

National Aeronautics and Space
Administration



Ames Research Center
Moffett Field, California 94035

September 20, 2018

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Subject: Continuing Section 106 consultation regarding the Navigational Aids, Airfield Lighting, and Signage Replacement Project at the NASA Ames Research Center, Santa Clara County, CA (NASA_2017_0605_001)

Dear Ms. Polanco:

Thank you for your letter dated September 10, 2018, and email transmittal of the draft Memorandum of Agreement (MOA) and the Archaeological Data Recovery Plan (ADRP) with comments for the proposed Navigational Aids, Airfield Lighting, and Signage Replacement (NAVAIDS) Project (project or undertaking) at NASA Ames Research Center (NASA ARC). This letter provides responses and additional information as requested in the electronic files of the draft MOA and ADRP dated September 10, 2018. NASA requests continuing consultation in accordance with Section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended, and its implementing regulations at 36 Code of Federal Regulations (CFR) Part 800.

In response, NASA ARC has revised the draft MOA with information described below to address the primary topics indicated in your comments:

- Native American consultation efforts and the response of consulting parties regarding the resolution of adverse effects

The SHPO requested clarification of NASA ARC's Native American consultation efforts. NASA ARC, in coordination with the California Native American Heritage Commission, identified five representatives of non-Federally recognized Ohlone/Costanoan Native American tribes for consultation. Four of these individuals or groups – including Rosemary Cambra of the Muwekma Ohlone Indian Tribe of the San Francisco Bay Area, Andrew Galvan of the Ohlone Indian Tribe, Irene Zwierlein of the Amah Mutsun Tribal Band of Mission San Juan Bautista, and Ann Marie Sayers and Kanyon Sayers-Roods of the Indian Canyon Mutsun Band of Costanoan – have elected to participate as consulting parties. On May 30, 2018, the four consulting parties were provided with a copy of the ADRP for comment. The ADRP fully described the proposed plan for the resolution of adverse effects, as well as proposed curation processes, destructive analysis, etc. One letter response was received on June 6, 2018, from Kanyon Sayers-Roods of the Indian Canyon Mutsun Band of Costanoan, who recommended Native American and archaeological monitoring. Consistent with this recommendation, the ADRP requires Native American monitors be present for all data recovery activity. To date, no other comments have been received pertaining to the ADRP. NASA ARC revised the preamble to clarify the status of Native American consultation in the revised draft MOA dated September 20, 2018.

- Mitigation involving an interpretive component for public benefit

NASA ARC has considered mitigation measures that are both appropriate to the undertaking and the adverse effect, and that will have the maximum public benefit. Due to restricted access to the location of this undertaking on the runways at Moffett Federal Airfield, NASA ARC feels that the most effective way to meet these goals is with online access to information about the undertaking. Therefore, NASA ARC has included a new measure in the MOA to make the final data recovery report – redacted to protect information regarding the locations of archaeological resources and information considered culturally sensitive by the Native American consulting parties, after their review of the data recovery report – available to the public on the ARC Historic Preservation Office website at <https://historicproperties.arc.nasa.gov/>. This report will complement the comprehensive prehistoric and historic context and information regarding archaeological resources at ARC that is currently available in the *NASA Ames Research Center Archaeological Resources Study* (prepared by AECOM in February 2017 and reviewed by the SHPO in June 2017) and that is already accessible to the public on the website. NASA ARC has included this additional mitigation measure in Section II.C of the revised draft MOA.

- Procedures for post-review discoveries

Comments regarding post-review discoveries applied to both the draft MOA (Section III) and draft ADRP (Section 3.6), which shared similar language outlining the management of post-review discoveries that appeared unnecessarily complicated. NASA ARC has revised the draft MOA to remove the detailed procedures and instead reference the procedures in the ADRP. Per the SHPO comments, Section 3.6 of the draft ADRP has been revised to simplify the process by stating that, if archaeological deposits are inadvertently discovered during ground-disturbing undertaking activities, NASA ARC will follow the procedures outlined in 36 CFR 800.13. This simplified process is outlined in Section III of the revised draft MOA and in Section 3.6 of the revised ADRP.

- Reporting requirements

Regarding review of the data recovery report, the SHPO requested the insertion of specific language into the MOA, stating “NASA will provide the draft report to the consulting parties for 30 days for review and comment. NASA will then take those comments into account and produce a final report that NASA will submit to SHPO. SHPO shall have 30 days for review and final approval. If SHPO does not respond within 30 days, NASA may finalize the report.” After a discussion with Office of Historic Preservation staff on September 18, 2018, NASA ARC proposes one 30-day period of review of the data recovery report for the consulting parties and the SHPO, after which comments of the consulting parties and the SHPO will be taken into consideration and incorporated into the final report. NASA ARC will issue the final data recovery report and distribute it to the SHPO, consulting parties, and the California Historical Resources Information System Northwest Information Center.

In addition, the SHPO requested a provision regarding annual reporting. NASA ARC has added a provision for annual reporting until the terms of the MOA have been fulfilled or the agreement expires (five years). NASA ARC has added these additional reporting measures to Section IV of the revised draft MOA.

NASA ARC has considered all comments received to date from the consulting parties and the SHPO, and has incorporated them into the revised draft MOA and the ADRP. As requested, an electronic copy in Microsoft Word of the draft MOA revised September 20, 2018, has been included with this email submittal for your review. The revised ADRP prepared by William Self Associates/PaleoWest (WSA) has been included as an attachment item to the draft MOA (MOA Attachment 3).

Respectfully, we request an expedited review of the attached materials (draft MOA and ADRP). This undertaking is critical for meeting the updated safety standards and requirements of the Federal Aviation Authority, which are necessary for the continued operation of Moffett Federal Airfield and the mission of its users, including the California Air National Guard.

Thank you for your attention to this project and ongoing consultation with you and your staff. Please contact me at jonathan.d.ikan@nasa.gov or at (650) 604-6859 with your comments or questions.

Sincerely,



Jonathan Ikan
Center Cultural Resources Manager



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cc:

HQ/EMD/Dr. Rebecca Klein, Ph.D., RPA

Attachments

Draft Memorandum of Agreement, revised September 20, 2018 (MS Word version transmitted via email)

Archaeology Data Recovery Plan (revised), prepared by PaleoWest/William Self Associates, September 2018