

PROGRAMMATIC AGREEMENT

AMONG THE

**U.S.D.A. FOREST SERVICE, PACIFIC SOUTHWEST REGION
CALIFORNIA STATE HISTORIC PRESERVATION OFFICER, AND
ADVISORY COUNCIL ON HISTORIC PRESERVATION**

REGARDING

**MANAGEMENT OF HISTORIC
RECREATION RESIDENCE TRACTS**

WHEREAS, the U.S.D.A. Forest Service, Pacific Southwest Region (**Region 5**) proposes to administer its Recreation Residence program, authorized pursuant to the Organic Administration Act of 1897 (16 U.S.C. 473, et seq.) and the Occupancy Permits Act of 1915 (16 U.S.C. 497), and Forest Service regulations Special Uses (Subpart B; **36 C.F.R. 251.50**); and managed under Forest Service Manual policy, Chapter 2340: Privately Provided Recreation Opportunities, subsection 2347 for Recreation Residences (**FSM 2340**) and Forest Service Manual policy, Chapter 2720: Special Uses Administration (**FSM 2720**) (see 59 FR 28714-28741); and managed under Forest Service Special Uses Handbook guidance, Region 5 Supplement No. 2709.11-2000-1, Chapter 40: Special Uses Administration, subsection 41: Recreation Special Uses (**FSH 2709.11, 41.23**); and

WHEREAS, Region 5 has determined that its Recreation Residence program, policies, administration, and actions involve historic properties either included in or eligible for inclusion in the National Register of Historic Places (**NRHP**), and are subject to consideration under Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470) (**NHPA**), and its implementing regulations, entitled Protection of Historic and Cultural Properties (**36 C.F.R. 800**); and

WHEREAS, Region 5 has consulted with the California State Historic Preservation Officer (**SHPO**) to develop the Strategy for Inventory and Historic Evaluation of Recreation Residence Tracts in the National Forests of California, From 1906 to 1959 (Lux, et al. 2000) (**Recreation Residence Strategy**), and is implementing this strategy to inventory and evaluate all historic Recreation Residence Tracts in the region; and

WHEREAS, past application of Forest Service Special Use Permit guidance was largely responsible for creation of the historic character of recreation residence tracts, as described in the contextual history of the Recreation Residence Strategy; and, on-going application of recreation residence Special Use Permit guidance (FSM 2720; FSH 2709.11, 41.23) retains tract historic characteristics; and

WHEREAS, Region 5 has consulted with the SHPO and the Advisory Council on Historic Preservation (**ACHP**) pursuant to Section 800.14(b) of the

regulations 36 C.F.R. 800 to develop and execute this Recreation Residence Programmatic Agreement (**PA**); and

WHEREAS, this PA applies only to Recreation Residence Tracts administered under Special Use Permit FSM 2720 and FSH 2709.11,41.23 guidance; and

WHEREAS, Region 5 shall ensure that this PA is tiered to and administered in coordination with the First Amended Regional Programmatic Agreement among the U.S.D.A. Forest Service, Pacific Southwest Region, California State Historic Preservation Officer, and Advisory Council on Historic Preservation Regarding the Process for Compliance with Section 106 of the National Historic Preservation Act for Undertakings on the National Forests of the Pacific Southwest Region (**Regional PA**), with the Programmatic Agreement among the U.S.D.A. Forest Service, Pacific Southwest Region, California State Historic Preservation Officer, and Advisory Council on Historic Preservation Regarding the Identification, Evaluation and Treatment of Historic Properties Managed by the National Forests of the Sierra Nevada, California (**Sierra PA**), or with any successor programmatic agreements thereto;

NOW, THEREFORE, Region 5, the SHPO, and the ACHP agree that the Recreation Residence program shall be administered in accordance with the following stipulations to satisfy Region 5's Section 106 responsibilities for all individual undertakings of the program.

STIPULATIONS

Region 5 shall ensure that the following measures are implemented:

I. DEFINITIONS

The following definitions, and those included in 36 C.F.R. 800.16, apply to this PA:

A. *Authorized Officer* is any Forest Service employee who has been delegated the authority to administer Special Use responsibilities, pursuant to 36 C.F.R. 251.51; the Authorized Officer for Recreation Residence Special Use Permits is either the District Ranger or the Forest Supervisor.

B. *Exempt Undertaking* is an undertaking that is exempt from further review or consultation under the Regional or Sierra PAs, and 36 C.F.R. 800, as specified pursuant to Stipulation III, Undertakings Under This PA, and specifically listed in Appendix A.

C. *Heritage Program Leader (HPL)* is the position on each National Forest (**Forest**) in Region 5 that is responsible for: directing, planning, and administering the Forest's Heritage Program; providing professional and technical advice to the Forest Leadership Team; directing the Heritage Program internally, and with external agencies, organizations, and the public; and planning and developing the Forest's heritage resource inventory, evaluation, management, and enhancement program. The HPL, and any person delegated the responsibilities of the HPL, shall operate at least at the journeyman level, and shall meet the professional standards established for either archaeologist or historian, as outlined in 36 C.F.R. 296.8 or in the Secretary of the Interior's Standards and Guidelines for Professional Qualifications (48 FR 44738-44739).

D. *Historic Property* is:

1. any prehistoric or historic district, site, building, structure, or object, and its associated artifacts, remains, features, settings, and records, that is either listed in or determined eligible for inclusion in the NRHP; or
2. any feature that contributes to district NRHP eligibility; or
3. any property, and its features, not yet evaluated to determine whether it is eligible for the NRHP, but that, for the purposes of this PA, may be assumed by Region 5 or a Forest to be NRHP eligible.

E. *Maintenance* is the act of keeping a facility or improvement in an ordinary, efficient, operating condition, including preventive up-keep, normal repair, and activity needed to

preserve the facility; maintenance is an undertaking pursuant to the NHPA. Four types of maintenance undertakings are covered under this PA:

1. *Screened Maintenance* includes the classes of undertakings listed in Section I of Appendix A which must be screened by the HPL for their potential to affect historic properties, and must be approved by the Special Use Administrator and authorized by the Authorizing Officer (see Stipulation III.A.1, and Section I of Appendix A).
 2. *Special Use Administrator Approved Maintenance* includes the classes of undertakings listed in Section II of Appendix A that must be approved by Special Use Administrators and authorized by the Authorizing Officer for the Forest Service. These undertakings are not screened by HPLs; they have little potential to affect historic properties so long as they are carried out pursuant to the guidance in Section II of Appendix A (see Stipulation III.A.2).
 3. *Interior Maintenance* involves repairs or changes to Recreation Residence interior characteristics that are not visible from the exterior (see Stipulation III.A.3, and Section III of Appendix A). Interior maintenance undertakings have little to no potential to affect historic properties.
 4. *Minor Maintenance* involves repairs in-kind with identical or carefully matched materials, or inconspicuous installations where there are no visible effects to external historic characteristics, and no structural changes to the resource (see FSH 2709.11,41.23g,.1a; Stipulation III.A.4; and Section IV of Appendix A). Minor Maintenance undertakings have little to no potential to affect historic properties, so long as they are carried out pursuant to the guidance in Section IV of Appendix A.
- F. *Off-lot Improvement* is any improvement or facility authorized to a Recreation Residence SUP holder that extends off the permittee's Recreation Residence Lot (e.g., a permittee's water system), or to a Recreation Residence association or group of Recreation Residence Tract permittees that extends outside the boundaries of the surveyed Recreation Residence Tract (e.g., a tract water system or dock), consistent with FSH 2709.11,41.23g.
- G. *Permittee* or holder is the individual or group that has been issued a Special Use Authorization (**SUA**) or Special Use Permit (**SUP**), pursuant to 36 C.F.R. 251.50, to occupy and use National Forest System lands.
- H. *Primary Facade* is that view of the recreation residence which provides the most important architectural presentation of the structure. Sometimes called the principle elevation, it can be the most decorated facade, the facade providing the most living activity, or the best view of the structure. It can be, but is not necessarily, the entry to the building. If the structure has

no clear primary architectural focus, the Primary Facade is the view that is the most visible from a public perspective.

I. *Recreation Residence* is the single family dwelling of noncommercial use located on a Recreation Residence Lot. The Recreation Residence dwelling and its associated authorized facilities are privately owned structures permitted for occupancy and use on National Forest System lands.

J. *Recreation Residence Lot* is the lot with Recreation Residence dwelling, and storage structure or other authorized facilities under Recreation Residence Special Use Permit, pursuant to 36 C.F.R. 251.50, FSM 2340, and FSM 2720, for noncommercial, recreational use, located within an identified Recreation Residence Tract. The Recreation Residence Lot is National Forest System land.

K. *Recreation Residence Tract* is the Region 5 identified, surveyed, and plotted tract on National Forest System land for Recreation Residence, noncommercial use, managed pursuant to FSM 2340 and 2720. The tract is the property level for historic property surveys and evaluations.

L. *Special Use* is any occupancy or use of National Forest System lands, improvements, and resources authorized pursuant to 36 C.F.R. 251.50.

M. *Special Use Administrator* is the Forest Service staff employee who has been delegated the responsibility to administer the Recreation Residence Special Use program for the Authorized Officer.

N. *Special Use Authorization* is the authorization or permit under 36 C.F.R. 251.50 issued to the permittee or holder to occupy and use National Forest Systems lands (used synonymously with SUP, below).

O. *Special Use Permit* is the authorization under 36 C.F.R. 251.50 issued to the permittee or holder to occupy and use National Forest System lands; the SUP is issued to the permittee or holder for occupancy and use of the Recreation Residence dwelling and its associated authorized facilities located on the Recreation Residence Lot (used synonymously with SUA, above).

P. *Undertaking* is any project, activity, or program under the jurisdiction of the Forest Service, including those carried out by or on behalf of the agency, and those requiring a SUA, SUP, or Forest Service approval (see Section 301(7) of the NHPA or 36 C.F.R. 800.16(y)).

II. INVENTORY AND NRHP EVALUATION OF RECREATION RESIDENCE TRACTS

A. Region 5 shall inventory all properties within Recreation Residence Tracts. The Recreation Residence Strategy shall be used to conduct such inventory and NRHP evaluation.

B. The Region has more than 6,300 Recreation Residences permitted in 269 Recreation Residence Tracts. The Recreation Residence Strategy includes a priority list for accomplishing tract inventory and NRHP evaluation.

C. Under the Recreation Residence Strategy, Recreation Residence Tracts are treated as district properties, with individual lots and their structures and features contributing or not contributing to tract NRHP eligibility. The provisions of this PA apply to historic property Recreation Residence Tracts and to their contributing features, and to off-lot improvements specifically tied to recreation residence lots or tracts.

D. Archaeological resources within recreation residence tracts, and historic resources that are not part of the tracts themselves but that lie within recreation residence tracts, are being inventoried, but are not treated as part of Recreation Residence Tract districts. Such resources will be separately evaluated for NRHP eligibility.

E. Because interiors of privately owned Recreation Residences are not visible to the public, it is agreed, under the Recreation Residence Strategy (Lux, et al. 2000:96) and this PA, that interiors do not contribute to NRHP eligibility of Recreation Residence Tracts.

F. Region 5 may propose to revise the Recreation Residence Strategy at any time, in consultation with the SHPO. The signatories agree that any such revision shall not necessarily require either concurrent or subsequent amendment of this PA.

III. UNDERTAKINGS UNDER THIS PA

A. Appendix A contains the list of undertakings that apply solely to recreation residence tracts and that are covered by this PA:

1. Screened Undertakings: Those classes of undertakings listed in Section I of Appendix A must be screened by the HPL for their potential to affect historic properties. Undertakings from Section I screened by the HPL as qualifying for exemption also require screening by the Special Use Administrator to ensure that they meet FSH 2709.11,41.23 and other special use guidance for Forest Service authorization. Screened undertakings from Section I in Appendix A are otherwise exempt from further consultation pursuant to this PA or 36 C.F.R. 800. Screened exemptions from Section I of Appendix A in this PA must be reported in the Forest annual report under the Regional or Sierra PAs.

2. Special Use Administrator Approved Undertakings: Those classes of undertakings listed in Section II of Appendix A must be approved by Special Use Administrators and authorized by the Authorizing Officer. However, they are not screened by HPLs, and they are otherwise exempt from

further review or consultation pursuant to this PA, the Regional or Sierra PAs, or 36 C.F.R. 800. Using the definition of "effect" set forth in 36 C.F.R. 800.16(i), the signatories agree that these undertakings have little potential to affect historic properties so long as they are carried out pursuant to the guidance in Section II of Appendix A and FSH 2709.11,41.23.

3. Interior Undertakings: Changes to interior characteristics of recreation residences that are not visible from the exterior, as specified in Section III of Appendix A, are exempt from further consultation under this PA, the Regional or Sierra PA, or 36 C.F.R. 800. Using the definition of "effect" set forth in 36 C.F.R. 800.16(i), the signatories agree that these undertakings have little to no potential to affect historic properties. However, they may require other approvals, such as county permits, and must be checked with Special Use Administrators for such approvals.

4. Minor Maintenance Undertakings: Those classes of undertakings listed as Minor Maintenance in Section IV of Appendix A are exempt from further review or consultation under this PA, the Regional or Sierra PAs, or 36 C.F.R. 800. Using the definition of "effect" set forth in 36 C.F.R. 800.16(i), the signatories agree that these undertakings have little to no potential to affect historic properties, so long as they are carried out pursuant to the guidance in Section IV of Appendix A.

B. All other undertakings not specifically listed in Appendix A are not covered by this PA and require consultation pursuant to the Regional or Sierra PAs, or case-by-case consultation pursuant to the provisions of 36 C.F.R. 800, as necessary. These include, but are not limited to, destruction or abandonment of recreation residences, and termination or revocation of permits. In all such cases, the Forest Service shall complete consultation prior to making decisions.

C. Exempt undertakings in Attachment A of the Regional PA and Attachment 4 of the Sierra PA apply to recreation residence tracts.

D. A Forest may submit an otherwise exempt undertaking to the SHPO for consultation under this PA, the Regional or Sierra PAs, or 36 C.F.R. 800.

E. Undertakings pursuant to this PA must conform to Forest Service Special Uses Handbook guidance, Region 5 Supplement No. 2709.11-2000-1, Chapter 40: Special Uses Administration, subsection 41: Recreation Special Uses (FSH 2709.11,41.23), in addition to the historic guidelines specifically identified in Appendix A.

F. The locations of archaeological resources in inventoried tracts shall be reported by HPLs to Special Use Administrators to ensure appropriate screening of ground-disturbing and other

undertakings that may affect such resources. Special Use Administrators may permanently maintain these locations in Recreation Special Use files, but shall keep them confidential pursuant to guidelines provided by the HPLs.

1. Ground-disturbing and other undertakings that have the potential to affect known archaeological resources in inventoried tracts shall be referred to and screened by HPLs for appropriate treatment or consultation. Any questions regarding potential effects to archaeological resources shall be referred to HPLs.

2. Ground-disturbing and other undertakings that have the potential to affect archaeological resources shall not be approved for uninventoried tracts without Regional PA, Sierra PA, or 36 C.F.R. 800 consultation, as determined by the HPL.

G. Permittees are encouraged, but are not required, to remove inappropriate noncontributing elements and materials, and replace them with appropriate elements and materials that match historic characteristics. Any such replacements are considered undertakings, and require approval pursuant to this PA, or consultation pursuant to the Regional or Sierra PAs or 36 C.F.R. 800, as appropriate.

IV. EMERGENCIES

A. In the case of an emergency from a major disaster, such as forest fire or massive flood, the provisions of Stipulation VIII.B of the Regional PA or Stipulation IX of the Sierra PA may be invoked. The temporary, fully reversible measures of Stipulation IV.B, below, may also be used.

B. In the case of a minor emergency, such as damage from a fallen tree, temporary measures that are fully reversible (e.g., temporary use of tarps or plywood) may be used for emergency stabilization until provisions of this PA can be approved, or until consultation can be completed pursuant to the Regional or Sierra PAs, or via 36 C.F.R. 800.

V. OPERATIONS AND MAINTENANCE PLAN

The undertakings covered by this PA, as detailed in Appendix A, shall be incorporated into the Operations and Maintenance Plan for each SUP authorized within a historic property Recreation Residence Tract.

VI. REPORTING

A. Screened undertakings (Stipulation III.A.1; Appendix A.I) implemented on Forests in Region 5 pursuant to this PA shall be reported in Forest annual reports for the Regional or Sierra PAs, due March 1st, following each fiscal year.

B. Region 5's annual report for the Regional and Sierra PAs, due May 1st, following each fiscal year, shall include accounting of Forest activities pursuant to this PA, effectiveness of this PA, and recommendations for revisions or amendments related to this PA.

VII. REVISIONS TO APPENDIX A

Exempt undertakings may be added to or deleted from Appendix A in the following manner:

A. Upon written recommendation by any signatory to this PA, the signatories shall consider adding other classes of undertakings to Appendix A. Appendix A may be revised to include such additional exemptions upon the written agreement of all the signatories.

B. Upon written recommendation by any signatory to this PA, the signatories shall consider removal of any class of undertakings from Appendix A. Appendix A may be revised to exclude the exemption upon written agreement of all the signatories.

VIII. DISPUTE RESOLUTION

A. If any of the signatories to this PA objects to any aspect of its implementation, Region 5 shall consult with the objecting party to resolve the objection. Region 5 shall establish a reasonable time frame for this consultation.

B. If the objection involves a particular Forest's undertaking, the Supervisor of that Forest shall consult with the signatories to resolve the objection. The Forest Supervisor shall establish a reasonable time frame for this consultation.

C. If consultation fails to resolve the objection within the reasonable time frame, Region 5 shall forward all documentation, including SHPO comments if any, relevant to the objection to the ACHP.

1. Within 60 calendar days after receipt of all pertinent documentation, the ACHP will either:

a. provide Region 5 with recommendations, which Region 5 will take into account in reaching a final decision regarding the dispute; or

b. notify Region 5 that it will comment pursuant to 36 C.F.R. 800, and proceed to comment.

2. Any ACHP comment provided in response to an objection shall be taken into account by Region 5 with reference to the subject of the dispute. Region 5's responsibility to carry out all actions under this PA that are not the subject of the dispute shall remain unchanged.

D. Appeal by a permittee of a Forest Service decision about any proposed undertaking covered by this PA shall be subject to the appeal regulations at 36 C.F.R. 251, Subpart C, Appeal of Decisions Relating to Occupancy and Use of National Forest System Lands.

IX. AMENDMENT AND TERMINATION OF THIS PA

A. Any signatory to this PA may request it be amended; whereupon, the signatories shall consult to consider such amendment. Any amendment shall be executed in the same manner as the original PA.

B. Any signatory to this PA may terminate it by providing 60 days written notice to the other signatories, provided that the signatories consult during the period prior to termination to seek agreement on amendments or other actions that might avoid termination. In the event of termination, Region 5 shall comply with the Regional or Sierra PAs or with 36 C.F.R. 800 with regard to individual undertakings covered by this PA.

Execution and implementation of this Recreation Residence PA evidence that Region 5 has afforded the ACHP the opportunity to comment on the management of historic recreation residence tracts in California and its effects on historic properties, and that Region 5 is taking into account the effects of such management on historic properties.

U.S.D.A. Forest Service, Pacific Southwest Region

/s/ Katherine Clement (for) Date: 02/15/02.
JACK A. BLACKWELL
Regional Forester

State of California, Office of Historic Preservation

/s/ Knox Mellon Date: 2/26/02.
DR. KNOX MELLON
State Historic Preservation Officer

Advisory Council on Historic Preservation

/s/ John M. Fowler Date: 3/20/02.
JOHN FOWLER
Executive Director

APPENDIX A

Exempt Undertakings for Recreation Residences

The following Exempt Undertakings apply only to Recreation Residences and Recreation Residence Tracts under the provisions of this PA.

I. Screened Undertakings:

The following screened undertakings require HPL screening for historic characteristic compatibility. They may or may not be approved based on historic preservation needs. In addition, they require Special Use Administrator approval and Forest Service authorization. Screened undertakings are otherwise exempt from further review or consultation pursuant to this PA or 36 C.F.R. 800; but, they must be reported as screened exemptions in the annual report for the Regional or Sierra PAs.

1. Structural upgrades to meet building code or health and safety requirements that are visible but otherwise meet FSH 2709.11, 41.23g guidance and the Secretary of the Interior's Standards and Guidelines for Rehabilitating Historic Buildings.
2. Installation of an accessible elevator when not visible from the primary facade, and where matching exterior historic fabric and character.
3. Minor addition (less than 9 square feet) for storage or installation of mechanical equipment (e.g., water heater or furnace) on building exterior, if the addition meets the Secretary of the Interior's Standards and Guidelines for Rehabilitating Historic Buildings, when not visible from the primary facade, and where matching surrounding exterior fabric and historic character.
4. Installation of light tubes and skylights, if they are not visible from the primary facade, if installation meets the Secretary of the Interior's Standards and Guidelines for Rehabilitating Historic Buildings, and if their installation is compatible with the historic materials and character of the recreation residence and the tract as a whole.
5. Addition, reconstruction, or remodeling (e.g., addition of dormers or a room, or updating a bathroom or kitchen) that substantially alters the exterior appearance of the cabin, if its plans are completed by a licensed architect or general contractor, as follows. The licensed architect or contractor must use the skills of a preservation engineer, historic architect, or architectural historian to develop the plans; must have experience in rehabilitation of historic buildings; and must apply the Secretary of the Interior's Standards and Guidelines for Rehabilitating Historic Buildings to development of the plans. The addition, reconstruction, or remodel must meet the

guidelines in FSH 2709.11,41.23g 2b and/or 2c, and must be compatible with the historic character of the recreation residence and with the character of the tract as a whole. For example, if the recreation residence is a log cabin, the addition must be of log construction that matches the original fabric and overall building character.

6. Enlargement, addition, or removal of porches, decks, cornices, and stairs, when consistent with FSH 2709.11,41.23, 2d.. Any enlargement or addition shall be done in-kind to match historic material and design, and the style, materials, and character of the structure.

7. Addition or expansion of an outbuilding under FSH 2709.11,41.23g, 2f. The outbuilding must match the historic fabric and character of the recreation residence. The HPL must take into account the potential effect of the outbuilding on the historic character of the recreation residence, the tract, and its setting.

8. Removal of unauthorized outbuildings of 40 square feet or smaller that are either unevaluated or contribute to the historic character of the recreation residence and the tract. The HPL must take into account the potential effect of removal on the historic character of the recreation residence, the tract, and its setting.

9. Ground disturbing and other undertakings that may be implemented using effective treatments identified in the Standard Resource Protection Measures of Attachment B in the Regional PA or Attachment 7 in the Sierra PA.

10. Removal, using heavy equipment, of isolated hazard trees that are not part of timber sale activity.

11. Hazard tree removal as part of timber sales and other screened exemptions covered pursuant to Attachment A of the Regional PA or Attachment 4 of the Sierra PA.

12. Off-lot improvements (see FSH 2709.11,41.23g, 2g) for the recreation residence tract, unless otherwise exempted.

II. Special Use Administrator Approved Undertakings:

The following undertakings require Special Uses Administrator approval, and Forest Service authorization; some may also require county building permits. However, they do not require HPL screening. They have little potential to affect historic properties so long as they are administered pursuant to the guidance provided here and in Region 5 Supplement No. 2709.11,41.23g. When conforming to this guidance, they are exempt from further consultation pursuant to this PA, the Regional or Sierra PAs, or 36 C.F.R. 800. Where materials other than matching or in-kind are allowed, the differences are the result of requirements to meet fire or health and safety codes. Where proposed undertakings have the potential to affect archaeological resources, the Special Use Administrator shall contact the HPL pursuant to Stipulation III.F.

A. *Structural Elements:*

1. Repair or replacement of siding or trim, when done in-kind to match historic material, design, and approved color. If the existing paint color is not desirable, the color used shall be in keeping with historic color schemes approved for the recreation residence tract and consistent with FSH 2709.11,41.23g, 3d.
2. Replacement of window frames to match historic material, design, and approved color. The same historic configuration of panes must be retained. This includes energy efficient wood frames, so long as the exterior appearance matches the historic, but excludes exterior clad wood frames.
3. Replacement of glass, when done in-kind to match historic form, design, and transparency. Window and door panes may be double or triple glazed as long as the glazing is clear and replacement does not alter the historic window or door form. Energy efficient glazing may be used. This excludes the use of tinted glass, which requires consultation.
4. Repair or replacement of doors, when done in-kind to match historic material, form, and approved color.
5. Replacement of a door with a widened door to meet Americans with Disabilities Act requirements. It is preferable to have a wider door located on a nonprimary facade. However, if the only reasonable alternative for placement of a widened door to meet disability standards is on a primary facade, the door may be widened so long as the historic fabric and overall character of the historic appearance of the door and its surrounding wall are maintained.
6. Repair or replacement of porches, decks, cornices, and stairs, when done in-kind to match historic material and design, and the style, materials, and character of the structure, and when consistent with FSH 2709.11,41.23, 2d.
7. Addition of an accessibility ramp which blends with the historic materials and style of the recreation residence and its porch or deck.
8. Repair or replacement of foundations when the work does not change the structure's historic appearance.
9. Installation of skirting over or enclosing a structure's crawl space, constructed and painted an approved color to match or blend with the structure's historic fabric and character.
10. Repair or replacement of masonry, matching historic materials to not change the structure's historic appearance.
11. Repair or replacement of roofs or parts of roofs that are deteriorated, when done in-kind or where matching historic material and design. In areas of high fire danger, fire retardant roofing is allowed. Where health or safety is a

concern, asbestos or other harmful materials may be removed. Fire retardant and safe materials, consistent with FSH 2709.11,41.23g, 4e, may be used; such materials must match the original or approved roofing color and be as compatible with the design and character of the building as possible. Adequate anchorage for roofing material to guard against wind damage and moisture penetration shall be provided.

12. Installation of removable solar panels consistent with FSH 2709.11,41.23g, 3r, where installation does not compromise historic fabric, in inconspicuous locations, so that they are not visible from the primary facade, and so that their visible features blend with historic fabric and character.

13. Structural upgrades to meet building code or health and safety standards, where such structural changes are not visible. Examples include: increasing the number of joists supporting a deck when they are hidden by skirting or the decking itself; or, repairing a chimney and/or flue with reinforced masonry, where the reinforcement is not visible to the building's exterior, so long as the original material is matched and maintained as a facade.

B. Surfaces:

1. Painting exterior surfaces, when new paint matches the existing or historic color. If the existing paint color is not desirable, the color used shall be in keeping with historic color schemes approved for the recreation residence tract and consistent with FSH 2709.11,41.23g, 3d.

2. Removal of hazardous materials or surfaces, such as asbestos and lead paint, and replacing them with nontoxic materials that resemble the historic surfaces as closely as possible.

3. Pointing or grouting masonry to match historic characteristics.

C. Utility Systems:

1. Installation of mechanical equipment that does not affect the visual integrity of the lot or exterior fabric of the recreation residence.

2. Replacing, removing, or upgrading electrical wiring, where installation of exterior features is confined to the wiring itself and a single replacement or addition of a breaker box inconspicuously placed on a minor facade.

3. Repairing, replacing, removing, or upgrading underground gas, heating, septic, sewer, storm, or water systems, and underground electrical, gas, heating oil, water, sewer, or leach lines, where external historic features, such as hand pumps, are left in place, where these activities are restricted to specific,

identified, previously disturbed areas, and where no archaeological resources are present.

4. Replacement of above-ground water tanks with ones of fiberglass or metal, when the color and texture of the existing or historic tanks are replicated, or when landscaping camouflages the replacement tank. Redwood tanks with plastic inserts are also feasible. Where no archaeological resources are present, construction of a structure around a tank to control temperature is allowed when landscaping camouflages visible changes.

5. Replacement, enlarging, or installation of above-ground liquid propane gas systems or heating oil storage tanks, if tanks meet code and are appropriately screened to not impinge upon the historic setting.

6. Replacement of historic communications equipment, when the same size, shape, and general configuration are retained, or installation of inconspicuous communications equipment, consistent with FSH 2709,11, 41.23g, 3k; this excludes large antennae, and large satellite or communications dishes.

D. *Surrounding Features:*

1. Excavations for repair or replacement of building footings or foundations within two (2) feet of existing footings and foundations, where no archaeological resources are present.

2. Closing off and removing unauthorized driveways, walkways, and other unauthorized cultural landscape features, allowing natural regeneration of vegetation.

3. Repair, replacement, or addition of exterior lighting that blends with the landscaping and historic style of the recreation residence.

4. Repair or replacement of existing driveways, walkways, and other cultural landscape features, when done in-kind to match existing or historic materials and design.

5. Repair or replacement of authorized fencing done in kind to match existing or historic materials and design.

6. Ongoing maintenance of immediately surrounding landscape vegetation, including removing nonnative vegetation and adding native vegetation that blends with the historic scene, so long as historic landscape characteristics are maintained and the method of vegetation removal or planting does not disturb previously undisturbed ground or archaeological resources.

7. Removal, without the use of heavy equipment, of isolated hazard trees that are not part of timber sale activity.

8. Installation of interpretive signs or exhibit structures which are not attached to historic structures and do not visually intrude on the historic landscape. Signs and exhibits should be

constructed of materials and painted colors that harmonize with the recreation residence tract.

III. Interior Undertakings:

Changes to interior characteristics of recreation residences that are not visible from the exterior are exempt; they have little to no potential to affect historic properties. However, they may require other approvals, such as county permits, and must be checked with Special Use Administrators for such approvals.

IV. Minor Maintenance Undertakings:

Undertakings that qualify as Minor Maintenance are exempt; they have little to no potential to affect historic properties. Minor Maintenance undertakings do not require approval, from either HPLs or Special Use Administrators. Minor maintenance undertakings involve repairs in-kind with identical or carefully matched materials, or inconspicuous installations where there are no visible effects to external historic character or fabric, and no structural changes to the resource. (See FSH 2709.11,41.23g,.1a.) Minor maintenance undertakings do not include repairs or installations with materials that differ from or do not match historic fabric and character or that intrude on exterior views. The following are minor maintenance undertakings:

1. In-kind replacement of hardware, such as door knobs, door and window latches, hinges, locks, etc.
2. Installation of security hardware, such as dead bolts, door locks, window latches, and inconspicuous door peep holes, matching historic hardware as closely as possible.
3. Installation of inconspicuous burglar or other alarm systems that do not intrude on external historic character or fabric and are not visible from exterior views.
4. Replacement of broken window pane glass in existing, historic window frames, matching historic form, design, and transparency.
5. Application or replacement of caulking or weather stripping, where it is inconspicuous to outside views.
6. Minor in-kind repair of siding, trim, roofing, or deck/porch flooring material confined to a few boards.
7. Limited (less than one square foot) repair of window frames and shutters by patching, splicing, or consolidating with epoxy resin or similar materials.
8. Protection and maintenance of historic fabric through appropriate surface treatments such as cleaning, rust removal, limited (affecting no more than one square foot) paint removal and reapplication of protective coatings, using approved historic color and texture.

9. Limited (less than one square foot) pointing or grouting of masonry matching historic materials.
10. Replacement of lightening rod wiring with new copper wire.
11. Replacement of light bulbs, batteries, and other such removable or replaceable parts; energy efficient florescent bulbs may be used, so long as similar lumens are maintained.
12. Maintenance, repair, or in-kind replacement of previously approved signs.
13. Ongoing up-keep of recreation residence lots that includes removal of trash and dead and downed debris.
14. Fire prevention measures mandated by state fire prevention codes.