

AMENDMENT TO
THE
PROGRAMMATIC AGREEMENT
AMONG
U.S. ARMY GARRISON FORT SILL, OKLAHOMA,
OKLAHOMA STATE HISTORIC PRESERVATION OFFICE, SILL HOUSING, LLC AND
THE ADVISORY COUNCIL ON HISTORIC PRESERVATION
FOR THE PRIVATIZATION OF FAMILY HOUSING AT
FORT SILL, OKLAHOMA
(Agreement)

WHEREAS, the Agreement with attachments was executed on April 3, 2008; and,

WHEREAS, the signatories for the Agreement were the U.S. Army Garrison (Fort Sill), the Oklahoma State Historic Preservation Officer (SHPO) and the Advisory Council on Historic Preservation (ACHP); and,

WHEREAS, the Oklahoma Archeological Survey (OAS) and Sill-Picerne Partners, LLC were concurring party signatories to the Agreement; and,

WHEREAS, Sill-Picerne Partners, LLC has changed its name to Sill Housing, LLC; and,

WHEREAS, the Agreement was amended on June 15, 2010 (Amendment #1), and April 25, 2014 (Amendment #2); and,

WHEREAS, Amendment #2 provided a revised Attachment C, RCI Land Lease Footprint, which defined the area of potential effect (APE) for the Agreement, that superseded in its entirety the original Attachment C; and,

WHEREAS, the *Program Comment for the Preservation of Pre-1919 Historic Army Housing, Associated Buildings and Structures, and Landscape Features* (Pre-1919 Housing Program Comment) went into effect on May 17, 2024, and there are no further Section 106 consultation requirements for these properties under this Agreement or its prior amendments; and,

WHEREAS, the *Program Comment for Department of the Army Vietnam War Era Historic Housing, Associated Buildings and Structures, and Landscape Features (1963-1975)* (Vietnam War Housing Program Comment) went into effect on March 17, 2023, and there are no further Section 106 consultation requirements for these properties under this Agreement or its prior amendments; and,

WHEREAS, the *Program Comment for Department of the Army Inter-War Era Historic Housing, Associated Buildings and Structures, and Landscape Features (1919-1940)* (Inter-War Housing Program Comment) went into effect on September 4, 2020, and there are no further Section 106 consultation requirements for these properties under this Agreement or its prior amendments; and,

WHEREAS, the *Program Comment for Department of the Army Capehart-Wherry Housing, Associated Buildings and Structures, and Landscape Features (1949-1962)* went into effect on June 7, 2002, and there are no further Section 106 consultation requirements for these properties under this Agreement or its prior amendments; and,

WHEREAS, Stipulation II of the Agreement as originally written addressed conveyance activities but did not provide a process to record modifications to the footprint; and,

WHEREAS, the Ground Lease is proposed to be modified related to potential conveyance activities, resulting in changes to the RCI Footprint; and,

NOW, THEREFORE, in accordance with Stipulation IX.A of the Agreement, Fort Sill, the SHPO, the ACHP, the OAS, and Sill Housing, LLC, agree to amend the Agreement as follows. The processes in stipulations 1 and 2 below do not apply when historic properties involved are subject to provisions regarding property transfer and conveyance in current or future Program Comments, transfers and conveyances of such historic properties are subject to the terms of the applicable Program Comment:

1. Stipulation II of the Agreement concerns conveyance activities and is modified by the addition of D and E to the previously existing A-C as follows:

a. Stipulation II - D. Consultation between the signatories concerning the renewal or modification to the Ground Lease is considered complete when ACHP and/or SHPO concur that the renewal or modification to the Ground Lease does not constitute a new federal undertaking subject to the provisions of the Act.

i. This provision is applicable when land is added to the RCI footprint and/or land is removed from the RCI footprint and reverts to Fort Sill's ownership and management.

ii. Modifications to the Ground Lease will be recorded by submission of an updated Attachment C to ACHP and SHPO as part of the RCI Annual Report (Stipulation III.D as amended by Amendment #2) with no formal amendment to this Agreement necessary.

iii. Renewal of the Ground Lease will be recorded as part of the necessary amendment to the Agreement to address Stipulation X, Effective Date, End Date, Applicability and in accordance with Stipulation IX, Amendment and Termination.

b. Stipulation II - E. Should consultation among the parties result in a determination that the renewal or modification to the Ground Lease constitutes a new federal undertaking subject to the provisions of the Act, Fort Sill will follow the process specified in 36 CFR §§ 800.3 through 800.7 or a duly adopted Program Alternative pursuant to 36 CFR § 800.14.

2. The revised Attachment C in Amendment #2 of the Agreement delineated the RCI footprint, which also serves as the APE for the Agreement. Aside from the below modifications, all other aspects of the revised Attachment C in Amendment #2 remain valid to the Agreement.

a. Consistent with Stipulation II, Conveyance Activities, changes to Attachment C will be effective only once the real estate transactions are approved by the Real Estate Department of the U.S. Army Corps of Engineers (USACE) and/or the Ground Lease is modified.

i. The land transfer will not be reflected in Fort Sill's Geographic Information System (GIS) until the real estate transactions are approved by USACE and/or the Ground Lease is modified.

ii. In the event the real estate transactions are not approved and/or the Ground Lease is not modified, the corresponding modification to the RCI footprint will be disregarded.

b. Reversion of Portions of Parcel P from Sill Communities, LLC to Fort Sill: Parcel P is reduced by approximately 37.48 acres through the removal of two sections of land as delineated by the Attachment C-1 Addendum in this amendment.

i. Parcel P, as shown on the revised Attachment C in Amendment #2, consists of approximately 313.77 acres.

ii. Approximately a 37.48-acre portion of Parcel P, divided into two tracts, is being removed from the RCI footprint with control of these areas reverting to Fort Sill.

iii. The remaining 276.29 acres in Parcel P is herein designated as Parcel P-1 with Parcel P-2 consisting of approximately 31.54 acres located east of the intersection of Sheridan Road and Snow Road and Parcel P-3 consisting of approximately 5.94 acres located on the west end of Fleming Avenue.

iv. Parcel P-2 contains 68 building slabs from the former residential area known as Artillery Village, which was developed in the early 1950s under the Wherry Act and, thus, the slabs are subject to the Capehart and Wherry Program Comment issued by the ACHP on 7 June 2002, and there are no further Section 106 consultation requirements for these properties under the Agreement.

v. Parcel P-3 contains 3 building slabs from the former residential area developed on the east end of Fleming Avenue in the late 1980s and a playground area developed in the early 1990s. All of these elements are of insufficient age to merit National Register consideration.

vi. The area containing Parcels P-2 and P-3 was archeologically surveyed as part of the *Intensive Archeological Survey of 3,210.75 Acres and 77 National Register Site Evaluations at the Fort Sill Military Reservation, Comanche County, Oklahoma* (2014), *Phase I Archaeological Survey for Buffalo [Solider] Acres Sewer Line Extension, Fort Sill, Comanche County* (2010), *Cultural Resources Inventory of 320 Acres at Cedar Lakes Golf Course, Fort Sill Military Reservation, Comanche County, Oklahoma* (2008), and, *An Archaeological Reconnaissance of Fort Sill, Oklahoma* (1978). No archeological sites were identified in the areas composing Parcels P-2 or P-3.

vii. In correspondence dated March 28, 2018, and February 23, 2024, Fort Sill consulted with SHPO, OAS and Sill Housing, LLC concerning the proposed action, including the determination that the proposed modification to the Ground Lease was not a new federal undertaking (Stipulation II.C). The ACHP subsequently provided to the Department of Army Deputy Federal Preservation Officer comments that were considered and incorporated as applicable into this document. No objections to the action were received from the other signatories, taking into account the following:

1. The area being transferred was returning to Federal control;
2. There are no historic properties within the transferred area;
3. The total area being transferred was a minor portion of Parcel P and the overall RCI footprint.

c. Conveyance of Wichita House (Building 343) for Family Housing Purposes in accordance with the Pre-1919 Housing Program Comment: Parcel Q consists of 0.37 acres and contains two buildings and associated landscape area and features as delineated by the Attachment C-2 Addendum to this amendment.

i. The primary building is Building 343, known as Wichita House, which has been used for family residential purposes since at least the early 20th century and has been distinguished visitors quarters (DVQ) since 1986. Building 343 was built in circa 1873 as the Band Quarters and is a contributing resource to the NRHP-listed NHL and the NRHP-eligible Old Post Historic District.

ii. The secondary building in this parcel is Building 344, which is a single car garage constructed in 1977. Building 344 is located outside the boundaries of both the NHL and Old Post Historic District and has been determined not eligible for the NRHP in consensus with SHPO.

iii. The area was archeologically surveyed as part of the *Intensive Archeological Survey of 3210.75 Acres and 77 National Register Site Evaluations at the Fort Sill Military Reservation, Comanche County, Oklahoma* (2014). No archeological sites were identified in the 0.37 acre area to be transferred or in the immediate proximity of the area.

iv. In correspondence dated February 23, 2024, Fort Sill consulted with SHPO, NPS, OAS and Sill Housing, LLC concerning the proposed action, including the determination that the proposed modification to the Ground Lease was not a new federal undertaking (Stipulation II.C). The ACHP subsequently provided to the Department of Army Deputy Federal Preservation Officer comments that were considered and incorporated as applicable into this document. No objections to the action were received from the other signatories, taking into account the following:

1. The area being transferred was historically used for family housing purposes with the conveyance allowing resumption of this historical function; and,

2. The Pre-1919 Housing Program Comment so there are no further Section 106 consultation requirements for this property under the Agreement.

d. Conveyance of Little House on the Prairie (Building 5715) for Family Housing Purposes: Parcel R consists of 1.048 acres and contains one building and associated landscape area and features as delineated by the Attachment C-3 Addendum to this amendment.

i. The only building in the parcel is Building 5715, known as Little House on the Prairie, which is a single family home that was built in 1920 and altered in 1940. Building 5715 was determined not eligible for the NRHP through consensus of Fort Sill and SHPO.

ii. The area was archeologically surveyed as part of the *Archaeological Testing of Sixteen Sites and Survey of 1,080 Acres in the Fort Sill Military Reservation* (2003). No archeological sites were identified in the 1.048 acre area to be transferred or in the immediate proximity of the area.

iii. In correspondence dated February 23, 2024, Fort Sill consulted with SHPO, OAS and Sill Housing, LLC concerning the proposed action, including the determination that the proposed modification to the Ground Lease was not a new federal undertaking

(Stipulation II.C). The ACHP subsequently provided to the Department of Army Deputy Federal Preservation Officer comments that were considered and incorporated as applicable into this document. No objections to the action were received from the other signatories, taking into account the following:

1. There are no historic properties within the transferred area;
2. The total area transferred does not significantly add to the existing 851.88 acres previously leased to Sill Communities, LLC, and is a minuscule portion of the Installation's total nearly 94,000 acres.
3. In accordance with Stipulation IX of the Agreement, this amendment (Amendment #3) will be effective on the date a copy signed by the signatories is filed with the ACHP.

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U.S. ARMY GARRISON FORT SILL, OKLAHOMA,
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THE ADVISORY COUNCIL ON HISTORIC PRESERVATION

FOR THE PRIVATIZATION OF FAMILY HOUSING AT
FORT SILL, OKLAHOMA

FORT SILL, OKLAHOMA

By: _____

James H. B. Peay IV
Colonel, U.S. Army
Commanding

Date: _____

7 Jun 2024

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FOR THE PRIVATIZATION OF FAMILY HOUSING AT
FORT SILL, OKLAHOMA

OKLAHOMA STATE HISTORIC PRESERVATION OFFICER

By: _____

Trait Thompson
Oklahoma State Historic Preservation Officer

Date: _____

6/13/24

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FOR THE PRIVATIZATION OF FAMILY HOUSING AT
FORT SILL, OKLAHOMA

ADVISORY COUNCIL ON HISTORIC PRESERVATION

By: 

Reid Nelson
Executive Director

July 17, 2024
Date: _____

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FOR THE PRIVATIZATION OF FAMILY HOUSING AT
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OKLAHOMA ARCHEOLOGICAL SURVEY

By:


Kary Stackelbeck
Oklahoma State Archeologist

Date:

7/3/2024

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SILL HOUSING, LLC

By: Sill Housing, LLC, its managing member

By: *Jim Champagne*
Jim Champagne

Date: 07-03-2024

Title SVP, Asset Management

ATTACHMENT C-1 ADDENDUM

Parcel P Modification

Parcel P-1 remains in the RCI Footprint.

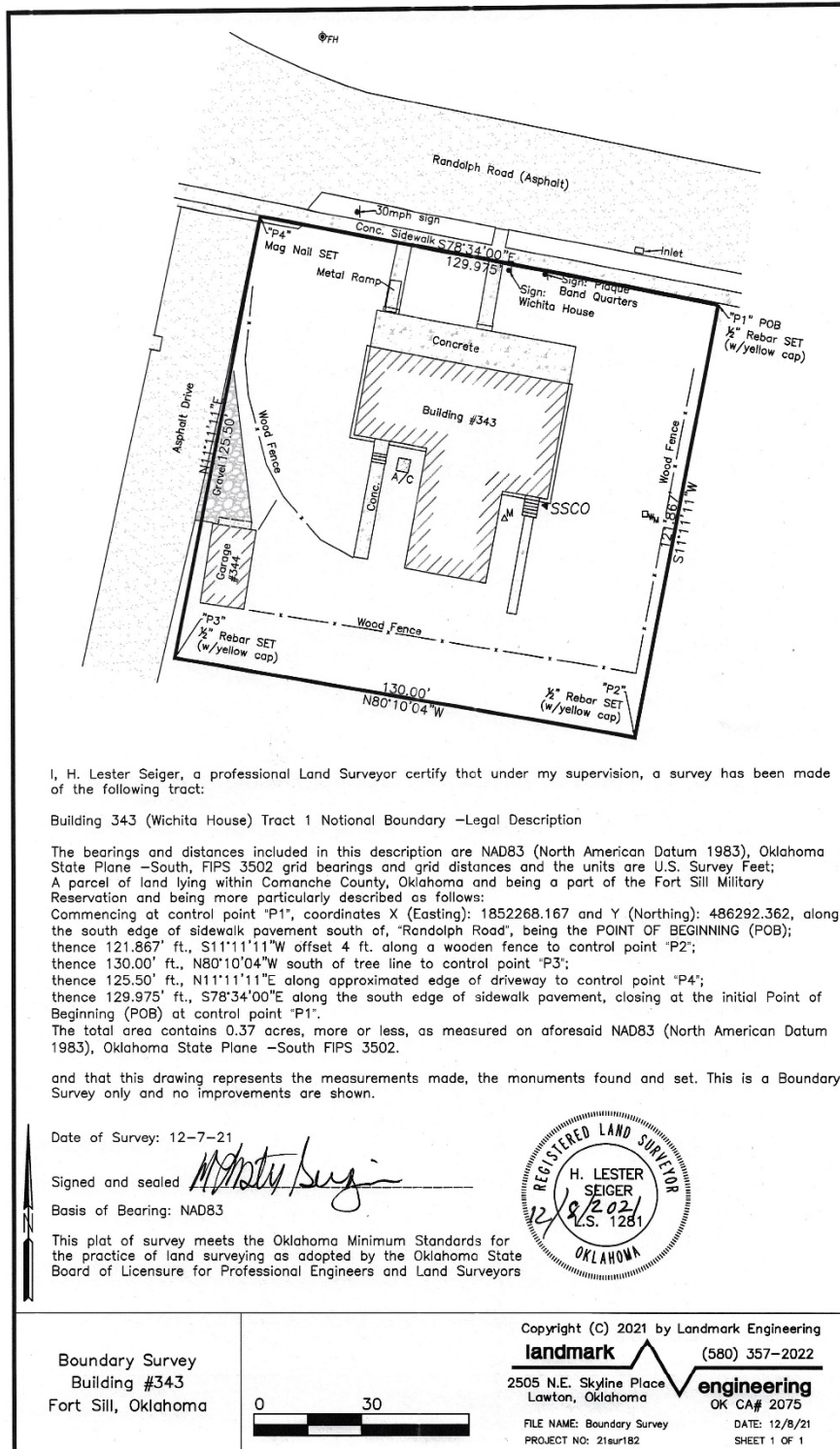
Parcels P-2 and P-3 are no longer part of the RCI Footprint.



Parcel P-1, P-2 and P-3, Fort Sill Military Reservation, Oklahoma

ATTACHMENT C-2 ADDENDUM

Addition of Wichita House (Building 343) & Garage (Building 344) to RCI Footprint



ATTACHMENT C-3 ADDENDUM

Addition of Little House on the Prairie (Building 5715) to RCI Footprint

