

Background

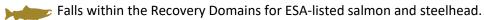
The Oregon Watershed Enhancement Board (OWEB) applies annually for Pacific Coastal Salmon Recovery Funds (PCSRF) from the National Marine Fisheries Service (NMFS) and awards these funds through various grant programs. These funds are mainly used in restoration and technical assistance projects that benefit salmon and steelhead.

In August 2025, OWEB, the NMFS, along with the Oregon State Historic Preservation Office (SHPO) and the Advisory Council on Historic Preservation, signed a <u>Programmatic Agreement (PA)</u> for PCSRF projects, delegating the responsibilities of Section 106 of the National Historic Preservation Act of 1966 (NHPA) to OWEB. Section 106 requires federal agencies to consider the effects on historic properties of projects they carry out, assist, fund, permit, license, or approve.

OWEB has historically relied on its grantees to self-report and track permits required for project implementation in the application and grant agreement. Under the PA, OWEB is responsible for ensuring that the grantees are in compliance with Section 106. This includes reviewing projects to ensure alignment with the PA, examining cultural resource reports, and submitting the appropriate documentation to the SHPO and the National Oceanic and Atmospheric Administration (NOAA).

Under the PA, OWEB is required to review all grants funded by PCSRF, as well as those utilizing Oregon Lottery funds used to meet its 33% required match to NOAA. The information below is intended to help OWEB applicants understand these new requirements.

The PA applies to all land in Oregon that:



Does not already have another established federal PA.

Is not under Tribal Historic Preservation Office (THPO) jurisdiction. THPO has authority in lieu of the Oregon SHPO.

Impacts to Grantees

OWEB grantees are accustomed to ensuring Section 106 compliance when working with federal funds and working on federal lands; these federal nexuses are triggers for compliance with federal laws. Grantees that are now funded with Oregon Lottery funds but are located within the Recovery Domains for ESA-listed salmon and steelhead will have to plan to demonstrate compliance with Section 106 and budget in technical assistance and restoration applications for cultural resources review.

Applicants should consider the following when planning projects:

Contact a qualified archaeological contractor and the federally recognized tribes' THPO office early in the project planning process to avoid, minimize or mitigate impacts to cultural resources. The <u>Oregon SHPO</u> provides a helpful bulletin for individuals and organizations interested in hiring an archaeologist and the <u>Association of Oregon Archaeologists</u> offers a contractor directory.

Apply for a Technical Assistance (TA) grant and budget time and expenses for cultural resources requirements in the TA grant prior to applying for a restoration grant.

Complete as much cultural resource work as possible during the design phase of the project to reduce delays. If cultural resource work has not begun by the time grantees apply for a restoration grant, the review may note concerns about unknown budget costs and delays in the project timeline.

How OWEB Can Help

Projects in the design phase are able to request funds for cultural resources work through OWEB's TA grant program. The applicant is encouraged to identify the Area of Potential Effect (APE) during the design phase.

Projects in the implementation phase may include costs for cultural resources work to be done in the restoration grant application.

OWEB encourages applicants to reach out to cultural resources consulting firms to assist in budgeting or conducting a pre-review early in the project development phase. Costs for cultural resources work depend on the scope, scale, and location of the project. A survey in a low-probability area may cost \$2,000-\$5,000. A survey for a larger project or activities in a high-probability area (or known site) could cost \$50,000 or more.

OWEB also encourages applicants to contact the local Tribal Natural and Cultural Resource offices and share the project site and scope early in the life of the project to identify any potential areas of concern that may be included in the planning and design phase. The Legislative Commission on Indian Services has contact information for each Tribe's Cultural Resources staff.

Questions?

OWEB will do everything possible to work with grantees to answer questions in a timely manner. Please contact: Cultural.Resources@oweb.Oregon.gov | 971-345-7756

Three Activity Categories

The activities listed below are categorized based on project types that qualify for PCSRF funding and are subject to change as the PA is finalized in July 2024.



Activities with very minimal to no potential to cause effects to historic properties.



Activities with very minimal to no potential to

ASSESSED for Exemptions from Section 106

Activities with variable potential to affect historic properties will be subject to a screening process prior to being excluded from further Section 106 review.



REOUIRE Full Section 106 Review

Activities with the **potential to affect historic properties** will require full project review and consultation.







1 EXEMPT from Section 106 2 ASSESSED for Exemptions from Section 106 Review

3 REQUIRE Full 106 Review

	from Section 106 Review	
Water Quality • Carcass or nutrient placement	Water Quality Refuse/debris removal Sewage clean-up Toxin reduction Livestock manure management Stormwater/wastewater	Water Quality • Return flow cooling
	Riparian Habitat Riparian planting Riparian exclusion and fencing Water gap development Riparian plant removal/control Debris/structure removal Conservation grazing management	Riparian Habitat • Forestry Practices/Stand Management
	Instream Habitat • Streambank stabilization • Spawning gravel placement • Plant removal/control • Beaver introduction/ management • Predator/ competitor removal	 Instream Habitat Channel reconfiguration and connectivity Channel structure placement
	Estuarine/Nearshore Removal of existing fill material Fill placement Estuarine plant removal/control Shoreline armor removal or modification Beach nourishment Contaminant removal/remediation Debris removal Overwater structure removal/modification Exclusion devices such as fencing Estuarine planting	Estuarine/Nearshore Channel modification Dike or berm modification removal Tidegate alteration/ removal Estuarine culvert modification/ removal Slope regrading New estuarine creation

	 Fish Passage Improvements Fish passage at road crossings, barriers, fishways, and weirs Fishway chutes or pool installation Fish ladder installation/ improvement Road stream crossing removal 	Fish Passage Improvements Removal or alteration of fish passage blockages Culvert installation or improvement at road stream crossing Bridge installation or improved at road stream crossing Rocked ford-road stream crossing
 Instream Flow Water flow gages, water leases/ purchases Maintaining adequate flow or reducing flow 	 Instream Flow Headgate installation Flow regulation Withdrawal reductions Well installation to eliminate a diversion Piping open canals 	
	 Upland Habitat and Sediment Road drainage system improvements and reconstruction Road closure/ abandonment Erosion control structures installation Erosion and sediment control planting Upland livestock management Trail or campground management Upland wetland improvement Upland agriculture management, such as low or no-till Upland irrigation management 	 Upland Habitat and Sediment Slope stabilization Upland vegetation management such as juniper removal, thinning, prescribed burning, stand conversions, etc.
Public Outreach, Education, and Landowner Recruitment Outreach documents/reports/posters Media material production Events/ workshops/ training/ presentations Landowner contact	Wetland • Wetland planting • Wetland plant removal/control • Wetland improvement/restoration • Artificial wetland creation Land or Easement Acquisition Other or Unspecified Projects	

Salmonid Restoration Planning and Assessments

- Restoration Planning and Coordination
- Habitat Assessment/Inventory

Site Maintenance

 Irrigating or replanting trees that failed to survive, using only existing infrastructure, hand-tools or other non-destructive methods

Pre-Restoration Acquisitions

 Restoration structures or equipment purchases for future habitat restoration projects

Monitoring

- · Adult/smolt/fry salmonids
- Biological instream
- · Redd and carcass counts
- Harvest monitoring
- Test fishery
- · Water quality and quantity
- · Habitat condition
- Post-project implementation or design compliance
- · Effectiveness and validation
- Intensively monitored watershed
- Stormwater, wastewater, sewage outfall
- Predator/competitor

