



Oregon

John A. Kitzhaber, MD, Governor

Parks and Recreation Department

State Historic Preservation Office

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September 17, 2012

Ms. Denise Hoffert-Hay
Calapooia Watershed Council
PO Box 844
Brownsville, OR 97327

RE: SHPO Case No. 12-0704
Cox Creek Dam Removal Proj
DOE/FOE/dam removal
Calapooia Watershed Council/City of Albany/DSL
1600 NE Old Salem Rd (, Albany, Linn County



Dear Ms. Hoffert-Hay:

We have reviewed the materials submitted on the project referenced above, and we concur with the determination that the property is eligible for listing in the National Register of Historic Places. We concur with the finding of No Adverse Effect, subject to the following conditions:

1. Retain 5 feet of wing wall on both sides (river left and river right) of the Cox Creek Dam, so that the historical presence of a creek-spanning structure is evident;
2. Provide photographic evidence that the above-mentioned five feet of walls on both sides have been retained at the end of the project.

This letter refers to above-ground historic resources only. Comments pursuant to a review for archaeological resources, if applicable, will be sent separately.

Unless there are changes to the project, this concludes the requirement for consultation with our office under Section 106 of the National Historic Preservation Act (per 36 CFR Part 800) for above-ground historic resources. Please feel free to contact me if you have any questions, comments or need additional assistance.

Sincerely,

Jason Allen, M.A.
Historic Preservation Specialist
(503) 986-0579
jason.allen@state.or.us

cc: Gloria Kiryuta, DSL





DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, PORTLAND DISTRICT
EUGENE FIELD OFFICE
1600 EXECUTIVE PARKWAY SUITE 210
EUGENE OR 97401-2156

REPLY TO
ATTENTION OF:

September 14, 2012

Operations Division
Regulatory Branch
Corps No. NWP-1997-618/6

Mr. Jason Allen
Oregon State Historic Preservation Office
725 Summer Street NE Suite C
Salem, Oregon 97301-1271

Dear Mr. Allen:

This letter is in regard to the U.S. Army Corps of Engineers (Corps) responsibilities under Section 106 of the National Historic Preservation Act for a project seeking Department of the Army (DA) authorization to discharge fill material into waters of the United States. The project is located in Cox Creek near Albany, Linn County, Oregon. The site is in Section 5 of Township 11 South, Range 3 West. The SHPO number is 12-0704.

The proposed project includes the removal of a low head concrete dam from Cox Creek, a tributary to the Willamette River. The dam was constructed for fire protection and is no longer needed. The dam removal will include 0.25-acre of fill below the ordinary high water mark (OHWM) and 0.1-acre of removal of material below the OHWM. Permanent impacts include the removal of the concrete Cox Creek Dam structure, using rock material to stabilize the existing retaining wall adjacent to Cox Creek, constructing two rock riffles located up and down stream of the former dam.

A cultural resources inventory was conducted for the project area and included a records search and pedestrian survey. Documentation is provided in the enclosed report titled "*Archeological Survey for Cox Creek Dam Removal and Channel Restoration Project, Albany, Linn County Oregon*" prepared by Heritage Research Associates, Inc. and dated September 4, 2012 (Enclosure 1).

Cultural resources identified within the project area include the Cox Creek Dam, which may have been part of a larger historic resource. The dam was constructed in 1932 and is representative of a simple vernacular design used in constructing low-head dams on small streams at low costs. According to the cultural report, construction of such dams may represent a "lost art" in that individuals who design and built structures like the Cox Creek Dam have long since passed away, and it is unlikely that similar dams will ever be allowed to be constructed again in the future.

Determination of Eligibility:

We have concluded that the Cox Creek Dam met the Criteria for inclusion in the National Register of Historic Places (NRHP). The site is eligible for listing and meets criterion (c) and (d). As described in the cultural resources report, the dam may represent a "lost art" in the individuals who design and built these structures and the dam may have been part of a larger historic district.

Determination of Effect:

Based on following considerations to avoid an adverse effect:

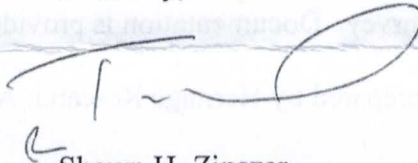
- Five feet of the dam will be left in place and undisturbed on both sides of the creek (Enclosure 2).
- A monitor will be present during the work to record observations and submit a report to the SHPO once the project is complete.
- Photographs of the five-foot sections of dam left in place shall be submitted to the SHPO upon completion of the work.

We have determined that issuing a permit would have **no adverse effect** on historic properties.

Please review the enclosed report and notify the Corps within fifteen (15) days from the date of this letter if SHPO does not concur with the Corps' determination. If we do not hear from you within that time, we will assume the SHPO has no further concerns and Section 106 consultation is completed.

If SHPO has any questions regarding this project please contact me at the letterhead address, by phone (541) 465-6769, or email Benny.A.Dean@usace.army.mil.

Sincerely,



Shawn H. Zinszer
Acting Chief, Regulatory Branch

Enclosure

Copy Furnished:

Applicant