



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

March 20, 2013

Ms. Carol Rowland-Nawi Ph.D.  
California State Historic Preservation Officer  
Office of Historic Preservation  
1725 23<sup>rd</sup> Street, Suite 100  
Sacramento, CA 95816  
Attention: Tristan Tozer – Historian (Review and Compliance Unit)

Subject: Initiation of National Historic Preservation Act, Section 106, Consultation for Construction of a Proposed Airport Perimeter Fence, Tulelake Municipal Airport, Modoc County, California.

Dear Ms. Rowland-Nawi:

The Federal Aviation Administration (FAA) is writing to consult under Section 106 of the National Historic Preservation Act (NHPA) regarding the construction of a proposed Airport Perimeter Fence at Tulelake Municipal Airport, Modoc County, California. The perimeter fence is being proposed by Modoc County, the airport sponsor for the Tulelake Municipal Airport. Modoc County is preparing a National Environmental Policy Act, Environmental Assessment for the project for FAA approval and may also seek federal financial assistance from the FAA for the project. Mr. Douglas Pomeroy, Environmental Protection Specialist of my staff, has had several preliminary discussions on this project with Mr. Tristan Tozer, Staff Historian, of your office.

This letter and attachments address the project background, project information, identification of a Direct and Indirect Area of Potential Effect (APE), identification of historic properties on or eligible for the National Register of Historic Places (NRHP) within the Direct and Indirect APE, initial communication with interested parties, coordination with Tribes, and the consultation process. At this time the FAA is seeking your concurrence with our determination of the Direct and Indirect APE and our determination of properties on or eligible for the NRHP within the APEs. Once determinations are completed for these items the FAA will submit a determination of the effects of the proposed project on historic properties on or eligible for the NRHP within the APEs.

*Background on the Tulelake Municipal Airport and Tule Lake Segregation Center*

The Tulelake Municipal Airport (Airport) is located adjacent to the unincorporated community of Newell in Modoc County, California as shown on regional and vicinity maps (Attachments 1 and 2). The property that became the Airport property was once part of the Tule Lake Segregation Center (TLSC). The Tule Lake facility was one of ten War Relocation Centers where Japanese-Americans were interned during World War II in accordance Executive Order 9066. The Tule Lake facility was designated a segregation center for internment of “disloyal” Japanese-Americans in 1943. A more detailed history of the TLSC is included in several

attachments to this letter, particularly the Secretary of Interior's Designation of the TLSC National Historic Landmark (NHL) Attachment 3.

Most remnants of the TLSC on the Airport property were removed in 1946, immediately after the TLSC closed. The Airport property was conveyed to the City of Tulelake by the federal government in 1951, and the Airport has been operated under a long term lease by Modoc County since 1974. A copy of the Modoc County plat map, legal description, and conveyance documents are attached (Attachment 4).

#### Project Information

Modoc County proposes to construct a perimeter fence to enclose the Airport. The fence would generally be constructed on the Airport property line except as shown on Attachment 5. On the north side of the Airport, the fence is located south of the property line to allow the local irrigation district continued access to canals without having to enter within the perimeter fence. On the south side of the airport, the fence line has been adjusted to allow continued access to a waste transfer facility without access within the perimeter fence. Fences already exist on portions of the Airport property including some four-strand barbed wire livestock fence and some cyclone fence. There is a remnant of the original TLSC 6-foot cyclone fence with barbed-wire outriggers on Airport property, but it is not on the property line and would not be physically altered by this project.

The purpose of the new fence is to minimize the potential for pedestrians and vehicles to inadvertently encroach on the Airport's runway (pedestrian-vehicle deviations) and minimize the potential for aircraft-wildlife strikes (primarily deer). An 8-foot high metal cyclone fence with no barbed wire or outriggers is under consideration as the fencing material, but other fencing materials that would prevent uncontrolled human and wildlife access to the Airport will be considered. Fence posts may be placed up to 3 feet below ground level and fence material may be placed up to 2 feet below ground level to deter wildlife from entering the Airport. Minor grading along the fence line not to exceed 2 feet in depth to remove abrupt changes in elevation and provide a level area of approximately 12 feet wide for fence installation will also be part of the project. Old fence posts and fencing on the property boundary will be removed when the new fence is installed.

#### Identification of the Area of Potential Effect

The FAA has identified a Direct and Indirect APE for this proposed project as shown on Attachment 5. The FAA has identified a Direct APE that includes the areas where physical changes will occur to the environment as a result of construction of the fence. The Direct APE is defined as the route of the proposed fence line and areas up to 20 feet on either side of the proposed fence line. The following physical changes would occur in the Direct APE:

- Remove existing 4 strand barbed wire fence,
- Dig new fence post holes and install new fence posts in concrete,
- Minor grading to provide a level area approximately 12 feet wide for installation of the replacement fence,
- Temporary compression of existing vegetation by construction vehicles,
- Temporary equipment and materials storage in the Direct APE while the fence is constructed.

The FAA has also identified an Indirect APE to address the potential for the fence project to result in visual effects on historic properties outside the Direct APE. The FAA identified the Indirect APE as all areas within the original boundaries of the TLSC that are east of California State Highway 139 and not included in the Direct APE. Based on the size and location of the proposed fence, the FAA believes that any visual effects that could potentially result from the proposed project would occur within the Indirect APE.

*Identification of Historic Properties Eligible for the National Register of Historic Places within the Area of Potential Effect*

The FAA has reviewed multiple information sources to identify what historic properties on or eligible for the NRHP are present within the Direct and Indirect APE. These information sources included the following reports and communications:

- Secretary of the Interior, Tule Lake Segregation Center National Historic Landmark Nomination and Final Designation, prepared by Jeff Burton and Mary Farrell, April 13, 2005 and designated a National Historic Landmark, February 17, 2006 (Attachment 3)
- National Park Service, Preliminary Tule Lake Segregation Center National Historic Landmark Nomination prepared by Jeff Burton and Mary Farrell, November 27, 2004 (Attachment 6)
- Cultural Resources Report for the Tulelake Municipal Airport, Modoc County, California, Sean Jensen, Genesis Society, Paradise, CA January 1, 2010. (Attachment 7)
- A Review of the Findings of Eligibility for the Segregation Center Component of CA-MOD-138/H for the National Register of Historic Places, Harrington, 2011. (Attachment 8)
- Tulelake Municipal Airport Cultural Resources Reevaluations letter, Rick Hironymous, Modoc County Department of Public Works, October 18, 2012 (Attachment 9)
- National Park Service, Draft Tule Lake Historic Resources Inventory, Jeff Burton and Mary Farrell (2004) (Attachment 10)
- Invitation to Interested Parties (Attachment 11)
- Comments from Interested Parties (Attachment 12).

The FAA used these reports, 36 Code of Federal Regulations 63 *Determination for Eligibility for Inclusion in the National Register of Historic Places*, and the National Park Service National Register Bulletin *How to Apply the National Register Criteria for Evaluation* to make determinations for this project regarding what properties in the Direct and Indirect APE are eligible for the NRHP. The FAA's determinations of which properties within the Direct and Indirect APE are eligible for the NRHP are shown on Attachment 13 and summarized below.

*Historic Properties Identified within the Direct and Indirect APE, within the Tulelake Municipal Airport Boundary*

The FAA agrees with the conclusions in all the reports and comments received and evaluated that the activities that occurred at the TLSC represent important and significant events in State of

California and National history. However, the reports and comments above differed in their conclusions as to whether potential historic properties on Airport property retained sufficient historic integrity to be eligible for the NHRP.

Jensen (Attachment 7) and Harrington (Attachment 8) evaluated the remnants of the TLSC remaining within the boundary of the Airport property and concluded that the remnants were so altered or destroyed that they no longer retained sufficient historic integrity, feeling, and association to be eligible for the NRHP. Jensen 2010 also concluded that there were no prehistoric sites on or eligible for NRHP within the boundary of the Airport.

The NPS 2004 Draft Tule Lake Historic Resources Inventory (Attachment 10) also identified and evaluated several remnants of the TLSC on the Airport property and reached a different conclusion, identifying that several historic properties associated with the TLSC did retain sufficient historic integrity to be eligible for the NRHP. Several interested parties (Attachment 12), also stated they thought remnants of the TLSC on the Airport retained sufficient historic integrity to be eligible for the NRHP.

The FAA reviewed all the attached reports and the comments from interested parties. The FAA agreed, with one exception, with the determinations of Jensen and Harrington that the remnants of the TLSC on the Airport property do not retain sufficient historic integrity to be eligible for the NRHP. The FAA concluded that the approximately 2,600-foot section of the original TLSC 6-foot high cyclone security fence with barbed-wire outriggers located on the north side of the Airport property was eligible for the NRHP. This section of the original TLSC security fence is in its original location and essentially intact. The FAA concludes this section of the TLSC fence retains sufficient integrity, feeling, and association with the TLSC to be eligible for listing on the NRHP. This fence is shown on the NPS Tule Lake Historic Resources Inventory forms TULE 2004 A-8 and A-9 in Appendix D of Attachment 10 – copies of which are reproduced in Attachment 10, Appendix D. We have provided the remainder of Appendix D of Attachment 10 on CD, as the full appendix is approximately 450 pages long. We have also included a recent photograph of the original fence as Attachment 14.

*Historic Properties Identified within the Indirect APE, but Outside the Tulelake Municipal Airport Property Boundary*

The FAA also made determinations regarding whether there were historic properties on or eligible for the NRHP outside of the Airport property boundary, but within the Indirect APE. The FAA based its findings for this area primarily on the NPS 2004 Draft Tule Lake Historic Resources Inventory (Attachment 10), the NPS 2004 Draft TLSC NHL Survey 2004 (Attachment 6), and the Secretary of Interior 2006 Designation of the TLSC NHL (Attachment 3). The FAA reached the following conclusions regarding the eligibility of historic properties for the NRHP within the Indirect APE, but outside the Airport property boundary:

- The TLSC NHL designated by the Secretary of Interior in 2006 is automatically on the NRHP as a designated NHL. This area was also designated as a portion of the World War II Valor in the Pacific National Monument – Tule Lake Unit established in 2008.
- The three properties identified in the Draft TLSC NHL Survey dated 2004 that were not included in the designated NHL in 2006 are eligible for NRHP. These include the following areas as shown on Attachment 13:

- A Military Police Compound Historic District identified in the 2004 NHL Survey report but not included in the NHL designated in 2006.
  - A Warehouse Historic District identified in the 2004 NHL Survey report but not included as part of the NHL designated in 2006.
  - The Newell Store (former TLSC Recreation Building) identified in the 2004 NHL Survey report but not included in the NHL designated in 2006.
- In addition to considering the properties above eligible for the NRHP, the FAA will also consider as eligible for the NRHP all other individual historic properties within the Indirect APE, but outside of the Airport property boundary, which the NPS identified in its 2004 Tule Lake Historic Resources Inventory as contributing to a proposed TLSC National Historic District. These areas are shown on Attachment 13.

#### Coordination with Interested Parties

As discussed with Mr. Tristan Tozer of your office, the FAA sought public input from interested parties before making this submittal to you to initiate the NHPA Section 106 consultation process. Working with the NPS staff of the World War II Valor in the Pacific National Monument – Tule Lake Unit, the FAA identified potentially interested parties to receive information regarding this project. The FAA issued an *Invitation to Interested Parties* on May 2, 2012, and invited interested parties to provide information regarding the perimeter fence project and identify whether they wanted to participate as interested parties in the NHPA Section 106 consultation process for this project (Attachment 11).

The FAA received ten responses with comments to our *Invitation to Interested Parties* (Attachment 12). Most respondents either commented that they considered the remnants of the Tule Lake Segregation Center on the airport property to have sufficient historic integrity to be considered eligible for the NRHP, and/or that the proposed perimeter fence would have an adverse effect on those properties. The FAA considered these comments in making our determination of historic properties eligible for the NRHP within the Direct and Indirect APEs, and will consider the comments regarding the potential effects of the perimeter fence project when we make our determination of the effect of the project on historic properties.

#### Coordination with Tribes

By letters of January 12, 2012 (Attachment 15) the FAA contacted the Klamath Tribes and Modoc Tribe of Oklahoma, the federally recognized tribes associated with this area, to determine if the tribes were interested in this project. The FAA has received no response from either tribe.

#### Consultation Process

Mr. Tozer previously advised us that you would want to review our written documentation before scheduling a consultation meeting for this project. With the submittal of these materials we anticipate the FAA, the County of Modoc, the California Office of Historic Preservation, and interested parties, will be able to hold a consultation meeting regarding this proposed project. Concurrent with our submittal of this letter, we will contact all parties who responded to our invitation to interested parties to see if they desire to participate in consultations regarding this project. In addition to Modoc County, we have tentatively identified the National Park Service, National Parks and Conservation Association, the Tule Lake Committee, and the Japanese-American Citizens League as entities that appear the most likely to participate in the NHPA, Section 106 consultation process.

Once a determination is reached regarding the Direct and Indirect APE and the identification of historic properties within the APE that are on or eligible for the NRHP, the FAA will submit its determination as to whether the proposed project has an effect on any historic properties eligible for the NRHP within the Direct or Indirect APE.

I request that you review the materials in this letter and then contact me at 650-827-7601 or Mr. Douglas Pomeroy, Environmental Protection Specialist, at 650-827-7612, so we may proceed with the NHPA, Section 106, consultation process for this project.

Sincerely,



Robin K. Hunt  
Manager, Airports District Office

Copy to:

Mitch Crosby, Modoc County Road Commissioner w/attachments

Attachments:

- Attachment 1: Regional Map
- Attachment 2: Vicinity Map
- Attachment 3: Tule Lake Segregation Center, National Historic Landmark Nomination and Designation, United States Secretary of the Interior, February 17, 2006.
- Attachment 4: Modoc County Plat Map and 1951 United States Land Patent to the City of Tulelake for the Tulelake Municipal Airport
- Attachment 5: Tulelake Municipal Airport Proposed Perimeter Fence Location with Direct and Indirect Areas of Potential Effect
- Attachment 6: Preliminary Tule Lake Segregation Center, National Historic Landmark Survey Burton and Farrell, National Park Service, November 27, 2004
- Attachment 7: Cultural Resources Report for the Tulelake Municipal Airport, Jensen 2010.
- Attachment 8: A Review of the Findings of Eligibility for the Segregation Center Component of CA-MOD-138/H for the National Register of Historic Places, Harrington 2011
- Attachment 9: Tulelake Municipal Airport Cultural Resources Reevaluations letter, Rick Hironymous, Modoc County Department of Public Works, October 18, 2012
- Attachment 10: National Park Service, Draft Tule Lake Historic Resources Inventory, Jeff Burton and Mary Farrell (2004)
- Attachment 11: Federal Aviation Administration and Modoc County May 2, 2012 letter *Invitation to Interested Parties* letter and mailing list
- Attachment 12: Responses by Interested Parties to the *Invitation to Interested Parties*
- Attachment 13: Figure Summarizing All FAA Determinations of Historic Properties within the Direct and Indirect Area of Potential Effect that are Eligible for Listing on the National Register of Historic Places
- Attachment 14: March 13, 2013 Photograph of Remnant of the Tule Lake Segregation Center World War II Security Fence on Tulelake Municipal Airport Property
- Attachment 15: Tribal Coordination Letters