

## **Volume IV**

### **APPENDIX F:**

#### **State Historic Preservation Officer Coordination Letter**

Included herein are the following:

-Initiation Letters for:

a. SHPO

b. Various Local American Indian Tribes

-Programmatic Agreement

-Advisory Council on Historic Preservation Letter

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**DEPARTMENT OF THE ARMY**  
NEW ORLEANS DISTRICT, CORPS OF ENGINEERS  
P.O. BOX 60267  
NEW ORLEANS, LOUISIANA 70160-0267

APRIL 20, 2009

Planning, Programs, and  
Project Management Division  
Environmental Planning  
And Compliance Branch  
Attn: CEMVN-PM-RN

Mr. Scott Hutcheson  
State Historic Preservation Officer  
Office of Cultural Development  
Department of Culture, Recreation and Tourism  
P.O. Box 4427  
Baton Rouge, Louisiana 70804

Dear Mr. Hutcheson:

**RE: Small Diversion at Convent/Blind River, St. James, St. John the Baptist and Ascension Parishes, Louisiana.**

A small diversion at Convent/Blind River is proposed to reverse the current decline of a portion of the Maurepas Swamp area and to prevent the transition of the swamp into marsh and open water. This project will work together with the Hope Canal and Amite River Diversion Canal modification projects to bring Mississippi River water, sediment and nutrients to the current swamp area. Reversing this decline will help to develop more sustainable wetland ecosystem which can serve to protect the local environment, economy and culture. In light of Louisiana's extreme vulnerability to intense storms this project may also provide some measure of flood damage protection.

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Two maps are attached to this letter. The first is a small scale map showing the Convent/Blind River project, area, marked in green, in relation to Hope Canal Diversion project, marked in yellow and the Amite River Diversion project marked in Red. The second attachment is a large scale map showing only the Convent/Blind River Diversion project area. Records the Louisiana Division of Archaeology indicate that six know sites are located within the proposed project area. The site forms for these cultural resources are attached to this letter.

16SJ39, the Romeville/Convent site, a historic period artifact scatter is reported to be mostly destroyed and has been recommended as not eligible to the National Register of Historic Places.

16AN31, the Monroe Plantation consists in the slave quarters area, sugar house, machine shop, cemetery and the big house. This plantation dates to the mid 19<sup>th</sup> century to the mid 20<sup>th</sup> century. It has not been evaluated for inclusion to the National Register of Historic Places.

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16AN50, the Bayou Conway Site, is a prehistoric period site along Bayou Conway. Artifacts from dredge material contained several decorated pot sherds dating to the Troyville-Coles Creek periods.

16SJ20, the Wilton Plantation, is an 18<sup>th</sup> century plantation near Romeville, Louisiana. Cultural features include the slave quarter area, sugar house ruins, a tenant farmer community and the ruins of the big house. It has not been evaluated for inclusion to the National Register of Historic Places.

16SJ21, the Helvetia Plantation, is a 19<sup>th</sup> and 20<sup>th</sup> century sugar plantation located near Romeville, Louisiana. Cultural features present are the sugar mill, two intact slave quarter houses, the remains of the big house and two Creole style overseer's houses. It has not been evaluated for inclusion to the National Register of Historic Places.

In accordance with 36 CFR Part 800.4(a)(3) we request that you review the attached maps and identify any cultural properties that may be of interest to the State of Louisiana. If so please inform Mr. DeMarcay at (504 862-2039).

Thank you for your help with this project. If you have any questions or require additional information, please contact Mr. DeMarcay.

Sincerely,



For ✓ Joan Exnicios, Acting  
Chief, Environmental Planning  
And Compliance Branch

w/attachments  
cc: John Burns, CDM w/attachments



# ALABAMA-COUSHATTA TRIBE OF TEXAS

571 State Park Rd 56 • Livingston, Texas 77351 • (936) 563-1100

May 8, 2009

Gary DeMarcay  
U.S. Army Corps of Engineers  
CEMVN-PM-RN  
P.O. Box 60267  
New Orleans, LA 70160-0267

Dear Mr. DeMarcay:

On behalf of Chief Oscola Clayton Sylestine and the Alabama-Coushatta Tribe, our appreciation is expressed on your efforts to consult us regarding the Blind River Small Diversion Canal in St. James, St. John the Baptist, and Ascension Parishes.

Our Tribe maintains ancestral associations within the state of Louisiana despite the absence of written records to completely identify Tribal activities, villages, trails, or grave sites. It is our objective to ensure any significances of Native American ancestry including the Alabama-Coushatta Tribe are administered with the utmost attention.

Upon review of the April 20, 2009 documents submitted to our Tribe, a determination of immediate impact to religious, cultural, or historical assets of the Alabama-Coushatta Tribe of Texas could not be ascertained. The proposed location exists in proximity to migratory routes and temporary habitation sites utilized by ancestral members of the Alabama and Coushatta Tribes. We have no objections to the proceeding of this proposal provided precautionary measures are utilized to minimize impacts to ground contents.

In the event of inadvertent discovery of human remains and/or archaeological artifacts, activity in proximity to the location must cease and appropriate authorities, including this office, notified without delay. Should you require additional assistance, please do not hesitate to contact us.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Bryant J. Celestine".

Bryant J. Celestine  
Historic Preservation Officer



**DEPARTMENT OF THE ARMY**  
**NEW ORLEANS DISTRICT, CORPS OF ENGINEERS**  
P.O. BOX 60267  
NEW ORLEANS, LOUISIANA 70160-0267

April 20, 2009

Planning, Programs, and  
Project Management Division  
Environmental Planning  
And Compliance Branch  
Attn: CEMVN-PM-RN

Chairperson LaRue Parker  
Caddo Nation of Oklahoma  
P.O. Box 487  
Binger, OK 73009

Dear Chairperson Parker:

**RE: Small Diversion at Convent/Blind River, St. James, St. John the Baptist and  
Ascension Parishes, Louisiana.**

A copy of this letter and the attachments are being sent to the Caddo Nation of Oklahoma Tribal Historic Preservation Officer Mr. Robert Cast. If you wish to view the attachment please contact Mr. Cast, or, if you wish, you may contact Mr. Gary DeMarcaay of my staff at (504) 862-2039.

A small diversion at Convent/Blind River is proposed to reverse the current decline of a portion of the Maurepas Swamp area and to prevent the transition of the swamp into marsh and open water. This project will work together with the Hope Canal and Amite River Diversion Canal modification projects to bring Mississippi River water, sediment and nutrients to the current swamp area. Reversing this decline will help to develop more sustainable wetland ecosystem which can serve to protect the local environment, economy and culture. In light of Louisiana's extreme vulnerability to intense storms this project may also provide some measure of flood damage protection.

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Two maps are attached to this letter. The first is a small scale map showing the Convent/Blind River project, area, marked in green, in relation to Hope Canal Diversion project, marked in yellow and the Amite River Diversion project marked in Red. The second attachment is a large scale map showing only the Convent/Blind River Diversion project area.

Records the Louisiana Division of Archaeology indicate that six know sites are located within the proposed project area. The site forms for these cultural resources are attached to this letter.

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In accordance with 36 CFR Part 800.4(a)(4) we request that you review the attached maps and identify any cultural properties that may be of interest to the Caddo Nation of Oklahoma. If so please inform either the Louisiana State Historic Preservation Office at (225) 342-8170 or Mr. DeMarcay at the number above.

Thank you for your help with this project. If you have any questions or require additional information, please contact Mr. DeMarcay.

Sincerely,



For  
Joan Exnicios, Acting  
Chief, Environmental Planning  
And Compliance Branch

cc: Robert Cast, Historic Preservation Officer  
w/attachments  
John Burns, CDM w/attachments



**DEPARTMENT OF THE ARMY**  
**NEW ORLEANS DISTRICT, CORPS OF ENGINEERS**  
P.O. BOX 60267  
NEW ORLEANS, LOUISIANA 70160-0267

April 20, 2009

Planning, Programs, and  
Project Management Division  
Environmental Planning  
And Compliance Branch  
Attn: CEMVN-PM-RN

Chairman Lonnie L. Martin  
Chitimacha Tribe of Louisiana  
P.O. Box 661  
Charenton, LA 70523

Dear Chairman Martin:

**RE: Small Diversion at Convent/Blind River, St. James, St. John the Baptist and  
Ascension Parishes, Louisiana.**

A copy of this letter and the attachments are being sent to the Chitimacha Tribe of Louisiana Cultural Director Ms. Kimberly Walden. If you wish to view the attachment please contact Ms. Walden, or, if you wish, you may contact Mr. Gary DeMarcay of my staff at (504) 862-2039.

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In accordance with 36 CFR Part 800.4(a)(4) we request that you review the attached maps and identify any cultural properties that may be of interest to the Chitimacha Tribe of Louisiana. If so please inform either the Louisiana State Historic Preservation Office at (225) 342-8170 or Mr. DeMarcay at the number above.

Thank you for your help with this project. If you have any questions or require additional information, please contact Mr. DeMarcay.

Sincerely,



Joan Exnicios, Acting  
Chief, Environmental Planning  
And Compliance Branch

cc: Kimberly S. Walden, Cultural Director w/attachments  
John Burns, CDM w/attachments





**DEPARTMENT OF THE ARMY**  
**NEW ORLEANS DISTRICT, CORPS OF ENGINEERS**  
P.O. BOX 60267  
NEW ORLEANS, LOUISIANA 70160-0267

April 20, 2009

Planning, Programs, and  
Project Management Division  
Environmental Planning  
And Compliance Branch  
Attn: CEMVN-PM-RN

Chief Gregory E. Pyle  
Choctaw Nation of Oklahoma  
P.O. Box Drawer 1210  
Durant, OK 74701

Dear Chief Pyle:

**RE: Small Diversion at Convent/Blind River, St. James, St. John the Baptist and Ascension Parishes, Louisiana.**

A copy of this letter and the attachments are being sent to the Choctaw Nation of Oklahoma Tribal Historic Preservation Officer Mr. Terry Cole. If you wish to view the attachment please contact Mr. Cole, or, if you wish, you may contact Mr. Gary DeMarcaay of my staff at (504) 862-2039.

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Sincerely,

  
For Joan Exnicios, Acting  
Chief, Environmental Planning  
And Compliance Branch

cc: Terry D. Cole, Director/THPO w/attachments  
John Burns, CDM w/attachments





**DEPARTMENT OF THE ARMY**  
**NEW ORLEANS DISTRICT, CORPS OF ENGINEERS**  
P.O. BOX 60267  
NEW ORLEANS, LOUISIANA 70160-0267

April 20, 2009

Planning, Programs, and  
Project Management Division  
Environmental Planning  
And Compliance Branch  
Attn: CEMVN-PM-RN

Chief Kevin Sickey  
Coushatta Tribe of Louisiana  
P.O. Box 818  
Elton, LA 70532

Dear Chief Sickey:

**RE: Small Diversion at Convent/Blind River, St. James, St. John the Baptist and Ascension Parishes, Louisiana.**

A copy of this letter and the attachments are being sent to the Coushatta Tribe of Louisiana Cultural Contacts Bertney and Linda Langely. If you wish to view the attachment please contact Mr. or Ms. Langely, or, if you wish, you may contact Mr. Gary DeMarcay of my staff at (504) 862-2039.

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Thank you for your help with this project. If you have any questions or require additional information, please contact Mr. DeMarcay.

Sincerely,



For  
Joan Exnicios, Acting  
Chief, Environmental Planning  
And Compliance Branch

---

cc: Bertney and Linda Langley, Cultural Contacts  
w/attachments  
John Burns, CDM w/attachments

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**DEPARTMENT OF THE ARMY**  
**NEW ORLEANS DISTRICT, CORPS OF ENGINEERS**  
P.O. BOX 60267  
NEW ORLEANS, LOUISIANA 70160-0267

April 20, 2009

Planning, Programs, and  
Project Management Division  
Environmental Planning  
And Compliance Branch  
Attn: CEMVN-PM-RN

Principal Chief Christine Norris  
Jena Band of the Choctaw Indians  
P.O. Box 14  
Jena, LA 71342

Dear Chief Norris:

**RE: Small Diversion at Convent/Blind River, St. James, St. John the Baptist and Ascension Parishes, Louisiana.**

A copy of this letter and the attachments are being sent to the Jena Band of Choctaw Indians Environmental Director Ms. Lillie McCormick. If you wish to view the attachment please contact Ms. McCormick, or, if you wish, you may contact Mr. Gary DeMarcay of my staff at (504) 862-2039.

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J. Exnicios  
Joan Exnicios, Acting  
Chief, Environmental Planning  
And Compliance Branch

Cc: Lillie McCormick, Environmental Director  
w/attachments  
John Burns, CDM w/attachments

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**DEPARTMENT OF THE ARMY**  
**NEW ORLEANS DISTRICT, CORPS OF ENGINEERS**  
P.O. BOX 60267  
NEW ORLEANS, LOUISIANA 70160-0267

APRIL 20, 2009

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Attn: CEMVN-PM-RN

Chief Beasley Denson  
Mississippi Band of Choctaw Indians  
P.O. Box 6257  
Choctaw, MS 39350

Dear Chief Denson:

**RE: Small Diversion at Convent/Blind River, St. James, St. John the Baptist and  
Ascension Parishes, Louisiana.**

A copy of this letter and the attachments are being sent to the Mississippi Band of Choctaw Indians Tribal Historic Preservation Officer Mr. Kenneth Carleton. If you wish to view the attachment please contact Mr. Carleton, or, if you wish, you may contact Mr. Gary DeMarcaay of my staff at (504) 862-2039.

A small diversion at Convent/Blind River is proposed to reverse the current decline of a portion of the Maurepas Swamp area and to prevent the transition of the swamp into marsh and open water. This project will work together with the Hope Canal and Amite River Diversion Canal modification projects to bring Mississippi River water, sediment and nutrients to the current swamp area. Reversing this decline will help to develop more sustainable wetland ecosystem which can serve to protect the local environment, economy and culture. In light of Louisiana's extreme vulnerability to intense storms this project may also provide some measure of flood damage protection.

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Two maps are attached to this letter. The first is a small scale map showing the Convent/Blind River project, area, marked in green, in relation to Hope Canal Diversion project, marked in yellow and the Amite River Diversion project marked in Red. The second attachment is a large scale map showing only the Convent/Blind River Diversion project area.

Records the Louisiana Division of Archaeology indicate that six know sites are located within the proposed project area. The site forms for these cultural resources are attached to this letter.

16SJ39, the Romeville/Convent site, a historic period artifact scatter is reported to be mostly destroyed and has been recommended as not eligible to the National Register of Historic Places.

16AN31, the Monroe Plantation consists in the salve quarters area, sugar house, machine shop, cemetery and the big house. This plantation dates to the mid 19<sup>th</sup> century to the mid 20<sup>th</sup> century. It has not been evaluated for inclusion to the National Register of Historic Places.

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In accordance with 36 CFR Part 800.4(a)(4) we request that you review the attached maps and identify any cultural properties that may be of interest to the Mississippi Band of Choctaw Indians. If so please inform either the Louisiana State Historic Preservation Office at (225) 342-8170 or Mr. DeMarcay at the number above.

Thank you for your help with this project. If you have any questions or require additional information, please contact Mr. DeMarcay.

Sincerely,



For  
Joan Exnicios, Acting  
Chief, Environmental Planning  
And Compliance Branch

---

cc: Kenneth H. Carleton, Historic Preservation Officer  
w/attachments  
John Burns, CDM w/attachments





**DEPARTMENT OF THE ARMY**  
**NEW ORLEANS DISTRICT, CORPS OF ENGINEERS**  
P.O. BOX 60267  
NEW ORLEANS, LOUISIANA 70160-0267

April 20, 2009

Planning, Programs, and  
Project Management Division  
Environmental Planning  
And Compliance Branch  
Attn: CEMVN-PM-RN

Chairman John Berrey  
Quapaw Tribe of Oklahoma  
P.O. Box 765  
Quapaw, OK 74363

Dear Chairman Berrey:

**RE: Small Diversion at Convent/Blind River, St. James, St. John the Baptist and Ascension Parishes, Louisiana.**

A copy of this letter and the attachments are being sent to the Quapaw Tribe of Oklahoma Historic Preservation Officer, Ms. Carrie Wilson. If you wish to view the attachment please contact Ms. Wilson, or, if you wish, you may contact Mr. Gary DeMarcay of my staff at (504) 862-2039.

A small diversion at Convent/Blind River is proposed to reverse the current decline of a portion of the Maurepas Swamp area and to prevent the transition of the swamp into marsh and open water. This project will work together with the Hope Canal and Amite River Diversion Canal modification projects to bring Mississippi River water, sediment and nutrients to the current swamp area. Reversing this decline will help to develop more sustainable wetland ecosystem which can serve to protect the local environment, economy and culture. In light of Louisiana's extreme vulnerability to intense storms this project may also provide some measure of flood damage protection.

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In accordance with 36 CFR Part 800.4(a)(4) we request that you review the attached maps and identify any cultural properties that may be of interest to the Quapaw Tribe of Oklahoma. If so please inform either the Louisiana State Historic Preservation Office at (225) 342-8170 or Mr. DeMarcay at the number above.

Thank you for your help with this project. If you have any questions or require additional information, please contact Mr. DeMarcay.

Sincerely,

  
Joan Exnicios, Acting  
Chief, Environmental Planning  
And Compliance Branch

cc: Carrie V. Wilson, Historic Preservation Officer  
w/attachments  
John Burns, CDM w/attachments

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**DEPARTMENT OF THE ARMY**  
**NEW ORLEANS DISTRICT, CORPS OF ENGINEERS**  
P.O. BOX 60267  
NEW ORLEANS, LOUISIANA 70160-0267

April 20, 2009

Planning, Programs, and  
Project Management Division  
Environmental Planning  
And Compliance Branch  
Attn: CEMVN-PM-RN

Chairman Mitchell Cypress  
Seminole Tribe of Florida  
6300 Sterling Rd.  
Hollywood, FL 33024

Dear Chairman Cypress:

**RE: Small Diversion at Convent/Blind River, St. James, St. John the Baptist and Ascension Parishes, Louisiana.**

A copy of this letter and the attachments are being sent to the Seminole Tribe of Florida Tribal Historic Preservation Officer Mr. Willard Steele and the Compliance Review supervisor Ms. Dawn Hutchins. If you wish to view the attachment please contact Mr. Steele or Ms. Hutchins, or, if you wish, you may contact Mr. Gary DeMarcay of my staff at (504) 862-2039.

A small diversion at Convent/Blind River is proposed to reverse the current decline of a portion of the Maurepas Swamp area and to prevent the transition of the swamp into marsh and open water. This project will work together with the Hope Canal and Amite River Diversion Canal modification projects to bring Mississippi River water, sediment and nutrients to the current swamp area. Reversing this decline will help to develop more sustainable wetland ecosystem which can serve to protect the local environment, economy and culture. In light of Louisiana's extreme vulnerability to intense storms this project may also provide some measure of flood damage protection.

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In accordance with 36 CFR Part 800.4(a)(4) we request that you review the attached maps and identify any cultural properties that may be of interest to the Seminole Tribe of Florida. If so please inform either the Louisiana State Historic Preservation Office at (225) 342-8170 or Mr. DeMarcay at the number above.

Thank you for your help with this project. If you have any questions or require additional information, please contact Mr. DeMarcay.

Sincerely,



*Jr*  
Joan Exnicios, Acting  
Chief, Environmental Planning  
And Compliance Branch

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cc: Willard S. Steele, Tribal Historic Preservation Officer  
Dawn Hutchins, Compliance Review Supervisor  
w/attachments  
John Burns, CDM w/attachments

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**DEPARTMENT OF THE ARMY**  
**NEW ORLEANS DISTRICT, CORPS OF ENGINEERS**  
P.O. BOX 60267  
NEW ORLEANS, LOUISIANA 70160-0267

April 20, 2009

Planning, Programs, and  
Project Management Division  
Environmental Planning  
And Compliance Branch  
Attn: CEMVN-PM-RN

Principal Chief Enoch Kelley Haney  
Seminole Nation of Oklahoma  
P.O. Box 1498  
Wewoka, OK 74884

Dear Chief Haney:

**RE: Small Diversion at Convent/Blind River, St. James, St. John the Baptist and Ascension Parishes, Louisiana.**

A copy of this letter and the attachments are being sent to the Seminole Nation of Oklahoma Tribal Historic Preservation Officer Ms. Natalie Deere. If you wish to view the attachment please contact Ms. Deere, or, if you wish, you may contact Mr. Gary DeMarcey of my staff at (504) 862-2039.

A small diversion at Convent/Blind River is proposed to reverse the current decline of a portion of the Maurepas Swamp area and to prevent the transition of the swamp into marsh and open water. This project will work together with the Hope Canal and Amite River Diversion Canal modification projects to bring Mississippi River water, sediment and nutrients to the current swamp area. Reversing this decline will help to develop more sustainable wetland ecosystem which can serve to protect the local environment, economy and culture. In light of Louisiana's extreme vulnerability to intense storms this project may also provide some measure of flood damage protection.

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In accordance with 36 CFR Part 800.4(a)(4) we request that you review the attached maps and identify any cultural properties that may be of interest to the Seminole Nation of Oklahoma. If so please inform either the Louisiana State Historic Preservation Office at (225) 342-8170 or Mr. DeMarcay at the number above.

Thank you for your help with this project. If you have any questions or require additional information, please contact Mr. DeMarcay.

Sincerely,



Joan Exnicios, Acting  
For Chief, Environmental Planning  
And Compliance Branch

---

cc: Natalie Deere Tribal Historic Preservation Officer  
w/attachments  
John Burns, CDM w/attachments

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**DEPARTMENT OF THE ARMY**  
**NEW ORLEANS DISTRICT, CORPS OF ENGINEERS**  
**P.O. BOX 60267**  
**NEW ORLEANS, LOUISIANA 70160-0267**

April 20, 2009

Planning, Programs, and  
Project Management Division  
Environmental Planning  
And Compliance Branch  
Attn: CEMVN-PM-RN

Chairman Earl J. Barbry, Sr.  
Tunica-Biloxi Tribe of Louisiana  
P.O. Box 1589  
Marksville, LA 71351

Dear Chairman Barbry:

**RE: Small Diversion at Convent/Blind River, St. James, St. John the Baptist and  
Ascension Parishes, Louisiana.**

A copy of this letter and the attachments are being sent to the Tunica-Biloxi Tribe of Louisiana Cultural Director Mr. Earl Barbry, Jr.. If you wish to view the attachment please Mr. Barbry, or, if you wish, you may contact Mr. Gary DeMarcay of my staff at (504) 862-2039.

A small diversion at Convent/Blind River is proposed to reverse the current decline of a portion of the Maurepas Swamp area and to prevent the transition of the swamp into marsh and open water. This project will work together with the Hope Canal and Amite River Diversion Canal modification projects to bring Mississippi River water, sediment and nutrients to the current swamp area. Reversing this decline will help to develop more sustainable wetland ecosystem which can serve to protect the local environment, economy and culture. In light of Louisiana's extreme vulnerability to intense storms this project may also provide some measure of flood damage protection.

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In accordance with 36 CFR Part 800.4(a)(4) we request that you review the attached maps and identify any cultural properties that may be of interest to the Tunica-Biloxi Tribe of Louisiana. If so please inform either the Louisiana State Historic Preservation Office at (225) 342-8170 or Mr. DeMarcay at the number above.

Thank you for your help with this project. If you have any questions or require additional information, please contact Mr. DeMarcay.

Sincerely,

  
For  
Joan Exnicios, Acting  
Chief, Environmental Planning  
And Compliance Branch

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cc: Earl Barbry, Jr. Cultural Director  
w/attachments  
John Burns, CDM w/attachments

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**Programmatic Agreement**  
**among**  
**the United States Army Corps of Engineers,**  
**the Coastal Protection and Restoration Authority of Louisiana,**  
**the Louisiana State Historic Preservation Officer,**  
**and**  
**the Advisory Council on Historic Preservation,**  
**Regarding the**  
**Louisiana Coastal Area Ecosystem Restoration Plan (LCA Plan)**

WHEREAS, the United States Army Corps of Engineers (USACE), in cooperation with the Coastal Protection and Restoration Authority of Louisiana (CPRA), has been working to reverse the current trend of coastal degradation; and

WHEREAS, the Louisiana Coastal Area Plan (LCA Plan) is the recommended plan resulting from the Louisiana Coastal Area Ecosystem Restoration Study, completed in November 2004 and recommended to the Congress by a Chief of Engineers report dated January 31, 2005; and

WHEREAS, Section 7006 of the Water Resources Development Act (WRDA) of 2007 (Public Law 110-114) includes conditional authorization for the LCA Plan; and

WHEREAS, the LCA Plan calls for a coordinated, feasible solution to the identified critical water resource problems and opportunities in coastal Louisiana and includes fifteen (15) near-term critical restoration features (Undertakings); and

WHEREAS, the USACE has determined that the restoration features are undertakings as defined in the regulations of the Advisory Council on Historic Preservation (ACHP) implementing Section 106 of the National Historic Preservation Act (36 CFR § 800) that may affect properties included in or eligible for inclusion in the National Register of Historic Places (NRHP); and

WHEREAS, the USACE has consulted with the ACHP and the Louisiana State Historic Preservation Officer (SHPO) to develop this Programmatic Agreement (Agreement) pursuant to 36 CFR § 800.14(b)(1) of the ACHP's regulations implementing Section 106; and

WHEREAS, Section 7006(e)(3) of WRDA 2007 requires submittal of additional feasibility reports on the following six (6) of the fifteen (15) near-term critical restoration features identified in the 2004 LCA Study: (1) Multipurpose Operation of Houma Navigation Canal Lock, (2) Terrebonne Basin Barrier Shoreline Restoration, (3) Small Diversion at Convent/Blind River, (4) Amite River Diversion Canal Modification, (5) Medium Diversion at White's Ditch, and (6) Convey Atchafalaya River Water to Northern Terrebonne Marshes; and authorizes construction of those six features substantially in accordance with the recommendations presented in a final report of the

Chief of Engineers if a favorable report of the Chief is completed by not later than December 31, 2010; and

WHEREAS, Section 7006(e)(1) of WRDA 2007 requires submittal of feasibility reports on the following four (4) of the fifteen (15) near-term critical restoration features identified in the 2004 LCA Study: (1) Land Bridge between Caillou Lake and the Gulf of Mexico, (2) Gulf Shoreline at Point au Fer Island, (3) Modification of Caernarvon Diversion, and (4) Modification of Davis Pond Diversion; and authorizes construction of those four features if the Secretary of the Army determines that the projects are feasible; and

WHEREAS, Section 7006(c) of WRDA 2007 requires submittal of construction reports on the following five (5) of the fifteen (15) near-term critical restoration features identified in the 2004 LCA Study: (1) Mississippi River-Gulf Outlet Environmental Restoration, (2) Small Diversion at Hope Canal, (3) Barataria Basin Barrier Shoreline Restoration, (4) Small Bayou Lafourche Reintroduction, and (5) Medium Diversion at Myrtle Grove; and authorizes construction of those five features substantially in accordance with the report of the Chief of Engineers dated January 31, 2005; and

WHEREAS, the USACE has elected to fulfill its obligations under Section 106 of the National Historic Preservation Act of 1966, as amended, through the execution and implementation of this Agreement as provided in 36 CFR § 800; and

WHEREAS, the Undertakings, including stipulations of the Agreement, are subject to provisions of the Antideficiency Act (31 U.S.C. § 1341), the unavailability of funds shall not relieve the USACE from its obligation to perform those Section 106 responsibilities set forth in the Agreement; and

WHEREAS, the USACE, ACHP, SHPO, and Indian tribes as defined in 36 CFR § 800.16(m), representatives of local governments, and other appropriate parties have consulted to develop this Agreement to define efficient and cost effective processes and protocols for taking into consideration the effects of the Undertakings upon historic properties pursuant to 36 CFR § 800.14(b)(1); and

WHEREAS, the USACE acknowledges Indian tribes as sovereign nations which have a unique government-to-government relationship with the federal government and its agencies; the USACE further acknowledges its Trust Responsibility to those recognized Indian tribes; and

WHEREAS, the USACE has notified affected Indian tribes and shall fulfill its tribal consultation responsibilities through ongoing consultation with Indian tribes that attach religious and cultural significance to historic properties that may be affected by the Undertakings; and

WHEREAS, the USACE has decided that it will invite any interested Indian tribe to sign this Agreement as a concurring party; and

WHEREAS, the CPRA has been invited to be a signatory to this Agreement; and

WHEREAS, the USACE, in coordination with the SHPO, has taken appropriate measures to identify other consulting parties and to invite such parties to participate in the development and execution of this Agreement; and

WHEREAS, the USACE has requested the participation of local governments and the public by mail during the development of this Agreement and will take appropriate steps to involve and notify those parties, as appropriate, during the implementation of the terms of this Agreement; and

NOW, THEREFORE, the USACE, ACHP, and SHPO agree that the implementation of the following stipulations will evidence that the USACE has taken into account the effects of the Undertakings upon historic properties.

#### STIPULATIONS

The USACE shall adhere to the process and protocols set forth in this Agreement and shall ensure the following stipulations are carried out.

##### I. Tribal Consultation

- A. The USACE shall conduct government-to-government consultation with Indian tribes that attach religious and cultural significance to historic properties that may be affected by the Undertakings.
- B. The USACE will develop protocols with Indian tribes with cultural, religious, and/or ancestral ties to the Gulf Coast region to facilitate tribal consultation regarding the potential effect of the Undertakings on properties with tribal cultural or religious significance. The USACE shall provide Indian tribes with copies of all plans, determinations, and findings provided to the SHPO to assist the Indian tribes in identifying activities that may be of interest.
- C. Pursuant to this Agreement, the USACE will develop consultation protocols with each Indian tribe, as requested, within ninety (90) days of the execution of this Agreement unless that timeframe is modified by written agreement.
- D. The USACE has invited the Alabama Coushatta Tribe of Texas, the Caddo Nation of Oklahoma, the Chitimacha Tribe of Louisiana, the Choctaw Nation of Oklahoma, the Coushatta Tribe of Louisiana, the Jena Band of Choctaw Indians, the Mississippi Band of Choctaw Indians, the Quapaw Tribe of Oklahoma, the Seminole Nation of Oklahoma, the Seminole Tribe of Florida, and the Tunica-Biloxi Tribe

of Louisiana to consult in the development of the Agreement. The Alabama-Coushatta Tribe of Texas and the Mississippi Band of Choctaw Indians have participated in the development of the Agreement and will each sign the Agreement as a concurring party. The USACE will provide all invited Indian tribes with a copy of the Programmatic Agreement and will invite them to sign the Agreement as concurring parties.

## II. Public Involvement

- A. The USACE, in coordination with the SHPO, shall identify and provide members of the public likely to be interested in the effects of the Undertakings upon historic properties with a description of the restoration features and the provisions of the Agreement.
- B. The USACE will involve the public through the National Environmental Policy Act (NEPA) process, which affords all persons, organizations and government agencies the right to review and comment on proposed major federal actions that are evaluated by a NEPA document. This is known as the "scoping process." The scoping process is the initial step in the preparation of a NEPA document and will help identify (1) the range of actions (project, procedural changes), (2) alternatives (both those to be rigorously explored and evaluated and those that may be eliminated), and (3) the range of environmental resources considered in the evaluation of environmental impacts.
- C. The USACE will release a draft of the NEPA document for each of the Undertakings to the public for a review period. A public meeting soliciting comments on the proposed action presented in each draft NEPA document will be held during the public comment period. Comments from this review period will be incorporated into each final NEPA document.
- D. To the extent permitted under applicable federal laws and regulations, the USACE will release to the public documents developed pursuant to this Agreement, including protocols, effects determinations, and Interim Progress Reports.

## III. Other Consulting Parties

- A. The USACE, in coordination with the SHPO, will continue efforts during the duration of this Agreement to identify other parties with demonstrated interests in preservation issues and invite them to participate as consulting parties.

- B. The USACE will document the consulting parties in the consultation process for each of the Undertakings and maintain it as part of the administrative record.
- C. If any dispute arises about the right to be recognized as a consulting party, the USACE will contact the ACHP and provide all appropriate documentation. The ACHP will participate in the resolution of the issue.

IV. Identification, Evaluation, and Assessment of Effects Determinations

- A. In coordination with the SHPO and Indian tribes, the USACE will develop protocols for the identification and evaluation of historic properties covered under the terms of this Agreement. Such protocols also will address applicable professional standards, documentation requirements for SHPO submissions, review procedures, and the involvement of consulting parties. Identification and evaluation protocols will be developed within ninety (90) days of the execution of this Agreement unless that timeframe is modified by written agreement.
- B. The USACE, in consultation with the SHPO and Indian tribes, will define and document the area of potential effects (APE) for each of the Undertakings based on the nature of the proposed construction, existing information on the presence or absence of historic properties, the types of historic properties expected to be encountered, the physical characteristics of the APE, and the religious and cultural significance of the APE to Indian tribes. The APE associated with each restoration feature will anticipate the potential for direct, indirect, and cumulative effects upon historic properties. Identification and evaluation efforts will be limited to the APE once that APE is approved by the SHPO and Indian tribes who have signed this Agreement.
- C. In the event of disagreement between the USACE, SHPO, and/or Indian tribes on the eligibility of a property for listing in the National Register of Historic Places under 36 CFR § 60, the USACE shall request a formal determination of eligibility for that property from the Keeper of the National Register of Historic Places (Keeper). The determination by the Keeper will serve as the final decision regarding the National Register eligibility of the property.
- D. All standard response timeframes established under 36 CFR § 800 will apply during the interim period between the execution of this Agreement and the adoption of identification and evaluation protocols, unless otherwise agreed by the SHPO and Indian tribes. The USACE may request expedited review by the SHPO and Indian tribes on a case by case basis during the interim period.

## V. Coordination of Effects Determinations

- A. The USACE shall evaluate effects of each of the Undertakings on historic properties in a holistic manner. In the event the USACE determines that any aspect of an Undertaking will have an effect or adverse effect on a historic property within the restoration feature's APE, the entire restoration feature will be reviewed accordingly.
- B. In the absence of alternative response timeframes identified in approved protocols developed pursuant to this Agreement, consultation under this Agreement will be concluded for USACE findings of *no historic properties affected* when the SHPO and Indian tribes have reviewed the written documentation and concur with the USACE finding or do not object within thirty (30) days of receipt of an adequately documented finding.
- C. Following submission of written documentation to the SHPO and Indian tribes, the USACE may propose a finding of *no adverse effect with conditions*, as appropriate. Such conditions may include, but are not limited to:
1. Avoidance and/or preservation in-place of historic properties;
  2. Unavoidable visual effects to historic properties in cases where reasonable and practicable efforts to screen views are considered and implemented; and
  3. Modifications or conditions to ensure consistency with the Secretary of Interior's *Standards for the Treatment of Historic Properties* and applicable guidelines.
- D. In the absence of alternative response timeframes identified in approved protocols developed pursuant to this Agreement, consultation under this Agreement will be concluded for USACE findings of *no adverse effect* or *no adverse effect with conditions* when the SHPO and Indian tribes have reviewed the written documentation and concur with the USACE finding or do not object within thirty (30) days of receipt of an adequately documented finding. The public shall also be afforded an opportunity to comment.
- E. Should the SHPO and/or Indian tribes object to USACE's findings of *no historic properties affected*, findings of *no adverse effect with conditions*, findings of *no adverse effect*, or should the USACE determine that it cannot accept conditions requested by the SHPO and/or Indian tribes, the USACE shall seek to resolve such objection through consultation in accordance with Stipulation IX of this Agreement.

## VI. Resolution of Adverse Effects

- A. In the event that the USACE, in consultation with the SHPO and Indian tribes, determines that the implementation of an Undertaking may result in an adverse effect upon historic properties as defined in 36 CFR § 800.5(a)(1) and (2) of the ACHP's regulations, the USACE shall notify the ACHP, SHPO, Indian tribes, other consulting parties, and the public. If the project activity will affect a National Historic Landmark, the USACE shall also notify the National Park Service (NPS). The adverse effect notification shall include the documentation specified in 36 CFR § 800.11(e), subject to the confidentiality provisions of 36 CFR § 800.11(c).
- B. In the absence of alternative response timeframes identified in approved protocols developed pursuant to this Agreement, the ACHP, SHPO, Indian tribes, consulting parties, including NPS, as appropriate, and the public shall be afforded an opportunity to review and comment on the adverse effect notification for a period of thirty (30) days after receipt of the adverse effect notification.
- C. The USACE, in consultation with the SHPO, Indian tribes, other consulting parties, and the ACHP if they notify the parties of their participation pursuant to 36 CFR 800.6(a)(1)(iii), will develop treatment plans for the resolution of adverse effects to historic properties within sixty (60) days of the receipt of the adverse effect notification. Such treatment plans will address measures to avoid, minimize, or mitigate adverse effects on historic properties. Standard mitigation measures will be tailored to the significance of the historic property, and may address the following:
  1. Public Interpretation;
  2. Documentation consistent with the Level II Standards of the Historic American Building Survey/ Historic American Engineering Record (HABS/HAER);
  3. Historical, Architectural or Archaeological Monographs;
  4. Rehabilitation of historic buildings in accordance with the Secretary of the Interior's *Standards for the Treatment of Historic Properties* (36 CFR § 68);
  5. Off-site mitigation, including acquisition of property or preservation easements on property, as appropriate, containing threatened resources of comparable significance in

circumstances where there is an imminent need to proceed with construction activity and it is in the public interest;

6. Ethnographic studies;
7. Studies of traditional cultural properties;
8. Relocation of historic properties to sites approved by the SHPO as possessing similar overall character; and
9. Data recovery for archeological properties.

D. Once the consulting parties agree to a treatment plan for the resolution of adverse effects on historic properties, the parties will execute a memorandum of agreement.

E. Should the USACE, SHPO, and/or Indian tribes disagree on the proposed mitigation measures, the USACE shall seek to resolve such objection through consultation in accordance with Stipulation IX of this Agreement.

F. As specified in Section 7(a) of Public Law 86-523, as amended by Public Law 93-291 (16 U.S.C. 469c(a)), the USACE may not incur costs for data recovery activities that exceed one percent of the total amount authorized to be appropriated for the critical restoration feature, unless and until the Assistant Secretary of the Army (Civil Works) has waived that limit and the Secretary of the Interior has concurred in the waiver in accordance with Section 208(3) of Public Law 96-515, as amended (16 U.S.C. 469c-2(3)).

## VII. Unanticipated Discoveries and Effects

A. In the event that the USACE discovers a previously unidentified historic property, including archeological sites, human remains, and properties of traditional religious and cultural significance to Indian tribes, during the execution of any of the Undertakings, the USACE immediately shall secure the jobsite and suspend work in the vicinity of the affected resource. The USACE shall immediately notify the SHPO, Indian tribes consistent with tribal protocols, and other consulting parties, as appropriate, should the proposed work adversely affect a previously unidentified historic property or will adversely affect a known historic property in an unanticipated manner. In accordance with Stipulation VI of this Agreement, the USACE, in coordination with the ACHP, SHPO, Indian tribes, and other consulting parties, as appropriate, will develop standard mitigation measures. The USACE will implement the standard

mitigation measures once approved by the ACHP, SHPO, Indian tribes, and consulting parties, as appropriate.

- B. In the event that the USACE discovers a previously unidentified burial, including burial sites, human skeletal remains, or burial artifacts, on private or state land during the execution of any of the Undertakings, the USACE will follow procedures established in the Louisiana Unmarked Human Burial Sites Preservation Act (R.S. 8:671-681).
- C. In the event that the USACE discovers a previously unidentified burial, including burial sites, human remains or funerary objects, on federal or tribal land during the execution of any of the Undertakings, the USACE will follow procedures established by the Native American Graves Protection and Repatriation Act (NAGPRA) of 1990 and the regulations that allow for its implementation (43 CFR § 10) and the Archaeological Resources Protection Act of 1979 (Public Law 96-95; 16 U.S.C. 470aa-mm), as amended, and implementing regulations (32 CFR § 229).
- D. The USACE shall insure that all contractors are made aware of the requirements of this Agreement by way of its inclusion with solicitation and award documentation. In the event that a contractor discovers a previously unidentified historic property, the contractor shall immediately notify the USACE, refrain from further project activities within the immediate vicinity of the discovery, and take reasonable efforts to avoid and minimize harm to the historic property. The USACE shall implement additional measures to secure the historic property for safety and security concerns, as appropriate.
- E. In the event that previously unidentified direct adverse effects to historic properties are identified following the completion of work within an activity area, any party may provide the USACE with evidence of such effects for a period of twelve (12) months from the completion of the affecting work. The USACE, in consultation with the SHPO, Indian tribes, and ACHP, as appropriate, will review the effect in accordance with the provisions of this Agreement.
- F. In the event that previously unidentified direct adverse effects to structural historic properties are identified following the completion of work within an activity area, owners of such affected properties may provide the USACE with evidence of such effects for a period of twelve (12) months from the completion of the affecting work. The USACE, in consultation with the SHPO, Indian tribes, as appropriate, and the ACHP, as appropriate, will review the effect in accordance with the provisions of this Agreement.

- G. If the USACE, SHPO, Indian tribes, consulting parties, or member of the public, as appropriate, cannot agree on an appropriate course of action to address the discovery situation, the USACE shall initiate the dispute resolution process set forth in Stipulation IX of this Agreement.
- H. If, during performance of any relocations, construction of any improvements required on lands, easements, and rights-of-way to enable the disposal of dredged or excavated material, or performance of any operation, maintenance, repair, rehabilitation and replacement (OMRR&R) activities required for a critical restoration feature, the CPRA discovers a previously unidentified historic property, including archeological sites, human remains, and properties of traditional religious and cultural significance to Indian tribes, the CPRA shall immediately notify the USACE, refrain from further project activities within the immediate vicinity of the discovery, and take reasonable efforts to avoid and minimize harm to the historic property. The CPRA, in coordination with the USACE, shall follow the procedures discussed in paragraphs A. through C. of this Stipulation, as applicable. The CPRA shall not proceed with performance of any relocation or construction of any improvement that is related to such a discovery until the USACE provides written notice to the CPRA that it should proceed with such work.
- I. The CPRA shall insure that its contractors are made aware of the requirements of this Agreement by way of its inclusion with solicitation and award documentation for activities related to performance of relocations, construction of improvements, or OMRR&R activities required for a critical restoration feature. In the event that a contractor discovers a previously unidentified historic property, the contractor shall immediately notify the CPRA, refrain from further project activities within the immediate vicinity of the discovery, and take reasonable efforts to avoid and minimize harm to the historic property. The CPRA shall implement additional measures to secure the historic property for safety and security concerns, as appropriate.

#### VIII. Treatment of Human Remains

- A. Pursuant to this Agreement, the USACE, in consultation with the SHPO and Indian tribes will develop protocols within ninety (90) days of the execution of this Agreement that take into account all applicable laws and regulations for the treatment of human remains that may be encountered during any ground disturbing activities related to the Undertakings.

- B. For human remains that are determined to be Native American, the USACE will develop a subset of the treatment protocols in consultation with the SHPO and Indian tribes.
- C. The USACE or the CPRA, as applicable, will implement the approved treatment protocols, in consultation with the SHPO and Indian tribes, in the event human remains are encountered during any ground disturbing activities related to the Undertakings.

IX. Dispute Resolution

- A. Except for the resolution of eligibility issues, as set forth in Stipulation IV.C. of this Agreement, should the SHPO, Indian tribes, or member of the public disagree on the implementation of the provisions of this Agreement, they will notify the USACE, who will seek to resolve such objection through consultation.
- B. If the dispute cannot be resolved through consultation, the USACE shall forward all documentation relevant to the dispute to the ACHP, including any proposed resolution identified during consultation. Within seven days after receipt of all pertinent documentation, the ACHP may:
  - 1. Provide the USACE with recommendations to take into account in reaching final decision regarding the dispute; or
  - 2. Notify the USACE that it will comment pursuant to 36 CFR § 800.7(c) and provide formal comments within twenty-one (21) days.
- C. Any recommendation or comment provided by the ACHP will be understood to pertain only to the subject of the dispute, and the USACE's responsibilities to fulfill all actions that are not subject of the dispute will remain unchanged.
- D. If the ACHP does not provide the USACE with recommendations or notification of its intent to provide formal comments within seven (7) days, the USACE may assume that the ACHP does not object to its recommended approach and it will proceed accordingly.

X. Administration and Duration of this Agreement

- A. This Agreement will become effective upon the date of execution by the final signatory. The refusal of any party invited to concur in the Agreement will not invalidate the Agreement.

- B. This Agreement will remain in effect for fifteen (15) years from the date of execution, unless extended for a five-year period by written agreement negotiated by all signatories by July 2025.
- C. The USACE shall provide all signatories with annual Interim Progress Reports, which will be submitted every twelve (12) months from the execution date of this Agreement.
- D. The consulting parties to this Agreement shall meet annually, or as needed, to evaluate the effectiveness of this Agreement.

XI. Amendment and Termination

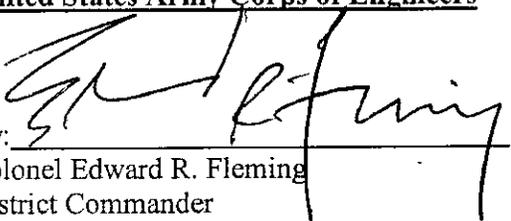
- A. Notwithstanding any provision of this Agreement, the signatories may request that it may be amended, whereupon the signatories will consult to consider such amendment. The USACE will facilitate such consultation, including Indian tribes, within thirty (30) days of the request from one of the signatory parties. Any amendment will be in writing and will be signed by the USACE, ACHP, SHPO, and CPRA, and shall be effective on the date of the final signatory.
- B. This Agreement may be terminated at the request of any of the signatory parties within thirty (30) days following written notification to all parties. In the event of termination, the USACE shall comply with 36 CFR § 800 on a case by case basis for all activities covered by the Agreement.

**Programmatic Agreement  
among  
the United States Army Corps of Engineers,  
the Coastal Protection and Restoration Authority of Louisiana,  
the Louisiana State Historic Preservation Officer,  
and  
the Advisory Council on Historic Preservation,  
Regarding the  
Louisiana Coastal Area Ecosystem Restoration Plan (LCA Plan)**

Execution of this Programmatic Agreement and implementation of its terms evidences that the USACE has taken into account the effects of the LCA Plan upon historic properties and has afforded the ACHP an opportunity to comment.

**Signatory:**

**United States Army Corps of Engineers**

By:   
Colonel Edward R. Fleming  
District Commander  
U.S. Army Corps of Engineers, New Orleans District

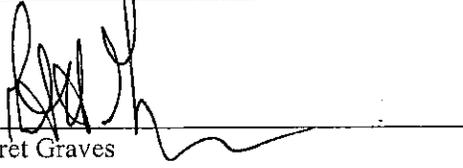
Date: 28 July 2010

**Programmatic Agreement  
among  
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the Coastal Protection and Restoration Authority of Louisiana,  
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**Signatory:**

**Coastal Protection and Restoration Authority of Louisiana**

By:   
Garret Graves  
Chairman  
Coastal Protection and Restoration Authority of Louisiana

Date: 7/27/10

**Programmatic Agreement  
among  
the United States Army Corps of Engineers,  
the Coastal Protection and Restoration Authority of Louisiana,  
the Louisiana State Historic Preservation Officer,  
and  
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**Signatory:**

**Louisiana State Historic Preservation Officer**

By: Phil Boggan (by) Jacob Holson Morris Date: 7/27/10  
Phil Boggan  
Deputy Louisiana State Historic Preservation Officer  
Louisiana Office of Cultural Development

—

**Programmatic Agreement  
among  
the United States Army Corps of Engineers,  
the Coastal Protection and Restoration Authority of Louisiana,  
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**Signatory:**

**Advisory Council on Historic Preservation**

By:   
John M. Fowler  
Executive Director  
Advisory Council on Historic Preservation

Date: 7/29/10

**Programmatic Agreement**  
**among**  
**the United States Army Corps of Engineers,**  
**the Coastal Protection and Restoration Authority of Louisiana,**  
**the Louisiana State Historic Preservation Officer,**  
**and**  
**the Advisory Council on Historic Preservation,**  
**Regarding the**  
**Louisiana Coastal Area Ecosystem Restoration Plan (LCA Plan)**

**Concurring Party:**

**Alabama Coushatta Tribe of Texas**

By: \_\_\_\_\_  
Carlos Bullock, Tribal Council Chairman

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

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**Programmatic Agreement  
among  
the United States Army Corps of Engineers,  
the Coastal Protection and Restoration Authority of Louisiana,  
the Louisiana State Historic Preservation Officer,  
and  
the Advisory Council on Historic Preservation,  
Regarding the  
Louisiana Coastal Area Ecosystem Restoration Plan (LCA Plan)**

**Concurring Party:**

**Mississippi Band of the Choctaw Indians**

By: \_\_\_\_\_  
Beasley Denson, Chief

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

**Programmatic Agreement**  
**among**  
**the United States Army Corps of Engineers,**  
**the Coastal Protection and Restoration Authority of Louisiana,**  
**the Louisiana State Historic Preservation Officer,**  
**and**  
**the Advisory Council on Historic Preservation,**  
**Regarding the**  
**Louisiana Coastal Area Ecosystem Restoration Plan (LCA Plan)**

**Concurring Party:**

**Caddo Nation of Oklahoma**

By: \_\_\_\_\_  
Brenda Shemayne Edwards, Chairperson

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

**Programmatic Agreement**  
**among**  
**the United States Army Corps of Engineers,**  
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**and**  
**the Advisory Council on Historic Preservation,**  
**Regarding the**  
**Louisiana Coastal Area Ecosystem Restoration Plan (LCA Plan)**

**Concurring Party:**

**Chitimacha Tribe of Louisiana**

By: \_\_\_\_\_  
John Paul Darden, Chairman

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

**Programmatic Agreement**  
**among**  
**the United States Army Corps of Engineers,**  
**the Coastal Protection and Restoration Authority of Louisiana,**  
**the Louisiana State Historic Preservation Officer,**  
**and**  
**the Advisory Council on Historic Preservation,**  
**Regarding the**  
**Louisiana Coastal Area Ecosystem Restoration Plan (LCA Plan)**

**Concurring Party:**

**Choctaw Nation of Oklahoma**

By: \_\_\_\_\_  
Gregory E. Pyle, Chief

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

**Programmatic Agreement**  
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**and**  
**the Advisory Council on Historic Preservation,**  
**Regarding the**  
**Louisiana Coastal Area Ecosystem Restoration Plan (LCA Plan)**

**Concurring Party:**

**Coushatta Tribe of Louisiana**

By: \_\_\_\_\_  
Kevin Sickey, Chief

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

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the Louisiana State Historic Preservation Officer,  
and  
the Advisory Council on Historic Preservation,  
Regarding the  
Louisiana Coastal Area Ecosystem Restoration Plan (LCA Plan)**

**Concurring Party:**

**Jena Band of the Choctaw Indians**

By: \_\_\_\_\_  
Christine Norris, Principal Chief

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

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**and**  
**the Advisory Council on Historic Preservation,**  
**Regarding the**  
**Louisiana Coastal Area Ecosystem Restoration Plan (LCA Plan)**

**Concurring Party:**

**Quapaw Tribe of Oklahoma**

By: \_\_\_\_\_  
John Berrey, Chairman

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

**Programmatic Agreement**  
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**the Louisiana State Historic Preservation Officer,**  
**and**  
**the Advisory Council on Historic Preservation,**  
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**Louisiana Coastal Area Ecosystem Restoration Plan (LCA Plan)**

**Concurring Party:**

**Seminole Nation of Oklahoma**

By: \_\_\_\_\_  
Enoch Kelley Haney, Principal Chief

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

**Programmatic Agreement**  
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**the Advisory Council on Historic Preservation,**  
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**Louisiana Coastal Area Ecosystem Restoration Plan (LCA Plan)**

**Concurring Party:**

**Seminole Tribe of Florida**

By: \_\_\_\_\_  
Mitchell Cypress, Chairman

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

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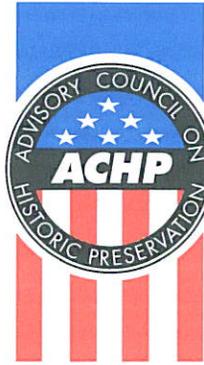
**Concurring Party:**

**Tunica-Biloxi Tribe of Louisiana**

By: \_\_\_\_\_  
Earl J. Barbry Sr., Chairman

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

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*Preserving America's Heritage*

July 29, 2010

Ms. Joan M. Exnicios  
Chief, New Orleans Environmental Branch  
New Orleans District  
Corps of Engineers  
P. O. Box 60267  
New Orleans, LA 70160-0267

REF: Louisiana Coastal Area Ecosystem Restoration Plan  
Louisiana

Dear Ms. Exnicios:

The Advisory Council on Historic Preservation (ACHP) has signed the enclosed Programmatic Agreement (PA) for the referenced undertaking. Our signature completes the requirements of Section 106 of the National Historic Preservation Act (NHPA) and the ACHP's regulations at 36 CFR Part 800. As requested we have signed six original signature pages which we will return to you. Please provide us with an original, fully-executed copy of this Agreement, which is being signed in counterparts by the signatories. The original copy of the Agreement will be retained for our files. As discussed, the Corps of Engineers (Corps) should provide an original of the executed PA to each of the signatories and a copy to each concurring party.

We commend the Corps for working closely with the ACHP, and the Louisiana State Historic Preservation Officer, the Coastal Protection and Restoration Authority of Louisiana, interested Indian tribes, and other consulting parties toward resolution of adverse effects for this important environmental restoration project.

If you have any questions or need further assistance, please contact Dr. John Eddins at 202-606-8553, or by email at [jeddins@achp.gov](mailto:jeddins@achp.gov).

Sincerely,

Caroline D. Hall  
Assistant Director  
Federal Property Management Section  
Office of Federal Agency Programs

Enclosures

ADVISORY COUNCIL ON HISTORIC PRESERVATION

1100 Pennsylvania Avenue NW, Suite 803 • Washington, DC 20004  
Phone: 202-606-8503 • Fax: 202-606-8647 • [achp@achp.gov](mailto:achp@achp.gov) • [www.achp.gov](http://www.achp.gov)

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