor in the Pacific National Monument – Tule Lake Unit administered by the

National Park Service, is located approximately 0.25 miles southwest of the Airport property. The FAA has concluded the Airport fence project will not result in an adverse effect on the TLSC National Historic Landmark.

As part of the NHPA, Section 106, consultation process the FAA is inviting the consulting parties to comment on the materials in Attachment 1 including the determination of adverse effects, and the proposed resolution of adverse effects described in the attached Draft Memorandum of Agreement. Please provide any comments you have on Attachment 1 within 30 days of receipt of this letter.

Your comments will be considered by the FAA and Modoc County as the FAA evaluates any potential environmental impacts of the proposed fence project under the National Environmental Policy Act, and considers how to resolve the adverse effect of the fence project on the historic property under the National Historic Preservation Act, Section 106. Unless you prefer your comments remain part of a confidential government-to-government communication, the FAA would plan to include any written comments you provide on Attachment 1 in the National Environmental Policy Act, Draft Environmental Assessment, for the airport fence project. If you prefer a verbal government-to-government consultation with our designated senior official Mr. McClardy, in place of providing comments, please advise us within 15 days of receipt of this letter so that we can make arrangements for such a consultation.

Your discussions with the City of Tulelake regarding the possible transfer of ownership of the Airport to your tribe as it relates to this undertaking are discussed in a general way in Attachment 1. Our Regional Airports Division Office provided our view regarding the possible transfer of ownership in a letter to you of August 23, 2018. We will update our documentation for the NHPA, Section 106 consultation, and the National Environmental Policy Act, Environmental Assessment, should a transfer of airport ownership occur before those processes are completed.

If you have questions regarding this letter, please call Ms. Laurie Suttmeier, Assistant Manager, SFO ADO at (650) 827-7602, or Mr. Douglas Pomeroy, Environmental Protection Specialist at the SFO ADO, at 650-827-7612, as my temporary assignment as Acting Manager of the SFO ADO will end at the end of August.

Sincerely,

Original signed by

Patrick W. Magnotta
Acting Manager, San Francisco Airports District Office

Attachment 1:
Compact Disk containing Letter to California State Historic Preservation Officer dated August 24, 2018.

Attachment 7

Notification to Advisory Council on Historic Preservation of an Adverse Effect determination and invitation to participate in National Historic Preservation Act, Section 106, consultation for the Tulelake Municipal Airport, Perimeter Fence Project, Modoc County, California



U.S. Department
of Transportation
**Federal Aviation
Administration**

Western-Pacific Region
Airports Division

San Francisco Airports District Office
1000 Marina Boulevard, Suite 220
Brisbane, CA 94005

August 24, 2018

Mr. John M. Fowler
Executive Director
Advisory Council on Historic Preservation
401 F. Street NW, Suite 308
Washington, D.C. 20001

Subject: Proposed Airport Perimeter Fence, Tulelake Municipal Airport (O81), Modoc County, California – Notification of Adverse Effect and Invitation to the Advisory Council on Historic Preservation to Participate in the National Historic Preservation Act, Section 106, Consultation

Dear Mr. Fowler:

The County of Modoc, California, is proposing to construct an 8-foot high woven-wire (cyclone) perimeter fence with no barbed wire (undertaking) at the Tulelake Municipal Airport (Airport), Newell, Modoc County, in northeastern California. The Airport is located on a portion of the former Tule Lake Segregation Center (TLSC), one of ten War Relocation Centers where Japanese-American United States citizens and legal residents were incarcerated during World War II in accordance with Executive Order 9066. The United States government subsequently apologized for that action in the Civil Liberties Act of 1988.

Almost all TLSC structures on the future Airport site were removed in 1946, prior to the establishment of the Airport in 1951. However, the Federal Aviation Administration (FAA) has concluded that the undertaking will result in an indirect adverse visual effect on a remnant of the original TLSC security fence on Airport property that is eligible for inclusion on the National Register of Historic Places. The effects of the undertaking are described in detail in our concurrent letters to the California State Historic Preservation Officer (SHPO) and additional consulting parties, which are included in Attachment 1.

As the FAA has made an adverse effect determination, we are inviting the Advisory Council on Historic Preservation to participate in this National Historic Preservation Act (NHPA), Section 106 consultation in accordance with 36 Code of Federal Regulations (C. F. R.) section 800.6 (a) (1) (i) (A). In accordance with 36 C. F. R. section 800.6 (a) (1) (iii) we request that you advise us within 15 days of receipt of this letter if you intend to participate in this NHPA, Section 106, consultation.

Although the FAA has concluded that the undertaking will result in an adverse effect on a remnant of the TLSC on Airport property, this should not be confused with an adverse effect on the TLSC National Historic Landmark. The TLSC National Historic Landmark, which is part of the World War II Valor in the Pacific National Monument – Tule Lake Unit administered by the National Park Service, is located approximately 0.25 miles southwest of the Airport property.

The FAA has concluded the TLSC National Historic Landmark will not be adversely effected by this undertaking.

We are supplying the supporting documentation for the FAA effects determinations under the NHPA, Section 106, in accordance with 36 C. F. R. section 800.11. Attachment 1 includes the documentation for the FAA determinations of effect, a detailed chronology of this consultation to date, supporting materials and a Draft Memorandum of Agreement to address the adverse effects of the undertaking. Attachment 2 provides additional documentation of earlier stages in the consultation previously provided to the SHPO and other consulting parties.

During 2016, Modoc County and the FAA held a series of environmental conflict resolution meetings facilitated by the United States Institute for Environmental Conflict Resolution and the United States Department of Interior Office of Collaborative Action and Dispute Resolution which included the City of Tulelake, Siskiyou County, federally recognized tribes, historic preservation groups, agricultural organizations and businesses, and other consulting parties, in an effort to reach a consensus among various parties regarding the proposed airport fence project. That effort was unsuccessful and the undertaking continues to generate public interest from a variety of perspectives.

If you have questions regarding this letter, please call Ms. Laurie Suttmeier, Assistant Manager, San Francisco Airports District Office (SFO ADO) at (650) 827-7602, or Mr. Douglas Pomeroy, Environmental Protection Specialist at the SFO ADO, at 650-827-7612, as my temporary assignment as Acting Manager of the SFO ADO will end at the end of August.

Sincerely,

Original signed by

Patrick W. Magnotta
Acting Manager, San Francisco Airports District Office

Attachment 1:
Compact Disk containing Letter to California State Historic Preservation Officer dated August 24, 2018.

Attachment 2:
Compact Disk containing Additional National Historic Preservation Act, Section 106, documentation materials previously provided to the California State Historic Preservation Officer and Other Consulting Parties

Cc:
Mr. Mitch Crosby, Modoc County Road Commissioner w/o attachments

California State Historic Preservation Officer w/o attachments

Mr. Henry Ebinger, Mayor, City of Tulelake w/o attachments