

PROGRAMMATIC AGREEMENT
AMONG THE
NATIONAL AERONAUTICS AND SPACE ADMINISTRATION,
THE NATIONAL CONFERENCE OF STATE HISTORIC PRESERVATION OFFICERS,
AND THE
ADVISORY COUNCIL ON HISTORIC PRESERVATION

WHEREAS, the National Aeronautics and Space Administration (NASA) undertakes research, development, space mission operations, and management use of its facilities which have been designated as National Historic Landmarks (Landmarks) (Attachment 1); and

WHEREAS, such facilities require frequent modification over the life of agency missions to adapt them to meet the requirements of ongoing NASA programs; and

WHEREAS, NASA has determined that such modifications may have an effect on those Landmarks, and has consulted with the National Conference of State Historic Preservation Officers (NCSHPO) and the Advisory Council on Historic Preservation (Council) pursuant to the regulations (36 CFR Part 800) implementing Sections 106 and 110(f) of the National Historic Preservation Act, as amended (16 U.S.C. 470f and 470h-2(f)); and

WHEREAS, the Department of the Interior, National Park Service (NPS) was invited and participated in the consultation;

NOW, THEREFORE, NASA, the NCSHPO, and the Council agree that the programs shall be implemented in accordance with the following stipulations in order to take into account the effect of the programs and specific undertakings on the Landmarks.

Stipulations

NASA will ensure that the following measures are carried out.

I. Categories of Activities

A. When the proposed undertaking involves any of the following activities, NASA shall consult with the appropriate SHPO and, as necessary, the Council in accordance with Stip. II:

1. Demolition, dismantling, or relocation of original engineering structures, or of buildings housing facilities;
2. Removal or excessing of significant elements of the Landmarks specifically named on the National Register nomination forms;
3. New construction not compatible with major portions of the original structure or which alter the characteristics of the

facility which were specified as the reason for its Landmark designation; or

4. Changes in function, purpose, or use of a facility.

B. When the proposed undertaking is limited to the following activities that will not alter the characteristics of the facility which were specified as the reason for its landmark designation, NASA shall develop and implement mitigation measures in accordance with Stipulation III:

1. Replacement of historic hardware or components;
2. Modification of the original structure or equipment used in engineering structures, or buildings housing facilities; or
3. New construction compatible with existing structure, purpose, and operation of the facility.

NASA shall include a description of such activities and mitigation measures in the annual summary of its activities prepared pursuant to Stipulation IV.A.

C. When the proposed undertaking involves none of the activities specified above, NASA may proceed without consultation or the implementation of mitigation measures.

II. Consultation Process

A. Consultation required under Stip. I.A. shall be conducted as follows:

1. NASA shall provide the following documentation to the SHPO for review:
 - a. a description of the undertaking, with photos, maps, and drawings;
 - b. a description of the affected Landmark;
 - c. a description of the effects of the undertaking on the affected Landmark;
 - d. a description of alternatives to the proposed action, which were considered if any, and reasons not chosen;
 - e. a description of any mitigation measures proposed;
 - f. a description of NASA's effort, if appropriate, to obtain and consider views of affected interested persons on the proposed undertaking, including a copy of any comments received; and
 - g. the planning and approval schedule for the proposed undertaking.

Whenever feasible, NASA shall give the SHPO advance notice that such documentation is under preparation, and advise the SHPO of a date certain that it intends to submit the documentation to the SHPO.

2. The SHPO shall respond to a written request for consultation (accompanied by the documentation specified in Stip. II.A.1) within 20 working days, and agree, conditionally agree, or disagree with NASA's proposal.

3. If NASA does not accept the SHPO's conditions, or if NASA and the SHPO disagree, NASA shall notify the Council and forward copies of the documentation specified in Stip. II.A.1, above, along with other information relevant to the dispute.

4. Within 20 working days, the Council shall either: (1) attempt to resolve the dispute; (2) provide NASA with recommendations to be taken into account in implementing the activity; or (3) decide to comment, and comment within 45 working days of that decision. At NASA's request, the time periods in Stips. II.A.2. and II.A.4. will run concurrently. In exceptional circumstances NASA may request accelerated consideration under Stip. II.A.4. and the Council will make a good faith effort to accommodate such requests. The Council may consult with the National Park Service of the Department of the Interior during its review period.

B. The Council and the NCSHPO recognize that operational emergency situations may arise where NASA must take immediate action without prior consultation with the appropriate SHPO or the Council. In such situations, NASA shall notify the Council and the SHPO of such actions as soon as practicable.

III. Mitigation

Mitigation measures shall be carried out prior to undertaking actions specified in Stips. I.A. and I.B.

A. Recordation

1. Recordation shall be done in accordance with the Secretary of the Interior's "Standards for Architectural and engineering Documentation" (Standards) (Federal Register, 48 FR 190, pp. 44730-44734, September 29, 1983).

2. Because original "as-built" drawings and other records are on file at the installations containing Landmark facilities, documentation will normally include the following: (1) reproduction of existing "as-built" drawings and site plans modified on standard size (19 x 24 or 24 x 36) mylar; and (2) provision of black and white archival quality photos with large format negatives of exterior and interior views, as appropriate, as well as special technological features or engineering details.

3. Original copies of all documentation shall be provided to the Secretary of the Interior in accordance with the Standards for incorporation into the National Architectural and Engineering Records in the Library of Congress as provided in Section 101 of the National Historic Preservation Act and implementing procedures. Copies of the documentation shall also be provided to the appropriate SHPO.

B. Salvage

NASA will apply its agreement with the Smithsonian Institution (NASA Management Instruction 4310.4) to determine appropriate retention and curation activities with respect to significant artifacts.

IV. Continuing Coordination

A. On or about December 1, 1990, and annually thereafter, NASA will provide a summary of its activities under this Agreement to the Council and to the NCSHPO.

B. In consultation with the appropriate SHPO, the Council may review and comment upon individual undertakings when it determines that historic preservation issues warrant such action.


C. NASA will provide appropriate public information about activities under Stip.I.A. to interested parties upon request.

D. Any party to this Agreement may terminate it by providing 60 days notice to the other parties, provided that the parties will consult during the period prior to termination to seek agreement on amendments or other actions that would avoid termination.

Execution of this Programmatic Agreement and carrying out its terms evidences that NASA has afforded the Council and the NCSHPO a reasonable opportunity to comment on its programs affecting Landmarks under Sections 106 and 110(f) of the National Historic Preservation Act, and that NASA has taken into account the effects of its programs on these Landmarks.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

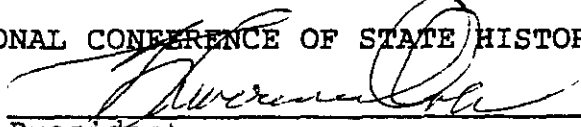
By:


Associate Administrator
for Management

9/29/89
Date

NATIONAL CONFERENCE OF STATE HISTORIC PRESERVATION OFFICERS

By:


President

10/6/89
Date

ADVISORY COUNCIL ON HISTORIC PRESERVATION

By:


Chairman

September 18, 1989
Date

NASA's NATIONAL HISTORIC LANDMARKS

(as of 2/24/89)

1. Variable Density Tunnel (Langley Research Center, Hampton, VA)
2. Full Scale Tunnel (Langley Research Center, Hampton, VA)
3. Eight-Foot High Speed Tunnel (Langley Research Center, Hampton, VA)
4. Unitary Plan Wind Tunnel (Ames Research Center, Moffett Field, CA)
5. Rocket Engine Test Facility (Lewis Research Center, Cleveland, OH)
6. Zero-Gravity Research Facility (Lewis Research Center, Cleveland, OH)
7. Spacecraft Propulsion Research Facility (Lewis Plum Brook Operations Facility)
8. Redstone Test Stand (George C. Marshall Space Flight Center, AL)
9. Propulsion and Structural Test Facility (George C. Marshall Space Flight Center, AL)
10. Rocket Propulsion Test Complex (Stennis Space Center, MS)
11. Saturn V Dynamic Test Stand (George C. Marshall Space Flight Center, AL)
12. Lunar Landing Research Facility (Langley Research Center, Hampton, VA)
13. Rendezvous Docking Simulator (Langley Research Center, Hampton, VA)
14. Neutral Bouyancy Space Simulator (George C. Marshall Space Flight Center, AL)
15. Space Environment Simulation Laboratory (Lyndon B. Johnson Space Center, Houston, TX)
16. Spacecraft Magnetic Test Facility (Goddard Space Flight Center, Greenbelt, MD)
17. Twenty-Five-Foot Space Simulator (Jet Propulsion Laboratory, Pasadena, CA)
18. Pioneer Deep Space Station (Goldstone Deep Communications Complex, CA)
19. Space Flight Operations Facility (Jet Propulsion Laboratory, Pasadena, CA)
20. Apollo Mission Control Center (Lyndon B. Johnson Space Center, Houston, TX)